

State of California
Regional Water Quality Control Board
North Coast Region

Minutes of Meeting

10:00 A.M., Wednesday, March 24, 2010

9:00 A.M., Thursday, March 25, 2010

Eureka Public Marina

Wharfinger Building

#1 Marina Way

Eureka, CA 9550

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

Wednesday, March 24, 2010

i. Pledge of Allegiance

Carol Dean led the Pledge of Allegiance.

ii. Roll Call and Introductions:

Board members: Geoffrey Hales, Dave Noren, William Massey,
Carol Dean, Heidi Harris, and Mike Dunker

Board member absent: John Corbett recused himself from participating in today's proceedings.

Regional Water Board staff: Catherine Kuhlman, Luis Rivera, Samantha Olson, Kim Niemeyer, David Leland, Matt St. John, Bryan McFadin, Katharine Carter, Ben Zabinsky, Clayton Creager, Drew Bayless, Terri Korell, and Jean Lockett

iii. Board Member Ex Parte Communication Disclosure

There were no reports of ex parte.

Public Hearings

1. Public Hearing on Resolution No. R1-2010-0025, to consider adoption of an amendment to the Water Quality Control Plan for the North Coast Region to revise Table 3-1 to incorporate recalculated Site Specific Dissolved Oxygen Objectives for the Klamath River in California
2. Public Hearing on Resolution No. R1-2010-0026, to consider adoption of an amendment to the Water Quality Control Plan for the North Coast Region to include the Action Plan for the Klamath River Total Maximum Daily Loads addressing Temperature, Dissolved Oxygen, Nutrient, and Microcystin Impairments in the Klamath River in California and the Lower Lost River Implementation Plan

Both the Site Specific Dissolved Oxygen Objectives for the Klamath River in California and the Action Plan for the Klamath River Total Maximum Daily Loads were presented concurrently.

Chairman Hales administered the Oath to those who expected to testify in the hearing. He reported that Board members David Noren, Bob Anderson and himself met with Siskiyou County Board of Supervisors on September 9th to discuss the TMDL Implementation. Chairman Hales, David Noren, and William Massey also met with Siskiyou County Supervisors on January 27, 2010. Chairman Hales asked if there were additional ex parte communications on this item.

Board member David Noren reported that he had a discussion with Crystal Bowman with the Quartz Valley Tribe, and she shared her concerns regarding the TMDL.

The Regional Water Board staff who participated in the presentation were: David Leland, Matt St. John, Alydda Mangelsdorf, Katharine Carter, Bryan McFadin, and Ben Zabinsky.

Comments were taken from:

Grace Bennett, Siskiyou County Supervisor, District 4
 Jim Cook, Siskiyou County Supervisor, District 1
 Ric Costales, Siskiyou County
 Susan Corum, Karuk Tribe
 Alexis Strauss, US Environmental Protection Agency
 Joe Dillon, National Marine Fisheries Service
 Tim Hemstreet, PacifiCorp
 Alan J. London, representing self
 Susan Burdick, Basket Weavers
 Paul Chapman, Campbell Timberland Management LLC
 Gary Rynearson, Green Diamond Resource Company
 Jay D. Wright, representing self
 Erica Terence, Klamath Riverkeeper
 Amber Gensaw, Yurok, Klamath Riverkeeper
 Sam Gensaw III, Klamath Riverkeeper
 Crystal Sternberg, Yurok, Klamath Riverkeeper
 Georgiana Myers, Yurok and Karuk Klamath Riverkeeper
 Laura Benz, representing self
 James Foley, New 49er's Prospecting Association
 Felice Pace, representing self
 Christ Quirnbach, Timber Products Company
 Dana Rose, Got Water 4 Klamath
 Denver Welson, representing self
 Vivian Helliwell, Pacific Coast Federation of Fishermen's Associations,
 and Institute for Fisheries Resources

Motion: William Massey moved to adopt the Resolution No. R1-2010-0025 (Site Specific Dissolved Oxygen Objectives for the Klamath River in California) with the Errata Sheet. Mike Dunker seconded the motion. Motion passed unanimously.

Motion: Carol Dean moved to adopt Order No. R1-2010-0026 (Action Plan for the Klamath River Total Maximum Daily Loads). William Massey seconded the motion. Motion passed unanimously.

Board Member Noren requested that the Regional Water Board staff return to the Board in June 2010 with a draft workplan for the Agricultural/Grazing waiver.

Thursday, March 25, 2010

iv. Pledge of Allegiance

David Noren led the Pledge of Allegiance

v. Roll Call and Introductions:

Board Members: Geoffrey Hales, Dave Noren, William Massey, Carol Dean, Heidi Harris, Mike Dunker, and John Corbett

Regional Water Board staff: Catherine Kuhlman, Luis Rivera, Samantha Olson, Kim Niemeyer, David Leland, Robert Klamt, Fred Blatt, Mark Neely, Mark Alpert, Caryn Woodhouse, Matt St. John, Bryan McFadin, Katharine Carter, Ben Zabinsky, Clayton Creager, Drew Bayless, Terri Korell, and Jean Lockett

vi. Board Member Ex Parte Communication Disclosure

David Noren reported that he attended a dairy workshop at the North Coast Regional Water Board and he and Catherine Kuhlman met with Sonoma County to discuss their waste management issues and issues in their central landfill.

William Massey reported that he met with federal, state, and county elected officials to discuss Sonoma County sewer systems.

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

There were no reports.

viii. Public Forum:

There were no requests submitted to speak.

3. Approval of Meeting Minutes: January 21, 2010 and February 8, 2010

Motion: William Massey moved to adopt the minutes with corrections. Mike Dunker seconded the motion. Motion passed.

Motion: David Noren moved to adopt the February 8, 2010 minutes. John Corbett seconded the motion. Motion passed with two abstentions (William Massey and Carol Dean).

Uncontested Item

4. Public Hearing on Order No. R1-2010-0008, to consider whether to affirm, reject, or modify Administrative Civil Liability Order for Violations of Waste Discharge Requirements Order No. R1-2003-0047 and State Water Resources Control Board Order No. 2006-

0003-DWQ in the matter of City of Yreka Wastewater Treatment Facility WDID No. 1A84073OSIS Siskiyou County

Motion: William Massey moved to adopt the Uncontested Item Calendar. Mike Dunker seconded the motion. Motion passed unanimously.

Workshop

5. Workshop on the proposed Waiver of Waste Discharge Requirements for Nonpoint Source Discharges Related to Certain Federal Land Management Activities on U.S. Forest Service Lands in the North Coast Region

Robert Klamt, Division Chief of Non Point Source Division, addressed the board , providing a detailed description of the proposed order and the process leading to a public hearing in June 2010.

Comments were taken from:

Barry Hill, representing USFS

Felice Pace, representing EPIC and Klamath Forest Alliance

Information Items

6. Update on National Pollutant Discharge Elimination System (NPDES) permit application for Freshwater Tissue Company, Samoa Pulp Mill

Charles Reed provided an update to the Board on the Samoa Pulp Mill, a pulp mill under new ownership that is set to reopen in Fall 2010 and resume production of bleached and unbleached kraft pulp paper. Mr. Reed informed the Board that staff had received and was processing a new NPDES permit application for a June public hearing that would authorize the discharge of process wastewater from the Facility to the Pacific Ocean.

Comments were taken from:

Robert Simpson, representing FTC

Felice Pace, representing Redwood Chapter Sierra Club

Xandra Manns, representing West Eureka residents

Carol Binder, representing West Eureka residents

7. Update on Southern Pacific Transportation Co. (Balloon Track Site)

Caryn Woodhouse presented an informational item regarding the status of site investigation and cleanup activities at the former Southern Pacific Transportation Co. rail yard site in Eureka (referred to as the Balloon Track site). The presentation covered the site's operational history, Regional Water Board oversight activities at the Balloon Track, the investigation and remediation of soil and groundwater contamination at the site, and the current status of site.

Comments were taken from:

Randy Gans, representing CUE VI, LLC

Gary Bird, representing, Citizens for Better Eureka

8. Executive Officer's Report

This was a written report.

9. Board Member Requests for Future Agenda Items

This item was not discussed.

10. Other Items of Interest

This item was not discussed.

11. Closed Session

A closed session was not held for this meeting.

There being no further business to come before the Regional Water Board, the meeting adjourned at 12:56 p.m. The next Regional Water Board Meeting is scheduled for April 29, 2010, in Ukiah, California.

Chairperson _____

Date: _____