

**MINUTES OF MEETING**  
February 7 and 8, 2007  
Regional Water Board  
5550 Skylane Blvd., Ste. A  
Santa Rosa, CA 95403

Board Meeting audio recordings are available at [www.waterboards.ca.gov/northcoast](http://www.waterboards.ca.gov/northcoast). Click on board meetings.

**Wednesday, February 7, 2007**

Chairman William Massey opened the meeting to the public at 1:35 p.m.

**i. Pledge of Allegiance**

John Corbett led the Pledge of Allegiance

**ii. Roll Call and Introductions**

Board Members Present: Bob Anderson, Samuel Wakim, John Corbett, William Massey, Heidi Harris, and Mike Dunker

Regional Board staff Present: Catherine Kuhlman, Luis Rivera, David Leland, David Evans, Ranjit Gill, Holly Lundborg, Christine Wright-Shacklett, Samantha Olson, Kim Niemeyer, Bruce Gwynne, Matt St. John, Greg Nash, Cathleen Hudson, and Jean Lockett

**iii. Election of Officers**

Chairman Massey opened the floor to the Regional Water Board members to elect officers.

MOTION: Heidi Harris nominated John Corbett for Chairman of the Board. Bob Anderson seconded the motion. Motion passed unanimously.

MOTION: William Massey moved to nominate Bob Anderson for Vice-Chairman of the Board. John Corbett seconded the motion. Motion passed unanimously.

John Corbett assumed his role as the newly-elected Chairman. He thanked William Massey for his services as chairman for the last two years.

**iv. Board Member Ex Parte Communication Disclosure**

There were no reports of ex-Parte communications by Board members.

## Consent Item

1. Resolution No. R1-2007-0005 to consider approving the Initial Study/Checklist and adopting a Negative Declaration for In-Situ Treatment of Contaminated Soil, and Order No. R1-2007-0006, to consider adopting new Waste Discharge Requirements for In-Situ Treatment of Contaminated Soil for **Ecodyne Corporation**, 930 Shiloh Road, Windsor.

MOTION: William Massey moved to adopt Resolution No. R1-2007-0005. Mike Dunker seconded the motion. Motion passed unanimously.

Chair Corbett and Catherine Kuhlman acknowledge the Regional Water Board staff for their hard work and long hours to bring the **Ecodyne Corporation** item before the Board.

## Information Items

### 2. Introduction to the 2007 Triennial Review of the Basin Plan

Holly Lundborg, Regional Water Board Engineering, Geologist addressed the Board by giving a brief overview of the North Coast Basin Plan. Ms. Lundborg discussed the triennial review process and what it meant to the Board and its technical staff. Ms. Lundborg's discussion included:

- The Basin Plan Format
- The Triennial Review Process, and
- The 2004 Priority List.

Ms. Lundborg summarized the staff's plan to prepare an initial staff report with recommendations, submit suggested revisions to the Basin Plan as a result of public comments, schedule and conduct a Board workshop, and place the Basin Plan Triennial Review List on the agenda at an upcoming Board meeting with recommendation for adoption.

Comments were taken from:

Ms. Susan Corum, representing the Karuk Tribe.

### 3. 2008 303(d)/305(b) Integrated Report Update

Bruce Gwynne, Regional Water Board Environmental Scientist, gave an update on the Clean Water Act section 303(d) and 305(b) process. He provided a website address, <http://www.epa.gov/owow/tmdl/2006IRG/report/2006irg-report.pdf>, that provides details and federal guidance. He also provided the state website address, [http://www.waterboards.ca.gov/tmdl/303d\\_listing.html](http://www.waterboards.ca.gov/tmdl/303d_listing.html), that provides the standardized guidance from the State Water Resources Control Board for updating the 303(d) and 305(b) lists.

Meeting adjourned at 3:35 p.m., to be continued on Thursday, February 8, 2007, at 8:30 a.m.

**Thursday, February 8, 2007**

**8:30 a.m.**

#### iv. Pledge of Allegiance

Samuel Wakim led the Pledge of Allegiance

**v. Roll Call and Introductions**

Board Members Present: Bob Anderson, Samuel Wakim, John Corbett, William Massey, Heidi Harris, and Mike Dunker

Regional Board staff Present:

Catherine Kuhlman, Luis Rivera, David Leland, David Evans, Ranjit Gill, Holly Lundborg, Tom Dunbar, Samantha Olson, Kim Niemeyer, Bill Rodriguez, Greg Nash, Cathleen Hudson, and Jean Lockett

**vi. Board Member Ex Parte Communication Disclosure**

There were no ex Parte communication reports.

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

Chairman Corbett took the opportunity to introduce Kim Niemeyer, the newly hired Regional Water Board attorney.

William Massey reported that at the 2006 WQCC meeting held in Sacramento the State Board Chair, Tam Doduc, discussed the five-year-old Strategic Plan. A workshop is scheduled for March 11, 2007, in Sacramento to take comments from stakeholders on the Strategic Plan. Mr. Massey stated that the State Board Chair has requested that the Regional Water Board staff and Board member assist in updating the Plan.

**viii. Public Forum**

There were no public comments.

**4. Approval of Meeting Minutes: November 2006**

MOTION: William Massey moved to adopt the November 2007 meeting minutes with changes. Bob Anderson seconded the motion. Motion passed unanimously.

**Consent Item**

5. Order No. R1-2006-0021, for Amendments to **City of Rio Dell**, Humboldt County, NPDES Permit for Wastewater Treatment Facility, WDID No. 1B83134OHUM (*Lisa Bernard*)

Mike Dunker is on the Rio Dell City Counsel and recused himself from this item.

MOTION: Samuel Wakim moved to adopt the consent calendar. Bob Anderson seconded the motion. Motion passed unanimously,

**Enforcement**

6. PUBLIC HEARING Order No. R1-2007-0117, to consider whether to affirm, reject, or modify a complaint for Administrative Civil Liability issued on December 11, 2006 for Mandatory Minimum Penalties for violations of Waste Discharge Requirements Order Nos. 98-26 and R1-2004-0024 to **Crescent City Harbor District Seafood-Processing Wastewater Treatment Facility**, Del Norte County, WDID No. 1A84005ODN

Enforcement staff gave a brief history of **Crescent City Harbor District Seafood-Processing Wastewater Treatment Facility** and stated that staff was in receipt of a late comment letter.

Enforcement staff stated no objection to the commenter's request for a 30-day delay to allow time to review and respond to the comments.

MOTION: William Massey moved to defer Crescent City HDSP Order No. R1-2007-0117 to the March 2007 Board meeting. Samuel Wakim seconded the motion. Motion passed unanimously.

7. PUBLIC HEARING Order No. R1-2007-0004 for Administrative Civil Liability for violation of Cease and Desist Order No. R1-2006-0003 for the **Klamath Community Services District**, Del Norte County, WDID No. 1A84118ODN

Chair John Corbett recused himself from this item.

Vice-chairman Bob Anderson turned the meeting over to panel chair, William Massey who chaired the panel on August 9, 2006. This item was brought before the Regional Water Board hearing panel on August 9, 2006. The panel recommended assessing a total civil liability in the amount of \$5,000. New evidence and testimony would only be allowed if the panel chair determined that it was necessary. There was no new testimony submitted.

MOTION: Heidi Harris moved to adopt Order No. R1-2007-0004. Mike Dunker seconded the motion. Motion passed with a 4 yea votes. Samuel Wakim submitted a no vote.

8. PUBLIC HEARING Order No. R1-2007-0003, to consider whether to affirm, reject, or modify the compliance project and time schedule for a proposed compliance project submitted in response to Administrative Civil Liability Compliant No. R1-2006-0023 issued on March 16, 2006 to **Loleta Community Services District**, Humboldt County, WDID No. 1B80081OHUM

Bill Rodriguez, Regional Water Sanitary Engineering Associate, gave a brief presentation and said that the discharger has agreed that it was in violation and arrangements for payments have been set.

MOTION: William Massey moved to adopt Order No. R1-2007-0003 and the Errata. Bob Anderson seconded the motion. Motion passed unanimously.

## Information Items

### 9. Executive Officer Administrative Civil Liabilities

Catherine Kuhlman reported that an ACL order for approximately \$200,000 was issued to the City of Santa Rosa.

### 10. Board Member Requests for Future Agenda Items

Ms. Kuhlman noted that she participated in two fieldtrips with the new Board members

### 11. Monthly Report to the Board

This item is written.

### 12. Other Items of Interest

Board member Heidi Harris expressed her concern on the amount of the use of the Russian, South Fork and Trinity Rivers during the summer months. She stated that the South Fork and Trinity Rivers are used for camp sites and some rivers have closed down due to high bacteria levels. She voiced her concern that human waste is having a negative impact on specific beaches and recreation in the surrounding areas. Ms. Harris asked for suggestions on what could be done to address the issue.

### **13. Closed Session**

There were no reports from closed session.

There being no further business to come before the Regional Water Board, the meeting adjourned at 11:30 a.m. The next Regional Water Board Meeting is scheduled for March 15, 2007, in Eureka.

Chairman \_\_\_\_\_

Date: \_\_\_\_\_