

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

**STAFF REPORT FOR REGULAR MEETING OF August 21, 2025**

Prepared on July 29, 2025

**ITEM NUMBER:** 8

**SUBJECT:** Public Workshop on the Development of an Alternative Water Supply Program for Residents Relying on Groundwater that Exceeds the Maximum Contaminant Level for Nitrate as a Result of Agricultural Operations

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**Location:** Region-Wide

**ACTION:** Information, Discussion, and Request for Public Input

**SUMMARY**

The Central Coast Regional Water Quality Control Board (Central Coast Water Board) is developing an Alternative Water Supply (AWS) Program that will provide both interim/short-term drinking water supplies and long-term drinking water solutions to residents relying on groundwater where the maximum contaminant level (MCL) for nitrate is exceeded as a result of agricultural operations. The Central Coast Water Board is hosting a public workshop at a regularly scheduled Board Meeting to provide members of the public with an opportunity to provide input on the development of the AWS Program. Although a quorum of Central Coast Water Board members is expected to attend this workshop, no Board action will be taken.

**DISCUSSION**

**Background**

The Central Coast Water Board is a state regulatory agency with the responsibility for protecting the quality of the waters of the state within its area of jurisdiction. The Central Coast Water Board regulates discharges of waste from commercial irrigated lands to surface water and groundwater via Central Coast Water Board Order R3-2021-0040 *General Waste Discharge Requirements for Discharges from Irrigated Lands*<sup>1</sup> (Ag

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<sup>1</sup> Order No. R3-2021-0040 - General Waste Discharge Requirements for Discharges from Irrigated Lands: [https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ilp/docs/ag\\_order4/2021/ao4\\_order.pdf](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/docs/ag_order4/2021/ao4_order.pdf)

Order). State Water Board Order WQ 2023-0081<sup>2</sup> (Remand Order) remanded certain portions of the Ag Order and directed the Central Coast Water Board to, in part, “...incorporate a requirement or reach an agreement in which dischargers or their third-party representatives provide short-term and long-term alternative water supplies for residents relying on groundwater in areas where the maximum contaminant level (MCL) for nitrate is exceeded as a result of agricultural operations” (Remand Order, p. 24-25).

In response, Central Coast Water Board staff initiated preliminary discussions with agricultural representatives,<sup>3</sup> environmental justice representatives,<sup>4</sup> State Water Board staff, and others with experience in developing and implementing AWS programs. Subsequently, staff developed the following documents, currently available for public comment:

- *Assessment of Interim Drinking Water Needs and Costs in Central Coast Areas Affected by Agricultural Nitrate Groundwater Contamination* (Interim Need and Cost Assessment) – see Attachment 1 to this staff report.
- *Conceptual Structure for the Alternative Water Supply Program: Request for Public Input* (AWS Concepts) – see Attachment 2 to this staff report.

#### Interim Need and Cost Assessment

The Interim Need and Cost Assessment document includes a preliminary estimate of (1) the need (i.e., the number of public water systems, state small water systems, and domestic wells that exceed the MCL for nitrate as a result of agricultural operations to groundwater), and (2) the cost of providing interim/short-term alternative water supplies that address the need. This assessment used the data and methodology from the State Water Board’s *2024 California Drinking Water Needs Assessment*<sup>5</sup> and applied it based on the direction provided in the Remand Order. Key findings from this assessment include the following:

- Impacted supply wells: An estimated 17 public water systems, 117 state small water systems, and 3,005 domestic wells.
- Impacted individuals: Approximately 14,039 individuals, including 2,178 in disadvantaged or severely disadvantaged communities.
- Annual costs for interim/short-term supplies: Approximately \$6.4–\$7.2 million.

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<sup>2</sup> Order WQ 2023-0081:

[https://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/docs/2023/wqo2023-0081.pdf](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/docs/2023/wqo2023-0081.pdf)

<sup>3</sup> Agricultural representatives: staff from Central Coast Water Quality Preservation, Inc. and the Ag Partners (staff from California Farm Bureau, Grower-Shipper Association, Kahn, Soares & Conway, Monterey County Farm Bureau, Western Grower’s Association, and Western Plant Health Association).

<sup>4</sup> Environmental Justice representatives: staff from Community Water Center, California Rural Legal Assistance, Environmental Law Foundation, California Coastkeeper Alliance, Santa Barbara Channelkeeper, Monterey Waterkeeper, and community members from San Jerardo.

<sup>5</sup> 2024 California Drinking Water Needs Assessment:

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/documents/needs/2024/2024-needs-assessment.pdf](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/documents/needs/2024/2024-needs-assessment.pdf)

Central Coast Water Board staff will develop and release a subsequent report with cost estimates for developing and implementing long-term solutions for water systems and domestic wells that exceed the MCL for nitrate as a result of agricultural operations to groundwater.

### AWS Concepts

The AWS Concepts document presents a conceptual structure for an AWS Program in accordance with the Remand Order. Preliminary staff recommendations include a conceptual structure for incorporating AWS Program requirements into a revised version of the Ag Order, along with an implementation agreement. To provide time to comply with groundwater quality objectives,<sup>6</sup> preliminary staff recommendations describe two potential Ag Order compliance pathways: one pathway that establishes a longer compliance schedule for dischargers that participate in an AWS Program and a second pathway for non-participating dischargers with a shorter time schedule and increased individual monitoring and reporting requirements. Additional preliminary recommendations and options included in the AWS Concepts document are related to resident and water system eligibility under the program, criteria for grower participation, types of short-term supplies and long-term solutions, and how the program may be administered.

The Interim Need and Cost Assessment and AWS Concepts documents were prepared in advance and in support of this public workshop to discuss development of the AWS Program and are intended to serve as a starting place for broad public engagement. Central Coast Water Board staff will provide presentations at the workshop to summarize the initial findings and staff's preliminary recommendations that are summarized in these two documents.

### **Public Process**

The purpose of the workshop and supporting documents are to solicit public feedback and initiate dialogue to inform future development and implementation of the AWS Program.

Initial Outreach: Prior to this workshop and public comment period, staff conducted initial outreach and engagement with many interested parties to inform the preliminary recommendations and estimated needs and costs information that is currently available for public comment.

Current Public Comment Period and Workshop: A 45-day public comment period was initiated on July 23, 2025. The August 21, 2025 workshop is an opportunity to hear

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<sup>6</sup> In the Remand Order, the State Water Board invalidated the use of nitrogen applied minus nitrogen removed (i.e., A-R) as an enforceable nitrogen discharge metric and therefore, invalidated the associated time schedule in the Ag Order. Without a valid time schedule, all dischargers must comply immediately with groundwater quality objectives. A revised Ag Order would establish a time schedule for dischargers to comply (i.e., no longer causing or contributing to exceedances of the nitrate water quality objective in groundwater).

comments from any interested party. In addition, the Central Coast Water Board invited representatives of both environmental justice communities and of the agricultural industry to provide a brief presentation summarizing their comments on and recommendations for the AWS Program, for Central Coast Water Board consideration. Input received during the August 2025 workshop and through written comments will guide the Central Coast Water Board staff in preparing a draft revised Ag Order and working with dischargers and their representatives to develop the AWS Program.

Early Public Comments: All written comments will be posted on the AWS Program website.<sup>7</sup> The Central Coast Water Board has already received and posted written comments from the following entities:

- Environmental Justice Representatives
- Agricultural Partners

Future Public Engagement Opportunities: Future opportunities for public input will occur over the coming year, in the form of documents available for review and comment and at least one additional public workshop and either another public workshop or formal Board adoption hearing. Each subsequent public meeting will be accompanied by more detailed draft regulatory language and implementation materials for public review and comment.

### **Human Right to Water**

California Water Code section 106.3, subdivision (a) states that it is the policy of the State of California “that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitation purposes.” On January 26, 2017, the Central Coast Water Board adopted Resolution R3-2017-0004, which affirms the realization of the human right to water and the protection of human health as the Central Coast Water Board's top priorities.

Central Coast Water Board staff's preliminary recommendations for the AWS Program are consistent with Resolution R3-2017-0004 by developing a program to provide alternative water supplies to residents whose drinking water exceeds the MCL for nitrate as a result of agricultural operations. The AWS Program is intended to operate alongside—and not in place of—ongoing efforts to reduce nitrate discharges to groundwater and provide alternative water supplies to residents. Together, these efforts comprise a comprehensive strategy to protect beneficial uses and uphold the state's

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<sup>7</sup> Alternative Water Supply Program webpage:  
[https://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/ilp/alternative-water.html](https://www.waterboards.ca.gov/centralcoast/water_issues/programs/ilp/alternative-water.html)

Human Right to Water law<sup>8</sup> and the Central Coast Water Board's Human Right to Water Resolution.<sup>9</sup>

### Environmental Justice

Environmental Justice principles call for the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in the development, adoption, implementation, and enforcement of all environmental laws, regulations, and policies that affect every community's natural resources and the places people live, work, play, and learn. The Central Coast Water Board implements regulatory activities and water quality projects in a manner that ensures the fair treatment of all people, including Underrepresented Communities.<sup>10</sup> Furthermore, the Central Coast Water Board is committed to providing all stakeholders the opportunity to participate in the public process and provide meaningful input to decisions that affect their communities.

To help inform engagement efforts and ensure the development of an equitable and inclusive AWS Program, Central Coast Water Board staff characterized the demographics of impacted residents (i.e., residents relying on groundwater impacted by nitrate from agricultural activities) that may benefit from the AWS Program. Given the following demographics of the impacted population, the AWS Program is expected to benefit Underrepresented Communities and is consistent with Environmental Justice principles.

- An estimated 49%-61% of impacted residents are of Hispanic, Latino, or Spanish origin and 10-15% of impacted households are estimated to be Spanish-speaking.

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<sup>8</sup> California Water Code, section 103.6:

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=WAT&sectionNum=106.3](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WAT&sectionNum=106.3)

<sup>9</sup> Central Coast Water Board Resolution R3-2017-0004:

[https://www.waterboards.ca.gov/centralcoast/board\\_decisions/adopted\\_orders/2017/2017-0004\\_hrtw\\_fnl.pdf](https://www.waterboards.ca.gov/centralcoast/board_decisions/adopted_orders/2017/2017-0004_hrtw_fnl.pdf)

<sup>10</sup> Disadvantaged Community: a community with an annual median household income that is less than 80% of the statewide annual median household income (Public Resources Code section 80002(e)); Severely Disadvantaged Community: a community with a median household income of less than 60% of the statewide average. (Public Resources Code section 80002(n)); Economically Distressed Area: a municipality with a population of 20,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger municipality where the segment of the population is 20,000 persons or less with an annual median household income that is less than 85% of the statewide median household income and with one or more of the following conditions as determined by the department: (1) financial hardship, (2) unemployment rate at least 2% higher than the statewide average, or (3) low population density. (Water Code section 79702(k)); Tribes: federally recognized Indian Tribes and California State Indian Tribes listed on the Native American Heritage Commission's California Tribal Consultation List; EnvDACs: CalEPA designates the top 25 percent scoring census tracts as DACs. Census tracts that score the highest five percent of pollution burden scores but do not have an overall CalEnviroScreen score because of unreliable socioeconomic or health data are also designated as DACs (refer to the CalEnviroScreen 3.0 Mapping Tool or Results Excel Sheet); Fringe Community: communities that do not meet the established DAC, SDAC, and EDA definitions but can show that they score in the top 25 percent of either the Pollution Burden or Population Characteristics score using the CalEnviroScreen 3.0.

- Approximately 16% of impacted residents are living in disadvantaged or severely disadvantaged communities.
- Most of the impacted DAC/SDAC population are served by public water systems (1,200 people), followed by domestic wells (approximately 650 people), then state small water systems (approximately 350 people).

Because the AWS Program will also impact dischargers enrolled in the Irrigated Lands Program (growers), the demographics of this population were also estimated to help ensure equitable outreach, engagement, and AWS Program development. Data from the United States Department of Agriculture's 2022 Census of Agriculture<sup>11</sup> indicates the following demographic characteristics for growers in the Central Coast region:

- Approximately 83% are white, 12% are Hispanic, Latino, or Spanish origin, and 3% are Asian.
- On average, the grower population is approximately 60 years old and 62% are men.

Given the demographics of the impacted population and of growers in the Central Coast region, and to support inclusive public outreach and engagement, executive summaries of supporting documents for the AWS workshop were translated to Spanish and provided to interested parties 30-days in advance of the workshop (see Attachments 1a and 2a). Workshop presentation materials are also translated to Spanish and Spanish interpretation will be provided at the workshop.

To better understand priorities and recommendations of impacted residents and communities that may benefit from AWS Program services, Central Coast Water Board staff conducted preliminary engagement with environmental justice representatives.

## **Climate Change**

The Central Coast faces the threat and the effects of climate change for the foreseeable and distant future. To proactively prepare and respond, the Central Coast Water Board has launched the Central Coast Water Board's Climate Action Initiative, which identifies how the Central Coast Water Board's work relates to climate change and prioritizes actions that improve water supply resiliency through water conservation and wastewater reuse and recycling; mitigate for and adapt to sea level rise and increased flooding; improve energy efficiency; and reduce greenhouse gas production. The Climate Action Initiative is consistent with the Governor's Executive Order B-30-15 and the State Water Board's Climate Change Resolution No. 2017-0012.

The AWS Program supports drinking water supply reliability and resiliency and is consistent with the Central Coast Water Board's Climate Action Initiative.

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<sup>11</sup> United States Department of Agriculture's 2022 Census of Agriculture:  
[https://www.nass.usda.gov/Publications/AgCensus/2022/Full\\_Report/Volume\\_1,\\_Chapter\\_1\\_US/usv1.pdf](https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1,_Chapter_1_US/usv1.pdf)

## CONCLUSION

The Central Coast Water Board will continue to solicit public input as the AWS Program is further developed, including through one or more additional public comment periods and associated workshops as well as at a Central Coast Water Board hearing to consider the adoption of a revised draft Ag Order. Each subsequent public meeting will be accompanied by more detailed draft regulatory language and implementation materials for public review and comment.

Interested parties are encouraged to participate in the August 21, 2025, public workshop and to submit written comments on the two documents referenced above and early written comments received and posted on the AWS Project website. Input received during the August 2025 workshop and through written comments will guide the Central Coast Water Board and their staff in drafting a revised Ag Order and working with dischargers and their representatives to develop the AWS Program.

While this workshop focuses on the AWS Program, it is grounded in the Central Coast Water Board's overarching commitment to reducing nitrogen discharges to groundwater and restoring the beneficial uses of impacted groundwater. These goals are central to the requirements in the Ag Order and remain consistent with applicable statewide policies and directives.

Please see the project website for more information and to subscribe to the *Alternative Water Supply Program* email subscription list.

## ATTACHMENTS

1. Assessment of Interim Drinking Water Needs and Costs in Central Coast Areas Affected by Agricultural Nitrate Groundwater Contamination
  - 1a. Spanish Translation of the Executive Summary - Assessment of Interim Drinking Water Needs and Costs in Central Coast Areas Affected by Agricultural Nitrate Groundwater Contamination
2. Conceptual Structure for the Alternative Water Supply Program: Request for Public Input
  - 2a. Spanish Translation of the Executive Summary – Conceptual Structure for the Alternative Water Supply Program