



**MINUTES OF BOARD MEETING**  
 February 23/24, 2017 Board Meeting  
 Central Valley Regional Water Board  
 11020 Sun Center Drive, Suite 200

**DRAFT MINUTES FEBRUARY 23/24, 2017**

**THURSDAY, FEBRUARY 23, 2017**

Chair Longley called to order the 549<sup>th</sup> Board meeting of the central Valley Regional Water Quality Control Board

**BOARD MEMBERS PRESENT**

Brar, Raji	Costantino, Jon	Kadara, Denise	Longley, Karl
Marcum, Daniel	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	Pulupa, Patrick	Yu, Stephanie	Loscutoff, Susan
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**STAFF PRESENT**

Barber, Doug	Creedon, Pamela	Laputz, Adam	Rodgers, Clay
Bracamonte, Linda	Fregein, Susan	LittleJohn, Anne	Snyder, Clint
Chilcott, Jeanne	King, David	McConnell, Sue	Wilson, Angela
Coughlin, Gene	Lanfranchi-Kiran	Olson, Anne	Wood, Michelle

**OTHERS PRESENT**

Baca, Gilbert	Harris, Justin	O'Brien, Art	Singh, Hirday Pal
Callman, Elissa	Johnson, Tim	Oliveira, Doug	Starr, Bonny
Carlton, Gary	Klassen, Parry	Raley, Elwood	Thorme, Melissa
Castaños, Kristen	Liebersbach, Debbie	Rufa, Chris	Webster, Debbie
Cory, David	Manjal, Gurjit	Ruggeri, Carman	Westcot, Dennis
Gore, Bob	Nordstrom, Mike	Scharff, Jeff	White, Duane

**APPROVAL OF MINUTES:**

Approval of December 5/6, 2016 Board Meeting Minutes

*Motion adopt the December 5/6, 2016 Board Meeting Minutes*

*Made by Member Ramirez*

*Seconded by Vice-Chair Kadara*

*Member Ramirez-yes*

*Member-Marcum-yes*

*Member-Brar-yes*

*Member Costantino-yes*

*Member Schneider-yes*

*Vice-Chair Kadara-yes*

*Chair Longley-yes*

*Approved by roll call vote of 7-0-0*

## **AGENDA ITEM 3-BOARD MEMBER COMMUNICATIONS**

### **Jon Costantino**

Member Costantino said that he attended the Pyrethroids briefing with Water Board staff and will disclose the exact date tomorrow

### **Bob Schneider**

Member Schneider said that on February 21, he attended the Delta Tributary Mercury Council meeting

### **Raji Brar**

On December 22, 2016, had a meet and greet, organized by the Kern County Chamber of Commerce, WSPA and Farm Bureau. She said she spoke to stakeholders who had concerns with the Water Board, air quality issues. On February 9, she met with the Cawelo Water District, Farm Bureau, Kern Economic Development Company and the Wonderful Company, with regards to Oil produced water

### **Carmen Ramirez**

Member Ramirez said that on February 15 she was invited and attended a reception with the Merced County Association of Realtors. She said that her position with the Water Board came up. She wanted this to be noted in the records

### **Denise Kadara (Vice-Chair)**

Vice-Chair Kadara said that she attended a strategy meeting for the Atwell Island Project-Work Based Learning Program designed to provide youth, hands-on science education, focusing on water quality and a career path. Program will teach fourteen 11<sup>th</sup> and 12<sup>th</sup> grade students from Allensworth and Alpaugh communities about being responsible environmental stewards

### **Daniel Marcum**

Member Marcum reported attending the Shasta County Director Farm Bureau Director's meeting in Redding

### **Karl Longley (Chair)**

Chair Longley reported on the following communications:

- On January 10, participated in the CV Salts conference call and also participated in the Stakeholder conference call focused on environmental protection and natural agency leaders, discussing the Governor's proposed 2017/18 budget
  - On January 12, together with Executive Officer Creedon and other staff, briefed California Department of Food and Agriculture staff on the Irrigated Lands program
  - On January 19, attended the Food Safety Panel in Sacramento
  - On January 24, toured the Fanelli Dairy to view the operation of a unique biofilter for treating dairy wastes. The tour was led by Joe Choperena (Sustainable Conservation).
  - On January 24, participated in a telephone briefing with Felicia Marcus (State Board Member and Chair) regarding changes to the mercury management in the water quality control plan for inland surface water and estuaries of California
  - The conference call of January 24 was repeated on January 25<sup>th</sup> for Dee Dee Amado (State Board Member) and February 1<sup>st</sup> for Steve Moore and Tam Doduc (State Board Members)
  - On January 30, received a briefing from Board staff on Pyrethroids
  - On February 1, participated in a briefing with Tam Doduc and Steve Moore (State Board Members) regarding changes to the mercury management in the Water Quality Control Plan for Inland Surface Water, enclosed bays and estuaries of California
  - On February 6, received a briefing on Pyrethroids for Basin Plan Amendments, from Tess Dunham, Parry Klassen, David Cory and Casey Creamer
  - On February 6, participated in the monthly Chair's call, which was focused on the budget
- Chair Longley spoke about the current committees that the Board members participate in, as follows:

The current committees are as follows:

- Ag (Karl Longley and Denise Kadara)
- Cannabis (Bob Schneider)
- Climate Change (Jon Costantino)
- CV Salts (Karl Longley)
- Oil Fields including Food Safety (Karl Longley and Denise Kadara)
- PG & E Lands Stewardship Council (Bob Schneider)

Dr. Longley said that by necessity we are restricted to two board members per committee due to ex-parte issues

He said that with the New Board Members on Board there would be some re-shuffling on those committees to accommodate them. He asked if we needed a couple of more committees, like the Disadvantaged Communities Delta and possibly, Wetlands

Dr. Longley said that there is an Enforcement committee in which the Chair and Vice-Chair participate in

Member Schneider asked Senior Legal Counsel Patrick Pulupa to clarify the definition of committee. He said that he is seeing these committees as ADHOC and not as formal Board Advisory committees

Patrick Pulupa (Senior Legal Counsel for the Board) explained the difference between the ADHOC committee (working group of 2 Board Members), as opposed to the regular Advisory committees (3 Board Members or more)

This will be discussed further tomorrow.

#### **RESOLUTIONS FOR KARL LONGLEY (CHAIR)**

Vice-Chair Kadara presented two sets of resolutions to Chair Longley, for his 25<sup>th</sup> anniversary with the Central Valley Regional Water Board. She read out the first resolution presented on behalf of staff and the Board of the Central Valley Regional Water Board and presented the second resolution on behalf of Assemblymember, Joaquin Arambula

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

Jeff Scharff (Attorney) appeared on behalf of Marilyn Wordlow (Former shell station located at 4301 Marconi Boulevard) He spoke about documented contaminant effects on groundwater. He said that he would like to request the Board staff to convene a meeting of all the parties to discuss these issues to develop a workable, enforceable timeframe for this sight to be put on track

Executive Officer Creedon said that she will have Andrew Altevogt (Assistant Executive Officer) will work with Mr. Scharff to address his concerns

#### **AGENDA ITEM 5-UPDATE BY STATE BOARD LIAISON**

No updates were provided

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

Member Schneider issues with wet weather. He said that he appreciates getting the Administration summary report on priorities and the overviews of the different programs. He commented on the mine fact sheet.

He said he refers people to the Executive Officer's report on the website. It is very informative and timely.

#### **PRESENTATION OF SUPERIOR ACCOMPLISHMENT AWARDS**

Executive Officer presented Superior Accomplishment awards to the following staff:

Doug Barber, Water Resources Control Engineer in the Central Valley Regional Water Board, Redding office

**Team Award (Regional Water Board, Sacramento Office)**

Jennifer Haynes-White, Engineering Scientist  
Daniel Davis, Environmental Geologist

**ENFORCEMENT– AGENDA ITEM 7**

The Morning Star Packing Company, L.P., The Morning Star Tomato Packing Plant, Colusa County – *Consideration of a Resolution Rescinding Administrative Civil Liability Order R5-2016-0008 and Consideration of Whether to Direct Prosecution Team to Calendar Same for Rehearing*

Member Ramirez recused herself from this item

Legal Counsel, Andrew Deeringer said that the Board will recess to go into closed session to discuss, pursuant to government code 11126e to receive advice from Legal Counsel regarding Litigation filed against the Central Valley Water Board and/or the State Water Board:

**LUNCH/CLOSED SESSION**

The Board recessed for lunch to discuss this item below, in closed session

- Administrative Civil Liability Order Issued to Morning Star Packing Company, L.P., in 2016 - *Morning Star Packing Company, L.P. v. California Regional Water Quality Control Board, Central Valley Region, et al.* (Colusa County Superior Court, Case No. 24162)

Legal Counsel Deeringer said that no legal action will be taken during closed session

Legal Counsel, Deeringer said that no legal action was taken during the closed session. He also mentioned that the tentative resolution which was circulated includes two resolved paragraphs, but the second one will only be included in the final resolution if the Board votes to rehear the ACL order. Otherwise, that paragraph will be omitted

The meeting resumed with testimony from Kristen Castaños (Attorney with Stoel Rives) representing the Morning Star company, thanked the Board for bringing this item today and acknowledged the Board's initiative in undertaking the review.

The Chair closed the hearing and the Board went into Closed/Executive session at 10:30 a.m. Senior Legal Counsel, Patrick Pulupa, clarified that, per government code 11126c3 the Board will deliberate on the decision based on the evidence that has been submitted to the Board

The Board returned from Executive session at 10:50 a.m. and deliberated

*Motion to adopt ACL Rescission with revisions  
 Made by Member Schneider  
 Secoded by Vice-Chair Kadara  
 Member Schneider-yes  
 Member-Marcum-yes  
 Member-Brar-yes  
 Member Costantino-yes  
 Vice-Chair Kadara-yes  
 Chair Longley-yes  
 Approved by roll call vote of 6-0-0  
 Member Ramirez had recused herself from this item before deliberation*

**BASIN PLANNING– AGENDA ITEM 8**

Proposed Basin Plan Amendments to Establish a Region-wide Municipal and Domestic Supply (MUN) Beneficial Use Evaluation Process in Agriculturally Dominated Surface Water Bodies and to De-designate MUN from 231 Constructed Agricultural Drains – *Board Hearing to Receive Oral Comments*

True Khang (Environmental Scientist) and Cindy AuYeung (Environmental Scientist) and Anne LittleJohn (Senior Environmental Scientist) presented their portions of the staff report. Anne Little John spoke on Monitoring Surveillance. Executive Officer Creedon, Senior Legal Counsel Patrick Pulupa, Adam Laputz

(Assistant Executive Officer) and Jeanne Chilcott (Environmental Program Manager) answered clarifying questions for the Board

Testimony and comments were received as follows:

**Sacramento River Source**

Elissa Coleman (Sacramento River Source Water Protection)

Bonnie Starr (Sacramento Utilities)

**Central Valley Clean Water Association (CVCWA)**

Debbie Webster (CVCWA)

**Turlock Irrigation District and San Joaquin Tributary**

Debbie Lieberspock – (Turlock Irrigation District)

**Interested Parties**

Melissa Thorne – (Valley Water Management)

Dennis Wescott – (San Joaquin Tributary Authority)

David Cory – (Westside Coalition)

Tim Johnson – (California Rice Commission)

Robert Gore – (California Independent Petroleum Association)

Chair Longley closed the hearing and said that it will be brought back in the June Board meeting

**LUNCH BREAK/CLOSED SESSION**

The Board recessed for lunch to discuss the item below in closed session

- a. 13267 Order Issued to Modus, Inc. in 2015 – *Modus, Inc. v. California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; Central Valley Water Board* (Fresno County Sup. Ct., Case No. 15CECG03668)

**AGENDA ITEMS 9 THROUGH 17 WERE PRESENTED TO THE BOARD PANEL AT THE NOVEMBER 3-4 2016 PANEL HEARINGS IN FRESNO, CALIFORNIA**

The Board returned from lunch/closed session at 1:25 p.m.

**AGENDA ITEM 9**

Baldev & Kamaljit Batth, Fresno County – *Consideration of Administrative Civil Liability*

Susan Loscutoff (Counsel for the Prosecution team) informed the Board that there was a motion pending, objecting to the introduction of new evidence and legal argument. She said that she would like a ruling on that before proceeding. There was a letter submitted by the dischargers and the prosecution team objects to it being accepted into the records

Senior Legal Counsel, Patrick Pulupa distributed the first letter to the Board, which the Board allowed to be included into the record. The document was dated January 25, 2017 and the Board Chair had made a ruling to admit that into the record

Adam Laputz (Assistant Executive Officer) provided a brief summary of the proposed panel recommendation for Administrative Civil Liability for Baldev and Kamaljit Batth

Clay Rodgers (Assistant Executive Officer), said that the Prosecution team was not aware of the letter previously distributed to the Board dated February 25 was going to be admitted into the record. He said that on January 30<sup>th</sup>, the Enforcement team responded to that letter and would like to know if that was also admitted into the record by the Chair. If not, he would request that the Chair also admit that into the record

Senior Legal Counsel, Patrick Pulupa recommended that for the time being, the Board move on to the next item until all the evidence has been located

*Motion to pause the item  
Made by Member Ramirez  
Seconded by Member Marcum  
Member Ramirez-yes  
Member Marcum-yes  
Member Costantino-yes  
Member Brar-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes*

The Board resumed with deliberations on this item

*Motion to adopt the ACL \$35,940 with late revisions based on panel recommendation  
Made by Board Member Kadara  
Seconded by Member Schneider  
Member Schneider-yes  
Member-Marcum-yes  
Member-Brar-yes  
Member Costantino-yes  
Member Ramirez-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 7-0-0*

#### **AGENDA ITEM 10**

Alex V. & Vera A. Kobets, Fresno County – *Consideration of Administrative Civil Liability*

Adam Laputz (Assistant Executive Officer) gave a brief summary of the proposed Administrative Civil Liability and the hearing panel's recommendation

Clay Rodgers (Assistant Executive Officer) said that it was his understanding that Mr. Kobet's now have membership with the Irrigated Lands Coalition

The Board deliberated

*Motion to adopt ACL \$10,000 based on the Panel's Recommendation  
Made by Member Costantino  
Seconded by Member Ramirez  
Member Costantino-yes  
Member-Ramirez-yes  
Member-Brar-yes  
Member Marcum-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 7-0-0*

#### **AGENDA ITEM 11**

Gilbert & Enedina Marroquin, Tulare County – *Consideration of Administrative Civil Liability*

Adam Laputz (Assistant Executive Officer) and part of the Advisory team, gave a brief summary of the proposed Administrative Civil Liability and the hearing panel's recommendation

Clay Rodgers (Assistant Executive Officer) and part of the Prosecution team, recommended the Board Panel's recommendation, but if any new evidence was submitted by the dischargers, than the prosecution team would like to respond to that.

Justin Harris (Attorney) spoke on behalf of the Marroquin's.

Patrick Pulupa (Senior Legal Counsel) and part of the Advisory team answered clarifying questions

The Board deliberated

*Motion to adopt ACL \$30,030 based on the Panel's Recommendation*

*Made by Vice-Chair Kadara*

*Seconded by Member Marcum*

*Member Marcum-yes*

*Member-Brar-no*

*Member Ramirez-no*

*Member Costantino-yes*

*Member Schneider-yes*

*Vice-Chair Kadara-yes*

*Chair Longley-yes*

*Approved by roll call vote of 5-2-0*

## **AGENDA ITEM 12**

Gurmail Kaur, Madera County –*Consideration of Administrative Civil Liability*

Adam Laputz (Assistant Executive Officer) presented the summary describing the hearing panel recommendation

Andrew Altevogt (Assistant Executive Officer)

Gurjeet Singh gave additional testimony

The Board deliberated and the Chair asked Senior Legal Counsel Patrick Pulupa to read out the three options for the Board

- Adopt the panel recommended ACL of \$19,965
- Adopt the proposal of the prosecution team for ACL of \$4,659
- Terminate the proceeding at this stage on the basis that there were enough mitigating circumstances by which the Board can exercise its prosecutorial discretion not to issue the Administrative Civil Liability

The Chair suggested that the Board not adopt the ACL because being that there were enough mitigating circumstances in place

*Motion to Dismiss the Panel Recommended ACL in the amount of \$19,965*

*Made by Member Ramirez*

*Seconded by Member Schneider*

*Member Ramirez-yes*

*Member Schneider-yes*

*Member-Marcum- no*

*Member-Brar-yes*

*Member Costantino-yes*

*Vice-Chair Kadara-no*

*Chair Longley-yes*

*Approved by roll call vote of 5-2-0*

## **AGENDA ITEM 13**

William and Maria Egleston, Merced County – *Consideration of Administrative Civil Liability*

Adam Laputz (Assistant Executive Officer) presented the summary describing the hearing panel's recommendation for Administrative Civil Liability

Andrew Altevogt (Assistant Executive Officer) had no objections with the panel recommendation

The Board deliberated

*Motion to adopt the Panel Recommended ACL in the amount of \$23,716*

*Made by Vice-Chair Kadara*

*Seconded by Member Costantino  
Member Costantino-yes  
Member Ramirez-yes  
Member-Marcum-yes  
Member-Brar-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 7-0-0*

**AGENDA ITEM 14**

Brooks & Arlene Rushing, as Individuals and in Their Representative Capacity as Trustees for the Brooks

Adam Laputz (Assistant Executive Officer) and part of the Advisory team presented the summary describing the hearing panel's recommendation for Administrative Civil Liability

Andrew Altevogt (Assistant Executive Officer) and part of the prosecution team informed the Board that staff was in contact with Ms. Rushing. Due to ill health, Ms. Rushing could not be at the meeting. Mr. Altevogt said that the panel recommended penalty or lower, would be appropriate in this case

The Board deliberated

*Motion to adopt the Panel Recommendation of ACL in the amount of \$8,135  
Made by Member Ramirez  
Seconded by Member Marcum  
Member Ramirez-yes  
Member-Marcum-yes  
Member-Brar-yes  
Member Costantino-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 7-0-0*

**AGENDA ITEM 15**

Emma J. Bounds, as an Individual and as Trustee for the Bounds Family Trust, Madera County –  
*Consideration of Administrative Civil Liability*

Adam Laputz (Assistant Executive Officer) presented the summary describing the hearing panel's recommendation for Administrative Civil Liability

Andrew Altevogt (Assistant Executive Officer), said that the prosecution team agrees with the revisions

Carman Ruggeri (son in-law of Emma Bounds) read a letter from Christopher Brown (Emma Bounds Attorney)

David Cory (East San Joaquin River Coalition) made comments

Patrick Pulupa (Senior Legal Counsel) answered clarifying answers to the Board

The Board deliberated

*Motion to adopt the Board Panel Recommendation for ACL in the amount of \$26,520 with late revisions  
Made by Member Costantino  
Seconded by Vice-Chair Kadara  
Member Costantino-yes  
Member Brar-yes  
Member Ramirez-yes  
Member-Marcum-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 6-0-0*

Member Schneider left for the day and was not present to vote on this item

**AGENDA ITEM 16**

Singh Farms, LLC, Madera County – *Consideration of Administrative Civil Liability*

Adam Laputz (Assistant Executive Officer) presented the summary describing the hearing panel's recommendation for Administrative Civil Liability

Andrew Altevogt (Assistant Executive Officer) said that the prosecution team came up with a different number

After a brief recess the prosecution team said that the Advisory team's calculations were correct

Patrick Pulupa (Senior Legal Counsel) answered clarifying questions for the Board

Mr. Singh testified

The Board deliberated

*Motion to adopt the Panel Recommendation of ACL in the amount of \$27,885  
Made by Member Ramirez  
Seconded by Member Brar  
Member Ramirez-yes  
Member Brar-yes  
Member-Marcum- yes  
Member Costantino-no  
Vice-Chair Kadara-no  
Chair Longley-no  
Motion did not carry*

*Motion to adopt the Panel Recommendation of ACL in the amount of \$35,490 with late revisions  
Made by Member Costantino  
Seconded by Vice-Chair Kadara  
Member Costantino-yes  
Member Ramirez-yes  
Member-Marcum- yes  
Member-Brar-no  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Motion approved by roll call vote of 5-1-0*

**AGENDA ITEM 17**

Victor Produce, Inc., Merced County – *Consideration of Administrative Civil Liability*

Adam Laputz (Assistant Executive Officer) presented the summary describing the hearing panel's recommendation for Administrative Civil Liability

Andrew Altevogt (Assistant Executive Officer) concurs with the Advisory team's calculations

Mr. Gilbert Baca (Sales Manager Victor Produce) appeared for Victor produce.

The Board deliberated

*Motion to adopt the Panel Recommendation of ACL in the amount of \$35,490 with late revisions  
Made by Member Ramirez  
Seconded by Member Brar  
Member Ramirez-yes  
Member Brar-yes*

Member-Marcum-no  
 Member Costantino-yes  
 Vice-Chair Kadara-yes  
 Chair Longley-yes  
 Approved by roll call vote of 5-1-0

**AGENDA ITEM 18- OTHER BUSINESS**

Update on the Compressed Administrative Civil Liability Process – *Informational Item Only*

This item was moved to the next day (Friday, February 24)

*The board meeting adjourned at 6:23 p.m. to the next day*

**FRIDAY, FEBRUARY 24, 2017**

Chair Longley called to order the 549th Board meeting of the Central Valley Regional Water Quality Control Board

**BOARD MEMBERS PRESENT**

Brar, Raji	Costantino, Jon	Kadara, Denise	Longley, Karl
Marcum, Daniel	Ramirez, Carmen	Schneider, Robert	

**BOARD MEMBERS ABSENT**

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

Deeringer, Andrew	Ellison, Kailyn	Pulupa, Patrick	Yu, Stephanie
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**STAFF PRESENT**

Black, Stewart	Fojut, Tessa	McConnell, Sue	Snyder, Clint
Bracamonte, Linda	King, David	Morris, Patrick	Wass, Lonnie
Chilcott, Jeanne	Lanfranchi, Kiran	Rodgers, Clay	Wilson, Angela
Coughlin, Gene	Laputz, Adam	Rosenbaum, Steve	
Creedon, Pamela	McClure, Danny	Smith, Renee	

**OTHERS PRESENT**

Bedore, Paul	Dorn, Linda	Johnson, Michael	Webster, Debbie
Casey, Mike	Dunham, Tess	Klassen, Parry	Weston, Donald
Clark, Stephen	Harlow, Loren	Tamayo, David	
Cory, David	Houdesheldt, Bruce	Teerlink, Jennifer	

**BOARD MEMBER COMMUNICATIONS–AGENDA ITEM 21**

Member Costantino said that he met with Tess Dunham (Somach Simms and Dunn) on February 7, for a briefing on Pyrethroids

Member Schneider talked about the Administrative Civil Liabilities on the agenda and thanked staff for all their hard work

Chair Longley made proposal for Working Groups (formerly committees) that were discussed at yesterday’s meeting

1. Agriculture - (Karl Longley and Dan Marcum)
2. Cannabis-(Bob Schneider and Carmen Ramirez)
3. Climate Change - (Jon Costantino)
4. CV-SALTS - (Karl Longley and Denise Kadara)

5. Delta and Wetlands – (Jon Costantino)
6. Disadvantaged Communities - (Denise Kadara and Raji Brar)
7. Forest Activities and Mines - (Karl Longley and Dan Marcum)
8. Oil Fields including Food Safety - (Karl Longley and Raji Brar)
9. PG & E Lands Stewardship Council- (Bob Schneider)

The Board Members concurred and accepted Chair Longley's proposal on the new and revised committees

#### **PUBLIC FORUM–AGENDA ITEM 22**

Bruce Houdesheldt (Northern California Water Association) congratulated the Chair on his excellent work on the Board for the past 25 years. He said that next Friday, the Northern California Water Association will celebrate its 25<sup>th</sup> year. He said that when dischargers join his coalition they are told in advance how their funds will be used

#### **AGENDA ITEM 25-UNCONTESTED CALENDAR**

Approval of items 30 through 35

#### **AGENDA ITEM 30-NPDES PERMITS**

- a. El Dorado Irrigation District, El Dorado Hills Wastewater Treatment Plant and Deer Creek Wastewater Treatment Plant, El Dorado County – NPDES Permit CA0078671 and CA0078662 (*New*)
- b. Pactiv LLC Molded Pulp Mill, Tehama County – NPDES Permit CA0004821 (*Renewal*)

#### **AGENDA ITEM 31-LOCAL AGENCY MANAGEMENT PROGRAMS (LAMPs)**

- a. Amador County, Amador Environmental Health Department
- b. Modoc County, Environmental Health Department
- c. Plumas County, Environmental Health Department

#### **AGENDA ITEM 32-WASTE DISCHARGE REQUIREMENTS AND CEASE AND DESIST ORDERS**

- a. Buckeye Landfill, Shasta County, Proposed Adoption of Post-Closure Maintenance – Order R5-97-077 (*Revised*)
- b. Califia Farms, LLC, and North Kern Water Storage District, Process Water Reuse Project, Kern County (*New*)
- ~~c. Colusa County Department of Public Works, Evans Road Landfill, Colusa County – Order R5-2002-0124 (*Revised*)~~ **(THIS ITEM WAS PULLED FROM THE AGENDA)**
- d. Colusa Industrial Properties, Inc., Colusa Industrial Properties Wastewater Treatment Facility, Colusa County (*New*)
- e. Harris Ranch Beef Company, Selma Beef Processing Plant, Fresno County – Order 90-183 (*Revised*), and Cease and Desist Order (*New*)
- f. Los Gatos Tomato Products, Huron Tomato Processing Plant, Fresno County – Order 5-00-267 (*Revised*)
- g. Pacific Coast Producers Inc., Oroville Processing Facility and Palermo Land Application Area, Butte County – Proposed Adoption of Negative Declaration and WDR Order R5-2003-0045 (*Revised*)
- h. Porterville Citrus, Inc., Former Seville Olive Company Facility, Surface Impoundments, Post-Closure Maintenance and Corrective Action –Tulare County, (*New*)
- i. Waste Management of Alameda County, Inc., Altamont Landfill and Resource Recovery Facility, Alameda County – Order R5-2016-0042 (*Amendment*)
- j. William and Martha Shubin Trustees & BFI Waste Systems of North America, LLC, Chestnut Avenue Landfill, Class III Landfill, Post-Closure Maintenance, Fresno County – Order 5-01-059 (*Revised*)

#### **AGENDA ITEM 33-CEASE AND DESIST ORDER RESCISSIONS**

Clark Pacific, LLC and Clark Pacific General Partnership, Former Spreckles Sugar Company, Yolo County – Order R5-2012-0092

**AGENDA ITEM 34-WASTE DISCHARGE REQUIREMENTS/NPDES PERMITS – RESCISSIONS**

- a. Abbey of New Clairvaux, Tehama County – Order 5-00-053
- b. Anderson-Cottonwood Concrete Products, Shasta County – Order 95-198
- c. Beckwourth CSA, Plumas County – Order 96-135
- d. Big Creek School District, Fresno County – Order 5-00-230
- e. Browns Valley Irrigation District, Collins Lake Recreational Area Wastewater Treatment Facility, Yuba County – R5-2004-0020
- f. California Department of Fish and Wildlife, Spenceville Mine, Nevada County – 5-01-088
- g. California Department of Transportation District 3, Gold Run Roadside Rest Area, Placer County – 95-092
- h. Castle Crags State Park, Shasta County – Order 5-00-242
- i. Chico Mobile Country Club, Butte County – Order 96-133
- j. City of Lincoln, Lincoln Wastewater Treatment Plant, Placer County– 5-01-249
- k. David and Patricia Kubich, Pioneer Pit Mine, Sierra County – 88-135
- l. OLAM West Coast, Inc., OLAM Modesto, Stanislaus County – 98-143
- m. Sierra Pine Limited, Medium Density Fiberboard Plant, Placer County – Order 95-095

**AGENDA ITEM 35-CHANGE OF NAME AND OR/OWNERSHIP**

- a. Amador Water Agency & Mace Meadow Golf and Country Club, Inc., Buckhorn Water Treatment Plant, Order R5-2005-0097– Amador County
- b. Lobue/Earlibest Packing House, Order 85-106 –Tulare County

No one was present to contest or comment on any items on the uncontested calendar. The Board adopted the uncontested items based on information on record

*Motion to adopt uncontested items 30 through 35  
Made by Member Ramirez  
Seconded by Vice-Chair Kadara  
Member Ramirez-yes  
Member-Marcum- yes  
Member-Brar-yes  
Member Costantino-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 7-0-0*

**AGENDA ITEM 26-NPDES PERMIT**

City of Redding Clear Creek WWTP, Shasta County – *Consideration of NPDES Permit Renewal (NPDES Permit CA0079731)*

No one was present to contest or comment on this item. The Board adopted this order based on records on file

*Motion to adopt the NPDES Permit Renewal with late revisions  
Made by Member Ramirez  
Seconded by Member Brar  
Member Ramirez-yes  
Member Brar-yes  
Member-Marcum-yes  
Member Costantino-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 7-0-0*

**AGENDA ITEM 27-ENFORCEMENT**

Newmont USA, Ltd., North Star Water Treatment Facility, Nevada County – *Consideration of a Time Schedule Order* (NPDES Permit CAG995002)

No one was present to contest or comment on this item

*Motion to adopt The Time Schedule Order  
Made by Member Costantino  
Seconded by Member Ramirez  
Member Costantino-yes  
Member Ramirez-yes  
Member-Marcum- yes  
Member-Brar-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 7-0-0*

**EXECUTIVE OFFICER’S REPORT 23**

*a. State of the Region address by Executive Officer*

As part of the Executive Officer’s State of the Region Address, a beautifully compiled video, highlighting all the major programs of the Central Valley Regional Board, was played for the Board and the public to view. This video highlighted all the achievements and work done in all the major programs of the Central Valley Regional Water Board

The Board thanked Gene Coughlin for putting together the very informative and well graphed video

The Board made positive and complimentary remarks on the graphics and the quality of the video

Board Member Brar said that as a new Board Member, the video was very informative and timeless

Executive Officer asked the Board about their feedback on Portfolio Management for 17/18 fiscal year

Member Ramirez said that based on the rainfall, storm water and construction management runoff, we should have room in our staffing so that they can react and respond

Member Marcum asked how we coordinate with the other Regions

Vice-Chair Kadara said that she was just awed by the presentation. She said that it was outstanding.

Executive Officer Creedon answered questions for the Board

**LUNCH/CLOSED SESSION**

*Board Recessed for lunch at 11:51 a.m. to discuss closed session item 24 (Public Employee Performance Evaluation, Executive Officer of the Central Valley Regional Water Board)*

**AGENDA ITEM 24**

Public Employee Performance Evaluation, Executive Officer of the Central Valley Water Board. This meeting was conducted in closed session pursuant to Gov. Code, § 11126, subd. (a), to give performance evaluation to Executive Officer, Creedon

**AGENDA ITEM 28-BASIN PLANNING**

Proposed Basin Plan Amendment and TMDL for the Control of Pyrethroid Pesticide Discharges – *Board Hearing to Receive Oral Comments*

Tessa Fojut (Environmental Scientist) presented the staff report. Adam Laputz (Assistant Executive Officer) answered clarifying questions for the Board. Danny McClure and Jeanne Chilcott also answered questions for the Board

**PYRETHROID WORKING GROUP PANEL**

- Tess Dunham (Somach Simmons and Dunn)
- Michael Johnson

**AGENCY AND RESEARCH PANEL**

- Donald Westin (University of California Berkeley)

**CITY OF ROSEVILLE AND PORT OF STOCKTON PANEL**

- Paul Bedore (Robertson-Bryan, Inc)
- David Tamayo (County of Sacramento)
- Linda Dorn (Regional San)
- Jennifer Tearlink (Department of Pesticide Regulations)
- Stephen Clark (Pacific Ecorisk)

**INTERESTED PARTIES**

- Debbie Webster (CVCWA)

Chair Longley closed the hearing and said that it will be brought back in the June Board meeting

**AGENDA ITEM 18- OTHER BUSINESS**

Update on the Compressed Administrative Civil Liability Process – *Informational Item Only*

Andrew Altevogt (Assistant Executive Officer) gave a brief overview on the new process being implemented for compressed ACLs

David Cory (East San Joaquin Drainage Authority) and Tess Dunham (Somach Simmons and Dunn) made additional comments

Patrick Pulupa (Senior Legal Counsel) and Executive Officer Creedon answered questions for the Board

**AGENDA ITEM 29-ELECTION OF CHAIR/VICE CHAIR**

**ELECTION OF CHAIR**

The Board Members discussed and deliberated

*Motion to elect Karl Longley as Chair  
Made by Member Costantino  
Seconded by Member Brar  
Member Costantino-yes  
Member Brar-yes  
Member Ramirez-yes  
Member Marcum-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by roll call vote of 6-0-0*

**ELECTION OF VICE-CHAIR**

Carmen Ramirez nominated Jon Costantino. Member Costantino accepted the nomination

Bob Schneider nominated Denise Kadara. Ms. Kadara accepted the nomination

Member Costantino withdrew his nomination

*Motion to elect Denise Kadara as Vice-Chair  
Made by Member Schneider  
Seconded by Member Ramirez  
Member Schneider-yes  
Member Ramirez-yes  
Member Brar-yes  
Member Marcum-yes  
Member Costantino-yes  
Vice-Chair Kadara-abstain  
Chair Longley-yes  
Approved by roll call vote of 6-0-1*

The meeting adjourned at 4:57 p.m. to the March 9 CV-Salts Hearing in Rancho Cordova, CA