



# California Regional Water Quality Control Board

## North Coast Region

William A. Hoy, Chairman

Winston H. Hickox  
Secretary for  
Environmental  
Protection



Gray Davis  
Governor

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April 6, 2000

### AGENDA

#### **Tour of Freshwater Creek and North Fork Elk River Watershed 1:00 – 6:00 p.m., Wednesday, April 26, 2000**

The Regional Board will tour the Freshwater Creek and North Fork Elk River watersheds on April 26, 2000, from 1:00 p.m. to 6:00 p.m. We invite members of the public and agency representatives to attend. The tour will begin and end at the parking lot of the Humboldt County Agricultural Center located at 5630 South Broadway (off Highway 101), south of Eureka. The Regional Board will provide transportation for up to 100 people on a first-come, first-serve basis. Parking at the Agricultural Center is limited. We encourage you to carpool to the Agricultural Center.

If you are interested in attending the tour, please fill out and return the form at the back of this announcement as soon as possible to reserve your transportation, but no later than April 14, 2000.

### AGENDA

#### **REGIONAL WATER BOARD MEETING 9:00 a.m., Thursday, April 27, 2000 Eureka City Council Chambers 531 K Street Eureka, California**

\*\* *Estimated times of consideration – Items are numbered for convenience only and will not necessarily be considered in this order. Interested persons are encouraged to be present in advance of the listed time.*

#### **9:00 a.m.\*\***

- i. Roll Call
- ii. Minutes of Past Meetings
- iii. **Public Forum** - Time will be reserved for the general public to address the Board on any subject relating to the Board's responsibilities. The Chair will determine the number of persons who wish to speak. The Chair requests that each person addressing the Board limit their presentation to three minutes. More lengthy items may be calendared for a future meeting.

#### **CONSENT CALENDAR**

*California Environmental Protection Agency*



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Note: *The consent items are expected to be routine and noncontroversial. It is recommended that these items be adopted by the Board at the beginning of the meeting without discussion. If any interested party, Board Member, or staff member requests that an item be removed from the Consent Calendar, it will be considered separately.*

1. **Pacific Gas and Electric Company, Old Coal & Gas Plant 119-1**, Railroad Avenue, Eureka, Humboldt County, Approval of a Negative Declaration for a Removal Action/Site Cleanup *Kasey Ashley*
2. **City of Yreka and E.C. Fiock and Sons**, Siskiyou County, New Waste Discharge Requirements for biosolids discharge, WDID No. 1A00016RSIS *Manuel Baldenegro*
3. **State of California, Department of Fish and Game, Mad River Fish Hatchery**, Humboldt County, Renewal of Waste Discharge Requirements, NPDES Permit No. CA 0006670, WDID No. 1B80073OHUM *Manuel Baldenegro*
4. **Willits Environmental Remediation Trust**, Waste Discharge Requirements for an In-Situ Pilot Study to Reduce Chromium in Soil and Groundwater, WDID No. 1B83011OMEN *Janice Goebel*

#### **CORRECTIVE ACTION**

5. **PUBLIC HEARING** to Consider Whether to Affirm, Reject, or Modify a Complaint R1-2000-11 for Administrative Civil Liability. The Executive Officer issued an Administrative Civil Liability Complaint to Roy Hauser dba Tall Timber Forest Management; in the amount of \$10,000. Sediment was allegedly discharged from an area of timber harvest operations in amounts which violated the North Coast Water Quality Control Plan. The alleged violations concern discharges to String and Tartar Creeks in Mendocino County. *Miguel Villicana*

Following the hearing, the Board may adjourn to a closed session to consider evidence received at the hearing and whether to initiate litigation. Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).

#### **6. OTHER BUSINESS**

- a. Update on Timber Harvest Division Activities and Board of Forestry Forest Practice Rules Modifications *Frank Reichmuth*
- b. Salmonid Restoration Federation March 2000 Conference Update *Holly Lundborg*
- c. Progress Report on Pacific Lumber Company (PALCO) Watersheds
 

Freshwater Creek	Bear Creek	
Elk River	Stitz Creek	
Jordan Creek		<i>Ranjit Gill</i>
- d. Habitat Conservation Plan on PALCO Lands *Pacific Lumber Company*



- e. Request by *Friends of the Van Duzen* to give the Van Duzen River a Higher Priority for Restoration of Water Quality Under Section 303(d) of the Clean Water Act  
*Sal Steinberg*
- f. Executive Officer Administrative Civil Liabilities  
*Lee Michlin*
- g. State and Regional Water Board Communications  
*John Brown*
- h. Leaking Underground Storage Tanks/Sewage Spills  
*Written*
- i. Proposition 65 Notifications  
*Written*

**1:30 p.m. \*\*****7. EXECUTIVE OFFICER'S REPORT**

- a. Update on Dairy Waste Management in Humboldt County  
*(This report will not be heard before 1:30 p.m.)* *Terry Dean*
- b. Update on McNamara and Peepe Sawmill Site/Crescent City  
*Susan Warner*
- c. Report on Jacoby Creek Subdivision  
*John Hannum*
- d. Volunteer Self Monitoring Program  
*Craig Johnson and  
Revital Katznelson, SWRCB*
- e. Water Quality Coordinating Committee Recap  
*Lee Michlin*
- f. Update on Proposition 13, State Water Bond  
*Craig Johnson*
- g. Regional Water Board Eureka Satellite Office Options  
*Kathleen Daly*

**CLOSED SESSIONS**

- 8. Closed Session. On April 27, 2000, the Regional Water Board will be meeting in closed session to discuss Significant Exposure to Litigation. [Authority: Government Code Section 11126(e)(2)(B)(i).]
- 9. Closed Session. On April 27, 2000, the Regional Water Board will be meeting in closed session to discuss Whether to Initiate Litigation. [Authority: Government Code Section 11126(e)(2)(C)(i).]
- 10. Closed Session. On April 27, 2000, the Regional Water Board will be meeting in closed session to discuss ongoing litigation. [Authority: Government Code Section 11126(e)(2)(A).]
- 11. Closed Session. On April 27, 2000, the Regional Water Board will be meeting in closed session to discuss an Employee Evaluation. [Authority: Government Code Section 11126(a)(1).]



**NOTES**

Anyone requiring reasonable accommodation to participate in the meeting should contact Ms. Jean Spath, Executive Assistant at (707)576-2307 at least five days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Written comments should be submitted to ensure they will be included in the record before the Board. Oral testimony should be limited to brief summaries of written testimony. Please note time limitations will be imposed on presentations and limited to five minutes unless otherwise determined by the Board Chair.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code Section 11500 et seq.

The Regional Water Board processes requests for Water Quality Certification, pursuant to Section 401 of the Clean Water Act, to ensure that proposed federally-permitted activities will comply with the Regional Water Board's water quality standards. A listing of requests which are pending Regional Water Board staff action may be obtained by calling the office of the North Coast Regional Water Board at (707)576-2220. The list may also be obtained by accessing our website at: <http://www.swrcb.ca.gov/rwqcb1>.

The Regional Water Board provides routine public notice on proposed corrective actions and closure decisions related to cleanup on contaminated sites. These routine notices are published on our website at : <http://www.swrcb.ca.gov/rwqcb1> and a copy is maintained at our office for public review.

A quorum of the members of the Regional Water Board may recess for lunch; however, no business will be discussed.

Material presented to the Board, as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, written testimony, etc. All Board files pertaining to the items on this agenda are hereby made a part of the record submitted to the Regional Water Board by staff for its consideration prior to action on the related items.

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit being considered by the Regional Water Board must submit a statement to the Board disclosing any contribution of \$250 or more to any Regional Water Board Member. This requirement applies to contributions of \$250 or more made by the active supporter or opponent or his/her agent for use in federal, state or local elections within the last 12 months.

Also, all permit applicants and/or persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES Permit pending before the Regional Water Board are prohibited from making a contribution of \$250 or more to any Board Member for three months following a Regional Water Board decision on the permit application.

Any person affected adversely by a decision of the Regional Water Board may petition the State Water Resources Control Board (State Water Board), to review the decision. The petition must be received by the State Water Board within 30 days of the Regional Water Board's meeting at which the action was taken. Copies of the laws and regulations applicable to filing a petition will be provided upon request.

The next Regional Water Board meeting will be held on May 25, 2000 in Santa Rosa, California.



California Regional Water Quality Control Board  
North Coast Region

**Board Members**

William A. Hoy, Chair, Weed  
Bev Wasson, Vice-Chair, Rio Nido  
Daniel F. Crowley, Santa Rosa  
Leslie A. Dahlhoff, Point Arena  
Jason D. Liles, Healdsburg  
William R. Massey, Forestville  
James Mitchell, Santa Rosa

**Staff**

Lee A. Michlin, Executive Officer  
Craig R. Johnson, Assistant Executive Officer, Ombudsman  
Jean M. Spath, Executive Assistant  
Philip G. Wyels, Legal Counsel

**Watershed Protection Division**

Robert L. Tancreto, Supervising Water Resource Control Engineer  
Robert R. Klamt, Senior Land and Water Use Analyst (Upper Russian)  
John Short, Senior Water Resource Control Engineer (Lower Russian)  
David S. Evans, Senior Water Resource Control Engineer (North Coast)  
John R. Hannum, Senior Water Resource Control Engineer (Northern Watershed)

**Timber Harvest Division**

Frank C. Reichmuth, Supervising Water Resource Control Engineer  
Christine Wright-Shacklett, Senior Engineering Geologist (North Coast)  
Nathan P. Quarles, Senior Water Resource Control Engineer (Humboldt, Eel)  
Fred Blatt, Environmental Specialist IV (Klamath, Trinity)  
Ranjit Gill, Environmental Specialist IV (Headwaters)

**Cleanup and Investigation Division**

Susan A. Warner, Supervising Water Resource Control Engineer  
Thomas B. Dunbar, Senior Water Resource Control Engineer (Santa Rosa)  
Tuck Vath, Senior Engineering Geologist (Northern Watershed)  
Chris Igbinedion, Senior Water Resource Control Engineer (Central Watershed)  
Kathleen Daly, Regional Administrative Officer (Administration)  
Laurie Applegate, Staff Services Analyst (Administration)



### **Bill of Rights for Environmental Permit Applicants**

**The California Environmental Protection Agency (Cal/EPA) endorses the following precepts that form the basis of a permit applicant's "Bill of Rights":**

1. Permit applicants have the right to assistance in understanding regulatory and permit requirements. All Cal/EPA programs maintain an Ombudsman to work directly with applicants. Permit Assistance Centers located throughout California have permit specialists from all State, regional, and local agencies to identify permit requirements and assist in permit processing.
2. Permit applicants have the right to know the projected fees for review of applications, how any costs will be determined and billed, and procedures for resolving any disputes over fee billings.
3. Permit applicants have the right of access to complete and clearly written guidance documents that explain the regulatory requirements. Agencies must publish a list of all information required in a permit application and of criteria used to determine whether the submitted information is adequate.
4. Permit applicants have the right of timely completeness determinations for their applications. In general, agencies notify the applicant within 30 days of any deficiencies or determine that the application is complete. California Environmental Quality Act (CEQA) and public hearing requests may require additional information.
5. Permit applicants have the right to know exactly how their applications are deficient and what further information is needed to make their applications complete. Pursuant to California Government Code Section 65944, after an application is accepted as complete, an agency may not request any new or additional information that was not specified in the original application.
6. Permit applicants have the right of a timely decision on their permit application. The agencies are required to establish time limits for permit reviews.
7. Permit applicants have the right to appeal permit review time limits by statute or administratively that have been violated without good cause. For state environmental agencies, appeals are made directly to the Cal/EPA Secretary or to a specific board. For local environmental agencies, appeals are generally made to the local governing board or, under certain circumstances, to Cal/EPA. Through this appeal, applicants may obtain a set date for a decision on their permit and in some cases a refund of all application fees (ask boards and departments for details).
8. Permit applicants have the right to work with a single lead agency where multiple environmental approvals are needed. For multiple permits, all agency actions can be consolidated under lead agency. For site remediation, all applicable laws can be administered through a single lead agency.
9. Permit applicants have the right to know who will be reviewing their application and the time required to complete the full review process.

For further information you may contact the North Coast Regional Water Quality Control Board at (707)576-2220.



**North Coast Regional Water Quality Control Board  
FRESHWATER CREEK AND NORTH FORK ELK RIVER TOUR  
Attendance Form**

If you are interested in attending the Regional Board's April 26, 2000, Freshwater Creek and North Fork Elk River tour, please fill out and return the form below as soon as possible, but no later than April 14, 2000.

(Completion of the form is voluntary, and is not a prerequisite to attending the tour. If you choose not to complete the form, however, please contact the Regional Board at (707) 576-2220 to let us know that you plan to attend, in order for us to attempt to provide sufficient transportation. It will not be necessary for you to register your name.)

Please mail form to:           Jean Spath  
  North Coast Regional Water Quality Control Board  
  5550 Skylane Blvd., Suite. A  
  Santa Rosa, CA 95403

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April 26, 2000 Regional Board Tour Attendance Form.

Name	
Affiliation (if any)	
Phone Number	

