

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

Minutes
27 January 2000 – 1:00 p.m.
429th Regular Meeting
Water Quality Control Board
Sacramento, California

BOARD MEMBERS PRESENT

Steve Butler, Chairman; Chuck Ahlem, Susan Azevedo, Karl Longley, Craig Pedersen, Robert Schneider, Members

STAFF PRESENT

Gary Carlton, Tom Pinkos, Ken Landau, Jack DelConte, Wendy Wyels, , Jim Martin, Val Connor, Chris Foe, Inge Clarke; Janice Tanaka, Frances McChesney, Counsel-SWRCB

OTHERS PRESENT

Gary Pitzer, Inside Cal/EPA
Barbara Marcotte, CALFED
Randy Gibson, Alpine County
Stefan Krayk, Building Inspector, Bear Valley
Garner Reynolds, City of Modesto
Bob Murdoch, City of Stockton
D. Jeanne Murray, Bear Valley Water District
Bill Voreyer, Bear Valley Water District
David Ritchie, Bear Valley Water District
Tim McCullough, General Manager, Tuolumne Utilities District
Gary Egger, Tuolumne Utilities District
Ronda Lucas, California Farm Bureau Federation
Bill Jennings, DeltaKeeper
John Burris, Boyle Engineering
Eric Jung, Bear Valley
Greg Flynn, Flynn Development Company, San Francisco
Marilyn Ruch, Bear Valley
Betty Mae Locke, Lodi
Eric Bottomley, Bear Valley
Terry Woodrow, Bear Valley
Gordon Ritter, San Francisco
Bob Philpott, San Leandro
Michael Denicola, Bear Valley
Michele Plotnik, Murphys
Donald Ruch, Bear Valley
Goran Berglund, Bear Valley
Astrid Littlejohn, Bear Valley
Elysia Ulrich, Bear Valley
Joe Ahern, Bear Valley
Barbara Ernst, Carmichael
Urban Gomes, Angels Camp

Chris Oddo, Angels Camp
J. Lane Ernst, Carmichael
Craig E. Waldman, Sacramento

1. The minutes of the 429th Regular Meeting of 29 October 1999 were approved as written.

MOTION: By Pedersen, seconded by Mr. Ahlem, and unanimously approved.

2. **Bear Valley Water District, Alpine County - *Consideration of Cease and Desist Order and Restriction of Additional Connections***

A public hearing was held. The staff report was presented by Jim Martin and Wendy Wyels. The case file, staff presentation and exhibits were entered into the record. Additional testimony was presented by David Ritchie, and Bill Voreyer, representing Bear Valley Water District; Gordon Ritter; Terry Woodrow, Bear Valley Business Association; Eric Bottomley; Marilyn Ruch; Greg Flynn; and Eric Jung.

5-00-001 **MOTION:** By Mr.Longley, seconded by Mr.Schneider, to adopt the proposed Cease and Desist Order as amended. Unanimously approved by roll call vote.

3. **Dissolved Oxygen in the Lower San Joaquin River – *Request for Board Concurrence with Staff Determination that Progress to Date is Satisfactory***

The staff report was presented by Chris Foe. Additional information was presented by Ronda Lucas, representing the DO Steering Committee; and Bill Jennings, DeltaKeeper.

MOTION: By Mr.Longley, seconded by Mrs Azevedo, to concur with staff's determination. Unanimously approved. The Board asked for a progress report in 6 months.

4. **Tuolumne Utilities District, Sonora Regional Wastewater Treatment Plant, Tuolumne County - *Consideration of Cease and Desist Order***

A public hearing was held. No one appeared to contest the adoption of the proposed order.

5-00-002 **MOTION:** By Mr.Longley, seconded by Mr.Pedersen, to adopt the proposed Cease and Desist Order. Unanimously approved by roll call vote.

5. **Sacramento River Watershed Program - *Status Report***

The staff report was presented by Val Connor. This item was presented for the Board's information only.

6. The meeting recessed at 4:05 p.m. to the 28 January 2000 session.

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

Minutes
28 January 2000 – 8:30 a.m.
429th Regular Meeting
Water Quality Control Board
Sacramento, California

BOARD MEMBERS PRESENT

Steve Butler, Chairman; Robert Schneider, Vice Chairman, Chuck Ahlem, Susan Azevedo, Karl Longley, Craig Pedersen, Members; John Brown, State Board Liaison

STAFF PRESENT

Gary Carlton, Tom Pinkos, Ken Landau, Patricia Leary, Victor Izzo, Wendy Wyels, Wendy Arano, Inge Clarke; Janice Tanaka, Frances McChesney and Tim Regan, Counsels-SWRCB

OTHERS PRESENT

Donald O. Cripe, Agricultural Commissioner, Stanislaus County, Modesto
Mark D. Melville, City Manager, City of Livingston
Richard Prima, Public Works Director, City of Lodi
Del Kerlin, City of Lodi
Steve Brodnansky, Lake County Sanitation District, Lakeport
Bill Jennings, DeltaKeeper, Stockton
Peter MacLaggan, California Urban Water Agencies, Sacramento
John Buada, CalMat Co., Fresno
Edward Tomeo, President, Modesto Energy Limited Partnership
Jon Benjamin, Modesto Energy Limited Partnership
Nicholas van Aelstyn, Modesto Energy Limited Partnership
John R. Schaub, CMS Generation Company
Bruce Klafter, CMS Generation Company
Amy Bateson, CMS Generation Co., Dearborn, Michigan
R. L. Abbott, R. L. Abbott & Associates, Bakersfield
David Stangfield, Carollo Engineers, Fresno
Robert Beggs, West Yost & Associates, Davis
Larry Parlin, Environmental Management Services, Sacramento
Warren Haupt, Robinson-Grogg Partnership, Bakersfield
Bryan T. Haupt, Robinson-Grogg, Bakersfield
Jeff Hood, The Record

INTRODUCTIONS

1. Election of Officers for 2000

The nominating committee presented the slate of Steve Butler as Chair and Robert Schneider as Vice Chair. By unanimous vote, the Board approved the slate of officers as proposed.

2. Public Forum

Bill Jennings, DeltaKeeper, spoke regarding what he considered a breakdown in the NPDES permitting sequence in the City of Stockton's permit. He requested a permit be adopted as soon as possible and an

Administrative Civil Liability be considered. The Board instructed staff to present a status report at the next meeting.

3. Resolution of Appreciation for Former Board Member William Porter

The Board unanimously approved a resolution of appreciation and presented it to former Board member William Porter.

4. Resolution Proclaiming the 50th Year Anniversary of the Regional Water Quality Control Boards

A resolution regarding the 50th anniversary of the Regional Boards was read into the record. State Board Member John Brown presented the Board with a proclamation and letter of commendation from Governor Davis regarding the anniversary.

5. Amador Water Agency, Eagles Nest Community Leachfield, Amador County – *Consideration of Waiver of Waste Discharge Requirements*

A public hearing was held. No one appeared to contest the adoption of the proposed waiver.

5-00-003 **MOTION:** By Mr. Longley, seconded by Mr. Pedersen, to adopt the proposed waiver. Unanimously approved.

6. City of Corning, Tehama County – *Consideration of a Resolution Authorizing the Executive Officer to Enter Into an Agreement for Mutual Release and Covenant Not to Sue for Cleanup of the Abandoned Dudley & Petty, Inc., Truckstop*

No one appeared to contest the adoption of the proposed resolution.

5-00-004 **MOTION:** By Mr. Schneider, seconded by Mr. Ahlem, to adopt the proposed resolution. Unanimously approved.

UNCONTESTED ITEMS

7. City of Livingston, Wastewater Treatment Facility, Merced County – *Consideration of a Special Order Amending Cease and Desist Order No. 98-057*

A public hearing was held. No one appeared to contest the adoption of the proposed order.

5-00-005 **MOTION:** By Mr. Longley, seconded by Mrs. Azevedo, to adopt the proposed special order amending the Cease and Desist Order. Unanimously approved by roll call vote.

8. Lake County Sanitation District (LACOSAN), Southeast Regional Wastewater System, Lake County – *Consideration of an Order Rescinding Cease and Desist Order No. 91-202 as adopted on 22 November 1991 and amended on 6 December 1996*

A public hearing was held. No one appeared to contest the adoption of the proposed order.

5-00-006 **MOTION:** By Mr. Pedersen, seconded by Mr. Ahlem, to adopt the proposed order rescinding Cease and Desist Order No. 91-202 as originally adopted on 22 November 1991 and amended on 6 December 1996. Unanimously approved by roll call vote.

9. Uncontested NPDES Permits

- 5-00-007 Calmat Company and Walter A., James F., and Patricia Baun; and Janet and Darrel B. Delvan, Sanger Sand and Gravel Plant, Fresno County (amended)
- 5-00-008 Chevron U.S.A., Incorporated, Purity Oil Sales Superfund Site, Groundwater Cleanup Project, Fresno County
- 5-00-009 Stillwater Orchards Company, Inc., Hood, Sacramento County
- 5-00- 010 City of Shasta Lake, Water Treatment Plant, Shasta County (amended)

MOTION: By Mr. Longley, seconded by Mr. Pedersen, to adopt the permits as amended. Unanimously approved.

10. Uncontested Waste Discharge Requirements Rescissions

- U. S. Department of the Air Force, Castle Air Force Base, DA-4 and Wallace Road Area Ground Water Extraction and Treatment Systems, Merced County, Order No. 91-198
- Cemco Edison No. 1 Partnership, Edison Lease, Edison Oil Field, Kern County, Order No. 92-11007
- W. D. Newsom Consulting Company, Gerald-Hawk Lease, Edison Oil Field, Kern County, Order No. 92-11021
- St. Regis Resources Corporation, Portals Lease, Edison Oil Field, Kern County, Order No. 92-11062
- St. Regis Resources Corporation, Mattson Lease, Edison Oil Field, Kern County, Order No. 92-11063
- The Termo Company, Ginocchio Oil and Gas Lease (Marguerite Ginocchio), Brentwood Oil and Gas Field, Contra Costa County, Order No. 95-116
- Monterey Mechanical Company, Inc., Chico Regional Wastewater Treatment Plant Construction Dewatering, Butte County, Order No. 98-146

- 5-00-011 **MOTION:** By Mr. Longley, seconded by Mr. Ahlem, to adopt the proposed order. Unanimously approved.

11. Uncontested Change of Name and/or Ownership for Waste Discharge Requirements

- Mountain View Oil Field, Arvin Waterflood Lease, Waterflood, Kern Co., Order No. 60-212
- Holiday RV Park, Goshen, Tulare County, Order No. 72-095
- Yokut Campground, Porterville, Tulare County, Order No. 72-240
- Improvement District No. 4, Olcese Water District, Bakersfield, Kern County, Order No. 76-249
- Gustine Slaughterhouse, Avila Meat Company Merced County, Order No. 77-14
- Quality Assured Packing, Tomato Processing Waste, San Joaquin County, Order No. 90-191
- Quality Assured Packing, Wastewater Reclamation, San Joaquin County, Order No. 90-194
- Mokelumne Bluffs, L.P., Mokelumne Bluffs WWTP, Amador County, Order No. 92-079
- Dole Fresh Fruit, Cherry Processing, San Joaquin County, Order No. 92-154
- Olcese Water Treatment Plant, Kern County, Order No. 94-022
- Citrus Packinghouse, Baker Brothers Ranch, Tulare County, Order No. 94-045
- San Joaquin Valley Dairymen, Los Banos., Merced County, Order No. 94-169
- First Assembly of God Church, Wastewater Treatment Plant, El Dorado County, Order No. 94-317
- King Canyon Properties, Safari Mobile Home Park, Calaveras County, Order No. 95-079
- Environmental Alternatives, Sierra Ridge, Calaveras County, Order No. 97-075
- Calistoga Power Plant, USA Lease CA-5637, LLC, Lake County, Order No. 99-029

- 5-00-012 **MOTION:** By Mr. Pedersen, seconded by Mr. Ahlem, to adopt the proposed order. Unanimously approved.

12. Uncontested Water Quality Certification

- 5-00-013 Richard Rooney, Wetlands Fill on the Rooney Property, Lake Isabella, Kern County – *Resolution Approving the Initial Study and Negative Declaration*

MOTION: By Mr. Longley, seconded by Mr. Schneider, to adopt the proposed order. Unanimously approved.

13. Uncontested Waste Discharge Requirements

- 5-00-014 Almanor Lakeside Villas, L.L.C., Brent A. Tucker, Almanor Lakeside Villas Home Owners Association, Almanor Lakeside Villas Wastewater Treatment Facilities, Plumas County
- 5-00-015 Lakeshore Resort Ltd. Inc., Rene St. Pierre, Gail Diane, Tom Vaglivielo, and Pacific Gas and Electric Company, Plumas County (amended)
- 5-00-016 San Luis Water District, Fox Hills Wastewater Treatment Facility, Merced County
- 5-00-017 Wayne Lourence, Richard J. Nunes dba North State Sanitation Service, and Dudley’s Excavating, Inc., Rawson Road Septage Disposal Site, Tehama County
- 5-00-018 Peter Soo and The Peter Soo and Elfrieda Soo Trust, Hi-Ho Resort, Kern County
- 5-00-019 Hidden Valley Lake Community Services District, Hidden Valley Lake Association, Hidden Valley Lake Water Reclamation Facility, Lake County
- 5-00-020 Mr. Nick Petsas, Lake Berryessa Enterprises, Inc. II, dba Putah Creek Resort, The United States Department of the Interior, Bureau of Reclamation, Napa County (amended)
- 5-00-021 RJM Enterprises dba Browns Lake Ranch and Rivercrest Vineyards, Inc., San Joaquin County
- 5-00-022 Robinson-Grogg Partnership, James Road Unclassified Solid Waste Disposal Site, Kern County
- 5-00-023 County of Kern for Operation and Construction, Arvin Sanitary Landfill, Kern Co. (amended)
- 5-00-024 City of Hughson, Hughson Wastewater Treatment Plant, Stanislaus County
- 5-00-025 City of San Jose, San Jose Family Camp, Wastewater Treatment and Disposal Facility, Tuolumne County (amended)
- 5-00-026 Windflower Point Homeowners Association, Los Brez’s Park Mutual Water Company, Lake County (amended)
- 5-00-027 Imperial Sugar Company, Holly Sugar Corporation dba Spreckels Sugar Company, Spreckels Sugar Company, Woodland Facility, Yolo County
- 5-00-028 U. S. Department of Agriculture, Forest Service, Plumas National Forest, Walker Mine Tailings, Plumas County
- 5-00-029 City of Lincoln, Wastewater Treatment Plant, Placer County (amended)
- 5-00-030 Snowflower Ski and Camp Club, National American Corporation (NACO), Thousand Trails Incorporated, Snowflower Incorporated, Placer and Nevada Counties

MOTION: By Mr. Longley, seconded by Mr. Ahlem, to adopt the proposed orders as amended. Unanimously approved.

ENFORCEMENT

14. City of Lodi, White Slough Water Pollution Control Plant, San Joaquin County - *Consideration of NPDES Permit (renewal)*

A public hearing was held. The staff report was presented by Patricia Leary, with additional information presented by Ken Landau. The staff report, exhibits, and case file were entered into the record. Additional

information was presented by Robert Beggs, City of Lodi consultant; Richard Prima, City Manager; Bill Jennings, DeltaKeeper; and Peter MacLaggan, CUWA.

5-00-031

MOTION: By Mr. Longley, seconded by Mr. Schneider, to adopt the proposed NPDES permit as amended and include a commitment to monitor quarterly for Total Organic Carbon. Unanimously approved. The Board unanimously approved a motion to not adopt the Cease and Desist Order.

15. Edward Joseph Filbin, Mary Etta Filbin, Edward Joseph Filbin and Mary Etta Filbin Revocable Trust UAD September 21, 1998, P. H. and Margaret Filbin Trust, Cal-Neva Ranch Company, LLC, Modesto Energy Limited Partnership, UAE Energy Operations Corporation, Oxford Tire Recycling of Northern California, Inc., CMS Generation Co., Heights II, Inc., Omega Tires, Inc., and Mark Kirkland, Filbin Tire Pile, Stanislaus County – Consideration of Referral to the Attorney General for Civil Monetary Penalties

The staff report was presented by Wendy Arano and Victor Izzo. The staff report, exhibits, and case file were entered into the record. Additional testimony was presented by Bruce Klafter, CMS, and Nicholas VanAelstyn, MELP.

5-00-032

MOTION: By Mr. Longley, seconded by Mrs. Azevedo, to refer this matter to the Attorney General as amended for civil monetary penalties. Unanimously approved.

OTHER BUSINESS

16. Clean Water Enforcement and Pollution Prevention Act of 1999 (Senate Bill 709, Migden)

SWRCB attorney Frances McChesney presented a summary of the Act for the Board's information.

17. The Board recessed to closed session to discuss ongoing litigation and pending litigation.

18. Board Member Communications

Mr. Ahlem updated the Board on various presentations he has made regarding the proactive approach of the Dairy Task Force. Mr. Pedersen suggested that staff find a way to recognize dischargers for their good efforts.

19. The Board received the Executive Officer's Report.

20. The meeting adjourned at 2:25 p.m. to the 17 March 2000 meeting in Sacramento.