

Central Coast Regional Water Quality Control Board

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD
REGULAR MEETING MINUTES

Thursday, December 8, 2016, 9:00 a.m. – 5:00 p.m.
Friday, December 9, 2016, 9:00 a.m. – 5:00 p.m.

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

Thursday, December 8, 2016, 9:00 a.m.

BOARD BUSINESS

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

Water Board Members

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

Absent: Member Johnston arrived after roll call

- 2. Introductions, Staff Recognition, and Awards
[John Robertson, Executive Officer, 805/549-3140, John.Robertson@waterboards.ca.gov]

Executive Officer John Robertson introduced Lori Okun, Assistant Chief Counsel; Tamarin Austin, Staff Counsel; Michael Thomas, Assistant Executive Officer; Tammie Olson, Clerk to the Board; section managers Harvey Packard, Lisa McCann, and Angela Schroeter; and Mr. Steven Moore, State Water Resources Control Board liaison.

Angela Schroeter introduced the two CivicSpark fellows, Gabrielle Ostermayer and Jacqueline Tkac.

- 3. Approval of the September 22-23, 2016 Board Meeting minutes

Motion: Vice-Chair Hunter
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:
Abstain: None
MOTION CARRIED: 7-0

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

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4. Reports by Regional Board Members

- Chair Wolff
 - October 3, 2016, San Luis Obispo County public works staff addressing Sustainable Groundwater Management Act
 - October 4, 2016, San Luis Obispo County Water Resources Advisory Council meeting
 - October 7, 2016, San Luis Obispo County Water addressing Sustainable Groundwater Management Act
 - October 21, 2016, San Luis Obispo County Farm Bureau regarding groundwater recharge.
 - October 24-25, 2016, Water Quality Coordinating Committee in Sacramento
 - November 2, 2016, San Luis Obispo County Water Resources Advisory Council meeting
 - November 10, 2016, Agriculture 3.0 Order Workshop at San Luis Obispo Farm Bureau
- Vice-Chair Hunter:
 - October 24-25, 2016, Water Quality Coordinating Committee in Sacramento
 - Reported on environmental justice issues
- Member Johnston:
 - October 24-25, 2016, Water Quality Coordinating Committee in Sacramento
 - October 27, 2016, Assemblyman Mark Stone breakfast
 - November 28, 2016, Agriculture 3.0 Order Workshop at Salinas Agricultural Commissioner's office
 - October 16, 2016, memorial service for Richard Persoff, board member Pájaro Valley Water Management Agency
- Member Gray
 - Attended a Farm Worker forum in Santa Maria
 - Ribbon cutting for a Santa Barbara green streets project
- Member Young, Member Cervantez and Member Delgado:
 - Nothing to report

5. 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.

Uncontested Items

6. Items on the uncontested items calendar are expected to be routine and noncontroversial. Recommended action will be taken without discussion. Items may be removed at the request of any board member or person, and if removed, will be taken up during the meeting at a time specified by the Chair. If an item is removed from the uncontested items calendar, it will only be voted on at this meeting if the board accepts the staff recommendation for the agenda item. Otherwise, the item will be continued to a subsequent board meeting to allow input by interested persons. Items 7-9 are uncontested.
7. Rescission of Waste Discharge Requirements Order No. 98-17 for Treana Winery, San Luis Obispo County

[Jon Rokke, 805-549-3892, jon.rokke@waterboards.ca.gov]

8. Waste Discharge Requirements and Water Reclamation Requirements for the City of Pacific Grove Local Water Project, Order No. R3-2016-0044

[Tom Kukol, 805/549-3689, tom.kukol@waterboards.ca.gov]

9. Waste Discharge Requirements for Highly Treated Groundwater Discharges to Surface Water, Regionwide, Order No. R3-2016-0035, NPDES No. CAG993002

[Jessica Taylor, 805/542-4786, Jessica.taylor@waterboards.ca.gov]

Motion: Member Delgado

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:

Abstain:

MOTION CARRIED: 7-0

Public Forum

10. Public forum will be heard directly after the lunch break, **not before 1:30 p.m.** 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:

- Monica Grimlen, Environmental Justice Coalition for Water
- Steve Shimek, Otter Project and Monterey Coastkeeper

Discussion/Informational Items

11. Irrigated Lands Program Update: Amended Monitoring and Reporting Requirements
[Chris Rose, 805/542-4770, Chris.Rose@waterboards.ca.gov]

This was an informational item to summarize the Executive Officer's August 22, 2016 amendments to the monitoring and reporting programs (MRPs) for the Agricultural Order. Central Coast Water Board Irrigated Lands Program Manager Chris Rose provided a brief presentation summarizing the amendments. Public comment was provided by representatives from the agricultural community and environmental advocates during the item. Comments included concern about public process for future amendments to MRPs, a request for the Board to direct the Executive Officer to retract the amendments to the MRPs, the cost of the monitoring requirements, issues with obtaining drinking water well samples from some domestic wells on leased ranches, a recommendation to consider alternate approaches to surface water monitoring (e.g., more focused studies), support for the toxicity indicator species required in the amended MRPs, and the need for continued drinking water well monitoring to protect human health. The board engaged interested parties and staff in discussion about neonicotinoid and pyrethroid pesticide use in agriculture, pesticide monitoring and groundwater, how groundwater well monitoring has been implemented in the

current Ag Order, and switching between different pesticides. The board did not direct the Executive Officer to withdraw the amended MRPs. The board reminded interested parties that the MRPs for the draft 2017 Agricultural Order were in the public comment period, so the board would be discussing MRPs for the Ag Order again in March 2017.

Speakers:

- Abby Taylor-Silva, Grower-Shipper Association of Central California
- Randy Sharer, Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
- Parry Klassen, Central Coast Groundwater Coalition
- Kirk Schmidt, Central Coast Water Quality Preservation, Inc.
- Sarah Lopez, Central Coast Water Quality Preservation, Inc.
- Kay Mercer, KMI and representing Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
- Heather Lucas, Environmental Justice Coalition for Water, Salinas
- Nathaniel Kane, Environmental Law Foundation
- Brian Anderson, Aquatic Toxicologist, UC Davis
- Steve Shimek, Otter Project and Monterey Coastkeeper

12. Irrigated Lands Program Update: Draft 2017 Agricultural Order 3.0
[Chris Rose, 805/542-4770, Chris.Rose@waterboards.ca.gov]

This was an informational item to summarize the development, public outreach, and content of the draft 2017 Ag Order 3.0. Central Coast Water Board Irrigated Lands Program Manager Chris Rose provided a presentation summarizing the key changes of the draft 2017 Ag Order (in comparison to the current Ag Order 2.0) and the outreach efforts provided for interested parties since August 2016. Oral public comment was provided by representatives from the agricultural community and environmental advocates. Some comments were directed at proposed changes memorialized in the draft 2017 Ag Order, including proposed changes to total nitrogen applied requirements, groundwater monitoring requirements, enrollment requirements, cost of implementation and monitoring, and the timing of report due dates. In general, staff did not respond to these comments because the draft Ag Order 3.0 was in the public comment period during the board meeting, and staff expects similar written comments will be received and responded to as part of the development of the final draft Ag Order 3.0, which will be presented to the Board for consideration in March 2017. The Board engaged staff about pending legal actions that could affect Ag Orders, the proposed three-year term of draft 2017 Ag Order, alternative monitoring approaches, and the higher regulatory burden for growers with tier 3 ranches.

Speakers:

- Kirk Schmidt, Executive Director, Central Coast Water Quality Preservation, Inc.
- Randy Sharer, Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
- Abby Taylor-Silva, Grower-Shipper Association of Central California
- Sarah Lopez, Central Coast Water Quality Preservation, Inc.
- Kay Mercer, KMI and representing Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties
- Pam Krone-Davis, Agriculture Water Quality Coordinator, MBNMS, AQUA
- Jocelyn Bridson, Director Environmental Sierra & Rio Farms
- Nathaniel Kane, Environmental Law Foundation
- Steve Shimek, Otter Project and Monterey Coastkeeper

13. Vineyard and Winery General Order Update: Status of the Draft General Order
[Howard Kolb, 805/549-3332, Howard.Kolb@waterboards.ca.gov]

Presentation: Mr. Robertson introduced the item. There was no Board discussion.

Speakers:

- Abby Taylor-Silva, Grower-Shipper Association of Central California
- Kirk Schmidt, Executive Director, Central Coast Water Quality Preservation, Inc.

Friday, December 9, 2016, 9:00 a.m.

BOARD BUSINESS

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

Water Board Members Present: Chair Wolff, Vice-Chair Hunter, Member Cervantez, Member Delgado, Member Gray, and Member Young

Absent: Member Johnston

Public Forum

15. There were no speakers requesting to speak at Public Forum.

Watershed Management and Planning

16. 2014 Integrated Report Assessing Waters of the Central Coast Region Including Clean Water Act (CWA) Section 303(d) List of Water Segments not Meeting Water Quality Standards and CWA Section 305(b), Water Quality Condition Report (Resolution No. R3-2016-0053)
[Mary Hamilton, 805/542-4768, Mary.Hamilton@waterboards.ca.gov]

Mary Hamilton summarized the 2014 Integrated Report process (requirements and timeline), results, and public comments received. The presentation concluded with staff's recommendation to approve Resolution No. R3-2016-0053 adopting the changes to the 2014 303(d) List of polluted waters.

After discussion, public comment, clarifying questions, and staff response, the Board directed staff to review the information provided by the City of Santa Cruz. Staff will verify the effectiveness of implemented practices to control fecal indicator bacteria near Cowell Beach by reviewing recent data to determine if it shows water quality improvements at that location. If verified, staff shall annotate the 303(d) listing for Cowell Beach and total coliform to state that implementation practices appear to have eliminated the water quality problem at Cowell Beach.

Speakers:

- Kira Redmond, Executive Director, Santa Barbara Channel Keeper
- Akin Babatola, City of Santa Cruz
- Kay Mercer, KMI
- Rhonda Sandquist, Attorney, Browstien, Hyatt, Farber, & Schreck

- Bridget Hoover, Water Quality Protection Program Director, Monterey Bay National Marine Sanctuary
- Kevin Collins
- Michelle Bender, Policy Fellow, Earth Law Center

Motion: Vice Chair Hunter moved to approve Resolution No. R3-2016-0053 with the above-mentioned direction

Seconded by: Member Gray

Roll Call Vote:

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

Nay:

Absent: Member Johnston

Abstain:

MOTION CARRIED: 6-0

Discussion/Informational Items

17. Intentionally left blank

18. Pinto Lake Water Quality Conditions, Watershed Improvement Activities, and Stormwater Management Practices
[Shanta Keeling, (805) 549-3464, Shanta.Keeling@waterboards.ca.gov]

Jackie McCloud, an environmental projects manager for the City of Watsonville, presented information to the Central Coast Water Board on sediment control practices in the Pinto Lake watershed and the City's stormwater program.

Speakers:

- Jackie McCloud, Environmental Projects Manager, City of Watsonville
- Robert Ketley, Retired Senior Utilities Engineer, City of Watsonville

Administrative Items

19. Executive Officer's Report


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

Mr. Robertson updated the Board and answered questions regarding the report.

Speakers:

- Gary Peterson, Director of Public Works, City of Salinas

Chair Wolff adjourned the meeting at approximately 2:56 p.m.



Dr. Jean-Pierre Wolff, Chair