



# Public Meeting

## Central Valley Regional Water Quality Control Board

~~CANCELED Thursday – 4 December – 9:00 a.m.~~  
Friday – 5 December – 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](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.

#### REMAINING ITEMS MOVED TO FRIDAY – 5 DECEMBER 2003 ~~THURSDAY 4 DECEMBER 2003 9:00 a.m.~~ INTRODUCTIONS

1. ~~Introductions, pledge of allegiance, and approval of minutes from the Regular Meetings of 10/11 July and 16/17 October 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) 9:00 a.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](http://www.swrcb.ca.gov/rwqcb5/monthly_board_report) ]
6. ~~Employee Awards~~

#### ENFORCEMENT

~~(This Item May Start As Early As 9:00 a.m.)~~

7. ~~City of Redding, Redding Sports Park, Shasta County *Consideration of Administrative Civil Liability Order [Carole Crowe (530) 224 4849](Time Limit 90 minutes)*~~
8. ~~AKT Development Corporation and Sunridge Development L.L.C., Sacramento County *Consideration of Administrative Civil Liability Order [Christine Palisoc (916) 255-3063] (Time Limit 240 minutes)*~~

#### OTHER BUSINESS

9. Budget and Regional Board Priorities Discussion – *A Status Report* [Richard Loncarovich (916) 255-3039]

#### FRIDAY – 5 DECEMBER 2003 – 8:30 a.m.

10. Introductions and pledge of allegiance.
11. Meeting Rules and Procedures
12. 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.*
13. Calendar for 2004 Board Meetings – *Consideration of Approval* [Janice Tanaka (916) 255-3039]
14. The Board will be asked to approve items 20 through 25 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**

15. City of Colfax, Wastewater Treatment Plant, Placer County – *Consideration of Administrative Civil Liability Order and Compliance Project* [Richard McHenry (916) 255-3055] **(Time Limit – 60 minutes)**

**OTHER BUSINESS**

16. Retail Fertilizer Facilities and Pesticide Applicator Facilities - *Consideration of Renewal of Waiver of Waste Discharge Requirements* [Gail Cismowski (916) 255-6308] **(Time Limit – 30 minutes)**
17. Status Report on the Drafting of a General NPDES Permit and Waste Discharge Requirements for Confined Animal Facilities – *An Update* [Lonnie Wass (559) 445-6051] **(Time Limit – 30 minutes)**
18. Conditional Waiver of Waste Discharge Requirements For Discharges From Irrigated Lands Within The Central Valley Region – *Information Report* [Molly White (916) 255-3381] **(Time limit - 60 minutes)**
- (This Item Will Not Begin Before 1:00 p.m.)**
19. Proposed Amendment to the Sacramento River and San Joaquin River Water Quality Control Plan for the Control of Salt and Boron Discharges into the San Joaquin River - *A Informational Workshop* [Eric Oppenheimer (916) 255-3234] **(Time Limit – 180 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**

20. Amador Water Agency, Gayla Manor Wastewater Treatment Facility, Amador County - *Consideration of Revised Waste Discharge Requirements and a Cease and Desist Order* [Scott Kranhold (916) 255-3389]
21. Land O'Lakes, Inc., Gustine Cheese Processing Facility, Merced County – *Consideration of Rescinding Cease and Desist Order No. 5-01-240* [Steven Klein (559) 445-5558]

**NPDES PERMITS****22. Uncontested NPDES Permits**

- a. California Department of Forestry and Fire Protection, Mountain Home Conservation Camp, Tulare County (renewal)

**WASTE DISCHARGE REQUIREMENTS****23. Uncontested Change of Name and/or Ownership**

- a. Sunray Petroleum, Inc., Deer Creek, North, Bastian Lease, Deer Creek Oil Field, Tulare County, Order No. 00-16306
- b. Sun Pacific Packers, Exeter Packinghouse, Tulare County, Order No. 85-105
- c. Visalia Citrus Packing Group, LP, South Valley Citrus Packers, Tulare County, Order No. 85-201
- d. City of Lindsay, Citrus Wastewater Land Application Site, Tulare Order No. 85-203
- e. Sun Pacific Packers, Woodlake Packinghouse, Tulare, County, Order No. 85-301
- f. Moss Creek Winery, Napa County, Order No. 88-067
- g. Kendall-Jackson Lakeport Winery, Lake County, Order No. 91-218
- h. Floyd Myers, Marsh and Naas and Colusa County Canning Company, Colusa County, Order No. 93-089
- i. Forest View Trailer Park, Yuba County, Order No. 95-130
- j. Cisco Grove Campground and RV Park, Placer and Nevada Counties, Order No. 96-016
- k. Keystone Mines Inc., Blue Moon Exploration Project, Mariposa County, Order No. 96-140

- l. Sun Pacific Packers, Sun Pacific Shippers Bakersfield Packinghouse, Kern County, Order No. 96-169
- m. Treehouse California Almonds LLC, Tulare County, Order No. 97-243
- n. Crossbow, LLC, National Development-Merzoian Lease, Deer Creek Oil Field, Tulare County, Order No. 5-00-240
- o. Valley Gold, LLC, Gustine Cheese Processing Facility, Merced County, Order No. 5-01-239

#### 24. Uncontested Rescissions

- a. Cedar Mills, Ecofarm, Amador County, Order No. 86-023
- b. Michael Rodgers and Carlyle Station Campground, Nevada County, Order No. 97-10-DWQ-R5025
- c. Forward Inc., Forward Landfill, Austin Road, San Joaquin County, Order No. 98-121
- d. California Department of Forestry and Fire Protection, Magalia Nursery/Butte Fire Center, Butte County, Order No. 98-145
- e. Asian Cities Development Inc., Mr. and Mrs. Tor Tai Ng, and Mr. Clarence Chu, Locke Community Sewage System, Sacramento County, Order No. R5-00-062
- f. Stanley Christopherson and Qualiveg Seed Production, Sutter County, Order No. 5-01-203
- g. California Water Service Company, Olcese Water Treatment Plant, Kern County, Order No. 5-00-121
- h. David S. Hartley, dba Hartley Natural Resources Development, Elliott-Glide Lease, Mt. Poso Oil Field, Kern County, Order No. 5-01-143
- i. El Dorado Irrigation District, Project 184, Mill to Bull Creek Tunnel, El Dorado County, Order No. 5-01-196

#### 25. Uncontested Waste Discharge Requirements

- a. Browns Valley Irrigation District, Pineland Development Co., Inc., Collins Lake Recreational Area, Yuba County (revision)
- b. Guenoc Winery, Inc., Guenoc Estate Vineyards and Winery, Lake County (revision)
- c. Chevreaux Family Trust, 1973, Chevreaux Aggregates, Inc., Chevreaux Concrete, Inc., ARP Ranch, Inc., Chevreaux Aggregate Facility, Placer and Nevada Counties (revision)
- d. Sutter County Department of Public Works, Stonegate Village Wastewater Treatment Facility, Sutter County (revision)
- e. Morada Produce Company, Linden Packing Shed, San Joaquin County (new)
- f. Van Ruiten – Taylor Ranch Ltd., Van Ruiten – Taylor Winery, LLC, San Joaquin County (new)
- g. Synagro West, Inc., & Menefee River Ranch Company, for Operation, El Nido Composting Facility, Merced County (update)
- h. U.S. Army Corps of Engineers, Department of Water Resources and Port of Stockton, Stockton Deep Water Ship Channel Maintenance Dredging Activities Channel Mile 4.4 to 41.0, Contra Costa, Sacramento and San Joaquin Counties (amendment)

26. 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. FCOS020945 (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. ***Petition of Kern Ridge Growers*** to review, revise and stay enforcement of administrative civil liability complaint number R5-2003-1515.