

**Minutes of Meeting**

1:00 P.M., Wednesday, June 15, 2016

8:30 A.M., Thursday, June 16, 2016

David C. Joseph Meeting Room

5550 Skylane Blvd., Suite A

Santa Rosa, CA 95403

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

**Wednesday, June 15, 2016**

i. **Pledge of Allegiance**

Board member Minton led the Pledge of Allegiance.

ii. **Roll Call and Introductions**

Board members present: Kelli Gant, Gregory Giusti, Geoffrey Hales, Valerie Minton and David Noren

Board members absent: John Corbett

Regional Water Board staff present: Cherie Blatt, Fred Blatt, Graham Brown, Katharine Carter, Terri Cia, Patti Corsie, Clayton Creager, Josh Curtis, Carley Dunleavy, Rich Fadness, Rebecca Fitzgerald, Michele Fortner, Scott Gergus, Colleen Hunt, Imtiaz-Ali Kalyan, Lance Le, Shin-Roei Lee, Benjamin Minx, Gina Morrison, Donna Poe, Jeremiah Puget, Bernadette Reed, Charles Reed, Chuck Striplen, Claudia Villacorta, Jonathan Warmerdam, and Ben Zabinsky.

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

No Board member reports or Ex Parte Communications.

iv. **Public Forum:**

Comments were taken from:

- Bob Legge, Russian Riverkeeper

1. **Approval of Meeting Minutes: May 12, 2016**

Motion: Geoffrey Hales moved to adopt, Kelli Gant seconded the motion, motion passed unanimously.

2. **Update on the Final Closure of Cummings Road Class III Solid Waste Disposal Site and the Clean-Closure of the (former) Cummings Road Burn Ash Site.** Gina Morrison, Water Resource Control Engineer, Land Disposal & Groundwater Permitting Unit, introduced the guest speaker panel: Jill Duffy, Executive Director, Humboldt Waste Management Authority, Jesse Solorio, Senior Civil Engineer, Lawrence and Associates, and Mike Leggins, General Manager, Recology Yuba-Sutter. Ms. Duffy gave a brief history of the Cummings Road Solid Waste Disposal and Burn Ash sites. Jesse Solorio, provided an overview of the construction work for the clean closure of the Burn Ash Site and final closure of the Solid Waste Disposal Site along with a presentation of 3 videos that capture the previous 3 years of construction, and Mike Leggins stated that this project was just phenomenal as far as the collaboration and cooperation from all of the entities (private and regulatory) that worked on this project.
3. **Update on Freshwater Cyanobacteria Harmful Algal Blooms Response Efforts** Katharine Carter, Environmental Scientist, Adaptive Watershed Management Unit, gave a presentation and overview of Cyanobacteria Harmful Algal Blooms (CyanoHABs), identifying the health effects (affecting skin, liver, kidney, and nervous system) of each CyanoHAB toxin and its effects on humans, pets and livestock. The following were identified as common HAB forming Cyanobacteria, 1) Microcystin; 2) Anatoxin-a; 3) Saxatoxin; and 4) Cylindrospermopsin. Ms. Carter outlined the Federal, State, and the Regional CyanoHAB response efforts and strategies, and summarized that 1) Cyanobacteria are a natural part of our environment; 2) Proposing to utilize the existing Regional Water Board programs to address controllable factors in CyanoHAB formation; 3) Effective CyanoHAB response requires planning and coordination; 4) Effective CyanoHAB response requires evaluation of multiple lines of evidence; and 5) The goal is to keep beaches open to recreation while protecting public health and beneficial uses.  
  
Comments were taken from:
  - Brenda Adelman, Russian River Watershed Protection Committee
4. **Nonpoint Source Grants in the North Coast: Highlights from the Past and Opportunities for the Future.** Rebecca Fitzgerald, Senior Environmental Scientist, Adaptive Watershed Management Unit, gave an overview of the Grants programs, highlighting past and current grants for the Shasta River Watershed; Fish Friendly Farming; and Laguna de Santa Rosa Dairy. Mrs. Fitzgerald went over specifics of the Grants administered by Regional Board staff of: 1) Clean Water Act Section 319(h) Nonpoint Source Grant Program; 2) Timber Regulation and Forest Restoration Grant Program; along with the other Grant Programs including Proposition 1 Water Quality, Supply, and Infrastructure Act of 2014 and

the future priorities for 319(h) and Timber Fund Grants for 2017. Adriane Garayalde, Administrator, Shasta Valley Resource Conservation District, spoke to the Board on the planning and implementation of the project grants that are funded by Waterboard and other entities in the Shasta region. Laurel Marcus, Executive Director, California Land Stewardship Institute, spoke to the Board on the planning and implementation of the Fish Friendly Farming project 319 (h) grants funded by Region 1 & 2 Waterboards. William Hart, Project Manager, Gold Ridge Resource Conservation District, spoke to the Board regarding the Laguna de Santa Rosa Dairy Program grant that is shared between Sonoma Resource Conservation District and Gold Ridge Conservation District.

5. **Executive Officer's Report.** Matt St. John, Executive Officer announced that Colleen Hunt, Environmental Scientist, NPDES Unit, was awarded a Certificate of Appreciation for her leadership and outstanding work in the development and implementation of the Phase 1 MS4 Stormwater Permit and representing Region 1 at various statewide conferences and trainings on stormwater in the State of California. Mr. St. John introduced new staff to the Board: Carley Dunleavy, Graham Brown, and Ben Minx, all Engineering Geologists, in the Northern Nonpoint Source & Forestry Unit; Imtiaz-Ali Kaylan, Water Resource Control Engineer, NPDES Unit (previously with Region 8); Charles Striplen, Environmental Scientist, Adaptive Management Unit (previously with San Francisco Estuary Institute). Mr. St. John reported that the Cannabis waiver Program; has over 500 enrollees to date and next week, the Cannabis Unit is sending out over 200 letters to targeted dischargers located in sensitive watersheds, who still need to be enrolled in the Cannabis waiver Program. Mr. St. John also pointed out the noteworthy articles in the EO's report authored by: 1) Clayton Creager, Watershed Stewardship Coordinator, regarding the Klamath Hydroelectric Project, and 2) Katharine Carter, Environmental Scientist, Adaptive Watershed Management Unit, regarding the Klamath Fish Health Assessment Team (KFHAT) to be used as a model for initiating a program in the Columbia River Basin, and 3) Pam Jeane, Assistant General Manager, Water & Wastewater, Sonoma County Water Agency, regarding Sonoma County Water Agency's Fish Habitat Flows and Water Rights Project.
6. **Board Member Requests for Future Agenda Items.** Board member Hales requested an update to the Board on the "Safe Medicine Disposal Program". Board member Noren suggested that staff consider expanding the 5C Road Program to include Sonoma County.
7. **Other Items of Interest.** No items to discuss.

**Meeting adjourned at 4:30 p.m.**

**Thursday, June 16, 2016**

- v. **Pledge of Allegiance**

Board member Gant led the Pledge of Allegiance.

vi. **Roll Call and Introductions**

Board members present: Kelli Gant, Gregory Giusti, Geoffrey Hales, Valerie Minton and David Noren

Board members absent John Corbett

Regional Water Board staff present: Lisa Bernard, Cherie Blatt, Fred Blatt, Jim Burke, Patti Corsie, Clayton Creager, Josh Curtis, Cathy Goodwin, David Kuszmar, Lance Le, Shin-Roei Lee, Alydda Mangelsdorf, Ben Minx, Roy O'Connor, Donna Poe, Charles Reed, Chuck Striplen, and Claudia Villacorta

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

No Board member reports or Ex Parte Communications.

viii. **State Board Liaison's, Board Chair's, Board Members', and Executive Officer's Reports:**

**State Water Board Liaison's Report:**

The State Board Liaison, Steven Moore updated the Board on:

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

ix. **Public Forum:**

Comments were taken from:

- Felice Pace, North Coast Stream Flow Coalition
- Brenda Adelman, Russian River Watershed Protection Committee

8. **Public Hearing on Order No. R1-2016-0019 to consider adoption of proposed Waste Discharge Requirements for the Tennant Community Services District Wastewater Treatment Facility, WDID No. 1A88031RSIS.**

9. **Public Hearing on Order No. R1-2016-0015 to consider adoption of proposed Waste Discharge Requirements for City of Healdsburg Wastewater Treatment, Recycling, and Disposal Facility, WDID No. 1B82046OSON, NPDES No. CA0025135.**

10. **Public Hearing to consider adoption of Order No. R1-2016-0016, requiring the City of Healdsburg to cease and desist from discharging or threatening to discharge effluent in violation of Waste Discharge Requirements Order No. R1-2016-0015 for the City of Healdsburg Wastewater Treatment, Recycling, and Disposal Facility, WDID No. 1B82046OSON, NPDES No. CA0025135.**

Motion: Geoffrey Hales moved to adopt Items 8, 9 & 10, Kelli Gant seconded the motion; roll-call vote initiated for each item:

**Item 8:**

Minton aye

Hales aye

Noren aye

Gant aye

Giusti aye

Motion passed unanimously.

**Item 9:**

Minton aye

Hales aye

Noren aye

Gant aye

Giusti aye

Motion passed unanimously.

**Item 10:**

Minton aye

Hales aye

Noren aye

Gant aye

Giusti aye

Motion passed unanimously.

Board member Greg Giusti requested that Items 11 & 12 be pulled from the consent calendar and to have both to be heard as Action Items; Board members concurred; Acting Chairman Noren pulled Items 11 & 12.

### **Action Items**

11. **Public Hearing on Order No. R1-2016-0001 to consider adoption of proposed Waste Discharge Requirements for City of Eureka Wastewater Treatment Plant, WDID No. 1B82151OHUM, NPDES No. CA0024449.** Lisa Bernard, Sanitary Engineering Associate, Planning Unit, gave an overview on the proposed Order and the key requirements for the City of Eureka Wastewater Treatment Plant, that consists of prohibiting discharges to Humboldt Bay unless done in a

manner compliant with the Enclosed Bays and Estuaries Policy. In addition, the Proposed Permit prohibits discharges to Humboldt Bay that do not receive full biological secondary treatment. Elimination of the routine bypass of secondary treatment is consistent with Federal regulations prohibiting bypasses and is necessary for the protection of Humboldt Bay because: 1) Humboldt Bay is an enclosed bay subject to the Enclosed Bays and Estuaries Policy; 2) Humboldt Bay hosts the largest oyster production area in the country; and 3) Oysters are filter feeders that may accumulate toxics and pathogens, which may be present at higher levels in effluent that does not receive full treatment. Ms. Bernard also outlined the long term compliance issues; Effluent Limitations, review of the Public comments received and recommended that the Order be adopted as proposed.

Motion: Geoffrey Hales moved to adopt, David Noren seconded the motion; Acting Chairman Noren initiated a roll-call vote

Minton aye

Hales aye

Noren aye

Gant aye

Giusti aye

Motion passed unanimously.

12. **Public Hearing to consider adoption of Order No. R1-2016-0012, requiring the City of Eureka to cease and desist from discharging or threatening to discharge effluent in violation of Waste Discharge Requirements Order No. R1-2016-0001 for the City of Eureka Wastewater Treatment Plant, WDID No. 1B82151OHUM, NPDES No. CA0024449.** Lisa Bernard, Sanitary Engineering Associate, Planning Unit, gave an overview on the Cease and Desist Order (CDO). In cooperation with the City of Eureka, staff developed the draft CDO with tasks and deadlines to allow a total of 14 years for the City of Eureka to evaluate and implement alternatives to comply with the Enclosed Bays and Estuaries Policy and to eliminate the routine bypass of secondary treatment. Specifically, the proposed CDO requires the City of Eureka to analyze feasible options for complying with the Enclosed Bays and Estuaries Policy, such options could include but are not limited to, Facility system configuration, Facility upgrades, and environmental enhancements. Once the City of Eureka has selected and our Executive Officer has approved an appropriate compliance option(s), the proposed CDO requires the City of Eureka to complete the California Environmental Quality Act (CEQA) process, obtain necessary permits, and complete the preferred alternative(s) by July 1, 2030. The proposed CDO also requires the City of Eureka to simultaneously prepare and submit a comprehensive Wet Weather Improvement Plan to reduce and ultimately eliminate the bypass of treatment components at the Facility; and to identify a range of alternatives for Facility improvements, upgrades, configurations, and private sewer lateral programs, and to eliminate bypass of secondary treatment as soon as possible with a final deadline of July 1, 2028. Ms. Bernard stated that no public comments were received and recommended that the

CDO be adopted as proposed. Board member Giusti requested that staff relate Board members desire that CDO deliverables be completed on time and requested an update by staff.

Motion: Geoffrey Hales moved to adopt, David Noren seconded the motion; Acting Chairman Noren initiated a roll-call vote

Minton aye

Hales aye

Noren aye

Gant aye

Giusti aye

Motion passed unanimously.

13. *Continued from May 11, 2016 Board Meeting.* **Public Hearing on proposed Order No. R1-2016-0004, Waste Discharge Requirements and General Water Quality Certification 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.** Jim Burke, Senior Engineering Geologist, Southern Nonpoint Source & Forestry Unit, gave a recap of the May 12, 2016 Board meeting presentation and addressed the Board members requests for clarification on: 1) Riparian Management Zones (RMZs); 2) Harvest Rates; 3) Hydrology Monitoring; 4) Wet weather requirements; and 5.) Criteria for lifting the temporary prohibition. Mr. Burke then discussed the revisions to the proposed Order, along with Staff's recommendation to adopt the proposed Order.

Comments were taken from:

- Gary Rynearson, Mike Miles, Dennis Thibeault, & Wayne Whitlock, Green Diamond Resource Company
- Felice Pace, North Group Redwood Chapter Sierra Club
- Rob DiPerna, Environmental Protection Information Center
- Jerry Martien, Friends of Elk River
- Vivian Helliwell, Pacific Coast Federation of Fishermen's Association
- Kristi Wrigley, Elk River Resident

Following Board member comments and discussion, acting Chairman Noren stated that the Board will not vote on the proposed order today. The hearing was closed until a subsequent Board meeting.

## Workshops

No Workshops scheduled

8. **Closed session:** There was no closed session.

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

8:30 a.m., Thursday, August 11, 2016

5550 Skylane Blvd, Suite A

Santa Rosa, CA 95403

**Meeting adjourned** at 2:50 p.m.

Chairperson \_\_\_\_\_

Date \_\_\_\_\_