



MINUTES OF ACL PANEL HEARINGS

November 3-4, 2016
 Central Valley Regional Water Board
 1685 E. Street, Fresno, CA 93706

THURSDAY, NOVEMBER 3, 2016

Chair Longley called to order the Board ACL Panel Hearing of the Central Valley Regional Water Quality Control Board

BOARD MEMBERS PRESENT

Costantino, Jon	Kadara, Denise, Vice-Chair	Longley, Karl, Chair	
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BOARD MEMBERS ABSENT

Ramirez, Carmen	Schneider, Bob		
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STATE BOARD OFFICE OF CHIEF COUNSEL STAFF AND OTHER STAFF PRESENT

Deeringer, Andrew	Ellison, Kailyn	Loscutoff, Susan	Pulupa, Patrick
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STAFF PRESENT

Altevogt, Andrew	Hatton, Scott	Moreno, Roberto	Warren, Eric
Barnes, Patrick	Jones, Henry	Ouimette, Wesley	Wass, Lonnie
Bechtel, Terry	Laputz, Adam	Patteson, Doug	West, Ryan
Ellison, Marcus	Lopez, Alejandra	Rodgers, Clay	Yuen, Scott
Essary, Dale	Lopez-Narvaez, Zaira	Sholes, David	
Garrigus, George	McConnell, Sue	Stevens, Brett	
Harvey, Dale	Merino, Mercedes	Tammali, Balraj	

OTHERS PRESENT

Bath, Arect	Crow, Terry	Magdic, Joseph Jr.	Soto, Jose
Bath, Baldev	Freeman, Russ	Manjal, Gurjit	Winther, Jarrett
Cowin, William	Gallock, Charlotte	Mopes, heather	
Creamer, Casey	Kipps, JoAnne	Sinks, William	

AGENDA ITEM 6

Baldev & Kamaljit Bath, Fresno County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Dave Sholes, Senior Engineering Geologist in the Fresno office, presented the staff report

*Motion to approve staff recommendation
 Made by Member Costantino
 Seconded by Vice-Chair Kadara
 Member Costantino-Aye
 Vice-Chair Kadara-Aye
 Chair Longley-Aye
 Motion was approved by Roll Call Vote of 3-0-0*

*Motion to approve recommendation for \$19965.00
Made by Chair Longley
Seconded by Vice-Chair Kadara
Member Costantino-Nay
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion was approved by Roll Call Vote of 2-0-1*

AGENDA ITEM 7

Alex V. & Vera A. Kobets, Fresno County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Henry Jones, Engineering Geologist in the Fresno office, presented the staff report

*Motion to approve recommendation for \$10,000.00
Made by Vice-Chair Kadara
Seconded by Member Costantino
Member Costantino-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion was approved by Roll Call Vote of 3-0-0*

AGENDA ITEM 8

~~Jim & Vera Kurnosoff, as individuals and in their representative capacity as trustees for the J & V Revocable Trust, Fresno County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*~~ **AGENDA ITEM 8 WAS REMOVED FROM THE AGENDA**

AGENDA ITEM 9

Gurmail Kaur, Madera County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Brett Stevens, Senior Environmental Scientist in the Sacramento office, presented the staff report

*Motion to approve recommendation for \$4659.00
Made by Member Costantino
Member Costantino-Aye
Vice-Chair Kadara-Nay
Chair Longley-Nay
Motion was denied by Roll Call Vote of 1-0-2*

*Motion to approve recommendation for \$19965.00
Made by Chair Longley
Seconded by Vice-Chair Kadara
Member Costantino-Nay
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion was approved by Roll Call Vote of 2-0-1*

AGENDA ITEM 10

Joseph Magdic Jr., Madera County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Wes Quimette, Engineering Geologist in the Sacramento office, presented the staff report

*Motion to reject the recommendation of the Prosecution Team. The Board expects Magdic to be in full compliance
Made by Chair Longley
Seconded by Vice Chair Kadara
Member Costantino-Aye
Vice-Chair Kadara -Aye
Chair Longley-Aye
Motion approved by Roll Call Vote of 3-0-0*

AGENDA ITEM 11

William and Maria Egleston, Merced County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Terry Bechtel, Environmental Scientist in the Sacramento office, presented the staff report

*Motion to approve recommendation for \$23,716
Made by Member Costantino
Seconded by Vice-Chair Kadara
Member Costantino-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion was approved by Roll Call Vote of 3-0-0*

AGENDA ITEM 12

~~Brooks & Arlene Rushing, as Individuals and in Their Representative Capacity as Trustees for the Brooks J & Arlene J Rushing Trust, Stanislaus County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*~~ **AGENDA ITEM 12 WAS MOVED TO FRIDAY**

AGENDA ITEM 13

William R. Sinks et al., Madera County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Brett Stevens, Senior Environmental Scientist in the Sacramento office, presented the staff report

*Motion to approve recommendation for Settlement Agreement
Made by Member Costantino
Seconded by Vice-Chair Kadara
Member Costantino-Aye
Vice-Chair Kadara-Aye
Chair Longley-Nay
Motion approved by Roll Call Vote of 2-1*

The Board Hearing adjourned at 3.25 p.m. to the next day

FRIDAY, NOVEMBER 4, 2016

Chair Longley called to order the Board ACL Panel Hearing of the Central Valley Regional Water Quality Control Board
BOARD MEMBERS PRESENT

Kadara, Denise, Vice-Chair	Longley, Karl, Chair	Ramirez, Carmen	
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BOARD MEMBERS ABSENT

Costantino, Jon	Schneider, Bob		
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STATE BOARD OFFICE OF CHIEF COUNSEL STAFF AND OTHER STAFF PRESENT

Deeringer, Andrew	Ellison, Kailyn	Loscutoff, Susan	Pulupa, Patrick
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STAFF PRESENT

Altevogt, Andrew	Laputz, Adam	Quimette, Wesley	Wass, Lonnie
Barnes, Patrick	Lopez, Alejandra	Rodgers, Clay	West, Ryan
Bechtel, Terry	Lopez-Narvaez, Zaira	Sholes, David	Yuen, Scott
Baumann, Denise	McConnell, Sue	Stevens, Brett	
Ellison, Marcus	Merino, Mercedes	Tammali, Balraj	
Jones, Henry	Moreno, Roberto	Warren, Eric	

OTHERS PRESENT

Baca, Gilbert	Creamer, Casey	Rushing, A. J.	Singh, Hirdav
Bounds, Emma	Harris, Justin	Silveira, Joe	Stearns, Trevor
Bounds, Monty	Marroquin, Gilbert	Singh, Gurjiv	

AGENDA ITEM 12

Brooks & Arlene Rushing, as Individuals and in Their Representative Capacity as Trustees for the Brooks J & Arlene J Rushing Trust, Stanislaus County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability.* **AGENDA ITEM 12 WAS MOVED FROM THURSDAY**

Wes Quimette, Engineering Geologist in the Sacramento office, presented the staff report

*Motion to approve recommendation for \$12,500.00 with factors as justice requires
Made by Member Ramirez
Seconded by Vice-Chair Kadara
Member Ramirez-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion approved by Roll Call Vote of 3-0-0*

AGENDA ITEM 18

Gilbert & Enedina Marroquin, Tulare County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Eric Warren, Water Resource Engineer in the Fresno office, presented the staff report

*Motion to approve recommendation for \$30,030.00 with statement on economic minimum
Made by Vice-Chair Kadara
Seconded by Member Ramirez
Member Ramirez-Nay
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion approved by Roll Call Vote of 2-0-1*

AGENDA ITEM 19

Emma J. Bounds, as an Individual and as Trustee for the Bounds Family Trust, Madera County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Brett Stevens, Senior Environmental Scientist in the Sacramento office, presented the staff report

*Motion to approve recommendation for amendment with language change on minimum economic benefit
Made by Vice-Chair Kadara
Seconded by Member Ramirez
Member Ramirez-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion approved by Roll Call Vote of 3-0-0*

AGENDA ITEM 20

Joe Silveira, Merced County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Member Ramirez recused herself because she knows Silveira’s sister

This item will be heard by the full Board at the December Board meeting

AGENDA ITEM 21

Singh Farms, LLC, Madera County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Brett Stevens, Senior Environmental Scientist in the Sacramento office, presented the staff report

*Motion to approve recommendation for \$46,475.00 and additional language on minimum economic benefit
Made by Member Ramirez
Seconded by Vice-Chair Kadara
Member Ramirez-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion was approved by Roll Call Vote of 3-0-0*

AGENDA ITEM 22

Victor Produce, Inc., Merced County – *Panel Hearing to Consider Recommending that the Central Valley Water Board Impose Administrative Civil Liability*

Terry Bechtel, Environmental Scientist in the Sacramento office, presented the staff report

*Motion to approve recommendation for \$15210.00
Made by Member Ramirez
Seconded by Vice-Chair Kadara
Member Ramirez-Aye
Vice-Chair Kadara-Nay
Chair Longley-Nay
Motion was denied by Roll Call Vote of 1-0-2*

*Motion to approve recommendation for \$18590.00
Made by Vice-Chair Kadara
Seconded by Member Ramirez
Member Ramirez-Aye
Vice-Chair Kadara-Aye
Chair Longley-Aye
Motion was approved by Roll Call Vote of 3-0-0*

Board Hearing adjourned at 3.45 p.m.to the regular board meeting on December 5-6, 2016