

Minutes of Meeting

1:30 p.m., Wednesday, July 22, 2009
8:30 a.m., Thursday, July 23, 2009
Regional Water Quality Control Board
David C. Joseph Hearing Room
5550 Skylane Blvd., Ste A
Santa Rosa, CA 95403

Audio recordings of board meetings are available at www.waterboards.ca.gov/northcoast; go to the Board Info tab and click on Meetings.

Wednesday, July 22, 2009

1:30 p.m.

i. Pledge of Allegiance

Carol Dean led the Pledge of Allegiance

ii. Roll Call and Introductions:

Board Members present: Bob Anderson, John Corbett, Carol Dean, Mike Dunker, Geoffrey Hales, Heidi Harris, William Massey, and David Noren

Regional Water Board staff: Catherine Kuhlman, Luis Rivera, Samantha Olson, Kim Niemeyer, Robert Klamt, David Leland, John Short, Mona Dougherty, Bryan McFadin, Patti Corsie, Drew Bayless, and Jean Lockett

iii. Board Member Ex Parte Communication Disclosure:

Geoffrey Hales disclosed that he participated in a Green Diamond Facility tour lead by Gary Rynerson on July 21st. Mr. Hales stated that timber harvest operations were discussed.

William Massey reported meeting with State Board staff, state and county officials to discuss small sewer systems.

Announcements

The Board recognized Regional Water Board staff member Terri Korell for her outstanding accomplishments working as an Office Technician and Lead Staff for the Administrative Support Unit. Ms. Korell graciously thanked the Board and staff for their acknowledgement.

Information Item

Board member David Noren indicated that the Regional Water Board attorney has written a short statement of non-conflict of interest related to his participation in the MS4 decision making process. The memo has been placed in the MS4 Administrative File.

1. Public meeting on Order No. R1-2009-0050, revised draft Waste Discharge Requirements and Monitoring and Reporting Program for the **City of Santa Rosa, the County of Sonoma, and the Sonoma County Water Agency** - Storm Water and Non-Storm Water Discharges from Municipal Separate Storm Sewer Systems. NPDES No. CA0025054, WDID No. 1B96074SSON.

Chairman Anderson administered the Oath to those who expected to testify in this item.

Mona Dougherty, Regional Water Board staff, gave the presentation. Ms. Dougherty stated that the MS4 Permit presentation for this board meeting was an informational item only and that the item is scheduled to come before the Board in October 2009 for adoption.

Comments and other presentations were taken from:

Miles Ferris, Director of the Santa Rosa Utilities Department
Kevin Booker, representing the Sonoma County Water Agency
Nathan Quarles, representing the Sonoma County Permit Department
Eugene Bromley, representing EPA, Region 9
Alfred Wanger, representing California Coastal Commission
Randy Collins, representing Sonoma County Fire Chief's Association
Erik Hawk, representing Marin/Sonoma Mosquito and Vector control District
H.R. Downs, representing O.W.L. Foundation
Alan Levine, representing Coast Action Group
Brenda Adelman, representing RRWPC
Don McEnhill, representing Russian Riverkeeper
Phoebe Grow, representing Russian River Watershed Association
Dave Smith, representing City of Santa Rosa Water Recycling Program

Thursday, July 23, 2009

8:30 A.M.

iv. Pledge of Allegiance

Heidi Harris led the Pledge of Allegiance.

v. Roll Call and Introductions

Board Members present: Bob Anderson, John Corbett, Carol Dean, Mike Dunker, Geoffrey Hales, Heidi Harris, William Massey, and David Noren

Regional Water Board staff present: Catherine Kuhlman, Luis Rivera, Samantha Olson, Kim Niemeyer, Robert Klamt, David Leland, John Short, Matt St. John, Jim Burke, Bryan McFadin, Charles Reed, Cathleen Goodwin, Holly Lundborg, Greg Nash, Drew Bayless, and Jean Lockett

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

Tam Doduc, State Board Liaison, reported that:

- The State Board adopted the Statewide Irrigation Permit using recycled water for landscape irrigation.
- State Board also adopted the Recycled Water Policy. State Board staff will be working with Regional Waters Boards staff on the implementation of the Recycled Water Policy.
- The Draft construction of the Stormwater Project will come before the State Board on September 2nd.

- A new proposed fee structure for water rights and water quality programs will be considered in September 2009.
- On the topic of on-site wastewater systems (septic), Deputy Director for Water Quality, Darin Polhemus is meeting with a group of Environmental Health Directors at least monthly looking at proposing a risk-base approach to regulations, using three tiers of requirements linked to impact water quality. It might be necessary to revisit CEQA. A new draft of regulations is expected by late summer.

Chairman Anderson reported that he participated in the monthly teleconference for Board Chairs. There was discussion on the budget and the upcoming WQCC meeting in Sacramento.

vii. Public Forum:

There were no comments for Public Forum.

2. Approval of Meeting Minutes: June 2009

Motion: William Massey moved to accept the minutes with the amendments. John Corbett seconded the motion. Motion passed unanimously.

Uncontested Items

3. Public Hearing on Order No. R1-2009-0042 to consider whether to affirm, reject, or modify an Administrative Civil Liability Order for violation of Waste Discharge Requirements Order No. R1-2002-76 in the matter of **DG Fairhaven Power Plant Wastewater Treatment Facility**, NPDES No. CA0024571, WDID No. 1B85026RHUM (*Cecile Morris*)
4. Public Hearing Order No. R1-2009-0043 to consider whether to affirm, reject, or modify an Administrative Civil Liability Order for violation of Waste Discharge Requirements Order R1-2001-60 in the matter of **McKinleyville CSD Wastewater Collection, Treatment, and Disposal Facility**, NPDES No. CA0024490, WDID No. 1B82084OHUM (*Bill Rodriguez*)
5. Public Hearing Order No. R1-2009-0041 to consider whether to affirm, reject, or modify an Administrative Civil Liability Order for violation of Waste Discharge Requirements Order No. R1-2001-41 in the matter of **Fortuna Wastewater Treatment Facility**, NPDES No. CA00222730, WDID No. 1B83135OHUM (*Nancy Negley*).
6. Public Hearing on Order No. R1-2009-0040 to consider adoption of Waste Discharge Requirements for the **Crescent City Harbor District, Crescent City Harbor Seafood Processing Wastewater System**, NPDES No. CA0024473, WDID No. 1A84005ODN (*Charles Reed*)
7. Public Hearing on Order No. R1-2009-0049 to consider adoption of Waste Discharge Requirements and 401 Water Quality Certification for **Sonoma County Water Agency**, Stream Maintenance Program, WDID No.1B09026WNSO (*Mark Neely*)
8. Public Hearing on Order No. R1-2009-0034 to consider adoption of Waste Discharge Requirements for the **City Of Ferndale, Wastewater Treatment Facility**, NPDES No. CA0022721, WDID No. 1B83136OHUM (*Lisa Bernard*)

Motion: John Corbett moved to adopt items 3, 5, 6, 7, and 8 and not item 4 because of conflict of interest. Mike Dunker seconded the motion. Motion passed unanimously.

Motion: William Massey moved to adopt item 4 on the un-contested item. Mike Dunker seconded the motion. Motion passed with seven votes. Board member John Corbett left the room during the time of the vote for this item.

Executive Officer, Catherine Kuhlman, read into the record a statement acknowledging the City of Ferndale's cooperation, hard work and determination in tackling the planning, design, and eventual construction of a new treatment plant to serve a small community. It has been a tough task to accomplish and Regional Board staff now see success at the end because of the City of Ferndale's efforts.

Workshop

9. Klamath River Total Maximum Daily Loads and Action Plan Addressing Temperature, Dissolved Oxygen, Nutrient, and Microcystin Impairments in California

Matt St. John, Regional Water Board staff, gave the presentation. Mr. St. John stated that the Klamath River TMDL item will be before the Board for adoption at the October 28 and 29, 2009 board meeting.

Comments were taken from:

Daniel Myers, representing Redwood Chapter Sierra Club
Vivian Helliwell, representing PCFFA and IFR

Public Hearing

10. Public Hearing on Resolution No. R1-2009-0004 to consider adoption of a Proposed Amendment to the Water Quality Control Plan for the North Coast Region to Establish Exception Criteria to the Point Source Waste Discharge Prohibitions by Revising the Action Plan for Storm Water Discharges and Adding a New Action Plan for Low Threat Discharges

Chairman Anderson administered the Oath to those who expected to provide testimony in this hearing.

Holly Lundborg, Regional Water Board staff, gave the presentation.

Comments were taken from:

Jennifer Burk, representing City of Santa Rosa
Jagjiwan Grenal, representing CalTrans
Frank Egger, representing North Coast River Alliance
Virginia Porter, representing the Russian River Watershed Association
Brenda Adelman, representing the RRWPC
Dawna Gallagher, Rohnert Park citizen
Jane Nielson, public interest
James Grousman, public interest
Larry Hanson, public interest
Dave Smith, representing City of Santa Rosa

Motion: William Massey moved to adopt Order No. R1-2009-0004. Mike Dunker seconded the motion. Motion passed unanimously.

11. Public Hearing on Order No. R1-2009-0045 to consider adoption of Waste Discharge Requirements to replace Order No. 93-61 for Low Threat Discharges to Surface Waters in the North Coast Region, Regionwide General NPDES Permit No. CA0024902

Chairman Anderson administered the Oath to those who expected to provide testimony in this hearing.

Cathleen Goodwin, Regional Water Board staff, gave the presentation.

There were no comments taken for this item.

Motion: John Corbett moved to adopt Order No. R1-2009-0045. William Massey seconded the motion. Motion passed unanimously.

Information Items

12. Executive Officer’s Report

This is a written item.

13. Board Member Requests for Future Agenda Items

Board members asked that they be kept updated periodically on the statewide efforts regarding contaminates concern.

14. Other Items of Interest

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 4:40 p.m. The next Regional Water Board Meeting is scheduled for September 10, 2009 in Grenada, California.

Chairperson _____

Date: _____