

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

**BOARD MEETING MINUTES
22/23 SEPTEMBER 2010
510TH Regular Meeting**

WEDNESDAY SEPTEMBER 22, 2010

CALL TO ORDER

Chair, Kate Hart called to order the 510th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Suncenter Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Kate Hart, Chair	Cheryl Maki, Vice-Chair	Julian Isham	Karl Longley
Dan Odenweller	Robert Walters	Sandra Meraz	

BOARD MEMBERS ABSENT

STAFF PRESENT

A. Marc Comondatore	Chris Foe	Joe Karkoski	Pamela Creedon
Adam Laputz	Christine Joab	Ken Landau	Rick Moss
Alex MacDonald	Clay Rodgers	Kiran Lanfranchi	Robert Crandall
Betty Yee	Dan Radulescu	Lani Andam	Ron Holcomb
Brett Stevens	Diana Messina	Lonnie Wass	Zhimin Lu
Brian Newman	Jennifer LaBay	Pam Buford	

OTHERS PRESENT

Art O' Brian	Dave Dawson	Harry Tow	Michael Bryan
Bernie Schroeder	Dave Larson	Jack Sanchez	Mike Wackman
Bill Thomas	David Atkinson	James Durfee	Parry Klassen
Bill Zimmerman	David Orth	Justin Oldfield	Rich Stowell
Brian Morris	Elizabeth Sablad	Kevin Bell	Roberta Larson
Bruce Houdesheldt	Ellen Trescott	Laurel Firestone	Tiffany Kraft
Ceil Howe Jr.	Eric Ziegler	Martha Guzman	Will Dickinson
Dan Rich	Grace Chan	Megan Siren	

APPROVAL OF 29 JULY, 2010 MINUTES

Motion to approve 29 July 2010, Board Meeting Minutes made by Member, Dr. Longley
Seconded by Vice-Chair Maki
Unanimously approved

Member Meraz abstained because she was not present at the last Board meeting.

Agenda items 3 through 6 were postponed until the next day

AGENDA ITEM 7

City of Auburn Wastewater Treatment Plant, Placer County – *Consideration of NPDES Permit Renewal and Cease and Desist Order (NPDES No. CA0077712)*

Before this hearing David Coupe, Legal Counsel asked Vice-Chair Maki the following questions:

- a) Have you had any impermissible ex parte contact pertaining to the City of Auburn's NPDES Permit and Cease and Desist Order that the Central Valley Water Board is being asked to consider today for adoption?
- b) As a board member do you believe that you can fairly and impartially consider adoption of the City of Auburn's NPDES Permit and Cease and Desist Order with no bias or preconceived interest?

Vice-Chair replied that she did not, and that she will have no problem considering the permit without bias.

A public hearing was held. Audrey Signorelli, presented the staff report. Diana Messina answered clarifying questions for the Board. Bernie Schroeder (City of Auburn), Dan Rich (City of Auburn), Rich Stowell (Ecologic Tech Engineering), Elizabeth Sablad (USEPA), Art O' Brien (Kings River Conservation District), Jack Sanchez (SARSAS), Dr. Michael Bryan (Placer County) and Ken Landau gave additional testimony.

Motion to Adopt NPDES Permit with revisions, made by Member, Dr. Longley
Seconded by Member, Meraz
Approved by roll call vote of 6-1-0
Board Adopted Order Number- R5-2010-0090

Motion to Adopt CDO made by Member, Dr. Longley
Seconded by Member, Vice-Chair, Maki
Approved by roll call vote of 7-0-0
Board Adopted Order Number- R5-2010-0091

AGENDA ITEM 8

Placer County Facilities Sewer District, Sewer Maintenance District No. 1 WWTP, Placer County –
Consideration of NPDES Permit Renewal and Cease and Desist Order (NPDES No. CA0079316)

A public hearing was held. Diana Messina presented the staff report. Jim Durfee (Placer County Sewer Maintenance District 1), Bobbi Larson (Placer County), Dr. Michael Bryan (Placer County) and Elizabeth Sablad (USEPA) gave additional testimony.

Motion to adopt the NPDES Permit with late revisions made by Member, Walters,
Seconded by Member, Isham
Approved by Roll call vote of
Board Adopted Order Number- R5-2010-0092

Motion to Adopt CDO made by Member Walters
Seconded by Member Isham
Approved by roll call vote of 5-1-0
Board Adopted Order Number- R5-2010-0093

The Board recessed for Lunch at 1:05 p.m.

Meeting resumed at 1:54 p.m. Vice-Chair Maki had left for the day and was not present for the continuation of this hearing

AGENDA ITEM 9

County Sanitation Districts of Los Angeles County, Westlake Farms Composting Facility, Kings County – *Consideration of New Waste Discharge Requirements*

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

Motion to adopt the resolution with late changes made by Member, Dr. Longley
Seconded by Member, Walters
Unanimously approved

Board Adopted Order Number- R5-2010-0094

NPDES PERMITS

AGENDA ITEM 10

Irrigated Lands Regulatory Program – Status of the Long Term Program– Informational Item

Adam Laputz presented the staff report. Bruce Houdesheldt (Northern CA Water Association), Parry Klassen (East San Joaquin Water Quality Coalition), Dave Orth (South San Joaquin Water Quality Coalition), Laurel Firestone (Environmental Justice), Mike Wackman (San Joaquin County), Bill Thomas (South San Joaquin Water Quality Coalition) and Joe Karkoski made additional comments.

The Board gave direction to staff as to the next steps

AGENDA ITEM 11

Groundwater Quality Protection Strategy for the Central Valley Region, a “Roadmap” – *Consideration of Resolution to approve the Groundwater Quality Protection Strategy for the Central Valley Region*

A public hearing was held. Pam Buford presented the staff report. Laurel Firestone (Community Water Center) and Dave Orth (Kings River Conservation District) gave additional testimony.

Motion to adopt Resolution made by Member, Dr. Longley
Seconded simultaneously by Members, Walters and Odenweller
Unanimously approved

The meeting adjourned at 5:35 p.m. to the next day.

THURSDAY 23 SEPTEMBER 2010

Chair, Kate Hart called to order the 510th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Suncenter Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Kate Hart, Chair Julian Isham Karl Longley Sandra Meraz
Dan Odenweller Robert Walters

BOARD MEMBERS ABSENT

Cheryl Maki

STAFF PRESENT

Alex Mayer	Diana Messina	Josh Palmer	Mary Boyd
Anand Mamidi	Gayleen Perreira	Kathleen Harder	Pamela Creedon
Anne Olson	Guy Childs	Ken Landau	Patrick Pulupa
Cliff Raley	James Marshall	Kiran Lanfranchi	Rick Moss
David Coupe	Jerry Bruns	Lixin Fu	Wendy Wyels

OTHERS PRESENT

Art O'Brien	Dan Henrichs	Elizabeth Sablad	Robert Wesmeyer
Bill Brostoff	Dean Sherrill	Greg Holliday	Roberta Larson
Bo Dahlburg	Debbie Webster	Jennifer Warren	Scott Parker
Brian Parlsen	Dennis Longhofer	Melissa Harris	Stan Grycels
Craig B	Diane Dillon	Peggy Brook	Tom Dalziel
Dan Cloak	Don Ridenour	Phil Hoffmeister	

AGENDA ITEM 6

DISCUSS BOARD CALENDAR FOR 2011

The Board approved the first two meetings for 2011 as follows:
February 2, 3 and 4
April 6, 7 and 8

AGENDA ITEM 14

BOARD MEMBER COMMUNICATIONS

Member Odenweller said that he submitted most of his communication in writing but highlighted some points as follows:

Attended the Stewardship Council meetings, and said that the Board's involvement is quite useful. He would like to continue attending these meetings if he can do so. He asked for feedback as to how to go about reversing an action taken at a Board meeting if we decided to change our minds. He also said that we need to define two words, *practical* and *practicable*, and to be careful how we use them.

Member Odenweller submitted the following via subsequent written submittal:

- 30 July, called Bill Jennings, CSPA, to see how he was doing, as he missed the August Board meeting. He was fine, but busy. We will try to get together for coffee over the weekend.
- 2 August, spoke to Brent Bridges, USBR, cancelled our meeting on the history of the projects in the Delta.
- 3 August, spoke to Chuck Armor (CDFG) about the SWRCB hearing and their decision yesterday, dealing with flows in the Delta.
- 6 August, Called Chuck Armor seeking a current number for Pat Coulston, no luck, left a message.
- 7 August, Chuck Armor called with a number for Pat Coulston. We discussed the SWRCB Delta flow decision, and the fallout from the report.
- Met for coffee with Bill Jennings (CSPA), discussed the Delta flow report and the SWRCB action to accept the report.
- 9 August, took a call from Pat Coulston, who is now working for CDFG again, on Delta issues. Spoke briefly and sent him an e-mail.
- 12 August, Breakfast with Jim Long (CDWR), none of the rest of the group was able to attend. Discussed fish screening in progress.
- Attended the CVFFTCC meeting, the Delta Monitoring meeting, and the CV Salts Executive Committee meetings in Sacramento.
- Evening, attended the Stockton Corral of the Westerners barbeque at Spenkers Winery. No Board related issues were discussed.
- 16 August, participated in the Stewardship Council Planning subcommittee teleconference to set agenda for 8/18/2010.

- Spoke to Patrick Pulupa (Staff Counsel) about procedural issues and our Board hearings. He asked for the week to put together an answer, furloughs were reinstated, and it will be a bit longer, sometime the following week (8/27/10).
- August 18, attended the Stewardship Council Planning Committee meeting in Sacramento No Board related issues were discussed.
- Had dinner with Steve Fentress at Domo Arigato, a new restaurant in Lincoln Center. No Board issues were discussed.
- 19 August, spoke by telephone with Chuck Armor (CDFG) about staffing changes at the Department, and the competing analyses of the causal effects of the decline in productivity of the Estuary.

Member, Dr. Longley:

Member, Dr. Longley said that he submitted his communication in writing but wanted to highlight some points. He said that he attended the Irrigated Lands Regulatory program workshops in Rancho Cordova and Modesto. He also attended the Pacific Southwest Organics Residual annual conference and served as a moderator. The conference addressed bio-solids issue, addressing cross media issues, which this Board will be contending with more and more. He said that there will be a paper published and he will make that available.

Dr Longley submitted the following via written submittal:

- 9 August, Participated in conference on CV-SALTS Funding and Fundraising Subcommittee
- 12 August, attended CV-SALTS Technical Advisory Committee, Executive Committee, and Public Education and Outreach Committee Meetings
- 16 August, participated in conference call on CV-SALTS Leadership Group Subcommittee
- 31st August
- 9 September, attended the Irrigated Lands Regulatory Program workshop in Modesto
- 10 September, attended the Irrigated Lands Regulatory Program workshop in Rancho Cordova
- 14-15 September, attended the Pacific Southwest Organics Residual Symposium (served as symposium moderator and as member of panel addressing cross-media issues)
- 16 September, attended CV-SALTS Technical Advisory Committee, Executive Committee, and Public Education and Outreach Committee Meetings, at Sacramento County Sanitation District, and continued via teleconference
- 16 September presented at the California Water Environment Federation – Salinity Workshop in Modesto

Member Meraz reported that she attended the Irrigated Lands, EIR workshop in Tulare, on September 8

Member Isham reported that he attended the Dairy Digester meeting in Fresno in the first week of August

Member Walters submitted the following via subsequent written submittal:

Attended the Sacramento County's Fourth District local Community Cabinet meetings for the Month of September, with Pamela Creedon, Executive Officer, and Ken Landau, Assistant Executive Officer, These meetings are regularly held within the Supervisors District to inform and educate constituents about government. In the meetings Mrs. Creedon, Mr. Landau and I discussed the general role and responsibilities of the Central Valley Water Board and its geographic jurisdiction. We also discussed the general nature of the Board's responsibilities, powers and authority and responded to questions from those community members who were present.

- 9 September, attended with Ken Landau, Assistant Executive Officer in Antelope
- 10 September, attended with Pamela Creedon, Executive Officer, in Folsom
- 15 September, attended with Ken Landau in Fair Oaks
- 24 September, attended with Ken Landau in Citrus Heights

In addition to the above, met with Bruce Houdesheldt, Director of Regulatory Affairs for the Northern California Water Association, to discuss the CVWB in general. Mr. Houdesheldt discussed his specific responsibilities with the association as well.

Vice Chair Hart said that she will submit her communication via written submittal, however, pointed out that while listening to MPR, she heard about a researcher from UC Davis discussing antibiotics from dairy cows are getting into groundwater. She asked staff to look into it and give the Board an update.

To answer Chair Hart's question, Member Isham said that there was a recent report by USGS and Executive Officer concurred. She said that the Regional Valley Water Board had the report, which was from Thomas Harder, and that it was forwarded on to the Board Members as well. Executive Officer further said that at the November hearing, the State Board will be approving the CEC report, developed by SQUIRP in Southern California. Once that is in place, we will start issuing monitoring orders for CECs.

Chair Kate Hart submitted the following via written transmittal:

- 23 August, presented information at Save Auburn Ravine Salmon and Steelhead (SARSAS) Board, regarding what the Regional Board does.
- 13 September, Met with Phil Isenberg, Joe Grindstaff and other staff regarding Delta Stewardship Council
- 20 September, met for coffee, with Tim Johnson of California Rice Commission regarding the Commission's comments on the Long Term Irrigated Program. No substantive discussion regarding the subject matter was discussed. Copies of the same letter were distributed to other Board Members the same day. Discussion regarding the status of CV Salts program

**AGENDA ITEM 15
PUBLIC FORUM**

Art O'Brien, representing himself, as a simple citizen of Central Valley, to provide a perspective. He said that he recently returned from a relief trip to Haiti, who suffered a severe earthquake in January 2010. He worked with people there who face conditions that most of us can hardly even imagine. He showed a slide of a community in Haiti, illustrating a major creek, which they use for water, sewage disposal system and which is also their livestock feeding area. He said that the perspective that he has is for us to remember and to be thankful for what everybody in this room does, to take our environmental and public health stewardship to heart.

**AGENDA ITEM 16
EXECUTIVE OFFICERS REPORT**

Executive Officer pointed to page 2 of the EO report which mentions about the Central Valley Monitoring Directory Live, and online for the public. She said that it was the effort of Jeanne Chilcott and her staff in this office. She said that it is a significant progress in making information available to the public, and will help us in the future in our monitoring programs.

UNCONTESTED CALENDAR

**AGENDA ITEM 18
NPDES PERMIT**

City of Redding, Clear Creek Wastewater Treatment Plant, Shasta County – *Consideration of NPDES Permit renewal.* This item is being continued from the 27 May 2010 Board meeting.

Board Adopted Order Number R5-2010-0096

THIS ITEM WAS MOVED FROM THE CONTESTED CALENDAR TO THE UNCONTESTED CALENDAR

**AGENDA ITEM 22
NPDES PERMIT**

- a) City of Antioch, City of Brentwood, City of Oakley, Contra Costa County and Contra Costa County Flood Control and Water Conservation District; Contra Costa County (NPDES No. CAS083313) (renewal)

Board Adopted Order Number R5-2010-0102

**AGENDA ITEM 23
NPDES PERMIT WITH CEASE AND DESIST ORDER**

- a) Rio Alto Water District, Lake California Wastewater Treatment Plant, Tehama County – *Consideration of NPDES Permit Renewal and Adoption of Cease and Desist Order*

Board Adopted Order Number (NPDES Permit) - R5-2010-0103

Board Adopted Order Number (CDO) - R5-2010-0104

**AGENDA ITEM 24
CEASE AND DESIST ORDER RESCISSION**

- a) Mr. Nick Petsas and Lake Berryessa Enterprises, Inc. II., The United States Department of Interior, Bureau of Reclamation, dba Putah Creek Resort, Napa County – *Consideration of Rescission of Cease and Desist Order R5-2005-0002*

Board Adopted Order Number R5-2010-0105

**AGENDA ITEM 25
OTHER BUSINESS**

- a) Mutual Release and Covenant Not to Sue for Chacon's Auto Clinic Property, UST Case # 450122, in the City of Shasta Lake, Shasta County

Board Adopted Order Number R5-2010-0106

**AGENDA ITEM 26
TIME SCHEDULE ORDER**

- a) County of Tulare, Orsi Solid Waste Landfill, Tulare County – *Consideration of new Time Schedule Order*

Board Adopted Order Number R5-2010-0107

**AGENDA ITEM 27
WASTE DISCHARGE REQUIREMENTS**

- a) Sage Canyon LLC, Somerston Winery; Napa County (new)
Board Adopted Order Number R5-2010-0108
- b) James L. Schmitt 2008 Trust, Schmitt Family 1992 Revocable Trust, and Westside Skyline, Inc., dba Westside Aggregate, Eastside Aggregate Mine, Shasta County (new) ***Board Adopted Order Number R5-2010-0109***
- c) Orange Avenue Disposal, Inc., Orange Avenue Landfill, Fresno County, Order 5-00-234 (revision) ***Board Adopted Order Number R5-2010-0110***
- d) Merced County Regional Waste Management & Authority, Highway 59 Solid Waste Landfill, Merced County, Order R5-2006-0022 (revision)
Board Adopted Order Number R5-2010-0111

AGENDA ITEM 28

WDR RESCISSION

- a) Union Pacific Railroad Company, Dunsmuir Railyard, Siskiyou County – Order R5-2005-0016 (NPDES No. CA0083178)

Board Adopted Order Number R5-2010-0112

AGENDA ITEM 29

CHANGE OF NAME AND OR OWNERSHIP-

- a) Kelsey Ranch Reclamation Project, Merced River Mining and Reclamation Corp., Merced County, Order 94-036
- b) Lebec Septage Disposal Site, Svestco, Inc., Kern County, Order 98-160
- c) Billy Wright Solids Waste Landfill, County of Merced and Cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos, and Merced, Merced County, Order 5-00-052
- d) Fresno Souza Recycling Project 1, Daniel and Joyce Souza (Big De Farms, LLC), Fresno County, Order R5-2002-0135
- e) Highway 59 Solid Waste Landfill, County of Merced and Cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos and Merced, Merced County, Order R5-2006-0022
- f) Colusa County Canning Company, SK Foods and Colusa County Canning Company; Waste Discharge Requirements Order R5-2006-0047, Colusa County

Board Adopted Order Number R5-2010-0113

A public hearing was held. No one came forward to verbally comment or contest agenda items 18, and 22 through 29

Motion to adopt uncontested items 18, and 22 through 29 made by Member Dr. Longley
Seconded by Member, Walters
Approved by roll call vote of 6-0-0

CONTESTED CALENDAR

AGENDA ITEM 18

NPDES PERMIT

City of Redding, Clear Creek Wastewater Treatment Plant, Shasta County – *Consideration of NPDES Permit renewal.* This item is being continued from the 27 May 2010 Board meeting.

THIS ITEM WAS MOVED TO THE UNCONTESTED CALENDAR

AGENDA ITEM 19

NPDES PERMITS WITH TIME SCHEDULE ORDERS

City of Davis Wastewater Treatment Plant, Yolo County – *Consideration of Order Amending Waste Discharge Requirements Order R5 2007-0132-01 and Time Schedule Order No. R5-2010-0029 (NPDES No. CA0079049)*

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

Motion to adopt WDR Amendment and TSO made by Member Dr. Longley
Seconded by Member, Walters
Unanimously approved

Board Adopted Order Number R5-2010-0098

AGENDA ITEM 20

City of Galt Wastewater Treatment Plant and Reclamation Facility, Sacramento County – *Consideration of NPDES Permit Renewal and Time Schedule Order (NPDES No. CA0081434)*

A public hearing was held. Gayleen Perreira presented the staff report. Greg Holliday (City of Galt), Scott Parker, (City of Galt), Roberta Larson (City of Galt), James D. Marshall, Ken Landau, Diana Messina and Debbie Webster (CVQWA), gave additional testimony.

Motion to adopt NPDES Permit with late revisions made by Member Dr. Longley
Seconded by Member, Isham
Unanimously approved
Board Adopted Order Number- R5-2010-0099

Motion to adopt TSO made by Member Isham
Seconded by Member, Dr. Longley
Unanimously approved
Board Adopted Order Number- R5-2010-0100

CLOSED SESSION

Board recessed for lunch at 11:15 a.m. to discuss River Highlands Community Services District.

Meeting resumed at 1:00 p.m.

AGENDA ITEM 21 ENFORCEMENT

Napa Berryessa Resort Improvement District, Napa County – *Consideration of a Cease and Desist Order and Connection Restriction.*

A public hearing was held. Anne Olson presented the staff report, Wendy Wyels, Roberta Larson (Napa Berryessa), Diane Dillon (Napa Berryessa), Don Ridenower (Napa Berryessa), Robert Wesmeyer (Napa County), Peggy Brook (US Bureau of Reclamation), Georgine Mulfinch was not present, but Peggy Brook read a letter written by her.

Motion to adopt CDO with late revisions made by Member
Seconded by Member,
Approved by roll call vote
Board Adopted Order Number- R5-2010-0101

The meeting adjourned at 2:27 p.m. to the December 8/9/10 board meeting

Respectfully submitted by Board Secretary, Kiran Lanfranchi-Rizzardi