



EXECUTIVE OFFICERS REPORT North Coast Regional Water Quality Control Board

November 2013

Garcia River Anti-Poaching Agreement.

Jonathan Warmerdam

On October 19, 2013, a public event was held in Point Arena, to formally announce a historic accord on a shared responsibility and common strategy to combat poaching of critically low populations of steelhead and coho salmon on the Garcia River.

The public event was the culmination of several meetings jointly initiated by Congressman Jared Huffman (D-San Rafael) and Nelson Pinola, chairmen of the Manchester-Point Arena Band of Pomo Indians, which included Mendocino County Sheriff Thomas Allman, representatives of Assemblyman Wes Chesbro, County Supervisor Dan Hamburg, representatives from the National Marine Fisheries Service (NMFS), California Department of Fish and Wildlife, North Coast Regional Water Quality Control Board (NCRWQCB), The Nature Conservancy, Trout Unlimited, Friends of the Garcia and The Conservation Fund, to address poaching problems on the river. During the October 19th event, presentations were made by all the participating members.

The Manchester-Point Arena Band of Pomo Indians drafted a resolution to work with agencies and abide by state and federal fishing regulations. Under the resolution, tribal members will not fish

for endangered and listed fish such as coho salmon and steelhead, but instead will accept fish from other sources for ceremonial and other tribal purposes. In addition, fishing IDs will be issued to all members of the tribe for identification purposes.

New fishing information signs are being created to hang throughout the Garcia River watershed, and plans for multi-agency and tribal monitoring are being formulated.

ATTENTION ANGLERS!
SALMON FISHING IS PROHIBITED ON THE GARCIA RIVER

WILD STEELHEAD FISHING IS CATCH AND RELEASE ONLY. BARBLESS HOOKS ONLY.

COHO SALMON** U.S. Endangered Species Act listing status - ENDANGERED
Spotting only on upper lobe of tail
COHO SALMON LOWER JAW* Black color on lower jaw & tongue

CHINOOK SALMON LOWER JAW* Black color on lower jaw & tongue
Spotting on upper & lower lobes of tail
CHINOOK SALMON** U.S. Endangered Species Act listing status - THREATENED

RELEASE WILD STEELHEAD WITH INTACT ADIPOSE FIN. NO ADIPOSE FIN ON HATCHERY STEELHEAD!
Spotting on upper & lower lobes of tail
STEELHEAD LOWER JAW* No black color on lower jaw or tongue
STEELHEAD TROUT*** U.S. Endangered Species Act listing status - THREATENED

Per California Department of Fish and Wildlife Regulations:
• ONLY Hatchery trout or steelhead (without adipose fin) may be taken and/or possessed pursuant to CCR, Title 14, Section 250 (1)(7)(D). Hatchery fish are not common in the Garcia. Wild steelhead fishing is catch & release only.
• Fishing only allowed the 4th Saturday in May through Mar. 31.
• Only artificial lures with barbless hooks may be used from the fourth Saturday in May through Oct. 31. Only barbless hooks may be used from Nov. 1 through Mar. 31.
• Fishing is subject to lower flow closures.

COFW FISH PHONE: 707-944-5504
CALIF HOTLINE: 1-800-9FS-CALIF
NOAA OLE HOTLINE: 1-800-853-1884

WATERSHED AND FISHERY RECOVERY PARTNERS

Partnership credits: California Department of Fish and Wildlife, Washington Department of Fish and Wildlife, National Marine Fisheries Service/Sonoma County Water Agency, The Nature Conservancy, and various local organizations.

“I’m glad the Manchester-Point Arena Band of Pomo and all government agencies were able to come together to create a unique cooperative framework to prevent poaching on the Garcia River. This is not only critical for fragile salmonid populations on the river, it could serve as a guide for partnerships across the country,” Congressman Huffman said. “After more than two decades of hard restoration work, the Garcia River is in recovery. But fishery populations are still critically low and we must ensure that these endangered fish are protected, all while respecting the tribe’s right to fish in their waters.”

“We started working on these issues when a newspaper story ran with incorrect information,” said Chairman Pinola, “Native Americans don’t live in a black and white world when it comes to the law. For us it’s a gray mix out there of federal laws, state regulations and local ordinances. Independence is infringed by who has jurisdiction over what. This has been a productive interaction with the agencies. The BIA is interested in our outcome as this cooperation is unique in Indian Country.”

Working together with the Tribe towards a solution which will benefit everyone has been a pleasure,” Sheriff Allman said. “This working relationship will allow us to work on other issues that can be solved in the best interest of everyone.”

“Our iconic salmon are imperative to California’s economic, recreational and environmental welfare,” said Brian Stranko, Director of the North & Central Coast Region, The Nature Conservancy. “In California, we are experiencing the steepest decline in salmon populations in the West and the time to prevent extinction is now. Luckily there is the needed collaboration and support to prevent this tragic outcome. The Nature Conservancy commends Congressman

Jared Huffman and the Manchester Pomo tribe for coming together to stop illegal poaching of salmon.”



Over the last 15 years more than \$25 million has been invested in conservation and mitigation efforts for the Garcia River watershed. As more fish return to the Garcia to spawn, reports and one major citation of poaching fueled the need to address this issue. The inter-agency meetings and tribal resolution were unprecedented according to participants.

The multi-agency cooperation will continue as the first salmon and steelhead begin to enter the west coast rivers in the next few weeks.



Enforcement Report for November 2013 Executive Officer's Report *Diana Henrioulle*

Date Issued	Discharger	Action Type	Violation Type	Status as of October 31, 2013
8/28/13	Don Roberts, Stephen and Taylor Whitley	NOV	Violation of CAO R1-2013-0007	Ongoing

Comments: On August 28, 2013, the Regional Water Board Executive Officer (EO) issued a letter accepting a Restoration Plan submitted on behalf of Don Roberts and Stephen and Taylor Whitley (Dischargers) to satisfy directives of Cleanup and Abatement and 13267 Order No. R1-2013-0007 (Order). That letter also included a Notice of Violation for continued violations associated with various directives of the subject Order, requiring submittal of technical information and monitoring reports. The Order pertains to illegally constructed roads and crossings in wetlands and watercourses on a site near Laytonville.

Date Issued	Discharger	Action Type	Violation Type	Status as of October 31, 2013
9/6/13	Point St. George Fisheries	Rescission of CAO	N/A	Complete; no further action

Comments: On September 6, 2013, the Regional Water Board EO issued Order No. R1-2013-0062 rescinding Cleanup and Abatement Order No. 85-87, issued to Point St. George Fisheries, in Santa Rosa, for discharges of oil and petroleum; solvents, thinners and other toxic or hazardous materials; and wastewater containing organic materials, brine, and metals to soil and ground water. The Discharger has cleaned up the site and corrected the violations.

Date Issued	Discharger	Action Type	Violation Type	Status as of October 31, 2013
9/11/13	Skaggs Family Trust	NOV	Unauthorized sediment discharge to watercourses within the Barber Creek and Salt River Watershed	Ongoing

Comments: On September 11, 2013, the Chief of the Regional Water Board's Nonpoint Source and Timber Harvest Division issued an NOV to Skaggs Family Trust for violation of their Non-Industrial Timber Management Plan for improper stream crossing construction and maintenance and inadequate erosion control. The NOV requires submittal of a plan and schedule to address the identified violations by October 15, 2013.

Date Issued	Discharger	Action Type	Violation Type	Status as of October 31, 2013
9/19/13	Marlow Partners	13267	Failure to implement workplan related to PCE investigation and cleanup	Ongoing

Comments: On September 19, 2013, the Regional Water Board EO issued a 13267 Order No. R1-2013-0063 (Order) to (Former) Marlow Center One-Hour Martinizing and D/Marlow Partners LLC for failure to implement an indoor air investigation related potential soil and groundwater contamination associated with discharges from a dry cleaning operation. The Order requires the Dischargers to submit a technical report by December 17, 2013, furnishing data collected through implementation of the workplan.

Date Issued	Discharger	Action Type	Violation Type	Status as of October 31, 2013
9/30/13	Becki J. Rodriguez & Mario T. Apostolov	CAO & 13267	Discharges to unnamed tributaries in the Mattole River Watershed	Ongoing

Comments: On September 30, 2013, the Regional Water Board EO issued Cleanup and Abatement Order (CAO) and 13267 No. R1-2013-0064 to Becki J. Rodriguez and Mario T. Apostolov for discharges and threatened discharges of earthen material and woody debris into unnamed tributaries and Mattole Canyon Creek. The CAO directs the Dischargers to clean up and abate the discharges and threatened discharges and to submit various technical and monitoring reports. The Dischargers have submitted, and the Regional Water Board EO has approved, an interim erosion control plan for the site, with implementation to be completed by October 21, 2013.

Date Issued	Discharger	Action Type	Violation Type	Status as of October 31, 2013
10/2/13	Donald & Rogie Shutt	NOV	Violation of CAO & 13267 Order No. R1-2013-0050	Ongoing

Comments: On October 2, 2013, the Regional Water Board Acting Assistant Executive Officer issued an NOV to Donald and Rogie Shutt for failure to comply with CAO and 13267 Order No. R1-2013-0050 (Order). The Order directs the Dischargers to clean up and abate discharges associated with unauthorized dredge and fill activities conducted in Gilbert Creek, a coastal tributary near the town of Smith River. The Dischargers have contacted Regional Water Board staff requesting to meet and discuss the matter in early November.

Date Issued	Discharger	Action Type	Violation Type	Status as of October 31, 2013
10/3/13	Baxman Gravel Co Inc	NOV	Water Code: Failure to submit Report of Waste Discharge	Ongoing

Comments: On October 3, 2013, the Regional Water Board Acting Assistant Executive Officer issued an NOV to Baxman Gravel Company for failure to submit a complete Report of Waste Discharge for its Ten Mile wash plant. The NOV requires the Discharger to submit a complete Report of Waste Discharge by November 25, 2013.





Seeking Nominations for Executive Officer's Water Quality Stewardship Award

Matt St. John

In the June 2013 Executive Officer's Report I announced the opening of nominations for the Executive Officer's Water Quality Stewardship Award. This new, annual award is to be given to an individual or group whose exceptional work has contributed to the preservation and enhancement of surface and groundwater quality. This award is designed to acknowledge and honor our partners in water quality protection through their efforts in pollution prevention, waste minimization, water quality enhancement, and/or beneficial use restoration.

I am accepting nominations now from Regional Water Board staff and the public for individuals or groups who are doing exceptional work to protect water quality in the North Coast. The nomination letter need not be lengthy, but should identify the person or group being nominated, describe their work, and describe the water quality improvements that have resulted from their efforts. Nominations can be sent via email to Matt.St.John@waterboards.ca.gov or US mail to our office. From the nominations submitted, I will select an annual recipient of the Executive Officer's Water Quality Stewardship Award, and will present the award at the Board meeting in January 2014. I look forward to receiving the first set of nominations by mid-December 2013 and to honoring the recipient in January 2014. Thank you.

Yours in protection of water quality,
Matt St. John