

California Regional Water Quality Control Board
North Coast Region

MINUTES OF MEETING
October 5 and 6, 2004
Regional Board Meeting
5550 Skylane Blvd., Ste. A
Santa Rosa, CA 95403

Chairman William Massey called the Regional Water Board Meeting and Workshop to order at 1:07 p.m.

i. Pledge of Allegiance

Dina Moore led the Pledge of Allegiance

ii. Roll Call and Introductions

Board Members present: Beverly Wasson, Dina Moore, Richard Grundy, and Bev Wasson,
Gerald Cochran and William Massey

Detained: John Corbett

John Corbett arrived at 1:55 p.m.

Regional Water Board staff present: Catherine Kuhlman, Luis Rivera, Sheryl Schaffner, Beth Lamb, Stephen Bargsten, Janice Goebel, Jo Bentz, Colleen Stone, Erick Spies, Drew Bayless, Terry Barnes, and Jean Lockett

iii. Board Member Ex Parte Communication Disclosure

Beverly Wasson disclosed that she toured the Pacific Lumber Company's ("PL") new mill and properties above the Freshwater and Elk River watersheds on September 30, 2004.

1. PUBLIC HEARING: Order No. R1-2004-0033 to consider whether to affirm, reject, or modify a Complaint for Administrative Civil Liability and/or take other enforcement action in the matter of **Pacific Gas & Electric Company, the 137 Santa Rosa Group Partnership**, Madeline Musco, George Lawry, Kenneth Coker, Joel DeSilva, Richard Colombini, and Upway Properties for property at First & B Streets in Santa Rosa, Sonoma County.

Chairman Massey administered the oath to those who expected to testify.

Joan Fleck, Regional Water Board staff, submitted the administrative file into the record and presented this matter. Ms. Fleck stated that the purpose of the hearing was to consider testimony regarding an Administrative Civil Liability Complaint that was issued to Pacific Gas & Electric Company, the 137 Santa Rosa Group Partnership, the individual partnership members, including Madeline Musco, George Lawry, Kenneth Coker, Joel DeSilva, Richard Colombini, and Upway Properties.

Cameron Scott Kirk, representative for Upway Properties, stated Upway has a minimal involvement in this issue. PG&E, Upway Properties and the 137 Group wanted to assure the Board that they would do whatever is necessary to correct any problems. He urged the Board to consider dismissing the fine for Upway Properties.

Doug Bosco, legal counsel for the 137 Group, stated that the 137 Group has done everything in its means to resolve the problem. Mr. Bosco gave an account of the 137 Group's financial disbursements and other activities in its attempt to resolve the contamination site.

George Lowery, spoke on behalf of the 137 Group and indicated that at the time of purchase it was disclosed that the site was a former gas manufacturing plant. He further added "But, we had no knowledge of the volume or the extent of the contamination." Mr. Lowery indicated that in no way did the group contribute to the present contamination.

Richard Moss, legal counsel for Pacific Gas & Electric Company, addressed the Board by stating that PG&E concurs completely with the other responsible parties' attorney, who stated that to impose a fine would not serve a purpose. All of the responsible parties are willing to move forward to find a better plan to address the contamination.

Robert Doss, with PG& E and in his capacity as manager of cleanup sites, presented information on the sale of the property to the 137 Group. He quoted parts of the agreement that indicated that the 137 Group was aware of the contamination before it purchased the property.

Sheryl Schaffner, counsel to the Board, stated that after listening to all of the testimony, sought clarification from the Respondents on the issue of whether the bases for the penalties were in fact in dispute, as there appeared no testimony asserting disagreement with the allegations in the complaint that the Respondents failed to meet the deadlines in the order. Representatives for the Respondents provided clarification.

Richard Moss, PG&E representative, stated that PG&E could not address whether other parties missed deadlines. He continued by stating that PG&E submitted the required documents timely.

Doug Bosco, representing the 137 Group, indicated that the Group does not have any disputes regarding the technical deadlines or that these deadlines may have been missed.. He urged the Board to take into consideration the ability of the 137 Group to satisfy any fines that may be assessed because of the group's limited funds..

Cameron Scott Kirk stated that Upway Properties has only been a party to this action for 18 months. He therefore believes that Upway Properties should not be assessed any fine amounts that may be assessed for violations that occurred prior to its involvement in this matter.

Sheryl Schaffner, counsel to the Board, asked if there would be any objections to Board member John Corbett participating in the discussion and vote on this item (Mr. Corbett arrived late to the Board meeting and missed the initial staff presentation and part of Cameron Scott Kirk's presentation. Both presentations were also received in written form.) There were no objections from the parties.

The Board went into executive session at 3:25 p.m. to deliberate on this issue and reconvened the Board meeting at 3:53 p.m.

John Corbett stated that the issue of assessing blame has been difficult for the Board to determine. However, after deliberating about this matter, the Board has determined that the blame should be allocated amongst all of the parties. He stated that the Board is encouraged to see that all of the parties are willing to work together and open discussions regarding this matter. Mr. Corbett indicated that the Board's main concern is that the site get cleaned up. Mr. Corbett indicated that under the circumstances in this matter, it the Board believes that it should allocate any fine amount amongst all parties. On behalf of the Board, Mr. Corbett expressed his gratitude to staff for their hard work.

MOTION: John Corbett moved to fine the parties \$30,000.
Richard Grundy seconded the motion.

Mr. Grundy stated that the Board is making a good faith effort and that the Regional Water Board staff acted appropriately in making its recommendation. He concurred with Mr. Cochran's early statement and emphasized that this problem is extremely critical and needs to be resolved in a timely manner.

Mr. Cochran stated that the motions should include Order R1-2004-0033 and amend the last section to read "Therefore after 13."

MOTION: The motion passed with five yes votes and one no vote.

2. Workshops

A. Update on the Garcia TMDL

Jonathan Warmerdam, Regional Water Board staff, introduced a power point presentation and discussed the action plan for the Garcia River Watershed sediment TMDL. He covered the compliance options 1) that initially applies to all landowners, 2) with no controllable discharges, and 3) an option that is ideally suited for small landowners. Options 2 and 3 require an Erosion Control Plan, inventory of sediment delivery sites, and a Sediment Reduction Schedule. In Option 2, the discharger shall develop a site-specific management plan. In addition, Option 3 requires the discharger to follow the Garcia River Management Plan and measures. Mr.

Warmerdam explained the following:

- Outreach Program
- Participation in the TMDL
- Progress in the Watershed
- Lessons learned

Mr. Warmerdam concluded his presentation by indicating that the majority of those who live in the watershed are working towards compliance with the TMDL.

Alan Levine, an advocate for the development of TMDLs and a landowner in the Garcia, stated that the TMDL is basically a guideline that informs the landowner on how to meet the Basin Plan prohibitions. However, he suggested that any clarifications must be clear and precise..

Tom Schultz, with the Redwood Mendocino Company, indicated that its largest problem is that the TMDL Implementation Plan only addresses ninety percent of the control sediment in a ten-year period. He stated that he and other landowners are considering petitioning the Board to consider a twenty or thirty-year requirement period.

Mr. Milliard, a landowner in the Garcia River watershed, addressed the Board by stating that he will submit his cost to implement the TMDL so that the Board will be aware of the expense that landowners will have to incur..

The Board members discussed the TMDL implementation and expressed its views and concerns on what the TMDL proposes to accomplish.

B. TMDL Implementation Policy for Sediment Impaired Receiving Waters in the North Coast Region

Rebecca Fitzgerald, Regional Water Board staff, gave a brief summary on the purpose of the workshop. She outlined and summarized the proposed total maximum daily load (TMDL Implementation Policy) for all the rest of the sediment impaired water bodies in the North Coast Region. Ms. Fitzgerald stated that the purpose of the workshop is to provide an opportunity for questions and comments from the Board and the public prior to the adoption hearing. She

displayed a map to explain why a regional approach to address the sediment impaired water bodies is necessary.

She stated that the goals for the policy are to achieve the sediment related water quality objectives that are listed in the Basin Plan so that the beneficial uses of all the water bodies are protected, restored, and enhanced.

The Policy would also include direction to rely upon the "Sediment Waste Discharge Prohibitions and Action Plan," which is being proposed as a full Basin Plan amendment. It is important to recognize the Sediment Waste Discharge Prohibitions and Action Plan because the amendment will provide more effective tools for addressing sediment waste discharges throughout the Region.

Ms. Fitzgerald concluded that the Regional Water Board staff are also working on a Guidance Document that is designed to help landowners and dischargers identify sediment sources; inventory, control, and monitor them; what to include in a Sediment Control Plan, and other such information.

Richard Grundy stated that the Board wanted a more generic approach to the TMDL Implementation Policy. He recommended changes in the language for clarification purposes. Mr. Grundy stated that he agreed with staff and the course that they are taking with the resolution.

The Board discussed the TMDL Implementation Policy directives to the Executive Officer in the event of a quorum issue.

Peter Ribar, representing Campbell Timberland, requested information on the peer review process. Ms. Fitzgerald responded by stating that there are three reviewers to review the scientific bases and not the policy issues. Two of the reviewers are out of U C Berkeley, and one reviewer out of U C Cal Poly. The reviews will be posted on the web.

Alan Levine, representing Coast Action Group and a landowner in the Garcia, stated that a workshop is a place for people to throw out ideas. People should remember that TMDLs are planning documents. He stated that he is also for the generic approach, but the generic approach must be enforceable.

C. Update on the Regional Sediment Amendment

Caryn Woodhouse discussed the proposed Regional Sediment Amendment that had been released for public comment at the end of August. The amendment is in two parts – the prohibition and the action plan. The proposed amendment would require prevention of sediment wastes that are reasonable and feasible to prevent, minimization of wastes that could not be prevented, and offset compensation for sediment that could not be prevented. The proposal would cover new and existing projects, actual and threatened discharges, and cumulative and individual impacts. Ms. Woodhouse described specific proposed requirements for each of these factors. She also described the scientific peer review that had occurred, the economic analysis, the public comment period and public workshops, comments that had been received, and the expected schedule.

The Board discussed the proposed sediment waste discharge prohibitions, including the proposed offset compensation provision.

Dina Moore requested clarification about how the proposed prohibitions would overlap with the proposed action plan. She asked would offset compensation be useful if the prohibitions are too

stringent. Ms. Woodhouse described the overlap and stated that there was a rebuttable presumption of compliance with the prohibitions if the action plan was followed.

Richard Grundy stated that he liked the path this proposal was on.

John Corbett discussed the impact of the proposal on road maintenance and improvements and stated that there should be encouragement for the use of offsets in this activity.

Ms. Moore questioned the economic analysis and the costs calculation under this proposal if it overlapped with the costs associated with the Timber WDRs. Mr. Grundy also discussed the economic analysis asking if there was a difference in the costs between impaired and nonimpaired watersheds. Ms. Woodhouse responded that the costs had been equally spread across the Region so that there was no distinction. Mr. Grundy replied that the methodology would skew the numbers.

Henry Alden with Gualala Redwoods, Inc. stated that he also focused on the cost and the speed of the process. He stated that the Board needed to review the cost of the process.

The meeting was adjourned until Wednesday, October 6, 2004, at 9 a.m.

**Board Meeting
Wednesday, October 6, 2004**

Chairman William Massey called the Regional Water Board Meeting to order at 9:03 a.m.

iv. Pledge of Allegiance

Gerald Cochran led the Pledge of Allegiance

Roll Call and Introductions:

Board Members present: Richard Grundy, Bev Wasson, William Massey,
Dina J. Moore, and Gerald Cochran.

Detained: John Corbett (arrived at 3:15 p.m.)

Regional Water Board staff present: Catherine Kuhlman, Luis Rivera, Sheryl Schaffner,

v. Board Member Ex Parte Communication Disclosure

Mr. Cochran stated that he and Mr. Perry discussed possible solutions regarding agenda item 13.

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

Gary Carlton, State Board Liaison, was not in attendance.

v. Public Forum –

There were no speakers for the public forum

3. Approval of Meeting Minutes

Minutes of the May 2004 meeting were submitted for approval.

MOTION: Jerry Cochran moved to accept the May 2004 Minutes. Richard Grundy seconded the motion. Motion passed unanimously.

John Corbett arrived at 3:15 p.m.

Consent Items

4. Resolution No. R1-2004-0086 approving **Sonoma County Resolution** No. 04-0808, August 24, 2004, which declares a health hazard in relation to individual waste disposal systems in the community of Monte Rio and establishes a local individual waste disposal system moratorium.

MOTION: Gerald Cochran moved to adopt Resolution No. R1-2004-0086. Bev Wasson seconded the motion. Motion passed unanimously.

Action items

6. PUBLIC HEARING Order No. R1-2004-0027, **Forestville Water District** Wastewater Treatment, Reclamation, and Disposal Facility, Renewal of Waste Discharge Requirements/National Pollutant Discharge Elimination System Permit No. CA0023043, WDID No. 1B83100OSON and Issuance of Master Reclamation Permit

Chairman William Massey recused himself from the Forestville Water District item due to a potential conflict of interest.

Vice-chairman Bev Wasson administered the oath to those who expected to testify for this item.

Cathy Goodwin, Regional Water Board staff, stated that the North Coast Regional Water Quality Control Board is proposing to renew waste discharge requirements for the Forestville Water District for the discharge of municipal wastewater to land and to Jones Creek, a tributary of the Russian River. The renewed waste discharge requirements will serve as a National Pollutant Discharge Elimination System (NPDES) Permit and master reclamation requirements. The renewed Permit will be effective through June 23, 2009.

The Forestville Water District (CSD) serves an area of approximately 150 acres with approximately 426 parcels (349 connected) in Forestville and Mirabel Heights. The District's service area currently has a population of approximately 1315 people. The treatment facility occupies an approximately five-acre site located 1/4 mile away from Jones Creek, a tributary to Green Valley Creek and the Russian River.

Emily Dean, with Sonoma County Water Agency on behalf of Forestville Water District, stated that there were concerns with the preliminary order, however the Regional Water Board staff addressed those concerns with the changes made to the permit. She thanked the Board for their consideration on this item.

Brenda Adelman stated that she had not had an opportunity to study the Permit, however, she voiced her concern on averaging of one percent over a one-month period. She stated her concern is how the one percent can play out in environmental impact and how CTR will be

implemented. She stated concern on a potential discharge larger than one percent and how that will impact the environment.

After some discussion the Board took the following action.

MOTION: Richard Grundy moved to adopt Order No. R1-2004-0027 as modified by the late revisions. John Corbett seconded the motion. Motion passed unanimously.

Consent Item

4. Order No. R1-2004-0038, **Graton Community Services District**, Wastewater Treatment, Reclamation and Disposal Facility, Renewal of Waste Discharge Requirements/National Pollutant Discharge Elimination System Permit No. CA0023639, WDID No. 1B84060OSON and Issuance of Master Reclamation Permit

Chairman William Massey recused himself from the Graton Community Services District item due to a potential conflict of interest.

MOTION: Gerald Cochran moved to adopt Order No. R1-2004-0038 as proposed. John Corbett seconded the motion. Motion passed unanimously.

Action Item

7. **PUBLIC HEARING** to Consider adoption of Resolution R1-2004-0071, outlining the **2004 Triennial Review Priority List and Workplan**

Lauren Clyde, a Regional Water Board staff, addressed the Board by stating that the North Coast Regional Water Quality Control Board will hold the public hearing for the 2004-2007 Triennial Review of the *Water Quality Control Plan for the North Coast Region* (Basin Plan). The Triennial Review provides a process and schedule for identifying water quality issues to be further evaluated for possible Basin Plan amendments.

During the public hearing, the Regional Water Board may receive further comments on the Triennial Review. Following closure of the hearing, the Board will be asked to consider adoption of the proposed *Triennial Review Priority List and Workplan*. The adopted list of priority issues will direct the planning efforts of the Regional Water Board for the next three years to the extent staffing resources are available.

Chairman Massey administered the oath to those who expected to testify.

Ms. Clyde covered the process of the resolution after it is adopted.

The Board discussed the Triennial Review Priority List and Workplan.

Brenda Adleman stated that she hoped that the Board would not assume that the Core of Engineers is taking care of the priorities in the Laguna. Ms. Adleman expressed that the issue of incidental run-off is a great concern, because of the potential for abuse when the flows are low and the impacts are great. She suggested that item number 14, water quality impact from lowered flows, and item number 3, Incidental Run-off, should go together.

Nadananda, the Director for the Friends of the Eel River, requested for more Regional Water Board staff time and research to see what is really going on in the Eel River. She stated that

there is so much misinformation put out about the system. She urged the Board to not let the River dry on their watch.

MOTION: Richard Grundy moved to adopt the Resolution R1-2004-0071, subject to the amendments. Bev Wasson seconded the motion.
Motion passed unanimously.

9. PUBLIC HEARING Order Nos. R1-2004-0064 and R1-2004-0065 **City of Healdsburg Wastewater** Collection, Treatment and Disposal Facility, Renewal of Waste Discharge Requirements/National Pollutant Discharge Elimination System Permit No. CA0025135, WDID No. 1B82046OSON and adoption of a Cease and Desist Order

Mona Dougherty, Regional Water Board staff gave the presentation. Ms. Dougherty displayed photos of the City of Healdsburg, the wastewater treatment facility, the Basalt Pond, and the Russian River. The City of Healdsburg needs a NPDES Permit to discharge to the Basalt Pond. The Permit and Cease and Desist Order will protect the beneficial uses of the Basalt Pond. Ms. Dougherty stated that staff recommends the adoption of the NPDES Permit and Cease and Desist Order as proposed.

Peter McGough, attorney for the City of Healdsburg, requested to direct questions to the Regional Water Board staff. Mr. McGough was granted permission to do so.

Jason Lyals, Vice Mayor of the City of Healdsburg, stated that he wanted to reiterate to the Board that the City of Healdsburg had the best wastewater treatment facility in Sonoma County. However, the system is now 30-years old and outdated and need re-doing. The City would like to again be the leader with an advance water treatment system. Healdsburg has taken advance steps by raising the sewage rates significantly and they are about to release an EIR.

George Hicks, City of Healdsburg's Public Works Director, indicated that there were a few issues that did not make water quality, economic, environmental, or practical sense. The first issue requires Healdsburg to have an AWT Plant on line by 2008. Second is the seasonal discharge Prohibitions, and finally the third is the one percent dilution requirement. Mr. Hicks discussed in detail the City of Healdsburg's concerns with several of the Permit requirements.

Tess Dunham, with Larry Walker and associates, stated that she reviewed the administrative records for the Basin Plan and she suggested that in 1994 when the words "tributary were added in the Seasonal Discharge Prohibitions; And, when an environmental analysis was done the City of Healdsburg was not considered to be a surface water discharger or the basalt pond was considered to be a tributary that would follow under those rules. Ms. Donaum stated that it was clear that the Basin Plan was not intended to apply in this way and that it is not being used as it was historically intended.

Peter McGough questioned Mona Dougherty on the fishing activity in the basalt pond.

Mr. McGough concluded his presentation by stating that the Permit is not appropriate for the City of Healdsburg. He urged the Board to defer the action on the Permit and advise the United States District Court that the issues in the Permit are not susceptible to resolution in the time frame that the court has given the City of Healdsburg. Mr. McGough also requested that the Board allow the Night Circuit Court to make their ruling before the Court asks the Regional Water Board to issue an NPDES Permit to the City.

Jack Silver, representing North California River Watch, supports the Regional Water Board staff's recommendations. It is important to look at water quality pollutants issue and stop it at its source. If the pond is polluting, it needs a Permit.

John Perry, owner of Syar Industries, stated that it is not the case that the pond is used for fishing. Syar Industries is a mining company and is governed by the Federal Mine Safety Regulations. Before anyone comes on to a mining location they must attend a specific mine safety training or be escorted by experienced miners when on the property. Mr. Syar indicated that he owned about 600 acres. He stated that he has posted signs in two different languages that say, "no trespassing".

Brenda Adleman, with the Russian Watershed Committee, expressed her support for the Board to issue a permit to the City of Healdsburg. She expressed concerns that the Board is giving the City of Healdsburg until 2008 to meet AWT standards. She stated that she would like less time allowed.

Susan Suaucerman, with EPA Region 9 in San Francisco, indicated that she supported the Healdsburg Permit. EPA regulations state that at the very least dischargers must meet applicable technology based requirements. The discharge requirements must meet the appropriate water quality standards of the Basin Plan beneficial uses and water quality objects. EPA would object to any permit that has less than the requirements.

Scott Statesmen, representing WOSA, stated that he agreed with the Regional Water Board staff that the pond percolates. He stated that WOSA supports the Order and the NPDES Permit.

Erik Spiess discussed the interpretation of the seasonal discharge prohibition of the Basin Plan. He cited Tess Dunham's testimony that Healdsburg should not be subject to the Basin Plan prohibition. There is information cited in the permit that the basalt pond is tributary to the Russian River and is therefore appropriate subject to the Basin Plan prohibition.

Mr. Cochran observed that this permit is strictly for Healdsburg and will not lead the Board into other permits.

The Board discussed the Basin Plan and indicating that the content of Healdsburg's permit is not an appropriate vehicle to establish policy, and the permit that is before the Board applies to Healdsburg and does not apply to other cities. Each Permit is a case-by-case determination.

Dina Moore stated that this is not the first time that the Board has heard of the ponds and heard from the City of Healdsburg. She stated that she is sympathetic to Healdsburg. But it is her opinion that Healdsburg has dragged their feet in relationship to the ponds. The issue is the need for an advance wastewater treatment facility.

Mr. Grundy stated that the way to do business with the Regional Water Board is not the way the Board has been doing business with Healdsburg. He stated that Healdsburg may have dealt with the Board in the past by hiring hired guns and took a hard position to try to roll the staff. He stated that there are ways to do business in a cooperative way that saves the resources for all of us. He stated that he would like to see a situation when Healdsburg and the Regional Water Board staff can work together in a more cooperative way. This Board has spent three years trying to develop a different way of doing business that is beneficial to all and he indicated that with the Permit it seems that we are doing business the old way.

MOTION: Richard Grundy moved to adopt Order No. R1-2004-0064, R1-2004-0065, and the Cease and Desist Order with the stipulations. Beverly Wasson seconded the motion. Motion passed unanimously.

Erik Spiess stated the following for clarification purposes: The Board makes case-by-case determination when it issues NPDES Permits and doesn't set basin wide policies. The Board should adopt the permit as proposed with the errata sheet and the change that explains what the effective date of the permit is.

ROLL CALL:

Richard Grundy Yes
John Corbett Yes
Beverly Wasson Yes
Dina Moore Yes
Gerald Cochran Yes
William Massey Yes

The board observed a five-minute break at 12: 15 p.m. The board returned at 12:24 p.m.

10. PUBLIC HEARING Order No. R1-2004-0075, **City of Tulelake Wastewater Treatment Facility**, Siskiyou County, Adoption of Waste Discharge Requirements and Renewal of NPDES Permit No. CA 0023272, WDID No. 1A84002OSIS and Issuance of Cease and Desist Order No. R1-2004-0074.

Tom Dunbar gave the presentation. He stated that the Waste Discharge Requirements (WDRs) Order No. R1-1999-62, adopted by the Regional Water Board on August 26, 1999, governs the municipal wastewater treatment facility (WWTF) for the City of Tulelake. The Order also serves as a National Pollutant Discharge Elimination System (NPDES) permit. Regional Water Board staff plans to renew the City of Tulelake WDRs at an upcoming Board meeting. The proposed Cease and Desist order will establish a time schedule for compliance with WDRs.

Circumstances surrounding the City of Tulelake have resulted in a cycle of poor performance for the WWTF. Since the WWTF began operating in 1977, several significant treatment component failures have occurred. These include the malfunction of an automated disinfection system and clogging of sand beds intended for removing total suspended solids. However, the City has not had the financial means to complete necessary upgrades and maintenance, so there has been a gradual deterioration of the facility. In its current state, the facility requires additional attention to meet some basic Order requirements and major upgrades to meet acceptable treatment standards. Financial constraints continue to be an issue for the City of Tulelake WWTF administrators.

The City of Tulelake WWTF provides secondary treatment and consists of a headworks, two aerated lagoons, two sand filters, and a chlorination and dechlorination chamber. Treated wastewater is discharged to Tulelake Irrigation District's Drain No. 44-B-1 (Discharge Serial No. 001). Drain No. 44-B-1 is hydraulically connected to Tulelake-Lower Klamath Lake reach of the Lost River Basin, waters of the United States. The WWTF is designed to treat an average dry weather flow (ADWF) of 0.16 million gallons per day (mgd) and services approximately 576 connections using a zoned gravity collection system.

Circumstances surrounding the City of Tulelake have resulted in a cycle of poor performance for the WWTF. Since the WWTF began operating in 1977, several significant treatment component failures have occurred. These include the malfunction of an automated disinfection system and clogging of sand beds intended for removing total suspended solids. However, the City has not had the financial means to complete necessary upgrades and maintenance, so there has been a gradual deterioration of the facility. In its current state, the facility requires additional attention to meet some basic Order requirements and major upgrades to meet acceptable treatment

standards. Financial constraints continue to be an issue for the City of Tulelake WWTF administrators.

Motion: Bev Wasson moved to adopt the Order No. R1-2004-0075 and issue a Cease and Desist Order R1-2004-0074. Richard Grundy seconded the motion.

Roll Call:

Richard Grundy	Yes
Bev Wasson	Yes
Dina J. Moore	Yes
Jerry Cochran	Yes
William Massey	Yes
John Corbett	Yes

Information Items

11. 2005 Draft Regional Water Board Meeting Schedule

The Board discussed the lack of a quorum in relationship to items that needed to be addressed and/or adopted.

12. Timber Update

Holly Lundborg, Regional Water Board staff, stated that the purpose of the report is to provide the Board with an update and to solicit further direction regarding staff's efforts toward developing watershed-wide Waste Discharge Requirements (WDRs) for timber harvesting activities in the Elk River and Freshwater Creek watersheds.

Following several discussions with major landowners in the two watersheds, staff issued ROWD requests to the Pacific Lumber Company (PALCO) and to Green Diamond Resource Company (GDRC) for their lands in the Freshwater Creek and Elk River watersheds on June 17, 2004. The requests specified a due date of July 16, 2004 for complete ROWDs, to ensure that the WDRs would be considered at a hearing during the Board's October 6, 2004 meeting.

Those who participated in the discussion:

Kate Sullivan and Steve Horner addressed the water board.

13. Update on Del Norte County

Tom Dunbar, Regional Water Board staff, gave the presentation. Mr. Dunbar stated that since the August 2004 board meeting he has been in contact with the County discussing the possibility of the County agencies (The Health Department or the Community Development Department) to perform the duties of taking over the system. The County has drafted revision to their ordinance to require annual of non-standard systems or alternative systems inspections. And to require inspections at the time of sales. He indicated that there are about 75 alternative systems and average 20 home sales per month. If the County takes over the system, an annual report will be submitted to the regional water board.

Mr. Cochran suggested that Mr. Dunbar provide copies of other similar county Ordinance to Del Norte so that they can see how other counties are handling their systems.

The Board expressed their appreciation to Mr. Perry, Supervisor of Del Norte County, for attending the meeting and for the cooperation of Del Norte County.

14. Executive Officer Administrative Civil Liabilities

Executive Officer Catherine Kuhlman stated that the Regional Water Board received payment from the City of Santa Rosa for violations at the Laguna Treatment Plant in the amount of \$37,850.

15. Violation Report

This item is a written report.

16. Board Member Requests for Future Agenda Items

There were no suggestions for future agenda items.

17. Monthly Report to the Board

This item is a written report.

18. Other Items of Interest

19. Closed session

There were no reports from closed session.

There being no further business to come before the Board, the meeting adjourned at 4:37 p.m., until the next scheduled Board Meeting on November 29, 2004.

The Secretary, Jean Lockett recorded the minutes of the October 5 and 6, 2004, Board meeting of the North Coast Water Quality Control Board.

Chairman _____

Date: _____