
Central Coast Regional Water Quality Control Board

REGULAR MEETING MINUTES

Thursday, June 22, 2023, 8:00 a.m.

Friday, June 23, 2023, 9:00 a.m.

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

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

Thursday, June 22, 2023

Chair Gray called the meeting to order on June 22, 2023, 8:00 a.m. at the Central Coast Water Board office, 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, Member Harlan, and Member Rodriguez

Absent: none

2. Introductions

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

Ms. Tryon led the meeting in the Executive Officer's (Matthew Keeling) absence. Ms. Tryon made the following introductions and announcements:

- Tammie Olson, clerk to the Board; Stephanie Yu, legal counsel; Emel Wadhwani, assistant chief counsel; section managers Harvey Packard, Angela Schroeter, and Mary Hamilton.
- State Water Resources Control Board liaison Sean Maguire.

Announcements:

Staff Introductions and Recognitions:

- Mary Hamilton, section manager, introduced Jose Lozano a recently hired scientific aide for the Irrigated Lands Program.

3. Approval of April 20-21, 2023, Board Meeting Minutes

Motion: Member Harlan moved to approve the minutes of April 20, 2023

Second: Member Hunter

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

Nay: None

Abstain: None

Motion Carried: 5 to 0

Motion: Member Rodriguez moved to approve the minutes of April 21, 2023

Second: Member Hunter

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

Nay: None

Abstain: Member Harlan

Motion Carried: 4 to 0

4. Reports by Regional Board Members

Member Harlan:

- June 16, 2023, attended the board briefing with Dr. Hunter

Vice Chair Wolff:

- April 25, 2023, attended zoom meeting with Kris Beal and Beth Vukmanic, Executive Director, of the Vineyard Team, to discuss renewal of the Sustainability and Practice program.
- April 30, 2023, participated in a roundtable for the Avila Beach Port San Luis Windfarm sponsored by CalCoast News.
- May 1, 2023, participated in a Zoom meeting with Joaquin Esquivel, State Water Board Chair, Eileen Sobeck - Executive Director, Sean Maguire our state liaison, Chair Gray, and Matthew Keeling, Executive Officer; regarding information sharing and updates on Water Board issues.
- May 3, 2023, attended San Luis Obispo Water Resources Advisory Committee (WRAC) meeting.
- May 5, 2023, hosted a Natural Resources Conservation Service workshop on irrigation efficiency for the public. About 25 people and commission representatives attended, as well as University of California Cooperative Extension.
- May 22, 2023, attended a public meeting at the Farm Bureau sponsored by County Board Supervisor Dawn Ortiz-Legg regarding per- and polyfluoroalkyl substances (PFAS) associated with the County of San Luis Obispo airport.

- May 26, 2023, participated via Zoom in the annual Water Board Chairs meeting, with Regional and State Water Board Chairs, Vice Chairs, Executive Officers and various other State Board members and State Board management team members.
- May 31, 2023, attended a meeting with the Executive Officer and representatives from the San Miguelito Mutual Water Company at the office of County Board Supervisor Dawn Ortiz-Legg to discuss wastewater system consolidation in the Avila Beach and Valley areas.

Member Hunter:

- Between April 21 and June 22, several email exchanges with Deborah Howe, Los Osos Community Advisory Committee (LOCAC) member, and member of Cabrillo Estate Homeowners Association, as a follow up to the Los Osos wastewater treatment plant tour and regarding questions associated with the Local Agency Management Plan for septic tanks.
- April 27, 2023, participated via Zoom for a presentation to LOCAC made by Central Coast Water Board staff James Bishop.
- May 3, 2023, attended via Zoom the Nuclear Regulatory Commission (NRC) public forum regarding the potential extension of the Diablo Canyon Power Plant.
- May 9, 2023, email exchange with Jeff Edwards regarding the Central Coast Blue project and associated funding.
- June 15, 2023, participated in a Community Water Center tour along with Member Rodriguez and Chair Gray. Tour included areas north of Moss Landing, Johnson, McGinnis, Live Oak Road by Las Lomas, and the San Jerardo Cooperative to talk to community leaders and listen to their concerns regarding the challenges they are facing due to contamination of their drinking water with nitrate and 1,2,3-trichloropropane. Multiple agencies attended including: Department of Water Resources, Division of Drinking Water, State Water Board Member Sean Maguire, under Secretary for Environmental Justice and Moisés Moreno-Rivera, Assistant Secretary for Equity and Environmental Justice, California Natural Resources Agency (CNRA).
- June 16, 2023, attended board briefing with Board Member Harlan.

Member Rodriguez:

- June 15, 2023, attended the Community Water Center tour (with Chair Gray and Member Hunter as noted above).
- June 20, 2023, participated in board briefing with Vice Chair Wolff.

Chair Gray:

- April 21, 2023, and April 23, 2023, phone conversation with County Board of Supervisor Dawn Ortiz-Legg relating to the draft cleanup and abatement order to address PFAS in groundwater at San Luis Obispo County airport.
- April 28, 2023, conversation with Sarah Lopez of Preservation Inc.
- May 1, 2023, participated in a Zoom meeting with Joaquin Esquivel, State Water Board Chair, Eileen Sobek - State Water Board Executive Director, Sean

Maguire our State liaison, Vice Chair Wolff, and Matthew Keeling, Executive Officer, regarding information sharing and updates on Water Board issues.

- May 3, 2023, attended via Zoom the Nuclear Regulatory Commission (NRC) public forum regarding the potential extension of the Diablo Canyon Power Plant along with Dr. Hunter.
- May 9, 2023, discussion with Chelsea Tu, Executive Director of the Monterey Waterkeeper.
- May 24, 2023, conversation with our Executive Officer, Ms. Mary Hamilton, Ms. Sarah Lopez and Preservation Inc. board members regarding our agricultural order.
- May 22, 2023, attended a public meeting at the Farm Bureau sponsored by County Board Supervisor Dawn Ortiz-Legg regarding per- and polyfluoroalkyl substances (PFAS) associated with the County of San Luis Obispo airport.
- May 25, 2023, participated in virtual information sharing meetings with Matthew Keeling and the following:
 - Anna Naimark, CalEPA Deputy Secretary and Special Counsel for Water Policy
 - Susana De Anda, Executive Director, Community Water Center
 - Morgan Carvajal, Appointments Secretary, Office of Governor Gavin Newsom
 - Karen Morrison, Department of Pesticide Regulation Chief Deputy Director
 - Rachel Machi Wagoner, Director CalRecycle, and Cara Morgan, CalRecycle
- May 26, 2023, participated via Zoom in the annual Water Board Chairs meeting, with Regional and State Water Board Chairs, Vice Chairs, Executive Officers and various other State Board members and State Board management team members.
- June 2, 2023, conversation with Preservation Inc. and their board members.
- June 13, 2023, discussion with Chelsea, Tu, Executive Director of Monterey Waterkeeper.
- June 15, 2023. attended the Community Water Center tour (along with Members Hunter and Rodriguez as noted above).
- Attended monthly phone calls with State Water Board member and regional liaison Sean Maguire and the Executive Officer.
- Attended monthly State Water Board Chairs meetings.
- Attended numerous closed session meetings regarding Executive Officer recruitment.

Public Commenters: none

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 via Zoom on the following:

Multiagency tour along with Regional Board Members led by the Community Water Center (CWC) to discuss disadvantage community drinking water needs; State Water Board recent draft rulemaking release for the hexavalent chromium maximum contaminant level for drinking water; State Water Board meeting Sustainable Groundwater Management Act (SGMA) implementation update regarding the potential state intervention of six groundwater basins with inadequate groundwater sustainability plans (GSPs) as determined by the Department of Water Resources (none are in the Central Coast Region) and tentative December probationary hearings for the inadequate GSPs; forthcoming July 17, 2023, forum to address challenges the State faces regarding groundwater sustainability and water quality issues, climate change, racial equity, extreme drought, sea level rise, harmful algal blooms, wildfires, and how they all intersect with disproportionate impacts on communities of color; recent Supreme Court decision regarding the definition of waters of the United States and associated narrowing of the regulatory and jurisdictional authorities of the Army Corps of Engineers in regulating and protecting wetlands, the use of the Porter-Cologne Water Quality Control Act and the Water Board's wetlands definition and procedures to provide ongoing oversight and associated protections, and the additional Water Board staff resources that will be needed to protect wetlands through a "waters of the state" regulatory approach in response to the recent Supreme Court ruling; State Water Board Clean Water and Safe Drinking Water State Revolving Fund Intended Use Plans (IUP) workshop, noting the project needs and funding applications far exceed available funding exacerbated by recent decreases in state and federal funding that may result in potential decreases in project cost caps.

Board members thanked Mr. Maguire for attending the CWC tour and engaged with him about statewide coordination to capture stormwater in state reservoirs from recent and future significant storms; a proactive SGMA approach for probationary groundwater basins with inadequate GSPs and the need and associated opportunity to address water quality concerns and proactively engage with underrepresented communities that are impacted by climate change to make sure they have a seat at the table in local management of the groundwater basins they depend on and potentially compensate them for their time to incentivize their participation because it is difficult for them to participate due to financial or time constraints.

Public Commenters: none

Uncontested Items

6. Proposed Resolution to Adopt an Amendment to the Water Quality Control Plan for the Central Coastal Basin to Establish Total Maximum Daily Loads for Nitrogen Compounds in the Santa Ynez River Basin, Santa Barbara County, California [Peter Bonch Osmolovsky, Engineering Geologist, 805/549-3699, Pete.Osmolovsky@waterboards.ca.gov]

The item was an un-contested item on the agenda. Member Wolff asked staff how old the Lompoc wastewater treatment plant was and what the treatment process

was for treatment of waste. Staff explained the plant is around 40 to 50 years old and uses secondary treatment with pathogen removal before discharge to the river. There were no further comments or questions and the board members unanimously adopted the proposed basin plan amendment resolution.

Motion: Member Hunter moved to approve the proposed resolution

Second: Member Harlan

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

Abstain:

Motion Carried: 5 to 0

Public Commenters: none

Discussion/Informational Items

7. California Department of Pesticide Regulation Update
[Mary Hamilton, Section Manager, 805/542/4768,
Mary.Hamilton@waterboards.ca.gov]

Assistant Executive Officer, Thea Tryon, introduced the item and Central Coast Water Board staff, Mary Hamilton, provided introductions for the following California Department of Pesticide Regulation (DPR) invited guest speakers:

- Nan Singhasemanon - Assistant Director over the Pesticide Program Division's Environmental Monitoring and Worker Health and Safety branches;
- Joy Dias - Environmental Program Manager of DPR's Groundwater Protection Program; and
- Anson Main - Environmental Program Manager of DPR's Surface Water Protection Program.

Guest speakers provided high level overviews of the Sustainable Pest Management (SPM) initiative, the DPR water quality monitoring programs, the evaluation of pesticide use data to prioritize monitoring efforts, and how those efforts inform pesticide registration and review.

Following the presentations, Central Coast Water Board Members engaged in discussions with the DPR presenters on several topics including the following:

- DPR's role in pesticide labeling requirements (e.g., DPR can add California specific language in coordination with USEPA and registrants) and progressive actions such as increased outreach, mitigation strategies, and consideration of restrictions);
- Opportunities to collaborate with universities and UC Cooperative Extension and to incentivize SPM in future iterations of the Agricultural Order;
- SPM working group composition and meeting frequency;
- DPR tracking management practices and evaluation in the context of pesticide water quality data (e.g., chlorpyrifos requirement in Ag Order resulted in

decreased use and decreased surface water pollution but also resulted in increased use of alternative pesticides);

- Opportunities to adapt implementation as SMP moves toward its goals in 2050;
- Opportunities to establish a long-term trend groundwater monitoring program in the central coast, similar to the Fresno/Tulare basin;
- Central Coast study on nitrogen age dating in collaboration with Central Coast Water Board staff;
- Process to evaluate pesticide use and pesticide risk data to prioritize monitoring efforts and how pesticide restrictions are applied in groundwater protection areas;
- Types of wells monitored (e.g., focus on domestic wells but some shallow irrigation wells included);
- Requirements for notifying schools of agricultural pesticide applications and DPRs development of a statewide notification system for residential areas; and
- The DPR program for tracking pesticide illnesses.

Public Commenters: None

Enforcement Items

8. Enforcement Report and Enforcement Program Update

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

Central Coast Water Board Enforcement Coordinator, Tamara Anderson, provided a brief overview of the enforcement report and an enforcement program update. The enforcement program update included a recommendation to maintain the same Central Coast Water Board enforcement program priorities and a summary of the in-progress projects funded by suspended administrative civil liabilities over the past year. Ms. Anderson provided an update on the Monterey Mushroom 1,2,3-trichloropropane (TCP) pilot treatment Supplemental Environmental Project (SEP), the Monterey One Water Castroville lateral rehabilitation SEP, and the City of San Juan Bautista sanitary sewer force main Compliance Project (CP). Ms. Anderson also informed the Board that Community Water Center was able to secure a \$1.8 million dollar grant from State Water Board to add additional systems to treat 1,2,3-TCP and continue to operate, maintain and monitor all of the treatment systems.

Board members asked questions about the Tajiguas Compost Management Unit notice of violation and Central Coast Water Board staff explained that this is an active enforcement case so staff cannot share details but acknowledged that this is the same facility that Board members had a field trip to a last year.

Board members shared support for the current settlement projects. Central Coast Water Board staff and John Erickson, Technical Director at the Community Water Center, responded to Board member questions about the 1,2,3-TCP pilot treatment

SEP related to lessons learned, how the information is informing State Water Board Safe and Affordable Funding for Equity and Resilience efforts, and how monitoring of treatment systems informs the effectiveness of the systems.

Public Forum

9. Public forum

Public Commenters:

- Jeff Edwards – provided comments on the Central Coast Blue project.

Administrative Items

10. Executive Officer's Report

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

Ms. Tryon introduced the Executive Officer's Report and highlighted the links to online dashboards maintained by the State Water Board's Division of Financial Assistance that provide information on available loan and grant funding programs. She explained that there are two searchable online databases: one for State Revolving Fund applications received and currently under review, and another for projects for which funding has been approved.

Ms. Tryon also briefly highlighted the standard programmatic performance metric tables that summarize Clean Water Act Section 401 Water Quality Certification applications received and issued, groundwater case closure performance score board and case closure information and a summary of enrollments in General Orders and waivers. There were no board member comments or questions.

Public Commenters: none

The live video was stopped for the day at 1:05. The Board went into a closed session. Chair Gray adjourned the meeting at 3:24 p.m.

Friday, June 23, 2023

Chair Gray called the meeting to order on June 23, 2023, 8:57 a.m. at the Central Coast Water Board Offices, 895 Aerovista Place, Suite 101, San Luis Obispo.

Board Business

11. Roll Call

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

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

Absent: none

12. Introductions

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

Ms. Tryon made the following introductions:

- Tammie Olson, clerk to the Board; Stephanie Yu, legal counsel; Sophie Froelich legal counsel, Emel Wadhvani, assistant chief counsel from the Office of Chief Counsel; and section managers Harvey Packard, Angela Schroeter, and Mary Hamilton.

Announcements:

Staff Introductions and Recognitions:

- Ms. Tryon, Assistant Executive Officer, introduced Sophie Froelich the new Central Coast Water Board legal counsel from the State Water Board Office of Chief Counsel.
- Harvey Packard, section manager, introduced Sidney Roncal, new student assistant to the waste discharge requirements program.

Discussion/Informational Items

13. Draft Cleanup and Abatement Order to County of San Luis Obispo and California Department of Forestry and Fire Protection for Replacement Water and Investigation, Cleanup, and Abatement of Waste Discharged to Waters of the State Associated with Discharges of Per- and Polyfluoroalkyl Substances (PFAS) at the San Luis Obispo County Regional Airport
[Harvey Packard, Section Manager, 805/542-4639,
Harvey.Packard@waterboards.ca.gov; Amber Sellinger, Engineering Geologist, 805/549-3886, Amber.Sellinger@waterboards.ca.gov]

Ms. Tryon introduced the Board's Advisory Team, which included Harvey Packard, section manager; Amber Sellinger, engineering geologist; and Sophie Froelich, legal counsel. Chair Gray provided an introductory statement. Ms. Sellinger provided an overview of the PFAS contamination near the airport and a summary of the draft cleanup and abatement order. Ms. Tryon then announced that the parties had reached a settlement agreement in lieu of proceeding with the draft cleanup order. Ms. Tryon noted that the settlement agreement would be presented to the Board for their considered ratification at its July 21, 2023, meeting.

The Board then heard public comments. Speakers talked about the effects of PFAS pollution on their water supplies and requested the Board ensure that the

responsible parties take appropriate action to resolve their concerns. The Board and staff asked questions of speakers.

Public comments:

1. Michael Oliveira
2. Dawn Sirois
3. Kathy Borland
4. Marge Barninka
5. Steven Pontius (did not speak – he said his comments had been addressed)
6. David Smith
7. Bill Palmer
8. David Gray
9. Paul Rys (Reese)
10. Kurt Sunderland
11. Brian Campbell

Chair Gray adjourned the meeting at 11:05 a.m.

Jane Gray, Chair

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