



CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

MINUTES OF BOARD MEETING

May 30/31 2013
11020 Sun Center Drive, Suite 200
Rancho Cordova, California

THURSDAY MAY 30 2013, 9:00 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 526th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.

BOARD MEMBERS PRESENT

Costantino, Jon, Vice-Chair	Longley, Karl, Chair	Meraz, Sandra	Moffitt, Jenny Lester
Ramirez, Carmen	Schneider, Robert		

BOARD MEMBERS ABSENT

None

STATE BOARD STAFF PRESENT

Drabrandt, Laura

STAFF PRESENT

Altevogt, Andrew	DelFrate, Todd	Lanfranchi, Kiran	Perreira, Gayleen
Busby, Robert	Fischer, Mike	Loncarovich, Richard	Pulupa, Patrick
Chilcott, Jeanne	Gotham, Stacy	MacDonald, Alex	Rodgers, Clay
Coupe, David	Hartman, Jelena	Marshall, James	Smith, Bryan
Creedon, Pamela	Izzo, Victor	Mayer, Alex	Snyder, Clint
Day, George	Jimmerson, Dania	McConnell, Sue	Thayer, Elizabeth
Dekar, M	Landau, Ken	Morgan, Nichole	Vasquez, Michael

OTHERS PRESENT

Armstrong, Gabe	Dunn, Pat	Granquist, Nichole	Mysliwiec, Mitch
Berry, Travis, A	Edwards, Allen, G.	Harlow, Loren	Webster, Debbie
Boss, John	Garabedian, Michael	Hunt, Audrey	Wood, Becky
Brown, Gail	Given, Janet	Lien, Mike	
Cleavinger, Nancy	Given, Joseph D, Jr.	McClain, John	

APPROVAL OF MINUTES

MINUTES OF BOARD MEETING APRIL 11/12

Minutes of the April 11/12 board meeting were approved as written.

Motion by Member Costantino

Seconded by Member Meraz

Vice-Chair Moffitt abstained as she was not present at the April board meeting.

MINUTES OF BOARD WORKSHOP APRIL 25

Minutes of the April 25 workshop in Fresno were approved as written.

Motion by Member Ramirez

Seconded by Vice-Chair Moffitt

Members Schneider, Costantino and Meraz abstained as they did not attend the workshop in Fresno.

Approved by Roll Call Vote of 3-0-3

**AGENDA ITEM 3
BOARD COMMUNICATION**

Vice-Chair Jenny Lester Moffitt submitted the following via written submittal:

February 4, participated in the Water Board Chairs Conference Call
February 21, attended CalCAN Conference, UC Davis. Moderated a panel on nitrogen and agriculture
March 4, participated in the Water Board Chairs Conference Call
March 21, attended Central Valley Drinking Water Policy briefing with the workgroup, MWD Offices Sacramento
March 26, attended Grower-Sponsored tour of Kern County farming practices, Kern County
May 28, attended the Russell Ranch Field Day, UC Davis Agricultural Sustainability Institute, Davis, CA

**AGENDA ITEM 4
PUBLIC FORUM**

No one came forward to contest or comment on any items not on the agenda.

**AGENDA ITEM 5
EXECUTIVE OFFICER'S REPORT**

Executive Officer Pamela Creedon presented Superior Accomplishment awards to Todd DeFrate and Dania Jimmerson.

Chair Longley pointed out to the following on the Executive Officer's report:
Page 12 under the title "Outreach". He said that State Board Member, Tam Doduc was on vacation, but he encouraged board members to talk to the state board for our funding needs for IT facilities.

Page 13, item 6.5 "State Board's Consideration of Revision of General Order". Executive Officer Creedon said that she works on the steering committee on that project and so does Lonnie Wass of our Fresno office.

Executive Officer Creedon informed the Board that the Redding staff was trying to schedule a meeting in spring in Redding and asked the Board to give dates of their availability. The dates will be presented to the Board later in the year, together with the regularly scheduled board meeting dates.

Court Reporter was not present but will be coming in later. Dr. Longley asked everyone to speak clearly so that the meeting could be recorded properly.

**AGENDA ITEM 6
OTHER BUSINESS**

Emerald Bay Marine Manufacturing, Inc., 4801 Feather River Boulevard, Oroville, Butte County – Consideration of Administrative Civil Liability.

Even though no one was present to contest or comment on this item, Vice-Chair Moffitt requested staff presentation. George Day presented the staff report. David Coupe, Senior Legal Counsel informed the Board of some place holders on the Administrative Civil Liability. Laura Drabrandt, Legal Counsel, gave additional testimony.

*Motion to adopt Administrative Civil Liability with late revisions, made by Vice-Chair Moffitt
Seconded by Member Meraz
Approved by roll call vote of 5-0-0
BOARD ADOPTED ORDER R5-2013-0041*

Member Ramirez recused herself from voting.

**AGENDA ITEM 7
WASTE DISCHARGE REQUIREMENTS**

Nancy C. Cleavinger, Trustee of the NC Cleavinger Family Trust; Et Al., Florin Perkins Landfill Units, Closure and Corrective Action, Sacramento County – *Consideration of Revision of WDRs Order 95-196*

Victor Izzo presented the staff report. Loren Harlow (Nancy Cleavinger Trust), Nancy Cleavinger, Pat Dunn, Mike Lien, John Boss (Teichert) and Becky Wood (Teichert) gave additional testimony.

*Motion to adopt the Revised WDR Permit with late revisions, made by Member Schneider
Seconded by Vice-Chair Moffitt
Unanimously approved*

BOARD ADOPTED ORDER R5-2013-0042

**AGENDA ITEM 8
NPDES PERMITS**

City of Redding, Stillwater Wastewater Treatment Plant, Shasta County – *Consideration of NPDES Permit Renewal (NPDES Permit No. CA0082589)*

Bryan Smith presented the staff report. Ken Landau presented a report about discussions with CVCWA on the dilution-related issues. Debbie Webster (CVCWA) gave additional testimony.

*Motion to adopt the Revised WDR Permit with late revisions made by Member Schneider
Seconded by Vice-Chair Moffitt
Unanimously approved*

BOARD ADOPTED ORDER R5-2013-0043

AGENDA ITEM 9

City of Red Bluff, Red Bluff Wastewater Reclamation Facility, Tehama County – *Consideration of NPDES Permit Renewal (NPDES Permit No. CA0078891)*

Stacy Gotham presented the staff report. Debbie Webster (CVCWA) gave additional testimony. Bryan Smith answered clarifying questions for the Board.

*Motion to adopt NPDES Permit renewal made by Member Costantino
Seconded by Member Meraz and Ramirez
Unanimously approved*

BOARD ADOPTED ORDER R5-2013-0044

AGENDA ITEM 10

Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova, and Sacramento, and County of Sacramento, Phase I Municipal Separate Storm Sewer System, Sacramento County – *Consideration for Approval of the Hydromodification Management Plan (NPDES No. CAS0082597)*

(THIS ITEM WAS TAKEN OFF AGENDA)

AGENDA ITEM 11

City of Colfax, Wastewater Treatment Plant, Placer County – *Consideration of NPDES Permit Renewal (NPDES No. CA0079529) and Cease and Desist Order.*

Before the staff presentation, Senior Chief Counsel, David Coupe informed the Board of a letter which was received late, and requested the Board not to accept it into the records. Chair Longley did not accept the letter for the records.

Elizabeth Thayer presented the staff report. Gayleen Perreira, Michael Garabedian (Friends of the North Fork) Ken Landau, Gayleen Perreira, Dave Armstrong (City of Colfax), Mitch Mysliviec (Larry Walker and Associates) and Alan Edwards gave additional testimony.

*Motion to adopt NPDES Permit with late revisions and Cease and Desist Order, made by Member Schneider
Seconded by Member Ramirez
Approved by roll call vote of 6-0-0*

**BOARD ADOPTED ORDER R5-2013-0045 (NPDES PERMIT)
BOARD ADOPTED ORDER R5-2013-0046 (TSO)**

CLOSED SESSION AND LUNCH

The Board recessed for lunch at 12:20 p.m. to discuss the following closed session items pending litigation:

Page 6 items l, Eastern San Joaquin and item m, ILRP
Board meeting resumed at 1:30 p.m.

AGENDA ITEM 12

John Jacobi Dairy, Tulare County – *Consideration of Administrative Civil Liability Complaint R5-2013-0524 and Recommended Administrative Civil Liability Order*

(THIS ITEM WAS SETTLED AND REMOVED FROM THE AGENDA)

Board Meeting adjourned at 2:44 p.m. to the next day

FRIDAY MAY 31, 2013 – 9:00 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 526th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Costantino, Jon Longley, Karl, Chair Meraz, Sandra Moffitt, Jenny Lester
Schneider, Robert

BOARD MEMBERS ABSENT

Ramirez, Carmen

STATE BOARD MEMBERS PRESENT

None

STAFF PRESENT

Altevoigt, Andrew	Hallis, Debra	Laputz, Adam	Pulupa, Patrick
Brattain, Bill	Izzo, Victor	Loncarovich, Richard	Rodgers, Clay
Coupe, David	Karkoski, Joe	MacDonald, Alex	Snyder, Clint
Creedon, Pamela	Landau, Ken	Mayer, Alex	
Ditto, Robert	Lanfranchi, Kiran	Olson, Anne	

OTHERS PRESENT

Bell, Kevin	Johnson, Michael	Mount, Lacey	Sykora, Richard
Branch, Ross	Klassen, Parry	O'Brien, Art	Tanaka, Teresa

Buchanan, Bryan
DeJesus, Gary
Dion, Mitch
Gonzales, Norman
Houdesheldt, Bruce

Kretsinger, Vicki
Kubiak, Rachel
Luscher, David
Michel, David
Mills, Scott

Olson, Fred
Palmer, Charles
Patterson, Tom
Spaulding, Skip
Mount, Lacey

Waddin, Lara
Walker, Kevin
West, Doug
Zimmerman, Bill
Sykora, Richard

**AGENDA ITEM 15
BOARD MEMBER COMMUNICATIONS**

None

**AGENDA ITEM 16
PUBLIC FORUM**

No one came forward to comment on any item not on the agenda.

**AGENDA ITEM 17
EXECUTIVE OFFICER'S REPORT**

No comments were made. Executive Officer Pamela Creedon presented Superior Accomplishment award to Debra Hallis of the Redding office.

AGENDA ITEM 18 (Approval of uncontested items 21 through 28)

Adoption of agenda items 23 through 32 (See uncontested items on page 6)

**AGENDA ITEM 19
NPDES PERMITS**

Cutler Orosi Joint Powers Wastewater Authority, Wastewater Treatment Facility, Tulare County- Consideration of NPDES Permit Renewal (NPDES No. CA0081485)

No one came forward to contest or comment on this item.

*Motion to adopt NPDES Permit with late revisions and Time Schedule Order made by Vice-Chair Moffitt
Seconded by Member Schneider
Approved by roll call vote of 6-0-0*

**BOARD ADOPTED ORDER R5-2013-0047 (NPDES PERMIT)
BOARD ADOPTED ORDER R5-2013-0048 (TSO)**

OTHER BUSINESS

AGENDA ITEM 20

Update on Implementation of the Waste Discharge Requirements for Growers within the Eastern San Joaquin River Watershed- Informational Item Only

Joe Karkoski gave a brief overview of the stakeholder process and introduced Lisa Wilson who presented the staff report. Parry Klassen (Eastern San Joaquin Water Quality Coalition), Vicky Kretsinger (Grabert Luhdorff and Scalmanini Consulting Engineers) gave a presentation on Groundwater Quality Assessment Report. Bruce Houdesheldt, David Cory (Adam Laputz spoke

CLOSED SESSION AND LUNCH

**AGENDA ITEM 21
ENFORCEMENT**

Richard Sykora, Red Ink and Big Seam Mine, Placer County – *Consideration of Administrative Civil Liability Order*

Robert Ditto presented the staff report. Steve Rosenbaum discussed enforcement actions. Richard Sykora, Ross Branch and Norman Gonzales (Senator McClintock's office), Ken Landau and Pamela Creedon gave additional testimony.

*Motion to adopt the made by Member Schneider
Seconded by Vice-Chair Moffitt
Unanimously approved
BOARD ADOPTED ORDER R5-2013-49*

AGENDA ITEM 22

Toyautomart, Sacramento County – *Consideration of Administrative Civil Liability Order*

A public hearing was held. No one came forward to contest or comment on this item.

*Motion to adopt the made by Member Schneider
Seconded by Vice-Chair Moffitt
Unanimously approved
BOARD ADOPTED ORDER R5-2013-0050*

The Board meeting was adjourned at 12:38 p.m. to the July 25/26 Board meeting

UNCONTESTED CALENDAR

ENFORCEMENT

AGENDA ITEM 23

NPDES PERMITS

Placer County Department of Facility Services, Placer County Sewer Maintenance District No. 1 Wastewater Treatment Plant, Placer County – *Consideration of Order Amending Cease and Desist Order R5-2010-0093 (NPDES No. CA0079316)*

BOARD ADOPTED ORDER R5-2013-0051

AGENDA ITEM 24

City of Atwater, Atwater Regional Wastewater Treatment Facility, Merced County – *Consideration of Time Schedule Order for Waste Discharge Requirements Order R5-2011-0082 (NPDES No. CA0085308)*

BOARD ADOPTED ORDER R5-2013-0052

AGENDA ITEM 25

OTHER BUSINESS

Consideration of a Resolution for Authorization for the Executive Officer to Apply for Funds from the State Water Pollution Cleanup and Abatement Account for the Penn Mine Landfill Final Cover Partial Reconstruction Project.

BOARD ADOPTED ORDER R5-2013-0053

AGENDA ITEM 26

WASTE DISCHARGE REQUIREMENTS

- a. Aera Energy, LLC, North Surface Impoundments, North Belridge Oil Field, Kern County, *WDR Order 58-183 (Revised)* **BOARD ADOPTED ORDER R5-2013-0054**
- b. California Department of State Hospitals, Coalinga State Hospital, Fresno County (*New*) **BOARD ADOPTED ORDER R5-2013-0055**
- c. Chevron USA, Inc., Section 29, Lost Hills Oil Field, Kern County, *WDR Order R5-2005-0134 (Revised)* **BOARD ADOPTED ORDER R5-2013-0056**
- d. County of Kern, Lebec Sanitary Landfill, Kern County, *WDR Order R5- 98-078 (Revised)* **BOARD ADOPTED ORDER R5-2013-0057**

- e. County of Tulare, Balance Rock Municipal Solid Waste Landfill Tulare County, WDR Order R5-01-164 (Revised) **BOARD ADOPTED ORDER R5-2013-0058**
- f. County of Tulare, Visalia Municipal Solid Waste Landfill, Tulare County WDR Order R5-2003-0146 (Revised) **BOARD ADOPTED ORDER R5-2013-0059**
- g. Dr. Richard L. Miller, Class C Mining Waste Remediation Repository, Conditional Waiver, Colusa County (New) **BOARD ADOPTED ORDER R5-2013-0060**
- h. ExxonMobil Production Company, Hill Lease, South Belridge Oil Field, Kern County, WDR Order R5-2004-0080 (Revised) **BOARD ADOPTED ORDER R5-2013-0061**
- i. Mariposa County, Don Pedro Sewer Zone 1, Wastewater Treatment Facility, Mariposa County (new) **BOARD ADOPTED ORDER R5-2013-0062**
- j. Melbourne Allenbaugh and Steve Allenbaugh, and the United States Department of Agriculture, Forest Service, Mayflower Mine, Sierra County (New) **BOARD ADOPTED ORDER R5-2013-0063**
- k. Murphys Sanitary District, Murphys Wastewater Treatment Plant, Calaveras County, WDR Order 5-00-264 (Amendment) **BOARD ADOPTED ORDER R5-2013-0064**
- l. Napa Berryessa Resort Improvement District, Napa Berryessa Wastewater Treatment Facility, Napa County, WDR order 95-173 (Revision) **BOARD ADOPTED ORDER R5-2013-0065**
- m. Olson Meat Company, Inc., Meat Packing Facility, Glenn County (New) **BOARD ADOPTED ORDER R5-2013-0066**
- n. Oroville Landfill Properties, Oroville Landfill Properties LLC, Jack M. Steebles LLC, Carol Ann Seidenglanz LLC, and Steven Conn Seidenglanz LLC, Oroville Landfill Properties Class III Wood Waste Landfill, Butte County, WDR Order R5-2007-0042 (Revision) **BOARD ADOPTED ORDER R5-2013-0067**
- o. Salad Cosmo U.S.A. Corporation, Dixon Sprout Facility, Solano County, WDR Order R5-2003-0159 (Revision) **BOARD ADOPTED ORDER R5-2013-0068**
- p. San Joaquin Wine Company, Inc., Winery, Madera County (New) **BOARD ADOPTED ORDER R5-2013-0069**
- q. The BNSF Railway Company, BNSF Stockton Intermodal Facility, Class II Surface Impoundment, San Joaquin County Order R5-2000-0133 (Update) **BOARD ADOPTED ORDER R5-2013-0070**

Member Schneider abstained from voting on agenda item 26g.

There were late revisions on agenda item 25

AGENDA ITEM 27 NPDES PERMITS

- a. Meridian Beartrack Company, Royal Mountain King Mine, Calaveras County (NPDES CA0085243) (Renewal) **BOARD ADOPTED ORDER R5-2013-0071**
- b. Calaveras County Water District, Copper Cove Wastewater Reclamation Facility and Saddle Creek Golf Course, L.P., Calaveras County, (NPDES CA0084620) (Renewal) **BOARD ADOPTED ORDER R5-2013-0072**
- c. General Waste Discharge Requirements for Limited Threat Discharges to Surface Waters, (NPDES CAG995002) (Renewal) **BOARD ADOPTED ORDER R5-2013-0073**
- d. General Waste Discharge Requirements for Dewatering and Other Low Threat Discharges to Surface Waters, (NPDES CAG995001) (Renewal) **BOARD ADOPTED ORDER R5-2013-0074**
- e. General Waste Discharge Requirements for Discharge to Surface Waters of Groundwater from Cleanup of Petroleum Fuel Pollution (NPDES CAG915001) (Renewal) **BOARD ADOPTED ORDER R5-2013-0075**
- f. Placer County Department of Facility Services, Placer County Sewer Maintenance District No. 3 Wastewater Treatment Plant, Placer County – NPDES Permit Renewal (NPDES No. CA0079367) and Cease and Desist Order (New) **BOARD ADOPTED ORDER R5-2013-0076**
- g. City of Roseville, Pleasant Grove Wastewater Treatment Plant, Placer County, Order R5-2008-0079 (NPDES Permit No. CA0084573) (Amendment) **BOARD ADOPTED ORDER R5-2013-0077**

- h. City of Roseville, Dry Creek Wastewater Treatment Plant, Placer County, Order R5-2008-0077 (NPDES Permit No. CA0079502) (Amendment) **BOARD ADOPTED ORDER R5-2013-0078**

STORMWATER

AGENDA ITEM 28

City of Modesto, Phase I Municipal Separate Storm Sewer System, Stanislaus County – Consideration for Approval of the Revised Guidance Manual for New Development for Storm Water Quality Control (NPDES No. CAS0083526) **BOARD ADOPTED ORDER R5-2013-0079**

AGENDA ITEM 29

Fresno Metropolitan Flood Control District, City of Fresno, City of Clovis, County of Fresno, and California State University Fresno, Storm Water Discharges From Municipal Separate Storm Sewer System, Fresno County – Consideration of NPDES Storm Water Permit Renewal (NPDES No. CA0083500) **BOARD ADOPTED ORDER R5-2013-0080**

AGENDA ITEM 30

CEASE AND DESIST (CDO), TIME SCHEDULE (TSO) ORDERS RESCISSIONS

- a) City of Auburn, Wastewater Treatment Plant, Placer County, CDO R5-2010-0091 and R5-2010-0091-01 **BOARD ADOPTED ORDER R5-2013-0081**
- b) City of McFarland, Wastewater Treatment Facility, Kern County, CDO R5-2008-0075 **BOARD ADOPTED ORDER R5-2013-0082**
- c) City of Rio Vista, Trilogy WWTP, Solano County, CDO R5-2004-0093 **BOARD ADOPTED ORDER R5-2013-0083**
- d) Mariposa County, Don Pedro Sewer Zone 1, Wastewater Treatment Facility, Mariposa County, CDO 94-282 and Special Order 97-017 **BOARD ADOPTED ORDER R5-2013-0084**
- e) Nevada County Sanitation District No. 1, Lake Wildwood WWTP, TSO R5-2009-0005 **BOARD ADOPTED ORDER R5-2013-0085**
- f) U.S. Bureau of Reclamation, Sliger Mine, El Dorado County, CDO R5-2003-0002 and R5-2003-0002 Amendment No. 1 **BOARD ADOPTED ORDER R5-2013-0086**

AGENDA ITEM 31

WDR/NPDES RESCISSIONS

BOARD ADOPTED ORDER R5-2013-0087

- a) Berry Petroleum Company, Poso Creek/McVan Facility, Poso Creek Oil Field, Kern County, Order R5-2007-0064 (NPDES Permit No. CA0078867)
- b) Black Butte Recreation Area Wastewater Treatment and Disposal System, U.S. Army Corps of Engineers, Tehama and Glenn Counties, Order 91-093
- c) Butte County Service Area No. 169-1, Pheasant Landing Subdivision, Butte County, Order 97-007
- d) Ishi Conservation Camp Wastewater Treatment and Disposal System, Ishi Conservation Camp, Tehama County, Order 99-057
- e) Lakeview Marina Resort and U.S. Department of Agriculture Forest Service, Shasta County, Order 5-01-228
- f) Salt Creek Conservation Camp Wastewater Treatment and Disposal System, Salt Creek Conservation Camp, Tehama County, Order 94-150
- g) Sunset Moulding Company Wastewater Treatment and Disposal System, Butte County, Order 93-131

AGENDA ITEM 32

CHANGE OF NAME AND/OR OWNERSHIP

BOARD ADOPTED ORDER R5-2013-0088

- a) Sun Garden-Gangi Canning Company, LLC, Merced County, Order 96-205
- b) Sunkist Growers, Inc., Tulare County, Order 99-040

*Motion to adopt Uncontested Agenda items 23 through 32 with late revisions on agenda item 25 and, and excluding agenda item 26g, made by Member Costantino
Seconded by Member Schneider
Approved by roll call vote of 6-0-0*

*Motion to adopt Uncontested Agenda item 26g, made by Member Costantino
Seconded by Vice-Chair Moffitt
Approved by roll call vote of 5-0-0
Member Schneider abstained from voting on agenda item 26g*

Respectfully submitted by
Kiran Lanfranchi-Rizzardi
Clerk to the Board