
Central Coast Regional Water Quality Control Board

REGULAR MEETING MINUTES

Thursday, February 16, 2023, 9:00 a.m.

**Central Coast Water Board Offices
895 Aerovista Place, Suite 101, San Luis Obispo
And via Video and Teleconference**

Friday, February 17, 2023, 10:00 a.m.

**Los Osos Water Recycling Facility
2270 Los Osos Valley Road, Los Osos (in person only)**

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

Thursday, February 16, 2023, 9:00 a.m.

Chair Gray called the meeting to order on Thursday, February 16, 2023, 9:00 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

Chair Gray noted for the record that Vice Chair Wolff and Board member Harlan were present in the room, and that she and Member Hunter were virtual on Zoom.

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

Mr. Keeling made the following introductions and announcements:

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

Minutes

- Tammie Olson, clerk to the Board; Stephanie Yu, legal counsel; Emel Wadhvani, assistant chief counsel; Thea Tryon, assistant executive officer, and 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:

- Angela Schroeder, section manager, introduced Megan Mortimer-Lamb, a recently hired engineering geologist for the Active Oil Fields Program.

3. Approval of December 8-9, 2022, Board Meeting Minutes.
Chair Gray suggested the vote for the meeting minutes be conducted separately for each day of the meeting because of different board member attendance for each of the days.

Motion: Member Harlan moved to approve the minutes of December 8, 2022

Second: Member Hunter

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

Nay: None

Abstain: None

Motion Carried: 4 to 0

Motion: Member Wolff moved to approve the minutes of December 9, 2022

Second: Chair Gray

Aye: Chair Gray, Vice Chair Wolf,

Nay: None

Abstain: Member Harlan, Member Hunter

Motion Carried: 2 to 0

4. Reports by Regional Board Members

Member Hunter:

- December 14, 2023, participated in the Central Coast Water Board staff lead virtual racial equity listening session to receive comment on our regionally specific draft racial equity resolution.
- January 13, 2023, telephone conversation with Mr. Jeff Edwards of Los Osos, regarding the Los Osos basin management efforts and the Central Coast Blue Project.
- January 18, 2023, listened to virtual, live streaming State Water Board discussion of the final racial equity action plan.
- February 14, 2023, attended board meeting briefing.
- Member Hunter also mentioned the upcoming SAFER (Safe and Affordable Funding for Equity and Resilience) Advisory Committee meeting on March 2nd at 9:00 a.m.

Board Member Harlan:

- February 14, 2023, attended board meeting briefing.

Vice Chair Wolf:

- January 12, 2023, attended an emergency [flood evacuation] community meeting at the Oceano community center along with representatives from the County Board of Supervisors, County Office of Emergency Services, and other agencies.
- January 19, 2023, attended the USDA Farm Service Agency meeting as the newly elected local district representative. The main topic was the floods and USDA providing various financial assistance.
- February 7, 2023, attended the San Luis Obispo City Council meeting regarding the recycle water agenda item.
- February 8, 2023, hosted a Cal Poly class at Wolff Vineyards on water regulations associated with farming, and water regulation compliance.
- February 10, 2023, attended a listening session at the San Luis Obispo County building, regarding the Diablo Canyon Power Plant potential relicensing associated with Senate Bill 846.
- February 14, 2023, attended board meeting briefing.

Chair Gray:

- Attended weekly meetings with the Executive Officer.
- Attended monthly phone calls with State Water Resources Control Board member and Central Coast Liaison Sean Maguire and the Executive Officer.
- Attended monthly State Board Chairs meetings.
- December 14, 2022, attended the listening session for the draft racial equity resolution.
- January 11, 2023, participated, with the Assistant Executive Officer, in a Los Olivos Community Services District workshop regarding the potential development of a community wastewater system.
- January 18, 2023, participated in a discussion with California Association of Sanitation Agencies (CASA) and Water Board staff regarding shared objectives and coordination.
- January 25, 2023, conversation with Ms. Sarah Lopez, of Preservation Inc.
- February 7, 2023, attended a tour of the Diablo Canyon Power Plant, along with several State and Regional Board staff.
- February 10, 2023, attended a listening session at the San Luis Obispo County building regarding the Diablo Canyon Power Plant potential relicensing associated with Senate Bill 846.
- February 8, 2023, discussion with Ms. Chelsea, Tu, Executive Director of the Monterey Waterkeeper.
- February 14, 2023, attended board meeting briefing.

5. 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 by Zoom on the following: recent atmospheric river storms and associated flooding; increased snow pack and reservoir levels; recent statewide voluntary conservation goals (17% statewide, 18.6% Central Coast for 2022 December) and need for ongoing conservation efforts; prioritizing and accelerating water supply resiliency project efforts; the Governor's Executive Order to streamline permitting for stormwater recharge projects; Governor's January state budget proposal and associated deficit; State Water Board annual strategic workplan; development and forthcoming release of State Water Board's Direct Potable Reuse regulations; coordination with the Department of Water Resources regarding "Making Conservation of Way of Life" campaign and the development of statewide standards for outdoor and indoor water use (March workshop); Sustainable Groundwater Management Act coordination with the Department of Water Resources regarding inadequate Groundwater Sustainability Plans; State Board rulemaking process for the development of maximum contaminate levels for hexavalent chromium, and; State Water Board Division of Financial Assistance expedited drinking water funding program update.

Vice Chair Wolf said he reviewed the board priorities and requested future updates regarding Division of Financial Assistance funding for wastewater and drinking water infrastructure projects.

Chair Gray said she also looked at the board priorities and was pleased to see inclusion of water supply strategy related priorities and suggested engagement with the Regional Boards and other entities, like the California Association of Sanitation Agencies, to identify and leverage opportunities. She also noted the ongoing challenges faced by small and disadvantaged communities with respect to managing wastewater and drinking water systems and the compounding effects of climate change and extreme weather events and the subsequent need for technical assistance and long-term funding to address the critical needs of these communities.

6. Elections of Chair and Vice Chair (taken at the end of the meeting)
[Matthew Keeling, Executive Officer, 805/549-3140,
Matt.Keeling@waterboards.ca.gov]

Board Member Hunter thanked Chair Gray and Vice Chair Wolff for their hard work and dedication and made a nomination for them to continue in their current positions. Vice Chair Wolff further expressed his appreciation of Chair Gray's dedication and service followed by Chair Gray's humbled acknowledgement of her board member peer's support and team effort. Both Chair Gray and Vice Chair Wolff accepted the nominations.

Motion: Member Hunter nominated Member Gray to serve as chair and Member Wolff as vice chair for 2023

Second: Member Harlan

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

Nay: None

Abstain: None

Motioned Carried: 4 to 0

Environmental Justice / Racial Equity Item

7. Consideration of a Proposed Resolution Condemning Racism, Xenophobia, Bigotry, and Racial Injustice and Strengthening Commitment to Racial Equity, Diversity, Inclusion, Access, and Anti-Racism in the Central Coast Region (Resolution No. R3-2023-0002)

[Rachel Hohn, Engineering Geologist, 805/542-4789,

Rachel.Hohn@waterboards.ca.gov;

Angela Schroeter, Supervising Engineering Geologist, 805/542-4644,

Angela.Schroeter@waterboards.ca.gov]

Executive Officer Keeling introduced the item and State Water Board Member Nichole Morgan provided opening remarks. Adriana Renteria, Director of the Office of Public Participation (OPP) and Tribal Liaison, presented an update on the State Water Board's racial equity journey, activities to develop and implement a state-wide racial equity action plan, and a summary of resources that OPP provides to support racial equity at the regional water boards. Engineering Geologist Rachel Hohn provided a staff presentation to summarize the Central Coast Water Board's internal and external engagement activities to help advance racial equity and gather early input for the Proposed Racial Equity Resolution. CivicSpark Fellow Amanda Christophe described the formal public comment process and summarized the public comments received and responses provided. Two members of the public provided comment in support of the Proposed Racial Equity Resolution: Chelsea Tu and Pedro Enriquez.

Board Members expressed their support for the Proposed Racial Equity Resolution and acknowledged the staff who participated in the Racial Equity Working Group. Board Members encouraged staff to continue to use plain English in written documents so that they can be easily understood by the public and translated for non-English speakers, and they engaged with staff about training, the time frame for implementing the tribal beneficial use basin plan amendment, "volunteerism," and the importance of building partnerships.

Board Members discussed specific edits to the Proposed Racial Equity Resolution. Vice Chair Wolff acknowledged the depth and breadth of the comprehensive resolution and proposed changes to Finding #3 (p. 1) to add "religion", and Chair Gray also proposed adding "educational background" and "socioeconomic status" to the list of examples of marginalized identities. Vice Chair Wolff also proposed editing Resolve #5 (p. 10) to expand the statement to read "Encourage the governor to consider Water Board member appointments that are representative of the communities served and that have demonstrated commitment to racial equity, environmental justice, and deep experience working directly with California Native American tribes, or Black, Asian, Hispanic/Latino/a/e and Indigenous communities, or other people of color and underrepresented communities." Chair Gray also requested that staff provide an update to the Board within the next 8 months to

discuss the status of the development and implementation of the racial equity action plan.

Following additional Board discussion, Chair Gray asked for a motion and a second for the Adoption of Resolution No. R3-2023-0002, with the proposed changes.

Invited Guest Speakers:

- Nichole Morgan, Board Member, State Water Resources Control Board
- Adriana Renteria, Director, Office of Public Participation, State Water Resources Control Board

Public Commenters:

- Chelea Tu, Monterey Waterkeeper, thanked staff for the inclusion of their suggested changes and commented on the need for an action plan development timeline and associated community engagement, and the prioritization of efforts to advance water quality efforts in disadvantaged communities.
- Pedro Enriquez, Community Water Center, communicated his support of the resolution and advocated for community engagement and focusing on the forthcoming action plan.

Motion: Member Hunter moved to Adopt Resolution No. R3-2023-0002 with the proposed changes

Second: Member Harlan

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

Nay: None

Abstain: None

Motioned Carried: 4 to 0

Public Forum

8. Public forum

Public Commenters: none

Discussion/Informational Items

9. Underground Storage Tank Program Update
[Greg Bishop, Senior Engineering Geologist, 805/549-3132,
Greg.Bishop@waterboards.ca.gov;
Dillon Kass, Engineering Geologist, 805/549-3879,
Dillon.Kass@waterboards.ca.gov]

Matthew Keeling introduced the item. Dillon Kass, Central Coast Water Board Engineering Geologist, presented a comprehensive overview of the Underground Storage Tank (UST) Program, including program history and milestones, investigation and remediation techniques, and applicable policies and regulatory tools. Board members commented on the comprehensive staff report and the progressive performance of the program towards closure of cases through Water

Board cleanup oversight and decreased new cases over time due to new UST standards for secondary containment and leak detection as a significant success story. Board members engaged with staff regarding the various California Water Code and Health and Safety Code authorities used to compel investigation and cleanup activities, the leak detection program and logistical considerations associated with tank removal/replacement at active gas stations and triggers for tank removal, volumetric accounting of fuel to identify leaks, coordination with local agencies and Local Oversight Program delegation versus Water Board oversight, funding, orphan sites, tank materials, vapor/pressure leak testing and inspections, tank removal versus abandon place, and reopening cases after they've been closed.

Public Commenters: none

Enforcement

10. Enforcement Report

[Tamara Anderson, Senior Water Resource Control Engineer, 805/549-3334, Tamara.Anderson@waterboards.ca.gov]

Central Coast Water Board Enforcement Coordinator, Tamara Anderson, provided a brief overview of the enforcement report covering enforcement actions taken from July through November of 2022. Board member Hunter inquired about providing grant or loan funding information for enforcement related items where the dischargers are seeking or have received funding to complete projects addressing compliance issues. Mr. Keeling indicated this would be difficult information to track down for specific facilities and suggested adding two Division of Financial Assistance funding dashboard links to the Executive Officer reports in future agendas to more broadly inform Division of Financial Assistance funding applications and awards for water and wastewater infrastructure projects in the region. Board Member Hunter asked questions regarding the Heritage Ranch Community Services District Wastewater Treatment Facility time schedule order and status of the future reuse of treated wastewater from the facility.

Public Commenters: none

Administrative Items

11. Executive Officer's Report

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

Mr. Keeling introduced the various components of item. Mary Hamilton provided an overview of the Integrated Report update and engage with Board members regarding off-cycle region updates to the report and adding water bodies to the list for TMDL development, coordination between regions to share lessons learned, and mapping changes. Harvey Packard provided an overview of the Flood Incident Response with a presentation showing photographs documenting some of the more significant storm impacts. Board members engaged with Mr. Packard, Mr. Keeling

and Phil Hammer regarding blanket 401 permitting in various counties, flooding damage to agricultural areas and associated food safety issues resulting in loss of crops, funding assistance, changing weather paradigm (more intense storms) requiring coordination with other entities on a proactive approach to become more resilient, wastewater infrastructure near rivers and streams, and impacts to underrepresented communities. In response to a question by Chair Gray, Mr. Keeling discussed how the significant storm events and associated infrastructure damage requires staff to change how they approach their work, from a regulatory approach to a facilitation approach, to allow agencies to implement emergency work with after the fact permitting and to facilitate follow-up conversations and coordination for the implementation of proactive climate change adaptation projects. Mr. Keeling closed out the item by asking if there were any questions regarding the program performance metric tables; there were none.

Public Commenters: none

After the completion of item number 6 (chair and vice chair nominations), and prior to the end of the meeting, Mr. Keeling went over the logistics of the Friday field trip to the Los Osos Water Recycling Facility.

Chair Gray adjourned the meeting at 4:13 p.m.

Friday, February 17, 2023, 10:00 a.m.

Vice Chair Wolff called the meeting to order at 10:03 a.m. at the Los Osos Water Recycling Facility.

Board Business

12. Roll Call

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

Executive Officer Keeling implemented the roll call.

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

Absent: Chair Gray

13. Introductions

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

Educational Field Trip

14. Field Trip – Tour of the Los Osos Water Recycling Facility

[Harvey Packard, Supervising Water Resources Control Engineer, 805/542-4639,
Harvey.Packard@waterboards.ca.gov]

Facility staff provided a history of the construction of the plant and a description of the various treatment processes. For the tour, the group split into three subgroups, each led by facility staff. After the tour, the group met again briefly for questions and comments.

The tour was well attended, consisting of county and Water Board staff, Water Board members as noted, and several members of the public.

Vice Chair Wolff adjourned the meeting at 12:05 p.m.

Jane Gray, Chair