



Public Meeting

Central Valley Regional Water Quality Control Board

Thursday – 10 July 2003 – 8:30 a.m.
Friday – 11 July 2003 – 8:30 a.m.
Cal/EPA Building
Central Valley Auditorium
1001 I Street
Sacramento, CA 95814

Cal/EPA Building

All visitors are required to sign in and receive a badge prior to attending any meeting. The Visitor and Environmental Services Center is located just inside and to the left of the Cal/EPA Building's public entrance, at the corner of 10th and I Streets. Valid picture identification may be required due to the security level so please allow up to 15 minutes for this process.

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and to make decisions based on the information received.

Persons who want to submit written comments or evidence on any agenda item must comply with the **Meeting Procedures** described at the end of the listing of **Agenda** items. Persons wishing to speak at the meeting should complete an attendance card and provide it to staff. Although otherwise filling out the attendance card is voluntary, we do appreciate receiving a card from all persons in attendance.

Persons applying for, or actively supporting or opposing, waste discharge requirements before the Board must comply with legal requirements if they or their agents have or propose contributing more than \$250 to a Board member for an election campaign. Contact the Board office for details if you fall into this category.

Items showing times will begin no sooner than indicated. Items are numbered for identification purposes only and may not be considered in order. They may, however, be delayed by previous items.

Technical questions regarding agenda items should be directed to the responsible staff person whose name and direct phone number are indicated by the agenda item. If no staff person is listed, or for general questions and requests for agenda material, please contact Janice Tanaka at (916) 255-3039.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 255-3039 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

This meeting will be broadcast live at the following web address:

<http://www.calepa.ca.gov/broadcast/>

Board agendas and the approved minutes of Board meetings are posted on the Regional Board's website at <http://www.swrcb.ca.gov/rwqcb5>.

A listing of pending applications for Water Quality Certifications, pursuant to section 401 of the Federal Clean Water Act, may be obtained from the Regional Board's Web Page at http://www.swrcb.ca.gov/rwqcb5/public_notices or by calling Pat Gillum at (916) 255-3397.

The **Agenda** for this meeting begins on the next page.

TIME LIMITATIONS

In order to move the Board meeting along in a timely manner, and assure time for adequate consideration of items later in the Agenda, the Chair may enforce maximum time limitations on each item. The goal is to complete all presentations, cross-examination, Board deliberation and voting within the allotted time. Allotted times are listed on the agenda following each item. Please consider the allotted time when preparing your presentations. Items with specific times listed will not be heard before that time but may be heard later.

THURSDAY - 10 JULY 2003

INTRODUCTIONS

1. Introductions, pledge of allegiance, and approval of minutes from the Regular Meetings of 24/25 April 2003 and 6 June 2003.
2. Meeting Rules and Procedures
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 (5 minute time limit per subject) 8:30 a.m.*
4. Board Member Communications - *Regional 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. There will be no voting or formal action taken.*
5. Executive Officer's Report [available on the Internet at http://www.swrcb.ca.gov/rwqcb5/monthly_board_report

OTHER BUSINESS

6. Discharges from Irrigated Lands, Conditional Waiver of Waste Discharge Requirements (Resolution No. R5-2002-0201, Resolution No. R5-2002-0228) - *Consideration of Rescission of 5 December 2002 Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands in order to resolve allegations of bias, conflict of interest and procedural irregularities.*
7. Discharges from Irrigated Lands, Conditional Waiver of Waste Discharge Requirements (Resolution No. R5-2002-0201, Resolution No. R5-2002-0228) Continuance of the 24 April 2003 Board Meeting – *Consideration of Alternatives to Regulation of Discharges from Irrigated Lands, including continuing the use of, adoption of revisions to, or rescission of the Conditional Waiver, or directing staff to take related actions*

FRIDAY, 11 JULY 2003

8. Introductions and pledge of allegiance.
9. Meeting Rules and Procedures
10. The Regional Board may meet in closed session on Thursday or Friday to consider personnel matters [Authority: Government Code Section 11126(a)]; to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation [Authority: Government Code Section 11126(e)]; or to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]. Items that may be discussed are:
 1. *CVRWQCB, et al. v. Aerojet-General Corp., et al*, Sacramento Co. Sup. Ct. No. 286073, consolidated with Nos. 288302 and 291981; *CVRWQCB, et al. v. Aerojet-General Corp., et al.*, USDC (EDCal) No. CIV-S-86-0064-EJG (consolidated with *U.S. v. Aerojet-General Corp., et al.*, USDC (EDCal) No. CIV-S-86-0063-EJG).
 2. *American States Water Co., et al., v. CVRWQCB, et al.*, Sacramento Co. Sup. Ct. No. 99AS05947.
 3. *Sacramento Regional Co. Sanitation Dist. v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 98CS01702.
 4. *State of Calif., CVRWQCB, et al. v. Iron Mountain Mines, Inc., et al.*, USDC (EDCal) No. CIV-S-91-1167-DFL-PAN and *U.S. v. Iron Mountain Mines, Inc., et al.*, USDC (EDCal) No. S-91-0768 DFL/JFM.
 5. *State of Calif. ex rel CIWMB, et al. v. Edward J. Filbin, et al.* (Westley Tire Fire).

6. *San Francisco Baykeeper, Inc., et al. v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 99CS02722. (Toxic Hot Spots)
7. *CVRWQCB v. Cedar Point Properties, Inc., Daniel R. Kennedy, et al.*, Plumas Co. Sup. Ct. No. 19897 (Walker Mine)
8. *Coalition for Alternatives to Kiefer Landfill v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 01CS00728.
9. *CVRWQCB v. A Greener Globe Corp., et al.*, Placer Co. Sup. Ct. No. SCV11383.
10. *CVRWQCB v. Sonora Mining Corp., et al.*, Tuolumne Co. Sup. Ct. No. CV 486 (Jamestown Mine).
11. *Original Sixteen to One Mine, Inc. v. CVRWQCB*, Sierra Co. Sup. Ct. No. 5511.
12. *City of Brentwood v. CVRWQCB*, Contra Costa Co. Sup. Ct. No. 2-0160.
13. *State of Calif., City of Lodi v. M&P Investments, et al.*, USDC (EDCal) No. CIV S-00-2441 FCD.
14. *City of Merced, et al., v. R.A. Fields, CVRWQCB*, U.S. Court of Appeals (Ninth Cir.) D.C. No. CV-F 92-5627 (REC/DLB) EDCal; *City of Merced, et al., v. R.A. Fields, et al.*, USDC (EDCal) No. CV-F 92-5627 REC/DLB.
15. *National Park Service, El Portal WWTF*, Administrative Civil Liability Order No. 5-01-031.
16. *Petitions of Meridian Beartrack Co., et al.*, SWRCB/OCC Files A-1369, A-1469, A-1569.
17. *Petition of Sacramento Co. for Review of WDRs Order No. 5-01-256*, Sacramento Co. Boys Ranch, SWRCB/OCC File A-1431.
18. *Petitions of (1) City of Stockton and Co. of San Joaquin and (2) DeltaKeeper, et al., for Review of WDRs Order No. R5-2002-0181*, SWRCB/OCC Files A-1524 and A-1524(a). (Storm water permit)
19. *Petition of Co. of Sacramento and Cities of Sacramento, Galt, Folsom and Elk Grove for Review of WDRs Order No. R5-2002-0206*, SWRCB/OCC File A-1538. (Storm water permit)
20. *Petitions of (1) DeltaKeeper; San Francisco BayKeeper; Natural Resources Defense Council; California Public Interest Research Group; The Ocean Conservancy; California Sportfishing Protection Alliance and (2) Agricultural Water Quality Coalition, for Review of the Agricultural Return Flow Waiver*, SWRCB/OCC Files A-1536(a) and A-1536.
21. *Deltakeeper, et al v. CVRWQCB*, Sacramento Co. Sup. Ct. No. 03CS00032 (Ag Waiver CEQA lawsuit).
22. *City of Stockton v. SWRCB et al.*, San Joaquin Co. Sup. Ct. No. CVO20665 (NPDES permit).
23. *City of Vacaville v. SWRCB et al.*, Solano Co. Sup. Ct. No. FCSO20945 (NPDES permit).
24. *Deltakeeper, et al v. CVRWQCB*, Alameda Co. Sup. Ct. (Timber Harvest Waiver lawsuit)
25. *Kuneman, et al., v. California Water Service, City of Marysville, County of Yuba, State of California, et al.*, Yuba Co. Sup. Ct. YCSCCVCV 03-0000218.
26. *The Cities of Elk Grove, Folsom, Sacramento and County of Sacramento v. SWRCB, et al.*, Sacramento Co. Sup. Ct. No. 03CS00685 (Storm water permit lawsuit).
27. *Petition of DeltaKeeper, et al.*, for Review of WDRs Order No. R5-2003-0003, NPDES Permit for University of California, Davis Wastewater Treatment Plant, SWRCB/OCC File A-1551
28. *Petition of the Association of Irrigated Residents*; Communities for Land, Air U Water; DeltaKeeper, for Review of the Confined Animal Facility Waiver, SWRCB/OC File A-1537
29. *Association of Irrigated Residents, et al v. CVRWQCB*, Sacramento Co. Sup. Ct. No. 03CS00064. (Confined Animal Facilities CEQA lawsuit)
30. *Petition of AmeriPride Services, Inc.*, SWRCB/OCC File A-1570

11. The Board will be asked to approve items 17 through 21 with no discussion if no one is here to testify about them; see page 4 for description/listing of items – **9:30 a.m.**
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 (5 minute time limit per subject) 9:30 a.m.*

OTHER BUSINESS

13. Small Food Processors, Including Wineries, in the Central Valley Region – *Consideration of a Conditional Waiver* [Wendy Wyels (916) 255-3135] **(Time Limit – 60 minutes)**
14. General WDRs Order No. R5-2003-0029, On-Site Storage and Off-Site Disposal of Wastewater Generated by Small Wineries Within the Central Valley Region – *Consideration of Rescission* [Wendy Wyels (916) 255-3135] **(Time Limit – 30 minutes)**

ENFORCEMENT

15. County of Sacramento, Western Groundwater Operable Unit, Sacramento County – *Consideration of a Cleanup and Abatement Order* [Alexander MacDonald (916) 255-3025] **(Time Limit – 45 minutes)**

16. County of Sacramento, Inactive Rancho Cordova Test Site, Sacramento County - *Consideration of a Cleanup and Abatement Order* [Alexander MacDonald (916) 255-3025] **(Time Limit – 45 minutes)**

UNCONTESTED ITEMS CALENDAR

Uncontested items are expected to be routine and noncontroversial; recommendations will be acted on without discussion. If any interested party, Board, or staff member requests discussion, the item may be removed from the Uncontested Items Calendar and taken up in the regular agenda order, or in an order determined by the Board Chair – 8:30 a.m.

ENFORCEMENT

17. City of Ione, Wastewater Treatment Plant, Amador County - *Consideration of Cease and Desist Order* [Scott Kranhold (916) 255-3389]

NPDES PERMITS

18. Uncontested NPDES Permits
 - a. Department of Corrections, Deuel Vocational Institution, San Joaquin County (revision)
 - b. City of Portola, Wastewater Treatment Plant, Plumas County (renewal)

WASTE DISCHARGE REQUIREMENTS

19. Uncontested Rescissions
 - a. Gotland Oil, Inc., Johnson Lease, Semitropic Oil Field, Kern County, Order No. 97-185
 - b. Gotland Oil, Inc., USL Lease, Semitropic Oil Field, Kern County, Order No. 97-187
 - c. Stagno's Meat Company, Slaughterhouse and Covered Pens, San Joaquin County, Order No. 99-134
20. Uncontested Change of Name and/or Ownership
 - a. John Van Curen, Fruit Concentrate Plant, Madera County, Order No. 94-193
 - b. Daniel Souza, Recycling Project, Fresno County, Order No. 94-372
 - c. Timeless Investments dba E-Z Trip, E-Z Trip, Fresno County, Order No. 97-010
 - d. Sierra Cedar Products, Yuba County, Order No. 98-224
21. Uncontested Waste Discharge Requirements
 - a. Solano Concrete Company, Inc., Madison Plant, Yolo County (revision)
 - b. County of Tulare, Exeter Solid Waste Landfill, Tulare County (revision)
 - c. County of Tulare, Teapot Dome Solid Waste Landfill, Tulare County (revision)
 - d. Teichert Aggregates, Perkins Plant, Sacramento County (revision)
 - e. U.S. Army Corps of Engineers, Port of Sacramento, Sacramento Deep Water Ship Channel Maintenance Dredging Activities Channel Mile 0.0 to 43.4, Contra Costa, Sacramento, Solano and Yolo Counties (revision)
 - f. Norcal Waste Systems Hay Road Landfill, Incorporated, Hay Road Landfill, Class II & III Landfills, Class II Waste Pile and Class II Land Treatment Unit, Operation, Closure, Post-Closure Maintenance, and Corrective Action, Solano County (revision)
 - g. East Bay Municipal Utility District, Pardee Center Wastewater Treatment Facility, Calaveras County (update)
 - h. Nestle Usa, Inc., In Situ Groundwater Remediation Pilot Study, Former Ripon Facility, San Joaquin County (new)
 - i. Lincoln Center Environmental Remediation Trust, In Situ Groundwater Remediation Pilot Study, San Joaquin County (new)
 - j. Sportsman Yacht Club Inc., Sportsman Yacht Club Harbor, Contra Costa (new)