

July 28, 2014



Jean-Pierre Wolff, Chairman of the Board  
Central Coast Regional Water Quality Control Board  
895 Aerovista Place, Suite 101  
San Luis Obispo, CA. 93401-7906

Dear Board Chairman Wolff,

On behalf of the Central Coast Groundwater Coalition (CCGC), we appreciate the opportunity to address the Central Coast Regional Water Quality Control Board (Central Coast Water Board) on an issue that is very important to the CCGC and its members. Specifically, the CCGC looks forward to discussing issues associated with submittal of CCGC member notification letters and other associated information to the Central Coast Water Board, which will result in such information being available publically. In preparation for the July 31 Central Coast Water Board meeting, we have reviewed the *Irrigated Lands Regulatory Program: Water Board Review of Central Coast Groundwater Coalition's Drinking Water Notification Process* staff report (staff report), which is dated July 17, 2014 but that was publically released on July 21, 2014. Rather than attempting to address all of the issues presented in the staff report at the July 31, 2014 Board meeting, we believe it to be more efficient to provide clarification in response to some of the points in the staff report in advance of the July 31 board meeting. By reviewing those points here, we hope that the discussion before the Central Coast Water Board on Thursday will be focused only on the key issues.

**I. January 30, 2014 Board Discussion**

There are a number of references to the Central Coast Water Board's request of staff at the January 30, 2014 Central Coast Water Board meeting. On Page 1 of the Staff Report, the following is stated: *"At the January 30, 2014 Central Coast Water Board meeting, the Central Coast Water Board directed staff to work with the Coalition to align the Drinking Water Notification processes to verify notification of individuals (current and future) dependent on domestic wells that exceed the nitrate drinking water standard."*

Based on an unofficial transcript of the January 30, 2014 Central Coast Water Board discussion, the Board ultimately directed Mr. Harris to come back with his proposed process for the Board to provide comment and modification (See attached unofficial transcript of January 30, 2014 Board meeting, at p.7). In other words, Mr. Harris and Central Coast Water Board staff were to develop a recommendation for Board review and discussion. Rather than putting forward to the

Board such a proposal, Central Coast Water Board staff requested copies of all notification letters. In our mind, this is not a proposed process – as intended by the Central Coast Water Board.

## **II. January 30, 2014 Requests & CCGC Responses**

According to the Staff Report, Central Coast Water Board staff believe that they have been directed by the Central Coast Water Board to do the following (Staff Report, page 2): *At the Central Coast Water Board meeting on January 30, 2014, the Board directed staff to work with the Coalition to 1) verify that the Coalition’s notification of maximum contaminant level (MCL) exceedances for drinking water wells and follow up actions and reporting are equivalent to the existing process for growers that conduct individual monitoring, 2) verify replacement water is being continuously provided and adequate, and 3) follow up with these locations to ensure adequacy through time as population/residency rates change.*

As a preliminary matter, and as we stated in our June 10, 2014 letter, there is no legal mandate that requires reporting from Coalition groups to be equal to that provided by individuals. (CCGC Response to Request for Additional Member Information, June 10, 2014 (CCGC June 10 Response letter), p. 1-2). The Staff Report agrees that such reporting does not need to be equal. (Staff Report, p. 4). However, even though the Staff Report agrees that the law does not mandate equal reporting, the Staff Report argues that it is choosing to do so under the Executive Officer’s discretion, and his delegated authority.

The approach taken here, as discussed in the Staff Report, is inconsistent with approaches taken in other regions where coalitions exist. The State Board has repeatedly stated that it supports coalition approaches, and believes that they have a number of advantages. In other regions, such coalition approaches have been very successful in improving water quality, conducting wide-scale monitoring, and providing an appropriate level of reporting that makes available significant information to the public while still protecting the privacy rights of individual growers. Coalitions have also established long-term working relationships with Regional Water Board staff, and have been more than willing to provide the regional board with names of individuals that are not in compliance with the fundamental purposes of the program. All coalitions understand that their viability and credibility is based on ensuring that growers within coalitions are in compliance, and that the coalition is not a shield for growers. This can and is accomplished in other regions, and we believe it can be accomplished here in the Central Coast.

Unfortunately, there seems to be a continued fundamental skepticism about the coalitions by Central Coast Water Board staff. The concept of coalitions will not succeed long-term if the expectation is that the coalition is no more than a pass-through for individual information and may undermine the usefulness of having coalitions assist with improving water quality now and in the future, which is a common goal we all share.

With respect to the CCGC and what it has accomplished to ensure that its members are in compliance with the General Order and State Board requirements, the CCGC has completed the following:

1. CCGC prepares exceedance notification letters to member that have domestic wells that have exceeded the drinking water standard. All such notifications are sent Federal Express overnight delivery.
2. CCGC staff also letters via USPS to those whose domestic well tests are in compliance, within 80% of the MCL, or had samples taken for their agricultural irrigation supply wells.
3. The nitrate exceedance packet for CCGC members consists of the following documents:
  - a. Exceedance notice to member (Attachment 2)
  - b. Template letter to resident(s) (Attachment 3)
  - c. Template letter to landowner (Attachment 4)
  - d. Written User Notification form (must be returned to CCGC) (Attachment 5)
  - e. Replacement Water form (must be returned to CCGC) (Attachment 6)
  - f. Nitrate informational packet developed by the Central Coast Water Board.
4. Domestic well exceedance notifications (with the same content as above) are also sent via electronic mail to the member.
5. Federal Express deliveries are tracked and a 10-day exceedance report is compiled for submittal to the Central Coast Water Board (Attachment 7).
6. Responses from the Replacement Water Forms are tracked in a follow-up report subsequently submitted to Central Coast Water Board staff within 30 days of a domestic well nitrate exceedance notification (Attachment 8).
  - a. **It is essential to note that each member must provide to CCGC the following documents for each well in exceedance of the nitrate MCL to be in compliance with this report, or the member's names are provided directly to Central Coast Water Board staff, if requested.**
    - i. **User Notification form**
    - ii. **Replacement Water form**

This extensive notification and reporting complies with State Water Board Order WQ 2013-0101 (State Water Board Order).

To further summarize the CCGC program:

- The Central Coast Water Board is always made aware, in a report, of exceedances within 10 days of receiving results; this allows for results to be subject to Quality Assurance/Quality Control (QA/QC) evaluation and member notification to be confirmed (Attachment 7).
- Growers are sent laboratory results within 36 hours (unless delayed by the need for additional contact information - physical addresses for Federal Express) of

QAQC being conducted and finalized and we certify their receipt by a carrier (FedEx).

- CCGC makes available templates of exceedance notifications to the residents and landowners in English and Spanish. We are also working closely with the Agricultural Water Quality Coalition to make our materials and outreach available in Cantonese.
- We have a 100% response rate through the first eight rounds of tests on follow-up action within 30 days due to our diligent follow-up with members.<sup>1</sup>

To date, CCGC has delivered and received confirmation of delivery for 174<sup>2</sup> nitrate exceedance notifications for domestic wells. This represents 100% of the domestic wells that have had an exceedance of the nitrate MCL that was sampled as of May 1, 2014. Staff notes in their July 31 report that they have mailed 102 exceedances (for 109 wells). The Staff Report also notes that 1,822 wells have been tested in the individual program and 924 in the CCGC. The 924 number is incorrect in the Central Coast Water Board Staff Report. In information supplied by the CCGC to Central Coast Water Board staff on July 15, 2014, the total number of wells sampled as of June 27 is 1,166. The CCGC has received and verified groundwater quality results for wells sampled through May 1, 2014 for 889 wells. It is important to note that many of the wells tallied in the Staff Report are irrigation wells and not domestic wells. Additionally, to date, staff's response rate on notification is (100/109) 91.7% and follow-up response is at (80/109) 73.4%. Presumably, these responses are 30 days or more past the date the well test QAQC was completed, as individual monitoring should have been finalized in spring 2013. Considering the successes of the CCGC's notification process, and responses from its members, the CCGC believes that its program is as robust as that conducted by Central Coast Water Board staff for individuals, and that our process conforms with the language and the intent of the State Board's direction in its Order WQ 2013-0101.

### **III. The December 18 Work Plan Approval & "Upon Request" Language**

In this letter, it is not the CCGC's intent to refute all statements in the Staff Report, and we have put forward our response in the CCGC June 10 Response Letter. However, considering some of the statements made in the Staff Report, we find it necessary to provide some additional clarification in response to the Central Coast Water Board's December 17 and December 18 work plan approval letters. Based on our communications with Central Coast Water Board staff, we understood that they were not interested in breaking a major tenet of their agreement with us,

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<sup>1</sup> As of July 28, 2014, CCGC is currently working with two members on response hold-ups from the most recent testing round (9 & 10). For one of these, the member (tested in round 9) is working with the landowner to get a response, as the member has no jurisdiction over the well. For the other member (tested in round 10), we are working to get in touch with the member. If these attempts fail, we will submit the appropriate individual as a non-responder to Central Coast Water Board staff.

<sup>2</sup> The 174 number represents domestic well exceedance notifications mailed to members up to and including mailings sent as of June 23, 2014.

which centered on anonymity of grower information as it relates to specific well nitrate levels. Note that our reports to staff include grower information associated with well locations (blurred to ½ mile radius or 1 square mile). Central Coast Water Board staff, in our meetings, had recognized this as a highly valued tenet and agreement of the organization. We understood that Central Coast Water Board staff was working with us to provide layers of anonymity for this purpose while also providing themselves and the public with information about the wells and exceedances. This is evidenced by agreements made about how wells were identified, identifiers that didn't show operator/landowner/company name, and the fact that in their December 17 and 18 letters Central Coast Water Board staff didn't mandate that all letters be provided.

Our understanding was that letters would be requested if there was no other method of verification, such as 1) A CCGC member asserted that they had never received our letters or 2) a resident asserted that they had never received a CCGC member letter notifying them of nitrates above the MCL in their domestic well(s). We had also hoped to provide to staff a review of letters and responses in meetings, at our offices, or a location closer to Central Coast Water Board staff (but not the Central Coast Water Board offices), and that such letters would not be sent in to the Central Coast Water Board. We believed staff had inserted in the December 18 letter the condition that the CCGC provide copies of letters when requested by the Executive Officer in anticipation of cases where an exceedance notification was disputed by a CCGC member or their resident, not as a general rule. Had we realized the true intent, we may have made a different choice regarding petitioning. Although such petition would be to the Central Coast Water Board itself and we would be in the same place as we are today. Further, we were working in the spirit of collaboration and the agreed upon principles of the organization, which we had discussed with staff in great detail, influenced that decision. We were working with staff on this program in an effort to build mutual trust, after being asked to do so multiple times by Central Coast Water Board members, legislators and others.

Moreover, it is important to understand the issue of wanting individual notification and coalition reporting to match came up at the January 30 Central Coast Water Board meeting, more than 30 days after the approval letters were issued. It appears to us that it was this discussion prompted by Michael Thomas that triggered the Board staff in making this request, not a Board request. As discussed above, the Central Coast Water Board directed staff to bring forward a proposal – not to move forward.

After the January 30 meeting, we were quite surprised when in March, just three months after the approval was given, the Board staff issued their March 21, 2014 letter for discussion purposes, claiming that they were directed to do so by the Central Coast Water Board at the January 30 meeting.

It must be clarified that CCGC brought up concerns with this letter at our March 26, 2014 meeting and spent at least a couple of hours discussing its contents, after being told by staff that it was simply a starting point/draft and that it had not been publicly published or copied to the

Central Coast Water Board. We subsequently were told that this issue would be slated for the July Central Coast Water Board meeting as this was the first opportunity that the staff found to put it on the Board's agenda. We scheduled a meeting with staff for June 18 for that purpose and submitted written comments on June 10, consistent with their request. Staff subsequently canceled our June 18 meeting, citing that they had not had enough time to review our letter. We received no further response on this issue until the Staff Report was made public on July 21.

Considering the ongoing discussions that have occurred between CCGC and Central Coast Water Board staff, and knowing that they were going to agendaize this, it did not seem necessary or appropriate to file a formal petition to the Central Coast Water Board regarding the provision at issue as contained in the letter of approval.

Rather, in our June 10 letter, we provided for additional modifications to our program. The options we offered in our June 10 letter include more specific responses to well replacement actions (Attachment 9). The updated report which includes replacement actions on a well level, which enables staff to know exactly which well had which replacement action and allows for Central Coast Water Board to decide if they need to conduct follow up on any of the wells with nitrate exceedances. We also offered in our June 10 letter, to do the following to allow for checks and balances and confirm the accuracy of our reports:

1. Provide a letter, stating under penalty of perjury, that our reports were an accurate reflection of our member responses. This is not proposed as an alternative to reports currently submitted by CCGC. Rather, it is offered as a certification of validity of our reports to staff.
2. Provide availability of these letters and associated member responses to Central Coast Water Board staff upon their request and/or at our regular bi-monthly meetings.
3. An Exceedance table with follow-up action details.

#### **IV. Well Exceedances Are Not Aggregated, Anonymous Results to Staff**

We are concerned that the Staff Report and the California Rural Legal Assistance (CRLA) petition make it appear as though Central Coast Water Board staff do not have access to information about exactly which wells have nitrate exceedances. This is simply not the case. Specifically, the statement in the Staff Report, page 10 seems to allude to that: *“Recognizing the potential severity and urgency of the health issues associated with drinking groundwater containing unsafe concentrations of nitrate, we must require that the Coalition notify us when a well is identified as exceeding the MCL for nitrate, and that the Discharger (growers) notify users of the well in a timely manner.”*

Additionally, the letter dated July 3 from CRLA, page 1, states:

*1) The workplan does not affirmatively require any confirmation that users have been notified that the groundwater from their well is unfit for human consumption, and;*

2) *The notification process does not affirmatively inform the Central Coast Water Board staff of particular wells that contain nitrate MCL exceedances.*

In fact, both of these objectives are achieved through our reports to the Central Coast Water Board.

While we do aggregate the well responses (noting whether replacement water is used or the well is out of commission, etc.), we do not aggregate the well exceedances. Well locations and affiliations (i.e. grower/operation/landowner) are not anonymous to Central Coast Water Board staff. We have created reports that allow staff, using the regulatory side of Geotracker (which may only be viewed by government agencies), to obtain complete information about a well exceedance location that is equivalent to that which they would receive from an individual groundwater monitoring laboratory report, per our program agreements. Staff can use our exceedance report and our well lists to understand the following, by individual well:

- AW number (linked to each eNOI, which includes addresses, etc.).
- Main Farm Name
- Latitude/Longitude (Central Coast Water Board staff see the exact location, PRARs truncate the coordinates).
- Field Point Name (links to the same on the Regulatory-Side of GeoTracker, which also provides Latitude/Longitude)
- Sample Date
- Result (Nitrate levels as mg/L)
- Date of notification (not available in individual program).
- Date notification was confirmed through certified signature (not available in individual program).
- If accepted, we will also include the exceedance response spreadsheet, which provides member and well-specific information on exceedance follow-ups, including dates members notified the users of the well.

Please note, for wells in the south (San Luis Obispo, Santa Barbara and Ventura) CCGC report these nitrate results in the same way that individual wells are reported (identified by AW number and Global ID), per the Central Coast Water Board direction.

Central Coast Water Board staff also states that the information the CCGC receives and holds (specific member responses regarding well replacement water actions) would be lost to them if the CCGC was to dissolve. To provide assurance of record retention if the CCGC dissolved, the Grower-Shipper Association of Central California and the Grower-Shipper Association of Santa Barbara and San Luis Obispo Counties, have agreed to store and maintain these letters and responses, as long as required by the order.

## **V. CCGC Assurances to Membership**

Staff also makes mention of the assurances CCGC made to membership regarding anonymity and privacy. It is important to note that the assurances CCGC made to its members were not frivolous or in error. We have had staff regularly fact-check the CCGC FAQs and have been diligent about being transparent and forthcoming with our members. We were required to bring in all of our Northern county members (for whom this program was originally written, and who have a higher expectation of privacy) by September 1: almost a full month before the state required exceedance notifications in their final hearing. This deadline was also two months before the state's final Order was certified and three and a half months before we received the December 17 and 18 letters. At that point we had already monitored over 300 wells, and were working with staff to keep our program's basic principles in place, which we thought the Central Coast Water Board staff agreed upon. The December 17 and 18 letter, in that context, did not raise alarms for the reasons noted above, nor did our January 23 meeting with staff. In meetings we held with hundreds of members in early March, we described the January 30 meeting discussion and our plans to work with staff, as we expected they might request more ways to confirm the exceedance letters that were being provided to members. We specifically noted to members Michael Thomas' suggestions to the Central Coast Water Board, but also noted that this was not board direction. We have since sent newsletters about this topic to members, trade associations have kept their members updated on our behalf, and we have had multiple CCGC board meetings addressing this matter.

The important point here is that in agreeing to these privacy methods in July 2013, and having understanding of our concerns, it is an unfortunate departure for staff to now ask for these letters. We are hindered by the fact that the exceedance notification letters were not required until after our program was approved and in place. Had we known this would be a requirement beforehand, we would have addressed the issue accordingly. We have been transparent with members, but also had an expectation up until March that staff had no interest in making requests for information that would render our previous understanding meaningless.

## **VI. Legal Reasoning, Necessity & Consistency with State Water Board Order**

Staff has stated that the Executive Officer has the authority to require members of the CCGC to submit the notification letters and the CCGC has maintained there is no such authority. While we maintain our legal reasoning as expressed in our June 11 letter, the larger point is that there are other ways to provide verification of member actions and providing the letters to Central Coast Water Board staff are not the result of a legal mandate but of their preference.

As staff mentions in their report, page 7: *“Central Coast Water Board staff has considered numerous data reporting and public access to data proposals from the Coalition over the last 18 months-plus. Many of these Coalition proposals have been approved or are in development, and many of these are substantially different from how data is reported and publicly available for all*



*other Central Coast Water Board-regulated entities, regulatory programs, or growers that conduct individual groundwater monitoring.” And page 15 “CRLA also requests that Central Coast Water Board ensure that the Coalition informs the Central Coast Water Board of the particular wells that have an exceedance”*

First, it must be remembered that the importance of this program is much larger than this five-year Order. This program gives staff and agriculture the opportunity to work together to meet shared goals and commonalities of understanding, which we and staff were asked to do by leaders at the local and state level. The CCGC has also adjusted and compromised over this past year to meet staff’s needs and concerns and we believe the ways in which we are further offering to do so are thoughtful and sufficient to provide confidence in the coalition approach.

Second, the CCGC is providing exceedance notification at the level detailed in the State Water Board Order. We have taken steps above and beyond those required in the State Board order. For example, we require signature receipt of all letters by our members.

Further, we are preparing substantial technical reports that characterize the groundwater across the region. All of this combined shows how the CCGC is meeting and exceeding the State Water Board’s expectations.

## **VII. County Health Departments**

With respect to the County Health Department notifications, the CCGC staff and hydrogeologist will be meeting with each county health department whose jurisdiction overlaps our sampling and mapping boundaries for the purpose of discussing our quarterly reports and our final contouring maps (2015). As our first report related to Monterey County, we met on July 24 with the Monterey County Environmental Health (MCEH) Director and staff to review the document. At that meeting, we were told that the numerous letters and e-mails received by the Regional Board regarding individual monitoring, while appreciated, were not provided in a format that made for easy follow-up. MCEH is currently reviewing our proposed method of communicating with them our efforts and member responses and has expressed appreciation for the easy format, which can be used with the Regulatory-side of GeoTracker to ascertain all information needed. MCEH also expressed understanding for our members’ privacy concerns and noted that our proposed method of communication and frequent updates would allow them to research all necessary information in a more effective manner. We plan to hold similar discussions with each of the County Health Departments in the Region whose jurisdiction overlaps our program’s efforts, which should include Santa Cruz, San Benito, Santa Clara, San Luis Obispo, Santa Barbara and Ventura.

We also continue to contend that our contour, using current and accurate data, do more to protect public health on both properties enrolled and not enrolled in the Ag Order than making CCGC exceedance notification letters publicly available. CCGC is providing a service to the community

that is not available at the same level of accuracy anywhere else – showing probability of nitrates aquifers used for domestic wells. This is being done because our members want that information and felt that this was a much more accurate public health model of communication than well test levels that show no other characterizing information (i.e. aquatards, soil type, historical use, etc.). With these contour maps, the community has far more information about high nitrate risk than they would through the general order.

### **VIII. Re-Debating Issues**

The Staff Report also details four instances where details of this program were re-debated. While this program was adopted on July 11, 2013, substantial elements were influenced by the State Water Board order as we have mentioned above.

Of the points brought forth, three (Sampling schedule for Coalition groundwater monitoring; Groundwater monitoring analytical parameters required in the monitoring and reporting program [MRP]; and Reporting of notification information associated for Coalition members' domestic wells that provide unsafe drinking water) were directly the result of the State Water Board order, which substantially changed requirements of our order, leading to the discussions about exceedance notifications and opening the coalition to southern members, which was encouraged by many in agriculture, the State Water Board and beyond. The fourth point, regarding the appropriate blurring of well locations, was agreed upon by the Executive Officer and the CCGC in our final work plan, pending Central Coast Water Board approval. It is not accurate to state that we re-opened discussions; as pending approval of this key issue was inherent to our program.

### **IX. Staff Time Savings**

The Staff Report notes that staff time savings have not been realized, despite statements as such in recent Central Coast Water Board meetings. While we recognize the substantial amount of time it takes to build a new program, as we too have put forth considerable time and energy to create this organization, one must also realize that the beginning stages of building any new system are time consuming. We have been encouraged to work with Central Coast Water Board staff, and understood that Central Coast Water Board staff was encouraged to do the same by Regional and State Water Board leadership, in an effort to build long-term collaboration for the benefit of water quality in the region. Over ½ of the time our staff spends working with Central Coast Water Board staff has to do with updating their electronic Notice of Intent (eNOI) database and/or making the CCGC database consistent with the eNOI database. This is vitally important because the CCGC database is based upon grower/landowner applications and communications. Both the CCGC and Central Coast Water Board staff have experienced the difficulty of having land on the Central Coast farmed by more than one entity and therefore associated with different eNOI information throughout the year. The CCGC keeps track of well

information in a separate database from the member database and links wells to members and associated eNOI information. Using this method, a well can be associated with more than one member/GlobalID.

We are doing two key things, which benefit the Central Coast Water Board, when we have these interactions: 1) We are providing critical updates to outdated Central Coast Water Board records, thereby making the eNOI database stronger; and 2) We are helping our members better communicate their land use changes and patterns to the Central Coast Water Board, thereby making the eNOI database more accurate.

Moreover, the CCGC and Central Coast Water Board staff have developed a weekly communication schedule to work through discrepancies between the two databases which has ensured more accurate data on both sides. In general, this effort has resulted in the following:

- **Existing well sample data:** based on CCGC monitoring and communication with members, updates have occurred in GeoTracker to reflect more accurate latitude/longitudes and correct use (domestic versus irrigation); not all of this information has been correct when laboratories loaded data to GeoTracker
- **Duplicate Global IDs:** although the combination of AW and Ranch Name should be unique and have only one Global ID, it is possible for a grower to have more than one Global ID per an AW/Ranch Name combination. The CCGC has worked with members to resolve which Global ID is the one they want to keep and to terminate older Global IDs.
- **Updated eNOI:** as the CCGC works with members to reconcile differences between the eNOI from the Central Coast Water Board and the information supplied by the member, members have gone into GeoTracker and updated their eNOI information to be more accurate including updating the number of wells associated with a ranch, fixing incorrect APNs, terminating old ranches no longer farmed, and enrolling new property within a timely manner.
- **Linking of wells across Global IDs:** due to the way wells are associated with Global IDs on GeoTracker, it is very difficult to know if the same well has results associated with different Global IDs. The CCGC is tracking these situations as they are revealed and communicating this to the Central Coast Water Board staff. This is important to reduce the chance of duplicate sample information being stored on GeoTracker.

We believe that this short-term use of additional effort by Central Coast Water Board staff is providing the Board a much stronger database, and overall better.

The purpose of this letter has been to address some items that we believed needed further clarification. We look forward to speaking with the Board in further detail during our presentation on July 31.

Sincerely,

A handwritten signature in black ink, appearing to read 'PK' with a stylized flourish extending to the right.

Parry Klassen  
Executive Director

Central Coast Regional Water Quality Control Board Meeting  
January 14, 2014  
Unofficial Transcript

Item 13 is Irrigated Lands Regulatory Program Update

START at 2:00:00

MICHAEL THOMAS: I have a request, that is to get direction from the board. Several issues have been brought up and we are struggling with those issues as we've discussed in our conversation, and I would like clear direction from the board so that we can move ahead and resolve these couple of issues. One of them is the reporting of information, like when there's an exceedance in a well and the coalition notifies the grower and the grower then follows up, there's ambiguity there, and as I was saying, we can't rely on anecdotal information. And I don't mean to be critical of the coalition and all the work they've done. They've done a tremendous amount of work on this whole project. What I recommend is that the board directs staff to make the reporting and verification—verification that replacement water is being provided or that something is being done such as treatment that's somehow being addressed in a formal manner that is equivalent to the process that Regional Board is using for farmers that are not in the coalition, and that process was established by the Office of Enforcement of the State Board—direct us to make those two equivalent.

KEN HARRIS: Before Michael goes on, I'd just like to say that I've got those in my notes, I've already accepted that as a task to—given our conversations with the coalition, given the discussion we've had, I do have that listed already for resident action item.

MICHAEL THOMAS: The reason I'm bringing it up and asking for that direction is because where board members often make comments and then sometimes the board member thinks that is direction, but it's a comment that a board member is making—I wanted to clarify it.

KEN HARRIS: And to follow-up on Michael, that's a really good comment; it would really help us. I mean some of these things—clearly I know you want dealt with and I have logged those, but it would be—maybe the chair or vice-chair can, when something comes up, be very clear whether or not you want us to deal with them. Like I say, we've got a lot to do, so there's a lot of conversation going on and not everything is going to rise to a board directive, but we definitely need to know when that's the case. We need clear direction from you. Thank you Michael.

MICHAEL THOMAS: And then the second is to direct staff to notify residents in these high risk areas. And, I mean beyond growers and the grower tenants or labor camps, but residents in the area who are subject to the same risk; direct us to pursue notifying these folks in these high risk areas as soon as possible. And the third thing is that one speaker brought up that this is an emergency. And I consider this to be an emergency. This is the greatest public health emergency that's ever been presented to this board. The data that you have seen today only underscores what—how big of an emergency that it is. So I would like us to consider it an emergency and to act accordingly; to do everything we can to address this exposure—this public

health exposure and public health risk, and follow-up in every avenue that's available to us. And that goes to Mr. Johnston's questions about providing bottled water, but that is only an interim solution. We need to work on longer term solutions. And we're doing that in several avenues. And we can—it would be a long story to tell you about the other things we are working on, but we can do that at some other point in time.

MIKE JOHNSTON: Well, I would like to propose in response to Mr. Thomas' comments that we give the following direction to staff. In terms of notification that we direct staff to work with the coalition on coming up with an equivalent. I don't think it necessarily needs to be identical because the coalition is different than individual farmers, but I'm certainly prepared to give staff that discretion—with the equivalent method of notification of domestic well users that have been identified by the coalition as impacted. Your second point was notification of residents in the area. I think we're—I'm certainly prepared to recommend that staff undertake that. I think that that's going to be a work in progress because we're still identifying in the areas—the coalition is still identifying the areas—I mean that should be clear. But I have no trouble making that recommendation, that staff be directed to follow-up with general notification to residents in areas that are identified as impacted by drinking water in—excuse me—by nitrate in the drinking water, and we're going on some presumptions as to well depths and all that for domestic wells. Your third recommendation that we deal with this as an emergency. I think that's a little icing on the cake. I think that staff understands clearly we have a raft of priorities and provision—protection of public health and provision of safe drinking water is at the top of that. So, I'm not sure that we really need to provide staff extra direction on that. That seems a little vague.

MICHAEL THOMAS: We seem to acknowledge that it's our highest priority.

KEN HARRIS: I think the fact that board member Chair—or Vice-Chair Hunter and several staff sat on the Governor's Drinking Water Task Force is evidence of our commitment and the state's recognition of the level of importance of the issue.

MIKE JOHNSTON: So my recommendation would be that we provide direction to staff to come up with an equivalent—to work with the coalition to come up with an appropriate and equivalent method of notification, and to work on the question of—and to my mind, you know, that's going to include as time goes on, you know, figuring out the adequacy of drinking water provision, figuring out whether there needs to be cyclical repeat notification because of the transiency issue. And, secondly, that we direct staff to work up a system of notification of residents of areas that are essentially blanket subject to nitrate contamination.

MICHAEL THOMAS: Okay, to clarify your emphasis on notification, I also include follow-up verification—formal verification that action is being taken to deal with the problem by either providing replacement water or treatment so that they have clean drinking water—not just notification.

MIKE JOHNSTON: That is—that works for me.

RUSSELL JEFFRIES: And who would do that?

MICHAEL THOMAS: That's what we're going to have to work out. In the process that staff uses under the Office of Enforcement direction, staff does that work.

RUSSELL JEFFIRES: Staff does that.

MIKE JOHNSTON: So that's a motion, Mr. Chair, to provide that direction to staff.

KEN HARRIS: I've got it down.

CHAIRMAN WOLFF: Dr. Hunter.

MONICA HUNTER: Thank you. So, Jessica, to make a direction to staff do we have to make a motion and – Okay. So—but I would just like to comment on the information that came forth through the California Rural Assistance League, because I think your ability to contribute to this dialogue, both here and in Sacramento, has really helped to clarify and identify, at least for the Salinas Valley area, which has really not had this level of support for the residents. So you mentioned that you are prepared and interested in helping with this process. Which is, again, a new component of the process that we have initiated, which some of it is spelled out by the—both by our order and the State Water Board order—some of it falls into creating the details of implementation. And so if there are ways that you also can contribute to the public outreach, to just raising the awareness of these programs coming online, that information is available to individuals, helping us to understand, perhaps helping with translation of information to other languages that may be required in certain particular areas—those are the kinds of things that really become almost barriers, you know, in terms of staff time. So if there are ways that your program can help to work collaboratively, we're hoping that, again, that those are the things that you can bring into this process. And thank you Michael for reminding us that bottled water is an interim solution. And I'm not sure that I understand how the coalition is articulating or tracking on what are the projections for providing bottled water. It's not the final step. A treatment—implementing a treatment system I would consider a solution. Bottled water is an interim step that prevents any further consumption of contaminated water, but what's the timeframe then for that bottled water, and is that part of their reporting. That, to me, would add another critical piece to our understanding of what the well owner or the operator is planning to do in response.

CHAIRMAN WOLFF: Hold on, hold on please. I would comment though, Dr. Hunter, that, you know, this issue we have is not going to be resolved overnight. So I think the, you know, when we say that bottled water is just a temporary measure—but unfortunately, if you look at legacy nitrates in water, don't we have some case where the—you know—the tracing is 50 years—so it's—I think or more—absolutely, so I think we need to also put these things into perspective. And—I—I—you didn't have a speaker card.

TESS DUNHAM: I don't because I did not have anything to ask until after Mr. Thomas went through and there was comments with respect to the follow-up verification, and I wanted to ask a quick question. My name is Tess Dunham. I'm with Somach Simmons & Dunn, and I do provide legal representation to the coalition. And, the question I have for Mr. Thomas, he added on the issue with respect to follow-up formal verification, and what I want to confirm is if the intent that that follow-up formal verification comes in the form of a 13267 order, which is an

enforceable order by the board, I just want to understand what we mean by follow-up formal verification.

KEN HARRIS: I would say at this point that we're working on that with the coalition. I don't want to give you a knee jerk reaction today what we're going to do.

CHAIRMAN WOLFF: And just for form, if you can fill out a speaker card for me, that way I have your information on record.

TESS DUNHAM: I've got it for the next item.

CHAIRMAN WOLFF: All right. Now, last rounds. Are we good here? Any more questions?

JEFFREY YOUNG: I would just add to what was in this direction to staff, that it touches on what Tess just said. I'm very supportive to go ahead and notify people, get them replacement water—I just want to make sure we're not kind of opening up some little door here where staff may think this is time for an enforcement item.

MALE: No. We know—

JEFFREY YOUNG: Okay. I just want to make sure that's clear because we know there's going to be elevated levels. That's not an opportunity to start doing something else.

KEN HARRIS: So thank you for allowing me to speak on that. This is again. I know Mr. Shimek didn't like my car going down the road scenario, but that's pretty much what this is like. And this is an evolving process. And we continue to work with the coalition and others to figure out how to do this. This has not been done. The Central Valley is not doing this right now. We are the only region in the state that is doing this right now. So we are having to figure this out for ourselves, with our partners, as we go down. I will commit to the board that, probably not in March because I think March is full—there's no way—we've got one day—but the next board meeting we will bring you an update on how this is progressing. We'll lay out some charts, some flow charts and process charts, like the coalition did, to show you where this is evolving. And this is not a commitment to take enforcement or not take enforcement. It's—the commitment is only to bring back a full process to the board.

CHAIRMAN WOLFF: I would observe that I think we're making good progress. The fact that we have this item on the agenda and we do it consistently, it helps us chip away, raise the bar, make improvements, have discussions. So, I think I'm very encouraged that the process is working basically. So--

MICHAEL THOMAS: Mr. Chairman, I need to respond to what Mr. Young was saying about enforcement. And the purpose of this is not to go down the enforcement route. The purpose of this is to get replacement water for people that are drinking contaminated water. There may be enforcement. So I don't want you to be under the impression that there won't be any enforcement. We've already sent out 60 letters, and we've gotten very good responses from growers on providing replacement water. We also have the San Lucas case where we issued a clean up and abatement order, but that was—the property owners were cooperative in that case. We also have investigations that are currently undergoing—currently being done—and I can't



discuss those with you. So, the purpose isn't to take enforcement action. But there's always the possibility that there will be enforcement action. I'm not—as Mr. Harris said, I'm not committing to take enforcement action or committing to not take enforcement action.

CHAIRMAN WOLFF: Okay. Mr. Jordan.

MICHAEL JORDAN: Thank you Mr. Chair. So, in addition to the first item we've talked about—and if I could throw another piece of baggage on this car that's rolling down the road to the extent that it could be added, I'd also like to see as part of that formal—more formal acknowledgment and verification, also includes a formal acknowledgment that the remedy that is being provided will be provided adequately and continuously until some time—whatever you think works there—just adequately and continuously. I mean we heard today that some wells are never going to get better, so the remedy will be to move the people out of there. But if the people aren't going to move out of there, then I think it's important to get a acknowledgment from the owner/operator that the remedy he's proposed or is taking part in, will be provided adequately and continuously.

MICHAEL THOMAS: Yes. And that's entirely reasonable. That's a part of our process for non-coalition growers. And, often the remedy is treatment, which is—does not—which is regardless of how old the nitrate is in the water.

MICHAEL JORDAN: Perfect. Thank you.

CHAIRMAN WOLFF: Okay. So I think we're done on this side of the aisle.

MIKE JOHNSTON: Yeah. I was just—other statesmen--

CHAIRMAN WOLFF: I have someone who has waited very very—

RUSSELL JEFFRIES: Finish that end and we'll get back—

CHAIRMAN WOLFF: Okay. We finished this end, but I'm not going back to this—so this is it, last chance.

BRUCE DELGADO: So I understand what direction we're giving. The first, is it to work with the coalition for a process to verify that potable water is being provided where there's exceedance? That the first direction?

KEN HARRIS: Yes. Eleven action items off of this—

BRUCE DELGADO: I was going by board member Johnston's sort of motion, which was his list of directions, and his first point was work with the coalition, in my words, for a process to verify the provision of potable water where there's exceedance of nitrate standards.

MICHAEL JORDAN: I think the language before that was, a more formal verification on notification to users—right?

BRUCE DELGADO: That's second. Michael, was that your first one, the process to verify provision of potable water?

MICHAEL THOMAS: Over five minutes ago, I proposed—I forget the exact words, but both of what you said and what Mike said—I can't separate it—

BRUCE DELGADO: Okay. So, a direction—I just want to make sure—is to verify that there is provision of potable water?

MICHAEL THOMAS: Yes.

BRUCE DELGADO: Okay. And another direction is to notify adjacent neighbors or neighbors within a certain area where there is poor well water?

KEN HARRIS: Yes.

BRUCE DELGADO: And these are non-coalition tenants, non-coalition—

KEN HARRIS: Well it wouldn't even—it would—includes all areas—even coalition because sometimes you end up with an isolated coalition pocket and they would have a bad well, we would apply a notification around that area.

BRUCE DELGADO: Okay.

MALE: Non-farmers too.

MICHAEL THOMAS: Include non-farmers too.

BRUCE DELGADO: So we just clarified two directions. And Michael Thomas was talking about an equivalent system that already existed and I wasn't sure which of these two directions already has an equivalent system that's being implemented somewhere else.

MICHAEL THOMAS: It was growers that are not in a coalition and not members of the coalition, we are reviewing their data—those growers that elected to collect data themselves, their own groundwater data and submit it to us—we're reviewing their data, and where there are exceedances of the drinking water standard, we notify them. And we require them to notify users of that water, and to verify with us formally, in writing, that they are addressing that issue somehow, that they are providing replacement water or treating the water or somehow dealing with that issue.

KEN HARRIS: So—but we are not at this time doing general notifications. That is in the pipeline and we are still trying to figure that out.

BRUCE DELGADO: Okay. So the equivalency that Michael suggested was to provide a notification to neighbors—

MICHAEL THOMAS: No, no. You're mixing the two things up. So the first part where Regional Board staff have already developed the process to work with non-coalition farmers, the

direction that I was looking for from the board was that we would develop an equivalent process for the coalition growers.

BRUCE DELGADO: Do what? To notify or to provide—

MICHAEL THOMAS: To notify and verify that they are providing replacement water or treating the water or somehow dealing with that—

MICHAEL JORDAN: The—the pitfall of the presentation was—somebody’s presentation included, oh we know that they’ve told the users because we got a voicemail back on the telephone. And, his suggestion is that a more formal response from the owner/operator needs to be part of the process that they’ve notified the users.

CHAIRMAN WOLFF: I’d like to make a suggestion because we’re going down the path of a lot of details, is that I think the general principles have been captured by Mr. Harris. I would like to see Mr. Harris come back with his layout of the directions that we provide and we can review that, and then we can further comment and modify. But I’d like to give the chance for staff to, you know, basically put this on paper with the right language and not, you know, inadvertently today try to get too much of the details of it—if you can bear with me on that. That sounds amicable then? We’ll move to this side and—

RUSSELL JEFFRIES: That works for us. Thank you Mr. Chair.

CHAIRMAN WOLFF: Thank you for your patience.

RUSSELL JEFFRIES: As always. Just some discussion about direction. And, I think the Executive Officer has brought this up, and to the Chair. A lot of times there’s comments that the rest of the board are silent on. And sometimes the staff takes that as a direction from the board. I would ask you as the Chair or the staff, to challenge us. Is that what the majority of the board wants to do? This is a democratic process. So I know Mr. Johnston rattled off several and it was five minutes ago so I don’t remember what they all entailed or in detail, but I think maybe instead of taking several at one time, we take one at a time, and if there is discussion that needs to be made we can make the discussion on that and then you can ask for some consensus from the board if that’s the direction we want to go.

The other thing, just looking at this particular item 13 to Mr. Harris, it says status report. To the general public that means there’s an update, maybe some discussion, not necessarily direction. So I would ask you and the staff to put on there, informational status direction from board. So the general public, when they look at the agenda, whether it’s online or hard copy, that they see there’s a possibility because their testimony might be a little bit different if they think that we’re going to give direction to the staff on a particular item. I’m not only talking about this agriculture, but any in the future. I want to make sure—and I think there was some confusion from some of the public between the coalition numbers and the total numbers of the irrigated land. And I think that somebody used a number of 50 percent within the coalition. And so what was presented to us was specifically the coalition and not the total amounts. And then the staff gave some numbers, which was the total amounts. So, I think there’s a little confusion and we need to maybe clarify that a little bit for the general public.

My last comment is I want to thank the coalition and Mr. Klassen and Abby for the work that they have done, and everybody that's involved. I think they've come a long way very quickly. Yes, we would like to have all the information today. We would like to have the staff tell us that the nitrate problem is now meeting drinking water standards throughout our region. We'd like to have that today. But in history and I think our Chair has alluded to, and I kind of commented, you know, I—a lot of this—and I can speak to the Salinas Valley—a lot of this goes back 150 or 200 years of this type of information that's been, you know, nitrate contamination, goes back to dairies and agriculture and all of these different things, cattle, so forth. So, I can speak to the Salinas Valley is a very complex hydrology and geology area. It's not easy to understand. I've been involved in it for 30 years and I don't understand all of it because it constantly changes with new information and new reports that are being brought to us. I would like to say to everybody, we have to have some patience. We're moving in the right direction. I think we're probably—would like—we're frustrated because we'd like to see this information a lot faster. But I do want to thank Abby and coalition for the work—and all the ag people—for the work they're doing. And I wish it was 100 percent of the ag in the coalition; it would be a lot easier I think to understand the numbers. So with that Mr. Chair I'll stop. And I know it's getting close to or past the hour of lunch, but thank you for the opportunity to speak.

CHAIRMAN WOLFF: You're welcome. So I think you have a direction.

KEN HARRIS: Yes sir.

CHAIRMAN WOLFF: And it's memorialized there in your laptop, so--

KEN HARRIS: Yes. I know Michael's got notes. I'm sure Angie's got notes. I've got them here--

CHAIRMAN WOLFF: Very good.

KEN HARRIS: Legal counsel has notes. We're adequately covered I think.

CHAIRMAN WOLFF: So I'd like to close this item 13. We will take a one hour recess. We'll reconvene at 1:30. And we'll then cover the item 12 Watershed Management and Planning.

END at 2:26:20.



March 13, 2014

«FULLNAME»  
«CONAME»  
«ADDR1»  
«CITY», «ST» «ZIP10»

## Sampling Notification

### Sampling Location:

Ranch: «Smaller\_Ranch»

Well ID: «Owner\_Well\_ID»

Dear «FULLNAME»,

Analysis of water taken from the domestic water well («Owner\_Well\_ID») on «SampleDate» found a level of «Result» mg/L of nitrate (as NO<sub>3</sub>), an exceedance of the State's drinking water standard of 45 mg/L (as NO<sub>3</sub>).

This letter serves as the notification of this exceedance, which is required by the Central Coast Regional Water Quality Control Board (Central Coast Water Board) pursuant to the Conditional Waiver of Waste Discharge Requirements (Order No. R3-2012-0011) and its associated monitoring requirements. The notification requirements, which apply to both CCGC members and those conducting individual monitoring, were added to the Conditional Waiver of Waste Discharge Requirements by the State Water Resources Control Board on September 24, 2013.

**Within 10 days of receipt of this letter, you must notify all persons using the well as a source of drinking or cooking water about the nitrate levels exceeding the drinking water standard. These notification requirements also apply to any future tenants or users of the well.**

Attached are template letters you may use or modify when you communicate with your landlord (if applicable) and any persons using the well water for cooking or drinking. For electronic copies in English or Spanish, please contact Kara Stuart at 831-240-9533 or [karamstuart@gmail.com](mailto:karamstuart@gmail.com).

Additionally, CCGC is has been asked to obtain from members a confirmation of tenant notification. In order to fulfill the CCGC mission to represent our members to the Regional Board, we are enclosing a template letter for you to return to us confirming this notification. Failure to return this letter will result in follow-up with you by Regional Water Board staff as they are required to report this notification confirmation to the State Water Board. Our reporting of the confirmations will be in summary form.

According to the State Water Board's order, notification of those using the water for drinking or cooking must include the following minimum information (See enclosed document prepared by the Regional Water Board):

- Information identifying affected well;
- Level of nitrate as NO<sub>3</sub> in well;
- Potential health effects associated with consuming the water, including the following:
  - Nitrate: Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of

Post Office Box 828 | Salinas, California 93902 | [www.centralcoastgc.org](http://www.centralcoastgc.org)

breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.

- Nitrite: Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blueness of the skin.
- Direction to share the notice with all the other people who use the well water for drinking or cooking, especially those who may not have received the notice directly, by posting the notice in a public place or distributing copies by hand or mail;
- Information as to whether the nitrate level was derived by sampling or a statistical projection.

Please note that the information regarding the nitrate level referenced in this letter was derived from direct sampling by CCGC specialists.

Included in the enclosed document on nitrates in drinking water is contact information for the Central Coast Water Board and other public agencies. A list of resources and technologies available for mitigating nitrates in domestic drinking water systems can be found at [www.curesworks.org/nitrates](http://www.curesworks.org/nitrates).

Also enclosed in this packet is a letter for you to inform us of the actions you have taken in response to this exceedance. While there is no legal requirement to take action at this time, the Regional Board is asking CCGC to provide a list of members who have not reported to us any action to provide replacement drinking water, and they intend to contact you directly to retrieve this information. If you choose to share that information with us, we will provide it to the Regional Board, aggregated, anonymously, with information provided by other members, in an effort to help them understand that there is no drinking water concern with this well. We may also note this information anecdotally and anonymously in our materials. In order to ensure your protection, we need your response in writing.

With respect to potential legal issues associated with this information, we encourage you to consult with your legal counsel.

The well results may be included in the groundwater basin characterization being performed by CCGC, depending on well location and availability of well construction details. The aquifer characterization analysis will be published by CCGC in a final report in March 2015.

Thank you for your participation in the cooperative groundwater monitoring program. Please contact me at (831-240-9533) or Abby Taylor-Silva (831-422-8844) with any questions regarding this letter.

Sincerely,

Parry Klassen



Executive Director  
Central Coast Groundwater Coalition

## CCGC Notification Letter to Resident

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March 13, 2014

Dear \_\_\_\_\_,

### Sampling Notification

#### Sampling Location:

Ranch: «Smaller\_Ranch»

Well ID: «Owner\_Well\_ID»

Analysis of water taken from the domestic drinking water well («Owner\_Well\_ID») on «SampleDate» found a level of «Result» mg/L of nitrate (as NO<sub>3</sub>), an exceedance of the drinking water standard of 45 mg/L (as NO<sub>3</sub>). This letter serves as the notification of this exceedance.

Information regarding the nitrate level referenced in this letter was derived from direct sampling by specialists with the Central Coast Groundwater Coalition.

The following is information about nitrates in drinking water.

For *Nitrates* in Drinking Water: Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.

For *Nitrite* in Drinking Water: Infants below the age of six months who drink water containing nitrite in excess of the MCL may quickly become seriously ill and, if untreated, may die. Symptoms include shortness of breath and blueness of the skin.

Please share the notice with all the other people who drink the well water by posting the notice in a public place or distributing copies by hand or mail.

Enclosed is a document prepared by the Central Coast Water Board that provides additional information regarding nitrate and nitrite in drinking water, and includes contact information for the Central Coast Water Board and other public agencies.

Please contact your county Department of Environmental Health with any questions.

Sincerely,

## CCGC Notification Letter from Member to Landlord

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March 13, 2014

Dear \_\_\_\_\_,

### Sampling Notification

#### Sampling Location:

Ranch: «Smaller\_Ranch»

Well ID: «Owner\_Well\_ID»

As you know, the property listed above has been enrolled into the Central Coast Groundwater Coalition (CCGC) to fulfill the landowner/operator joint requirements for compliance with the Irrigated Lands Regulatory Program (Ag Waiver). A key component for staying in compliance is sampling all the domestic wells and the primary irrigation well on the ranch. CCGC recently performed monitoring of those wells and provided the information below.

Analysis of water taken from the well («Owner\_Well\_ID») on «SampleDate» found a level of «Result» mg/L of nitrate (as NO<sub>3</sub>), an exceedance of the State's drinking water standard of 45 mg/L (as NO<sub>3</sub>).

This letter serves as the notification of this exceedance to you as the landowner, which is required by the Central Coast Regional Water Quality Control Board (Central Coast Water Board) pursuant to the Conditional Waiver of Waste Discharge Requirements (Order No. R3-2012-0011) and its associated monitoring requirements. Under this order, landowners and operators are jointly responsible for all requirements. The notification requirements, which apply to both CCGC members and those conducting individual monitoring, were added to the Conditional Waiver of Waste Discharge Requirements by the State Water Resources Control Board on September 24, 2013.

**Within 10 days of receipt of this letter, you must notify all persons using the well as a source of drinking or cooking water about the nitrate levels exceeding the drinking water standard. These notification requirements also apply to any future tenants or users of the well.**

CCGC is has been asked to obtain confirmation of tenant notification in all cases of domestic well nitrate exceedances. The Regional Water Board is required to report this notification to the State Water Board. In order to fulfill the CCGC mission to represent its members to the Regional Board, CCGC has provided a template letter for members to return confirming this notification. If you, as the landowner, are responsible for tenants served by this well, you must sign to confirm proper notification has occurred. Failure to return this letter will result in follow-up with you by Regional Water Board staff as they are required to report this notification confirmation to the State Water Board. CCGC reporting of the confirmations will be in summary form.

According to the State Water Board's order, notification of those using the water must include the following minimum information (included in the attached letters):

- Information identifying affected well;
- Level of nitrate as NO<sub>3</sub> in well;
- Potential health effects associated with consuming the water, including the following:
  - Nitrate: Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen.



## CCGC Notification Letter from Member to Landlord

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Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.

- Nitrite: Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin.
- Direction to share the notice with all the other people who use the well water for drinking or cooking, especially those who may not have received the notice directly, by posting the notice in a public place or distributing copies by hand or mail;
- Information as to whether the nitrate level was derived by sampling or a statistical projection.

Information regarding the nitrate level referenced in this letter was derived from direct sampling by CCGC specialists.

Enclosed is document prepared by the Central Coast Water Board that provides information regarding nitrate in drinking water. Included is contact information for the Central Coast Water Board and other public agencies. Additionally, a list of resources and technologies available for mitigating nitrates in domestic drinking water systems can be found at [www.curesworks.org/nitrates](http://www.curesworks.org/nitrates).

The monitoring results may be included in the groundwater basin characterization being performed by CCGC, depending on well location and availability of well construction details. The aquifer characterization analysis will be published by CCGC in a final report in March 2015.

With respect to potential legal issues associated with this information, we encourage you to consult with your legal counsel.

Please contact Parry Klassen (831-240-9533) or Abby Taylor-Silva (831-422-8844) at CCGC with any questions regarding this letter.

Sincerely,

**USER NOTIFICATION LETTER – PLEASE RETURN TO CCGC**

«FULLNAME»  
«CONAME»  
«ADDR1»  
«CITY», «ST» «ZIP10»



Dear «FULLNAME»,

For your protection, we are requesting that you provide us signed verification that all users of the water have been notified that the well exceeds the drinking water standard. If you are not the person responsible for notifying the users of this well, please make a copy of this letter, fill out the name of the responsible person, and check and sign the box at "Answer 1". Send a copy of this letter to the appropriate person (i.e. landowner) to sign. Failure to return this letter, signed by the person responsible for notifying users of the above mentioned well, will result in disclosure of your contact information to the Regional Water Board staff.

**Please sign and return this letter within 20 days of receiving CCGC’s notice of nitrate exceedance of.**

**Answer 1:**

I certify that I am not legally responsible for this well. I have shared a copy of this notice with the person noted below.

Name \_\_\_\_\_

Signature \_\_\_\_\_

**Answer 2:**

**I declare that all who use domestic well «Owner\_Well\_ID» for drinking or cooking have been properly notified according to the requirements outlined in the nitrate exceedance letter and within 10 days of receiving the notice. If this well is NOT used for drinking or cooking, please sign below and check the box at the bottom of the form.**

CCGC ID: «IDNo»

Well ID: «Owner\_Well\_ID»

Person Responsible for Notification (Print Name): \_\_\_\_\_

Relation to CCGC (CCGC Member, Landowner, etc.): \_\_\_\_\_

Manner of Notification (CCGC template letter, etc.) \_\_\_\_\_

Date Notification Occurred \_\_\_\_\_

Signature: \_\_\_\_\_

I certify that this well has no users and is NOT used for drinking or cooking.

## REPLACEMENT WATER FORM – PLEASE RETURN TO CCGC



Please return the attached form within 20 days of receiving CCGC's notice of nitrate exceedance of «Owner\_Well\_ID».

*I assure CCGC that I have taken the action described below for «Owner\_Well\_ID» as a result of receiving the enclosed notice of nitrate exceedance.*

Please indicate below the action taken for «Owner\_Well\_ID».

CCGC ID: «IDNo»

Well ID: «Owner\_Well\_ID»

Responsible person for supplying replacement (Print Name): \_\_\_\_\_

Relation (CCGC Member, Landowner, etc.): \_\_\_\_\_

- Bottled Water Supplied
- Reverse Osmosis System Installed
- Ion Exchange System Installed
- Well not used for drinking or cooking
- Other: \_\_\_\_\_

Date Replacement Supplied: \_\_\_\_\_

Signature: \_\_\_\_\_

# CCGC Exceedance Report – Coalition Monitoring

Table 1. List of nitrate results from wells monitored April 29-May 1, 2014 for Coalition monitoring (Pajaro Valley). Sorted by FieldPointName. Two wells sampled were originally designated as domestic prior to sampling, however, appeared to be irrigation wells. Members are being contacted for confirmation of the well type. Notifications will be updated if they are confirmed to be Domestic.

| GlobalID      | Field Point Name | Field Point Class | Sample Date | Analyte        | Result (mg/L) | NO3_WQO             | Notification Date | Notification Confirmation Date* |
|---------------|------------------|-------------------|-------------|----------------|---------------|---------------------|-------------------|---------------------------------|
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 100           | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 60            | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 5             | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 85            | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 200           | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 5             | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 40            | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 10            | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | <1            | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | <1            | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 76            | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | AGIR              | 1/Jan/2014  | Nitrate as NO3 | 40            | Exceeds 80 Pct WQO  | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 2             | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 75            | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 2             | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 210           | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 160           | Exceeds WQO         | 2/1/2014          | 2/2/2014                        |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 15            | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | AGIR              | 1/Jan/2014  | Nitrate as NO3 | 100           | Exceeds WQO         | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 1             | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 5             | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | 3             | Does not exceed WQO | 2/1/2014          |                                 |
| AGC1000000001 | CCGC_0000        | PRIW              | 1/Jan/2014  | Nitrate as NO3 | <1            | Does not exceed WQO | 2/1/2014          |                                 |

\*Confirmation tracked for domestic wells with nitrate concentrations greater than 45 mg/L..

CCGC Exceedance Report - Submitted July 2, 2014  
Coalition Monitoring Pajaro Valley Sample Dates: April 29-May 1, 2014

## CCGC Follow-up Report – Replacement Water Information

Table 1. Summary of responses regarding treatment or alternative drinking water supplies for wells affected by drinking water exceedances of the nitrate water quality objective. Counts are the number of wells associated with a response. Dates in the column headers are the dates that wells were sampled.

| Follow Up Response                         | 10/21/13 - 10/25/13 * | 11/19/13 - 11/22/13 | 12/02/13 - 12/11/13 | 12/16/13 - 12/18/13 | 01/06/14 - 01/10/14 | 01/20/14 - 01/24/14 | 01/28/14 - 01/31/14 | 02/18/14 - 02/20/14 | 03/10/14 - 03/14/14 | 03/19/14 - 03/28/14 | Total Well Count |
|--|-----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|------------------|
| <b>BW</b>                                  | 16                    | 1                   | 2                   | 3                   | 1                   | 4                   | 3                   | 1                   | 20                  | 15                  | 51               |
| <b>Filter</b>                              | 3                     |                     |                     |                     |                     | 1                   |                     |                     |                     |                     | 4                |
| <b>Not Used</b>                            | 6                     |                     |                     |                     |                     | 1                   |                     | 5                   | 6                   | 6                   | 18               |
| <b>RO Unit</b>                             | 8                     | 3                   | 3                   | 6                   | 2                   | 8                   |                     | 2                   | 6                   | 11                  | 38               |
| <b>BW/RO Unit</b>                          |                       |                     |                     |                     | 2                   |                     |                     |                     |                     |                     | 2                |
| <b>BW/Ion Exchange</b>                     |                       |                     |                     |                     | 1                   |                     |                     |                     |                     |                     | 1                |
| <b>BW/Filter</b>                           |                       |                     |                     |                     | 1                   |                     |                     |                     |                     |                     | 1                |
| <b>Replacement Water Refused by User</b>   |                       |                     |                     |                     |                     |                     |                     |                     |                     | 3                   |                  |
| <b>Total Responses</b>                     | <b>33</b>             | <b>4</b>            | <b>5</b>            | <b>9</b>            | <b>7</b>            | <b>14</b>           | <b>3</b>            | <b>8</b>            | <b>32</b>           | <b>35</b>           | <b>150</b>       |
| <b>Total Exceedances</b>                   | <b>33</b>             | <b>4</b>            | <b>5</b>            | <b>9</b>            | <b>7</b>            | <b>14</b>           | <b>3</b>            | <b>8</b>            | <b>35</b>           | <b>38</b>           | <b>156</b>       |
| <b>Percent Response</b>                    | <b>100%</b>           | <b>100%</b>         | <b>100%</b>         | <b>100%</b>         | <b>100%</b>         | <b>100%</b>         | <b>100%</b>         | <b>100%</b>         | <b>91%</b>          | <b>92%</b>          | <b>96%</b>       |
| <b>Monitoring Type</b>                     | Coalition             | Individual          | Individual          | Individual          | Individual          | Individual          | Individual          | Coalition           | Coalition           | Coalition           | All              |
| <b>Date Reported to Regional Board</b>     | 1/31/14               | 3/12/14             | 3/12/14             | 4/08/14             | 4/08/14             | 4/28/14             | 4/28/14             | 5/22/14             | 6/17/14             | 7/17/14             | 7/17/14          |
| BW – Bottled Water<br>RO – Reverse Osmosis |                       |                     |                     |                     |                     |                     |                     |                     |                     |                     |                  |

\* Additional correspondence has occurred between the CCGC and members with exceedances of nitrate in samples collected in October. The CCGC has done additional follow up with these members based on changes to the follow up questions and to verify/clarify some of the original responses. Some of the responses have been updated based on these recent communications (initiated on March 13, 2014).

CCGC Follow Up Actions of Members for Drinking Water Wells with Nitrate Exceedances  
 July 17, 2014

# CCGC Proposed Follow-up Report – Replacement Water Information

Table 1. List of nitrate results from wells monitored [DATE], 2014 for Coalition monitoring ([VALLEY]).

| Field Point Name | Field Point Class | Sample Date | Nitrate as NO3 Result (mg/l) | NO3_WQO             | Notification Date | Notification Confirmation Date* | Replacement Water Action | Date Initiated | Date Reported | User Notification Date | Manner of Notification |
|------------------|-------------------|-------------|------------------------------|---------------------|-------------------|---------------------------------|--------------------------|----------------|---------------|------------------------|------------------------|
| CCGC_0000        | PRIW              | 12/Mar/2014 | 25                           | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 14/Mar/2014 | 6                            | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 14/Mar/2014 | 14                           | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 11/Mar/2014 | Non-Detect                   | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 11/Mar/2014 | 4                            | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | Non-Detect                   | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | 35                           | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | 6                            | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 56                           | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | Non-Detect                   | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 13                           | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 10/Mar/2014 | 26                           | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 59                           | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 102                          | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 286                          | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 89                           | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 153                          | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | 40                           | Exceeds 80 Pct WQO  | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 11/Mar/2014 | 65                           | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 11/Mar/2014 | Non-Detect                   | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 11/Mar/2014 | 179                          | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 11/Mar/2014 | 154                          | Exceeds WQO         | 5/2/2014          | 5/5/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 11/Mar/2014 | Non-Detect                   | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 12/Mar/2014 | Non-Detect                   | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | 32                           | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | 96                           | Exceeds WQO         | 5/2/2014          | 5/3/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | 124                          | Exceeds WQO         | 5/2/2014          | 5/3/2014                        |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | 19                           | Does not exceed WQO | 5/2/2014          |                                 |                          |                |               |                        |                        |
| CCGC_0000        | PRIW              | 13/Mar/2014 | 145                          | Exceeds WQO         | 5/2/2014          | 5/3/2014                        |                          |                |               |                        |                        |

CCGC Exceedance Report Replacement Water Follow Up- Submitted [DATE], 2014

Coalition Monitoring [Valley] Sample Dates: [DATE], 2014