

Minutes of Meeting

8:00 A.M., Thursday, January 30, 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; go to the Board Info tab and click on Meetings.

i. Pledge of Allegiance

Board Member Geoffrey Hales led the Pledge of Allegiance.

ii. Roll Call and Introductions

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

Regional Water Board staff present: Matt St. John, David Leland, Samantha Olson, Nathan Jacobsen, Patti Corsie, Elena Franceschi, Donna Poe, Bryan McFadin, Charles Reed, Roy O'Connor, Cecile Morris, Andrew Baker, Clayton Creager, Robert Klamt, Kaete King, James Burke, Fred Blatt, Mona Dougherty, Dean Prat, Gil Falcone, Forrest Fortescue.

iii. Election of Officers

Motion: Geoffrey Hales moved to elect John Corbett as Board Chair, William Massey seconded the motion. Motion passed unanimously.

Motion: William Massey moved to elect David Noren as Vice Chair. Geoffrey Hales seconded the motion. Motion passed unanimously.

iv. Board Member Ex Parte Communication Disclosure

- William Massey met with Federal, State and local officials regarding West County sewer systems.
- Gregory Giusti met with Rosamond Crowder, Ellen Drell and Sara Grusky regarding the Willits Bypass project. Board Member Giusti also met with George Gentry, Executive Officer, Board of Forestry; Pete Cafferata and Jose Diaz, Cal-Fire, along with Matt St. John, Executive Officer, and Bryan McFadin, Senior Water Resource Control Engineer to discuss the Eel, Mattole, and Navarro TMDL's Site Potential Shade wording issues.

v. State Board Liaison's, Board Chair's and Executive Officer's Reports

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

- The 2014/2015 Water Board budget will increase Staff by 354 positions
 - 291 positions for the Drinking Water Program.

- 10 positions in Groundwater Management.
 - 11 positions to coordinate with the Department of Fish and Wildlife to prevent illegal stream diversions, discharges of pollutants into waterways, and other water quality impacts associated with marijuana cultivation.
 - 12 positions to the Surface Water Ambient Monitoring Program (SWAMP) for field sampling, and laboratory services that are no longer contracted to outside vendors.
 - 10 positions in the 401 Certifications and Wetland Program to address compliance monitoring and recordkeeping issues that were addressed in the recent State audit.
- The California Microbial Source Identification Manual: *“A Tiered Approach to Identifying Fecal Pollution Sources to Beaches”* is now available on the State Board Website.
 - The California Water Action Plan was signed by Governor Brown to be implemented in the next 5 years to meet three broad objectives: more reliable water supplies, restoration of species and habitat, and sustainable and more resilient managed water resource system.
 - A workshop was held on January 22, 2014 at the State Board on Groundwater Management concept paper.
 - The State Board approved to temporarily change the Sonoma County Water Agency’s Permit conditions for Lake Mendocino Water Rights to increase storage levels.
 - The State Legislature and the State Water Board is actively looking at AB1331, a potential Water Bond Initiative to finance the safe drinking water and water supply reliability program that is up for voter approval this November 4, 2014 general election.

Matt St. John, Executive Officer (EO) introduced and welcomed two new staff members of the North Coast Regional Water Quality Control Board

- Gil Falcone, Environmental Scientist, Non-Point Source Unit, 401 Program.
- Forrest Fortescue, Engineering Geologist, Northern Timber Unit.

Matt St. John, EO, updated the Board on his participation at the January 21, 2014 State Water Resources Control Board Meeting to support a Cleanup and Abatement account request for the Eel River Monitoring and Water Quality Awareness Pilot Project; (i.e., outreach and education addressing the environmental impacts of marijuana cultivation in the North Coast). This will provide funding to monitor, track changes in flow in the Eel River Watershed and to develop informational brochures related to water conservation and best management practices to prevent pollution associated with small farming operations, including marijuana cultivation. The State Water Board approved this funding by adopting Resolution 2014-0004 on January 21, 2014.

vi. **Public Forum**

Comments were taken from:

- Rosamond Crowder, Save our Little Lake Valley-Willits
- Ellen Drell, Willits Environmental Center and Save our Little Lake Valley-Willits

- Sara Grusky, Save our Little Lake Valley-Willits
 - Madge Strong, Willits Economic Localization
 - Will Parrish, Little Lake Valley Defenders
 - Freddie Long, Save our Little Lake Valley-Willits
 - William Ray, Save our Little Lake Valley-Willits
 - Patricia Norris, Save our Little Lake Valley-Willits
 - Thomas Fristoe, Public
 - Robin Leler, Public
 - Aurora O'Greenfield, Save our Little Lake Valley-Willits and Willits Charter School
 - Lasara Allen, Save our Little Lake Valley-Willits
 - Karen Davis, Save our Little Lake Valley-Willits
 - Melinda Clarke, Save our Little Lake Valley-Willits
 - Sandra Marshall, Save our Little Lake Valley-Willits
 - Cynthia Raiser Jeavons, Willits Community
1. **Approval of Meeting Minutes:** November 20 and 21 , 2013

Motion: William Massey moved to adopt the August 22, 2013 Minutes, Geoffrey Hales seconded the motion, motion passed unanimously.
 2. **Consideration of Resolution expressing appreciation to Heidi Harris.** Chairman Corbett read the Resolution expressing appreciation to Heidi Harris for her 8 years of dedication and service on the North Coast Regional Water Quality Control Board.
 3. **Presentation of 2013 Executive Officer's Water Quality Stewardship Award**
Matt St. John, Executive Officer (EO), gave an overview of the history of the Gualala Watershed Council and James Burke, Senior Engineering Geologist, Southern Timber Unit, introduced Kathleen Morgan, Executive Director, Gualala Watershed Council and Henry Alden, Vice-Chair Gualala Watershed Council and Senior Vice President Gualala Redwoods, Inc. Matt St. John, EO, presented the Gualala Watershed Council with the 2013 Executive Officer's Water Quality Stewardship Award for their outstanding work with implementing the Gualala River Sediment TMDL, Restoration Projects and partnering with other agencies and landowners to do an extensive Watershed and Water Quality Monitoring Program with data available on their website.

Uncontested Items

No Uncontested Items at this time

Action Items

4. **Public Hearing to consider Administrative Civil Liability Order No. R1-2014-0005 against Larry and Margaret Barcellos, Trinity Mobile Home Park, Trinity County.**

Prosecution Team: Cecile Morris, Water Resources Control Engineer, Enforcement Unit; Roy O'Connor; Engineering Geologist, Core Regulatory Unit; and Andrew Tauriainen, Staff Counsel, State Resources Control Board.

Advisory Team: Matt St. John, Executive Officer, North Coast Regional Board; Samantha Olson, Staff Counsel, State Resources Control Board; Charles Reed, Water Resources Control Engineer, Core Regulatory Unit.

Defense Team: Collin Bogener, Associate Attorney, Maire & Burgess Law Corporation.

- Cecile Morris presented the Case-in-Chief for the prosecution; Collin Bogener presented the Case in Chief for the defense.
- Collin Bogener cross-examined Roy O'Connor. Larry Barcellos was called as a witness for the defense. Andrew Tauriainen, cross-examined Larry Barcellos.
- David Noren, William Massey, Charles Reed and Samantha Olson questioned Larry Barcellos and Roy O'Connor.
- Michael Wright, landowner next to Trinity Mobile Home Park (MHP) testified during the prosecution rebuttal phase as to the current conditions of the Trinity MHP.
- Andrew Tauriainen and Collin Bogener gave closing arguments.

Workshops

No Workshop Items at this time

Information Items

7. **Update on status of implementing Green Diamond Resource Company's Ownership Waste Discharge Requirements (Orders R1-2012-0087, R1-2010-0044).** Kaete King, Environmental Scientist, Northern Timber Unit, gave an update to the Board on the Roads Management Waste Discharged Requirement (WDR) and Forest Management WDR 's. The Roads Management WDR covers systematic road upgrading and decommissioning, as well as maintenance and monitoring of the road system. The Forest Management WDR requires a Harvest plan review and inspection and annual THP Summary, automatic enrollment, start-up notifications and completion certifications. Gary Rynearson, Forest Policy Director, and Matt House, Aquatic Biologist, Green Diamond Resource Company gave an overview on the steps Green Diamond has taken to comply with the WDR's.

Comments were taken from:

- Felice Pace, Klamath Forest Alliance
5. **Update on Status of Implementing the Scott River TMDL Waiver.** Bryan McFadin, Senior Water Resource Control Engineer updated the Board on the status of implementing the Scott River TMDL Waiver, the development of a fact sheet

as requested by the Board, the preparations for assessments by developing a database and checklist, staff training and development and ranch planning assistance. Water quality assessment procedures and progress and other Waiver and TMDL related activities.

Comments were taken from:

- Felice Pace, Klamath Forest Alliance

6. **Update on Shasta River TMDL Waiver implementation and Watershed Stewardship including development of an adaptive management Monitoring Plan.** Clayton Creager, Staff Environmental Scientist, introduced Adriane Garayalde, Shasta Valley Resource Conservation District (RCD), who introduced to the Board, the Pilot Project Team of Robert Klamt, Volunteer, North Coast Regional Board and Andrew Baker, Engineering Geologist, Northern Timber Unit, Karen Mallory, Shasta Valley RCD, Ayn Perry, Shasta Valley RCD, Dave Webb, Shasta Valley RCD and Chantell Krider, Klamath Basin Monitoring Program. Clayton Creager and Adriane Garayalde presented the overview of the Watership Stewardship Approach, the Shasta Valley Watershed Stewardship Partners, Shasta Valley Watershed Management issues and priorities. Andrew Baker gave an overview of the Shasta TMDL Waiver and update. Robert Klamt presented the monitoring program elements and the recommendations for future monitoring. Clayton Creager presented the next steps of the Shasta River TMDL Waiver Implementation.

Comments were taken from:

- Daniel Myers, Redwood Chapter Sierra Club
- Felice Pace, Klamath Forest Alliance

5. **Public Hearing to consider Administrative Civil Liability Order No. R1-2014-0005 against Larry and Margaret Barcellos, Trinity Mobile Home Park, Trinity County.** (Continued) Samantha Olson, Staff Counsel, read the calculations of the penalties and the Regional Board findings of draft Order R1-2014-0005. The Board assessed a penalty of \$50,000 against the Dischargers. The Dischargers may submit an Enhanced Compliance Action (ECA) proposal to the Executive Officer to suspend a portion of the penalty assessed, not to exceed one half of the amount assessed in this Order.

Motion: William Massey moved to adopt as amended, Geoffrey Hales seconded the motion, motion passed unanimously.

8. **Executive Officer's Report.** See item v.
9. **Board Member Requests for Future Agenda Items.** No requests made.
10. **Other Items of Interest.** No items to discuss.

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

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

8:30 a.m., Thursday, March 13, 2014

5550 Skylane Blvd, Suite A

Santa Rosa, CA

Meeting adjourned at 6:06 pm.

Chairperson_____

Date_____