

State of California
Regional Water Quality Control Board
North Coast Region

MINUTES OF MEETING
November 29, 2000
Eureka City Council Chambers
531 K Street
Eureka, California

On November 29, 2000, a regularly scheduled meeting of the Regional Water Quality Control Board – North Coast Region was called to order at 9:02 a.m., by Chairman Bill Hoy. Board member James Mitchell led the Pledge of Allegiance.

i. Roll Call and Introductions

Board members present: William Hoy, Jason Liles, Daniel Crowley, Leslie Dahlhoff, Bev Wasson, James Mitchell, William Massey and Marcia McGlochlin.

Staff: Executive Officer, Lee Michlin; legal counsel Phil Wyels, supportive administrative staff, Susan Warner, Kathleen Daly, Jean Lockett, Frank Reichmuth, Tom Dunbar, Craig Johnson, Terry Dean, Emily Dean and Tuck Vath.

ii. Minutes of Past Meetings

The Chair presented the minutes of October 27, 2000, for adoption. Jason Liles moved adoption of the minutes as recorded William Massey seconded the motion. Motion carried to adopt October 27, 2000, minutes as recorded.

iii. Ex Parte Communication

No ex parte communications were disclosed.

iv. Public Forum

Alan Cook with Freshwater Working Group addressed the Board on the upcoming hearing on PALCO. Anthony Ambrose with Citizen's for Better Forestry addressed the Board thanking them and RWQCB staff in Freshwater regulations. Lisa Butterfield, an employee of the Elk River Watershed schools, thanked the Board and staff in efforts regarding PALCO. Jesse Noel voiced his support of Water Quality Control Board's staff reports on the Freshwater Elk River. Frank Reichmuth, staff of Regional Water Quality Control Board, responded by updating the Board on Freshwater Creek.

CONSENT CALENDAR WASTE DISCHARGE REQUIREMENTS

Jason Liles moved and Beverly Wasson seconded the motion that items on the Consent Calendar be adopted as proposed Motion carried unanimously.

Consent Calendar

Items adopted:

1. Sierra Pacific Industries, Hayfork Sawmill, Trinity County(Mill Closed), Recision of Waste Discharge Requirements Order No. 89-38, WDID No. 1A800070OTRI
2. McKoen & Associates, LLC, Hatfield Ingredient- Flake Potato Processing Plant, Siskiyou County, New Waste Discharge Requirements (Name Change) and Recision of Waste Discharge Requirements order No. 99-40, WDID No. 1A93005RSIS, for Basic American Foods
3. State of California, Department of Transportation, Bridge Maintenance, Humboldt County, State Route 299, PM R22.33, New Waste Discharge Requirements, WDID No. 1B00080RHUM
4. Donald L. Redding (d.b.a. A. Redding and Sons) Dairy, Humboldt County, Recision of Waste Discharge Requirements Order No. 95-51, WDID No. 1B95023RHUM

WASTE DISCHARGE REQUIREMENTS

Item 5 City of Ferndale, Wastewater Treatment Facility, Humboldt County.

Terry Dean gave a presentation to the Board regarding this site. Staff's recommendation to the Board, with the inclusion of the Errata Sheet, was to adopt the tentative Order renewing Waste Discharge Requirements (NPDES permit) for the City of Ferndale WWTF. Jason Liles moved to adopt item 5 as proposed, Bev Wasson seconded the motion. Motion was unanimously carried.

Item 6 College of the Redwoods, Wastewater Treatment Facility, Humboldt County

Emily Dean addressed the Board with a presentation. Staff's recommendation was to adopt the tentative Order renewing Waste Discharge Requirements (NPDES permit) for the College of the Redwoods WWTF. William Massey moved to take the staff's recommendations, the Errata Sheet, and make the necessary changes to the Errata Sheet (24hr composite should be consistent throughout the Errata document). The motion was seconded and carried unanimously.

Item 7 Pacific Gas and Electric Company, Humboldt Bay Power Plant

This item was removed from the agenda and will be rescheduled.

PUBLIC HEARING

Item 8 City of Fortuna, Wastewater Treatment Facility, Humboldt Count

Chairman Hoy read the public hearing procedure and swore those parties participating in the presentation or testifying on this matter. Terry Dean presented the item to the Board, and discussed the Errata Sheet distributed to the Board.

Charles Clark, representing City of Fortuna updated the Board regarding its present status.

Staff's recommendation was to postpone the new NPDES and Cease and Desist Order until the April Board meeting. A California Water Code Section 13267 letter will be issued to Fortuna requiring compliance with the California Toxics Rule State Implementation Plan priority pollutant-sampling requirements.

The Board agreed to postpone any further action until April 2001 Board meeting.

Item 9 Consideration of a Resolution requesting Cleanup and Abatement Account Funds to Investigate and Abate the Groundwater Contamination on and about West College Avenue at Clover Drive, Santa Rosa, Sonoma County

Susan Warner addressed the Board on the groundwater contamination in the West College/Clover Drive area. In her presentation she requested an additional \$795,000 of C&AA Funds.

Board member Daniel Crowley raised the question of whether the Water Quality Control Board could ask the City of Santa Rosa and the County to pay for some of the expense to resolve the problem of West College/Clover Drive. In particular, Crowley requested whether Water Code Section 13225(c) applied, and whether the Board could require the City of Santa Rosa and the County to pay for the testing that the Board is being asked to pay for. Staff will look into sending such a letter.

Ed Brauner, deputy city manager of City of Santa Rosa announced that the City Council approved \$50,000 to continue the Regional Board Staff efforts.

As discussion continued, Lee Michlin indicated that the State Board was concerned with the Regional Water Board becoming involved in correcting the problem, rather than scoping the problem. Board members Bev Wasson and Jason Liles stated that the most important issue was to get the emergency ground contamination water problem solved and work out funding at a later date.

Zuretti Goosby, a field representative of Senator Chesboro read a letter from the Senator's office. The letter supported the efforts of Water Quality Control Board in

responding to the serious groundwater contamination in and/or near the West College Avenue and Clover Drive in Santa Rosa.

The Chair also stated that he received a letter from the Santa Rosa Board of Supervisors also supporting the efforts of the Water Quality Control Board.

Resolution: Board member Bill Massey moved to adopt the resolution as it stands with the inclusion of the \$795,000. Dan Crowley opposed contents of the resolution stating that cost for the hookups would be a part of the \$795,000. He agreed with all other parts of the resolution.

Motion passed seven to one.

Item 10 Executive Administrative Civil Liabilities

Lee Michlin stated that there were no Administrative Civil Liability Complaints issued.

Item 11 Violations and Enforcement Report

This was a written report.

Item 12 State and Regional Water Board Communications

No discussion on this matter

Item 13 Presentation of Resolution to James Mitchell

Board member, Jim Mitchell was presented with a Resolution for his many years of service on the State Water Resource Control Board, North Coast Region. It was moved and seconded that the Resolution for Jim Mitchell be adopted as proposed. However, Jim Mitchell opposed the adoption of the resolution. He was over-ruled and the motion passed unanimously.

Item 14 State Water Board Draft Enforcement Policy

The Assistant Executive Officer, Craig Johnson addressed the Board regarding the State Water Board Draft Enforcement Policy. After reviewing the draft, two recommendations were offered. First recommendation was to change what was defined as a “significant violation.” The recommendation would define “significant violation” as any discharger that failed to provide a plan to address projected capacity exceedence within six months of occurrence. The second recommendation was to define pH. Craig Johnson offered to work with SWRCB to review and define “pH” for the purpose of the Enforcement Policy.

Item 15 Potential Loss of Quorum Contingencies

No discussion on this matter

Item 16, Discussion of Potential January Workshop Item Concerning Description of Habitat Conservation Plan and Related Documents by Signatory Agencies.

Craig Johnson related to the Board that there had been no important issues to come up since October 2000 Board meeting. As directed by the Board, a letter was sent to the HCP signatory agencies asking them to educate the Board on the non-water quality issues of the HCP. Craig Johnson, Bill Hoy, Steve Blum and Daniel Crowley, communicate weekly by teleconference to keep each other up dated on PALCO issues.

Item 17 Executive Officer's Monthly Report to the Board

This was a written report.

Item 18 Leaking Underground Storage Tanks/Sewage Spills

This was a written report

Item 19 Proposition 65 Notifications was a written report

CLOSED SESSIONS

There were no closed sessions for Items, 20, 21, 22, 23 & 24.

There being no further business to come before this meeting body, the meeting adjourned at 12:30 p.m., until the next scheduled Board meeting in 2001.

The Secretary, E. Jean Lockett recorded the minutes of the November 29, 2000, meeting of the North Coast Water Quality Control Board, approved by the Board at its next meeting.

Approved by _____, Chairman