

Minutes of Meeting

9:00 A.M., Weds., February 5, 2025,
9:00 A.M., Thurs., February 6, 2025, &
9:00 A.M., Fri., February 7, 2025
Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Wednesday, February 5, 2025

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, Alex Hart,
Ryan Sundberg, Jake Mackenzie

Regional Water Board staff present:

Valerie Quinto, Nathan Jacobsen,
Bayley Toft-Dupuy, Josh Curtis, Deidre
Wilkerson, Claudia Villacorta, Brian
Fuller, Jordan Filak, Kason Grady,
Mary Bartholomew, Katharine Carter,
Brendan Thompson, Matt Graves, Paul
Nelson, Kaete King, David Kuszmar,
Brenna Sullivan, Josh Luders, Tina
Low, Jeremiah Puget, Heaven Moore,

Heidi Bauer, Sabrina Cegielski,
Charles Reed

- iii. **Board Member Reports:** Board Member Mackenzie shared that he received his appointment confirmation letter from the Senate Rules Committee and that he has been appointed by the City of Rohnert Park to serve on the Board of Trustees for the Marin/Sonoma Mosquito & Vector Control District.

Board Member Giusti reported that he's had conversations with lily bulb growers regarding the proposed order that staff are working on, which led to further discussions with Executive Officer Valerie Quinto about appropriate meeting sites and maintaining a neutral tone in discussion.

Chair Bedolla reported that he is fully retired now.

- iv. **State Board Liaison's and Executive Officer's Reports:** State Board Liaison and Vice Chair Dorene D'Adamo gave a comprehensive report that began with a report on the role of the Water Boards with respect to the recent wildfires in the Los Angeles area, followed by updates from the State Board, including the newly designated Office of Public Engagement, Equity, and Tribal Affairs (OPEETA), Municipal Stormwater Cost Policy, Wastewater Needs Assessment, Water Use Efficiency Package, an upcoming remote public workshop on the 2026 California Integrated Report, a recent Bay Delta Plan workshop, two high profile permits that the Administrative Hearings Office is working on (Delta Conveyance Project and Sites Reservoir), an upcoming public hearing on the Kern Sub Basin, statewide public workshops on proposed statewide water quality control policy for urban stormwater infiltration, and the Russian River Watershed telemetry pilot project. Vice Chair D'Adamo concluded her report with a note about the annual Water Quality Coordinating Committee meeting in Sacramento this spring.

Vice Chair D'Adamo responded to questions from the Board.

Executive Officer Valerie Quinto reported on recent staffing changes in the Regional Board office.

- v. **Board Chair's Report:** Chair Bedolla shared a brief report outlining the regular meetings that he attends as Board Chair.
- vi. **Public Forum:** Comments were received from the following members of the public:
- Alicia Williams, Independent Activist and Community Builder

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

1. Election of Board Officers

Motion: Board Member Giusti moved to nominate Chair Bedolla to serve as Board Chair for another term. Board Member Hart seconded the motion. Board Members initiated a roll-call vote:

- Bedolla aye
- Giusti aye
- Hart aye
- Sundberg aye
- Mackenzie aye

Motion: Board Member Giusti moved to nominate Board Member Hart to serve as Vice Chair for one full term. Board Member Mackenzie seconded the motion. Board Members initiated a roll-call vote:

- Bedolla aye
- Giusti aye
- Hart aye
- Sundberg aye
- Mackenzie aye

Motions passed unanimously

2. Approval of Meeting Minutes: December 4-5, 2024

Motion: Board Member Mackenzie moved to adopt December 4-5, 2024 Board Meeting minutes; Board Member Sundberg seconded the motion; Chair Bedolla initiated a roll-call vote:

- Bedolla aye
- Giusti aye
- Hart aye
- Sundberg aye
- Mackenzie aye

Motion passed unanimously

Information Item

3. Information Item on North Coast Waterbodies in the Integrated Report 303(d) List (*Mary Bartholomew*)

Mary Bartholomew, Environmental Scientist with the Regional Water Board and co-lead of the Integrated Report Program, presented to the Board. The presentation included overviews of the purpose of the presentation and the integrated report,

water quality assessment, integrated report highlights, off-cycle assessment, and public review process.

Ms. Bartholomew, along with Planning and Stewardship Division Supervisor Katharine Carter and Assistant Executive Officer Josh Curtis, answered questions from the Board.

Comments were received from the following members of the public:

- Brenda Adelman, Russian River Watershed Protection Committee
- Bart Deamer, The OWTS Residents of the Russian River

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

Action Item

4. Public Hearing on Administrative Civil Liability Complaint No. R1-2021-0047A issued to BoDean Co. Inc, for the Mark West Quarry, Sonoma County, 4611 Porter Creek Road (*Heaven Moore, Jeremiah Puget, Claudia Villacorta, Catherine Hawe, Naomi Rubin, and Daniel Kippen*)

Chair Bedolla opened the hearing by reading the Hearing Officer's Statement. Parties presented arguments regarding the admittance of written witness declarations submitted the week prior to the hearing by the Prosecution Team. After meeting in closed session to discuss and subsequently receiving additional input from both parties, the Board ruled to allow witnesses to verbally testify to authenticate the contents of their declarations, effectively admitting the declarations into evidence. The Board agreed to grant the Respondent an additional 30 minutes to cross-examine those witnesses.

After the conclusion of the Hearing Officer's Statement, Chair Bedolla administered the oath to all present witnesses. Catherine Hawe, attorney with the State Water Resources Control Board Office of Enforcement, presented the Prosecution Team's opening statement. Sean Hungerford, representing BoDean, presented the Respondent's opening statement. Both parties answered questions from the Board, and after a short break, Board Members, along with members of the Respondent, Prosecution, and Advisory Teams met at the Mark West Quarry for the site tour. Regional Board staff, BoDean employees, and one member of the public were also present.

After an introduction from Executive Officer Valerie Quinto of the Advisory Team, Mr. Hungerford and Ms. Hawe (representing the Respondent and Prosecution Teams, respectively) gave brief presentations at each location. The locations marked as "weather permitting" were not included on the tour.

Representatives for the Respondent and Prosecution Team, as well as members of the Advisory Team, answered questions from the Board.

The hearing, including site visit, was recorded and transcribed; the recording and transcription provide a complete account of the hearing.

Meeting adjourned at 3:15 p.m.

Thursday, February 6, 2025

i. **Pledge of Allegiance:** Board Member Giusti led the Pledge of Allegiance.

ii. **Roll Call and Introductions:**

Board Members present: Hector Bedolla, Alex Hart, Greg Giusti, Ryan Sundberg, Jake Mackenzie (left at 6:00 PM)

Regional Water Board staff present: Valerie Quinto, Nathan Jacobsen, Bayley Toft-Dupuy, Josh Curtis, Deidre Wilkerson, Claudia Villacorta, Kaete King, Tina Low, Josh Luders, Paul Nelson, Jeremiah Puget, Kason Grady, Matt Herman, Heaven Moore, Heidi Bauer, Sabrina Cegielski

Action Item

4. Continuation of Public Hearing on Administrative Civil Liability Complaint No. R1-2021-0047A issued to BoDean Co. Inc, for the Mark West Quarry, Sonoma County, 4611 Porter Creek Road (*Heaven Moore, Jeremiah Puget, Claudia Villacorta, Catherine Hawe, Naomi Rubin, and Daniel Kippen*)

The Prosecution Team and the Respondent concluded their opening statements (continued from the previous day). After clarifying questions from the Board, the Prosecution Team began their case presentation.

The Prosecution Team called the following witnesses to authenticate written declarations: Heaven Moore, Matthew Herman, Bryan Elder, Nick Bennet, Sabrina Cegielski, Joshua Luders, Paul Nelson, Alisa Keenan, Kason Grady, Claudia Villacorta, Farzad Kasmaei, Heidi Bauer, Jeremiah Puget, and Rich Fadness.

After the Respondent's cross examination of Ms. Moore and Mr. Nelson, the Prosecution Team resumed their case presentation, followed by questions from the Board.

Over the lunch break, the Board met in closed session.

The Respondent cross-examined Mr. Puget and Ms. Moore. After rehabilitation from the Prosecution team, the meeting concluded.

The hearing was recorded and transcribed; the recording and transcription provide a complete account of the hearing.

Meeting adjourned at 6:11 p.m.

Friday, February 7, 2025

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

ii. **Roll Call and Introductions:**

Board Members present: Hector Bedolla, Alex Hart, Greg Giusti, Ryan Sundberg, Jake Mackenzie

Regional Water Board staff present: Valerie Quinto, Nathan Jacobsen, Bayley Toft-Dupuy, Josh Curtis, Deidre Wilkerson, Claudia Villacorta, Kaete King, Tina Low, Heaven Moore, Jeremiah Puget, Kason Grady, Josh Luders, Brian Fuller, Matt Herman, Rachel Prat

Action Item

4. Continuation of Public Hearing on Administrative Civil Liability Complaint No. R1-2021-0047A issued to BoDean Co. Inc, for the Mark West Quarry, Sonoma County, 4611 Porter Creek Road (*Heaven Moore, Jeremiah Puget, Claudia Villacorta, Catherine Hawe, Naomi Rubin, and Daniel Kippen*)

The Respondent began their case presentation, which included testimony from Anthony Boyle, Joseph King, Wayne Chang, John Bennett, Brian Anderson, Kevin Ganshorn, Daniel Greenacre, and Nicholas Brinton-McBean.

The Board granted an additional 15 minutes to the Prosecution Team for cross-examination after it was determined that Mr. Chang was not included on the Respondent's witness list.

Over the lunch break, the Board met in closed session.

John Mack, Natural Resources Manager for the County of Sonoma, answered questions from the Prosecution.

The Prosecution Team cross examined the following witnesses: Arthur Deicke, Anthony Boyle, Wayne Chang, Joseph King, John Bennett, Brian Anderson, Kevin Ganshorn, and Nicholas Brinton-McBean.

After closing arguments from both parties, comments were received from the following members of the public:

- Brian Hopkins, public/self
- Ryan Gomer, BoDean Company
- Don Fowler, Fowler Construction and Sonoma County Fire District
- Alicia Williams, Independent Activist and Community Builder

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

Before going into closed session, the Board reported that they plan to schedule a special closed session to discuss this case further before the April 1-2, 2025 Board Meeting.

The Board returned from closed session with nothing to report and concluded the meeting.

The hearing was recorded and transcribed; the recording and transcription provide a complete account of the hearing.

Information Items

8. **Executive Officer's Report:** The written Executive Officer's report was not discussed at the meeting.
9. **Board Member Requests for Future Agenda Items and Others Items of Interest:** Board Members did not make any new requests.
10. **Closed Session:** The Board met in Closed Session to discuss agenda item 4 (Public Hearing on Administrative Civil Liability Complaint No. R1-2021-0047A issued to BoDean Co. Inc, for the Mark West Quarry, Sonoma County, 4611 Porter Creek Road) as noted above.
11. **Arrangements for Next Meeting and Adjournment**

9:00 a.m., Tuesday, April 1, 2025, and
9:00 a.m., Wednesday, April 2, 2025
Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
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Meeting adjourned at 7:15 p.m.