

MINUTES OF BOARD MEETING

July 30, 2015, 9:00 a.m.

July 31, 2015, 9:00 a.m.

Central Valley Regional Water Board
11020 Sun Center Drive, Suite 200**THURSDAY, JULY 30, 9:00 A.M.
CALL TO ORDER**

Chair, Dr. Longley called to order the 539th Board Meeting of the California Regional Water Quality Control Board, Central Valley Region at 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Costantino, Jon	Kadara, Denise, Vice-Chair	Longley, Karl, Chair	Ramirez, Carmen
Schneider, Robert			

BOARD MEMBERS ABSENT

None			
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STATE BOARD MEMBERS PRESENT

None			
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STATE BOARD OFFICE OF CHIEF COUNSEL STAFF AND OTHER STAFF PRESENT

Deeringer, Andrew	Jacobsen, Nathan	Macedo, Julie	Pulupa, Patrick
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STAFF PRESENT

Altevogt, Andrew	Hartman, Elena	Lavy, Tom	Rapport, Eric
Bracamonte, Linda	Harvey, Dale	L'Heureux, Robert	Rodgers, Clay
Chilcott, Jeanne	Holcomb, Ron	LittleJohn, Anne	Snapp, Michelle
Chow, Bob	King, David	MacDonald, Alex	Snyder, Clint
Coughlin, Gene	Lanfranchi-Rizzardi, Kiran	Meeks, Glenn	Wass, Lonnie
Creedon, Pamela	Laputz, Adam	Morgan, Nichole	Rapport, Eric

OTHERS PRESENT

Baca, Cathy	Gutierrez, Molly	Morrison, Chris	Treacher, Warren
Boren, Ashley	Hazard, Ed	Morrison, James	Trouchion, Mike
Bright, Larry	Horne, Randy	Nahama, Joe	Waldron, Jim
Cady, Mark	Jaspar, Der	Patchett, Greg	Webster, Debbie
Callman, Elissa	Jones, Kyle	Pickett, Keith	Westcot, Dennis
Carlton, Gary	Leach, Tracy	Rose, Wilson	Wordlow, Marilyn
Childs, Stuart	Lilian, Jonathan	Scharff, Jeff	Ziekman, Rock
Clark, Les	Lowrey, John	Schmidt, Ken	
Cory, David	Malpiede, Neil	Shiple, Wyatt	
Dowdall, James	McKay, Charles	Small, Tim	
Emerson, Russell	Mitchell, Theresa	Thorne, Melissa	
Grinberg, Andrew	Moradi, Barzin	Treacher, Laurie	

**AGENDA ITEM 3
BOARD MEMBER COMMUNICATIONS**

Member Schneider attended a meeting at Save the River American Association on June 9

Vice-Chair Kadara said that in late June, she attended meetings regarding Groundwater Sustainability activities in Tipton, California. She has been working with some community groups as part of that process.

Chair Longley submitted his communications in writing. However he mentioned about some important meetings which he attended, as follows:

- Attended the Healthy Soils meeting in the Governor's office on June 12
- Attended CV Salts meetings in June 16/17
- Attended a Safe Drinking Water forum in Hanford California, on June 19
- Was a presenter at the Water Summit organized by the Governor's office of Planning and Research

Member Costantino attended the Governor's Water Energy event

**AGENDA ITEM 4
State Board Liaison update**

This item was moved to Friday's agenda

**AGENDA ITEM 5
PUBLIC FORUM**

Jeff Scharff (Attorney) thanked Board staff for their assistance on a UST site that he and his clients were involved in remediating.

**AGENDA ITEM 6
EXECUTIVE OFFICER'S REPORT**

Executive Officer Pamela Creedon presented Superior Accomplishment Awards to:

- Patrick Morris, Senior Water Resources Control Engineer in the Mercury TMDL Unit in the Sacramento office
- Eric Rapport, Senior Engineering Geologist in the Redding office

OTHER BUSINESS

AGENDA ITEM 7

Update on Sustainable Conservation Activities – *Informational Item*

Ashley Boren (Sustainable Conservation) gave a presentation of Sustainable Conservation's work to protect water quality in the San Joaquin Valley

AGENDA ITEM 8

NPDES Program Update – *Informational Item Only*

Nichole Morgan Manager in the NPDES unit in the Sacramento office, gave a general overall update on the NPDES program

Peter Kozelka (NPDES Liaison at USEPA), presented a brief overview of USEPA activities

Debbie Webster (CVCWA) made additional comments

Pamela Creedon, Executive Officer, and Adam Laputz, Assistant Executive Officer, answered questions for the Board

AGENDA ITEM 9

Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to Establish a Region-wide Process for Evaluating the Municipal and Domestic Supply (MUN) Beneficial Use in Agriculturally Dominated Surface Water Bodies – *Informational Item only*

Anne Littlejohn, Senior Environmental Scientist in the Sacramento office presented the staff report. Dennis Westcott (San Joaquin Tributaries Authority), Elissa Coleman (City of Sacramento), Debbie Webster (CVCWA) and David Cory (San Joaquin River Exchange Contractors), made additional comments

Board recessed for lunch at 11:40 a.m. and entered closed session to discuss two case referrals to the Attorney General.

Board meeting resumed at 1:03 p.m. Patrick Pulupa (Attorney III) reported back that the two cases were referred to the Attorney General.

AGENDA ITEM 10

Valley Water Management Company, Race Track Hill Facility and Fee 34 Facility, Edison, Kern County – *Consideration of a Cease and Desist Order*

Clay Rodgers and Dale Harvey presented the Prosecution Team’s position. Julie Macedo, Counsel for the Board’s Prosecution Team, answered questions for the Board.

Melissa Thorne (Downey Brand), Larry Bright (Manager, Valley Water Management), Stewart Childs (Kennedy Jenks), Ken Schmidt, Dee Jaspar, Gary Carlton (Kennedy Jenks) and Jim Wardrom presented Valley Water Management’s position.

The following Interested Parties commented on the proposed Cease and Desist Order: Neil Malpiede (NAFTEX), Les Clark (Executive Vice-President for Independent Oil Producers), James Dowdall (Geologist), Warren Treacher (Sun Mountain Oil and Gas), Kyle Jones (Sierra Club California), Wilson Rose (Petro Resources), Chris Morrison (C & N Oil Company and Investment), Ed Hazard (President of California Chapter of the National Association of Royalty Owners), Joe Nahama (Petro Rock), Keith Pickett (Consulting Engineer), Molly Gutierrez (Sequoia Exploration), Andrew Grinberg (Clean Water Action), and Theresa Mitchell (Buds Oil Company).

Valley Water Management Company and the Board’s Prosecution Team gave closing statements.

The Board’s Advisory Team, Patrick Pulupa (Attorney III) and Pamela Creedon (Executive Officer), answered questions for the Board and proposed modifications to the Cease and Desist Order consistent with the Board’s deliberations.

Motion to adopt Cease and Desist Order with late revisions

Made by Member Schneider

Seconded by Vice-Chair Kadara

Member Schneider-Yea

Vice Chair-Kadara-Yea

Member Costantino-Yea

Member Ramirez-Yea

Chair Longley-Yea

Approved by Roll Call Vote of 5-0-0

Board Meeting adjourned at 5:46 p.m. to the next day

FRIDAY, JULY 31, 2015 – 9:00 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 539th Board Meeting of the California Regional Water Quality Control Board, Central Valley Region 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Costantino, Jon	Kadara, Denise	Longley, Karl, Chair	Ramirez, Carmen
Schneider, Robert			

BOARD MEMBERS ABSENT

None			
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STATE BOARD MEMBERS PRESENT

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STATE BOARD STAFF PRESENT STAFF PRESENT

Deeringer, Andrew	Jacobsen, Nathan	Macedo, Julie	Pulupa, Patrick
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STAFF PRESENT

Altevogt, Andrew	Hartman, Elena	Meeks, Glenn	Walton, MaryAnn
Bracamonte, Linda	Harvey, Dale	Mills, Scott	Wachtell, Doug
Buford, Pam	Holcomb, Ron	Rodgers, Clay	Yee, Keri
Burney, Annalise	King, David	Smith, Renee	Snyder, Clint
Chilcott, Jeanne	Lanfranchi-Rizzardi, Kiran	Snyder, Clint	
Creedon, Pamela	Laputz, Adam	Thompson, Steve	
Gonzales, Jacqueline	McConnell, Sue	Tran, Hien	

OTHERS PRESENT

Bailey, Colin	Eacoda, Michael	Kus, Estre	Simmons, Paul
Brock, M.	Firestone, Laurel	Lin, Yuan	Somavarapu, Prabhakar
Bryan, Michael	Franck, Matt	McGahan, Joe	Tremblay, Cassandra
Cherniss, Eric	Garduno, Chris	McHenry, Richard	Volker, Jamey
Clifford, D	Goodall, Casey	Ortega, Rio	Weese, Dennis
Cory, David	Graham, Phil	Pimentel, John	Winckel, Joy
Creamer, Casey	Jayne, Gary	Rathmann, Diane	
Denton, Richard	Kaminsky, Jennifer	Shih, Lucinda	

APPROVAL OF APRIL 16, 2015 BOARD MEETING MINUTES

*Motion to approve the minutes of the December April 16, 2015 Board Meeting
 Made by Vice-Chair Kadara
 Seconded by Member Ramirez
 Member Ramirez -Yea
 Member Schneider-Yea
 Vice-Chair Kadara -Yea
 Chair Longley-Yea*

*Member Costantino-Abstained
 Approved by Roll Call Vote of 4-0-1*

Member Costantino abstained from voting because he was not present at the April 16 Board meeting

APPROVAL OF APRIL 17, 2015 BOARD MEETING MINUTES

Motion to approve the minutes of the April 17, 2015 Board Meeting

Made by Member Costantino

Seconded by Vice-Chair Kadara

Member Costantino - Yea

Member Schneider - Yea

Vice-Chair Kadara - Yea

Chair Longley - Yea

Member Ramirez - Abstained

Approved by Roll Call Vote of 4-0-1

Member Ramirez abstained from voting because she was not present at the April 17 Board meeting

APPROVAL OF JUNE 4/5, 2015 BOARD MEETING MINUTES

Motion to approve the minutes of the June 4/5 Board meeting

Made by Member Ramirez

Seconded by Member Costantino

Member Ramirez - Yea

Member Costantino - Yea

Vice-Chair Kadara - Yea

Chair Longley - Yea

Approved by roll call vote of 4-0-1

Member Schneider - Abstained

Member Schneider abstained from voting because he was not present at the June 4-5, 2015 Board meeting

AGENDA ITEM 13

BOARD MEMBER COMMUNICATIONS

Chair Longley announced that on November 3-4, 2015, the California Bio-Resources Alliance will be holding their meeting at the Central Valley Regional Water Board meeting room, in Rancho Cordova. The meeting will focus on bio-solids and manure management.

AGENDA ITEM 4

STATE BOARD LIAISON UPDATE (This item was moved from the Thursday's agenda)

Member Doduc said that the State Board released the conservation numbers for July which has been very positive but said that the effort has to continue.

She mentioned that at the August 4, 2015 State Board meeting, the General Waste Discharge Requirements on Compost Operations will be on the agenda. Two weeks following the board meeting, there will be a special workshop on the Draft Stormwater Initiative that the State Water Board staff has released.

Also in the discussion will be Grazing operations and the Issue of Anti-Degradation as applied to groundwater.

AGENDA ITEM 14

PUBLIC FORUM

Laurel Firestone (Community Water Center) said that the Community Water Center is the only disadvantaged community that has been awarded a grant through the Rose Foundation on the Supplemental Environmental Project (SEP). She emphasized on the importance of the Rose Foundation. She said that there are at least 14 approved projects still waiting to be funded.

Colin Baley (Environmental Justice Coalition for Water), also spoke on the SEP program. He said that they are among the 14 approved projects. He thanked the Board for its work on SEP.

AGENDA ITEM 15
EXECUTIVE OFFICER'S REPORT

Chair Longley said that he will talk to the Executive Officer later, about budget items

Executive Officer Pamela Creedon presented the Superior Accomplishment award to:
Pam Buford, Senior Staff Environmental Scientist in the Fresno office

Ms. Creedon also awarded the Superior Accomplishment group award to the Administrative unit comprised of the following staff:

- Annalise Burney
- Camille Hang
- Della Kramer
- Hien Tran
- Jacqueline Gonzales
- Katherine Barksdale
- Keri Yee
- MaryAnn Walton
- Michael Hoffman
- Renee Smith
- Steven Thompson

Andrew Altevogt, Assistant Executive Officer in the Sacramento office, introduced Melissa Rothstein, who will be starting her second year of Vet school at U.C.Davis. Melissa is an intern and has been with the Regional Water Board as a Summer Intern for two months. Melissa spent some time visiting some Dairies

Melissa Rothstein gave a short presentation on Dairy Waste Management

AGENDA ITEM 16

The Board adopted uncontested agenda items 24 through 28. No one was present to contest any items on the uncontested calendar.

UNCONTESTED ITEMS

NPDES ENFORCEMENT

AGENDA ITEM 24

South Feather Water and Power Agency, Miners Ranch Water Treatment Plant, Butte County –
Consideration of Proposed Amendment to Time Schedule Order R5-2010-0060

AGENDA ITEM 25

NPDES PERMITS

The Boeing Company, Groundwater Extraction and Treatment Systems, GET HB and Southern Groundwater Study Area GET and Admin GET, Sacramento County – *Consideration of Amendment to Existing Permit*

AGENDA ITEM 26

WASTE DISCHARGE REQUIREMENTS

- a. Eagle Bird Mining Company and U.S. Forest Service, Eagle Bird Mine, Sierra County – *(New)*
- b. Giumarra Vineyards Corporation and Giumarra and Associates Beverage Company, LLC, Edison Grape Processing Facility, Kern County – *(Revised)*
- c. Growers within the Western San Joaquin River Watershed – *(Revised)*
- d. Pacific Gas and Electric Company, Kerckhoff Dam Low Level Outlet Gate Replacement Project, Madera County – *(New)*
- e. Panoche Valley Solar, LLC, Panoche Valley Solar Project, San Benito County – *(New)*

- f. Recology Yuba-Sutter and Feather River Organics, Recology Yuba-Sutter Class III Landfill and Composting Facility – Yuba County, (WDRs Order R5-2003-0093) – *(Revised)*
- g. Sunshine Raisin Corporation DBA National Raisin Company, Exeter Dehydrating Facility and Ernest Bedrosian Trust, Tulare County – *(Revised)*
- h. Woodland-Davis Clean Water Agency, Davis Woodland Regional Water Treatment Facility, Yolo County – *(New)*

Late revisions on agenda item 26(f)

AGENDA ITEM 27

WASTE DISCHARGE REQUIREMENTS-RESCISSIONS

- a. AAF-McQuay, Inc. et al., Groundwater Remediation System, Tulare County, Order R5-2010-0075
- b. Aerojet-General Corporation, Propellant Burn Area and GET F Sprayfield Groundwater Remediation Project, Inactive Rancho Cordova Test Site, Sacramento County, Order R5-2010-0069
- c. Baker Stony Creek Plant, Glenn County, Order 98-082
- d. City of Tracy, Class II Land Treatment Facility, San Joaquin County, Order 94-216
- e. Gerald Marino, Pope Creek Rock Quarry & Plant, Napa County, Order 98-072
- f. Grizzly Lake Community Services District, Crocker Mt. Estates, Plumas County, Order 86-206
- g. Lassen County Water Works District No. 1, Bieber Sewage Treatment Facility, Lassen County, Order 93-071
- h. Plantation Mobile Home Park, Butte County, Order 92-008
- i. Port of Stockton's West Complex, Docks 14 and 15, San Joaquin County, Order R5-2006-0078
- j. R.J. Miles Co., Grass Valley Ready Mix, Nevada County, Order 87-150

AGENDA ITEM 28

CHANGE OF NAME AND OR/OWNERSHIP

- a. Christian Outreach Ministries, Honey Rock STP Ponds, Butte County, Waste Discharge Requirements Order 89-049
- b. Holiday Flotels, Inc, Packers Bay Marina, Shasta County, Waste Discharge Requirements Order R5-2007-0105.

Motion to adopt t uncontested items 24 through 28 with late revisions on agenda item 26(f)

Made by Member Ramirez

Seconded by Member Costantino

Member Ramirez-Yea

Member Costantino-Yea

Member Schneider-Yea

Vice-Chair Kadara-Yea

Chair Longley-Yea

Approved by Roll Call Vote of 5-0-0

CONTESTED CALENDAR

AGENDA ITEM 22

NPDES STORMWATER PERMIT

Tracy Unified School District, San Joaquin County – *Consideration of a Resolution Approving the Request to Remove from NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (NPDES Permit CAS000004)*

No one was present to contest this item. The Board adopted the Resolution based on information in the staff report.

*Motion to adopt the proposed Resolution
Made by Member Schneider
Seconded by Member Ramirez
Member Schneider-Yea
Member Ramirez-Yea
Member Costantino-Yea
Vice-Chair Kadara-Yea
Chair Longley-Yea
Approved by Roll Call Vote of 5-0-0*

AGENDA ITEM 17

WASTE DISCHARGE REQUIREMENTS

Waste Discharge Requirements for San Luis and Delta-Mendota Water Authority and United States Department of the Interior Bureau of Reclamation, Surface Water Discharges from the Grassland Bypass Project – *Consideration of New Waste Discharge Requirements*

Jelena Hartman, Senior Scientist with the Irrigated Lands program, presented the staff report

Adam Laputz, Assistant Executive Officer, informed that Board that a late comment letter on July 29. Comments in the letter are already comments that. The Board ruled that the letter not be admitted.

Testimony by Grasslands Bypass Use Agreement Panel as follows:

Jo McGahan (Summers Engineering)

Denis Falaski (Panoche Drainage District)

Rick Ortega, (Grassland Water District)

Gary Bobcar (Bay Institute)

Richard Denton (Contra Costa County)

Lucinda Shih (Contra Costa Water District)

Testimony by US Fish and Wildlife

Joy Winkel (US Fish and Wild Life), requested that the Board accept the late comment letter which was submitted on June 25 and gave additional testimony.

Statements by Interested Parties

Jamie Walker (Pacific Coast Federation of Fishermen's Associations)

Executive Officer Creedon, Assistant Executive Officer, Adam Laputz (AEO) and Patrick Pulupa (Attorney III) answered questions for the Board

*Motion to adopt the New Waste Discharge Requirements
Made by Member Ramirez
Seconded by Vice-Chair Kadara
Member Ramirez-Yea
Member Costantino-Yea
Member Schneider-Yea
Vice-Chair Kadara-Yea
Chair Longley-Yea
Approved by Roll Call Vote of 5-0-0*

AGENDA ITEM 18

Waste Discharge Requirements for Growers within the Grassland Drainage Area – *Consideration of New Waste Discharge Requirements*

No one was present to contest this item. The Board adopted this order based on information on the staff report on file.

*Motion to adopt New Waste Discharge Requirements with late revisions
Made by Member Ramirez
Seconded by Vice-Chair Kadara
Member Ramirez-Yea
Member Costantino-Yea
Member Schneider-Yea
Vice-Chair Kadara-Yea
Chair Longley-Yea
Approved by Roll Call Vote of 5-0-0*

**AGENDA ITEM 19
OTHER BUSINESS**

Malakoff Diggins State Historic Park, Sediment and Mercury Mobilization - *Informational Item Only*

(This item was pulled from the agenda to be heard at a future date)

ENFORCEMENT

AGENDA ITEM 20

Breitburn Operating L.P, Dow Chanslor Lease, South Belridge Oil Field, Kern County – *Consideration of an Administrative Civil Liability Order*

Ron Holcomb, Senior Engineering Geologist in the Fresno office presented the Prosecution Team's position. Clay Rodgers, Assistant Executive Officer (AEO) in the Fresno office, answered clarifying answers for the Board. Doug Wachtell, Engineering Geologist in the Fresno office, responded to cross-examination.

Daniel Clifford (Attorney), Martha Brock (EHS Manager, Breitburn), Dennis Weese, (Breitburn), and Brad Pearce gave presented Breitburn's position and responded to cross-examination.

After the close of the hearing, Patrick Pulupa (Attorney for the Board's Advisory Team) proposed modifications to the ACL Order consistent with the Board's deliberations.

*Motion to adopt the Administrative Civil Liability Order with late revisions
Made by Member Ramirez
Seconded by Vice-Chair Kadara
Member Ramirez-Yea
Member Costantino-Abstain
Member Schneider-Yea
Vice-Chair Kadara*

**NPDES PERMITS
AGENDA ITEM 21**

Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant, Sacramento County – *Consideration of NPDES Permit Amendment (NPDES Permit. CA0077682)*

Adam Laputz asked the Board to admit the late comments by EPA into the record

Xuan Luo, staff Engineer in the Sacramento office presented the staff report

Prabhakar Somavarapu (Sacramento County Sanitation District) thanked staff for working with the District.

Richard McHenry (California Sportfishing Protection Alliance) gave additional testimony

*Motion to adopt the NPDES Permit Amendment with late revisions
Made by Member Ramirez
Seconded by Member Schneider
Member Ramirez-Yea
Member Schneider-Yea
Member Costantino-Yea
Vice-Chair Kadara -Yea
Chair Longley-Yea
Approved by Roll Call Vote of 5-0-0*

**OTHER BUSINESS
AGENDA ITEM 23**

Irrigated Lands Regulatory Program – *Informational Item only*

Sue McConnell, Program Manager in the Irrigated Lands Regulatory program, Brett Stevens (Chief in the Irrigated Lands Enforcement unit) and Glen Meeks (Senior Engineering Geologist) gave a three-part presentation on Enforcement Activities, Disadvantaged Communities and General Orders requirements for coalitions to identify high vulnerability areas.

Pamela Creedon (EO), Patrick Pulupa (Attorney III), and Clay Rodgers, (AEO) answered clarifying questions for the Board

Bruce Houdesheldt (Sacramento Valley Water Quality Coalition), Laurel Firestone (Community Water Center), Casey Creamer (Kings River Water Quality Coalition) made additional comments.

The meeting adjourned at 5:31 p.m. to the October 1-2, 2015 Board Meeting in Redding, California

Submitted by Kiran Lanfranchi-Rizzardi
Clerk to the Board