



Public Meeting

Central Valley Regional Water Quality Control Board

Thursday – 16 October – 1:00 p.m.
Friday – 17 October – 8:30 a.m.
Central Valley Regional Water
Quality Control Board
3443 Routier Rd., Suite A
Sacramento, CA 95827

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and to make decisions based on the information received.

Persons who want to submit written comments or evidence on any agenda item must comply with the **Meeting Procedures** described at the end of the listing of **Agenda** items. Persons wishing to speak at the meeting should complete an attendance card and provide it to staff. Although otherwise filling out the attendance card is voluntary, we do appreciate receiving a card from all persons in attendance.

Persons applying for, or actively supporting or opposing, waste discharge requirements before the Board must comply with legal requirements if they or their agents have or propose contributing more than \$250 to a Board member for an election campaign. Contact the Board office for details if you fall into this category.

Items showing times will begin no sooner than indicated. Items are numbered for identification purposes only and may not be considered in order. They may, however, be delayed by previous items.

Technical questions regarding agenda items should be directed to the responsible staff person whose name and direct phone number are indicated by the agenda item. If no staff person is listed, or for general questions and requests for agenda material, please contact Janice Tanaka at (916) 255-3039.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 255-3039 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Board agendas and the approved minutes of Board meetings are posted on the Regional Board's website at <http://www.swrcb.ca.gov/rwqcb5>.

A listing of pending applications for Water Quality Certifications, pursuant to section 401 of the Federal Clean Water Act, may be obtained from the Regional Board's Web Page at http://www.swrcb.ca.gov/rwqcb5/public_notices or by calling Pat Gillum at (916) 255-3397.

The **Agenda** for this meeting begins on the next page.

TIME LIMITATIONS

In order to move the Board meeting along in a timely manner, and assure time for adequate consideration of items later in the Agenda, the Chair may enforce maximum time limitations on each item. The goal is to complete all presentations, cross-examination, Board deliberation and voting within the allotted time. Allotted times are listed on the agenda following each item. Please consider the allotted time when preparing your presentations. Items with specific times listed will not be heard before that time but may be heard later.

THURSDAY – 16 OCTOBER 2003 – 1:00 p.m.**INTRODUCTIONS**

1. Introductions, pledge of allegiance, and approval of minutes from the Regular Meetings of 10/11 July and 5/6 September 2003.
2. Meeting Rules and Procedures
3. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (5 minute time limit per subject) 1:00 p.m.*
4. Board Member Communications - *Regional Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction. There will be no voting or formal action taken.*
5. Executive Officer's Report [available on the Internet at http://www.swrcb.ca.gov/rwqcb5/monthly_board_report]

OTHER BUSINESS

6. Executive Officer Delegation Memo – *Consideration of Adoption* [Frances McChesney (916) 255-3039]
7. Amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the Control of Orchard Pesticide Runoff and Diazinon Runoff into the Sacramento and Feather Rivers – *Consideration of a Resolution to Adopt Proposed Basin Plan Amendment* [Joe Karkoski (916) 255-3368] **(Time Limit – 90 minutes)**

ENFORCEMENT

8. Kern Ridge Growers, LLC, Arvin Carrot Processing Facility, Kern County – *Consideration of Administrative Civil Liability Order* [Barry Hilton (559) 445-5455] **(Time Limit – 90 minutes)**

FRIDAY – 17 OCTOBER 2003 – 8:30 a.m.

9. Introductions and pledge of allegiance.
10. Meeting Rules and Procedures
11. Public Forum - *Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting (5 minute time limit per subject) 8:30 a.m.*
12. The Board will be asked to approve items 18 through 22 with no discussion if no one is here to testify about them; see pages 3 and 4 for a description/listing of items – **8:30 a.m.**

ENFORCEMENT

13. El Dorado Irrigation District, Deer Creek Wastewater Treatment Plant, El Dorado County – *Consideration of Amended Cease and Desist Order* [Jerry Bruns (916) 255-3093] **(Time Limit – 30 minutes)**
14. San Andreas Sanitary District, Wastewater Treatment Plant, Calaveras County – *Consideration of NPDES Permit*

Renewal and Cease and Desist Order [Jon Ericson (916) 255-3060] **(Time Limit – 45 minutes)**

NPDES PERMITS

15. East Bay Municipal Utility District, Camanche Dam Power House, San Joaquin County – *Consideration of an NPDES Permit Renewal* [Jon Ericson (916) 255-3060] **(Time Limit – 30 minutes)**

OTHERS BUSINESS

16. California Dairy Quality Assurance Program – *Information Item* [Polly Lowry (916) 255-6301] **(Time Limit – 60 minutes)**
17. Interpretation of Water Quality Standards: How Regional Board Staff Select Numerical Receiving Water Limits for Surface Water and Groundwater – *Information Item* [Jon Marshack (916) 255-3123] **(Time Limit – 30 minutes)**

UNCONTESTED ITEMS CALENDAR

Uncontested items are expected to be routine and noncontroversial; recommendations will be acted on without discussion. If any interested party, Board, or staff member requests discussion, the item may be removed from the Uncontested Items Calendar and taken up in the regular agenda order, or in an order determined by the Board Chair – 8:30 a.m.

ENFORCEMENT

18. Sierra Pacific Industries, Shasta Lake Division, Shasta County - *Consideration of NPDES Permit Renewal and Cease and Desist Order* [Bryan Smith (530) 226-3425]

NPDES Permits

19. Uncontested NPDES Permits
- a. Special Order for City of Reedley, Wastewater Treatment Facility, Fresno County (revision)

WASTE DISCHARGE REQUIREMENTS

20. Uncontested Rescissions
- a. Mobil Oil Corporation, Sill Lease, Kern Front Oil Field, Kern County, Order No. 74-227
- b. Herrera Oil & Mineral, Clinton Land Co., Edison Oil Field, Kern County, Order No. 92-11051
- c. Herrera Oil & Mineral International, Teget et al Lease, Edison Oil Field, Kern County, Order No. 92-11052
- d. Herrera Oil & Mineral International, Biggar Lease, Edison Oil Field, Kern County, Order No. 92-11053
- e. Emperor Gold, Idaho-Maryland Mine, Nevada County, Order No. 96-098
- f. Jackson Valley Energy Partners, Energy Production Plant, Amador County, Order No. 98-116
- g. Seven Crown Resorts, Inc., Paradise Point Marina, San Joaquin County, Order No. 99-061
21. Uncontested Change of Name and/or Ownership
- a. The Wine Group LLC, Franzia/McFarland, Kern County, Order No. 91-040
- b. Barrel Ten Quarter Circle Land Inc., Barrel Ten Quarter Circle Inc., Barrel Ten, San Joaquin County, Order No. 91-223.
- c. Steve Franson, Fruit Concentrate Plant, Fresno County, Order No. 94-193
- d. Turtle Rock Motel and Boat Storage, Napa County, Order No. 97-10-DWQ-R5007
- e. Fitch Sand and Gravel, Inc., Modoc County, Order No. 99-031
22. Uncontested Waste Discharge Requirements
- a. Salad Cosmo USA Corporation, Dixon Sprout Facility, Solano Co. (revision)
- b. Liquid Waste Management, Inc., McKittrick Waste Treatment Site, Class II Disposal Facility, McKittrick, Kern Co. (revision)

- c. Special Order For City of Bakersfield, Wastewater Treatment Plant No. 3, Kern Co. (revision)
- d. Sierra County Service Area No. 5, Zone 5a (Sierra Brooks Subdivision), Sierra Co., Resolution Allowing an Exemption for an Engineered Residential Wastewater Disposal System for 121 Smithneck Road (new)
- e. Resolution Approving Industrial Pretreatment Program, City of Porterville, Tulare County (new)
- f. Atlantic Richfield Company, Stockton Terminal #40T, Enhanced Bioremediation Pilot Study, San Joaquin County (new)
- g. Shore Terminal Services, Terminal #29, Enhanced Bioremediation Pilot Study, San Joaquin County (new)
- h. ContiCroup Companies, French Camp Grain Elevator, Enhanced Bioremediation Pilot Study, San Joaquin County (new)

23. The Regional Board may meet in closed session on Thursday or Friday to consider personnel matters [Authority: Government Code Section 11126(a)]; to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation [Authority: Government Code Section 11126(e)]; or to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]. Items that may be discussed are:

1. *CVRWQCB, et al. v. Aerojet-General Corp.*, et al, Sacramento Co. Sup. Ct. No. 286073, consolidated with Nos. 288302 and 291981; *CVRWQCB, et al. v. Aerojet-General Corp., et al.*, USDC (EDCal) No. CIV-S-86-0064-EJG (consolidated with *U.S. v. Aerojet-General Corp.*, et al., USDC (EDCal) No. CIV-S-86-0063-EJG).
2. *American States Water Co., et al., v. CVRWQCB, et al.*, Sacramento Co. Sup. Ct. No. 99AS05947.
3. *Sacramento Regional Co. Sanitation Dist. v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 98CS01702.
4. *State of Calif., CVRWQCB, et al. v. Iron Mountain Mines, Inc., et al.*, USDC (EDCal) No. CIV-S-91-1167-DFL-PAN and *U.S. v. Iron Mountain Mines, Inc., et al.*, USDC (EDCal) No. S-91-0768 DFL/JFM.
5. *State of Calif. ex rel CIWMB, et al. v. Edward J. Filbin, et al.* (Westley Tire Fire).
6. *San Francisco Baykeeper, Inc., et al. v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 99CS02722. (Toxic Hot Spots)
7. *CVRWQCB v. Cedar Point Properties, Inc., Daniel R. Kennedy, et al.*, Plumas Co. Sup. Ct. No. 19897 (Walker Mine)
8. *Coalition for Alternatives to Kiefer Landfill v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 01CS00728.
9. *CVRWQCB v. A Greener Globe Corp., et al.*, Placer Co. Sup. Ct. No. SCV11383.
10. *CVRWQCB v. Sonora Mining Corp., et al.*, Tuolumne Co. Sup. Ct. No. CV 486 (Jamestown Mine).
11. *Original Sixteen to One Mine, Inc. v. CVRWQCB*, Sierra Co. Sup. Ct. No. 5511.
12. *City of Brentwood v. CVRWQCB*, Contra Costa Co. Sup. Ct. No. 2-0160.
13. *State of Calif., City of Lodi v. M&P Investments, et al.*, USDC (EDCal) No. CIV S-00-2441 FCD.
14. *City of Merced, et al., v. R.A. Fields, CVRWQCB*, U.S. Court of Appeals (Ninth Cir.) D.C. No. CV-F 92-5627 (REC/DLB) EDCal; *City of Merced, et al., v. R.A. Fields, et al.*, USDC (EDCal) No. CV-F 92-5627 REC/DLB.
15. *National Park Service, El Portal WWTF*, Administrative Civil Liability Order No. 5-01-031.
16. *Petitions of Meridian Beartrack Co., et al.*, SWRCB/OCC Files A-1369, A-1469, A-1569.
17. *Petitions of (1) City of Stockton and Co. of San Joaquin and (2) DeltaKeeper, et al., for Review of WDRs Order No. R5-2002-0181*, SWRCB/OCC Files A-1524 and A-1524(a). (Storm water permit)
18. *Petition of Co. of Sacramento and Cities of Sacramento, Galt, Folsom and Elk Grove for Review of WDRs Order No. R5-2002-0206*, SWRCB/OCC File A-1538. (Storm water permit)
19. *Petitions of (1) DeltaKeeper; San Francisco BayKeeper; Natural Resources Defense Council; California Public Interest Research Group; The Ocean Conservancy; California Sportfishing Protection Alliance and (2) Agricultural Water Quality Coalition, for Review of the Agricultural Return Flow Waiver*, SWRCB/OCC Files A-1536(a) and A-1536.
20. *Deltakeeper, et al v. CVRWQCB*, Sacramento Co. Sup. Ct. No. 03CS00032 (Ag Waiver CEQA lawsuit).
21. *City of Stockton v. SWRCB et al.*, San Joaquin Co. Sup. Ct. No. CVO20665 (NPDES permit).
22. *City of Vacaville v. SWRCB et al.*, Solano Co. Sup. Ct. No. FC020945 (NPDES permit).
23. *Deltakeeper, et al v. CVRWQCB*, Alameda Co. Sup. Ct. (Timber Harvest Waiver lawsuit)
24. *The Cities of Elk Grove, Folsom, Sacramento and County of Sacramento v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 03CS00685 (Storm water permit lawsuit).
25. *Petition of DeltaKeeper, et al.*, for Review of WDRs Order No. R5-2003-0003, NPDES Permit for University of California, Davis Wastewater Treatment Plant, SWRCB/OCC File A-1551.
26. *Association of Irrigated Residents, et al v. CVRWQCB*, Sacramento Co. Sup. Ct. No. 03CS00064. (Confined Animal Facilities CEQA lawsuit).
27. *Petition of AmeriPride Services, Inc.*, SWRCB/OCC File A-1570.
28. *Petition of Yuba City*, for Review of WDRs Order No. R5-2003-0085 and Cease and Desist Order No. R5-2003-0086, SWRCB/OCC File A-1580.
29. *City of Yuba City v. Regional Water Quality Control Board, Central Valley Region*, Sacramento Co. Sup. Ct., 03CS01038.
30. *Petition of City of Woodland*, for Review of WDRs Order No. R5-2003-0031 (NPDES No. CA0077950) and Cease and Desist Order No. R5-2003-0032, SWRCB/OCC File A-1561.
31. *Petition of City of Chico*, Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575.
32. *Petition of Butte County*, for Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575(a).
33. *Petition of Edmund and Juli Johnson*, Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575(b).
34. *Petition of California Park Association*, for review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575-c.

35. ***Petition of Wine Institute and Family Winemakers of California***, Review of General Waste Discharge Requirements Order No. R5-2003-0029, SWRCB/OCC File A-1563.
36. ***Petitions for review of July 11, 2003 action re rescission of conditional waiver and adoption of conditional waiver regarding discharges from irrigated lands (ag waiver)***.
37. Treatment Facility) (SWRCB/OCC File A-1431)
38. ***Petition of Kern Ridge Growers*** to review, revise and stay enforcement of administrative civil liability complaint number R5-2003-1515.