

California Regional Water Quality Control Board
North Coast Region

REGIONAL WATER BOARD MEETING
Monday, July 2, 2001, Teleconference Meeting
Monday, July 16, 2001, Teleconference Meeting
Wednesday and Thursday, July 25-26, 2001
Board of Supervisors Chambers
Siskiyou County Courthouse
311 Fourth Street
Yreka, California

July 2, 2001, Regional Water Board -- North Coast Board Meeting

On July 2, 2001, at 8:10 p.m., the North Coast Regional Water Quality Control Board teleconference meeting was called to order by Vice Chair William Massey, who was present at the Regional Water Board hearing room in Santa Rosa. Also present was Jean Lockett.

Present by teleconference were Bill Hoy, Dina Moore, and Daniel Crowley. A quorum of the Board was not present, but a subcommittee of the Board met in closed session to discuss evaluation and/or appointment of a public employee. [Authority: Government Code Section 11126(a)(1).]

July 16, 2001, Regional Water Board – North Coast Board Meeting

On July 16, 2001, at 8:10 p.m., the North Coast Regional Water Quality Control Board teleconference meeting was called to order by Vice Chair William Massey, who was present at the Regional Water Board hearing room in Santa Rosa. Also present were Ben Kor and Jean Lockett.

Present by teleconference were Bill Hoy, Dina Moore, Beverly Wasson, and Daniel Crowley. A quorum was declared and the Board members continued the meeting in closed session to discuss evaluation and/or appointment of a public employee. [Authority: Government Code Section 11126(a)(1).]

At 8:45 p.m., Vice Chair Massey opened the meeting to the public and announced the Board's decision to appoint Susan A. Warner as interim Executive Officer of the North Coast Regional Water Board, effective immediately.

The Board indicated plans to reconvene in closed session on July 25, 2001, in Yreka at 2:00 p.m., to continue the discussion and/or appointment of a public employee.

The meeting adjourned at 8:50 p.m.

July 25, 2001 North Coast Regional Water Board Meeting

On Wednesday, July 25, 2001, at 2:00 p.m., in the city of Yreka, Chair Daniel Crowley called the meeting to order. The Board then convened into closed session Item 1 to consider the appointment and/or employment of a public employee [Authority: Government Code Section 11126(a)(1).]

July 26, 2001, North Coast Regional Water Board Meeting

On Thursday, July 26, 2001 at 8:35 a.m. Chair Daniel Crowley opened the meeting to continue its closed session from July 25, 2001.

At 9:24 a.m., Chair Daniel Crowley opened the meeting to the public and announced the Board's unanimous decision to appoint Susan A. Warner as the Executive Officer of the North Coast Regional Water Board.

9:35 a.m., North Coast Regional Water Board Regularly Scheduled Meeting

On July 26, 2001, at 9:35 a.m. Chair Daniel Crowley called the regularly scheduled board meeting of the North Coast Regional Water Quality Control Board to order.

i. Pledge of Allegiance

William Hoy led the Pledge of Allegiance

ii. Roll Call

Present Board Members: Bev Wasson, William Massey, Daniel Crowley, William Hoy, and Dina Moore

Staff Members Present: Executive Officer, Susan Warner; Assistant Executive Officer, Craig Johnson; Counsel, Yuri Won; Division Chiefs, Frank Reichmuth and Robert Tancreto; Seniors: Tom Dunbar, Fred Blatt, and Tuck Vath; Technical Staff: Will Arcand, and Cody Walker; Administrative Officer, Kathleen Daly; Office Assistant, Terry Barnes; and Secretary, Jean Lockett

iii. Minutes of Past Meetings

Minutes for the Regional Water Board meeting held on May 24, 2001 was submitted for adoption as distributed.

MOTION: Bev Wasson moved to adopt the Minutes of May 24, 2001. Daniel Crowley seconded the motion. The motion passed unanimously.

iv. Board Member Ex Parte Communication Disclosure

There were no ex parte communications disclosed.

v. Staff's Presentation of Appreciation

Nancy Hoy was presented with flowers in appreciation of the administrative staff of the Regional Water Board.

vi. Public Forum

Jane Vorpagal, a Department of Fish and Game employee, requested more frequent presence of staff members of the Regional Water Board in the Klamath area. She expressed a need for a better coordination for water quality issues in the area.

Michael Lee, Deputy Supervisor for the Klamath National Forest, updated the Board on an action plan for better communication and coordination on projects with the Regional Water Board staff. He reported that the Regional Water Board staff responded in a timely manner to the Klamath National Forest Jones fire hazard complaint. Mr. Lee thanked the Board for the timeliness of the staff in response to the project.

Sari Somerstron requested a satellite office be established in Yreka, Weaverville or Redding. She also stated a need for the Regional Water Board staff to help build community relationships.

**CONSENT CALENDAR
WASTE DISCHARGE REQUIREMENTS**

1. **Geothermal Energy Partners L.T.D./GEO Energy Partners/Aidlin** Lease Name Change to Calpine Corporation, d.b.a. Geysers Power Company, LLC, Aidlin Power Plant, WDID No. 1B80188OSON
2. **Santa Rosa Geothermal Company, L.P., Class II Waste Management Unit** name change to Calpine Corporation, d.b.a. Geysers Power Company, LLC, Class II Waste Management Unit, WDID No.1B87017RSON

MOTION: Bev Wasson moved to adopt the Consent Calendar with the Errata sheets for Items 1 and 2. William Massey seconded the motion. Motion was carried with a unanimous vote.

CORRECTIVE ACTION

3. **PUBLIC HEARING** to Consider Whether to Affirm, Reject, or Modify a Complaint For Administrative Civil Liability issued on May 3, 2001, to **Michael Menges** in the amount of \$30,000 for failure to submit a technical report (cleanup investigation workplan for the Macdoel General Store in Macdoel, California), pursuant to section 13267(b) of the California Water Code.

Chair Crowley administered the Oath to the Regional Water Board staff, Discharger (s), Government Agencies, and the public that would participate in this item.

Cody Walker, Regional Water Board staff, submitted the Menges' file to be entered into the record. Mr. Walker gave an overview of site, indicating that the four underground storage tanks were removed from the Menges site on December 28, 1994.

Contamination was observed during the removal of the tanks. Mr. Walker reviewed the steps that were taken by the Regional Water Board staff to obtain site clean up.

Mr. Menges addressed the board, giving them background information on the contaminated site. He discussed the steps he took to alleviate the contamination problem.

Susan Warner indicated that a Time Schedule Order (TSO) could be considered for Mr. Menges, setting out tasks and compliance dates. The TSO can be brought to the Regional Water Board meeting in September 2001. Bev Wasson indicated that the TSO should include a timetable for Mr. Menges to promptly pursue the \$5000 deductible that would make him eligible for the Underground Storage Tank Cleanup Fund. Mr. Menges was also directed to continue working with the Regional Water Board staff to investigate and cleanup the site.

MOTION: William Massey moved to table the matter of the Menges item until September 2001 Board meeting. Bev Wasson seconded the motion. The motion carried by unanimous vote.

4. **PUBLIC HEARING** to Consider Whether to Affirm, Reject, or Modify a Complaint for Administrative Civil Liability Issued on May 4, 2001, to **James Doyle** in the amount of \$5,000 for failure to submit a Spill Prevention, Control, and Countermeasure (SPCC) Plan and Storage Statement for an Aboveground Petroleum Storage Tank at Doyle Camp in Cecilville, California, pursuant to section 13267(b) of the California Water Code.

Chair Crowley administered the Oath to Regional Water Board Staff, Discharger(s), Government Agencies and the public that would participate in this item.

Tuck Vath addressed the Board to provide background on the Doyle site, indicating that Mr. Doyle had purchased the site about two years ago. Mr. Vath commented that many improvements had been made at the site, however, a plan was needed to abandon the current aboveground tank storage system and comply with the state Aboveground Petroleum Storage Act.

Mr. Doyle apologized to the Board for not responding to the letters from the Board staff. He indicated he had purchased a new tank and was engaging a contractor to build the containment.

MOTION: William Massey moved to table the Doyle item until the September 2001 Board meeting. Bill Hoy seconded the motion. The motion carried by unanimous vote.

OTHER BUSINESS

5. Ground Water Augmentation of Surface Water Flows in Upper Klamath River Basin

Tom Dunbar, Regional Water Board staff, addressed the Board by giving a review on the Lost River and Tributaries, Tulelake and Tributaries, Lower Klamath Lake (wildlife refuge), and Klamath River affected water bodies in the Upper Klamath River Basin. Only five inches of rainfall were received for the year, putting the basin in an extreme drought condition. In April 2001, two biological opinions were issued for endangered suckerfish and coho salmon, and these opinions resulted in less water being available for farming in the area. Consequently, Governor Davis issued a Declaration of Emergency on May 4, 2001 that made \$5 million available for constructing wells to pump ground water into surface water for farming use. Mr. Dunbar discussed the proposed water program plans of the U.S. Bureau of Reclamation, the Tulelake Irrigation District, and the U.S. Fish & Wildlife Service (Klamath National Wildlife Refuge). Mr. Dunbar reported that currently no ground water pumped into surface waters was reaching Tulelake, Klamath Refuge, or Klamath River.

Fran Maiss, Assistant Refuge Manager at the National Wildlife Refuge at Klamath Basin, gave an overview of the Lower Klamath Refuge on the California border. The refuge manages 23,000 acres of wetlands in 20 managed units, and is important for breeding waterfowl and for spring and fall migration of waterfowl. The National Wildlife Refuge staff had determined that a water shortage could exist in the refuge in seven out of ten future years. Maiss stated that four exploratory wells were being drilled. Two of the wells had water temperatures at about 180 degrees Fahrenheit. Water from these wells may be blended with cooler ground water. Ground water will not be utilized until summer of 2002.

Earl Danosky, Manager of the Tulelake Irrigation District, reported that they have eight wells yet to complete. He gave a status report of each well.

Toccoy Dudley, with the California Department of Water Resources (DWR), stated that DWR is providing the technical assistance to Tulelake Irrigation District's ground water development project. DWR has put together a draft work plan to study the effects of pumping ground water into surface waters. Three activities in the work plan are to do a hydrogeological inventory, work with Siskiyou County to develop a ground water management plan, and look at the potential use of conjunctive use of ground waters.

Felice Pace requested a satellite office of the Regional Water Board in the Yreka area. He indicated that the wildlife refuge is at risk from soil loss. He requested the Board to ask that no further groundwater development be done until after the soil emergency study is done.

6. Klamath Forest Alliance – Cumulative Watershed Impacts and Forest Roads in the Klamath River Watershed

Felice Pace, Klamath Forest Alliance, gave a presentation on timber harvesting in the Trinity River Watershed 1997-2001. The area of concern is the Upper Trinity River Sub-basin comprising the watersheds, which empty into the Trinity River.

7. US Forest Service, Klamath National Forest - Roads on the Klamath National Forest

Al Olson, Klamath National Forest staff member, gave a presentation on monitoring of road activities, investments to improve roads, and therefore improve water quality. He gave an overview how the Klamath National Forest prioritizes making investments to improve roads, etc.

Felice Pace complimented the Klamath National Forest on their work and stated that they have improved. He stated his concerns regarding the low maintenance or no maintenance of roads that were damaged during the 1997 storm.

8. Executive Officer Administrative Civil Liabilities

Susan Warner, Executive Officer, reported four Administrative Civil Liabilities issued for the month of July 2001: Panattoni Development, Mayacama Golf Course, Sonoma County Water Agency, and Cal Cider Company.

9. Budget Priorities/Timing

Craig Johnson reported that the 2001/2002 Budget is in the Governor's office. Governor Davis is expected to sign the Budget on Friday, July 27, 2001

10. Executive Officer's Delegation of Authority

Chair Crowley read Resolution No. R1-0107-RES to delegate authority to the new Executive Officer, Susan Warner.

ACTION: Chair Crowley asked for comments, received none, and indicated he had signed the resolution.

11. State and Regional Water Board Communications

Art Baggett, Region 1's liaison, was unable to attend the Regional Board meeting due to a State Board meeting held on the same day.

EXECUTIVE OFFICER'S REPORT

12. The Roseland Summer Splash has been postponed until further notice.

Items 13, 14, 15, and 16 stood as written.

CLOSED SESSIONS

Items 17, 18, 19, 20, & 21 were closed session items.

There being no further business to come before this meeting body, the meeting adjourned at 1: 15 p.m., until the next scheduled Board meeting on August 23, 2001.

The Secretary, E. Jean Lockett, recorded the minutes of the July 2, 16, 25 and 26, 2001, meeting of the North Coast Water Quality Control Board, to be approved by the Board at a subsequent Board meeting.

Approved: _____ Chair