

Central Coast Regional Water Quality Control Board

CENTRAL COAST REGIONAL WATER QUALITY CONTROL BOARD

REGULAR MEETING MINUTES

Thursday, September 19, 2019, 8:30 a.m. to 5:00 p.m.

Friday, September 20, 2019, 8:30 a.m. to 5:00 p.m.

Watsonville City Council Chambers

275 Main street, 4th Floor, Watsonville

THURSDAY, SEPTEMBER 19, 2019

Chair Dr. Jean-Pierre Wolff called the meeting to order on Thursday, September 19, 2019, at 8:37 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 Gray, Member Delgado, Member Hunter, Member Johnston, and Member Young.

Absent: Member Harlan

2. Introductions, Staff Recognition, and Awards

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

Executive Officer John Robertson introduced Stephanie Yu, legal counsel; Matthew Keeling, assistant executive officer, Tammie Olson, clerk to the Board; and section managers Harvey Packard, Chris Rose, and Thea Tryon.

3. Approval of July 18-19, 2019, Board Meeting Minutes

Motion: Member Delgado
Seconded by: Member Hunter
Aye: Chair Wolff, Vice Chair Gray, Member Delgado, Member Hunter, Member Johnston, and Member Young.
Nay:
Abstain:
Absent: Member Harlan
Motion Carried: 6-0
Comments: one correction.

4. Report by Regional Board Members

- Chair Wolff
 - July 22, 2019, monthly Chairs call regarding planning the upcoming Water Quality Coordinating Committee meeting in October
 - July 24, 2019, visit from CalEPA undersecretary Serena McIlwain with staff and regional board members
 - August 13, 2019, meeting with County of San Luis Obispo agricultural liaison regarding hemp
 - August 14, 2019, Sustainable Groundwater Management Act (SGMA), San Luis Obispo county meeting
 - August 15, 2019, hosted the San Luis Obispo County Master Gardeners (UC cooperative) meeting on the topic of sustainable integrated pest management and irrigation
 - August 20, 2019, visit with Congressman Salud Carbajal and his staff regarding climate adaptation in regarding technology and precision farming practices
 - September 4, 2019, San Luis Obispo Water Resources Committee meeting. Central Coast Water Board staff member Dominic Roques gave a presentation and it was well received by the committee.
 - September 6, 2019, Bio-diversity tour with Hancock College
 - September 9, 2019, meeting with the County of San Luis Obispo agricultural liaison regarding hemp.
 - September 11, 2019, SGMA, San Luis Obispo county meeting
- Vice Chair Gray
 - Announced people experiencing homelessness workshop, October 3, at the San Luis Obispo office.
- Member Hunter
 - Provided environmental justice report
 - Announced climate change student walk out today
- Member Johnston
 - September 12, 2019 meeting with Abby Taylor-Silva, Grower-Shipper Association of Central California, and Sarah Lopez, Central Coast Water

- Quality Preservation, Inc., regarding ideas on surface water monitoring implementation
- Announced youth-organized event for climate change at Watsonville city plaza
- Member Young
 - Nothing to report

Discussion/Informational Items

5. Food Safety and Riparian Habitat Management Workshop

The workshop included presentations and discussion from several external speakers. Topics included food safety metrics, inspections and audits, co-managing food safety and environmental protection, the role of riparian vegetation in water quality and beneficial use protection, and grower experience with food safety challenges at the field level. Central Coast Water Board staff introduced speakers but did not provide a presentation.

Nine speakers representing varied interests in food safety issues provided presentations and dialogue with the Board.

Brian Dugas, Terra Verde Environmental Consulting. Mr. Dugas presented information on the ecological and water quality benefits of riparian vegetation. The Board spoke with Mr. Dugas about riparian buffer widths, current riparian conditions in agricultural lands, functions of bioswales, and riparian vegetation maintenance.

Jo Ann Baumgartner, Wild Farm Alliance. Ms. Baumgartner presented information focused on co-managing food safety and conservation at the field level, including discussion on the benefits of filter strips, hedgerows, vegetated ditches, riparian shrubs and trees, biodiversity on certified organic farms, and beneficial fauna associated with natural vegetation. The Board spoke with Ms. Baumgartner about animal intrusion and fecal contamination associated with natural areas, impediments to encouraging more natural areas, whether buyers are interested in co-management, and potential funding for conservation efforts.

Dr. Daniel Karp, University of California. Davis. Dr. Karp presented information on the historic removal of natural vegetation, the impact of non-crop vegetation on the prevalence of pathogenic *E. coli* and *salmonella*, the impact of non-crop vegetation on biodiversity, and ongoing research related to the risk that non-crop vegetation poses to food safety. The Board spoke with Dr. Karp about buyer reticence toward ranches with non-crop vegetation, liability in the event of food-borne illnesses, and trends in outbreaks of food-borne illness related to non-crop vegetation.

Steve Patton, California Department of Food and Agriculture (CDFA). Mr. Patton presented information on the need for food safety regulation based on food-

borne outbreaks, illnesses, and deaths; the CDFA food safety program; collaboration with the federal Food and Drug Administration; audits; and inspections. The Board spoke with Mr. Patton about food safety rules pertaining to non-crop vegetation, how buyers create and implement their own rules that go beyond regulatory requirements, and pending regulation related to irrigation source water.

Jynel Gularte, Rincon Farms and Colby Pereira, Costa Family Farms. Ms. Gularte and Ms. Pereira presented food safety information from the perspective of farmers, including requirements they must comply with throughout the process of growing and shipping their crops. The Board spoke with Ms. Gularte and Ms. Pereira about which animals might pose the greatest risk to food safety, LGMA requirements, whether the measures growers are taking reduce the risk of food-borne illness, and their reaction to conclusions of Dr. Karp's research.

Dr. Patrick Baur, University of California, Berkeley. Dr. Baur shared a brief history of food-borne illnesses, voluntary versus mandatory food safety standards, co-management of food safety and conservation, buyers' varied interpretations of regulations that result in disparate rules for growers, and the farmers' need for a buffer from liability. The Board spoke with Dr. Baur about whether his work is informing policy, tracing a food-borne outbreak to the source, and the history of legal liability with respect to food-borne illnesses.

Mr. Greg Komar, Leafy Greens Management Agreement (LGMA). Mr. Komar presented information on LGMA and its partnership with the State of California, a brief history of food-borne outbreaks over a one-year period, and how outbreaks have resulted in quick changes to LGMA requirements. The Board asked Mr. Komar how they, the Board, could help with food safety issues; Mr. Komar suggested the Board exercise patience in rule making, e.g., when developing agricultural orders allow greater understanding of food safety risks. The Board also discussed the scope of LGMA, the makeup of the LGMA board and its meetings, whether LGMA metrics included environmental protection, and whether LGMA could serve as a third party to assist implementing agricultural orders.

Jacob Guth, California Certified Organic Farmers (CCOF). Mr. Guth presented information on the background of CCOF, organic certifications, food safety certifications, requirements for organic farms to maintain and improve natural resources, and field monitoring for food safety risks. The Board spoke with Mr. Guth about natural habitat protection under CCOF, bare dirt buffers between riparian vegetation and crops, and the CCOF expectation that growers assess food safety risks and mitigate them as necessary.

The following persons provided public comments:

- Steve Shimek, the Otter Project
- David Costa, Costa Family Farms
- Anthony Duttle, Tanimura and Antle, Inc.
- Kay Mercer, Provost and Pritchard Consulting Group
- Abby Taylor-Silva, Grower-Shipper Association of Central California

Public Forum

6. Public Speakers:

- Steve Shimek, The Otter Project
- Sarah Lopez, Preservation, Inc.
- Abby Taylor Silva, Grower Shipper
- Kay Mercer, Provost & Pritchard

Chair Wolff adjourned the meeting at approximately 6:01 p.m.

FRIDAY, SEPTEMBER 20, 2019

Chair Dr. Jean-Pierre Wolff called the meeting to order on Friday, September 20, 2019, at 8:35 a.m.

Board Business

7. Roll Call

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

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

Absent: Member Harlan. Member Delgado arrived at 11:25 a.m.

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

No presentation

Public Forum

9. Public Speakers:

- George Riley
- Becky Steinbrenner
- Horacio Amezcuita, San Jerardo Cooperative
- Cesar Garcia Lopez, Community Water Center
- Myra Hernandez, Community Water Center
- Heather Lucas, Community Water Center

Uncontested Items

10. General Waiver of Waste Discharge Requirements for Specific Types of Discharges, Order No. R3-2019-0089
[Leah Lemoine, 805/549-3159, Leah.Lemoine@waterboards.ca.gov]

Motion: Member Johnston

Seconded by: Member Young

Aye: Chair Wolff, Vice Gray, Member Hunter, Member Johnston, and Member Young.

Nay:

Abstain:

Absent: Member Delgado, Member Harlan

Motion Carried: 5-0

National Pollutant Discharge Elimination System (NPDES) Permits

11. City of Salinas Municipal Stormwater Permit, Monterey County, Order No. R3-2019-0073, Reissuance of NPDES Permit No. CA0049981
[Tamara Anderson, 805/549-3334, Tamara.Anderson@waterboards.ca.gov]

Central Coast Water Board staff presented an overview of the reissuance of the City of Salinas Phase I MS4 Permit. Heidi Niggemeyer representing the City of Salinas commented on the proposed permit. Jamie Marincola of USEPA Region IX Water Division addressed the Board in support of the proposed permit asset management program requirements. The Board discussed a range of issues and asked questions regarding the three presentations.

Motion: Member Delgado

Seconded by: Member Hunter

Aye: Chair Wolff, Vice Gray, Member Delgado, Member Hunter, Member Johnston, and Member Young.

Nay:

Abstain:

Absent: Member Harlan

Motion Carried: 6-0

Speakers:

- Becky Steinbrenner

Discussion/Informational Items

12. Elkhorn Slough Status Update Presentation by the Elkhorn Slough National Estuarine Research Reserve
[Mary Hamilton, 805/542-4768, Mary.Hamilton@waterboards.ca.gov]

Rikke Jeppesen and John Haskins with the Elkhorn Slough National Estuarine Research Reserve presented 30 years of water quality monitoring data and described the water quality trends that are summarized in the 2019 Elkhorn Slough Technical Report. The presentation also highlighted their online water quality report-card tool, which uses the Central Coast Ambient Monitoring Program (CCAMP) water quality scoring approach and a map-based interface showing water quality scores for the various areas of the Elkhorn Slough. They also presented some of the ecological consequences of agricultural runoff to the Elkhorn Slough.

Mary Hamilton explained that Central Coast Water Board staff is managing a contract with the Southern California Coastal Water Research Project (SCCWRP) to develop a nutrient loading model for the Elkhorn Slough. This model is needed to support the development of total maximum daily loads for nutrients and the resulting biostimulatory effects (such as algal blooms and wide swings in dissolved oxygen).

Enforcement

13. Enforcement Report

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

Thea Tryon provided a summary of the enforcement report and highlighted several actions included in the enforcement report such as the first penalty that was assessed for failure to implement proper perimeter stormwater best management practices and that a cleanup and abatement order was issued to address the Buckley Road area TCE investigation in the San Luis Obispo airport area. The Board had questions about an administrative civil liability order issued to Louis & Carol Calcagno. The Board also commented on the significant number of cannabis notices of violation that were presented in the report.

Administrative Items

14. Executive Officer's Report

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

The Executive officer gave his report.

Chair Wolff adjourned the meeting at approximately 3:30 p.m.

This document, originally signed, has been remediated for accessibility. No changes have been made to the substance of the document, but remediation may have resulted in minor formatting adjustments. The original document is available upon request.

Dr. Jean-Pierre Wolff, Chair