

California Water Quality Control Board
North Coast Region

MINUTES OF MEETING

March 8, 2006

Regional Water Board

5550 Skylane Blvd, Ste. A

Santa Rosa, CA 95403

Wednesday, March 8, 2006

The Acting-Chair, John Corbett, opened the board meeting at 8:35 a.m.

i. Pledge of Allegiance

Gerald Cochran led the Pledge of Allegiance

ii. Roll Call and Introductions

Board Members Present: Bob Anderson, Teejay Lowe, John Corbett, William Massey, Beverly Wasson, Heidi Harris, and Gerald Cochran

Regional Water Board Staff: Catherine Kuhlman, Luis Rivera, Sheryl Schaffner, Samantha Olson, Robert Klamt, Mark Neely, Holly Lundborg, Christine Wright-Shacklett, Charles Reed, David Hope, Fred Blatt, John Short, Bruce Ho, Tom Dunbar, Scott Gergus, Drew Bayless, Cathleen Hudson, Michelle Bautista, Andrew Baker, Nancy Negley, and Jean Lockett

iii. Election of Officers

Motion: Gerald Cochran moved to elect John Corbett as Chairman of the regional water Board. Motion died for lack of a second.

Motion: Heidi Harris moved to elect William Massey Chairman of the Regional Water Board. Bob Anderson seconded the motion. Motion passed unanimously.

Motion: Gerald Cochran moved to elect John Corbett Vice-Chairman of the Regional Water Board. William Massey seconded the motion. Motion passed unanimously.

William Massey chaired the meeting as the new Chair. Chairman Massey thanked Mr. Corbett for work as Acting-Chairman during the months of January and February.

Chairman Massey stated that he particularly wanted Vice-Chairman Corbett to assist in the upcoming hearing Elk and Freshwater WWDWR hearings.

iv. Resolution of appreciation for Richard Grundy

Motion: Gerald Cochran moved to accept the Resolution for Richard Grundy. Beverly Wasson seconded the motion. Motion passed unanimously.

v. Board Member Ex Parte Communication Disclosure

There were no Ex Parte Communication disclosures.

vi. State Board Liaison's, Board Chair's, Board Members' and Executive Officer's Reports:

The State Board Liaison was unable to attend the meeting due to a conflict in schedule.

Ms. Kuhlman gave the Executive Officer's report. There were three follow-up items from the last board meeting.

- The reported "bloom" behind Safeway
- Follow-up on Del Norte Transfer station from January 06 Board meeting

Diana Henriouille reported on the transfer station in Del Norte County. She reported that staff have inspected the facility regularly and visited the facility following the January Board meeting, but did not identify any areas of water quality concern. She noted that the site looked good and referred to it as a possible model station. Ms Henriouille reported that the Del Norte County transfer station had good housekeeping both inside and outside of the facility. Ms. Henriouille informed the board of design and operations of other transfer stations and discussed the best management practices of transfer station. She described general best management practices useful for protecting water quality at transfer stations and recycling facilities, and advised the Board of two facilities with significant water quality issues which staff are presently working on.

- Schedule a government-to-government meeting to discuss Klamath with the Klamath tribes.

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vii. **Public Forum** –

There were no comments given.

1. Approval of Meeting Minutes: January 2006

The January 2006 minutes will be adopted at the next Regional Water Board meeting.

Consent Item

2. Order No. R1-2006-0016 **Circuit Rider Productions**, Giant Reed Removal and Habitat Restoration in the Russian River Watershed, Amendment to Waiver of Waste Discharge Requirements Order No. R1-2005-0043

unregulated NPS activities and discharges in the Region. The Board voted to accept the list with one change, placing abandoned rail corridors in Rank 2. Staff will place the prioritized tasks in the Fiscal-Year 2006-07 Non-Point Source workplan.

Enforcement Item

7. PUBLIC HEARING Order No. R1-2006-0014, to consider whether to affirm, reject, or modify a Complaint for Administrative Civil Liability issued on October 7, 2005, **American Aircraft Painting**, Sonoma County, WDID No. 1 49I001518

Tom Dunbar, Regional Water Board Water Resources engineer, gave the presentation.

Mr. Remington apologized to the Board for not submitting his annual report on time. He also stated that he had no excuses for being late.

The board discussed the details of Mr. Remington's ability to pay the fine. Mr. Remington agreed that he had the ability to pay and agreed to make monthly payments.

MOTION: Gerald Cochran moved to assess the mandatory minimum as drafted. A payment of \$200 is due from Mr. Remington on April 1, 2006 as the first installment of a five-month payment plan. Teejay Lowe seconded the motion. Motion passed unanimously.

Workshop

8. Workshop on Temperature and Low Dissolved Oxygen Total Maximum Daily Loads (TMDLs) for the Shasta River Watershed

Staff presented the Shasta Temperature and Dissolved Oxygen TMDLs and Action Plan as Item 8 at the March 8, 2006 Board meeting. Staff presented data demonstrating the impaired temperature and dissolved oxygen conditions, discussed the technical approach and analysis of causes and sources of the impairments, and presented an Action Plan to address the sources.

Comments were taken from
Palmer Riesler, EPA Region 9
Jim Cook, Public Member
Daniel Myers, Friends of the Navarro

Information Items

9. Update on Timber Harvest

Robert Klamt, Division Chief for the Timber Division of the Regional Water Board, gave the Board an update on the Region's Timber Harvest Program activities. Mr. Klamt stated that the Regional Water Board continues to maintain jurisdiction over water quality in this region through the Porter-Cologne Water Quality Control Act.

Sheryl Schaffner discussed the January 30, 2006 California Supreme Court ruling, commonly known as the "520 case" or the "Hole in the Headwaters" case. In this case, the Pacific Lumber Company challenged a 13267 order requiring monitoring in the "hole

in the headwaters" THP (520), which was issued by the Regional Water Board, then amended and reissued by the State Water Board. She discussed the Court's ruling describing the independent authority of the Regional Water Board to protect water quality as it may be affected by timber harvesting activities.

10. Executive Officer Administrative Civil Liabilities

Ms. Kuhlman reported that a payment was received from Ferndale WWTF.

11. Board Member Requests for Future Agenda Items

John Corbett requested that standards and procedures in representing the Regional Water Board before the State Water Board be put on the agenda.

12. Monthly Report to the Board

This item is written.

There being no further business to come before the Regional Water Board, the meeting adjourned at 4:05 p.m. The next Regional Water Board Meeting is scheduled for April 24 and 25, 2006, in Eureka.

Chairperson _____

Date: _____