

## Minutes of Meeting

9:00 A.M., Thursday, April 7, 2022  
Regional Water Quality Control Board  
Video Conference

### Thursday, April 7, 2022

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, Gregory Giusti, Shaunna McCovey, and Valerie Quinto.
Regional Water Board staff present:	Katharine Carter, Patti Corsie, Josh Curtis, Rich Fadness, Kason Grady, Nathan Jacobsen, Jeremiah Puget, Matt St. John, Michael Thomas, and Claudia Villacorta
- iii. **Board Member Reports and Ex Parte Communication Disclosure.** No reports or Ex Parte Communications were disclosed.
- iv. **State Water Board Liaison's and Executive Officer's Reports:** State Water Board Liaison Dorene D'Adamo, gave a comprehensive update on the ongoing drought, including the proposed Curtailment Orders for the Russian, Shasta, and Scott Rivers, and announced the State Water Board's Division of Water Rights Public Workshop on April 14, 2022, at the North Coast Regional Water Board's office regarding the proposed Curtailment Orders for the Russian River Watershed. In addition, Ms. D'Adamo summarized various water quality measures being taken at the State Water Board regarding Hexavalent Chromium maximum contaminant levels, the Construction Storm Water General Permit, and the Wastewater Arrearages Payment Program.  
  
Matt St. John, Executive Officer, started his report by acknowledging Diana Henriouille who retired last month with almost 35 years with the State of California, with 20+ years of those years protecting the water quality in the North Coast. Mr. St. John provided a short presentation describing several high profile and high priority projects that staff

will be working on and/or bringing before the Board for consideration in Fiscal Year 2022-2023 and beyond, including: 1) Climate Change Adaptation and Resilience Strategy, 2) Drought-related Support, 3) Groundwater Protection Strategy Policy Statement Resolution, 4) Facilities Infrastructure & Restoration Funding Support, 5) Racial Equity Resolution and Action Plan, 6) Lower Klamath Project – Fall Creek Hatchery, Construction General Permit & 401 Certification oversight, 7) Governor’s Wildfire & Forest Resilience Action Plan, 8) Federal Lands Permit, 9) Vineyard Permit, 10) Eureka WWTF NPDES Permit, 11) Nordic Aquafarm NPDES Permit, and 12) Phase 1 MS4 Permit.

- v. **Regional Board Chair’s Report:** Chairman Giusti reported that he had several discussions regarding Lake Pillsbury and the Potter Valley Project with Mendocino and Lake County representatives. Mr. Giusti & Mr. St. John have been working with the Board of Forestry’s Chair Gillis in preparation for the June 2022 Board meeting regarding the fire resiliency work of both agencies.

vi. **Public Forum:**

**Comments were taken from:**

- Felice Pace, Grazing Reform Project
- Elizabeth Salomone, General Manager, Russian River Flood Control & Water Conservation Improvement District.

1. **Approval of Meeting Minutes:** February 3, 2022

**Motion:** Board member Bedolla moved to adopt February 3, 2022, Board meeting minutes; Board member Quinto seconded the motion; Chairman Giusti initiated a roll-call vote:

McCovey aye  
 Bedolla aye  
 Quinto aye  
 Giusti aye

Motion passed unanimously

### **Uncontested Items**

2. Public Hearing on Order No. R1-2022-0004 to consider adoption of proposed Waste Discharge Requirements (WDRs) for the Gualala Community Services District (CSD) Wastewater Treatment Facility and Recycled Water System, WDID No. 1B89005RMEN. (*Matt Herman*)

**Comments were taken from:**

- Chris Troyan, Gualala Community Services District

- De Denten, Gualala Community Services District. Both speakers promoted the District's grant application for State Revolving Fund support for their facility, as well as supporting approval of the Proposed Order.

**Motion:** Board member Quinto moved to adopt Order Number R1-2022-0004; Board member McCovey seconded the motion; Chairman Giusti initiated a roll-call vote:

McCovey aye

Bedolla aye

Quinto aye

Giusti aye

Motion passed unanimously

3. Public Hearing on Order No. R1-2022-0003, to consider Rescission of Waste Discharge Requirements (WDRs), National Pollutant Discharge Elimination System (NPDES) Permit and associated Monitoring and Reporting Programs (MRPs) for the following Dischargers:

- Jackson Family Wines Skylane Barrel Warehouse, Order No. 99-37 and MRP No. 99-37, WDID No. 1B98080RSON
- City of Willits Page Property, Order No. R1-2017-0046 NPDES Permit No. CA0025143 and associated MRP, WDID No. 1B06008NME
- Ray's Station Winery (formally Weibel Winery/Stimson Lane Vineyard), Order No. R1-2000-0081 and associated MRP, WDID No. 1B79056OMEN
- Coast Wood Preserving. Inc., Order No. R1-2004-0094, WDID No. 1B82051OMEN
- Gualala Community Services District and Sea Ranch Village Incorporated Sea Ranch Golf Links, Order No. 92-121, WDID No. 1B9202ORSON
- County of Sonoma, County Service Area #6 Sea Ranch North Wastewater Treatment and Disposal Facilities, Order No. 94-004, WDID No. 1B720190SON.

*(Nicholas Colbrunn)*

**Motion:** Board member McCovey moved to adopt Order Number R1-2022-0003, Board member Quinto seconded the motion; Chairman Giusti initiated a roll-call vote:

McCovey aye

Bedolla aye

Quinto aye

Giusti aye

Motion passed unanimously

## Information Items

- 4. Overview of the recently released report “Benthic Cyanobacteria and Cyanotoxin Monitoring in Northern California Rivers, 2016-2019” detailing the monitoring work and findings of the North Coast Regional Cyanobacteria Monitoring Program.** Rich Fadness, Engineering Geologist, Adaptive Management Unit introduced his co-worker Mike Thomas, Environmental Scientist, Adaptive Management Unit who assisted in gathering data for this report. Mr. Fadness described the purpose and background of the monitoring plan, developed in response to 18 suspected or documented dog deaths in the North Coast region attributed to benthic cyanobacterial harmful algal blooms (cyanoHABs). The purpose is to understand benthic cyanobacterial growth and cyanotoxin production in the mainstem Eel, South Fork Eel, and Russian Rivers. Extensive monitoring was conducted from 2016 to 2019 to answer four questions: 1) What cyanobacterial genera are responsible for the formation of toxic benthic mats? 2) What cyanotoxins are being produced? 3) Which cyanotoxins are associated with the various mat-forming cyanobacterial genera? and 4) What are the spatial and seasonal patterns to mat formation and cyanotoxin production? In conclusion, Mr. Fadness recommended that additional research be conducted in the future to standardize data collection and lab assessment to determine cyanotoxin concentrations in benthic mats for the evaluation of human health, domestic animal, and wildlife protection, and that additional studies should refine sampling protocols for Solid Phase Adsorption Toxin Tracking (SPATT) samplers.
- 5. Overview of the Enforcement Process, Policy and Penalty Calculation Methodology.** Kason Grady, Division Supervisor, Cannabis & Enforcement Division, introduced Laura Drabandt and Heather Jidkov, State Water Board Office of Enforcement. Mr. Grady gave an overview of the Enforcement Policy and process, starting with identifying violations through inspections, complaints, technical report reviews, and then prioritizing those violations for appropriate enforcement actions with input from internal and external stakeholders such as County District Attorney and California Department of Fish & Wildlife. Laura Drabandt reviewed the settlement process that starts with confidential settlement negotiations, establishing a Prosecution & Advisory team, and went into detail on the options to offset monetary liabilities including supplemental environmental projects (SEPs), compliance projects (CPs), or enhanced compliance actions (ECAs). Ms. Drabandt also covered what is confidential during a settlement discussion per Evidence Codes 1152 & 1154 and finished with the steps needed to finalize settlement agreements. Heather Jidkov gave an overview of the Enforcement Policy Penalty Methodology including the Water Board’s authority to impose liability for alleged violations of the Water Code. She provided an overview of the factors considered in assessing a penalty and concluded the presentation by presenting some example enforcement case studies to demonstrate how the Enforcement Policy penalty methodology is applied to calculate proposed penalties.

Board Member Quinto, McCovey, and Giusti asked clarifying questions on a variety of topics including where paid penalties are utilized, how discharge volume is calculated, and considerations in establishing base liability. Regional Board and Office of Enforcement staff responded.

**Comments were taken from:**

- Felice Pace, Grazing Reform Project

**6. Executive Officer's Report:** See written report and Item iv.

**7. Board Member Requests for Future Agenda Items and Other Items of Interest:**  
Vice Chair Bedolla requested tours of water treatment facilities. Chairman Giusti encouraged scheduling Board meetings throughout the region now that the Regional Board has resumed in-person/hybrid board meetings.

**8. Closed Session:** The Board did not meet in Closed Session.

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

9:00 a.m., Thursday June 09 and

9:00 a.m., Friday June 10, 2022

Online – Zoom Meeting,

Santa Rosa, CA

Meeting adjourned at 12:40 p.m.

Chairperson \_\_\_\_\_

Date \_\_\_\_\_