



**MINUTES OF BOARD MEETING AND  
BOARD WORKSHOP**

June 22, 2016-CV-Salts Workshop  
June 23-24, 2016 Board meeting  
Central Valley Regional Water Board  
11020 Sun Center Drive, Suite 200

**WEDNESDAY JUNE 22, 9:00 A.M.**  
**CV-SALTS WORKSHOP**

On Wednesday, June 22, 2016, The Central Valley Regional Water Quality Control Board (CVRWQCB) held a CV-Salts workshop

**THURSDAY, JUNE 23, 9:00 A.M.**

Chair, Dr. Longley called to order the 545<sup>th</sup> Board Meeting of the California Regional Water Quality Control Board, Central Valley Region at 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA

**BOARD MEMBERS PRESENT**

Costantino, Jon	Kadara, Denise, Vice-Chair	Longley, Karl, Chair	Ramirez, Carmen
Schneider, Robert			

**BOARD MEMBERS ABSENT**

None			
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**STATE BOARD MEMBERS PRESENT**

None			
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**STATE BOARD OFFICE OF CHIEF COUNSEL STAFF AND OTHER STAFF PRESENT**

Deeringer, Andrew	Ellison, Kailyn	Pulupa, Patrick	Yu, Stephanie
Larsen, Karen	Brewer, Rich		

**STAFF PRESENT**

Altevogt, Andrew	Creedon, Pamela	MacDonald, Alex	Snyder, Clint
Berchtold, Dannas	Fojut, Tessa	McClure, Danny	Wilson, Angela
Bracamonte, Linda	Huggins, Jeff	Morgan, Nichole	Wood, Michelle
Cole, Selina	Laputz, Adam	Morris, Patrick	
Cooke, Janis	Lanfranchi, Kiran	Rodgers, Clay	
Coughlin, Gene	Lee, Elizabeth	Smith, Bryan	

**OTHERS PRESENT**

Allen, Mary	Dunham, Tess	Lewis, William	Tamayo, Dave
As, Rebecca	Farmer, Gregg	Medina, Edgar	Villalpando, Kelly
Ba, Than	Fong, Stephanie	Peltier, Jean -Marie	Walker, Christina
Baudabaugh, Anja	Grossi, Dana	Rich, Dan	Washburn, Barbara
Booth, Dana	Kubiak, Rachel	Schiff, Ken	Webster,Debbie
Dominguez, Gerardo	Laurenson, Brian	Shroeder, Bernie	Tamayo, Dave

**AGENDA ITEM 3**

**BOARD COMMUNICATIONS**

Member Schneider reported the following communication:

- April 27 attended the Stewardship Council meeting
- May 4<sup>th</sup> spoke as an individual at the State Water Resources Control Board on the East Side San Joaquin appeal

- June 15, attended the celebration of Yolo county flood water conservation district's ground water recharge, winter diversion flows, that was set up by the Governor and the State Board. He said that he checked out water quality in Yellowstone National Park.

Member Costantino said that he attended the CV –Salts Board workshop yesterday. He said that it was very interesting on multiple levels but mainly that it was such a huge task. He thanked all who participated and gave presentations

Vice-Chair Denise Kadara said that on April 25 she participated in the Tulare Lake Basin water study. She has also been working with the Allensworth Community Services District where the Board toured in April, working with the finance committee to ensure that all the customers have been billed on water meters.

June 13 toured the Chevron and Cawelo Water Districts to see how the process worked with recycled water.

Chair, Dr. Karl Longley reiterated on Member Costantino's comments about the CV-Salts workshop, on the complexity of the issues. He thanked the Executive Officer and staff for all the hard work. He further reported on the following communications:

- May 3, attended the workshop at the State Water Board on the East San Joaquin order
- May 13 attended the Food Safety Committee meeting which now has a facilitator, David Ceppos.
- May 17 testified at a workshop in Fresno
- Participated in the Chairs' conference call where budget items were discussed

#### **AGENDA ITEM 4 PUBLIC FORUM**

No one came forward to comment on any item

#### **AGENDA ITEM 5 STATE BOARD LIAISON UPDATE-INFORMATIONAL ITEM ONLY**

No updates were provided

#### **AGENDA ITEM 6 EXECUTIVE OFFICER'S REPORT**

Executive Officer Creedon presented Superior Accomplishment Awards to the following staff:

- Dan Warner, Engineering Geologist in the Redding office
- Rebecca Asami, Engineering Geologist in the Fresno office
- Kiran Lanfranchi-Rizzardi, Executive Assistant and Clerk to the Board, Sacramento office

Following the staff presentations, EO informed the Board that there were a couple of business items to talk about. She said that between the last Board Meeting and now, we have our oil fields program which has been on-going. A couple of letters have been received by the Board. One such letter was from a group of various stakeholders who are asking the Board to discontinue the use oil field waste water for irrigation. She asked Assistant Executive Officer, (AEO) Clay Rodgers to update the Board on the oil fields and the Food Safety Panel and also on the press release and a letter from the Center of Biological Diversity, challenging the UIC program and making allegations that the state is going to allow many of these UICs into non - exempt aquifers. AEO Rodgers briefed the Board on both letters.

Executive Officer Creedon informed the Board on another item, the Forest Activities Program which Angela Wilson, (Supervising Engineering Geologist in the Redding office) is heading. She said that Angela, together with staff, is developing a general order for forest service and BLM lands for their activities. Part of this includes grazing. She said that we will make sure to work with the forest service program and BLMs and engage all the right parties/stakeholders to discuss the grazing aspect.

#### **AGENDA ITEM 7 NPDES PERMITS**

City of Auburn, Auburn Wastewater Treatment Plant, Placer County – *Consideration of NPDES Permit Renewal (NPDES Permit CA0077712)* [Elizabeth Thayer (916) 464-4671]

No one was present to contest or comment on this item. Nichole Morgan, Supervising Engineer in the NPDES unit informed the Board of late revisions on this item

*Motion to adopt NPDES Permit with late revisions,  
Made by Member Ramirez  
Seconded by Vice-Chair Kadara  
Member Ramirez-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by Roll Call Vote of 4-0-0*

Member Costantino had stepped away from the dais during the deliberation of agenda item 7

**AGENDA ITEM 8  
NPDES PERMITS-ENFORCEMENT**

City of Live Oak, Live Oak Wastewater Treatment Plant, Sutter County – *Consideration of NPDES Permit Renewal (NPDES Permit CA0079022) and Time Schedule Order*

No came forward to contest or comment on this item

*Motion to adopt the NPDES Permit Renewal  
Made by Member Ramirez  
Seconded by Vice-Chair Kadara  
Member Ramirez-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by Roll Call Vote of 4-0-0*

Member Costantino was not present during the deliberation of agenda item 8

**AGENDA ITEM 9  
NPDES PERMIT**

*Consideration of Adoption of a Region-wide Municipal Separate Storm Sewer Systems (MS4s) General Permit*

Bryan Smith, Supervising Engineer in the Redding office presented staff report and gave a background of the program. Danna Berchtold gave a more detailed description of the proposed permit and discussed some of the comments that were received. Andrew Deeringer, Staff Counsel, informed the Board that staff should request the USEPA support letter to be admitted into the record. Chair Longley allowed the letter to be admitted into the record

**MS4 Permittee Working Group**

Cheryl Hughes (City of Sacramento), gave comments on behalf of the City of Sacramento, Stockton, Citrus Heights, Elk Grove, Rancho Cordova, Roseville, Tracy, Los Banos, Port of Stockton, County of San Joaquin, County of Sacramento and the Fresno Metropolitan Flood Control District

Executive Officer Pamela Creedon recognized the individual members of the working group who spent a lot of hours on this project, as follows:

Karen Ashby, (Larry Walker and Associates), Cheryl Hughn (City of Sacramento), Dana Booth (Sacramento County) Melissa Thorme (Downey Brand for the Port of Stockton), Dillon Allison Lloyd (City of Roseville) Brandon Ferry (El Dorado County), Chris Kraft (City of Roseville), Daniel (Fresno Metropolitan Flood District), Gretchen Histoff (Provost and Pritchard Consulting, for Fresno Stakeholders), Lisa Moretti (UC Davis), Stephanie (City of Tracy) and Steve Herrera (City of Placerville)

*Motion to adopt the General Permit with late revisions,  
Made by Member Ramirez  
Seconded by Vice-Chair Kadara  
Member Ramirez-yes  
Member Schneider-yes  
Member Costantino-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by Roll Call Vote of 5-0-0*

**AGENDA ITEM 10  
OTHER BUSINESS**

Sulphur Creek Mine Waste Removal Project, Colusa County – *Informational Item Only*

Jeff Huggins, (Water Resources Control Engineer) presented the staff report. Patrick Pulupa (Senior Staff Counsel for the Board's Prosecution Team) responded to questions from the Board. Peggie King (Homestake Mining Company) made additional comments

**LUNCH**

The Board recessed for lunch to discuss the following closed session items:

- Litigation filed against the Central Valley Water Board
  - Cease and Desist Order and ACL Order issued to Malaga County Water District, items (f), (j) on the Board's list of closed session items
  - Administrative Civil Liability Order Issued to Christopher Cordes, Eddie Axner, and Eddie Axner Construction, Inc., item (l) on the Board's list of closed session items
- Water Quality Petitions
  - Malaga County Water Dist., Petition of ACL Order R5-2016-0022, item (l) on the Board's list of closed session items
  - Eastern San Joaquin Irrigated Lands General Waste Discharge Requirements, Order R5-2012-0116 – Petitions filed by California Sportfishing Alliance et al.; San Joaquin County Resource Conservation District et al.; and Asociación de Gente Unida por el Agua (AGUA) et al., item (e) on the Board's list of closed session items
- Litigation filed by the Central Valley Water Board against other parties
  - Injunctive relief action filed against Greener Globe, Inc., item (e) on the Board's list of closed session items

Board meeting resumed at 1:00 p.m.

Chair Longley said that Member Ramirez will join us shortly. She has been pulled away for something. Patrick Pulupa (Senior Legal Counsel) reported back from the closed session discussion which took place during the lunch break. He said that the closed session items mentioned above were discussed and the Board gave direction to the California Attorney General's Office regarding a proposed settlement offer in the Axner case.

**APPROVAL OF APRIL 20-21, 2016 BOARD TOUR AND BOARD MEETING MINUTES**

*Motion to approve April 20, 2016 tour minutes  
Made by Vice-Chair Kadara  
Seconded by Member Costantino  
Member Costantino-abstain  
Member Schneider-abstain  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by Roll Call Vote of 2-0-2*

Member Ramirez was not present during the approval of the April 20 minutes

*Motion to approve April 21, 2016 Board meeting minutes  
Made by Vice-Chair Kadara  
Seconded by Member Costantino  
Member Costantino-yes  
Member Schneider-yes  
Vice-Chair Kadara-yes  
Chair Longley-yes  
Approved by Roll Call Vote of 4-0-0*

Member Ramirez was not present during the approval of the April 21 minutes

**AGENDA ITEM 11**

Monitoring and Data Collection Needs and Challenges for Pyrethroid Pesticides related to the Central Valley Pyrethroid Pesticides TMDL and Basin Plan Amendment – *Informational Item Only*

Adam Laputz, (Assistant Executive Officer) told the Board that interested parties requested 5 minutes as opposed to 3 minutes to make comments. Chair Longley granted 5 minutes

Danny McClure, Senior Engineer provided background information, and Tessa Fojut, Environmental Scientist, discussed the pyrethroid Basin Plan Amendment and available data and challenges

Karen Larsen, Deputy Director (Division of Water Quality at the State Water Board), gave an overview of toxicity testing and how it has been used successfully by the Water Boards

Ken Schiff, Deputy Director (Southern California Coastal Water Research Project), addressed the comparability of water column toxicity testing methods.

**The following Panel of Laboratory Experts discussed laboratory capabilities:**

Stephen Clark (Pacific Eco-Risk)  
Todd Albertson (Caltest Analytical)

**Comments:**

Linda Dorn (Regional San), Dave Tamayo (Sacramento County), Regina Chichizola (Pacific Coast Federation of Fishermen's Association and Institute for Fisheries Resources), Tess Dunham (Somach Simmons and Dunn), Debbie Webster (CVCWA), Jennifer Teerlink (Department of Pesticide Regulations) and David Duncan (Department of Pesticide Regulation)

Pamela Creedon (EO) and Adam Laputz (AEO) answered clarifying questions for the Board

The Board meeting adjourned at 3:36 p.m. to the next day

**FRIDAY, JUNE 24, 2016 – 8:30 A.M.**

**AGENDA ITEM 12**

Chair Longley called to order the 545<sup>th</sup> Board meeting of the Central Valley Regional Water Quality Control Board

**BOARD MEMBERS PRESENT**

Kadara, Denise, Vice-Chair	Longley, Karl, Chair	Ramirez, Carmen	Schneider, Robert
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**BOARD MEMBERS ABSENT**

Costantino, Jon			
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**STATE BOARD MEMBERS PRESENT**

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**STATE BOARD OFFICE OF CHIEF COUNSEL STAFF AND OTHER STAFF PRESENT**

Boyers, David	Deeringer, Andrew	Ellison, Kailyn	Pulupa, Patrick
Yu, Stephanie			

**STAFF PRESENT**

Altevogt, Andrew	Creedon, Pamela	Lanfranchi-Kiran	Wass, Lonnie
Bracamonte, Linda	Hartzell, Marty	Laputz, Adam	Wyels, Wendy
Braidman, Brett	Hatton, Scott	Rodgers, Clay	Morris, Patrick
Childs, Guy	Hold, Howard	Snyder, Clint	

**OTHERS PRESENT**

Becking, Stefaniya	Cory, David	Lubben, Ben	Trevor, Mark
Bradley, Christine	Crandall, Bob	McCaffrey, Brent	Webster, Debbie
Braidman, Hannah	Daleiden, Tim	Pryor, Gregg	Wood, Becky
Carlton, Gary	Dunham, Tess	Roycroff, Glen	Yamamoto Pavl
Chan, Seong	Finley, Catherine	Schoemann, Sally	Zeigler, Eric
Clarkson, Bryan	Hinman, Kevin	Lubben, Ben	Trevor, Mark

**AGENDA ITEM 13**

Introductions and Pledge of allegiance

**AGENDA ITEM 14**

**BOARD MEMBER COMMUNICATIONS**

Chair Longley submitted his communications via email, but touched upon a few things as follows:

He complimented staff on the webcast on mercury in reservoirs. He said that It webcast was very well done and extremely informative.

On May 26, he participated in the meeting of the Groundwater Resources Association Contemporary Groundwater Issues Committee in UC Davis. They focused on SIGMA

**AGENDA ITEM 15**

**PUBLIC FORUM**

No comments were received

**AGENDA ITEM 16**

**EXECUTIVE OFFICER’S REPORT**

No comments were made

**AGENDA ITEM 22**

**WASTE DISCHARGE REQUIREMENTS**

Waste Management of Alameda County, Altamont Landfill and Resource Recovery Facility, Alameda County – *Consideration of Revised Waste Discharge Requirements (WDRs Order R5-2009-0055)*

Andrew Deeringer (Legal Counsel) informed the Board of late late revisions on this item

Tess Dunham (Somach Simmons and Dunn) gave a short presentation on the monitoring and reporting program. She requested that the Board adopt the Waste Discharge Requirements today and defer adoption of the Monitoring Report

Andrew Altevogt (AEO) answered questions for the Board

Executive Officer Creedon recommended adopting the order with the alternative suggested recommendation

*Motion to adopt the Revised Waste Requirements with late revisions,*

*Made by Member Schneider*

*Seconded by Vice-Chair Kadara*

*Member Ramirez-yes*

*Member Schneider-yes*

*Vice-Chair Kadara-yes*

*Chair Longley-yes*

*Approved by Roll Call Vote of 4-0-0*

**AGENDA ITEM 18**

**OTHER BUSINESS**

Effluent Limitations for Nitrogen for Wastewater Treatment Facilities – *Informational Item Only*

Scott Hatton, Senior Water Resources Control Engineer in the Fresno office presented the staff report

Executive Officer Creedon, Clay Rodgers (AEO) Patrick Pulupa, Senior Legal Counsel and

Lonnie Wass, Supervising Engineer in the Fresno office answered questions for the Board

Additional comments were made by Debbie Webster (CVCWA) and David Cory (Central Valley Salinity Coalition)

**AGENDA ITEM 17**

The Board approved agenda items 24 to 29 with no discussion.

**UNCONTESTED ITEMS 24 THROUGH 29**

**AGENDA ITEM 23**

**ENFORCEMENT**

**Agenda item 23 was removed from the agenda and will be heard at a future board meeting**

~~The Morning Star Packing Company L.P. and Fred Global, The Morning Star Tomato Packing Plant, Colusa County – *Consideration of a Resolution to Amend Cease and Desist Order R5-2016-0007*~~

**AGENDA ITEM 24  
OTHER BUSINESS**

Sequoia National Forest, Kern River Ranger District, Osa Meadow Restoration Project – *Consideration of a Resolution Approving an Initial Study and Mitigated Negative Declaration*

**AGENDA ITEM 25**

*Consideration of Approval of Butte County Environmental Health Division's Local Agency Management Program (LAMP), Pursuant to the State Water Board's Onsite Wastewater Treatment Systems Policy, Butte County*

**AGENDA ITEM 26**

**NPDES PERMITS**

- a. Bear Valley Water District, Bear Valley Wastewater Treatment Plant, Alpine County, (NPDES Permit CA0085146)(Renewal) and Rescission of Time Schedule Order R5-2011-0054
- b. City of Corning, Corning WWTP, Tehama County, (NPDES Permit CA0004995) (Renewal)
- c. Santa Fe Aggregates, Inc. and Walter John Seaborn, Sand and Gravel Plant, Tulare County, CA0082201 (Renewal)
- d. Quincy Community Services District, Quincy Wastewater Treatment Plant, Plumas County, (NPDES Permit CA0085146) (Renewal) and Time Schedule Order (New)
- e. The Boeing Company, Groundwater Extraction and Treatment Systems, GET HB, Southern Groundwater Study Area GET and Admin GET, Sacramento County, NPDES Permit R5-2014-0017 (Revised)

**AGENDA ITEM 27**

**WASTE DISCHARGE REQUIREMENTS**

- a. ARO Pistachios, Inc., and Mehdi Orandi, Terra Bella Processing Facility, Tulare County, (New)
- b. Anderson Class III Municipal Solid Waste Landfill and Class II Surface Impoundments, Shasta County, R5-2005-0118 (Revised)
- c. City of Mendota, Mendota Wastewater Treatment Facility, Fresno County, (New)
- d. Meridian Beartrack Co. and Meridian Gold Company, Royal Mountain King Mine, Calaveras County, (WDRs Order R5-2008-0021) (Revised)
- e. Recology Hay Road and Recology Hay Road DBA Jepson Prairie Organics, Recology Hay Road Landfill, Solano County, (WDRs Order R5-2008-0188) (Revised)
- f. Tesoro Viejo Master Mutual Water Company, Tesoro Viejo Wastewater Treatment Plant, Madera County, (New)
- g. City of Clovis, City of Clovis Municipal Solid Waste Landfill, Class III Landfill, Construction, Operation, and Corrective Action, Fresno County, Order R5-2011-0050 (Revised)

**AGENDA ITEM 28**

**WASTE DISCHARGE REQUIREMENTS – RESCISSIONS**

- a. Brentwood City, Brentwood Master Reclamation Permit, Contra Costa County, Order R5-2004-0132
- b. Clear Creek Mobile Estates, Shasta County, Order 94-268
- c. Edward Hyatt Power Plant, Butte County, Order 93-009
- d. Granite Construction Company, Granite Kelseyville Plant, Lake County, Order 86-208
- e. Honey Rock Camp, Butte County, Order 89-049
- f. Indian Valley CSD, Taylorsville Wastewater Treatment and Subsurface Disposal System, Plumas County, Order 95-162

**AGENDA ITEM 29**

**CHANGE OF NAME/OWNERSHIP**

- a. Gary Douglas, Pilot Travel Center 168 WWTF, Yolo County, 01-266
- b. Southern Estates, LLC and Riverbend MHP, LLC, Sandy Point & River Bend MHPs, Fresno County, Order 90-098
- c. Golden Feather MHP, Butte County, Order 91-163
- d. Big Valley Power, Lassen County, Order R5-2007-0060

Tim Delidon (Senior Engineer in the State of California representing Recology), thanked staff for their professionalism which he experienced when working with them in the Recology matter

Gary Carlton (Kennedy Jenks Consultants representing Tesoro) spoke on agenda item 27f

Adam Laptuz (AEO) informed the Board of late revisions on agenda item 26d (late comments) and asked the Board to include that in the record

*Motion to approve uncontested items with late inclusion of comment  
letter on item 27f and late revision on items 26d and 27e*

*Made by Member Ramirez*

*Seconded by Vice-Chair Kadara*

*Member Ramirez-yes*

*Member Schneider-yes*

*Vice-Chair Kadara*

*Chair Longley-yes*

Approved by Roll Call Vote of 4-0-0

## **CONTESTED ITEMS 18 THROUGH 22**

### **AGENDA ITEM 19**

Irrigated Lands Hearing Panel– *Informational Item Only*

The Board previously approved convening a hearing panel to hear irrigated lands cases involving non-enrollments. Andrew Altevogt (AEO) recommended that the Board also grant the hearing panel the ability to hear cases involving the non-submittal of farm evaluations.

The Board concurred with AEO Andrew's recommendation

### **LUNCH**

The Board recessed for lunch at 11:42 a.m.

Board meeting resumed at 12:42 p.m.

### **AGENDA ITEM 20**

Strategic Planning – *Informational Item Only*

Executive Officer Creedon updated the Board on Strategic Planning. She said that in 2007, 2008 and 2009 we started an effort to develop a strategic plan with the Board at that time. She said that we had a number of workshops, here and offsite. We were assisted by Gene Crumley of U.C. Davis, to help develop that. We could not continue this because we ended up with furloughs where staff was out for one day a week for most of the month and also taken significant reduction in pay. This project was put on hold. She said that she found the old documents and sent it to the Board and would like to reinstate this effort. She said that she would cover the goals and guiding principles, today and then the next few meetings she can focus on the goals and objectives that we can give to staff to put more substance to the items.

David Cory (Representing self) made additional comments. Patrick Pulupa (Senior Legal Counsel) answered questions for the Board

The Board would like a broader discussion on this

Executive Officer Creedon said that she may be able to work with Gene Crumley on a contract basis, but if Mr. Crumley is not available, another alternative would be to work with David Ceppos group as well.

### **AGENDA ITEM 21 ENFORCEMENT**

Cruiser Haven, Inc. and Delta Waterways, LLC. Contra Costa County – *Consideration of Administrative Civil Liability Order*

Wendy Wyels, Supervisor in the Compliance and Enforcement Unit and head of the Board's Prosecution Team, summarized the case for imposing Administrative Civil Liability against Cruiser Haven, Inc. and Delta Waterways, LLC. David Boyers (Attorney for the Prosecution Team) provided responses to questions posed by the Board and its advisory Team.

Kevin Hinman, (Cruiser Haven), cross examined Wendy Wyels and Guy Childs.



Kevin Hinman gave testimony. Chan Seong (Accountant for Kevin Hinman) gave additional testimony

Kailyn Ellison and David Boyers (Attorneys for the Prosecution Team) gave clarifying answers to the Board  
Andrew Altevogt, Assistant Executive Officer made clarifying statements to the Board.

The Board closed the hearing, and posed questions to the Executive Officer Creedon and to Patrick Pulupa regards to the application of the State Water Board's Enforcement Policy. The Board went into closed session deliberations at 2:13 p.m. and returned at 2:41 p.m.

In deliberations, the Board discussed assessing liability at \$26,963.00. Patrick Pulupa (Counsel for the Advisory team) proposed minor modifications to the ACL Order consistent with the Board's direction.

*Motion to adopt the Administrative Civil Liability of \$26,963 with late revisions,*

*Made by Member Schneider*

*Seconded by Vice-Chair Kadara*

*Member Schneider-yes*

*Member Ramirez-yes*

*Vice-Chair Kadara-yes*

*Chair Longley-yes*

*Approved by Roll Call Vote of 4-0-0*

Chair Longley gave direction to the Board staff to work with the discharger to consider alternative compliance options for the Discharger. The Board requested staff to report back to the Board as appropriate.

Meeting adjourned at 2:46 p.m. to the August 17-19, 2016 Board meeting