

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

Minutes
21/22 June 2007
486th Regular Meeting
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

THURSDAY – 21 JUNE 2007

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair, Kate Hart, Vice Chair, Cheryl Maki, Sandra Meraz, Dan Odenweller, Soapy Mulholland, Paul Betancourt, and Christopher Cabaldon, Members.

STAFF PRESENT

Pamela Creedon, Ken Landau, Jack Del Conte, Frances McChesney, Kiran Lanfranchi-Rizzardi, Michele DeCristoforo, Dave Carlson, James Marshall, Wendy Wyels, Tim O'Brien, Scott Zaitz, Jim Pedri, Bryan Smith, Margaret Wong, Phil Woodward and George Day

OTHERS PRESENT

Stephanie Tom	Matthew Spokely
Phil Quigley	Patty Muhl
Mark Rentz	Wendy Linck
David Cory	Virgilio Lanfranchi
Barbara Washbuon	Dennis McBride
Jennifer O' Neil	John Szychulda
Edmund Pert	Demar Hooper
Richard Price	Nancy Yoshikawa
Katherine Hill	Dan Gildor
Craig Olson	Bill Jennings
June Leng	Darcy Machado
Ken Pertuzzelli	Bill Templin
Stafford Lehr	Tim O Laughlin
John L. Montgomery	Joan Phillippe
Jennifer O'Neal	Michael Garabidian
Janna Rinderneck	Dr. Juna Ling
Tom Leland	Allen Edwards
Daniel Crooper	Donald Snelling
Tom Parnham	Marsha Burch
Sharon Gieras	Alan Wade
Nancy Edwards	Daniel Cooper
Emmitt Lazaro	Albert Ganward
David Price	Beverly Kildare

APPROVAL OF MAY BOARD MEETING MINUTES

Ms. Hart moved to approve the May Board Meeting minutes. Ms. Maki seconded.

BOARD MEMBER COMMUNICATION

Chairman Longley announced that the joint State/Regional Board Meeting has been delayed to September. He said that he attended the California Energy Commission Workgroup meeting on bio-fuels on June 11 and also attended the Board's Hearing Panel in Portola on June 12 regarding Lake Davis Pike Eradication.

Mr. Odenweller reported the following:

- Made a presentation to CVCWA on Salt on May 17.
- Participated in numerous meetings regarding Delta Smelt, and spoke to Reporters regarding Smelt decline.
- Attended the Board's Hearing Panel in Portola on June 12.
- Attended the State Water Board workshop on Delta Decline, on June 19.

Ms. Maki reported the following:

- Attended the opening ceremonies for the Taylor Ranch Preserve Land Trust.
- Attended a meeting at Sierra College where Mr. Jim Canaday (SWRCB) gave a speech.
- Attended a meeting at the American River Authority at which Mr. Rob Schwartz, (Sacramento Groundwater Authority), spoke.

Ms. Meraz reported attending a workshop on "How to Keep Your Coalition Strong", on May 12, an Ag Coalition Meeting on May 22, and a roundtable meeting with Assemblywoman Nicole Parra on June 12.

Ms. Mulholland reported the following:

- Attended the Board's Hearing Panel on Lake Pike Eradication in Portola on June 12.
- Attended a Water Policy conference in San Francisco.
- Participated in an Agricultural issues tour sponsored by Congressman Nunes.

PUBLIC FORUM

Barbara Washboun, Laguna Creek Watershed Council, made a presentation on low impact development techniques and encouraged the Board to require such technology as a condition of development approvals.

David Cory, San Joaquin Valley Drainage Authority, reported that funding for work on San Joaquin River dissolved oxygen studies has resumed and contractors were working again. He expressed appreciation for any help provided.

EXECUTIVE OFFICER'S REPORT

Executive Officer, Ms. Pamela Creedon presented the Sustained Superior Accomplishment Awards to Rich Muhl and Tim O'Brien.

Assistant Executive Officer, James Pedri read a resolution honoring Carol Crowe upon her retirement, and presented the 25-year State Service award to George Day.

OTHER BUSINESS

Conditional Waivers of Waste Discharge Requirements for Discharges From Irrigated Lands Within the Central Valley Region: Agricultural Commissioners Pilot Program –*Consideration of a Resolution Authorizing the Executive Officer to Sign a Memorandum of Understanding Among the State Water Resources Control Board, the Central Valley Regional Water Quality Control Board, the Agricultural Commissioners of Butte and Glenn Counties, and the California Department of Pesticide Regulation.*

A public hearing was held. Margaret Wong presented the staff report. Mark Rentz and David Price gave additional testimony.

MOTION: By Ms. Mulholland seconded by Ms. Hart to adopt the order. Unanimously approved.

NPDES

California Department of Fish and Game, Lake Davis Pike Eradication Project, Plumas County – *Continuation of Hearing to Consider Issuance of NPDES Permit (new)*

A public hearing was held. Phil Woodward presented the staff report. Ryan Broderick and Ed Pert of Fish & Game gave additional testimony.

MOTION: By Ms. Hart seconded by Ms. Mulholland to adopt the order. Unanimously approved.

ENFORCEMENT

Tehama Market Associates, LLC and Albert Garland, Linkside Place Subdivision, Butte County *Consideration of an Administrative Civil Liability Order.*

A public hearing was held. Scott Zaitz presented the staff report. Jim Pedri, George Day and Tim O' Laughlin gave additional testimony.

MOTION: By Ms. Maki seconded by Ms. Meraz to increase the Administrative Civil Liability to \$250k. Unanimously approved.

Bell-Carter Olive Company, Inc, Plant 1, Tehama County, *Consideration of NPDES Permit Renewal and Time Schedule Order.*

A public hearing was held. Jim Pedri presented the staff report. Dan Gildor and Nancy Yoshekawa gave additional testimony.

MOTION: By Ms. Hart seconded by Ms. Mulholland to adopt the permit with late revisions. Unanimously approved.

The Time Schedule Order was not adopted by the Board.

City of Mt. Shasta, Wastewater Treatment Plant, Siskiyou County - *Consideration of NPDES Permit Renewal and Adoption of a Cease and Desist Order.*

A public hearing was held. Bryan Smith presented the staff report. Jim Pedri, Dan Gildor and Bill Jennings gave additional testimony.

MOTION: By Ms. Maki seconded by Ms. Mulholland to adopt the NPDES permit with late revisions. Unanimously approved.

MOTION: By Ms. Maki seconded by Ms. Hart to adopt the Cease and Desist Order. Approved by roll call vote of 8-0-0

City of Redding, Stillwater Wastewater Treatment Plant, Shasta County - *Consideration of NPDES Permit Renewal and Adoption of a Cease and Desist Order.*

A public hearing was held. Bryan Smith presented the staff report. Dennis McBride, Bill Jennings and Dan Gildor gave additional testimony.

Mr. Dan Odenweller abstained from voting.

MOTION: By Ms.Maki seconded by Ms. Hart to adopt the NPDES permit. Unanimously approved.

MOTION: By Ms. Maki seconded by Ms. Mulholland to adopt the Cease and Desist Order. Approved by roll call vote of 5-1-1

WASTE DISCHARGE REQUIREMENTS

Big Valley Power, Sawmill and Cogeneration Facility, Lassen County - *Consideration of Issuance of Waste Discharge Requirements.*

A public hearing was held. No one contested the order.

MOTION: By Mr. Cabaldon seconded by Ms. Hart to adopt the order. Unanimously approved.

NPDES PERMITS

Burney Forest Power, Sawmill and Cogeneration Facility, Shasta County - *Consideration of NPDES Permit.*

A public hearing was held. Bryan Smith presented the staff report.

Mr. Odenweller abstained from voting.

MOTION: By Ms. Mulholland seconded by Ms. Maki to adopt the order. Approved by a vote of 5-1-1

City of Colfax, Wastewater Treatment Plant, Placer County - *Consideration of NPDES Permit Renewal and Cease and Desist Order.*

A public hearing was held. Dave Carlson presented the staff report. Michael Garabidian, Joan Philippe, Dr. Juna Ling, Tom Leland, Daniel Crooper, Allen Edwards, Alan Wade, Bill Jennings and Ken Landau gave additional testimony.

MOTION: By Ms. Hart seconded by Ms. Maki to continue this item to a later meeting.

The meeting adjourned at 6:10 p.m. and continued to the Friday session.

FRIDAY – 22 JUNE 2007

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair, Kate Hart, Vice Chair, Cheryl Maki, Sandra Meraz, Dan Odenweller, Soapy Mulholland, Paul Betancourt and Christopher Cabaldon, members.

STAFF PRESENT

Pamela Creedon, Ken Landau, Jack Del Conte, Frances McChesney, Kiran Lanfranchi-Rizzardi, Dave Carlson, Michele DeCristoforo, Pat Leary, Diana Messina, Dale Harvey, Loren Harlow, Matt Scroggin, Amy Simpson and Bert Van Voris

OTHERS PRESENT

Bradley Alderson	Jim Starr
Guy Graeming	Katharine Wagner
Sy D Le	Henry Chi
John Esparza	John Buada
Carmen Mason	Tom Grovhoug
Maria C Solis	Mike Fan
Dave Church	Tom Ferrell
Bill Jennings	Dan Gildor
Nancy Yoshikawa	Bill Jennings
Lynn Carrithers	Will Dickerson
William Lewis	Tom McKinney
Elizabeth Wells	Vicky Caulfield
Joe Butler	Lydia Holmes
Steve Setoodeh	Jarrod Ramsey-Lewis
Melanie Carr	Bill Zimmerman
Kevin Bell	Mike Bryant
Keith Smith	Debbie Webster
Bob Boston	Warren Telleffson
Nick Zaninovich	Kathryn Gies
Rebecca Crowe	Larry Bright
Jim Robinson	Bobbie Larsen
Gordon Plantenga	Tess Dunham
Scott Dixon	Jared Stein
David Atkinson	David Rinderneck
Janna Rinderneck	Linda Denenberg
Jerry Sipe	Chris Erickson
Julie Cunningham	Ryan Broderick
Robert Emerick	

BOARD MEMBER COMMUNICATIONS

Chairman Longley commented that staff's preparation for the meeting was phenomenal, and lateness of some documents was probably unavoidable.

Ms. Meraz stated that her activities reported the previous day were conducted as a representative of Alpaugh and not the Board.

EXECUTIVE OFFICER'S REPORT

A Delta/Pelagic Organism decline activities addendum was handed out. Karen Larsen briefly explained the document. Chairman Longley requested that a complete update be provided at the August Board Meeting.

PUBLIC FORUM

Bill Jennings, CalSPA, stated that at the SWRCB POD workshop, almost all speakers targeted failures of Region 5, including inadequate monitoring, high water pollution levels, and permits. State Board staff agreed with CalSPA's position on AG waivers, supporting CalSPA through 5 draft decisions until staff were overridden by State Board management and instructed to destroy all drafts (over which civil rights actions may be taken). AG coalitions are violating standards and not submitting follow up. There has been no enforcement. Management

plans are garbage. CalSPA will be evaluating each management plan for compliance with the Non-Point Source Program.

Warren Tellefson, CVCWA, reported that he will be retiring next week and introduced his replacement, Debbie Webster. Debbie Webster introduced herself as the new CVCWA Director and said that she appreciates the ability to work with staff on more complex NPDES Permit issues.

UNCONTESTED CALENDAR

NPDES PERMITS

- a) North Yuba Water District, Forbestown Water Treatment Plant, Butte County
- b) Ameripride Services Inc., Operable Unit 3, Sacramento County – *Consideration of New NPDES Permit*

Uncontested Rescissions

- a) United States Department of Army, Titan 1-A Missile Facility Groundwater Treatment Plant, Placer County, Order No. 5-01-136 (NPDES No. CA 0084743)
- b) Waste Management of Alameda County, Inc., Altamont Landfill & Resource Recovery Wastewater Treatment Facility, Alameda County, Order No. R5-2002-0110 (NPDES No. CA 0083763)

WASTE DISCHARGE REQUIREMENTS WAIVER

City Of Clovis, Surface Water Treatment Plant, Fresno County

ENFORCEMENT

R.M.E., Inc., Woodbridge Winery, San Joaquin County – *Consideration of a Cease and Desist Order*

MOTION: By Ms. Maki seconded by Ms Hart to adopt the Cease and Desist Order. Approved by roll call vote of 7-0-0

WASTE DISCHARGE REQUIREMENTS

- a) Jamestown Trust I, through its trustee, County of Tuolumne, Robert Cameron, Gary Wilson, Closure of the Jamestown Mine, Tuolumne County (revision)
- b) Cove Contractors, Inc., El Dorado Property Management, Post-Closure Maintenance of Cove Contractors Unclassified Waste Landfill Facility, San Joaquin County (new)
- c) County of Placer Department of Facility Services, Meadow Vista Landfill, Class III Landfill, Post-Closure Maintenance and Corrective Action, Placer County (update)
- d) City of Sacramento Utilities Department, Sacramento River Water Treatment Plant
- e) Sacramento County (new)
- f) City of Sacramento Utilities Department, E.A. Fairbairn Water Treatment Plant
- g) Sacramento County (revision)
- h) Compost Solutions Inc. and Road 27 Limited Partnership, Compost Facility, Glenn County
- i) Glenn County Mosquito and Vector Control District and City of Willows, Mosquito Fish Rearing Ponds, Glenn County
- j) Univar USA Inc. and River City Baseball Group, Raley Field/Former Van Waters & Rogers Facility Site, Groundwater Treatment and Disposal System, Yolo County (new)
- k) California Department Of Corrections, Kern Valley State Prison wastewater Treatment Facility, Kern County (new)
- l) County of Kern for Closure and Post-Closure Maintenance, Buttonwillow Sanitary Landfill, Kern County (updated)
- m) County of Kern for Operation and Construction, Bakersfield Metropolitan (BENA) Sanitary Landfill, Kern County (updated)

Uncontested Recissions

- a) West America Bank, Lamanuzzi & Panteleo Plant No. 2, Fresno County, Order No. 94-351
- b) Sportsman Yacht Club, Inc., Contra Costa County, Order No. R5-2003-0121
- c) Tartaric Manufacturing Corporation, Inc., Plant #2, Class II Surface Impoundments, Newman Plant, San Joaquin County, Order No. 5-01-730
- d) Anchor Glass Container Corporation, Antioch, Closure and Post Closure of Inactive Landfill, Contra Costa County, Order No. 94-057
- e) City of Oroville, Class II Surface Impoundments, Butte County Order No. 97-231

Uncontested Change of Name and/or Ownership

- a. Chevron U.S.A. Inc., Boots Lease, Kern River Oil Field, Kern County, Order No. R5-2002-0066
- b. R&R Resources, LLC, Berry/B&K Lease, Edison Oil Field, Kern County, Order No. 92-11038
- c. R&R Resources, LLC, Berry/B&K Lease, Edison Oil Field, Kern County, Order No. 92-11039
- d. West America Bank, Lamanuzzi & Panteleo Plant No. 2, Fresno County, Order No. 94-351
- e. Fox Valley Corporation and Fox River Paper Company, Ripon Mill, San Joaquin County, Order No. 5-01-148

Consideration of Time Schedule Orders for Small Communities with Financial Hardship

- a. Nevada County Sanitation District No. 1, Lake of the Pines, Wastewater Treatment Plant, Nevada County
- b. Maxwell Public Utility District, Wastewater Treatment Plant, Colusa County
- c. City of Colusa, Wastewater Treatment Plant, Colusa County
- d. City of Williams, Wastewater Treatment Facility, Colusa County (This item was removed)

A public hearing was held. Pat Leary presented the staff report. Nick Zaininovich, Gordon Plantenga, Rebecca Crowe, Robert Emerick, Bill Jennings and Ken Landau gave additional testimony.

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| MOTION: | By Ms. Maki seconded by Mr. Cabaldon to adopt the Time Schedule Order for Nevada County Sanitation District. Unanimously approved. |
| MOTION: | By Ms. Hart seconded by Ms. Mulholland to approve the Time Schedule Order for Maxwell. Unanimously approved. |
| MOTION: | By Mr. Cabaldon seconded by Ms. Mulholland to approve the Time Schedule Order for Colusa. Unanimously approved. |

NPDES PERMITS

City of Atwater, Wastewater Treatment Facilities, Merced County - *Consideration of NPDES Permit Renewal*

A public hearing was held. Matt Scroggins presented the staff report. Bill Jennings, Kathryn Gies, and Loren Harlow provided additional testimony.

MOTION: By Ms. Hart seconded by Ms. Maki to adopt the order with late revisions. Unanimously approved.

Berry Petroleum Company, Poso Creek/McVan Facility, Poso Creek Oil Field, Kern County - *Consideration of NPDES Permit Renewal*

A public hearing was held. Dale Harvey presented the staff report. Dan Gildor and Loren Harlow and Bob Boston gave additional testimony.

MOTION: By Ms. Mulholland seconded by Ms. Hart to adopt the order with late revisions. Approved with a vote of 7-0-0

Calmat Co., Walter A. and Elizabeth A. Baun, and Darrell D and Janet Delevan, Sanger Sand and Gravel Plant, Fresno County - *Consideration of NPDES Permit Renewal*

A public hearing was held. Dale Harvey presented the staff report. Tom Ferrell, John Buada, Bill Jennings, Loren Harlow and Dan Gildor gave additional testimony.

Mr. Dan Odenweller abstained from voting.

MOTION: By Ms. Mulholland seconded by Ms. Maki to approve with condition. Approved with a vote of 6-0-1

Valley Waste Disposal Company and Cawelo Water District, Kern Front No. 2 Treatment Plant-Cawelo Reservoir B, Kern County - *Consideration of NPDES Permit Renewal*

A public hearing was held. Bert Van Voris presented the staff report. Lynn Carrithers, and Loren Harlow gave additional testimony.

Mr. Odenweller abstained from voting

MOTION: By Ms. Maki seconded by Ms. Hart to adopt the order. Approved by a vote of 6-0-1

California Dairies, Inc., Los Banos Foods, Inc., Merced County - *Consideration of NPDES Permit Renewal*

A public hearing was held. No one contested the order.

MOTION: By Ms. Hart seconded by Ms. Maki to approve the Permit. Approved by a vote of 7-0-0

City of Davis, Wastewater Treatment Plant, Yolo County – *Consideration of NPDES Permit Renewal*

A public hearing was held. Amy Simpson presented the staff report. Bill Jennings Keith Smith, Mike Bryant, Brian Simmons Diana Messina and William Lewis gave additional testimony.

MOTION: Mr. Odenweller seconded by Ms. Maki to continue to a future Board Meeting. Approved by a vote of 7-0-0

California Department of Fish and Game, Moccasin Creek Fish Hatchery, Tuolumne County – *Consideration of NPDES Permit Renewal*

A public hearing was held. Jennifer Watts presented the staff report.

MOTION: By Ms. Maki seconded by Ms. Mulholland to adopt the permit.
Approved by a vote of 7-0-0

**El Dorado Irrigation District, El Dorado Hills Wastewater Treatment Plant, El Dorado County –
*Consideration of NPDES Permit Renewal***

A public hearing was held. Diana Messina presented the staff report. Bill Jennings, Steve Setoodeh, Dan Gildor, and Michael Bryant gave additional testimony.

Mr. Odenweller abstained from voting

MOTION: By Ms. Maki seconded by Ms. Meraz to adopt the permit.
Approved by a vote of 5-0-1

ENFORCEMENT

Placer County Department of Facility Services, Sewer Maintenance District No. 3, Wastewater Treatment Plant, Placer County – *Continuation of Hearing to Consider NPDES Permit Renewal and Cease and Desist Order*

A public hearing was held. Diana Messina presented the staff report. Bobbie Larsen, Will Dickerson and Bill Jennings gave additional testimony.

MOTION: Ms. Maki seconded by Ms. Hart to adopt the Cease and Desist Order with late revisions.
Approved by a vote of 7-0-0

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MOTION: By Ms. Maki second by Ms. Hart adopt the Cease and Desist Order. Approved by a vote of 7-0-0

California Department of General Services, Central Plant Operations, Heating and Cooling Facility, Sacramento County – *Consideration of NPDES Permit Renewal, Time Schedule Order and Thermal Plan Exception*

A public hearing was held. Jim Marshall presented the staff report. No one contested the orders.

MOTION: By Ms. Maki seconded by Ms. Hart to adopt the NPDES permit, Time Schedule Order and Thermal Plan Exception.
Approved by a vote of 6-0-0

The meeting was adjourned at 3:05 p.m. to the 2 / 3 August Board Meeting.