

Minutes of Meeting

8:30 A.M., Thursday, October 17, 2019
Regional Water Quality Control Board
David C. Joseph Room
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

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

<http://cal-span.org/static/meetings-RWQCB-NC.php>.

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

https://www.waterboards.ca.gov/northcoast/board_info/board_meetings/

- i. **Pledge of Allegiance:** Board member Bedolla led the Pledge of Allegiance.
- ii. **Roll Call and Introductions:**

Board Members present: Hector Bedolla, John Corbett, Kelli Gant, Gregory Giusti, and Valerie Quinto.

Regional Water Board staff present: Josh Curtis, Diana Henriouille, Nathan Jacobsen, Heaven Moore, Justin McSmith, Charles Reed, Eli Scott, Matt St. John, and Claudia Villacorta.
- v. **Board Member Reports and Ex Parte Communication Disclosure:** No Board member reports or Ex Parte Communication.
- vi. **State Board Liaison's, and Executive Officer's Reports:** Matt St. John, Executive Officer, referenced the written Executive Officer's Report and notably the first article: *2019 CyanoHAB Monitoring and results* written by Rich Fadness, Engineering Geologist, Adaptive Management Unit, who through his leadership as the Surface Water Ambient Monitoring Program (SWAMP) Coordinator, was awarded the Super Accomplishment Award for his ongoing work of monitoring and research efforts associated with harmful Algal blooms in the North Coast over the last several year; and the important legislation AB 834 (Assemblyman Bill Quirk) *Freshwater and Estuarine Harmful Algal Bloom Program* bill adopted September 27, 2019. Mr. St. John gave an update on the status of revisions to the *Waiver for Nonpoint Source Discharges Related to Certain Federal Land Management Activities on National Forest System Lands in the North Coast Region*; Cannabis Regulatory Program staffing issues; and the Great California Shakeout being observed today.

State Board Liaison Dorene D'Adamo updated the Board on the topics that will be covered at the upcoming Water Quality Coordinating Committee (WQCC) meeting in

Sacramento on October 29-30, 2019; and highlighted several priority issues and upcoming actions of the State Water Board.

vii. Public Forum:

Comments were taken from:

- Brenda Adelman, Russian River Watershed Protection Committee
- Tom Connick, Public

1. Approval of Meeting Minutes: August 14 & 15, 2019

Motion: Board member Corbett moved to adopt; Board member Bedolla seconded the motion. Chairwoman Quinto initiated a roll-call vote:

Bedolla aye
Corbett aye
Quinto aye
Gant aye
Giusti aye

Motion passed unanimously

Uncontested Item

- 2. Public Hearing on Order No. R1-2019-0037 to consider adoption of proposed Waste Discharge Requirements for Humboldt State University Telonicher Marine Laboratory, WDID No. 1B12187NHUM, NPDES No. CA0025151.** Board member Corbett requested this Agenda item be pulled from the consent calendar. At Board member Corbett's request the Board discussed the need for engagement with Native American Tribes in development of NPDES permits that discharge to ocean waters and Areas of Special Biological Significance to ensure the opportunity for consultation with Tribes and associated protection of relevant beneficial uses and marine reserves. The Board directed staff to implement procedures to ensure outreach to Tribes for such permitting actions. The EO agreed to add the appropriate Native American Tribe representative to the distribution list of draft permitting actions to ensure tribal engagement. No changes were made to the subject Order.

Motion: Board member Corbett moved to adopt; Board member Bedolla seconded the motion. Chairwoman Quinto initiated a roll-call vote:

Bedolla aye
Corbett aye
Quinto aye
Gant aye
Giusti aye

Motion passed unanimously

Action Items

- 3. Public Hearing on Order No. R1-2019-0006 to consider adoption of proposed Waste Discharge Requirements for the City of Arcata, Municipal Wastewater Treatment Facility, WDID No. 1B82114OHUM, NPDES No. CA0022713.** Justin McSmith, Water Resource Control Engineer, NPDES Unit, gave a presentation on the history of the Facility, and the current operations under the 2012 NPDES Permit. Mr. McSmith then reviewed the new 2019 NPDES Permit requirements; the proposed upgrade projects – phase one (completed by June 20, 2022) and phase two (completed by June 30, 2024), Time Schedule Order, public comments received and staff responses and necessary Order revisions, the water quality benefits, and the recommendation to adopt NPDES Order Number R1-2019-0006 including the proposed Change Sheet.

Comments were taken from:

- Mark Andre, City of Arcata Wastewater Treatment Facility
- Rachel Hernandez, City of Arcata Wastewater Treatment Facility
- Doug Wing, City of Arcata
- Bob Gearheart, Emeritus Professor of Environmental Engineering, Humboldt State University

Staff responded to the following issues raised by commenters: 1) monitoring requirements for UV Transmittance; 2) monitoring requirements for Enterococcus; 3) effluent limitations for fecal coliform; and 4) receiving water limitations based on primary and secondary Maximum Contaminant Levels. No revisions to the Order were proposed associated with these issues.

Staff proposed to revise Monitoring and Reporting section IX.A.1.c. to remove the requirement to divert, store, and treat inadequately treated and disinfected wastewater.

Motion: Board member Bedolla moved to adopt NPDES Order Number R1-2019-0006 incorporating the Change Sheet and revision to MRP section IX.A.1.c; Board member Gant seconded the motion. Chairwoman Quinto initiated a roll-call vote:

Bedolla aye
 Corbett aye
 Quinto aye
 Gant aye
 Giusti aye

Motion passed unanimously

- 4. Enforcement Update: (1) Discussion of Regional Enforcement Priorities; (2) Presentation of North Coast Regional Water Board's List of Potential Supplemental Environmental Projects and Resolution No. R1-2019-0046.** Diana Henrioulle, Senior Water Resource Control Engineer, Enforcement Unit, gave the background on the 2017 Enforcement Policy, the accomplishments associated with implementing the 2018 Enforcement priorities of the North Coast Regional Board, and recommendations for modifying enforcement priorities for the next year. Ms. Henrioulle also provided background on the 2017 Supplemental Environmental Project (SEP) Policy and presented Regional Water Board staff's proposed List of Potential SEP proposed for adoption via Resolution No. R1-2019-0046. Ms. Henrioulle then reviewed the proposed Resolution No. R1-2019-0046 that 1) Approves the initial SEP list (attachment 3a); 2) Delegates authority to the Executive Officer to make future changes to the list; and 3) Directs the Executive Officer and/or staff to report at least annually on the status, use, and any changes made to the list, procedures, and process.

Comments were taken from:

- Brenda Adelman, Russian River Watershed Protection Committee.

Motion: Board member Gant moved to adopt Resolution No. R1-2019-0046, Board member Corbett seconded the motion. Chairwoman Quinto initiated a roll-call vote:

Bedolla aye
Corbett aye
Quinto aye
Gant aye
Giusti aye

Motion passed unanimously

Information Items

- 5. Update on the State Water Board's Emergency Management Program.** Katheryn Landau, Sarah Ries, and John Elkins, Office of Research, Planning, and Performance, State Water Resource Control Board, gave an overview of: the Water Board's new Emergency Management Program, including the roles and responsibilities of the Emergency Response Technical Working Group and the Water Board's Emergency Operations Center; the emergency response resources available to the Water Board's included in the recently developed Emergency Preparedness and Response Toolkit; statewide emergency response efforts that the Water Board's participated in, and associated lessons learned; and highlighted the Water Board's emergency response coordination framework.
- 6. Update on TMDL and Stewardship Efforts Within the Scott and Shasta River Watersheds.** Eli Scott, Environmental Scientist, Planning Unit, gave an overview of the characteristics of the Scott and Shasta Watersheds; status of implementation of the

Waivers and related stewardship activities; monitoring results; and potential changes to the Waivers planned for revision in 2023.

Comments were taken from:

- Kimberly Burr, Green Valley Creek resident
- Larry Hanson, North Coast Stream Flow Coalition
- Cedrick Twight, Sierra Pacific Industries
- Felice Pace, North Group, Sierra Club (written comments submitted ahead of Board meeting)

7. **Executive Officer's Report:** See item vi. and the written EO's Report.
8. **Board Member Requests for Future Agenda Items:** Chairwoman Quinto requested a discussion with Matt St. John, EO and Nate Jacobsen, Staff Counsel regarding approaches that might allow flexibility in Board decision making processes when the Board lacks a quorum.
9. **Other Items of Interest:** Board member Giusti acknowledged that today's meeting is Board member John Corbett's last Board meeting and thanked him for his long and valuable service on the North Coast Regional Water Quality Control Board.
10. **Closed Session:** The Board did not meet in closed session.
11. **Arrangements for Next Meeting and Adjournment**
8:30 a.m., Thursday December 19, 2019
North Coast Regional Water Quality Control Board
David C. Joseph Meeting Room
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Meeting adjourned at: 3:45 p.m.

Chairperson _____

Date _____