

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

Minutes
 5/6 September 2002
 450th Regular Meeting
 City of Redding
 City Council Chambers
 Sacramento, CA 95827

THURSDAY, 5 SEPTEMBER 2002

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, Dennis Wilson, Jerry Bruns, Rudy Schnagl, Dennis Westcot, Wendy Wyels, Tim O'Brien, Patrick Morris, Janis Cooke, Janice Tanaka; Frances McChesney and Catherine George, Staff Counsels

OTHERS PRESENT

Zane Foy, Kern Ridge Growers	Bob Carey, W.M. Beaty & Assoc
Bill Jennings, DeltaKeeper	Michael Wopat, CA Geological Survey
Kenneth Payne, City of Folsom	Thomas Suk, Lahontan Regional Board
Roy Hafar, City of Folsom	Frank Reichmuth, North Coast Regional Board
Todd Eising, City of Folsom	Bob Rynearson, W.M. Beaty & Assoc.
Jay Francis, Collins Pine Company	Tom Nelson, Sierra Pacific Ind.
Don Mandel, DTSC	Bob Allen, Burney Forest Power
John Hollister, Lassen Forest Preservation	Shane Cunningham, CDF
Keith Greenwood, CA Licensed Foresters Assoc.	Daniel Craig, CDF
Dan Fisher, Fruit Growers Supply Co.	Darrel Ranken, USFS
Allen Edwards, Forest Landowners of CA	Cly Brandow, CDF
Charles Greenlaw, Forest Landowner of CA	Brian Staab, USGS
Stan Leach, Forest Landowner of CA	Pete Cafferata, CDF
Ed Ehlers, Assoc. of Loggers	Matt Etzenhouser, Hancock Timer Resources
Dan Weldon, Forest Landowners of CA	David Marshall, Forest Systems LLC.
Jim Chapin, Forest Landowners of CA	Bunny Firebaugh, Ebbetts Pass Forest
Roy Richards, Forest Landowners of CA	Will Hultgren
Warren Alford, Sierra Club	Bill Bresnahan
Cynthia Elkins, EPIC	Addie Jacobson
Mark Rentl, CA Forestry Assoc.	
Edward Murphy, Sierra Pacific Ind.	
Gaylord Briggs, Roseburg Forest Products Co.	

INTRODUCTIONS

The July 2002 Board Meeting Minutes were approved as written.

The Board met in closed session to discuss ongoing litigation.

EXECUTIVE OFFICER'S REPORT

Al Brizard questioned whether an opportunity could be afforded for staff to respond to statements made by parties during Regional Board meetings. Frances McChesney explained that for informational items there is no formal process to allow staff response, but for action items and hearings the procedures allow for closing comments by staff.

Steve Craig of the City of Redding made a presentation regarding a Supplemental Environmental Project conducted by the City to control vehicle access along Sulfur Creek.

Zain Foy of Reed International addressed EO Report Item 28 regarding Kern Ridge Growers. Mr. Foy disagreed with technical conclusion in the EO Report, believing that no groundwater impact from the ponds has occurred and that pond lining is unwarranted. If their septic tanks are a problem, improvement should also be required for surrounding homes.

Al Brizard mentioned in regards to EO Item 16, Isleton, the relatively large compliance costs to assess groundwater impacts for small communities.

BOARD MEMBER COMMUNICATIONS

Karl Longley reported that funding for Basin Plan studies is included in Proposition 40, and that grant proposals should be submitted to the State Board to obtain funding for Regional issues.

Chairman Schneider reported that he had attended the recent Regional Board Chairs meeting at which budgetary and watershed issues were discussed.

Karl Longley reported that he and several Board staff would be making presentations at the US Committee on Irrigation and Drainage TMDL Conference, October 23-26, in Sacramento.

PUBLIC FORUM

Ken Payne of the City of Folsom updated the Board on the progress of the City in addressing sewer capacity issues.

Chuck Ahlem made a presentation regarding the Dairy Quality Assurance Program.

Bill Jennings, DeltaKeeper informed the Board that: 40CFR121.2 requires hearing records to remain open at least until the close of the hearing; recent sampling of Smith Canal shows toxicity and high PCB concentrations in sediments which appear to emanate from Stockton storm drains; San Joaquin River dissolved oxygen is at 0.9 mg/l at a critical migration period; and DO TMDL Steering Committee funds are very low which may limit continued technical work. For TMDLs dischargers may not be solely held responsible; recent court decisions have placed water quality responsibility on federal water projects; CWC Sections 1243 and 1243.5 require water rights decisions to consider fish and water quality issues; major storage and diversion projects need to be assigned loads allocations.

WORKSHOP

Waivers for Silvicultural Activities Conducted Within the Central Valley Region - A Public Workshop

A public workshop was held. Jim Pedri, Assistant Executive Officer presented the staff report. Additional information was given by Frank Reichmuth, Thomas Suk, Michael Wolpat, Dean Lucke, Brian Staab; Forestry Panel - Edward Murphy, Gaylord Briggs, Robert Carey; Environmental Panel – Bill Jennings, Addie Jacobson, Cynthia Elkins, Warren Alford; Small Timber Processing Owners – Dan Weldon, Roy Richards, Alan Edwards, Charles Greenlaw, Stan Leach, Ed Albers, and Jay Francis.

This was a workshop for the Board.

MOTION By Mr. Longley, seconded Ms. Kablanow to table the matter to a further Board Meeting. Unanimously approved.

FRIDAY, 6 SEPTEMBER 2002

UNCONTESTED CALENDAR

ENFORCEMENT

Mining Remedial Recovery Company, Inc., Mammoth, Sutro, Keystone, Stowell, Balaklala, Shasta King, and Early Bird Mines, Shasta County – *Consideration of Rescission of Cease and Desist Order No. 96-155, Renewal of NPDES Permit, and Adoption of Cease and Desist Order*

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

R5-2002-0152 MOTION By Mr. Longley, seconded Mr. Salvaggio to rescind the proposed Cease and Desist Order. Unanimously approved by role call vote.

R5-2002-0153 MOTION By Mr. Cabaldon, seconded Mr. Longley to adopt the proposed NPDES order. Unanimously approved.

R5-2002-0154 MOTION By Mr. Cabaldon, seconded Mr. Longley to adopt the proposed Cease and Desist Order. Unanimously approved by role call vote.

GWF Power Systems, L.P. Wilbur Avenue East Power Plant, Antioch (Site IV), Contra Costa County – *Consideration of an NPDES Permit renewal and Time Schedule Order*

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

R5-2002-0155 MOTION By Mr. Longley, seconded Mr. Brizard to adopt the proposed NPDES Order. Unanimously approved.

R5-2002-0156 MOTION By Mr. Longley, seconded Mrs. Alves to adopt the proposed Time Schedule Order. Unanimously approved.

Trustees of U.A. Local 38 Convalescent Trust Fund, Konocti Harbor Resort and Spa, Lake County – *Consideration of an NPDES Permit Renewal and Cease and Desist Order*

R5-2002-0157 MOTION By Mr. Longley, seconded Mr. Salvaggio to adopt the proposed NPDES order. Unanimously approved.

R5-2002-0158 MOTION By Mr. Cabaldon, seconded Mr. Longley to adopt the proposed Cease and Desist Order. Unanimously approved by role call vote.

Uncontested NPDES Permits

- R5-2002-0159** County of Plumas and U.S. Department of Agriculture, Forest Service, Gopher Hill Landfill Leachate Disposal System, Plumas County (new)
R5-2003-0160 Crystal Creek Aggregate, Inc., Shasta County (renewal)
R5-2002-0161 Dairy Farmers of America, Inc., Glenn Milk Plant, Glenn County (renewal)
R5-2002-0162 Wetsel-Oviatt Lumber Company, Wetsel-Oviatt Lumber Mill, El Dorado County (renewal)

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

MOTION By Mr. Salvaggio, seconded Mr. Longley to adopt the proposed NPDES orders. Unanimously approved.

Uncontested Waste Discharge Requirements Rescissions

Standard Oil Company of California and General Petroleum Company, Rosedale Oil Field, Kern County
 Harry H. Magee, Glide 15 Lease, Mt. Poso Oil Field, Kern County
 Shell Oil Company, Lockwood Lease, Midway-Sunset Oil Field, Kern County
 Gulf Oil Corporation, Hanson Lease, Mountain View Oil Field, Kern County
 Barnes-Montgomery-Naron Oil Company, Sunset-Tejon 10 and 15 Leases, Tejon Hills Oil Field, Kern County
 Emjayco, Veddar-Parkford Lease, Kern Bluff Oil Field, Kern County
 Pima Gro Systems, Inc., Merced County
 Emjayco, Brown Lease, Edison Oil Field, Kern County
 Alanmar Oil Company, ENU (Ryan Brown) Lease, Edison Oil Field, Kern County
 California Department of Transportation, Whitmore Maintenance Station
 Koppers Industries, Inc., Feather River Wood-Treating Facility, Butte County
 Gotland Oil, Inc., CD-Walter-Mitchell Lease, Semitropic Oil Field, Kern County
 Gotland Oil Inc., Community-CM Lease, Semitropic Oil Field, Kern County
 Mariani Packing Company, International Home Foods, Inc., Solano County
 Wisconsin-California Forest Products, Inc., Latona Road Sawmill, Shasta County

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

R5-2002-0163 MOTION By Mr. Longley, seconded Mr. Salvaggio to adopt the proposed orders. Unanimously approved.

Uncontested Change of Name and/or Ownership

Texaco Exploration & Production, Inc., Kern River, Kern County
 United Energy, Inc., Kern River, Montana-Fresno, Kern County
 Tuolumne Utilities District, Mi-Wuk Village, Tuolumne County
 Tosco Corporation, Bulk Plant #0160, Tulare County
 Fresno Farmlands, Fruit Processing Plant, Fresno County
 Dunnigan Country Faire Estates, Grant Park Development, Inc., Yolo County

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

R5-2002-0164 MOTION By Mr. Longley, seconded Mr. Cabaldon to adopt the proposed orders. Unanimously approved.

Uncontested Waste Discharge Requirements

R5-2002-0165	Mitigated Negative Declaration for Lawrence M., Anthony R., and Joseph J. Neles, dba Neles Dairy, Tehama County
R5-2002-0166	Lawrence M., Anthony R., and Joseph J. Neles, dba Neles Dairy, Tehama County
R5-2002-0167	Nuevo Energy Company, Cagle-USL Lease, Coalinga Nose Unit, East Coalinga Extension Oil Field, Fresno County
R5-2002-0168	Amador Water Agency, Wildwood Estates Community Leachfield System, Amador County
R5-2002-0169	Jerry and Erika Wright, Villa Toscano Winery, Amador County
R5-2002-0170	Charles M. Somers, Bonita M. Bahre, Gregory Graves, and The David J. Townsend and Sharon J. Usher Revocable Trust, Clay Station 1200, Stanislaus County
R5-2002-0171	Kroeker, Inc., Jefferson Avenue Unclassified Solid Waste Disposal Site, Fresno County
R5-2002-0172	San Joaquin Composting, Inc., and McCarthy Family Farms, Inc., for Operation, Lost Hills Composting Facility, Kern County
R5-2002-0173	County of Tuolumne and the County of Tuolumne Department of Public Works, Division of Solid Waste, for Corrective Action and Closure, Jamestown Municipal Solid Waste Landfill Facility, Tuolumne County
R5-2002-0174	Feather River Division, Loyalton Mill, Sierra Pacific Industries, Inc., David Goicoechea, Sierra County

MOTION

By Mr. Cabaldon, seconded Ms. Kablanow to adopt the proposed orders. Unanimously approved as amended.

The Board met in closed session to discuss ongoing litigation.

CONTESTED CALENDAR

OTHER BUSINESS

Retail Fertilizer Facilities and Pesticide Applicator Facilities - *Consideration of Renewal of Waivers of Waste Discharge Requirements*

A public hearing was held. Gail Cismowski presented the staff report. Additional testimony was presented by Renee Pinell, Bill Jennings Terry Gage, and Rudy Schnagl.

R5-2002-0147

MOTION

By Mr. Longley, seconded Mr. Salvaggio to adopt the proposed order. Unanimously approved as amended.

Waivers of Waste Discharge Requirements for Discharges from Irrigated Lands – *A Status Report*

Rudy Schnagl presented the staff report. Additional information was provided by Bill Jennings, Tess Dunham. This was for the Board's information. No action was taken.

ENFORCEMENT

Musco Family Olive Company and the Studley Company, Wastewater Treatment and Land Disposal Facility, San Joaquin County - *Consideration of Revised Waste Discharge Requirements and of a Cleanup and Abatement Order*

A public hearing was held. Tim O'Brien and Wendy Wyels presented the staff report. Additional testimony was presented by Michael Campos, Felix Musco, Bill Jennings, and Jan Nelson

R5-2002-0148 MOTION By Mr. Longley, seconded Mr. Salvaggio to adopt the proposed Waste Discharge Requirements. Unanimously approved.

R5-2002-0147 MOTION By Mr. Cabaldon, seconded Mr. Salvaggio to adopt the proposed Cleanup and Abatement order. Unanimously approved.

BASIN PLANNING

Water Quality Objectives for Bacteria. - Continuation Of Hearing To Consider A Resolution To Adopt Proposed Amendments And Certify Environmental Documents

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

R5-2002-0150 MOTION By Mr. Longley, seconded Mr. Salvaggio to adopt the proposed order. Unanimously approved.

Process of Changing the Beneficial Use and Updating Language. - Continuation of Hearing to Consider a Resolution to Adopt Proposed Amendments and Certify Environmental Documents

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

R5-2002-0151 MOTION By Mr. Cabaldon, seconded Ms. Kablanow to adopt the proposed order. Unanimously approved.

Control of Mercury in Clear Lake - Consideration of a Resolution to Adopt Proposed Amendments and Certify Environmental Documents

A public hearing was held. Janice Cooke presented the staff report. Additional testimony was given by Tom Smythe, Vickie Frye, Mike Umbrello, Bill Jennings, and Patrick Morris. The public hearing was closed and the Board will vote at a future Board meeting.

The Board adjourned to the 17/18 October regular meeting.