

**Minutes of Meeting**

1:00 P.M., Wednesday, November 19, 2014

8:30 A.M., Thursday, November 20, 2014

David C. Joseph meeting room

5550 Skylane Blvd., Suite A

Santa Rosa, CA 95403

Audio recordings of Board meetings are available at: [www.waterboards.ca.gov/northcoast](http://www.waterboards.ca.gov/northcoast); go to the Board Info tab and click on Meetings.

**Wednesday, November 19, 2014**

**1:00 P.M.**

**i. Pledge of Allegiance**

Board member Hales led the Pledge of Allegiance.

**ii. 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, Cheri Blatt, Fred Blatt, James  
Burke, Patti Corsie, Mona Dougherty, Elena  
Franceschi, Cathleen Goodwin, Craig Hunt,  
Beth Lamb, Shin-Roei Lee, David Leland,  
Alydda Mangelsdorf, Rachel Prat, Bernadette  
Reed, Matt St. John, and Brandon Thompson

- iii. Introduction of San Francisco Estuary Institute's new Executive Director, Warner Chabot.** Matt St. John, Executive Officer, welcomed and introduced Warner Chabot, the new Executive Director of the San Francisco Estuary Institute (SFEI). Mr. Chabot presented an overview of SFEI's organization, their mission, who they serve, and SFEI's core programs of Clean Water, Resilient Landscapes, and Environmental Informatics.

**Workshops**

**1. Update on Santa Rosa Plain Watershed Groundwater Management Plan.**

Jeremiah Puget, Environmental Scientist, Planning Unit, gave a brief overview of the existing North Coast Regional Groundwater Management Plans and the Sustainable Groundwater Management Act of 2014. Grant Davis, General Manager, Sonoma County Water Agency, gave a presentation on the groundwater studies completed by the Sonoma County Water Agency and the U.S. Geologic Survey in the Sonoma Valley,

Alexander Valley, Petaluma Valley and the Santa Rosa Plain and the benefits of locally-driven and collaborative groundwater management. Tracy Nishikawa, PhD, Research Hydrologist, U.S. Geologic Survey, gave a presentation on groundwater, including an overview of the hydrology, geochemistry and hydrologic model of the Santa Rosa Plain Watershed. Marcus Trotta, Hydrogeologist, Sonoma County Water Agency, gave a presentation on the background and timeline of the Santa Rosa Plain Groundwater Management Planning, the composition of the Basin Advisory Panel and Management structure, along with the goals and elements of the Groundwater Management Plan and the next steps.

2. **Workshop to consider draft Triennial Review Priority Project List.** Alydda Mangelsdorf, Senior Environmental Scientist, Planning Unit, gave a presentation on the Triennial Review Priority Projects List review process, the 2014 Triennial Review schedule, the status of the 2011 Triennial Review Basin Plan Amendment (BPA) projects, the BPA project suggestions from the 2014 Triennial Review, the proposed high priority BPA projects and a review of the editorial revisions for Chapters 1 and 2 of the Basin Plan.

Comments were taken from:

- Doug Culbert, City of Fortuna
- Grant Wilson, Earth Law Center
- Brenda Adelman, Russian River Watershed Protection Committee
- Daria Isupov, Russian River Watershed Association
- Tim Eriksen, City of Ukiah

### **Thursday, November 20, 2014**

**8:30 A.M.**

i. **Pledge of Allegiance**

Board member Massey led the Pledge of Allegiance.

ii. **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: Stephen Bargsten, Nick Bel, Lisa Bernard, Cherie Blatt, Fred Blatt, James Burke, Steve Butkus, Katharine Carter, Mona Dougherty, Gil Falcone, Scott Gergus, Wendy-Lynn Jones, Beth Lamb, Shin-Roei Lee, David Leland, Bryan McFadin, Connor McIntee, Cecile Morris, Dean

Prat, Jeremiah Puget, Bernadette Reed, and  
Charles Reed, Matt St. John

- 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 met with State and local officials regarding West Sonoma County wastewater issues.
  - David Noren also met with State and local officials regarding West Sonoma County wastewater issues and spoke with Sonoma County officials regarding the Sonoma County Compost Facility and stormwater.

- iv. 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.

**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.

**The Executive Officer's Report:**

Matt St. John updated the Board on:

- The office received funding this year for four staff positions for the new Cannabis Waste Discharge Regulatory Program. Matt St. John introduced two new hires: Connor McIntee, Environmental Scientist, along with our in-office transfer Kason Grady, Water Resource Control Engineer, previously with the Core Regulatory Unit, and advised that the Program is actively interviewing candidates for the remaining position.

- v. **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:

- Kristi Wrigley, Elk River resident
- Brenda Adelman, Russian River Watershed Protection Committee

**Approval of Meeting Minutes: October 9, 2014.**

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

3. **Resolution No. R1-2014-0056: Delegation of Authority to the Assistant Executive Officer.** The Resolution is to delegate to the Assistant Executive Officer position, and not the specific person the same duties as the Executive Officer in his absence, and to assume other duties delegated to him by the Executive Officer.

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

**Uncontested Items**

5. **Public Hearing on Order No. R1-2014-0050 to consider modifying Order No. R102012-0031 Waste Discharge Requirements for the City of Arcata Municipal Wastewater Treatment Facility, WDID No. 1B82114OHUM, NPDES No. CA0022713.**
6. **Public Hearing on Order No. R1-2014-0051 to consider Rescission of Waste Discharge Requirements and Monitoring and Reporting Program Order No. R1-2003-0043 for International Paper Company, Former Masonite Wood Treatment Facility, Cloverdale, WDID No. 1B03036RSON.**

Motion: William Massey moved to adopt items 5 and 6, Geoffrey Hales seconded the motion. Motion passed unanimously.

**Action Items**

7. **Public Hearing regarding settlement of Administrative Civil Liability Complaint R1-2014-0054 for Spring Hill Jersey Cheese, Inc.**

Prosecution Team: Cherie Blatt, Water Resources Control Engineer, Southern Timber Unit; Cecile Morris, Water Resources Control Engineer, Enforcement Unit; Naomi Kaplowitz, Staff Counsel, State Resources Control Board; Diana Henriouille, Senior Water Resources Control Engineer, Enforcement, Grants and Solid Waste Unit; and David Leland, Assistant Executive Officer, North Coast Regional Board.

Advisory Team: Matt St. John, Executive Officer, North Coast Regional Board; Samantha Olson, Staff Counsel, State Water Resources Control Board; Katharine Carter, Environmental Scientist, TMDL Unit, North Coast Regional Board.

Defense Team: Michael Brook, Attorney, Law Offices of Michael Brook and Larry Peter, owner Spring Hill Jersey Cheese, Inc..

- Cherie Blatt presented the Case-in-Chief for the prosecution; Naomi Kaplowitz presented the legal arguments and responses, and Cecile Morris discussed the Administrative Civil Liability Complaint (ACLC) and presented the conclusion and recommendations.
- Michael Brook presented the Case-in-Chief for the defense.
- Naomi Kaplowitz cross-examined Michael Brook and Larry Peter.
- William Massey, Katharine Carter, Samantha Olson, Geoffrey Hales, Greg Giusti, John Corbett questioned Michael Brook.
- Michael Brook and Larry Peter testified in rebuttal.
- Michael Brook did not give a closing statement. David Leland gave the closing statement for the Prosecution.

Motion: William Massey moved to adopt the proposed administrative liability of \$37, 125, David Noren seconded the motion. Motion passed unanimously.

8. **Public Hearing on Order No. R1-2014-0026 to consider adoption of proposed Waste Discharge Requirements for Foster Farms dba Humboldt Creamery Wastewater Treatment Facility, WDID No. 1B80185OHUM, NPDES NO. CA0005584.** Lisa Bernard, Sanitary Engineering Associate, Core Regulatory Unit, gave an overview of the treatment facility and history, the various facility processes that produce wastewater, the discharge area groundwater monitoring sites, and the land disposal limits of Total Suspended Solids (TSS), and Total Dissolved Solids (TDS), and staff recommended actions. Mike Callihan, Plant Manager, Humboldt Creamery, gave the introduction on the facts and information about Humboldt Creamery, John Kramer, Ph.D., Condor Earth Technologies, Inc., gave an overview of the scientific studies, and Tess Dunham, Special Council, Somach, Simmons and Dunn, gave a presentation of TDS issues and Humboldt Creamery's proposed recommendations.

Motion: William Massey moved to adopt, Valerie Minton seconded the motion. Motion carried 4 yeas (Board members Corbett, Noren, Massey, and Minton) 2 nays (Board members Hale and Giusti).

Motion passed with a majority vote.

## Workshop

9. **Workshop on Resolution No. R1-2015-0001 Draft Policy in support of Restoration Projects in the North Coast Region and Basin Plan Amendment.** Jonathan Warmerdam, Environmental Scientist, NPS, 401 Unit, gave a presentation on the Restoration Policy components of:

- Why restoration is an important recovery tool;
- The obstacles to restoration;
- The existing laws and regulations;
- The Regional Water Board's ongoing efforts;
- The Regional Water Board directions to staff;
- The Basin Plan Amendment narrative.

Jonathan Warmerdam then concluded the presentation with the next steps of the Resolution including a 45-day review process that began on November 17, 2014, response to comments, considerations for revision, and the adoption hearing scheduled for the January 29, 2015 Board meeting.

## Information Items

10. **Update on the Development and Early Implementation of the Laguna de Santa Rosa Total Maximum Daily Loads for Nutrients, Dissolved Oxygen, Temperature, and Sediment.** David Kuszmar, Water Resource Control Engineer, TMDL Unit, introduced the guest speakers, Brittany Heck, Executive Director, Gold Ridge Resource Conservation District (RCD); Michael Thompson, Assistant General Manager – Business Operations, Sonoma County Water Agency (SCWA); and Chuck Striplen, PhD., Associate Environmental Scientist, San Francisco Estuary Institute and Aquatic Science Center (SFEI-ASC). David Kuszmar gave a presentation on the watershed and TMDL overview, the Coordinated Watershed Stewardship Program, TMDL development with early implementation and the need to reduce pollutant sources and increase assimilative capacity of the watershed. Brittany Heck gave a presentation on the RCD projects in the Laguna de Santa Rosa, an overview of Water Quality Credit Trading-program, including the guiding principles, development of a formalized market, the net water quality benefits and the project participants. Michael Thompson gave an overview on the history of stream maintenance and ecosystem restoration in the Laguna de Santa Rosa, the challenges and solutions, the Laguna Restoration Team consisting of North Coast Regional Water Board staff, SCWA, SFEI, Laguna Foundation and the California Fish and Wildlife staff and its goals of:
- Achieving measurable and marketable improvements to ecosystem services and ecological functions in the Laguna de Santa Rosa;
  - Increasing the productive use of agricultural and other lands along the Laguna mainstem;

- Increasing scientific understanding of the Laguna mainstem and creating a collaborative model for enhancing habitat and meeting resource management goals.

Chuck Striplen, PhD., gave a presentation on the Historical Ecology Initiative, the next steps, and the initiatives specific goals of:

- Map historical channels for entire Santa Rosa Plain;
- Map historical wetland and terrestrial habitats;
- Model sediment transport based on historical creek alignments;
- Document land use changes;
- Evaluate potential alternatives for restoration to achieve multiple benefits;
- Develop conceptual models of landscape change and desired future conditions;
- Utilize new tools (i.e. LiDAR) to improve mapping precision.

David Kuszmar concluded the presentation with the next steps and the schedule for the Laguna TMDLs.

Comments were taken from:

- David Bannister, Laguna de Santa Rosa Foundation
- Daria Isupov, Russian River Watershed Association

11. **Executive Officer's Report.** No items to discuss.

12. **Board Member Requests for Future Agenda Items.**

- Board member Noren requested an update on the McMinn Ave Superfund Cleanup site.
- Board member Giusti requested an update on the State-wide Grazing Regulatory Action Plan and an update on the Agricultural Lands Discharge program.

13. **Other Items of Interest.** No items to discuss.

14. **Closed Session.** There were no reports from closed session.

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

08:30 a.m., January 29, 2015  
Regional Water Quality Control Board  
David C. Joseph Meeting Room  
5550 Skylane Blvd., Suite A  
Santa Rosa, CA

Meeting adjourned at 4:55 pm.

Chairperson\_\_\_\_\_

Date\_\_\_\_\_