

# **CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD**

## **566th BOARD MEETING MINUTES THURSDAY, 5 DECEMBER 2019 FRIDAY, 6 DECEMBER 2019**

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**BOARD MEETING LOCATION:  
CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD  
11020 SUN CENTER DRIVE, SUITE 200  
RANCHO CORDOVA, CA 95670**

### **BOARD MEMBERS PRESENT**

Bradford, Mark                      Brar, Raji                      Kadara, Denise  
Longley, Karl                      Ramirez, Carmen

### **BOARD MEMBERS ABSENT**

None

### **STATE WATER BOARD MEMBERS PRESENT**

Doduc, Tam

### **STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT STAFF PRESENT**

Jahr, Jessica                      Toft-Dupuy, Bayley  
Lancaster, David                      Wadhvani, Emel

### **STATE WATER BOARD STAFF PRESENT**

Labrado, Lisa  
Bucknam, Stephanie

## **REGIONAL BOARD STAFF PRESENT**

Brown, Janelle	Lanfranchi, Kiran	Peters, Ashley	Wenzel, Alisha
Busby, Robert	Laputz, Adam	Pulupa, Patrick	White, Nicholas
Chow, Bob	Martin, Holly	Rapport, Eric	Wilson, Angela
Cooke, James	McConnell, Sue	Rodgers, Clay	Yang, Jenna
Coughlin, Gene	Minkel, Peter	Shelton, Brad	Yee, Keri
Hatton, Scott	Mostafa, Omar	Smith, Bryan	
Hendricks, Greg	Muhl, Rich	Snapp, Michele	
Holmes, Kari	Nguyen-Tan, Angela	Snyder, Clint	
LaBay, Jennifer	Pelkofer, Tyson	Tadlock, Stephanie	

## **ADDITIONAL ATTENDEES PRESENT WHO WERE IDENTIFIED:**

Adams, Sayana	Cory, David	Liu, Yuan	Stroshane, Tim
Anderson, David	Cox, James	Looney, Mariah	Thibault, Roger
Barron, Sally	Culton, Molly	Lynes, Mike	Volberg, Jeffrey
Barut, Elaine	Dunham, Tess	Mintun, Jonas	Wehr, Ellen
Bobker, Gary	Fuss, Eugene	Ortega, Ric	Wilson, Ellen
Brisbane, Miniya -Joy	Hatten, Nicholas	Ring-Martinez, Cori	
Chichizola, Regina	Hernandez, Ryan	Stokely, Tom	

## **CALL TO ORDER:**

Chair Longley called the 566th Board meeting to order and made introductions

Executive Officer Pulupa introduced staff

Member Bradford led the Pledge of Allegiance

## **AGENDA ITEM 2–BOARD MEMBER COMMUNICATIONS**

### **Member Bradford submitted the following communications:**

- Member Bradford said that the Governor reappointed him to the Board for another term
- Member Bradford also said that he attended the two-day Water Quality Coordinating Committee meeting (WQCC) at the State Water Board on 29/30 October.

### **Chair Longley submitted the following communications:**

- 16 October attended & provided testimony at State Water Board CV-SALTS hearing where basin plan amendments were approved
- 23 October, viewed OEHAA “Right to Water” on-line course
- 23 October, participated in CV-SALTS Executive Committee Meeting, Sacramento County Regional Sanitation District

- 29/30 October participated in WQCC meeting, including serving as panel member
- 4 November participated in monthly Regional Boards Chairs' meeting
- 7 November participated in CV-SALTS Executive Committee Meeting
- 14 November participated in Food Safety Panel meeting
- 14 November participated in monthly Regional Boards Chairs' meeting via teleconference

**Member Denise Kadara submitted the following communications:**

- 16 October, attended the CV-SALTS hearing at the State Water Board
- 29/30 October attended the WQCC meeting at the State Water Board
- 12 November attended the Tri County Water Authority hearing in Allensworth regarding Groundwater Sustainability.
- Commented that the Allensworth community received a \$30k grant from USEPA for a work-based learning program with UC Berkeley to train future environmental stewards.

**State Water Board Liaison Update**

State Water Board Member Tam Doduc briefed the Board on a two-day technical workshop at the CALEPA building on PFAS that brought together variety of experts. Board Member Tam Doduc also highlighted an online technical interactive map for PFAS that has been under development by the Division of Drinking Water.

The Division of Water Rights staff released a streamlined permitting process for diversion of surface water during high flows for groundwater recharge.

Executive Officer Pulupa thanked Ms. Doduc and promised to work with State Water Board to further brief the Central Valley Water Board on PFAS and PFOA issues.

**AGENDA ITEM 3–PUBLIC FORUM**

Sally Barron, representing herself, made comments regarding water quality violations at Mule Creek State Prison in Ione. Executive Officer Pulupa responded to Ms. Barron's comments and answered questions for the Board. He said that the Board will hold an informational item when a sampling plan is completed and when a settlement has been reached.

Cori Martinez, Sacramento Program Coordinator for Environmental Justice Coalition for Water, spoke about homelessness and impacts on our water and access of water for human consumption. Executive Officer Pulupa answered clarifying questions for the Board.

## **AGENDA ITEM 14–ADOPTION OF UNCONTESTED CALENDAR ITEMS 17 to 20**

(This item was moved from Friday’s calendar)

Assistant Executive Officer Adam Laputz announced the late revisions on Agenda Item 18c. He said that the dischargers had no issues with the revisions

Teri Jackson, spoke in support of Agenda Item 17b. He also thanked staff for their coordination with him.

## **AGENDA ITEM 17–NPDES PERMITS**

- a. Bear Valley Water District, Bear Valley Wastewater Treatment Facility, Alpine County – Amendment to Order R5-2016-0045-01 (NPDES Permit CA0085146)
- b. Cold Water Concentrated Aquatic Animal Production Facility Discharges – Renewal of Permit (NPDES Permit CAG135001)
- c. City of Turlock, Regional Water Quality Control Facility, Stanislaus County – Amendment to Order R5-2015-0027 (NPDES Permit CA0078948)
- d. Linda County Water District, Wastewater Treatment Plant, Yuba and Sutter Counties – Amendment to Order R5-2017-0094 (NPDES Permit CA0079651)
- e. Town of Discovery Bay Community Services District, Discovery Bay Wastewater Treatment Plant, Contra Costa County – Renewal of Permit (NPDES Permit CA0078590)

## **AGENDA ITEM 18–WASTE DISCHARGE REQUIREMENTS**

- a. County of Tulare, Orosi Solid Waste Landfill, Tulare County – Revision of Order R5-2009-0107 and Rescission of Order R5-2010-0107
- b. Gunner Ranch, Inc. and Madera County Service Area #22C, Gunner Ranch Wastewater Reclamation Plant, Madera County – New Waste Discharge Requirements
- c. Tejon-Castac Water District and Tejon Ranchcorp, Tejon Mountain Village Water Resource Recovery Facility, Kern County – New Waste Discharge Requirements
- d. United States Air Force, Beale Air Force Base Wastewater Treatment Plant, Yuba County – New Waste Discharge Requirements

## **AGENDA ITEM 19–RESCISSIONS**

- a. Bidwell Canyon Marina, Butte County – Order 95-203
- b. City of Redding, Buckeye Water Treatment Plant, Shasta County, Order 95-006
- c. Butte-Glenn Community College District, Butte County – Order R5-2003-0143
- d. City of Turlock, Regional Water Quality Control Facility, Time Schedule Order R5-2014-0901 (NPDES Permit CA0078948)
- e. Frenchman Lake Recreation Area, Plumas County – Order 94-354

- f. General Waste Discharge Requirements/NPDES Permit for Dewatering and Other Low Threat Discharges to Surface Waters, Order R5-2013-0074 (NPDES Permit CAG995001)
- g. Holland Riverside Marina and Delta Waterways Management, Holland Riverside Marina WWTF, Contra Costa County – 5-01-093
- h. Shasta Livestock Auction Yard, Shasta County – 93-180
- i. Sierra Unified School District, Sierra Joint Union High School Wastewater Treatment Facility, Fresno County – Order 85-230
- j. Sugarloaf Marina and Resort, Shasta County – Order R5-2007-0103
- k. United States Department of the Air Force, Air Force Real Property Agency, Former McClellan Air Force Base, Groundwater Extraction and Treatment System, Sacramento County – Order R5-2014-0055 (NPDES Permit CA0081850)

**AGENDA ITEM 20–CHANGE OF NAME AND/OR OWNERSHIP**

- a. Greenstone Estates MHP, Greenstone Estates MHP WWTF, El Dorado County – Order 97-247

**AGENDA ITEM 15–DISCUSS 2020 BOARD CALENDAR (This item was moved from Friday’s calendar)**

The Board Members approved and adopted the following dates for 2020 Board meetings:

- 20/21 February
- 16/17 April (Bakersfield, CA)
- 4/5 June
- 13/14 August
- 15/16 October (Redding, CA)
- 10/11 December

Motion to adopt the 2020 Board meeting calendar with dates as proposed:

Motion Made by: Vice-Chair Ramirez  
 Seconded by: Member Kadara  
 Member Kadara: Yes  
 Member Bradford: Yes  
 Member Brar: Yes  
 Vice-Chair Ramirez: Yes  
 Chair Longley: Yes  
 Approved by roll call vote of 5-0-0

Member Ramirez said that she will be absent at the February and April meetings

## **AGENDA ITEM 4–EXECUTIVE OFFICER’S REPORT (EO)**

Member Kadara asked about oil spills as reported in the EO report. Executive Officer Pulupa provided pertinent answers to Member Kadara.

### **PRESENTATION OF RESOLUTION BY CHAIR LONGLEY**

Chair Longley presented outgoing Board Member, Robert Schneider with a resolution for his dedication, commitment and a very long tenure on the Board

Member Schneider thanked the Board and staff and commended them on the great job that they do in protecting the waters of California

### **PRESENTATION OF SUSTAINED SUPERIOR ACCOMPLISHMENT TEAM AWARD:**

Executive Officer Patrick Pulupa presented Sustained Superior Accomplishment Awards to the staff of the Central Valley Water Board’s Redding and Sacramento Offices as well as staff at State Water Board’s Division of Financial Assistance (DFA) and Division of Information Technology (DIT) for their work related to wildfire response activities during 2018, 2019 and continuing.

- Stacy Alexander, Environmental Scientist
- Krista Aschenbrener, Scientific Aid
- Natalie Bainbridge, Scientific Aid
- Heidi Bauer, Sanitary Engineering Associate
- Debbie Behnke, Seasonal Clerk
- Jorge Beltran, Water Resource Control Engineer
- Bill Bergman, Environmental Scientist
- Elizabeth Betancourt, Senior Environmental Scientist
- Matt Boone, Senior Environmental Scientist
- Ashley Bonsey, Seasonal Clerk
- Ronna Bowers, Engineering Geologist
- Colt Brockman, Environmental Scientist
- Melissa Buciak, Engineering Geologist
- Stephanie Bucknam, Information Technology Specialist I
- Kate Burger, Senior Engineering Geologist
- Guy Chetelat, Engineering Geologist
- Michael Collins, Water Resource Control Engineer
- Ryan Cornwall, Water Resource Control Engineer
- Lynn Coster, Senior Environmental Scientist
- Michael Crook, Environmental Scientist
- Nathan Cullen, Environmental Scientist
- Patrick DeCarvalho, Water Resource Control Engineer
- Ron Falkowski, Engineering Geologist

- Jerred Furguson, Scientific Aid
- Monique Gaido, Engineering Geologist
- Katie Gilman, Associate Government Program Analyst
- Marisol Gonzalez, Engineering Geologist
- Stacy Gotham, Water Resource Control Engineer
- Debra Hallis, Engineering Geologist
- Crystal Hanson, Seasonal Clerk
- Kelly Hickcox, Engineering Geologist
- Courtney Kasich, Office Technician
- Lisa Labrado, Staff Services Manager I
- Richard Muhl, Senior Environmental Scientist, Specialist
- Justin LaNier, Engineering Geologist
- George Low, Senior Engineering Geologist
- Harihar Nepal, Environmental Scientist
- Mike Nilsen, Water Resource Control Engineer
- Jeremy Pagan, Senior Water Resource Control Engineer
- Michael Parker, Engineering Geologist
- Griffin Perea, Senior Engineering Geologist
- Eric Rapport, Senior Engineering Geologist, Specialist
- Valerie Rasmussen, Water Resource Control Engineer
- Jason Schroeder, Engineering Geologist
- Kate Sjoberg, Engineering Geologist
- Bryan Smith, Supervising Water Resource Control Engineer
- Rebecca Tabor, Water Resource Control Engineer
- Dan Warner, Water Resource Control Engineer
- Alisha Wenzel, Engineering Geologist
- Daniel Whitley, Environmental Scientist
- Angela Wilson, Supervising Engineering Geologist
- Gretchen Woessner, Environmental Scientist
- Scott Zaitz, Environmental Scientist

**PRESENTATION OF SUPERIOR ACCOMPLISHMENT AWARDS:**

Executive Officer Pulupa presented Superior Accomplishment Awards to the following staff:

- Eric Rapport, Senior Engineering Geologist in the Redding Office
- Omar Mostafa, Water Resources Control Engineer in the Fresno Office

## **AGENDA ITEM 5**

Pacific Gas and Electric, Former Geothermal Inc. Landfill, Lake County – Consideration of New Waste Discharge Requirements (Hearing continued from the October Board meeting)

No one was present to contest or comment on this item

Brad Shelton (Senior in the Title 27 unit) mentioned two late revisions to the order. He said one late revision was a finding and the other, a provision. He said that the tribe agreed with the revisions and discussions also took place with PG & E and they had no objections.

Robert Busby (Supervisor in the Title 27 unit) said that some of the due dates on the order have been moved up by a couple of months

Executive Officer further reiterated that the tribe was okay with the changes to the Waste Discharge Requirements order. He suggested adopting the order with the late revisions.

Motion to adopt the Waste Discharge Requirements with late revisions

Motion Made by: Vice–Chair Ramirez  
Seconded by: Member Kadara  
Member Kadara: Yes  
Member Bradford: Yes  
Member Brar: Yes Vice-  
Chair Ramirez: Yes  
Chair Longley: Yes  
Approved by roll call vote of 5-0-0

## **AGENDA ITEM 6**

Waste Discharge Requirements for San Luis & Delta-Mendota Water Authority and United States Department of the Interior Bureau of Reclamation, Surface Water Discharges from the Grassland Bypass Project – Consideration of a Revised Order R5-2015-0094

Sue McConnell (Supervising Water Resources Control Engineer) presented the staff report and informed the Board about late comments which were received, and concerns raised in the comment letters were addressed by staff.

Jessica Jahr, Senior Legal Counsel answered questions for the Board



## **PANELS:**

### **San Luis and Delta Mendota Water Authority**

David Cory (farmer within the Grassland Drainage Area) spoke about the environmental benefits of the Grassland Bypass Project.

Joe McGahan (Coordinator for the Grassland Bypass Project at Summers Engineering) spoke about the current status.

### **Testimony by Tribal and Environmental Justice Panel:**

- Regina Chichizola
- Tom Stokely

## **CLOSED SESSION/LUNCH**

The Board recessed for lunch at 1:04 p.m.

Senior Legal Counsel Jessica Jahr announced the following items to be discussed during closed session, under Litigation filed against the Central Valley Water Board and/or the State Water Board:

(h) Valley Water Management Company v. Central Valley Reg'l Water Quality Control Bd., (Kern County Superior Court Case No. BCV-19-101750).

(i) 2019 ACLO to Kongkeo Khamvongsa and Alexandra Kensavath – Kongkeo Khamvongsa et al. v. Central Valley Reg'l Water Quality Control Bd. (Shasta Superior Court Case No. 193748)

Board Meeting resumed at 1:45 p.m.

### **Testimony by Interested Persons:**

- Elaine Barut
- Nicholas Hatten (Restore the Delta)
- Miniya Joy-Brisbane
- Sayana Adams
- Tim Stroshane (Restore the Delta)
- Maria Looney
- Molly Culton
- James Cox
- Eugene Fuss
- Barbara Barrigan-Parrilla (Restore the Delta)
- Karen Wilson
- Jeffrey Volberg (Water Law and Policy with California Waterfowl Association)

- Michael Lyons
- Jonas Minton
- Ellen Wehr (General Council, Grassland Water District)
- Ric Ortega (General Manager, Grassland Water District)

### **Closing Statements by Delta Mendota Water Authority**

David Cory made closing statements

Executive Officer Patrick Pulupa made clarifying statements and suggested that the Board change provision 4, paragraph 5, in the order, from December 2024 to December 2021 and adopt the order today.

Motion to Adopt Waste Discharge Requirements with changes.

Motion Made by: Vice–Chair Ramirez  
 Seconded by: Member Bradford  
 Member Bradford: Yes  
 Member Brar: Yes  
 Member Kadara: No  
 Vice-Chair Ramirez: Yes  
 Chair Longley: Yes  
 Approved by roll call vote of 4-1-0

Member Ramirez excused herself and left the meeting at 3:21 p.m. for a prior engagement

### **AGENDA ITEM 7**

Update on the Water Quality Certifications program, including the State Water Board’s new State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State – Informational Item Only

Bryan Smith (Supervising Water Resource Control Engineer) gave a background on the Water Quality Certifications program, and provided updates on several program activities including an online application, the South Sacramento Habitat Conservation Plan, US Army Corps of Engineers dredging, the pending Large Habitat Restoration General Order, Senate Bill 1, Assembly Bill 1282, and Senate Bill 901.

Ana Maria Saenz (Environmental Scientist at the State Water Board) presented on the State Water Board’s new Dredge and Fill Policy.

Bayley Toft-Dupuy (Legal Counsel) spoke on Federal Regulatory changes that may affect the program.

Bryan Smith summarized the presentation.

**AGENDA ITEM 8**

Board Strategic Planning

Due to only three Board Members remaining at the Board meeting, this item was continued. Executive Officer Pulupa said that he will bring this item back to the Board at the February 2020 Board meeting.

Board Meeting adjourned at 5:30 p.m. to the next day

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**FRIDAY, 6 DECEMBER 2019**

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**BOARD MEETING LOCATION:  
CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL  
BOARD  
11020 SUN CENTER DRIVE, SUITE 200  
RANCHO CORDOVA, CA 95670**

**BOARD MEMBERS PRESENT:**

Bradford, Mark                      Kadara, Denise  
Brar, Raji                              Longley, Karl

**BOARD MEMBERS ABSENT:**

Ramirez, Carmen

**STATE WATER BOARD MEMBERS PRESENT:**

None

**STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT  
STAFF PRESENT:**

Jahr, Jessica                      Toft-Dupuy, Bayley  
Lancaster, David

**REGIONAL BOARD STAFF PRESENT WHO WERE IDENTIFIED:**

Braidman, Brett	Hatton, Scott	Laputz, Adam	Rodgers, Clay
Brown, Janelle	Holmes, Kari	Lavy, Tom	Smith, Bryan
Busby, Robert	Howard, Meredith	L’Heureux, Robert	Snapp, Michelle
Chow, Bob	Joab, Christine	MacDonald, Alex	Snyder, Clint
Ditto, Robert	LaBay, Jennifer	Martin, Holly	Tierney, Jeff
Garver, Kelli	Lanfranchi, Kiran	Pulupa, Patrick	Wilson, Angela

## **ADDITIONAL ATTENDEES PRESENT WHO WERE IDENTIFIED:**

Anderson, David      Ryan, Sarah  
Frieke, Susan        Barrigan-Parilla, Barbara

## **CALL TO ORDER:**

Chair Longley called the 566<sup>th</sup> meeting to order and introduced Board Members  
Executive Officer Patrick Pulupa introduced staff.  
Member Brar led the pledge of allegiance.

## **AGENDA ITEM 10 –CONSIDERATION OF MINUTES FROM THE OCTOBER BOARD MEETING**

The minutes of the October 2019 Board meeting will be brought to the Board at the 20/21 February 2020 Board meeting

## **AGENDA ITEM 11 – BOARD MEMBER COMMUNICATIONS**

Chair Longley said that one of the two things that came out of the Chair's conference calls, which takes place on 1st Monday of every month, is the concern about the Cannabis Program. He said that in the Springtime we need to get an update as some of these issues mature.

## **AGENDA ITEM 12–PUBLIC FORUM**

No one came forward to speak on any item that was not listed on the agenda

## **EXECUTIVE OFFICER'S REPORT AGENDA ITEM 12**

## **PRESENTATION OF RESOLUTION**

Chair Longley presented retiring employee, Steve Rosenbaum, with a resolution of accomplishments and for his service to the Board.

Patrick Pulupa informed the Board that in addition to the resolution from the Regional Water Board, the Governor and United States Senator Diane Feinstein also recognized Steve for his work at the Board.

## **AGENDA ITEM 14 – CONSIDERATION OF UNCONTESTED CALENDAR AGENDA ITEMS 17 THROUGH 20**

(Agenda item 14 was moved to Thursday)

## **AGENDA ITEM 15**

Discuss 2020 Board Calendar (Agenda item 15 was moved to Thursday)

## **AGENDA ITEM 13 – EXECUTIVE OFFICER’S REPORT –BOARD PRIORITIES FOR FISCAL YEAR 20/21**

Executive Officer Pulupa updated the Board on the fiscal year priorities for all the 18 programs of the Central Valley Regional Board and gave an overview of the Portfolio Management Plan

### **PRESENTATION OF SUPERIOR ACCOMPLISHMENT AWARDS**

Executive Officer Pulupa presented a group award to the following staff for their work in the ADA compliance area

- Janelle Brown (Assistant Governmental Program Analyst)
- Holly Martin (IT Specialist)
- Michelle Snapp (Water Resources Control Engineer)
- Keri Yee (Assistant Governmental Program Analyst)
- Kari Holmes (Senior Water Resources Control Engineer)
- Kristine Walker (IT Associate)

### **CONTESTED ITEMS AND DISCUSSIONS CALENDAR**

(Board Member Raji Brar left the meeting at 10:30 a.m.)

### **REVISIT PUBLIC FORUM**

At 10:43 a.m. Chair Longley revisited Public Forum

David Anderson spoke about Mule Creek issues and read a letter to the Board

Executive Officer Pulupa answered questions for the Board.

### **AGENDA ITEM16 – OTHER BUSINESS**

Harmful Algal Bloom Update and Discussion – Informational Item Only

Christine Joab (Harmful Algal Bloom Technical Lead) gave a presentation on “What are Harmful Algal Blooms” (HABS)

Meredith Howard (Program Manager in the Planning Section) continued the presentation and spoke on, “What are the Water Boards doing to address Cyano HABS”

Sarah Ryan (Deputy Tribal Administrator and Environmental Director for the Big Valley Band of Pomo Indians) spoke on harmful algal blooms in Clear Lake and their effects on tribal and beneficial uses.

Susan Fricke (Water Quality Manager for the Karuk Tribe) spoke on harmful algal blooms in the Klamath watershed and their concerns on tribal and public health.

Executive Officer Pulupa made comments.

The Board meeting adjourned at 12:40 p.m.to the 567th Board meeting on  
20/21 February 2020