

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

Minutes  
13/14 March 2003  
454th Regular Meeting  
Regional Board Office  
3443 Routier Rd., Suite A  
Sacramento, CA 95827

**THURSDAY, 13 MARCH 2003**

**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, Wendy Wyels, Rudy Schnagl, Dennis Westcot, Jack DelConte, Dave Carlson, Jerry Bruns, Polly Lowry, Wendy Wyels, Richard McHenry, Sudhakar Talanki, Trinh Pham, Kelly Briggs, Janice Tanaka; Frances McChesney and Catherine George, Staff Counsels

**OTHERS PRESENT**

Mark Severeid, City of West Sacramento  
Elissa Callman, City of Sacramento  
Lloyd Hedenland  
Dennis Bruce, Y.J.C.R.  
Jim Rogers, CA Rice Commission  
Bill Sinorm, Yosemite South Coarse Gold  
William Beckon, USFWS  
Thomas DeWitt, Valent  
Zenna Burke, Valent USA Corp  
Robert Dieterich  
Rebecca Rhineland  
Gary Hall, GHH Engineering  
Alta Tura, Sacramento Urban Creeks Council  
Albert Ramirez, Cal Sierra Development  
Tony Massey, Cal Sierra Development  
Phil Sutherling, Western Aggregates  
James Emmitt, Cal Sierra Development  
John Williams, Laser Inc.  
Bill Jennings, DeltaKeeper  
Bill Calvert  
Mark Grismer, Laser Inc.  
Steve Beckley, CA Plant Health Assoc  
Charles Green, Valent USA Corp.  
Jeanne Wallberg, Consultant  
Walt Trevethan, CA Rice Commission  
Roberta Firoved, CA Rice Commission  
Mike Yee, City of Sacramento  
Dan Mount, City of West Sacramento  
John Sanders, Dept of Pesticide Regulation

George Soares, CA Rice Commission  
Tim Johnson, CA Rice Commission  
Jim Staker, San Luis Canal Co.  
David Cory, SJ River Exchange Contractors  
Paul Marshall, Dept of Water Resources  
Allen Short, SJ River Group Authority  
Mel Machado, Blue Diamond Growers  
Bill Thomas, Dow Chemical  
Sejal Choksi, San Francisco Waterkeepers  
Paul Helliker, Department of Pesticide  
Regulation  
Tony Francois, CA Farm Bureau  
J.P. Cativiela, CARES  
Michael Payne, UCD  
Paul Martin, Western United Dairymen  
Brent Newell, Center on Race, Poverty and  
Environment  
Bill Mattos, CA Poultry Federation  
David Flory, City of Woodland  
Tess Dunham, City of Woodland  
Gary Wegener, City of Woodland  
Tim O'Halloran, SJ Water Quality Coalition  
David Guy  
Ria de Grass, CA Farm Bureau  
Gary DelCarlo, CA Agricultural Aerial  
Applicators  
Glenn Dombeck, Techqua USA  
Katherine Wagner, El Dorado Winery  
Association

Al Vargas, Department of Food and Ag  
Eric Stein, Wine Institute  
Darlene Ruiz, Vino Noceto  
David Lucas, Lucas Small Family Winery  
Robert Hartzell  
Marsha Burch  
Dan Hinrichs, DJH Engineering  
Paul Kronenberg, Family Winemakers of CA  
David Lieb, Marley Cooling Technologies

Alan Driscoll, Forsgren Associates  
Ryan Brodderick, Ducks Unlimited  
Jennifer Rawley  
Larry Espedal, Safari Vineyards  
D. Larry Petite, Petite & Associates  
Roy Wilson, City of Woodland  
Larry Walker, Larry Walker & Associates  
Aaron Kiess, CA Alfalfa Association  
Shanti Patching, Herum Crabtree Branch

### **EXECUTIVE OFFICER'S REPORT**

Karl Longley requested additional information on the fish kill in the San Joaquin River at Stockton (Item 3). Patricia Leary reported that the causes of the fish kill were unclear. San Joaquin River flows and dissolved oxygen were very low, and the Stockton WWTP discharge contained high concentrations of ammonia. Investigation into the cause is continuing.

Chairman Schneider asked about the current status of Musco Olive (Item 33). Wendy Wyels reported that the site is now handled by the Fresno office, which reported that continuing violations were observed during an inspection conducted the day before. An ACL will likely be issued in time for the September Board meeting.

Chairman Schneider stated that the NPDES Program report was very informative, and further requested that stormwater language be included in all CEQA reviews.

### **BOARD MEMBER COMMUNICATIONS**

Karl Longley reported that he and Lonnie Wass had spoken to the Fresno Chamber of Commerce regarding the ag waiver and dairy issues.

Beverly Alves reported that she had attended a Sacramento River Steering Committee meeting.

Chairman Schneider reported that he had attended meetings with the Solano County RCD and plans to attend meetings with Sustainable Cotton Project and Yolo County Water Resources.

### **PUBLIC FORUM**

Status reports on efforts to implement the agricultural waiver watershed program were made by the following:

- David Guy with the Northern California Water Association
- Allen Short with the San Joaquin River Group
- David Cory with the San Joaquin Valley Drainage Authority
- Tim O'Halloran, Southern San Joaquin Valley Water Quality Coalition.

### **Commercial Wineries Within the Central Valley Region, On-Site Storage and Off-Site Disposal of Wastewater – Consideration of (a) an Initial Study and Negative Declaration and (b) General Waste Discharge Requirements**

A public hearing was held. Ken Landau and Wendy Wyels presented the staff report. Additional testimony was given by Eric Stein, Darlene Ruiz, Katherine Wagner, David Lucas, Paul Kronenberg, Dan Hinrichs, Marsha Burch, Robert Hartzell, Al Vargas, Bill Jennings.

**R5-2003-0028** MOTION: By Ms. Kablanow, seconded by Mr. Longley to approve the Initial Study and Negative Declaration. Unanimously approved.

**R5-2003-0029** MOTION: By Ms. Kablanow, seconded by Mr. Cabaldon to approve the amended Waste Discharge Requirements. Unanimously approved.

**Marley Cooling Tower Company, Groundwater Extraction and Treatment System, Stockton, San Joaquin County - *Consideration of NPDES Permit Renewal***

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

**R5-2003-0030** MOTION: By Mr. Longley, seconded by Mr. Salvaggio to approve the proposed NPDES permit Unanimously approved.

**City of Woodland, Water Pollution Control Facility, Yolo County – *Consideration of NPDES Permit Renewal and Cease and Desist Order***

A public hearing was held. Trinh Pham and Richard McHenry presented the staff report. Additional testimony was given by Tess Dunham, Gary Wegener, David Flory, Larry Walker, Bill Jennings and Dave Carlson.

**R5-2003-0031** MOTION: By Mr. Longley, seconded by Mr. Salvaggio to approve the proposed NPDES permit. Unanimously approved.

**R5-2003-0032** MOTION: By Mr. Longley, seconded by Mr. Brizard to approve the proposed Cease and Desist Order. Unanimously approved by role call vote.

**Confined Animal Facilities, Conditional Waiver of Waste Discharge Requirements (Resolution No. R5-2002-0205) – *Consideration of Alternatives to the Regulation of Confined Animal Facilities, including continuing the use of, adoption of minor revisions to, or rescission of, the Conditional Waiver, or directing staff to take related actions***

A public hearing was held. Dennis Westcot presented the staff report. Additional testimony was given by Bill Mattos, Brent Newell, Paul Martin, Michael Payne, J.P. Cativiela and Ria de Grassi.

**R5-2003-0033** MOTION: By Mr. Longley, seconded by Mr. Schneider to rescind Order No. R5-2003-0205. Unanimously approved.

**Bay Protection and Toxic Hot Spot Cleanup Plan – *Consideration of a Resolution to Adopt Revisions to Amended Regional Toxic Hot Spot Cleanup Plans for Pesticides in the Delta***

A public hearing was held. Jerry Bruns presented the staff report. Additional testimony was given by Tony Francois, Paul Helliker, Sejal Choksi, Bill Thomas, Bill Machado and Bill Jennings.

**R5-2003-0034** MOTION: By Mr. Longley, seconded by Mr. Brizard to adopt the proposed resolution. Unanimously approved.



Approved by role call vote with Mr. Fong not in attendance.

**California Department of Forestry and Fire Protection and California Department of Corrections, Ishi Conservation Camp, Wastewater Treatment System, Tehama County - *Consideration of Rescission of Cease and Desist Order***

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

**R5-2003-0041** MOTION: By Mr. Cabaldon, seconded by Mr. Longley to rescind the proposed order. Approved by role call vote with Mr. Fong not in attendance.

**Uncontested Rescissions**

- a. Atlantic Oil Company, Sesnon and Lerdo-Sesnon Leases, Poso Creek Oil Field, Kern County, Resolution No. 58-390
- b. Shell Oil Company, F & I Lease, Vallecitos Oil Field, San Benito County, Resolution No. 60-102
- c. G.E. Kadane, Blackwells Corner Oil Field, Kern County, Resolution No. 69-224
- d. Bruce Anderson, Anderson Lease, Kern River Oil Field, Kern County, Resolution No. 69-229
- e. Cam-Tex Industries, Inc., Tejon Lease, Comanche Point Oil Field, Kern County, Resolution No. 70-179
- f. Jade Oil and Gas Company, Tejon Ranch Lease, Comanche Point Oil Field, Kern County,
- g. Resolution No. 70-181
- h. Clean Ride Truck Wash, Inc., Corning Truck Wash, and Dudley & Associates, Inc., Tehama County,
- i. Order No. 90-274
- j. Sacramento County Regional Sanitation District, Biosolids Demonstration Project, Sacramento County, Waste Discharge Requirements Order No. 95-140
- k. Louisiana-Pacific Corporation, Oroville Wood Processing Facility, Butte County, Order No. 96-173
- l. Pacific Gas and Electric Company, The Sacramento Former Manufactured Gas Plant Site, Sacramento County, Order No. 96-265
- m. Signature Fruit Company, LLC-Plant G, Butte County, Order No. 97-035 and Order No. 5-01-220

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

**R5-2003-0042** MOTION: By Mr. Cabaldon, seconded by Mr. Longley to adopt the proposed order. Unanimously approved.

**Uncontested Change of Name and/or Ownership**

- a. Lost Hills, Williamson, Kern County, Order No. 58-278
- b. City of Fresno and Dan Souza, Fresno County, Order No. 94-372
- c. ConAgra Grocery Products Company, Fresno County, Order No. 96-268
- e. River City Aggregates and Fern Pilliken, River City Aggregates Facility, Sacramento County, Order No. 5-00-212
- f. Deer Creek, Community, Tulare County, Order No. 5-00-239
- g. Thunderbolt Wood Treating Company, Inc. and Leonard and Grace Loalvo, Stanislaus County, Order No. R5-2002-0036

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

**R5-2003-0043** MOTION: By Mr. Longley, seconded by Mr. Cabaldon to adopt the proposed order. Unanimously approved.

d. Hughson Nut Company, Stanislaus County, Order No. 98-012

**R5-2003-0043** MOTION: By Mr. Longley, seconded by Mr. Cabaldon to adopt the proposed order. Approved with Ms. Kablanow abstaining.

**Uncontested Waste Discharge Requirements**

- R5-2003-0044** General Order for Land Disposal of Groundwater or Surface Water from Cleanup of Petroleum Pollution
- R5-2003-0045** Pacific Coast Producers, Inc., Oroville Processing Facility and Palermo Land Application Area, Butte County
- R5-2003-0046** County of Sacramento Public Works Agency, Elk Grove Class III Landfill, Post Closure Maintenance and Corrective Action, Sacramento County
- R5-2003-0047** Sugarland Farms, LLC, Former Spreckels Sugar Company Facility, Yolo County
- R5-2003-0048** Conkey Real Estate Development, LLC, Patrica Tintle, Tony and Fritz Gosalvez, Emily L. Spencer Trust, Longs Drugstores of California, Inc., Higgins Center Wastewater Treatment Facility, Nevada County
- R5-2003-0050** Imperial Sugar Company, Holly Sugar Corporation dba, Spreckels Sugar Company, Spreckels Sugar Company Tracy Facility, San Joaquin County

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

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

**R5-2003-0049** Forward Inc. and Allied Waste Industries, Operation of Forward Landfill, A Class II Facility, San Joaquin County

MOTION: By Mr. Longley, seconded by Mr. Cabaldon to adopt the proposed orders. Approved with Ms. Kablanow abstaining.

**Llama Complaint, Sacramento County - Status Report**

Camilla Williams presented the staff report. Additional information was presented by Robert Dieterich, Gary Hall, and Rudy Schnagl. This was an update for the Board. The Board concurred that the matter is more appropriately regulated under the storm water program at the level of local government and that no further action by Regional Board staff is warranted.

**Pesticide Applicator Facilities and Retail Fertilizer Facilities, Conditional Waivers of Waste Discharge Requirements – Status Report**

Gail Cismowski presented the staff report. Additional information was presented by Bill Jennings. This was an update for the Board. No action was taken.

**Regional Board Budget - Information Item**

A budget update was presented by Richard Loncarovich.

**Cal Sierra Development Inc. and Western Aggregates, Inc., Yuba Goldfields, Yuba County – Information Item**

Timothy O'Brien presented the staff report. Additional information was presented by John Williams, Phil Sutherlins, and Mark Grismer. This was an update for the Board. The Board directed the Executive Officer to require technical report pursuant to WC 13267

**Rice Pesticide Program, Management Practices for Thiobencarb for the 2003 Rice Season -  
*Reconsideration of Approval***

A public hearing was held. Amanda Smith presented the staff report. Additional testimony was given by Tim Johnson, John Sanders, Jeanne Wallberg, Mike Yee, and Charles Green.

**R5-2003-0036**

MOTION: By Mr. Cabaldon seconded by Mr. Fong to adopt the proposed order as amended. Approved with Mrs. Alves absent.

**Dissolved Oxygen Total Maximum Daily Load (TMDL) for the San Joaquin River – *Workshop***

Mark Gowdy presented the staff report. Additional information was presented by Lowell Ploss, Joe McGann, Tom Swartz, Dan Castleberry, Bill Jennings, Alan Short, Paul Marshall, David Cory, and Jim Staker. This was an update for the Board. No action was taken.

**The Board met in closed session to discuss ongoing litigation.**

The meeting adjourned to the April 24/25 regular meeting.