

Wednesday, October 12, 2005

9:00 a.m.

Chair Beverly Wasson convened the Regional Water Board meeting at 9:06 a.m., October 12, 2005.

Pledge of Allegiance

Richard Grundy led the Pledge of Allegiance

Roll Call and Introductions: Gerald Cochran, John Corbett, Richard Grundy, Dennis Leonardi, William Massey, and Beverly Wasson

Absent: Heidi Harris and Clifford Marshall

Regional Water Board staff: Catherine Kuhlman, Luis Rivera, Erik Spiess, David Boyers, Robert Tancreto, Ranjit Gill, David Leland, Diana Henriouille, John Short, Lisa Barnard, Andrew Baker, Terry Barnes, Greg Nash, Jean Lockett

Board Member Ex Parte Communication Disclosure

Dennis Leonardi reported that Michael Delmar, supervisor from Mendocino County, contacted him regarding the Talmage Dam situation. Mr. Leonardi stated that he referred Mr. Delmar to the Regional Water Board staff.

Richard Grundy reported a general conversation with ex-board member, Sari Sommarstrom regarding Siskiyou County.

Mr. Grundy also reported that he was approached by a resident expressing concern for the underground pollution problem in the McDowell area in Santa Rosa.

William Massey reported that Mr. Delmar also contacted him to discuss the Talmage Dam. He too referred Mr. Delmar to the Regional Water Board staff.

Gerald Cochran also reported a general discussion with Sari Sommarstrom regarding Siskiyou County.

Beverly Wasson reported an email discussion on the Thomas Larkin issues in Green Valley with the Regional Water Board staff.

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

State Water Resources Control Board liaison, Art Baggett, gave a summary of current items of interest.

Highlights included:

- ◆ AB2121,
- ◆ Klamath
- ◆ 401 certification,
- ◆ the draft 303(d) list of impaired waterbodies.

Catherine Kuhlman gave the Board an update on the following topics:

- ◆ Posting of Irongate and Copco reservoirs
- ◆ 303d list additions and deletions suggested by the State Water Resource Control Board staff
- ◆ Hopland's ROWD status report
- ◆ Legislation signed and vetoed by the Governor

Public Forum

There were no speakers for this item

1. Approval of Meeting Minutes: June and August

MOTION: Gerald Cochran moved to accept the June 2005 Meeting Minutes with the recommended changes. William Massey seconded the motion. Motion passed unanimously.

MOTION: William Massey moved to accept the August 2005 Meeting Minutes. Dennis Leonardi seconded the motion. Motion passed unanimously.

Action Items

5. PUBLIC HEARING Order No. R1-2005-0084, Healdsburg Wastewater Treatment Facility, Modification of Waste Discharge Requirements (WDRs)/National Pollutant Discharge Elimination System (NPDES) Permit.

It was noted that the City of Healdsburg did not have any objections to the Regional Water Board staff's modification of the WDR/NPDES Permit and that no speaker cards were received for this item. The Chair inquired of the public and Board whether there were any objections to moving the item on the Consent Calendar. Hearing none, the Chair asked for a motion.

MOTION: William Massey moved to place Order No. R1-2005-0084 on the Consent Calendar of the Agenda. John Corbett seconded the motion. Motion passed unanimously.

Consent Items

2. Order No. R1-2005-0096, **Fort Bragg Wastewater Treatment Facility** – Modification of Waste Discharge Requirements (WDRs)/National Pollutant Discharge Elimination System (NPDES) Permit.
3. Order No. R1-2005-0077, Recision of Waste Discharge Requirements Order No. 91-66 and Monitoring and Reporting Program No. 91-66 for **CDOT Bodega Bay Maintenance Station**, 2030 Highway One, Bodega Bay, CA.
4. Order No. R1-2005-0078, Recision of Waste Discharge Requirements Order No. 91-67 and Monitoring and Reporting Program No. 91-67 for **CDOT Sebastopol Maintenance Station**, 5611 Sebastopol Road, Sebastopol, CA.
5. Order No. R1-2005-0084, **Healdsburg Wastewater Treatment Facility**, Modification of Waste Discharge Requirements (WDRs)/National Pollutant Discharge Elimination System (NPDES) Permit.

MOTION: Gerald Cochran moved to adopt the Consent Calendar. William Massey seconded the motion. Motion passed unanimously.

Action Items

6. **PUBLIC HEARING** Order No. R1-2005-0087, **City of Ferndale Wastewater Treatment Facility** (WWTF), to Consider Revision of the Compliance Schedule for Desist Order No. R1-2003-0049 and Impose a Ban on Additional Connections to the WWTF

Chair Wasson administered the Oath to those who expected to give testimony for this item.

Lisa Bernard, Regional Water Board staff, gave the presentation.

The draft order extends the existing deadlines for upgrading the treatment plant to 2008 and imposes a connection ban in the meantime.

Michael Powers, City Manager for the City of Ferndale, stated that the City supported the order except for the connection ban. There was an extensive discussion of possible tradeoffs between possible infiltration and inflow reductions in exchange for allowing some connections in the next three years. John Corbett read the following proposed second paragraph second paragraph under provision number 2 of the draft order:

“New or existing connections, whose increased flows of wastewater are offset by a reduction of discharges of wastewater of 2:1 to the collection system are not considered to be additional flows prohibited by the Order through October 1 2008. The demonstration of off set shall be supported with technical information to the satisfaction of the Executive Officer.”

MOTION: John Corbett moved to make that amendment to proposed Order No. R1-2005-0087. Richard Grundy seconded the motion. The motion passed with a roll call vote.

Roll Call:	Richard Grundy	Yea
	John Corbett	Yea
	Beverly Wasson	Yea
	William Massey	Yea
	Gerald Cochran	Yea
	Dennis Leonardi	Yea

MOTION: John Corbett moved to adopt the cease and desist order that included the amendment. Dennis Leonardi seconded the motion. Motion passed with a roll call vote.

Roll Call:	Richard Grundy	Yea
	John Corbett	Yea
	Beverly Wasson	Yea
	William Massey	Yea
	Gerald Cochran	Yea
	Dennis Leonardi	Yea

7. **PUBLIC HEARING** Order Nos. R1-2005-0085 and R1-2005-0086, to Consider Modifications to Cease and Desist Order No. R1-2004-0102 and Time Schedule Order No. R1-2004-0103 in the Matter of **Occidental County Sanitation District and the Sonoma County Water Agency**

Cathy Goodwin, Regional Water Board staff, gave the presentation.

Ms. Goodwin's presentation covered the request of the discharger to modify the compliance schedule in CDO R1-2004-0103 and TSO R1-2004-0102. Time is needed to identify a project that Occidental can afford and construct as a result of the enforcement orders of the CDO and TSO.

Mike Thompson with the Sonoma County Water Agency voiced his support for the Regional Water Board staff proposal.

Comments were taken from:

Brenda Adelman, Representing the Russian River Watershed Protection Council
 Gene Koch, representing Camp Meeker
 Al Negri, Representing Occidental Community Service District

MOTION: William Massey moved to adopt Order Nos. R1-2005-0085 and R1-2005-0086. Richard Grundy seconded the motion. Motion passed by roll call vote.

Roll Call:	Richard Grundy	Yea
	John Corbett	Yea

Beverly Wasson	Yea
William Massey	Yea
Gerald Cochran	Yea
Dennis Leonardi	Yea

Enforcement

8. **PUBLIC HEARING** Order No. R1-2005-0088, to consider whether to affirm, reject, or modify a Complaint for Administrative Civil Liability for submittal of late monitoring reports issued on August 29, 2005, in the Matter of **City of Ferndale Wastewater Treatment Facility**, Humboldt County, WDID NO. 1B83136OHUM

This item was removed from the agenda until further notice.

Information Items

9. Update on **Non-Point Source** Program

Diana Henriouille, Regional Water Board staff, gave a presentation following up on the August 10, 2005 Workshop discussion of the SWRCB NPS Enforcement policy. She detailed the status of the North Coast Region's compliance with the policy. Staff will present a draft list of priority actions to increase compliance with the policy at the December 7, 2005 board meeting.

Comments were taken from:

Tracy Schohr, California Cattlemen's Association

10. Update on detection and evaluation of **Toxic Microcystis Algae in Copco and Irongate Reservoirs**

Presentations by Dr. Ranjit Gill, RWQCB staff; Susan Corum, Karuk Tribe water quality program; and Russ Kanz, SWRCB Water Rights Division on the extremely high levels of toxic Microcystis algae in the Copco and Irongate Reservoirs. Toxic algae and toxin levels have exceeded the World Health's organization's moderate threat level, and are of serious concern. The Board has posted the reservoirs.

11. Workshop on **Sediment and Temperature Total Maximum Daily Loads (TMDLs) for the Scott River Watershed**

David Leland, Bryan McFadin, and Dr. Ranjit Gill gave the RWQCB staff presentation. There will be a total of three Scott River TMDL workshops, today's in Santa Rosa, October 18th in Yreka, and October 18th in Arcata, October 19. The adoption hearing is scheduled for December 7th in Yreka.

Other presentations were made by:

Mr. DuPres from Siskiyou County, Mr. Krum from the Siskiyou RCD, Jeff Fowle for the County Farm Bureau, Mr. Ostrowski for timber, Ms. Boland for the Forest Service, Susan Corum for the Karuk Tribe, Phil Smith for Resighini Tribe, Rebekah Sluss for the Quartz Valley Indian Tribe, and Palma Risler for USEPA.

Comments were taken from:

Denver Nelson

The board's discussion focused on encouraging tribes, local, state, and federal government and stakeholders to work with the staff to create a implementation plan that sets up an adaptive management process for Scott Valley. The board also emphasized that our approaches should be flexible as conditions vary so greatly, and solutions should be tailored to fit accordingly.

12. Executive Officer Administrative Civil Liabilities

This item was not discussed.

13. Board Member Requests for Future Agenda Items

This item was not discussed.

14. Monthly Report to the Board

This is a written item.

15. Other Items of Interest

This item was not discussed.

There being no further business to come before the Regional Water Board, the meeting adjourned at 8:05 p.m. until the next scheduled Regional Water Board Meeting on December 7, 2005.

Secretary Jean Lockett recorded the minutes of the October 12, 2005, Regional Water Board meeting of the North Coast Water Quality Control Board.

Chairperson _____