

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

Minutes
1 March 2002 – 8:30 a.m.
447th Regular Meeting
3443 Routier Rd., Suite A
Sacramento, CA 95827

BOARD MEMBERS PRESENT

Robert Schneider, Chair, Karl Longley, Vice Chair, Mark Salvaggio, Alson Brizard, Beverly Alves, Christopher Cabaldon, Cher Kablanow, Members: Art Baggett, Chair, State Water Resources Control Board.

BOARD MEMBERS ABSENT

Robert Fong

STAFF PRESENT

Gary Carlton, Tom Pinkos, Ken Landau, Jim Pedri, Dave Carlson, Dennis Westcot, Patricia Leary, Richard McHenry, Rudy Schnagl, Karen Niiya, Beth Thayer, Janice Tanaka; Frances McChesney and Catherine George, Staff Counsels

OTHERS PRESENT

Michael Blankinship, Dept. of Fish and Game
Julie Cunningham, Dept. of Fish and Game
Janna Herren, Dept of Fish and Game
Bill Jennings, DeltaKeeper
Bob Nelson, Sacramento Cogeneration
David Marrs, Brown & Caldwell
Kati Buehler, CA Rice Commission
Leslie Doolittle, City of Colusa
Robert Hedges, Sacramento County
Jerry Sipe, Plumas County
Katherine Fry, Sierra Pine Ltd.
Dave Scott, Sierra Pine Ltd.
Dave Honeycutt, Georgetown Public Utilities
Richard Swenson, Auburn Lake Trails
Stephan Clark, Pacific Ecorisk
Chris Coburn, Foothill Associates
Walter Cotter, Browns Valley Irrigation District
Paul Lowrey, Rice Growers
Keith Davis, Rice Growers
Keith Faulkner, Auburn Lake Trails
Fred Dean-Turner, Auburn Lake Trails
Steven Proe, El Dorado County
Kristen Castanos, Somach, Simmons & Dunn
James Moose, City of Folsom
Kenneth Payne, City of Folsom
Alan Wade, Save the American River

Katharine Wagner, Downey, Brand, and Seymour
Bill Thomas, Grape & Tree Fruit League
Tess Dunham, California Farm Bureau
Anjanette Martin, NCWA
Jasper Hempel, CA Water Quality Coalition
David Cory, SJR Exchange Contractors
Cindy McGaw, Original Sixteen to One Mine
Rae Bell, Original Sixteen to One Mine
Michael Clarke, Original Sixteen to One Mine
Michael Miller, Original Sixteen to One Mine
Larry Sanders, SYRCL
Lynelle Garfield, SYRCL
Don Russell, Mountain Messenger
Dan Dellinger, Senator Rico Oller's office
Adrienne Dieterich
Richard Montgomery
Robert Dieterich
Bernice Hagen
Lynne Rodrian
R. Warren
Laurette Laurent
Ellen Dove
Jason Burke
Rick Nelson

OTHER BUSINESS

Art Baggett, Chair, State Water Resources Control Board, presented to the Board the Strategic Plan and briefly reviewed current State Board issues pertinent to Regional Boards. Mr. Baggett stated that: In Water Rights, the IID/San Diego transfer project will impact water demands on the Delta; hearings are scheduled to consider the Fully Appropriated Stream status of the American River; the North Gualala River hearing will define subterranean stream issues; and workshops are planned to discuss subterranean stream issues and Professor Sax's White Paper. Mr. Baggett also stated that: There are many appeals of municipal stormwater permits and the State Board will be dealing with the iterative compliance process and how TMDLs relate to municipal stormwater permits; that the settlement with WaterKeepers on the aquatic pesticide General NPDES Permit will provide \$1 million/year for pesticide monitoring and \$600,000 for alternative practices testing; that \$1 million is being devoted to monitoring and development of regulatory alternatives related to the irrigation return flow waiver; that the State Board is taking a leadership role in dealing with review of waivers under SB390.

EXECUTIVE OFFICER'S REPORT

Gary Carlton reported that he had attended meetings recently regarding agricultural waivers with the Fresno Area Chamber of Commerce and the Stanislaus County Farm Bureau.

Al Brizard requested status reports regarding Hatler (Wendy Wyels reported that no new information had been received from Hatler) and regarding Stockton sewage spills (Pat Leary reported that additional spills had occurred and staff is reviewing appropriate responses). Mr. Brizard also stated that septic tanks are a growing problem needing rapid attention (Gary Carlton reported that the State Board is developing statewide septic system guidelines and that the matter is a high Regional Board priority).

Chairman Schneider thanked staff for the continued public outreach and CEQA reports. He requested that employee hiring and training statistics be added to the EO Report.

Beverly Alves expressed concern about the development on Stewart Tract and in the Delta in general, and the potential environmental impacts of such development. Gary Carlton explained that staff make every effort within constraints of limited funding available for CEQA reviews and submit comments on all major projects with water quality impacts.

BOARD MEMBER COMMUNICATIONS

Cher Kablanow reported that she will participate in the Water Education Foundation Colorado River tour later in March.

Al Brizard reported that he met with ConAgra staff and nearby landowners to tour the Oakdale facility and associated land disposal area, and that there was no discussion of water quality or permitting issues.

PUBLIC FORUM

Bill Jennings of DeltaKeepers expressed his concerns about urban development in the South Delta and apprised the Board of several litigation and legislative issues.

Robert Dieterich, homeowner in Fair Oaks, Sacramento County, explained the pollution and nuisance problems at a llama breeding facility adjacent to his property, and requested that the Board direct staff to initiate formal enforcement action. Gary Carlton explained that staff has responded with inspections and Notices of Violations, and that the case has been referred to an environmental taskforce. Mr. Carlton stated that staff is aware that action is being taken in the case, but cannot disclose what is happening due to confidentiality constraints. Chairman Schneider stated that the Board would follow the case.

UNCONTESTED CALENDAR

1. State of California, Central Plant Operations Central Heating and Cooling Facility, Sacramento County – *Consideration of Cease and Desist order and NPDES Permit Renewal*

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

R5-2002-0016 MOTION: By Mr. Longley, seconded by Mr. Salvaggio to approve the NPDES Permit Renewal as amended. Unanimously approved

R5-2002-0017 MOTION: By Mr. Salvaggio, seconded by Mr. Longley to approve the Cease and Desist Order as amended. Unanimously approved by role call vote.

2. Donner Summit Public Utility District, Wastewater Treatment Plant, Nevada County – *Consideration of Cease and Desist Order and NPDES Permit Renewal*

This item was tabled to a future meeting date.

3. Sierra Pacific Industries, Sierrapine Limited, Wheelabrator Martell Inc., Amador County – *Consideration of Cease and Desist Order and NPDES Permit Renewal*

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

R5-2002-0018 MOTION: By Mr. Longley, seconded by Mr. Brizard to approve the NPDES Permit Renewal as amended. Unanimously approved.

R5-2002-0019 MOTION: By Mr. Cabaldon, seconded by Mrs. Alves to approve the Cease and Desist order. Unanimously approved by role call vote.

4. City of Colusa, Wastewater Treatment Plant, Colusa County – *Consideration of Cease and Desist Order and NPDES Permit Renewal*

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

R5-2002-0020 MOTION: By Mr. Longley, seconded by Mr. Cabaldon to approve the NPDES Permit Renewal as amended. Unanimously approved.

R5-2002-0021 MOTION: By Mr. Cabaldon, seconded by Mrs. Alves to approve the Cease and Desist order. Unanimously approved by role call vote.

5. Maxwell Public Utility District, Wastewater Treatment Plant, Colusa County – *Consideration of Cease and Desist Order and NPDES Permit Renewal*

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

R5-2002-0022 MOTION: By Mr. Longley, seconded by Mr. Cabaldon to approve the NPDES Permit Renewal. Unanimously approved.

R5-2002-0023 MOTION: By Mr. Salvaggio, seconded by Mr. Brizard to approve the Cease and Desist Order. Unanimously approved by role call vote.

6. City of Woodland Wastewater Treatment Plant, Yolo County – Consideration of NPDES Permit Revision and Rescission of Cease and Desist Order

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

R5-1998-0021-R01 MOTION: By Mr. Cabaldon, seconded by Mr. Longley to approve the NPDES Permit Revision as amended. Unanimously approved.

R5-2002-0022 MOTION: By Mr. Cabaldon, seconded by Mr. Longley to rescind the Cease and Desist Order. Unanimously approved by role call vote.

7. Uncontested NPDES Permits

R5-2002-0025 Pacific Ultrapower Chinese Station Power Plant, Joint Venture General Partnership of Covanta Energy, Constellation Energy and North American Power, Tuolumne County

R5-2002-0026 University of California, Davis, Hydraulics Laboratory, Yolo County

R5-1999-0016-R01 The Aerojet-General Corporation and Aerojet Fine Chemicals LLC, Sacramento County

R5-2002-0027 Modesto Irrigation District Water Filtration Plant, Stanislaus County (renewal)

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

8. Uncontested Waste Discharge Requirements Rescissions

R5-2002-0028

- a. Union Oil Company of California, Buena Vista USL Lease, Buena Vista Oil Field, Kern County, Resolution No. 58-515
- b. Goshen Truck Plaza Partners, Wooden Shoe Recreational Vehicle Park, Tulare County, Order No. 72-095
- c. City of Turlock and Turlock Irrigation District, Lateral Drain No. 5 Wastewater Reclamation Requirements, Stanislaus County, Order No. 84-118
- d. Sierra Disposal Company, James Gould, Robert and Margaret Ewing, Dutch Flat Solid Waste Disposal Site, Placer County, Order No. 94-311
- e. C.J. Richie Farms, Kern County, Order No. 95-087
- f. Pierre E. and Judith Duquette and Elmiro Belo, dba Belo Dairy, Contra Costa County, General Order No. 96-270

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

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

R5-2002-0029

- a. Golden Hills Sanitation Company, Inc., Wastewater Treatment Facility, Kern County, Order No. 81-122
- b. The Morningstar Company, Liberty Packing Company, Merced County, Order No. 90-223

- c. Madera Power, LLC, Madera Biomass Power Plant, Madera County, Order No. 91-123
- d. John and Karen Bargmann, Evergreen Lodge, Tuolumne County, Order No. 5-00-132

MOTION: By Mr. Longley, seconded by Mrs. Alves to approve the proposed orders. Unanimously approved.

10. Uncontested Waste Discharge Requirements

- R5-2002-0030 a. Auburn Valley Community Services District, Auburn Valley Country Club, Harvego Real Estate, LLC., Placer County
- R5-2002-0031 b. Georgetown Divide Public Utility District, Auburn Lake Trails Onsite Wastewater Disposal Zone, El Dorado County
- R5-2002-0033 c. Charles Spinetta, Charles Spinetta Winery, Amador County
- R5-2002-0034 d. Sutter Home Winery, Lodi Facility, San Joaquin County
- R5-2002-0035 e. Chico Golf Ventures LLC, dba Tuscan Ridge Golf Club, Wastewater Treatment and Disposal Facility, Butte County
- R5-2002-0036 f. Thunderbolt Wood Treating Company, Inc. and Loyalvo, Devries, Seybold Family Trust, Thunderbolt Wood Treating Company, Stanislaus County
- R5-2002-0037 g. Shasta County, West Central Class III Municipal Solid Waste Landfill and Class II Surface Impoundment, Shasta County
- R5-2002-0038 h. County of Siskiyou for Corrective Action and Closure of the Black Butte Class III Municipal Solid Waste Landfill, Siskiyou County
- R5-2001-0254-A01 i. Cities of Fresno and Clovis, Wastewater Treatment Facility, Fresno County

Item c. MOTION: By Mr. Longley, seconded by Mr. Salvaggio to approve the proposed orders as amended. Approved with Mr. Cabaldon abstaining.

Item a., b., d.-i. MOTION: By Mr. Salvaggio, seconded by Mrs. Alves to approve the proposed orders as amended. Unanimously approved.

OHTERS BUSINESS

11. Fiscal Year 2002-2003 State Revolving Fund Loan Program Priority List for the Central Valley Region – *Consideration of a Resolution*

Karen Niiya presented the staff report.

MOTION: By Mr. Longley, seconded by Mr. Brizard to approve the proposed resolution. Unanimously approved.

12. Monitoring Discharges from Irrigated Lands - *A Status Report*

Rudy Schnagl presented the staff report. Additional information was presented by David Cory, Bill Jennings, Jasper Hempel, Anjanette Martin, Tess Dunham, Bill Thomas. This item was for the Board's information.

CONTESTED CALENDAR

13. State of California, Department of Fish and Game, Lake Davis Detonation Cord Project, Plumas County – *Consideration of Waste Discharge Requirements*

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

R5-2002-0040 MOTION: By Mr. Longley, seconded by Mr. Salvaggio to approve the Waste Discharge Requirements as amended. Unanimously approved.

14. City of Folsom Sanitary Sewer Collection System, Sacramento County – *Consideration of Cease and Desist Order and New NPDES Permit*

A public hearing was held. Karen Niiya presented the staff report. Additional testimony was presented by Jim Moose, Ken Payne, and Rich Lorenz of the City of Folsom, Alan Wade of Save the American River Association, Ellen Dove and Laurette Laurent,

R5-2002-0042 MOTION: By Mr. Longley, seconded by Mrs. Alves to approve the NPDES Permit as amended. Unanimously approved.

R5-2002-0041 MOTION: By Mr. Longley, seconded by Mr. Salvaggio to approve the Cease and Desist Order as amended. Unanimously approved by role call vote.

15. Original Sixteen to One Mine, Inc., Sixteen to One Mine, Sierra County – *Consideration of Cease and Desist Order, NPDES Permit Renewal, and Referral to the Attorney General for Enforcement*

A public hearing was held. Beth Thayer, Richard McHenry and Dave Carlson presented the staff report. Additional testimony was presented by Michael Miller and Michael Clark of Original Sixteen to One Mine, Lynelle Garfield and Larry Sanders of South Yuba River Citizens League, Bill Jennings of DeltaKeeper, Dan Dellinger of Senator Rico Oller's office, John Russell, Jason Burke and Richard Montgomery.

R5-2002-0043 MOTION: By Mr. Cabaldon, seconded by Mrs. Alves to approve the NPDES Permit as amended. Unanimously approved

R5-2002-0044 MOTION: By Mr. Longley, seconded by Mr. Alves to approve the Cease and Desist order. Unanimously approved by role call vote.

R5-2002-0045 MOTION By Mr. Cabaldon, seconded by Mr. Salvaggio to approve the Resolution of referral to the Attorney General. Approved with Mrs. Kablanow abstaining.

16. Sacramento Cogeneration Authority, Sacramento Cogeneration Authority Project, Sacramento County - *Consideration of Cease and Desist Order and NPDES Permit Renewal*

This item was tabled to a future meeting to be determined.

The meeting was adjourned at 4:30 pm to the next regularly scheduled meeting on 26 April 2002.

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