



CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

MINUTES OF BOARD MEETING

December 6/7 2012
11020 Sun Center Drive, Suite 200
Rancho Cordova, California

THURSDAY, DECEMBER 6, 2012

CALL TO ORDER

Chair, Dr. Longley called to order the 523rd 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

Longley, Karl, Chair
Ramirez, Carmen

Meraz, Sandra

Moffitt, Jennifer Lester

Schneider, Robert

BOARD MEMBERS ABSENT

Costantino, Jon

STAFF PRESENT

| | | | |
|-------------------|----------------------|-----------------|------------------|
| Cady, Mark | Hatton, Scott | Mayer, Alex | Rosenbaum, Steve |
| Chilcott, Jeanne | Holmes, Kari | McConnell, Sue | Shelton, Kristi |
| Corrall, Gilberto | Jimmerson, Dania | Mello, Joe | Smith, Bryan |
| Coupe, David | Karkoski, Joe | Messina, Diana | Soto, Bethany |
| Crandall, Robert | Landau, Ken | Olson, Anne | Wyels, Wendy |
| Creedon, Pamela | Lanfranchi, Kiran | Palmer, Josh | Yee, Elizabeth |
| Fong, Stephanie | Loncarovich, Richard | Phiri, Aimee | |
| Getachew, Girma | MacDonald, Alex | Pulupa, Patrick | |
| Hartman, Jelena | Mamidi, Anand | Radulescu, Dan | |
| Hartsell, Mardy | Marshall, Jim | Rodgers, Clay | |

OTHERS PRESENT

| | | | |
|-----------------|-------------------|----------------------|-----------------------|
| Arenz, John | Douglas-Fry, Joan | Maan, Asif | Spahler, Donald |
| Atherstone, Jim | Dunham, Tess | Meadors, Corrine | Spear, Donald |
| Bryant, Michael | Granat, Amy | Montgomery, Jennifer | Sweeney, Jack |
| Burgis, Diane | Hardy, Kathy | O'Brien, Art | Thornborough, Richard |
| Cory, David | Hunt, Drew | Schambach, Karen | Webster, Debbie |
| Crane, Brian | Laurent, Laurie | Smith, Linda | Westcot, Dennis |

APPROVAL OF MINUTES

October 4/5 Board meeting

The minutes of the 522nd Regular Board meeting on October 4/5 were approved as written.
Motion by Member Moffitt, seconded by Member Ramirez
Member Meraz abstained from voting as she was not present at the meeting
Approved by a vote of 4-0-0

October 24 Triennial Review

Minutes of the Triennial Review workshop on October 24 was approved as written.
Motion by Member Ramirez, Seconded by Chair Longley

**AGENDA ITEM 3
BOARD COMMUNICATION**

Member Schneider acknowledged staff's efforts in putting together the Board workshops in Buttonwillow and Bakersfield, followed by the current board meeting.

Chair Longley said that he will submit his communications in writing. He stated that his focus mostly has been on CV SALTS and The Governor's Drinking Water policy initiative.

Member Moffitt reported that on October 22, she met with Bruce Houdesheldt.

Member Meraz reported that she attended an Assembly meeting on Environmental toxicity on November 14

**AGENDA ITEM 4
PUBLIC FORUM**

Jennifer Montgomery, (County of Placer) gave a brief update on Placer County's progress on their regionalization project.

Corrine Meadows (Folsom Resident) spoke about a situation regarding a stench coming from an area along the American River Trail in Folsom, while she was running.

Chair Longley asked Executive Officer to give some insight into this matter. Executive Officer said that there have been numerous complaints and staff has been out there, with the State Board to do an inspection, However, no evidence has been found to support the complaints.

LJ Laurents spoke about her continued concerns with the city of Folsom's sewer lines and the capacity of spills and overflows from the Lake Natoma Pump Station.

**AGENDA ITEM 5
EXECUTIVE OFFICER'S REPORT**

Executive Officer Creedon presented Superior Accomplishment awards to the following staff:

1. Girma Getachew
2. Roberto Corral
3. Scott Hatton

Chair Longley presented a resolution to outgoing Assistant Executive Officer, Rick Moss, who recently retired.

**AGENDA ITEM 6
OTHER BUSINESS**

El Dorado County and the U.S. Forest Service, *Update on the Status of the Rubicon Trail Cleanup and Abatement Order (CAO R5-2009-0030)-Informational Item only.*

Wendy Wyels presented the staff report. Jack Sweeney and Don Spear made a presentation on accomplishments. Kathy Hardy (Eldorado National Forest), Richard Thornburgh, Amy Granat, Karen Schambach, Donald Apahler, John Arenz gave additional testimony.

AGENDA ITEM 7

Overview of the California Department of Food and Agriculture's Fertilizer Research and Education Program – *Informational Item Only*

Joe Karkoski made introductory remarks and introduced Dr. Asif Maan, who provided an overview on Managing Agricultural Nitrogen and Fertilizer Research and Education program. David Cory made additional comments.

AGENDA ITEM 8

2013 Joint Triennial Review of the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin – *Workshop to Receive Comments*

Betty Yee and Bethany Soto presented the staff report. Debbie Webster (CVCWA), Denis Westcot, Linda Smith and David Cory made additional comments.

AGENDA ITEM 9

**WASTE DISCHARGE REQUIREMENTS
BOARD ADOPTED ORDER R5-2012-0111**

Clean Harbors Buttonwillow, LLC, Buttonwillow, Kern County – *Consideration of an Order to Amend Special Order 98-165 For Closure of Class II Waste Management*

This item was resolved at the workshop in Fresno, on November 29, 2012.

**AGENDA ITEM 10
ENFORCEMENT**

City of Redding, Clear Creek Wastewater Treatment Plant, Stillwater Wastewater Treatment Plant, and the City of Redding Sanitary Sewer System (NPDES Permits R5-2003-0130, R5-2010-0096, and R5-2007-0058, State Board General Order WQ-2006-0003), Shasta County, *Consideration of Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order*

Julie Macedo presented the staff report. Brian Crane (City of Redding), Trev Hunt (CSPA) and Cris Carrigan gave additional testimony.

*Motion to adopt the Settlement Agreement and Stipulation of Entry of ACL Order, with amendments, Made by
Member Schneider
Seconded by Member Ramirez
Unanimously approved
BOARD ADOPTED ORDER R5-2012-0112*

**AGENDA ITEM 11
NPDES PERMITS**

City of Brentwood, Wastewater Treatment Plant, Contra Costa County – *Consideration of Order Amending Waste Discharge Requirements Order R5-2008-0006 (NPDES Permit No. CA 0082660) and New Time Schedule Order*

Dania Jimmerson presented the staff report. Art O'Brien (Roberts and Brian), Diane Burgis and Joan Douglas, Michael Bryant gave additional testimony.

*Motion to Amending WDR and new TSO, with late revisions, Made by Member Moffitt
Seconded by Member Ramirez
Unanimously approved
**BOARD ADOPTED ORDER (AMENDMENT) R5-2012-0113
BOARD ADOPTED ORDER (TSO) R5-2012-0114***

Board meeting adjourned at 3:32 pm to the next day.

FRIDAY, DECEMBER 7 – 8:30 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 523rd 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

Costantino, Jon, Vice-Chair Longley, Karl, Chair Moffitt-Jenny Lester Ramirez, Carmen
Schneider, Robert

BOARD MEMBERS ABSENT

None

STATE BOARD MEMBERS PRESENT

Doduc, Tam

STATE BOARD STAFF PRESENT

Carrigan, Cris Howard, Ellen Macedo, Julie

STAFF PRESENT

| | | | |
|------------------|-------------------|------------------|----------------|
| Coupe, David | Karkoski, Joe | Messina, Diana | Soto, Bethany |
| Crandall, Robert | Landau, Ken | Palmer, Josh | Wyels, Wendy |
| Creedon, Pamela | Lanfranchi, Kiran | Pulupa, Patrick | Yee, Elizabeth |
| Fong, Stephanie | Mamidi, Anand | Radulescu, Dan | |
| Hartsell, Mardy | Marshall, Jim | Rodgers, Clay | |
| Holmes, Kari | Mayer, Alex | Rosenbaum, Steve | |
| Jimmerson, Dania | McConnell, Sue | Smith, Bryan | |

OTHERS PRESENT (See attached list)

AGENDA ITEM 14

BOARD COMMUNICATION

Chair Longley submitted this via written submittal

- 6 October, Participated in meeting of Governor's Drinking Water Stakeholder Group, Sacramento
- 11 October, Tour of Tulare Lake Basin (TLB) Farms in Fresno County sponsored by TLB ILRP for purpose of viewing farming practices pm farms in Fresno County
- 18 October, Attended CV SALTS Executive Committee Meeting, Sacramento County Regional Sanitation District
- 24 October, Participated as member in Central Valley Regional Water Quality Control Board workshop, Fresno, CA (RB5F)
- 31 October, Participated in WQCC Delta Tour
- 1-2 November, Participated in WQCC meeting, CalEPA, Sacramento
- 9 November, Participated in meeting of Governor's Drinking Water Stakeholder Group, Sacramento
- 13 November, California/Federal Dairy Digester Working Group. Finalize Statement of Principles, Conference Call
- 13 November, Participated in Waterboard Chair's meeting, Conference Call
- 15-16 November, Moderated Salinity and Nitrate Research Conference, CalEPA, Sacramento
- 20 November 2012, California-Federal Biodigester Regulatory Working Group, CDFA, Sacramento
- 27 November, Participated in meeting of Governor's Drinking Water Stakeholder Group, Sacramento
- 28 November, Presented on behalf of California Council on Science & Technology to California Water Monitoring Council, CalEPA, Sacramento

- 29 November, Participated in Special Central Valley Regional Water Quality Control Board Regular meeting, Buttonwillow, CA
- 30 November, Participated in Special Central Valley Regional Water Quality Control Board Regular meeting and workshop, Bakersfield

AGENDA ITEM 15

PUBLIC FORUM

Allen Wade (Save the American River) reported that there were smells along the American River trail. He urged the Board to pay attention and continue to monitor the situation in Folsom.

Dr. Longley said that Wendy Wyels was very diligent and will be on top on the case. Wendy will report any findings to the Board.

AGENDA ITEM 16

EXECUTIVE OFFICER’S REPORT

Nothing to report

AGENDA ITEM 17

APPOINT A CHAIR NOMINATING COMMITTEE

Chair Longley said that the Porter-Cologne Act requires the Board to elect a chair at its first meeting each year. This Board appoints a committee of two to lead in the election of the Board Chair and Vice-Chair.

Chair Longley asked for volunteers for the committee. Members Schneider and Ramirez volunteered to take on the task.

AGENDA ITEM 18

Approval of Uncontested Items 22 through 28

(See below under Uncontested items)

AGENDA ITEM 19

NPDES PERMIT

City of Tracy, Wastewater Treatment Plant, San Joaquin County – *Consideration of NPDES Permit Renewal (NPDES Permit No. CA0079154)*

Kari Holmes presented the staff report. Steve Bailey (City of Tracy), Melissa Thorme, Jim Marshall, Diana Messina, Debbie Webster (CVCWA), and Tess Dunham (Somach Simms and Dunn) gave additional testimony.

*Motion to adopt NPDES Permit with late revisions Made by Member Moffitt
Seconded by Member Meraz
Vice-Chair Costantino abstained
Unanimously approved*

BOARD ADOPTED ORDER R5-2012-0115

AGENDA ITEM 20

OTHER BUSINESS

Status of the Proposition 84 Agricultural Water Quality Grant Program – *Informational Item Only*

Joe Karkoski introduced Parry Klassen (East San Joaquin), who made a power point presentation to the Board.

AGENDA ITEM 21

WASTE DISCHARGE REQUIREMENTS

Waste Discharge Requirements General Order For Growers In The Eastern San Joaquin River Watershed That Are Members Of The Third-Party Group – *Consideration of adoption of the General Order*

Adam Laputz presented the staff report. Sandra Schubert (Under Secretary, CDFA), Parry Klassen (East San Joaquin Coalition), Bob Mikkelson, Tess Dunham (Somach Simms and Dunn) Laurel Firestone, (Community Water Center). Louise Mddin, Carmen Garcia, Mercy Alonzo, Bertha Martinez, Sandra Garcia, Anna Maria,

Martha Carillo, Michael Bravo, Sr., Abigail Solis, Maria Diaz, Omar Kario, Walter Ramirez, Amparo, Alisa Colman, Renee Ganel, Kari Fisher, Jennifer Spaletta, Casy Creamer, Rodger Isom and David Cory, J.P. Cativiela and Jennifer Clary gave additional testimony and comments.

*Motion to adopt with all the amendments Made by Vice-Chair Costantino
Seconded by Member Ramirez
Unanimously approved*

BOARD ADOPTED ORDER R5-2012-0116

UNCONTESTED CALENDAR

AGENDA ITEM 22 ENFORCEMENT

Rio Alto Water District, Lake California Wastewater Treatment Plant, Tehama County, *Amendment to Cease and Desist Order R5-2010-0104*

BOARD ADOPTED ORDER R5-2012-0117

AGENDA ITEM 23 NPDES PERMITS

Metropolitan Stevedore Company, Port of Stockton Facility, San Joaquin County – *Consideration of New NPDES Permit (NPDES Permit CA0084174)*

BOARD ADOPTED ORDER R5-2012-0118

AGENDA ITEM 24 WASTE DISCHARGE REQUIREMENTS

Olam Tomato Processors, Inc., and Westlake Farms, Inc., Olam Tomato Processing Lemoore Plant, Kings County – *Consideration of Resolution approving an Initial Study and Negative Declaration and Waste Discharge Requirements Order R5-2007-0157 – (revised)*

BOARD ADOPTED ORDER (Initial Study) R5-2012-0119

BOARD ADOPTED ORDER (WDR)R5-2012-0120

AGENDA ITEM 25 WASTE DISCHARGE REQUIREMENTS

- a. City of Avenal and Madera Disposal Systems, Inc., City of Avenal Municipal Solid Waste Landfill, Order R5-2005-0023, Kings County, (revised)
BOARD ADOPTED ORDER R5-2012-0121
- b. City of Lindsay, SWORLCO, LP, and Edward and Edna Brower Revocable Trust, SWORLCO Land Application Site, Tulare County, Order 85-203 (revised)
BOARD ADOPTED ORDER R5-2012-0122
- c. County of Kern, China Grade Sanitary Landfill, Post-Closure Maintenance and Corrective Action, Kern County, (revised)
BOARD ADOPTED ORDER R5-2012-0123
- d. Grimmway Enterprises, Inc., Cal-Organic Facility, Kern County, (new)
BOARD ADOPTED ORDER R5-2012-0124
- e. Hume Lake Christian Camps, Inc., Wastewater Treatment Facility, Fresno County, Order 94-106 (revised) **BOARD ADOPTED ORDER R5-2012-0125**
- f. Villa Toscano, Inc. Villa Toscano Winery (WDR Order R5-2002-0169) (revised)
BOARD ADOPTED ORDER R5-2012-0126

AGENDA ITEM 26

**CEASE AND DESIST (CDO), TIME SCHEDULE (TSO), CLEANUP AND ABATEMENT (CAO) ORDERS
RESCISSIONS**

- a. City of Colusa, Colusa County, CDO R5-2002-0021 and TSO R5-2007-0074
BOARD ADOPTED ORDER R5-2012-0127
- b. City of Nevada City, Nevada County, CDOs R5-2002-0051 and R5-2002-0052-A01 **BOARD
ADOPTED ORDER R5-2012-0128**
- c. City of Williams, Colusa County, Time Schedule Order R5-2007-0096 and Resolution
R5-2008-0139 **BOARD ADOPTED ORDER R5-2012-0129**
- d. City of Yuba City, Sutter County, CDO R5-2003-0086
BOARD ADOPTED ORDER R5-2012-0130
- e. River Highlands Community Services District and Gold Village Land Development, LLC, Yuba
County, CDO R5-2002-0102 and CAO R5-2006-0730.
BOARD ADOPTED ORDER R5-2012-0131
- f. Sacramento Area Sewer District, Walnut Grove Wastewater Treatment Plant, Sacramento
County, TSO Order R5-2008-0163
BOARD ADOPTED ORDER R5-2012-0132
- g. United Auburn Indian Community, Thunder Valley Casino, Placer County, CDO R5-2005-0033
BOARD ADOPTED ORDER R5-2012-0133
- h. University of California, Davis, Yolo County, CDO R5-2003-0004 and R5-2003-0004 Amendment
No. 1 **BOARD ADOPTED ORDER R5-2012-0134**

AGENDA ITEM 27

WDR/NPDES RESCISSIONS

BOARD ADOPTED ORDER R5-2012-0135

- a. Calaveras Trout Farm, Inc., Merced Irrigation District, Merced County, Order R5-2004-0019 (CA0081752)
- b. Equilon Enterprises, Inc., LLC (dba Shell Oil Products US), Kern County, Order R5-2008-0012
(CA0084883)
- c. Seville Olive Company (Seville), Tulare County, Order 82-74

AGENDA ITEM 28

CHANGE OF NAME AND OR/OWNERSHIP

BOARD ADOPTED ORDER R5-2012-0136

- a. Virginia Matthews, Gateway Trailer Park, WDR Order 97-10-DWQ-R5033
- b. Morris "Bud" Keeney, Rancho Sol Tierra Subdivision, WDR Order 97-10-DWQ-R5100
- c. Yuba Sutter Disposal, Incorporated Landfill, Yuba County WDRs Order R5-2003-0093
- d. Fairmead SWDS, Madera County Engineering, Madera County, Order R5-2004-0161

A public hearing was held. No one came forward to comment on or contest uncontested items 22 through 28.

*Motion to adopt uncontested items 22 through 28 with late revisions on agenda item 24, Made by Member Moffitt
Seconded by Member Ramirez
Approved by roll call vote of 6-0-0*

The meeting adjourned at 5:45 p.m to the January 31/February 1 meeting

Respectfully submitted by

Kiran Lanfranchi-Rizzardi