

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

570th BOARD MEETING MINUTES

THURSDAY, 13 AUGUST 2020

BOARD MEETING LOCATION: ZOOM TELECONFERENCE AND WEBCAST

CALL TO ORDER:

Chair Longley called the 570th Board meeting to order and made introductions. Executive Officer Pulupa introduced staff. Member Ramirez led the Pledge of Allegiance

BOARD MEMBERS PRESENT:

Longley, Dr. Karl Ramirez, Carmen Brar, Raji
Kadara, Denise Bradford, Mark

BOARD MEMBERS ABSENT:

None

STATE WATER BOARD MEMBERS PRESENT:

Doduc, Tam

STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT STAFF PARTICIPATING IN THE MEETING:

Jahr, Jessica
Toft-Dupuy, Bayley
Lancaster, David
Kippen, Dan

REGIONAL BOARD STAFF PARTICIPATING IN THE MEETING:

Pulupa, Patrick	Walls, Russel	Croyle, Christine
Laputz, Adam	Mostafa, Omar	Rogers, Clay
Baum, John "JJ"	Harvey, Dale	Brown, Janelle
Coughlin, Gene	Snyder, Clint	Armstrong, Scott
Chow, Bob	Smith, Bryan	Holmes, Kari
Garver, Kelli	Marshall, James	

ADDITIONAL ATTENDEES PRESENT WHO WERE IDENTIFIED:

Abeyta, Itze	Duenas, Fernando	Gibbons, Jeff
Buelna, Nina	Dunham, Tess	Glade, Sara
Carlos DiazdeLeon	Evans, Dennis	Hartman, Craig
Cohen, Lee	Fred Beltran	Hudson, Dennis
Cypress, Lupe	Gadgil, Ashok	Kadara, Kayode
Drury, Stan	Gibbons, Debbie	Kinsey, John

Roman, Mandy
Martinez, Nayamin
Mena, Luis
Mitchell, Patrick

Ray, Rachel
Rías, Frenando
Rico, Karen
Sophie and Margot

Stetson, Luree
Thompson, Mariah

AGENDA ITEM 2 – Update on Allensworth Farm Field - Trials for Electrochemical Arsenic Remediation Technology (Presentation by Dr. Ashok Gadgil)

Dr. Gadgil gave an informational presentation how to affordably remove arsenic from drinking water by using Electrochemical Arsenic Remediation (ECAR). Dr. Gadgil described a project undertaking in Allensworth which demonstrated the feasibility of the technology.

Board Members Kadara and Ramirez expressed their appreciation and excitement that economically disadvantaged communities such as Allensworth could potentially have constituents such as arsenic removed from the water at a reasonable expense with this developing technology.

AGENDA ITEM 3 – PUBLIC FORUM

None

AGENDA ITEM 9 – ADOPTION OF MINUTES FROM PRIOR BOARD MEETING

Motion to adopt previous Board meeting minutes from June 2020.

MOTION TO ADOPT: Agenda Item 9

Motion Made by: Member Kadara
Seconded by: Vice-Chair Ramirez

Roll Call Vote:

Member Bradford	Yes
Member Kadara	Yes
Member Brar	Yes
Vice-Chair Ramirez	Yes
Chair Longley	Yes

Approved by Roll Call Vote of 5-0-0.

AGENDA ITEM 11 – ADOPTION OF UNCONTESTED CALENDAR AGENDA ITEMS 14 THROUGH 17 (Except for Agenda Item 16.f)

Assistant Executive Officer Laputz and Senior Attorney Jahr informed the Board that the uncontested calendar could be voted on, but advised against including Agenda Item 16.f because a commenter potentially wanted to speak to the Board regarding that item but was not present.

UNCONTESTED CALENDAR

AGENDA ITEM 14 – NPDES PERMIT

- a. City of Shasta Lake, City of Shasta Lake Wastewater Treatment Plant, Shasta County – Consideration of NPDES Permit Amendment (NPDES Permit CA0079511)

AGENDA ITEM 15 – WASTE DISCHARGE REQUIREMENTS

- a. ~~Bronco Wine Company, Bronco Wine Company, Stanislaus County – Consideration of Revision to Order 96-247 (THIS ITEM WAS NOT HEARD AT THE 13 AUGUST ZOOM BOARD MEETING; IT WILL BE CONSIDERED AT A FUTURE BOARD MEETING)~~
- b. Gerawan Farming, Inc.; Plant 4 Sanger Fruit Packing Facility; Fresno County – New
- c. Jahant Wood Cellars, Lange Twins Family Winery and Vineyards, San Joaquin County – Consideration of Amendment to Order R5-2020-0021

AGENDA ITEM 16 – RESCISSIONS

- a. Alturas Wastewater Treatment Plant, City of Alturas, Modoc County – Time Schedule Order R5-2010-0905 and Cease and Desist Order R5-2003-0128
- b. Calaveras County Water District, West Point Wastewater Treatment Facility, Calaveras County – Waste Discharge Requirements Order 93-07
- c. Calaveras County Water District, Sequoia Woods Mountain Retreat Facility, Calaveras County – Waste Discharge Requirements Order 95-069
- d. California Department of Transportation, Camp Connell Maintenance Station, Calaveras County – Waste Discharge Requirements Order 90-29
- e. California Department of Transportation; Coalinga-Avenal Safety Roadside Rest Area Wastewater Treatment Facility; Fresno County – Waste Discharge Requirements Order 98-004
- f. ~~Eagle's Nest Mining LLC, Red Ink Mining LLC, United States Department of Agriculture Forest Service, Eagles Nest Mine, Placer County – Cease and Desist Order R5-2012-0094~~

(AGENDA ITEM 16.f WAS HEARD ON 14 AUGUST 2020)

- g. East Bay Municipal Utility District, Camanche North Shore Wastewater Treatment Plant, Amador County – Waste Discharge Requirements Order 95-175
- h. U.S. Department of the Interior, National Park Service, Sequoia – Kings Canyon National Park; Grant Grove Wastewater Treatment Facility; Fresno County – Waste Discharge Requirements Order 86-103

AGENDA ITEM 17 – CHANGE OF NAME AND/OR OWNERSHIP

- a. Bear Mountain RV Park, Shasta County – Waste Discharge Requirements Order 97-10-DWQ-R5148,
- b. Edwin Lands LLC, Irish Hill Quarry, Amador County – Waste Discharge Requirements Order R5-2014-0109
- c. JG Boswell Company, Buttonwillow Tomato Processing Plant, Kern County – Waste Discharge Requirements Order R5-2008-0067
- d. Valley Silica, Inc., Butte County – Waste Discharge Requirements, Order 90-106,
- e. Western Aggregates, Inc. and U.S. Army Corps of Engineers, Yuba County – Waste Discharge Requirements Order 5-00-107

LATE REVISIONS

Assistant Executive Officer Laputz informed the Board that there were no late revisions on any of the uncontested agenda items.

Motion to adopt uncontested Agenda Item 11 – Uncontested Calendar Agenda Items 14 Through 17 (Except for Agenda Item 16.f) as presented by staff.

MOTION TO ADOPT Agenda Item 11

Motion Made by: Vice-Chair Ramirez

Seconded by: Member Brar

Roll Call Vote:

Member Bradford Yes

Member Brar Yes

Member Kadara Yes

Vice-Chair Ramirez Yes

Chair Longley Yes

Approved by Roll Call Vote of 5-0-0

Comments on Agenda Item 11

None

AGENDA ITEM 4 – BOARD STRATEGIC PLANNING PUBLIC OUTREACH

Executive Officer Pulupa discussed a draft outreach plan that the members of the Strategic Planning Committee will use to gather information from key stakeholders as the Board works on its strategic planning effort. The Board considered the outreach plan and suggested modifications to a proposed online study.

LUNCH

The Board meeting resumed at 6:00 P.M.

CONTESTED CALENDAR

AGENDA ITEM 5 – ENFORCEMENT

Setton Pistachio of Terra Bella, Inc., Terra Bella Pistachio Facility, Tulare County – Consideration of a Stipulated Cease and Desist Order (CDO)

Translations Services:

- Carlos Diaz deLeon from Cal Interpreting and Translations is providing Spanish translations services today for Agenda Item 5. A Zoom option was available by clicking the “Interpretation” button for those who wish to hear this item in Spanish.

Pre-Hearing Discussion:

Attorney Toft-Dupuy (serving as the Advisory Council) stated that this item was initially contested, and the Discharger filed objections to the Hearing Procedure. The Advisory Team, in consultation with the Board Chair, issued rulings on those objections in late July. Since that time, the Prosecution Team and the Discharger have come to an agreement on a Stipulated CDO. Previous objections in prior Procedure are no longer an issue. The Advisory Team issued a second ruling in early August regarding the hearing structure following the conversion of the hearing from a contested hearing to a hearing to consider a Stipulated CDO. Both rulings are in the Board’s materials.

The Board Chair asked the parties whether there were any further objections regarding the hearing procedure:

- Prosecution Team – Clay Rogers, Assistant Executive Officer (Fresno) – none
- Setton Pistachio of Terra Bella, Inc. – John Kinsey – none
- Terra Bella Voice for Change – Mariah Thompson – none

Prosecution Team:

Omar Mostfasa (Water Resources Control Engineer, Fresno) presented the Prosecution Team’s case and answered questions from Board Members.

Setton Pistachio of Terra Bella, Inc. (Discharger):

John Kinsey (Attorney at Law, Wanger Jones Helsley PC, Legal Counsel for Setton Pistachio) and Lee Cohen (General Manager for Setton Pistachio), stated a case for why the Board should adopt the Stipulated CDO and answered questions from Board Members.

Terra Bella Voice for Change (Designated Party):

Mariah Thompson (Terra Bella Voice for Change (TBVC) Legal Counsel) spoke on the collaboration efforts made by the community and state agencies; all are in favor of and support the Stipulated CDO. Lupe Cypress (TBVC) and Fred Beltran (TBVC) both spoke of their experience and why they are in support of the Stipulated CDO and answered questions from Board Members.

Interested Persons:

- Nayaman Martinez (Central California Environmental Justice Network) spoke of residences experiences and is in favor of the Stipulated CDO.
- Rachael Ray (Tulare County resident, representing Assemblyman Devon Mathis, 26th District) spoke in support of Setton Pistachio's operation and community spirit.

Closing Statements:

TBVC – Mariah Thompson – thanked the Board for their support in acting on this matter.

Setton Pistachio of Terra Bella, Inc. – John Kinsey (Legal Counsel for Setton Pistachio) said they have been working on this for a long time and look forward to continuing working with the Board.

Prosecution Team – Assistant Executive Officer Clay Rogers (Fresno) thanked the residents of Terra Bella, Setton Pistachio, Mr. Cohen, and others for working through the issues to help resolve this matter, resulting in the Stipulated CDO. Mr. Rogers recommends the Board adopt the Stipulated CDO as proposed. There are no late changes.

Executive Officer Pulupa asked questions of the Prosecution Team regarding items in the monitoring plan. Assistant Executive Officer Rodgers responded on behalf of the Prosecution Team that the issues would either be dealt with through the CDO or a modified monitoring and reporting program. Following the questions, Executive Officer Pulupa stated he believes the evidence indicates that Setton Pistachio has made substantial efforts to address the odor problems at the facility and recommended adoption of the Proposed CDO.

Board Members Kadara and Ramirez thanked the community members, TBVC and Setton Pistachio for following through until they reached the appropriate agencies to help resolve this matter. Chair Longley stated he is glad Setton Pistachio is stepping up to the plate and that they agreed to the Stipulated CDO.

MOTION TO ADOPT: Agenda Item 5

Motion Made by: Member Kadara
Seconded by: Member Bradford

Roll Call Vote:

Member Bradford	Yes
Member Brar	Yes
Member Kadara	Yes
Vice-Chair Ramirez	Yes
Chair Longley	Yes

Approved by Roll Call Vote of 5-0-0

FRIDAY 14 AUGUST 2020

BOARD MEETING LOCATION: ZOOM TELECONFERENCE AND WEBCAST

CALL TO ORDER:

Chair Longley called the 570th Board meeting to order and made introductions. Executive Officer Pulupa introduced staff. Member Ramirez led the Pledge of Allegiance

BOARD MEMBERS PRESENT:

Longley, Dr. Karl	Ramirez, Carmen	Brar, Raji
Kadara, Denise	Bradford, Mark	

BOARD MEMBERS ABSENT:

None

STATE WATER BOARD MEMBERS PRESENT:

Doduc, Tam

**STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT
STAFF PARTICIPATING IN THE MEETING:**

Jahr, Jessica
Toft-Dupuy, Bayley
Lancaster, David
West, Yvonne

REGIONAL BOARD STAFF PARTICIPATING IN THE MEETING:

Pulupa, Patrick	Chow, Bob	Marshall, James
Laputz, Adam	Garver, Kelli	Rogers, Clay
Baum, John	Harvey, Dale	Brown, Janelle
Coughlin, Gene	Snyder, Clint	Holmes, Kari

ADDITIONAL ATTENDEES PRESENT WHO WERE IDENTIFIED:

Abeyta, Itze	Green, Dr. William	Mitchell, Patrick
Beltrand, Anthony	Nepal, Harihar	Moretti, Lisa
Broderick, Ann	Harris, Jeff	Nelson, Marlee
Busath, William	Huun, Sherill	Trinchillo, Daniel
Drury, Stan	Johnson, Melinda	Wentz, Keith
Evans, Dennis	Kadara, Kayode	
Grant, Brett	Kelly, Maria	

AGENDA ITEM 7 – BOARD MEMBER COMMUNICATIONS

Chair Longley submitted the following communications:

- 18 June 2020, Participated in a CV-SALTS Executive Committee virtual meeting
- 2 July 2020, Participated in a briefing with Board staff regarding the Delta Regional Monitoring Program
- 6 July 2020, Participated in a Salty 5 (CV-SALTS) conference call
- 6 July 2020, Participated in the monthly Regional Board Chairs' meeting via MS Teams
- 8 July 2020, Attended a Zoom meeting focused on Managed Aquifer Recharge on Agricultural Lands
- 9 July 2020, Participated in a Zoom meeting with the Board's Food Safety Expert Panel and Board staff
- 22 July 2020, Attended State Water Board Winery General Order Workshop via CalEPA Video
- 28 July 2020, Participated in a conference call with Board staff on the Oilfield Food Safety Expert Panel White Paper
- 30 July 2020, Attended Greely & Hansen online seminar on Emerging Trends and Innovative Concepts in Desalination
- 3 August 2020, Participated in monthly Regional Boards Chairs' Meeting via Zoom
- 5 August 2020, Attended a State Water Board workshop focused on the Statewide NPDES Permit for Vacuum and Suction Dredges via CalEPA Video

Member Kadara submitted the following communications:

- 19 June 2020, Participated in the Stockton Area Homelessness Task Force (SAHTF) virtual meeting
- July 2020, Coordinated with Adam Laputz and Dr. Gadgil on the Arsenic Remediation Presentation to be given to the Central Valley Water Board in August

Member Bradford submitted the following communications:

- 19 June 2020, Participated in the Stockton Area Homelessness Task Force (SAHTF) virtual meeting
- Participated in Strategic Planning discussions with the Strategic Planning Committee
- Participated in discussions with the Senate Rules Committee related to my appointment. Senate Rules Committee approved the nomination on 12 August 2020. Senate will take a full vote in a couple weeks.

State Water Board Liaison Update

State Board Member Tam Doduc gave an update to the Board as follows:

- Racial Equity effort has been started by the State Water Board as well as the Regional Water Boards. This will be a topic discussed as an information item at the next State Water Board meeting on 18 August 2020.
- On 28 August 2020 State Water Board (SAFER Program) is having an online seminar on the Safe and Affordable Drinking Water Program. Staff will be developing a “needs analysis” which will include affordability, risk and cost. State Water Board will be looking for stakeholder involvement and feedback with regards to development of the cost component.
- State Water Board has been holding workshops on the Proposed Waste Discharge Requirement for Winery Process Wastewater.
- State Water Board held a Hearing on the Proposed Suction Dredge Mining Permit.

AGENDA ITEM 8 – PUBLIC FORUM

- Dennis Evans spoke about a Wetlands Treatment System.

AGENDA ITEM 11 – ADOPTION OF UNCONTESTED CALENDAR AGENDA ITEM 16.f ONLY

UNCONTESTED CALENDAR

(THE REMAINDER OF THE UNCONTESTED CALENDAR, AGENDA ITEMS 14 THROUGH 17 (with the exception of agenda item 16.f) WERE ADOPTED AT THE 13 AUGUST 2020 BOARD MEETING)

AGENDA ITEM 16 – RESCISSION

- f. Eagle’s Nest Mining LLC, Red Ink Mining LLC, United States Department of Agriculture Forest Service, Eagles Nest Mine, Placer County – Cease and Desist Order R5-2012-0094

LATE REVISIONS

Assistant Executive Officer Laputz informed the Board that there were no late revisions on this uncontested agenda item.

Comments on Agenda Item 16.f

Patrick Mitchell (Attorney), Keith Wentz (Eagle's Nest Mining LLC, Red Ink Mining LLC) and Daniel Trinchillo (Eagle's Nest Mining LLC, Red Ink Mining LLC) were in the Zoom meeting, prepared to comment only if agenda 16.f fell off the uncontested calendar. Since it is being rescinded; no comment is necessary.

MOTION TO ADOPT: Agenda Item 16.f

Motion Made by: Vice-Chair Ramirez

Seconded by: Member Bradford

Roll Call Vote:

Member Bradford Yes

Member Brar Yes

Member Kadara Yes

Vice-Chair Ramirez Yes

Chair Longley Yes

Approved by Roll Call Vote of 5-0-0

AGENDA ITEM 4 – BOARD STRATEGIC PLANNING PUBLIC OUTREACH

(THIS ITEM WAS MOVED UP AND HEARD ON THURSDAY'S CALENDAR)

AGENDA ITEM 12 – EXECUTIVE OFFICER'S REPORT AND 2019/2020 END OF YEAR PROGRAM ASSESSMENTS AND CASE STUDIES

Executive Officer's Report

Executive Officer Pulupa indicated he is very pleased with all the projected targets that have been met while teleworking during the COVID-19 pandemic, especially considering the 10% workforce reduction from furloughs, 5% of staff being directed to the contact tracing efforts and the high vacancy rate.

Executive Officer Pulupa asked the Board if they had any questions on the Executive Officer's Report.

Comments on Executive Officer's Report

Chair Longley responded that he is very impressed at the amount of work staff is turning out during the COVID-19 pandemic. Chair Longley indicated some of the work practices that have been adapted during the pandemic may prove to be beneficial as continued practices, as we come out of the pandemic. Executive Officer Pulupa agreed and cited a snap survey conducted by CalEPA where it was found that a majority of staff would prefer to work from home 100% of the time or at least 4 days/week. A more comprehensive telework program may be advantageous for everyone and the

environment. Member Bradford agreed that the snap survey revealed an advantageous and promising need for a more robust remote workforce in the future.

Chair Longley, Member Bradford and Executive Officer Pulupa praised the State Board IT staff for stepping up and deploying all the resources needed to meet the moment.

Employee Recognition Awards

Executive Officer Pulupa presented awards to the following staff:

Superior Accomplishment Award (Individual)

- Harihar Nepal, Environmental Scientist in the Redding Office
- Kristen Gomes, Water Resource Control Engineer in the Fresno Office

2019/2020 End of Year Program Assessments and Case Studies

Executive Officer Pulupa gave a presentation. The presentation overview was a review of the portfolio management of the Board's Programs as follows:

- Permitting Programs
- Planning, Monitoring and Assessment
- Admin
- Special Permitting Programs
- Enforcement and Cleanup

Executive Officer Pulupa explained the Portfolio Management process and how it is a way of providing consistency, accountability and evaluative tools to each of the Boards' Programs. Executive Officer Pulupa then described success stories in all of the water quality program areas, and commented that information regarding the Board's information on [Personnel Allocations, Targets, Priorities](#) for each program can be found on our website at:

(https://www.waterboards.ca.gov/centralvalley/about_us/program_overview/)

Comments on Agenda Item 12

Chair Longley and Member Kadara were very impressed with Executive Officer Pulupa's presentation and for all the work performed by Board staff.

Member Bradford ask Executive Office Pulupa for clarification on the potential confusion related to CV-SALTS overlapping with Irrigated Lands and SGMA. Executive Officer Pulupa explained that there is still confusion and we need to collaborate with the other regulating agency to determine where our authority begins and ends and where it overlaps with other entities.

Chair Longley would like to make sure, wherever possible, that the Regional Board has first seat at the table wherever it comes to groundwater sustainability and water quality.

Member Kadara agreed with Chair Longley that we must participate in every opportunity we can, to have early coordination between the CV-SALTS Nitrate Management Zones, SGMA and Groundwater Sustainability Agencies. Executive Officer Pulupa would like to

provide additional opportunities for stakeholder input with regards to development of Management Zones that will affect their water supplies for the next generation.

Chair Longley stated he has been attending SGMA meetings and never hears water quality mentioned; only water quantity. Chair Longley recommends we fill that empty space. Executive Officer Pulupa agreed.

Executive Officer Pulupa stated we are going to have some tough decisions to make in the Mining Program over the next two years with some high-profile mining cases and wants to know if any Board Members are interested in participating in the Board Mining Workgroup. Chair Longley has extensive mine experience and will commit to participating in the Regional Board's Mining Workgroups. Member Bradford will consider participating and will get back to Executive Officer Pulupa on his final decision soon.

Member Bradford said the Bureau of Reclamation opened their comment period on the Shasta Dam Raise. He wants to know if the Regional Board takes a position on that, or plans to comment? Executive Officer Pulupa stated that the State Board has responded and that he would be happy to provide Member Bradford with a closed-door briefing on those comments.

LUNCH AND CLOSED SESSION

The Board recessed for lunch at 11:30 to discuss Personnel and the litigation below.

CLOSED SESSION

The Board may meet in closed session to consider personnel matters (Gov. Code, section 11126 subd. (a)); to deliberate on a decision to be reached based upon evidence introduced in a hearing (id., section 11126, subd. (c)(3)); or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation (id., section 11126, subd. (e)). Current litigation involving the Board is listed below.

LITIGATION FILED AGAINST THE CENTRAL VALLEY WATER BOARD AND/OR THE STATE WATER BOARD:

- a. James Sweeney Litigation – ACLOs R5-2011-0068, R5-2012-0070, R5-2013-0091, R5-2014-0119, R5-2015-0065, R5-2016-0063 and R5-2017-0038 to James Sweeney; CDO R5-2017-0039 to James Sweeney; Reissued WDRs General Order for Existing Milk Cow Dairies, Order R5-2013-0122; and Unnumbered MRP Order to James Sweeney – James G. Sweeney, et al. v. State Water Bd., et al. (5DCA Case No. F078190; Fresno Superior Court Lead Case No. 15CECG02063, consolidated w/ Case Nos. 17CECG00146, 16CECG03035, 17CECG03030, 17CECG02994).
- h. Valley Water Management Company v. Central Valley Reg'l Water Quality Control Bd., (Kern County Superior Court Case No. BCV-19-101750).
- i. 2019 ACLO to Kongkeo Khamvongsa and Alexandra Kensavath – Kongkeo Khamvongsa et al. v. Central Valley Reg'l Water Quality Control Bd. (Shasta Superior Court Case No. 193748).

j. Winnemem Wintu Tribe, et. al. v. State Water Res. Control Board., et. al. (San Francisco County Superior Court Case No. CPF-20-517115).

LITIGATION FILED BY THE CENTRAL VALLEY WATER BOARD AGAINST OTHER PARTIES:

m. Greener Globe Landfill – People ex rel. Central Valley Water Bd. v. A Greener Globe Corp. (Placer Superior Court Case No. SCV13231); and In re A Greener Globe (EDCA Bankruptcy Case No. 16-21900-C-11).

The Board meeting resumed at 1:00 P.M.

REPORT OUT ON CLOSED SESSION ITEMS

Senior Attorney Jahr indicated there are not action items to report out on.

CONTESTED CALENDAR

AGENDA ITEM 13 – NPDES PERMIT

City of Sacramento, Combined Wastewater Collection and Treatment System, Sacramento County – Consideration of NPDES Permit Renewal (NPDES Permit CA0079111)

Pre-Hearing Discussion:

Senior Attorney Jahr recommended that the Board admit several late comment letters because they are not predigital to any party. Chair Longley admitted the late comment letters into the record.

Presentation from Board Permitting Staff:

James Marshall (Supervising Water Resources Control Engineer, Sacramento) presented the Board's staff report.

Presentation by City of Sacramento:

Tony Beltrand gave a presentation, followed by comments from Vice Mayor Jeff Harris, City of Sacramento (District 3). Both stated a case for why the Board should adopt the proposed NPDES Permit.

Panel of Concerned Citizens:

- Ann Broderick (McKinley Park resident) gave a slide presentation of her concerns on the proposed permit renewal.
- Dr. Will Green (Concerned Citizen, Save McKinley Park, East Sacramento Preservation, Halt the Vault and Concerned Citizens for a Safe and Sewage-Free McKinley Park) gave a slide presentation of his concerns on the proposed permit renewal.

- Melinda Johnson (McKinley Park resident) gave a slide presentation with historical flood pictures to convey her concerns on the proposed permit renewal.
- Maria Kelly (Concerned Citizen) spoke on her concerns of the proposed permit renewal.

Comments from Board Members:

Vice Chair Ramirez would like the City of Sacramento to address the issues that were raised by the concerned citizens from McKinley Park. Chair Longley would like the City of Sacramento to respond to the issues raised by concerned citizens, in the closing statements. Members Bradford and Kadara would also like the City of Sacramento to respond to the issues raised by concerned citizens.

Comments from the Public:

- Dennis Evans provided comments.
- Stan Drury submitted a comment card to speak but was available when called on.

Closing Statement, City of Sacramento:

Tony Beltrand provided closing statements on behalf of the City. Mr. Beltrand described the purpose of the Vault Project at McKinley Park and responded to questions from Board Members. Mr. Beltrand stated that the City has an outreach campaign to reduce fats, oils and grease from getting into the system and that the City has an active root intrusion program in place. Mr. Beltrand commented on the durability of clay pipes and described the City's procedures and budget for investigating and remediating failing pipes. Mr. Beltrand then discussed how the City responds to overflows.

Maria Kelly (concerned citizen) was allowed the opportunity to speak about climate change and Vault storage location concerns, and Ann Broderick (concerned citizen) spoke about root intrusion problems and expressed concerns on the new sewer lines being added for new developments. Melinda Johnson (concerned citizen) spoke about her concerns with the existing Vault being built on top of Burns Slough.

William Busath (City of Sacramento, Director of the Department of Utilities) spoke to inform the Board that the City of Sacramento has met their commitments with regards to operation and improvement of the CSS.

Closing Statement, Recommendation from Board Staff:

Assistant Executive Officer Laputz reviewed evidence and comments received and provided response from staff. Assistant Executive Officer Laputz stated that the Permit is fully compliant with Federal Regulations. However, cognizant of the concerns raised, the Board is asking that the Long-Term Control Program to be updated to include a reevaluation of the 10-year, 6-hour storm protection for outflows and is going to have the City to consult with Public Health on those

outflows and whether or not the program is protective. Board staff also asked the City to take climate change into consideration. Assistant Executive Officer Laputz commented that the Board will be diligent in overseeing the

Executive Officer Pulupa commented that the materials that the Board has reviewed indicates that the City has made improvements its system, including substantial projects to reduce spills and to provide better disinfection for flows that are not processed through the main treatment plant. Monitoring does not indicate impacts to beneficial uses in the Sacramento River. The Board is asking the City to update their Long-Term Control Plan to address the concerns raised by citizens and to ensure the protection of the City's drinking water. Executive Officer Pulupa recommended adoption of the permit and pledged that the Board will remain diligent in ensuring that projects like the McKinley Vault are effective. Chair Longley indicated support for a workshop once the Vault is operational so that the Board can better understand whether the Vault is successful at addressing existing capacity issues.

MOTION TO ADOPT: Agenda Item 13

Motion Made by: Member Bradford
Seconded by: Vice Chair Ramirez

Roll Call Vote:
Member Bradford Yes
Member Kadara Abstain
Vice-Chair Ramirez Yes
Chair Longley Yes

Approved by Roll Call Vote of 4-0-0

Meeting Adjourned

Board meeting adjourned at 3:57 P.M. to the 15/16 October 2020 Board Meeting.