

Central Coast Regional Water Quality Control Board

MEETING MINUTES

Central Coast Regional Water Board REGULAR MEETING

Thursday, November 13, 2014, 8:30 a.m. - 5:00 p.m.
Friday, November 14, 2014, 9:00 a.m. - 5:00 p.m.

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

Chair Dr. Jean-Pierre Wolff called the meeting to order on November 13, 2014, at 8:30 a.m.

Board Business

1. Roll Call

Tammie Olson, Clerk to the Board

Water Board Members Present:

Jean-Pierre Wolff, Chair, Monica Hunter, Vice Chair, Russell Jeffries, Jeff Young, and Michael Jordan.

Members arriving after roll call:

Michael Johnston and Bruce Delgado

2. Introductions, Staff Recognition, and Awards:

Executive Officer Ken Harris introduced Tammie Olson, Clerk of the Board; Michael Thomas, Assistant Executive Officer; and Lori Okun and Tamarin Austin, board counsel.

Lisa McCann, Environmental Program Manager of the Watershed Planning and Protection section, introduced Jennifer Epp, supervisor of the Total Maximum Daily Load/Watershed Assessment unit. She is a registered professional engineer; she has a BS in engineering from Cal State Fresno and a MS from UC Berkeley.

Lisa also introduced a new staff engineer in the storm water program, Lucas Sharkey. Lucas is a professional engineer and recently worked at the Division of Water Rights at the State Water Board.

Mr. Harris said that Lucas is the first of five new staff to joining the Central Coast Water Board by mid-December

3. Approval of September 25-26, 2014 Meeting Minutes

Motion: Water Board Member Hunter moved to approve the minutes of September 25-26, 2014

Abstain: Water Board Member Jeff Young

Carried: (4-0) Unanimous (Mr. Johnston and Mr. Delgado were not present at the time of the vote.

4. Report by Regional Water Board Members: Staff Counsel Lori Okun asked that any disclosures relating to current board agenda items be held until that item is announced.

- **Water Board Member Jeffrey Young:** Mr. Young met Wednesday with Perry Klassen (agenda item), Kara Stuart, and Randy Share regarding the Central Coast Groundwater Coalition notification changes. He also attended a Water Loss symposium in San Francisco last week with other attorneys to receive continuing education units; one of the topics was an overview of California water law.
- **Water Board Chair Jean-Pierre Wolff:** Dr. Wolff participated in the Water Quality Coordinating Committee in Sacramento October 2nd and 3rd. On October 9, 2014, he attended with Mr. Harris the Morro Bay/Cayucos meeting pertaining to potential regionalization of the water treatment plant at the California Men's Colony. On October 20th Dr. Wolff, Mr. Harris, Ms. McCann, and Mr. Packard attended a closed door meeting with the Los Osos ISJ agencies. There will be a report released in a week or so.

Board Chair Wolff attended a Cal Poly strategic meeting based on Climate Change, Water, and Sustainability on October 23. On October 30 he attended a meeting with Mr. Harris and San Luis Obispo County Supervisor Bruce Gibson to discuss the new Morro Bay wastewater treatment plant. Last night he attended with Mr. Harris the Morro Bay City Council meeting regarding location alternatives for the wastewater treatment plant.

- **Water Board Vice Chair Monica Hunter:** She is holding her comments on Item 15 until later. On October 7th she attended the UN consultation on environmental issues relating to human rights with Angela Schroeter at UC Berkeley School of Law. She also gave a brief report on the committee for Environmental Justice for Safe Drinking Water.
- **Water Board Member Michael Johnston:** On October 1st he participated in a tour that went to a rain garden in the city of Elk Grove. On October 2 and 3 he attended the Water Quality Coordinating Committee in Sacramento focusing on groundwater and the drought. On October 14, he, Board Member Bruce Delgado, and Water Board staff attended a demonstration sponsored by CURES (Coalition for Urban Rural Environmental Stewardship) hosted by Perry Klassen. On November 3, he met with Perry Klassen, John Eiskamp (J.E. Farms, Inc., Watsonville), Abby Taylor-Silva, and Kara Stewart from the Central Coast Groundwater Coalition to discuss progress of discussion with staff regarding drinking water well exceedances.
- **Water Board Member Michael Jordan:** Mr. Jordan has attended over the past 60 days a few community meetings of the Montecito Water District concerning its plans to build a desalination plant by the end of 2016. He met with Hillary Hauser of Heal the Ocean two times to discuss her concerns over the Santa Barbara Local Agency Management Program. He then spoke with Board Chair Wolff and Executive Officer Harris. As a result of these conversations that item was pulled Monday afternoon, November 3, from the next day's Board of Supervisors meeting in Santa Barbara. On Wednesday he came to

the Water Board and spent a few hours getting a better understanding of the GeoTracker database and its capabilities.

- Water Board Member Bruce Delgado: He enjoyed the October 14 tour with Mike Johnston at a Salinas area agricultural field. He has been working in the Monterey area with the desalination project proposal from California American Water. Yesterday the California Coastal Commission voted unanimously to overturn the city of Marina's denial of CalAm's request to drill slant wells.

Dr. Wolff announced that public comment will not start until 1:30. He asked parties who wished to speak to complete testimony cards and turn them in.

5. Report by State Water Resources Control Board Liaison

Steve Moore gave an overview of several recent State Water Board actions, focusing on drought-related activities.

6. Drought Conditions Update by Regional Liaison to Water Rights Division
[Lisa McCann, 805/549-3132, Lisa.McCann@waterboards.ca.gov]

Lisa McCann, Environmental Program Manager of the Watershed Planning and Protection section, gave a summary of drought related activities in the Central Coast Region.

Speakers:

- Mary Webb, Vice President, Green Space
- Julie Tacker, Los Osos
- Jeff Edwards, Los Osos

7. Intentionally left blank

8. Uncontested Items

9. New Waste Discharge Requirements for Mission Springs Christian Camp and Conference Center, Scotts Valley, Santa Cruz County
[Cecile DeMartini 805/542-4782, Cecile.DeMartini@waterboards.ca.gov]

10. Termination of Waste Discharge Requirements for Morro Bay Power Plant, Morro Bay, San Luis Obispo
[Peter Von Langen 805/549-3688, Peter.vonlangen@waterboards.ca.gov]

11. Revision of Waste Discharge Requirements for California Army National Guard - Camp Roberts Training Facility, San Luis Obispo and Monterey Counties
[Tom Kukol 805/549-3689, Tom.Kukol@waterboards.ca.gov]

Motion: Water Board Member Jeffries moved to approve 9, 10, and 11

Second: Water Board Member Delgado

Carried: (7-0) Approved unanimously

Watershed Management and Planning

12. Water Quality Control Plan (Basin Plan) Triennial Review
[Steve Saiz 805/549-3879, steve.saiz@waterboards.ca.gov]

Executive Officer Ken Harris gave a brief introduction to the item. Central Coast Water Board Environmental Scientist Steve Saiz gave a PowerPoint presentation of the 2014 Triennial Review of the Basin Plan and the recommended Priority List of issues to be evaluated in the future as Basin Plan amendments. Mr. Saiz provided a brief overview of the Basin Plan, the statutory requirements for conducting the Triennial Review, and the evaluation methodology used during the 2014 Triennial Review. Mr. Saiz described the public outreach and review process, the public workshop, and summarized the 11 public comment letters received during the comment period.

Two speakers presented public comments on this item, addressing topics such as the scope of the Central Coast Water Board's regulatory authority and the expansion of desalination in California. Board members provided recommendations to staff regarding information that should be included in future Basin Plan Triennial Reviews. Board members also focused on stakeholder involvement for future Basin Plan amendments and requested updates on Basin Plan amendments that might be controversial.

Speakers:

- Claire Wineman, President, Growers and Shippers Association
- Mary Webb, Vice President, Green space, Cambria Land Trust

Motion: Water Board Member Jordan moved to approve Resolution No. R3-2014-0054 as recommended by staff.

Second: Water Board Member Russell Jeffries

Carried: Approved unanimously (7-0)

13. Morro Bay National Estuary Program 1997 Consent Decree Implementation Fund
[Jennifer Epp, 805/594-6181, jepp@waterboards.ca.gov]

Morro Bay National Estuary Program staff presented a summary of the activities performed to date using Consent Decree funds and presented a proposed spending plan for the remaining Consent Decree funds. United States Environmental Protection Agency staff and Bay Foundation staff spoke to provide their support of the proposed spending plan. After discussion, the Central Coast Water Board indicated their support of the Proposed Spend Plan.

Presenters:

- Adrienne Harris, Executive Director, Morro Bay Estuary Program
- Suzanne Marr, Environmental Protection Agency Specialist, Pacific Southwest Region 9.
- Gary Ruggerone, President, Bay Foundation

Public Forum

14. There was no request to speak at the Public forum.

Discussion/Informational Items

15. Irrigated Lands Regulatory Program: Water Board Review of Central Coast Groundwater Coalition's Drinking Water Notification Process
[Angela Schroeter 805/542-4644; (Angela.Schroeter@waterboards.ca.gov), and John Robertson 805/542-4630, John.Robertson@waterboards.ca.gov]

Water Board staff John Robertson and Angela Schroeter introduced Item 15 and made a presentation to the Board regarding the Central Coast Groundwater Coalition's (CCGC's) drinking water notification process and also California Rural Legal Assistance's (CRLA) related request for discretionary review of the notification process. CCGC representative Parry Klassen also made a presentation to the Board regarding CCGC's drinking water notification process. Board members concurred with staff's recommendation for the Executive Officer to approve the CCGC proposal and amend the workplan to require the CCGC to submit supplemental information to the Water Board, including a relational key which identifies the ranch-specific Global ID and the associated Field Point Name (CCGC well identification) for all groundwater wells sampled in compliance with Agricultural Order. In addition, Board members also concurred with staff's recommendation to maintain the existing CCGC work plan approval conditions, including the requirement to submit drinking water notification letters upon request. Staff concluded that the information provided by CCGC enables the Water Board to verify drinking water notifications and that the CCGC drinking water notification process does provide written confirmation that well users have been properly notified that the domestic well does not meet safe drinking water standards.

Related to CRLA's request for discretionary review, staff also presented a comparison of the drinking water notification process for growers who comply with individual groundwater monitoring requirements to the notification process for CCGC members who comply with the cooperative groundwater monitoring requirements. Staff concluded that, with the required supplemental information, CCGC's drinking water notification process is functionally equivalent to the Water Board's drinking water notification process for individual growers. The Board's discussion of this item and concurrence with staff's recommendation not to modify the existing approved CCGC workplan conditions regarding CCGC submission of the drinking water notification letters fulfilled the Regional Board's review of Part 1 of CLRA's request for discretionary review of the CCGC groundwater monitoring program and the Executive Officer's approval letter as it relates to the drinking water notification process.

Staff will address Part 2 of the CRLA request for discretionary review of the CCGC groundwater monitoring program—which is regarding the manner in which the groundwater testing results of CCGC will be disclosed to the public—in early 2015.

Presentation:

- John Robertson and Angela Schroeter, Water Board staff
- Parry Klassen, Central Coast Groundwater Coalition

Speakers:

- Parry Klassen, Central Coast Groundwater Coalition
- Abby Taylor-Silva, Grower-Shipper Assoc. of Central California
- Claire Wineman, Grower-Shipper Assoc. of Santa Barbara and SLO Counties

Enforcement

16. Enforcement Report

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

Thea Tryon, Senior Engineering Geologist and Enforcement Coordinator, answered questions regarding the enforcement report.

Closed Session

17. There was no closed session at the November meeting [Staff Counsel Tamarin Austin and Asst. Chief Counsel Lori Okun]

Friday, November 14, 2014, 9:00 a.m.

BOARD BUSINESS

18. Roll Call

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

All Board Members were present.

Public Forum

19. Speakers:

- Judy Paulson, Santa Maria
- Elizabeth Bettenhausen, Phd, Cambria
- Chuck Cesena, Los Osos Sustainability Group
- Keith Wimer, Los Osos Sustainability Group
- Richard Margetson, Los Osos
- Linde Owen, Los Osos

Permits/Waste Discharge Requirements

Item 20 and 21 were heard at the same time. Speakers and presentations are listed below.

20. Revise Waste Discharge Requirements Order No. 01-100 and Issue New Waste Discharge Requirements and Water Recycling Requirements Order No. R3-2014-0050 for Cambria Community Services District, San Luis Obispo County
[Howard Kolb 805/549-3332 Howard.Kolb@waterboards.ca.gov]

21. New Waste Discharge Requirements for Cambria Community Services District, Class II Surface Impoundment, San Luis Obispo County
[Ryan Lodge, 805/549-3506, Ryan.Lodge@waterboards.ca.gov]

Mr. Harris introduced the combined items. Water Board counsel Lori Okun described several late submittals and made recommendations to the Chair whether to include them in the record.

1. Comments submitted by Lou Blanck on November 6, 2014. Ms. Okun recommended allowing the cover letter but not the lengthy supporting documents. Any attachments that were already in the record based on timely submittals will remain in the record.
2. Letter submitted by California State Parks on November 13, 2014. Since the letter did not include new information, Ms. Okun recommended inclusion.
3. Email from Tom Luster of California Coastal Commission on November 13, 2014. Since the email did not include new information and was from another state agency with jurisdiction over the project, Ms. Okun recommended inclusion.
4. Ms. Okun said there were possibly letters from federal agencies submitted November 13, 2014.
5. Letter from Cynthia Hawley dated November 14, 2014. Ms. Okun recommended denial.
6. Two graphs submitted to Board members by Mary Webb on November 13, 2014. Ms. Okun recommended inclusion because the board members had already received this information during the previous day's drought discussion.

Chair Wolff ruled on the late submittals as recommended by Ms. Okun.

Cambria Community Services District Engineer Bob Gresens provided a description of the District's proposed project. Board members asked clarifying questions of District staff and consultants.

Kurt Souza of the State Water Resources Control Board's Division of Drinking Water explained the Division's role and authority in permitting the project.

Water Board staff engineer Howard Kolb described the waste discharge requirements for discharges of filter backwash to the percolation ponds and recycled water to the San Simeon aquifer. Board members asked clarifying questions.

Water Board staff engineer Ryan Lodge described the waste discharge requirements for discharges of reverse osmosis brine to the evaporation impoundment. Board members asked clarifying questions.

The Water Board heard comments from the following persons:

- Mari Garza-Bird, CCSD consultant
- Ted Siegler
- Tina Dickason
- Elizabeth Bettenhausen
- Richard Hawley
- Mary Webb
- Lynne Harkins
- Gordon Hensley
- Barbara Bronson Gray
- Paul Carlson
- Jerry Gruber, CCSD general manager
- Mark Rochefort

The Water Board discussed the presentations and public comment and asked for responses from staff on several points.

Ms. Okun recommended several modifications to the drafts:

- Modifications to Finding 43 in Order No. R3-2014-0050 regarding anti-degradation.
- Modifications to Finding 48 in Order No. R3-2014-0050, Finding 21b in Order No. 01-100, and Finding 41 in Order No. R3-2014-0047 regarding CEQA.
- Modifications to Finding 10 in Order No. R3-2014-0047.
- Add a finding to Order No. R3-2014-0047 and Order No. R3-2104-0050 regarding compliance with the Endangered Species Act.
- Include changes proposed in staff's supplemental sheets.

Water Board staff clarified the content of the proposed modifications in supplemental sheets.

Motion: Water Board Member Delgado modified his motion to include the supplemental sheets from staff, Ms. Okun's additions, and direction to staff to provide a report on the project to the Board in November 2015.

Second: Water Board Member Jeffries
Carried: 7-0 unanimous.

Administrative Items

22. Heal the Ocean – Discussion whether to recognize Heal the Ocean's efforts on the Rincon Project and provide direction to the Executive Officer.

[Kenneth A. Harris Jr., Executive Officer, 805/549-3140, Ken.Harris@waterboards.ca.gov]

The Board Members discussed presenting a plaque to Heal the Ocean for all of the effort and the work they have done. It was agreed it would be presented in January in Santa Barbara.

23. Executive Officer's Report

[Kenneth A. Harris Jr., 805/549-3140, Ken.Harris@waterboards.ca.gov]

There was no discussion regarding the Executive Officer's report.

24. Central Coast Water Board Strategic Planning Discussion

[Kenneth A. Harris Jr, 805/549-3140, Ken.Harris@waterboards.ca.gov]

This was not discussed at this meeting.

- 24a. Discussion of Local Agency Management Plans Pursuant to State Policy for Onsite Wastewater Treatment Systems

[Kenneth A. Harris Jr, 805/549-3140, Ken.Harris@waterboards.ca.gov]

Section Manager Harvey Packard provided an introduction to the item, including some history on Central Coast Water Board actions regarding groundwater degradation caused by septic systems.

Hillary Hauser of Heal the Ocean addressed the Board with her comments on Santa Barbara County's draft LAMP.

Board members discussed the draft LAMP and asked questions of Larry Fay, Santa Barbara County Environmental Health Services.

Water Board comments to Mr. Fay indicated that the LAMP should include provisions for requiring additional action in special problem areas.

Mr. Harris suggested having additional discussion at the January 2015 meeting in Santa Barbara.

The Water Board also delegated Mr. Jordan and Mr. Young to attend the LAMP approval hearing at the Santa Barbara County Board of Supervisors on December 9, 2014.

Speakers:

Hillary Hauser – Heal the Ocean

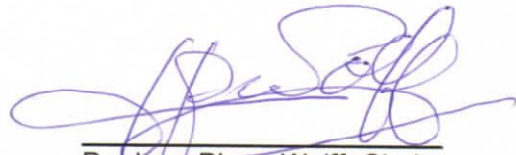
Larry Fay – Environment Health Director Santa Barbara County

Closed Session

25. Discussion of Cases in Litigation [Staff Counsel Tamarin Austin and Asst. Chief Counsel Lori Okun]

There was no closed session at the November meeting

Chair Wolff adjourned the meeting at approximately 5:20 p.m. November 14, 2014. The next regularly scheduled Water Board meeting will be held on January 29-30, 2015, in Santa Barbara.



Dr. Jean-Pierre Wolff, Chair