

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

564th BOARD MEETING MINUTES THURSDAY, 1 AUGUST 2019 FRIDAY, 2 AUGUST 2019

THURSDAY, 1 AUGUST 2019 (DAY 1) 4:00 P.M.

BOARD MEETING LOCATION:

11020 SUN CENTER DRIVE, SUITE 200
RANCHO CORDOVA, CA 95670

CALL TO ORDER:

Chair Longley called the 564th Board meeting to order, made introductions and announced Board Members Brar and Kadara will be arriving later in the day.

Chair Longley mentioned that the Board meeting was starting in the afternoon today, partially to economize on Board members' travel, and, as Executive Officer Pulupa noted, partially to provide a better forum for people to participate in Board meeting when they were not able to get off work to bring their issue to the attention of the Board.

Executive Officer Pulupa introduced staff

Vice-Chair Ramirez led the pledge of allegiance

BOARD MEMBERS PRESENT:

Brar, Raji	Bradford, Mark	Kadara, Denise
Longley, Karl	Marcum, Dan	Ramirez, Carmen

BOARD MEMBERS ABSENT:

None

STATE WATER BOARD MEMBERS PRESENT:

None

STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT STAFF PRESENT:

Jahr, Jessica
Lancaster, David
Toft-Dupuy, Bayley

REGIONAL BOARD STAFF PRESENT WHO WERE IDENTIFIED:

Braidman, Brett	Lanfranchi, Kiran	Rodgers, Clay
Busby, Robert	Laputz, Adam	Rosenbaum, Steve
Coughlin, Gene	MacDonald, Alex	Snyder, Clint
Garver, Kelli	McCrink, Marie	
Howard, Meredith	Pulupa, Patrick	

ADDITIONAL ATTENDEES PRESENT WHO WERE IDENTIFIED:

Cory, David	Kadara, Kayode
Houdesheldt, Bruce	Ladd, Larry

AGENDA ITEM 4–PUBLIC FORUM

Larry Ladd, representing himself, said that he was one of the founding fathers of the City of Rancho Cordova. He discussed TCE exposure and cancer risk, particularly related to the Aerojet site.

Chair Longley said that at some point he would like to get an update on the Aerojet site

AGENDA ITEM 3–EXECUTIVE OFFICER’S REPORT (EO REPORT) AND END OF YEAR PROGRAM ASSESSMENTS

Executive Officer Pulupa provided an annual assessment for year 2018/2019 and gave an overview of program priorities for each of the Board’s programs for the year 2019/2020. He also touched on the portfolio management process for the benefit of Board Members who were unfamiliar with the process.

Assistant Executive Officer Laputz answered questions on DNA sampling efforts being conducted in the Lower American River.

AGENDA ITEM 4 –STRATEGIC PLANNING

Executive Officer Pulupa led the Board in a discussion on initiating a process to develop a Strategic Plan for the Central Valley Water Board. Board members agreed that investing in the strategic planning effort was a worthwhile endeavor and provided input on the formation of a strategic planning committee, which would include staff and managers from the Board. The strategic planning committee would help with stakeholder engagement and would be primarily responsible for developing the written strategic plan. Board member Bradford volunteered to assist with the strategic planning effort.

BOARD MEETING ADJOURNED

The Board meeting adjourned at 7:30 p.m.to the next day

FRIDAY, 2 AUGUST 2019 (DAY 2)

BOARD MEETING LOCATION:

11020 SUN CENTER DRIVE, SUITE 200
RANCHO CORDOVA, CA 95670

CALL TO ORDER:

Chair Longley called the meeting to order made introductions.

Executive Officer Patrick Pulupa introduced staff.

Member Brar led the pledge of allegiance.

BOARD MEMBERS PRESENT:

Brar, Raji	Bradford, Mark	Kadara, Denise
Marcum, Dan	Longley, Karl	Ramirez, Carmen

BOARD MEMBERS ABSENT:

None

STATE WATER BOARD MEMBERS PRESENT:

Dorene D'Adamo

**STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT
STAFF PRESENT:**

Jahr, Jessica
Toft-Dupuy, Bayley
David Lancaster

STATE WATER BOARD STAFF PRESENT

Rizzardo, Jule
Cole, Sam

REGIONAL BOARD STAFF PRESENT WHO WERE IDENTIFIED:

Altevogt, Andrew	Gomes, Kristen	Peters, Ashley
Bowers, Ronna	Hensley, Jordan	Pulupa, Patrick
Busby, Robert	Joab, Christine	Rodges, Clay
Dhaliwal, Gurbinder	LaBay, Jennifer	Snyder, Clint
Ditto, Robert	Lanfranchi, Kiran	Tadlock, Stephanie
Floyd, Walter	Laputz, Adam	Uhrick, Christine
Fregein, Susan	Marshall, Jim	Yee, Elizabeth
Garver, Kelli	McConnell, Sue	
Getachaw, Girma, Dr.	McCrink, Marie	

ADDITIONAL ATTENDEES PRESENT WHO WERE IDENTIFIED:

Beard, Patti	Houdesheldt, Bruce	Sousa, Manny
Coenen, Donn	McGahan, Joe	Tadmam, Brent
Cory, David	Nicholas, Nicoli	Wehr, Ellen
Ferreira, Bonnie	Osterholm, Lisa	
Fickewirth, Ellen	Papendick, Jeff	

6-7 June 2019 BOARD MEETING MINUTES

Executive Officer Patrick Pulupa said that the minutes of the 6-7 June 2019 Board meeting will be brought to the Board at the October 10-11 Board meeting in Redding, CA.

AGENDA ITEM 7 – BOARD MEMBER COMMUNICATION

Vice-Chair Carmen Ramirez reported the following communications:

Had a telephone conversation with Maria Elena Kennedy, who works with disadvantaged communities usually in Southern California. She is conducting a study which might be applicable to the Central Valley. A follow -up meeting has been scheduled with a date to be determined. She said that she will provide more information when that happens

Member Kadara reported the following communications:

She added that she was also in conversation with Maria Kennedy and is looking forward to future conversations.

2 July attended State Water Resources Control CV-SALTS public workshop in Sacramento.

17 July, the Gadgil Laboratory at UC Berkeley completed their Electro-Chemical Arsenic Remediation (ECAR) field study in Allensworth. Preliminary field results indicate that the process reduced arsenic of approximately 200 parts per billion to under 5ppb. Final trial results will be released soon and hopefully can be an informational item before the Board in the near future.

27 July held the 8th Annual Summer Night Lights (SNL) “Family Day” Event at Allensworth State Historic Park, under the leadership of Tulare Basin Wildlife Partners, Eight, 7th to 9th grade youth participated in a month-long work -based learning program where students were educated about climate change. Each student chose a topic of interest such as impact climate change has on animals, recreation, air, etc. Youth had a booth at the SNL event where they conducted outreach and shared their climate change knowledge and experience with parents, family, friends, and visitors. Youth also got to participate in the ECAR field study and conducted some lab testing with assistance of UC Berkeley team.

29 July 29 had Senate Rules Committee telephone interview.

Member Marcum reported the following communications:

Member Marcum said that between Board Meetings he reads a lot on the Website. He suggested that people sign up for the Lyris list which sends information right to their emails in a timely manner.

Outside of our website, he said that he got a good read on the Water and the Future of the San Joaquin Valley. This article was put out by the Public Policy Institute of California (PPIC). He said that Ellen Hanak gave a great presentation at the last board meeting.

Chair Longley reported the following communications:

Chair Longley endorsed Member Marcum’s comments on PPIC, which he said does good work not just in water, but in other areas as well

He mentioned about Maria Elena Kennedy and said that she is a friend, and he is familiar with her work in Southern California. He said that it is good that she is beginning her operations here in the Central Valley

On 20 June, participated in the CV-SALTS Executive Committee meeting via telephone.

1 July participated in the monthly Chairs’ meetings via telephone.

2 July attended the State Water Board workshop regarding the proposed Central Valley Water Board’s Salinity and Basin Plan Amendments

31 July met Chris Savage and Kim Burns who represent Gallo Wineries to discuss groundwater recharge on vineyards. He said we are setting up a meeting and he asked Vice-Chair Ramirez be part of that meeting, together with staff, to discuss groundwater

recharge on vineyards and encouraged them to do what other folks have done. What is the impact on crop production, etc.

Chair Longley said that State Board Member Tam Doduc was unable to give her scheduled update to the Board due to illness. However, she sent an email to the Chair and Executive Officer Pulupa, outlining what she had planned to talk about, as follows:

- a. There will be an informational item on the State Water Board agenda on the Governor's Water Resilience Portfolio,
- b. At the 20 August Board meeting, there will be a discussion on the Safe and Affordable Drinking Water Fund
- c. There will be State Water Board staff workshops on August 13 and 18 on revised Draft Toxicity Provisions.

EXECUTIVE OFFICER'S REPORT AND PRESENTATION OF AWARDS

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

- Walter Floyd (Engineering Geologist in the Sacramento office)
- Ronna Bowers (Engineering Geologist in the Redding office)
- Kristen Gomes (Water Resources Control Engineer in the Fresno office)

After the presentation of the superior accomplishment awards, Executive Officer Pulupa asked Christine Joab (Environmental Scientist) to brief the Board on the Cyanobacteria Blooms occurring in the City of Stockton's downtown Stockton channel.

Vice-Chair Ramirez asked for a place to go to seek information on all the blooms. Executive Officer Pulupa responded by mentioning the HAB Portal, which is a good place to go to for data on harmful algal blooms. Christine Joab said that the HAB Portal can be found on the [California Water Quality Monitoring Council's website](https://mywaterquality.ca.gov/habs/): (<https://mywaterquality.ca.gov/habs/>).

Member Kadara asked Christine if there had been any health issues reported. Christine said that she continues to receive reports of potential human health illnesses as well as animal illnesses, particularly dogs. She said that the Board has a multi-agency team put together that follows up when the Board is notified of potential human illnesses or animal deaths. The Center for Disease Control and Prevention has been putting together a program called "The One Health Harmful Algal Bloom System" so that they can track the reports happening throughout the 50 states.

Christine noted that the Board has signs both in Spanish and English that we provide not only to the water managers, but to the local health agencies as well. Member

Kadara suggested to add Vietnamese, and other languages as well, so that that segment of the population can get that information as well and know the importance of the dangers. Vice-Chair Ramirez said that the Merced county takes it upon themselves to translate.

Member Marcum asked for a little bit of history and asked how long these blooms have been a problem. Christine gave a brief overview and said that some of the blooms are happening in areas where we have not had them before.

Chair Longley said that there has been an increase in bloom, also in duration and in geographical distribution. He said that there has been a huge problem, especially in the Stockton Channel area, for as long as he has been on this Board.

AGENDA ITEM 8 – PUBLIC FORUM

Assistant Executive Officer Laputz, distributed some letters to the Board as requested by the speakers below

- Lisa Osterholm (PNSSNS) spoke about the high levels of cost and reporting requirements for ILRP monitoring.
- Brent Tedman (B and B Livestock) spoke on ILRP reporting issues.
- Pattie Beard from Auburn, California, spoke about financial burdens to growers.
- Manny Sousa (Sousa Engineering) spoke about a recent directive that was sent out to approximately 71 Dairy producers in Merced County and commented that there were shortcomings in that directive.
- Don Connan (Christmas tree farmer in Nevada county) spoke on the costs imposed by the ILRP.
- Nicoli Nicholas (Grower in Verona, California) spoke on the costs imposed by the ILRP.
- Bonnie Ferreira (Grower in Western Placer County) spoke on the costs imposed by the ILRP.
- Ellen Fickewirth (Grower in Western Placer and South Sutter counties), spoke about annual dues and said that the growers needed viable solutions to their concerns.

Executive Officer Pulupa commented on ongoing efforts to minimize cost of compliance in the ILRP while maintaining water quality protection.

Assistant Executive Officer Rodgers answered clarifying questions for the Board regarding Mr. Sousa's comments and assured the Board that he will have a dialogue with him.

Vice-Chair Ramirez thanked all the speakers and told them that their concerns were being heard.

Member Bradford asked that the Dairy Association communicate to its members that they need to be proactive in communicating their concerns to the Board.

Chair Longley asked Executive Officer Pulupa to address the question about the AG Commissioner and why we do what we do, even though the AG Commissioner performs valuable work.

Executive Officer, Pulupa informed the speakers that their concerns were being heard but noted that the Regional Board does not set fees. The ILRP has been spending a lot of time in the northern part of the region working on issues related to cost of compliance.

Assistant Executive Officer Laputz spoke on types of monitoring that we do and that which is done by the AG Commissioners. He said the monitoring done between the two programs is different. In October, Board staff intends to have an informational item to talk about what we have done and bring together some of the comments we have heard today, and lay out a plan as to how we are going to address the irrigated pasture, Christmas tree farms, high elevation rice, etc.

Member Kadara said that we a regulatory agency and have the largest Water Board in the State, and our charge is water quality. All the comments shared with us today help us understand what we need to do.

Chair Longley urged the commenters to join us at the October Board meeting in Redding, California.

AGENDA ITEM 9 – ADOPTION OF UNCONTESTED CALENDAR ITEMS 13 to 16

CONTESTED AND DISCUSSION CALENDAR

AGENDA ITEM 10– ENFORCEMENT

(This item was removed from the Agenda) ~~Carlos Lourenco, Carlos C. Lourenco Dairy, Merced County – Consideration of Administrative Civil Liability Order.~~

AGENDA ITEM 12

Executive Order N-10-19 on Water Resilience Portfolio to Meet California's Water Needs through the 21st Century – Informational Item Only

State Water Board Member Dorene D'Adamo introduced Division of Water Rights staff Jule Rizzardo (Supervising Water Resources Control Engineer) and Sam Cole (Senior Water Resources Control Engineer).

Member D'Adamo said that the Governor signed the Executive Order on 29 April 2019, directing the California Resources Agency, the California Environmental Protection Agency and the California Department of Food and Agriculture to prepare a water resilience portfolio that meets the needs of California's communities, economy and environment. Our duty is to reassess priorities in the California's water plan (she briefly went through the water action plan). She said that the Executive Order also asks to create outreach opportunities, and that is why we are here today

After her presentation, Member D'Adamo opened the floor to the Board and the public for discussion and to receive comments. She said that the State Water Board will be having a board meeting next week, where we will be talking about this as a Board and hoping that the comments can come in by the end of September. She said that the State Water Board expects that there will be a draft report coming out in October, triggering another round of review, and the State Water Board expects the final report to be issued by the end of the year

She said that this is a very aggressive schedule, but that is what the Governor wants. The State Water Board is going to do everything to have a robust stakeholder process to improve the quality of this report for the administration

Chair Longley said that we must develop a mechanism to be able to force the formation of regional drinking water entities to not only obtain the economic benefits but also for long-term sustainability. Member D'Adamo suggested connecting with Region 3 on this issue. She said UCLA and Region 3 have a pilot for three systems in the Salinas Valley.

Board Members gave their input. Executive Officer Pulupa said that if the Board members want to make other additions to their comments later, they can do so and send the comments to him and the leadership team will assess and submit to the State Water Board.

Member D'Adamo said that the State Water Board has a new office of administrative hearings and said that the State Water Board is likely going to announce a presiding hearing officer soon. This office will handle administrative hearings to reduce the current backlog.

Interested Persons:

David Cory (San Joaquin Valley Salinity Coalition) spoke about CV-SALTS. He said the connection between water supplies and water quality is inherently there and we need to deal with that in both arenas. We need to have support from the State Water Board in their water management side to implement our vision for whatever that salt management plan is going to be.

UNCONTESTED CALENDAR ITEMS

AGENDA ITEM 14 – OTHER BUSINESS

Homestake Mining Company, Reed Mine and Upper Davis Creek Remediation Project, Yolo County – Consideration of Resolution to Approve the Final Initial Study and Mitigation Monitoring and Reporting Plan

AGENDA ITEM 15 – WASTE DISCHARGE REQUIREMENTS

United States Army Corps of Engineers, South Sacramento Habitat Conservation Plan, Sacramento County – Consideration of Adoption of a General Order for Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification for the South Sacramento Habitat Conservation Plan Regional General Permit 15

AGENDA ITEM 16 – RESCISSIONS

- a. Harris Farms, Inc., Harris Farms Labor Housing Wastewater Treatment Facility, Fresno County, Order 82-016
- b. Hathaway, LLC, Kern-Tulare Water District, and Jasmin Ranchos Mutual Water Company; Quinn Lease, Jasmin Oil Field; Kern County, Order 98-205
- c. Hollar & Company Inc, Hollar Seed Washing Facility, Colusa County, Order 98-048
- d. Merced County Housing Authority, Migrant Farm Labor Housing Wastewater Treatment Facilities, Merced County, Order 79-116
- e. Placer County, Sunset Septage Receiving Facility, Placer County, Order 5-01-016
- f. Univar USA Inc. and River City Baseball Group, Raley Field/Former Van Water & Rogers Facility, Groundwater Treatment and Disposal System, Yolo County, Order R5-2007-0089
- g. Westwood Community Services District, Wastewater Collection System, Lassen County, Cease and Desist Order R5-2007-0099

No one was present to contest or comment on uncontested agenda items 13 through 16.

MOTION TO ADOPT: UNCONTESTED AGENDA ITEMS 13 TO 16

Motion Made by: Vice–Chair Ramirez
Seconded by: Member Marcum
Member Marcum: Yes
Member Kadara: Yes
Member Brar: Yes
Vice-Chair Ramirez: Yes
Chair Longley: Yes
Approved by Roll Call: Vote of 5-0-0

Member Bradford left at 11:00 a.m. and was not present during the voting on the uncontested calendar

CONTINUATION OF CONTESTED AND DISCUSSION ITEMS**AGENDA ITEM 11– OTHER BUSINESS**

Irrigated Lands Regulatory Program Update regarding the Long-term Storm Water Plan for the Grasslands Bypass Project and Potential changes to the General Order – Information Item

Sue McConnell, Supervisor in the Irrigated Lands Unit, gave a presentation and introduced David Cory and Joe McGahan to provide additional information.

David Cory (Representing Grasslands drainage area farmers) spoke about Grasslands Bypass Project, and how it is designed to comply with Basin Plan Selenium water quality objectives. Joe McGahan (Summers Engineering) spoke about the new evolution of the project, and the continuation of the grassland bypass projects program related to storm water flows.

Assistant Executive Adam Laputz, answered questions for the Board

Ellen Wehr, General Counsel for Grasslands Water District, made comments.

Executive Officer Pulupa announced the dates of the next Board meeting, which will be held on 10 and 11 October 2019 in Redding, California, and said that the Board is making advanced plans for the Board meeting in Bakersfield, California. He said that he has given direction to Assistant Executive Officer Rodgers to explore the dates of either 26/27 March or 16/17 April 2020 for that Board meeting.

Board Meeting adjourned at 1:05 p.m. to the 10/11 October 2019 Board meeting in Redding, California.