



MINUTES OF BOARD MEETING
October 3, 2013
 Robert J. Cabral Agricultural Center
 2101 E. Earhart Avenue
 Stockton, CA, 95206

October 4, 2013
Central Valley Regional Water Board
 11020 Sun Center Drive, Suite 200
 Rancho Cordova, California

THURSDAY OCTOBER 3, 2013, 9:00 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 528th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Robert J. Cabral Agricultural Center, 2101 E. Earhart Avenue, Stockton, CA 95206

BOARD MEMBERS PRESENT

Costantino, Jon	Longley, Karl, Chair	Meraz, Sandra	Moffitt, Jenny Lester, Vice-Chair
Ramirez, Carmen	Schneider, Robert		

BOARD MEMBERS ABSENT

None

STATE BOARD MEMBER PRESENT

Tam Doduc			
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STAFF PRESENT

Altevogt, Andrew	Fregien, Susan	Landau, Ken	Snyder, Clint
Corrall, Gilberto	Hartman, Jelena	Lanfranchi, Kiran	Wyels, Wendy
Coupe, David	Herbst, Charlene	Mayer, Alex	
Creedon, Pamela	Jimmerson, Chris	Patteson, Doug	
Davis, Daniel	Karkoski, Joe	Rodgers, Clay	

OTHERS PRESENT

(See attached list)

**AGENDA ITEM 3
 BOARD COMMUNICATION**

Jenny Lester Moffitt, Vice-Chair, mentioned about her meeting with Mike Wakeman, South San Joaquin Delta Coalition on the 20th of September. She will submit the rest of her communications in writing.

Jon Costantino said that he attended the same meeting as Ms. Moffitt, but three days earlier.

Dr. Karl Longley, Chair, said that he attended CV Salts meetings, but will submit the rest of the communications in writing.

**AGENDA ITEM 4
 PUBLIC FORUM**

No one came forward to comment on any item.

**AGENDA ITEM 5
 EXECUTIVE OFFICER'S REPORT (EO REPORT)**

No comments were made, but Chair Longley said that the EO report was posted on the website. He said that the EO report shows on-going activities of the Board.

AGENDA ITEM 6

Pacific Forest and Watershed Lands Stewardship Council Update – *Informational Item only*

Ken Landau introduced Soapy Mulholland, former Board Member, who sits on the Pacific Forest and Watershed Lands Stewardship Council as a representative to the Central Valley Regional Water Board. Ms. Mulholland introduced Allene Zanger, Director of the Stewardship Council, who gave a presentation on the background of the Stewardship Council. Ms. Mulholland gave an update on where they were on the Board’s recommendations.

Executive Officer informed the Board that each year, the Regional Board renews Ms. Mulholland’s term on the Stewardship Council and if the Board would like to renew her term for another year. The Board deliberated and came up with a unanimous decision to renew Ms. Mulholland’s term for another year.

Board Chair and other Members of the Board thanked Ms. Mulholland for her commitment and dedication to the Council.

AGENDA ITEM 10

Nutrient Management Plan Implementation – *Informational Item Only*

Joe Karkoski, Chief in the Irrigated Lands Regulatory Program, introduced Kristin Dzurella, Research Analyst at the Department of Water Resources at the University of California, Davis, who gave some information on Nutrient Management Planning.

Joe Lombardy, farmer in the Tracy area, Jerry Muller, Paul Verdigaal, Craig Ledbetter (Vino Farms, LLC) Paul Sanguinetti and Matthew Butterworth made additional comments.

Member Ramirez requested staff to ensure that for future regulations, all factors are accommodated.

AGENDA ITEM 7

IRRIGATED LANDS

Workshop on Waste Discharge Requirements General Order for Growers in the San Joaquin County and Delta Watershed that are Members of the Third-party Group – *Informational Item Only*

Chris Jimmerson presented the staff report. John Herrick, (South Water Delta Agency), Kari Fisher (California Farm Bureau), Stan Grant, Robert Lockland, Dan Wiens, Jim Atherstone, (South San Joaquin Irrigation District), Brent Williams, Paul Sanguinetti, Amy Blagg, Kenny Watkins and Julienne Phillips, Bill Thomas, Mary Hildebrand, Janet Hildebrand made additional comments. Joe Karkoski and Alex Mayer answered clarifying questions for the Board.

**AGENDA ITEM 8
NPDES PERMITS**

Revisions to Waste Discharge Requirements for Growers within the Eastern San Joaquin River Watershed that are Members of a Third-party Group – *Consideration of Adoption of the Revised Order*

Joe Karkoski presented the staff report. Kari Fisher, (California Farm Bureau), Tess Dunham (East San Joaquin Coalition), gave additional testimony.

*Motion to adopt the Revised WDR made by Member Costantino
Seconded by Vice-Chair Moffitt
Unanimously approved.*

BOARD ADOPTED ORDER R5-2013-0121

AGENDA ITEM 9

WASTE DISCHARGE REQUIREMENTS

Waste Discharge Requirements General Order for Existing Milk Cow Dairies, Order R5-2007-0035 (reissued) – *Consideration of Waste Discharge Requirements.*

Clay Rodgers, Assistant Executive Officer in the Fresno office, presented the staff report. Patrick Pulupa, Legal Counsel, answered questions for the Board. Laurel Firestone (Community Water Center), J. P. Cativiela (Dairy CARES) and Tess Dunham, gave additional testimony.

*Motion to adopt the WDR made by Member Schneider
Seconded by Member Ramirez
Unanimously approved.*

BOARD ADOPTED ORDER R5-2013-0122

Board Meeting adjourned at 5:45 p.m to the next day

FRIDAY OCTOBER 4, 2013 – 9:00 A.M.

CALL TO ORDER

Chair, Dr. Longley called to order the 528th 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

Costantino, Jon	Longley, Karl, Chair	Meraz, Sandra	Moffitt, Jenny Lester, Vice-Chair
Schneider, Robert			

BOARD MEMBERS ABSENT

None

STATE BOARD MEMBERS PRESENT

Tam Doduc			
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STAFF PRESENT

Boyd, Mary	Huggins, Jeff	Macdonald, Alex	Rosenbaum, Steve
Boyers, David	Karkoski, Joe	Marshall, Jim	Snyder, Clint
Childs, Guy	Landau, Ken	Mayer, Alex	Wong, Margaret
Coupe, David	Lanfranchi, Kiran	Newman, Brian	Wyels, Wendy
Creedon, Pamela	Lavy, Tom	Olson, Anne	
Hartzell, Marty	LHeureux, Robert	Pulupa, Patrick	
Hold, Howard	Loncarovich, Richard	Rodgers, Clay	

OTHERS PRESENT

Aroyan, Bob	Firoved, Roberta	Merkel, Andrew	Wade, Alan
Bryan, Michael	Foster, Brian	Moran, Kelly	Webster, Debbie
Bundy, Summer	Gwaltney, Dan	Parlin, Larry	Weiland, Betsy
Callman, Elissa	Henderson, Brad	Petersen, Jan	Wilkins, Howard
Chavez, Richard	Johnson, Tim	Starr, Bonny	
Crandall, Robert	Laurent, L.J.	Thorme, Melissa	
Dickey, John	Little, Lt. DeWayne	Van Veldhuizen, Andy	

APPROVAL OF MINUTES DEFERRED TO THE AFTERNOON

**AGENDA ITEM 13
BOARD MEMBER COMMUNICATIONS**

Sandra Meraz

Attended a tour of disadvantage communities on August 28

Jon Costantino

Attended the Auburn WWTP tour on August 21 with Vice-Chair Moffitt

Robert Schneider said that he will be recusing on agenda item 24.

Jennifer Lester Moffitt, Vice-Chair, submitted the following via written submittal

- August 6, met with Senator Jim Neilsen, Assemblyman Logue, and Butte County officials regarding Marijuana Field Operations, in Oroville
- August 7, met with Assemblyman Dan Logue regarding Marijuana Field Operations at the Governor's Office at the State Capitol
- August 9, went on a tour with John Currey, Kelly Huff and Andrea Mummert of the Dixon RCD and Bruce Houdesheldt regarding the current ILRP and Dixon Watershed monitoring program
- August 21, went for a Tour of Auburn WWTP with Board Member Costantino
- September 3, along with Board Chair Longley, met with Carlos Suarez, the new State Conservationist (USDA, NRCS) and Luana Kiger, Special Assistant to the State Conservationist, at their office in Davis, CA. The primary focus was to meet Carlos Suarez and to provide him with a brief overview of the Board's programs with respect to Irrigated AG and Dairies.
- September 3, along with Board Chair Longley, Executive Officer Creedon, and Ken Landau, met with representatives of U.S. EPA Region 9 at their offices in San Francisco. The primary focus was to meet Jane Diamond, the new Director of the Water Division and to provide her with a brief overview of the Board's programs.
- September 18, attended the ILRP Waste Discharge Requirement and nutrient management planning as it related to organic farming. This was discussed at a CDFA California Organic Products Advisory Committee meeting.
- September 20, met with Jennifer Spaletta and Michael Wackman and received the San Joaquin and Delta Water Quality Coalitions comments on proposed Waste Discharge Requirements and concerns about ILRP implementation.

Chair Longley submitted the following via subsequent written submittal:

- 29 July, participated in Central Valley Regional Water Quality Control Board Agriculture Subcommittee Meeting, Rancho Cordova, CA
- 30 July, participated in CVRWQCB Workshop, Westlands Water District and Westside San Joaquin River Watershed ILRP General Order Fairgrounds, Los Banos, CA
- 28 August, participated in Tour by Community Water Center of Selected Tulare County Disadvantaged Communities with Severe Drinking Water Issues, Tulare County
- 28 August, participated in Water First Community Advisory Committee Meeting, Community Water Center, Visalia, CA
- 3 September, together with Vice Chair Lester-Moffitt and Exec Officer Creedon, Met with Carlos Suarez, State Conservationist & Past Interim Director Luana Kiger, Davis, CA
- 4 September, together with Vice Chair Lester-Moffitt, Exec Officer Creedon and Assistant Exec Officer Ken Landau, Met with Jane Diamond, Director, EPA Region 9 and Staff, San Francisco, CA
- 5-6 September, attended Nitrate Technology Workshop Sponsored by Waterboards & California Department of Public Health, CalEPA Sacramento, CA
- 6 September, participated in Governor's Drinking Water Stakeholder Group's Meeting of Data Monitoring Subgroup, Conference Call
- 9 September, participated in Salty 5 Meeting, Conference Call
- 9 September, participated in Regional Waterboards Chairs Meeting, Conference Call

- 11 September, met with Phil Chandler representing Ionex regarding removal of Nitrate from Drinking Water Using Ion Exchange, California Water Institute, Fresno
- 11 September, Attended Meeting of Tulare County Stakeholder Group Regarding Providing Safe Drinking Water to Disadvantaged Communities Offices of Provost & Pritchard, Visalia, CA
- 17 September, participated in Agenda Review for CVRWQCB Workshop, Southern San Joaquin Valley ILRP General Order, Conference Cal
- 18 September, participated as Speaker in California Bioresources Alliance Annual Conference, CalEPA Bldg, Sacramento, CA
- 19 September, participated in CVRWQCB Workshop, Southern San Joaquin Valley ILRP General Order Radisson Hotel, Fresno, CA
- 20 September, participated in Tour arranged by Carollo Engineers of their Pilot Plant that Removes Nitrate from Water, Rialto, CA
- 25 September, participated in the Governor's Drinking Water Stakeholder Group's Meeting of Data Monitoring Subgroup, Conference Call
- 26 Sep, participated in CV SALTS Executive Committee Meeting, SCRSD, Sacramento, CA
- 27 September, presented Seminar on Salinity Issues in San Joaquin Valley, California State University, Fresno
- 30 September, Participated in Agenda Review for 3-4 Oct CVRWQCB Meeting, Conference Call
- 1 October, met with Phil Chandler Representing Ionex Regarding Removal of Nitrate from Drinking Water Using Ion Exchange, California Water Institute, Fresno

**AGENDA ITEM 14
PUBLIC FORUM**

Laurie Laurent spoke on the Folsom Sewage System. She said that there were inadequate sewer lines. Alan Wade discussed the Folsom Sewer System and its growth in 15 years.

Board Member Schneider asked staff to look into the concerns expressed about the sewer system.

**AGENDA ITEM 15
EXECUTIVE OFFICER'S REPORT**

Executive Officer, Pamela Creedon presented sustained Superior Accomplishment award to Bryan Smith, Engineer in the Redding office.

AGENDA ITEM 16

The Board approved uncontested agenda items 25 through 29

UNCONTESTED CALENDAR

**AGENDA ITEM 25
ENFORCEMENT**

- a) Quincy Community Services District, Quincy Wastewater Treatment Plant, Plumas County, *Consideration of Amendment to Cease and Desist, Order R5-2010-0033*

BOARD ADOPTED ORDER R5-2013-

**AGENDA ITEM 26
WASTE DISCHARGE REQUIREMENTS**

- a) Calaveras County Water District, La Contenta Wastewater Treatment Facility, Calaveras County, Order R5-2002-0222 (*Revision*) **BOARD ADOPTED ORDER R5-2013-0133**
- b) County of Sacramento, Department of Waste Management and Recycling, Elk Grove Class III Landfill, Post-Closure Maintenance and Corrective Action, Sacramento County, Order R5-2003-0046 (*Revision*) **BOARD ADOPTED ORDER R5-2013-0134**

- c) Napa Berryessa Resort Improvement District, Napa Berryessa Wastewater Treatment Facility, Napa County, Order R5-2013-0065 (*Amendment*) **BOARD ADOPTED ORDER R5-2013-0135**
- d) ~~Sierra Pacific Industries – Martell Division, Facility Closure, and Post-Closure Operation and Maintenance, Amador County, Order R5-2009-0110 (*Revision*)~~ **This item is removed from the agenda**
- e) Travel Centers of America, LLC, Redding Travel Center, Shasta County, Order 98-014 (*Amendment*) **BOARD ADOPTED ORDER R5-2013-0136**
- f) Yocha Dehe Wintun Nation, Seka Hills Olive Mill, Yolo County (*New*) **BOARD ADOPTED ORDER R5-2013-0137**

AGENDA ITEM 27

TIME SCHEDULED ORDER (TSO) and CEASE AND DESIST ORDER (CDO) RESCISSIONS

- a) California Department of Corrections, Sierra Conservation Center, Tuolumne County, Order R5-2012-0095 (NPDES No. CA0082546) **BOARD ADOPTED ORDER R5-2013-0138**
- b) City of Dunsmuir, Dunsmuir Wastewater Treatment Plant, Shasta and Siskiyou Counties, Order R5-2010-0062 **BOARD ADOPTED ORDER R5-2013-0139**
- c) City of Mt. Shasta, Mt. Shasta Wastewater Treatment Plant, Siskiyou County, Order R5-2010-0064 **BOARD ADOPTED ORDER R5-2013-0140**
- d) City of Redding, Stillwater Wastewater Treatment Plant, Shasta County, Order R5-2010-0066 **BOARD ADOPTED ORDER R5-2013-0141**

AGENDA ITEM 28

WDR/NPDES RESCISSIONS

BOARD ADOPTED ORDER R5-2013-0142

- a) California Department of Transportation, Lassen Avenue Roadside Rest, Fresno County, Order 73-089
- b) NRG Delta, LLC, Contra Costa Generating Station, Contra Costa County, Order 5-01-107 (NPDES No. CA0004863)
- c) San Luis Water District, Merced County, Order 5-00-016

AGENDA ITEM 29

CHANGE OF NAME AND/OR OWNERSHIP

BOARD ADOPTED ORDER R5-2013-0143

- a) Moskowite Family Trust, Moss Creek Winery, Napa County, Order 88-066
- b) VSP Products, Inc. and Robert Benech, VSP Products, Inc., Stanislaus County, Order 93-173

Motion to approve uncontested items 25 through 29, except for agenda item 26d, made by Member Costantino
 Seconded by Vice-Chair Moffitt
 Approved by Roll Call Vote
 Approved by a roll call vote of 6-0-0

AGENDA ITEM 17

OTHER BUSINESS

Regulation and Enforcement of Marijuana Growing Operations in California, *Informational item only*

Clint Snyder, Assistant Executive Officer of the Redding office, gave some background on how the Regional Board got involved in the Marijuana issues. Patrick Pulupa, Legal Counsel, spoke about regulatory issues, Cris Carrigan, (Director of Enforcement), Lieutenant DeWayne Little, (California Department of Fish and Wild Life) and Brad Henderson (California Department of Fish and Wild Life) Stormer Fieler (Regional Water Board, Northern Region) and gave additional testimony.

Clint Snyder said that an update will be given in 6 months.

Agenda item 20 was heard after agenda item 17

AGENDA ITEM 20

NPDES PERMITS

Sacramento Regional County Sanitation District, Sacramento Regional Wastewater Treatment Plant, Sacramento County – *Consideration of Order Amending Waste Discharge Requirements, Order R5-2010-0114-01 and Time Schedule Order R5-2010-0115-01 (NPDES No. CA0077682)*

A public hearing was held. No one was present to contest this item.

*Motion to adopt Amendment of WDR and TSO by Member Ramirez
Seconded by Member Meraz*

BOARD ADOPTED ORDER R5-2013-0124
Unanimously approved

AGENDA ITEM 21

City of Lodi, White Slough Water Pollution Control Facility, San Joaquin County – *Consideration of NPDES Permit Renewal and Order Amending Waste Discharge Requirement, Order R5-2007-0113 (NPDES No. CA0079243)*

A public hearing was held. No one was present to contest this item.

*Motion to adopt NPDES Permit and amend WDR by Vice-Chair Moffitt
Seconded by Member Schneider
Unanimously approved*

BOARD ADOPTED ORDER R5-2013-0125 (NPDES)
BOARD ADOPTED ORDER R5-2013-0126 (WDR)

AGENDA ITEM 22

City of Davis, Wastewater Treatment Plant, Yolo County – *Consideration of NPDES Permit Renewal and Time Schedule Order (NPDES No. CA0079049)*

A public hearing was held. No one was present to contest this item.

*Motion to adopt NPDES Permit with late revisions, and Time Schedule Order by Member Ramirez
Seconded by Member Costantino
Unanimously approved*

BOARD ADOPTED ORDER R5-2013-0127 (NPDES)
BOARD ADOPTED ORDER R5-2013-0128 (TSO)
BOARD ADOPTED ORDER R5-2013-0129 (AMEND)

AGENDA ITEM 23

OTHER BUSINESS

Delta Regional Monitoring Program – *Consideration of Resolution Regarding Participation in Delta Regional Monitoring Program In Lieu of Individual Monitoring Efforts*

Megan Sullivan presented the staff report.

*Motion to adopt Resolution by Member Schneider
Seconded by Member Costantino
Unanimously approved*

BOARD ADOPTED ORDER R5-2013-0130

CLOSED SESSION AND LUNCH

The Board met in closed session to discuss pending litigation on Dairy General Waste Discharge Requirements – Association de Gente Unida por el Agua et al. v. Central Valley Water Board.

Board came back to Session at 1:05 p.m.

APPROVAL OF MINUTES

APPROVAL OF THE FOLLOWING MINUTES

July 25-26 Board Meeting

July 30, Workshop in Los Banos

Correction to minutes: Member Costantino voted yes on agenda item 20 (Tosta Dairy)
Member Ramirez voted no, on the same item.

Motion by Member Costantino, Seconded by Member Ramirez to approve the July 25/26 Board meeting minutes and July 30 workshop in Los Banos.

AGENDA ITEM 24

Approving an Initial Study, Adopting a Mitigated Negative Declaration, and Approving a Remedial Plan for Corona and Twin Peaks Mine Remediation Project, Napa County.

Legal Counsel Patrick Pulupa said that Member Schneider recused himself from this item, so he was not in the room for this hearing.

No one was present to contest this item.

*Motion to adopt a Resolution to adopt Mitigated Negative Declaration by Vice-Chair Moffitt
Seconded by Member Meraz
Unanimously approved*

BOARD ADOPTED ORDER R5-2013-0131

AGENDA ITEM 19

IRRIGATED LANDS

Workshop on Waste Discharge Requirements General Order for Sacramento Valley Rice Growers – *Informational Item Only* (Agenda item 19 was moved to the December 5-6 Board Meeting)

AGENDA ITEM 18

ENFORCEMENT

Donahue Schriber Asset Management Corporation, Rocklin Crossings, Placer County – *Consideration of Administrative Civil Liability Order*

Patrick Pulupa, Legal Counsel, updated the Board on evidentiary standards. David Boyers, Legal Counsel, Office of Enforcement at the State Water Board, addressed, and clarified some legal issues.

Wendy Wyels made introductory remarks and introduced Marty Hartzell, who presented the staff report. Steve Rosenbaum, Michael Bryan, Melissa Thorne (Schriber), Robert Aroyan (Rocklin Crossings), Jana Petersen (Schriber), Howard Wilkins (Schriber), Richard Chavez (Schriber), Bryan Foster, Ken Landau, gave additional testimony.

*Motion to adopt ACL with late revisions, made by Member Ramirez
Seconded by Member Schneider
Approved by a vote of 5-0-1*

Board Meeting adjourned at 7:10 p.m. to the December 5-6 Board meeting.

Respectfully submitted by
Kiran Lanfranchi-Rizzardi
Clerk to the Board