

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

Minutes
30/31 January 2003
453rd Regular Meeting
Regional Board Office
3443 Routier Rd., Suite A
Sacramento, CA 95827

BOARD MEMBERS PRESENT

Robert Schneider, Chair, Karl Longley, Vice Chair, Mark Salvaggio, Alson Brizard, Christopher Cabaldon, Robert Fong, Cher Kablanow, Beverly Alves, Members

STAFF PRESENT

Tom Pinkos, Ken Landau, Jim Pedri, Bill Croyle, Rudy Schnagl, Dennis Westcot, Bill Marshall, Dave Carlson, Jerry Bruns, Betty Yee, Wendy Wyels, Richard McHenry, Patricia Leary, Stephen Klein, Trinh Pham, Kathy Harder, Brett Stevens, Kelly Briggs, Janice Tanaka; Frances McChesney and Catherine George, Staff Counsels

OTHERS PRESENT

Roberta Larson/Roseville/Vacaville/SRCSD
Ane Deister/El Dorado Irrigation District
Art O'Brien/City of Roseville
David Powell/El Dorado Irrigation District
Michael Bryan/Consultant to EID and Board Staff
Steve Nebozak/SRCSD
Diane Fales/Reclamation District #1001
Jeff Stuart/NMFS
Steven Winkler/San Joaquin County
Bob Murddoch/City of Stockton
Jerry Sipe/Plumas County Environmental Health
Bill Jennings/DeltaKeeper
Peter Vonich/U.S. Bureau of Reclamation
Bill Jennings/DeltaKeeper
Dave Wardall/Eagle's Nest Owners
John Williams/Yuba River Access Coalition
Becky Wood/CMAC, CMA
Jacqueline McCall/City of Vacaville
Christine Mai/U.S. Forest Service, Eldorado NF
Roberta Fiored/California Rice Commission
John Hewitt/CA Farm Bureau Federation
Alan Driscoll/Forsgren Associates, Inc.
Gaylon Lee/SWRCB
Stephen Grattan/UC Davis
David Phillips/UC Davis
Larry N. Vanderhoef/UC Davis
David Bischel/California Forestry Associates
Marjorie Lopez Read/SWRCB-NPS Program

Laurette Laurent/Gladys K. Trejo
Kenneth Payne/City of Folsom
Rich Lorenz/City of Folsom
Betsy Weiland
Alan Wade/Save the American River Association
Wendell Kido/County of Sacramento
Art O'Brien/City of Roseville
Jacqueline McCall/City of Vacaville
Warren Tellefson/Central Valley Wastewater Managers Associates
Jeffrey D. Conway/Reclamation District No. 800 Byron Tract
Alan Driscoll/Forsgren Associates, Inc.
Robert Calvin/Canandaigua Wine Company
Bob Chrobak/Kennedy/Jenks Consultants
David Collentine/Kiewit Pacific Co.
Robert Dieterich
Bill Jennings/DeltaKeeper
Roberta Larson/Roseville, SRCSD, Vacaville
Dennis Hall/CDF
Brian Staab/U.S. Forest Service
Bob Rynearson/Forestry Panel – Industry
Dan Fisher/Fruit Growers Supply Co.
Charles Greenlaw/Forest Landowners of CA
Tom Nelson/Sierra Pacific Industries
Addie Jacobion/Ebbetts Pass Forest Watcher
Bill Jennings/DeltaKeeper
Warren Alford/Sierra Club

Cynthia Elkins/EPIC
Karen Schambach/Public Employees for Environmental
Scott Johnson/California Forest Pest Council/Forest Vegetation
Bob Carey/W.M. Beaty & Associates
Bruce Castle/Ebbetts Pass Forest Watch
Kathy Brunetti/Dept. of Pesticide Regulation
Peter Ecias/S.I.E.R.A.
Dan Dukleth/Southern California Edison
Dan Weldon/Forest Landowners of California
Keith Greenwood/California Licensed Foresters Assoc.
Nancy Erman/University CA – Aquatic Ecology
Leah Wills/Forest Community Research
Roberta Larson/CASA/CVWMA
Kristen Castaños/Sacramento County
David Tompkins/City of Vacaville
Bill Jennings/DeltaKeeper
Tawnia Pett/Univar
Brad Lange/Lange Twins, Inc.
Paul Robins/Yolo County RCD
Beth Jvies/CalEPA
Bob Krauter/CA Farm Bureau
Gilbert Ramos/Calif. Farm Bureau
Gene Mangini/Contra Costa County Agricultural Dept.
Bernice A. Sullivan/Friant Water Users Authority
Eric Stein/Wine Institute
Lu Hintz/Reclamation District #108
Andre de Fontaine/Inside Cal/EPA
Chris Coburn/Foothill Assoc.
Lisa Hunt/URS Corporation
Gary Connor
Gary Sack/Calif. Farm Bureau
Chuck March/Lake County Farm Bureau
David Nesmith/Environmental Water Caucus
Elaine Archibald/California Urban Water Agencies
Richard Denton/Contra Costa Water District
Bill Jennings/DeltaKeeper
Michael Lozeau/Earthjustice
Bill Thomas/1) CA Grape & Tree Fruit League, 2) So. San Joaquin Water Dist., 3) Dow Agro
Tim O'Halloran/Southern San Joaquin Valley Water Quality Coalition
Tess Dunham/Farm Bureau & Ag/Water Coalition
Nettie Drake/Watershed Mgt. on Fresno County Westside
Karla Kay Fullerton/Fresno County Farm Bureau
Larry Domenighini/Glenn County Farm Bureau
Alex Hildenbrand
Mike Robinson/San Joaquin Farm Bureau

Tracey Brieger/Californians for Pesticide Reform – statewide environmental health coalition
Grace Wia
Sejal Choksi/Water Keepers Northern California
Caroline Colesworthy
Sarah Toas
Lauren Whitley/Clean Farms, Clean Water Campaign
Yasaman Golban
Dennis Pooler/California Agricultural Commissioners & Sealers Assoc.
Bunny Ferclaugh/Ebbett Pass Forest Watch
Orvil McKinnis/Westlands Water District
Frank Torres/Willow Creek Mutual Water Co.
Darren Cordova/MBK Engineers
Sam Ziegler/U.S. EPA
Carolyn Yale/U.S. EPA
Richard Taylor/Shasta County Farm Bureau
Marc Christopher/Friends of the River
Leo O'Brien/San Francisco Bay Keeper
Debbie Jacobsen/Fresno County Farm Bureau
Tim Johnson/CA Rice Commission
Stephan Orme/Pesticide Action Network North America
Don Bransford/CA Rice Commission
Roberta Firored/CA Rice Commission
Linda Sheehan/The Ocean Conservancy
Kimberly Hamilton-Lam
Mark Quisenberry/Calif. Ag Commissioners & Sealer Assoc.
Jonathan Kaplan/NRDC
Westford R. Latimer/Stockton East Water District
Perry Kalsen/Coalition for Urban Rural Environmental Stewardship
William Menke/Glenn-Colusa ID
Steve Forsbers/CA Plant Health Association
Russell Young
James Marler
David Alves
Barbara Vlamis/Butte Environmental Council
Steven Zien/Biological Urban Gardeaiuz Services
Dave Wagner/DeltaKeeper
Kim Delfino/Defendes of Wildlife
Kari Morgan
John Garner
Brent Newell/Center on Race, Poverty and the Environment
Pete Price/Community Alliance of Family Farmers
Bob Williams/Williams Ranch
Katherine Polan/Sustainable Cotton Project
William Allen, Ph.D./Sustainable Cotton Project

David Bolland/Association of CA Water Agencies
Allen Short/San Joaquin River Group/MID
John Beuttler/1) Sportfishing Project Alliance, 2) California Trout, 3) Northern Calif. Council Federation of Fly Fishers, 4) United Anglers, 5) Recreational Fishing Alliance N. Calif.
Steven Proe/El Dorado County Taxpayers for Growth Quality
Rick Veldstra
David Cory/San Joaquin River Exchange Contractors
David Moore/Water Keepers Northern California
Teri Olle/CALPIRG
Susan Pelican
Geneva and Corey Page
Pamela Laurence
Kerin Key/Water Keepers Northern California
Norm Kaethler
Lena Brook/Clean Water Action
Shana Lazerow/Water Keepers Northern California
Duane Chamberlain/Chamberlain Farms
Bill Allayaud/Sierra Club California
Lynda Smith/Metropolitan Water District of Southern Calif.
Brian Staab/United States Forest Service
Warren Alford/Sierra Club
Bill Jennings/WaterKeepers
Sharon Welker/Koller Dairy
Jim Quist/Quist Dairy
Nathan de Boom/Milk Producers Council

Dan Vascome/Milk Producers Council
Larry Serpa/Land O'Lakes
Paul Martin/Western United Dairymen
Jerry Cook/Families Protecting Neighborhoods
Michael Payne/UCD, CDQAP, SWRCB
Rodney Kampler
Lynn Kud/U.S. EPA
Nat Dellavalle/Dellavalle Laboratory
Bill Jennings/DeltaKeeper
Kirk Ford/Stanislaus County
Jeff Palsgaard/Merced County
Ken Krich/Sustainable Conservation
Laura Tom Bose/Environmental Protection Agency
J.P. Cativiela/Community Alliance for Responsible Environmental Stewardship
John Wright/Selma-Kingsbury-Fowler
Deanne Meyer/UC Davis
Walter Schmidt/Selma-Kingsburg-Fowler County Sanitation District
Louis Mendoza/SKF
David Michael/Selma-Kingsburg-Fowler County Sanitation District
Ben Igawa/Calif. Dept. of Water Resources
George Howard/ANCO Advance & Enviro-Energy Corp.
Charles Kelley/San Joaquin County
Tom Gau/San Joaquin County Public Works
Bob Murdoch/City of Stockton
Sara Mirhadi/Senator Costa SD16

EXECUTIVE OFFICERS REPORT

Al Brizard asked about the current status of the ConAgra facility in Stanislaus County. Wendy Wyels explained the project has been shifted to the Fresno office due to budget cuts in the Non15 Program.

Al Brizard asked about the current status of the waiver for pesticide and fertilizer facilities. Rudy Schnagl explained that arrangements for the USEPA contractor to conduct field evaluations are not complete, and a few more months are needed to complete the contracting process and initiate investigations. The industry associations are working on a quality assurance program, but the exact status is unknown. A report from the associations is due this summer. The Board requested an information item be placed on the March agenda to update the Board on progress of compliance with this waiver.

Chairman Schneider indicated that staff should consider the idea of sending letters to dischargers that recognize good performance. Mr. Schneider also requested a progress report on the Cache Creek Mercury TMDL for the March Board meeting.

Karl Longley requested an update on relocation of the Sacramento office. Richard Loncarovich reported that progress is continuing on schedule. The Department of General Services CEQA review should be completed 10 February. The official move-in date remains 1 July 2003.

ELECTION OF BOARD CHAIR

Robert Schneider was elected Board Chair, and Karl Longley was elected Vice Chair by a unanimous vote.

BOARD MEMBER COMMUNICATIONS

There were no Board member communications.

PUBLIC FORUM

John Williams, Yuba River Access Coalition, handed out materials and photographs of the Yuba Gold Fields area. Mr. Williams reported that a large dredge sank into the water-filled pit on Sunday morning, submerging large amounts of petroleum fuel and lubricant, and forming a large oil slick. He expressed concern that permeable soils would allow the wastes to enter the groundwater and the Yuba River. The Chair requested an information item for the March Board meeting.

Becky Wood, Teichert Environmental Compliance Manager, expressed concerns that the Nonchapter 15 program cuts are resulting in long delays in project review and approval, and offered to help the Board identify alternative approaches to conducting its work. The Board directed the Executive Officer to work with Ms. Wood on the issue.

David Wardell, Eagles Nest Airport, asked for consideration of obtaining a waiver of WDRs and filing fees for the small, remote, domestic septic tank system. The Board requested a follow-up report on the issue.

Bill Jennings, DeltaKeeper, expressed his concerns regarding staff cuts to the Nonchapter 15 program and the need for fees.

THURSDAY, 30 JANUARY 2003

U.S. Bureau of Reclamation, Sliger Mine, El Dorado County – *Consideration of a NPDES Permit and Cease and Desist Order*

A public hearing was held. John Fields, Bureau of Reclamation made a brief statement. No one appeared to contest the proposed order.

R5-2003-0001 MOTION: By Ms. Kablanow, seconded Mr. Longley to approve the NPDES permit. Unanimously approved.

R5-2003-0002 MOTION: By Mr. Longley, seconded Ms. Kablanow to approve the Cease and Desist Order. Unanimously approved by roll call vote.

University of California, Davis, Davis Campus, Main Wastewater Treatment Plant, Yolo and Solano Counties – *Consideration of NPDES Permit Renewal and Cease and Desist Order*

A public hearing was held. Kathy Harder presented the staff report. Additional testimony was given by Larry Vanderhoff, Chancellor UC Davis, Dave Phillips, Steven Grattan, Dennis Westcot, and Dave Carlson.

R5-2003-0003 MOTION: By Mr. Longley, seconded Mr. Cabaldon to approve the NPDES permit as amended. Unanimously approved.

R5-2003-0004 MOTION: By Mr. Longley, seconded Ms. Kablanow to approve the Cease and Desist Order as amended. Unanimously approved by roll call vote.

**Waste Discharges from Irrigated Lands – Board Member Discussion of Issues Related to the Agricultural Irrigation Waiver
Stockton Area Fish Kills – Information Item**

Brett Stevens presented the staff report. Additional information was given by Robert Murdoch, Bill Jennings, Steven Winkler, and Jeff Stuart. This item was for the Board's information. No action was taken.

State Water Resources Control Board Vacaville Order (WQ 2002-0015, City of Vacaville) – Information Item

Dave Carlson presented the staff report. Additional information was given by Roberta Larson, Kristen Castaños, David Thompkins, and Bill Jennings. This item was for the Board's information. No action was taken.

Request by Plumas County Board of Supervisors To Discuss Relaxation of Basin Plan Prohibition of Direct Discharge to Middle Fork Feather River - Information Item

Jim Pedri presented the staff report. Additional information was given by Gerald Sipe and Bill Jennings. This item was for the Board's information. No action was taken.

Waste Discharges Related to Timber Harvest Activities, Sacramento River, San Joaquin River and Tulare Lake Basins – Consideration of an Initial Study and Negative Declaration, and a Resolution to Waive Waste Discharge Requirements

A public hearing was held. Jim Pedri presented the staff report. Panel discussions and additional testimony were given by Dennis Hall, David Bishel, Bob Rynearson, Dan Fistor, Tom Nelson, Charles Greenlock, Bob Cary, Bruce Castle, Kathy Brunetti, Peter Elias, John DuCliff, Dan Weldon, Keith Greenwood, and Nancy Erman

R5-2003-0005

MOTION: By Mr. Longley, seconded Mrs. Kablanow to approve the proposed order as amended. Unanimously approved.

FRIDAY, 31 JANUARY 2003

BOARD MEMBERS ABSENT

Christopher Cabaldon

PUBLIC FORUM

Robert Dietrick reported that conditions of pollution and nuisance continue to exist at the neighboring Dorsett Llamas. Regional Board NOVs and inspections have been ignored. Regional Board staff review of his engineering report is flawed. Staff failed to get in touch with him. The Board directed that this matter be brought to the March Board meeting for discussion.

David Collentine, Kiewit Pacific, requested an increased priority for review of a proposed CalTrans project. Tom Pinkos stated that it would be given the appropriate priority and that staff believes it will be completed within a month.

Roberta Larsen, representing Roseville, Vacaville, and Sacramento CSD, requested that the Board reconsider its decision to not take new testimony in Agenda Item No. 19 concerning Basin Plan groundwater protection language. The Chair indicated that the request would be considered during Item No. 19.

Bill Jennings, DeltaKeeper, express concern about: 1) the loss of Agricultural Waste Management and SWAMP funding will have a big impact on TMDL and waiver programs. 2) The cap on annual fees should be increased. More fees need to be collected to support a long-term increase in staffing. 3) Sediment studies are finding that new pesticides replacing OP Pesticides are causing sediment toxicity, as indicated in the EO Report,4) The San Joaquin River at Rough and Ready Island has lethally low concentrations of dissolved oxygen. Work is needed on all sources of oxygen depletion. The Board requested a review of the budget and impact of recent cuts for the March Board meeting.

UNCONTESTED CALENDAR

City of Placerville, Hangtown Creek Wastewater Treatment Plan, El Dorado County – *Consideration of Amendments to NPDES Permit and Cease and Desist Order*

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

5-01-145-A01 MOTION: By Mr. Longley, seconded Mr. Brizard to approve the amended NPDES permit. Unanimously approved.

R5-2003-0002 MOTION: By Mr. Longley, seconded Ms. Kablanow to approve the amended Cease and Desist Order. Unanimously approved by roll call vote.

TRC Companies Inc. and GBF Holdings, LLC., Contra Costa Sanitary Landfill, Contra Costa County - *Consideration of Rescission of a Cease and Desist Order*

R5-2003-0011 MOTION: By Mr. Longley, seconded Ms. Kablanow to approve the proposed Cease and Desist order rescission. Unanimously approved by role call vote.

Canandaigua Wine Company, Escalon Cellars, San Joaquin County - *Consideration of a Cease and Desist Order*

R5-2003-0002 MOTION: By Ms. Kablanow, seconded Mr. Longley to approve the proposed Cease and Desist Order. Unanimously approved by roll call vote.

Uncontested NPDES Permits

R5-2003-0015 Wheelabrator Shasta Energy Company, Inc., and Wheelabrator Lassen Inc., Shasta County
R5-2003-0016 California Cedar Products Company, Siskiyou County

MOTION: By Mr. Salvaggio, seconded Mr. Brizard to approve the proposed orders. Unanimously approved.

Uncontested Rescissions

Estate of B.F. Delanty, Delanty Lease, Temblor Ranch Oil Field, Kern County, Resolution No. 58-298
Standard Oil Company of California, Jacalitos Oil Field, Fresno County, Resolution No. 58-493
Shell Oil Company, Kern River Oil Field, Kern County, Resolution No. 69-245
Chanslor-Western Oil and Development Company, Tejon Oil Field, Kern County, Resolution No. 70-190
Ridge Hill Oil Company, Ridge Hill-Tejon Lease, Tejon Oil Field, Kern County, Resolution No. 70-195
Mid Valley Meats, Merced County, Order No. 77-014
M.H. Whittier Corporation, Angus Fee Lease, Kern River Oil Field, Kern County, Order No. 78-179
Quality Assured Packing, Inc., Stockton Terminal Eastern Railroad of Nevada Corp., San Joaquin County, Order No. 90-191.
Quality Assured Packing, Inc., Aldo Corradi, Mr. Lagorrio, Louie Rubino & Sons, and J&A Solari, San Joaquin County, Order No. 90-194.

Allied Waste Industries, Charter Evaporation Resource Recovery Systems, Nonhazardous Waste Recycling Facility, Colusa County, Order No. 92-033
Grant Amen, dba Amen Dairy, Shasta County, Order No. 93-179
Honey Bucket Farms, Tule Ranches Property, Kern County, Order No. 94-253
Pacific Gas and Electric Company, Helms Housing and Support Facility, Fresno County, Order No. 96-108
SoilRem Corporation, Inc., Kern County, Special Order No. 99-059
Michael and Deanne Boehlert, Lassen Peak Winery, Shasta County, Order No. 5-01-278

R5-2003-0015 MOTION: By Mr. Longley, seconded Ms. Kablanow to approve the proposed order. Unanimously approved.

Uncontested Change of Name and/or Ownership

Community Renewable Energy Services, Inc., Dinuba Sawmill & Cogeneration, Tulare County, Order No. 94-045
Pace Diversified Corporation, Poso Creek Oil Field, Kern County, Order No. 5-01-133

R5-2003-0016 MOTION: By Ms. Kablanow, seconded Mrs. Alves to approve the proposed order. Unanimously approved.

Uncontested Waste Discharge Requirements

- R5-2003-0017** Village West Marina Investors, Pegasus Group General Partners, City of Stockton, Village West Marina
- R5-2003-0018** Norcal Waste Systems Ostrom Road Landfill, Inc., Ostrom Road, Class II Solid Waste Landfill Facility, Yuba County
- R5-2003-0020** County Of San Joaquin And Foothill Sanitary Landfill, Inc. For Construction, Operation, Closure And Evaluation Monitoring, Foothill Sanitary Landfill, Municipal Solid Waste (Class III), San Joaquin County.
- R5-2003-0021** TRC Companies Inc. and GBF Holdings, LLC., Post-Closure of Contra Costa Sanitary Landfill, Contra Costa County
- R5-2003-0022** Lassen Gold Mining, Inc., Hayden Hill Mine, Lassen County
- R5-2003-0023** Bob & Kathy Ellinghouse, Cool Village LLC, Cool Village Wastewater Treatment Facility, El Dorado Co.
- R5-2003-0024** AKF Development LLC, Post-Closure of Former Spreckels Company Manteca Sugar Plant Lime Ponds, San Joaquin County
- R5-2003-0025** Village West Marina Investors, Pegasus Group General Partners, City Of Stockton, Village West Marina Maintenance Dredging Project, San Joaquin County
- R5-2003-0026** Aerojet General Corporation, WNN Bioremediation Pilot Project, Inactive Rancho Cordova Test Site, Sacramento County (
- R5-2003-0027** Reclamation District Number 800, Discovery Bay Maintenance Dredging, Contra Costa County

MOTION: By Ms. Kablanow, seconded Mr. Salvaggio approve the proposed orders. Unanimously approved.

- R5-2003-0019** Western Hills Water District and Diablo Grande Limited Partnership, Diablo Grande Wastewater Reclamation Facility, Stanislaus County

MOTION: By Mr. Brizard, seconded Mrs. Alves approve the proposed order. Approved with Ms. Kablanow abstaining.

BASIN PLANNING

Site Specific Temperature Objectives for Deer Creek in El Dorado and Sacramento Counties. - *Consideration of a Resolution to Adopt Proposed Basin Plan Amendments and Certify Environmental Documents*

A public hearing was held. Rik Rasmussen presented the staff report. Additional testimony was given by Ane Deister, Dave Powell, Stafford Lehr, Bill Jennings, Roberta Larsen, Art O'Brien, Ken Landau and Kelly Briggs

R5-2003-0006 MOTION: By Ms. Kablanow, seconded Mr. Brizard to approve the proposed order as amended. Unanimously approved

Water Quality Objective for Bacteria in Ground Water, Sacramento River and San Joaquin River Basins - *Continuation of a Hearing to Consider a Resolution to Adopt Proposed Basin Plan Amendments and Certify Environmental Documents*

A public hearing was held. Betty Yee presented the staff report. No additional testimony was given.

R5-2003-0007 MOTION: By Ms. Kablanow, seconded Mr. Longley to approve the proposed order. Unanimously approved

Waivers for Specific Types of Discharge within the Central Valley Region

Stephen Klein presented the staff report. Additional testimony was given by Bert VanVorvis. No one appeared to contest the proposed order.

R5-2003-0008 MOTION: By Mr. Longley, seconded Mr. Salvaggio to approve the proposed order. Unanimously approved

City of Folsom Sanitary Sewer Collection System, Sacramento County – *A Status Report*

Patricia Leary presented the staff report. Additional information was given by Rich Lorenz, Ken Payne, Laurette Laurent, Alan Wade and Betsy Wyland. This was for the Board's information. No action was taken.

The Board met in closed session to discuss ongoing litigation.

The meeting adjourned to the 13/14 March 2003 regular meeting.