

**SAN LUIS OBISPO COUNTY  
HEALTH COMMISSION**

Minutes of Meeting

Monday, August 8, 2016 (County Board of Supervisors Chambers)

Members Present: Mary Jean Sage (Chair), David Clous, Kris Kington-Barker, Tamar Sekayan, Scott Smith-Cooke, Susan Warren

Members Absent: Robert Campbell, Claire Grantham, Jean Raymond, Candace Winstead

Staff Present: Dr. Penny Borenstein, Jean White

Speakers: Janice Campbell (Department of Agriculture); Gary Willey (Air Pollution Control District)

Agenda Item	Discussion	Action	Who/When
<b>1. Call to Order</b>	Meeting called to order at 6:00 PM by Chair Sage.	<i>Call to Order</i>	<i>Chair Sage</i>
<b>2. Introduction of New Commissioner</b>	Chair Sage introduced new commissioner, Tamar Sekayan.		
<b>3. Approval of Minutes</b>	Minutes of June 13, 2016 and July 18, 2016 were approved as drafted.	<i>June 13, 2016 and July 18, 2016 minutes approved.</i>	<i>All</i>
<b>4. Public Comment</b>	<p>Chair Sage opened the floor to public comment:</p> <p><b>Rochelle Toti, Nipomo</b>, referred to the letter she submitted earlier today with a list of actions she is proposing to address the Nipomo Mesa air pollution problem. She hopes that at a future date there will be an opportunity for Concerned Citizens to share their perspective on this issue.</p> <p><b>John Crest, Arroyo Grande</b>, talked about health issues he has experienced that might be attributed to the fine particulate air pollution on the Nipomo Mesa. He emphasized that there is definitely a problem in their neighborhood that needs to be addressed.</p>		
<b>5. Update on Pesticide Use Enforcement Program</b>	<p><b>Janice Campbell, Deputy Agricultural Commissioner, SLO County Department of Agriculture</b>, presented a Power Point overview of the SLO County Pesticide Use Enforcement Program, explaining that every two years their department provides an update to the commission to help allay any concerns that may be out in the public about pesticide use in SLO County. She explained their history with the commission, when a pesticide task force was formed due to a group of citizens who lived near an agricultural field had health concerns. Most of the recommendations from the task force focused on communication and therefore the Ag Commission continues to provide an update to the commission on a regular basis. Ms. Campbell's presentation focused on pesticide use near schools and field fumigant use. She also talked about some of the future challenges for their department and the program. She explained that the EPA and DPR approve product labeling that describes legal requirements. The County Agriculture Department enforces the labeling, regulation and permitting for restricted materials. Some of their future challenges include updating to CalPEATS (computer tablets for inspectors to use in the field), which will be a "big game changer" for the Ag Department, with a learning curve. Another area of challenge in the future will be enforcement of legal use of pesticides for legalized marijuana growth, which will create added workload. Yet another challenge is staff turnover due to retirements. She provided contact information for persons with concerns about pesticide exposure: National Pesticide Information Center (24/7) 800-858-7378 and the Ag Commissioner's Office 805-781-5910.</p> <p><b>Commissioner Warren</b> asked about regulation of pesticides for home medical marijuana growers. (<i>Ms. Campbell explained that home or personal use does not require a permit, but if they receive a</i></p>	<i>A copy of Ms. Campbell's Power Point presentation is filed with the official record of this meeting.</i>	

	<p><i>complaint, they will look into it. They will be focusing most of their efforts on commercial production.)</i></p> <p><b>Commissioner Warren</b> asked about the regulation of pesticides on foods that come from Mexico and South American countries and/or from outside vendors at our farmer’s markets. <i>(Ms. Campbell explained that the CA Dept of Pesticide Regulation (DPR) has a program where they do sampling in the market place to test produce for residue. If they find residue over the legal tolerance, it is reported to the Ag Department and they do an investigation. Product grown in California is clean compared to some of the product coming from other countries. Statistics are available on the DPR’s website.)</i></p> <p><b>Commissioner Smith-Cooke</b> reminded commissioners that he and Commissioner Clous met with Janice Campbell and other department staff to review the Pesticide Use Enforcement Program. Commissioner Smith-Cooke reviewed the complaint logs and was impressed. Commissioners Clous and Smith-Cooke will provide an update to the commission at the next meeting.</p>		
<p><b>6. Update on South County Air Quality and Dunes Dust Rule Implementation</b></p>	<p><b>Gary Willey Engineering &amp; Compliance Division Manager, Air Pollution Control District,</b> presented a Power Point overview of Oceano Dunes dust issues background and current status. The Oceano Dunes is 7.4 miles of coastline, 3854 acres total, with 1,637 acres open to riding off-highway vehicles. Land is owned by State Parks, SLO County and Phillips 66. He noted a big issue and what causes the dust to blow is the northwest winds, predominantly in the spring and fall. APCD has been monitoring on the Nipomo Mesa for over 20 years. There is significantly more exceedances of PM 10 standards than elsewhere in the county, with between 60-80 state standard exceedances per year on the Mesa. The biggest concern health-wise is the relative magnitude of the high spikes of the dust emissions. Mr. Willey provided graphs of the area, showing peak hourly PM 10 levels and location of monitors and results from community monitoring project Mar-May 2012. State Parks has conducted some of their own studies and has found similar to what APCD found -- the main riding area (mostly on County property) has much higher emission levels compared to areas where you don’t ride. He talked about timeline beginning March 2007 with Phase I PM study report, Nov 2011 Rule 1001 adopted requiring mitigation, Mar 2013 Consent Decree Agreement with State Parks, Apr-Sept 2013 OHMVR air quality /emission studies, April 2014 first year of temporary mitigation, Aug 2016 draft EIR for permanent mitigation currently being circulated. Temporary mitigation is sand fencing. Current work underway includes 3-D atmospheric modeling, evaluation of data from 2014-16 mitigation, development of criteria for measuring progress, completion of 5-year PM reduction plan and EIR, completion of coastal commission permit process, development of mitigation strategy for 2017. Progress has been complicated by lawsuits. There have been fewer exceedances over the past 3 years; however it is inconclusive on the effectiveness of the temporary mitigation because of lower wind speeds.</p> <p><b>Commissioner Clous</b> commented on the slow progress and asked what can be done for the residents who are concerned about their health due to the silica dust. <i>(Mr. Willey explained how the process has been slowed legally by the many issues related to lawsuits.)</i></p> <p><b>Commissioner Sekayan</b> asked if the public is advised when there are days that standards are being exponentially exceeded. <i>(Mr. Willey advised that they have an extensive notification system, with electronic noticing, flag systems at schools and real time data on the APCD website.)</i></p> <p><b>Commissioner Kington-Barker</b> asked if SLO County is the only county in California with coastal dunes that allow off-road vehicles. <i>(Mr. Willey answered yes and explained that plants and wildlife cannot survive when you ride on them, so many have been shut down for those reasons.)</i></p> <p><b>Commissioner Kington-Barker</b> asked how the particulate exceedance in this area compares to other</p>	<p><i>A copy of Mr. Willey’s Power Point presentation is filed with the official record of the meeting.</i></p> <p><i>No formal action taken.</i></p>	

coastal areas that have windy circumstances. *(Mr. Willey explained that this coastal area is the highest and the only area with this issue. There isn't a comparison of what it would be without vehicles. Since 2013, there has been a 25% drop in exceedances, but there have been much lower winds. They have added sand fencing to about 40 acres of the 1600 acres and planted vegetation outside the riding areas to help mitigate.)*

**Commissioner Warren** referred to the picture of the Nipomo Mesa, noting that many years ago this area was all Eucalyptus trees. She commented that this area has always been windy and the trees helped to break the wind, but this has changed with a lot of development occurring over the past 25 years.

**Commissioner Warren** asked how to access the EIR report. *(Available on CA State Parks website).*

**Commissioner Smith-Cooke** asked for definition of PM 10 and PM 2.5 and commented that one solution is to stop the vehicles. *(Mr. Willey defined Particulate Matter (PM) 10 (human hair size) and (PM) 2.5 (25% of human hair size) and advised that State Parks mandate is to provide recreation and APCD's role is to measure the air quality and to develop regulation to attain it.)*

**Commissioner Clous** asked if the dust is exasperated by the vehicles and then when the wind blows it carries it. *(Mr. Willey explained that the vehicles change the vegetation, the shape of the dunes, and the surface of the dunes. The saltation process of sand moving against sand will cause edges to come off the grain of sand and get into the air as a fine particulate.)*

**Public Comment:**

**Paul Statuman, Nipomo**, advised of new data coming out of OSHA with new health standards for workplace exposures to silica dust. OSHA just set a limit of 50 micrograms per cubic meter for an 8 hour exposure for workers, which is 60-80 percent of the dust that Nipomo residents are being exposed to. He suggested that the commission look at these new health standards, look at the health studies that back this up and help them make a case to the APCD that there is a serious health issue (somewhat unique) related to silica dust that is of significant concern.

**Michael Young, Nipomo**, stated that the concentrations being reported are being understated because the notification warning system uses three stations - Cal Fire, Mesa 2, and another station 5 miles to the east in downtown Nipomo that is too far away, therefore providing a lower average number. Mr. Young also responded to the question about whether the dust is exasperated by vehicles, stating this is indisputable because one of the stations is in a vegetated area and at times gets much more wind than any of the other sites and has essentially normal levels of dust. He believes it is the County's responsibility to protect the safety and health of its citizens by allowing the track to return to its natural state and not to allow vehicles to run over its property.

**Rochelle Toti, Concerned Citizens for Clean Air**, asked for the opportunity for Concerned Citizens to provide more information. She stated that last year, federal PM 2.5 standards were exceeded and non-compliant with the annual standard. She believes that the mitigation that would be the least expensive and easiest to do would be to plant vegetation and stop disturbing the sand dunes, and that this is being ignored by the APCD and State Parks. Concerned Citizens for Clean Air take issue with three years of temporary mitigation. The EIR is inadequate. A temporary permit is not acceptable. There have been 30 dust rule violations this year for which no action has been taken. Ms. Toti showed maps from the Coastal Commission slide show that she presented two years ago, as well as aerial shots of monitoring sites, photos of where vegetation used to be and the sand fencing that was added.

**Chair Sage** advised that the commission will further discuss any actions they can take, taking into consideration comments made and reports received and will advise of any actions being considered.

<p><b>7. Health Agency/Public Health Report</b></p>	<p><b>Dr. Penny Borenstein, Health Officer</b>, reported on the status of Zika virus and risks:</p> <ul style="list-style-type: none"> <li>• Zika virus is currently in 50 different countries and territories in the world and continues to spread.</li> <li>• 80% of persons who become infected have no signs or symptoms; 20% have flu-like illness.</li> <li>• Infection in pregnant women can lead to significant conditions in the fetus and in the infant at birth,</li> <li>• In California, there have been 114 cases reported to date; 21 in pregnant women. There have been two births with microcephaly in California babies.</li> <li>• In SLO County, there have not been any cases reported, but testing has been done on several individuals. Twenty-two counties in California have had at least one case diagnosed.</li> <li>• Vast majority of cases are transmitted through the bites of an infected mosquito. There have been a number of cases identified as sexual transmission. Mother to fetus is an important means of transportation. Zika virus is not transmitted by casual contact or air.</li> <li>• SLO County is entering into contract with neighboring counties who have mosquito control districts to bring our surveillance up-to-date. SLO County’s vector control program ended in 2009.</li> <li>• Education is very important. If you are a pregnant woman, do not travel if you can avoid it to a country where Zika virus is presented. If you must travel, take precautions.</li> <li>• Testing is being done in this county for those persons where it is recommended. Those specimens are sent to the State Laboratory.</li> </ul>		
<p><b>8. Health Commissioner Updates</b></p>	<p><b>Commissioner Clous</b> reported that he and Commissioner Smith-Cooke will provide a report to the Commission next month on their review of the Ag Department’s Pesticide Use Enforcement Program.</p> <p><b>Commissioner Warren</b> reported that the Homeless Services Oversight Committee/Housing Committee has a speaker and Power Point presentation available to organizations on the new housing options they are looking at, including home sharing and tiny houses.</p> <p><b>Commissioner Warren</b> reported that the Homeless Services Oversight Council is sponsoring a “Mash Event” in South County on Aug 30 and in North County on Oct 30, where they will be offering a range of services to the homeless members in the community. Services include medical services, information on social service programs, substance abuse disorders, employment assistance, driver’s licenses, licensing for pets, and more. Lunch is also provided.</p> <p><b>Commissioner Warren</b> advised that at tomorrow’s Board meeting, the Board of Supervisors will determine if SLO County will participate in the 1115 Waiver for MediCal provision of substance use disorder services, which would expand the County’s substance abuse outpatient treatment services through the Drug Medi-Cal Organized Delivery System.</p> <p><b>Kris Kington-Barker</b> reported that The California Healthcare Foundation approved a 2 ½ year project to develop an electronic registry for the POLST, beginning with a pilot project in San Diego and Contra Costa Counties, and working toward an electronic statewide POLST form.</p> <p><b>Chair Sage</b> reported that she and Jean White will work on drafting a letter to the Board of Supervisors to advise them of upcoming programs and ask for their comment on health issues important to them.</p> <p><b>Chair Sage</b> reported that Commissioner Grantham contacted AGP Video and they will gather website viewership numbers, but they do not track TV viewership.</p> <p><b>Chair Sage</b> attended the Cal Fresh meeting where there was discussion on how to increase SLO County’s low rate of participation. It was noted that some of the other counties allow persons to sign up without having to come in the office in person. Meeting was well attended with Board of Supervisor members and other stakeholders. Speaker was from the Cal French Branch and was accessed remotely.</p> <p><b>Chair Sage</b> attended the Oral Health Coalition for Commissioner Grantham and reported that it was a</p>		

	<p>very active meeting. There was a successful Hope Clinic held in Templeton. Hope is an organization that came in and provided dental care to patients for a day, sponsored by the Adventist Church. The Oral Health Coalition will also be applying for a Dental Transformation Initiative Grant (\$740 million dollars available over a 5-year period for four domains: 1- preventive care, 2 – risk assessment, 3 – continuity of care, 4- local dental pilot program.) The Oral Health Coalition is working on a proposal under Domain 4: Local Dental Pilot Program. This is a competitive grant, only local counties, tribal areas and University of California can apply and 15 organizations will receive funding. The county has come together to work on a multifaceted proposal, with three components: virtual dentistry, paying licensure fees for RDAs, and working with private dentists and CHC to get dentists to take on a certain number of Denti-Cal patients in their private practice.</p> <p><b>Dr. Borenstein</b> added that this initiative is in place of doing what she believes would fix the problem and that is raising Denti-Cal rates. Private dentists do not participate in Denti-Cal because they get paid far lower than the cost to provide the care.</p> <p><b>Chair Sage</b> reminded everyone that HEAL SLO will be holding their 10<sup>th</sup> anniversary conference on Friday, October 7, 8:30-2:30 at the Mountainbrook Church. There will be two keynote speakers and Assemblyman Achadjian will be in attendance to recognize the original HEAL SLO Task Force.</p> <p><b>Commissioner Clous</b> referred to the health concerns expressed earlier by Concerned Citizens and Ms. Toti’s list of proposed actions and brought up discussion on how to best proceed. Commissioner Smith-Cooke suggested inviting State Parks and medical professionals to receive more information; he also suggested the possibility of having Community Education Committee study this further. Commissioners Kington-Barker &amp; Sekayan commented that the proposed actions should be reviewed to see what is in the Health Commission’s scope. Commissioner Warren suggested inviting the State Board of Realtors to speak on what is legally required to be disclosed to homeowners. Commissioner Sage asked commissioners to let her know if they are interested in studying this further through a small workgroup or committee. She will report back next month for further discussion of any proposed action by the commission.</p>		
<b>9. Committee Reports</b>	<b>Chair Sage</b> announced that there is currently one vacancy on the commission in the direct provider category.		
<b>10. Prospective Future Items</b>	<p><b>September 12, 2016:</b> Reproductive Health:</p> <ul style="list-style-type: none"> <li>• Planned Parenthood</li> <li>• County Public Health Reproductive Health Program</li> </ul>		
<b>11. Adjournment</b>	Meeting adjourned at 8:20 pm.	<i>Adjournment</i>	<i>All</i>