

**Minutes of Meeting**

8:30 A.M., Wednesday, August 12, 2015

8:30 A.M., Thursday, August 13, 2015

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, August 12, 2015**

i. **Pledge of Allegiance**

Board member Giusti led the Pledge of Allegiance.

ii. **Roll Call and Introductions**

Board members present: John Corbett, Gregory Giusti, Geoffrey Hales, William Massey, and David Noren

Board members absent Valerie Minton

Regional Water Board staff present: Cherie Blatt, Fred Blatt, Steve Butkus, Patti Corsie, Clayton Creager, Gil Falcone, Rebecca Fitzgerald, Forest Fortescue, Cathy Goodwin, Kason Grady, Wendy Jones, David Kuszmar, Shin-Roei Lee, Alydda Mangelsdorf, Jonathan Meurer, Dean Prat, Jeremiah Puget, Matt St. John, Berny Reed, Charles Reed, Maggie Robinson, Adona White, Jonathan Warmerdam and Tom Williams

iii. **Board Member Ex Parte Communication Disclosure** - Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code section 11430.50.

- William Massey had discussions with state and local officials regarding the West County sewer issues and TMDL.
- David Noren had discussions with state and local officials regarding the West County sewer issues and TMDL and had conversations with stakeholders about the Sonoma County Landfill and Compost Facility issues.

- iv. **Public Forum:** Time will be reserved for the general public to address the Board on any matter within the Board's jurisdiction, excluding those items on the agenda. The Board Chair may limit the public forum to thirty (30) minutes initially, and continue any remaining appearances beyond the thirty (30) minutes at the end of the regularly scheduled business of the day. The Board Chair requests that each person addressing the Board limit their presentation to three (3) minutes.

1. **Approval of Meeting Minutes: June 18, 2015**

Motion: William Massey moved to adopt, David Noren seconded the motion, motion passed unanimously.

2. **Resolution for David Leland, Retired Assistant Executive Officer.** Matt St. John, Executive Officer, read the Resolution expressing appreciation to David Leland for his 18 years of State Service and the outstanding work as the Assistant Executive Officer for the North Coast Regional Water Quality Control Board.

### **Uncontested Item**

No Uncontested Items were scheduled

### **Action Items**

No Action Items were scheduled

### **Workshops**

3. **Workshop on Draft Order No. R1-2015-0021 Waiver of Waste Discharge Requirements for Nonpoint Source Discharges Related to Certain Federal Land Management Activities on National Forest System Lands in the North Coast Region.** Dean Prat, Senior Engineering Geologist, Northern Nonpoint Source & Forestry Unit, gave a presentation of the chronology of the Nonpoint Source Waivers for the U.S. Forest Service (USFS), the USFS management activities, the purpose of the Waiver, Categories A & B projects and their determinations, an overview of the proposed changes to the draft 2015 USFS Waiver regarding legacy site treatment, transition to National Best Management Practices (BMP's), watershed condition framework, Salmon & Scott River memorandum of understanding (MOU) tasks and the Monitoring and Reporting Program (MRP) including the changes to the MRP with proposed adoption at the October 8, 2015 Board meeting. Carolyn Cook, Watershed Fisheries & Wildlife Program Manager, USFS, Six Rivers National Forest, gave an overview and update of the USFS Waiver and progress towards TMDL implementation and Monitoring in the priority watersheds in the Klamath, Shasta-Trinity, Six Rivers, Mendocino and Modoc National Forests with instream and upland watershed

restoration associated with instream improvement, landslide treatments, road and fine sediment control, barrier removal, road decommissioning and storm-proofing, grazing and riparian improvements, recreation and trail improvements, fire suppression and Burned Area Emergency Response (BAER).

Comments were taken from:

- Susan Corum, Karuk Tribe
- Kimberly Baker, Klamath Forest Alliance and Environmental Protection Information Center (EPIC)
- Felice Pace, North Group Redwood Chapter Sierra Club.
- William A. Derr, National Wildfire Institute

### Information Items

4. **Information Item on Klamath National Forest (KNF) Westside Fire Recovery Project.** Tom Williams, Engineering Geologist, Northern Nonpoint Source & Forestry Unit, gave a brief description of the Westside Fire Recovery (WFR) Project and introduced Patricia Grantham, Forest Supervisor, Klamath National Forest, who gave an overview of the low to high intensity burn areas in the WFR Project area, the WFR Project objectives and goals, discussed the Modified Alternative 3 Plan of salvage harvesting, roadside hazard treatment, hazardous fuels treatment including strategic fuel breaks, site preparations and reforestation. Dan Blessing, Natural Resources Staff Officer, Klamath National Forest, spoke about the impacts and benefits of the Cumulative Watershed Effects Models of Watershed Ecological Risk Assessment (ERA), Universal Soil Loss Equation (USLE) and Geomorphic (GEO) mass wasting (landslide) potential, along with the design features for roads, salvage and roadside hazards, fuels, reforestation, Burned Area Emergency Response (BAER) and legacy site treatment plan.

Comments were taken from:

- Kimberly Baker, Klamath Forest Alliance and EPIC
- Susan Corum, Karuk Tribe
- Tom Wheeler, EPIC
- George Harper, Happy Camp Fire Safe Council
- William Derr, National Wildfire Institute
- Felice Pace, Project to Reform Public Land Grazing in Northern California and North Group Redwood Chapter Sierra Club.

Matt St. John, Executive Officer, reopened the written comment period for the Waiver application for an additional two weeks with a deadline of 5 p.m. August 26, 2015, and requested that for those persons who gave oral comments to the Board today, to please provide their comments in writing. Chairman Corbett requested Board comments and opinions of the direction and process of this project and Board member Giusti, Noren and Chairman Corbett responded.

5. **Update on the Development of Total Maximum Daily Loads for the Laguna de Santa Rosa.** David Kuszmar, Water Resource Control Engineer, Planning Unit,

introduced Jonathan B. Butcher, Ph.D., Registered Professional Hydrologist & Environmental Engineer, TetraTech, Inc., who gave a presentation on his role in the development of the Total Maximum Daily Loads (TMDL) for the Laguna de Santa Rosa by reconciling and integrating the extensive past work, to provide analyses to unify the sediment and nutrient budgets, to present the final results of the sediment budget analysis and to discuss the ongoing work on the nutrient analysis and its link to the sediment budget. David Kuszmar concluded the presentation by reviewing the next steps of the TMDL of releasing the completed sediment budget documents, to complete the ongoing nutrient analysis, to evaluate opportunities with stakeholders for future data collection, analysis, and adaptive management, to integrate sediment, nutrient, and other TMDL analyses to address biostimulatory conditions, to incorporate TMDL-related monitoring and special study needs into the Russian River Regional Monitoring Program (R3MP), and reserve space in our TMDL Implementation Plan for Water Quality Credit Trading.

Comments were taken from:

- Rita Miller, City of Santa Rosa
- Brenda Adelman, Russian River Watershed Protection Committee

Meeting adjourned at 3:58 p.m.

## **Thursday, August 13, 2015**

v. **Pledge of Allegiance**

Board member Massey led the Pledge of Allegiance.

vi. **Roll Call and Introductions**

Board members present: John Corbett, Gregory Giusti, Geoffrey Hales, William Massey, Valerie Minton, and David Noren

Regional Water Board staff present: Lisa Bernard, Fred Blatt, Jim Burke, Katharine Carter, Patti Corsie, Clayton Creager, Gil Falcone, Stormer Feiler, Rebecca Fitzgerald, Forest Fortescue, Scott Gergus, Cathy Goodwin, Kason Grady, David Kuszmar, Shin-Roei Lee, Derek Magnuson, Alydda Mangelsdorf, Jonathan Meurer, Bryan McFadin, Connor McIntee, Dean Prat, Jeremiah Puget, Matt St. John, Brendan Thompson, Berny Reed, Charles Reed, Maggie Robinson, Adona White, Jonathan Warmerdam, Tom Williams, and Ben Zabinsky.

- iii. **Board Member Ex Parte Communication Disclosure** - Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code section 11430.50. (Board member Minton was absent on August 12, 2015).
- Valerie Minton spoke with Craig Litwin, regarding the draft Cannabis Order.
- vii. **State Board Liaison's, Board Chair's, Board Members', and Executive Officer's Reports:** These items are for Board discussion only. No public testimony will be allowed, and the Board will take no formal action.

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

The State Water Board Liaison, Steven Moore was not in attendance.

**Executive Officer's Report:** Please see Item 10 below.

- viii. **Public Forum:** Time will be reserved for the general public to address the Board on any matter within the Board's jurisdiction, excluding those items on the agenda. The Board Chair may limit the public forum to thirty (30) minutes initially, and continue any remaining appearances beyond the thirty (30) minutes at the end of the regularly scheduled business of the day. The Board Chair requests that each person addressing the Board limit their presentation to three (3) minutes.

Comments were taken from:

- Joe Hiney, Public
- Ann Maurice, Ad Hoc Committee for Clean Water
- Madge Strong, Mendocino City Council, read by Matt St. John, E.O.
- Brenda Adelman, Russian River Watershed Protection Committee
- Richard Gienger, Public

## Uncontested Items

6. **Public Hearing on Order No. R1-2015-0039 to consider adoption of proposed Waste Discharge Requirements for Mendocino City Community Services District Wastewater Treatment Facility, W DID No. 1B83129OMEN, NPDES No. CA0022870.**

Motion: William Massey moved to adopt, David Noren seconded the motion, Chairman Corbett initiated a roll-call vote:

Minton aye  
 Hales aye  
 Noren aye  
 Corbett aye  
 Massey aye  
 Giusti aye

Motion passed unanimously.

## Action Items

7. **Public Hearing on Proposed Order No. R1-2015-0023 General Waiver of Waste Discharge Requirements (Waiver) and General Water Quality Certification and Monitoring and Reporting Program for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region.** Diana Henrioulle, Senior Water Resource Control Engineer, Compliance Assurance Unit, introduced Kason Grady, Water Resource Control Engineer, Compliance Assurance Unit, who gave a presentation on the background and strategy of Interagency Coordination, Education and Outreach, Regulatory Orders and Enforcement, the components of the draft Order of Waiver of Waste Discharge Requirements and General Water Quality Certification, Monitoring and Reporting Program and the Mitigated Negative Declaration (CEQA), the comments received during the public review period, the issues and technical/editorial changes. Diana Henrioulle, discussed the change sheet to the proposed Order of added elements for third party proposals, discussion about avoiding conflict with Federal law, the implementation of the Order with aerial reconnaissance, letters to property owners, enforcement hearings on non-compliance with possible fines to include property liens and identified one minor typographical edit to the staff's response to comments.

Matt St. John, Executive Officer recommended to the Board that no late written comments on this item be accepted.

Motion: William Massey moved to adopt that no late comments be accepted, Geoffrey Hales seconded the motion, Chairman Corbett initiated a roll-call vote:

Minton aye  
 Hales aye  
 Noren aye  
 Corbett aye  
 Massey aye  
 Giusti aye

Motion passed unanimously.

Comments were taken from:

- Michael Bailey, Public
- Joe Hiney, Public
- Tom Grover, Public
- Michael Green, Fresno Cannabis Association
- Matt Clifford, Trout Unlimited
- Patrick Higgins, Eel River Recovery Project
- Vivian Helliwell, Pacific Coast Federation of Fishermen's Associations
- Richard Gienger, Public

- Asa Shaeffer, Sonoma County Collective
- Jennifer Kalt, Humboldt Baykeeper, California Coast Keeper Alliance and North Coast Environmental Center
- Bob Legge, Russian River Keeper & California Coast Keeper Alliance
- Julia Carrera, Small Farmers Association
- Sarah Shrader, Americans for Safe Access
- Ann Maurice, Ad Hoc Committee for Clean Water
- Devon Jones, Mendocino Farm Bureau
- Hezekiah Allen, Emerald Growers Association

Motion: David Noren moved to adopt with the change/errata sheet and CEQA document, William Massey seconded the motion, Chairman Corbett initiated a roll-call vote:

Minton aye  
Hales aye  
Noren aye  
Corbett aye  
Massey aye  
Giusti nay

Motion passed with 5 ayes and 1 nay vote.

## Workshops

No Workshops were scheduled

## Information Items

8. **Update on Upper Elk River Sediment TMDL Analysis.** Alydda Mangelsdorf, Senior Environmental Scientist, Planning Unit, gave an introduction and review of staff efforts since the May, June and August 2014 Board meetings, highlighting the key issues and the new technical developments and summarized the implementation strategy that is under development. Jonathan B. Butcher, Ph.D., Registered Professional Hydrologist & Environmental Engineer, TetraTech, Inc., gave an overview of Tetra Tech's task of synthesizing existing assessments, performing quality analysis/quality control, and to produce a concise technical report to be completed in September 2015, that supports a sediment TMDL and an implementation program. Adona White, Water Resources Control Engineer, Planning Unit, addressed Board member Hales and Chairman Corbett's questions. Alydda Mangelsdorf closed the presentation by reviewing the next steps by Tetra Tech and Regional Board staff.

Comments were taken from:

- Hank Seeman, Humboldt County
- Richard Gienger, Public
- Mike Jani, Humboldt Redwood Company
- Vivian Helliwell, Pacific Coast Federation of Fishermen's Associations
- Gary Rynearson, Green Diamond Resource Company
- Kristi Wrigley, Elk River Resident
- Jesse Noell, Elk River Resident

9. **Consideration of Issues to Address in a Climate Change Protection Policy [Part 1].** Alydda Mangelsdorf, Senior Environmental Scientist, Planning Unit, gave a presentation on the climate change predictions for Region 1, the high priority to develop a policy to address the effects of climate change on water quality and introduced the speaker panel. Max Gomberg, Environmental Scientist, Environmental Program Manager of the Climate and Conservation Program, State Water Board, gave an overview of the State Water Boards climate change policy development. Dr. Nat Seavy, Research Director Pacific Coast & Central Valley, Point Blue Conservation Science, gave an overview of existing science and implications for water quality in the North Coast region.
10. **Executive Officer's Report.** Matt St. John, Executive Officer, advised the Board members that their request for regular updates on the conditions in the Klamath River has been addressed in an article in the August written Executive Officer's Report by Katharine Carter, Environmental Scientist, Adaptive Watershed Management Unit, and that the U.S. Bureau of Reclamation has issued a draft report on the 2015 Lower Klamath River Late Summer Flow Augmentation from Lewiston Dam. Regional staff submitted a comment letter supporting the use of water from Lewiston Dam to the Lower Klamath River. Matt St. John also reiterated to the Board that concept proposals are being solicited for Clean-Water Act, Section 319h Non-point Source funds which are being combined with Timber Harvest Regulation and Forest Restoration grants administered through the 319h program with a September 24, 2015 deadline and more information can be found on the Regional Boards website along with the draft Russian River TMDL Action Plan 45-day public comment period that will be released before the end of August and that Regional staff will be holding 3 staff Workshops throughout the Watershed with an adoption hearing at the November 19, 2015 Board meeting.
11. **Board Member Requests for Future Agenda Items.** No requests made.
12. **Other Items of Interest.** No items to discuss.
13. **Closed session:** There were no reports from closed session.
14. **Arrangements for Next Meeting and Adjournment**  
8:30 a.m., Thursday, October 8, 2015  
5550 Skylane Blvd, Suite A  
Santa Rosa, CA 95403



Meeting adjourned at 4:35 p.m.

Chairperson \_\_\_\_\_

Date \_\_\_\_\_