



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: June 07, 2002

AGENDA

REGIONAL WATER BOARD MEETING

9:00 a.m., Thursday June 27, 2002

Ukiah Valley Conference Center

200 South School Street

Ukiah, 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/swrcb1/> (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.

9:00 a.m.**

- i. Pledge of Allegiance
- ii. Roll Call and Introductions
- iii. Minutes of Past Meetings

California Environmental Protection Agency



Recycled Paper

- 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. Resolution for William A. Hoy
- vi. **Public Forum** - Time will be reserved for the general public to address the Board on any subject relating to the Board's responsibilities. All persons wishing to address the Board should fill out a speaker card so that the Chair can determine the number of persons who wish to speak. The Chair may limit the overall time allocated to this item, if the number of speakers and the size of the agenda makes that necessary. The Chair requests that each person addressing the Board limit their presentation to three minutes. The three-minute time allocation may be shortened, as the Chair directs, to accommodate the Board meeting schedule. More lengthy items may be calendared for a future meeting.

CONSENT CALENDAR WASTE DISCHARGE REQUIREMENTS

Note: The consent items are expected to be routine and noncontroversial. 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. R1-2002-0061 City of Ukiah, Solid Waste Disposal Site**, Mendocino County, Revision of Waste Discharge Requirements for Closure and Corrective Action
WDID No. 1B84029OMEN
Terri Kinney
2. **Order No. R1-2002-0055, Happy Camp, Solid Waste Disposal Site**, Siskiyou County, Revision of Waste Discharge Requirements for Closure, WDID No. 1A77010OSIS
Gina Morrison
3. **Order No. R1-2002-0058 California Department of Transportation, Van Duzen River Bridge Repainting**, Humboldt County, New Waste Discharge Requirements, WDID No. 1B02046RHUM
Kirsten James
4. **Order No. R1-2002-0065 Mendocino County Department of Transportation, East Side Potter Valley Road Bridge Replacement**, Mendocino County, Revision of Waste Discharge Requirements and Monitoring and Reporting Program Order No. 98-85, WDID No. 1B97045MEN
John Short



5. **Order No. R1-2002-0064 California Department of Transportation, Santa Rosa Municipal Services District 4**, Recision of Waste Discharge Requirements and Monitoring and Reporting Program Order No. 97-119 and NPDES Permit No. CA0025038, WDID No. 1B96056NSON
John Short
6. **Order No. R1-2002-0066 Redwood Empire Sawmills, Philo Sawmill**, Mendocino County, Recision of Waste Discharge Requirements and Monitoring and Reporting Program Order No. 97-69, WDID No. 1B23SO11105
Paul Keiran
7. **Order No. R1-2002-0060 California Department of Transportation, Willow Creek**, Humboldt County, Recision of Waste Discharge Requirements and Monitoring and Reporting Program Order No. 91-64, WDID No. 1B90017RHUM
Kasey Ashley
8. **Order No. R1-2002-0041 Humboldt Creamery Association**, Humboldt County, Renewal of Waste Discharge Requirements, (NPDES Permit No. CA0005584), WDID No. 1B80185OHUM
Ben Zabinsky

WASTE DISCHARGE REQUIREMENTS

9. **Order No. R1-2002-0042 Sierra Pacific Industries, Inc.**, Arcata Division Sawmill, Humboldt County, Renewal of Waste Discharge Requirements (NPDES Permit No. CA0024520), WDID No. 1B830650HUM.
Dean Prat
10. **Order No. R1-2002-0030 Calpine Corporation**, Fourmile Hill Geothermal Exploration Drilling Project, Siskiyou County, New Waste Discharge Requirements, WDID No. 1A99019RSIS
Miguel Villicana

OTHER BUSINESS

11. Status report on soil and groundwater sampling of Blosser Elementary School, Bechtel Grove Middle School, and Boys and Girls Club parcel, Willits, Mendocino County
Janice Goebel
12. Status report on West College/Clover Drive Request to the SWRCB for funds from the Cleanup and Abatement Account for water connections in neighborhood
Mark Bartson



13. Resolution recognizing progress in water quality protection by the Sotoyome Resource Conservation District, Fish Friendly Farming Program
Scott Gergus
14. Update on Mediation for Freshwater, Jordan, Stitz, and Bear Creeks: Status report on Convening Committee and other mediation matters
William Winchester
15. Update on TMDL activities, monitoring programs, and cleanup and abatement activities in Elk River, and Freshwater, Bear, Jordan, and Stitz Creeks
Nathan Quarles
16. Status report on mercury findings in Trinity River watershed
Peter Otis
17. Status report on implementation of SB 390 on waivers of waste discharge requirements
Ben Kor
18. Upcoming progress reports on key Regional Board work efforts
Susan Warner
19. 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
20. Violation and Enforcement Report
Susan Warner
21. Executive Officer Administrative Civil Liabilities
Susan Warner

EXECUTIVE OFFICER'S REPORT

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

CLOSED SESSIONS

26. Closed Session. On June 27, 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).]



27. Closed Session. On June 27, 2002, the Regional Water Board will be meeting in closed session to discuss whether to initiate litigation. [Authority: Government Code Section 11126(e)(2)(C)(i).]
28. Closed Session. On June 27, 2002, the Regional Water Board will be meeting in closed session to discuss whether to initiate litigation in the following matter: *In re Sierra Pacific Industries* [Authority: Government Code Section 11126(e)(2)(C)(i).]
29. Closed Session. On June 27, 2002, the Regional Water Board will be meeting in closed session to discuss an employee evaluation. [Authority: Government Code Section 11126(a)(1).]
30. Closed Session. On June 27, 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;

City of Healdsburg v. North Coast Regional Water Quality Control Board, Sonoma Co. Sup. Ct. Case No. 228173, and related case *California Regional Water Quality Control Board, North Coast v. City of Healdsburg*, Sonoma Co. Sup. Ct. Case No. 228570.

In re Lolonis Vineyards, Inc.: referral to the California Attorney General, No Case Number as yet.



- 31.** Closed Session: On June 27, 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 June 14, 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 August 8 and 9, 2002, in Mendocino.



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)



Bill of Rights for Environmental Permit Applicants
The California Environmental Protection Agency (Cal/EPA) endorses the following
precepts that form the basis of a permit applicant's "Bill of Rights":B

1. Permit applicants have the right to assistance in understanding regulatory and permit requirements. All Cal/EPA programs maintain an Ombudsman to work directly with applicants. Permit Assistance Centers located throughout California have permit specialists from all State, regional, and local agencies to identify permit requirements and assist in permit processing.
2. Permit applicants have the right to know the projected fees for review of applications, how any costs will be determined and billed, and procedures for resolving any disputes over fee billings.
3. Permit applicants have the right of access to complete and clearly written guidance documents that explain the regulatory requirements. Agencies must publish a list of all information required in a permit application and of criteria used to determine whether the submitted information is adequate.
4. Permit applicants have the right of timely completeness determinations for their applications. In general, agencies notify the applicant within 30 days of any deficiencies or determine that the application is complete. California Environmental Quality Act (CEQA) and public hearing requests may require additional information.
5. Permit applicants have the right to know exactly how their applications are deficient and what further information is needed to make their applications complete. Pursuant to California Government Code Section 65944, after an application is accepted as complete, an agency may not request any new or additional information that was not specified in the original application.
6. Permit applicants have the right of a timely decision on their permit application. The agencies are required to establish time limits for permit reviews.
7. Permit applicants have the right to appeal permit review time limits by statute or administratively that have been violated without good cause. For state environmental agencies, appeals are made directly to the Cal/EPA Secretary or to a specific board. For local environmental agencies, appeals are generally made to the local governing board or, under certain circumstances, to Cal/EPA. Through this appeal, applicants may obtain a set date for a decision on their permit and in some cases a refund of all application fees (ask boards and departments for details).
8. Permit applicants have the right to work with a single lead agency where multiple environmental approvals are needed. For multiple permits, all agency actions can be consolidated under lead agency. For site remediation, all applicable laws can be administered through a single lead agency.
9. Permit applicants have the right to know who will be reviewing their application and the time required to complete the full review process.

For further information you may contact the North Coast Regional Water Quality Control Board

California Environmental Protection Agency



Recycled Paper

at (707) 576-2220.

