



Public Meeting

Central Valley Regional Water Quality Control Board

27 January 2005 - 8:30 a.m.
28 January 2005 - 8:30 a.m.
Central Valley Regional Water
Quality Control Board
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

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. Closed Session business is normally conducted during the lunch break, although the Board may adjourn to Closed Session at any time. Depending on the extent of Closed Session items, the lunch break may be lengthy. The Board Chair will announce prior to any Closed Session the anticipated time that the public session will resume.

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) 464-4839.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Ms. Tanaka at (916) 464-4839 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.

Board agendas and the approved minutes of Board meetings are posted on the Regional Board's website at http://www.waterboards.ca.gov/centralvalley/board_meetings/

Copies of the items to be considered by the Board may be downloaded from the following Website, <http://waterboards.ca.gov/centralvalley/tentative/> organized by agenda item number.

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://waterboards.ca.gov/centralvalley/public_notices/ or by calling Pat Gillum at (916) 464-4709.

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 – 27 JANUARY 2005 - 8:30 a.m.

1. Introductions, approval of October and December Minutes and pledge of allegiance.
2. Meeting Rules and Procedures
3. Executive Officer's Report http://www.waterboards.ca.gov/centralvalley/monthly_board_report **(this item may be heard on Thursday or Friday)**
4. Appointment of nominating committee for Chair and Vice Chair
5. 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.
6. 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.*
7. The Board will be asked to approve items 14 through 19 with no discussion if no one is here to testify about them; see pages 3 & 4 for a description/listing of items

ENFORCEMENT

8. Mr. Nick Petsas, Lake Berryessa Enterprises, Inc. II, dba Putah Creek Resort, Napa County – (a) *Consideration of Board Panel's recommendation in regard to adoption of an Administrative Civil Liability Order and (b) Consideration of a Cease and Desist Order* [Guy Childs (916) 464-4648] **(Time Limit – 45 minutes)**
9. The Morning Star Packing Company L.P., Colusa County – *Consideration of a Cease and Desist Order* [Anne Olson (916) 464-4740] **(Time Limit – 45 minutes)**

WASTE DISCHARGE REQUIREMENTS

10. Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Harvest Activities Within the Central Valley Region– *Consideration of Adoption of Resolution to Extend Waiver* [Jim Pedri (530) 224-4845] **(Time Limit – 90 minutes)**

BASIN PLANNING

11. Amendments to the Water Quality Control Plan for the Sacramento and San Joaquin River Basins for the Control of Factors Contributing to the Dissolved Oxygen Impairment in the Stockton Deep Water Ship Channel – *Consideration of a Resolution to Adopt a Proposed Basin Plan Amendment* [Mark Gowdy (916) 464-4717] **(Time Limit – 75 minutes)**

CLOSED SESSION

12. The Board will meet in closed session to evaluate the performance of its Executive Officer and other employees relative to the operation of the Fresno Office. Authorized by Government Code Section 11126 (a).

THURSDAY – 27 JANUARY 2005 - 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

13. City of Plymouth and Roy Mason, City of Plymouth Wastewater Treatment Plant, Amador County – *Consideration of a Cease and Desist Order* [Scott Kranhold (916) 464-4689]
14. ~~United Auburn Indian Community, Auburn Rancheria Casino Wastewater Treatment Plant, Placer County –~~ *Consideration of NPDES Permit Revision and Cease and Desist Order* [Trinh Pham (916) 464-4761] **This item has been removed from the agenda and will be heard at a later Board Meeting**
15. Lake County Sanitation District, Kelseyville County Water Works District No. 3, Lake County – *Consideration of a Cease and Desist Order* [Guy Childs (916) 464-4648]

NPDES PERMITS

16. Uncontested NPDES Permits
 - a. Sierra Pacific Industries, Camino Lumber Mill, El Dorado County (renewal)
 - b. Planada Community Services District, Wastewater Treatment Facility, Merced County (renewal)
 - c. Sewerage Commission-Oroville Region, Waste Water Treatment Plant, Butte County (renewal)
 - d. South Feather Water and Power Agency, Miners Ranch Water Treatment Plant, Butte County (renewal)
 - e. Indian Valley Health Care District, Geothermal Space Heating System, Plumas County (renewal)
 - f. U.S. Department of Interior, Fish and Wildlife Service, Livingston Stone National Fish Hatchery, Winter Run Rearing Facility, Shasta County (renewal)
 - g. Modoc Joint Unified School District, Geothermal Project, Modoc County (renewal)
 - h. Rio Alto Water District, Lake California Wastewater Treatment Plant, Shasta County (renewal)
 - i. Union Pacific Railroad Company, Dunsmuir Railyard, Siskiyou County (renewal)
 - j. The Boeing Company, Interim Groundwater Extraction and Treatment Systems, Inactive Rancho Cordova Test Site, Sacramento County (revision)
 - k. The Boeing Company, Southern Groundwater Study Area Extraction and Treatment System, Inactive Rancho Cordova Test Site, Sacramento County (new)

WASTE DISCHARGE REQUIREMENTS

17. Uncontested Change of Name and/or Ownership
 - a. John Van Curen, Franzia/McFarland, Kern County, Order No. 80-135
 - b. City of Bakersfield, Recycling Project, Kern County, Order No. 82-049
 - c. Orland Sand and Gravel Corporation, Glenn County, Order No. 85-322
 - d. Oroville Jacobs, Antelope Service Center, Tehama County, Order No. 88-065
 - e. Forest Springs Mobile Home Community, Alfred F. Tucker, James H. Tucker, and Jerald A. Tucker, DBA Forest Springs Associates, Nevada County, Order No. 88-106
 - f. Southern Estates LLC, Sandy Point MHP, Fresno County, Order No. 90-098
 - g. Northwood Vineyards LLC, Reclamation Field, Fresno County, Order No. 94-369
 - h. O'Neill Beverages Co., LLC, O'Neill Vintners & Distillers, Fresno County, Order No. 95-014
 - i. Weston, Bernard & Laurie, The Lost Sierras Mobile Park, Yuba County, Order No. 95-130
 - j. Dole Packaged Frozen Foods, Inc., Atwater Frozen Food Plant, Merced County, Order No. 96-213
 - k. Booth Ranches, LLC, Citrus Packing Facility, Fresno County, Order No. 97-006
 - l. Mathews Ready Mix, LLC, Anderson Plant. Shasta County, Order No. 97-028 and R5-2005-0013

- m. Carneros Energy, Inc., Bradford Lease, Semitropic Oil Field, Kern County, Order No. 97-177
- n. Carneros Energy, Inc., BBJ – Bamb Lease, Semitropic Oil Field, Kern County, Order No. 97-179
- o. Carneros Energy, Inc., Bradford B Lease, Semitropic Oil Field, Kern County, Order No. 97-180
- p. Carneros Energy, Inc., Chapman – BHM Lease, Semitropic Oil Field, Kern County, Order No. 97-182
- q. Carneros Energy, Inc., Supreme Lease, Semitropic Oil Field, Kern County, Order No. 97-186
- r. Carneros Energy, Inc., Williams-Elliott 15 Lease, Semitropic Oil Field, Kern County, Order No. 97-188
- s. Carneros Energy, Inc., Williams-Elliott 24 Lease, Semitropic Oil Field, Kern County, Order No. 97-189
- t. Baldwin Contraction Company Inc., Stony Creek Plant, Glenn County, Order No. 98-082
- u. DNC Parks & Resorts at Tenaya Inc., Mariposa County, Order No. 99-086
- v. Burney Forest Products, A Joint Venture, Big Valley Lumber Company, and Fruit Growers Supply Company, Burney Sawmill-Cogeneration Facility, Shasta County, Order No. 5-00-257
- w. O'Neill Beverages Co., LLC, O'Neill Vintners & Distillers SI, Fresno County, Order No. 5-01-141
- x. Yolo County Public Works Department, Wild Wings Water Recycling Facility, Yolo County, Order No. R5-2002-0077
- y. Dairy Farmers of America Inc., Glenn Milk Plant, Glenn County, Order No. R5-2002-0161

18. Uncontested Rescissions

- a. Drilling and Production Company, SCT Lease, Tejon Oil Field, Kern County, Resolution No. 70-191
- b. Loren F. Vinson Livestock, Inc., Tehama County, Order No. 85-101
- c. Woolery Livestock Transportation, Inc., Shasta Livestock Auction, Inc., and Robert Jones, Shasta County, Order No. 86-181
- d. William M. Oliveira Dairy, Section 20, T18S, R20E, MDB&M, Kings County, Order No. 91-049
- e. William Baker and Leland Baker Trust, Baker Brothers Ranch, Tulare County, Order No. 94-045
- f. Weir Floway, Inc., Groundwater Cleanup System, Fresno County, Order No. 95-192
- g. Baltimore Aircoil Company, Inc., Groundwater Cleanup System, Merced County, Order No. 96-100
- h. Big Hill Logging and Road Building, Inc., Gridley Log Yard, Butte County, Order No. 97-164
- i. Terra Linda Farms, Vegetable Packing Facility, Fresno County, Order No. 96-167
- j. Spanish Creek Aggregates, Inc., Quincy Gravel Operation and Hale Charlton, Plumas County, Order No. 98-080
- k. City of Modesto, Grayson Park Well 295, Stanislaus County, Order No. 98-122
- l. Shasta Paper Company, Inc., Shasta County, Order No. 5-00-082
- m. Dan Garcia, Curtis Gray, Yuba River Properties, and Dan Garcia Sand and Gravel, Yuba County, Order No. 5-00-103
- n. Fernand Larranaga dba Larranaga Trucking, Larranaga Pit and Alturas Ranches, LLC, Modoc County, Order No. 5-01-201
- o. California Department of Fish and Game, Lake Davis Detonation Cord Project, Plumas County, Order No. R5-2002-0040
- p. Plains Exploration & Production Company, Cagle-USL Lease, Coalinga-East Extension Oil Field, Fresno County, Order No. R5-2002-0167
- q. Kipling Korth, Kim Korth Stumph and Thomas Stumph, Korths Pirate Lair, Sacramento County, Order No. R5-2003-0137

19. Uncontested Waste Discharge Requirements

- a. California Department of Corrections, Groundwater Extraction and Treatment System, California Correctional Institution Tehachapi, Kern County (new)
- b. Collins and Aikman Products Company, Former Wickes Forest Industries Site, Enhanced Insitu Remediation Pilot Study, Elmira, Solano County (new)
- c. ~~City of Chico Park Department, For Closure of Horseshoe Lake Parking Area E~~, Butte County (new) **REMOVED**
- d. City of Avenal and Madera Disposal Systems, Inc., for Construction and Operation, City of Avenal Municipal Solid Waste Landfill, Kings County (revision)
- e. Musco Family Olive Company and The Studley Company, Class II Surface impoundments, Tracy Plant, San Joaquin County (revision)
- f. Shasta County Service Area No. 13, Alpine Meadows and Whispering Woods Estates Subdivisions, Shasta County (revision)
- g. Wal-Mart Stores East, L.P., Wal-Mart Distribution Center No. 26, Tehama County (revision)
- h. Oroville Landfill Properties, Oroville Landfill Properties, LLC, Jack M. Steebles LLC, Carol Ann Seidenglanz LLC, and Steven Conn Seidenglanz LLC, For Closure of Oroville Landfill Properties Class III Wood Waste Landfill, Butte County (update)

FRIDAY – 28 JANUARY 2005 - 8:30 a.m.

20. Introductions and pledge of allegiance.
21. Meeting Rules and Procedures
22. 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.*

OTHER BUSINESS

23. Regulation of Food Processing Waste Discharges to Land – *Information Item* [Bert Van Voris (559) 445-6079 and Wendy Wyels (916) 464-4835] **(Time Limit – 240 minutes)**

AGENDA ITEMS 24 AND 25 WILL NOT BE PRESENTED BEFORE 1:00 P.M.

24. Discussion of Potential Revisions to the Irrigated Lands Waiver Program - *Information Item* [Molly White (916) 464-4781] **(Time Limit – 60 minutes)**
25. Port of Stockton Dredge Material Reuse, Port of Stockton West Complex Dredging Project, and Trapper Slough Levee Project – *Information Item* [Sue McConnell (916) 464-4798] **(Time Limit – 60 minutes)**
26. The Regional Board may meet in closed session on Thursday or Friday to consider personnel matters [Authority: Government Code Section 11126(a)]; to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]; or 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)]. Litigation items that may be discussed are:
 - a. To evaluate the performance of its Executive Officer and other employees relative to the operation of the Fresno Office. Authorized by Government Code Section 11126 (a).
 - b. 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. (Aerojet Cleanup)
 - c. American States Water Co., et al., v. CVRWQCB, et al., Sacramento Co. Sup. Ct. No. 99AS05947. (Aerojet Cleanup-water supply)
 - d. Sacramento Regional Co. Sanitation Dist. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 98CS01702.
 - e. 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. (IMM Cleanup)
 - f. State of Calif. ex rel CIWMB, et al. v. Edward J. Filbin, et al. (Westley Tire Fire).
 - g. San Francisco Baykeeper, Inc., et al. v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 99CS02722. (Toxic Hot Spots)
 - h. Coalition for Alternatives to Kiefer Landfill v. SWRCB, et al., Sacramento Co. Sup. Ct. No. 01CS00728. (Landfill WDRs)
 - i. CVRWQCB v. A Greener Globe Corp., et al., Placer Co. Sup. Ct. No. SCV11383. (Landfill WDRs)
 - j. CVRWQCB v. Sonora Mining Corp., et al., Tuolumne Co. Sup. Ct. No. CV 486 (Jamestown Mine).
 - k. Original Sixteen to One Mine, Inc. v. CVRWQCB, Sierra Co. Sup. Ct. No. 5511. (NPDES permit)
 - l. City of Brentwood v. CVRWQCB, Contra Costa Co. Sup. Ct. No. 2-0160. (MMP Order)
 - m. State of Calif., City of Lodi v. M&P Investments, et al., USDC (EDCal) No. CIV S-00-2441 FCD. (Lodi PCE plumes)
 - n. 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. (Merced PCE plumes)
 - o. National Park Service, El Portal WWTF, Administrative Civil Liability Order No. 5-01-031. (NPDES discharge)
 - p. Deltakeeper, et al v. CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS00032 (Ag Waiver CEQA lawsuit).
 - q. City of Stockton v. SWRCB et al., San Joaquin Co. Sup. Ct. No. CVO20665 (NPDES permit).
 - r. City of Vacaville v. SWRCB et al., Solano Co. Sup. Ct. No. FCSO20945 (NPDES permit).
 - s. Petition of City of Chico, Butte County, Edmund and Juli Johnson, California Park Association Review of Cleanup and Abatement Order No. R5-2003-0707, SWRCB/OCC File A-1575, A-1575 (a), A-1575 (b), A-1575(c) (Humboldt Road Burn Dump).
 - t. County of Sacramento v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct. No. 03CS01521
 - u. State of California, CVRWQCB v. AKT Development Corporation and Sunridge Development, LLC.(Referral to AG).
 - v. California Farm Bureau v. SWRCB and CVRWQCB, Sacramento Co. Sup. Ct., 04CS00264 (2005 Ag Waiver lawsuit)
 - w. Deltakeeper et al v. CVRWQCB and SWRCB, Sacramento Co. Sup. Ct., 04CS00235 (2005 Ag Waiver lawsuit)
 - x. City of Vacaville v. SWRCB and CVRWQCB and California Association of Sanitation Agencies v. SWRCB and CVRWQCB, Contra Costa Co. Sup. Ct., Case No. CIV MSN03-0956.(NPDES permit)
 - y. Kern Ridge Growers, LLC v. SWRCB and CVRWQCB, Kern Co. Sup. Ct., Case No. S-1500-CV 252327NFT.

- z. Petition of UC Davis, Review of NPDES Permit and Cease and Desist Order (Order Nos. R5-2003-003 and R5-2003-004) (NPDES Permit revisions, filed April 19, 2005).
- aa. Petition of City of Manteca, Review of NPDES permit and Cease and Desist Order (Order Nos. R5-2005-0028 and R5-2005-0029) (NPDES permit, filed April 19, 2005).
- bb. Petition of City of Galt, SWRCB/OCC File A-1627 (NPDES permit)
- cc. Deltakeeper et al v. SWRCB and CVRWQCB, Sac. Co. Sup. Ct (2005 Timber Waiver Lawsuit).
- dd. Ameripride Services, Inc. v. CVRWQCB, et al., Sacramento Co. Sup. Ct. No.04CS00426 (PCE plume)
- ee. Petitions regarding Lodi PCE sites SWRCB/OCC File A-1639, 1639(a), 1639(b), 1639(c) (Review of Cleanup and Abatement Order2005-0043)
- ff. Petitions of Butte Environmental Council, SWRCB/OCC File A-1657 and A-1657 (a) (Review of Remedial Action Plans and Waste Discharge Requirements at the Humboldt Road Burn Dump)
- gg. MANA v. State Water Resources Control Board and Regional Water Quality Control Board, Sac. County Superior Court No. 04CS00871
- hh. City of Woodland v. SWRCB and CVRWQCB, Yolo County. Sup. Ct.. Case No. PT04-759 (NPDES Permit R5-2003-0031 and CDO R5-2003-0032, and SWRCB Order WQO 2005-0010
- ii. DeltaKeeper, et al. v. SWRCB and CVRWQCB, Sacramento Co. Sup Ct. Case No. 04CS01228 (Roseville Reclamation Permit)
- jj. City of Yuba City v. SWRCB and RWQCB (NPDES Permit)