



Winston H. Hickox
 Secretary for
 Environmental
 Protection

California Regional Water Quality Control Board

North Coast Region

Daniel F. Crowley, Chairman



Gray Davis
 Governor

Internet Address: <http://www.swrcb.ca.gov/rwqcb1/>
 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
 Phone 1-877-721-9203 (toll free) or (707) 576-2220 FAX (707) 523-0135

JULY AGENDA

Mailout date: July 6, 2001

AGENDA

Monday, JULY 16, 2001 REGIONAL WATER BOARD MEETING 5550 Skylane Blvd., Suite A, Santa Rosa, CA

8:00 p.m.

1. CLOSED SESSION. On July 16, 2001, at 8 p.m., the Regional Water Board, or the formally appointed advisory committee thereof, will be meeting in closed session to discuss evaluation and/or appointment of a public employee. [Authority: Government Code Section 11126(a)(1).] The meeting will occur by telephone conference at the Regional Water Board offices, as it is impossible to assemble a quorum of the Board in one location. Members of the public are invited to attend the meeting. However, they should be aware that only the portion of the meeting that is not closed to the public will be made audible. Board member William Massey will be physically present.

After the conclusion of the closed session, the Regional Water Board, or the advisory committee, will reconvene in open session and shall make any reports, provide any documents and make other disclosures of action taken in the closed session, if any, as required by Government Code Section 11125.2 (pertaining to appointment, employment or dismissal of a public employee).

For questions or further information regarding this matter, please call Jean Lockett of the Regional Water Board at (707) 576-2307 or FAX at (707) 523-0135.

AGENDA

JULY 25-26, 2001

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

For questions regarding this agenda, please call Jean Lockett at (707) 576-2307 or FAX at (707) 523-0135. This notice and associated staff reports can be accessed electronically through our Internet address: <http://www.swrcb.ca.gov/rwqcb1/>. (Note: agenda items should be available electronically on July 19, 2001.)

Please note that time limitations on presentations may be imposed. The Regional Water Board requests that oral testimony be summarized. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board.*

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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.

July 25, 2001

2:00 p.m.

1. Closed Session. On July 25, 2001, the Regional Water Board will be meeting in closed session to consider the appointment and/or employment of a public employee. [Authority: Government Code Section 11126(a)(1).] (**Note: All other business will be conducted on July 26, 2001.**)

After the conclusion of the closed session, the Regional Water Board will reconvene in open session and shall make any reports, provide any documents and make other disclosures of action taken in the closed session, if any, as required by Government Code Section 11125.2 (pertaining to appointment, employment or dismissal of a public employee).

July 26, 2001

9:00 a.m.**

- i. Pledge of Allegiance
- ii. Roll Call
- iii. Minutes of Past Meetings
- iv. Board Member Ex Parte Communication Disclosure - Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code Section 11430.50.
- v. Staff's Presentation of Appreciation
- vi. **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 his/her presentation to three minutes. More lengthy items may be calendared for a future meeting.

CONSENT CALENDAR WASTE DISCHARGE REQUIREMENTS

Note: The consent items are expected to be routine and noncontroversial. It is recommended that the Board adopt these items 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. **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
Scott Gergus
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
Scott Gergus

CORRECTIVE ACTION

California Environmental Protection Agency



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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

Cody Walker

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

Dean Pratt

OTHER BUSINES

5. Ground Water Augmentation of Surface Water Flows in Upper Klamath River Basin *Tom Dunbar*
6. Klamath Forest Alliance – Cumulative Watershed Impacts and Forest Roads in the Klamath River Watershed *Fred Blatt*
7. US Forest Service, Klamath National Forest - Roads on the Klamath National Forest *Fred Blatt*
8. Executive Officer Administrative Civil Liabilities *Craig Johnson*
9. Budget Priorities/Timing *Craig Johnson*
10. Executive Officer's Delegation of Authority *Craig Johnson*
11. State and Regional Water Board Communications *Art Baggett*

EXECUTIVE OFFICER'S REPORT

12. Monthly Report to the Board *Written*
13. Leaking Underground Storage Tanks/Spills *Written*
14. Proposition 65 Notifications *Written*
15. Violation and Enforcement Report *Craig Johnson*
16. Other Items of Interest *Craig Johnson*

CLOSED SESSIONS

17. Closed Session. On July 26, 2001, the Regional Water Board may adjourn after all adjudicatory hearings to closed session to consider evidence received and discuss whether



- to initiate litigation. [Authority: Government Code, Section 11126, Subdivisions (c)(3), and (e)(2)(C)(i).]
18. Closed Session. On July 26, 2001, 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).]
 19. Closed Session. On July 26, 2001, 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).]
 20. Closed Session. On July 26, 2001, the Regional Water Board will be meeting in closed session to confer with its legal counsel regarding *Russian River County Sanitation District and Sonoma County Water Agency v. State Water Resources Control Board and Regional Water Quality Control Board, North Coast Region*, Marin Superior Court, Case No. CV994924. [Authority: Government Code Section 11126(e)(2)(A).]
 21. Closed Session. On July 26, 2001, the Regional Water Board will be meeting in closed Session to discuss evaluation and/or appointment of a public employee. [Authority: Government Code Section 11126(a)(1).]
- * In order to be fully considered at the meeting, all written comments on items must be received by 5:00 p.m. on July 12, 2001. Mailing address is 5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403; FAX (707) 523-0135.
- ** *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.*

Anyone requiring reasonable accommodation to participate in the meeting should contact Jean Lockett, Secretary, 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.

Unless otherwise specified in the public notice for a specific item, the Board wishes to limit oral presentations from all parties (dischargers, staff, government agencies, the public, etc.) to 0.5 hour maximum per party, but may limit testimony to three minutes per party, depending on time constraints. Interested persons should submit to the Regional Water Board office at 5550 Skylane Boulevard, Suite A, Santa Rosa, California, 95403, twelve written copies of all comments, technical reports, and other material concerning this issue by 5:00 p.m. on July 12, 2001. This written material will be provided to the Regional Water Board Members along with the full agenda materials. In addition, persons submitting written comments and other materials should be present at the Regional Water Board Meeting and available for questions. The Board's general practice is to not accept new written materials on the day of the hearing. Comments at the above scheduled meeting should be limited to a summary of the previously submitted written materials, provided however, that upon a proper showing that information is available which was not available at the time the written materials were submitted, the Board may allow further submission of oral or written comments. If this showing is not made, the Board may refuse to accept written materials.

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

California Environmental Protection Agency



Water Board are not conducted pursuant to Government Code Section 11500 et seq. The procedures may be obtained by accessing our web site at http://www.swrcb.ca.gov/water_laws/index.html.

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 be obtained by accessing our web site at <http://www.swrcb.ca.gov/rwqcb1>.

The Regional Water Board provides routine public notices on proposed corrective actions and closure decisions related to cleanup on contaminated sites. These routine notices are published on our web site 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 State Water Board must receive the petition 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 August 23, 2001, in Santa Rosa.



California Regional Water Quality Control Board
North Coast Region

Board Members

Daniel F. Crowley, Chair, Santa Rosa
William R. Massey, Vice-Chair, Forestville
William A. Hoy, Weed
Bev Wasson, Rio Nido
Dina Moore, Kneeland

Staff

Lee A. Michlin, Executive Officer
Craig R. Johnson, Assistant Executive Officer, Ombudsman
Patricia Gorup, Small Business Liaison
Jean Lockett, Secretary
Philip G. Wyels, Legal Counsel
Yuri Won, Legal Counsel

Watershed Protection Division

Robert L. Tancreto, Supervising Water Resource Control Engineer
John Short, Senior Water Resource Control Engineer (Russian River)
Thomas B. Dunbar, Senior Water Resource Control Engineer (Klamath, Trinity, Eel, Humboldt)
William Winchester, Environmental Specialist IV (Nonpoint Source/Chapter 15)

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)
Diana Henriouille-Henry, Senior Water Resource Control Engineer (Headwaters Unit)

Cleanup and Investigation Division

Susan A. Warner, Supervising Water Resource Control Engineer
Mark Barston, Senior Water Resource Control Engineer (Santa Rosa)
Tuck Vath, Senior Engineering Geologist (Northern Watershed)
Luis Rivera, Senior Water Resource Control Engineer (Central Watershed)
Kathleen Daly, Staff Services Manager I (Administration)

Watershed Management Division

Ranjit Gill, Environmental Program Manager I
Robert Klamt, Senior Land & Water Use Analyst (Watershed Assessment and Monitoring Unit)
David Evans, Senior Water Resource Control Engineer (Planning Unit)
David Leland, Senior Water Resource Control Engineer (TMDL Unit)

Bill of Rights for Environmental Permit Applicants

California Environmental Protection Agency



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.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our web-site at <http://www.swrcb.ca.gov>.

