



MINUTES OF BOARD MEETING
 August 11, 2017 Board Meeting
 Central Valley Regional Water Board
 11020 Sun Center Drive, Suite 200
 Rancho Cordova, CA 95670

DRAFT MINUTES AUGUST 11, 2017

FRIDAY, AUGUST 11, 2017

Chair Longley called to order the 552nd Board meeting of the central Valley Regional Water Quality Control Board

Chair Longley announced that Member Schneider would be joining the meeting later in the morning

BOARD MEMBERS PRESENT

Brar, Raji	Costantino, Jon	Kadara, Denise	Longley, Karl
Marcum, Dan	Schneider, Bob		

BOARD MEMBERS ABSENT

Ramirez, Carmen			
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STATE BOARD MEMBERS PRESENT

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

Lancaster, David	Pulupa, Patrick	Yu, Stephanie	
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STAFF PRESENT

Aghazeynali, Hossein	Getachaw, Girma	Lanfranchi, Kiran	Rodgers, Clay
Andrew Altevogt	Hartzell, Marty	Laputz, Adam	Simi, Jay
AuYeung, Cindy	Hatton, Scott	LittleJohn, Anne	Snyder, Clint
Bracamonte, Linda	Haynes, Jennifer	Lu, Zhimim	Thayer, Beth
Brown, Janelle	Holcomb, Ronald	Mahoney, Joshua	Walker, Kristine
Chetelat, Guy	Joab, Christine	Morgan, Nichole	Wood, Michelle
Chilcott, Jeanne	Khang, True	Newman, Brian	Yee, Betty
Cook, Janis	King, David	Palmer, Joshua	Watchtell Doug
Coughlin, Gene	Kirn, David	Patteson, Doug	
Creedon, Pamela	Getachaw, Girma	Lanfranchi, Kiran	

OTHERS PRESENT

Allayaud, Bill	Flores, Brittany	Liebersbach, Debbie	Wood, B
Ansolabehere, David	Garabedien, Michael	Loftholm, Steve	Wordlow, Marilyn
Belt, David	Garcia, Mike	Millsap, Mike	Wyels, Wendy
Bezerra, Ryan	Gore, Bob	Mulholland Sopac	Kozelka, Peter
Bryan, Michael	Grovhoug, Tom	Reck, Randy	
Cole, Justen	Hye, Emma	Scharff, Jeff	
Cory, David	Krolick, Heidi	Starcher, Fred	
Crouse, Ed	Houdesheldt, Bruce	Thorne, Melissa	
Cunningham, Royce	Lewis, Patrick	Webster, Debbie	

APPROVAL OF MINUTES FROM THE JUNE 8/9, 2017 BOARD MEETING MINUTES, RANCHO CORDOVA, CALIFORNIA

*Motion to Adopt the June 8/9, 2017 Minutes
Made by Member Costantino
Seconded by Vice-Chair Kadara
Member Costantino-
Member Marcum
Member Brar
Member Schneider-
Vice-Chair Kadara
Chair Longley
Approved by roll call vote of 6-0-0*

AGENDA ITEM 3-BOARD MEMBER COMMUNICATIONS

Board Members reported the following communications\

Raji Brar

On July 18th, spoke to the Senate Rules Committee

Dan Marcum

July 11, participated in a 30 minute telephone interview with Senate Rules

July 17, participated in a telephone chat with Bruce Houdesheldt. Could not make Sacramento Valley Regional water meeting in Tehama July 24th.

July 18, met with Kenneth and Craig McArthur to better understand how growers track coalition activity.

August 9, met in Fresno, with Karl Longley, Dan Munk, Casey Creamer, and Parry Klassen., to learn about farm practices in the Fresno area and methods for assimilation of new knowledge into farm practices.

Jon Costantino

Jon said that he and Andrew Altevogt (Assistant Executive Officer) are working on logistics/plans for Climate Change meeting scheduled for October 6

He said that at the Nevada County Fair, he met with some farmers and talked about coalitions and the Water Board

Denise Kadara

28 June, met with Kristin Dobbin of Community Water Center and Kayode Kadara of Tulare County Water Commission DAC subcommittee. We also work together on the Community Water Leaders Network (CWLN) where we discuss and address DAC water issues. At this meeting, we discussed the Tulare Lake Basin DAC Water Study completed in August 2014 and how it could be utilized as a guide to focus on DAC water problems identified with priorities and recommendations.

30th June, attended Atwell Island Program Work-Based Learning Student Presentation. Eight Allensworth and five Alpaugh high school students participated in a month-long program. The focus of their study was water quality, water contamination, ground water and drought. Students met with elected officials, College of Sequoia Professor, and related federal and non-profit agencies. Students did a research paper and digital and oral presentation of what each of them learned. It was a life-learning experience. Tulare Basin Wildlife Partners coordinated this activity along with both school districts, BLM and the Tulare County Office of Education. Clay Rodgers, AEO of Fresno office attended the event.

Bob Schneider

On 14 June attended the Stewardship Council meeting. He said that he occasionally attends these meetings. He acknowledged Soapy Mulholland in the audience. He said that he investigated water levels while at Mount Shasta.

Karl Longley

5 July, while in Europe (16 Jun – 13 Jul, 2017), met with Dr. Huub Rijnaarts to provide a briefing on salt and nitrate issues in California's Central Valley, and to begin a discussion regarding the development of cooperation between Wageningen University in the Netherlands (a leader in water treatment research), and Fresno State's Blue Tech Valley, an organization focused on turning entrepreneurial visions into real-world solutions for managing California's finite resources, water and energy.

19 July, together with Pamela Creedon, Executive Officer (EO), Central Valley Water Quality Control Board (CVRWQCB), and Patrick Pulupa, Attorney III, Regional Water Board Senior Counsel, met with State Water Resources Control Board Members Felicia Marcus and DeeDee D'Adamo to discuss issues pertaining to drinking water supply for disadvantaged communities.

9 August, together with CVRWQCB Member Daniel Marcum, met with Parry Klassen, San Joaquin Valley Water Quality Coalition, and Casey Creamer, Kings River Water Quality Coalition, to discuss operational issues associated with the Irrigated Lands Regulatory Program. The meeting took place at the Kings River Conservation District Office Office and Parry Klassen's Ranch.

3 August, together with Pamela Creedon, EO, (CVRWQCB), and Patrick Pulupa, Attorney III, met with CalEPA Undersecretary Gordon Burns and State Water Resources Control Board Chief Counsel Michael Lauffer to discuss issues pertaining to drinking water supply for disadvantaged communities.

10 August, together with Pamela Creedon, EO (CVRWQCB) other senior CVRWQCB staff, and staff from other California agencies, met with Saul Gomez, Deputy Cabinet Secretary in the Office of the Governor, to discuss produced water and other related aspects connected to California oil production.

After the Board Communications, the following items were discussed

Executive Officer Creedon informed the Board that staff would like to secure the dates for the first board meeting in 2018 for noticing purposes, and proposed two sets of dates to choose from

February 1-2, 2018 or February 15-16, 2017

The Board decided on the first date, February 1-2, 2018

Member Marcum wanted to know a little bit more about the October Board meeting scheduled for October 19-20 in Redding California. Executive Officer Creedon asked Clint Snyder (Assistant Executive Officer in the Redding office) to give an update

Clint Snyder informed the Board that there will be a two day meeting and the first day of the meeting will be a tour of the Pit River Watershed. The tour will be in the morning, and in the afternoon, the Board will meet in a mini-workshop setting so that people will have the opportunity to talk to the Board directly

AGENDA ITEM 4-PUBLIC FORUM

David Cory (representing self), talked about the evolution of the Regional Board's public input process. He compared the previous method of stakeholder process to the present time. He stated that in the past, there was never really a dialogue back and forth. He said that within the recent past, especially with Pamela Creedon's leadership, there is a much better stakeholder process. He said that we have started the stakeholder process, like CV-SALTS and other stakeholder processes, in which considerable activity other than just drafting letters, etc. occurs. The stakeholder process is much more efficient now though it is significantly more time consuming.

Jeff Scharff introduced Marilyn Wordlow (4301 Marconi, former Shell Station) who said that Mr. Scharff had previously expressed her concerns to you. She said that wells were being drilled this week. She thanked the Board and staff. She said that she is looking forward to seeing Shell install vapor extraction systems

Mike Garcia (Bio Clean Environmental-Stormwater Treatment Systems)
Helping aggregate companies in the Central Valley collect stormwater runoff. He said that one of the issues they are having is capturing soluble metals in the runoff. He asked to be directed to the right staff. Executive Officer Creedon asked referred him to Richard Muhl in our office

AGENDA ITEM 5-UPDATE BY STATE BOARD LIAISON

No updates were provided

AGENDA ITEM 6

APPROVAL OF UNCONTESTED ITEMS

(See voting information below, under Uncontested Items)

UNCONTESTED CALENDAR

AGENDA ITEM 9

State of California Department of Parks and Recreation, Malakoff Diggins State Historic Park, Nevada County – *Consideration of a New NPDES Permit (NPDES No. CA0085332) and Time Schedule Order*

(Agenda item 9 was listed in the Contested Calendar above). However, since no one present to contest, or comment on this item, it was moved to the uncontested calendar, and voted with the rest of the uncontested items below)

AGENDA ITEM 17-NPDES ENFORCEMENT

- a. City of Biggs, Biggs Wastewater Treatment Plant, Butte County, Proposed Adoption of Time Schedule Order
- b. El Dorado Irrigation District, Deer Creek Wastewater Treatment Plant, El Dorado County – NPDES Permit R5-2014-0081 (NPDES No. CA0085332) (*Amendment*) and *Rescission of Time Schedule Order R5-2013-0901*
- c. Linda County Water District, Wastewater Treatment Plant, Yuba and Sutter Counties – NPDES CA0079651 (*Renewal*) and *Rescission of Time Schedule Order R5-2011-0056-01*

AGENDA ITEM 18-NPDES PERMITS

- a. Aerojet Rocketdyne, Inc., Groundwater Extraction And Treatment Systems, ARGET, GET EF, GET HA, GET J, GET K, GET LA, GET LB, GET AB, White Rock GET, Sailor Bar Park GET, Golden State Water Wells and Low Threat Discharges, Sacramento County –NPDES Permit R5-2013-0155 (NPDES CA0083861) (*Renewal*)
- b. The Boeing Company, Groundwater Extraction and Treatment Systems, GET HB, Southern Groundwater Study Area GET and Admin GET, Sacramento County – NPDES Permit R5-2014-0017 (NPDES CA0084891) (*Renewal*)

AGENDA ITEM 19-LOCAL AGENCY MANAGEMENT PROGRAMS (LAMPS)

- a. Calaveras County Environmental Management Department, Calaveras County
- b. Sutter County Environmental Health Division, Sutter County

AGENDA ITEM 20-WASTE DISCHARGE REQUIREMENTS AND CEASE AND DESIST ORDERS

- a. Teichert Aggregates, Perkins Facility, Sacramento County, (WDRs Order R5-2003-0166-01) (Amendment)

AGENDA ITEM 21-WASTE DISCHARGE REQUIREMENTS/NPDES PERMITS/TIME SCHEDULE ORDER RESCISSIONS

- a. Aera Energy LLC, Employee Housing Development Wastewater Treatment Facility, Kern County – Order 74-225
- b. Casa Del Rey HOA, Butte County, Order 97-230
- c. El Dorado Irrigation District, Rancho Ponderosa, El Dorado County, 86-236
- d. Golden Meadows CSD, Tehama County, Order 95-239
- e. Modern Development Company, LP, Bianchi Vineyards emerald Glenn Winery, Fresno County – Order R5-2014-0087
- f. Mount Lassen Power, Lassen County, Order R5-2002-0015
- g. Pacific Oroville Power, Butte County, Order 5-01-268
- h. Soper Company, Spanish Mine, Nevada County - NPDES Permit R5-2008-0104 (NPDES CA0085286) and Cease and Desist Order R5-2008-0105

AGENDA ITEM 22-CHANGE OF NAME AND OR/OWNERSHIP

- a. Cedar Creek Mobile Home Park, Shasta County, Waste Discharge Requirements Order WQ 2014-0153-DWQ-R5192
- b. Swartz Mine, Shasta County, Waste Discharge Requirements Order 96-283

Member Costantino recused himself from voting on agenda item 21a

Member Costantino stepped away from the dais during the voting of agenda item 21a

Adam Laputz (Assistant Executive Officer) explained the late revisions to the Board. He said that the discharger was okay with the changes

Motion to Adopt Uncontested Items 17 through 22, except item 21a, including agenda item 9, with late revisions on agenda item 17c
Made by Member Costantino
Seconded by Member Schneider
Member Costantino-Aye
Member Schneider-Aye
Member Marcum-Aye
Member Brar-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Approved by roll call vote of 6-0-0

Motion to Adopt Uncontested Item 21a
Made by Member Schneider
Seconded by Vice-Chair Kadara
Member Schneider- Aye
Member Costantino-Abstain
Member Brar-Aye
Member Marcum-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Approved by roll call vote of 5-0-0

EXECUTIVE OFFICER'S REPORT-AGENDA ITEM 7

Executive Officer Creedon brought to the Board's attention, the write-up of the Cannabis item in the EO Report. She further mentioned that law enforcement officials eradicated approximately 27,000 cannabis plants and made 35 arrests.

Ms. Creedon spoke about Cyanobacteria blooms that is currently listed under the Non- Point Source section of the EO report, but going forward she said that it will be listed under the table of contents with its own subject line so that the public can get to it quickly

Vice-Chair Kadara commented on performance targets. She said that she was very impressed with the numbers

Chair Longley commented on page 40 of the EO report, under Data Management Projects, two contracts have been lost. He wanted to know what was being done to get those contracts back.

Adam Laputz (Assistant Executive Officer) answered the contract questions for the Board

Executive Officer Creedon said that we have to find an inside contract

Presentation of Awards:

Executive Officer Creedon presented Superior Accomplishment Awards to the following staff:

- Guy Chetelat, Engineering Geologist in the Redding office
- Scott Hatton, Senior Engineer in the Fresno Office

Executive Officer also presented the Sustained Superior Accomplishment Team Award to:

- Dale Harvey Supervising Water Resources Control Engineer
- Ronald Holcomb Senior Engineering Geologist
- Hossein Aghazeynali Water Resources Control Engineer
- Douglas Wachtell Engineering Geologist
- Joshua Mahoney Water Resources Control Engineer

Presentation of Resolution to Wendy Wyels

Chair Longley presented a resolution commending Wendy Wyels for her service to the Central Valley Regional Water Board

AGENDA ITEM 7

a) "Fiscal Year End Water Board Program Performance Report

Executive Officer Creedon briefly summarized the Fiscal Year End report to the Board

AGENDA ITEM 8-NPDES PERMITS

Municipal Wastewater Dischargers That Meet Objectives/Criteria at the Point of Discharge to Surface Water – Consideration of a New NPDES General Order

Joshua Palmer (Senior Water Resources Control Engineer) presented the staff report

Senior Legal Counsel, Patrick Pulupa informed the Board that there was a request from Mr. Garabedian to admit certain evidence in support of his allegations regarding this order.

Mr. Garabedian presented his legal arguments

Peter Kozelka (USEPA) and Debbie Webster (CVCWA), gave additional testimony

Interested Parties Gave Additional Testimony

Ryan Bazerra (Attorney Joseph Gallo Farms)
Melissa Thorne (Downey Brand, on behalf of the City of Tracy)
Peter Kozelka (USEPA)
Debbie Webster (CVCWA)

Nichole Morgan, (Supervising Engineer), Adam Laputz, (Assistant Executive Officer) Patrick Pulupa, (Senior Legal Counsel) and Executive Officer Creedon answered questions for the Board.

Executive Officer Creedon recommended adoption of the NPDES General Order

*Motion to Adopt the NPDES General Order with late revisions
Made by Member Costantino
Seconded by Vice-Chair Kadara
Member Costantino-Aye
Member Brar-Aye
Member Marcum-Aye
Member Schneider-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Approved by roll call vote of 6-0-0*

LUNCH

The board adjourned for lunch at 12:50 p.m.
The Board meeting resumed at 1:40 p.m.

AGENDA ITEM 9

State of California Department of Parks and Recreation, Malakoff Diggins State Historic Park, Nevada County – *Consideration of a New NPDES Permit (NPDES No. CA0085332) and Time Schedule Order*

This item was uncontested and was voted on with the rest of the uncontested items. (See above, under Uncontested items)

AGENDA ITEM 10 -BASIN PLANNING

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 – *Consideration of Adoption*

Cindy Au Yeung (Environmental Scientist) and Anne Littlejohn (Senior Environmental Scientist) presented the staff report

Interested Parties Gave Additional Testimony

Patrick Lewis (Attorney)
Randy Rack (EJCW and San Francisco Bay Keeper)
Debbie Webster (CVCWA)
Debbie Lieberspock (Turlock Irrigation District)
Bill Allayaud (EWG, Bay Keeper)
David Cory (San Joaquin Drainage Authority)

Executive Officer Creedon, Senior Legal Counsel Pulupa and Jeanne Chilcott, (Environmental Program Manager) gave clarifying answers to the Board

*Motion to Adopt the Amendment with Late Revisions
Made by Member Costantino
Seconded by Member Marcum
Member Costantino-Aye
Member Marcum- Aye*

Member Schneider-Aye
Member Brar-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Approved by roll call vote of 6-0-0

AGENDA ITEM 11-WASTE DISCHARGE REQUIREMENTS

California Resources Corporation, LLC and North Kern Water Storage District, Oil Field Produced Water Reclamation Project – *Consideration of an Order Amending Waste Discharge Requirements Order R5-2015-0127*

Joshua Mahoney (Water Resources Control Engineer) presented the staff report

Interested Persons

Bill Allyaud (Environmental Working Group) gave additional testimony

Clay Rodgers (Assistant Executive Officer in the Fresno office) gave clarifying answers to the Board and recommended adoption of the order.

Executive Officer Creedon and Clay Rodgers recommended adoption of the order

*Motion to Adopt the WDR Amendment
Made by Vice-Chair Kadara
Seconded by Member Brar
Member Brar-Aye
Member Marcum-Aye
Member Schneider-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Approved by roll call vote of 5-0-0*

Member Costantino was not present during the deliberation of agenda item 11

AGENDA ITEM 12-OTHER BUSINESS

Status Update on Pasture Poultry Operations under the Poultry General Order (R5-2016-0087)
Informational Item Only

Doug Patteson (Supervising Water Resources Control Engineer in the Fresno office), gave a status update on the Pasture, Poultry Operations relating to the recently adopted Poultry General Order

Clay Rodgers (AEO) gave clarifying answers to the Board

AGENDA ITEM 13-BASIN PLANNING

The 2018 Joint Triennial Review of the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin – *Informational Item Only*

Jay Simi (Water Resources Control Engineer) and Betty Yee (Basin Planning Coordinator for the Region) gave a joint presentation on the initiation of the 2018 Triennial Review and Development of the Work plans for basin planning activities and requested the Board provide input and guidance to develop the next work plans

Bruce Houdesheldt (Northern California Water Association) made additional comments

AGENDA ITEM 14

Progress, Status, and Schedule of the Delta Nutrient Research Plan – *Informational Item Only*

Dr. Janis Cooke (Environmental Scientist in the Sacramento office), gave a report about the Delta Nutrient Research Plan. She provided background, progress to date and talked about the next steps

AGENDA ITEM 15-OTHER BUSINESS

Pacific Stewardship Council update and *Consideration of Resolution to Re-appoint Sopac (Soapy) McCarthy Mulholland to the Stewardship Council*

Soapy Mulholland (Board's Representative on the Pacific Forest and Watershed Lands Stewardship Council) gave a brief update and introduced Heidi Krolick, (Executive Director of the Pacific Forest and Watershed Lands Stewardship Council) who further gave an update to the Board.

The Board acknowledged Ms. Mulholland's contribution to the Stewardship Council and was happy to reappoint her on the Stewardship Council as a representative of the Board. Member Schneider will continue to serve as an alternate to Ms. Mulholland

*Motion to Adopt the Resolution
Made by Member Schneider
Seconded by Vice-Chair Kadara
Member Schneider-Aye
Member Marcum-Aye
Member Costantino-Aye
Member Brar-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Approved by roll call vote of 6-0-0*

AGENDA ITEM 16-Sulphur Creek Cleanup at the Wide Awake Mercury Mine and the Central Mines Group, Colusa County-Consideration of a Resolution Regarding Satisfaction of Escrow Requirement in Mutual Release and Covenant Not to Sue

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

Member Schneider thanked the Home Stake Mining Company for doing an exemplary work in cleanup

*Motion to Adopt the Resolution
Made by Member Schneider
Seconded by Member Costantino
Member Schneider-Aye
Member Costantino-Aye
Member Brar-Aye
Member Marcum-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Approved by roll call vote of 6-0-0*

The Board meeting adjourned at 5:01 p.m. to the October 19/20 Board meeting in Redding California