

MINUTES OF MEETING

MARCH 6, 2008
Fortuna River Lodge
Coho Room
1800 Riverwalk Drive
Fortuna, CA

9:06 A.M.

i. Pledge of Allegiance

William Massey led the Pledge of Allegiance

ii. Roll Call and Introductions

Board Members present: Robert Anderson, Geoffrey Hales, Heidi Harris, Mike Dunker, William Massey, and John Corbett

Regional Water Board staff: Robert Klamt, Luis Rivera, Samantha Olson, Kim Niemeyer, David Leland, Holly Lundborg, Diana Henrioulle, Rebecca Fitzgerald, Lisa Bernard, Mona Dougherty, Charles Reed, Drew Bayless, Marte McKenna and Jean Lockett

iii. Board Member Ex Parte Communication Disclosure

John Corbett reported that he attended a meeting at the Farm Bureau to discuss the Sediment Amendment. He indicated that there was some confusion regarding the process of the Sediment Amendment. He encouraged staff to provide additional clarification on the Workplan and the process, and the Board's vision of the Amendment.

William Massey reported that on his return flight from Washington DC, David Bischel president of California Forestry Association, was on the same flight, and a general discussion took place. There were no discussions regarding pending or impending items.

Heidi Harris reported that she also attend the Farm Bureau meeting with Board member Corbett.

Geoffrey Hales reported that he met with Mark Lovelace and a previous Water Board staff member, David Kuszmar. He was shown a previous presentation that was presented to the Board in June or July 2006 for Elk and Freshwater Rivers. The presentation provide background information for the day's presentation by Mark Lovelace.

iv. Resolution No. R1-2008-0015 Delegating Certain Powers and Duties to the Executive Officer.

Motion: William Massey moved to adopt the Resolution. John Corbett seconded the motion. The motion passed unanimously.

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

Charlie Hoppin, State Board Liaison, addressed the board by thanking the Board members for their time to provide the service on the board to protect water quality. He stated that to uphold the legislative mandates that we have with laws that may sound good, applying those laws in such a way that the economy can continue and the environment can benefit can often be a difficult line to walk. He encouraged the board to continue with their work.

vi. Public Forum

Comments were taken from:

Teresa Lucchesi-Cook representing Freshwater residents
Joyce King, representing Salmon Forever
Kristi Wrigley, public interest
Jesse Noell, public interest
Ken Miller, representing Salmon Forever
Kate Sullivan, representing PALCO
Mike Miles, representing PALCO
Cletus Isbell, public interest
Jeanette Jungers, public interest
Doug Culbert, representing City of Ferndale
Pat Higgins, representing Humboldt Bay Harbor District Commission

1. Approval of Meeting Minutes: January 2008

Motion: William Massey moved to adopt the January 2008 Meeting Minutes. John Corbett seconded the motion. Motion passed.

Consent Item

2. Order No. R1-2008-0004 to consider adoption of an Administrative Civil Liability order for discharges of untreated municipal wastewater in violation of the Water Quality Control Plan for the North Coast Region and SWRCB Order No. 2006-0003-DWQ, City of Sebastopol, WDID No. 1B76176OSON

Motion: William Massey moved to adopt the consent Calendar. John Corbett seconded the motion. Motion passed.

Public Hearing Items

3. PUBLIC HEARING Order No. R1-2008-0001 to consider adoption of proposed Waste Discharge Requirements for the Loleta Community Services District Wastewater Treatment Facility, NPDES Permit No. CA0023671, WDID No. 1B80081OHUM

Chair Anderson administered the Oath to those who expected to testify in this item. Lisa Bernard, Regional Water Board staff, entered the file into the administrative record, and gave the presentation. After some discussion the board moved to adopt the item.

Comments were taken from Markus Drumm representing Loleta Community Services District.

Motion William Massey moved to adopt the Order No. R1-2008-0001. John Corbett seconded the motion. Motion passed unanimously.

4. PUBLIC HEARING Order No. R1-2008-0008 to consider whether to affirm, reject, or modify a complaint for Administrative Civil Liability issued on July 17, 2007, for Mandatory Minimum Penalties for violations of Clean Water Act, Section 401, Water Quality Certification and Storm Water Permit in the matter of California Department of Transportation Confusion Hill Bypass Project

Chairman Anderson administered the oath to those who expected to testify in this item. Mona Dougherty, Regional Water Board staff, entered the file into the administrative record and gave the presentation.

Comments were taken from:

Doug Jensen, representing California Department of Transportation
Ardine Zazzeron, representing California Department of Transportation
Evan Paine, representing MCM Construction

Motion: Mike Dunker moved to impose a \$20,000 administrative civil liability for both the discharge and the late report. John Corbett seconded the motion. Motion passed with 1 abstention.

5. PUBLIC HEARING Order No. R1-2008-0009 to consider adoption of Waste Discharge Requirements for In-Situ Groundwater Treatment for Willits Environmental Remediation Trust, Former Remco Hydraulics Facility, 934 South Main Street, Willits

This item was removed from the agenda.

6. PUBLIC HEARING Order No. R1-2008-0002 to consider adoption of proposed Waste Discharge Requirements for UC Davis Bodega Marine Lab, NPDES No. CA0024333 WDID No. 1B840350SON

Chair Anderson administered the Oath to those who expected to testify in this item. Charles Reed, Regional Water Board staff, entered the file into the administrative record and gave the presentation by displaying a powerpoint presentation.

Comments were taken from:

Tony Garvin, University Counsel for University of California
Gary Cherr, Interim Director of the UC Davis Bodega Marine Laboratory

Motion: William Massey moved to adopt the Permit with the proposed changes and with the understanding that the Board will receive an amendment. Mike Dunker seconded the motion. Motion passed unanimously.

7. PUBLIC HEARING Order No. R1-2008-0014 to consider adoption of Editorial Amendments to Chapter 1 – Introduction to the Water Quality Control Plan for the North Coast Region

Regional Water Board members, legal counsel, and staff discussed consideration of Resolution No. R1-2008-0014, to adopt editorial changes to Chapter 1-Introduction of the Basin Plan. Regional Water Board members voted to postpone consideration of Resolution No. R1-2008-0014 until after the editorial amendments for the other chapters are completed. The vote was 4 yeas, 1 abstention, and 1 member absent.

Workshop

8. Workshop on the Work Plan to Control Excess Sediment in Sediment-Impaired Watersheds

Rebecca Fitzgerald presented information on the *Work Plan to Control Excess Sediment in Sediment-Impaired Watersheds*. Members of the public and interested parties commented. Regional Water Board members discussed. No action was taken.

Comments were taken from:

Michele Dias, California Forestry Association
Ric Costales, representing Siskiyou County
Regina Chichizola, representing Klamath Riverkeeper
Jennifer Kalt, representing Humboldt Baykeeper
Denver Nelson, public speaker
Jim Regli, representing Farm Bureau
Johanna Rodoni, representing The Buckeye Conservancy
Dina Moore, representing YES, Yager/Van Duzen Environmental Stewards
Mark Lancaster, representing Five Counties Salmonid Conservation Program
Daniel Myers, representing Sierra Club
Susan Corum, representing Karuk Tribe/Klamath Basin Tribal Water Quality Workgroup

Information Items

9. Sonoma County Salmon Coalition – Efforts to improve conditions for salmon in the mid-Russian River watershed.

Robert Klamt, Regional Water Board staff, introduced Marc Kelley and Carolyn Wasson with the Salmon Coalition addressed the board by displaying a powerpoint presentation.

10. Update on Monitoring Activities within the North Coast Region

This item was moved to the April 2008 Weed board meeting.

11. Update on November 28, 2007, Fuel Spill in Freshwater Creek

This item was heard in the Public Forum section (vi.) of the Agenda.

David Evans gave a follow up report from a presentation given by Luis Rivera at the December 2007 Board meeting. During that meeting the Board received testimony that our response to the Freshwater spill was not well organized. Mr. Evans covered the history of the spill response and actions taken by Regional Board staff and other

agencies and concluded that the response was not only adequate, it was prompt and effective. Testimony was also given by Mr. Glenn Ziemer with Humboldt Fire District #1 who concurred that the involved agencies did an excellent job responding to the spill. No testimony was presented to the contrary. Mr. Evans concluded by giving details on the current status of the spill site.

12. Executive Officer's Report

This is a written report.

13. Board Member Requests for Future Agenda Items

Mike Dunker requested a new date to tour the wastewater discharge facilities in his surrounding area.

Bob Anderson inquired about the Klamath Agreement. Bob Klamt stated that staff will be prepared to address the board with a brief update.

14. Other Items of Interest

There were no other items of interest discussed.

15. 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 4:30 p.m. The next Regional Water Board Meeting is scheduled for April 23 and 24, 2008, in Weed, California.

Chairperson _____

Date: _____