



**MINUTES OF BOARD MEETING**  
 December 7/8 Board Meeting  
 Central Valley Regional Water Board  
 11020 Sun Center Drive, Suite 200  
 Rancho Cordova, CA 95670

**THURSDAY, DECEMBER 7, 2017**

Chair Longley called to order the 554<sup>th</sup> Board meeting of the central Valley Regional Water Quality Control Board

**BOARD MEMBERS PRESENT**

Brar, Raji	Kadara, Denise	Longley, Karl	Marcum, Dan
Ramirez, Carmen	Schneider, Bob		

**BOARD MEMBERS ABSENT**

Costantino, Jon			
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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**

Bauer, Heidi	Herbst, Charlene	Laputz, Adam	Smith, Bryan
Bracamonte, Linda	Holcomb, Ron	Littlejohn, Anne	Snyder, Clint
Chow, Bob	Kenny, Brandon	MacDonald, Alex	Snapp, Michelle
Coughlin, Gene	Khang, True	Meeks, Glenn	Terrell, Amy
Creedon, Pamela	King, David	Morgan, Nichole	Wilson, Angela
Harvey, Dale	Lanfranchi, Kiran	Rodgers, Clay	Zachary, Jarvie

**OTHERS PRESENT**

Ansolabehere, David	Granquist, Nichole	Minor, Jamie	Waldron, Jim
Ashby, Karen	Grovhoug, Tom	Mitchell, Terrie	Webster, Debbie
Ballard, Ken	Huun, Sherrill	Nakatani, Keith	Wilson, Rose
Breuer, Rich	Kretzmann, Hollin	Reedy, Chris	
Conant, Matt	Laurenson, Brian	Sills, Ed	
Gore, Bob	Lucero, Stephanie	Smail, Tim	

**APPROVAL OF MINUTES OF THE DECEMBER 7/8 BOARD MEETING**

*Motion to Adopt the October Minutes  
 Made by Member Vice-Chair Kadara  
 Seconded by- Member Marcum  
 Member Marcum-Yes  
 Member Brar-Abstain  
 Member Ramirez-Abstain  
 Member Schneider-Abstain  
 Vice-Chair Kadara-Yes  
 Chair Longley-Yes  
 Approved by roll call vote of 3-0-3*

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

Board Members reported the following communications:

#### **Dan Marcum**

Attended the State Water Board meeting on December 5<sup>th</sup>. Member Marcum thanked everyone who attended the tour in Fall River Mills. He said that at the April Board meeting in Fresno, hopefully there will be a chance to visit the disadvantaged communities in the South San Joaquin Valley.

#### **Karl Longley**

Attended the State Water Board meeting on the East San Joaquin Order

#### **Denise Kadara**

- On October 25/26 attended the Water Quality Coordinating Committee meeting (WQCC) meeting at CALEPA
- On November 15, attended the Environmental Justice Summit
- December 6, attended the Tri County Water meeting

#### **Bob Schneider**

Said that he took the Equal Employment Opportunity (EEO) Harassment training via Webinar

#### **Raji Brar**

- Reported that in September she did some outreach with the Punjabi community. She said that she went on the Punjabi radio and talked to farmers about irrigated lands. She also went on the Punjabi language television and talked to farmers on irrigated lands program and received excellent feedback.
- She toured the Chevron Oil Fields and Cawelo Water District in the summer
- She also reported taking the EEO training via webinar

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

Ed Sills, President of the Placer-Nevada-South Sutter-North Sacramento Subwatershed Group (PNSSNS) said that PNSSNS would like to become an approved ILRP third-party group for growers in the subwatershed it represents. Mr. Sills read a letter from Stoel Rives, LLP which requested that the Executive Officer acknowledge the correspondence and requested a meeting with Board staff during the week of 11 December 2017. Staff met as requested.

Matt Conant, Director (PNSSNS and Walnut Farmer and Sutter County Supervisor)

He said he was working with growers to improve water quality and said that he would like to continue working with the Board

Executive Officer Creedon answered questions for the Board

Adam Laputz, Assistant Executive Officer, also answered questions for the Board

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

This was moved to tomorrow's agenda

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

### **Presentation of Superior Accomplishment Awards:**

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

- Heidi Bauer, Sanitary Engineering Associate in the Redding office
- Zachary Jarvie, Engineering Geologist in the Fresno office
- Charlene Herbst, Senior Engineering Geologist in the Sacramento office
- Anne Littlejohn, Senior Environmental Scientist in the Sacramento office

Chair Longley thanked the participants, as well as all the staff who work here and do a tremendous job

## **AGENDA ITEM 7**

Constituents of Emerging Concern (CECs) – *Informational Item Only*

Michelle Snapp, Engineer in the Sacramento office gave an update on the Constituents of Emerging Concern (CEC) and to get feedback from the Board

Rich Breuer, Assistant Deputy Director, State Water Board's Office of Information and Analysis (OIMA), gave a presentation on the Statewide CEC Pilot Monitoring Plan

Sherrill Huun (City of Sacramento) gave a presentation on Stormwater MS4 perspective on CECs (Pilot Monitoring Plan).

Debbie Webster (CVCWA) gave a little bit of background on the CEC Pilot Study workplan

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

Nichole Morgan (Supervisor in the NPDES unit), answered questions for the Board

## **AGENDA ITEM 8-ENFORCEMENT**

Valley Water Management Company, Race Track Hill Facility and Fee 34 Facility, Edison Oil Field – *Consideration of an Order Amending Water Code Section 13301 Order (Cease and Desist Order R5-2015-0093)*

Procedural Issues: Stephanie Yu (Attorney for the Central Valley Water Board), discussed legal issues, and informed the Board about late comment letters/E-mails, that were received after the end of the comment period and she asked that both the E-mails be admitted into the record. The Board admitted the documents into the record.

### Designated Party Presentations

- Ron Holcomb, Senior Engineering Geologist in the Fresno office, presented the staff report on the amendment of the Cease and Desist Order, adopted in 2015
- Stephanie Yu and Clay Rodgers, Assistant Executive Officer, answered questions for the Board.
- Jim Waldron (Hydrologist at Valley Water Management Company) gave a presentation on behalf of Valley Water Management Company
- Keith Nakatani (Clean Water Action) presented comments in opposition to the CDO.

Comments by Interested Persons

- Tim Smail (Sequoia Exploration and Member of EBR)
- Wilson Rose (Petro Resources, Kern County and Member of EBR)
- Hollin Kretzmann (Center for Biological Diversity)

Closing Statements

Clay Rodgers and Pamela Creedon recommended adoption of the Cease and Desist Order, with two sets of late revisions.

*Motion to Adopt the Order Amending the Cease and Desist Order with all the late revisions*

*Made by Member Brar*

*Seconded by- Member Marcum*

*Member Brar-Yes*

*Member Marcum-Yes*

*Member Ramirez-Yes*

*Member Schneider-No*

*Vice-Chair Kadara-No*

*Chair Longley-Yes*

*Approved by roll call vote of 4-2-0*

**AGENDA ITEM 9**

Oil Field Program Update-*Informational Item Only*

Dale Harvey, Supervising Engineer in the Fresno office, presented the staff report and gave an update on the status of oilfield Regulatory Activities

Clay Rodgers, Patrick Pulupa, and Stephanie Yu, answered questions for the Board

Comments by Interested Persons:

- Bob Gore (Gualco Group)
- David Ansolabehere, (General Manager of Cawelo Water District)

The Board meeting adjourned at 5:30 p.m. to the next day

**FRIDAY, DECEMBER 8, 2017**

Chair Longley called to order the 554<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, Dan	Ramirez, Carmen	Schneider, Bob	

**BOARD MEMBERS ABSENT**

None			
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**STATE BOARD MEMBERS PRESENT**

Doduc, Tam			
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**STATE BOARD OFFICE OF CHIEF COUNSEL STAFF AND OTHER STAFF PRESENT**

Lancaster, David	Pulupa, Patrick	Ellison, Kailyn	Yu, Stephanie
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**STAFF PRESENT**

Altevogt, Andrew	Holmes, Kari	Muhl, Rich	Soltani, Ayda
Bracamonte, Linda	Jain, Vinoo	Radar, Geoff	Wilson, Angela
Busby, Robert	Lanfranchi, Kiran	Rodgers, Clay	Yee, Keri
Childs, Guy	Laputz, Adam	Shelton, Brad	
Coughlin, Gene	McClure, Danny	Smith, Bryan	
Creedon, Pamela	Morgan, Nichole	Snyder, Clint	

**OTHERS PRESENT**

Brown, Jess	Kolb, Klaus, J	Wayburn, Laurie	
Grovhoug, Tom	Miller, Michael	Webster, Debbie	
Klever, Dale	Torres, Brittany	Zeigler, Eric	

**AGENDA ITEM 11-APPROVAL OF UNCONTESTED ITEMS**

(See voting information below, under Uncontested Items)

**AGENDA ITEM 12-BOARD COMMUNICATIONS**

**Jon Costantino**

- Said that on Wednesday the 6<sup>th</sup> of December, he had a meeting with Golden State Clean Energy, regarding their solar projects in the Westlands District. This was just an informational meeting which did not have any impact on the Board
- Attended the WQCC meeting
- Took the EEO training via webinar

**Carmen Ramirez** noted that she took the EEO training via webinar as well

**Karl Longley**

- 25-26 October 2017 participated in WQCC meeting, at CalEPA, Sacramento
- 27 October, participated in interview conducted by Stephanie Lucero and pertaining to the Central Valley Water Board strategic planning process, via conference Call
- 1-2 November, attended the annual California Bioresources Alliance (CBA) meeting. Presentations tended to focus on safe uses of composting materials for agriculture and landscaping applications. This was held at West Sacramento
- 1 Nov 7 attended a meeting with Central Valley Water Board and State Water Board management regarding San Luis Drain Settlement, at CalEPA, Sacramento

- 2 November, attended workshop regarding mercury-impaired reservoirs, at CalEPA, Sacramento
- 6 November, participated in Salty 5 meeting, via conference Call
- 7 November, participated in the meeting of Food Safety Panel. Central Valley Water Board, Rancho Cordova
- 8 November, participated in Essential Element meeting, a meeting focused this year on enhancing economic competitiveness in the San Joaquin Valley by greatly increasing the availability and use of broadband. Broadband availability greatly enhances feasibility for effective water management, monitoring and data collection and reporting, Harris Ranch Conference Facility, Coalinga
- 9 November, participated in CV SALTS meeting. SCRSD, Sacramento
- 15 November, attended Environmental Justice Summit meeting hosted by the SWRCB. CalEPA, Sacramento
- 27 November, attended workshop presented by State Water Board regarding the East San Joaquin General Order that was petitioned to them by several parties and for which they are preparing to issue an amended order that will be precedential for many requirements. This was held at Veterans Memorial Building, Clovis, CA
- 29 November, attended and participated in a meeting titled Data for "Water Decision Making: Informing the Implementation of California's Open and Transparent Water Data Act through Research and Engagement," AB 1755 Stakeholder Working Group Synthesis Report presented by UC Berkeley, CCST and DWR. This was held at International House, UC Berkeley
- 30 November, attended meeting regarding required coordination between the US Army Corps of Engineers (USACE) and the Central Valley Water Board. Other participants representing Central Valley Water Board were Pamela Creedon, Patrick Pulupa, and Adam Laputz, and LTC Rayfield and members of his staff (representing USACE). This was held at the USACE Offices in San Francisco
- 4 December, participated in a meeting pertaining to the East San Joaquin Order with Central Valley Water Board staff, and Tam Doduc and members of the State Water Board staff. This meeting was via conference Call
- 5 December, participated in a State Water Board presentation regarding "Maintaining a Respectful Work Environment: EEO Compliance" as required by AB 1825. This was via Webinar

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

**(This was moved from yesterday's agenda)**

State Water Board Member Tam Doduc thanked the Board and staff for the tremendous work that they do. She said that while there may be differences in opinion on some issues, there is always a level of deep respect for the Central Valley Water Board staff

She said that there are a variety of items coming up on the State Board agenda which is of great significance to this Region. She encouraged staff to continue to work closely with the State Board, and vice-a-versa

Chair Longley thanked Member Doduc for her leadership

Executive Officer Creedon said that Eileen Sobeck has been appointed as the new Executive Director at the State Board. She thanked Ms. Sobeck for reaching out to the Regional Board

#### **AGENDA ITEM 13-PUBLIC FORUM**

No one came forward to comment on any item. However, Executive Officer Creedon informed that Board that there was an email letter received from Assemblyman Gallagher's office regarding PNSSNS. The Board accepted the letter into the record

## **AGENDA ITEM 14-EXECUTIVE OFFICER'S REPORT**

No comments were made

## **AGENDA ITEM 15-APPROVAL OF UNCONTESTED ITEMS (16-17 and 22 through 25**

(Please see voting at the end of all the uncontested items, below)

### **AGENDA ITEM 16**

City of Tracy, Tracy Wastewater Treatment Plant, San Joaquin County – *Consideration of NPDES Permit Renewal (NPDES Permit No. CA0079154)*

(Agenda item 16 was moved from the contested calendar to the uncontested calendar)

### **AGENDA ITEM 17**

Donner Summit Public Utility District, Wastewater Treatment Plant, Nevada County – *Consideration of NPDES Permit Amendment and Cease and Desist Order Rescission (NPDES Permit CA0081621)*

(Agenda item 17 was moved from the contested calendar to the uncontested calendar)

## **UNCONTESTED CALENDAR**

### **AGENDA ITEM 16**

City of Tracy, Tracy Wastewater Treatment Plant, San Joaquin County – *Consideration of NPDES Permit Renewal (NPDES Permit No. CA0079154)*

(Agenda item 16 was moved from the contested calendar to the uncontested calendar)

### **AGENDA ITEM 17**

Donner Summit Public Utility District, Wastewater Treatment Plant, Nevada County – *Consideration of NPDES Permit Amendment and Cease and Desist Order Rescission (NPDES Permit CA0081621)*

(Agenda item 17 was moved from the contested calendar to the uncontested calendar)

## **22. NPDES PERMITS AND ENFORCEMENT**

- a. City of Mt. Shasta, Mt. Shasta Wastewater Treatment Plant, Siskiyou County, (NPDES CA0078051) (*Renewal*)
- b. Collins Pine Company, Chester Sawmill, Plumas County, Order R5-2015-0128-01 (*Amendment*)
- c. Mountain House Community Services District, Mountain House Wastewater Treatment Plant, San Joaquin County –*NPDES Permit Renewal and Time Schedule Order Extension (NPDES Permit CA0084271)*
- d. Paradise Irrigation District, Paradise Water Treatment Plant, Butte County, Time Schedule Order R5-2010-0058-01 (*Amendment*)
- e. Sterling Caviar LLC, Elverta Facility, Sacramento County –WDR Order R5-2016-0026 (NPDES CA0085197) (*Amendment*) and Cease and Desist Order R5-2015-0042 (*Rescission*)

**23. WASTE DISCHARGE REQUIREMENTS AND CEASE AND DESIST ORDERS**

- a. County of Tulare, Woodlake Landfill, Post-Closure Maintenance, Tulare County, Order 5-01-199 (*Revision*)
- b. Intermountain Landfill, Inc., Intermountain Landfill, Shasta County, Order 96-222 (*Revision*)
- c. Kearney-National Inc. and Empire Real Estate, Groundwater Treatment and Disposal System, Former Kearney KPF Facility, San Joaquin County, Order R5-2003-0838 (*Revision*)
- d. Sun Pacific Shippers, LP and General Partners of the Seventh Standard Ranch Company, Sun Pacific Packinghouse, Kern County, Order 96-169 (*Revision*)

**24. WASTE DISCHARGE REQUIREMENTS/NPDES PERMITS/TIME SCHEDULE ORDER RESCISSIONS**

- a. State of California, Department of Corrections and Rehabilitation, Sierra Conservation Center Water Treatment Plant, Tuolumne County –(NPDES CA0082546) WDR Order R5-2013-0027
- b. G & C Meyer Farms, Inc., Evaporation Basin, Kings County, Order 98-182
- c. Clear Creek Community Services District, Clear Creek Water Treatment Plant, Shasta County, Order R5-2012-0016 (NPDES CA0083823)
- d. Grizzly Creek Ranch, Plumas County, Order 99-140

**25. CHANGE OF NAME AND OR/OWNERSHIP**

- a. Capell Valley MHP, Capell Valley Mobile Home Park, Napa County, 94-099

*Motion to Adopt the Uncontested Items 16 and 17 and 22 through 25*

*Made by Member Ramirez*

*Seconded by- Member Costantino*

*Member Ramirez-Yes*

*Member Costantino-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*

**OTHER BUSINESS-AGENDA ITEM 18**

Risk Assessment of California's Key Source Watershed Infrastructure by Laurie Wayburn, Co-Founder, Co-CEO and President, Pacific Forest Trust

Angela Wilson, Senior Engineering Geologist in the Redding office introduced Laurie Wayburn who gave a presentation on the Source Watersheds for the California Water Project. The presentation included a summary of the issues facing the Source Watersheds and the potential to ensure funding for restoration and maintenance of the forested lands in the Feather, Upper Sac, Pit and Trinity watersheds.

Ms. Wayburn suggested to work together to develop a general permit for the restoration activities

Ms. Wayburn thanked Angela Wilson and informed the Board that it has been a pleasure to work with Angela

## NPDES ENFORCEMENT

### AGENDA ITEM 19

Original Sixteen-to-One Mine, Inc., Sixteen-to-One Mine, Sierra County. *Consideration of Administrative Civil Liability Order for Assessment of Mandatory Minimum Penalties*

Procedural Issues: The Board invited the designated parties to the proceeding to address any procedural issues. Kailyn Ellison (Counsel for the Board's Prosecution Team) made a request to limit the scope of the hearing. Klaus Kolb (Attorney for Sixteen to One Mine) was given an opportunity to respond and asked for a continuance. Stephanie Yu (Counsel for the Advisory Team) advised the Board. The Board denied the continuance request and agreed to limit the scope of the hearing.

*Motion to Proceed with the Hearing today and not a future date*

*Member Schneider-Yes*

*Member Brar-Yes*

*Member Schneider-Yes*

*Member Costantino-Yes*

*Member Ramirez-No*

*Member Marcum-Yes*

*Vice-Chair Kadara-Yes*

*Chair Longley-Yes*

*Approved by roll call vote of 6-1-0*

*Motion to continue the meeting to a future date was denied*

### Designated Party Presentations, Cross Examination, and Closing Statements

The Prosecution Team presented its case. Testimony from the Prosecution Team included testimony from Kari Holmes (Senior Water Resources Control Engineer) and Ayda Soltani (Water Resources Control Engineer).

Klaus Kolb and Michael Miller (President of Sixteen to One Mine) presented argument and testimony on behalf of Sixteen-to-One Mine.

Klaus Kolb cross-examined Kari Holmes and Ayda Soltani.

Klaus Kolb, Michael Miller, and Andrew Altevogt (Head of the Board's Prosecution Team) provided closing statements.

Deliberation: The Board closed the hearing and received advice from the Board's Advisory Team.

Limited Reopening of the Hearing: The Board reopened the hearing and Pamela Creedon (Advisory Team) asked the Prosecution Team questions about how the interim effluent limits were set in the Time Schedule Order. Kari Holmes answered these questions on behalf of the Prosecution Team. The Board directed staff to look into whether it is appropriate to revise the Time Schedule Order interim effluent limits.

Further Deliberation: The Board closed the hearing and voted on whether to adopt the Administrative Civil Liability Order.

*Motion to Adopt the Administrative Civil Liability Order  
Made by Member Schneider  
Seconded by Member Brar.  
Member Schneider-Yes  
Member Brar-Yes  
Member Costantino-Yes  
Member Ramirez-Yes  
Member Marcum-No  
Vice-Chair Kadara-Yes  
Chair Longley-Yes  
Approved by roll call vote of 6-1-0*

**AGENDA ITEM 20-CLIMATE CHANGE WORKPLAN**

Strategy for Addressing Climate Change and Water Quality in the Central Valley – *Consideration of a Resolution to approve the Central Valley Region Climate Change Work Plan*

Geoff Rader (Water Resources Control Engineer) presented the staff report

Debbie Webster (CVCWA) made additional comments

*Motion to Adopt the Resolution with late revisions  
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*

**CLOSED SESSION AND LUNCH**

The Board recessed for lunch to discuss the item below

**AGENDA ITEM 21- CLOSED SESSION**

The Central Valley Water Board will be meeting in closed session over lunch to discuss the appointment, employment, or evaluation of a public employee. The closed session is authorized by Government Code section 11126, subdivision (a)(1).

The Board came back from Closed Session/lunch at 2:42 p.m. to adjourn the meeting to the February 1-2, 2018 Board meeting in Rancho Cordova, CA