



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board North Coast Region

William R. Massey, Chairman



Gray Davis
Governor

Internet Address: <http://www.swrcb.ca.gov/rwqcb1/>
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone 1-877-721-9203 (toll free) or (707) 576-2220 FAX (707) 523-0135

**52 Years Serving the North Coast Region: Portions of Sonoma, Mendocino,
Marin, Humboldt, Del Norte, Trinity, Siskiyou, Lake, Glenn, and Modoc Counties**

NOTICE OF PUBLIC MEETING/HEARING

Mailout date: April 26, 2002

AGENDA

REGIONAL WATER BOARD MEETING

9:00 a.m., Thursday, May 16, 2002
Eureka City Council Chambers
531 K Street
Eureka, CA

9:00 a.m., Friday, May 17, 2002
Wharfinger Building – Public Marina
1 Marina Way
Eureka, CA

For questions regarding this agenda, please call Jean Lockett at (707) 576-2307 or FAX at (707) 523-0135. This notice and associated staff reports can be accessed electronically through our internet address: <http://www.swrcb.ca.gov/rwqcb1/> (note: agenda items should be available electronically on (one week prior to meeting)

Please note that time limitations on presentations may be imposed. The Regional Water Board requests that oral testimony be summarized. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board.*

Estimated times of consideration – Items are numbered for convenience only and will not necessarily be considered in this order. Interested persons are encouraged to be present in advance of the listed time.

California Environmental Protection Agency



Recycled Paper

Thursday, May 16, 2002
Eureka City Council Chambers

9:00 a.m.**

- i. Pledge of Allegiance
- ii. Roll Call and Introductions
- iii. Minutes of Past Meetings
- iv. Board Member Ex Parte Communication Disclosure - Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code Section 11430.50.
- v. **Public Forum** - This Public Forum Session may be limited in duration, and may not be extended beyond 30 minutes. If additional speakers are present that require more time than 30 minutes, the Chair will determine the order of persons who wish to speak. The Chair requests that each person addressing the Board limit their presentation to three minutes. More lengthy items may be calendared for a future meeting. An additional public forum session is scheduled for tomorrow, May 17, 2002, at which time people who could not speak during the limited session on May 16 will have an opportunity to address the Board.

**CONSENT CALENDAR
WASTE DISCHARGE REQUIREMENTS**

Note: The consent items are expected to be routine and non-controversial. It is recommended that the Board adopt these items at the beginning of the meeting without discussion. If any interested party, Board Member, or staff member requests that an item be removed from the Consent Calendar, it will be considered separately.

1. **Order No. R1-2002-0037 Simpson Timber Company**, Korbil Sawmill and Woodwaste Disposal Site, Humboldt County, Renewal of Waste Discharge Requirements (NPDES Permit No. CA0005932), WDID No. 1B80020OHUM

Emily Dean
2. **Order No. R1-2002-0036 Blue Lake Forest Products, Inc.**, Glendale Sawmill, Humboldt County, Revision of Waste Discharge Requirements, WDID No. 1B82002OHUM

Roy O'Connor
3. **Order No. R1-2002-0041 Humboldt Creamery Association**, Humboldt County, Renewal of Waste Discharge Requirements, (NPDES Permit No. CA0005584), WDID No. 1B80185OHUM

Ben Zabinsky

California Environmental Protection Agency



Recycled Paper

4. **Order No. R1-2002-0032 Humboldt County Department of Public Works,** Maple Hills Road Bridge Repainting, Humboldt County, New Waste Discharge Requirements, WDID No. 1B02010RHUM
Kirsten James
5. **Order No. R1-2002-0033 Parmallino Cheese Co.,** Humboldt County, Recision of Waste Discharge Requirements, WDID No. 1B94028RHUM
Ben Zabinsky
6. **Order No. R1-2002-0031 Harwood Products, Inc.,** Branscomb Sawmill, Mendocino County, Renewal of Waste Discharge Requirements (NPDES Permit No. CA0024171), WDID No. 1B83056OMEN
Kirsten James

CORRECTIVE ACTION

7. **Order No. R1-2002-0046 PUBLIC HEARING** to consider whether to refer to the Attorney General the matter of **Lolonis Vineyards, Inc.**, involving a large earthen dam, reservoir, vineyard and associated access roads located at 1801 Road D, Redwood Valley. The referral would authorize the Attorney General to pursue enforcement action in coordination with other interested State agencies. (Authority: Water Code Sections 13002(c) and 13350(g).)
Andrew Baker
8. **Order No. R1-2002-0051 PUBLIC HEARING** to consider issuance of a Time Schedule Order for continuing violations of California Water Code Section 13267(b) Order, and **Order No. R1-2002-0050** threatened violations of a California Water Code Section 13304 Order, in the matter of Mr. Brian Craig, Waste Oil Spill, Blocksburg, Humboldt County
Cody Walker

OTHER BUSINESS

9. Progress Report on the Basin Plan Amendment for Sediment Management
Ranjit Gill
10. The Regional Watershed Management Division (RWMD) and its Activities
Ranjit Gill
11. Update from United States Forest Service – Best Management Practice Evaluation Program
Fred Blatt
12. Update on Groundwater Augmentation of Surface Water Flows in the Upper Klamath River Basin
Tom Dunbar
13. Report on State Board Initiative for Prioritization and Problem Solving
Susan Warner



14. Consideration of Delegation of Authority to Assistant Executive Officer *Susan Warner*
15. Budget Update *Frank Reichmuth*
16. Schedule for Board Meetings *Susan Warner*
17. State and Regional Water Board Communications:
State and Regional Board members may update each other on recent events – no action will be taken on any discussion matter *Susan Warner*
18. Violation and Enforcement Report *Frank Reichmuth*
19. Executive Officer Administrative Civil Liabilities *Susan Warner*

EXECUTIVE OFFICER'S REPORT

20. Monthly Report to the Board *Written*
21. Leaking Underground Storage Tanks/Sewage Spills *Written*
22. Proposition 65 Notifications *Written*
23. Other Items of Interest *Susan Warner*

CLOSED SESSIONS

24. Closed Session. On May 16, 2002, the Regional Water Board will be meeting in closed session to discuss significant exposure to litigation. [Authority: Government Code Section 11126(e)(2)(B)(i).]
25. Closed Session. On May 16, 2002, the Regional Water Board may adjourn after all adjudicatory hearings to closed session to consider evidence received and discuss whether to initiate litigation. [Authority: Government Code, Section 11126, Subdivision (c)(3), and (e)(2)(C)(i).]
26. Closed Session. On May 16, 2002, the Regional Water Board will be meeting in closed session to discuss whether to initiate litigation. [Authority: Government Code Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).]
27. Closed Session. On May 16, 2002, the Regional Water Board will be meeting in closed session to discuss an employee evaluation. [Authority: Government Code Section 11126(a)(1).]
28. Closed Session. On May 16, 2002, the Regional Water Board will be meeting in closed session to confer with its legal counsel regarding the following pending lawsuits [Authority: Government Code Section 11126(e)(2)(A).]



Carla M. Clark et al. v. City of Santa Rosa et al., Sonoma Co. Sup. Ct., case No. 227896;

Healdsburg Area Citizens for Wastewater Reform v. U.S. Army Corps of Engineers et al, U.S. Dist. Ct., N.Dist., case No. C-01-3118-JCS;

Humboldt Watershed Council et al v. North Coast Regional Water Quality Control Board, Humboldt Co. Sup. Ct., case No. CV 010407 (two cases);

In re L.C. Bliss & Sons Livestock Corp., 94-2036422, U.S. Bankruptcy Ct., Oregon Dist., case No. 697-60691-AER11.

McClelland et al. v. City of Santa Rosa et al., Sonoma Co. Sup. Ct., case No. 227911;

Pacific Lumber Company v. State Water Resources Control Board, Humboldt Co. Superior Court, case No. DR010860;

People of the State of California v. North Coast Railroad Authority dba North Western Pacific Railroad, Mendocino County Superior Court, case No. CV80240

Russian River County Sanitation Dist. et al. v. State Water Resources Control Board and North Coast Regional Water Quality Control Board, Marin Co. Sup. Ct., case No. CIV 994924;

Whitman Corp. and Pneumo Abex Corp. v. California Regional Water Quality Control Board, North Coast Region, Sonoma County Superior Court (no case No.); and related case *People of the State of California, et al. v. Remco Hydraulics, Inc., et al.*, U.S. Dist. Ct., N. Dist., case No. C96-0283; and

- 29.** Closed Session. On May 16, 2002, the Regional Water Board may adjourn after all adjudicatory hearings to closed session to consider evidence received and discuss whether to initiate litigation. [Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).]

Friday, May 17, 2002

Wharfinger Building – Public Marina

9:00 a.m.

- vi. Pledge of Allegiance
- vii. Roll Call and Introductions

California Environmental Protection Agency



Recycled Paper

- viii. Board Member Ex Parte Communication Disclosure - Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code Section 11430.50.
- ix. **Public Forum** [Continued from May 16, 2002) The Chair will determine the order of persons who wish to speak. The Chair requests that each person addressing the Board limit their presentation to three minutes. More lengthy items may be calendared for a future meeting.

OTHER BUSINESS

30. Report by CONCUR, Inc., on the process for obtaining mediation related to Freshwater, Bear, Jordan, and Stitz Creeks.
Susan Warner
31. Report on Status of Monitoring in Elk River, and Freshwater, Jordan, Bear, and Stitz Creeks.
Susan Warner
32. State and Regional Water Board Communications State and Regional Board members may update each other on recent events – no action will be taken on any discussion matter
Susan Warner

CLOSED SESSIONS

33. Closed Session. On May 17, 2002, the Regional Water Board will be meeting in closed session to discuss significant exposure to litigation. [Authority: Government Code Section 11126(e)(2)(B)(i).]
34. Closed Session. On May 17, 2002, the Regional Water Board will be meeting in closed session to discuss whether to initiate litigation. [Authority: Government Code Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).]
35. Closed Session. On May 17, 2002, the Regional Water Board will be meeting in closed session to discuss an employee evaluation. [Authority: Government Code Section 11126(a)(1).]
36. Closed Session. On May 17, 2002, the Regional Water Board will be meeting in closed session to confer with its legal counsel regarding the following pending lawsuits [Authority: Government Code Section 11126(e)(2)(A).]

Carla M. Clark et al. v. City of Santa Rosa et al., Sonoma Co. Sup. Ct., case No. 227896;

Healdsburg Area Citizens for Wastewater Reform v. U.S. Army Corps of Engineers et al., U.S. Dist. Ct., N.Dist., case No. C-01-3118-JCS;

California Environmental Protection Agency



Humboldt Watershed Council et al v. North Coast Regional Water Quality Control Board, Humboldt Co. Sup. Ct., case No. CV 010407 (two cases);

In re L.C. Bliss & Sons Livestock Corp., 94-2036422, U.S. Bankruptcy Ct., Oregon Dist., case No. 697-60691-AER11.

McClelland et al. v. City of Santa Rosa et al., Sonoma Co. Sup. Ct., case No. 227911;

Pacific Lumber Company v. State Water Resources Control Board, Humboldt Co. Superior Court, case No. DR010860;

People of the State of California v. North Coast Railroad Authority dba North Western Pacific Railroad, Mendocino County Superior Court, case No. CV80240

Russian River County Sanitation Dist. et al. v. State Water Resources Control Board and North Coast Regional Water Quality Control Board, Marin Co. Sup. Ct., case No. CIV 994924;

Whitman Corp. and Pneumo Abex Corp. v. California Regional Water Quality Control Board, North Coast Region, Sonoma County Superior Court (no case No.); and related case *People of the State of California, et al. v. Remco Hydraulics, Inc., et al.*, U.S. Dist. Ct., N. Dist., case No. C96-0283; and

37. Closed Session. On May 17, 2002, the Regional Water Board may adjourn after all adjudicatory hearings to closed session to consider evidence received and discuss whether to initiate litigation. [Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).]

***Items are numbered for convenience only and will not necessarily be considered in this order. Interested persons are encouraged to be present in advance of the listed time.*

Anyone requiring reasonable accommodation to participate in the meeting should contact Jean Lockett, Secretary, at (707) 576-2307, at least five days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Unless otherwise specified in the public notice for a specific item, the Board wishes to limit oral presentations from all parties (dischargers, staff, government agencies, the public, etc.) to 0.5 hour maximum per party, but may limit testimony to 3 minutes per party, depending on time constraints. Interested persons should submit to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, FAX (707) 523-0135, twelve written copies of all comments, technical reports, and other material concerning any matters on this agenda by 5:00 p.m. on May 3, 2002. This written material will be provided to the Regional Water Board Members along with the full agenda materials. In addition, persons submitting written comments and other materials should be present at the Regional Water Board Meeting and available for questions. The Board's general practice is to not accept new written materials on the day of the hearing. Comments at the above scheduled meeting should be limited to a summary of the previously submitted written materials, provided however, that upon a proper showing



that information is available which was not available at the time the written materials were submitted, the Board may allow further submission of oral or written comments. If this showing is not made, the Board may refuse to accept written materials.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq. The procedures may be obtained by accessing our web site at http://www.swrcb.ca.gov/water_laws/index.html.

The Regional Water Board processes requests for Water Quality Certification, pursuant to Section 401 of the Clean Water Act, to ensure that proposed federally-permitted activities will comply with the Regional Water Board's water quality standards. A listing of requests which are pending Regional Water Board staff action may be obtained by calling the office of the North Coast Regional Water Board at (707) 576-2220. The list may be obtained by accessing our web site at <http://www.swrcb.ca.gov/rwqcb1>.

The Regional Water Board provides routine public notices on proposed corrective actions and closure decisions related to cleanup on contaminated sites. These routine notices are published on our web site at <http://www.swrcb.ca.gov/rwqcb1> and a copy is maintained at our office for public review.

A quorum of the members of the Regional Water Board may recess for lunch; however, no business will be discussed.

Material presented to the Board, as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, written testimony, etc. All Board files pertaining to the items on this agenda are hereby made a part of the record submitted to the Regional Water Board by staff for its consideration prior to action on the related items.

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit being considered by the Regional Water Board must submit a statement to the Board disclosing any contribution of \$250 or more to any Regional Water Board Member. This requirement applies to contributions of \$250 or more made by the active supporter or opponent or his/her agent for use in federal, state or local elections within the last 12 months.

Also, all permit applicants and/or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES Permit pending before the Regional Water Board are prohibited from making a contribution of \$250 or more to any Board Member for three months following a Regional Water Board decision on the permit application.

Any person affected adversely by a decision of the Regional Water Board may petition the State Water Resources Control Board (State Water Board), to review the decision. The State Water Board must receive the petition within 30 days of the Regional Water Board's meeting at which the action was taken. Copies of the laws and regulations applicable to filing a petition will be provided upon request.

The next Regional Water Board meeting is currently scheduled for June 27, 2002, in Ukiah.



California Regional Water Quality Control Board
North Coast Region

Board Members

William R. Massey, Chair, Forestville
Dina Moore, Vice Chair, Kneeland
John W. Corbett, McKinleyville
Richard D. Grundy, Santa Rosa,
Shawn P. Harmon, Ukiah
John R. Selvage, Eureka
Bev Wasson, Rio Nido

Staff

Susan A. Warner, Executive Officer
Frank Reichmuth, Assistant Executive Officer, Ombudsman
Kathleen Daly, Staff Services Manager I (Administration)
Patricia Gorup, Small Business Liaison
Jean Lockett, Secretary
Sheryl Freeman, Legal Counsel
Erik Spiess, Legal Counsel

Watershed Protection Division

Robert L. Tancreto, Supervising Water Resource Control Engineer
John Short, Senior Water Resource Control Engineer (Russian River)
Thomas B. Dunbar, Senior Water Resource Control Engineer (Klamath, Trinity, Eel, Humboldt)
William Winchester, Senior Environmental Scientist (Nonpoint Source/Chapter 15)

Timber Harvest Division

Nathan P. Quarles, Acting Supervising Water Resource Control Engineer
Christine Wright-Shacklett, Senior Engineering Geologist (North Coast)
Fred Blatt, Senior Environmental Scientist (Klamath, Trinity)
Diana Henriouille-Henry, Senior Water Resource Control Engineer (Headwaters Unit)
Holly A. Lundborg, Interim Senior Engineering Geologist (Humboldt Bay, Eel River)

Cleanup and Investigation Division

Luis G. Rivera, Supervising Water Resource Control Engineer (Central Watershed)
Mark Bartson, Senior Water Resource Control Engineer (Santa Rosa)
Tuck Vath, Senior Engineering Geologist (Northern Watershed)
Janice M. Goebel, Interim Senior Environmental Scientist (Central Watershed)

Watershed Management Division

Ranjit Gill, Supervising Environmental Program Manager I
Robert Klamt, Senior Land & Water Use Analyst (Watershed Assessment Unit)
David Evans, Senior Water Resource Control Engineer (Planning Unit)
David Leland, Senior Water Resource Control Engineer (TMDL Unit)

