

California Regional Water Quality Control Board  
North Coast Region

MINUTES OF MEETING  
October 24, 2002  
Regional Water Board  
Meeting  
5550 Skylane Blvd, Ste A  
Santa Rosa, CA

Thursday, October 24, 2002

Chair William Massey called the Regional Water Board meeting to order at 8:40 A.M.

**i. Pledge of allegiance**

John Corbett led the Pledge of Allegiance.

**ii. Roll Call**

Board Members present: Richard Grundy, John Corbett, Dina Moore, William Massey, Bev Wasson, and Shawn Harmon

Jack Selvage arrived at the board meeting at 9:05 A.M.

Regional Water Board staff present: Assistant Executive Officer, Frank Reichmuth, Legal Counsel, Erik Spiess; Division Chiefs, Robert Tancreto, Ranjit Gill, and Nathan Quarles; Seniors, William Winchester, Dave Evans, David Leland; Technical Staff: Lauren Clyde, Carrie Lukacic, Rebecca Fitzgerald, Lisa Hulette, and Peter Otis; Administrative staff, Kathleen Daly; Technical Assistant, Julie Sayre; Secretary, Jean Lockett

**iii. Minutes of Past Meetings**

The minutes of the August 8 and 9, 2002, Board meeting was submitted for approval.

MOTION: John Corbett moved to accept the minutes of the August 8 and 9, 2002 Regional Water Board meeting. Bev Wasson seconded the motion. Motion passed unanimously.

**iv. Board Member Ex Parte Communications**

Erik Spiess gave an explanation of the ex parte communication as an opportunity for Board members to disclose any ex parte conversations that they may have had regarding any item(s) pending or impending before the Board.

There were no ex parte communications disclosed.

**v. Public Forum**

Ed Brauner, Deputy City Manager of The City of Santa Rosa, briefly summarized the Geyser Pipeline Project. Mr. Brauner gave details of the completed sections of the project and stated that there are a number of different contractors working on the project to get it completed. He reported that Pine Flat Road is a narrow and steep terrain and it's difficult to lay pipes down. Mr. Brauner stated that the weather conditions may determine the completion of the pipe-laying project.

Ted Stephens voiced his frustration, and confusion with the Garcia TMDL process. Mr. Stephens stated that he believes that his family has been treated unfairly and will no longer take financial steps to comply with the TMDL until the issues with CDF and the Regional Water Board staff are resolved.

CONSENT CALENDAR  
WASTE DISCHARGE REQUIREMENTS

1. Order No. R1-2002-009 **William J. Blinn Trust, Glass Beach Property Clean Closure** (Old Fort Bragg Dump), Mendocino County, New Waste Discharge Requirements, WDID No. 1B02151RMEN calendar.

Assistant Executive Officer Frank Reichmuth removed the item from the Consent Calendar, indicating that the Glass Beach Property Clean Closure's Negative Declaration was approved by the City of Fort Bragg, and the item needed minor amendments.

Craig Hunt stated that the Glass Beach Property Clean Closure site was previously the Fort Bragg dump for 17 years up to 1967. Municipal solid waste was dumped from the bluffs on the southwest corner of the property and onto the land and subsequently into the ocean. There were deposits of solid waste and burn ash in and near the bluffs. Glass Beach is publicly accessible and is a tourist attraction. The land is scheduled to be purchased and turned over to the California Department of Parks and Recreation. The proposed project involves the excavation of wastes and contaminated soils found through previous investigations and during the excavation process. Some scattered debris will also be removed directly from the beach around the proposed excavation areas and retaining walls to alleviate public hazards and to reduce potential liability issues. The cleanup project is scheduled this winter with the Discharger obtaining coverage for stormwater discharges under the Statewide General Industrial Storm Water Permit.

Mr. Hunt briefly covered the addendum that included provisions for expiration of the Waste Discharge Requirements upon approval of the clean closure report and, the specified soil clean up level by the Executive Officer. The changes recognize that there are naturally occurring concentrations of some materials.

MOTION: John Corbett moved to adopt Order No. R1-2002-009, Glass Beach Property Clean Closure with the added addendum. Bev Wasson seconded the motion. Motion passed unanimously.

## **5. Status Report on the Garcia River TMDL Implementation Plan**

Lisa Hulette updated the Board on the TMDL Action Plan for the Garcia River watershed. The Action Plan contains the TMDL, the implementation plan, and the monitoring plan for the Garcia River watershed. The TMDL is a phased TMDL that requires the landowners to take an inventory of any sediment delivery sites on their land, reduce the controllable volume of sediment, and assess any unstable areas on their property. Landowners are directed to implement proactive management measures designed to control future sediment delivery from land management activities related to roads, skidtrails, landing, agricultural activities and gravel mining.

Ms. Hulette indicated that there are two new prohibitions addressing controllable discharges that pertain to the Garcia River watershed. She stated that the prohibitions are now enforceable and all landowners within the Garcia Watershed must now comply with the prohibitions.

The three options for the landowners to achieve compliance with the TMDL Plan are:

1. To comply with the prohibitions in the Garcia Action Plan. This option is best for the landowners that do not have any land uses that could discharge sediment into the Garcia watershed.
2. To develop and comply with an approved erosion control plan and an approved site-specific management plan.
3. To develop and comply with an approved erosion control plan and to comply with the management measures contained in the Garcia River Management Plan.

To comply with the TMDL Action Plan, using Option 2 or 3, all landowners must submit a letter of intent to the Regional Water Board stating which option they are choosing. All Landowners are subject to option 1 as of January 3, 2002.

Ms. Hulette gave details of staff's efforts to provide information, and answer landowners questions by:

1. mailing letters to landowners and interested parties explaining their options;
2. mailing a brochure with answers to frequently asked questions describing ways to achieve compliance;
3. conducting a public workshop in Point Arena in June 2002 to discuss the new regulations with the landowners; and
4. having one-on-one consultations with major landowners.

Larry Maillard stated that it was his understanding that the TMDL process was being submitted as a voluntary program, but in his opinion, it is regulatory. He suggested that the Garcia landowners are not in total agreement with the TMDL. Mr. Maillard indicated that he will, however, continue to attend the workshops and educate himself and his foreman on the TMDL process to keep updated. Mr. Maillard stated that previous options with voluntary things were okay and he demonstrated a good faith effort, but because of the regulations, he has not demonstrated a good faith effort.

Mr. Grundy asked Mr. Maillard if the information the landowners are receiving is specific enough. Mr. Maillard stated that the information is specific enough, however, it took an enormous amount of time to perform the many steps to comply with the TMDL.

There was extensive discussion on the information given to landowners and the efforts of the Regional Water Board staff to assist the landowners in understanding the process.

Erik Spiess gave a short description of the section 303(d) of the Clean Water Act (CWA) that says if water segments are not meeting objectives of the CWA, that segment is placed on a list. The purpose of the TMDL is regulatory with the intent to return the segment back to water quality objectives. Volunteerism can form the basis for compliance but the program is regulatory.

Ms. Wasson indicated that she believes that the TMDL process is far too complicated and time consuming.

Ms. Moore requested that Ms. Hulette prepare a written response on the source and definition of "controllable discharges" written in the TMDL process.

Ms. Wasson stated that the Board would like to make the TMDL fair for the landowners.

Ms. Moore volunteered to make herself available to work with the Regional Water Board staff and the Garcia agricultural landowners group to try and work toward a process that is more workable.

Ms. Wasson agreed with Ms. Moore and stated that there needs to be a proactive plan.

Bob Tancreto stated that the Non Point Source unit is a regulatory unit. The staffs in that unit are sensitive people and careful regulators. The unit is trying to implement a policy that the Board approved. Staff is sensitive in knowing that there will be lessons to be learned in the Region's program recognizing that there may be a need for future changes.

Erik Spiess responded to Ms. Moore's suggestion of working with the staff to fine-tune the TMDL process. He asked Ms. Moore if her involvement would be to recommend changes to the TMDL or facilitate relations between staff and regulated public. Ms. Moore stated both. Mr. Spiess stated that the Board could form a subcommittee to recommend changes to the TMDL.

MOTION: Bev Wasson moved to form a sub-committee of Board members to work with staff on the Garcia TMDL Action Plan. Dina Moore seconded the motion. The sub-committee will consist of Dina Moore and Bev Wasson. Motion passed unanimously.

Mark Rentz stated that it is important to remember that the U. S. EPA acknowledged that it does not have authority in the implementation aspect of the TMDL. He indicated that it was important that the Regional Water Board take the opportunity and establish its flexibility.

## **2. Status Report on Basin Plan Amendment of Beneficial Uses**

Lauren Clyde provided a brief overview of the Beneficial Use Basin Plan Amendment. Ms. Clyde stated that the state and federal regulations required staff to conduct a review of Region 1's Basin Plan every three years (Triennial Review). The Regional Water Board adopted a list of Priority Issues to address in this Basin Planning process. The first priority was to update the Beneficial Use Chapter of the Basin Plan. Ms. Clyde stated that the most important updates to the Beneficial Use Chapter is the newly expanded Beneficial Use Table that now includes the Calwater planning system which allows for classification of the beneficial uses on a more refined scale. Ms. Clyde reported that in the process of revising Chapter 2, staff found that certain beneficial uses required more attention than others for different reasons. Additional information has been added to the Chapter to provide a better understanding of some of these beneficial uses.

The majority of beneficial uses will remain the same as those originally adopted over 30 years ago with a proposed change only to the ASBS definition and the proposed addition of 3 new wetland uses and a Native American Cultural/Ceremonial Use.

Ms. Clyde concluded by describing the lengthy steps of the Basin Plan Amendment process that can be (and usually is) lengthy as it includes many steps some of which can cause unforeseen delays. She stated that the Regional Water Board will be asked to consider the Amendment for adoption at the February or March 2003 Regional Board meeting, provided everything goes as planned.

Richard Grundy inquired as to whether staff had looked into how many areas in the region the ceremonial use would apply too. Ms. Clyde indicated that the Karuk Tribe had requested that the Regional Water Board adopt the Beneficial Uses. The Regional Water Board staff are still looking into how many other tribes apply the uses on their lands.

Mr. Reichmuth stated that staff would make the Draft Beneficial Use Amendment a public document in November 2002 and will probably have hearings in February or March of 2003. The Board will have time to consider the amendment during workshops prior to hearings in February or March. He stated that Board members can attend the workshops for additional information.

Mr. Grundy expressed concerns regarding additions to the Basin Plan, which may compromise it.

### 3. Status Report on Basin Plan Amendment for Sediment Management

Carrie Lukacic presented the second status report in a series on developing the Basin Plan Amendment for discharge of sediment related waste. Ms. Lukacic briefly reviewed the presentation given at the May Board meeting. The staff's goal is to develop an effective policy that will prevent human-caused sediment discharge from reaching watercourses or receiving waters using feasible and reasonable means to protect water quality and beneficial uses. To meet the goals, staff developed a strategy that focuses on implementation of technology based measures to reduce point source discharges, and management measures to reduce non-point source discharges.

The Regional Water Board staff proposes to revise the two prohibitions in the Basin Plan to clarify unclear language, and clear up ambiguities, and to apply those prohibitions to a wider range of land uses. Ms. Lukacic presented draft prohibition language and highlights of the proposed implementation strategy. The Implementation Plan focuses on four primary components and concepts:

**Prevent (or avoid):** Prevention is the first line of defense against sediment discharge. A discharger must first develop an alternative that prevents or avoids a sediment discharge because wherever a discharge can be prevented using feasible and reasonable means then it should be prevented.

**Minimize:** If a discharge cannot be completely prevented then it must be minimized to the maximum extent practicable.

**Mitigate:** If the remaining discharge causes an adverse impact to a beneficial use, exceeds a water quality objective, or impedes watershed recovery then it will likely require mitigation.

**Maximum Extent Practicable (MEP):** Requires taking all actions to reduce sediment discharges, which are technically feasible. The term MEP, for this amendment, was adapted from the stormwater program. The term has a history in the technology-based stormwater program; however, the concepts are applicable to both point and nonpoint sediment sources.

Ms. Lukacic presented a flowchart that addressed both natural and human caused sediment-related discharges and that gave examples of the evaluation process for both new discharges and existing discharges. The flowchart was designed to show how landowners could comply with the revised waste discharge prohibitions, and will be an integral part of the Basin Plan amendment.

The Board expressed concern with the definition of Minimum Extent Practicable (MEP). And, suggested that the definition of "practicable" can be subject to many different interpretations by individuals.

The Board recessed for lunch at 12:15 P.M.

Meeting resumed at 1:35 P.M.

#### **4. Update on the TMDL Action Plans for the Albion, Big, Noyo, and Ten Mile Rivers Watersheds**

Rebecca Fitzgerald updated the Board on the TMDL efforts in four watersheds Albion, Big, Noyo, and Ten Mile Rivers that are located in Mendocino County and that drain directly to the Pacific Ocean. The four watersheds have similarities that allow Regional Water Board's staff to work concurrently on each watershed. All four rivers are listed as sediment impaired by the U.S. EPA and all have a TMDL that was developed and established by the U. S. EPA. Regional Water Board staff are taking steps to develop an implementation strategy for each of the TMDL. Each river will be addressed separately, with its own individual TMDL Action Plan. Staff will propose that each TMDL Action Plan be incorporated into the Basin Plan as an amendment.

Ms. Fitzgerald briefly covered the contents of the TMDL Action Plans:

- The TMDL Action Plan will be designed to be consistent with the Regional Sediment Control Strategy.
- Staff's intent is to fit the TMDL Action Plans into the 3-tiered framework found in the State's Non-Point Source Management Plan.
- In-stream monitoring will allow us to gage and measure progress toward attainment of water quality targets.

Ms. Fitzgerald indicated that in addition to developing the language of the TMDL Action Plans, stakeholder involvement would also be sought. At least one public meeting in each watershed has been held, with staff receiving invitations to visit sites and invitations to speak before groups in the watersheds.

John Harper, University Co-Operative Extension Livestock and Natural Resource Advisor for Mendocino and Lake Counties, provided background on the Water Quality Planning short courses that he has conducted for the Regional Water Board staff, landowners and other interested parties. Mr. Harper offered to conduct a special field presentation on what is taught in the course, for the Regional Water Board members.

Ms. Moore suggested that the Board might be interested in a workshop prior to or after the draft of the TMDL Action Plan. Mr. Reichmuth stated that the presentation would have to be noticed if there is a possibility of a quorum of Board members at the field workshop.

#### **9. Update on Staff Activities in Jordan, Bear, Stitz, and Freshwater Creeks and Elk River**

Jack Selvage recused himself.

Nathan Quarles reported on the activities in Elk River and Freshwater, Bear, Jordan and Stitz Creeks. He reported that monitoring sites have been installed and field reconnaissance have been conducted at the sites. A draft of the Quality Control/Quality Assurance Program for Pacific Lumber has been reviewed and some deficiencies were found in several areas. Staff and Pacific Lumber Company are working together to address the issues in the QC/QA Program. Status reports have been received as

agreed to in the monitoring agreement. However these were about 7 to 10 days late, which was not an issue with the Regional Water Board staff.

Monitoring activities in Ryan Creek that is a part of Freshwater Creek are also underway. Simpson Resources Management Company has agreed to and has started implementing a monitoring program. The monitoring program is not considered as an order but a handshake agreement with Simpson. As long as Simpson submits the data, as they have been, the monitoring program will continue to stay a handshake agreement with Simpson.

TMDL monitoring order was issued to Pacific Lumber for the Elk River watershed. Staff has asked for two new stations, there are about 20 stations at the present. There is quite a bit of monitoring being conducted in the Elk River watershed. Pacific Lumber Company submitted a letter requesting for time extension for the TMDL. Mr. Quarles stated that the time was granted and gave revised dates for the monitoring.

Early August 2002, the Executive Officer issued a Cleanup and Abatement Order for the Elk River watershed. There were several work outputs listed in the Order, Pacific Lumber Company has submitted a workplan to comply with one of the items.

Mr. Quarles stated that the next public workshop is scheduled for December 3, 2002, at the Agricultural Extension Resources Center in Eureka. Topics for the workshop will include: a problem statement from Elk and Freshwater Creek, updates from various working groups and stakeholders, science panel process and the work products from that process, and a discussion on proposed hillslope monitoring.

September 4, 2002, Susan Warner and Bill Massey made a presentation to the State Water Resources Control Board (State Board). The presentation informed the State Board of the Regional Water Board's progress relative to the five watersheds and the State Board's WQO-2002-0004, Remand Order.

Jim Branham, with Pacific Lumber Company, stated that they and the Regional Water Board staff have been putting in a great deal of efforts and they have worked well together. Mr. Branham stated that it is Pacific Lumber Company's hope that the petitions seeking to appeal the August 1, 2002 Cleanup and Abatement Order and the August 5, 2002, request for report of waste discharge for portions of the Elk River watershed, can be held in abeyance and hopefully dropped. He stated that it is Pacific Lumber Company's goal is to work toward a solution.

**11. Public Hearing (Continued from September 26, 2002) to Consider Adoption of an Updated Waste Discharge Requirements Waiver Policy (Resolution No. 2002-0080)**

Ben Kor stated that the staff report and file, for this item, was entered into the record at the September 2002 Board meeting. Mr. Kor entered into the record an additional file of new information that had been generated from the date of the last board meeting to the present date. Mr. Kor stated that on September 26, 2002, the Board heard and considered all testimony and closed the public hearing for this item. The Board, after amending Tables A and B, approved the Tables with the following amendments: Test pumping of freshwater wells, discharge from flushing of domestic waterlines and tanks,

and discharge from hydrostatic test lines were deleted from Table A and added to Table B.

Mr. Kor reviewed the waiver categories that were of concern, and recommended that the irrigation return water category be terminated or allowed to expire on January 1, 2003, and that regulation of irrigation return water in the future be dealt with on a case-by-case basis. There were revisions of the Resolution as a result of recommendations from the Board. The Board agreed that the irrigation return water category should not be terminated, and directed staff to draft an updated policy for this category for consideration of adoption in the near future. Mr. Kor reviewed the attachments A, B, and C of the resolution, which would be adopted as part of the resolution.

Mr. Kor summarized the public comments received from various agencies and public members. He recommended that the Board consider adoption of the resolution as modified.

MOTION: Richard Grundy moved to adopt the Resolution R1-2002-0080 with the attachments as described by Mr. Kor.

John Corbett requested a vote on the Resolution and the attachments separately.

REVISED MOTION: Richard Grundy moved to adopt Resolution R1-2002-0080 without the attachments, which were to be voted on separately. John Corbett seconded.

Discussion called by John Selvage, who requested clarification on the attachments that were being considered.

Dina Moore requested the statement on page 4, second paragraph, of the resolution be removed. Mr. Kor gave a detailed explanation for the statement and why it was needed. It was decided that the statement would remain in the resolution.

After a short discussion the resolution on waivers was adopted.

MOTION: Motion passed unanimously.

## **6. Technical Support Documents for the Mattole Sediment and Temperature TMDLs**

Mr. Corbett recused himself.

David Leland discussed the technical support documents for the Mattole Watershed that is listed as impaired by sediment and temperature. The land uses include ranching, timber production, rural residential, and recreation. The most sensitive beneficial uses in the watershed are associated with the cold-water fisheries.

He discussed the overall objectives of the TMDLs, which are to identify significant processes and to rank their contribution; to identify causes of increased sediment

delivery and to provide a broad watershed-scale characterization of current sediment sources and delivery from 1984 to the present.

Salmonid habitats have been significantly degraded as a result of the excessive sediment loads, including fine sediment. Road construction and operations constitute the most significant source of increased sediment delivery in the Mattole River watershed. Reduction of sediment delivery is needed to regain beneficial uses.

Dina Moore asked if staff had defined the per cent of roads belonging to various categories of user groups. Mr. Leland responded by saying that staff has not defined the use of the roads to that level of detail.

With respect to temperature conditions, the critical habitat conditions are associated with juvenile fish rearing in the summer, as evidenced by temperature data from over 70 locations. Based on sensitivity analysis results, factors with the most effect on stream temperatures are air temperature; streamside shade; relative humidity, and flow (this effects lower mainstream only). Summer water temperatures are not suitable for salmon and steelhead rearing in the mainstream and many tributary streams in the watershed.

Mr. Leland concluded by saying that air temperature, shade, relative humidity and flow (lower mainstream) are the most important factors affecting stream temperatures, with streamside shade as the factor having the most direct linkage to management activities. Increasing streamside shade will reduce summer water temperatures and help restore beneficial uses.

Dina Moore indicated that she needed more clarification on streamside shade. She stated that when the TMDL was implemented in the Van Duzen, the residents observed that the mid-part of the watershed grew of only a few trees naturally. It was told to the residents at various times that the reason is because the watershed is so geological unstable. Ms. Moore stated that she wonders if the Mattole watershed is also geological unstable similar to the Van Duzen watershed where she resides.

Mr. Leland responded by saying that the Mattole is much more of a forestry watershed, and the conditions are different in the Van Duzen.

## **7. Update on Klamath River Fish Kill**

Peter Otis stated that on September 26, 2002, he and a co-worker responded to reports of dead and dying fish in the Klamath River.

Mr. Otis stated that a definitive reason for the fish kill has not been identified. Fisheries biologists are examining a number of possibilities to determine the cause. Mr. Otis reported several reasons that may have contributed to the fish kill, such as: the run exceeded the 128,000 fish prediction, the fish were large and dominated by four-year old fish; the up-stream migration appeared to be partially stalled with large numbers of fish densely congregating in the estuary and in the reach below Blue Creek; many of the fish were infected with Columnaris disease (Gill Rot), and *Ceratomyxa shasta*. This year's flow in the Klamath River was lower than last year. When fish are crowded they get various kinds of diseases but most all of the fish had Columnaris disease. The National Marine Fisheries Service requested the Bureau of Reclamation to release additional

Klamath Project water into the system from Iron Gate Dam for ten days in an effort to get the fish moving upstream.

Mr. Otis indicated that the Regional Board staff could be involved in future agency coordination efforts. The agencies could have a goal to identify what steps are necessary to protect our beneficial uses and establish a reasonable and defensible method to prevent the reoccurrence of this kill.

Ms. Moore asked what would be the answer to the public who called and asked how did the Regional Water Board allow this to happen. Mr. Otis stated that the fish kill is a very complex issue and it involved water flow and not necessarily water quality.

John Corbett suggested that in the future it would helpful to know what legal options are available to the Board, if any.

**8. Status report on the Surface Water Ambient Monitoring Program (SWAMP)**

The Board requested that Mr. Otis submit a written report on the SWAMP presentation.

**12. Status Report from Regional Water Board Subcommittee on Timber Harvesting Waivers**

John Corbett reported the CEQA documentation that is needed for the waivers to be adopted by January 1, 2003, will not meet the deadline. The Board sub-committee met and discussed the terms of the waiver and the need to get specific language for the waiver as soon as possible, and the ability to have gate keeping or the ability to limit the regulatory burden of staff, the Regional Water Board, and dischargers.

Erik Spiess provided clarification on the issues with the Negative Declaration and the CEQA process. He indicated that the Negative Declaration would need to be circulated for a minimum 30-day public review period before the Board could consider it.

Dina Moore reiterated that the Negative Declaration would not be prepared in time to have the waiver ready for adoption before January 1, 2003. Ms. Moore stated that the sub-committee will continue to meet and discuss the process of dealing with the timber waivers. Ms. Moore gave the subcommittee's recommended strategy for handling THPs in the interim. Timber harvest plans that the staff concur should have a waiver will be submitted to the Board for issuance of individual waivers of waste discharge requirements. Those THPs that the staff does not concur should have a waiver will be handled as a request for a report of waste discharge requirements. Mr. Corbett stated that the THP would be considered as the equivalent of a report of waste discharge requirement. Mr. Corbett indicated that the sub-committee recognizes that this process is a bandage procedure until the waivers are adopted.

Mark Rentz, of California Forestry Association, voiced dismay at his understanding that the subcommittee's recommendation would effectively shut down timber harvesting as of January 1, 2003. He stated that the Board had received incorrect legal advice. He strongly suggested that the Board hold an additional meeting before January 1, 2003, for action on the timber waiver.

Brian Staub, of the US Forest Services, stated that the Central Valley Regional Water Board clearly outlines their waivers. He suggested that the board consider the self-certification waiver option. The issue should be addressed before January 1, 2003.

John Corbett suggested that the Board schedule a meeting for December 31, 2002, to address the waivers.

The Board discussed options that the Board and staff could take to complete the negative declaration required under CEQA and schedule a Board meeting to address the waivers before January 1, 2003 deadline.

Dina Moore suggested that she and John Corbett develop language for the waiver and negative declaration before November 5, 2002.

Mr. Corbett asked that Mr. Rentz submit his ideas in writing for the Board's review.

Ben Kor addressed the Board stating that the Board will need to develop a waiver policy with the precise language, and once the policy is written and approved by the Board members then staff will write a negative declaration by November 5, 2002, to comply with CEQA.

Mr. Kor suggested steps that the Board could take to meet the January 1, 2003 deadline. He suggested that the Board sub-committee forward a draft of their suggestions to be incorporated into the document.

It was decided that a Board meeting would be held on December 5<sup>th</sup> to address the waivers. The Chairman directed the sub-committee and staff to work on the specific language and the negative declaration for the waiver.

### **13. Workshop on Consideration of Regional Water Quality Control Board Goals**

Frank Reichmuth suggested that this item be rescheduled because of time constraints.

The Chairman scheduled the Board's goal setting workshop for the afternoon of December 4, 2002.

### **14. State and Regional Water Board Communications**

Gary Carlton, State Water Board liaison, was not present. There were no other communications.

### **17. Recommendations for Agenda Items for Future Board Meeting**

Richard Grundy requested adding the Resolution 68-16, adapted by the State Water Board, to a future agenda. He requested that the staff presentation include the supplemental document interpreting the Resolution.

Chairman Massey requested that the information Mr. Grundy request be submitted to the Board members in writing. Mr. Grundy stated that information in written form would be sufficient as long as it address the memo interpreting the Resolution

Mr. Reichmuth stated that staff will provide the Board with a written presentation on Resolution 68-16.

Items 15, 16, 18, 19, 20, and 21 stands as written.

**Closed Session**

Items 22 through 26

There were no closed sessions conducted.

MOTION: John Corbett moved to adjourn. Shawn Harmon seconded the motion. Motion passed unanimously. Meeting adjourned at 5:29

There being no further business to come before this meeting body, the meeting adjourned at 5:29 p.m., until the next scheduled Board meeting on November 7, 2002.

The Secretary, E. Jean Lockett recorded the minutes of the October 23, 2002, meeting of the North Coast Water Quality Control Board, to be approved by the Board at a subsequent Board meeting.

\_\_\_\_\_Chairman

\_\_\_\_\_Date