

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

Minutes
15/16 March 2007
484th Regular Meeting
11020 Sun Center Drive, #200
Rancho Cordova, CA 95758

THURSDAY – 15 MARCH 2007

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair, Kate Hart, Vice Chair, Cheryl Maki, Sandra Meraz, Dan Odenweller, Soapy Mulholland, Paul Betancourt, and Christopher Cabaldon, Members.

STAFF PRESENT

Pamela Creedon, Ken Landau, Jack Del Conte, Frances McChesney, Kiran Lanfranchi-Rizzardi, Michele DeCristoforo, Dave Carlson, James Marshall, Wendy Wyels, Guy Childs, Rudy Schnagl and Karen Larsen.

OTHERS PRESENT

Alexis Strauss	Steve Redeker
Laurel Firestone	Katharine Wagner
David Cory	Peter Struffenegger
Joel Miller	Dr. Khalil Abusabn
Bill Schellinger	John B. Meek Jr.
Paul Simmons	Lourdes Jimenez Price
Eric Vanderbilt	Brad Gacke
Joan Philippe	Michael Buci
Richard	Roberta Firoved
Scott Schellinger	Heather Celia
Mike Koza	Tess Dunham
Elissa Callman	William Irwin
John Sanders	Thomas Warnock
Belinda C Arthur	Mark Brannigan
Richard Knoll	Charles Green
Kathy Russick	

BOARD MEMBER COMMUNICATION

Chairman Longley reported the following:

- Had lunch with Dan Odenweller and Bill Jennings
- Received a call from Paul Martin regarding dairy manure (the call was directed to the Executive Officer)
- Attended the Strategic Planning Meeting; and flew over the Rancho Seco site on the way to the Board meeting.
- He also provided a summary of Salinity Policy activities for the new Board members.

Soapy Mulholland reported that she attended a Stewardship Council planning meeting, and spoke at the California Council for Land Trust conference.

Chairman Longley discussed the problems of receiving late revisions for the Board items just prior to the Board meeting. He requested that no late revisions be allowed less than seven days from the hearing, with exceptions allowed by the Chair. Pamela Creedon stated that the seven-day cut off was unworkable. The Chair suggested trying to limit late revisions received less than 48 hours prior to the meeting.

Mr. Dan Odenweller reported the following:

- Had lunch with Bill Jennings and the Chair.
- He said that he received e-mail from a Tracy landowner and forwarded it to the Executive Officer.
- He also reported participating in a teleconference call on Dairy WDRs and Salinity.

Cheryl Maki attended the Roseville Aquifer Storage and Recovery Project grand opening celebration, and met with the Executive Officer to discuss Regional Board activities.

Kate Hart attended a SAWPA reception, and participated in the Strategic Planning Conference.

Sandra Meraz watched a presentation by David Sholes on the geology of the Central Valley, and attended the Strategic Planning Conference.

Paul Betancourt participated in the conference call on Dairies and Salinity with Dan Odenweller.

Christopher Cabaldon reported that he had been appointed by the Governor to serve on the Delta Vision Stakeholder Panel.

PUBLIC FORUM

Alexis Strauss, USEPA, reported that the Regional Boards must reissue more than 650 permits this year to meet the goal of 90% current permits. She said that Region 5 has not been keeping up with its commitment, however, expressed faith that it would accelerate the rate of permit adoption.

Laurel Firestone reported that many residences do not have good quality drinking water, mostly due to high nitrates. She requested a status report on Ag Waiver and Food Processing progress on groundwater protection.

David Cory welcomed new Board members and reported that DO TMDL contractors are not being paid and are beginning to stop work.

EXECUTIVE OFFICER'S REPORT

Dr. Longley commented as follows:

- He asked about recent sampling results from the French Gulch Mine. Executive Officer stated that Jim Pedri, Assistant EO, will be present during the Friday session of the Board Meeting and will report to the Board at that time.
- He said that Hilmar Cheese had an interesting website concerning their SEP: www.hilmarsep.com
- The Groveland Community Services District, (item 28) had been sued over the recent sewage spill.
- He was happy to read about the Abandoned Mine Memorandum of Understanding (item 51).
- He commended Sacramento staff for their participation in the Adopt-A-Highway program, and recognized the Fresno office employees of the month. (items 55 and 56)

Kate Hart also commended staff for highway cleanup activities (item 55)

Dan Odenweller asked why there was no update on the Stockton spill. Ms. Creedon commented that work was ongoing, but could not all be discussed in the open session.

Resolution Clarifying that the Delegation to the Executive Officer Includes the Authority to Issue Administrative Civil Liability Orders When No Hearing Is Required.

MOTION: By Kate Hart seconded by Soapy Mulholland to approve the resolution. Unanimously approved.

ENFORCEMENT

City of Lakeport Municipal Sewer District, Wastewater Treatment Facility, Lake County – Consideration of a Cease and Desist Order and Connection Restriction.

A public hearing was held. Guy Childs presented the staff report. Wendy Wyels, Richard Knoll, Scott Schellinger and William Irwin gave additional testimony.

MOTION: By Mr. Odenweller seconded by Ms. Maki to adopt the cease and desist order with late revisions. Approved with a roll call vote of 6-1-1

Sterling Caviar LLC, Elverta, Sacramento County –Consideration of Negative Declaration, New NPDES Permit and Cease and Desist Order.

A public hearing was held. No one contested these orders.

MOTION: By Ms. Hart seconded by Ms. Maki to adopt the Negative Declaration. Unanimously approved.

MOTION: By Ms. Hart seconded by Ms. Mulholland to approve the NPDES Permit. Unanimously approved.

MOTION: By Ms. Hart seconded by Ms. Maki to approve the Cease and Desist order. Unanimously approved by roll call vote of 6-1-1

NPDES PERMITS

County of Sacramento, Public Works Agency, Kiefer Landfill Groundwater Extraction and Treatment Plant, Sacramento County – Consideration of NPDES Permit Renewal and Time Schedule Order

A public hearing was held. No one contested this order.

Ms. Kate Hart recused herself.

MOTION: By Ms. Maki seconded by Ms. Mulholland to adopt the NPDES Permit. Unanimously approved.

MOTION: By Mr. Odenweller seconded by Ms. Maki to approve the Time Schedule Order. Unanimously approved.

Sacramento Municipal Utility District, Rancho Seco Nuclear Generating Station, Unit 1 and Rancho Seco Park, Sacramento County – Consideration of NPDES Permit Renewal.

A public hearing was held. James Marshall presented the staff report. Steve Redeker, Katharine Wagner, Alexis Strauss, Dave Carlson and Ken Landau gave additional testimony.

MOTION: By Ms. Mulholland seconded by Ms. Hart to approve the NPDES renewal. Unanimously approved.

OTHER BUSINESS

River Highlands Community Services District and Gold Village Land Development LLC, Yuba County - Consideration of Resolution to refer to the Attorney General to seek Civil Liability

A Public Hearing was held. Patricia Leary presented the staff report. No one contested this order.

MOTION: By Ms. Maki seconded by Ms. Hart to adopt the resolution. Unanimously approved.

Rice Pesticide Program, Management Practices for the 2007-2009 Rice Seasons - Consideration of Approval

A public Hearing was held. Rudy Schnagl presented the staff report. Roberta Firoved gave additional testimony. No one contested this order.

MOTION: By Ms. Hart seconded by Ms. Mulholland to approve the order. Unanimously approved.

Policy for the Implementation and Enforcement of the Nonpoint Source Pollution Control Program-Informational Item

THIS ITEM WAS REMOVED FROM THE AGENDA.

Sacramento River Watershed Program – Monitoring Program Overview-

This was an informational item only. Karen Larsen and Kathy Russick presented the staff report.

The Board met in closed session to discuss ongoing litigation.

The meeting adjourned at 2:10 p.m. and continued to the Friday session.

FRIDAY – 16 MARCH 2007

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair, Kate Hart, Vice Chair, Cheryl Maki, Sandra Meraz, Dan Odenweller, Soapy Mulholland, Paul Betancourt, members.

STAFF PRESENT

Pamela Creedon, Ken Landau, Jack DelConte, Frances McChesney, Kiran Lanfranchi-Rizzardi, Dave Carlson, Michele DeCristoforo, Mark List, Anne Olson, Wendy Wyels, Patrick Morris, Michelle Wood, Karen Larsen, Ron Dykstra, Jim Pedri.

OTHERS PRESENT

Lillian De Los Reyes	Michael Newlan
Anitra Brosseau	John Kaufman
Danielle Blacet	Steve Archer
Stephan Patrick	Peter Halpin
Dan Hinrichs	Jai De Los Reyes
Tim Stevens	John Herrick
Tim Crandall	Paul Buttner
Sandy Delp	Mary Snyder
Laurie Clamurro	Wess Ervin
Tom Mauer	Maya Walker
Debra Denton	Alan Albrecht
Vicky Fry	Diane Colborn
Rudy Rosen	Greg Wilson
Laurel Firestone	Stephen McCord
Amy Vandenwalker	Iain Clark
Juliet Simpson	Craig Joans
Kevin Petrill	Michael Kent
Connie Perkins	Bill Busath
Vic Chan	Khalil Abusibh
Lara Sparks	Andria Ventura
Tom Grovhoug	Ric Murphy
Bill McLaughlin	Tim Stevens
David Guy	Warren Tellefson
Heidi Rooks	Dave Tamayo
Michael Kent	Leo Refsland
	Alyee Ujihara

BOARD MEMBER COMMUNICATION

Chairman Longley participated in conference calls regarding the Wine Group studies, participated in a salinity discussion at the Great Valley Center, and met with entrepreneurs wanting to start a certification program for water equipment

EXECUTIVE OFFICER'S REPORT

The Executive Officer noted the information on the Hilmar Cheese Supplemental Environmental Project. Dan Odenweller commended staff for their hard work. Kate Hart also commended staff on job well done on item #55 on the Executive Officer's report.

Jim Pedri provided an update on French Gulch Mine. There is a long history of discharge problems, with a \$37,000 ACL issued for a recent spill. There are frequent complaints about downstream problems, but sampling can find no process wastes in the stream. There is some turbidity from mine roads (which is being addressed by staff). The area is naturally high in arsenic and staff will continue to check for arsenic. Staff will follow up to determine the source of the sediment that appear to occur upstream of the mine.

Pat Leary provided an update on Stockton spill investigations. There has been a multi-day joint State Board/Regional Board inspection of the facility, with interviews of many staff. Review of investigation results and development of enforcement recommendations is in progress.

PUBLIC FORUM

Warren Tellefson, CVCWA, briefed the Board on the organization. He commented on the State Water Board's development of a statewide water recycling policy, which wastewater agencies plan for reclamation. He said that Reclaimed water was a resource, not a waste – don't regulate it as a waste.

UNCONTESTED CALENDAR

ENFORCEMENT

County of Shasta, Redding Regional Septage Disposal Facility, Shasta County – Consideration of Cease and Desist Order

A public hearing was held. No one contested this order.

Kate Hart recused herself.

MOTION: By Ms. Maki seconded by Mr.
Betancourt to approve the
Order. Unanimously approved
by roll call vote of 6-1-1

WASTE DISCHARGE REQUIREMENTS

Uncontested Rescissions

- a. Rio Bravo Park Resort, Kern County, Order No. 76-249
- b. Sacramento Regional County Sanitation District, Lower Northwest Interceptor Project, Sacramento County, Order number 2004-0067, NPDES Permit no. CA 0084948
- c. Pat Baccala, Clinton Baccala, and William Hubbard dba Deer Creek Ranch, Deer Creek Resort, Tehama County, Order No. 90-008
- d. Nevada Titan Energy Incorporated, Poso Creek Oil Field, Kern County, Order No. 5-00-044

Uncontested Change of Name and/or Ownership

- a. Imperial Sugar Company dba Spreckels Sugar Company, Holly Sugar Hamilton City Facility, Glenn County, Order No. 5-00-184
- b. Valley Rock Products, Inc., Red Bluff Rock, Tehama County, Order No. 86-094
- c. Valley Rock Products, Inc., Commercial Sand and Gravel Operations, Glenn County, Order No. 88-055
- d. Spanish Flat Water District, Moniticello Cemetery District and Napa County, Spanish Flat Wastewater Treatment and Disposal Facility, Napa County Order No. 93-236
- e. T Northwest Properties, Dunnigan Union 76 Station, Yolo County, Order No. 97-10-DWQ-R5008

Uncontested Waste Discharge Requirements

- a. The United States Air Force, Beale Air Force Base, In-situ Chemical Oxidation Treatability Study for Remediation of Volatile Organic Constituents at Site 32, Yuba County (new)
- b. ~~Granite Construction Company, Rio Del Oro Project, Water Supply Well Treatment System Discharges, Sacramento County (new)~~ THIS ITEM WAS REMOVED FROM THE AGENDA.
- c. Langtry Farms, Limited Liability Company, and Magoon Estates Limited, Operation of Class II Surface Impoundment, Guenoc Winery, Lake County

NPDES PERMITS

Uncontested NPDES Permits

- a. Aerojet-General Corporation, Sacramento County- (Revised Monitoring and Reporting Program)
- b. Cooper US, Inc., American Air Co., Inc., City of Visalia, Former McGraw Edison Power Systems, Groundwater Cleanup System, Tulare County- Special order to revoke NPDES portion of Waste Discharge Requirements, order no. 98-201

A public hearing was held. No one contested the orders.

MOTION: By Mr. Odenweller seconded by Ms. Meraz to approve the uncontested orders. Unanimously approved.

MOTION: By Ms. Maki seconded by Ms. Hart to approve the uncontested NPDES Permits. Unanimously approved.

OTHER BUSINESS

Consideration of Adoption of the Central Valley Region Emergency, Abandoned, and Recalcitrant 2007/2008 Annual Site List.

No one contested this order.

Mettler County Water District, Kern County – Consideration of a Resolution Approving and Accepting the County of Kern’s Declaration of Potential Water Pollution and a Time Schedule for Compliance.

No one contested this order.

The above two items under “Other Business” falls under the Uncontested Items Calendar and was voted on together with the rest of the Uncontested Items.

NPDES PERMITS

Grizzly Lake Resort Improvement District, Delleker Wastewater Treatment Plant, Plumas County (renewal)

A public hearing was held. Ron Dystra presented the staff report. Jim Pedri, Assistant Executive Officer gave additional testimony.

MOTION: By Ms. Maki seconded by Ms. Hart to approve the NPDES Permit renewal. Unanimously approved.

ENFORCEMENT

Madison Community Services District, Madison Wastewater Treatment Facility, Yolo County – Consideration of a Time Schedule and Cease and Desist Order

A public hearing was held. Anne Olson presented the staff report. Mark List, Rio Refsland, Jai De Los Reyes and William Irvin gave additional testimony.

Kate Hart recused herself.

MOTION: By Ms. Mulholland seconded by Ms. Maki to adopt the Time Schedule Order and Cease and Desist Order. Approved by roll call vote of 6-0-1

BASIN PLANNING

Amendment to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins to Determine that Certain Beneficial Uses are not Applicable and Establish Water Quality Objectives in Sulphur Creek, Colusa County – Consideration of Adoption of Proposed

Amendment and Filing of Draft Environmental Documents.

A public hearing was held. Karen Larsen and Janice Cook presented the staff report. No one contested this order.

MOTION: By Ms. Hart seconded by Ms. Maki to adopt the proposed order. Unanimously approved

Basin Plan Amendment for a Mercury Control Program for the Sacramento-San Joaquin River Delta Estuary-Workshop to Receive Comments.

A public workshop was held to receive comments for a Basin Plan Amendment, regarding a Mercury Control Program. Patrick Morris presented the staff report. Michelle Wood, Vicky Fry, Bill Busath, David Guy, Rudy Rosen, Laurie Clammuro, Heidi Brooks, Michael Kent, Andria Ventura, Ric Murphy, Mary Snyder, Alice Jahair, Tom Mauer, Debra Denton, John Herrick, Paul Buttner and Ken Landau gave additional testimony.

The meeting was adjourned at 4:40 p.m. to the 3 /4 May Board Meeting.