

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

Minutes
4/5 December 2003
459th Regular Meeting
Central Valley Regional Water
Quality Control Board
3443 Routier Rd., Suite A
Sacramento, CA 95827

THURSDAY, 4 DECEMBER 2003

The Thursday, 4 December Board Meeting was cancelled. Items 6,7,8 and 9 were rescheduled to a future meeting.

FRIDAY, 5 DECEMBER 2003

BOARD MEMBERS PRESENT

Robert Schneider, Chair, Karl Longley, Vice Chair, Mark Salvaggio, Alson Brizard, Robert Fong, Cher Kablanow, Lucille Palmer-Byrd and Beverly Alves, Members

BOARD MEMBERS ABSENT

Christopher Cabaldon

OTHERS PRESENT

Marshall Lee, DPR
David Provance, The Source Group Inc.
Allen Edwards, Edwards Tree Farm
Nancy Edwards, Edwards Tree Farm
Bill Jennings, DeltaKeeper
Deanne Myer, Dairy Industry
Theodore Back
David Guy, NCWA
Janna Herren, CA Fish and Game
Mary Hildebrand, San Joaquin County
Sharon Gieras, City of Colfax
Bob Perrault, City of Colfax
Tom Leland, City of Colfax
Joshua Alpine, City of Colfax
Ross Edwards, City of Colfax
Terry Gage, CA Agricultural Aircraft Assn.
Tim Swickord, Stoel Rives LLP.
Wayne Zipser, Stanislaus County Farm Bureau

Dennis Gudgel, Stanislaus County Water
Coalitions
David Cory, SJ River Exchange Contractors
Gail Delihant, Assemblyman Aghazarian
Alan Murphy, CalTrans Construction
Bryan West, City of Colfax
Mark Spannagel, Assemblyman Doug LaMalfa
Scott, Lower, Grassland Water District
Tom Maurer, US Fish & Wildlife
John Hansen Del Puerto Water District
Mark Bianchi, University of California
John B. Meek, SJ Co. & Delta Water Quality
Coalition
Parry Klassen, East SJ Water Quality Coalition
Ryan Broddrick, Sacramento Water Quality
Coalition
John Hewitt, CA Farm Bureau
Kimberly Hellwig

PUBLIC FORUM

Bill Jennings, DeltaKeeper

- Concerned about lack of progress in processing the UCD Phase 2 monitoring contract
- DeltaKeeper, et al, have filed suit against the Department of Pesticide Regulation for failure to reevaluate Chlorpyrifos
- San Francisco Baykeeper prevailed over the San Francisco Bay Regional Board's San Francisco and Contra Costa MS4 Permits regarding monitoring and delegation of authority to the Executive Officer
- Concerned about the overall loss of environmental resources and public health protection.

BOARD MEMBER COMMUNICATIONS

Al Brizard reported that he had been elected to the Groveland CSD Board.

Karl Longley reported that he had attended:

- San Joaquin Valley Water Coalition Board meeting at Teneya Lodge with Al Brizard and Tom Pinkos on 22 October 2003
- California Nonpoint Source Conference in Ventura on 5 November 2003
- Ag Waiver Workshop in Clovis on 19 November 2003
- Wine Institute meeting with Tom Pinkos at the Regional Board's Sacramento office on 24 November 2003
- Meeting with United Western Dairymen (Michael Marsh and Paul Martin) on 3 December 2003

Cher Kablanow reported she attended:

- Groundwater Management Conference in Ontario
- Agricultural Water Advisory Committee meeting at which the Aircraft Applicator Association discussed waste discharges by its members.

Christopher Cabaldon expressed his appreciation for support for his reappointment as a member of the Regional Board.

EXECUTIVE OFFICERS REPORT

Tom Pinkos discussed the following items in response to questions from Mr. Brizard:

- Phase II Ag Monitoring Contracts (Item 2). Mr. Pinkos suggested questions be discussed as part of the Ag Waiver discussion on the Agenda.
- Waiver for Rice Growers (Item 3). Mr. Pinkos met with Rice Commission representatives regarding the requested waiver and CEQA issues. Ms. Kablanow expressed concern about inefficiencies for the rice industry if they have to work both under the general ag waiver and a specialized rice herbicide program. Mr. Brizard commented that multiple regulatory programs were a concern to the entire agricultural community.
- 2003 Consolidated Grant Process (Item 7). The grant processing is evolving, and the requirements and conditions for ag-related grants are very unclear at this time. Ms. Kablanow requested that this Board's priority for funding ag projects be made known to those directing the ag grants.
- Bass Lake Dredging (Item 13). This is one of many dredging projects involving Sierra lakes. Mr. Brizard reported that the Pine Mountain Lake Association is seeking to purchase a dredge to maintain the lake. There are many old lakes that continue to silt in and will require dredging maintenance.
- Shasta Graywater (Item 19). There has been progress in working the US Forest Service on a MOU prohibiting the discharge of graywater from commercial houseboats to Lake Shasta.
- Lake Amador Resort (Item 28). Mr. Pinkos stated that the delinquent reports have been submitted.
- ConAgra and Musco (Items 31 & 32). There has been no serious foot-dragging by either company. Slowness in compliance has been primarily the result of technical disagreements

between the dischargers and the Board staff. Ms. Kablanow requested the EO Report items not smear dischargers if Board staff is the cause of compliance delays.

Mr. Cabaldon suggested that, to save Board meeting time, technical or clarifying questions made by individual Board members on EO Report items should be handled outside of the public meeting, unless the Board member wants to specifically bring the matter up at the public meeting.

The July 2003 minutes were approved with revisions. The October 2003 minutes were approved as written.

The Board met in closed session to discuss ongoing litigation.

Calendar for 2004 Board Meetings – *Consideration of Approval*

The calendar for the 2004 Board Meetings was approved by a unanimous vote.

UNCONTESTED CALENDAR

Amador Water Agency, Gayla Manor Wastewater Treatment Facility, Amador County - *Consideration of Revised Waste Discharge Requirements and a Cease and Desist Order*

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

R5-2003-0169 MOTION: By Mr. Longley, seconded Mr. Brizard to adopt the proposed Waste Discharge Requirements. Unanimously approved.

R5-2003-01 MOTION: By Mr. Longley, seconded Mr. Cabaldon to adopt the proposed Cease and Desist Order. Unanimously approved by role call vote.

Land O'Lakes, Inc., Gustine Cheese Processing Facility, Merced County – *Consideration of Rescinding Cease and Desist Order No. 5-01-240*

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

R5-2003-0170 MOTION: By Mr. Brizard, seconded Mr. Longley to rescind the Cease and Desist Order. Unanimously approved by role call vote.

Uncontested NPDES Permits

California Department of Forestry and Fire Protection, Mountain Home Conservation Camp, Tulare County

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

R5-2003-0171 MOTION: By Mr. Longley, seconded Mrs. Palmer-Byrd to adopt the proposed order. Unanimously approved.

Uncontested Change of Name and/or Ownership

Sunray Petroleum, Inc., Deer Creek, North, Bastian Lease, Deer Creek Oil Field, Tulare County
Sun Pacific Packers, Exeter Packinghouse, Tulare County
Visalia Citrus Packing Group, LP, South Valley Citrus Packers, Tulare County
City of Lindsay, Citrus Wastewater Land Application Site, Tulare

Sun Pacific Packers, Woodlake Packinghouse, Tulare, County
Moss Creek Winery, Napa County
Kendall-Jackson Lakeport Winery, Lake County
Floyd Myers, Marsh and Naas and Colusa County Canning Company, Colusa County
Forest View Trailer Park, Yuba County
Cisco Grove Campground and RV Park, Placer and Nevada Counties
Keystone Mines Inc., Blue Moon Exploration Project, Mariposa County
Sun Pacific Packers, Sun Pacific Shippers Bakersfield Packinghouse, Kern County
Treehouse California Almonds LLC, Tulare County
Crossbow, LLC, National Development-Merzoian Lease, Deer Creek Oil Field, Tulare County
Valley Gold, LLC, Gustine Cheese Processing Facility, Merced County

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

R5-2003-0172 MOTION: By Mr. Longley, seconded Mr. Cabaldon to adopt the proposed order. Unanimously approved.

Uncontested Rescissions

Cedar Mills, Ecofarm, Amador County
Michael Rodgers and Carlyle Station Campground, Nevada County
Forward Inc., Forward Landfill, Austin Road, San Joaquin County
California Department of Forestry and Fire Protection, Magalia Nursery/Butte Fire Center, Butte County
Asian Cities Development Inc., Mr. and Mrs. Tor Tai Ng, and Mr. Clarence Chu, Locke Community Sewage System, Sacramento County
Stanley Christopherson and Qualiveg Seed Production, Sutter County
California Water Service Company, Olcese Water Treatment Plant, Kern County
David S. Hartley, dba Hartley Natural Resources Development, Elliott-Glide Lease, Mt. Poso Oil Field, Kern County
El Dorado Irrigation District, Project 184, Mill to Bull Creek Tunnel, El Dorado County

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

R5-2003-0173 MOTION: By Mr. Cabaldon, seconded Mrs. Palmer-Byrd to adopt the proposed order. Unanimously approved.

Uncontested Waste Discharge Requirements

R5-2003-0175 Guenoc Winery, Inc., Guenoc Estate Vineyards and Winery, Lake County
R5-2003-0176 Chevreaux Family Trust, 1973, Chevreaux Aggregates, Inc., Chevreaux Concrete, Inc., ARP Ranch, Inc., Chevreaux Aggregate Facility, Placer and Nevada Counties
R5-2003-0177 Sutter County Dept of Public Works, Stonegate Village Wastewater Treatment Facility, Sutter County
R5-2003-0178 Morada Produce Company, Linden Packing Shed, San Joaquin County
R5-2003-0179 Van Ruiten – Taylor Ranch Ltd., Van Ruiten – Taylor Winery, LLC, San Joaquin County
R5-2003-0180 Synagro West, Inc., & Menefee River Ranch Co., for Operation, El Nido Composting Facility, Merced County

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

R5-2003-0173 MOTION: By Mr. Longley, seconded Ms. Kablanow to adopt the proposed orders. Unanimously approved.

CONTESTED CALENDAR

ENFORCEMENT

City of Colfax, Wastewater Treatment Plant, Placer County – *Consideration of Administrative Civil Liability Order and Compliance Project*

A public hearing was held. Richard McHenry presented the staff report. Additional testimony was given by Bob Perault, Sharon Gaiires, Allen Edwards, Janna Herren and Ken Landaus.

R5-2003-0167 MOTION: By Mr. Cabaldon, seconded Mr. Longley to adopt the proposed orders. Unanimously approved.

WASTE DISCHARGE REQUIREMENTS

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

A public hearing was held. Rudy Schnagl presented the staff report. Additional testimony was given by Terry Gage.

R5-2003-0168 MOTION: By Mr. Brizard, seconded Mr. Longley to adopt the proposed order. Unanimously approved.

Status Report on the Drafting of a General NPDES Permit and Waste Discharge Requirements for Confined Animal Facilities – *An Update*

This item was for the Board's information only. Lonnie Wass presented the staff report. Additional information was given by Deanne Myer. No action was taken by the Board.

Conditional Waiver of Waste Discharge Requirements For Discharges From Irrigated Lands Within The Central Valley Region - *Information Report*

This item was for the Board's information only. Bill Croyle presented the staff report. Additional information was given by David Guy, Dennis Gudge, Wayne Zipzer, Kimberly Hellwig, Bill Jennings, John Hewitt, Ryan Broddrick, Perry Klassen, John Meek, Mary Bianchi, Karen Wooster, Mike Connor, and Betsy Challenger. No action was taken by the Board.

The meeting was adjourned to the 29/30 January 2004 regular meeting.