

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
(CENTRAL VALLEY REGION)
11020 SUNCENTER DRIVE, SUITE 200
RANCHO CORDOVA, CA 95670**

**BOARD MEETING MINUTES
512TH Regular Meeting
JUNE 9-10, 2011**

THURSDAY, JUNE 9

CALL TO ORDER

Chair, Kate Hart called to order the 514th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Suncenter Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Hart, Kate	Hoag, Lyle	Longley, Dr. Karl	Meraz, Sandra
Odenweller, Dan			

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Buford, Pam	Landau, Ken	Messina, Diana	Schwab, Kim
Coupe, David	Lanfranchi, Kiran	Moss, Rick	Vasquez, Victor
Crandall, Robert	Laptuz, Adam	Newman, Brian	Wong, Margaret
Creedon, Pamela	Loncarovich, Richard	Palmer, Josh	Yee, Betty
Fregien Susan	Macdonald, Alex	Perreira, Gayleen	
Izzo, Victor	Marshall, James	Pulupa, Alex	
Karkoski, Joe	Mayer, Alex	Radulescu, Dan	
Kirn, David	McGee, Calvin	Rodgers, Clay	

OTHERS PRESENT

Boggle, Warren	Firzman, Martha	Kevin Oertel	Waduly, Lee
Bundy, Summer	Fisher, Kari	Klassen, Parry	Zentner, Valerie
Callman Elissa	Guzman, Martha	Lee Waduly	Zinky, Janice
Claus Suverkropp	Harter, Dr.Thomas	Mckinnis, Orvil	Spaletta, Jennifer
Commandatore, Mark, A.	Herrick, John	Orth, David	
Cory, David	Houdesheldt, Bruce	Spaletta, Jennifer	
Dunham, Tess	Jennings, Bill	Swaffar, Greg	
Eggerton, Dave	Johnson, Tim	Thomas, Bill	

**AGENDA ITEM 3
BOARD COMMUNICATION**

Dan Odenweller

- 10 May, had lunch with Bill Jennings at Toots Sweete. Discussed the CDFG negotiations with the sportfishing community, and the lack of any progress being made.
- Jim Buell called about Coanda fish screen data from Region 1
- Called Bruce Houdesheldt (NCWA), returning his message of May 19. He appears to want a meeting to discuss their coalition's activities in the Irrigated Lands Program area. I left a message stating that I was unable to meet over the waiver issue.
- 26 May, called Paul Ward (retired CDFG) about the tornadoes near Chico, and spring run on Butte Creek.

- 07 June, spoke to Bill Jennings. He informed me of their "Notice of Intent to Sue" letter regarding USBR discharge of selenium into the San Joaquin River without an NPDES permit.
- Called and spoke to Jeff Stuart (NMFS) about the court hearings in Fresno.
- 08 June, spoke with Bruce Houdesheldt (NCWA), who called to discuss issues of mutual concern. I broke off the conversation when the discussion headed into areas subject to future Board consideration. There was no ex-parte communication.

Dr. Longley

- 12 Apr 2011 Dairy Digester Ultra Clean Alternative Technology Introductory Meeting, San Joaquin Valley Air Pollution Control District Office, 4800 Enterprise Way, Modesto, CA 95356
- 22 Apr 2011 CV SALTS, Executive Committee Conference Call
- 26 Apr 2011 Groundwater Resources Association Council, Membership meeting with a program focused on addressing California groundwater issues, Buehler UC Davis Center
- 28 Apr 2011 Participated in meeting of California Water Plan 2013 Update as Public Advisory Committee member, Sacramento
- 6 Jun 2011 CV-SALTS Salty 5 Conference Call
- 16 May 2011 Meeting with Eastside Tulare Lake Basin stakeholders Fresno
- 19 May 2011 Participated in meeting of California Water Plan 2013 Update's Public Advisory Committee as member Sacramento
- 24 May 2011 Dairy Digester Coordination Meeting. Co-hosted by CDFA, USEPA and NRCS California Department of Food and Agriculture, Sacramento
- 3 Jun 2011 Met with Donald Glaser, Director, Mid-Pacific Region, Bureau of Reclamation regarding USBR funding for rural water systems, Sacramento
- 6 Jun 2011 CV-SALTS Salty 5 Conference Call

Sandra Meraz

- 16 May, attended a meeting in Fresno on the Central Valley Ground Water Impacted by Nitrate

Lyle Hoag

- Attended a conference on Irrigated Lands

Kate Hart

Board Chair Hart submitted the following via written submittal:

- May 19, met with Bruce Houldsted and David Guy to discuss the Framework/certified Program EIR for IRLP
- May 27, met with Tim Johnson to discuss the Framework/certified Program EIR for IRLP

AGENDA ITEM 4 PUBLIC FORUM

No one came forward to comment on any issues

AGENDA ITEM 5 EXECUTIVE OFFICER'S REPORT

Executive Officer presented the Superior Accomplishment report to Pam Buford.

AGENDA ITEM 6 PLANNING

Future Action List and Workplan for the August 2010 Groundwater Quality Protection Strategy for the Central Valley Region, a Roadmap - *Informational item only*

Pam Buford presented a workplan for actions identified in the Groundwater Quality Protection Strategy, adopted by the Board in September 2010. Richard Loncarovich answered clarifying questions for the Board. Member

**AGENDA ITEM 7
OTHER BUSINESS**

Status of the SBX2 1 Nitrate Project for the Tulare Lake Basin by Dr. Thomas Harter - *Informational item only*

Clay Rodgers introduced Dr. Thomas Harter (UC Davis) who presented a status of the SBX2 1 Nitrate Project for the Tulare Lake Basin. This was an informational item only and no Board action was taken.

AGENDA ITEM 8

Groundwater Management Plans (AB3030 and SB1938) and Groundwater Quality Protection - *Informational Item Only*

Executive Officer made introductory remarks and introduced Mr. Dave Orth (Southern San Joaquin Water Quality Coalition), who presented a report of Groundwater Management Plans pursuant to AB 3030 and SB 1938. This was an informational item only and no board action was taken. Martha Guzman made additional comments.

AGENDA ITEM 9

Consideration of a Resolution Approving a Short-Term Renewal of the Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands, Order R5-2006-0053. The proposed resolution relies on the ILRP Program EIR (Resolution R5-2011-0017) for CEQA compliance.

A public hearing was held. Adam Laputz presented the staff report. Joe Karkoski and Executive Officer answered clarifying answers for the Board. Martha Guzman, Dave Orth (Kings River Conservation), Bill Thomas (South San Joaquin) Bruce Houdesheldt, Parry Klassen (East San Joaquin Water Coalition), David Cory (San Joaquin Drainage Authority) and Tim Johnson (California Rice Commission), gave additional testimony.

Board recessed for lunch at 12:15 p.m to discuss closed session items:

The meeting resumed at 1:23 p.m.

AGENDA ITEM 10

Consideration of a Resolution Approving a Short-Term Renewal of the Coalition Group Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands, Order R5-2006-0053. The proposed resolution relies on the ILRP Program EIR (Resolution R5-2011-0017) for CEQA compliance

A public hearing was held. Joe Karkoski presented the staff report. Cari Fisher (California Farm Bureau Coalition) Tess Dunham (Somach Simms and Dunn), Jennifer Spaletta, Bill Jennings, (CSPA), Bill Thomas (Southern San Joaquin) and Tim Johnson (California Rice Commission) gave additional testimony.

Motion to adopt Resolution, Made by Vice-Chair Longley
Seconded by Member, Odenweller
Unanimously approved

BOARD ADOPTED ORDER R5-2011-0032

**AGENDA ITEM 11
WASTE DISCHARGE REQUIREMENTS**

Bogle Vineyards, Inc., Bogle Delta Winery, Yolo County - *Consideration of New Waste Discharge Requirements*
No came forward to comment or contest this item

Motion to adopt Waste Discharge Requirements Permit with late revisions, Made by Vice-Chair Longley
Seconded by Member Hoag
Unanimously approved

BOARD ADOPTED ORDER R5-2011-0033

The meeting adjourned at 3:11 p.m. to the next day

FRIDAY JUNE 10

CALL TO ORDER

Chair, Kate Hart called to order the 514th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Suncenter Drive, Suite 200, Rancho Cordova, CA 95670

Hart, Kate Odenweller, Dan	Hoag, Lyle	Longley, Dr. Karl	Meraz, Sandra
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BOARD MEMBERS ABSENT

None

STAFF PRESENT

Bauer, Heidi	Hold, Howard	Messina, Diana	Thayer, Beth
Bruns, Jerry	Joplin, Spencer	Moss, Rick	Vasquez, Victor
Busby, Robert	Kirn, Dave	Newman, Brian	Yee, Betty
Cash, Greg	Landau, Ken	Okun, Lori	Thayer, Beth
Coupe, David	Lanfranchi, Kiran	Palmer, Josh	
Crandall, Robert	Lavy, Tom	Perreira, Gayleen	
Creedon, Pamela	Macdonald, Alex	Pulupa, Patrick	
Fong, Stephanie	Martin, Jim	Radulescu, Dan	
Hilton, Barry	Mayer, Alex	Schwab, Kim	

OTHERS PRESENT

Webster, Debbie	Cleaver, Dale	Giudice, Ben	Serpa, Luke
Bacon, Ben	Cory, David	Green, Rebecca	Swartz, David
Baland, Gary	Cutshall, Chuck	Greg Tyhurst	Wells, Elizabeth
Baylon, Gary	Davis, Brian	Guerra, Julio S	Wescott, Dennis
Bryan, Dr. Michael	Dobson, John E.	Klassen, Parry	
Cain Jesse	Dralla, John	Klever, Dale	
Carr, Pete	Dunham, Tess	Lewis, Willam	

AGENDA ITEM 15

PUBLIC FORUM

No one came forward to speak

AGENDA ITEM 16

BOARD MEMBER COMMUNICATIONS

Vice-Chair Longley said that he attended the Groundwater Council meeting in UC Davis. He said that he may be in Europe in December and this may pose quorum issues. Assistant Executive Officer Ken Landau will look at revising the December Board meeting dates.

AGENDA ITEM 16

EXECUTIVE OFFICERS REPORT

Executive Officer presented Superior Accomplishment awards to Howard Hold and Daniel Warner.

UNCONTESTED CALENDAR

AGENDA ITEM 17

Approval of Uncontested items 24 through 30

**AGENDA ITEM 24
OTHER BUSINESS**

- a) Resolution for Adoption of Waste Discharge Requirements General Order for Dairies with Manure Anaerobic Digester or Co-Digester Facilities as in the Final Program Environmental Impact Report and Findings, (Approval of the Resolution)

A public hearing was held. Doug Patteson presented the staff report.

Motion to adopt Resolution, Made by Vice Chair, Longley
Seconded by Member Hoag
Unanimously approved
BOARD ADOPTED ORDER R5-2011-0039

**AGENDA ITEM 25
ENFORCEMENT**

- a) Maxwell Public Utility District Wastewater Treatment Plant, Colusa County – *Consideration of new Cease and Desist order*

BOARD ADOPTED ORDER-R5-2011-0040

**AGENDA ITEM 26
NPDES PERMIT**

Santa Fe Aggregates, Inc. and Walter John Seaborn, Sand and Gravel Plant, Tulare County,
Order R5-2005-0058 (NPDES Permit CA0082201) (renewal)

BOARD ADOPTED ORDER-R5-2011-0041

**AGENDA ITEM 27
NPDES PERMITS WITH TIME SCHEDULE ORDERS**

- a) Planada Community Services District, Planada Wastewater Treatment Facility, Merced County, Order R5-2005-0009 (NPDES Permit CA0078950) – NPDES Permit (Renewal) and Time Schedule Order (New) **BOARD ADOPTED ORDER (NPDES PERMIT)-R5-2011-0042, (TSO) R5-2011-0043**
- b) Modoc Joint Unified School District, Geothermal Heating Project, Modoc County, Order R5-2005-0014 (NPDES Permit CA0082406) –NPDES Permit (Renewal) and Time Schedule Order (New) **BOARD ADOPTED ORDER (NPDES PERMIT)-R5-2011-0044, (TSO) R5-2011-0045**

**AGENDA ITEM 28
WASTE DISCHARGE REQUIREMENTS**

- a) Chemical Waste Management, Inc., Post-Closure Maintenance and Corrective Action, Bakersfield Facility, Kern County (new) **BOARD ADOPTED ORDER-R5-2011-0046**
- b) California Department of Transportation, Interstate 80 and State Route 50, Richards Boulevard to Reed Avenue, Yolo County (new) **BOARD ADOPTED ORDER-R5-2011-0047**
- c) ~~Von Bargen Ranch Septage Disposal Area, Glenn County (new)~~
Agenda item 28 (28c) was pulled from the uncontested calendar and moved to the contested calendar
- d) A Greener Globe Corporation, Berry Street Mall (aka Finger's) Landfill, Class III Landfill; Placer County, Order 89-115 (revision) **BOARD ADOPTED ORDER-R5-2011-0048**
- e) Neal Road Class III Municipal Solid Waste Landfill and Class II Surface Impoundments, Butte County, Order R5-2002-0145 (update) **BOARD ADOPTED ORDER-R5-2011-0049**
- f) City of Clovis Department of Public Utilities, City of Clovis for Operation and Construction, City of Clovis Municipal Solid Waste Landfill, Fresno County, Order R5-2005-0133 (revision) **BOARD ADOPTED ORDER-R5-2011-0050**

AGENDA ITEM 28

- c) Von Bargaen Ranch Septage Disposal Area, Glenn County (new)

This item was moved from the uncontested calendar to the contested calendar

A public hearing was held. Greg Cash presented the staff report.

This item was not adopted at this time. The Board directed staff to bring this item back to the August Board meeting.

AGENDA ITEM 29

CEASE AND DESIST ORDER RESCISSION

- a) Northwest Regional Wastewater System, Lake County Sanitation District, Lake County, Order R5-2003-0040 -**BOARD ADOPTED ORDER-R5-2011-0051**

AGENDA ITEM 30

WDR RESCISSIONS - BOARD ADOPTED ORDER-R5-2011-0052

- a) M&L Commodities (formerly Southwest Hide Company), Southwest Hide Wastewater Ponds, San Joaquin County, Order R5-2004-0018
- b) Air Force Real Property Agency, Former McClellan Air Force Base, In-Situ Chemical Oxidation Treatability Study at Former Davis Global Communications Site, Yolo County, Order R5-2008-0178

Motion to adopt uncontested items 23 through 27 and 28 a, b, d, e and f and 29 to 30

Made by Member Odenweller
Seconded by Vice-Chair, Longley
Approved by roll call vote of 5-0-0

CONTESTED CALENDAR

AGENDA ITEM 18

OTHER BUSINESS

Non-Representative Cyanide Laboratory Analysis Results – *Informational Item Only*

A public hearing was held. Ken Landau, Assistant Executive Officer made a presentation on Non Representative Cyanide Laboratory Analysis Results. Debbie Webster (CVCWA), made additional comments. This was an informational item only

AGENDA ITEM 19

Municipal and Domestic Water Supply (MUN) Beneficial Use in Agricultural Drains – *Informational item only*

Diana Messina presented the staff report. Betty Yee, Debbie Webster (CVCWA), Tess Dunham (Somach Simms), David Cory, Dennis Westcott, Dale Cleaver and Gary Baylen (Mayor, City of Live Oak) made additional comments. This was an informational item only

AGENDA ITEM 20

NPDES PERMITS

City of Live Oak Wastewater Treatment Plant, Sutter County – *Consideration of NPDES Permit Renewal, Order R5-2004-0096 (NPDES No. CA0079022), and Cease and Desist Order*

A public hearing was held. Dave Kirn presented the staff report. William Lewis (City of Live Oak), Tess Dunham (Somach Simms and Dunn), Diana Messina, Debbie Webster (CVCWA) and David Cory gave additional testimony.

Motion to adopt NPDES Permit with late revisions Made by, Member Dr. Longley
Seconded by, Member Odenweller

Approved by roll call vote of 3-2-0

Motion to adopt the Cease and Desist Order with late revisions Made by, Member Dr. Longley
Seconded by, Member Odenweller
Approved by Roll Call Vote of 5-0-0

BOARD ADOPTED ORDER (NPDES PERMIT) R5-2011-0034
BOARD ADOPTED ORDER (CDO) R5-2011-0035

Board recessed for lunch at 12:15 p.m to discuss closed session item El Dorado Irrigation District NPDES Permit- (Litigation filed against the Regional and or/State Board)

The Board meeting resumed at 1:15 p.m.

AGENDA ITEM 21

City of Willows, Wastewater Treatment Plant, Glenn County – *Consideration of NPDES Permit Renewal, Order R5-2006-0009 (NPDES Permit CA0078034), and Time Schedule Order*

A public hearing was held. Greg Cash/Heidi Bauer presented the staff report. Greg Tyhurst (City of Willows), Debbie Webster (CVCWA) and Tess Dunham (Somach Simms and Dunn) gave additional testimony.

The Board directed this item to be carried to the October Board meeting.

Motion to move the NPDES Permit and Time Schedule Order to the October Board Meeting, to address Time Schedule Issues.

Motion to move this item to the October Board meeting, made by Made by Vice-Chair, Dr. Longley
Seconded by Member, Odenweller
Unanimously approved

AGENDA ITEM 22

Pactiv Corporation, Molded Pulp Mill, Tehama County – *Consideration of NPDES Permit Renewal, Order R5-2004-0124 (NPDES Permit CA 0004821) and Adoption of Time Schedule Order*

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

Motion to adopt NPDES Permit and Time Schedule Order with late revisions
Made by Member Odenweller
Seconded by Member Hoag
Unanimously approved

BOARD ADOPTED ORDER (NPDES PERMIT) R5-2011-0036
BOARD ADOPTED ORDER (TSO) R5-2011-0037

AGENDA ITEM 23

El Dorado Irrigation District Deer Creek Wastewater Treatment Plant, El Dorado County – *Consideration of Order Amending Waste Discharge Requirements, Order R5-2008-0173 (NPDES Permit CA0078662)*

A public hearing was held. Joshua Palmer presented the staff report. Elizabeth Wells (EID), Debbie Webster (CVCWA) and Art O'Brien (Robertson Brian, Inc) gave additional testimony.

Motion to adopt amendment of NPDES Permit with late revisions Made by Vice-Chair Longley
Seconded by Member Hoag
Unanimously approved

BOARD ADOPTED ORDER R5-2011-0038

The meeting adjourned at 2:36 p.m. to the August 4-5 Board meeting
Respectfully submitted by Board Secretary, Kiran Lanfranchi-Rizzardi