

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

**BOARD MEETING MINUTES**

**THURSDAY, 29 JULY 2010**

**CALL TO ORDER**

Chair, Kate Hart called to order the 509th 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		

**BOARD MEMBERS ABSENT**

Sandra Meraz

**STAFF PRESENT**

Brian Newman	Gen Sparks	Mike Fisher	Spencer Joplin
Calvin McGee	Holly Grover	Pamela Creedon	Stephanie Fong
Dan Radulescu	James Marshall	Patrick Morris	Sue McConnell
David Coupe	Jennifer LaBay	Patrick Pulupa	Susan Fregien
Diana Messina	Jerry Bruns	Richard Loncarovich	Wendy Cohen
Doug Patteson	Ken Landau	Rick Moss	Wendy Wyels
Elizabeth Lee	Lori Okun	Rob Busby	Spencer Joplin
Gayleen Pereira	Mary Serra	Robert Crandall	Stephanie Fong

**OTHERS PRESENT**

Alison Briden	Debbie Webster	Leah Walker	Mitch Maidrand
Allene Zanger	Dennis Leikum	Leslie Laudon	Rik Rasmussen
Art O'Brien	Elaine Archibald	Linda Dorn	Rob Williams
Betsy Elzufon	Eric Greenwood	Louinda Lacy	Sandy Nurse
Carlis Mejia	Eric Oppenheimer	Lucas Goldstein	Soapy Mulholland
Carol DiGiorgio	Ernesto Avila	Lynda Smith	Stephen Clark
Cheryl Blychester	John Nurmi	Lysa Voight	Steve Azevedo
Chris McAuliffe	Katherine Wagner	Melanie Thomson	Tess Dunham

**APPROVAL OF 29 MAY, 2010 MINUTES**

Motion to approve 29 May 2010, Board Meeting Minutes made by Vice-Chair, Maki  
Seconded by Member Isham  
Unanimously approved

**AGENDA ITEM 3**

**BOARD COMMUNICATIONS**

**Dan Odenweller** completed the survey sent by Cheryl Blychester and would like to see the outcome of the survey. He attended a series of meetings on CV Salts and was very encouraged by the way the program was proceeding.

He also submitted the following via prior written submittal:

- 29 May, met with Bill Jennings and discussed the May Board hearing and the outcome of the issues the Board took on after Mr. Jennings left the meeting.

- June 2, attended the Stewardship Council, Planning Committee meeting in Sacramento. Discussed the State appointment process with a couple of the Stewardship Council staff, who were interested in my experience
- 10, June, attended the CV Salts meetings in Rancho Cordova.
- 14 June, met with Felix Smith and Bill Jennings on the subject of the Public Trust Doctrine, and the Regional Board's responsibility in that regard. Provided Bill Jennings with some reference material on fish salvage and loss estimates which were used in some SWRCB exhibits I prepared for CSPA prior to my appointment to the Board.
- 16 June, spoke to Chuck Armor (CDFG) about rumored plans to build new fish screens in the south Delta. He knew nothing about such plans. Spoke to Bill Jennings, CSPA, about the rumored plans to build new fish screens in the south Delta
- 22 June, participated in Stewardship Council telephone conference call.
- 14 July, attended the Stewardship Council Planning Committee meeting in Sacramento.

#### **Dr. Karl Longley mid June**

- 9-10 June, participated as a member in a workshop of California Nitrogen Assessment Work Group, at the University of California, Davis
- 15-17 June, attended Water Environment Foundation Groundwater Conference in San Francisco

#### **Vice-Chair Maki**

- Attended a meeting in Loomis
- Completed the survey sent in by Cheryl Blychester

#### **Robert Walters**

On 11 June, met with Representatives of Agricultural Coalitions that are participating in discussions and various meetings regarding Irrigated Lands. This meeting was set up by the Representatives of the California Rice Commission. The purpose of the meeting was for a briefing on the background and history of the issues involved and the efforts made to date and trying to deal with them.

#### **Julian Isham**

Responded to a survey on Board responsibilities that was prepared by Cheryl Blychester

**Chair Hart** said that the Executive Officer and herself have made large efforts to educate a number of political elected officials regarding the mercury TMDL that was adopted by the Board in April 2010, to try to educate them not just on the Mercury TMDL but how the entire Delta System worked and to encourage the elected leaders to attempt to take a look at the Delta as a whole so that we can begin to take a look at the crisis.

#### **The following was submitted by Chair Hart via written submittal:**

- 5 May, with Executive Officer, met with Colonel Chapman and staff at the U.S. Army Corps of Engineers to discuss Dissolved Oxygen TMDL in Stockton Deep Water Channel.
- 22 June, with Executive Officer, met with Stacey Smith and Tom Bohigian of Senator Barbara Boxer's office to discuss Mercury TMDL and necessary Delta Studies and Projects.
- 24 June, attended farewell party for Rudy Rosen of Ducks unlimited. No Board business was discussed.
- 28 June, met with Tam Doduc, State Board member, to discuss Mercury TMDL and General Board business.
- 29 June, met with Charlie Hoppin, State Board Chair, to discuss Mercury TMDL and General Board business.
- 1<sup>st</sup> July, with Executive Officer, met with Kathy Hoffman of Congressman Miller's Vallejo office, to discuss Mercury TMDL and necessary Delta Studies and Projects.
- 9 July, with Executive Officer, met with Anne Sanger of Congresswoman Matsui's Office to discuss Mercury TMDL and necessary Delta Studies and Projects.
- 9 July, with Executive Officer, met with Mindy McIntyre of Senator Lois Wolk's office to discuss Mercury TMDL and necessary Delta Studies and Projects.
- 13 July, with Executive Officer, met Assemblywoman Yamada and her staff to discuss Mercury TMDL and necessary Delta Studies and Projects.

- 14 July, with Executive Officer, met with Gina Bates of Senator Diane Feinstein's Office to discuss Mercury TMDL and necessary Delta Projects.
- 27 July, met with Hal Holland, Travis Hemmen and Greg Sutter of Westervelt Ecological Services to discuss Mercury TMDL implementation and 401 certification processing in general. No specific permits or projects were discussed.

#### **AGENDA ITEM 4 PUBLIC FORUM**

Cheryl Blychester, University of Phoenix researcher, explained her survey of California to the Board members and requested that she be informed as to how many Board members received the survey. She said that she submitted her survey to 350 Boards.

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

The Executive Officer informed the Board that the Groundwater Strategy report is out for public comment and review and that should be coming to the Board in September. Another milestone was the distribution of the draft, EIR for the Dairy Digester Program which will be brought to the Board for certification at the December Board meeting. She acknowledged the Fresno staff and in particular Stephen Klein for making this possible. Also released for distribution for public comment was the EIR for the Long Term Irrigated Lands Regulatory Program. She thanked Adam Laputz and his staff for their efforts. She also mentioned the Brochure of the Central Valley Regional Water Board has been released and has been posted on our website. She said that this will be sent electronically to the Board and once the budget has been signed, we will have the brochures printed for distribution to the public.

Board Member, Isham commented on the Executive Officer's report. He said that he enjoyed reading the Report, but most of all, enjoyed reading the staff recognition section of the Report.

Member Odenweller asked about furloughs, and Executive Officer told him that furloughs were back and we will be implementing furloughs three days a month, beginning the last three Fridays of the month. This will affect the Board schedule for the remainder of the year.

#### **AGENDA ITEM 7**

Pacific Forest and Watershed Lands Stewardship Council – Report on Council Activities by Board Representative Soapy Mulholland – *Informational Item only*

Former Board Member, Soapy Mulholland who continues to represent the Board on the Stewardship Council, gave an overview of the Stewardship Council and its mission. Executive Director of the Stewardship Council, Allene Zanger also spoke and gave further details on some of the programs of the Stewardship Council.

#### **AGENDA ITEM 8**

Establishment of a Central Valley Drinking Water Policy for the Sacramento – San Joaquin Delta and Upstream Tributaries – *Consideration of Adoption of Resolution*

Holly Grover presented the staff report. Sue McConnell spoke about the future of the grant. Jerry Bruns made clarifying statements. Ernesto Avila, (CUWA), Linda Dorn, (SCRCD), Debbie Webster, (CVQWA) Leah Walker, (CDPH), Lynda Smith (Lincoln Center Environmental Remediation Trust), Elaine Archibald (Musco Olive Company) and Leslie Laudon, (California Department of Public Health), gave additional testimony.

Motion to adopt the resolution with late changes made by Member, Dr. Longley  
Seconded by Member, Vice-Chair Maki  
Unanimously approved

#### **AGENDA ITEM 9**

Whole Effluent Toxicity (WET) Testing for NPDES Dischargers – Discussion of WET Testing Procedures and Alternatives for NPDES Permits – *Informational Item only*

Assistant Executive Officer, Ken Landau, provided background information on the Whole Effluent Toxicity and how the Board addresses aquatic toxicity in NPDES Permits. Rik Rasmussen (SWRCB), Sandy Nurse (Sierra Foothills Lab) and Debbie Webster (CVQWA) made comments.

**CLOSED SESSION:**

The Board met in Closed Session at 12:30 p.m. to discuss Tracy WWTP NPDES Permit R5-2007-0036-Environmental Law Foundation and CSPA v CVRWQCB (Sacramento Superior Ct. No. 34-2009-00047273)

Meeting resumed at 1:40 p.m.

**NPDES PERMITS**

**AGENDA ITEM 10**

City of Corning, Corning Wastewater Treatment Plant, Tehama County – *Consideration of NPDES Permit Renewal (NPDES No. CA0004995)*

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

Motion to adopt the NPDES Permit made by Member, Dr. Longley  
Seconded by, Vice-Chair Maki  
Unanimously approved

**AGENDA ITEM 11**

City of Rio Vista Northwest Wastewater Treatment Facility, Solano County – *Consideration of NPDES Permit Renewal (NPDES No. CA0083771)*

A public hearing was held. Elizabeth Lee presented the staff report. James Marshall, Chris McAuliffe, (University of Phoenix), Art O’ Brien, (City of Roseville), Debbie Webster (CVQWA) and Diana Messina gave additional testimony

Motion to adopt NPDES Permit made by Member, Dr. Longley  
Seconded by Vice-Chair Maki  
Unanimously approved

**AGENDA ITEM 12**

Executive Officer’s Report – Summary of State Water Board Decisions Regarding Salinity. *Informational item only*

Assistant Executive Officer, Kenneth Landau provided a summary of the State Board decisions that impact the regulation of Salinity. Debbie Webster also spoke.

**UNCONTESTED CALENDAR**

A public hearing was held. No one came forward to comment or contest the uncontested agenda items 13 through 17

**ENFORCEMENT**

**AGENDA ITEM 13**

Musco Family Olive Company and the Studley Company – *Consideration of Rescission of Cease and Desist Order No. R5-2007-0139*

**NPDES PERMITS**

**AGENDA ITEM 14**

- a) Lincoln Center Environmental Remediation Trust, Groundwater Treatment System, San Joaquin County –Order No.R5-2005-0144 (NPDES Permit No. CA0084255) (amendment)

**AGENDA ITEM 15  
WASTE DISCHARGE REQUIREMENTS**

- a) California Department of Transportation, State Route 50 Post Mile 5.3 to 12.8 and State Route 51 Post Mile 6.0 to 8.3, Sacramento County (Conditional Waiver) (new)
- b) Cemex, Kerlinger Plant, Unclassified Landfill and Recycling Operations, San Joaquin County (revision)
- c) Arvin Sanitary Landfill, Kern County – Order No. 5-00-02 (revision)
- d) City of Orland, Class II Surface Impoundments and Domestic Wastewater Treatment Facility, Glenn County (revision)

**AGENDA ITEM 16  
WDR RESCISSIONS**

- a) Allied Western Petroleum, LLC, Kern County, Order No. 58-490
- b) National Park Service, Sequoia-Kings Canyon National Park's Buckeye Mountain Wastewater Treatment Facility, Fresno County, Order No. 81-097
- c) National Park Service, Sequoia-Kings Canyon National Park's Ash Mountain Wastewater Treatment Facility, Fresno County, Order No. 81-098

**AGENDA ITEM 17  
CHANGE OF NAME AND OR OWNERSHIP**

- a) Knife River Corporation dba KRC Aggregates, San Joaquin County, 5-01-145
- b) Lost Hills, Williamson, Kern County, Order No. 58-278
- c) Central Valley Ready Mix Kings River Plant, Central Valley Ready Mix, Inc., Fresno County, Order No. 79-021
- d) Jones Prune Orchards Inc., Dairyville Dryer, Tehama County, Order No. 89-125
- e) Bully Hill and Rising Star Mines, Shasta County, Order No. R5-2003-0039
- f) Bully Hill and Rising Star Mines, Shasta County, Order No. R5-2003-0051
- g) Rising Star Waste Rock Containment Facility, Shasta County, Order No. R5-2005-0096

Motion to adopt uncontested items 13 through 17 made by Member Dr. Longley  
Seconded by Member Odenweller  
Approved by roll call vote of 6-0-0

The meeting adjourned at 2:49 p.m. to the September board meeting

Respectfully submitted by Board Secretary, Kiran Lanfranchi-Rizzardi