

State of California
Regional Water Quality Control Board
North Coast Region

Minutes of Meeting

10:00 A.M., Thurs., October 3, 2024 &
9:00 A.M., Fri., October 4, 2024
Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Thursday, October 4, 2024

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, Josh Curtis, Bayley
Toft-Dupuy, Nathan Jacobsen, Deidre
Wilkerson, Claudia Villacorta, Paul
Nelson, Jeremiah Puget, Jordan Filak,
Rachel Prat, Kelsey Cody, Adrienne
Johns, Charles Reed, Matt St. John

iii. **Board Member Reports and Ex Parte Communication Disclosure:** Board Member Mackenzie asked about AB 1284, Tribal ancestral lands and waters: cogovernance and comanagment agreements, and whether there is any impact to

the Water Boards. Executive Officer Quinto stated that there is likely no direct impact to the Water Boards, but she would look into it.

Vice Chair Giusti reported that he had a conversation with a lily bulb grower who asked about the upcoming lily bulb order and related data analysis timeline.

Chair Bedolla brought up the recent high temperatures and the impact on surface water evaporation.

- 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 follow up to Chair Bedolla’s comments regarding the recent temperatures, followed by updates on a wide range of topics, including: recently adopted financial assistance programs, the timeline for the updated general permit for small municipal stormwater entities, ongoing high-profile Administrative Hearing Office items (Sites Project and Delta Conveyance Project), the Seawater Desalination Provisions of the Water Quality Control Plan for Ocean Waters of California, a note on the 10-year anniversary of the adoption of the Sustainable Groundwater Management Act, several groundwater basins that have been referred to State Board from the Department of Water Resources, additional funding for the Safe and Affordable Drinking Water Program, and a note that there are no updates regarding flow regulations in the Scott and Shasta but more information is coming soon.

To close out her report, Vice Chair D’Adamo thanked tribes and stakeholders for their work on the Klamath Dam removal project, highlighted a press release from Governor Newsom, and touched on the next steps.

- v. **Board Chair’s Report:** Chair Bedolla reported that Board Member Matsubu is not seeking reappointment and encouraged anyone who is interested in becoming a Board Member to apply.

Board Member Mackenzie shared that his Senate Confirmation process is underway, with his interview scheduled for October 17, 2024.

After Chair Bedolla was finished with his report, Matt St. John of the Regional Water Board shared a remembrance of colleague and friend Gail Louis. A moment of silence was held.

- vi. **Public Forum:** No comments were received from members of the public.

1. Approval of Meeting Minutes: August 14-16, 2024

Motion: Board Member moved to adopt August 14-16, 2024 Board meeting minutes; Board Member seconded the motion; Chair Bedolla initiated a roll-call vote:

- Bedolla aye
- Giusti aye
- Hart aye

- Sundberg aye
- Mackenzie aye

Motion passed unanimously

Action Items

2. Public Hearing to consider adoption of Cease and Desist Order No. R1-2024-0035 requiring Vintage Wine Estates, inc. Ray's Station Winery Mendocino County to cease and desist from discharging and/or threatening to discharge waste in violation of waste discharge requirements (Jeremiah Puget, Rachel Prat & Jordan Filak)

Chair Bedolla opened with the Hearing Officer's Statement. Nathan Jacobsen, Counsel to the Board, disclosed a discussion with Ray's Station Winery. The hearing followed the Order of Proceeding as outlined by Chair Bedolla in his opening statement.

Jeremiah Puget, Senior Environmental Scientist and Enforcement Coordinator for Region 1, gave the Prosecution Team's opening statement, followed by Theresa Dunham, Attorney representing Vintage Wine Estates.

Rachel Prat, Environmental Scientist of the Groundwater Permitting Unit, began the Prosecution Team's case presentation. Ms. Prat gave an introduction along with facility background information. Jordan Filak, Environmental Scientist of the Enforcement Unit, discussed complaints, inspections, enforcement actions, and violations associated with the proposed cease and desist order. Dr. Kelsey Cody, Senior Environmental Scientist of the Groundwater Permitting Unit, testified to complaints and observations shared by neighbors of the facility. Kailyn Ellison, Office of Enforcement Attorney, presented the Prosecution Team's initial rebuttal to arguments and evidence that was submitted by Vintage Wine Estates. Mr. Puget closed the presentation with a summary of the Prosecution Team's arguments in favor of adopting the cease and desist order.

Following her cross examination of one member of the Prosecution Team, Ms. Dunham began the case presentation for Vintage Wine Estates. Her presentation included an overview of Ray's Station wastewater operations, Vintage Wine Estate's bankruptcy proceedings, responses to the Prosecution Team's rebuttal brief, and requested action from Vintage Wine Estates. Jeanne McManus, Facilities Maintenance Supervisor of Ray's Station Winery, answered questions from the Board.

The Prosecution Team completed their cross examination of Vintage Wine Estates' witnesses. Ms. Ellison followed up with questions for Ms. McManus, as well as Rodrigo de Oliveira, Head of Operations for Vintage Wine Estates.

The Prosecution Team and Vintage Wine Estates provided their rebuttals, followed by closing arguments. Ms. Ellison gave closing arguments for the Prosecution Team, followed by Ms. Dunham for Vintage Wine Estates.

Comments were received from the following members of the public:

- Tod Kong, self/neighbor of Ray's Station Winery

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

Following public comment, the Board met in closed session from 3:06 p.m. until 4:13 p.m. Upon returning from closed session, the Board and their Advisory Team presented edits to the proposed cease and desist order.

Motion: Board Member Mackenzie moved to adopt Cease and Desist Order No. R1-2024-0035 with the modification presented; 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 Items

3. **Executive Officer's Report:** Executive Officer Valerie Quinto highlighted the written Executive Officer's Report, noting the issuance of a Notice of Violation/13267 Order in the Shasta River watershed, an example of the enforcement efforts associated with implementing the Shasta River TMDL and Conditional Waiver of Waste Discharge Requirements.
4. **Board Member Requests for Future Agenda Items and Other Items of Interest:** Board Members did not make any new requests.

Chair Bedolla confirmed the information for the next meeting (item 7 below).

Meeting adjourned at 4:28 p.m.

Thursday, October 4, 2024

Information Items

5. Tour of the Hanson Russian River Ponds Floodplain Restoration Project (Matt St. John)

Board Members (Hector Bedolla, Greg Giusti, Jake Mackenzie, and Ryan Sundberg), Regional Board Staff, and members of the public met at the Hanson Russian River Ponds Floodplain Restoration Project Site for a tour led by Don McEnhill of Russian Riverkeeper.

6. **Closed Session:** The Board met in closed session to discuss the following items:

- **d. i.** Humboldt Redwood Company LLC v. North Coast Regional Water Quality Control Board; State Water Resources Control Board, Petition for Writ of Mandate and Complaint; Humboldt County Superior Court, Case No. CV 1901082 (Nov. 18, 2019.)
- **d. iii.** Green Diamond Resource Company v. North Coast Regional Water Quality Control Board; State Water Resources Control Board Real Party in Interest, Petition for Writ of Mandate and Complaint; Humboldt County Superior Court, Case No. CV 2000678 (July 8, 2020.)
- **d. v.** Humboldt Redwood Company and Green Diamond Resource Company v. California State Water Resources Control Board and North Coast Regional Water Quality Control Board, Humboldt County Superior Court, Case No. CV2000678, (September 24, 2021).

There was no action to report from the closed session.

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

9:00 a.m., Wednesday, December 4, 2024, and
9:00 a.m., Thursday, December 5, 2024
Regional Water Quality Control Board
5550 Skylane Blvd., Suite A
Santa Rosa, CA 95403

Meeting adjourned at 12:49 p.m.