

## Central Valley Regional Water Quality Control Board

### MEETING NOTICE AND AGENDA

FRIDAY, 19 APRIL 2024

9:00 A.M. BOARD MEETING  
10:00 A.M. CV-SALTS HEARING

Central Valley Water Board  
1685 E Street  
Fresno, CA 93706

(In-Person and via Video and Teleconference)

#### HOW TO ATTEND THIS MEETING:

This meeting will occur with both a physical meeting location and an option for the public to participate remotely. A majority of the Board Members will be physically present at the noticed meeting location above, consistent with the requirements of the Bagley-Keene Open Meeting Act. Any person desiring to receive future notices about changes to the date, time, location, or format of the public hearing should sign up for the [GovDelivery e-mail list](#) at

([https://www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html)).

Additional information for those wishing to attend remotely can be found below.



#### TO WATCH AND LISTEN TO THE WEBCAST (NOT PARTICIPATING):

If you do not need to participate but would like to remotely watch and listen in to this meeting, please use the public meeting webcast link [Cal-Span](#) at:

([https://cal-span.org/meeting/rwqcb-cv\\_20240419-20240419/live](https://cal-span.org/meeting/rwqcb-cv_20240419-20240419/live)).



#### TO PARTICIPATE IN THE MEETING (via ZOOM):

Persons wishing to participate in the 19 April 2024 Board Meeting or Management Zones Implementation Plans (MZIP) Hearing via webinar or telephone are asked to register in advance. To do so, please email the Board Clerk at [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) to

request the registration link. Once a request is submitted to the Board Clerk, you will then be sent the registration link. Fill out and submit the registration form, and the Zoom link will be automatically emailed to you.

Spanish translation for the Board Meeting may be requested via the registration link. Please request special accommodations or interpreter services at least 10 business days in advance of the meeting by emailing the request to [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) (no later than 10 April 2024). TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

***Note: Spanish interpretation will be available for the 10am CV-SALTS Hearing on Management Zone Implementation Plans.***

**Registration will ensure you can remotely participate in the meeting via Zoom.** If you do not pre-register, it is possible you will need to begin watching the webcast available on [Cal-Span](#) at

([https://cal-span.org/meeting/rwqcb-cv\\_20240419-20240419/live](https://cal-span.org/meeting/rwqcb-cv_20240419-20240419/live)).

You cannot participate in the Zoom meeting until you receive an email with the Zoom ID and password.

Additional information on attending the meeting can be found on the [Regional Board Meeting Calendar webpage](#) at

([https://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/)).

Items on this Agenda are numbered for identification purposes only; the Board may consider these items out of their listed order.

Copies of the items to be considered by the Central Valley Water Board are posted on the Board's [Tentative Orders web page](#) at

([https://www.waterboards.ca.gov/centralvalley/board\\_decisions/tentative\\_orders/](https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/)).

**FRIDAY, 19 APRIL 2024, 9:00 a.m.**

## **BOARD BUSINESS**

1. Roll Call and Declaration of a Quorum.
2. Introductions, Pledge of Allegiance, Meeting Rules.
3. Board Member Communications – Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction.
4. State Water Board Liaison Update.
5. Public Forum – Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting or pending before the Board.

6. [Executive Officer's Report.](#)
7. [Consideration of Minutes from the February 2024 Board Meeting.](#)
8. [Consideration of Uncontested Items – The Board will consider agenda items 9 through 13.](#)

### **UNCONTESTED CALENDAR**

(Cal. Code Regs., tit. 23, section 647.2, subd. (f).) Uncontested items are those items that are not being contested at the Board Meeting and will be acted on without discussion. If any person or Board Member requests discussion, the item may be removed from the Uncontested Calendar.

### **CEASE AND DESIST ORDER RECISSION (AGENDA ITEM 9)**

- a. [Tuolumne Utilities District, Sonora Regional Wastewater Treatment Facility, Tuolumne County – Consideration of Rescission of Cease-and-Desist Order R5-2002-0203](#)

### **WASTE DISCHARGE REQUIREMENTS (AGENDA ITEM 10)**

- a. [County of Kern, Shafter-Wasco Recycling & Sanitary Landfill, Kern County – Consideration of Revised Waste Discharge Requirements Order No. R5-2012-0011](#)
- b. [San Francisco Public Utilities Commission, San Joaquin Pipeline Valve and Safety Improvements: Phase 3 – Tesla Surge Tower Project, San Joaquin County – Consideration of New Waste Discharge Requirements](#)
- c. [Sierra Nevada Cheese Company, Inc. and Gregersen Properties, LLC, Sierra Nevada Cheese Processing Facility, Glenn County – Consideration of Revised Waste Discharge Requirements Order No. R5-2007-0043](#)
- d. [Tuolumne Utilities District, Sonora Regional Wastewater Treatment Facility, Tuolumne County – Consideration of Revised Waste Discharge Requirements Order No. 94-192](#)
- e. [Vulcan Materials Company, Grant Line Construction Aggregate Production and Recycling Facility Project, Sacramento County – Consideration of New Waste Discharge Requirements](#)
- f. [Waste Management of Alameda County, Inc., Altamont Solidification Facility, Alameda County – Consideration of New Waste Discharge Requirements](#)

### **NPDES PERMITS (AGENDA ITEM 11)**

- a. [Aerojet General Corporation, Interim Groundwater Extraction and Treatment Systems, Sacramento County – Consideration of NPDES Permit Amendment \(NPDES Permit CA0083861\)](#)

- b. [City of Brentwood, Wastewater Treatment Plant, Contra Costa County – Consideration of NPDES Permit Renewal \(NPDES Permit No. CA0082660\) and Time Schedule Order](#)
- c. [City of Clovis, Sewage Treatment and Water Reuse Facility, Fresno County – Consideration of NPDES Permit Amendment \(NPDES Permit No. CA0085235\)](#)
- d. [City of Portola, Portola Wastewater Treatment Plant, Plumas County – Consideration of NPDES Permit Renewal \(NPDES Permit No. CA0077844\)](#)
- e. [Lincoln-SMD1 Wastewater Authority \(LiSWA\), LiSWA Wastewater Treatment and Reclamation Facility, Placer County – Consideration of NPDES Permit Renewal \(NPDES Permit No. CA0084476\)](#)
- f. [San Andreas Sanitary District, Wastewater Treatment Plant, Calaveras County – Consideration of NPDES Permit Renewal \(NPDES Permit No. CA0079464\)](#)
- g. [Shasta County Service Area No. 17, Cottonwood Wastewater Treatment Plant, Shasta County – Consideration of NPDES Permit Renewal \(NPDES Permit No. CA0081507\) and a Time Schedule Order](#)

#### **RESCISSIONS (AGENDA ITEM 12)**

- a. Crimson Resource Management, Asphalt Standard (or “Standard”) Lease, Asphalt Oil Field, Kern County – Waste Discharge Requirements Order No. R5-2002-0058
- b. Nonini Winery, Inc.; Nonini Winery, Fresno County – Waste Discharge Requirements Order No. 94-255
- c. North Yuba Water District, Forbestown Water Treatment Plant, Butte County – NPDES Permit (NPDES Permit No. CA0084824)

#### **CHANGE OF NAME AND/OR OWNERSHIP OF FACILITIES (AGENDA ITEM 13)**

- a. Berry Petroleum Corporation, Pike 12 (or “Pike”) Lease, Midway-Sunset Oil Field, Kern County – Waste Discharge Requirements Order No. R5-2002-0197
- b. Robert Bradley, Gold Strike Village, Calaveras County – Waste Discharge Requirements Order No. 88-033

FRIDAY, 19 APRIL 2024, 10:00 a.m.

**MANAGEMENT ZONE IMPLEMENTATION PLANS – INFORMATIONAL HEARING**

14. Welcome and Introductions

15. [CV-SALTS Hearing – Nitrate Control Program Priority 1 Management Zone Implementation Plans](#) [Angela Llaban (916) 464-4649]

**CLOSED SESSION**

The Board may meet in closed session to consider personnel matters (Gov. Code, section 11126 subd. (a)); to deliberate on a decision to be reached based upon evidence introduced in a hearing (id., section 11126, subd. (c)(3)); or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation (id., section 11126, subd. (e)). Current litigation involving the Board is listed below.

**Litigation filed against the Central Valley Water Board and/or the State Water Board:**

- a. Malaga County Water District Litigation (various proceedings):
  - i. 2013 ACLO to Malaga County Water Dist. for Mandatory Minimum Penalties – Malaga Cnty. Water Dist. v. Central Valley Water Bd. et al. (5DCA Case No. F084875; Madera Superior Court Case No. MCV071280 [originally filed in Fresno Superior as Case No. 14-CECG-03576]).
  - ii. 2014 NPDES Permit and CDO to Malaga County Water Dist. – Malaga Cnty. Water Dist. v. State Water Res. Control Bd., et al. (5DCA Case No. F084854; Madera Superior Court Case No. MCV071279 [originally filed in Fresno Superior Court as Case No. 14-CECG-03919]).
  - iii. 2016 ACLO to Malaga County Water Dist. – Malaga Cnty. Water Dist. v. Central Valley Reg'l Water Quality Bd., et al. (5DCA Case No. F084746; Fresno Superior Court Case No. 16-CECG-03036).
- b. Existing Milk Cow Dairy WDRs General Orders R5-2007-0037, R5-2013-0122 – Asociación de Gente Unida por el Agua et al. v. Central Valley Water Bd. (3DCA Case No. C066410; Sacramento Superior Court Case No. 34-2008-00003604).
- c. Eastern San Joaquin/Irrigated Lands Regulatory Program – State Water Board Order No. WQ 2018-0002, modifying Central Valley Water Board WDRs General Order No. R5-2012-0116 (Growers within Eastern San Joaquin River Watershed that are Members of Third-Party Group) [State Water Board File Nos. A-2239(a)-(c)] (3DCA Case No. C093513):
  - i. Monterey Coastkeeper, et al. v. Central Coast Reg'l Water Quality Control Bd., et al. (Sacramento Superior Court Case No. 34-2017-80002655);
  - ii. Environmental Law Found. v. State Water Res. Control Bd., et al. (Sacramento Superior Court Case No. 34-2018-80002851);
  - iii. Protectores del Agua Subterr?nea v. State Water Res. Control Bd., et al. (Sacramento Superior Court Case No. 34-2018-80002852); and

- iv. Monterey Coastkeeper, et al. v. Central Valley Reg'l Water Quality Control Bd., et al. (Sacramento Superior Court Case No. 34-2018-80002853).
- d. Valley Water Management Company v. Central Valley Reg'l Water Quality Control Bd., (Kern County Superior Court Case No. BCV-19-101750).

**Litigation filed by the Central Valley Water Board against other parties:**

- e. Aerojet Cleanup – Central Valley Water Bd., et al. v. Aerojet-General Corp., et al. (Sacramento Superior Court Case No. 286073, consolidated w/ Case Nos. 288302 and 291981); Central Valley Water Bd., et al. v. Aerojet-General Corp., et al. (EDCA Case No. CIV-S-86-0064-EJG), consolidated w/ U.S. v. Aerojet-General Corp. et al. (EDCA Case No. CIV-S-86-0063-EJG).
- f. Orland Sand and Gravel Facility – People ex rel. Central Valley Water Bd., et al. v. Orland Sand and Gravel Corp., et al. (Glenn Superior Court Case No. 15CV01436).
- g. Iron Mountain Mine Cleanup – Central Valley Water Board et al. v. Iron Mountain Mines, Inc. et al. (EDCal, Case No. CIV-S-91-1167-DFL-PAN) and U.S. v. Iron Mountain Mines, Inc. et al., (EDCal, Case No. S-91-0768 DFL/JFM).
- h. Original Sixteen-to-One Mine Mandatory Minimum Penalties – Central Valley Water Board et al. v. Original Sixteen-to-One Mine, Inc. et al. (Sierra County. Sup.Ct., Case No. 7019).
- i. Orland Sand and Gravel Facility – Central Valley Water Board, et al. v. Dale Roy Bogart, et al. (Glenn County Superior Court Case No. 22CV2833).

**Petitions for Review of Central Valley Water Board Actions filed with State Water Board:**

- j. Irrigated Lands General WDRs for Indiv. Growers, Order R5-2013-0100 – Petition by Kern River Watershed Coalition Auth. and Paramount Farming Co., LLC (State Water Board File No. A-2269).
- k. Tulare Lake Basin Area Irrigated Lands General WDRs, Order R5-2013-0120 – Petitions by Southern San Joaquin Valley Water Quality Coalition, et al., Michael and Yvonne LaSalle, and Asociación de Gente Unida por el Agua (AGUA), et al. (State Water Board File Nos. A-2278(a)-(c)).
- l. Sacramento River Watershed Irrigated Lands General WDRs Order R5-2014-0030 – Petition by California Sportfishing Alliance et al. (State Water Board File No. A-2302).
- m. San Joaquin Cnty. and Delta Area Irrigated Lands General WDRs Order R5-2014-0029 – Petition by California Sportfishing Alliance, et al. (State Water Board File No. A-2301).
- n. West San Joaquin River Watershed Irrigated Lands General WDRs, Order R5-2014-0002 – Petition by California Sportfishing Alliance et al. (State Water Board File No. A-2292).
- o. CDO R5-2015-0093 to Valley Water Mgmt. Co. – Petitions by Valley Water Mgmt. Co., Clean Water Action, and the Central California Environmental Justice Network (State Water Board File Nos. A-2418(a), A-2418(b), and A-2418(c)).

- p. Original Sixteen to One Mine, Inc., ACLO R5-2017-0115 – Petition filed by Original Sixteen to One Mine, Inc. (State Water Board File No. A-2586).
- q. Reissued WDRs General Order for Existing Dairies, Order R5-2013-0122 – Petition filed by Asociación de Gente Unida por el Agua and Environmental Law Foundation (State Water Board File No. A-2283(b)).
- r. Forward Landfill WDRs, Order R5-2024-0002 – Petition filed by Michael La Forge (State Water Board File No. TBD).

## Acronym Key

**3DCA** - 3rd District Court of Appeal  
**5DCA** - 5th District Court of Appeal  
**ACLO** - Administrative Civil Liability Order  
**CAO** - Cleanup and Abatement Order  
**CDO** - Cease and Desist Order  
**EDCA** - U.S. District Court for the Eastern District of California  
**MRP** - Monitoring and Reporting Program  
**WDRs** - Waste Discharge Requirements

## MEETING PROCEDURES

The Central Valley Water Board circulates item-specific Notices and/or Hearing Procedures along with drafts of its Orders and Amendments. If there is a conflict between an item-specific Notice or Hearing Procedure and the Meeting Procedures in this Agenda, the item-specific Notice or Hearing Procedure will control. Please contact Board staff if you do not know whether there is a Notice or Hearing Procedure for a specific item. The statutes and regulations that govern the Central Valley Water Board's meetings are on the State Water Board's [Laws and Regulations web page at](https://www.waterboards.ca.gov/laws_regulations/)

([https://www.waterboards.ca.gov/laws\\_regulations/](https://www.waterboards.ca.gov/laws_regulations/)).

General Meeting Rules and the Procedures applicable to Central Valley Water Board Meetings can be found on the Central Valley Water Board's [Rules and Procedures web page at](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.html)

([https://www.waterboards.ca.gov/centralvalley/board\\_info/meetings/mtgprocd.html](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.html)).

All persons may speak at a Central Valley Water Board Meeting and are expected to orally summarize their written submittals. Oral presentations will be limited in time by the Board Chair, and a timer may be used. Where speakers can be grouped by affiliation or interest, such groups are expected to select a spokesperson and to not be repetitive. The Board will accommodate spokespersons by granting additional time if other group members will not also be speaking.

Written materials that are received after deadlines set by item-specific Notices and/or Hearing Procedures will not be admitted. Any person requesting to submit late materials must demonstrate compelling cause, and the Chair must find that the admission of the late materials would not prejudice the Central Valley Water Board or any designated party. The Chair may modify this rule to avoid severe hardship.

## **ELECTRONIC PRESENTATIONS**

PowerPoint and other electronic presentations are frequently presented at the Board Meetings. Please e-mail presentations to [agenda5@waterboards.ca.gov](mailto:agenda5@waterboards.ca.gov) (agenda5@waterboards.ca.gov) at least 48 hours in advance.

## **PETITION PROCEDURE**

Any person aggrieved by an action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the issuance of the Order, except that if the thirtieth day following the issuance of the Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the State Water Board's [Water Quality Petitions web page](#) at

([https://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/)).

Or it will be provided upon request.