

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF SEPTEMBER 10-11, 2020

Prepared on August 26, 2020

ITEM NUMBER: 3

SUBJECT: Draft Ag Order 4.0 Workshop - Requirements, Stakeholder Input, and Board Discussion and Direction

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KEY INFORMATION

Location: Regional
Type of Discharge: Agricultural
Existing Orders: Ag Order 3.0 (Order R3-2017-0002)

ACTION: Information/Discussion/Board Direction

SUMMARY

This agenda item follows the release of and public comment period for Draft Agricultural Order 4.0 (Draft Ag Order 4.0) and the associated Draft Environmental Impact Report (DEIR). The Draft Ag Order 4.0 and DEIR were released for public comment on February 21, 2020 and were subject to an extended comment period – that closed on June 22, 2020 – due to the COVID-19 pandemic. This agenda item was formerly scheduled for the May 6, 7, 8 and 28 Water Board meetings, but was postponed due to the COVID-19 related public comment period extension.

This agenda item is the next phase of the public process initiated in August 2017 for the development of Ag Order 4.0 and consists of a four day public workshop 1) to receive verbal public comment from stakeholders, 2) for staff to provide an overview of the draft order and written public comments, and 3) for the board to consider and discuss the draft order and public comments and provide staff with direction on next steps. The four-day workshop and this staff report is a singular item split between two, two-day public meeting dates, September 10-11 and September 23-24. As outlined in more detail below, the four-day workshop includes input from stakeholders through stakeholder panel presentations and public comment followed by staff presentations and board

discussion and direction regarding how to proceed with the development of a proposed Ag Order 4.0.

The table below summarizes the list of speakers and their topics over the four days for this agenda item.

Anticipated Schedule for September 10-11 and 23-24:

Thursday, September 10		
Stakeholder Panel Presentations		
Panel/Group	Participants	Topic
Preservation Inc.	Sarah Lopez	Third-party Activities
Agricultural Association Partners Panel	Abby-Taylor Silva, Norm Groot, Claire Wineman	Ag Partners Submittal
Preservation Inc.	To be determined	Surface Water Requirements
Public Interest Panel	Steve Shimek, Ben Pitterle, Sean Bothwell, Lisa Hunt	Support of Draft Ag Order 4.0 with Refinements
Agricultural Association Partners Panel	Growers	Economics
Vineyard Team	Kris Beal	Incentivizing Water Quality Protection and Regulatory Relief Through Third Party Certification
Friday, September 11		
Stakeholder Panel Presentations (continued from 9/10)		
Panel/Group	Participants	Topic
Community Water Center	Debi Ores, Horacio Amezquita, Ignacio Garcia, others	Ag Order 4.0 and Impacts to Drinking Water
Golden Gate University School of Law & Stanford Law School	Lucas Williams, Tyler Sullivan, Helen Kang, Debbie Sivas	Legal Perspectives on Ag Order 4.0 - Protection of the Environment and Environmental Justice
Agricultural Association Partners Panel	Tess Dunham, Kari Fisher	Legal and Technical
Oral Public Comments on Draft Ag Order 4.0		
Wednesday, September 23		
Staff Presentations	Elaine Sahl, Paula Richter, Diane Kukol, others	Summary of Ag Order 4.0 Requirements and Written Comments Received
Thursday, September 24		

Staff Presentations, continued as needed	Elaine Sahl, Paula Richter, Diane Kukol, others	Summary of Ag Order 4.0 Requirements and Written Comments Received
Board Discussion and Direction		

Important Public Comment Information (read carefully)

All persons wishing to speak during the workshop on September 10th or 11th, including panelists giving presentations, must complete and submit an electronic comment card by noon Thursday, September 3rd. The electronic comment card and instructions are available at the following website along with additional information about participating via the remote meeting solution or telephonically:

https://www.waterboards.ca.gov/centralcoast/board_info/remote_meeting/index.html

Oral public comment on this item will occur on September 11th following the stakeholder workshop panel presentations; it is currently anticipated that public comment will occur after 1:00 pm.

Please note that this is a very brief summary of a larger staff report that is available in English at the following website:

https://www.waterboards.ca.gov/centralcoast/board_info/agendas/2020/sep_10/index.html