

Central Coast Regional Water Quality Control Board

MINUTES OF PUBLIC MEETING
Thursday, September 20, 2018, 9:00 a.m. – 5:00 p.m.
Friday, September 21, 2018, 9:00 a.m. – 5:00 p.m.

Watsonville City Council Chambers
275 Main Street - 4th Floor (New Building)
Watsonville

Thursday, September 20, 2018, 9:00 a.m.

Chair Dr. Jean-Pierre Wolff called the meeting to order on Thursday, June 28, 2018, at 9:05 a.m.

Board Business

1. Roll Call

[Tammie Olson, Clerk to the Board, 805/549-3140, Tammie.Olson@Waterboards.ca.gov]

Present: Chair Wolff, Vice-Chair Hunter, Member Delgado, Member Gray, Member Johnston (arrived after roll call), and Member Young.

Absent: Member Cervantez

2. Introductions, Staff Recognition, and Awards

[John Robertson, Executive Officer, 805/549-3140, John.Robertson@waterboards.ca.gov]

Executive Officer John Robertson introduced Stephanie Yu, counsel to the Board; Matthew Keeling, assistant executive officer; Tammie Olson, clerk to the Board; and section managers Harvey Packard, Angela Schroeter, and Chris Rose.

3. Approval of June 28-29, 2018 Board Meeting minutes

Motion: Vice-Chair Hunter
Seconded by: Member Gray
Roll Call Vote: Chair Wolff, Vice-Chair Hunter, Member Delgado, Member Gray, and
Aye: Member Young
Absent: Member Johnston, and Member Cervantez
Abstain:
MOTION CARRIED: 5-0

4. Report by Regional Board Members

- Chair Wolff
 - Separate phone conversations with the following people regarding today's agenda confirming that agriculture and environmental groups had the opportunity to give presentations
 - Abbie Taylor-Silva, Grower-Shipper Association of Central California
 - Claire Wineman, Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties.
 - Steve Shimek, Otter Project and Monterey Coastkeeper
 - Phone conversations at the state level with the following regarding improving our transparencies of communication by the use of webcast, funding, and allocation.
 - Steve Moore, State Water Board, Vice Chair
 - Eileen Sobek, State Water Board Executive Director
 - Governor's Office
 - July 5, 2018, meeting with the San Luis Obispo County Sustainable Groundwater Management Act group
 - July 26, 2018, meeting with the San Luis Obispo County Sustainable Groundwater Management Act group
 - Aug 5, 2018, water resources advisory committee
 - Aug 7, 2018, hosted sustainable ag tour with local college and universities, including Cuesta, College, Hancock College and Cal Poly. Focus on water in agriculture.
- Vice-Chair Hunter, Member Delgado, Member Gray, Member Johnston, and Member Young
 - Nothing to report

Discussion/Informational Items

6. Agricultural Order 4.0 Stakeholder Panel Discussions
[Chris Rose, 805/542-4770, chris.rose@waterboards.ca.gov]

Item 6 was an informational item consisting of stakeholder panel discussions on development of Agricultural Order 4.0. There were five separate panels presenting information and recommendations on regulatory oversight of agricultural discharges. The item began on Thursday morning and continued into Friday afternoon. The panelists, topics, presentations, and discussion are summarized below.

All presentations delivered by panelists are available to the public on the Central Coast Water Board website:

https://www.waterboards.ca.gov/centralcoast/board_info/agendas/2018/september/index.html

Agricultural Panel

Topic: Nutrient, Irrigation and Pesticide Management

Presentation: Nutrient Management

Panelists: Jocelyn Bridson (Rio Farms), Mark Mason (Huntington Farms)

Presentation: Irrigation Management

Panelists: Jackie Vasquez (Sundance Berry Farms), Tim Borel (Blanco Farms), Joel Wiley (Wilbur Ellis)

Presentation: Pesticide Management

Panelists: Ed Mora (D'Arrigo Brothers), Mark Mason (Huntington Farms)

The Board engaged the panelists during and following their presentations. Discussion topics included how to incentivize the use of groundwater nitrogen without seemingly penalizing growers for doing so; new nitrogen versus old nitrogen; identifying and following up with outliers as an approach to regulation; difficulties in tracking nitrogen removed; that some growers report low nitrogen application compared to other growers, and how they can produce a crop; using technical advisory committees to develop regulatory requirements; whether research is needed to better understand pathways of pesticides; and agricultural commissioners' role in pesticide use oversight.

Topic: Farm Management Considerations

Presentation: Food Safety

Panelists: Scott Horsfall (Leafy Green Handlers Marketing Agreement), Joe Pezzini (Ocean Mist Farms), Dan Sutton (Pismo Oceano Vegetable Exchange)

The Board engaged the panelists during and following their presentations. Discussion topics included the conflict between regulatory requirements for vegetated riparian areas and food-safety metrics; how to give growers flexibility to reach water quality goals without micromanaging their farming operations through regulation; the requirement to minimize bare dirt; using vegetative buffers to reduce tailwater; vegetation as an attractant to rodents and other animals that are a risk to food safety; and methods to achieve water quality goals, such as sloping roads away from streams, which could be used rather than vegetation buffers.

Topic: Generating Meaningful Data & Balancing Level of Detail with Reporting Burden

Presentation: Agricultural Associations

Panelists: Claire Wineman (Grower-Shipper Assoc. Santa Barbara & San Luis Obispo Counties), Sarah Lopez (Preservation Inc.), Parry Klassen (Central Coast Groundwater Coalition); George Adam (Grower, Innovative Produce), Tim Borel (Blanco Farms)

The Board engaged the panelists during and following their presentations. Discussion included tailoring nitrogen reporting to a variety of growers that can identify outliers; having a clear and understandable reporting interface; incentivizing pump and fertilize; reporting requirements that are conducive to growers' ability to accurately report; reporting nitrogen use that does not penalize groundwater nitrogen use; ability of crops to uptake nitrogen in the presence of high salts in irrigation water; continued drinking water well monitoring even after the well had a nitrate exceedance; and the role of third parties in using required data.

Topic: Looking Forward/Summations

Presentation: Summary and Looking Forward

Panelists: Kirk Schmidt (Sustainable Agricultural Water Corporation), Abby Taylor-Silva (Grower-Shipper Assoc. of Central California), Kris Beal (Vineyard Team)

The Board engaged the panelists during and following their presentations. Discussion included how incentives could be used; how to disseminate monitoring data results to growers; third-party involvement; and unintended consequences of regulation that is too prescriptive.

Speakers:

- Kay Mercer, KMI
- Bridget Hoover, Monterey Bay National Marine Sanctuary
- Dr. Lowell Zelinski, Precision Ag Consulting
- James Green, San Luis Obispo County Farm Bureau
- Jane Sooby, California Certified Organic Farmers

Public Forum

7. Public forum

Speakers

- Dan Turner, Public Water Now
- Keith Van Der Maaten, Marina Coast Water District
- Jan Shriner, Marina Coast Water District
- Julie Hoffman, Citizens for Water
- Kathy Biala, Citizens for Water
- Audra Walten, Citizens for Water

Friday, September 21, 2018, 9:00 a.m.

Board Business

8. Roll Call / Introductions

[Tammie Olson, Clerk to the Board, 805/549-3140, Tammie.Olson@Waterboards.ca.gov]

Present: Chair Wolff, Vice-Chair Hunter, Member Delgado, Member Gray, Member Johnston, and Member Young.

Absent: Member Cervantez

Executive Officer John Robertson introduced Stephanie Yu, counsel to the Board; Matthew Keeling, assistant executive officer; Tammie Olson, clerk to the Board; and section managers Harvey Packard, Angela Schroeter, and Chris Rose.

9. Report by State Water Resources Control Board Liaison [Dorene D'Adamo, 916/341-5609]
Ms. Adamo provided a report on State Water Board activities.

Public Forum

10. Public Forum

Speakers:

- Marla Anderson, Monterey County Organization of Water Systems
- Daniel Castillo
- Shawna Murray, Associate Water Resources Engineer, Monterey County Water Resources Agency
- Jack Ramey, Operator
- Jeff Irwin, Prunedale Preservation Alliance
- Steve Shimek, Otter Project and Monterey Coastkeeper

Discussion/Informational Items

6. Agricultural Order 4.0 Stakeholder Panel Discussions (item continued from Thursday)
[Chris Rose, 805/542-4770, chris.rose@waterboards.ca.gov].

Environmental Advocate Panel

Topic: Water Quality Protection and How to Achieve It

Panelists: Steve Shimek (The Otter Project and Monterey Coastkeeper), Ben Pitterle (Santa Barbara Channelkeeper), Sean Bothwell (California Coastkeeper Alliance)

The Board engaged with the panelists during and following their presentations. Discussion topics included difficulties in achieving monitoring goals where ranches have transient growers; using proxies in monitoring discharge; water quality impacts of using impermeable surfaces, such as plastic; nitrogen application limit of 150% of crop need; vegetative buffers and food safety issues; and being too prescriptive in regulatory requirements.

Creeklands Conservation for People, Ag and Wildlife Panel

Topic: Habitat Enhancement in Agricultural Land Use Areas

Panelist: Steph Wald

The Board engaged the panelist during and following her presentation. Discussion topics included beneficial use designations in areas where no fish are currently present; steelhead distribution in the region; the connection between groundwater and surface water flow; riparian habitat along agricultural land use areas; and the fish-friendly farm program.

Environmental Justice Panel

Topic: Environmental Justice Implications and Recommendations for Ag Order 4.0

Panelists: Horacio Amezcua (San Jerardo Cooperative), Marisol Aguilar (California Rural Legal Assistance), Deborah Ores (Community Water Center), Nathaniel Kane (Environmental Law Foundation), May Nguyen (The Environmental Justice Coalition for Water)

The Board engaged with the panelists during and following their presentations. Discussion topics included continued monitoring of drinking water wells when an exceedance has already been discovered and replacement water is provided; timing of drinking water well testing; notification to users of contaminated drinking water wells; drinking water well contaminants other than nitrate; water board authority with respect to drinking water well testing; recent appellate court decision regarding the state board order modifying Ag Order 2.0; and quality versus quantity of reporting requirements.

Agricultural/Environmental Partnerships for Improving Water Quality Panel

Topic: Partnerships to Achieve Goals

Panelists: Abigail Hart (The Nature Conservancy), Ross Clark (Moss Landing Marine Labs), Paul Robbins (Resources Conservation District of Monterey County), Karen Lowell (United States Department of Agriculture-Natural Resource Conservation Service)

The Board engaged with the panelists during and following their presentations. Discussion topics included ideas on how to incentivize collaboration; improving monitoring efforts; whether best management practices are required in regulation; direct measure of subsurface agricultural discharges; incentivizing best management practices; how technical assistance providers connect with growers who need assistance; obstacles to larger projects and experiments to improve water quality, such as permitting; and liability concerns of certified crop advisors.

Speakers:

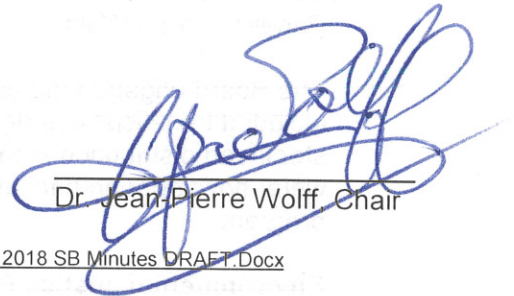
- Victoria Nava, McClennan, EJCW Central Coast Outreach
- Janelle Gularte, Rincon Farms
- Robin Lee
- Grant Cremery, Delicato Family Vineyards
- David Costa, Costa Farms Inc.

Administrative Items

11. Executive Officer's Report

[John Robertson, Executive Officer 805/549-3140, John.Robertson@waterboards.ca.gov]

Chair Wolff adjourned the meeting at approximately 6:40 p.m.



Dr. Jean-Pierre Wolff, Chair

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