



Central Coast Regional Water Quality Control Board

REGULAR MEETING MINUTES

Thursday, October 13, 2022, 8:00 a.m.

Friday, October 14, 2022, 9:00 a.m.

Central Coast Water Board Offices
895 Aerovista Place, Suite 101, San Luis Obispo

And via Video and Teleconference

Video and teleconference recordings of the meeting are currently available on the following website: <https://cal-span.org/static/meetings-RWQCB-CC.php>

Thursday, October 13, 2022, 8:00 a.m.

Chair Gray called the meeting to order on Thursday, October 13, 2022, 8:01 a.m. at the Central Coast Water Board Offices, 895 Aerovista Place, Suite 101, San Luis Obispo

Board Business

1. Roll Call

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

Present: Chair Gray, Vice Chair Wolff, Member Hunter, and Member Harlan
Absent: none

2. Introductions

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

Mr. Keeling made the following introductions and announcements:

- Congratulated Chair Gray on her reappointed confirmation.
- Tammie Olson, clerk to the Board; Stephanie Yu, legal counsel; Tamara Anderson, enforcement coordinator standing in for Assistant Executive Officer Thea Tryon as it relates to enforcement questions, section managers Harvey Packard, Angela Schroeter, and Mary Hamilton.
- State Water Resources Control Board Liaison Sean Maguire.
- Audio Visual Assistance: AGP Staff

JANE GRAY, CHAIR | MATTHEW T. KEELING, EXECUTIVE OFFICER

- Spanish translation service providers (not introduced) Interpreters: Marc Gutierrez, and Jeannette Hernandez

Discussion/Informational Items

3. Annual Agricultural Order Implementation Update

[Elaine Sahl, 805/542-4645, Elaine.Sahl@waterboards.ca.gov;
Paula Richter, 805/549-3865, Paula.Richter@waterboards.ca.gov;
Jamie Pratt, 805/549-3761, Jamie.Pratt@waterboards.ca.gov;
Jillian Flavin, 805/542-4641, Jillian.Flavin@waterboards.ca.gov;
Monica, Barricarte, 805/549-3881, Monica.Barricarte@waterboards.ca.gov
Sarah Treadwell, 805/549/3695, Sarah.Treadwell@waterboards.ca.gov]

Central Coast Water Board Irrigated Lands Program (ILP) staff provided an information update to the Board regarding implementation of General Waste Discharge Requirements for Discharges from Irrigated Lands, Order No. R3-2021-00401 (Ag Order 4.0) since its adoption in April 2021. The update included staff presentations as well as presentations from invited guest speakers.

Mary Hamilton, the Environmental Program Manager for the Irrigated Lands Program introduced the item and each of the following speakers and presentations:

- Paula Richter, a Senior Environmental Scientist, summarized coordination efforts with Central Coast Water Quality Preservation, Inc. (Preservation, Inc.) to develop and implement a third-party compliance assistance program for Ag Order 4.0.
- Sarah Lopez, the Executive Director of Preservation, Inc., and Tim Tringali with Tetra-Tech gave a presentation regarding actions to assist their members to comply Ag Order 4.0. The presentation covered compliance assistance efforts, membership fees and implementation costs, and water quality monitoring program implementation and data analysis. Board Members engaged in discussion regarding fees and compliance assistance for small and disadvantaged growers, tracking cropping patterns, groundwater well monitoring logistics and water quality data, and certification programs.
- Jillian Flavin, a staff Environmental Scientist summarized ILP outreach and coordination efforts including YouTube video tutorials, workshops, one-on-one sessions with growers and stakeholders, reminders of upcoming and past due requirements, and a new ILP website. Board Members engaged in discussion with Ms. Flavin regarding use of outreach tools such as social media and Spanish and Mandarin Chinese translation.
- John Skardon, the Chief Executive Officer of Tailwater Systems provided information on his nitrate removal systems for agriculture and highlighted some grant funded collaborations in the Region. Board members engaged in discussion with Mr. Skardon regarding funding sources, source of carbon used in the systems, environmental footprint, and number of systems in use.

- Sarah Treadwell, a staff Engineering Geologist provided an abbreviated presentation that highlighted Ag Order 4.0 groundwater monitoring requirements for on-farm domestic wells, a summary of the monitoring data and preliminary analyses, and an update on staff outreach efforts with county health departments. Board Members engaged in discussion with Ms. Treadwell regarding 1,2,3-TCP testing results, coordination with county health departments, and education and outreach opportunities.
- Ross Clark, Program Director, Central Coast Wetlands Group provided a synopsis of successes over the past 20 years implementing the Moro Cojo Slough Management and Enhancement Plan, with a focus on improving surface water quality using treatment wetlands and bioreactors. Board members and the Executive Office engaged in discussions with Mr. Clark related to staffing, funding, obstacles associated with implementation, and grower interest in participating in projects.
- Monica Barricarte, a staff Water Resource Control Engineer provided an overview of irrigation and nutrient management requirements, the primary drivers that cause nitrogen discharge, total nitrogen applied grower reported data and a comparison to upcoming fertilizer nitrogen application limits, and a review of upcoming irrigation and nutrient management summary reporting requirements. Board members engaged in discussions with Ms. Barricarte regarding the fertilizer nitrogen application tables included in the staff report, acres reporting total nitrogen applied data, coordination on developing the INMP Summary Report form,
- Dr. Eric Brennan, a Research Horticulturist with the USDA Agriculture Research Service showed a video summarizing field testing results and resulting methodology to calculate cover crop credits for Pacheco triticale and Merced rye. Board members engaged in discussions with Dr. Brennan regarding his YouTube channel and video views.
- Richard Smith, a Vegetable Crops and Weed Science Farm Advisor with the UCCE Monterey County presented an overview of future cover crop needs and development of nitrogen removal conversion coefficients. Board members engaged in discussions with Mr. Smith regarding nitrogen removal, Mr. Smith's retirement plans, cover cropping practices, and high carbon amendments.
- Paula Richter, a Senior Environmental Scientist, summarized compliance and enforcement efforts since the adoption of Ag Order 4.0. Specifically, the Irrigated Lands Program progressive enforcement approach, and overview of order requirements, total nitrogen applied reporting, groundwater monitoring and reporting, and upcoming compliance evaluations and enforcement actions. Board members engaged in discussions with Ms. Richter regarding notifications, types of compliance issues, reminder emails, compliance rates, unenrolled acreage, and ways to identify non-filers.

- Jamie Pratt, a staff Environmental Scientist summarized currently implemented and ongoing requirements, as well as upcoming requirements to be implemented in the following year. Board members engaged in discussions with Ms. Pratt regarding follow-up surface receiving water implementation work plans, third-party involvement in well monitoring, third-party membership, nitrogen content in soil, costs of being a Preservation, Inc. member, etc.

Public speakers for this item included the following:

- Brandon Bollinger, with the Community Water urged the Board to recognize the public health emergency experienced by households with nitrate contamination in their drinking water throughout the Central Coast region. Stated concerns about compliance timelines in Ag Order 4.0. Stated that the third-party alternative compliance pathway groundwater protection targets should mirror the individual groundwater protection limits already included in Ag Order 4.0. Stated the need for strong interim and long-term groundwater protection targets, with enforcement mechanisms, to protect families impacted by contaminated drinking water and to protect groundwater from further contamination. Stated the needed for short and long-term solutions to provide replacement water. Board members engaged in discussion with Mr. Bollinger.
- Mayra Hernandez, with the Community Water Center shared information on their outreach efforts to community members impacted by nitrate and 1,2,3-TCP. Stated concerns about lack of urgency and compliance timelines in Ag Order 4.0. Board members engaged in discussion and are interested in getting an update on the drinking water 1,2,3-TCP treatment system supplemental environmental project the Community Water Center is implementing.
- Benjamin Pitterle, the Science and Policy Director with the Santa Barbara Channel Keeper, echoed the comments of Mr. Bollinger. Provided acknowledgement to Central Coast Water Board and Preservation, Inc. staff for the progress made on implementation efforts. Stated that fine-tuning nitrogen applications is essential to protecting water quality. Is pleased to participate on Preservation, Inc.'s stakeholder advisory panel to provide feedback on the development of the third-party alternative compliance pathway workplan. Stated they are paying close attention to and are concerned about any deviations to the timelines, milestones, targets, and limits identified in Ag Order 4.0, and that any deviations need to be scientifically justified.
- Kija Rivers, a Policy Advocate at the Community Water Center emphasized the importance of ensuring that nitrate contamination is earnestly addressed within the third-party alternative compliance pathway workplan of Ag Order 4.0. Disadvantaged communities rely on groundwater as their only source of drinking water and are especially vulnerable to the concerning health impacts caused by drinking contaminated water. Community Water Center is working towards long-term solutions to ensure that communities have access to clean drinking water. To make progress towards these long-term solutions nitrate contamination must

be addressed immediately and not over an extended time horizon. Any third-party alternative compliance pathway must ensure that growers are significantly reducing the amount of nitrogen fertilizer they are applying and that groundwater protection targets require substantial reductions in nitrate leaching to groundwater. The third-party alternative compliance pathway groundwater protection targets should mirror the limits set by the regional board for individual compliance. Urges transparency and replacement water as part of the third-party alternative compliance pathway.

- Chelsea Tu, the Executive Director of Monterey Waterkeeper has concerns that the third-party alternative compliance pathway workplan that is under development, will not be sufficient to hold growers accountable to reduce nitrate pollution at the ranch-level. This could undermine the goals of Ag Order 4.0. The workplan must ensure individual compliance targets like those already required in Ag Order 4.0 for individual compliance. Believes that public reporting of individual ranch nitrogen discharge information is necessary and important. Supports comments made by the Community Water Center that growers need to provide both short-term and long-term drinking water.
- Noelle Cremers, with the Wine Institute talked about sustainability programs and noted that coordination efforts are underway in coordination with Preservation Inc. and staff to streamline some of the Ag Order 4.0 reporting for vineyards. Stated that California vineyards apply low levels of nitrogen. Appreciates that Ag Order 4.0 documents are made available in Spanish.

Chair Gray adjourned the meeting at 4:52 p.m.

Friday, October 14, 2022, 9:00 a.m.

Chair Gray called the meeting to order on Friday, October 14, 2022, 9:02 a.m. at the Central Coast Water Board Offices, 895 Aerovista Place, Suite 101, San Luis Obispo.

Board Business

4. Roll Call

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

Present: Chair Gray, Vice Chair Wolff, Member Hunter, and Member Harlan

Absent: none

5. Introductions

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

Mr. Keeling made the following introductions and announcements:

- Tammie Olson, clerk to the Board; Stephanie Yu, legal counsel; Tamara Anderson, enforcement coordinator, section managers Harvey Packard, Angela Schroeter, and Mary Hamilton
- State Water Resources Control Board Liaison Sean Maguire,
- Audio Visual Assistance: AGP Staff

Announcements:

Staff Introductions and Recognitions:

- Leah Lemoine, Water Resource Control Engineer and Acting Program Manager for the NPDES Program, introduced Amanda Christophe, the Central Coast Water Board's new CivicSpark Fellow. Amanda Christophe will be working closely with NPDES Program staff to implement the Climate Adaptation Plan Implementation Assistance Project for Central Coast Region Wastewater Treatment Facilities.
- Ryan Lodge, Senior Water Resource Control Engineer, and Program Manager for the Active Oilfield Program introduced Michael McKee. Michael McKee is an engineering geologist in the Active Oilfield Program and has recently returned from retirement. Michael McKee is a licensed Professional Geologist and Certified Hydrogeologist.
- Mr. Keeling noted that State Water Resources Control Board acknowledged all Water Board staff that were called up for Covid Contact Tracing in 2020 and 2021 with a Superior Accomplishment Award. This includes Nick Smaira who is an Engineering Geologist in our Active Oil Field Program, Sharon Denker, one of

our admin staff that retired last year, and Kimberly Chandler, another member of our admin team that recently left us when her husband accepted a military reassignment.

6. Approval of August 25-26, 2022, Board Meeting Minutes

Motion: Member Hunter moved to approve the Board Meeting Minutes of August 25-26, 2022, with one correction regarding the spelling of State Water Board member Laurel Firestone's name

Second: Vice Chair Wolff

Aye: Chair Gray, Vice Chair Wolf, Member Harlan, Member Hunter

Nay: None

Abstain: None

Motion Carried: 4 to 0

7. Reports by Regional Board Members

Member Harlan:

- October 7, 2022, attended board meeting briefing
- Brought in some articles to share with staff regarding the Soquel Water District and Pure Water Soquel project

Vice Chair Wolff:

- September 9, 2022, attended Edna Valley Groundwater Sustainability Agency meeting
- September 12, 2022, interviewed by KSBY regarding climate change and farming
- September 13, 2022, hosted irrigation uniformity efficiency testing training for the Coastal San Luis Obispo Resources Conservation District
- September 26, 2022, hosted demonstration project associated with cost-effective soil moisture sensor technologies for UC Cooperative Extension
- October 11, 2022, attended board meeting briefing

Member Hunter:

- October 7, 2022, attended board meeting brief
- Commented on how the Ag Order update item on Thursday demonstrates our ongoing commitment to environmental justice and racial equity by including it as part of our normal dialogue.

Chair Gray:

- Attended weekly meetings with the Executive Officer
- Attended monthly State Board Chairs meetings
- Attended monthly phone calls with State Water Resources Control Board member and Central Coast Liaison Sean Maguire and the Executive Officer

- September 20,2022, conversation with Anna Naimark, California Environmental Protection Agency Deputy Secretary and Special Counsel for Water
- October 11, 2022, attended board meeting briefing
- October 12, 2022, participated in a tour of the new Morro Bay Water Reclamation Facility with Senator Laid, City of Morro Bay Mayor, John Headding, State Water Board Chair, Juaquin Esquivel, and the Executive Officer

8. Report by State Water Resources Control Board Liaison
[Sean Maguire, 916/341-5877, Sean.Maguire@waterboards.ca.gov]

State Water Board Member, Sean Maguire, provided updates regarding the forthcoming Water Quality Coordination Committee meeting that will focus on climate change and the Governor's Water Supply Strategy; milestone achieved during the previous year such as celebrating the 50th anniversary of the Clean Water Act and the 10th anniversary of the Human Right to Water law, and the development of the SAFER funding program and associated accomplishments; the October 18-19 State Water Board meeting and associated racial equity action plan workshop and Onsite Wastewater Treatment System Policy update hearing; the ongoing drought and Department of Water Resources and Bureau of Reclamation water supply updates and future drought projections, and urban water conservation goals and statewide and county level efforts to meet them. Chair Gray and Vice Chair Wolff engaged with Board Member Maguire regarding satellite monitoring and other technologies to measure water usage, funding for drinking water and wastewater treatment system operations and maintenance, and wastewater infrastructure.

Public Forum

9. Public forum.

Speakers: none

Uncontested Items

10. Consideration of Time Schedule Order in the Matter of Heritage Ranch Community Services District; Extension of Time Schedule for Construction of New Wastewater Treatment Plant (Proposed Order No. R3-2022-0046)
[Todd Stanley, 805/542-4769, todd.stanley@waterboards.ca.gov
Leah Lemoine, 805/549-3159, Leah.Lemoine@Waterboards.ca.gov]

Mr. Keeling introduced the item and Vice Chair Wolff requested to ask the discharger a few questions without taking the item off the uncontested items calendar and formally hearing the item. Vice Chair Wolff noted the copper related issues associated with the facility may be due to electrolysis causing copper leaching from the drinking water distribution system piping that could be addressed by the use of dielectric couplings to address the root cause of the problem. Vice Vice

Chair Wolff also recommended the discharger consider prioritizing recycled water opportunities in its plans for the new wastewater treatment facility.

Heritage Ranch Community Services District General Manager Scott Duffield deferred response to its engineering consultant, Dylan Wade. Mr. Wade responded that the membrane bioreactor technology intended for the new wastewater treatment facility should help the district reduce copper in its treated effluent, acknowledged the value of Vice Chair Wolff's advice, and stated their intent to include its consideration. Mr. Wade further responded that the new membrane bioreactor treatment system will produce a high-quality wastewater effluent and put the district in a strong position to implement recycled water use.

Speakers:

- Scott Duffield, Heritage Ranch CSD
- Dylan Wade, Water Systems Consulting, Inc.

Public Comments:

- None

Motion: Member Hunter moved to approve Order No. R3-2022-0046

Second: Member Harlan

Aye: Chair Gray, Vice Chair Wolff, Member Harlan, and Member Hunter

Nay: None

Abstain: None

Motion Carried: 4 to 0

Discussion/Informational Items

11. Update on Sustainable Groundwater Management Act Implementation in the Central Coast Region

[Greg Bishop, 805/549-3132, greg.bishop@waterboards.ca.gov

Daniel Pelikan, 805/549-3880, daniel.pelikan@waterboards.ca.gov]

Mr. Keeling introduced the item and Daniel Pelikan, Central Coast Water Board staff Engineering Geologist, who provided a brief overview of the Sustainable Groundwater Management Act (SGMA) and its regulatory framework and associated implementation, as well as a summary of staff's involvement in SGMA activities and prioritization of SGMA groundwater basins based on salt and nitrate water quality data, existing groundwater conditions and irrigated crop acreage. After the overview, Mr. Pelikan introduced the guest speakers who made presentations to the Board. Paul Gosselin and Natalie Stork provided updates on the status of Groundwater Sustainability Plan (GSP) review by the Department of Water Resources and State Water Board, and also described their roles in the review and public participation process leading to GSP implementation. Donna Myers provided an update on the Salinas Valley Basin Groundwater Sustainability Agency and GSP and Blaine Reely provided an update on the Paso Robles Groundwater Subbasin. The updates

included water quality prioritization, drought adaptation, community engagement, and implementation challenges. Ngodoo Atume spoke about the impact of SGMA on underrepresented farmers. Specific topics included GSP review for inclusion of small farmers' interests and Groundwater Sustainability Agency community outreach. Board members provided general comments throughout the item about the SGMA program and GSPs, community and tribal engagement, adaptive management and modelling, funding, well testing, and various agency and organization implementation activities, as well as the role of the Central Coast Water Board. Two individuals from the public commented on the item, Becky Steinbruner and Patrick McGibney.

Invited Guest Speakers:

- Paul Gosselin, Deputy Director, Sustainable Groundwater Management Office, Department of Water Resources
- James Nachbaur, Director, Office of Research, Planning, and Performance, State Water Resources Control Board
- Donna Myers, General Manager, Salinas Valley Basin Groundwater Sustainability Agency
- Blaine Reely, Director, Groundwater Sustainability Department, County of San Luis Obispo
- Ngodoo Atume, Water Policy Analyst, Clean Water Action/ Clean Water Fund

Public Commenters: Becky Steinbruner and Patrick McGibney

12. Update on Conditions of Los Osos Groundwater Basin

[James Bishop, 805/542-4628, james.bishop@waterboards.ca.gov]

Mr. Keeling introduced the item and Dan Heimel, executive director of the Los Osos Basin Management Committee. Mr. Heimel provided an update on work by the committee to assess and improve basin sustainability. The Board asked for additional information regarding the timing and funding of basin management programs, county involvement, the differences between adjudicated and sustainability plan basin boundaries and monitoring well locations, recycled water customers, and the benefits of a proposed transient model.

The Board then heard from the following public speakers:

- Beth Reineke, S&T Mutual Water Company
- Patrick McGibney, Los Osos Sustainability Group
- Jeff Edwards
- Becky McFarland

Regarding the nitrate impacts to the S&T Mutual Water Company well, Vice Chair Wolff, Chair Gray and members Harlan and Hunter provided comment on and

inquired about how long it will take for nitrate concentration to reach and exceed the drinking water standard, the need for additional source assessment to evaluate solutions, jurisdictional authorities regarding the well impacts and next steps, the Local Agency Management Plan and prohibition zone, and community engagement.

13. Update on Central Coast Water Board Actions to Support Water Supply Resiliency
[Harvey Packard, 805/542-4639, Harvey.packard@waterboards.ca.gov]

Section Manager Harvey Packard summarized the staff report with a PowerPoint presentation. The Board engaged in discussion and questions among itself and with staff about challenges and opportunities associated with recycled water and how we could cajole or advocate for municipalities to recycle more water, indirect and direct potable reuse, community dialogue and coordination on water supply resiliency projects, the Water Board's role in facilitating this dialogue and coordination, and potential tours of various wastewater recycling facilities. Mr. Keeling provided closing comments regarding the high priority nature and staff resource demands of facilitating permitting oversight for recycled water projects to ensure our communities have resilient water supplies.

Speakers: none

Administrative Items

14. Executive Officer's Report
[Matthew Keeling, Executive Officer, 805/549-3140,
Matt.Keeling@waterboards.ca.gov]

Mr. Keeling asked if anyone had questions about the programmatic performance metric tables in the report and there were none.

15. Board Calendar 2023
[Matthew Keeling, Executive Officer, 805/549-3140,
Matt.Keeling@waterboards.ca.gov]

After a brief discussion about scheduling, the board moved to adopt the proposed calendar with the Executive Officer's caveat that the meeting schedule can be adjusted as needed if conflicts arise during the year.

Motion: Member Hunter moved to approve the 2023 Board Meeting Calendar

Second: Member Harlan

Aye: Chair Gray, Vice Chair Wolf, Member Harlan, Member Hunter

Nay: None

Abstain: None

Motion Carried: 4 to 0

Chair Gray adjourned the meeting at 5:13 p.m.

Jane Gray, Chair

\\ca.epa.local\RB\RB3\Shared\ - Board Meetings\Current
Agenda\2022\06_JUN_16\item_03 minutes\June2022_mtg_minutes_final.docx