
Central Coast Regional Water Quality Control Board

Notice of Public Meeting

Thursday, February 15, 2024, 9:00 a.m.
Central Coast Water Board Office
895 Aerovista Place, Suite 101, San Luis Obispo

Friday, February 16, 2024, 9:15 a.m.

Oso Flaco Lake, Santa Barbara County (in person only)

Video and Teleconference Option: This meeting will occur with both a physical meeting location and an option for the public to participate from a remote location. Except when consistent with the Bagley-Keene Open Meeting Act, a majority of the members will be physically present at the noticed meeting locations above.

- For those who wish to watch the meeting, a webcast is available at <https://cal-span.org/static/index.php> and should be used UNLESS you intend to comment.
 - **Persons wishing to provide public comment during the meeting on specific items on the agenda or during the public forum on matters not on this agenda are requested to complete an electronic comment card by 9:00 a.m., Thursday, February 15, 2024. However, comment cards will be accepted prior to the start of individual items. In addition to the electronic comment cards, hard copy comment request cards will also be available at the physical meeting location. Public forum will be held on Thursday, February 15 after the lunch break.** The comment card and instructions how to fill out a comment card are available at the following website along with additional information about participating telephonically or via the remote video option: 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 by **12:00 noon, Monday, February 12, 2024.**
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Thursday, February 15, 2024, 9:00 a.m.

Board Business

1. Roll Call and declaration of quorum
[Tammie Olson, Clerk to the Board, 805/549-3140,
Tammie.Olson@Waterboards.ca.gov]
2. Introductions
[Ryan Lodge, Executive Officer, 805/549-3140,
Ryan.Lodge@waterboards.ca.gov]
3. Approval of Board Meeting Minutes, December 14-15, 2023
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]
6. Elections of Chair and Vice Chair
[Ryan Lodge, Executive Officer, 805/549-3140,
Ryan.Lodge@waterboards.ca.gov]

Enforcement

7. Consideration of Adoption of an Administrative Civil Liability Order for JSM Organics, Inc., Monterey County, Administrative Civil Liability Complaint No. R3-2023-0050 [Harvey Packard, Supervising Water Resource Control Engineer, 805/542-4639, Harvey.Packard@waterboards.ca.gov]

Staff Report

- [Attachment 1](#): Hearing Procedures for Administrative Civil Liability Complaint R3-2023-0050
- [Attachment 2](#): Administrative Civil Liability Complaint R3-2023-0050 and Attachment A thereto, Factor Consideration and Penalty Calculation Methodology for [Proposed] Administrative Civil Liability Order R3-2023-0050
- Attachment 3: Prosecution Team's Briefs and Evidentiary Submittals
 - Brief and Exhibits Dated September 5, 2023
 - Supplemental Brief and Exhibits Dated January 5, 2024
- Attachment 4: JSM Organics, Inc.'s Evidentiary Submittals

Please use this link to view or download Attachments 3 and 4:

<https://ftp.waterboards.ca.gov/>

Username: rb3-board-meetings-jsm-organics-ftp

Password: 2z{P8Cl[S3m,mk+;lmODV{i6

- [Attachment 5](#): 1/25/24 Email from Prosecution Team to Advisory Team and Mr. Zamora titled, "New information regarding ACLC R3-2023-0050"
8. Enforcement Report
[Tamara Anderson, Senior Water Resource Control Engineer, 805/549-3334, Tamara.Anderson@waterboards.ca.gov]

Staff Report

- [Attachment 1](#): Enforcement Report
- [Attachment 2](#): Enforcement Action Descriptions
- [Attachment 3](#): Enforcement Report Abbreviations

Discussion/Informational Items

9. Environmental Justice, Racial Equity, and Tribal Affairs – Annual Update
[Angela Schroeter, Supervising Engineering Geologist, 805/542-4644, Angela.Schroeter@waterboards.ca.gov; Daniel Ellis, Senior Environmental Scientist, 805/549-3889, Daniel.Ellis@waterboards.ca.gov; Kathy Truong, Water Resource Control Engineer, 805/549-3293, Kathy.Truong@waterboards.ca.gov]

Staff Report [English](#) [Spanish](#)

- Attachment 1: Environmental Justice, Racial Equity, and Tribal Affairs Project Updates [English](#) [Spanish](#)

Public Forum

10. Public forum will be heard directly after the lunch break, **and not before 1:00 p.m.** Any person may orally 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 approved by the Chair. See instructions at the beginning of this agenda notice for submitting a request for extra time. Comments regarding pending adjudicatory matters will not be permitted.

Administrative Items

11. Executive Officer's Report
[Ryan Lodge, Executive Officer, 805/549-3140, Ryan.Lodge@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

Friday, February 16, 2024, 9:15 a.m.

The meeting will start at the Oso Flaco Lake Kiosk for item 13.

Board Business

12. Roll Call

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

Educational Field Trip

13. Field Trip – Visit Oso Flaco Creek and Oso Flaco Lake area installed agricultural best management practices.

[Ryan Lodge, Executive Officer, 805/549-3140,
Ryan.Lodge@waterboards.ca.gov]

The Board will meet at the end of Oso Flaco Lake Road, adjacent to the kiosk at 9:15 a.m. The tour will include tours of vegetative swales, a woodchip bioreactor, and Oso Flaco Creek restoration and discussion of other grant-funded work going on in the watershed.

The public is invited to participate; however, transportation will not be provided. Persons interested in participating in the tour must RSVP by 12:00 noon, Monday February 12, 2024, by emailing the clerk to the Board at

RB3-CommentLetters@waterboards.ca.gov

Closed Session

14. 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)).

[Sophie Froelich, Staff Counsel, (916/319-8557,
Sophie.Froelich@waterboards.ca.gov)]

Litigation filed against the Central Coast Water Board:

1. 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 20CV00022)
2. *San Jerardo Cooperative Inc. et al. v State Water Resources Control Board and California Regional Water Quality Control Board, Central Coast Region et al.*, Verified Petition for Writ Of Mandate, Sacramento County [Case No. 23WM000108] [seeking among other things, a writ of mandate requiring the Regional Board to vacate and set aside provisions of Agricultural Order R3-2021-0040 related to protecting riparian and wetland habitat and to readopt the Order with a stated purpose of protecting and enhancing riparian and wetland habitat with associated management practices].

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 Big Basin Woods Subdivision Wastewater Treatment Plant, Resolution R3-2023-0030
4. Referral to Attorney General concerning Casmalia Hazardous Waste Site Litigation: *United States v. State of California and Related Matters*

Petitions for Review of Central Coast Regional Water Quality Control Board actions filed with the State Water Resources Control Board (Gov. Code, § 11126, subd. (e)(2)(A).):

5. Petition for Review of Cleanup and Abatement Order R3-2023-0070: City of Santa Maria [Petition A-2841(a)]
6. Petition for Review of Cleanup and Abatement Order R3-2023-0070: Santa Maria Public Airport District [Petition A-2841(b)]
7. Petition for Review of Cleanup and Abatement Order R3-2023-0070: County of Santa Barbara [Petition A-2841(c)]

IMPORTANT INFORMATION!

If you have questions about the agenda, contact the clerk to the Board at (805) 549-3140 or by email at: RB3-CommentLetters@waterboards.ca.gov. 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. In addition, written comments will not generally be admitted for informational items that do not have a specific comment deadline. Any person requesting to submit late materials or materials for informational items 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 interested persons or designated parties. The Chair may modify this rule to avoid severe hardship. Unless otherwise specified, all parties and interested persons must submit written comments, presentation materials, and requests for extra time to speak to the Board for items on the agenda by **12:00 noon on Monday, February 12,**

2024. Admittance of written comments and requests for extra time to speak are subject to Board Chair approval. A late request for extra time will not prevent the party from speaking to the Board for the three minutes provided to all members of the public.

Submittals are to be sent via email to the clerk to the Board at RB3-CommentLetters@waterboards.ca.gov. Please indicate in the subject line, "**February 15, 2024, 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/

If you would like to request a copy of public comments submitted on an agenda item, please send a request to RB3-CommentLetters@waterboards.ca.gov, identifying the Board meeting date and agenda item by name and number.

Instructions regarding Board meeting conduct and procedures can be found on the Central Coast Water Board's website at:
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 by **12:00 noon on Monday, February 12, 2024.**

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