

Central Coast Regional Water Quality Control Board

MEETING MINUTES - Corrected

Central Coast Regional Water Board
REGULAR MEETING
Thursday, May 22, 2014, 8:30 a.m.

Central Coast Water Board Hearing Room
895 Aerovista Place, Suite 101, San Luis Obispo, California

Chair Dr. Jean-Pierre Wolff called the meeting to order on May 22, 2014 at 8:35 a.m.

Board Business

1. Roll Call

Tammie Olson, Clerk to the Board

Water Board Members Present:

Jean-Pierre Wolff, Chair, Monica Hunter, Vice Chair, Jeff Young, Bruce Delgado, Russell Jeffries, Mike Jordan, and Mike Johnston

2. Introductions:

Kenneth A. Harris Jr., Executive Officer

Mr. Harris introduced Tammie Olson, Clerk to the Board, Jessica Jahr, Board Counsel, Michael Thomas, Assistant Executive Officer, and John Goni, staff engineer.

3. Approval of March 6-7, 2014 Meeting Minutes

Motion: Water Board Member Jeffries moved to approve

Second: Water Board Member Delgado

Carried: (7-0) Unanimous

4. Report by Regional Water Board Members

- Water Board Member **Bruce Delgado**: Met with Grower-Shipper Association regarding items on the agenda today and the July agenda.
- Water Board Member **Michael Jordan**: Met with Western Growers in Santa Barbara.
- Water Board Vice Chair **Monica Hunter**: Was asked earlier in the year to serve on the committee for Environmental Justice for Safe Drinking Water. Chairman Wolff requested that Dr. Hunter give a brief summary of the group's activities at future Board meetings.
- Water Board Member **Jeffrey Young**: On April 28, 2014, spoke with Gail Delihant with Western Growers on the phone regarding groundwater regulation pending in Sacramento, and groundwater monitoring and sampling in a general context. He met with Grower-Shipper Association on **May 5, 2014**, regarding Public Records Act Requests, extension of due dates for groundwater sampling, and nitrogen reporting. They clarified previous comments regarding the Salinas River management issues.
- Water Board Member **Michael Johnston**: Met with Grower-Shipper Association along with Water Board Member Russ Jeffries. They discussed groundwater monitoring, due dates, Public Records Act Requests, and the Nitrate issue. Mr. Klassen informed Water

Board Member Johnston that through another organization they are applying for funds to provide safe drinking water to low income farmers. Met with Collin Baily, Executive Director for the Environmental Justice Coalition for Water (EJCW), and a staff member for that organization, Vicente Laura. EJCW is also applying for funds to provide clean water for disadvantaged communities.

- Water Board Member **Russell Jeffries**: Met with Grower-Shipper Association along with Board Member Johnston.
- Water Board Chairman **Jean-Pierre Wolff**: Did not meet with the Ag committees. He toured Diablo Canyon Nuclear Power Plant with State Water Board Member D'Adamo, State Water Board Member Doduc, and Executive Officer Ken Harris, and also participated in an agricultural tour and meeting in Paso Robles. Gail Delihant with Western Growers organized a tour to visit Bonnie Pack, a vegetable grower-shipper operation. He attended a State Board Chairs meeting in Sacramento – Presentation from Governor's office. Discussed roles and responsibilities of board chairs and members. Discussion on drought and groundwater. As a reminder, Dr. Hunter represents our region on environmental justice topics and Dr. Wolff represents the Board on climate change topics. He had a Call with Gordon Burns, Under Secretary Cal EPA, regarding a concept called the Water Star Program, which would be similar to the Energy Star program for electrical appliances. Water Star would emphasize the efficiency of appliances utilizing water and plumbing fixtures. Attended the Agriculture Expert Panel with Mr. Harris. Meeting with Pro Equity regarding the Paso groundwater basin concerns in the formation of water district. Conversation with Tom Howard, Executive Director of the State Water Board regarding emergency assistance for City of Cambria. Met with Adam Hill, SLO County Board of Supervisors, and Paavo Ogren, SLO County Public Works Director, regarding groundwater basin concerns in South County and water recycling program opportunities.

5. Report by State Water Resources Control Board Liaison

Mr. Moore was unable to make it. Mr. Harris gave a short report.

6. Uncontested Items

Prior to adopting Item 10 on the consent calendar, Chairman Wolff asked whether a recycling facility would be located at the new Los Flores Ranch Class III Landfill. Martin Fletcher, staff engineer, answered that recycling operations were expected to remain at the current Santa Maria Regional Landfill, but the EIR finalized during the CEQA process and the Discharger's application (Joint Technical Document) for Waste Discharge Requirements include the potential for recycling operations at the new landfill.

Motion: Water Board Member Delgado moved to approve all uncontested items

Second: Water Board Member Jeffries

Carried: (7-0) Unanimous

Discussion/Informational Items

7. Morro Bay Groundwater Degradation

Harvey Packard of Water Board staff introduced the item, showing a map of the Morro Valley areas.

Linda Stedjee and Marla Jo Bruton presented information regarding groundwater degradation and sewer collection system leaks using a PowerPoint presentation.

The Board asked questions of Water Board staff, the presenters, and City of Morro Bay staff (Rob Livick and Bruce Keogh) regarding the likelihood of sewage contamination in the city's wells, the city's timing for replacing the Main Street trunk line, and what sampling the city could do to determine if sewage is contributing to pollution of the city wells.

The Board directed staff to require the city to sample the wells for caffeine as an indicator of sewage. The Board also directed staff to report on the situation at the September 2014 meeting.

Speakers:

- Harvey Packard, Central Coast Water Board
- Linda Stedjee, presenter
- Marly Jo Bruton, presenter
- Linde Owen, Resident
- Betty Winholtz, Resident
- Richard Sandowski, Citizen
- Rob Livick – Public Services Director and City Engineer for the City of Morro Bay, Licensed Civil Engineer
- Bruce Keogh – Wastewater Treatment Plant Division Manager – City of Morro Bay
- Deane Thomas, Central Coast Water Board

8. Los Osos Cease and Desist Orders

Harvey Packard, Water Board staff, introduced the item and reiterated enforcement staff's recommendation to leave the cease and desist orders in place.

The Board discussed various options and directed staff to put two items on the Water Board's September 2014 agenda: 1) A discussion item of options for the Board regarding the cease and desist orders and enforcement options to require hook-up to the community sewer system, and 2) A hearing to consider rescission of the cease and desist orders.

The Board also directed staff to notify order holders that the Board does not intend to enforce septic system pumping requirements of the orders.

Speakers:

- Harvey Packard, Central Coast Water Board
- Julie Tacker, Citizen
- Linde Owen, Los Osos
- Bruce Gibson, San Luis Obispo Country Board Supervisor
- Ben Difatta – hand out
- William Moylan – CDO recipient
- Beverly DeWitt-Moylan statement read by Ann Kahoon
- Lynette Tornatzky, NOV Los Osos
- Jack Hunter, Los Osos Resident

Discussion: Board Member Jordan noted that residents in the prohibition zone are in violation of waste discharge rules. Board Member Jordan also asked that staff include a discussion and evaluation of an ordinance at the September Board meeting, and that staff present options and recommendations, including safeguards and timelines, to ensure the Board's approach is flexible and less onerous than cease and desist orders but still ensures resolution of the problem.

Board Member Delgado expressed appreciation for Harvey Packard's work.

Motion: Water Board Member Delgado moved to direct staff to bring the item back to the Board in September 2014 with options regarding the cease and desist orders, including the option to rescind the orders during a public hearing.

Second: Water Board Member Hunter

Carried: (7-0) Unanimous

9. Public Forum

Speakers:

- Kaila Dettman, Executive Director, The Land Conservancy of SLO County: She was requesting funding for the Pismo Preserve a 900 acre undeveloped ranch – A conservation project that must be purchased by Aug 1, 2014.
- Daniel Bohman, Conservation Director, The Land Conservancy: He was here to show support for the Pismo Reserve.
- Kevin Bright, Resident Avila Beach: He was here to show support for the Pismo Reserve.

The Board directed staff to post information on the website explaining that the Board will consider allocating the Guadalupe Settlement Funds at its July 31 meeting in Santa Barbara, and to include criteria previously used by the Board, and note The Board is not soliciting proposals.

Motion: Water Board Member Hunter moved to direct staff to entertain a proposal from the land conservancy they can submit that to us and concurrently we will post to the web site the Guadalupe funds availability the link as suggested by Mr. Johnston and then at our July meeting we will have an agenda that will include the settlement funds with recommendations from staff.

Second: Water Board Member Johnston

Carried: (7-0) Unanimous

Poll of board:

Jeffries: Yes, Johnston, Yes, Young, Yes, Hunter, Yes, Jordan Yes, Delgado, No, Wolff: Yes

- Kay Mercer, KMI: She was concerned about a comment made at a previous board meeting regarding flood control and fish vs. farm. It was cleared up and was understood the way she had intended it.
- Steve Shimek, The Otter Project: He spoke of his concerns regarding fairness transparency and access to due process regarding the agriculture order.

- Anglia Shroeder – staff member – commented in response to Mr. Shimeks concern that in the EO report there is a section called items for discretionary review that addresses his concerns.
- Keith Wimar Los Osos Sustainability Group: Provided copies of letters to the Coastal Commission requesting improvements to the Los Osos waste water project.
- Michele Avant, Los Osos: She was commenting on the McDonalds Project and the asked the staff to reconsider this project.
- Julie Tacker, Los Osos Citizen: She came to talk about the drinking water being intruded by the ocean water.
- Linde Owen, Los Osos: She came to talk about chloride pollution, and salt water in the basin.
- Linda Doud: She came to speak on out on the Cease and Desist Orders, and the McDonald project.
- Patric McGibney: Continued to read a letter from Linda Doud.
- Marcia Page, Los Osos: She spoke of her concern regarding the McDonalds project.

Discussion/Informational Items

10. Irrigated Lands Regulatory Program: Board Discussion/Direction on Proposed Revisions to the Monitoring and Reporting Programs Order Nos. R3-2012-0011-01,-02, and -03, associated with the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands, Order No. R3-2012-0011, Regarding Changes Related to Groundwater Sample Parameters and the Sampling Completion Deadline.

Hector Hernandez, Water Board staff, introduced and summarized the item and reiterated staff's recommendation to approve the CCGC's request to extend the deadline to complete the individual groundwater sampling requirements for the spring monitoring of individual wells in the southern portion of the region and deny the request to remove the requirement for analyzing groundwater from primary irrigation supply wells for the major ions listed in Table 3 of the MRP.

The Board asked questions of Water Board staff, Parry Klassen, Abby Taylor-Silva, Steve Schimick, and Kenia Acevedo regarding the proposed MRP changes.

Most of the Water Board Members concurred with staff's recommendation for the Executive Officer to issue a letter to CCGC that: 1) Approves the requested extension for the spring 2014 sampling event to June-August 2014, and 2) does not approve the requested reduction in groundwater monitoring parameters.

Speakers:

- Steve Shimek, The Otter Project
- Kay Mercer, KMI
- Clair Wineman, President, Grower Shipper Assoc of SB & SLO, and Board Member of The Central Coast Groundwater Coalition
- Abbie Taylor Silvia, Grower Shipper Assoc of Central California based in Salinas
- Kenia Acevedo, California Rural Legal Assistance, Staff Attorney
- Perry Klassen, Central Coast Groundwater Coalition

11. Water Quality Control Plan, Triennial Review Process 2014

Steve Saiz, Water Board staff, described the planned 2014 Triennial Review Process and the schedule for staff to propose a list of priority issues that may result in changes to our Basin Plan. Board Members directed staff to provide information about the previous Triennial Review tasks and to display progress on those tasks in a matrix or table.

12. ~~TMDL Program Update~~ This item was postponed to the July Meeting

[Chris Rose, 805/542-4770, chris.rose@waterboards.ca.gov]

13. Executive Officer Report

Speakers:

- Steve Shimek, The Otter Project
- Kenia Acevedo, California Rural Legal Assistance, Staff Attorney

22. Enforcement Report

23. Central Coast Water Board Strategic Planning Discussion

There was no discussion regarding this item.

Chair Wolff adjourned the meeting at approximately 5:39 p.m. May 22, 2014. The next regularly scheduled Water Board meeting will be held on July 31, 2014, 2014 in Santa Barbara.



Dr. Jean-Pierre Wolff, Chair