

MINUTES OF BOARD MEETING
 December 10, 2015, 9:00 a.m.
 December 11, 2015, 9:00 a.m.
 Central Valley Regional Water Board
 11020 Sun Center Drive, Suite 200



THURSDAY, DECEMBER 10, 9:00 A.M.
CALL TO ORDER

Chair, Dr. Longley called to order the 541st Board Meeting of the California Regional Water Quality Control Board, Central Valley Region at 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Costantino, Jon	Kadara, Denise, Vice-Chair	Longley, Karl, Chair	Ramirez, Carmen
Schneider, Robert			

BOARD MEMBERS ABSENT

None			
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STATE BOARD MEMBERS PRESENT

None			
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STATE BOARD OFFICE OF CHIEF COUNSEL STAFF AND OTHER STAFF PRESENT

Deeringer, Andrew	Jacobsen, Nathan	Pulupa, Patrick	
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STAFF PRESENT

Altevogt, Andrew	Dhaliwal, Gurbinder	L'Heureux, Robert	Snapp, Michelle
Black, Stewart	Fearing, Jennifer	Lindenholm, Durin	Tran, Julie
Braidman, Brett	Fregien, Susan	MacDonald, Alex	Vidic, Natasha
Brownell, Jim	Hartzell, Marty	Meeks, Glenn	West, Ryan
Busby, Robert	Jimmerson, Dania	Meeks, Steve	Wilson, Angela
Calanchini, Dina	King, David	Morgan, Nichole	Snyder, Clint
Chilcott, Jeanne	Lanfranchi, Kiran	Newman, Brian	Terrell, Amy
Coughlin, Gene	Laptuz, Adam	Phiri, Aimee	
Creedon, Pamela	Lavy, Tom	Shelton, Brad	

OTHERS PRESENT

Cory, David	Marcum, Dan	Sasaki, Tamara	Webster, Debbie
Dahlberg, James	Martin, Elizabeth	Scharff, Jeff	Wordlow, Marilyn
Houdesheldt, Bruce	McGahan, Joe	Turner, Melissa	
Johnson, Michael	Millsap, Daniel	Twight, Cedric	
Linkem, Marilyn	Monohan, Carrie	Volberg, Jeffrey	

APPROVAL OF SEPTEMBER 30, TOUR AND OCTOBER 1-2, 2015 BOARD MEETING MINUTES

*Motion to approve minutes
 Made by, Member Costantino
 Seconded by Vice-Chair Kadara
 Member Costantino-Yea
 Vice-Chair Kadara-Yea
 Chair Longley-Yea
 Member Ramirez-Abstained
 Approved by Roll Call Vote of 3-0-1*

**AGENDA ITEM 3
BOARD MEMBER COMMUNICATIONS**

The Board will disclose their communications tomorrow

**AGENDA ITEM 4
PUBLIC FORUM**

Jeff Scharff introduced Marilyn Wordlow, who was in the audience, and thanked the Board staff for its work on a contaminated site located at 4301 Marconi Avenue in Sacramento, a property that Ms. Wordlow owns.

Cedric Twight, Manager of California Regulatory Affairs for Sierra Pacific introduced himself

**AGENDA ITEM 5
STATE BOARD LIAISON UPDATE**

No update was made

**AGENDA ITEM 6
EXECUTIVE OFFICER'S REPORT**

Chair Longley commented on the following items from the Executive Officer's report:

- Page 26 -Tulare Lake Basins participating growers and acreage: Some apparent discrepancy in the numbers of growers and acreage was noted. Staff showed that there was not an error in the reported data but that it did need further clarification.
- Page 27-He commented on the Rice Commission- taking the next step and putting a proposed Nitrogen Management Template onto a web-based system. He thanked the Rice Commission for not only being proactive but being very innovative in their approach
- Page 37-Delta Regional Monitoring Program. He said that that was a very important program and he commended staff on the progress of this project

Executive Officer presented Sustained Superior Accomplishment to Jeanne Chilcott, Program Manager for CV-Salts and Basin Planning in the Sacramento office

Executive Officer presented Superior Accomplishment awards to Gerald Djuth, Senior Engineering Geologist in the Sacramento office and Ryan West, Engineering Geologist in the Redding office

AGENDA ITEM 6a

- (a) State of the Region Report by Executive Officer

Executive Officer presented the State of the Region report to the Board

OTHER BUSINESS

**AGENDA ITEM 7
OTHER BUSINESS**

Regulation of Managed Wetlands: Options and Proposed Strategy– *Informational Item Only*

Susan Fregien, Senior Environmental Scientist in the Irrigated Lands Regulatory Program, provided an update on Managed Wetland topics and potential regulatory options

Jeffrey Volberg, (Director of Water Policy in the Waterfowl Association, who spoke on behalf of Managed Wetlands Workgroup) gave a presentation on behalf of Managed Wetlands workgroup and provided overview

Bruce Houdesheldt (Northern California Water Association) made additional comments.

LUNCH AND CLOSED SESSION

The Board recessed for lunch at 12:20 p.m. to discuss item Litigation filed against the Central Valley Regional Water Board and/or State Water Board, Item (g), Sacramento Regional Wastewater Treatment Plant.

ENFORCEMENT

AGENDA ITEM 8

~~Bront Alan Vanderkam, Shasta County—Consideration of Administrative Civil Liability Complaint R5-2015-0522~~
(This item was taken off the agenda and will be heard at the February 2016 Board meeting)

AGENDA ITEM 9

~~City of Galt, Wastewater Treatment Plant and Reclamation Facility, Sacramento County—Consideration of NPDES Permit Renewal (NPDES Permit CA0081434), Adoption of Time Schedule Order, and Adoption of Separate Waste Discharge Requirements~~ **(Agenda Item 9 was moved to Friday)**

AGENDA ITEM 10

NPDES ENFORCEMENT

~~Placer County Department of Facility Services, Placer County Sewer Maintenance District 1, Wastewater Treatment Plant, Placer County—Consideration of Order Amending NPDES Time Schedule Order (NPDES Permit CA0079316) [Elizabeth Thayer (916) 464-4671]~~ **(Agenda Item 10 was moved to Friday)**

OTHER BUSINESS

AGENDA ITEM 11

Malakoff Diggins State Historic Park, Sediment and Mercury Mobilization, Nevada County –*Informational Item Only*

Marty Hartzell, Senior Engineering Geologist in the Sacramento office presented the staff report.

Member Jon Costantino disclosed that he lived in Nevada County. He said that he boated and canoed in Nevada County. The Nevada County Boy Scouts have hiked all around Malakoff. He really enjoys the area and wanted everyone to know that that was his hometown.

Presentation by CA State Parks:

Marilyn Linkem gave a presentation and talked about the park history

Daniel Millsap spoke and elaborated on the current update/status

Presentation by Sierra Fund:

Izzy Martin (Chief Executive Officer of The Sierra Fund) gave a brief overview of The Sierra Fund

Dr. Carrie Monohan spoke on abandoned mines.

Executive Officer Creedon, Robert Busby, (Supervisor in the Mining Unit), Adam Laputz (AEO), Patrick Pulupa (Senior Legal Counsel) and Andrew Deeringer (Legal Counsel) answered questions for the Board

AGENDA ITEM 19

Hexavalent Chromium Regulatory Update for the Central Valley– *Informational Item only* –
(Agenda item 19 was moved from Friday)

James Taylor, Senior Engineering Geologist in the Sacramento office presented the staff report

AGENDA ITEM 20

Irrigated Lands Regulatory Program Nitrogen Management Plan Summary Report Update –
Informational item only **(Agenda item 20 was moved from Friday)**

Sue McConnell, Program Manager in the Irrigated Lands Regulatory Program in the Sacramento office, presented the staff report. Casey Creamer (Kings River Water Quality Coalition) and David Cory (San Joaquin River Exchange) made additional comments

Board Meeting adjourned at 3:42 p.m. to the next day

FRIDAY, DECEMBER 11, 2015 – 9:00 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 541st Board Meeting of the California Regional Water Quality Control Board, Central Valley Region 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Costantino, Jon	Kadara, Denise	Longley, Karl, Chair	Ramirez, Carmen
Schneider, Robert			

BOARD MEMBERS ABSENT

None			
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STATE BOARD MEMBERS PRESENT

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STATE BOARD STAFF PRESENT

Deeringer, Andrew	Jacobsen, Nathan	Pulupa, Patrick	
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STAFF PRESENT

Altevogt, Adam	Hartzell, Marty	Marshall, James	Rodgers, Clay
Braidman, Brett	Lanfranchi, Kiran	Meeks, Glenn	Snapp, Michelle
Calachini, Dina	Laputz, Adam	Morgan, Nicole	Snyder, Clint
Creedon, Pamela	MacDonald, Alex	Pelkofer, Tyson	Wass, Lonnie

OTHERS PRESENT

Jennings, Bob	Colwell, Neal	Haley, Bill	Miller, Eric
Allayaud, Bill	Coots John	Hanson, Christina	Montalbo, Luis
Ansolabehere, David	Cory, David	Hanson, Chuck	Mulliner, Mark
Arambula, Edward	Creamer, Casey	Hardcastle, Mark	O'Brien, Art
Arifa, Steve	Dakota, Arguello	Jennings, Bob	Pitcher, Jenifer
Ashley, Joe	Delihant, Gail	Joe, Ashley	Robinson, Jim
Atkinson, Dave	Dersmore, Maris	Jones, Mark	Smith, Adam
Auffant, Abby	Diamond, Richard	Lee, Joel	Spaulding, John
Avila, Tom	Dudek, Duane	Lehane, Erin	Stocknell, Aaron
Beck, Steve	Furo, Ray	Lilien, Jonathan	Taylor, Bill
Bell, Kevin	Galinda, Ruben	Lopez, John Henry	Vincelet, Greg
Brown, Jess	Gomez, Steven	Lozano, George	Walthall, Brent
Bryan, Michael	Gosling, Doug	MacArthur, Steve	Webster, Debbie
Carlton, Gary	Griffin, John	Marcum, Dan	Wright, Danny
Clarkson, Mark	Grinberg, Andrew	McGarty, Matt	Zimmerman, Bill

AGENDA ITEM 14

BOARD MEMBER COMMUNICATIONS

Vice-Chair Denise Kadara, attended the two-day Water Quality Coordinating meeting (WQCC), on October 12/13, 2015. She spoke to Karen Larsen at the State Water Resources Control Board about compliance issues for the City of Allensworth. She attended other meetings involving the state, county and agencies. She submitted her complete communications via written submittal

Member, Jon Costantino attended the two- day WQCC meeting

Member, Bob Schneider attended the second day of WQCC meeting

Chair, Karl Longley attended the two-day WQCC meetings in Sacramento, attended CV Salts related meetings, and participated in a tour in Redding on remediation of Acid Mine sites. He was a speaker on the dedication of a treatment facility in Delano for removal of nitrate from drinking water.

Chair Longley provided a written submittal of his complete communications.

**AGENDA ITEM 15
PUBLIC FORUM**

No one was present to comment on any items not on the Board agenda

**AGENDA ITEM 16
EXECUTIVE OFFICER'S REPORT**

Clint Snyder, Assistant Executive Officer (AEO) in the Redding office, gave an update to the Board about efforts being undertaken to assess mines in California that have the potential to have releases similar to the release at the Gold King Mine in Colorado. In support of this effort, USEPA toured mines in the Redding Area with Board staff on May 21, 2015.

Bob Schneider mentioned that he attended the Firescape Mendocino collaborative Stakeholder planning process meeting and he had asked AEO Snyder if he could have an employee there. There were three employees present at that meeting, AEO Snyder, Angela Wilson and Shane Edmunds. Member Schneider thanked staff for their participation.

AGENDA ITEM 17

The Board adopted uncontested agenda items 22 through 27 and agenda items 10 and 18

UNCONTESTED ITEMS

**AGENDA ITEM 22
ENFORCEMENT**

Collins Pine Company, Plumas County, *Consideration of Cease and Desist Order (New)*

**AGENDA ITEM 23
WASTE DISCHARGE REQUIREMENTS**

- a. California Department of Corrections and Rehabilitation, California Department of Forestry Fire Academy, Mule Creek State Prison Wastewater Treatment Plant, Amador County – Order 5-00-088 (*Revision*)
- b. City of West Sacramento, George Kristoff Water Treatment Plant, Yolo County, (*New*)
- c. County of Tulare, Kennedy Meadows Municipal Solid Waste Landfill, Class III Landfill, Post-Closure Maintenance, Tulare County, Order 5-01-098 (*Revision*)
- d. Growers Within the Tulare Lake Basin Area that are Members of a Third Party Group, R5-2013-0120 (*Revision*)
- e. Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant Sacramento County – Order R5-2003-0076 (*Revision*)
- f. Tulare Lake Drainage District Mid Evaporation Basin, Kings County (*New*)
- g. Ventura Coastal, LLC, Tipton Citrus Juice Plant, Tulare County, Order 99-040 (*Revision*)
- h. Univar USA, Inc., In-Situ Chemical Oxidation Groundwater Remediation Project, Fresno County (*New*)
- i. University of California, Davis, USDA Aquatic Weed Control Laboratory & J. Amorocho Hydraulics Laboratory, Yolo County, (*New*)

**AGENDA ITEM 24
NPDES PERMITS AND TIME SCHEDULE ORDER RESCISSIONS**

- a. TNC Holding Company, LLC, and the Ralph F. Nix 1995 Revocable Trust, TNC Holding Company Caviar Sturgeon Farm, Sacramento County – *Consideration of Order Rescinding Waste Discharge Requirements Order R5-2011-0084 and Time Schedule Order R5-2011-0085 (NPDES Permit CA0085120)*

**AGENDA ITEM 25
WASTE DISCHARGE REQUIREMENTS – RESCISSIONS**

- a. Adin Community Services District, Modoc County, Order 98-092
- b. California Department of Corrections and Rehabilitation, Kern County Order R5-2005-0021
- c. Hearst Corporation, Wyntoon Estate LLC, Shasta and Siskiyou Counties, Order 96-049
- d. Jasper Construction Company, Inc., and U.S. Forest Service Tahoe National Forest, Jasper Placer Mine, Nevada County, Order 90-017
- e. Stanislaus County General Services Agency, Stanislaus County Sheriff Laird Park Honor Farm, Stanislaus County, Order 5-01-018
- f. Sugar Pine Conservation Camp, Shasta County, Order 5-00-261

**AGENDA ITEM 26
NPDES PERMITS**

- a. City of Bakersfield and County of Kern, Storm Water Discharges from Municipal Separate Storm Sewer System, Kern County –*Approving the Storm Water Management Plan Required by Order R5-2013-0153 (NPDES CA0083399) (New)*
- b. City of Rio Vista, Northwest Wastewater Treatment Facility, Solano County – *(Renewal)* NPDES Permit CA0083771)
- c. City of Stockton, Regional Wastewater Control Facility, San Joaquin County – *(Amendment)* Order R5-2014-0070-01 and Time Schedule Order R5-2014-0071 *(Rescission)* NPDES Permit CA0079138)
- d. City of Tracy, Wastewater Treatment Plant, San Joaquin County –*Order R5-2012-0115-01 (Amendment)*

**AGENDA ITEM 27
CHANGE OF NAME/OWNERSHIP**

- a. Pioneer Creek Mobile Home Community WTF, Pioneer Creek Mobile Home Community, Amador County, Order 88-109
- b. San Joaquin County Housing Authority, Harney Lane Migrant Housing, San Joaquin County, Order 95-176
- c. UNIMIN Corporation and Howard Estate, UNIMIN Ione Plant, Amador County, WDRs R5-2009-0019

Motion to adopt uncontested items 22 - 27 and agenda items 10 and 18 with late revisions on agenda item 23(i)

*Made by Member Ramirez
Seconded by Vice-Chair Kadara
Member Ramirez-Yea
Member Costantino-Yea
Member Schneider-Yea
Vice-Chair Kadara
Chair Longley-Yea
Approved by Roll Call Vote of 5-0-0*

CONTESTED CALENDAR

AGENDA ITEM 18

OTHER BUSINESS

Sacramento County Environmental Management Department, Sacramento County – *Consideration of Resolution to Approve Local Agency Management Program* **(Agenda item 18 is uncontested)**

No one was present to contest or comment on agenda item 18. This item was adopted with the uncontested items above

AGENDA ITEM 19

~~Hexavalent Chromium Regulatory Update for the Central Valley – Informational Item only –~~
(Agenda item 19 was moved for Thursday)

AGENDA ITEM 20

~~Irrigated Lands Regulatory Program Nitrogen Management Plan Summary Report Update –~~
~~Informational item only~~
Agenda Item 20 was moved to Thursday

ENFORCEMENT

AGENDA ITEM 9

City of Galt, Wastewater Treatment Plant and Reclamation Facility, Sacramento County – *Consideration of NPDES Permit Renewal (NPDES Permit CA0081434), Adoption of Time Schedule Order, and Adoption of Separate Waste Discharge Requirements* **(Agenda item 9 was moved from Thursday)**

Tyson Pelkofer presented the staff report. John Griffith (City Engineer for Galt), Debbie Webster (CVCWA) gave additional testimony

Motion to adopt NPDES Permit Renewal, TSO and Waste Discharge Requirements with late revisions
Made by Member Ramirez
Seconded by Member Schneider
Member Ramirez-Yea
Member Schneider-Yea
Member Costantino-Yea
Vice -Chair Kadara-Yea
Chair Longley-Yea
Approved by Roll Call Vote of 5-0-0

NPDES ENFORCEMENT

AGENDA ITEM 10

Placer County Department of Facility Services, Placer County Sewer Maintenance District 1, Wastewater Treatment Plant, Placer County – *Consideration of Order Amending NPDES Time Schedule Order (NPDES Permit CA0079316)* **(Agenda item 10 was moved from Thursday)**

No one was present to contest or comment on this item. This item was adopted with the uncontested items above

AGENDA ITEM 21

WASTE DISCHARGE REQUIREMENTS

California Resources Production Corporation and North Kern Water Storage District, Oil Field Produced Water Reclamation Project, Kern County – *Consideration of Waste Discharge Requirements*

Senior Legal Counsel Patrick Pulupa informed the Board that the Board received a handful of letters from elected officials, Agricultural interests and other interested parties. Some of these letters were submitted before the

opening of the comment period. All these letters are non-evidentiary support for the project. These letters have been placed in Board's case file.

Member Costantino disclosed for the record that he works for a large law firm with a client base that includes oil companies, but that he does not personally work on any matters related to oil field compliance with water quality laws. Senior Counsel Pulupa verified that Board Member Costantino does not have a conflict of interest that would preclude his consideration of the California Resources Production Corporation permitting matter, and that Board Member Costantino is making the disclosures in the interest of full disclosure.

Lonnie Wass, Supervising Engineer in the Fresno office, presented the staff report. Clay Rodgers, Assistant Executive Officer in the Fresno office, commented that Board staff has begun to solicit input from experts from other agencies, including the Department of Public Health, California Department of Food and AG, Department of Fish and Game as well as academics and other professionals, to review the issue of produced water being used on agricultural crops.

Executive Officer Creedon and Senior Legal Counsel Pulupa answered clarifying questions for the Board

Testimony by (California Resources Production Corporation)
Duane Dudek

Richard Diamond (North Kern Water Storage District)

Testimony by Interested Parties

Bob Jennings, (State Building and Construction Trades Council of California), Rubin Galinda (Apprentice Pipefitter UA 247 Fresno), Eric Miller (South Valley Farms), Edward Arambula (Resident, of San Joaquin Valley), Steven Gomez (United Association of Steamfitters of Kern County), Brent Walthal (Kern County Water Agency) Andrew Grinberg (Clean Water Action), Gail Delihant (Western Growers Association), Danny Wright (Plumbers and Pipefitters, local 246, Fresno) Bill Elliott (Environmental Working Group), Mark Mulliner (Pipefitters), John Spalding (Kern Building and Construction Trades Council) Paul D Ero (California Resources Corporation)

*Motion to adopt Waste Discharge Requirements with late revisions
Made by Member Ramirez
Seconded by Member Costantino
Member Ramirez-Yea
Member Costantino-Yea
Member Schneider-Yea
Vice -Chair Kadara-Yea
Chair Longley-Yea
Approved by Roll Call Vote of 5-0-0*

LUNCH AND CLOSED SESSION

The Board recessed for lunch at 11:35 a.m. to receive advice from its legal counsel regarding pending litigation on the following matter:

People ex rel. Central Valley Water Board, Dept. of Fish and Wildlife v. Orland Sand and Gravel Corp.et al.
(Glenn County Sup. Ct., Case No. 15CV01436)

Following the Closed Session, the Board meeting adjourned at 1:20 p.m. to the February 18/19, 2016 Board meeting

*Submitted by Kiran Lanfranchi-Rizzardi
Clerk to the Board*