

MINUTES OF MEETING

December 7, 2005
Yreka Community Center Theater
810 North Oregon Street
Yreka, California

Wednesday, December 7, 2005

9:08 a.m.

Chair Beverly Wasson convened the Regional Water Board meeting at 9:08 a.m.

i. Pledge of Allegiance

Gerald Cochran led the Pledge of Allegiance

ii. Oath of Office:

John Corbett administered the Oath of Office to Beverly Wasson

iii. Appreciation Presentation

Dennis Leonardi presented Sari Sommarstrom with a Certificate of Appreciation for her efforts and contributions while sitting on the Regional Water Board.

Beverly Wasson presented Catherine Kuhlman with a 30-year pin for federal service with the Environmental Protection Agency.

iv. Roll Call and Introductions: Gerald Cochran, John Corbett, Dennis Leonardi, William Massey, Heidi Harris, Clifford Marshall, and Beverly Wasson

Regional Water Board staff: Catherine Kuhlman, Sheryl Schaffner, Robert Klamt, Fred Blatt, David Leland, Diana Henriouille, Andrew Baker, Terri Korell, Drew Bayless, and Jean Lockett

v. Board Member Ex Parte Communication Disclosure

Dennis Leonardi reported that he had a conversation with Gary Guntherson on the Nielson Project regarding the interpretation of the *Ferndale* decision. He stated that he also spoke to Dennis Del Biaggio and had a similar discussion regarding a letter that the Regional Water Board wrote to allow a disabled elderly couple to build their home in light of the moratorium for building near the Ferndale Waste Water Treatment Facility.

John Corbett reported that he had a discussion with several people regarding the Regional Water Board list used to mail the notice for the Shasta TMDL workshop.

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

Chair Wasson reported that she would participate in the monthly State Board Chair's teleconference for the month of December to discuss Assembly Bills 362 and 1727, and Senate Bill 729. She asked that Board Members contact her if they have any questions or concerns on these bills.

Catherine Kuhlman updated the Regional Water Board on the State Water Board's "de-listing" of certain 303(d) statewide water bodies. She stated that she requested that the State Water Board not "de-list" the waterbody from Laguna to Santa Rosa.

Ms. Kuhlman also reported that a records request has been received from the National Defense Council, requesting documents from all of the regional water boards.

vii. Public Forum

Comments were taken from:

Tim McKay, NEC

Sari Sommarstrom, public

Felice Pace, KFA/Klamath River Keeper

1. Approval of Meeting Minutes: September 2005 and October 2005

MOTION: John Corbett moved to accept the September 2005 Meeting Minutes with suggested changes. William Massey seconded the motion. The Motion passed unanimously.

MOTION: William Massey moved to accept the October 2005 Meeting Minutes with suggested changes. John Corbett seconded the motion. The Motion passed unanimously.

Action Items

2. PUBLIC HEARING to consider adoption of Resolution R1-2005-0113 for an Amendment to the Water Quality Control Plan of the North Coast Region for the Scott River Watershed Sediment and Water Temperature Total Maximum Daily Loads and TMDL Introductory Language. (David Leland)

The Regional Water Board heard several hours of testimony from a wide variety of parties interested in the Scott River Sediment and Temperature TMDLs. Parties acknowledged the significant challenges faced by staff in completing the TMDL analysis, and the quality of the work completed, given the constraints of the consent decree schedule. Nevertheless, concerns were expressed regarding the need for additional analysis and for a more prescriptive Action Plan. After making a few amendments, the Regional Water Board adopted unanimously the Action Plan.

Comments were received from:

John Menke, Public
Sari Sommarstrom, Public
Keith Whipple, Ranchers Scott Valley
Liz Bowen, Landowner along Scott River, Stuart Farber, Timber Products Company
Tom Shurey, Fruit Growers Supply Co.
Tom Nelson, Sierra Pacific Industries
Tim Kay, NEC
David Helliwell, Commercial Fishing
Vivian Helliwell, Commercial Fishing IFR
David Bitts, PCFFA/MBCFO
Dave Bitts, Morro Bay Commercial Fishermen's Organization
Petey Brucker, Klamath River Keeper Program
Felice Pace, KFA/Klamath River Keeper
Harold Bennett, Vic Chairman of Quarts Valley Indian Reservation
Jim DePree, Siskiyou County
Alexis Strauss, USEPA
Bill Krum, Siskiyou RCD
Mike Belehik, Yurok Tribe
Marcia Armstrong, Siskiyou County Board of Supervisors
Peg Boland, USFS- Klamath N.F.

MOTION: John Corbett moved to close the public record and adopt Resolution R1-2005-0113 for the proposed Basin Plan Amendment, including the Total Maximum Daily Load (TMDL) introductory language in the Action Plan for the Scott River Watershed Sediment and Temperature language included in the TMDL. Gerald Cochran seconded the motion.

Amendments: John Corbett suggested the following amendments:

Page 14 of the Basin Plan , Temperature and Vegetation section, revise the last sentence to read as follows: "*The Regional Water Board's Executive Officer shall report within 3-years of EPA's approval.*"

Pages 5 – 14, last paragraph of the Implementation Plan, insert of the language "within 3-years of EPA's approval."

Page 5 of the Basin Plan, third paragraph (on the left), insert the language, "within 40-years from the date of EPA's approval" at the end of the sentence.

Page 8 of the Basin Plan, should read as follows: "Regional Board staff will report to the Regional Board at least yearly...activities and whether current efforts are reasonably calculated and on track to accomplish the result in achieving water quality standards within 40-years."

Mr. Corbett also suggested that the changes that staff outlined regarding the table on page 9 of the Basin Plan language be incorporated herein.

Roll Call Vote:	Heidi Harris	Yes
	Dennis Leonardi	Yes
	Gerald Cochran	Yes
	William Massey	Yes
	Beverly Wasson	Yes
	John Corbett	Yes
	Clifford Marshall	Yes

MOTION John Corbett moved to direct the Executive Officer to come back to the Regional Water Board within three months with a time line for the Regional Water Board to review and adopt documents pertaining to this agenda item, including monitoring programs, the MOU Schedule with Siskiyou, United Stated Forest Services, Bureau of Land Management, Resource Conservation District and other documents, as necessary. Mr. Corbett also authorized staff to reconvene an advisory committee, consisting of individuals who represent the Basin for the purpose of reviewing recommendations and technical data during the upcoming year. Dennis Leonardi seconded the motion. The Motion passed unanimously.

Information Items

3. Update on Non-Point Source Program

Diana Henrioulle, Regional Water Board staff, provided the Regional Water Board with an update regarding staff's activities in its agriculture program.

Comments were received from:
Felice Pace, KFA

4. Executive Officer Administrative Civil Liabilities

This item was not discussed.

5. Board Member Requests for Future Agenda Items

This item was not discussed.

6. Monthly Report to the Board

This is a written item.

7. Other Items of Interest

This item was not discussed.

There being no further business to come before the Regional Water Board, the meeting adjourned at 3:55 p.m., until the next scheduled Regional Water Board Meeting on January 25, 2006, in Crescent City.

Secretary Jean Lockett recorded the minutes of the December 7, 2005, North Coast Regional Water Quality Control Board.

Chairperson _____