

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

**BOARD MEETING MINUTES
OCTOBER 7/8 2009**

WEDNESDAY OCTOBER 7, 2009

CALL TO ORDER

Chairman Dr. Karl Longley called to order, the 503rd regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair Kate Hart, Vice Chair Sandra Meraz Dan Odenweller

BOARD MEMBERS ABSENT

Cheryl Maki Soapy Mulholland Nicole Bell

STAFF PRESENT

Pamela Creedon	Chris Foe	Jerry Bruns	Sue McConnell
Ken Landau	Dan Radulescu	Joe Mello	Victor Izzo
Joe Karkoski	Diana Messina	John Russell	Wendy Wyels
Kiran Lanfranchi	Duncan Austin	Michelle Wood	
Lori Okun	Jeff Huggins	Patrick Morris	
Patrick Pulupa			
Emel Wadhvani			

OTHERS PRESENT

Alan Anderson	Denise Mullinax	Karl Burke	Roy Whiteaker
Alfred F.Jahns	Dennis Noble	Kerry O' Toole	Sanjay Ranchod
Bob Schneider	Elanor Stamer	Lawrence Bazel	Sean Hungerford
Britton Swartz	Geoff Evers	Richard Davis	Stan Nader
Darla Guenzler	Gerald George	Richard Miller	Steven T Rice
Dave Teja	Gerald Shupe	Robert Leal	Ted Grandy
David Chapman	Jill Leal	Ron Swepton	

Agenda Item 6

Central, Cherry Hill, Empire, Manzanita, and West End Mines, Colusa County – *Consideration of a Cleanup and Abatement Order*

A panel hearing was held. Victor Izzo presented the staff report. Chris Foe gave clarifying answers to the Board. Richard Miller, Darrell George, Alfred Jahns, Kerry O'Toole, Darla Ganzler, Sanjay Ranchod and David Chatman gave additional testimony.

After receiving evidence, the Board panel went into executive session to deliberate and reconvened in open session.

No action was taken at this time.

Agenda Item 7

Wide Awake Mine, Colusa County – *Consideration of a Cleanup and Abatement Order*

A panel hearing was held. Victor Izzo presented the staff report. Larry Bazel, Dave Teja, Jeff Huggins, Sean Hungerford, Gerald George, Gerald Shupe, Steven Rice, Alan Anderson, Dennis Noble, Roy Whiteaker, Robert Schneider and Patrick Pulupa gave additional testimony.

After receiving evidence, the Board panel went into executive session to deliberate and reconvened in open session.

No action was taken at this time.

THURSDAY 8 OCTOBER – 8:30 A.M.

Chairman Dr. Karl Longley called to order, the 503rd regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Sun Center Drive, Suite 200, Rancho Cordova, CA 95670.

BOARD MEMBERS PRESENT

Dr. Karl Longley, Chair	Kate Hart, Vice Chair	Cheryl Maki	Dan Odenweller
Sandra Meraz	Soapy Mulholland		

BOARD MEMBERS ABSENT

Nicole Bell

STAFF PRESENT

Pamela Creedon	Adam Ballard	Jerry Bruns	Stephanie Fong
Ken Landau	Adam Laputz	Jim Marshall	Stephen Louie
Richard Loncarovich	Amanda Montgomery	Joe Mello	Victor Izzo
Jim Pedri	Charlene Herbst	Kim Schwab	Victor Vasquez
Joe Karkoski	Clay Rodgers	Kristin Shelton	Wendy Cohen
Kiran Lanfranchi	Dan Radulescu	Margaret Wong	
Lori Okun	Diana Messina	Mike Smith	
Patrick Pulupa	Gayleen Pereira	Peter Minkel	
Emel Wadhvani	Glen Meeks	Ron Dykstra	
	James Taylor	Rudy Schnagl	

OTHERS PRESENT

Alina Constantinesiu	David Cory	Joel Miller	Rick Landon
Bill Thomas	Debbie Webster	J.P. Cativiella	Roberta Firoved
Brandin Nakagawa	Dennis Westcot	Karen Nelson	Ron Swepston
Britton Schwartz	Dean Marsh	Mack Walker	Steven Rice
Bruce Houdesheldt	Denise Mullinax	Mike Wackman	Terry Miles
Cassey Creamer	Elanor Stamer	Phil Govea	Tess Dunham
Cassie Aw-Yang	Gary Carlton	Richard McHenry	Todd Roberts
Courtney Covington	Jim Atherstone	Richard Price	Vanessa Emerzian
Dan Hinrichs			

APPROVAL OF AUGUST 2009 MINUTES

Motion to Approve AUGUST 2009 Board Meeting Minutes made by: Vice-Chair Hart
Seconded by: Member Maki
Unanimously approved

BOARD COMMUNICATIONS

Member Meraz reported the following by subsequent written submittal:

- July 21st, attended the Drinking Water Workshop for Distribution System Operators, hosted by Rural Community Assistance Corporation
- July 23, attended the Spanish version of Coli form sampling
- August 27, attended a workshop on Development of a strategy to protect beneficial uses of groundwater in the Central Valley

Vice-Chair Kate Hart reported the following by subsequent written submittal:

- On August 19, attended the Ammonia Summit at the Central Valley Regional Water Quality Control Board.
- October 1, had discussions with Rudy Rosen and Tom Grovehog regarding status of stakeholder meetings on Mercury TMDL.

Member Odenweller reported the following by subsequent written submittal:

- August 14, spoke to Chuck Armor (CDFG) about the proposed "Two Gates" project, and the "Submerged Pipeline under the Delta." Proposed as alternatives to the Peripheral Canal, neither is well developed at this time.
- August 18 and 19, attended the Ammonia Summit, at the CVRWQCB office in Rancho Cordova.
- August 24, attended the Groundwater Seminar at the CVRWQCB office in Rancho Cordova.
- August 26, attended the USBR Tracy Technical Advisory Team meeting at the Stockton CDFG office. Reviewed program proposal for 2010.
- September 15, had with Jim Long. Discussed fish screening projects in the Delta, and north of the Delta, and reasons for the death of the program.
- September 22, attended the BDSP Meeting in Stockton, at the Civic Auditorium.
- September 23, Bill Jennings called to ask about the existence of "reverse flows" in Old and Middle River. DWR staff had told a reporter that there were no such flows occurring in the system. I referred him to the Day Flow printouts showing the magnitude and direction of flows in the channels.
- September 24, attended the CV-SALTS Leadership meeting at the Sacramento City Hall.

Dr. Longley reported the following by subsequent written submittal:

- September 3, participated in day long meeting with CV-SALTS stakeholders at the Region 5 Board to learn and discuss basin planning processes (instruction was provided by SWRCB staff).
- September 16, Attended CV SALTS Technical Advisory Committee, Executive Committee, and Public Education and Outreach Committee Meetings, in Rancho Cordova
- September 17, participated in briefing by Kennedy-Jenks engineers regarding their experience with co-digestion with a focus on the co-digestion of dairy wastes
- September 18, briefed Tulare Lake Drainage District Board of Directors on CV-SALTS, CVSC, and the fact that all salinity related issues will be vetted through CV-SALTS and it would be to their advantage to have a seat at the table, in Corcoran California
- September 23-24, served as a session moderator at the Pacific Southwest Organics Residual Symposium, at UC Davis
- September 29-30, gave a presentation at the annual Central Valley Salinity Leadership meeting in Indian Wells

- October 5, briefed East San Joaquin Water Quality Coalition members on CV-SALTS, CVSC, and the fact that all salinity related issues will be vetted through CV-SALTS and it would be to their advantage to have a seat at the table, in Modesto
- October 6, Gave a presentation at the Groundwater Resources Association/University of California annual meeting, in Sacramento

PUBLIC FORUM

Ron Swepston expressed concern about contamination of his property from the Ramos Oil bulk facility in Isleton next to the Sacramento River. He indicated that Ramos Oil tanks were deteriorating and he is filing a lawsuit against the Central Valley Water Board. He said that he wants an agenda item for the Ramos facility. The Underground Storage Tank program manager, Brian Newman, explained the ongoing activities at the site to the Board and assured the Board that Mr. Swepston would get the reports regarding the remediation efforts.

Elanor Stamer (Food and Water Watch), indicated her concerns of significant ground water contamination associated with dairies. She stated that the Board needs to implement a ground water monitoring program for highly contaminated sites and require installation of wells on all high risk dairies. Ms. Stamer provided a letter signed by twelve organizations.

Paul Sousa (Western United Dairymen), provided an update on what his organization is doing, including creation of "Western United Environmental Services" to help address monitoring and other dairy WDR reporting requirements. Mr. Sousa indicated his organization is committed to keeping dairies in compliance.

Denise Mullinax (California Dairy Quality Assurance Program (CDQAP), discussed the \$600,000 of educational support that the CDQAP has provided. She described the efforts of CDQAP to provide tools and educational information to dairy producers.

J.P. Cativiella (Dairy Cares), described the efforts of Dairy Cares in implementation of the dairy general order. Dairy Cares is developing a report on "sensitive" areas to dairy discharge. Mr. Cativiella indicated that Dairy Cares is committed to providing resources and information.

EXECUTIVE OFFICER'S REPORT

Executive Officer presented the State of the Region address and thanked staff Robert Busby, Conny Mitterhofer for the preparation of the report, and also thanked Alisha Wenzel for preparing the map to go with the presentation. Overall, Executive Officer thanked staff for job well done this past year.

Draft 2010 meeting calendar

The Board unanimously approved January 27/28/29 as the first Board meeting dates for 2010.

CONTESTED ITEMS CALENDAR

NPDES PERMITS

Agenda Item 16

City of Portola, Portola Wastewater Treatment Plant, Plumas County – *Consideration of NPDES Permit Renewal Order No.R5-2003-0110 and Rescission of Cease and Desist Order No. 93-068*

A public hearing was held. Jim Pedri gave introductory remarks. Ron Dykstra presented the staff report.

Motion to adopt Permit with late revisions made by Vice-Chair Hart
 Seconded by Member Mulholland
 Approved 5-1 by voice vote.
Board Adopted Order Number R5-2009-0093

Motion to adopt Rescission of CDO made by Vice-Chair Hart
 Seconded by Member Maki
 Approved by roll call vote of 5-1-0
Board Adopted Order Number R5-2009-0094

Agenda Item 17

City of Manteca and Dutra Farms, Inc., Manteca Wastewater Quality Control Facility, San Joaquin County
Consideration of NPDES Permit Renewal (NPDES No. CA0081558) and Time Schedule Order

A public hearing was held. Gayleen Pereira presented the staff report. Phil Govea, Tess Dunham, Debbie Webster, Richard McHenry and Diana Messina gave additional testimony. The Board directed staff to draft a letter with the Order indicated that its adoption was based on State Board direction.

Vice-Chair Hart recused from this item

Motion to adopt Permit with late revisions made by Chair Dr. Longley
No second
Approved 4-1 by voice vote.
Board Adopted Order Number R5-2009-0095

Motion to adopt TSO with late revisions made by Chair Dr. Longley
No Second
Approved 4-1 by voice vote.
Board Adopted Order Number R5-2009-0096

WASTE DISCHARGE REQUIREMENTS/WAIVER

Agenda Item 18

Small Food Processors and Small Wineries within the Central Valley Region-*Consideration of a General Conditional Waiver of Waste Discharge Requirements for*

A public hearing was held. Anne Olson presented the staff report. Dan Hinrichs and Richard McHenry gave additional testimony. The Board instructed staff to look into whether a tiered fee structure could be established.

Motion to adopt order with late revisions made by Vice-Chair Hart
Seconded by Chair-Dr. Longley
Unanimously approved

OTHER

Agenda Item 19

Irrigated Lands Regulatory Program – Status of the Long Term Program and Stakeholder Advisory Workgroup Recommendations.

Adam Laputz presented the staff report. Tess Dunham, Mike Wackman, Bruce Houdesheldt, David Cory, Bill Thomas, Roberta Firoved and Rick Landon made additional comments.

This was an informational item only

Agenda Item 20

Status of Individual Groundwater Monitoring at Dairies

Clay Rodgers presented the staff report. This was an informational item only

UNCONTESTED ITEMS CALENDAR

ENFORCEMENT

Agenda Item 21

Maxwell Public Utilities District, Wastewater Treatment Plant, Colusa County – *Consideration of Order Amending Time Schedule Order No. R5-2007-0073 (NPDES No. CA0079987)*

Motion to adopt made by: Member Maki
Seconded by: Vice-Chair Hart

Unanimously approved
Board Adopted Order Number R5-2009-0098

Agenda Item 22

Barrel Ten Quarter Circle Land Inc., Barrel Ten - Escalon, San Joaquin County –*Consideration of Rescission of Cease and Desist Order No. R5-2003-0125*

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

Motion to adopt made by: Member Mulholland
Seconded by: Vice-Chair Hart
Approved by roll call vote of 6-0-0
Board Adopted Order Number R5-2009-0099

Agenda Item 23

California Olive Growers, et al., Madera County –*Consideration of Rescission of Waste Discharge Requirements No. 91-178; Rescission Special Order No. 93-201 and Rescission of Cease and Desist Order No. 5-01-191*

Motion to rescind WDR, Special Order and CDO made by Member Maki
Seconded by Member Mulholland
Approved by roll call vote of 6-0-0

Board Adopted Order Number R5-2009-0100 (WDR)
R5-2009-0101(Special Order)
R5-2009-0102 (CDO)

Agenda Item 24

City of Woodlake Wastewater Treatment Facility, Tulare County – *Consideration of Waste Discharge Requirements and Cease and Desist Order*

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

Motion to adopt WDR Permit made by Vice-Chair Hart
Seconded by Member Mulholland
Unanimously approved

Board Adopted Order Number R5-2009-0103

Motion to adopt CDO made by Vice-Chair Hart
Seconded by Member Maki
Approved by roll call vote of 6-0-0

Board Adopted Order Number R5-2009-0104

OTHER

Agenda Item 25

City of Stockton and County of San Joaquin Storm Water Management Plans for The Municipal Separate Storm Sewer System (MS4) Permit, San Joaquin County – *Consideration of Resolution Approving the Storm Water Management Plans Required by Order No. R5-2007-0173 (NPDES No. CAS083470)*

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

Motion to adopt made by Member Odenweller
Seconded by Vice-Chair Hart
Unanimously approved

Board Adopted Order Number R5-2009-0105

**Agenda Item 26
WASTE DISCHARGE REQUIREMENTS**

- a) Alexander J. Mistal and Virginia C. Mistal, Bechelli Cleaners, and Bechelli Cleaners, Inc., Shasta County, (new) **R5-2009-0106**
- b) Orosi Solid Waste Landfill – Tulare County, (revised) **R5-2009-0107**
- c) City of Loyalton and Grandi Ranch, Wastewater Treatment Facility – Sierra County, Order No. 5-01-069 and Water Recycling Requirements No. 5-01-051(revised) **R5-2009-0108**
- d) Maxwell Public Utilities District, Maxwell Wastewater Treatment Facility – Colusa County (new) **R5-2009-0109**
- e) Sierra Pacific Industries—Martell Division Facility, Closure, Post Closure Operation and Maintenance – Amador County (revised) **R5-2009-0110**

Vice-Chair Hart recused herself on item 26e

Motion to adopt uncontested item 26, a-d, made by Member Maki
Seconded by Member Mulholland
Unanimously approved

Motion to adopt uncontested item 26, e, made by: Member Maki
Seconded by: Member Odenweller
Unanimously approved

**Agenda Item 27
NPDES/WDR RESCISSIONS –R5-2009-0111**

- a) Belden Town Resort, Plumas County, Waste Discharge Requirements Order No. 96-136
- b) Harter Packing Company, Tut Brothers Farms LLC, and LOMO Cold Storage, A California General Partnership, Richland Ranches LTD of California a California Corporation, and Harter Tomato Products Company, Sutter County – Order No. 5-00-252
- c) Mt. Lassen Trout Farms Inc., and Fred and Nancy Cline, Mt. Lassen Trout Farms' Meadowbrook Facility, Tehama County – Order No. R5-2004-0150 (NPDES No. CA0080373)
- d) Chevron U.S.A., Inc., Kern County – Order No. R5-2007-0169
- e) BP West Coast Products, ARCO/BP Stockton, Terminal #40T, Enhanced Bioremediation Pilot Study –San Joaquin County –Waste Discharge Requirements Order No. R5-2008-0064

**Agenda Item 28
CHANGE OF NAME AND/OR OWNERSHIP- R5-2009-0112**

- a) Tanwood Mobile Home Park, William F. Wolfe, Calaveras County – Waste Discharge Requirements Order No. 95-223
- b) Yosemite South Coarsegold Ranch, Madera County – Order No. 98-027
- c) Skyview Terrace Mobile Home Park, Skyview Terrace Mobile Home Park LLC, C/O J and H Asset Mgt. Inc, Placer County – Waste Discharge Requirements Order No. R5-2002-0140
- d) Olam Tomato Processors, Inc., Kings County – Order No. R5-2007-0157

Motion to adopt uncontested items 27-28 made by: Member Maki
Seconded by: Member Mulholland
Unanimously approved

Meeting ended at 4:53 p.m. to the December 9/10 Board meeting

Respectfully submitted,

Kiran Lanfranchi-Rizzardi, Board Secretary