

MINUTES OF MEETING

January 25, 2006
Crescent City Culture Center
1001 Front Street
Crescent City, California

Wednesday, January 25, 2006

9:00 a.m.

Chairperson Beverly Wasson opened the meeting at 9:05 a.m.

i. Pledge of Allegiance

Gerald Cochran led the Pledge of Allegiance

ii. Roll Call and Introductions: Gerald Cochran, John Corbett, Dennis Leonardi, William Massey, Heidi Harris, Bob Anderson, Teejay Lowe, and Beverly Wasson

Regional Water Board staff: Catherine Kuhlman, Luis Rivera, Sheryl Schaffner, Samantha Olson, David Leland, Diana Henriouille, Andrew Baker, Terri Korell, Drew Bayless, and Jean Lockett

iii. Election of Officers

Motion: Heidi Harris moved to nominate Dennis Leonardi as Chairman. Gerald Cochran seconded the motion. The motion passed with Beverly Wasson abstaining.

Motion: Gerald Cochran moved to nominate John Corbett as vice-Chairman. Dennis Leonardi seconded the motion: Motion passed with Beverly Wasson abstaining.

Dennis Leonardi assumed his role as the newly-elected Chairman.

iv. Board Member Ex Parte Communication Disclosure

William Massey disclosed that in his position as a board member of the California Rural Water Commission and the California Special District Program he was involved in a process that assisted districts that incurred damage as a result of the recent storms and subsequent flooding.

v. State Board Liaison's Report to the Regional Water Board

Art Baggett was unable to attend the Regional Water Board meeting.

vi. Public Forum

Board member Gerald Cochran introduced the Crescent City Mayor Dennis Burns, Council Member Richard Enea, Chairman of the Board of Supervisors Sarah Sample, and Board of Supervisors Member David Finnegan.

Public comments were heard from:

- Joyce Crockett, Crockett Beef and Bulbs
- Kate Sullivan, PALCO
- Dennis Burns, Crescent City Mayor
- Richard Miles, Resident of Crescent City
- Church Center, PALCO
- Felice Pace, Klamath River Keeper
- Richard Phillis, Member of the Public
- Dennis DelBiaggio, Contractor on Ferndale Project
- Kevin McKernan, Yurok Tribe

1. Approval of Meeting Minutes: December 7, 2005

Motion: William Massey moved to adopt the Minutes of the December 2005 Regional Water Board meeting, with recommended changes. John Corbett seconded the motion. The Motion passed with Teejay Lowe and Bob Anderson abstaining.

Action Items

2. PUBLIC HEARING Order No. R1-2006-0002, to Consider Modifications to Cease and Desist Order No. R1-2004-0065, in the Matter of the City of Healdsburg Wastewater Treatment Facility

Regional Water Board staff Mona Dougherty presented this matter to the Regional Water Board. Ms. Dougherty's presentation discussed the discharger's request to include a compliance schedule for secondary treatment effluent limitations that would adjust interim effluent limitations and dates in compliance schedules. Staff recommended that the Regional Water Board adopt the modifications to the Cease and Desist Order, as proposed.

City of Healdsburg's Public Works Director George Hicks stated that the City of Healdsburg is committed to upgrading its Wastewater Treatment Facility, and voiced his support for staff's recommendation.

Motion: William Massey moved to adopt Order No. R1-2006-0002. John Corbett seconded the motion.

Roll Call:

Gerald Cochran	Yes
Bob Anderson	Yes
William Massey	Yes
Beverly Wasson	Abstained
Teejay Lowe	Abstained
Heidi Harris	Yes
John Corbett	Yes

3. PUBLIC HEARING Order No. R1-2006-0003, to Consider Modification of Cease and Desist Order Nos. 87-27 and 88-153 for Violation of Waste Discharge Requirements Order No. 84-118 in the Matter of Klamath Community Services District.

John Corbett recused himself from this item.

Regional Water Board Senior Staff Engineer Tom Dunbar presented this matter to the Regional Water Board. Mr. Dunbar’s presentation discussed staff’s recommendation to adopt a Cease and Desist Order (CDO) that would impose a ban on new connections to prevent the Klamath Community Services District (KCS D)Wastewater Treatment Facility (WWTF) from becoming overloaded and to assure that conditions do not continue to deteriorate before needed improvements occur. The updated CDO would allow new connections to the WWTF when the KCS D can demonstrate that unused capacity remains in the existing septic tank and leach field systems.

President of the Klamath Community Service District Fred Stocked, discussed the provisions of the proposed modifications of the CDO.

Motion: Gerald Cochran moved to adopt Order No. R1-2006-0003 with the new findings. William Massey seconded the motion.

New finding #10 (renumber subsequent paras.)

- 10. Since the notice of this public hearing was issued, and before the January 25, 2006 hearing, the Klamath Community Services District has taken initial steps to comply with some aspects of the order, as proposed. In recognition of those efforts, the Regional Water Board finds it appropriate to grant the Klamath Community Services District’s request, as articulated at the January 25, 2006, hearing, an exemption for five (5) dwelling unit equivalents (DUEs) (three-bedroom residence) connections from the connection ban to the outlet.

Amend provision #1 in “ordered” section to add:

Notwithstanding the foregoing, the Klamath Community Services District may allow up to, but no more than, five (5) DUE connections (1600-1800 gallons per day, total flow).

Roll Call:	John Corbett	Recused
	Beverly Wasson	Abstained
	William Massey	Yes
	Gerald Cochran	Yes
	Heidi Harris	Yes
	Bob Anderson	Yes
	Dennis Leonardi	Yes
	Teejay Lowe	Abstained

4. PUBLIC HEARING Order No. R1-2006-0001, City of Crescent City, Del Norte County, Renewal of NPDES Permit for the Wastewater Treatment Facility, WDID No. 1A84006ODN

Gerald Cochran recused himself from this item.

Chairman Leonardi administered the oath to all those who expected to testify.

Regional Water Board staff Al Wellman presented this matter to the Regional Water Board. Mr. Wellman submitted the file into the record. Mr. Wellman's presentation discussed the National Pollutant Discharge Effluent System (NPDES) Permit renewal for the City of Crescent City.

Crescent City's Director of Public Works Jim Barnts stated that the City is satisfied with the Permit and encouraged the Regional Water Board to adopt the Permit as proposed.

Comments were accepted from:
James Snow, resident of City of Crescent City

Motion: William Massey moved to adopt order No. R1-2006-0001. John Corbett seconded the motion. The motion passed. Gerald Cochran recused himself from the vote. Beverly Wasson and Teejay Lowe abstained.

Information Items

5. Update on Storm Damage in Region 1

Assistant Executive Officer of the Regional Water Board Luis Rivera presented this matter to the Regional Water Board. He reported that many of the facilities in the North Coast region experienced a strain as a result of the recent storms. He explained that the Regional Water Board staff was dispatched to about 25 facilities (wastewater treatment facilities, construction projects, and highway constructions). A representative from the Environmental Protection Agency was dispatched to the North Coast region to assist with phone calls and dispatching. Many of the systems that are regulated by the Regional Water Board experienced some damage. The most significant release was approximately 6 million gallons of raw sewage in Sebastopol. Most facilities have been repaired and are in operation at this time.

Mr. Rivera indicated that any enforcement action that staff would consider at this time would most likely be as a result of these recent storms.

Program Director of the Five Counties Mark Lancaster discussed the storm damage to the roads in the Five Counties (5C). Mr. Lancaster also made a PowerPoint presentation that:

- Described the relative severity of the storms throughout the 5C region;
- Summarized the storm damage of each county's road system and the department's response;
- Reported how restoration projects in each county withstood the storm; and,
- Described how the 5C Dirt Road Erosion Inventory was used during the storm(s).

6. Update on Non-Point Source Program

Regional Water Board Senior staff Diana Henrioulle updated the Regional Water Board on staff's efforts to identify and assess unregulated non-point source discharges and activities in the region. Ms. Henrioulle also presented a draft list of staff's priorities for developing Waste Discharge Requirements (WDRs), waivers, or prohibitions for non-point source regulation.

Comments were accepted from:

Dina J. Moore

Dennis Mayo

Harry Harms

Gary Rynearson, Green Diamond Resource Company.

Joyce Crockett, Crockett Beef and Bulbs

7. Executive Officer Administrative Civil Liabilities

There were no Administrative Civil Liabilities Complaints to report.

8. Board Member Requests for Future Agenda Items

The Regional Water Board members had no requests for future agenda items.

9. Monthly Report to the Board

Executive Officer Catherine Kuhlman reported that the North Coast Region's top priorities are:

- Total Maximum Daily Loads (TMDL's): Ms. Kuhlman noted that at the last Regional Water Board meeting the Board adopted the Scott TMDL.
- The next TMDL that will be presented to the Regional Water Board will be the Shasta TMDL.
- The TMDL that is yet to be completed is for the Klamath Main-stem and this item is still in the discussion phase.
- Discretionary TMDLs Presently Under Consideration:
 - Elk and Freshwater Watersheds;
 - Scoping for the Russian River;
 - Laguna de Santa Rosa; and,
 - Bacteria in the Russian River
- Enforcement: Reduce the backlog of Mandatory Minimum Penalty cases and to continue to issue Administrative Civil Liability Complaints for these Mandatory Minimum Penalty cases. Ms. Kuhlman expressed that she wants to see the backlog reduced by 30-percent by December 2006
- NPDES Permits. Ms. Kuhlman stated that it is Region 1's goal to reduce the backlog of NPDES permits by 20-percent by December 2006.
- Watershed Wide Wastewater Discharge Requirements (WWWDRs) for the Freshwater Creek and the Elk River Watersheds. Ms. Kuhlman updated the Regional Water Board and advised that discussions are currently taking place with Green Diamond on its permit. Ms. Kuhlman further advised that a status conference is being scheduled regarding the Pacific Lumber Company WWWWDRs.

- Ms. Kuhlman noted that there has been recent discussion regarding a retreat for the Regional Water Board and it is anticipated that the retreat will be held at the end of June 2006.

10. Other Items of Interest

Comments were accepted from:

Chuck Center, Pacific Lumber Company

There being no further business to come before the Regional Water Board, the meeting adjourned at 3:55 p.m. The next Regional Water Board Meeting is scheduled for March 8, 2006, in Santa Rosa.

Chairperson _____

Date: _____