

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
11020 SUNCENTER DRIVE, SUITE 200
RANCHO CORDOVA, CA 95670**

**BOARD MEETING MINUTES
THURSDAY, 13 AUGUST 2009
502nd Regular Meeting**

CALL TO ORDER

Chairman Dr. Karl Longley called to order, the 502nd regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair	Kate Hart, Vice Chair	Nicole M. Bell	Cheryl Maki
Sandra Meraz	Soapy Mulholland	Dan Odenweller	

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Pamela Creedon	Alex Macdonald	Holly Grover	Mary Serra
Ken Landau	Barry Hilton	Jacque Kelly	Nova Clemenza
Richard Loncarovich	Betty Yee	James D Marshall	Oscar Biondi
Jim Pedri	Brett Stevens	Jennifer LaBay	Stephanie Fong
Kiran Lanfranchi-Rizzardi	Dan Radulescu	Jerry Bruns	Steve Rosenbaum
Lori Okun	David Kirn	Joe Mello	Tim O Brien
Patrick Pulupa	Diana Messina	Josh Grover	Todd Del Frate
Emel Wadhvani	Guy Childs	Marty Hartzell	Victor Izzo
Joe Karkoski			Wendy Cohen

OTHERS PRESENT

Amelia Harter	Ed Cheslak	John Purvis	Ronald Suess
Ben Ransom	Einar Ronningen	Karna Harrigfeld	Scott Johnson
Bill Lyons	Eric Jenssen	Katherine Wagner	Stan Nader
Bob Chrowbak	Eric Ziegler	Kathleen Buchnoff	Steve Bayley
Brad Gacke	Gary Carlton	Ken Petruzzelli	Tim Shearer
Bruce Thrupp	Gary Ghio	Laura Teague	Tom Donnelly
Burt Fleischer	Gary Lynch	Leslie Dunsworth	Valerie Kincaid
Carol E Woolf	George Fry	Martin Reyes	
Chet Lelio	Greg Reller	Matthew Belair	
David Cory	Jack Lynch	Randy Smith	
David Nuss	Jan Ennenga	Richard McHenry	
Debbie Webster	Joel Miller	Ron Crites	

APPROVAL OF JUNE 2009 MINUTES

Motion to Approve June 11/12 2009 Board Meeting Minutes made by: Vice-Chair Hart
Seconded by: Member Mulholland
Unanimously approved

BOARD COMMUNICATIONS

Dr. Longley gave a presentation on July 3, at the Central Valley Regional Water Board, to an Iranian delegation who wanted to learn about Agricultural practices and uses of water, etc.

Dr. Longley provided the following communications by verbal and subsequent written submittal:

- April 27, Met with David Williams, Director of Wastewater Treatment, East Bay Municipal Utility District, and his staff to discuss their experiences with co-digestion, in Oakland
- April 27, Met with Alexis Strauss, Water Division Director, USEPA Region 9, to discuss TMDLs and other Region 9 priorities, in San Francisco
- April 28, Met with Bobbi Larson, Central Valley Salinity Coalition, and Rita Schmidt Sudman, Water Education Foundation, In Sacramento, to discuss identification and funding of educational initiatives of mutual interest.
- May 7, Discussion with Mark Felton, Culligan Water Conditioning, and other members of the water conditioning community to review business opportunities for innovative brine disposal processes that contribute to addressing salt disposal issues
- May 8, Attended California Water Plan, 2009 Update Meeting in Visalia
- May 13, CV SALTS Technical Advisory Committee (TAC) Meeting at ACWA Headquarters
- May 14, CV SALTS Technical Advisory Committee (TAC) Meeting at ACWA Headquarters – Presentation on Lessons Learned from Santa Ana Region Salt Management Plan Development
- On May 15, Discussion with Tim Johnson, California Rice Commission, regarding ILRP and CV SALTS programs. Meeting was held in Fresno.
- May 20th, Met with CDFG Secretary A.G. Kawamura and others regarding Salinity and Dairy related water quality issues
- May 21, Attended ACWA Conference
- May 28, CV SALTS Technical Advisory Committee (TAC) Meeting at ACWA Headquarters – Application of Lessons Learned from Santa Ana Region Salt Management Plan Development to Central Valley
- June 2, CV SALTS TAC - site selection meeting with contractor
- June 3, Discussion of future actions to mitigate Panoche and Silver Creek high water events leading to selenium transport with Lonnie Waas, Pam Bufford, and Sarge Green
- June 9, Attended Irrigated Lands Regulatory Program Technical Issues Committee Meeting in Rancho Cordova

Dan Odenweller reported the following via subsequent written submittal:

- June 21, Spoke to Bill Jennings (CSPA) about work I did for NMFS regarding restoring anadromy to waters upstream of terminal dams. Sent him a copy of a draft strategy paper I had worked on in 2002-2003. Agreed to meet next week to go over the concepts.
- July 31, Spoke to Chuck Armor (CDFG) about the proposed submerged pipeline under the Delta, as an alternative to the Peripheral Canal.
- August 7, Met Bill Jennings for lunch in Stockton. Discussed the proposed facilities in the Delta, and the merits of the proposals as currently defined.

Soapy Mulholland said that she was invited with 90 other individuals involved in Agriculture to come up with policies for 2050. She said she attended one day of the three-day meeting and was also asked to sit on the Home Range Conservation Board and said that she did not envision any conflicts.

PUBLIC FORUM

Jan Ennenga (Manufacturing Council), Martin Reyes (Stanislaus County Food Processing) and Bill Lyons (Mapes and Dos Rios Ranches) all expressed their appreciation for approval of the food processing general waiver and staffs' assistance in getting the waiver approved. They expressed the importance of having the waiver to allow the application of food processing byproducts for soil amendments.

David Cory (San Joaquin Valley Drainage Authority), expressed concerns regarding a UC Davis study on pesticide water quality criteria that had been developed under contract to the Central Valley Water Board. Mr. Cory requested that the cover letter that accompanies the final report clarify that the methodology will not be used to interpret narrative water quality objectives.

Stan Nader (Save Auburn Ravine and Steelhead) , distributed a letter to the board and asked that it be put in the file for the city of Auburn's waste water treatment plant. Mr. Nader expressed concern that the Cease and Desist order (R5 2008-0810) allows impacts to Auburn Ravine and impairs fish passage. He also indicated the city of Auburn has not shown interest in a regional pipeline. Member Maki indicated efforts have been made to support regionalization and revenue bonds have been sold to support that effort.

EXECUTIVE OFFICER'S REPORT

Executive Officer updated the Board of the following:

- (a) CV Salts Leadership meeting to be held on September 24 at the Sacramento City Council Chambers
- (b) Joint State Board/Regional Board Workshop in Redding on October 21-22
- (c) Water Quality Coordinating Committee Meeting (WQCC) to be held on October 26-27 at the State Water Board, CalEPA building at 1001 I Street, Sacramento
- (d) Updated the Board on some of the activities going on with the Governor's office and CalEPA, on Methane Co-Digestion projects in the Central Valley. Funding is needed to do a programmatic EIR and anti-degradation studies required to do the permitting necessary in a timely manner.
- (e) Told the Board that because of furlough days, since Board meetings have to be moved to Wednesdays and Thursdays, there can be quorum issues. She asked if the Board would be open to Panel hearings for some of the items which will consume significant amount of staff and Board time. Board members were in support of this idea.

CONTESTED CALENDAR

AGENDA ITEM 7

BASIN PLANNING

Non-Regulatory Amendments to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins to Correct Editing Errors and Update Language – *Consideration of Adoption of Proposed Amendments and Filing of Draft Environmental Documents*

A public hearing was held. No one came forward to verbally comment or contest this item.

Motion to adopt the amendments Made by: Vice -Chair Hart
Seconded by: Member Maki
Unanimously approved

Board Adopted Order Number R5-2009-0069

ENFORCEMENT

AGENDA ITEM 8

Jaime and Ramona Rodriguez Trust, Sacramento County – *Consideration of Administrative Civil Liability*

A public hearing was held. No one came forward to verbally comment or contest this item. Brett Stevens gave clarifying answers to the Board.

Motion to adopt ACL with revisions made by: Vice Chair Hart
Seconded by: Member Maki
Unanimously approved
Board Adopted Order Number R5-2009-0070

AGENDA ITEM 9

Elgin Mercury Mine, Colusa County – *Consideration of a Cleanup and Abatement Order*

Victor Izzo presented the staff report and answered clarifying questions for the Board. Ronald Suess of Elgin Energy Company gave additional testimony.

Motion to adopt with late revisions made by: Member Maki
Seconded by: Vice-Chair Hart
Unanimously approved
Board Adopted Order Number R5-2009-0071

AGENDA ITEM 10

Clyde Mine, Colusa County – *Consideration of a Cleanup and Abatement Order*

A public hearing was held. No one came forward to verbally comment or contest this item.

Motion to adopt CAO with late revisions made by: Vice-Chair Hart
Seconded by: Member Maki
Board Adopted Order Number R5-2009-0072

WASTE DISCHARGE REQUIREMENTS

AGENDA ITEM 11

Sutter Home Winery, Sutter Home Winery Westside Facility, Wastewater Treatment Facility, San Joaquin County – *Consideration of Revised Waste Discharge Requirements*

A public hearing was held. No one came forward to verbally comment or contest this item.

Motion to adopt WDR with late revisions made by: Member Mulholland
Seconded by: Member Maki
Unanimously approved
Board Adopted Order Number R5-2009-0073

NPDES PERMITS

AGENDA ITEM 12

City of Angels Wastewater Treatment Plant, Calaveras County – *Consideration of Order Amending Waste Discharge Requirements Order No. R5-2007-0031 (NPDES No. CA0085201)*

A public hearing was held. James Marshall presented the staff report. Gary Ghio (City of Angels), Jack Lynch (Mayor of City of Angels Camp), Richard McHenry (CSPA), George Fry gave additional testimony. Diana Messina summarized the presentation.

Motion to adopt the Permit with late revisions made by: Member Maki
Seconded by: Member Mulholland
Unanimously approved
Board Adopted Order Number R5-2009-0074

AGENDA ITEM 13

City of Williams Wastewater Treatment Plant, Colusa County – *Consideration of Order Amending Waste Discharge Requirements Order No. R5-2008-0185 (NPDES No. CA0077933)*

A public hearing was held. No one came forward to verbally comment or contest this item.

Motion to adopt made by: Member Maki
Seconded by: Member Bell
Unanimously approved
Member Mulholland was not present during the vote.
Board Adopted Order Number R5-2009-0075

ENFORCEMENT

AGENDA ITEM 14

Tehama Market Associates, LLC and Albert Garland, Linkside Place Subdivision, Butte County – *Reconsideration of Administrative Civil Liability Order*

A public hearing was held. Legal Counsel Patrick Pulupa and Jim Pedri provided the matter for reconsideration and Legal Counsel, Emel Wadhvani provided input as the Board Advisor. Ken Petruzzelli gave additional testimony.

Motion to adopt Administrative Civil Liability Order with late revisions, made by: Member Mulholland
Seconded by: Vice-Chair Hart
Unanimously approved
Board Adopted Order Number R5-2009-0076

CLOSED SESSION

The Board met in closed session to discuss the matter of Central Valley Water Board v. River Highlands; and one matter where there is a significant exposure to litigation.

AGENDA ITEM 15

Triennial Review of the Water Quality Control Plan for the Sacramento and San Joaquin River Basins – Workshop to Receive Comments

A public workshop was held to receive public comments and direction from the Board. Betty Yee presented the staff report. Valerie Kincaid, Karna Harrigfeld, Ed Cheslak, Steve Bayley and Ken Petruzzelli made additional comments.

UNCONTESTED CALENDAR

ENFORCEMENT

AGENDA ITEM 16

Nevada County Sanitation District No. 1, Penn Valley Wastewater Treatment Facility, Nevada County – *Consideration of a Cease and Desist Order*

A public hearing was held. No one came forward to verbally comment or contest this item.

Motion to adopt CDO made by: Vice-Chair Hart
Seconded by: Member Maki
Approved by roll call vote of 7-0-0
Board Adopted Order Number R5-2009-0077

AGENDA ITEM 17

Chester Public Utility District, Chester Wastewater Treatment Plant, Plumas County

- *Consideration of Uncontested Renewal of Waste Discharge Requirements (NPDES No. CA0077747)*
- *Uncontested Rescission of Cease and Desist Order No. R5-2004-0051*
- *Adoption of New Cease and Desist Order*

A public hearing was held. No one came forward to verbally comment or contest this item.

Motion to adopt WDR Permit made by: Member Mulholland
Seconded by: Member Maki
Unanimously approved
Board Adopted Order Number R5-2009-0078

Motion to adopt CDO made by: Vice-Chair Hart
Seconded by: Member Maki
Approved by roll call vote of 7-0-0
Board Adopted Order Number R5-2009-0079

Motion to adopt Rescission of CDO made by: Vice-Chair Hart
Seconded by: Member Mulholland
Approved by roll call vote of 7-0-0
Board Adopted Order Number R5-2009-0080

AGENDA ITEM 18

Exxon Mobil Production Company, Hill Lease, South Belridge Oil Field, Kern County – *Consideration of Rescission of Cease and Desist Order No. R5-2006-0064*

A public hearing was held. No one came forward to verbally comment or contest this item.

Motion to adopt Rescission of CDO made by: Vice-Chair Hart
Seconded by: Member Maki
Approved by roll call vote of 7-0-0
Board Adopted Order Number R5-2009-0081

AGENDA ITEM 19

WASTE DISCHARGE REQUIREMENTS FOR CONFINED ANIMAL FACILITIES

- a) Weststeyn Dairy Farm, Glenn County (New) - **Board Adopted Order Number R5-2009-0082**
- b) Red Rock Dairy, Merced County (New) - **Board Adopted Order Number R5-2009-0083**
- c) Veldhuis North Dairy, Merced County (New) - **Board Adopted Order Number R5-2009-0084**

AGENDA ITEM 20

WASTE DISCHARGE REQUIREMENTS

- a) General Waste Discharge Requirements for Maintenance Dredging Operations Sacramento-San Joaquin Delta; Contra Costa, Sacramento, and San Joaquin Counties (new)
Board Adopted Order R5-2009-0085
- b) Foster Poultry Farms, Livingston Chicken Processing Complex Wastewater Treatment Facility, Merced County (new)- **Board Adopted Order R5-2009-0086**
- c) City of Bakersfield, Wastewater Treatment Plant No. 3, Kern County (revised)-
Board Adopted Order R5-2009-0087

- d) North of River Sanitary District No. 1 and Sills Properties, Inc., Wastewater Treatment Facility and Water Reclamation, Kern County (revised)- **Board Adopted Order R5-2009-0088**
- e) Coffman Specialties, Inc. and Teichert Construction Company, Boreal Temporary Batch Plant and Concrete/Asphalt Recycling Site, Nevada County (revised individual waiver)- **Board Adopted Order R5-2009-0089**

AGENDA ITEM 21

UNCONTESTED NPDES/WDR RESCISSIONS- Board Adopted Order R5-2009-0090

- a. Sacramento Equestrian Center, Greenbrier Farms, Ltd, North Natomas 523 Investors, Sacramento County – WDR Order No. 5-00-061-Board adopted Order R5-2009-00
- b. Theodore Cook, Cook Valley Ranch Wastewater Treatment Plant, Calaveras County – WDR Order No. 5-01-147
- c. Purity Oil Sales, Fresno County – Order No. R5-2006-0080
- d. Sacramento Municipal Utility District, Rancho Seco Nuclear Generating Station, Unit 1, Sacramento County – Order No. R5-2007-0016 (NPDES No. CA0004758)
- e. Contra Costa Water District, California Department of Water Resources, and Ironhouse Sanitary District, Contra Costa Canal Replacement Phase I Dewatering Discharge to Land, Contra Costa County –Resolution No. R5-2007-0178

AGENDA ITEM 22

CHANGE OF NAME AND OR OWNERSHIP- Board Adopted Order Number R5-2009-0091

- a) Gravilo Spaich, California Prune Packing Company, Sutter County – WDR Order No. 94-337
- b) OLAM Tomato Processors, Inc., Kings County – Order No. 2007-0157

A public hearing was held. No one came forward to verbally comment or contest the uncontested items 19 through 22

Motion to adopt uncontested items 19 through 22 made by: Member Mulholland
Seconded by: Member Maki
Unanimously approved

The meeting adjourned at 3:00 p.m. to the October 7/8 Board Meeting

Respectfully submitted by Kiran Lanfranchi-Rizzardi, Board Secretary