



CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

MINUTES OF BOARD MEETING

August 2-3 2012

11020 Sun Center Drive, Suite 200
Rancho Cordova, California

THURSDAY AUGUST 2, 2012

CALL TO ORDER

Chair, Dr. Longley called to order the 521st 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.

Dr. Longley announced that the following agenda items were completely removed from the agenda:

- Item 8 - the California Nitrogen Assessment
- Item 17 -Clark Structural, former Spreckles Sugar
- Item 18- Richard Sykora, Red Ink Maid and Big Seam Mine

Dr. Longley also read the order in which agenda items will be heard on Thursday, as follows:

- Item 7- Sweeney
- Item 19 -Informational Presentation on NPDES Effluent Limits
- Item 21-NPDES Permit for Kiefer Landfill
- Item 20- NPDES Permit for Alturas
- Item 9- Department of Pesticide Regulation
- Item 10- Irrigated Lands Monitoring

BOARD MEMBERS PRESENT

Costantino, Jon, Vice-Chair	Hart, Kate	Longley, Karl, Chair	Meraz, Sandra
Moffitt, Jennifer Lester	Carmen Ramirez	Schneider, Robert	

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Chilcott, Jeanne	Herbst, Charlene	Marshall, James	Rodgers, Clay
Coupe, David	Holmes, Kari	Martin, Jim	Schnagl, Rudy
Crandall, Robert	Jimmerson, Chris	Mayer, Alex	Smith, Bryan
Creedon, Pamela	Karkoski, Joe	Messina, Diana	Stevens, Brett
Essary, Doug	Landau, Ken	Moss, Rick	Vasquez, Martice
Fong, Stephanie	Lee, Elizabeth	Olson, Anne	Wong, Margaret
Fregien, Susan	Loncarovich, Richard	Palmer, Joshua	Wyels, Wendy
Hartman, Jelena	Louie, Stephen	Pulupa, Patrick	
Haynes, Jennifer	MacDonald, Alex	Radulescu, Dan	

STATE BOARD MEMBER AND STAFF PRESENT

Tam Doduc	Andrew Taurianian	Vanessa Young	Ellen Howard
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OTHERS PRESENT

Blecker, Steve	Giampietro, Sue	Koza, Mike	Sablada, Elizabeth
Branch, Ross	Gonzales, Norman	Luscher, Dave	Seyfried, B
Bryan, Michael	Gunasekara, Amrith	Luscher, Dave	Smith, David
Buctwalt, Hay	Harter, Thomas	Mahon, Matt	Spalatta, Jennifer
Carlton, Gary	Harter, Thomas	Maring, Zach	Sweeney, Amelia
Cary, Brian	Herrick, John	McKay, Phil	Sweeney, Jim
Cory, David	Houdesheldt, Bruce	Merkley, Danny	Theresa & Lena
Delihant, Gail	Jackson, Terry	Moss, Danielle	Thomas, Bill
Delihant, Gail	Jenssen, Eric	Orth, Dave	Vanderbilt, Eric
Duncan, David	Khan, Afiqvr	Petrik, Kevin	Wilson, John S.
Dunham, Tess	Klassen, Parry	Phere, Becky	Zentner, John
Firestone, Laurel	Konovaloff, Nick	Robertson, Chester	Sablada, Elizabeth

AGENDA ITEM 3

BOARD COMMUNICATION

Vice-Chair Costantino said that he recently met with Bruce and Dave of Northern California Water Association, and had a general discussion.

Jenny Lester - Moffitt said that in June, she attended the Ground Water Resources Association (GRA) conference in Fresno.

Sandra Meraz said that she attended the following meetings:

June 12, Attended the Nitrate workshop in Fresno on June 12

July 18, Attended a roundtable meeting in Tulare

July 24, Attended a DAC meeting at Fresno University

Chair, Dr. Karl Longley said that he also attended the Salt and Nitrate conference in Fresno and also a number of Governor's groundwater drinking water stakeholder meetings and other drinking water related meetings. He will be submitting the rest of his communications in writing.

Dr. Karl Longley Written Submittal:

June 13-14 Attended and served as moderator, GRA Nitrate & Salinity Symposium in Fresno

June 14, Participated in Governor's Drinking Water Stakeholder Group (meeting in Sacramento)

June 15, Participated in California-Federal Digester Group meeting, conference call

June 21, Participated in California Water Plan (CWP) 2013 Update Public Advisory Committee Meeting

July 9, Participated in Regional Board Chairs Monthly Meeting, conference call

July 11, Participated in Governor's Drinking Water Stakeholder Group, Organization/Governance Workgroup #1

July 12, Participated in Governor's Drinking Water Stakeholder Group, Sacramento

July 24, Moderated as PI the initial meeting of the CSU Fresno EPA funded project, Assessment of Rural Communities in San Joaquin Valley

July 30, Attended Stakeholder Oversight Advisory Committee meeting (focus is bringing safe drinking water to disadvantaged communities), Visalia, CA

August 1, Participated in Governor's Drinking Water Stakeholder Group, Sacramento

PUBLIC FORUM

AGENDA ITEM 4

No one came forward to discuss any items not on the board agenda

EXECUTIVE OFFICER'S REPORT

AGENDA ITEM 5

Assistant Executive Officer, Rick Moss gave an update on the development of the General Waste Discharge Requirements for ASR projects.

ENFORCEMENT

AGENDA ITEM 7

James G. and Amelia M. Sweeney, Sweeney Dairy, Tulare County – *Consideration of Administrative Civil Liability Complaint R5-2012-0542 and Recommended Administrative Civil Liability Order*

A public hearing was held. Legal Counsel, Alex Mayer informed the Board that Mr. Sweeney presented a written objection which was being distributed by Ken Landau to the Board, along with the written response which the prosecution team had prepared. The discharger, Mr. Sweeney contested the Administrative Civil Liability Order. Dale Essary and Doug Patteson presented the staff report. Ellen Howard and Vanessa Young presented the prosecution team’s legal arguments and Legal Counsel Alex Mayer answered clarifying questions. Jim Sweeney, Amelia Sweeney and Clay Rodgers gave additional testimony.

*Motion to adopt ACL with late revisions and amendment Made by Member Hart
Seconded by Member Moffitt
Unanimously approved*

BOARD ADOPTED ORDER R5-2012- R5-2012-0070

Agenda Items 19 through 21 below, were moved to Thursday’s hearing, from Friday, August 3, 2012)

OTHER BUSINESS

AGENDA ITEM 19

Determination of Required Effluent Limitations and Consideration of Mixing Zones for NPDES Permits Regulating Point Source Surface Water Discharges – *Informational Item Only*
(Agenda item 19 was moved from Friday, August 3)

Jim Marshall presented the staff report. Legal Counsel, Patrick Pulupa and Executive Officer, Pamela Creedon answered clarifying questions for the Board

NPDES PERMITS AND TIME SCHEDULE ORDERS

AGENDA ITEM 20

City of Alturas, Wastewater Treatment Plant, Modoc County – *Consideration of NPDES Permit Renewal (NPDES Permit CA0078921) and Adoption of Time Schedule Order*
(Agenda item 20 was moved from Friday, August 3)

AGENDA ITEM 21

County of Sacramento Department of Waste Management and Recycling, Kiefer Landfill Groundwater Extraction and Treatment Plant, Sacramento County – *Consideration of NPDES Permit Renewal (NPDES Permit No. CA0083681)*
(Agenda item 21 was moved from Friday August 3)

A public hearing was held. Assistant Executive Officer, Ken Landau presented the staff reports on agenda items 20 and 21. Pamela Creedon, James Marshall and Bryan Smith answered clarifying questions for the Board. Dave Smith of (EPA), made additional comments.

Agenda item 20 (City of Alturas). The Board did not take any action on this item at this time

Agenda item 21(Kiefer Landfill). The Board did not take any action on this item at this time; however, the Board adopted a new order amending the current NPDES Permit to reduce monitoring.

*Motion to adopt new order to reduce monitoring on Kiefer Landfill, Made by Member Schneider
Seconded by Vice-Chair Costantino
Unanimously approved*

BOARD ADOPTED ORDER R5-2012-R5-2012-0082

CLOSED SESSION

Board recessed for lunch at 11:38 a.m. to discuss personnel matters.

AGENDA ITEM 8

The California Nitrogen Assessment, Agricultural Sustainability Institute at UC Davis – *Informational Item*
This item was removed from the agenda

The Board meeting resumed at 1:15 p.m. Chair Longley reported that the Board met in closed session to discuss the performance of the Executive Officer. The Board voted on, and approved a resolution, which Chair Longley read aloud, the resolution that complimented the Executive Officer for an exemplary performance.

AGENDA ITEM 9

Department of Pesticide Regulation’s Groundwater Protection Program – *Informational Item Only*

Joe Karkoski gave introductory remarks and introduced David Duncan of Department of Pesticide and Regulation (DPR) who provided background information. Murray Clayton, (DPR), gave a presentation. John Tribiano (DPR), Bill Thomas (Southern San Joaquin Coalition), Laurel Firestone (Community Water Center), Danny Merkle (California Farm Bureau), gave additional testimony.

AGENDA ITEM 10

Irrigated Lands Regulatory Program Monitoring – Surface Water and Groundwater – *Informational Item Only*

Susan Fregien and Joe Karkoski presented the staff report. Clay Rodgers talked about Groundwater Monitoring. Murray Clayton, Thomas Harter (US Davis), David Cory, Gail Delihant (Western Growers), Parry Klassen, Bill Thomas, Laurel Firestone (Community Water Center), Bruce Houdeshelt (CA Water Coalition), David Cory (San Joaquin Drainage), Tess Dunham and Dave Orth, gave additional testimony.

The meeting adjourned at 5:15 p.m.

FRIDAY, AUGUST 3 – 8:30 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 521st 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	Meraz, Sandra	Moffitt, Jennifer Lester
Carmen Ramirez	Schneider, Robert		

BOARD MEMBERS ABSENT

Kate Hart

STATE BOARD STAFF PRESENT

Andrew Tauriainen

STAFF PRESENT

Cheletat, Guy	Haynes, Jennifer	Mayer, Alex	Taylor, James
Chilcott, Jeanne	Herbst, Charlene	McCrink, Marie	Yang, Calvin
Coe, Drew	Landau, Ken	Meeks, Steve	
Coupe, David	Lanfranchi, Kiran	Moss, Rick	
Creedon, Pamela	MacDonald, Alex	Pulupa, Patrick	

OTHERS PRESENT

Currey, John
Day, Michael
Delihant, Gail

Dunham, Tess
Gianpietro, Sue
Longa, Marian

Maring, Jon
Maring, Zach
Mckay, Phil

Merkley, Danny
Wardley, Terry

**AGENDA ITEM 3
BOARD COMMUNICATION**

None

**AGENDA ITEM 4
PUBLIC FORUM**

No one came forward to discuss any items not on the board agenda

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

Executive Officer presented Superior Accomplishment awards to:

- Guy Chetelat (Redding Office)
- Drew Coe (Redding Office)
- Marcus Pierce (Sacramento Office)

Member Schneider said that this was a great recognition of our Geologists in our community and it underscores the need to have a strong per science curriculum in our educational system.

AGENDA ITEM 17

Clark Structural, LLC and Clark Pacific Corporation, Former Spreckles Sugar Company, Yolo County – *Consideration of Name Change Order and Cease and Desist Order*
(This item was removed from the agenda)

AGENDA ITEM 18

Richard Sykora, Red Ink Maid & Big Seam Mine, Placer County

Agenda item 18 was removed from the agenda and will be heard at the October Board meeting

AGENDA ITEM 6

Del Mar Farms, Jon Maring, Lee Del Don and Bernard N. & Barbara C. O'Neill Trust – *Consideration of Administrative Civil Liability Order*

(Agenda item 6 was moved from Thursday, August 2 agenda)

A public hearing was held. Alex Mayer made some clarifications on legal matters. Executive Officer Pamela Creedon presented background information. Terry Bechtel presented the staff report. Tess Dunham (Del Mar), Jon Maring, (Del Mar), Mike Day (Del Mar), Joe Karkoski and Andrew Tauriainen gave additional testimony.

The Board recessed for lunch, at 12:30 p.m. but did not discuss the Del Mar item during lunch. However, Assistant Executive Officer, Ken Landau, and Staff Counsel, Alex Mayer, worked on the revised language, during lunch and presented it to the Board for voting.

Board meeting resumed at 1:15 p.m.

Ken Landau presented to the Board, the revised language to the proposed Administrative Civil Liability (ACL) Order after which the Board deliberated and passed a motion to reduce the new final ACL amount to \$50,600, as justice may require.

*Motion to Adopt ACL in the amount of \$50,600 as Justice may require, Made by Member Schneider
Seconded by Member Moffitt
Unanimously approved*

BOARD ADOPTED ORDER R5-2012-R5-2012-0071

OTHER BUSINESS

AGENDA ITEM 19

Determination of Required Effluent Limitations and Consideration of Mixing Zones for NPDES Permits Regulating Point Source Surface Water Discharges – *Informational item only.*

(Agenda item 19 was moved to Thursday, August 2, 2012)

NPDES PERMITS AND TIME SCHEDULE ORDERS

AGENDA ITEM 20

City of City of Alturas, Wastewater Treatment Plant, Modoc County – *Consideration of NPDES Permit Renewal (NPDES Permit CA0078921) and Adoption of Time Schedule Order.*

(Agenda item 20 was moved to Thursday August 2, 2012)

AGENDA ITEM 21

County of Sacramento Department of Waste Management and Recycling, Kiefer Landfill Groundwater Extraction and Treatment Plant, Sacramento County – *Consideration of NPDES Permit Renewal.*

(NPDES Permit No. CA0083681)

(Agenda item 21 was moved to Thursday, August 2, 2012)

UNCONTESTED CALENDAR

AGENDA ITEM 22

TIME SCHEDULE ORDERS

- a) City of Vacaville, Easterly Wastewater Treatment Plant, Solano County, Order R5-2006-0056-01 (NPDES Permit CA0077691) (amendment)
BOARD ADOPTED ORDER-R5-2012-0072
- b) Mountain House Community Services District, Wastewater Treatment Plant, San Joaquin County (NPDES Permit CA0084271) (amendment) **BOARD ADOPTED ORDER-R5-2012-0073**

AGENDA ITEM 23

WASTE DISCHARGE REQUIREMENTS

- a) California Department of Transportation, State Route 4, 0.61 Mile West of "A" Street Undercrossing to 0.10 Mile East of Hillcrest Avenue in Antioch, Contra Costa County (new)
BOARD ADOPTED ORDER-R5-2012-0074
- b) County of Tulare, Woodville Municipal Solid Waste Landfill, Tulare County, Order R5-2005-0102 (revision) **BOARD ADOPTED ORDER-R5-2012-0075**
- c) Golden State Vintners, Inc., Fresno Winery, Fresno County, Order 95-156, (revision)
BOARD ADOPTED ORDER-R5-2012-0076
- d) Stockton Deep Water Ship Channel Maintenance Dredging Activities Channel Mile 0.0 to 41.0, Contra Costa, Sacramento and San Joaquin Counties, Order R5-2004-0061 (amendment)
BOARD ADOPTED ORDER-R5-2012-0077
- e) Sutter Home Winery, Sutter Home Winery Westside Facility, San Joaquin County, Order R5-2009-0073) (amendment) **BOARD ADOPTED ORDER-R5-2012-0078**

AGENDA ITEM 24

NPDES PERMITS

- a) City of Turlock, Water Quality Control Facility, County, Order R5-2010-0002 (NPDES Permit CA0078948) (amendment) **BOARD ADOPTED ORDER-R5-2012-0079**
- b) Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water, Order R5-2008-0082 (NPDES Permit No. CAG995002) (amendment)
BOARD ADOPTED ORDER-R5-2012-0080

**AGENDA ITEM25
NPDES/WDR/CEASE AND DESIST ORDER RESCISSIONS
BOARD ADOPTED ORDER –R5-2012-0081**

- a) City of Lakeport Municipal Sewer District, Lakeport Wastewater Treatment Facility, Lake County, Order R5-2007-0010
- b) Maxwell Public Utility District Wastewater Treatment Plant, Colusa County, Waste Discharge Requirements Order R5-2009-0009 and Cease and Desist Order R5-2011-0040 (NPDES Permit CA0079987)
- c) Sierra Pacific Industries Camino Lumber Mill, El Dorado County, Order R5 2005-0008 (NPDES Permit CA0078841)
- d) State of California Dept. of Fish and Game and Merced Irrigation District, Merced River Fish Hatchery, Merced County, Order R5-2004-0120 (NPDES Permit CA0080055)
- e) William W. Kissack, II-2 Septage Disposal Site, Kern County, Order 80-013

*Motion to adopt uncontested calendar 20 through 25 Made by Vice-Chair, Costantino
Seconded by Member Schneider
Approved by roll call vote of 6-0-0*

A public hearing was held. No one came forward to comment or contest any item on the uncontested calendar.

*The meeting adjourned at 1:34 p.m. to the August 21, 2012 special Board meeting in Fresno, CA
Respectfully submitted by
Kiran Lanfranchi-Rizzardi*