

Central Coast Regional Water Quality Control Board

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
REGULAR MEETING MINUTES -

Thursday, February 8, 2018, 9:00 a.m. – 5:00 p.m.
Friday, February 9, 2018, 9:00 a.m. – 5:00 p.m.

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

Thursday, February 8, 2018, 9:00 a.m.

Chair Dr. Jean-Pierre Wolff called the meeting to order on Tuesday, February 8, 2018, at 9:10 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 Gray, Member Johnston, and Member Young.

Absent: Member Delgado – arrived after roll call at 9:42 a.m.

2. Introductions

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

Executive Officer John Robertson introduced Jessica Jahr, assistant chief counsel; Michael Thomas, assistant executive officer, Tammie Olson, clerk to the Board; and section managers Harvey Packard, Angela Schroeter, and Thea Tryon.

3. Election of Chair and Vice Chair (note: this item was taken up after Item Nos. 4-7)

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

BOARD CHAIR

Motion:	Dr. Hunter nominated Jean-Pierre Wolff for Board Chair
Seconded by:	Member Delgado
Roll Call Vote:	
Aye:	Chair Wolff, Vice-Chair Hunter, Member Cervantez, Member Delgado, Member Gray, Member Johnston, and Member Young
Nay:	None
Absent:	None

DR. JEAN-PIERRE WOLFF, CHAIR | JOHN M. ROBERTSON, EXECUTIVE OFFICER

Abstain None
MOTION CARRIED: 7-0

VICE CHAIR

Motion: Member Delgado nominated Dr. Hunter for Vice Chair
Seconded by: Member Young
Roll Call Vote:
Aye: Chair Wolff, Vice-Chair Hunter, Member Cervantez, Member Delgado, Member Gray, Member Johnston, and Member Young
Nay: None
Absent: None
Abstain None
MOTION CARRIED: 7-0

4. Approval of December 7-8, 2017 Board Meeting minutes

Motion: Member Young
Seconded by: Dr. Hunter
Roll Call Vote:
Aye: Chair Wolff, Vice-Chair Hunter, Member Cervantez, Member Gray, Member Johnston, and Member Young
Nay: None
Absent: Member Delgado arrived after vote
Abstain None
MOTION CARRIED: 6-0

5. Report by Regional Board Members:

- Chair Wolff
 - December 13, 2017, meeting with San Luis Obispo County and Cal Poly Physics Department regarding geophysics
 - December 14, 2017, telephone conference with John Robertson and State Water Board member Dorene D'Adamo regarding the East San Joaquin Order
 - December 22, 2017, telephone conference with John Robertson and State Water Board Vice-Chair Steve Moore regarding the East San Joaquin Order
 - January 8, 2018, call with water board chairs regarding the budget and planning for the Water Quality Coordinating Committee meeting
 - January 22, 2018, meeting with John Robertson, Angela Schroeter, and the Salinas Basin Agriculture Stewardship Group
 - January 23, 2018, educational trip to Montecito to assess damage from mud flow with John Robertson and other Central Coast Water Board staff.
 - February 1, 2018, telephone conference with John Robertson and Dorene D'Adamo regarding regional activities and state activities.
 - February 2, 2018, meeting at the Central Coast Water Board with Monica Hunter, John Robertson, Angela Schroeter, Maria Kennedy, and Jane Gray on the telephone to discuss an environmental justice grant

- Member Johnston
 - Had email exchanges with Santa Cruz County public works and code enforcement, including Casey Carlson and Matt Johnston (his brother), regarding the Elkhorn Road sediment issue.
 - Vice-Chair Hunter, Member Cervantez, Member Gray, and Member Young
 - Nothing to report
6. Report by State Water Resources Control Board Liaison [Dorene D'Adamo, 916/641-5609] Executive Officer John Robertson reported on information provided by State Board member and Central coast liaison, Ms. D'Adamo as part of a regular update teleconference in early February. Mr. Robertson provided information on the status of Eastern San Joaquin order development by the State Water Board, Ms. D'Adamo late January visit with growers in King City, and projects State Water Board staff were working on this year (i.e., permanent water conservation regulations, development of a draft state-wide general order for wineries. Mr. Robertson also indicated that the State Water Board was investing significant time on the Water Fix, as well as water rights diversions and backlogged orders. Chair Wolff also participated in the call with State Board member D'Adamo and provided detail as part of this report.

Uncontested Items

7. Revision of Waste Discharge Requirements for Cemex Davenport Cement Plant CKD Landfills, Santa Cruz County, Order No. R3-2018-0001
[Martin Fletcher, 805/549-3694, Martin.Fletcher@waterboards.ca.gov]

Motion: Vice Chair Hunter
Seconded by: Member Johnston
Roll Call Vote:
Aye: Chair Wolff, Vice-Chair Hunter, Member Cervantez, Member Gray, Member Johnston, and Member Young
Nay: None
Absent: Member Delgado arrived after vote
Abstain: None
MOTION CARRIED: 6-0

8. Blank

Public Forum

9. Public Forum:

Speakers:

- Kay Mercer, KMI
- Steve Shimek, Otter Project and Monterey Coastkeeper

Discussion/Informational Items

10. Salinas Basin Agriculture Stewardship Group – Status of Interim Replacement Water Agreement [Angela Schroeter, 805/542-4644, Angela.Schroeter@waterboards.ca.gov]

Presentation by David Costa and Kendra Clark of Salinas Basin Agriculture Stewardship Group

Water Board Section Manager Angela Schroeter provided a brief overview of the Salinas Basin Interim Replacement Water Agreement. Salinas Basin Agriculture Stewardship Group, LLC (SBASG) Executive Committee representative David Costa made a presentation to the Board regarding SBASG membership, member fees and finances, and progress towards satisfying the replacement water agreement. Mr. Costa indicated that SBASG has satisfied the Year 1 replacement water agreement obligations to use all commercially reasonable steps to provide replacement water to a minimum of 35 drinking water systems. In addition, Mr. Costa and SBASG attorney Ms. Kendra Clark also confirmed plans for SBASG to develop a Replacement Water Plan for Year 2 that would identify and provide replacement drinking water to all remaining impacted drinking water systems and domestic well users within the Salinas Basin, irrespective of financial need. Office of Enforcement staff engineer Angeles Caliso also provided information regarding domestic well outreach and verification of the drinking water systems who have declined to participate in the replacement water program.

Water Board members asked several clarifying questions of staff and Mr. Costa regarding reasons that drinking water systems declined to participate and ways to increase participation in the program by both drinking water systems and individual domestic well users. Mr. Robertson conveyed that recent discussions with SBASG leadership included potentially using drinking water filling stations or distribution centers using key cards or vouchers to provide replacement water for appropriate users. Chair Wolff requested that staff come back with an update on the SBASG Replacement Water Plan and Year 2 implementation.

Speakers:

- David Costa, SBASG Executive Committee
- Kendra Clark, JRG Attorneys at Law

11. Greater Monterey County IRWM – Integrated Plan to Address Salinas Valley Disadvantaged Communities [Angela Schroeter, 805/542-4644, Angela.Schroeter@waterboards.ca.gov]

Moises Moreno-Rivera, Central Coast Program Coordinator for the Environmental Justice Coalition for Water (EJCW), made a presentation to the Board regarding the status of the Integrated Plan to Address Drinking Water and Wastewater Needs of Disadvantaged Communities in the Salinas Valley and Greater Monterey County. Board members requested that staff coordinate with State Water Board Division of Drinking Water and Division of Financial Assistance to follow-up on the status of specific projects, including the UCLA pilot project, San Jerardo technical, managerial, and financial capacity (TMF) evaluation, and potential consolidation projects such as the Middlefield Road drinking water system.

Speakers:

- Moises Moreno-Rivera, Environmental Justice Coalition for Water
- Horacio Amezcua, San Jerardo Cooperative Inc.
- Karen Nilsen, Nilsen and Associates

- Karen McBride, Rural Development Specialist (to answer questions)

12. Environmental Justice and Human Right to Water Implementation Update for the Central Coast Region [Angela Schroeter, 805/542-4644, Angela.Schroeter@waterboards.ca.gov]

Section Manager Angela Schroeter presented an annual update on environmental justice activities in the region and discussed actions staff implemented as part of the Central Coast Water Board's 2017 human right to water workplan, as well as the priority actions planned for 2018. Ms. Schroeter discussed that environmental justice efforts have previously focused on drinking water issues in the Salinas Valley and that currently staff is working with an environmental justice consultant to conduct an environmental justice needs assessment for the southern portion of the region, including an evaluation of drinking water needs, as well as an evaluation of needs related to tribal uses and coastal subsistence fishing. Board members suggested that the subsistence fishing evaluation should also include inland areas (e.g., Pinto Lake and other lakes in the Pajaro Valley). Board members also emphasized that staff should continue to coordinate with existing environmental justice organizations already working in these areas (e.g., CAUSE), in addition to leveraging Department of Water Resources Integrated Regional Water Management Disadvantaged Community Involvement (DACI) projects.

13. Land Disposal Program Overview
[Matthew Keeling, 805/549-3685, Matt.Keeling@waterboards.ca.gov]

Senior Water Resources Control Engineer Matthew Keeling, the Land Disposal Program manager, provided an informational item overview of the Land Disposal Program with respect to workload and staffing resources along with an introductory 101 on landfills. Mr. Keeling also discussed program goals, objectives, and priorities relative to water quality issues, performance metrics, and the regulatory framework of the state's landfill program. Following his presentation, various Board members engaged in a general discussion with staff regarding new landfills, landfill post-closure land use, diversion requirements for recycling and composting, and coordinated stormwater program oversight.

Enforcement

14. Enforcement Report [Thea Tryon, 805/542-4776, Thea.Tryon@waterboards.ca.gov]

Agricultural representatives Abby Taylor-Silva and Kay Mercer provided comments to the Board regarding the Irrigated Lands Regulatory Program Notices of Violation (NOVs) identified in Table 4 of the Enforcement Report. In November and December 2017, the Water Board issued NOVs to approximately 1028 ranches for failing to submit groundwater monitoring results pursuant to Ag Order R3-2017-0002. Ms. Taylor-Silva and Ms. Mercer expressed concerns related to the perceived short time frame to comply with the groundwater monitoring and reporting requirements, the limited capacity of qualified laboratories, difficulties for growers in rotation to comply, and landowner's confusion regarding tenant compliance. Ms. Taylor-Silva and Ms. Mercer requested that the Water Board rescind some of the NOVs due to these concerns. Board members discussed these issues and requested that staff evaluate the issues and come back to the Board to provide an update of next steps, as appropriate. The Board also suggested that staff consider adding standard language to NOVs so that growers and landowners know how to confirm compliance or how to know if NOV has been resolved.

Speakers:

- Abby Taylor-Silva, Grower-Shipper Association of Central California
- Kay Mercer, KMI Inc.
- Laura Brown, California Strawberry Commission

Friday, February 9, 2018, 9:00 a.m.

BOARD BUSINESS

15. Roll Call / Introductions

[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

6. Report by State Water Resources Control Board Liaison [Dorene D'Adamo, 916/641-5609]

Ms. Adamo provided a report on State Water Board activities, including an update related to the process and approval of the Eastern San Joaquin State Water Board irrigated lands order on February 7th.

Public Forum

16. 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:

- Abby Taylor-Silva, Grower-Shipper Association of Central California

Discussion/Informational Items

17. Update on Erosion/Sedimentation Cases at Elkhorn Road and Discussion of Erosion/Sedimentation Issues on Agricultural Lands

[Chris Rose, 805/542-4770, Chris.Rose@waterboards.ca.gov]

Item 17 was an informational item to: 1) update the board on the status of two sites where erosion occurred in early 2017 from irrigated lands and 2) discuss the larger issue of erosion and sedimentation from agricultural lands. Irrigated Lands Regulatory Program (ILRP) staff scientist Paula Richter gave a presentation outlining the follow-up staff has engaged in since learning about the erosion event in February 2017. Ms. Richter also provided the status of the current conditions at each of the sites. Staff will continue to work with responsible parties to address risk to water quality at both sites, to achieve compliance. ILRP manager Chris Rose provided a brief presentation about the threat of erosion and sedimentation from agricultural lands. Mr. Rose provided a summary of the complaints ILRP staff has received, focusing on those involving erosion, as well as those that included the use of plastic on fields typically used in strawberry production. Responsible parties representing both of the erosion sites provided oral

comment, as did staff from the California Strawberry Commission. Agricultural and environmental advocates provided public comment. Board member Michael Johnston recommended ILRP staff coordinate with county staff on erosion complaints to leverage efforts.

Speakers:

- Francisco Rocha
- Alvaro Gonzalez
- Sara Lopez, Central Coast Water Quality Preservation, Inc.
- Kay Mercer, KMI Inc.
- Kurt Schmidt
- Laura Brown, California Strawberry Commission
- Steve Shimek, Otter Project and Monterey Coast Keeper

18. Construction Storm Water Update: Discussion of Erosion Control Issues
[Dominic Roques, 805/542-4780, Dominic.Roques@waterboards.ca.gov]

Water Board Stormwater Program staff scientist Julia Dyer provided a presentation outlining Construction General Stormwater Permit provisions for erosion and sediment control. Ms. Dyer also explained Water Board staff's prioritization of implementation of the General Permit. The Board further discussed issues relating to implementation, including the evolving nature of management practices, the role of local agencies in overseeing construction activity, and the potential for climate change to intensify rain events that can contribute to erosion.

19. Sustainable Water Resource Management: Discussion Regarding the Scope of a Potential Basin Plan Amendment
[John Robertson, Executive Officer 805/549-3140, John.Robertson@waterboards.ca.gov]

Michael Thomas, Assistant Executive Officer, and John Robertson, Executive Officer, provided a brief overview of the Water Board's priority Basin Plan amendment concept for sustainable water resource management. Mr. Thomas and Mr. Robertson discussed the compelling reasons for a Basin Plan amendment, a general scope for the project, and a general time line. The Board expressed support for the concept and project scope, and directed staff to continue developing the project. Staff will provide additional progress updates and scoping sessions with the Board in 2018.

Speakers:

- Abby Taylor-Silva, Grower-Shipper Association of Central California
- Steve Shimeck, Otter Project and Monterey Coast Keeper

Administrative Items

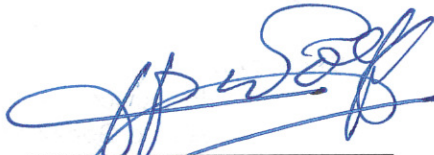
20. Executive Officer's Report
[John Robertson, Executive Officer 805/549-3140, John.Robertson@waterboards.ca.gov]

Executive Officer John Robertson covered this report and answered questions. Section manager Harvey Packard and Mr. Robertson provided a presentation on the Montecito debris flow event and response, including the Central Coast Water Board's role.

Speakers:

- Abby Taylor-Silva, Grower-Shipper Association of Central California
- Kay Mercer, KMI Inc.

Chair Wolff adjourned the meeting at approximately **3:36 p.m.**



Dr. Jean-Pierre Wolff, Chair