

**Minutes of Meeting**

9:00 A.M., Wednesday, November 30, 2016  
Eureka City Hall  
Eureka Council Chambers  
531 K Steet  
Eureka, CA 95501

Audio recordings of Board meetings are available at: [North Coast Water Board](#); go to the Board Info tab and click on Meetings.

i. **Pledge of Allegiance**

Board member Hales led the Pledge of Allegiance.

ii. **Roll Call and Introductions**

Board Members present: John Corbett, Kelli Gant, Gregory Giusti, Geoffrey Hales, Valerie Minton, and David Noren

Regional Water Board staff present: Elizabeth Beryt, Ryan Bey, Fred Blatt, Jim Burke, Patti Corsie, Nathan Jacobsen, Lance Le, Shin-Roei Lee, Charles Reed, Matt St. John, and Chuck Striplen

iii. **Board Member Reports and Ex Parte Communication Disclosure:**

- Chairman Corbett attended meetings on 1) SGMA; 2) Northern California/Southern Oregon Marine Life Conclave; and 3) attended a meeting with the Board of Forestry, that included Matt St. John, Executive Officer (EO), Shin-Roei Lee, Assistant Executive Officer (AEO), Mark Andre, Vice-Chairman of the Board of Forestry (BOF), and Matt Dias, EO, BOF discussing general issues of coordination between our agencies.

iv. **Public Forum:**

Comments were taken from:

- Hank Seeman, County of Humboldt, Deputy Director – Environmental Services
- Felice Pace, North Group Redwood Chapter Sierra Club
- Uri Driscoll, Public
- Charles Ciancio, Public
- Joe Gillespie, Friends of Del Norte
- Eileen Cooper, Friends of Del Norte

v. **The State Board Liaison, Steven Moore updated the Board on:**

- Budget issues

- Recent and upcoming activities at the State Water Board
- Legislation passed or pending.

## Uncontested Items

1. **Approval of 2017 Board Meeting Schedule.** Several modifications were made to the proposed schedule to accommodate Board member availability.

Motion: Board member Hales moved to adopt the revised schedule, Board member Noren seconded the motion; Chairman Corbett initiated a roll-call vote:

Minton aye  
Hales aye  
Noren aye  
Corbett aye  
Gant aye  
Giusti aye

Motion passed unanimously

## Action Items

2. **Public Hearing to consider adoption of Proposed Order No. R1-2016-0004, Waste Discharge Requirements for Nonpoint Source Discharges and Other Controllable Water Quality Factors Related to Timber Harvesting and Associated Activities Conducted by Humboldt Redwood Company, LLC in the Upper Elk River Watershed, Humboldt County (proposed Order).** Jim Burke, Senior Engineering Geologist, Southern Nonpoint Source & Forestry Unit, gave an update/recap of the revised Draft Order and the Mitigated Negative Declaration that was recirculated for a second 30-day comment period which closed on September 29, 2016 and summarized the comments received and revisions in the proposed Order, as well as minor revisions shown in the change sheet. Mike Miles, Humboldt Redwood Company (HRC) gave a presentation of HRC's requested revisions in the proposed Order. Dennis Thibeault, HRC, also spoke about HRC's requested revisions.

### Comments were taken from:

- Matt Dias, California Board of Forestry and Fire Protection
- Rob Diperna, Environmental Protection Information Center
- Vivian Helliwell, Pacific Coast Federation of Fishermen's Association
- Randy Klein, Public
- Jack Lewis, Public
- Jerry Martien, Friends of Elk River

- Jesse Noell, Salmon Forever
- Kristi Wrigley, Elk River Resident
- Cedric Twight, Sierra Pacific Industries
- Felice Pace, North Group Sierra Club
- Steve Will, Steve Wills Trucking & Logging, LLC
- Jan Kraepelien, Public
- Lisa O'Keefe, Elk River Resident

Mr. Burke proposed the following revisions to the proposed Order: 1) to modify "high risk subwatersheds" referred to in the proposed Order and defined as encompassing Clapp, Tom, and Railroad Gulches, McCloud Creek and the Lower South Fork Elk River and replace it with "high risk areas" as defined as areas underlain by the Hookton Formation and as shown on the map provided by HRC to the Regional Water Board as an attachment to the amendment to the Report of Waste Discharge (ROWD) dated October 4, 2016; and 2) to delete the last sentence of Finding 68.

Chairman Corbett closed the hearing and asked Board members for a motion to adopt.

Motion: Board member Noren moved to adopt Order No R1-2016-0004, the Mitigated Negative Declaration, and the Change Sheet as amended by staff; Board member Minton seconded the motion.

Chairman Corbett then asked for Board members comments regarding general issues with the proposed Order, Negative Declaration, and Change Sheet. Board members voiced their general issues. Chairman Corbett then asked Board members to make motions.

Motion: Board member Giusti moved to delete all of Findings 67 & 68; and Section I. Specific Requirements, G. Feasibility Study for Control of In-channel Sediment Sources; Board member Gant seconded the motion; Chairman Corbett initiated a roll-call vote:

Minton nay  
Hales nay  
Noren nay  
Corbett nay  
Gant aye  
Giusti aye

4 nays and 2 ayes; motion did not pass.

Motion: Board member Giusti moved to remove wet weather requirements. Finding 58.

c & d; E 3 & 4; and section I. Specific Requirements, E. Wet Weather Requirements 3 & 4; Board member Hales seconded the motion as amended; Chairman Corbett initiated a roll-call vote:

Minton aye  
Hales aye  
Corbett aye  
Noren aye  
Gant aye  
Giusti aye

Motion passed unanimously

Motion: Board member Giusti moved that the current riparian zone protections in the proposed Order Section I. B. only apply to the high risk areas and to require the riparian zone protections outlined in the ROWD for the areas outside of the high risk areas; Board member Gant seconded the motion; Chairman Corbett initiated a roll-call vote:

Minton aye  
Hales aye  
Corbett aye  
Noren aye  
Gant aye  
Giusti aye

Motion passed unanimously

Motion: Board member Gant moved that HRC do a midterm (2 ½ years) Synthesis Report instead of a 5 year Synthesis Report (Finding 77); Following Board discussion, Board member Gant withdrew her motion.

Motion: Board member Hales moved that the high risk areas designation boundary be defined by the map provided in HRC's revised ROWD submittal on October 4, 2016; Board member Giusti seconded the motion; Board member Giusti seconded the motion; Chairman Corbett initiated a roll-call vote:

Minton aye  
Hales aye  
Corbett aye  
Noren aye  
Gant aye  
Giusti aye

Motion passed unanimously

Nathan Jacobsen, Staff Counsel went over the changes to the proposed Order and Mitigated Negative Declaration per Board’s motions.

Motion: Board member Giusti moved to adopt the Order No. R1-2016-0004 and Mitigated Negative Declaration as amended, including ministerial changes; Board member Gant seconded the motion; Chairman Corbett initiated a roll-call vote:

Minton aye  
Hales aye  
Corbett aye  
Noren aye  
Gant aye  
Giusti aye

Motion passed unanimously

3. **Closed session:** There were no reports from closed session.

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

8:30 a.m., Thursday, December 15, 2016  
David C. Joseph Meeting Room  
5550 Skylane Blvd, Suite A  
Santa Rosa, CA

**Meeting adjourned** at 5:15 pm.

Chairperson \_\_\_\_\_

Date \_\_\_\_\_