

# CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

## 563rd BOARD MEETING MINUTES THURSDAY, 6 JUNE 2019 FRIDAY, 7 JUNE 2019

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### THURSDAY, 6 JUNE 2019 (DAY 1)

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#### BOARD MEETING LOCATION:

11020 SUN CENTER DRIVE, SUITE 200  
RANCHO CORDOVA, CA 95670

#### CALL TO ORDER:

Chair Longley called the 563rd 6 June 2019 Board meeting to order, made introductions and announced Board Members Brar and Kadara will be arriving later in the day.

#### BOARD MEMBERS PRESENT:

Brar, Raji	Longley, Karl	Ramirez, Carmen
Kadara, Denise	Marcum, Dan	Schneider, Bob

Member Brar arrived at 10:50 a.m.

Member Kadara arrived at 3:00 p.m.

#### BOARD MEMBERS ABSENT:

Bradford, Mark

#### STATE WATER BOARD MEMBERS PRESENT:

D' Adamo, Dorene

**STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT STAFF  
PRESENT:**

Jahr, Jessica  
Lancaster, David  
Loscutoff, Suzie

Toft-Dupuy, Bayley  
Wadhwani, Emel

**REGIONAL BOARD STAFF PRESENT WHO WERE IDENTIFIED:**

Altevogt, Andrew  
Brown, Janelle  
Busby, Robert  
Chow, Bob  
Cooke, Janis  
Cottrell, Maxine  
Coughlin, Gene  
Harvey, Dale  
Howard, Meredith  
LaBay, Jennifer  
Lanfranchi-Kiran

Laputz, Adam  
Littlejohn, Anne  
Luo, Xuan  
Mahoney, Joshua  
Marshall, Jim  
Mello, Joe  
Minkel, Peter  
Palmer, Josh  
Pulupa, Patrick  
Rodgers, Clay  
Schroeder, Jason

Sellards, Kim  
Shelton, Brad  
Snapp, Michelle  
Snyder, Clint  
Soltani, Ayda  
Soria, Denise  
Tadlock, Stephanie  
Thompson, Steve  
Uhrik, Christine  
Wenzel, Alisha  
White, Nicholas

**ADDITIONAL ATTENDEES PRESENT:**

Allayaud, Bill  
Barron, Sally  
Bedore, Paul  
Childs, Stuart  
Clarke, Stephen  
Dalke, Steve

Dunham, Tess  
Grovhoug, Tom  
Hathaway, Chad  
Jain, Vinoo  
Liberty, Chelsie  
Lien, Mike

Lien, Tim  
Miller, Michael  
Mills, Jeff  
Rayfield, Travis  
Sullivan, Patrick

**MOTION TO ADOPT: 6/7 June 2019 BOARD MEETING MINUTES**

Motion Made by: Vice-Chair Ramirez  
Seconded by: Member Marcum  
Member Marcum: Yes  
Member Schneider: Yes  
Vice-Chair Ramirez: Yes  
Chair Longley: Yes  
Approved by roll call: Vote of 4-0-0

Members Denise Kadara and Raji Brar were not present during the approval of the minutes.

**AGENDA ITEM 3 – BOARD MEMBER COMMUNICATION**

Chair Longley stated that, about 20 years ago, as the Dean of Engineering at Fresno State University, together with one of the Professors, Walter Mizuno, he developed a program called,

“The Valley Industry Partnership Cooperative Education Program.” The purpose of this program was to work with industries to give internship opportunities to students. One such student intern on this program was Dr. Brissa Quiroz. Chair Longley introduced Dr. Quiroz, who was in the audience.

Chair Longley stated that programs like these are very important for students who later go on to become Engineers, Scientists, Geologists., etc. He stated the Regional Board has not been a partner to this program, because the way that the program is set up is difficult for governmental agencies to be partners, but other agencies like Caltrans, Department of Water Resources, etc., provide valuable work experience for students.

Executive Officer Pulupa asked Dr. Quiroz to leave her contact information. He noted that the State Water Board has been interested in pursuing these types of internship opportunities.

**Member Schneider reported the following communications:**

Attended the State Water Board meeting and tour in Redding, CA.

Attended the Delta Tributary Mercury Council meeting coordinated by Steven McCord.

Participated in FireScope Mendocino meeting, a stakeholder group that is working closely with leadership in the Mendocino National Forest.

**Member Marcum reported the following communications:**

Attended both days of the State Water Board meeting and tour in Redding last month. Member Marcum noted the good partnership which our Board staff had with the Western Shasta Resource Conservation District (RCD) to conduct post-fire restoration activities and follow-up evaluations.

He also reported a phone conversation last week with Ned Coe, Modoc County Supervisor, suggesting RCD's would be good leaders to collect needed environmental data on the Pit River.

**Chair Longley reported the following communications:**

15 April: participated in the Regional Boards Chairs' meeting via teleconference.

24 April: participated in Regional Boards Chairs' meeting regarding Enforcement Policy via teleconference.

25 April: participated in CV- SALTS Executive Committee meeting at Sacramento Regional County Sanitation District.

30 April: participated in the Regional Board Chairs' Meeting at State Water Board, Sacramento.

6-7 May attended the State Water Board meeting and tour in Redding, CA.

9 May: participated in Food Safety Panel meeting via teleconference.

10 May: presented on Costs for Treating the Residual Stream from Water Treatment Plants at the 3rd Drinking Water Needs Assessment Workshop, a forum put on by the State Water Board.

13 May: participated in CV-SALTS briefing for State Water Board Member Sean Maguire via conference call.

20 May: participated in CV-SALTS briefing for State Water Board Chair Joaquin Esquivel and Vice-Chair Dorene D'Adamo via conference call.

23 May: participated in CV-SALTS Executive Committee meeting via conference call.

28 May: participated in CV-SALTS briefing for State Water Board Members Sean Maguire and Tam Doduc via conference call.

3 June: participated in Salty 5 meeting (CV-SALTS coordination meeting) via conference call.

Chair Longley thanked Andrew Altevogt (Assistant Executive Officer) for briefing him in advance of the State Water Board meeting on Enforcement.

Chair Longley further commented that it would be beneficial to have an Informational item on the Enforcement Policy on the agenda, in the near future.

#### **AGENDA ITEM 4 – PUBLIC FORUM**

Sally Barron (self-represented), spoke on the Mule Creek Prison sewage problems.

Executive Officer Patrick Pulupa answered questions for the Board, in reference to Ms. Barron's comments. He stated all issues raised by Ms. Barron are on his priority list and are currently being addressed.

#### **AGENDA ITEM 5 – STATE WATER BOARD LIAISON UPDATE**

State Water Board Member Dorene D'Adamo gave an update on the State Water Board activities. Board member D'Adamo mentioned that Board Chair Joaquin Esquivel was interested in spending a little bit more time as a Board traveling throughout the State.

She stated that in March and May, they attended two meetings outside of Sacramento, as follows:

- 18 March: attended a border tour arranged by the San Diego Water Board;
- 19 March held a Board meeting at the Salton Sea area in the Colorado River Water Board's jurisdiction. She stated that it was a great opportunity to hear from the local community regarding their interests and concerns about the Salton Sea restoration plans.

On 6/7 May the State Water Board held a meeting and tour in Redding, CA.

She stated that she appreciated Regional Board Members Longley, Marcum, Schneider, Bradford, and Executive Officer Pulupa and his team for attending the State Water Board meeting and tour in Redding.

2 April: The State Water Board has been working on a policy entitled “State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State.” She stated that it was a challenge to get this to the finish line.

She stated that there is an administrative draft of the Winery General Order was being discussed with stakeholders and with the Regional Boards. The Wine Institute has hosted several tours in which the Regional Boards participated. Staff also held several outreach meetings.

She stated that the State Water Board will hold another workshop on toxicity. This will provide additional opportunities for Stakeholders and the Regional Boards to participate.

On 2 July, the State Water Board will hold a CV-SALTS workshop. She stated that she appreciates all the time and effort that this Board has invested in this program and that the workshop will be a good opportunity for the Central Valley Water Board to discuss some of the ongoing concerns. She stated that the State Water Board’s top goals are water quality and safe drinking water. She stated that this was a top priority for the Governor Newsom and before that, Governor Brown.

On 29 April the Governor issued an Executive Order, “The Water Resilience Portfolio Initiative”, calling upon CalEPA, the Resources Agency and the Department of Food and Agriculture to identify and assess a suite of complimentary actions, taking inventory and make recommendations. Chair Esquivel is very committed to having all of the Regional Boards provide input on this initiative.

Board member D’Adamo then gave an update on the Bay Delta Water Quality Control plan. The State Water Board adopted the plan for the San Joaquin, Phase I, in December of last year. When Phase I was adopted, there was a provision that directed State Water Board staff to work with the Resources Agency to initiate Phase II. Key to both phases are voluntary agreements, which are packages of flow and non-flow measures that the State Water Board will be considering as opposed to a top-down regulatory approach.

Chair Longley talked about safe drinking water for disadvantaged communities, and the path to sustainable and safe drinking water.

Executive Officer Pulupa thanked Board member D’Adamo for her insight and update on all the above issues. Member A’damo returned the compliment to Executive Officer Pulupa for his participation and collaboration.

Chair Longley thanked Member D’Adamo for her leadership.

## **AGENDA ITEM 6 – EXECUTIVE OFFICER’S REPORT**

At the request of the Board, Executive Officer Pulupa described how the Report has begun to identify engagement efforts with disadvantaged communities and environmental justice communities. This effort is being spearheaded by Robert L’Heureux. The Board is working on

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refining reporting tools so that we can figure out how categorize and catalogue outreach efforts.

Executive Officer Pulupa mentioned that the report got a little bit longer because we are using a bigger font size (Arial 12) to conform with the new ADA compliance guidelines. He stated if the Board has any questions, to direct them to him and he will find out how to better resolve them.

Vice-Chair Ramirez stated that she enjoys reading the public outreach section of the report. She stated that it was easy to find what she was looking for.

Member Marcum commented on the Employee Recognition section of the report for some of the good data organization, particularly what the newer staff are doing to get a handle on technical data so that they could be properly analyzed and dealt with over time.

### **PRESENTATION OF RESOLUTION BY CHAIR**

Chair Longley presented a Resolution to former Board member Jon Costantino and thanked him for his contribution to the Board.

### **PRESENTATION OF SUPERIOR ACCOMPLISHMENT AWARDS BY EXECUTIVE OFFICER**

Executive Officer Pulupa presented the Superior Accomplishment Awards to the following staff:

- Denise Soria (Water Resources Control Engineer), Fresno Office
- Jason Schroeder (Engineering Geologist), Redding Office
- Alisha Wenzel (Engineering Geologist), Sacramento Office
- Steven Thompson (Associate Governmental Program Analyst), Sacramento Office

### **AGENDA ITEM 8 – United States Army Corps of Engineers, San Francisco District, Contra Costa, Sacramento, San Joaquin, Solano, and Yolo Counties.**

#### **(AGENDA ITEM 8 WAS HEARD BEFORE AGENDA ITEM 7)**

Consideration of a Resolution Authorizing the Executive Officer to Enter into a Memorandum of Understanding with the United States Army Corps of Engineers, San Francisco District, Concerning Operations and Maintenance Dredging of the Stockton and Sacramento Deep Water Ship Channels.

Nicholas White, Water Resources Control Engineer, gave the Board staff presentation.

Executive Officer Pulupa and Assistant Executive Officer Laputz answered questions for the Board.

**MOTION TO ADOPT:        RESOLUTION**

Motion Made by:            Vice-Chair Ramirez  
Seconded by:                Member Schneider  
Member Schneider:        Yes  
Member Marcum:            Yes  
Vice-Chair Ramirez:        Yes  
Chair Longley:              Yes  
Approved by roll call:      Vote of 4-0-0

**AGENDA ITEM 7 – OTHER BUSINESS**

Informational Item on the Status of the Lower American River E. coli Source Tracking Monitoring Design.

Member Raji Brar arrived at 10:50 a.m. and was present for Agenda item 7.

Alisha Wenzel (Geologist in the Sacramento Office) gave a presentation on E. coli monitoring and development of a source tracking study for the Lower American River.

Executive Officer Pulupa made comments and answered questions for the Board.

**AGENDA ITEM 11 – WASTE DISCHARGE REQUIREMENTS**

**(AGENDA ITEM 11 WAS HEARD BEFORE AGENDA ITEM 9)**

Hathaway, LLC, Kern-Tulare Water District, and Jasmin Ranchos Mutual Water Company; Jasmin Treatment Facility; Kern County – Consideration of Waste Discharge Requirements.

Joshua Mahoney (Water Resources Control Engineer) presented the Board staff report.

Presentation by Hathaway LLC from Chad Hathaway (Owner) and Steve Dalke (Kern-Tulare Water District).

Bill Allayaud spoke for Clean Water Action.

Executive Officer Pulupa, Assistant Executive Officer Rodgers and Dale Harvey (Water Resources Control Engineer) answered questions for the Board.

**MOTION TO ADOPT:        WASTE DISCHARGE REQUIREMENTS**

Motion Made by:            Member Brar  
Seconded by:                Member Marcum  
Member Brar:                Yes  
Member Marcum:            Yes  
Member Schneider:        Yes  
Vice-Chair Ramirez:        Yes  
Chair Longley:              Yes  
Approved by roll call:      Vote of 5-0-0

Member Ramirez left at 12:45 p.m.

## **LUNCH AND CLOSED SESSION**

The Board recessed for lunch at 12:45 p.m. to discuss the litigation below.

(h) 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).

Board meeting resumed at 1:30 p.m.

### **AGENDA ITEM 9 – ENFORCEMENT**

Original Sixteen-to-One Mine, Inc., Sixteen-to-One Mine; Sierra County – Consideration of Administrative Civil Liability Order.

Ayda Soltani (Water Resources Control Engineer) and Xuan Luo (Supervising Water Resources Control Engineer) presented the Prosecution Team's case.

Michael Miller, Owner of Original Sixteen-to-One Mine, stated a case for why the Board should not issue the ACL Order.

Sixteen-to-One Mine and the Prosecution Team both made closing statements.

Executive Officer Pulupa and Assistant Executive Officer Adam Laputz provided counsel to the Board as members of the Advisory Team.

#### **MOTION TO ADOPT: ADMINISTRATIVE CIVIL LIABILITY**

Motion Made by:	Member Schneider
Seconded by:	Member Brar
Member Brar:	Yes
Member Marcum:	Yes
Chair Longley:	Yes
Approved by roll call:	Vote of 4-0-0

Vice-Chair Ramirez was not present during the deliberation and voting on this item.

Member Denise Kadara arrived at the beginning of Agenda Item 21 at 3:00 p.m.

### **AGENDA ITEM 21 – L AND D LANDFILL L.P. AND FRUITRIDGE ROAD LAND CO., L AND D LANDFILL, SACRAMENTO COUNTY – CONSIDERATION OF REVISED WASTE DISCHARGE REQUIREMENTS (WDRS ORDER R5-2012-0107)**

#### **(AGENDA ITEM 21 WAS MOVED FROM FRIDAY'S CALENDAR AND WAS HEARD BEFORE AGENDA ITEM 10 ON THURSDAY)**

Brad Shelton (Senior Engineering Geologist) presented the Board staff report.

Tess Dunham (Somach, Simmons & Dunn), representing L & D Landfill, made comments and provided overview of L and D Landfill's operations. Mike Lien (L & D Landfill) responded to the Board's questions.



Vinoo Jain gave a presentation on behalf of Rosemont Advocates for a Clean and Safe Environment.

Executive Officer Pulupa made closing remarks and recommended adoption of the Waste Discharge Requirements with late changes, as proposed by staff.

**MOTION TO ADOPT:        AMENDED WASTE DISCHARGE REQUIREMENTS (with late changes)**

Motion Made by:	Member Brar
Seconded by:	Member Kadara
Member Brar:	Yes
Member Kadara:	Yes
Member Marcum:	No
Member Schneider:	Yes
Chair, Longley:	Yes
Approved by roll call:	Vote of 4-1-0

**AGENDA ITEM 10 – OTHER BUSINESS**

Informational Item - Implementation of Chronic Toxicity Effluent Limitations in NPDES Permits.

Jim Marshall (Supervising Water Resources Control Engineer) presented the Board staff report.

Chair Longley stated that we should be talking about this subject at the October Water Quality Coordinating Committee meeting.

Executive Officer Pulupa proposed that the Board could set up a working group for further discussions. Member Marcum and Chair Longley volunteered to be on the working group.

Executive Officer Pulupa and Assistant Executive Officer, Laputz answered questions for the Board.

Debbie Webster (CVCWA), Stephen Clarke (Vice-President of Pacific EcoRisk) and Paul Bedore (Senior Environmental Scientist with Robertson and Bryan, Inc) provided comments.

**6 JUNE BOARD MEETING ADJOURNED**

The Board meeting adjourned at 5:58 p.m. until the next day.

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**FRIDAY 7 JUNE 2019**

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**BOARD MEETING LOCATION:**

11020 SUN CENTER DRIVE, SUITE 200  
RANCHO CORDOVA, CA 95670

**CALL TO ORDER:**

Chair Longley called the meeting to order made introductions. Member Marcum led the pledge of allegiance.

**BOARD MEMBERS PRESENT:**

Brar, Raji	Longley, Karl	Ramirez, Carmen
Kadara, Denise	Marcum, Dan	Schneider, Bob

**BOARD MEMBERS ABSENT:**

Bradford, Mark

**STATE WATER BOARD MEMBERS PRESENT:**

None

**STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT STAFF PRESENT:**

None

**REGIONAL BOARD STAFF PRESENT WHO WERE IDENTIFIED:**

Betancourt, Elizabeth	LaBay, Jennifer	McConnell, Sue
Chow, Bob	Lanfranchi, Kiran	Pulupa, Patrick
Cook, Janis	Laputz, Adam	Rodgers, Clay
Coughlin, Gene	Lopes, Alice	Sellards, Kim
Harvey, Dale	Lopez, Alejandra	Simi, Jay
Holcomb, Ron	MacDonald, Alex	Uhrik, Christine
Howard, Meredith	McClure Danny	Watchell, Douglas

**ADDITIONAL ATTENDEES PRESENT:**

Busch, Tim	Kadara, Kayode	Tellers, Josie
Escriva, Alvar	Kretzmann, Hollin	Thorne, Melissa
Grisco, Stan	Meadows, Jason	Tormey, Dan
Hanak, Ellen	Miller, Mark	Webster, Debbie
Houdesheldt, Bruce	Schmidt, Ken, Dr	
Jezdimirovic, Jelena	Sheppard, David	

**AGENDA ITEM 10 – BOARD MEMBER COMMUNICATION**

**Member Kadara reported the following communications:**

Attended the 2nd annual Groundwater Sustainability Agency Summit yesterday, organized by Groundwater Resources Association, where I served on a panel discussion about drinking water and shared the community perspective of how to conduct outreach, educate, and engage disadvantaged communities in this important process of groundwater sustainability planning.

An exciting event in Allensworth is taking place: The Gadgil Lab for Energy and Water Research at UC Berkeley commenced a pilot program on arsenic removal in Allensworth this last Monday. They established a field lab on a farm with a well in Allensworth.

The technology they are piloting is referred to as Electro-Chemical Arsenic Removal (ECAR). It is a process where rust is created in arsenic-laden water. Arsenic binds to the rust, settles and filtered out. Analyses of samples collected earlier this year shows that ECAR reduced arsenic levels from approximately 150ppb (parts per billion) to less than 4ppb. The group will also be reviewing opportunities for disposal and/or reuse of the sludge.

Also, the Allensworth Progressive Association has partnered with the Tulare Basin Wildlife Partners and established a work-based learning program that starts on June 10 (a 3-week project). This summer leadership development activity will teach 7th and 8th grade youth about climate change, water quality, etc. They will learn about ECAR, do water sampling and become educated on arsenic, its impact to water quality and arsenic removal.

**AGENDA ITEM 11 – PUBLIC FORUM**

No one came forward to talk on any matters not on the Board Agenda.

**AGENDA ITEM 16 – ADOPTION OF UNCONTESTED CALENDAR ITEMS 23 THROUGH 26 AND AGENDA ITEM 22 (DEUEL, WHICH WAS MOVED FROM THE CONTESTED TO UNCONTESTED CALENDAR)**

Assistant Executive Officer Adam Laputz informed the Board that agenda item 22 was being added to the uncontested calendar. He also informed the Board of late revisions on agenda item 25g.

**UNCONTESTED CALENDAR**

**AGENDA ITEM 23 – NPDES PERMITS/ENFORCEMENT**

- a. Burney Forest Products, A Joint Venture, Shasta Green, Inc. and Fruit Growers Supply Company, Burney Forest Power, Shasta County (NPDES Permit CA0082490) – Permit Renewal
- b. City of Vacaville, Easterly Wastewater Treatment Facility, Solano County (NPDES Permit CA0077691) – Permit Renewal and Issuance of Time Schedule Order
- c. City of Yuba City, Wastewater Treatment Facility, Sutter County (NPDES Permit CA0079260) – Amendment to Order R5-2019-0017
- d. Grizzly Lake CSD, Delleker Wastewater Treatment Plant, Plumas County (NPDES Permit CA0081744) – Permit Renewal

**AGENDA ITEM 24 – WASTE DISCHARGE REQUIREMENTS**

- a. AAA Truck Wash, LLC, Amarjit Singh Butter, and Jaspreet Kaur Butter; RS Truck Wash Facility, Madera County – New Permit
- b. B & R Livestock Washout, Jason L. Thompson Trust, and Eugene Nunes; B & R Livestock Truck Wash, Tulare County – New Permit
- c. Campbell Soup Supply Company, Campbell Soup Supply Company Dixon Facility, Solano County – Revision to Order R5-2010-0038
- d. City of Roseville, Roseville Landfill, Placer County – Revision to Order R5-2004-0104
- e. Fulton Reclamation, Wastewater Treatment/Disposal Ponds, Glenn County – Revision to Order R5-2008-0045
- f. Laura, Dennis, and Ethel Baker, and Tuolumne City Sanitary District, Tuolumne City Sanitary District Wastewater Treatment Plant, Tuolumne County – Revision to Orders 95-129 and 95-137
- g. Smuckers Natural Foods, Inc., Butte County – Revision to Order 98-050

- h. University of California Davis, UC Davis Class III Landfill, Yolo County – Revision to Order R5-2003-0077
- i. Westwood CSD, Wastewater Treatment/Disposal Ponds, Lassen County – Revision to Order R5-2001-0253

#### **AGENDA ITEM 25 – RESCISSIONS**

- a. Fresno County Service Area #30; El Porvenir Wastewater Treatment Facility; Fresno County, Order 90-262
- b. Gene McLaughlin, All Rock Aggregates, Calaveras County, Order 89-084
- c. Grizzly Ranch Community Services District, Grizzly Ranch Wastewater Reclamation Facility, Plumas County (NPDES Permit CA0085162), Order R5-2011-0081
- d. Grizzly Ranch Golf Club LCC, Grizzly Ranch Golf Club Irrigation, Plumas County, Water Recycling Requirements, Order R5-2007-0001
- e. Kern County Reeder Tract County Service Area #39.8; Wastewater Treatment Facility; Kern County, Order 88-096
- f. Kern County Service Areas #51, 39.2, 71.3, 54, 30.2, and 58; Various Septic Tank and/or Leach Field Systems; Kern County, Orders 74-18, 74-370, 75-023, 75-116, 78-09, 78-13, and 78-219
- g. Medicinal Cannabis Cultivation Activities, Order R5-2015-0113
- h. Millerton Lake State Recreation Area; Wastewater Treatment Facility, Fresno County, Order 86-224
- i. Oaklane Mobile Village, Oaklane Mobile Home Village WWTF, El Dorado County, Order 90-144
- j. Orwood Resort, Orwood Resort WWTF, Contra Costa County, Order 5-01-099
- k. Shasta County Service Area No. 13, Alpine Meadows and Whispering Woods Estates Subdivision, Shasta County, Order R5-2005-0025
- l. Triangle Engineering Company, Noble D. Plant Jr. and Elanor Plant, Triangle Aggregate Pit, Yuba County, Order 5-00-106

#### **AGENDA ITEM 26 – CHANGE OF NAME AND/OR OWNERSHIP**

- a. BCJ Sand & Rock, Butte County, Order 90-106
- b. Ren Acquisition, Renwood Winery, Amador County, Order R5-2002-0075

c. Edwin Lands, Irish Hill Quarry, Amador County, Order R5-2014-0109

**MOTION TO ADOPT: UNCONTESTED AGENDA ITEMS 23 TO 26 AND ITEM 22 (DEUEL) WITH LATE REVISIONS ON AGENDA ITEM 25G**

Motion Made by: Vice-Chair Ramirez  
Seconded by: Member Kadara  
Member Kadara: Yes  
Member Brar: Yes  
Member Schneider: Yes  
Member Marcum: Yes  
Vice-Chair Ramirez: Yes  
Chair Longley: Yes  
Approved by Roll Call: Vote of 6-0-0

**CONTESTED CALENDAR**

**AGENDA ITEM – 17 ENFORCEMENT**

Valley Water Management Company, McKittrick 1 & 1-3 Facility, Kern County – Consideration of a Cease and Desist Order.

Jessica Jahr (Senior Legal Counsel) stated that Valley Water had made a motion with several evidentiary objections earlier and the Chair issued a ruling on May 23<sup>rd</sup>.

Executive Officer Pulupa stated that Valley Water Management Company had also asked for continuance which was denied by the Board Chair. He stated that Board staff invited Valley Water if to revisit that procedural objection if they so desired.

Chair Longley called asked Valley Water if they had any objections.

Melissa Thorne (Downey Brand, representing Valley Water) stated that the basis of the request was that of Valley Water's experts had to be out of town and he would be the person most knowledgeable about this facility.

Clay Rodgers, Assistant Executive Officer in the Fresno office, presented the staff report.

Jason Meadors (Valley Water), Dan Tormey (Catalyst Environmental), Ken Schmidt, and Melissa Thorne provided testimony and argument against the issuance of the CDO.

Hollin Kretzmann (Center for Biological Diversity), provided comments as an interested person.

The Chair directed staff to draft revisions to the Order based on discussion at the hearing. The Board then recessed for lunch, where it met in closed session on unrelated matters.

**LUNCH/CLOSED SESSION 12:30 P.M.**

Board Meeting Resumed at 1:30 p.m.

Chair Longley stated that the Board evaluated the performance of the Executive Officer during closed session and lunch break. The outcome of that will be further reported at the next Board meeting. Member Kadara stated that Executive Officer Pulupa was doing an excellent job.

During her lunch break Senior Legal Counsel Jahr stated that she took the Board's recommendations and drafted a revised language for the Cease and Desist order. Ms. Jahr then presented the revisions to the Board.

**MOTION TO ADOPT: THE CEASE AND DESIST ORDER with late revisions**

Motion Made by:	Member Schneider
Seconded by:	Member Marcum
Member Schneider:	Yes
Member Marcum:	Yes
Member Kadara:	Yes
Member Brar:	Yes
Vice-Chair Ramirez:	Yes
Chair Longley:	Yes
Approved by roll call:	Vote of 6-0-0

**AGENDA ITEM – 18 OTHER BUSINESS**

Cities of Woodland and Davis: Strategies to Manage Salts – Informational Item.

Executive Officer Pulupa thanked the City of Woodland and Davis coming forward to make the presentation.

Tim Busch (Principal Utilities Manager City of Woodland and General Manager of City of Woodland and Davis Clean Water Agency) gave a presentation on the strategies to manage salts, and introduced Stan Grisco (Assistant Public Works Director, City of Davis and Operations Manager for the City of Woodland Clean Water Agency) who answered questions for the Board.

Bruce Houdesheldt (Northern California Water Coalition) made comments.

Debbie Webster (CVCWA) made comments.

**AGENDA ITEM – 20 (Agenda item 20 was heard before agenda item 19)**

Water and the Future of the San Joaquin Valley – Public Policy Institute of California (PPIC) – Informational Item.

Ellen Hanek (Director of PPIC) gave a presentation presented an informational item on Water and the Future of the San Joaquin Valley.

Member Brar left before this item was heard.

### **AGENDA ITEM 19 – BASIN PLANNING**

Consideration of a Resolution to Approve Revisions to the Clean Water Act Section 303(d) List of Impaired Waters.

No one was present to comment or contest this item.

Executive Officer Pulupa, along with Assistant Executive Officer Laputz, Jennifer LaBay (Senior Environmental Scientist) and Jay Simi (Water Resources Control Engineer) answered questions for the Board.

#### **MOTION TO ADOPT: THE RESOLUTION**

Motion Made by:	Member Schneider
Seconded by:	Member Marcum
Member Schneider:	Yes
Member Marcum:	Yes
Member Kadara:	Yes
Vice-Chair Ramirez:	Yes
Chair Longley:	Yes
Approved by roll call:	Vote 5-0-0

Member Brar was not present during the deliberation and voting of this item.

### **AGENDA ITEM 21 – WASTE DISCHARGE REQUIREMENTS**

#### **(AGENDA ITEM 21 WAS MOVED TO THURSDAY)**

~~L and D Landfill L.P. and Fruitridge Road Land Co., L and D Landfill, Sacramento County – Consideration of Revised Waste Discharge Requirements (WDRs Order R5-2012-0107)~~

### **AGENDA ITEM 22 – NPDES PERMITS/ENFORCEMENT**

#### **(AGENDA ITEM 22 WAS ADOPTED WITH THE UNCONTESTED AGENDA ITEMS)**

~~California Department of Corrections and Rehabilitation, Deuel Vocational Institution, San Joaquin County – Consideration of NPDES Permit Renewal (NPDES Permit CA0078093)~~

The Board meeting adjourned at 3:15 p.m. to the August 1-2, 2019 Board meeting in Rancho Cordova, CA