

Minutes of Meeting

9:00 A.M., Thursday, April 16, 2020
Regional Water Quality Control Board
Video Conference

Video recordings of Board meetings (since 2/2019) are available at:
[Prior Board Meeting Video recordings.](#)

Audio recordings of Board meetings (11/2018 and before) are available at:
[Prior Board Meeting Audio recordings](#)

i. **Pledge of Allegiance:** Board member Bedolla led the Pledge of Allegiance.

ii. **Roll Call and Introductions:**

Board Members present:

Hector Bedolla, Kelli Gant, Gregory Giusti,
and Valerie Quinto.

Regional Water Board staff present:

Kelsey Cody, Patti Corsie, Josh Curtis,
Kason Grady, Nathan Jacobsen, Daniel
Kippen, Heaven Moore, Christopher
Moskal, Matt St. John, Claudia Villacorta,
and Jonathan Warmerdam.

iii. **Board Member Reports and Ex Parte Communication Disclosure:** Board member Giusti reported he attended an online Zoom meeting with Matt St. John, EO, and the California Coastkeeper Alliance.

iv. **State Board Liaison's and Executive Officer's Reports:** State Board Liaison Dorene D'Adamo updated the Board on the State Water Board's actions regarding 1) Reporting of water shut-offs during Covid-19 Pandemic, 2) On April 27 & 30, 2020, State Board staff attended [The Water Research Foundation's](#) virtual International Water Research Summit on environmental surveillance of sewer-shed monitoring for pathogens (SARS, Covid-19) that is a promising tool to assess community spread, 3) On May 5, 2020, the State Board adopted the Environmental Lab Accreditation Program (ELAP) regulation standards for over 650 laboratories with a 3-year phase-in, 4) On May 5, 2020, the State Water Board adopted the 10-year Safe Drinking Water Policy and will have a Board Workshop on July 22, 2020, to develop the Safe Drinking Water Expenditure Plan, 5) At the June 16, 2020 State Board meeting, the State Water Board adopted the Definition of Microplastics in Drinking Water that was ordered by the State of California Legislature, 6) In May, 2020, State Board staff conducted workshops to receive public input on the proposed Vapor Intrusion Workgroup Supplemental Guidance, that outlines a

uniform framework for state and local agencies that oversee cleanups to determine if harmful vapors formed by contaminants in soil or groundwater pose a threat to the buildings occupants, and 7) The State Board is working on revisions to the Winery General Order and are working closely with the Regional Boards, and plan to hold a workshop sometime in mid-July 2020 on this topic.

v. **Public Forum:** No Public Forum speakers.

1. Approval of Meeting Minutes: April 16, 2020:

Motion: Board member Giusti moved to adopt April 16, 2020 Meeting Minutes, Board member Gant seconded the motion; Chairwoman Quinto initiated a roll-call vote:

Giusti aye

Gant aye

Quinto aye

Bedolla aye

Motion passed unanimously

2. Approval of North Coast Regional Water Board 2021 Meeting Schedule:

Motion: Board member Gant moved to adopt the North Coast Regional Water Board 2021 Meeting Schedule, Board member Bedolla seconded the motion; Chairwoman Quinto initiated a roll-call vote:

Giusti aye

Gant aye

Quinto aye

Bedolla aye

Motion passed unanimously

Uncontested Items

3. Public Hearing on Order No. R1-2020-0016, to consider rescission of Waste Discharge Requirements (WDRs) and associated Monitoring and Reporting Programs (MRPs) for the following Dischargers:

- Virginia Dare Winery, Order No. R1-2017-0013, WDID No. 1B830170SON

- Mendocino Forest Products Ukiah Sawmill, Order No. R1-2014-0003, WDID No. 1B800051OMEN
 - Baywood Golf & Country Club, Order No. 94-085, WDID No. 1B91037RHUM
 - Timber Crest Farms, Order No. 80-047, WDID No. 1B80047OSON
(*Nicholas Colbrunn*)
4. Modification to Geysers Power Company, LLC Waste Discharge Requirements and Monitoring and Reporting Program Order No. 99-35 (*Scott Gergus*)
 5. Public Hearing on Order No. R1-2020-0020 Modifying Cease and Desist Order No. R1-2012-0012 for the City of Eureka Elk River Wastewater Treatment Facility, WDID No. 1B82151OHUM, NPDES No. CA0024449 (*Cathleen Goodwin*)

Motion: Board member Gant moved to adopt Uncontested Items 3, 4, and 5, Board member Bedolla/Giusti seconded the motion; Chairwoman Quinto initiated a roll-call vote:

Giusti aye

Gant aye

Quinto aye

Bedolla aye

Motion passed unanimously

Action Item

6. **Consideration of Resolution No. R1-2020-0013 authorizing referral of Water Code violations by Shadow Light Ranch, LLC, Joshua Sweet, and The Hills, LLC to the Office of the Attorney General for judicial civil enforcement.** Josh Curtis, Assistant Executive Officer, introduced Shannon Utley, Engineering Geologist, Northern Cannabis Regulatory Unit, North Coast Regional Water Board, and Dan Kippen, Attorney, State Water Board Office of Enforcement. Mr. Kippen updated the Board on the Resolution, that refers Shadow Light Ranch, LLC, Joshua Sweet, and The Hills, LLC (collectively, the Responsible Parties) to the California Office of the Attorney General (Attorney General) for possible enforcement of violations of the Water Code related to the Responsible Parties' extensive illegal development of property for cannabis cultivation. The Resolution requests that the Attorney General seek injunctive relief, bring other applicable causes of action, and/or seek judicially imposed civil liabilities or other appropriate relief under California Water Code sections 13350 and/or 13385, as appropriate, against the Responsible Parties. Due to the significant issues explained in detail in the staff report, including the Responsible Parties' failure to comply with the requirements regarding discharge of waste to waters of the state and/or United States, Regional Water Board staff contends that this case is warranted for referral to the Attorney

General. Following the staff presentation, the Responsible Parties' attorney, Nicole Granquist, commented on the status of existing site conditions and her client's attempts to achieve compliance with the alleged violations. The Board deliberated regarding the testimony and the implications of referring the case to the Office of the Attorney General.

Motion: Board member Gant moved to adopt Resolution No. R1-2020-0013, Board member Bedolla seconded the motion; Chairwoman Quinto initiated a roll-call vote:

Giusti aye

Gant aye

Quinto aye

Bedolla aye

Motion passed unanimously

Information Items

7. **Update on the Development and Early Implementation of the Laguna de Santa Rosa Total Maximum Daily Loads for Nutrients, Dissolved Oxygen, Sediment, and Temperature.** Dr. Kelsey Cody, Environmental Scientist, Adaptive Management Unit, updated the Board on the development and early implementation of the Laguna de Santa Rosa Total Maximum Daily Loads for Nutrients, Dissolved Oxygen, Sediment, and Temperature. Key Next Steps: (1) Staff will continue coordinating with US EPA and State Board TMDL staff to develop agreement on the contents of a TMDL Alternative that both satisfies regulatory requirements and establishes a science-based, meaningful approach to source control and ecosystem recovery; (2) Staff will continue to assemble the existing science associated with sediment, nutrient, temperature, and DO conditions in the Laguna de Santa Rosa watershed into a technical report to submit for scientific peer review; (3) Staff will coordinate with key watershed partners to develop the first in what may be a series of Laguna Recovery Workshops through which a consensus-based recovery strategy can be built.
8. **Storm Water Program Update.** Heaven Moore, Senior Water Resource Control Engineer, NPDES Unit, updated the Board on the Storm Water Program, including the Statewide Industrial General Permit, Construction General Permit, and Municipal Separate Storm Sewer System Permits.
9. **Covid-19 Update and Budget Implications.** Matt St. John updated the Board on the Region's response to the changed work environment due to Covid-19 and the associated budgetary and resource implications for the region.

- 10. Executive Officer's Report.** Matt St. John provided additional information regarding the State Water Board's development of the Winery General Order; welcomed Chris Watt as the new Groundwater Specialist in the Point Source Control & Groundwater Protection Division; and highlighted that this year is shaping up to be another dry year with low flows in the North Coast streams that present risks to salmonids and other aquatic life.

- 11. Board Member Requests for Future Agenda Items and Other Items of Interest:** Chairwoman Quinto requested an update on the Potter Valley Project, with Vice-Chairman Giusti concurring.

- 12. Closed Session:** The Board did not meet in closed session.

- 13. Arrangements for Next Meeting and Adjournment:**
9:00 a.m., Thursday August 20, 2020 and
9:00 a.m., Friday August 21, 2020

Meeting adjourned at: 1:50 p.m.

Chairperson _____

Date _____