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## Central Coast Regional Water Quality Control Board

### SECOND REVISED AGENDA 2/16/2022

### *Notice of Public Meeting*

**Thursday, February 17, 2022, 9:00 a.m.**

**Friday, February 18, 2022, 9:00 a.m.**

**Video and Teleconference Meeting Only**

**No Physical Meeting Location**

(Authorized by Government Code section 11133 and Executive Order [N-1-22](#))

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- **Video and Teleconference Meeting During COVID-19 Emergency:** As a result of the COVID-19 emergency and as authorized by Government Code section 11133 and Executive Order [N-1-22](#), this meeting will occur solely via remote presence.
  - For those who wish to watch the meeting, the customary webcast remains available at <https://cal-span.org/static/index.php>.
  - **Persons wishing to provide public comment on specific items on the agenda or during the public forum on matters not on this agenda must complete an electronic comment card by 9 a.m., Thursday, February 17, 2022.** Public forum will be held on Thursday, February 17 after the lunch break and Friday, February 18 first thing in the morning after roll call and introductions. The comment card and instructions are available at the following website along with additional information about participating via the remote video conference public meeting:  
[https://www.waterboards.ca.gov/centralcoast/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/centralcoast/board_info/remote_meeting/)
  - Public comment is typically limited to three minutes unless otherwise approved by the Board Chair, and the Board Chair may need to adjust the amount of time each speaker has to ensure everyone has an opportunity to provide public comment. Requests for extra time to provide public comment must be sent to the Clerk to the Board at [RB3-CommentLetters@waterboards.ca.gov](mailto:RB3-CommentLetters@waterboards.ca.gov) by **12:00 noon, Monday, February 14, 2022.**
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Items are numbered for identification purposes only and may be considered out of order.

Thursday, February 17, 2022, 9:00 a.m.

## **Board Business**

1. Roll Call  
[Tammie Olson, Clerk to the Board, 805/549-3140,  
[Tammie.Olson@Waterboards.ca.gov](mailto:Tammie.Olson@Waterboards.ca.gov)]
2. Introductions  
[Matthew Keeling, Executive Officer, 805/549-3140,  
[Matt.Keeling@waterboards.ca.gov](mailto:Matt.Keeling@waterboards.ca.gov)]
3. Approval of December 10, 2021, Board Meeting Minutes
4. Reports by Regional Board Members
5. Report by State Water Resources Control Board Liaison [Sean Maguire, 916/341-5877, [Sean.Maguire@waterboards.ca.gov](mailto:Sean.Maguire@waterboards.ca.gov)]
6. Elections of Chair and Vice Chair  
[Matthew Keeling, Executive Officer, 805/549-3140,  
[Matt.Keeling@waterboards.ca.gov](mailto:Matt.Keeling@waterboards.ca.gov)]

## **Uncontested Items**

Items on the uncontested items calendar are expected to be routine and noncontroversial. Recommended action will be taken without discussion. Items may be removed at the request of any Board member or person and, if removed, will be taken up during the meeting at a time specified by the Chair. If an item is removed from the uncontested items calendar, it will only be voted on at this meeting if the Board accepts the staff recommendation for the agenda item. Otherwise, the item will be continued to a subsequent Board meeting to allow input by interested persons.

7. Consideration of Proposed Order No. R3-2022-0003, Waste Discharge Requirements and NPDES Permit for San Simeon Wastewater Treatment Plant, San Luis Obispo County  
[Leah Lemoine, Water Resource Control Engineer, 805/549-3159,  
[Leah.Lemoine@waterboards.ca.gov](mailto:Leah.Lemoine@waterboards.ca.gov)]

### Staff Report

[Attachment 1: Proposed Order No. R3-2022-0003](#)

### Supplemental

[Attachment 1](#)

## **Public Forum**

8. Public forum will be heard directly after the lunch break, not before 1:00 p.m. Any person may address the Board regarding a matter within the Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to three minutes, unless otherwise directed by the Chair. Any person wishing to make a longer presentation should contact the Executive Officer at least one week prior to the meeting. Comments regarding pending adjudicatory matters will not be permitted.

## **Waste Discharge Requirements**

9. Consideration of Proposed Order No. R3-2022-0004, Waste Discharge Requirements and NPDES Permit No. CA0048127 for City of Lompoc Regional Wastewater Reclamation Plant, Santa Barbara County  
[Peter von Langen, Engineering Geologist, 805/549-3688,  
[Peter.vonLangen@waterboards.ca.gov](mailto:Peter.vonLangen@waterboards.ca.gov)]

### Staff Report

[Attachment 1: Comments and Staff Responses](#)

[Attachment 2: Proposed Order No. R3-2022-0004](#)

[Attachment 3: Draft Time Schedule Order No. R3-2022-0005](#)

## **Discussion/Informational Items**

10. Overview of Wastewater Consolidation Program established by Senate Bill 1215  
[Leah Lemoine, Water Resource Control Engineer, 805/549-3159,  
[Leah.Lemoine@waterboards.ca.gov](mailto:Leah.Lemoine@waterboards.ca.gov) and Kathy Truong, Water Resource Control Engineer, 805/549-3293, [Kathy.Truong@waterboards.ca.gov](mailto:Kathy.Truong@waterboards.ca.gov)]

### Staff Report

[Attachment 1: Map of Disadvantaged Communities in the Central Coast Region](#)

**Friday, February 18, 2022, 9:00 a.m.**

11. Roll Call

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

12. Introductions

[Matthew Keeling, Executive Officer, 805/549-3140,  
[Matt.Keeling@waterboards.ca.gov](mailto:Matt.Keeling@waterboards.ca.gov)]

**Public Forum**

13. Public forum will be heard in the morning directly after introductions. Any person may address the Board regarding a matter within the Board's jurisdiction that is not related to an item on this meeting agenda. Comments will generally be limited to three minutes, unless otherwise directed by the Chair. Any person wishing to make a longer presentation should contact the Executive Officer at least one week prior to the meeting. Comments regarding pending adjudicatory matters will not be permitted.

**Watershed Management and Planning Items**

14. Consideration of a Proposed Amendment to the Water Quality Control Plan for the Central Coastal Basin to Adopt Total Maximum Daily Loads for Turbidity in the Gabilan Creek Watershed, Monterey County, California  
[Peter Meertens, 805/549-3869, [Peter.Meertens@waterboards.ca.gov](mailto:Peter.Meertens@waterboards.ca.gov) and  
Mary Hamilton, 805/542-4768, [Mary.Hamilton@waterboards.ca.gov](mailto:Mary.Hamilton@waterboards.ca.gov)]

Staff Report

[Attachment 1: Proposed Resolution R3-2022-0002, including Attachment A \(Proposed Basin Plan Amendment\)](#)

[Attachment 2: TMDL Project Technical Report](#)

[Attachment 2: Appendix 1](#)

[Attachment 2: Appendix 2](#)

[Attachment 2: Appendix 3](#)

[Attachment 3: CEQA Checklist and Analysis](#)

[Attachment 4: TMDL Economic Analysis](#)

[Attachment 5: Scientific Peer Review and Staff Responses to Comments](#)

[Attachment 6: Notice of Public Hearing – Notice of Opportunity to Comment](#)

[Attachment 7: Public Comments and Staff Responses to Comments](#)

15. Consideration of Proposed Amendments to the Water Quality Control Plan for the Central Coastal Basin to Improve and Clarify Waste Discharge Prohibition Language [Mary Hamilton, 805/542-4768, [Mary.Hamilton@waterboards.ca.gov](mailto:Mary.Hamilton@waterboards.ca.gov) and Thea Tryon, 805/542-4776, [Thea.Tryon@waterboards.ca.gov](mailto:Thea.Tryon@waterboards.ca.gov)]

Staff Report

[Attachment 1: Proposed Resolution No. R3-2022-0001](#)

[Attachment 1, Attachment A \(a strikeout and underline version of the proposed Basin Plan amendments\)](#)

[Attachment 2: Project Report including the CEQA Checklist](#)

[Attachment 3: Notice of CEQA Scoping Meeting – Oct 2018](#)

[Attachment 4: Notice of Public Hearing and Opportunity to Comment – Jan 2020](#)

[Attachment 5: Notice of Public Hearing and Opportunity to Comment – Sept 2021](#)

[Attachment 6: Public comments and staff responses](#)

Supplemental

**Administrative Items**

16. Executive Officer's Report  
[Matthew Keeling, Executive Officer, 805/549-3140,  
[Matt.Keeling@waterboards.ca.gov](mailto:Matt.Keeling@waterboards.ca.gov)]

Staff Report

[Attachment 1](#): Table 1 - 401 Water Quality Certification Applications Received

[Attachment 2](#): Table 2 - 401 Water Quality Certifications Issued

[Attachment 3](#): Table 3 - Groundwater Section, Case Closure Performance  
Scoreboard

[Attachment 4](#): Table 4 - Groundwater Case Closures

[Attachment 5](#): Table 5 - Enrollments in General Orders/Waivers

**Closed Session**

17. The Board may meet in closed session to consider personnel matters (Gov. Code § 11126 subd. (a)), to deliberate on a decision to be reached based upon evidence introduced in a hearing (Gov. Code § 11126, subd. (c)(3)), or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation (Gov. Code § 11126, subd. (e)). The Board is not required to allow public comment on closed session items. (Gov. Code § 11125.7, subd. (e)).

[[Stephanie Yu](mailto:Stephanie.Yu@Waterboards.ca.gov), Staff Counsel, 916/341-5157, [Stephanie.Yu@Waterboards.ca.gov](mailto:Stephanie.Yu@Waterboards.ca.gov)]

Current litigation involving the Board:

**Litigation filed against the Central Coast Water Board:**

1. 2017 Agricultural Discharges Order – *Monterey Coastkeeper, et al. v. Regional Water Quality Control Board, Central Coast Region* (Sacramento County)

Superior Court, Case No. 34-2017-80002655; Third District Court of Appeal, Case No. C090943)

2. 2019 Amendments to CAO for Cleanup at Dutch Maid Cleaners, 3323 State Street, Santa Barbara – San Roque Clean Up Fund and Trust U/W of Emil Deloreto v. California Regional Water Quality Control Board, Central Coast Region, et al. (Santa Barbara Superior Court, Anacapa Division, Case No. 20CV00022)

**Litigation filed by the Central Coast Water Board against other parties, including referrals to the Office of the Attorney General:**

3. Referral to Attorney General concerning Casmalia Hazardous Waste Site Litigation: United States v. State of California and Related Matters
4. *United States, et al. v. HVI Cat Canyon, Inc., f/k/a Greka Oil & Gas, Inc.* (U.S. District Court, Central District of California, Case No. CV 11-05097 FMO (PLAx))

**Petitions for review of Central Coast Water Board actions filed with the State Water Board:**

5. 2021 Agricultural Waste Discharges Order, Order No. R3-2021-0040 – Petitions by Grower-Shipper Association of Central California, et al., and California Coastkeeper Alliance, et al., SWRCB/OCC Files A-2751(a) & A-2751(b)

**IMPORTANT INFORMATION!**

If you have questions about the agenda, contact Clerk of the Board at (805) 549-3140. Written comments must generally be received prior to the Board meeting by the comment deadline for the specific agenda item. Written comments that are received after deadlines set by item-specific notices and/or hearing procedures will not generally be admitted. Any person requesting to submit late materials must demonstrate good cause, and the Chair must find that the admission of the late materials would not prejudice the Central Coast Water Board or any designated party. The Chair may modify this rule to avoid severe hardship. Unless otherwise specified, all parties and interested persons must submit presentation materials and requests for extra time to speak to the Board for items on the agenda by **12:00 noon on Monday, February 14, 2022**. A late request for extra time will not prevent the party from speaking to the Board for the three minutes given to all members of the public.

Submittals are to be sent via e-mail to the Clerk to the Board at [RB3-CommentLetters@waterboards.ca.gov](mailto:RB3-CommentLetters@waterboards.ca.gov). Please indicate in the subject line, “**February 17-18, 2022, BOARD MEETING** (fill in bolded subject from appropriate item).” If you have questions about the agenda, contact the Clerk to the Board at (805) 549-3140.

Agenda and items are available electronically at:

[https://www.waterboards.ca.gov/centralcoast/board\\_info/agendas/](https://www.waterboards.ca.gov/centralcoast/board_info/agendas/)

Instructions regarding Board meeting conduct and procedures can be found on the

Central Coast Water Board's website:

[http://www.swrcb.ca.gov/centralcoast/board\\_info/agendas/board\\_meeting\\_conduct.pdf](http://www.swrcb.ca.gov/centralcoast/board_info/agendas/board_meeting_conduct.pdf)

If you require an interpreter, please contact the Clerk to the Board at (805) 549-3140 or [RB3-CommentLetters@waterboards.ca.gov](mailto:RB3-CommentLetters@waterboards.ca.gov) by **12:00 noon on Monday, February 14, 2022.**

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