

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

BOARD MEETING MINUTES

DECEMBER 10, 2009

CALL TO ORDER

Chairman Dr. Karl Longley called to order, the 504th 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 Bell	Julian C. Isham
Cheryl Maki	Sandra Meraz	Dan Odenweller	Robert G. Walters

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Pamela Creedon	Betty Yee	Jerry Bruns	Patrick Morris
Ken Landau	Clay Rodgers	Joshua Grover	Rudy Schnagl
Jim Pedri	Dan Little	Kim Chun	Stephanie Fong
Lori Okun	Daniel McClure	Lonnie Wass	Stephen Louie
Patrick Pulupa	Diana Messina	Lu Zhimin	
Emel Wadhvani	Gen Sparks	Mary Serra	
Kiran Lanfranchi	Holly Grover	Pam Buford	

OTHERS PRESENT

Bill Crooks	Glen Holder	Monique de Barruel	Tamara Miller
Cindy Pierce	Jack Grossmaul	Paul Siebensohn	Tess Dunham
Don Groundwater	Jennifer Macarthy	Rick Staggs	Valerie Nombe
Ed Crouse	Joel Miller	Stan Nader	William Neal

APPROVAL OF OCTOBER 7/8 2009 MINUTES

Vice-Chair Hart requested that the October 7/8 Board meeting minutes be amended to include one of her Board communications, as follows: In the afternoon of August 19, attended the Ammonia Summit at the Central Valley Regional Water Quality Control Board.

Motion to Approve October 7/8 2009 Board Meeting Minutes with amendments made by Vice-Chair Hart
Seconded by Member Maki.
Unanimously approved

BOARD COMMUNICATIONS

Dr. Longley expressed appreciation to Court Reporter Esther Schwartz for her service to the Board all these years. The Board will be getting the services of a new contractor, starting from the January Board meeting.

The Chair appointed Nicole Bell and himself to serve on the Board's agricultural subcommittee.

Vice-Chair Hart submitted the following by subsequent written submittal:

- November 10, attended presentation entitled, "Next Steps in Solving California's Water Crisis" by Jim Keary at Cal State in Sacramento regarding water supply and lessons learned by Australia during their drought
- November 23, attended meeting with Tim Johnson, Tess Dunham, Mike Wakeman, Bruce Houdesheldt, David Cory, and Bill Thomas regarding groundwater monitoring issues in the Central Valley

Chair, Dr. Longley reported the following by subsequent written submittal:

- October 12, participated in dinner with Israeli water delegation and MWD representatives Santa Monica
- October 13, participated in lunch and visit of Orange County Water District Advanced Water Treatment Plant with Israeli water delegation Orange County
- October 14, together with the Region 5 Executive Officer made a presentation on drought and salinity impacts to the California Board of Agriculture Fresno County Farm Bureau, Fresno
- October 15, attended the Department of Water Resources' California Water Plan 2009 Update Plenary Session Sacramento
- October 16, attended Valley Land Use Conference in Clovis
- October 26-27, attended Water Quality Coordinating Committee meeting in Sacramento
- October 27, attended meeting with SWRCB Chair and senior staff and WQCB, Regions 1, 5 and 6 chairs and senior management and United States Forest Service (USFS) senior management in regards to developing a new forest management plan in Sacramento
- October 29, attended CV SALTS Technical Advisory Committee, Executive Committee, and Public Education and Outreach Committee Meetings Rancho Cordova
- November 4, attended Land Subsidence Symposium in Fresno
- November 4, attended CV SALTS Technical Advisory Committee Telecon & Go-To-Meeting
- November 9, met with Environmental Defense staff in San Francisco. The Executive Officer participated by telephone and provided briefing of WQCB, Region 5 programs.
- November 10, attended Technical Issues Committee meeting (Irrigated Lands Program) in Rancho Cordova
- November 20, attended WaterReuse Association meeting focused on water recycling policy in Oakland

Member Odenweller reported the following by subsequent written submittal:

- October 26, received telephone call from Gonzalo Castillo (USFWS) to discuss the loss estimates of Delta Smelt at the Skinner Facility prepared in 2007. We agreed to meet to review the work
- October 27, received telephone call from Bill Jennings. He had questions about the Delta smelt loss calculation from 2007 that I had prepared for him at that time
- October 28, met with Gonzalo Castillo (USFWS) to discuss the delta smelt loss estimate calculations. Their new information raises the pre-screen loss estimate for delta smelt by a significant amount. Pre-screen loss is now 0.999 vs. 0.75, and the facility efficiency has gone up somewhat, but only impacts a small fraction (0.0001) of the fish
- October 29, attended three CVSalts meetings at the Board's Rancho Cordova office
- October 29, contacted by Chuck Hanson (e-mail), and Chuck Armor and Bill Jennings (telephone). We will attempt to communicate on Friday, or over the weekend. Delta smelt, striped bass and Chinook salmon appear to be the issue
- October 30, met with Bill Jennings to discuss the delta smelt issues. Shared the information (public) with him, and reviewed the implications of the high pre-screen loss estimates. Discussed the current proposed legislation with him
- November 6, had a telephone conversation with Bill Jennings regarding the water bills which were passed this week
- November 11, had a telephone conversation with Bill Jennings regarding historical events in the Delta. Also discussed screening criteria for larger diversions on the Upper Sacramento River. Agreed to meet sometime to discuss the screening criteria
- November 17, attended the Central Valley Fish Facilities Review Team meeting in Sacramento. The main agenda item was a presentation by Dr. Mark Bowen (USBR), on studies of Chinook salmon, at the head of Old River during the VAMP period. We are beginning to see the capabilities of acoustic gear,

largely because of our ability to efficiently manipulate the volumes of data that is generated by the system

- November 19, Jeff Stuart stopped by and picked up the Tracy Fish Facility Evaluation dated 1960ish, to copy and put in the OCAP reference files
- November 24, had breakfast with Connor Lynn, Mark and Susan Hall, Justo Andres, Lynn Holman, Juanita Weber, and Kim Odenweller. Discussed the water legislation which was recently passed, and a story in the Stockton Record regarding the priorities for water
- November 25, received a telephone call with Bill Jennings regarding the Regional Board appointments. No other items were discussed

Member Maki reported the following by subsequent written submittal:

- November 5, was a guest speaker in Rocklin, at a California Women Lead meeting. I spoke about my role as a CVRWQCB Board Member
- December 4, met at my office on Gum Lane with AG coalition representatives to discuss the AG waiver options. Participants were: Tess Dunham, Danny Merkley, Mike Wackman, Roberta Firoved and Bill Thomas

Member Meraz reported the following by subsequent written submittal:

- October 26-27, attended the Water Quality Coordinating Committee meeting in Sacramento

PUBLIC FORUM

Jennifer McCarthy, Tamara Miller, Cindy Pierce, and Jim Pedri provided the Board with the history and current status of the sewerage project in Chico to address elevated groundwater nitrates.

Stan Nader, SARSUS, informed the Board that he had submitted a letter opposing the NPDES Permit for the Thunder Valley Casino expansion, and invited the Board to attend the "Calling Back the Salmon" festival.

EXECUTIVE OFFICER'S REPORT

Jim Pedri presented a retirement resolution to Dennis Heiman.

Pamela Creedon presented a retirement resolution to Jim Pedri. Bill Crooks commended Jim on his accomplishments.

ADOPTION OF 2010 BOARD CALENDAR

The 2010 Board Meeting Calendar was adopted; however, Member Maki said that she will not be able to attend the Board meetings on Wednesdays.

APPOINTMENT OF 2010 CHAIR NOMINATING COMMITTEE

Members Maki and Bell will serve as the Chair nominating committee for 2010. They will present their report to the Board at the January Board meeting.

UNCONTESTED CALENDAR

ENFORCEMENT

Agenda item 14

City of Vacaville, Gibson Canyon Wastewater Treatment Plant, Solano County—*Consideration of Rescission of Cease and Desist Order No. R5-2005-0088* **Board Adopted Order Number R5-2009-0116**

Agenda item 15

Bella Vista Water District, Water Treatment Plant, Shasta County - *Consideration of Adoption of Cease and Desist Order, and Rescission of Existing Cease and Desist Order No. R5-2004-0111*
Board Adopted Order Number R5-2009-0117

Agenda item 16

City of Bakersfield Wastewater Treatment Plant No. 2, Kern County – *Consideration of adoption of Rescission of Cease and Desist Order No. 97-105* **Board Adopted Order Number R5-2009-0118**

A public hearing was held. On one came forward to verbally comment or contest these items

Motion to adopt the rescission of CDOs on items 14-16, made by Vice-Chair Hart
Seconded by Member Maki
Approved by roll call vote of 8-0-0

**Agenda Item 17
NPDES PERMIT**

The City of Modesto Storm Water Management Plan for the Municipal Separate Storm Sewer System (MS4) Permit, *Consideration of Resolution Approving the Storm Water Management Plan Required by Order No. R5-2008-0092, (NPDES Permit No. CAS083526)*

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

Motion to adopt Permit made by Vice-Chair Hart
Seconded by Member Maki
Unanimously Approved
Board Adopted Order Number R5-2009-0119

**Agenda Item 18
OTHER**

Bass Lake Boat Owners Dock Association, Old Ducey’s Cove Stream Channel Armoring Project, Madera County– *Consideration of Resolution Approving an Initial Environmental Study and Mitigated Negative Declaration for the Proposed Project*

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

Motion to adopt Permit with late revisions made by Vice-Chair Hart
Seconded by Member Maki
Unanimously Approved
Board Adopted Order Number R5-2009-0120

**Agenda Item 19
WASTE DISCHARGE REQUIREMENTS**

- a) City of Fresno Surface Water Treatment Plant, Fresno County (new)
Board Adopted Order Number R5-2009-0121
- b) City of Bakersfield Wastewater Treatment Plant No. 2, Kern County, Order No. 97-104 (revised)
Board Adopted Order Number R5-2009-0122
- c) Buttonwillow County Water District Wastewater Treatment Plant, Kern County, Order No. 85-303 (revised) **Board Adopted Order Number R5-2009-0123**
- d) Rancho Murieta CSD Van Vleck Ranch Recycled Water Reuse Areas, Sacramento County, Order No.R5-2007-0109 (amendment) **Board Adopted Order Number R5-2009-0124**

UNCONTESTED NPDES/WDR RESCISSIONS – Board Adopted Order Number R5-2009-0125

- a) Big Break Marina, Contra Costa County, Waste Discharge Requirements Order No. R5-2003-0138
- b) Ernie and Mary Schenone, Schenone Specialty Foods, Inc., San Joaquin County, Waste Discharge Requirements Order No. R5-2004-0034
- c) Alpha Dyno Nobel dba Alpha Explosives and Hercules Incorporated, In Situ Groundwater Treatment System, Placer County, Waste Discharge Requirements Order No. R5-2006-0110

- d) California Department of General Services, Central Plant Operations Heating and Cooling Facility, Sacramento County, Waste Discharge Requirements Order No.R5-2007-0075 (NPDES No. CA0078581)

CHANGE OF NAME AND OR OWNERSHIP – Board Adopted Order Number R5-2009-0126

- a) Mcdonald Anticline, Mitchel, Kern County Order No. 58-505
- b) Aerojet-General Corporation and Easton Development Corporation, Sacramento Facility, Sacramento County, Order No. R5-2008-0118, NPDES No. CA0004111

A public hearing was held. No one came forward to verbally comment or contest these items

Vice Chair Hart recused herself from item 19(d)

Motion to adopt Waste Discharge Requirements, items 19 (a,b,c), and items 20 and 21, made by Vice-Chair Hart
Seconded by Member Maki
Unanimously Approved

Motion to adopt Waste Discharge Requirements, item 19(d) made Member Maki
Seconded by Member Bell
Unanimously Approved
Vice-Chair Hart recused herself on item 19 (d)

CONTESTED /DISCUSSION CALENDAR

**Agenda Item 9
OTHER**

Status report on the development of the Groundwater Quality Protection Strategy for The Central Valley Region. Pam Buford presented the staff report. This was an Informational item only.

Agenda Item 10

Memorandum of Agreement with the Central Valley Salinity Coalition and State Water Resources Control Board Regarding Central Valley Salinity Alternatives for Long Term Sustainability (CV-SALTS) – *Consideration of Approval*

A public hearing was held. Rudy Schnagl presented the staff report. David Cory made additional comments.

Motion to adopt Permit made by Vice-Chair Hart
Seconded by Member Maki
Unanimously Approved

Board Adopted Order Number for Resolution R5-2009-0113

Agenda Item 11

Resolution Directing Executive Officer to Issue Time Schedule Orders in Appropriate Cases-*Consideration of adoption of resolution*

A public hearing was held. Lori Okun gave clarifying answers to the Board.

Motion to adopt Permit with late revisions made by Vice-Chair Hart
Seconded by Member Maki
Unanimously Approved

Board Adopted Order Number for Resolution R5-2009-0114

**Agenda Item 12
NPDES PERMIT**

City of Fresno; Copper River Ranch, LLC; Consolidated Land Company; Consolidated – Industries, Inc.; Fresno Metropolitan Flood Control District, Fresno County – *Consideration of NPDES Permit Reopener and Revision, Order No. R5-2006-0090*

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

Motion to adopt Permit Reopener and Revision with late revision, made by Vice-Chair Hart
Seconded by Member Maki
Unanimously Approved
Board Adopted Order Number R5-2006-0090-01

**Agenda Item 13
ENFORCEMENT**

Frank Alvin Rogers Jr. and Rogers Trucking, Colusa County - *Consideration of Administrative Civil Liability Order* **(THIS ITEM WAS SETTLED AND REMOVED FROM THE AGENDA)**

The Board went into closed session at 9:55 a.m. to discuss Irrigated Lands Coalition and came back to adjourn the meeting at 10:30 a.m. to the January 27/28, 2010 Board meeting

Respectfully submitted,

Kiran Lanfranchi-Rizzardi, Board Secretary