
Central Valley Regional Water Quality Control Board

MEETING NOTICE AND AGENDA - **REVISED 2/2/2022** CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

THURSDAY/FRIDAY, 17/18 FEBRUARY 2022, 9:00 A.M.

AS A RESULT OF THE COVID-19 EMERGENCY, AND AS AUTHORIZED BY GOVERNMENT CODE SECTION 11133 AND EXECUTIVE ORDER N-1-22, THIS MEETING WILL OCCUR SOLELY VIA VIDEO AND TELECONFERENCE. ANY PERSON DESIRING TO RECEIVE FUTURE NOTICES ABOUT CHANGES TO THE DATE, TIME, LOCATION, OR FORMAT OF THE PUBLIC HEARING SHOULD SIGN UP FOR THE [LYRIS E-MAIL LIST](https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html)

(https://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.html).

HOW TO ATTEND THIS MEETING:



TO WATCH AND LISTEN TO THE WEBCAST (NOT PARTICIPATING):

If you do not need to participate but would like to watch and listen in to this meeting, please use the "PUBLIC MEETING WEBCAST" link below.

17 February 2022: [YOUTUBE LIVESTREAM URL](https://youtu.be/lh8lwq9-08s) (<https://youtu.be/lh8lwq9-08s>)

18 February 2022: [YOU TUBE LIVESTREAM URL](https://youtu.be/30wzPWqFbFg) (<https://youtu.be/30wzPWqFbFg>)



TO PARTICIPATE IN THE MEETING (via ZOOM):

Persons wishing to participate in the meeting will need to contact the Board by email to receive a Zoom Meeting ID and password prior to the meeting by doing the following:

Send an email to Agenda5@Waterboards.ca.gov

In the Subject line, indicate: **Agenda Item Number(s)** you are interested in.

In the body of the email indicate:

- Your name
- Who you represent (i.e., self, another person, an organization)

- Identify whether you intend to participate via videoconference (your computer microphone and speaker) or by telephone
- If calling in by telephone, please provide the last three digits of the telephone number you will be calling from

The Board will respond to your email with the Zoom Meeting ID and password for the meeting. If you do not send an email by **5:00 p.m. on February 16**, it is possible you will need to begin watching the webcast available on YouTube. You cannot participate in the Zoom meeting until you receive an email with the Zoom ID and password.

Additional information on attending the workshop can be found on the [Regional Board Meeting Calendar webpage](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/) at:
(https://www.waterboards.ca.gov/centralvalley/board_info/meetings/)

Items on this Agenda are numbered for identification purposes only; the Board may consider these items out of their listed order.

Copies of the items to be considered by the Central Valley Water Board are posted on the Board's [Tentative Orders web page](https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/)
(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

Questions regarding individual items should be directed to the Board staff person whose name and phone number are indicated with the agenda item. For general questions, to request a special accommodation, or to request interpreter services, please send an e-mail to agenda5@waterboards.ca.gov or call (916) 464-3291. Please request special accommodations or interpreter services at least 10 business days in advance of the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

THURSDAY, 17 FEBRUARY 2022, 9:00 A.M.

BOARD BUSINESS

1. Introductions, Pledge of Allegiance, Meeting Rules.
2. Board Member Communications – Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction.
3. Public Forum – Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting or pending before the Board.
4. [Executive Officer's Report.](#)
5. [Consideration of Minutes from Prior Board Meeting \(December 2021\).](#)

6. ~~New Assignments of Board Working Groups [Mindy Maxwell (916) 464-4839]~~
~~(THIS ITEM WILL BE HEARD ON FRIDAY AFTER AGENDA ITEM 22)~~
7. Consideration of Uncontested Items – The Board will consider agenda items 11 through 14.

OTHER BUSINESS

8. Adopt the Triennial Review of the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin – Consideration of a Resolution [Robert L'Heureux (916) 464-4736]

WASTE DISCHARGE REQUIREMENTS

9. JEN CA Placer Ranch, LLC, Placer Ranch Project, Placer County – Consideration of New Waste Discharge Requirements (WDID#5A31CR00548) [Greg Hendricks (916) 464-4709]
10. Sutter South, LLC, Lakeside at Sutter Pointe, Sutter County – Consideration of Waste Discharge Requirements (WDID#5A51CR00127) [Peter Minkel (916) 464-4684]

UNCONTESTED CALENDAR

(Cal. Code Regs., tit. 23, section 647.2, subd. (f).) Uncontested items are those items that are not being contested at the Board Meeting and will be acted on without discussion. If any person or Board Member requests discussion, the item may be removed from the Uncontested Calendar.

NPDES PERMITS (AGENDA ITEM 11)

- a. City of Lathrop, Consolidated Treatment Facility, San Joaquin County – Consideration of New NPDES Permit (NPDES Permit CA0085359) [Armando Martinez (916) 464-4617]
- b. Hyde Caviar LLC DBA Sterling Caviar, Sterling Caviar LLC, Elverta, Sacramento County – Consideration of NPDES Permit Renewal (NPDES Permit CA0085197) [Matthew Richter (916) 464-4745]
- c. Limited Threat Discharges to Surface Water, Consideration of NPDES General Permit Renewal (NPDES Permit CAG995002) [Michelle Snapp (916) 464-4824]
- d. U.S. Department of the Interior, Bureau of Reclamation, Sliger Mine, El Dorado County – Consideration of NPDES Permit Renewal (NPDES Permit CA0084905) [Will Chen (916) 464-4816]

WASTE DISCHARGE REQUIREMENTS (AGENDA ITEM 12)

- a. [Amador County Environmental Health Department, Amador County – Consideration of Resolution to Approve Revised Local Agency Management Program](#) [Eric Rapport (530) 224-4998]
- b. [Butte County Department of Public Works, Neal Road Class III Municipal Solid Waste Landfill, Butte County – Consideration of Revision of Waste Discharge Requirements Order R5-2011-0049-01](#) [Patrick DeCarvalho (530) 224-4786]
- c. [City of Atwater; Bert Crane Road Landfill, Merced County – Revising WDRs 5-01-096](#) [Elizabeth Welch (559) 445-6127]
- d. [City of Redding, Redding Power Plant, Shasta County – Consideration of Revision of Waste Discharge Requirements Order 94-267](#) [Valerie Rasmussen (530) 224-6130]
- e. [County of Madera, Fairmead Landfill, Madera County – Revising WDRs R5-2015-0052](#) [Daniel Benas (559) 445-5500]
- f. [Eriksson, LLC, Ingleby US Pistachio Plant, Fresno County](#) [Katie Carpenter (559) 445-5551]
- g. [Port of Stockton, Denmar Natural Soda Ash Export Terminal Project, San Joaquin County – Consideration of Waste Discharge Requirements \(WDID#5B39CR00357\)](#) [Nicholas White (916) 464-4856]
- h. [Stromer Realty, Stromer Oak Valley Site Project, Butte County – Consideration of New Waste Discharge Requirements](#) [Lynn Coster (530) 224-2437]

RESCISSIONS (AGENDA ITEM 13)

- a. [Baker Petrolite Corporation, Taft Production Facility, Waste Discharge Requirements Order No. 5-00-225, Kern County](#)
- b. [City of Grass Valley, City of Grass Valley Wastewater Treatment Plant, Nevada County – Consideration of NPDES Rescission \(NPDES Permit CA0079898\)](#) [Sarah Thompson (916) 464-4713]
- c. [Double R Nest Egg, Skippers Cove Marina Wastewater Treatment System, Nevada County, WDR Order 95-178](#)
- d. [Jones Development Company, Pilkington Glass Manufacturing Facility, San Joaquin County, WDS Order 5-01-114](#)
- e. [Pleasant Ridge Union School District, Pleasant Ridge Elementary School Wastewater Treatment Plant, Nevada County, WDR Order 98-135](#)

- f. [Standard Management Company, McHenry Village Shopping Center, Stanislaus County, Waste Discharge Requirements Order No. R5-2002-0012](#)

CHANGE OF NAME (AGENDA ITEM 14)

- a. [City of Arvin, Arvin Wastewater Treatment Plant, Waste Discharge Requirements Order 5-00-093, Kern County](#)
- b. [GloriAnn Farms, Inc., and Mark Bacchetti, GloriAnn Farms Food Processing Facility, San Joaquin County, R5-2012-0037-01](#)
- c. [Jed and Marie Steele, Steele Wines, Inc., Lake County, 97-138](#)
- d. [O'Neill Beverages Co LLC, Reedley Winery Class II Surface Impoundment, Revising WDRs R5-2021-0058, Fresno County](#)

FRIDAY, 18 FEBRUARY 2022, 9:00 A.M.

BOARD BUSINESS

- 15. Introductions, Pledge of Allegiance, Meeting Rules
- 16. Board Member Communications – Board Members and the State Board Liaison Member may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction.
- 17. State Water Board Liaison Update.
- 18. Public Forum – Any member of the public may address the Board on any matter within the Board's jurisdiction and not scheduled for consideration at this meeting or pending before the Board.

OTHER BUSINESS

- 19. [Statewide General Waste Discharge Requirements for Winery Process Water Update – Information Item Only](#) [Laurel Warddrip (916) 341-6904]
- 20. [Tribal and Subsistence Fishing Beneficial Uses Definitions to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and Tulare Lake Basin – Consideration of a Resolution.](#) [Lauren Smitherman 916-464-4668]
- 21. [Malaga County Water District, Wastewater Treatment Facility, Fresno County – Consideration of an Order Vacating Administrative Civil Liability Order R5-2016-0022](#) [Adam Laputz (916) 464-4726].
- 22. [Election of Chair and Vice Chair](#) [Mindy Maxwell (916) 464-4839]

6. [New Assignments of Board Working Groups](#) [Mindy Maxwell (916) 464-4839]
(THIS ITEM WAS MOVED FROM THURSDAY'S CALENDAR)

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. Malaga County Water District Litigation (various proceedings)
 - i. 2013 ACLO to Malaga County Water Dist. for Mandatory Minimum Penalties – Malaga Cnty. Water Dist. v. Central Valley Water Bd. et al. (5DCA Case No. F075868; Madera Superior Court Case No. MCV071280 [originally filed in Fresno Superior as Case No. 14-CECG-03576]).
 - ii. 2014 NPDES Permit and CDO to Malaga County Water Dist. – Malaga Cnty. Water Dist. v. State Water Res. Control Bd., et al. (5DCA Case No. F075851; Madera Superior Court Case No. MCV071279 [originally filed in Fresno Superior Court as Case No. 14-CECG-03919]).
 - iii. 2016 ACLO to Malaga County Water Dist. – Malaga Cnty. Water Dist. v. Central Valley Reg'l Water Quality Bd., et al. (5DCA Case No. F078327; Fresno Superior Court Case No. 16-CECG-03036).
- b. Existing Milk Cow Dairy WDRs General Orders R5-2007-0037, R5-2013-0122 – Asociación de Gente Unida por el Agua et al. v. Central Valley Water Bd. (3DCA Case No. C066410; Sacramento Superior Court Case No. 34-2008-00003604).
- c. 2014 Walker Mine CAO – Atlantic Richfield Co. v. Central Valley Water Bd. (3DCA Case No. C086745; Sacramento Superior Court Case No. 34-2014-80001875).
- d. Eastern San Joaquin/Irrigated Lands Regulatory Program – State Water Board Order No. WQ 2018-0002, modifying Central Valley Water Board WDRs General Order No. R5-2012-0116 (Growers within Eastern San Joaquin River Watershed that are Members of Third-Party Group) [State Water Board File Nos. A-2239(a)-(c)]:
 - i. Monterey Coastkeeper, et al. v. Central Coast Reg'l Water Quality Control Bd., et al. (Sacramento Superior Court Case No. 34-2017-80002655);
 - ii. Environmental Law Found. v. State Water Res. Control Bd., et al. (Sacramento Superior Court Case No. 34-2018-80002851);

- iii. Protectores del Agua Subterránea v. State Water Res. Control Bd., et al. (Sacramento Superior Court Case No. 34-2018-80002852); and
- iv. Monterey Coastkeeper, et al. v. Central Valley Reg'l Water Quality Control Bd., et al. (Sacramento Superior Court Case No. 34-2018-80002853).
- e. Center for Biological Diversity v. Central Valley Reg'l Water Quality Control Bd. and Valley Water Mgmt. Co. (Kern Superior Court Case No. BCV-18-102201).
- f. Valley Water Management Company v. Central Valley Reg'l Water Quality Control Bd., (Kern County Superior Court Case No. BCV-19-101750).
- g. 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).
- h. Winnemem Wintu Tribe, et. al. v. State Water Res. Control Board., et. al. (Merced County Superior Court Case 21CV-02721, Consolidated under 19CV-04989).

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

- i. Aerojet Cleanup – Central Valley Water Bd., et al. v. Aerojet-General Corp., et al. (Sacramento Superior Court Case No. 286073, consolidated w/ Case Nos. 288302 and 291981); Central Valley Water Bd., et al. v. Aerojet-General Corp., et al. (EDCA Case No. CIV-S-86-0064-EJG), consolidated w/ U.S. v. Aerojet-General Corp. et al. (EDCA Case No. CIV-S-86-0063-EJG).
- j. 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).
- k. Iron Mountain Mine Cleanup – Central Valley Water Board et al. v. Iron Mountain Mines, Inc. et al. (EDCal, Case No. CIV-S-91-1167-DFL-PAN) and U.S. v. Iron Mountain Mines, Inc. et al., (EDCal, Case No. S-91-0768 DFL/JFM).
- l. Original Sixteen-to-One Mine Mandatory Minimum Penalties – Central Valley Water Board et al. v. Original Sixteen-to-One Mine, Inc. et al. (Sierra County. Sup.Ct., Case No. 7019).

PETITIONS FOR REVIEW OF CENTRAL VALLEY WATER BOARD ACTIONS FILED WITH STATE WATER BOARD:

- m. Irrigated Lands General WDRs for Indiv. Growers, Order R5-2013-0100 – Petition by Kern River Watershed Coalition Auth. and Paramount Farming Co., LLC (State Water Board File No. A-2269).
- n. Tulare Lake Basin Area Irrigated Lands General WDRs, Order R5-2013-0120 – Petitions by Southern San Joaquin Valley Water Quality Coalition, et al., Michael and

Yvonne LaSalle, and Asociación de Gente Unida por el Agua (AGUA), et al. (State Water Board File Nos. A-2278(a)-(c)).

- o. Sacramento River Watershed Irrigated Lands General WDRs Order R5-2014-0030 – Petition by California Sportfishing Alliance et al. (State Water Board File No. A-2302).
- p. San Joaquin Cnty. and Delta Area Irrigated Lands General WDRs Order R5-2014-0029 – Petition by California Sportfishing Alliance, et al. (State Water Board File No. A-2301).
- q. West San Joaquin River Watershed Irrigated Lands General WDRs, Order R5-2014-0002 – Petition by California Sportfishing Alliance et al. (State Water Board File No. A-2292).
- r. CDO R5-2015-0093 to Valley Water Mgmt. Co. – Petitions by Valley Water Mgmt. Co., Clean Water Action, and the Central California Environmental Justice Network (State Water Board File Nos. A-2418(a), A-2418(b), and A-2418(c)).
- s. Original Sixteen to One Mine, Inc., ACLO R5-2017-0115 – Petition filed by Original Sixteen to One Mine, Inc. (State Water Board File No. A-2586).
- t. Reissued WDRs General Order for Existing Dairies, Order R5-2013-0122 – Petition filed by Asociación de Gente Unida por el Agua and Environmental Law Foundation (State Water Board File No. A-2283(b)).

ACRONYM KEY

3DCA	3rd District Court of Appeal
5DCA	5th District Court of Appeal
ACLO	Administrative Civil Liability Order
CAO	Cleanup and Abatement Order
CDO	Cease and Desist Order
EDCA	U.S. District Court for the Eastern District of California
MRP	Monitoring and Reporting Program
WDRs	Waste Discharge Requirements

MEETING PROCEDURES

The Central Valley Water Board circulates item-specific Notices and/or Hearing Procedures along with drafts of its Orders and Amendments. If there is a conflict between an item-specific Notice or Hearing Procedure and the Meeting Procedures in this Agenda, the item-specific Notice or Hearing Procedure will control. Please contact Board staff if you do not know whether there is a Notice or Hearing Procedure for a specific item. The statutes and regulations that govern the Central Valley Water Board's meetings are on the State Water Board's [Laws and Regulations web page](https://www.waterboards.ca.gov/laws_regulations/) (https://www.waterboards.ca.gov/laws_regulations/). General Meeting Rules and the Procedures applicable to Central Valley Water Board Meetings can be found on the

Central Valley Water Board's [Rules and Procedures web page](https://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.html)
(https://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.html).

All persons may speak at a Central Valley Water Board meeting and are expected to orally summarize their written submittals. Oral presentations will be limited in time by the Board Chair, and a timer may be used. Where speakers can be grouped by affiliation or interest, such groups are expected to select a spokesperson and to not be repetitive. The Board will accommodate spokespersons by granting additional time if other group members will not also be speaking.

Written materials that are received after deadlines set by item-specific Notices and/or Hearing Procedures will not generally be admitted. Any person requesting to submit late materials must demonstrate good cause, and the Chair must find that the admission of the late materials would not prejudice the Central Valley Water Board or any designated party. The Chair may modify this rule to avoid severe hardship.

ELECTRONIC PRESENTATIONS

PowerPoint and other electronic presentations are frequently presented at the Board Meetings. Please e-mail presentations to agenda5@waterboards.ca.gov (agenda5@waterboards.ca.gov) at least 24 hours in advance.

PETITION PROCEDURE

Any person aggrieved by an action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the issuance of the Order, except that if the thirtieth day following the issuance of the Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the State Water Board's [Water Quality Petitions web page](https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) (https://www.waterboards.ca.gov/public_notices/petitions/water_quality/) or will be provided upon request.