

**Minutes of Meeting**

9:00 A.M., Thursday, February 2, 2023  
Regional Water Quality Control Board  
5550 Skylane Blvd. Suite A  
Santa Rosa, CA 95403

**Thursday, February 2, 2023**

**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. **Land Acknowledgement:** Chair Giusti read the land acknowledgement.

We acknowledge that we are on the unceded territory and ancestral homeland of the Southern Pomo who have been stewards of this land since time immemorial. We also acknowledge that throughout the North Coast Region there are 59 unique California Native American Tribes with regional and ancestral connection. We recognize Indigenous peoples' profound and unique relationship with water is vital to cultural, spiritual, and medicinal practices and food sovereignty. We also recognize the painful history of genocide, colonization, broken promises, and stolen land and water resources upon which the State of California was founded. We respect Tribal sovereignty and honor Tribal stewardship and the continued use of ancestral lands by Tribal people today. We commit to addressing systemic inequities that persist and to prioritizing Indigenous voices and traditional ecological knowledge in North Coast watersheds. This acknowledgement does not replace our continued commitment to advancing mutual and lasting relationships with Indigenous communities and tribes throughout the North Coast Region.

- ii. **Pledge of Allegiance:** Vice Chair Bedolla led the Pledge of Allegiance.

- iii. **Roll Call and Introductions:**

Board Members present:

Hector Bedolla, Gregory Giusti, Shaunna McCovey (via Zoom), Bill Matsubu

Regional Water Board staff present:

Josh Curtis, Matthew Herman, Nathan Jacobsen, Jeremiah Puget, Charles Reed, Matt St. John, Claudia Villacorta, Jonathan Warmerdam, Devon Jorgenson, Valerie Quinto, Charles Reed, Brendan Thompson,

Bryan McFadin, Kason Grady, Adona White, Deidre Wilkerson, Heaven Moore (Via Zoom), Sabrina Cegielski (via Zoom)

- iv. **Election of Board Officers:** Board Member McCovey nominated Vice Chair Bedolla for Chair and Chair Giusti for Vice Chair. Chair Giusti and Vice Chair Bedolla agreed.

Chair Giusti asked for a roll call vote:

McCovey:	aye
Giusti:	aye
Bedolla:	aye
Matsubu:	aye

**Motion passed unanimously**

- v. **Board Member Reports and Ex Parte Communication Disclosure:** No ex parte communication reported.
- vi. **State Water Board Liaison's and Executive Officer's Reports:** State Board Liaison Dorene D'Adamo gave her report prior to the Board Member elections.

Ms. D'Adamo gave a comprehensive report that included the topics of climate change and drought, changes to the Conflict of Interest Code, key areas of the Racial Equity Plan, and updates on the Strategic Work Plan and Board Priorities.

Chair Giusti thanked Ms. D'Adamo for addressing groundwater recharge and shared recent data from the Sonoma Water Agency on Lake Pillsbury.

State Water Board Liaison D'Adamo made some clarifying comments regarding drought and groundwater.

- vii. **Regional Board Chair's Report:** Vice Chair Giusti (previously Chair) gave his report prior to the Board Member elections.

Chair Giusti thanked Regional Water Board staff for their quick action in providing a report on the impact of the recent earthquake on sewage treatment facilities and highlighted the lasting impacts of events such as the recent storms and earthquakes in the region.

- viii. **Public Forum:** Comments were received from the following members of the public:
- Tom Luster
  - Brenda Adelman (Russian River Watershed Protection Committee)

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

**1. Approval of Meeting Minutes: December 8, 2022**

**Motion:** Vice Chair Giusti moved to approve December 8, 2022, Board meeting minutes; Board member Matsubu seconded the motion; Chair Bedolla initiated a roll-call vote:

- McCovey     aye
- Giusti       aye
- Bedolla     aye
- Matsubu     aye

**Motion passed unanimously**

## **Emergency Response to Recent Natural Disasters**

**2. Update on Water Boards' Response to Humboldt County Earthquakes and North Coast Storm Events (*Mark Bare, State Water Board Emergency Management Program; and Regional Water Board Staff*)**

Charles Reed provided an introduction and overview of the recent natural disasters and how Regional and State Water Boards responded. Mark Bare of the State Water Board Emergency Management Program presented an overview of the Emergency Management Program, highlighting program organization, functions, and specifics of the response to the Humboldt earthquake. Sabrina Cegielski presented on the Regional Water Board's response regarding the Rio Dell wastewater treatment plant. Heaven Moore spoke on the impact and response of Regional Water Board staff in relation to the stormwater program. Jonathan Warmerdam presented on how the programs of the Nonpoint Source & Surface Water Protection Division responded to the recent natural disasters. Mr. Warmerdam also presented on the McKinney Fire (and rain events following the fire) and the impact on the region. Bryan McFadin presented an update on North Coast hydrologic conditions. Charles Reed provided closing remarks, highlighting the effects of climate change on wet and dry periods, the importance of investing in water and wastewater infrastructure, and the important services that the Water Boards provide to communities.

Board members had no questions and shared their appreciation for the staff's work in putting together this presentation.

## **Information Items**

**3. A Vision for North Coast Resilience: Priorities for Enhancing Watershed, Forest and Community Resilience in the North Coast Region (*Karen Gaffney, North Coast Resource Partnership*)**

Matt St. John introduced Karen Gaffney and Sherri Norris from the North Coast Resource Partnership. Ms. Gaffney is the Director of Strategic Planning and Communication, and Ms. Norris is the Director of Tribal Engagement. Ms. Gaffney

provided an overview and background information on the North Coast Resource Partnership and the recently developed *Vision for North Coast Resilience* plan, which highlighted examples of objectives and benefits, and the Regional Forest and Fire Capacity Program. Ms. Norris presented on the tribal engagement process, featuring key takeaways and goals. Ms. Gaffney followed up with information on plan implementation, identifying projects the Partnership is moving forward with that support the goals of the plan.

Board Members thanked Ms. Gaffney and Ms. Norris for their presentation. Vice Chair Giusti specifically mentioned Jackson Demonstration State Forest and the potential for applying the North Coast Resource Partnership's objectives and benefits to assist that area with the challenges they are facing. Chair Bedolla specifically encouraged any opportunities for enhancing groundwater recharge.

Executive Officer Valerie Quinto presented the North Coast Regional Water Quality Control Board's 2023 Water Quality Stewardship Award to the North Coast Resource Partnership, with Ms. Gaffney and Ms. Norris accepting the award on behalf of the organization.

### Uncontested Items

Uncontested items may be removed at the request of any Board member or person. If an item is removed from the uncontested calendar for discussion, it will only be voted on at this meeting if no significant changes are made to the agenda item. Otherwise, the item will be continued to a subsequent board meeting to allow input from interested persons.

4. Public Hearing to Consider Adoption of Waste Discharge Requirements for the Redway Community Services District (CSD), Redway CSD Wastewater Treatment Facility, WDID No. 1B83147OHUM, NPDES No. CA0022781 (*Matthew Herman*)

Motion: Vice Chair Giusti moved to adopt Agenda Item 4 – WDID No. 1B83147OHUM, NPDES No. CA0022781, including the change sheet provided; Board Member Matsubu seconded the motion; Chair Bedolla initiated a roll-call vote:

- McCovey     aye
- Giusti       aye
- Bedolla     aye
- Matsubu    aye

**Motion passed unanimously**

### Action Items

- ~~5. Public Hearing on Order No. R1-2023-0002 to consider for adoption of proposed Waste Discharge Requirements for Willow Creek Community Services District Wastewater Treatment Facility, WDID No. 1B1410RHUM (Roy O'Connor)~~

Agenda Item 5 was removed from the agenda prior to the meeting.

6. Public Hearing to consider adoption of proposed Resolution No. R1-2023-0001, Condemning Racism, Xenophobia, Bigotry, and Racial Injustice and Strengthening Commitment to Racial Equity, Diversity, Inclusion, Access, and Anti-Racism in the North Coast Region (*Devon Jorgenson, Brendan Thompson*)

Devon Jorgenson and Brendan Thompson, both representing the Regional Water Board's Racial Equity Workgroup, presented on the proposed Racial Equity Resolution. Ms. Jorgenson provided a refresher on terms, goals, the resolution timeline, and a summary of community engagement events held in the fall of 2022. Mr. Thompson shared an overview of public comments, revisions to the resolution, and next steps. The staff recommended adopting Proposed Resolution No. R1-2023-0001.

Chair Bedolla thanked Ms. Jorgenson and Mr. Thompson for their presentation and acknowledged the time and work that has gone into the proposed resolution and presentation. Chair Bedolla asked Ms. Jorgenson and Mr. Thompson about their experience working and engaging with community members, which they addressed.

Comments were received from the following members of the public:

- Merry Kate Lowry (North Coast Native Protectors)
- Fred Briones (Big Valley Pomo)
- Regina Chichizola (Save California Salmon)

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

Board Member McCovey thanked Ms. Jorgenson, Mr. Thompson, and the rest of the Racial Equity Workgroup for their work. Board Member McCovey voiced her support for training staff in the area of tribal engagement and confirmed she would like to see a region-specific tribal consultation policy developed along with the action plan.

Board Member Matsubu thanked the Racial Equity Workgroup for their good work.

Assistant Executive Officer Josh Curtis spoke to available funding and venues for training.

Motion: Board Member Matsubu moved to adopt Agenda Item 6 – Proposed Resolution No. R1-2023-0001; Board Member McCovey seconded the motion; Chair Bedolla initiated a roll-call vote:

- McCovey        aye
- Giusti         aye
- Bedolla        aye
- Matsubu       aye

**Motion passed unanimously**

7. Public Hearing on Administrative Civil Liability Complaint No. R1-2022-0039 issued to Ku Xiong and Susan Yang Xiong, Trinity County, Assessor's Parcel Number 015-420-027-00

Assistant Executive Officer and Chief of the Prosecution Team Claudia Villacorta gave the opening statement. Pansy Yuen, Engineering Geologist with the Office of Enforcement, presented an overview of the enforcement case, including property and evidence details, and a summary of liability adjustments and calculations. Patrick Lewis, Office of Enforcement Legal Counsel, provided closing statements. The Prosecution Team recommended the Board adopt the proposed penalty in the amount of \$506,813.

Vice Chair Giusti and Board Member McCovey asked some clarifying questions, which members of the Prosecution Team answered. Questions centered around attempted communication with the property owners and the relationship between property owners and the party present during the June 26, 2019 inspection.

The Board met in closed session from 2:41 p.m. – 3:38 p.m. to discuss this item.

Executive Officer Valerie Quinto stated that errors were identified in the text of the payment methodology, attachment A. The dollar amount spelled out in text does not match the numbers. Staff will create a corrected version.

Motion: Board Member Matsubu moved to adopt Agenda Item 7 – Order No. 2023-0017; Board Member McCovey seconded the motion; Chair Bedolla initiated a roll-call vote:

- McCovey        aye
- Giusti         aye
- Bedolla        aye
- Matsubu       aye

**Motion passed unanimously**

Board Member comments:

Chair Bedolla acknowledged this was a difficult decision to reach and emphasized the importance of all cannabis growers being aware of the requirements and responsibilities to maintain the environment and water quality.

Board Member Matsubu commented that this is not the ideal route for handling cases like these. It is preferred to have communication with dischargers to resolve these issues and avoid seeking penalties.

Chair Bedolla asked the Prosecution Team to do whatever is possible to clean up the property.

## Information Items

8. **Executive Officer's Report:** Executive Officer Valerie Quinto referred Board Members to the written articles in the report. Ms. Quinto shared her thoughts on her first few weeks as Executive Officer.
9. **Board Member Requests for Future Agenda Items and Other Items of Interest:** Chair Bedolla requested follow up on the Racial Equity Resolution and salvage logging. He also requested an update on cyanobacteria in waterways and what part climate change plays in that.

Board Member Matsubu commented that he is looking forward to going into the region's communities for future meetings.

Vice Chair Giusti confirmed upcoming Board Meetings with Executive Officer Quinto.

10. **Closed Session:** The Board met in closed session to discuss item number 7.

### 11. Arrangements for Next Meeting and Adjournment

9:00 a.m., Thursday, April 6  
Weed City Council Chambers  
550 Main St  
Weed, CA 96094

**Meeting adjourned at 3:50 p.m.**