

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

Minutes
24/25 April 2008
493rd Regular Meeting
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

THURSDAY 24 APRIL 2008

BOARD MEMBERS PRESENT

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

STAFF PRESENT

Pamela Creedon, Ken Landau, Jack Del Conte, Kiran Lanfanchi-Rizzardi, Richard Loncarovich, Patrick Pulupa, Lori Okun, Mary Serra, Diana Messina, Tim O'Brien, Pat Leary, Joe Karkoski, Patrick Morris, Michelle Wood, Jerry Bruns, Stephen Louie, Bill Marshall, Sue McConnel, Karen Larsen, Wendy Wyels, Guy Childs, Jennifer LaBay, Brendon Kenny, Kristin Shelton, Stephanie Fong, Alex Macdonald, Glen Meeks, Wendy Cohen, Conny Mitterhofer, Neena Moitoso, Terry Bechtel, Susan Friegan, Margie Read, Dania Huggins, Mike Hoffman, Pete Minkel, Kim Schwab, Kathryn Dominic, Bill Templin, Rudy Schnagl, Dan Radulescu, Bill Brittain, Betty Yee, Christine Joab, Chris Foe, Petra Lee, David Bosworth, Bob Solecki and Janis Cooke.

OTHERS PRESENT

Stephen McCord	Greg Yarris	Cory Koger
Heidi R	Marianne Kirkland	Jeff Scharff
Ken Scherfee	Barbara Todd	Robert Swartz
Joel Miller	Dean McLeod	Carl Lischeske
Krista Clark	Mark List	Gerry Nakano
Mark Nordberg	Rod Schuler	Jim Atherstone
Crystal Leininger	Jarrold Ramsey-Lewis	Amy Simpson
Tom Pezzetti	Trevor Joseph	Delia McGrath
Mary Snyder	George Q	Cathy Lee
Heather Shannon	David Cory	Tom Grovhoug
Bill Thomas	Chris Petersen	Dave Tamayo
John Herrick	Carrie Monohan	Karen Schwinn
Debbie Webster	Susan Butterfield	Max Stevenson
Lawrence Kerckhoff	John Woodling	Pablo Garza
Ken Gladzbach	LaDonna Williams	Derrick Whitehead
David Pyne	Bruce Merlock	Sunny Bishop
Steve Parker	Robert Roscoe	David Spath
Carolyn Myhre	Steve Bailey	Dante Nomellini
Tim Parker	Cat Shrier	Vicki Frye
Jody Johnson	Bill Thomas	Kari Fisher
Tim Johnson	Tom Mauer	Darell Slotton
Mary M.	Fraser Shilling	Ryan Broddrick
Andrea Ventura	Rudy Rosen	Lea Jonas
Laura Leonelli	Perry Klassen	

APPROVAL OF MARCH MINUTES

The minutes from the March 14 Board meeting were approved, moved by Mr. Betancourt, seconded by Ms. Mulholland.

BOARD MEMBER COMMUNICATION

Kate Hart said that she would report her contacts regarding the mercury TMDL during that item.

Mr. Odenweller reported the following:

- Dan Odenweller reported attending the 19 March State Board workshop on the Delta,
- Had discussions over lunch with Bill Jennings, Michael Jackson and Barbara Parilla regarding Delta fish declines
- Met with Sacramento Regional staff regarding the mercury TMDL
- Spoke with Ryan Broddrick regarding the mercury TMDL.
- Spoke to Paul Ward and Darryl Hayes regarding testimony about diversions, and state of the inventory
- Spoke with Dan Gotshall about the Butte Creek 1707 Water Rights decision.
- On April 15, met with Bill Jennings for coffee and discussed the Wolk hearings and other fisheries issues.
- On April 16 met with Wendell Kido and Vicky Fry from the Sacramento Regional County District, discussing concerns about draft Mercury TMDL.
- On April 23rd, met with Andy McCusker and Monica Prado (Gunderboom Fish Screens), to discuss the recent work on the device.

Cheryl Maki reported several discussions with Auburn officials regarding sewage treatment plant regionalization; attended the State Board's water quality workshop in San Diego. She said that the disclosures regarding the mercury TMDL will be made during that item.

Sandra Meraz reported attending the State Board water quality workshop in San Diego, discussing the mercury TMDL with Sacramento Regional staffers, and attending the first Spanish language training in the Valley on the Brown Act.

Soapy Mulholland reported attending IRWM Plan meetings, attended a presentation at rural property appraisers, and attended the water quality workshop in San Diego.

Karl Longley reported the following:

- Meeting regarding the Kern County Regional Water Management Plan, March 31
- Meeting with industry representatives regarding co-digestion CEQA and anti-degradation issues, and an in-fill onsite wastewater disposal approval requirement meeting with Bill Carpenter, April 1
- Water Education Foundation 25th Annual Executive Briefing, April 3-4
- Co-digester CEQA/Anti-Degradation planning meeting with industry and a report to California Energy Commissioner Boyd, April 4
- Meeting with Wine Institute regarding the study of Criteria for Disposal of Wine Production Wastes, April 7
- Meeting with Tulare County and other parties regarding drinking water supplies for economically disadvantaged communities, April 8
- Salinity Committee meeting, April 16
- Salinity Stakeholder meetings, April 17
- Water Quality Coordinating Meeting in San Diego, April 21-22
- CEQA/Anti-Degradation meeting regarding co-digestion with the San Joaquin Valley APCD, April 23
- Delta mercury TMDL discussions with Ryan Broddrick, NCWA, April 23

Paul Betancourt reported meetings regarding the mercury TMDL with Tess Dunham and Sacramento Regional staff.

PUBLIC FORUM

Jeff Scharff provided an update on activities associated with a cleanup and abatement order for the former Shasta Paper Pulp Mill. He said that two of three deliverables are complete. The treatment feasibility study is also nearly complete and that \$500,000 in financial assurances is being developed.

EXECUTIVE OFFICER'S REPORT

Pamela Creedon distributed the new brochure, Salinity, developed by Integrated Planning in collaboration with the Public Outreach and Education Group.

Karen Larsen provided an update on Delta activities. Kate Hart emphasized the need for coordination between Delta groups. Cheryl Maki asked why a regional monitoring program will be successful now after many failed attempts. Ms. Creedon explained that a regional monitoring program is a personal high priority for her, and that extensive stakeholder work will be needed.

Dan Odenweller noted that CIWQS data errors resulted in under and over reporting of violations. Ms. Creedon stated that the recent review of CIWQS concluded that there was overall improvement in the data system. Also, recent formation of compliance and enforcement sections, appointment of a regional enforcement officer, and reclassification of four positions for data entry, will further improve data quality.

MERCURY TMDL

Board Member Disclosures:

Kate Hart reported communications on total v. methyl mercury; wetlands restoration; funding sources for monitoring and cleanups; 0.06 limit, focus on total and not MeHG; lack of a collaborative process and limited environmental benefits.

Following are list of the people who she had communications with:

- Ryan Broderick, April 7
- Tim Johnson and Paul Butner (California Rice Commission), on March 26 and April 22nd
- Linda Fiack, (Delta Protection agency), on April 2nd
- John Herrick (Coalition), on March 24
- Deb Self (Bay Keeper), on March 14
- Susan Tatayan (Nature Conservancy), on April 11
- Debbie Webster (Central Valley Clean Water Association), on March 18
- Mary Snyder, Vicki Frye and Wendell Kido (Sacramento Regional Sanitation District), on April 18
- Rudy Rosen (Ducks Unlimited), on April 7

OTHER BUSINESS

Revisions to Amended Attachment B of the Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands (Amended Order Number R5-2006-0053) - Consideration of proposed modifications to conditions under which growers can join coalition groups.

A public hearing was held. Joe Karkoski presented the staff report. David Cory, Bill Thomas and Perry Klassen gave additional testimony and said that they supported the language on the amendment.

MOTION:	By	Ms. Hart seconded by Ms. Maki to adopt the revisions to Amended Attachment B. Unanimously approved.
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Aquifer Storage and Recovery Projects in the Central Valley – This was an Informational Item. No action was taken by the Board.

Timothy O' Brien and Mary Serra presented the staff report. Ken Landau, Chris Petersen, John Woodling, Ken Gladzbach, David Pyne, Bruce Merlock, Derrick Whitehead, Dave Spath, Steve Bailey Robert Roscoe, Carolyn Myhre, Sunny Bishop and Cat Shrier gave additional testimony. Board members asked many questions and suggested option 7 of the staff discussion as an appropriate mechanism to regulate ASRs. Dr. Longley expressed concern over methods to interpret narrative objectives and stressed the importance for staff to fully justify how they have interpreted the narrative objective and that the Board must approve such values.

Basin Plan Amendments for a Mercury Control Program for the Sacramento-San Joaquin River Delta Estuary Testimony Hearing

Patrick Morris Janis Cooke, Michelle Wood presented the staff report and Jerry Bruns summarized some of the key elements of the presentation. Chris Foe helped answer technical questions. Fraser Shilling, Tom Grovoug, Karen Schwinn, Tom Mauer, Ryan Broddrick, Lawrence Kerckoff, Suzanne Butterfield, Tim Johnson, Andrea Ventura, Carrie Monahan, Mary Snyder, Rudy Rosen, Kary Fisher, Pablo Garza, Delia McGrath, Laura Leonelli and Max Stevenson gave additional testimony.

Discussions to this item continued to the following day.

FRIDAY APRIL 25, 2008

BOARD MEMBERS PRESENT

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

STAFF PRESENT

Pamela Creedon, Ken Landau, Jack Del Conte, Kiran Lanfanchi-Rizzardi, Richard Loncarovich, Patrick Pulupa, Lori Okun, Mary Serra, Stephanie Fong, Anand Mamidi, Michelle Wood, Diana Messina, Oscar Biondi, David Bosworth, Beth Thayer, Pat Leary, Jerry Bruns, Patrick Morris, Janis Cooke, Chris Foe, Stephen Louie, David Bosworth, Andy Alexander and Kathleen Harder.

OTHERS PRESENT

David Tompkins	Randy Pesses	John Purvis
Jeff Dasovich	Denise Morrison	Nick Guaquinto
Greg Faben	Richard Swanson	Steve Herrera
Jody Johnson	Steve Hutchings	Paul Layman
Jim Allen	Teresa Tanaka	Fred Burnett
Jenny Skrel	Lea Fisher	Marc Haefke
Steve Geil	Lou Papais	Paul Simmons
Chad Dibble	Crystal Leininger	Tess Dunham
Suzanne Butterfield	Dave Tamayo	Mark List
Tom Williams	Bruce Connolly	Bill Heyenbruch
Debbie Webster	John Cain	John Herrick
Gene Crumley	Gary Darling	Vicki Frye
David Shimoum	John Rivera	Tony Pirondini
Bill Heinbrook	Stephen McCord	
Ryan Broddrick	Michael Bryant	

BOARD MEMBER COMMUNICATION

There was no Board communication

PUBLIC FORUM

There were no comments by the Board

EXECUTIVE OFFICER'S REPORT

Ms. Creedon gave a brief overview of enforcement efforts to answer Mr. Odenweller's question of the previous day (April 24th) Ms. Creedon also pointed out that a plan had been developed to fix data problems which would eliminate the MMP backlog.

UNCONTESTED CALENDAR

ENFORCEMENT

Ironhouse Sanitary District Wastewater Treatment Plant, Contra Costa County – *Consideration of New NPDES Permit and Time Schedule Order* -Kathleen Harder.

(This item was moved to the contested calendar)

City of McFarland, Wastewater Treatment Facility, Kern County (revision)

This item was moved from the Uncontested Waste Discharge Requirements (see below), and voted on separately. (See Uncontested Enforcement)

Ms. Hart was not present during this hearing

MOTION: By Ms. Maki seconded by Ms. Mulholland to adopt the WDR permit. Unanimously approved.

MOTION: By Ms. Maki seconded by Ms. Mulholland to adopt the CDO. Approved by roll call vote of 6-0-0.

NPDES PERMITS

Uncontested NPDES Permits

- a) Calaveras County Water District and Cain-Papais Trust Forest Meadows Wastewater Reclamation Plant, Calaveras County, (New)
- b) City of Modesto Water Quality Control Facility, Stanislaus County, (NPDES Permit CA0079103), (Renewal)
- c) El Portal Wastewater Treatment Facility, Mariposa County,(NPDES Permit CA0081759) (Update)
- d) Crystal Creek Aggregate, Inc., Aggregate Quarry, Shasta County, (NPDES Permit CA0082767) (Renewal)

WASTE DISCHARGE REQUIREMENTS

Uncontested Waste Discharge Requirements

- a) IT Environmental Liquidating Trust, Benson Ridge Facility, Operation of Class II Surface Impoundment and Post-Closure Maintenance of Class I Landfill, Lake County (update)
- b) Wild Rose Vineyards LLC, Dole Fresh Vegetables, Inc., Former Dole Fresh Fruit/Victor Fruit, Post Closure Operation and Maintenance, Former Class II Surface Impoundments, San

- Joaquin County (revision)
- c) BP West Coast Products, ARCO/BP Stockton Fuel Terminal #40T, Enhanced Bioremediation Pilot Study, San Joaquin County (new)
- d) Thermalito Irrigation District, Water Treatment Plant, Butte County, (renewal)
- e) BAR 20 Partners, LTD, and Microgy, Inc, BAR 20 Dairy No. 2, Fresno County (new)
- f) City of McFarland, Wastewater Treatment Facility, Kern County (revision)
(This item was voted on separately).
- g) J.G. Boswell Tomato Company, Buttonwillow Tomato Processing Facility, Kern County (new)
- h) Lake Berryessa Resort Improvement District, Wastewater Treatment Facility, Napa County (revision)
- i) Coffman Specialties, Inc. and Tiechert Construction Company, Boreal Temporary Batch Plant and Concrete/Asphalt Recycling Site, Nevada County (new individual waiver)
- j) East Bay Municipal Utility District, Folsom South Canal Connection Project Dewatering Discharge to Land, Sacramento and San Joaquin Counties (new individual waiver)
- k) East Bay Municipal Utility District, Camanche Dam Power House, San Joaquin County (new)

Uncontested Rescissions

- a) Viken Industries, Inc., Huntsman Avenue Solid Waste Disposal Site, Fresno County, Order No. 97-071
- b) Sequoia Voting Systems, Inc., Tulare County, Order No. 99-085
- c) Calpine Greenleaf Incorporated, Unit One Cogeneration Facility, Sutter County, (NPDES Permit CA0081566), Order No. R5-2002-0012
- d) Bar-Vee Dairy, City of Turlock and Arthur G. Crowell Bar-Vee Dairy, Stanislaus County, Order No. R5-2002-0061
- e) Chevron U.S.A., Kern River Oil Field, Kern County, Order No. R5-2002-0066
- f) Defense Logistics Agency, Defense Distribution Depot San Joaquin (Sharpe), NPDES Permit for discharge of treated groundwater from cleanup activities Order No. R5-2002-0213 (NPDES No. CA0081931)
- g) City of West Sacramento Wastewater Treatment Plant, Yolo County, Waste Discharge Requirement Order No. R5-2003-0087, (NPDES Permit No. CA0079171), and Cease and Desist Order No. R5-2003-0088
- h) North Fork Aggregate, Shasta County, WDRs Order No. R5-2007-0120.

Uncontested Change of Name and/or Ownership

- a) Pacific Energy Resources Ltd., McDonald Anticline, Kern County, Order No. 58-502
- b) Harris Ranch Beef Company, Fresno County, Order No. 90-183
- c) POM Wonderful, LLC, Fresno County, Order No. 93-126
- d) T Northwest Properties, Suncor 76 Station No. 261152, Yolo County, Order No. 97-10
- e) Clark Pacific, Former Spreckels Sugar Company Facility, Yolo County, Order No. R5-2003-0047
- f) The Rumsey Band of Wintun Indians, Cache Creek Golf Club Water Reclamation Project, Yolo County, Order No. R5-2006-0121

Ms. Hart was not present at this hearing

MOTION:	By	Ms. Maki seconded by Ms. Mulholland to approve the uncontested orders with late revisions. Unanimously approved.
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CONTESTED CALENDAR

ENFORCEMENT

Ironhouse Sanitary District Wastewater Treatment Plant, Contra Costa County – Consideration of New NPDES Permit and Time Schedule Order.

Kathleen Harder presented the staff report. Tom Williams, Bruce Connolly, Gary Darling, Debbie Webster, Bill Heinbrook, John Cain, Michael Bryant and Tess Dunham gave additional testimony. Dr. Longley directed staff to bring to the Board for its consideration, a resolution emphasizing the importance of regionalization, reuse, recycle and reclamation and that all orders brought to the Board for consideration must demonstrate that they were thoroughly considered and analyzed before the Board takes action.

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

The Time Schedule Order was not adopted at this time.

City of Placerville Hangtown Creek Wastewater Treatment Plant, El Dorado County – *Consideration of NPDES Permit Renewal and Cease and Desist Order.*

A public hearing was held. No one contested the order; however, Randy Pessis updated the Board on the 40 million dollar upgrade that the City recently made on the Waste Water treatment plant in order to meet permit requirements.

Mr. Hart was not present during this hearing.

MOTION: By Ms. Maki seconded by Mr. Betancourt to adopt the permit. Unanimously approved.

MOTION: By Ms. Maki seconded by Ms. Mulholland to adopt the CDO. Approved by roll call vote of 6-0-0

City of Vacaville Easterly Wastewater Treatment Plant, Solano County – *Consideration of NPDES Permit Renewal and Time Schedule Order .*

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

Ms. Hart was not present during this hearing.

MOTION: By Cheryl Maki seconded by Ms. Mulholland to adopt the permit. Unanimously approved.

MOTION: By Mr. Betancourt seconded by Ms. Maki to adopt the Time Schedule Order Unanimously approved.

OTHER BUSINESS

Strategic Planning

The Board continued its Strategic Planning and process of setting goals for the CVRWQCB, (facilitated by Gene Crumley of UC Davis). This item will be continued at subsequent Board meetings. The meeting adjourned at 3:12 p.m. to the June 12 Board meeting.