



Central Valley Regional Water Quality Control Board

MEETING NOTICE AND AGENDA – REVISED 11/22/2019 CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

**THURSDAY 5 DECEMBER 2019, 10:00 A.M.
FRIDAY 6 DECEMBER 2019, 8:30 A.M.**

**CENTRAL VALLEY REGIONAL BOARD
11020 SUNCENTER DRIVE, SUITE 200
RANCHO CORDOVA, CA 95670
(THIS MEETING WILL BE WEBCAST)**

[MEETING WEBCAST LINK](https://video.calepa.ca.gov/) (<https://video.calepa.ca.gov/>)

Items on this Agenda are numbered for identification purposes only; the Board may consider these items out of their listed order.

Copies of the items to be considered by the Central Valley Water Board are posted on the Board's [Tentative Orders web page](#) (https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

Questions regarding individual items should be directed to the Board staff person whose name and phone number are indicated with the agenda item. The Board meeting will be conducted at a facility that is accessible to people with disabilities. For general questions, to request a special accommodation, or to request interpreter services, please send an e-mail to agenda5@waterboards.ca.gov or call (916) 464-3291. Please request special accommodations or interpreter services at least 10 business days in advance of the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

THURSDAY, 5 DECEMBER 2019, 10:00 A.M.

BOARD BUSINESS

1. Introductions, Pledge of Allegiance, Meeting Rules

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

2. Board Member Communications – Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction
3. Public Forum – Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting or pending before the Board
4. [Executive Officer's Report](#)
14. [Consideration of Uncontested Items 17 through 20](#) **(THIS ITEM HAS BEEN MOVED FROM FRIDAY'S CALENDAR)**

WASTE DISCHARGE REQUIREMENTS

5. [Pacific Gas and Electric, Former Geothermal Inc. Landfill, Lake County – Consideration of New Waste Discharge Requirements \(Hearing Continued from October\)](#) [Malar Perinpanayagam (916) 464-4607]
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](#) [Ashley Peters (916) 464-4857]

OTHER BUSINESS

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 (530) 226-3425]
8. [Board Strategic Planning – The Executive Officer will continue discussion on the Strategic Plan for the Central Valley Water Board.](#)

FRIDAY, 6 DECEMBER 2019, 8:30 A.M.

BOARD BUSINESS

9. Introductions, Pledge of Allegiance, Meeting Rules
10. Consideration of Minutes from Prior Board Meeting(s)
11. Board Member Communications – Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction

12. Public Forum – Any member of the public may address the Board on any matter within the Board’s jurisdiction and not scheduled for consideration at this meeting or pending before the Board
13. [Executive Officer’s Report – Board Priorities for Fiscal Year 20/21](#)
14. [Consideration of Uncontested Items 17 through 20](#) **(THIS ITEM HAS BEEN MOVED TO THURSDAY, DECEMBER 5TH)**

OTHER BUSINESS

15. [Discuss 2020 Board Calendar](#)
16. [Harmful Algal Bloom Update and Discussion – Informational Item Only](#)
[Meredith Howard (916) 464-4788]

UNCONTESTED CALENDAR

(Cal. Code Regs., tit. 23, section 647.2, subd. (f).) Uncontested items are those items that are not being contested at the Board Meeting and will be acted on without discussion. If any person or Board Member requests discussion, the item may be removed from the Uncontested Calendar.

NPDES PERMITS (AGENDA ITEM 17)

- 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 \(NPDES Permit CA0078590\)](#)

WASTE DISCHARGE REQUIREMENTS (AGENDA ITEM 18)

- 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](#)

RESCISSIONS (AGENDA ITEM 19)

- a. [Bidwell Canyon Marina, Butte County, Order 95-203](#)
- b. [Buckeye Water Treatment Plant, City of Redding, 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, Order R5-2014-0055 \(NPDES Permit CA0081850\)](#)

CHANGE OF NAME AND/OR OWNERSHIP (AGENDA ITEM 20)

- a. [Greenstone Estates MHP, Greenstone Estates MHP WWTF, El Dorado, 97-247](#)

CLOSED SESSION

The Board may meet in closed session to consider personnel matters (Gov. Code, section 11126 subd. (a)); to deliberate on a decision to be reached based upon evidence introduced in a hearing (id., section 11126, subd. (c)(3)); or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or

decisions to initiate litigation (id., section 11126, subd. (e)). Current litigation involving the Board is listed below.

LITIGATION FILED AGAINST THE CENTRAL VALLEY WATER BOARD AND/OR THE STATE WATER BOARD:

- a. James Sweeney Litigation – ACLOs R5-2011-0068, R5-2012-0070, R5-2013-0091, R5-2014-0119, R5-2015-0065, R5-2016-0063 and R5-2017-0038 to James Sweeney; CDO R5-2017-0039 to James Sweeney; Reissued WDRs General Order for Existing Milk Cow Dairies, Order R5-2013-0122; and Unnumbered MRP Order to James Sweeney – James G. Sweeney, et al. v. State Water Bd., et al. (5DCA Case No. F078190; Fresno Superior Court Lead Case No. 15CECG02063, consolidated w/ Case Nos. 17CECG00146, 16CECG03035, 17CECG03030, 17CECG02994).
- b. Malaga County Water District Litigation (various proceedings)
 - i. 2013 ACLO to Malaga County Water Dist. for Mandatory Minimum Penalties – Malaga Cnty. Water Dist. v. Central Valley Water Bd. et al. (5DCA Case No. F075868; Madera Superior Court Case No. MCV071280 [originally filed in Fresno Superior as Case No. 14-CECG-03576]).
 - ii. 2014 NPDES Permit and CDO to Malaga County Water Dist. – Malaga Cnty. Water Dist. v. State Water Res. Control Bd., et al. (5DCA Case No. F075851; Madera Superior Court Case No. MCV071279 [originally filed in Fresno Superior Court as Case No. 14-CECG-03919]).
 - iii. 2016 ACLO to Malaga County Water Dist. – Malaga Cnty. Water Dist. v. Central Valley Reg'l Water Quality Bd., et al. (5DCA Case No. F078327; Fresno Superior Court Case No. 16-CECG-03036).
- c. Existing Milk Cow Dairy WDRs General Orders R5-2007-0037, R5-2013-0122 – Asociación de Gente Unida por el Agua et al. v. Central Valley Water Bd. (3DCA Case No. C066410; Sacramento Superior Court Case No. 34-2008-00003604).
- d. 2014 Walker Mine CAO – Atlantic Richfield Co. v. Central Valley Water Bd. (3DCA Case No. C086745; Sacramento Superior Court Case No. 34-2014-80001875).
- e. Eastern San Joaquin/Irrigated Lands Regulatory Program – State Water Board Order No. WQ 2018-0002, modifying Central Valley Water Board WDRs General Order No. R5-2012-0116 (Growers within Eastern San Joaquin River Watershed that are Members of Third-Party Group) [State Water Board File Nos. A-2239(a)-(c)]:
 - i. Monterey Coastkeeper, et al. v. Central Coast Reg'l Water Quality Control Bd., et al. (Sacramento Superior Court Case No. 34-2017-80002655);
 - ii. Environmental Law Found. v. State Water Res. Control Bd., et al. (Sacramento Superior Court Case No. 34-2018-80002851);

- iii. *Protectores del Agua Subterránea v. State Water Res. Control Bd., et al.* (Sacramento Superior Court Case No. 34-2018-80002852); and
- iv. *Monterey Coastkeeper, et al. v. Central Valley Reg'l Water Quality Control Bd., et al.* (Sacramento Superior Court Case No. 34-2018-80002853).
- f. *Center for Biological Diversity v. Central Valley Reg'l Water Quality Control Bd. and Valley Water Mgmt. Co.* (Kern Superior Court Case No. BCV-18-102201).
- g. *WDRs Order R5-2019-0008 (Stone Ranch) – Sandridge Partners, L.P. v. Cal. Reg'l Water Quality Control Bd. – Central Valley Region* (Fresno Superior Court Case No. 19CECG02306).
- 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)

LITIGATION FILED BY THE CENTRAL VALLEY WATER BOARD AGAINST OTHER PARTIES:

- j. *Aerojet Cleanup – Central Valley Water Bd., et al. v. Aerojet-General Corp., et al.* (Sacramento Superior Court Case No. 286073, consolidated w/ Case Nos. 288302 and 291981); *Central Valley Water Bd., et al. v. Aerojet-General Corp., et al.* (EDCA Case No. CIV-S-86-0064-EJG), consolidated w/ *U.S. v. Aerojet-General Corp. et al.* (EDCA Case No. CIV-S-86-0063-EJG).
- k. *Orland Sand and Gravel Facility – People ex rel. Central Valley Water Bd., et al. v. Orland Sand and Gravel Corp., et al.* (Glenn Superior Court Case No. 15CV01436).
- l. *Greener Globe Landfill – People ex rel. Central Valley Water Bd. v. A Greener Globe Corp.* (Placer Superior Court Case No. SCV13231); and *In re A Greener Globe* (EDCA Bankruptcy Case No. 16-21900-C-11).

PETITIONS FOR REVIEW OF CENTRAL VALLEY WATER BOARD ACTIONS FILED WITH STATE WATER BOARD:

- m. *Irrigated Lands General WDRs for Individ. Growers, Order R5-2013-0100 – Petition by Kern River Watershed Coalition Auth. and Paramount Farming Co., LLC* (State Water Board File No. A-2269).
- n. *Tulare Lake Basin Area Irrigated Lands General WDRs, Order R5-2013-0120 – Petitions by Southern San Joaquin Valley Water Quality Coalition, et al., Michael and Yvonne LaSalle, and Asociación de Gente Unida por el Agua (AGUA), et al.* (State Water Board File Nos. A-2278(a)-(c)).

- o. Sacramento River Watershed Irrigated Lands General WDRs Order R5-2014-0030 – Petition by California Sportfishing Alliance et al. (State Water Board File No. A-2302).
- p. San Joaquin Cnty. and Delta Area Irrigated Lands General WDRs Order R5-2014-0029 – Petition by California Sportfishing Alliance, et al. (State Water Board File No. A-2301).
- q. West San Joaquin River Watershed Irrigated Lands General WDRs, Order R5-2014-0002 – Petition by California Sportfishing Alliance et al. (State Water Board File No. A-2292).
- r. CDO R5-2015-0093 to Valley Water Mgmt. Co. – Petitions by Valley Water Mgmt. Co., Clean Water Action, and the Central California Environmental Justice Network (State Water Board File Nos. A-2148(a), A-2148(b), and A-2148(c)).
- s. Original Sixteen to One Mine, Inc., ACLO R5-2017-0115 – Petition filed by Original Sixteen to One Mine, Inc. (State Water Board File No. A-2586).
- t. Reissued WDRs General Order for Existing Dairies, Order R5-2013-0122 – Petition filed by Asociación de Gente Unida por el Agua and Environmental Law Foundation (State Water Board File No. A-2283(b)).

Acronym Key

3DCA	3rd District Court of Appeal
5DCA	5th District Court of Appeal
ACLO	Administrative Civil Liability Order
CAO	Cleanup and Abatement Order
CDO	Cease and Desist Order
EDCA	U.S. District Court for the Eastern District of California
MRP	Monitoring and Reporting Program
WDRs	Waste Discharge Requirements

MEETING PROCEDURES

The Central Valley Water Board circulates item-specific Notices and/or Hearing Procedures along with drafts of its Orders and Amendments. If there is a conflict between an item-specific Notice or Hearing Procedure and the Meeting Procedures in this Agenda, the item-specific Notice or Hearing Procedure will control. Please contact Board staff if you do not know whether there is a Notice or Hearing Procedure for a specific item. The statutes and regulations that govern the Central Valley Water Board’s meetings are on the State Water Board’s [Laws and Regulations web page](https://www.waterboards.ca.gov/laws_regulations/) (https://www.waterboards.ca.gov/laws_regulations/). General Meeting Rules and the Procedures applicable to Central Valley Water Board Meetings can be found on the Central Valley Water Board’s [Rules and Procedures web page](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.html) (https://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.html).

All persons may speak at a Central Valley Water Board meeting and are expected to orally summarize their written submittals. Oral presentations will be limited in time by the Board Chair, and a timer may be used. Where speakers can be grouped by affiliation or interest, such groups are expected to select a spokesperson and to not be repetitive. The Board will accommodate spokespersons by granting additional time if other group members will not also be speaking.

Written materials that are received after deadlines set by item-specific Notices and/or Hearing Procedures will not generally be admitted. Any person requesting to submit late materials must demonstrate good cause, and the Chair must find that the admission of the late materials would not prejudice the Central Valley Water Board or any designated party. The Chair may modify this rule to avoid severe hardship.

ELECTRONIC PRESENTATIONS

PowerPoint and other electronic presentations are frequently presented at the Board Meetings. Please e-mail presentations to the Board's Webmaster at webmaster5@waterboards.ca.gov (agenda5@waterboards.ca.gov) at least 24 hours in advance, or bring your files either on a USB Flash Drive or CD-ROM and give them to Board Staff prior to the start of the meeting.

PETITION PROCEDURE

Any person aggrieved by an action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the issuance of the Order, except that if the thirtieth day following the issuance of the Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the State Water Board's [Water Quality Petitions web page](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) (https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request.