

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

**BOARD MEETING MINUTES
512TH Regular Meeting**

THURSDAY 3 FEBRUARY 2011

CALL TO ORDER

Chair, Kate Hart called to order the 512th regular meeting of the California Regional Water Quality Control Board, Central Valley Region at the Regional Water Quality Control Board, 11020 Suncenter Drive, Suite 200, Rancho Cordova, CA 95670

BOARD MEMBERS PRESENT

Hart, Kate	Hoag, Lyle	Longley, Dr. Karl	Meraz, Sandra
Mulholland, Soapy	Odenweller, Dan		

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Bruns, Jerry	Holcomb, Ron	MacDonald, Alex	Rodgers, Clay
Cohen, Wendy	Huggins, Dania	Mamidi, Anand	Schnagl, Rudy
Coupe, David	Jimmerson, Chris	Martin, Jim	Schwab, Kim
Crandall, Robert	Joab, Christine	Mayer, Alex	Simi, Joseph
Creedon, Pamela	Karkoski, Joe	McConnell, Sue	Stevens, Brett
Ditto, Robert	Kirn, David	Messina, Diana	Thayer, Beth
Grover, Holly	Landau, Ken	Molitoris, Lauria	Tran, Hien
Grover, Josh	Lanfranchi, Kiran	Morris, Patrick	Vorster, Antonia
Harder, Kathleen	Lee, Elizabeth	Perreira, Gayleen	
Hilton, Barry	Loncarovich, Richard	Pulupa, Patrick	
Bruns, Jerry	Louie, Stephen	Radulescu, Dan	

OTHERS PRESENT

Atkins, Carol	Goodman,Robert	Petruzzelli, Ken	Thorne,Melissa
Houdesheldt,Bruce	Holm,Lisa	Rich,Dan	Webster, Debbie
Akers,Joseph	Kraft,Tiffany	Schroder,Bernie	Westcott, Dennis
Baland, Gary	Larson,Bobbi	Schwabauer,Steve	Wingfield, Jeff
Brown,Russ	Lewis,William	Shannon, Heather	Zeigler, Erick
Bryan, Dr. Michael	McLaughlin,Bill	Snider,Sunny	Thorne,Melissa
Chad, Dibble	McNeal,Rachel	Teravskis,John	Webster, Debbie
Cory, David	Mysliwec,Mitch	Teravskis,Steve	Westcott, Dennis

APPROVAL OF DECEMBER 9-10 2010 MINUTES

Motion to approve December 9-10, 2010, Board Meeting Minutes made by Member Dr. Longley
Seconded by Member Odenweller
Chair Hart Abstained
Unanimously approved

AGENDA ITEM 3

BOARD COMMUNICATION

Dan Odenweller provided the following by subsequent written submittal:

- 3 January, spoke to Bill Jennings (CSPA), discussed the year past, and the Jerry Brown Gubernatorial appointments to date.
- 5 January, Chuck Armor stopped by to follow up on a call I had made leaving a message. Discussed a paper just published in the latest IEP Newsletter.
- January, spoke to Soapy Mulholland about our nominating committee duties, she will call and ascertain interests, and get back to me.
- 15 January, attended the retirement party for Chuck Armor (CDFG), held in Davis. No ex-parte communications.
- 19 January, spoke to Soapy Mulholland about the nominating committee role for the Regional Board.
- 21 January, met with Tom Schroyer, Fred Jurick, and George Heise (all CDFG) to review the fish screening program which was under my management during the last part of my career. I agreed to help Tom (et. al.) try to get things going again.
- 25 January, attended the Scoping Session held in Stockton by the Delta Stewardship Council, for the "Development of the Delta Plan." Saw and spoke with Bill Jennings (CSPA), John Herrick (SDWA), Dan Nomelini (CDWA), no ex-parte issues raised.
- 27 January, spoke with Soapy Mulholland, it appears we will be submitting two names for the Board to consider for the role of Chair during 2011.
- 31 January, spoke with Bill Jennings about the California Supreme Court Decision in California Farm Bureau Federation et.al.v. SWRCB regarding fee increases ordered by the Legislature.

Dr. Longley submitted the following by subsequent written transmittal:

- 13 December, participated in CV SALTS -- Stakeholders Leadership Group Subcommittee, via teleconference
- 3 January, participated in CV Salts meeting via teleconference
- 1 February, attended Assembly Parks, Wildlife & Recreation Committee, Groundwater Workshop in Sacramento
- 2 February, attended Constituents of Emerging Concern Workshop in San Jose

AGENDA ITEM 4

PUBLIC FORUM

No one came forward

AGENDA ITEM 5

EXECUTIVE OFFICER'S REPORT

Chair Hart commented on item 13 on the Executive Officer's report, Enforcement, and commended staff for doing a good job in enforcing water laws.

Executive Officer presented the Superior Accomplishment awards to the following staff:

Lauria Molitoris, Ron Holcomb and Robert Ditto

AGENDA ITEM 6

ELECTION OF CHAIR AND VICE-CHAIR

The Chair and Vice-Chair Appointment Committee, consisting of Soapy Mulholland and Dan Odenweller, recommended the appointments of Kate Hart as Chair and Dr. Longley as Vice-Chair. Ms. Meraz nominated Dr. Karl Longley to be Chair. The Board voted on the nomination of Kate Hart. A roll call vote was taken and

Ms. Hart was elected Chair, on a vote of 4-2-0 Dr. Longley was then nominated as Vice-Chair by a voice vote of 5-0-0.

AGENDA ITEM 7

Status of the Activities of the Butte and Glenn County Agricultural Commissioners to Support the Irrigated Lands Regulatory Program under the Memorandum of Understanding Pilot Program – *Informational item only*

A Public hearing was held. Richard Price presented the staff report. This was an *informational item only* and no Board action was required. However, Member Odenweller said that the Executive Officer should continue to work towards getting more funding.

AGENDA ITEM 8

Status Report on the Management Agency Agreement with the U.S. Bureau of Reclamation Addressing Salinity in the Lower San Joaquin River – *Informational item only*

A public hearing was held. Jim Martin presented the staff report. Lisa Holm (Bureau of Reclamation) presented a report. David Cory (San Joaquin River Exchange Contractors) also spoke. This was an *informational item only* and no Board action was required.

AGENDA ITEM 9

Stockton Deep Water Ship Channel Low Dissolved Oxygen TMDL: The Use of Aeration as an Alternate Measure to Address Low Dissolved Oxygen – *Informational item only*

A public hearing was held. Christine Joab presented the staff report. Bill McLaughlin (DWR), Russ Brown (ICF International), Jeff Wingfield (Port of Stockton), David Cory (San Joaquin River Exchange Contractors) and Dennis Westcott, (San Joaquin River Exchange Contractors) also spoke and Ken Landau, Assistant Executive Officer, answered clarifying questions for the Board.

The Board recessed for lunch at 12:00 p.m. to discuss EID Deer Creek, in closed session. The meeting resumed at 1:18 p.m.

AGENDA ITEM 10

California Department of Parks and Recreation, Empire Mine State Park, Nevada County – *Consideration of an Administrative Civil Liability Order*

THIS ITEM WAS MOVED TO THE UNCONTESTED FOLDER

AGENDA ITEM 11

Settlements between the City of Lodi and Potentially Responsible Parties for cleanup of the Northern, Southern, and Western Groundwater Pollution Plumes, Lodi, San Joaquin County – *Consideration of Resolution Authorizing Executive Officer to enter into Settlement Agreements.*

A public hearing was held. Duncan Austin presented the staff report. Steve Schwabauer, (City of Lodi), Robert Goodman, (City of Lodi), gave additional testimony.

Motion to adopt Resolution made by Member, Hoag
Seconded simultaneously by Members, Mulholland and Dr. Longley
Unanimously approved
BOARD ADOPTED ORDER R5-2011-0002

AGENDA ITEM 12

City of Auburn Wastewater Treatment Plant, Placer County – *Consideration of Order Amending Waste Discharge Requirements Order R5-2010-0090 (NPDES Permit No. CA0077712) and Cease and Desist Order R5-2010-0091*

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

Motion to adopt WDR and CDO Amendment with late revisions, made by Member, Dr. Longley
Seconded by Member, Odenweller
Approved by roll call vote of 6-0-0
BOARD ADOPTED ORDER R5-2011-0003

AGENDA ITEM 13

City of Live Oak Wastewater Treatment Plant, Sutter County – *Consideration of NPDES Permit Renewal and Cease and Desist Order (NPDES No. CA0079022)*

A public hearing was held. David Kirn presented the staff report. Diana Messina gave the background and details of the permit renewal, David Coupe, Gary Baland, (Mayor, City of Live Oak), William Lewis, (City of Live Oak), Ken Landau, Bobbi Larson and Debbie Webster, gave additional testimony.

The motion to adopt the proposed order was made by Dr. Longley and seconded by Ms. Meraz. The motion was defeated by unanimous vote. The staff was directed to continue this item and report back to the Board on a work plan to address the MUN beneficial use of the receiving waters as it applies to AG drains.

AGENDA ITEM 14

Stockton Port District, Port of Stockton, San Joaquin County – *Consideration of Municipal Separate Storm Sewer System (MS4) NPDES Permit Renewal (NPDES No. CAS0084077)*

A public hearing was held. Kim Schwab presented the staff report. Jeff Wingfield, (City of Stockton), Melissa Thorne, (City of Stockton), Ken Landau, John Teraskis, (City of Stockton), gave additional testimony.

Motion to adopt Permit with all revisions, made by Member, Dr. Longley
Seconded by Member Mulholland
Unanimously approved
BOARD ADOPTED ORDER R5-2011-0005

AGENDA ITEM 15

Approval of Uncontested items 10, and 16 through 20

AGENDA ITEM 10

California Department of Parks and Recreation, Empire Mine State Park, Nevada County – *Consideration of an Administrative Civil Liability Order*

THIS ITEM WAS MOVED FROM THE CONTESTED CALENDAR

AGENDA ITEM 16

WASTE DISCHARGE REQUIREMENTS

- a) Former BAC Facility, Full-Scale In-Situ Deep Soil Remediation, Merced, Merced County (new)
BOARD ADOPTED ORDER, R5-2011-0006
- b) California Department of Corrections and Rehabilitation, California Correctional Institution-Tehachapi, Wastewater Treatment Facility, Kern County, Order 88-035 (revision)
BOARD ADOPTED ORDER, R5-2011-0007
- c) Brown Sand Inc., and Mossdale Associates, Ltd., Brown Sand Mossdale Quarry, San Joaquin County, Order 91-217 (revision) **BOARD ADOPTED ORDER, R5-2011-0008**
- d) Buena Vista Biomass Power, LLC, Buena Vista Biomass Power Project, Class II Surface Impoundment, Amador County, Order 98-052 (revision)
BOARD ADOPTED ORDER, R5-2011-0009
- e) Lake Oroville Marina, LLC and State of California Department of Parks and Recreation and State of California Department of Water Resources, Operation of Lake Oroville Marina, Butte County, Order R5-2004-0032 (revision) **BOARD ADOPTED ORDER, R5-2011-0010**

- f) North of River Sanitary District and Sill Properties Inc. Wastewater Treatment Facility and Water Reclamation, Kern County, Order R5-2009-0088 (revision)
BOARD ADOPTED ORDER, R5-2011-0011

AGENDA ITEM 17

NPDES PERMIT

BOARD ADOPTED ORDER, R5-2011-0012

- a) City of Tracy Wastewater Treatment Plant, San Joaquin County, Order R5-2007-0036 (NPDES Permit No. CA0079154) (amendment) **AGENDA ITEM 18**

NPDES PERMIT WITH TIME SCHEDULE ORDER

BOARD ADOPTED ORDER, (NPDES) R5-2011-0013; TSO R5-2011-0014

- a) Rockwell Automation, Inc. and Porterville Unified School District Groundwater Cleanup System, Tulare County, Order R5-2005-0092 (NPDES Permit renewal, and new Time Schedule Order)

AGENDA ITEM 19

NPDES/WDR RESCISSIONS

BOARD ADOPTED ORDER, R5-2011-0015

Remote Pond, Baltimore Air Coil, Madera County, Order 82-069

- a) Department of General Services, Office of State Publishing, Sacramento County, Waste Discharge Requirements, Order R5-2005-0086 (NPDES No. CA0078875)
- b) Oakwood Lake Water District and Beck Properties, Oakwood Lake Subdivision Mining Reclamation Project, San Joaquin County, Waste Discharge Requirements, Order R5-2005-0153 (NPDES No. CA0082783)

AGENDA ITEM 20

CHANGE OF NAME AND OR OWNERSHIP

BOARD ADOPTED ORDER, R5-2011-0016

- a) Silva Ranch Sludge Application, Residuals Processing, Inc., Sacramento County, Order 95-064
- b) Silva Ranch II - Biosolids Application, Residuals Processing, Inc., Sacramento County, Order 98-023
- c) Neenah Paper FR, Neenah Paper FR, San Joaquin County, Order 5-01-148
- d) River Highlands Community Services District and Gold Village Land Development, LLC., Hammonton Gold Village Wastewater Treatment Plant, Waste Discharge Requirements, Order R5-2002-0101 (NPDES No. CA0081574) (Proposed Addition of Yuba County as Discharger)
- e) Maharishi Global Administration Through Natural Law, Maharishi Vedic School Wastewater Treatment Facility, Lake County, Order R5-2004-0085
- f) Fruit Processing Facility, Chinchiole Stemilt California LLC/JT Investments, San Joaquin County, Order R5-2005-0103
- g) Synagro West, Inc. and Gary Silva, Silva Ranch I and Silva Ranch II Biosolids Land Application Sites, Sacramento County, Order R5-2007-0807

A public hearing was held. No one came forward to comment or contest the uncontested items, 10, and 16 through 20.

Motion to adopt uncontested items 10, and 16 through 20 made by Member, Dr. Longley
Seconded by Member, Odenweller
Unanimously approved

The meeting adjourned at 6:48 p.m. to the April 7-8 Board meeting.

Respectfully submitted by Board Secretary, Kiran Lanfranchi-Rizzardi