

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
(CENTRAL VALLEY REGION)
11020 SUNCENTER DRIVE, SUITE 200
RANCHO CORDOVA, CA 95670**

**BOARD MEETING MINUTES
512TH Regular Meeting
APRIL 7-8, 2011**

THURSDAY, APRIL 7

CALL TO ORDER

Chair, Kate Hart called to order the 513th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Suncenter Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Hart, Kate	Hoag, Lyle	Longley, Dr. Karl	Meraz, Sandra
	Odenweller, Dan		

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Coupe, David	Karkoski, Joe	Lavy, Tom	Moss, Rick
Crandall, Robert	Kulesza, Dana	Loncarovich, Richard	Pulupa, Patrick
Creedon, Pamela	Landau, Ken	Mayer, Alex	Rodgers, Clay
Friegen, Susan	Laputz, Adam	McGee, Calvin	Stevens, Brett
			Wadhwani, Emel

OTHERS PRESENT

Augular, Tom	Fisher, Kari	Madueno, Virginia	Valdez, Christopher
Beals, Tim	Garner, John	Magaria, Simona	Wackman, Mike
Blakely, Bob	Gates, Jim	Medellin, Irma	Yelder, Betty
Bond, Steve	Genasci, John	Medellin, Luis	Zentner, John
Bothwell, Sean	Giacomini, Pam	Mendoza, Veronica	Zentner, Valerie
Cate, Corey	Gleason, Gaynell	Meyer, Carlan	Teran, Erasto
Christian Smith, Juliet	Gleason, Jim	Nesmith, David	Thomas, Bill
Conant, Ernest	Gotti, Nick	O'Growney, Jas	Valdez, Christopher
Cory, David	Guzman, Martha	Oldfield, Justin	Wackman, Mike
Creamer, Casey	Hanson, Tom	Payes, Pamela	
Davis, Grantrina	Hererra, Maria	Pool, Richard	
Dawley, Vicky	Herrick, John	Price, Richard	
Delihant, Gail	Hopkins, Barbara	Pylman, Jeff	
Dobbas, Carol	Ingraham, Roger	Ramirez, Walter	
Doherty, Mary Helen	Jordan, Grady	Rev, Ramsden, Lindi	
Dr. Forbes, Ronald	Guzman, Martha	Salisbury, Jim	
Dr. Rockwell, Mark	Kessler, Roxane	Sanchez, Jessica	
Domenighini, Larry	Kipps, Jo Anne	Schifferle, Patricia	
Dunham, Tess	Klassen, Parry	Teran, Erasto	
Firoved, Roberta	Lloyd, Larry	Thomas, Bill	

BOARD COMMUNICATION

Sandra Meraz submitted her communication via written submittal:

- 1 March, attended a meeting in Seville, California, Tulare County, hosted by AGUA and the Community Water Center. This meeting allowed disadvantaged communities to provide testimony to the visiting United Nations Independent expert on the issue of human rights to safe drinking water
- 2, 3 March, attended the Water Policy Conference in Los Angeles

Dr. Longley said that he attended the Multi Salinity conference in San Antonio Texas and also attended a workshop in Livingston, and submitted the following communication via written submittal:

- 7 February, participated in the CV Salts meeting via teleconference
- 11 February, attended Fresno County Chamber of Commerce, E.A.R.T.H. Committee, Water Panel meeting and later had a Central Valley Nitrate problem discussion with Laurel Firestone, Elanor Stamer, Pamela Creedon and Clay Rodgers
- 16-17 February, attended the Multi-Salinity conference in San Antonio, Texas
- 25 February, attended the Rural Development Center workshop in Livingston, California
- 1 March, was part of a panel representing CSU Fresno on Delta issue. This workshop was sponsored by the University of the Pacific
- 3-4 March attended the California Water Policy conference in Los Angeles
- 7 March, participated in the CV Salts meeting, via teleconference
- 10 March, met with Dave Orth (Kings River Conservation District), regarding CV Salts

Dan Odenweller said that he attended the combined agency Fisheries meeting last week and will submit the rest of his communication via email. Below is Mr. Odenweller's written submittal:

- 6 February, spoke to Don Parsons about his training needs, and my availability to assist.
- 7 February, spoke to Bill Jennings about the Delta fish number update and the Salmon recovery. Shared the same information with Paul Ward and Chuck Armor, for their use and contribution
- 8 February, had lunch with Bill Jennings to discuss the fish abundances in my latest summary
- 15 February, participated in the Stewardship Council Board retreat in Chico
- 16 February, attended the Stewardship Council meeting in Chico, had a fish screening program history meeting with new CDFG staffers in Sacramento, visited with Darryl Hayes, (Intake Screens Incorporated), in Freeport on my way home
- 17 February, attended the USSVI Sacramento bases first monthly breakfast meeting. Discussed the scope and the responsibilities of my position as a Board member, with several of the members
- 13 March, spoke to Andrew Jahns and agreed to share literature and a trip to the facilities
- 18 March, went on a field trip with Andrew Jahns to the Tracy Fish Collection facility
- 30 March, attended IEP Annual meeting at the Lake Natomas Inn, in Folsom. This was very well attended with several good presentations
- 31 March to 2 April, attended the Cal-Neva American Fisheries Society chapter, annual meeting at the Lake Natomas Inn in Folsom. There were a number of good papers on the Delta and its tributaries
- 3 April, spoke to Bill Jennings about the IEP and the Cal-Neva AFS meetings
- 4 April, spoke to Paul Ward about the work presented at the Cal-Neva AFS meeting in Folsom

Member Lyle Hoag said that he attended the Public Institute of California briefing and presentation of their new book, Water Management in California. He also attended the Water Education Foundation Executive Briefing. Both had much emphasis on Delta Issues/Groundwater Issues and water management institutional issues in California

Chair, Kate Hart reminded the Board that the WQCC meeting will be coming soon. She also said that she will submit her communication via written submittal.

PUBLIC FORUM

Jo Anne Kipps, representing California Sport Fishing Protection Alliance, requested that the Board improve regulation of food processing wastes.

Board Chair asked Ms. Kipps what exactly she wanted the Board to do. Ms. Kipps said that the WDR Orders should reflect the best practicable treatment and control.

EXECUTIVE OFFICER'S REPORT

The Chair moved this item to the next day

LONG TERM IRRIGATED LANDS REGULATORY PROGRAM: AGENDA ITEM 6

Consideration of a Resolution Certifying the Final Program Environmental Impact Report for Long-Term Irrigated Lands Regulatory Program

Before the start of the public hearing, Chair Hart asked the Board to provide disclosures on agenda items 6 through 8. Chair Hart said that she met with Bill Thomas on EIR.

Joe Karkoski began the presentation by providing context and background for the three long-term program agenda items. Adam Laputz and Megan Smith (ICF International) presented the program environmental impact report. Stakeholders and other interested persons gave additional testimony.

Motion to adopt the resolution
Made by Vice-Chair Dr. Longley
Seconded by Member, Hoag
Approved by a vote of 4-1-0¹

BOARD ADOPTED ORDER R5-2011-0017

The Board recessed at 11:45 p.m. to discuss closed session item, Garland vs. CVRWQCB. The meeting resumed at 12:56 p.m.

AGENDA ITEM 7

Consideration of a Resolution Adopting a Framework for a Long-Term Irrigated Lands Regulatory Program

Dr. Longley disclosed meeting with Laurel Firestone and Chair Hart said that she met with Bill Thomas on the Framework, had coffee with Tim Johnson (California Rice Commission) and received a call from Assemblyman, Dan Logue, regarding his concerns on watering cattle.

A public hearing was held. Joe Karkoski presented the staff report on the Framework and introduced Adam Laputz, who gave a brief summary of the cost and policy considerations in the development of the Framework. Stakeholders and other interested persons gave additional testimony.

The Board did not take a vote to adopt agenda Item 7.

AGENDA ITEM 8

Consideration of a Resolution Extending Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands, Order R5-2006-0053

Because of time constraints associated with Item 7, the Chair directed that the item be removed from the agenda and directed staff to add the item to the June agenda.

The board meeting concluded at 8:17 p.m. to the next day

¹ After the Board indicated that it would not take a vote on the proposed resolution for agenda Item 7, Alex Mayer recommended that the Board reconsider its vote on agenda item 6 because agenda item 6 assumed an affirmative vote on agenda Item 7. Vice-Chair, Dr. Longley moved to reconsider the motion approving agenda Item 6. This was carried by unanimous vote. Dr. Longley then moved to amend the resolution by deleting paragraph 2 of the resolution (instruction that staff submit a Notice of Determination). The amended resolution was adopted by unanimous vote.

FRIDAY APRIL 8

CALL TO ORDER

Chair, Kate Hart called to order the 513th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Suncenter Drive, Suite 200, Rancho Cordova, CA 95670

Hart, Kate
Odenweller, Dan

Hoag, Lyle

Longley, Dr. Karl

Meraz, Sandra

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Boyd, Mary
Crandall, Robert
Creedon, Pamela
Harder, Kathleen
Harvey, Dale

Issinghoff, Greg
Hold, Howard
Landau, Ken
Lanfranchi, Kiran
Loncarovich, Richard

Louie, Stephen
Mahnke, Debra
Marshall, James
Messina, Diana
Moss, Rick

Okun, Lori
Radulescu, Dan
Rodgers, Clay
Wass, Lonnie

OTHERS PRESENT

Aggers, Jami
Bonham, Andrea
Castanos, Kristen
Cunningham, Royce
Dr. Miller, Richard

Dr. Payne, Michael
George, Gerald
Marshall, Roberta
Martin, Paul
Murphy, Craig

Newmark, Gregory
Risen, Stan
Scully, Jim
Stamer, Elanor
Stirrat, Bryan

Strecher, Eric
Sullivan, Gregory
Sullivan, Patrick

STATE BOARD STAFF

Haven, Liz

PUBLIC FORUM

Royce Cunningham, City of Dixon provided an update on the progress of the Dixon Wastewater Collection and Treatment System.

BOARD MEMBER COMMUNICATIONS

None to report

EXECUTIVE OFFICERS REPORT

Executive Officer presented a Resolution to Wendy Cohen who will be retiring in May, after 28+ years of service. Executive Officer also presented Superior Accomplishment Awards to, Kathleen Harder, (Sacramento Office), James D. Marshall, (Sacramento Office), Dale Stultz, (Redding Office) and Greg Issinghorf, (Fresno Office)

AGENDA ITEM 11

Approval of uncontested agenda items 21 through 25.

UNCONTESTED CALENDAR

AGENDA ITEM 21

OTHER BUSINESS

Central Valley Region Emergency, Abandoned and Recalcitrant 2011/12 Annual Site Priority List, *Consideration of Resolution Adopting the Priority List*

AGENDA ITEM 22
NPDES PERMIT
BOARD ADOPTED ORDER- R5-2011-0024

Aerojet-General Corporation, Interim Groundwater Extraction and Treatment Systems, ARGET, GET E/F, GET H-A, GET J, GET K-A, GET L-A, GET L-B, Sailor Bar Park Well, Chettenham Well, Golden State Water Wells and Low Threat Discharges, Sacramento County, Order R5-2010-0039, NPDES No. CA0083861 (Amendment)

Note: GET stands for Groundwater Extraction and Treatment

AGENDA ITEM 23
WASTE DISCHARGE REQUIREMENTS

- a) Aerojet-General Corporation, White Rock North Dump Groundwater Treatment Facility, Sacramento County (new) **BOARD ADOPTED ORDER-R5-2011-0025**
- b) Shasta Gold Corporation and French Gulch (Nevada) Mining Corporation, Tailings and Waste Rock Disposal Facilities, Washington Mine, Shasta County (new) **BOARD ADOPTED ORDER-R5-2011-0026**
- c) Tehachapi-Cummings County Water District, Tehachapi-Cummings Recycling System, Kern County, *Consideration of Master Reclamation Permit*, (new) **BOARD ADOPTED ORDER-R5-2011-0027**
- d) Florin Road Aggregate Plant, Triangle Rock Products, Inc., Sacramento County, Order R5-2004-0135 (revision) **BOARD ADOPTED ORDER-R5-2011-0028**
- e) Calaveras County Department of Public Works; Rock Creek Solid Waste Facility; Class II Landfill; Class II Surface Impoundment; Construction, Operation, Closure, and Post-Closure Maintenance; Calaveras County; Order R5-2005-0100 (revision) **BOARD ADOPTED ORDER-R5-2011-0029**

AGENDA ITEM 24
NPDES/WDR RESCISSIONS
BOARD ADOPTED ORDER-R5-2011-0030

- a) California Department of General Services, California Conservation Corps (CCC), Order 86-135
- b) State Center Community College District, Groundwater Cleanup System, Fresno County, Waste Discharge Requirements, Order R5-2002-0107 and Special Order R5-2002-0172
- c) Gayla Manor Wastewater Treatment Plant, Order R5-2003-0182
- d) Dunnigan Auction Yard Wastewater Treatment Facility, Ritchie Brothers Properties, Inc., Order R5-2004-0037
- e) California Department of Fish and Game, and Department of Water Resources, Feather River Fish Hatchery, Butte County, Order R5-2008-0038, NPDES Permit CA0004570

AGENDA ITEM 25
CHANGE OF NAME AND OR OWNERSHIP
BOARD ADOPTED ORDER-R5-2011-0031

- a) Lost Hills, Williamson, Nations Petroleum (California) LLC, Kern County, Order 58-278
- b) Bridges on the River Restaurant, James H. Wheeler and EIE Lambda, LLC, Sacramento County,
- c) Order R5-2005-0116

Motion to adopt uncontested items 21 through 25, with late revisions on items 22(a) and 23 (c),
Made by Vice-Chair Longley
Seconded by Member, Odenweller
Unanimously approved

AGENDA ITEM 12

OTHER BUSINESS

Constituents of Emerging Concern (CEC) Monitoring Requirements for Recycled Water. Presentation by the State Board – *Informational Item only*

This was informational item only. Assistant Executive Officer, Rick Moss, introduced Liz Haven, (State Water Resources Control Board), (SWRCB), who gave a presentation on the Status of the State Board's efforts to address Constituents of Emerging Concern in recycled water. After the presentation, Ms. Haven said that if

anyone needed more information, they could go to the SWRCB's main website at www.waterboards.ca.gov and search "Recycled Water Policy"

AGENDA ITEM 13

Status Report on the Confined Animal Regulatory Program and Groundwater Monitoring – *Informational Item Only*

Assistant Executive Officer, Clay Rodgers presented the staff report on the Confined Animal Regulatory Program and Groundwater Monitoring at Dairies. Michael Payne, Paul Martin (Western United Dairymen) and Elanor Starmer (Food and Water Watch) made additional comments.

AGENDA ITEM 14

WASTE DISCHARGE REQUIREMENTS

Tejon Mountain Village, LLC, Tejon Mountain Village, Kern County - *Consideration of Waste Discharge Requirements*

A public hearing was held. No one came forward to contest or comment on this item

Motion to adopt Waste Discharge Requirements Permit,
Made by Vice-Chair, Dr. Longley
Seconded by Member Odenweller
Approved by unanimous vote

BOARD ADOPTED ORDER R5-2011-0018

AGENDA ITEM 15

Timber Harvest Activities - *Consideration of Modification of Order R5-2010-0022; Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities*

AGENDA ITEM 15 WAS REMOVED FROM THE AGENDA AND WILL BE HEARD AT A FUTURE BOARD MEETING

AGENDA ITEM 16

NPDES PERMIT

Sierra Pacific Industries, Inc., Anderson Division, Shasta County – *Consideration of NPDES Permit Renewal*

AGENDA ITEM 16 WAS REMOVED FROM THE AGENDA AND WILL BE HEARD AT A FUTURE BOARD MEETING

AGENDA ITEM 17

ENFORCEMENT

V & O Auto Dismantling, Sacramento County – *Consideration of an Administrative Civil Liability Order*

AGENDA ITEM 17 WAS REMOVED FROM THE AGENDA AS THIS CASE WAS SETTLED

AGENDA ITEM 18

City of Lone Waste Water Treatment Facility, Amador County – *Consideration of A Cease and Desist Order*

A public hearing was held. Wendy Wyels presented the staff report. Andrea Bono, (City of Lone) and Jim Scully, representing self, gave additional testimony.

Motion to adopt the Cease and Desist Order
Made by Vice-Chair Longley
Seconded by Member Hoag
Approved by roll call vote of 5-0-0

BOARD ADOPTED ORDER R5-2011-0019

AGENDA ITEM 19

The Wide Awake Mercury Mine and the Central, Cherry Hill, Empire, Manzanita, and West End Mines, *Consideration of a Resolution authorizing the Executive Officer to enter into an agreement for mutual release and covenant not to sue Homestake Mining Company of California, Colusa County*

A public hearing was held. Jeff Huggins presented the staff report. Gerald George, (Homestake Mining) and Dr. Richard Miller gave additional testimony.

Motion to adopt the Resolution,
Made by Vice Chair, Longley
Seconded By Member Odenweller
Unanimously approved
BOARD ADOPTED ORDER-R5-2011-0020

The Board recessed at 11:30 am to discuss closed session items Eldorado Irrigation District NPDES permit and Sixteen to One Mine. The meeting resumed at 1:10 p.m.

AGENDA ITEM 20

Stanislaus County Department of Environmental Resources, Geer Road Class III Landfill, Stanislaus County -
Consideration of A Cease and Desist Order and a Revised Monitoring and Reporting Program

A Public hearing was held. Wendy Wyels, Howard Hold and Anne Olson presented the staff report. Howard Hold discussed the history of the landfill, landfill gas issues, site geology, and groundwater quality impacts. Anne Olson described the violations of the WDRs that led to the proposed Order and the content of the proposed Order. Wendy Wyels presented additional technical details, staff's response to comments, and the Prosecution Team's recommendations. Stan Risen, (Stanislaus County Assistant Executive Officer), Gregory Newmark (Outside Legal Counsel), Jamie Aggers, Bryan Stirrat (consulting engineer) gave additional testimony on behalf of the County.

Alex Macdonald, staff of the Central Valley Water Board, provided comments as a member of the Board's Advisory Team.

Motion to adopt Cease and Desist Order and MRP
Made by, Vice-Chair, Dr. Longley
Seconded by Member, Meraz
Approved by Roll Call vote of 5-0-0
BOARD ADOPTED ORDER-R5-2011-0021 (CDO)
BOARD ADOPTED ORDER-R5-2011-0022 (Revised Monitoring)

The meeting adjourned at 5:29 p.m. to the June 9/10 Board meeting.

Respectfully submitted by Board Secretary, Kiran Lanfranchi-Rizzardi