

Central Coast Regional Water Quality Control Board

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD REGULAR MEETING MINUTES - **AMENDED**

Tuesday, March 7, 2017, 8:30 a.m. – 5:00 p.m.

Wednesday, March 8, 2017, 9:00 a.m. – 5:00 p.m.

Thursday, March 9, 2017, 9:00 a.m. – 5:00 p.m.

Watsonville City Council Chambers
275 Main Street - 4th Floor
Watsonville

Tuesday, March 7, 2017, 8:30 a.m.

Chair Dr. Jean-Pierre Wolff called the meeting to order on Tuesday, March 7, 2017, at 8:55 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 Cervantez, Member Delgado, Member Gray, Member Johnston, and Member Young.

Absent: None

2. Introductions

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

Executive Officer John Robertson introduced Lori Okun, assistant chief counsel; Michael Thomas, assistant executive officer, was not present; Tammie Olson, clerk to the Board; section managers Harvey Packard, Lisa McCann, and Angela Schroeter; and Thea Tryon.

Tim Moran from the State Water Board's Office of Public Affairs was present for media contacts.

Public Forum

4. Public Forum

Speakers:

- Kirk Schmidt, Executive Director, Central Coast Water Quality Preservation, Inc.

Waste Discharge Requirements

6. Consideration of Order No. R3-2017-0002, Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands.

[Chris Rose, 805/542-4772, chris.rose@waterboards.ca.gov]

Prior to the staff presentation, Board Chair Wolff gave a statement regarding his participation in the Ag Order and its ramifications to Wolff Vineyard. He explained that he was not allowed to participate in the 2012 agriculture order. Dr. Wolff reported that the Fair Political Practices Commission stated that he could participate in this matter because it would not have a material financial impact on Wolff Vineyards or himself.

Water Board Executive Officer John Robertson covered the sequence and procedures for the hearing and provided an introduction to the Ag Order item. Water Board staff members Chris Rose, Karen Worcester, and Monica Barricarte provided a presentation to the Board and public supporting the recommendation to adopt Order No. R3-2017-0002, Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Ag Order 3.0), and associated Monitoring and Reporting Programs for Tier 1, Tier 2 and Tier 3 ranches. Interested parties provided presentations and comment, including the following:

Speakers:

- Claire Wineman, Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
- Nathaniel Kane, Environmental Law Foundation
- Dr. Lowell Zelinski, Precision Ag Consulting
- Monica Grimilan, Environmental Justice Coalition for Water
- Horacio Amezcuita, San Jerardo Cooperative, Inc.
- Lucia Calderon, EJCW and Safe Ag Safe Schools
- Randy Reck, Environmental Justice Coalition for Water
- Steve Shimek, Otter Project and Monterey Coastkeeper
- Ben Pitterle, Santa Barbara Coastkeeper
- Elliott Higgins, Stanford Law
- Savannah Fletcher, Stanford Law

The item was continued to Wednesday.

Meeting Adjourned: 5:33

Wednesday, March 8, 2017, 9:00 a.m.

Chair Dr. Jean-Pierre Wolff called the meeting to order on Wednesday, March 8, 2017, at 9:15

7. Roll Call

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

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

Absent: None

8. Introductions

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

Executive Officer John Robertson introduced Lori Okun, assistant chief counsel; Tammie Olson, clerk to the Board; section managers Harvey Packard, Lisa McCann, and Angela Schroeter; and Thea Tryon .

Tim Moran information officer from State office of public affairs Sacramento for any press releases or reporters

Public Forum

9. Public Forum

Speakers:

- Margie Kay – resident of Elkhorn Slough

Waste Discharge Requirements

6. Consideration of Order No. R3-2017-0002, Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands

[Chris Rose, 805/542-4772, chris.rose@waterboards.ca.gov]

Item 6 was resumed from Tuesday. Interested parties provided presentations and comment, including the following:

Issues discussed by the Board, commenters, and staff included expansion of the total nitrogen applied requirement, surface water monitoring requirements for neonicotinoid pesticides, the cost of Ag Order compliance to growers, technical service provider availability, safe drinking water availability, riparian vegetation protection assessment, pesticide use changes, Ag Order benchmarks and timelines, how to assess progress towards achieving water quality standards, and compliance with the Nonpoint Source Policy, Antidegradation Policy, and CEQA.

Central Coast Water Board counsel Lori Okun proposed edits to the findings in Attachment A of Ag Order 3.0, including edits to findings 25, 26, 27, 28, and 30. Board member Delgado recommended an addition of a footnote to Finding 85, citing a reference to the study referred to in the finding. Board Vice-Chair Dr. Monica Hunter moved to adopt the order with the proposed changes; Board member Jeffrey Young seconded the motion. The vote was unanimous.

Motion: Vice Chair Hunter

Seconded by: Member Young

Roll Call Vote:

Aye: Chair Wolff, Vice-Chair Hunter, Member Cervantez, Member Delgado, Member Gray, Member Johnston, Member Young

Nay:

Absent:

Abstain

MOTION CARRIED: 7-0

Speakers:

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- Kari Fisher, California Farm Bureau Federation
- Abby Taylor-Silva, Grower-Shipper Association of Central California
- Tess Dunham, Samach Simmons Dunn/Central Coast Ground Water Coalition
- Sarah Lopez, Central Coast Water Quality Preservation, Inc.
- Jaclyn Bennett, Madison Farms
- Kay Mercer, KMI Consulting;
- Marla Livengood, California Strawberry Commission
- Kirk Schmidt, Central Coast Water Quality Preservation, Inc.
- David Costa, Costa Family Farms
- Lawrence Hinkle, Mission Ranches

Meeting Adjourned: 4:44

Thursday, March 9, 2017, 9:00 a.m.

Chair Dr. Jean-Pierre Wolff called the meeting to order on Thursday, March 9, 2017, at 9:00 a.m.

BOARD BUSINESS

10. 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, and Member Young.

Absent: Member Cervantez

11. Introductions

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

Executive Officer John Robertson introduced Lori Okun, assistant chief counsel; Tammie Olson, clerk to the Board; section managers Harvey Packard, Lisa McCann, and Angela Schroeter; and Thea Tryon.

It was announced that this would be the last meeting for Lisa McCann; she will be going to a new job at the State Water Board.

Introduced Steve Moore , State Water Board liaison.

12. Approval of January 26-27, 2017 Board Meeting minutes

Motion: Member Delgado
Seconded by: Member Gray
Roll Call Vote:
Aye: Chair Wolff, Member Delgado, Member Gray, Member, and Member Young.
Nay: **None**
Absent: Member Cervantez
Abstain: Vice-Chair Hunter, and Member Johnston f
MOTION CARRIED: 4-0

13. Reports by Regional Board Members

- Chair Wolff
 - January 28, 2017, Cal Poly Agriculture Ambassadorship program and gave a presentation on agriculture sustainability
 - January 30, 2017, San Luis Obispo County Water Resources addressing Sustainable Groundwater Management Act
 - January 31, 2017, San Luis Obispo County Water Resources addressing Sustainable Groundwater Management Act
 - February 3, 2017, met with various agriculturists from Paso Robles to discuss recycled water and irrigation
 - February 6, 2017, San Luis Obispo County Water Resources addressing Sustainable Groundwater Management Act
 - February 9, 2017, hearing for the San Ardo Aquifer that was put on by Division of Oil and Gas, with Central Coast Water Board staff.
 - February 10, 2017, stormwater workshop at Farm Bureau
 - February 22, 2017, Central Coast Water Board nitrate briefing
 - February 23, 2017, San Luis Obispo County Water Resources addressing Sustainable Groundwater Management Act
 - March 3, 2017, Central Coast Water Board meeting briefing
 - March 6, 2017, Food safety workshop put on by the Wine Institute
- Member Johnston
 - February 23, 2017, Nicole Beck, Second Nature, environmental software developer
- Member Gray
 - December took a group of reporters from Pacific Standards, a national publication, around Ventura and Santa Barbara counties to look at waste water facilities addressing a story they are putting together called Waters in the West regarding water and wastewater opportunities and solutions.
 - ~~January 28, 2017, Cal Poly Ambassador program — Ag sustainability~~
 - **January 30, 2017, San Luis Obispo County Water Resources addressing Sustainable Groundwater Management Act**
 - Working with the Civic Spark program for Cuyama.

- Vice-Chair Hunter, Member Delgado, and Member Young:
 - Nothing to report

14. Report by State Water Resources Control Board Liaison [Steven Moore 916/341-5624]
Mr. Moore provided a report on State Water Resources Control Board activities.

Public Forum

15. 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.

Speakers:

- Ron Weitzman, President, Water Ratepayers Association of the Monterey Peninsula
- David Feliz, manager of Elkhorn Slough Reserve
- Mary Kloepfel, Chair, Friends, Artists & Neighbors of Elkhorn Slough
- Steve Shimek, Otter Project and Monterey Coastkeeper
- Abby Taylor-Silva, Grower Shipper Association of Central California
- David Costa, Costa Farms

Waste Discharge Requirements

16. Consideration of Waste Discharge and Water Recycling Requirements for the Pure Water Monterey Groundwater Replenishment Project, Monterey County, Order No. R3-2017-0003 [Jon Rokke, 805/549-3892, Jon.Rokke@waterboards.ca.gov]

Prior to the staff presentation, Board member Delgado explained that although he is the mayor of Marina, and Marina is in the service area of the Monterey Regional Water Pollution Control Agency (MRWPCA), neither he personally nor the City will receive any direct benefit from the project.

Water Board Executive Officer John Robertson provided an introduction for the item. Water Board staff Jon Rokke gave an overview of the item and began a presentation. He then introduced Mike McCullough of MRWPCA. MRWPCA staff explained the need for the project along with project parameters and outcomes and answered questions from the Board. Mr. Rokke then concluded his presentation, answered questions, and recommended adoption of the order.

The Board deliberated the various aspects of the project and adopted the proposed permit unanimously.

Motion: Board Member Johnston
Seconded by: Vice-Chair Hunter
Roll Call Vote:
Aye: Chair Wolff, Vice-Chair Hunter, Member Cervantez, Member Delgado, Member Gray, Member Johnston and Member Young
Nay:
Absent: Member Cervantez
Abstain:
MOTION CARRIED: 6-0

Speakers:

- Bill Carrothers, Buena Agua Para Todo
- Ron Weitzman, President, Water Ratepayers Association of the Monterey Peninsula
- Steve Shimek, Otter Project and Monterey Coastkeeper

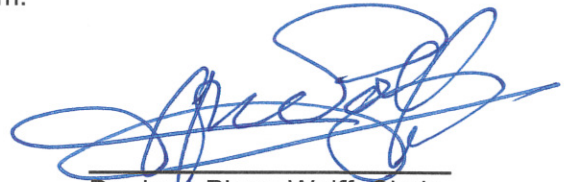
Administrative Items

17. Executive Officer's Report

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

The Executive Officer gave his report and answered questions.

Chair Wolff adjourned the meeting at approximately 1:56 p.m.



Dr. Jean-Pierre Wolff, Chair