

**Minutes of Meeting**

8:30 a.m., Thursday, November 3, 2011  
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](http://www.waterboards.ca.gov/northcoast); go to the Board Info tab and click on Meetings.

**i. Pledge of Allegiance**

Board Member David Noren led the Pledge of Allegiance.

**ii. Roll Call and Introductions**

Board Members present: Geoffrey Hales, David Noren, William Massey, Heidi Harris, and John Corbett

Regional Water Board staff present: Catherine Kuhlman, Luis Rivera, Samantha Olson, David Rice, Greg Nash, Patti Corsie, Terri Korell, Holly Lundborg, Bryan McFadin, Rebecca Fitzgerald, Lisa Bernard, Cherie Blatt, James Burke, Joelle Geppert, Mona Dougherty, Matt St. John, Mark Neely, David Leland and Steve Butkus.

**iii. Awards Presentation:**

- The Sustained Superior Accomplishment Award was presented to the team of Fred Blatt, Mark Alpert, Tom Williams, Kaete King, Maggie Robinson, Joelle Geppert, Carey Wilder and Samantha Olson for their work on the development and implementation of the Non-Point Source Waiver Permit for the U.S. Forest Service that provides regulatory coverage to over 50 percent of the land in the North Coast Region.
- Katherine Carter was presented a Certificate of Appreciation for her work in coordinating the Klamath Fish Health Assessment Team (KFHAT) during the summer of 2011.
- Luis Rivera was presented an award of recognition for 25 years of service to the State of California.

Catherine Kuhlman announced that Mona Dougherty, Core Regulatory Unit was promoted to the Senior position of the Core Regulatory Unit.

**iv. Board Member Ex Parte Communication Disclosure**

Board Member William Massey reported that he had met with the Sonoma County Board of Supervisors, Efen Carrillo and Mike McGuire, regarding the West County Sewers.

Vice Chair David Noren reported he had met, along with Board Member Massey, the Sonoma County Board of Supervisors, Efen Carrillo and Mike McGuire regarding the West County Sewers.

Board Member Heidi Harris briefly met with Kenneth Householder, Agriculture Engineer with the Natural Resources Conservation Service to discuss thoughts regarding the Dairy Waiver Program and its related costs.

Board Member John Corbett met with California Fish and Game to discuss the Triennial Review and also the Executive Director of the North Coast Environmental Center to discuss the of the Triennial Review and other issues.

**v. State Board Liaison's, and Board Chair's Reports**

Tam Doduc was unable to attend the meeting.

**vi. Adoption of 2012 Board Schedule**

Motion: David Noren moved to adopt the 2012 Board Schedule. William Massey seconded. The motion passed unanimously.

**vii. Public Forum**

No comments taken for the Public Forum.

**1. Approval of Meeting Minutes: September 23, 2011**

Motion: William Massey moved to adopt the September 23, 2011 minutes. John Corbett seconded. The motion passed unanimously.

**Uncontested Items****2. Public Hearing on Order No. R1-2011-0096, to consider adoption of Waste Discharge Requirements for Garberville Sanitary District Wastewater Treatment Facility (WWTF), WDID No. 1B83120OHUM, Humboldt County**

The Board adopted Waste Discharge Requirements (WDRs) for the Garberville Sanitary District Waste Water Treatment Facility (WWTF) and the order rescinding

Cease and Desist Order No. R1-2004-0097(rescission) on November 3, 2011. The rescission confirms completion of tasks associated with Order R1-2004-0097 and removes the ban on new connections to the WWTF. The WDRs apply interim effluent limits based upon current performance, to allow the new treatment wetlands to mature with new, more stringent effluent limitations beginning November 1, 2014. Ongoing monitoring requirements associated with the WDRs include routine groundwater sampling, which may require installation of new monitoring wells, if existing monitoring wells cannot be appropriately rehabilitated.

Motion: John Corbett moved the motion to adopt the NPDES permit. William Massey seconded the motion. Motion passed unanimously.

3. **Public Hearing** on Order No. R1-2011-0098, to consider Rescission of Cease and Desist Order No. R1-2004-0097, for **Garberville Sanitary District Wastewater Treatment Facility (WWTF)**, WDID No. 1B83120OHUM, Humboldt County

See Item 2

Motion: John Corbett called for a roll-call vote, Bill Massey seconded.  
Noren aye  
Massey aye  
Harris aye  
Corbett aye  
Hales aye  
Motion passed unanimously.

4. **Public Hearing** on Resolution No. R1-2011-0090, to adopt **Editorial Amendments to the Water Quality Control Plan for the North Coast Region, Chapter 2 – Beneficial Uses**

Motion: John Corbett moved the motion to adopt. William Massey seconded the motion. Motion passed unanimously.

#### **Action Items**

5. **Public Hearing** on Resolution No. R1-2011-0069, **Directing Staff to Use Existing Authorities to Implement Water Quality Objectives for Temperature in the North Coast Region and Develop for Board Consideration a Basin Plan Amendment to Incorporate a Temperature Implementation Policy**

Chairman Hales stated that the hearing would be continued at the January, 2012 Board Meeting and requested staff to proceed with the presentation.

Comments were taken from:

- Matt Greene, Public
- Stephen Hall, Friends of the Navarro Watershed
- Daniel Meyers, Sierra Club
- Ed Struffenger, California Forestry Association
- Kari Fisher, California Farm Bureau Federation

6. **Public Hearing** to consider adoption of Order No. R1-2011-0100, Waste Discharge Requirements and Mitigated Negative Declaration (SCH No. 2011092021) for Discharges Related to Timber Harvesting and Associated Land Management Activities Conducted by **Humboldt Redwood Company, LLC, In Bear Creek Watershed**, a Tributary to the Lower Eel River, Humboldt County

On November 3, 2011, the Regional Board approved Order No. R1-2011-0100, Waste Discharge Requirements (WDRs) and Mitigated Negative Declaration for Humboldt Redwood Company's timber harvesting and related management activities in the Bear Creek watershed in Humboldt County. The WDR establishes requirements to prevent or minimize management related sediment discharges by limiting the intensity of harvesting, implementing landslide prevention measures, road management practices, restoration, and monitoring.

Jim Burke presented the proposed action and comments were taken from:

- Richard Gienger- Public, Catherine Kuhlman read his statement

Motion: Bill Massey moved the motion to adopt the Resolution with additions and changes in the language. John Corbett seconded the motion with changes. Motion passed unanimously.

### **Workshops**

7. **Regulatory Program for Waste Discharges from Dairies in the North Coast Region**

The Regional Water Board implements the Federal Clean Water Act in the state of California, including requirements for concentrated animal feeding operations (CAFO) regulations. The National Pollutant Discharge Elimination System (NPDES) permit is the only one of the permits included in the North Coast Dairy permitting program, which allows for discharges to surface water under any conditions. In addition, unlike the other two proposed North Coast Permits, the NPDES permit applies to several types of animal feeding operations. Designation as a concentrated animal feeding operation is based on the number of animals managed at a facility and assumes a discharge to surface waters. Point Source Discharges are allowed under the NPDES permit under two specific conditions; 1) the facility

must comply with a site specific approved nutrient management plan, and 2) discharges to surface water may only be the amount that overflows from storage designed to contain a minimum 25yr/24hr storm.

Each facility seeking coverage under the NPDES permit will submit a nutrient management plan (NMP) in conjunction with a notice of intent for coverage and appropriate fees. Staff will then review the complete application and work with the facility to ensure permit requirements are met. Once staff and the facility operator agree that the application is complete, staff will prepare a letter indicating specific items in the NMP to be incorporated as permit terms. Both the NMP and draft permit terms will be made available for 21-days of public review and upon conclusion of the public review period staff will provide a letter to the facility confirming coverage. The staff presentation was made by Cherie Blatt and Lisa Bernard and comments were taken from:

- Dave Smith, City of Santa Rosa
- Valerie Minton, Sotoyome Resource Conservation District
- Wendy Zigler, Winzler & Kelly
- Jovita Pajarillo, USEPA Pacific Southwest Region
- Melissa Lema, Western United Dairyman
- Dominic Carinalli, Self, Dairyman, Sonoma County
- Deanne Meyer, Local Girl and Livestock Waste Management Specialist, Ph.D., UC Davis

#### **8. Public Workshop on the Proposed Water Quality Objectives Update Amendment**

Holly Lundborg presented to the Board and public, the proposed Water Quality Objectives Update Amendment and the schedule for completion. Ms. Lundborg stated that a workshop will be held in Weaverville, CA on November 8<sup>th</sup> and the Staff Report and the proposed Basin Plan Amendment language will be released to the public in November. Public comments will be taken and another workshop will be held in January, 2012. The proposed Water Quality Objectives Update Amendment will be presented to the Board for their consideration at the March 15, 2012 meeting.

#### **9. CEQA Scoping Meeting on a Proposed Aquatic Ecosystem Restoration Policy**

Alydda Mangelsdorf presented to the Board and public the proposed scope of an Aquatic Ecosystem Restoration Policy and the potential environmental impacts arising from its implementation. The Board and public were asked to provide their input so that the scope of the policy can be finalized and a draft be developed. Comments were taken from:

- Ed Struffenegger, California Forestry Association
- Gary Rynearson, Green Diamond Resource Company

## Information Items

### 10. Update on Russian River Pathogen TMDL Early Implementation and Monitoring Efforts

Rebecca Fitzgerald presented an update of early implementation efforts and monitoring efforts for the Russian River Pathogen Total Maximum Daily Load. Staff are coordinating with Sonoma County to address human sources of pathogens from onsite wastewater treatment systems and recreational uses. Bacteria monitoring results from this summer were summarized and discussed.

Comments were taken from:

- Brenda Adelman, Russian River Watershed Protection Committee

### 11. Status of Mattole Restoration Council's Development of a Programmatic Timber Environmental Impact Assessment (PTEIR) and Programmatic Timber Harvest Plans (PTHPs) for the Mattole River

In conjunction with the Mattole Restoration Council (MRC), Joelle Geppert, Southern Timber Unit and Seth Zuckerman, Forest Futures Project Coordinator for the Humboldt Redwood Company (HRC) briefed the Board on the Mattole Programmatic Timberland Environmental Impacts Report (PTEIR) and the status of Program Timber Harvest Plans (PTHPs) that implement the PTEIR. This project has been funding largely by the Proposition 40 Integrated Watershed Management Program. The goal of the project is to provide landowners with a streamlined regulatory approach to timber harvesting in the Mattole watershed that is focused on restoration based forestry, sediment and temperature TMDL implementation and overall water quality and watershed health improvements.

### 12. Executive Officer's Report

Ms. Kuhlman informed the Board about the Agricultural Program Workshop being held in December for our Stakeholder Committee. Ms. Kuhlman will also be meeting with the Russian River Watershed Association's Board in December to brief them of the Water Board's priorities to allow for coordination of projects. The North Coast Water Board has contracted with UC Davis, to hold a Leadership training class beginning in January, 2012 for the North Coast Water Board Staff to assist with the changes that will be occurring in the next 10 years. Ms. Kuhlman expects to have new Board Members seated by January 2012.

### 13. Board Member Requests for Future Agenda Items

No requests from the Board.

**14. Other Items of Interest**

No items to discuss.

**15. 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 4:55 p.m. The next Regional Water Board Meeting is scheduled for 8:30 am, January 18 & 19, 2012, David C. Joseph Meeting Room, 5550 Skylane Boulevard, Suite A, Santa Rosa, CA 95403.

Chairperson\_\_\_\_\_

Date\_\_\_\_\_