

EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**Central Coast Regional Water Quality Control Board**

**MINUTES**

**Central Coast Regional Water Board**

**REGULAR MEETING**

December 5 – 6, 2013

Chair Young called the meeting of the Central Coast Water Board to order at 10:05 a.m. on Thursday, December 5, 2013 in San Luis Obispo.

**1. Roll Call – Board Members.....Michael Thomas, Assistant Executive Officer**

**Present:**

- Jeffrey Young, Chair
- Jean-Pierre Wolff, Vice Chair
- Bruce Delgado
- Russell Jeffries
- Monica Hunter
- Mike Johnston
- Mike Jordan

**Absent:**

**2. Introduction and Staff Recognition/Awards.....Kenneth A. Harris Jr., Executive Officer**

Mr. Harris introduced Board staff and Jessica Jahr, Board Counsel.

Staff Recognitions/Awards:

- Katie DiSimone, Water Resource Control Engineer

**3. Approval of October 9, 2013 Meeting Minutes**

**MOTION:** Russell Jeffries

**SECOND:** Mike Jordan

**CARRIED:** Unanimously (6-0) Note: Dr. Hunter abstained as she was not present at the October 9, 2013 meeting.

**4. Reports by Water Board Members**

Board members summarized and discussed the annual WQCC meeting and its focus on environmental justice issues, climate change, and seawater intrusion. Board members also discussed meetings and workshops they attended.

**5. Report by State Water Resources Control Board Liaison**

State Board Liaison Steve Moore summarized several issues, including funding for water projects, storm water receiving water limits, local groundwater management elements, the California Water Plan, and the Drinking Water Program being moved to the State Water Board.

JEFFREY S. YOUNG, CHAIR | KENNETH A. HARRIS JR., EXECUTIVE OFFICER

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## **6. Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands**

Board Chairman Young moved Item 6 off consent due to the high level of Board interest and stakeholder comments regarding the item. Item 6 was heard after Items 17, 18, and 19. Board Member Wolff recused himself from the item.

Irrigated Lands Regulatory Program Manager, Angela Schroeter, presented staff's recommendation to revise Agricultural Order No. R3-2012-0011 and associated Monitoring and Reporting Programs (MRPs). Per the Central Coast Water Board's July 11, 2013 Approval of Central Coast Cooperative Groundwater Program (enclosed), and in response to concerns related to public health and safety, the Executive Officer agreed to recommend changes affecting the public disclosure of groundwater well location and data so that it is referenced within a one-mile square of the actual well location instead of a one-half mile radius of the actual well location. Ms. Schroeter discussed information considered by the Public Records Act, as well as how information is displayed in GeoTracker, as it related to the proposed recommendation.

Commenter Abby Taylor-Silva stated that her organization and members support the revision, as it is consistent with how California Department of Public Health (CDPH) wells are treated to ensure security of the well. Chairman Young asked about security threats and Ms. Taylor-Silva described an incident of someone pouring pesticides down a well.

Water Board Staff Counsel, Jessica Jahr, clarified that how the Water Board responds to Public Records Act Requests and how it displays information on GeoTracker can be considered as separate issues.

Board Members asked Ms. Taylor-Silva if growers might withdraw from the Central Coast Groundwater Coalition (CCGC) if the Board does not adopt the recommended revisions. Ms. Taylor-Silva responded that members could withdraw from the CCGC. Board Members also asked about how contour maps would be developed by the CCGC and how that would inform the public about groundwater quality, especially domestic drinking water wells affected by nitrate and the uncertainty associated with contour mapping.

Commenter Pearl Kan stated that GeoTracker already treats the display of wells differently to address well security concerns, and that agricultural wells and domestic drinking water wells are not the same as CDPH wells. Ms. Kan also clarified that the situation is different because consumers drinking from a CDPH well know that the well meets drinking water standards because the law requires it, which she stated is not the case for domestic drinking water wells.

Some Board Members expressed concern that although the public can get data using a formal PRA request, some individuals may be unable or unwilling to do this (e.g. undocumented farmworker, non-English speaker). Board Members discussed that some individuals may prefer to review data privately at home on their computer, without making a PRA request.

Commenter Kenia Acevedo stated that some people may not know how to read a contour map, and that the language requiring a one-half mile blurring of the actual well location is sufficiently protective. She stated that there is no basis to defend the revision to one-mile.

Commenter Steve Shimek asked the Board what is the basis for which to decide on a blurring. He stated that irrigation wells are already included in GeoTracker, and displayed to one-half mile radius. Mr. Shimek also stated that blurring well locations is not required by law.

Commenter Joy Fitzhugh of SLO Farm Bureau stated that expanding the blur to one-mile addresses the security of groundwater wells on agricultural operations.

Commenter Parry Klassen stated that increasing the blur to one-mile provides growers with another level of confidence against mischievous acts. He also stated that growers are very concerned about food safety and increasing blurring to one-mile helps to address their concerns. Mr. Klassen also stated that CCGC will contour data and that contours will give the information needed to provide the public with information regarding drinking water quality. Board Members asked when the contour maps will be available. Mr. Klassen clarified that contours will be available in 2015.

Commenter Kay Mercer stated that aquifer characterization should be three-dimensional. Ms. Mercer also expressed concern that groundwater location and water quality would be used for lawsuits. Chairman Young clarified that the fear of lawsuits is not a valid reason for not disclosing information under the PRA. Commenter Darlene Din stated that growers and the Water Board need to find a way to work together and build trust and relationships. Ms. Din also described past incidents of threats to agricultural wells.

Board Members deliberated. Board Member Johnston clarified that the Board must address how information will be provided in a PRA request and how information will be displayed in GeoTracker. Board Member Jeffries moved to approve staff's recommendation. Board Member Jordan seconded the motion to allow discussion and stated that he was uncomfortable with the recommendation because the revision does not address concerns of the environmental justice community. Board Member Jordan recommended that the Board evaluate the revision again later after more discussion and to bring in more people in the discussion.

Board Members discussed the possibility of keeping the one-half mile radius blurring only for the purposes of providing well location information in response to a PRA request. Some Board Members expressed that information should be displayed similarly on GeoTracker, with one-half mile blur. Other Board Members were comfortable with displaying information on contour maps and supported restricting the one-half mile blur to only data provided in response to a PRA request.

Board Member Delgado expressed concern for affected individuals who need as much access to information as possible and stated that he preferred the status quo.

Board Members expressed concern for both individuals and communities who may be drinking water contaminated with nitrate and the need to make sure wells on agricultural operations are secure. Chairman Young stated he is concerned that there is not clear evidence that non-disclosure is necessary. Board Members continued to discuss the possibility of keeping the one-half mile radius blurring for the purposes of providing well location information in response to a PRA request, and using a different blurring distance for display of groundwater wells on GeoTracker.

Assistant Executive Officer took role on the motion to approve staff's recommendation, as written (which would result in revision to adopt one-mile blur of well locations for both PRA requests and display on GeoTracker). The vote failed, individual Board Member votes were as follows:

**Board Member Hunter: No**  
**Board Member Jordan: No**  
**Board Member Johnston: No**  
**Board Member Jeffries: Yes**  
**Board Member Delgado: No**  
**Chairman Young: No**  
**Motion Failed: 1/5**

Board Member Johnston made a motion to keep the one-half mile radius blurring for the purposes of providing well location information in response to a PRA request, and using a blurring distance of one-mile square for display of groundwater wells on GeoTracker. Board Member Hunter seconded the motion. Ms. Jahr read new written language aloud and presented it to the public.

Board Members discussed the motion, including a discussion of the actual area blurred on GeoTracker by the new proposed language, and the difference between the use of radius or square. Assistant Executive Officer took role on the motion to keep the one-half mile radius blurring for the purposes of providing well location information in response to a PRA request, and using a different blurring distance of one-mile square for display of groundwater wells on GeoTracker. Board Member votes were as follows:

**Board Member Hunter: Yes**  
**Board Member Jordan: No**  
**Board Member Johnston: Yes**  
**Board Member Jeffries: No**  
**Board Member Delgado: No**  
**Chairman Young: Yes**  
**Motion Failed: 3/3**

Mr. Thomas confirmed that the result of the vote was 3/3. Ms. Jahr confirmed that the motion failed and status quo prevails.

Executive Officer Ken Harris requested discretion to evaluate next steps and decide whether or not to bring the item back to the Board.

**Public Speakers:**

- Kenia Acevedo, California Rural Legal Assistance
- Steven Deverel, Hydrofocus, Inc.
- Darlene Din, Consultant
- Joy Fitzhugh, San Luis Obispo County Farm Bureau
- Pearl Kan, California Rural Legal Assistance
- Parry Klassen, Central Coast Groundwater Coalition
- Kay Mercer, Paso Robles
- Kirk Schmidt, Central Coast Water Quality Preservation, Inc.
- Steve Shimek, The Otter Project
- Abby Taylor-Silva, Grower-Shipper Association
- Claire Wineman, Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties

**Uncontested Items:**

Items 6 and 10 were removed from the list of items considered consent. Dr. Hunter had some general comments about staff report formats and a specific comment about Summerland Sanitary District's treatment plant capacity. Engineering Geologist Peter von Langen responded to the question. Dr. Wolff asked about other options for use of recycled water at Santa Lucia Community Services District. Staff engineer Tom Kukol and plant operator Leif Utegaard responded. Mr. Jordan asked about boron and the Estrella River Basin TMDL; staff geologist Pete Osmolovsky responded. Dr. Wolff asked whether the Arroyo Paredon TMDL was consistent with other watersheds; staff engineer Howard Kolb responded that it was.

**7. Standard Provisions for Waste Discharge Requirements  
Resolution No. R3-2013-0052**

**8. John Smith Road Landfill, San Benito  
Revise Waste Discharge Requirements, Order No. R3-2013-0047**

**9. Santa Lucia Community Services District, Carmel, Monterey County  
Master Recycling Permit Order No. R3-2013-0020**

**11. Summerland Sanitary District, Summerland, Santa Barbara County  
Reissue Waste Discharge Requirements Order No. R3-2013-0042**

**12. Phillips 66 Company Refinery, Arroyo Grande, San Luis Obispo County  
Reissue Waste Discharge Requirements Order No. R3-2013-0028**

**13. San Simeon Community Services District, San Simeon, San Luis Obispo County  
Reissue Waste Discharge Requirements Order No. R3-2013-0021**

**14. Aquaculture General Permit  
Reissue Waste Discharge Requirements Order No. R3-2013-0041**

**15. Total Maximum Daily Load for Boron in Streams of the Estrella River Basin, San Luis Obispo County - Resolution No. R3-2013-0058**

**16. Total Maximum Daily Load for Nitrate in the Arroyo Paredon Watershed, Santa Barbara County - Resolution No. R3-2013-0050**

**MOTION: Bruce Delgado**

**SECOND: Monica Hunter**

**CARRIED: Unanimously (7-0)**

**10. Freeport-McMoRan (former PXP) Oil and Gas Production Facility, Pismo Beach, San Luis Obispo County, Reissue Waste Discharge Requirements Order No. R3-2013-0029**

Central Coast Water Board staff Katie DiSimone provided response, via an informational sheet, to Board member questions received in advance of the meeting. The changes described in informational sheet were also presented in red-line strike-out at the Board Meeting. In addition, typographical corrections were made to Table E-4 (test duration corrected to 4 days rather than 7 days) and Table E-8 (reference to Table E-6 for recycled water report and "biennially" spelling correction).

Ms. DiSimone also confirmed in her testimony that the Discharger does not utilize fracking as part of their operations at the facility. Additionally, the Discharger is required by their San Luis Obispo County Conditional Use Permit to work with the City of Pismo Beach to establish a flood alarm for Pismo Creek. The Discharger has already installed a monitoring point downstream which relays a flood alarm to the Discharger's facility when Pismo Creek reaches a certain level. The Discharger is then required to cease discharge of their effluent to the Creek during those flood or heavy flow conditions.

Board Member Wolff expressed concern regarding the lack of instream flow studies for Pismo Creek. He stated that, while the County's permit contained prohibitions on discharge during flooding, the NPDES permit could also require the same. Mr. Wolff also stated that recent press has indicated the Discharger has significant plans for expansion of their operations in the area. Mr. David Rose, Freeport-McMoRan, stated that the expansion plans were not something he could comment on. The field is currently profitable and therefore would remain in operation as long as economically viable. Ms. DiSimone confirmed for Mr. Wolff that recycled water from the facility could be used for agricultural purposes.

Board Member Johnston and Board Member Hunter had questions regarding the Discharger's production operations. Mr. Rose confirmed that the effluent is treated production water. Production water is brine water extracted from the oil formation as part of the oil pumping. The produced water is treated to remove oil products and other chemicals as described in this Order.

Board Member Jeffries asked about the Discharger's emergency operations including backup power, alarms, and 24-7 operator presence. Mr. Rose confirmed the facility has backup generator power, fully alarmed processed which are tested annually at a minimum, and 24-7 operators.

Board Member Delgado asked if the effluent discharge to Pismo Creek had any benefits to water quality and whether there is a current benefit to agriculture. Ms. DiSimone confirmed that the discharge provides additional flow to Pismo Creek which was determined to be a benefit for aquatic habitat. That benefit was the exemption which allows the facility to be permitted for discharge to the Creek.

Ms. DiSimone also confirmed that there are benefits to agricultural, in the event of recycling, by offsetting groundwater pumping.

**MOTION: Russell Jeffries**

**SECOND: Monica Hunter**

**CARRIED: Unanimously (7-0)**

#### **17. Irrigated Lands Regulatory Program Update**

Water Board staff, Elaine Sahl, presented the status of the Irrigated Lands Regulatory Program (ILRP). The status update included information about enrollment, summary of compliance, groundwater monitoring and reporting, and drinking water notifications. In addition, Ms. Sahl described modifications made to the ILRP Annual Compliance Form, per State Board Order WQ 2013-0101.

Regarding enrollment, as described in the Supplemental Sheet for this item, Ms. Sahl explained that staff has made a recommendation to the Executive Officer to terminate enrollment for 69 individual farming operations that have failed to submit an eNOI. Staff has determined that many of these operations are no longer in business and termination will effectively remove these farming operations from coverage under the 2012 Agricultural Order.

Board Members asked about what kind of outreach staff has participated in with the agricultural community. Irrigated Lands Regulatory Program Manager, Angela Schroeter, described that staff is engaged in a variety of outreach events in coordination with agricultural organizations and commodity groups. Ms. Schroeter also stated that various agricultural organizations have been very proactive to conduct their own outreach to assist growers. Board Member Hunter asked ILRP staff person Monica Barricarte about the content of the presentations to growers. Ms. Barricarte described that she tailors presentations based on the audience (e.g. crop type, geographic area, water quality issue) and the general purpose of the meeting. Board Members provided positive feedback regarding breadth of outreach provided to growers, and that the content of the outreach is not one-size-fits-all.

Commenter Kirk Schmidt stated that it is difficult for landowners to determine whether their lessees are enrolled or are keeping up with compliance requirements. Ms. Schroeter stated that, in direct response to this comment, staff is currently working to display enrolled farms on GeoTracker. Farm information displayed on GeoTracker will allow landowners, growers, and other interested parties to verify enrollment of specific farming operations, and to verify accuracy of information as submitted by growers. Mr. Schmidt also stated that landowners should be able to access groundwater monitoring results. Mr. Schmidt also described issues related to individuals responsible for conducting surface receiving water monitoring payment of state permit fees, as well as issues related to upload of Cooperative Monitoring Program data to the CEDEN database. Commenter Steve Shimek stated that he would like to better understand enrollment, relative to the number of growers in each Tier and is also interested in which watersheds Tier 3 growers are located.

Board Member Wolff asked about staff plans to issue postcards to landowners informing them about their responsibilities. Ms. Schroeter stated that the Office of Statewide Printing would mail out postcards to landowners by December 9, 2013. Board Members also requested that staff provide an update to the Board on compliance with the January 15, 2014 deadline for Tier 2 and Tier 3 growers to report nitrate loading risk determination information in the Annual Compliance Form.

Public Speakers:

- Kirk Schmidt, Central Coast Water Quality Preservation, Inc.
- Steve Shimek, The Otter Project

**18. Central Coast Groundwater Coalition Update**

Mr. Parry Klassen, Executive Director of the Central Coast Groundwater Coalition (CCGC), presented the status of the cooperative groundwater monitoring activities the CCGC is implementing in compliance with the 2012 Agricultural Order. As part of the status update, Mr. Klassen discussed the history of the CCGC, membership, general implementation and schedule for the northern and southern counties of the region. Mr. Klassen stated that, as of the 3<sup>rd</sup> of December, CCGC has monitored more than 200 groundwater wells, and has over 559 members, representing 3325 parcels and 194,542 acres. In addition, Mr. Steve Deverel – consultant to CCGC, also discussed details related to groundwater sampling and initial results. Ms. Abby Taylor-Silva, Grower-Shipper Association, also stated that CCGC has exceeded their membership goals.

Board Members asked about the CCGC's notification process, and whether the Water Board is involved. Ms. Schroeter stated that the Water Board is coordinating with CCGC on the notification process and documents distributed to growers. Board Members expressed concern about legal ramifications if there is some issue with a nitrate exceedances and notification is not provided to users in a timely manner. Ms. Taylor-Silva confirmed that members are notified that they are to notify users within 10-days, which is in compliance with State Board Order WQ 2013-0101. Board Members expressed concern that the Water Board may not know exactly which wells have problems. Executive Officer Ken Harris clarified that Water Board receives the raw data, so we can verify wells with exceedances of the drinking water standard. Ms. Schroeter clarified that not every domestic well will be sampled by the CCGC. Ms. Taylor-Silva said that as of right now the CCGC intends to sample all domestic wells on their member properties.

Board Members asked if any members have dropped out of the CCGC after enrolling. Mr. Klassen stated that a few members have dropped out, mostly if it was determined that they didn't have a well, so didn't need to be enrolled anyway. Board Members also asked staff if there is consideration for reopening deadlines to join the CCGC. Ms. Schroeter stated that since the deadline to complete individual groundwater monitoring requirements has passed and because cooperative groundwater monitoring program sampling will be completed by September - December 2014, it is not necessary to re-open enrollment at this time. Board Member Delgado asked about potential for undetected pesticides or heavy metals in



groundwater samples. Mr. Deverel stated that the CCGC is currently not testing for either, so they would go undetected if present.

Board Member Johnston stated that he would like to make sure the Water Board has access to the drinking water notification letters provided by the CCGC. Board Members also indicated that they would like the CCGC to make regular updates to the Board on the status of their progress.

Public Speakers:

- Steve Deverel, Hydrofocus, Inc.
- Parry Klassen, Central Coast Groundwater Coalition
- Abby Taylor-Silva, Grower-Shipper Association

### **19. Optimizing Irrigation and Nitrogen Management in Strawberries for Improved Water Quality**

University of California Cooperative Extension (UCCE) – Monterey County Farm Advisor, Michael Cahn presented to the Board an update on strawberry research funded by the Central Coast Water Board's PG&E Settlement Fund.

Board Member Jeffries asked whether or not strawberry growers typically conduct soil nitrate testing before adding pre-plant fertilizers. Mr. Cahn responded that some growers do and other do not. Mr. Cahn also stated that pre-plant nitrogen fertilizer can often be reduced without harming production. He concluded by stating that nitrate leaching and water quality risks appeared to be low during the production season, but nitrate leaching to groundwater can be high during crop establishment and winter months.

Commenter Mr. Jason Sharrett, California Strawberry Commission, described activities they are implementing to provide strawberry grower education and training.

Public Speakers:

- Michael Cahn, University of California Cooperative Extension
- Jason Sharrett, California Strawberry Commission

### **20. Central Coast LID Initiative Update**

Staff provided a brief update on Low Impact Development (LID) projects in the Region and Central Coast LID Initiative's role in leveraging funding, providing leadership and innovation, and building partnerships to promote projects and region-wide implementation of LID. LID Initiative Project Director, Dr. Darla Inglis, discussed drivers for the 2013-2014 LID Initiative Work Plan, including: currently adopted Central Coast Post-Construction Stormwater Requirements; water quality risk associated with urban runoff; and the need for integrated stormwater management. Board members expressed enthusiasm for LIDI's recent accomplishments and future direction. Chair Young and Board member Jordan indicated annual awards for LID projects should be developed to highlight the good work being done. Board members Wolff and Jeffries conveyed continuing concerns about the cost of LID and

stressed the need for balance in requirements to implement it. Dr. Inglis pointed to areas of flexibility in the requirements that seek to strike the right balance.

**Public Forum**

Public Speakers:

- Steve Shimek
- Abby Taylor-Silva

**Friday, December 6, 2013**

Dr. Wolff, Vice Chair, called the meeting of the Central Coast Water Board to order at 8:30 a.m. on Friday, December 6, 2013 in San Luis Obispo.

**1. Roll Call – Board Members.....Michael Thomas, Assistant Executive Officer****Present:**

Jeffrey Young, Chair  
Jean-Pierre Wolff, Vice Chair  
Bruce Delgado  
Russell Jeffries  
Monica Hunter  
Mike Johnston  
Mike Jordan

**Absent:****23. Public Forum**

Public Speakers:

- Julie Tacker

**24. Los Osos WWTP Construction Update**

Vice Chair Dr. Wolff introduced the item adding that he and staff had attended an off-site field trip to Los Osos with Ms. Julie Tacker, Mr. Jeff Edwards, and Mr. Rob Miller. He further explained that the field trip involved the discussion and observation of dewatering activities, but mostly revolved around recycled water reuse as it pertains to the Los Osos Water Recycling Facility. He noted that the trip was very informative.

Staff Environmental Scientist David LaCaro presented and discussed current progress of the construction of the Los Osos Water Recycling Facility. In addition, Mr. LaCaro discussed recent groundwater monitoring data submitted by the San Luis Obispo County (County) as well as the Los Osos Basin Management Plan developed by the Interlocutory Stipulated Judgment Parties, which includes three local water purveyors and the County.

During the presentation, staff fielded questions from Water Board members specific to dewatering activities as they relate to the installation of the collection system pipes. More specifically, staff explained that the dewatering activities comply with the existing stormwater permit and that staff continues to work with the County to ensure that surface water and groundwater quality are being protected.

The County's Los Osos Wastewater Project Manager, John Waddell, fielded question from the Water Board members specific to dewatering activities as well as the Los Osos Basin

Management Plan. Mr. Waddell explained that the project is moving quicker than anticipated as the contractors are encountering less groundwater than expected. Mr. Waddell responded to questions regarding water supply and groundwater basin management explaining that the County has a limited role in water supply and that management of water supply lies with the local water purveyors.

The Water Board raised several questions for County and Water Board staff responding to public comment. Many public comments and questions revolved around groundwater management and mitigation of seawater intrusion (i.e., pumping schemes, water conservation, and recycled water reuse) as well as oversight for dewatering activities (i.e., nitrate sampling, volume, discharge location, water quality protection). Finally, Water Board members requested that staff provide the following information to the Water Board:

- Volume of dewatering discharges to Morro Bay.
- Consider dewatering discharges analysis for nitrate for discharges to the Morro Bay.
- Post correspondence between Water Board staff, the County, and Los Osos Community Services District on the Water Board website.
- Information specific to groundwater well repairs.
- Status on the current Cease and Desist Orders
- Response to Mr. Keith Wimer comment letter.

Public Speakers:

- Julie Tacker
- Richard Margetson
- Lynett Torantzkyi
- Keith Wimer
- Linde Owen
- Jeff Edwards
- Chuck Cesena

This item was informational and no Board action was taken.

## 25. Enforcement Report

Mr. Harris introduced the item as a written report and asked if there were questions. Chair Young asked staff the amount that the executive officer was authorized to settle penalty actions. Staff responded that the amount was \$300,000. Chair Young asked what the amount of the Grover Beach penalty was. Staff stated that the case had not yet been settled.

## 26. Grants Program Update

Grant Program Manager, Katie McNeill, made a presentation to the board to inform them of the status of past and current grants in the region, and how the program and individual projects relate to the Central Coast Water Board's priorities. Board chair Jeff Young expressed an interest in the information and outcomes being more readily available to public, such as on the Central Coast Water Board's website. Dialogue between several board members and Water Board staff ensued and included grant project assessment, grants aimed at stormwater, TMDL, and non-point source program efforts, grant project site selection, efforts to address seawater intrusion, and potential reluctance of growers on irrigated lands to take part in grant projects. Information was provided by several water board staff, including Katie McNeill, Lisa McCann, Angela Schroeter, and Alison Jones.

## 27. Environmental Justice in the Central Coast Region

Executive Officer Harris introduced the item and summarized the staff report. Mr. Harris

explained that Regional Board staff are very dedicated and trying to make sure we provide notice to all affected and interested parties, including environmental justice communities. He stated the Regional Board has staff that speak both Spanish and Chinese and that all agendas are now published in Spanish.

Dr. Wolf asked if the definition of a disadvantaged community applied for Los Osos. Mr. Thomas stated they have looked at funding for Los Osos and the community qualified for some funding and not others. Water Board staff Katie McNeill stated for the grant program, they can look at blocks or smaller areas. Mr. Johnston noted that census blocks can skew the results including both very rich and very poor people.

Dr. Hunter described how the Chumash tribe survived compared to the Escilian and Salinian tribes. Dr. Hunter asked staff to communicate with Luis Martiniz and Jeanette Mahoa.

Michael Thomas stated that Environmental Justice community members have volunteered to meet with the Board, present their ideas, and offered a tour.

### **28. Underground Tank Program Update, Low Threat Closure Policy**

Ken Harris noted that this was an informational item only with no staff presentation. Ken noted that our staff are meeting all our performance milestones.

Chris Adair stated that there was a lot of public input to the recently adopted Low Threat Closure Policy and that the Policy was vetted through an independent scientific review panel. Region 3 staff take a conservative approach to the Policy

Mr. Johnston asked how leaking storage tanks will be funded in the future. Chris Adair described that the program will likely morph into the Site Cleanup Program and funding may be through cost-recovery.

Mr. Jordan asked about UST technology and Chris Adair stated there have been dramatic improvements such as improved leak detection systems.

### **29. Executive Officer's Report**

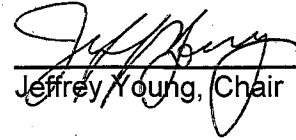
Executive Officer Harris introduced the Executive Officer's report and asked Board Members if they had any questions. They did not.

Mr. Harris asked Board Members if the notes on staff's meetings with outside stakeholders were helpful to the Board. Dr. Hunter, Dr. Wolf, Mr. Johnston, and Mr. Jordan find it very helpful. Dr. Hunter suggests a very simple spreadsheet listing staff person and issue being addressed.

Steve Shimek stated he finds these helpful and shows our transparency.

Vice Chair Wolff adjourned the meeting at approximately 12:45 p.m. December 6, 2013. The next regularly scheduled Water Board meeting will be held on January 30, 2014 in Watsonville.

Minutes were reviewed by management and will be considered for approval by the Board at the January 30, 2014 in Watsonville.

  
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Jeffrey Young, Chair

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