

State of California  
Regional Water Quality Control Board  
North Coast Region

**Minutes of Meeting**

1:00 P.M., Tues., December 12, 2023  
9:00 A.M., Weds., December 13, 2023,  
Regional Water Quality Control Board  
5550 Skyland Blvd., Suite A  
Santa Rosa, CA 95403

**Tuesday, December 12, 2023**

**Video recordings of Board meetings (since 2/2019) are available at:**

[Prior Board Meeting Video recordings](https://cal-span.org/) (https://cal-span.org/)

**Audio recordings of Board meetings (11/2018 and before) are available at:**

[Prior Board Meeting Audio recordings](https://www.waterboards.ca.gov/northcoast/board_info/board_meetings/)

(https://www.waterboards.ca.gov/northcoast/board\_info/board\_meetings/)

i. **Pledge of Allegiance:** Chair Bedolla led the Pledge of Allegiance.

ii. **Roll Call and Introductions:**

Board Members present:

Hector Bedolla, Greg Giusti, Bill Matsubu, Ryan Sundberg

Regional Water Board staff present:

Valerie Quinto, Nathan Jacobsen, Claudia Villacorta, Deidre Wilkerson, Matthew Herman, Heaven Moore, Charles Reed, Mike Reese, Josh Curtis, Jeremiah Puget, Bayley Toft-Dupuy (via Zoom)

iii. **Board member Reports and Ex Parte Communication Disclosure:** Vice Chair Giusti reported that he has received calls from the vineyard community inquiring about the proposed vineyards order timeline. Board Member Matsubu shared that the letter of intent that was a partnership between Blue Lake Rancheria and the

Regional Water Board with has been selected by the NOAA Regional Climate Challenge to submit a full proposal.

- iv. **Executive Officer's Reports:** Executive Officer Valerie Quinto shared that the Region's Sustained Superior Accomplishment Award has been issued to Tonya Weiper. The award will be presented to Tonya at a later date. Ms. Quinto also shared that the reorganization of the Cannabis and Enforcement Division has been finalized to become the Agriculture and Enforcement Division.
- v. **Board Chair's Report:** Chair Bedolla reported that he attended the Region's All Staff Confab event in November, where he gave a presentation and answered questions from staff.
- vi. **Public Forum:** Comments were received from the following members of the public:
  - Sean White, self

Specific comments can be reviewed on [Cal-Span's Prior Board Meeting Video recordings](http://cal-span.org/) (<http://cal-span.org/>).

1. Approval of Meeting Minutes: October 5, 2023

This item was moved to Wednesday, December 13 since Board Member Hart was absent on December 12.

**Motion:** Board Member Hart moved to adopt October 5, 2023, Board meeting minutes; Board Member Matsubu seconded the motion; Chair Bedolla initiated a roll-call vote:

- Bedolla            aye
- Giusti             aye
- Matsubu          aye
- Hart                aye
- Sundberg         abstain

**Motion passed unanimously**

### **Uncontested Items**

- 2. Public Hearing on Order No. R1-2023-0057 to consider rescission of Cease and Desist Order No. R1-2021-0027 issued to Dean Soiland, doing business as BoDean Co. Inc., at the Santa Rosa Asphalt Hot Plant, Sonoma County (Valerie Quinto)

Executive Officer Valerie Quinto provided an update: the discharger submitted a letter supporting rescission of the order and confirmed that they understand their

obligation to comply with the industrial general permit should this order be rescinded.

Motion: Board Member Matsubu moved to adopt Order No. R1-2023-0057, rescission of Cease and Desist Order No. R1-2021-0027 issued to Dean Soiland, doing business as BoDean Co. Inc., at the Santa Rosa Asphalt Hot Plant, Sonoma County; Vice Chair Giusti seconded the motion; Chair Bedolla initiated a roll-call vote:

- Bedolla            aye
- Giusti             aye
- Matsubu          aye
- Hart                absent
- Sundberg         aye

**Motion passed unanimously**

### **Action Items**

3. Public Hearing on Order No. R1-2023-0039 to consider adoption of proposed Waste Discharge Requirements and Water Recycling Permit for the City of Crescent City Wastewater Treatment Facility, WDID No. 1A84006ODN, NPDES No. CA0022756 (Matthew Herman)

This item was scheduled as an action item but was determined to be uncontested.

**Motion:** Vice Chair Giusti moved to adopt Order No. R1-2023-0039, Proposed Waste Discharge Requirements and Water Recycling Permit for the City of Crescent City Wastewater Treatment Facility, WDID No. 1A84006ODN, NPDES No. CA0022756; Board Member Matsubu seconded the motion; Chair Bedolla initiated a roll-call vote:

- Bedolla            aye
- Giusti             aye
- Matsubu          aye
- Hart                absent
- Sundberg         aye

**Motion passed unanimously**

## Information Items

4. Environmental Infrastructure Needs Assessment for the North Coast Region (Mike Reese)

Mike Reese, Water Resources Control Engineer for the Regional Water Board, gave a presentation that included background information on the Needs Assessment, the data collection process, and next steps. After the presentation, Mr. Reese answered questions from the Board.

5. Update on Klamath Dam Removal Project (Morton McMillen, McMillen Company)

Mort McMillen, Founder and Project Manager at McMillen Company, presented to the Board. McMillen is the Owners Representative for the Klamath River Renewal Corporation. Mr. McMillen's presentation included a general project overview, as well as pictures and summaries of the pre-drawdown construction work activities and drawdown period planning and work activities. Mr. McMillen answered questions from the Board after the presentation. The Board also had questions for Water Boards staff, which were answered, and mentioned they would be interested in a field trip to see the project.

**Meeting adjourned at 3:42 p.m.**

## Wednesday, December 13, 2023

- i. **Pledge of Allegiance:** Chair Bedolla led the Pledge of Allegiance.

- ii. **Roll Call and Introductions:**

Board Members present: Hector Bedolla, Greg Giusti, Bill Matsubu, Ryan Sundberg, Alex Hart

Regional Water Board staff present: Valerie Quinto, Nathan Jacobsen, Claudia Villacorta, Deidre Wilkerson, Matthew Herman, Charles Reed, Jeremiah Puget, Matt St. John, Justin McSmith (via Zoom)

- iii. **State Board Liaison's Report:** State Board Liaison and Vice Chair Dorene D'Adamo gave a comprehensive report that included several updates. The first update was on the State Board Meeting from the previous week. The State Board adopted emergency regulations for an information order in the Clear Lake

Watershed. They also adopted amendments to the Water Quality Enforcement Policy and received an update on the California Water Supply Strategy. Ms. D'Adamo also provided updates on Groundwater Recharge and the Water Supply Strategy. The next topic was next week's State Board Meeting, at which the Board will consider the proposed adoption of Regulations for Direct Potable Reuse, as well as the proposed adoption of the Scott and Shasta emergency regulation. The State Board will receive an update on SGMA basins that have been referred to them by the Department of Water Resources for potential consideration of probation and an update on outdoor water conservation standards. Ms. D'Adamo closed her report with updates on the Potter Valley Project and the recent budget trailer bill signed by the Governor that expanded the water and wastewater arrearages program.

Ms. D'Adamo answered questions from the Board, and Board Members thanked her for the detailed report.

- iv. **Public Forum:** Comments were received from the following members of the public:
- Gregg Young, Potter Valley Tribe

Specific comments can be reviewed on [Cal-Span's Prior Board Meeting Video recordings](http://cal-span.org/) (<http://cal-span.org/>).

## **Action Items**

6. Public Hearing on Order No. R1-2023-0049 to consider Proposed Settlement Agreement and Stipulation for Entry of order in the matter of Sonoma County Water Agency and Russian River County Sanitation District Administrative Civil Liability (Valerie Quinto)

Chair Bedolla provided a statement on the Hearing Procedure and Order of Proceeding. Claudia Villacorta, Assistant Executive Officer for the Regional Water Board and lead of the Prosecution Team, gave an opening statement. Mike Thompson, Assistant General Manager for the Sonoma County Water Agency gave the opening statement for the discharger.

Matthew Herman, Water Resource Control Engineer and member of the Prosecution Team, presented to the Board. The presentation included information on the facility location and description, alleged violations, proposed stipulated settlement agreement, public comments received, and recommendation for the Board.

Mr. Thompson of the Sonoma County Water Agency (also representing the Russian River County Sanitation District) presented to the Board. The presentation included background information on the Sonoma County Water Agency and Russian River

County Sanitation District, an overview of collection systems, 2019 flooding, peak treatment capacity, maintaining treatment plant reliability, future plans, and enhanced compliance action. The presentation concluded with details on the West County Water Quality and Recycled Water Supply Feasibility Project and requested action for the board.

The Board followed up with questions for Mr. Thompson. After a short break, Water Boards staff expanded on answers given to Board Members and answered additional questions as well.

Comments were received from the following members of the public:

- Chad Davisson, Graton Community Services District
- Brian Grant, self
- Matt McDermott, Forestville Water District
- Brenda Adelman, Russian River Watershed Protection Committee
- Esa Day, self
- Sukey Robb-Wilder, self
- David Upchurch, Graton Community Services District

Specific comments can be reviewed on [Cal-Span's Prior Board Meeting Video recordings](http://cal-span.org/) (<http://cal-span.org/>).

Ms. Villacorta and Mr. Thompson both gave closing statements, followed by clarifying questions and comments from the Board.

**Motion:** Board Member Matsubu moved to adopt Order No. R1-2023-0049, Proposed Settlement Agreement and Stipulation for Entry of order in the matter of Sonoma County Water Agency and Russian River County Sanitation District Administrative Civil Liability; Board Member Sundberg seconded the motion; Chair Bedolla initiated a roll-call vote:

- Bedolla            aye
- Giusti             aye
- Matsubu          aye
- Hart                aye
- Sundberg         aye

**Motion passed unanimously**

The Board requested 2 updates per year on this matter.

## Information Items

7. Update from Russian River Watershed Association (Ben Ford & Andy Rodgers, Russian River Watershed Association)

Executive Officer Valerie Quinto introduced Andy Rodgers and Ben Ford of the Russian River Watershed Association (RRWA). Mr. Rodgers and Mr. Ford's presentation included background information and structure of the RRWA, the organization's approach, annual work plan, and active programs.

The Board thanked Mr. Rodgers and Mr. Ford for their presentation and asked questions.

8. Report on the Respect Russian River Campaign (Elise Weiland, Russian River Confluence)

Executive Officer Valerie Quinto introduced Elisa Weiland of the Russian River Confluence. Ms. Weiland's presentation to the Board included the organization's mission and values, role, strategic priorities and goals (including possible future directions within those goals), and stakeholder and community engagement, including the Respect Russian River campaign.

Board members thanked Ms. Weiland for her presentation and made comments.

9. Report on Streets to Creeks Public Outreach Campaign (Nick Sudano, City of Santa Rosa)

Executive Officer Valerie Quinto introduced Nick Sudano of the City of Santa Rosa. Mr. Sudano presented an overview of the Streets to Creeks program, which included background info on Regional Water Board Order R1-2015-0030 (Stormwater Permit), updates on outreach efforts, campaign goals, target audiences, and yearly growth with multiple phases.

The Board thanked Mr. Sudano for his presentation and followed up with questions and comments.

10. Update on the Russian River Regional Monitoring Program, "R3MP" (Matt St. John, Sean McNeil, City of Santa Rosa, Alison Whipple & Sarah Lowe, San Francisco Estuary Institute)

Matt. St. John, Climate Change Specialist for the Regional Water Board, along with co-presenters Sean McNeil (City of Santa Rosa), and Alison Whipple and Sarah Lowe (both of the San Francisco Estuary Institute), presented an update on the Russian River Regional Monitoring Program ("R3MP"). The presentation included the motivation, purpose, goal, and vision of R3MP, along with development timeline, governance structure, science framework, 5-year monitoring plan/data management, and next steps.

The Board thanked all the presenters and followed up with questions and comments.

11. **Executive Officer's Report:** Executive Officer Valerie Quinto highlighted the written Executive Officer's Report.
12. **Board Member Requests for Future Agenda Items and Other Items of Interest:** Board Member Hart asked about potential further discussion on enforcement issues related to agenda item 6. Counsel to the Board, Nathan Jacobsen, confirmed that discussions on the Suarez matter, which concerns similar issues and is listed on the closed session list can take place during Closed Session. Chair Bedolla requested future updates on the Climate Change Program, including Potter Valley and Eel River. Executive Officer Valerie Quinto confirmed a climate change update is scheduled for April, and she will look into speakers on the Potter Valley and Eel River situation.
13. **Closed Session:** The Board met in closed session from 3:15 p.m. – 4:10 p.m. to discuss the following items:
  - iv. People of the State of California, Ex. Rel. Department of Fish and Wildlife, State Water Resources Control Board, and Regional Water Quality Control Board, North Coast Region v. Shadowlight Ranch LLC; Joshua Sweet; Bohdan Curran, Individually and DBA Curran Equipment and Does 1 Through 30 inclusive, Humboldt County Superior Court Case No. CV 2001113 (October 30, 2020.)
  - v. Sonoma Luxury Resort LLC v. Regional Water Quality Control Board, North Coast Region, Petition for Administrative Mandamus, SCV 268564, Sonoma County Superior Court (June 3, 2021).
  - vii. State Water Resources Control Board's Consideration of Own Motion Review Of Order No. R1-2023-0043 For Administrative Civil Liability In the Matter of Daniel Maldonado Suarez; Issued by the North Coast Regional Water Quality Control Board. (July 18, 2023).
  - viii. Bareilles v. North Coast Regional Water Quality Control Board, Sonoma County Superior Court, Case No. SCV-273798 (July 12, 2023).
  - ix. Ecological Rights Foundation and Humboldt Waterkeeper Petition for State Water Board Review of the North Coast Regional Water Board's Issuance of NPDES Permit to the City of Eureka (November 2, 2023).
  - x. Citizens Protecting Humboldt Bay Petition for State Water Board Review and Request for Stay of North Coast Regional Water Board's Issuance of NPDES Permit No. R1-2023-0019, (November 6, 2023.)

**14. Arrangements for Next Meeting and Adjournment**

9:00 a.m., Thursday, February 8, 2024, and  
9:00 a.m., Friday, February 9, 2024  
5550 Skylane Blvd, Suite A  
Santa Rosa, CA 95403

**Meeting adjourned at 4:10 p.m.**