

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

581ST BOARD MEETING MINUTES

FRIDAY, 10 JUNE 2022, 10:30 A.M.

BOARD MEETING LOCATION

11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670 AND

1685 E Street
Fresno, CA 93706 and

Zoom Teleconference and Webcast

BOARD MEMBERS PRESENT

Brar, Raji	Lee Reeder, Elena
Kadara, Denise	Yang, Sean

STATE WATER BOARD MEMBERS PRESENT

Morgan, Nichole

STATE WATER BOARD OFFICE OF CHIEF COUNSEL AND ENFORCEMENT STAFF PRESENT

Jahr, Jessica
Toft-Dupuy, Bayley

REGIONAL BOARD STAFF PRESENT

Laputz, Adam	Moreno, Roberto	Pulupa, Patrick
Brown, Janelle	Marshall, Jim	Farhad, Mohammad
Maxwell, Mindy	Garver, Kelli	Harvey, Dale
Rodgers, Clay	Snyder, Clint	Holmes, Kari
Laputz, Adam	Chow, Bob	Coughlin, Gene
Smith, Bryan	Wilson, Angela	Moskal, Chris
Meeks, Glenn	Pfister, Michael	Kenny, Brendan
Garcia, Ernesto	Croyle, Kenny	Hold, Howard
Palmer, Josh	Dentoni, Nicolette	Essary, Dale
Scroggins, Matt	Ditto, Robert	Coughlin, Gene
Armstrong, Dale	Gotham, Stacy	
Durette, David	Martinez, Armando	
Elankovan, Saranya	Goode, Danielle	

ADDITIONAL IDENTIFIED ATTENDEES

Dunham, Tess	Goodman, Dale	Higgins, Jeremy
Houdesheldt, Bruce	Webster, Debbie	Kipps, Joanne
Smith, Lynda	Barton, Brianna	Roelofs, Austin
Taylor, Chris	Carr, James	Nelson, Martha
Garabedian, Michael	Hoggatt, Liz	Wong, William
Dietz, Amy	Hann, Beverly	Hansen, Althea
Lipski, Skyler	Gustafson, Erik	Mills, Jeffery

AGENDA ITEM 2 – CALL TO ORDER

Vice Chair Kadara called the 581st Board Meeting to order and made introductions. Executive Officer (EO) Patrick Pulupa introduced staff. Member Lee Reeder led the Pledge of Allegiance.

AGENDA ITEM 3 – BOARD MEMBER COMMUNICATIONS

Vice Chair Kadara submitted the following communications:

- 20 May 2022 – Participated in Chairs’ Meeting

Board Member Lee Reeder submitted the following communications:

- 26 April 2022 – Meet & Greet with the Northern California Water Assoc. (NCWA)

Board Member Yang submitted the following communications:

- 31 May 2022 – Attended the California Rice Commission Tour

AGENDA ITEM 4 – STATE WATER BOARD LIAISON UPDATE

Drought – Emergency Regulation

State Water Board Member Nichole Morgan provided the following updates:

- On 24 May 2022 the State Water Board adopted an Emergency Water Conservation Regulation. The new regulation bans irrigating turf at commercial, industrial, and institutional properties, such as grass in front of or next to large industrial or commercial buildings. The ban does not include watering turf that is used for recreation or other community purposes, water used at residences, or water to maintain trees.
- The emergency regulation is expected to take effect on or around June 10, depending on Office of Administrative Law process. California has experienced the driest first three months of a year in the State’s recorded history. As of 29 March 2022, 40% of the State is experiencing extreme drought conditions.

Hydrology and Urban Conservation Update

- January, February, and March 2022 had the least rain and snow on record for any of these months in California.
- Statewide residential use for March 2022 was 77 gallons per person per day, which is among the higher statewide averages observed since data collection began. In March 2022, there was a 18.9% decrease in savings (higher production) relative to March 2020. Cumulative use is still dropping. The July 2021 to March 2022 cumulative savings was 3.7%, relative to 2020. It was the highest March statewide production since 2015.
- In March 2022, only 1 out of 10 regions decreased overall use. The North Coast had 4.3% savings. The Central Coast, South Lahontan, Colorado River, and South Coast regions all saw significant increases.
- State Water Board is working with water districts on how to accelerate water use reporting and how to get more timely water use data.
- The next water conservation update will be released at the 7 June 2022 State Water Board Meeting.

Russian River

- Curtailments in the Russian River are suspended through 31 May 2022.
- The State Board re-adopted Drought Emergency Regulations for the Russian River Watershed during the 10 May 2022 State Water Board Meeting.
- Upper Russian River Voluntary Water Sharing Program to be presented to the State Water Board for approval at the 7 June 2022 State Water Board Meeting.

Delta

- The State Water Board will provide weekly updates on curtailment status.
- In mid-end June, staff will release Updated Water Unavailability Methodology and revised Emergency Regulation text for public comment.
- State Water Board will consider re-adoption of the Emergency Regulation at the 20 July 2022 State Water Board meeting.

Scott/Shasta

- Scott: as of 27 May 2022, all curtailments conditionally suspended through June 3.
- Shasta: curtailments reinstated effective on 15 March 2022, and March flow requirements are modified.

Drinking Water Needs Assessment

- Staff released the second annual Drinking Water Needs Assessment in May 2022.

- Access the full 2022 Needs Assessment report at www.waterboards.ca.gov, and learn more about the Needs Assessment. (<https://www.waterboards.ca.gov>)
- Explore the results in the *NEW* dashboard – and encourage your networks to utilize this new tool.

May Budget Revise

- The Governor released the May budget revise on 13 May 2022, which included resources to address immediate drought needs and build climate-resilient water supplies.
- Highlights include providing grants to urban water districts and smaller community water suppliers for drought-relief projects, supporting local technical assistance emergency drinking water response, advancing drinking water and clean water projects that leverage significant federal infrastructure funds, and enhancing water rights enforcement and modernization tools.
- The proposal is currently being evaluated by the legislature. For further information, see the revised budget summary.

Comments from Board Members

Vice Chair Kadara, Member Yang, and EO Pulupa thanked Ms. Morgan for the thorough report. Member Yang requested a copy of the report.

AGENDA ITEM 5 – PUBLIC FORUM

Bruce Houdesheldt (NCWA) came forth to recognize Senior Environmental Scientist Susan Fregien, who is retiring, for her active and robust engagement with stakeholders.

Debbie Webster (Central Valley Clean Water Association) introduced herself to the Board and mentioned they may see her with different stakeholder hats with her roles in CV-SALTS and Delta Regional Monitoring Program. Debbie commended the Board's stakeholder outreach, and specifically recognized the work of Jim Marshall, Supervising Water Resources Control Engineer, and Program Manager for the NPDES Program as well as Dr. Karl Longley.

Pam Giacomini (Rancher, Hat Creek, CA) on behalf of the Irrigated Lands Regulatory Program thanked Board staff for the meeting on 2 June 2022 in Chico. Attendees had a robust discussion on the upper Feather River and upper Pit River. Ms. Giacomini invited the Board and Board staff to come on a tour of the upper Feather River or a tour of the upper Pit River.

Comments from Board Members

Vice Chair Kadara thanked the commenters and acknowledged the outstanding work of the Water Board staff.

AGENDA ITEM 6 – EXECUTIVE OFFICER’S REPORT

Vice Chair Kadara noted prior to each Board Meeting, the EO works with the Executive Assistant and the Board’s Program Managers to compile a report on the status of the Board’s programs and initiatives.

EO Pulupa stated the Resolution for Jim Marshall was consistent with the public comments received. Jim Marshall had been a foundational staff member at the Central Valley Water Board for 29 years navigating one of the most complex programs in the State of California. EO Pulupa then read a Resolution from the Board recognizing Jim’s retirement.

EO Pulupa stated a recognition for Susan Fregien would commence at the August 2022 Board Meeting, after the Board returned to the office.

EO Pulupa updated the Board on the return to the office process and racial equity work. A Racial Equity Workgroup with staff from the regional offices was formed to collaborate on a regional Racial Equity Resolution. The first goal of the regional workgroup is to work with all 19 Program Managers throughout the region to set measurable goals to advance racial equity. The results of that workgroup will be publicly distributed and discussed with tribal and disadvantaged communities, as well as people with racial equity interests throughout the Region. It will be presented to the Board late Fall and brought to the Board for adoption in December 2022, consistent with the strategic plan and program priorities.

Comments from Board Members

Vice Chair Kadara and Member Yang asked if they would have the opportunity to provide input on the Regional Racial Equity Plan. EO Pulupa acknowledged that the Board would be not only adopting the Plan itself but would also be able to schedule briefings to discuss the project as it was being developed by staff.

AGENDA ITEM 7 – ADOPTION OF MINUTES FROM PRIOR BOARD MEETINGS

Motion to adopt previous Board meeting minutes from 17-18 February 2022.

MOTION TO ADOPT FEBRUARY MEETING MINUTES

Motioned: Member Yang

Seconded: Member Brar

Roll Call Vote:

Member Brar	Yes
Member Yang	Yes
Member Lee Reeder	Abstain
Vice Chair Kadara	Yes

Approved by Roll Call Vote of 3-0-1

Motion to adopt previous Board meeting minutes from 21-22 April 2022.

MOTION TO ADOPT APRIL MEETING MINUTES

Motioned: Member Yang
Seconded: Member Lee Reeder

Roll Call Vote:

Member Brar Yes
Member Yang Yes
Member Lee Reeder Yes
Vice Chair Kadara Yes

Approved by Roll Call Vote of 4-0-0

AGENDA ITEM 8 – ADOPTION OF UNCONTESTED CALENDAR AGENDA ITEMS 11, 15 – 18

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.

CEASE AND DESIST ORDER RESCISSION (AGENDA ITEM 14a.)

- a. Recology Hay Road Jepson Prairie Organics as a DBA of Recology Hay Road Recology, Hay Road Landfill, Solano County – Amended Water Code Section 13301, Waste Discharge Requirements Order No. R5-2014-0117-01

MOTION TO ADOPT AGENDA ITEM 14.a.

Motioned: Member Brar
Seconded: Member Yang

Roll Call Vote:

Member Lee Reeder Yes
Member Brar Yes
Member Yang Yes
Vice Chair Kadara Yes

Approved by Roll Call Vote of 4-0-0

NPDES PERMITS (AGENDA ITEM 15)

- a. Bear Valley Water District, Bear Valley Wastewater Treatment Facility, Alpine County – Consideration of NPDES Permit Renewal (NPDES Permit CA0085146)
- b. City of Angels, Wastewater Treatment Plant, Calaveras County – Consideration of NPDES Permit Renewal (NPDES Permit CA0085201)
- c. City of Nevada City, Wastewater Treatment Plant, Nevada County – Consideration of NPDES Permit Renewal (NPDES Permit CA0079901)
- d. City of Redding, Clear Creek Wastewater Treatment Plant, Shasta County – Consideration of NPDES Permit Renewal (NPDES Permit CA0079731)
- e. Sierra Pacific Industries, Shasta Lake Division, Shasta County – Consideration of NPDES Permit Renewal (NPDES Permit CA0081400) **PREVIOUSLY AGENDA ITEM 11 WITH LATE REVISIONS.**

WASTE DISCHARGE REQUIREMENTS (AGENDA ITEM 16)

- a. Affordable Housing Development Corporation, Chico Bar Triangle Affordable Housing Development Project, Butte County – Consideration of New Waste Discharge Requirements
- b. EDP Renewables CA Solar Park LLC, Sandrini Solar Project, Kern County – Consideration of New Waste Discharge Requirements
- c. Gopher Hill Class III Municipal Solid Waste Landfill and Class II Surface Impoundment, Plumas County – Consideration of Revised Waste Discharge Requirements Order No. R5-2004-0062
- d. L and D Limited Partnership and Fruitridge Road Land Company, L and D Landfill, Sacramento County – Consideration of Revised Waste Discharge Requirements Order No. R5-2019-044
- e. Pilot Travel Centers, LLC, Pilot Travel Center No. 168, Yolo County, – Consideration of Revised Waste Discharge Requirements Order No. 05-01-255
- f. Recology Hay Road Landfill Recology Hay Road, DBA Jepson Prairie Organics Recology, Solano County – Consideration of Revised Waste Discharge Requirements Order No. R5-2016-0056
- g. REMOVED FROM THE AGENDA**
- h. Vita-Pakt Citrus Products Company, City of Lindsay, and Edward and Edna Brower Revocable Trust, Vita-Pakt Lindsay Land Application Area, Tulare County – Consideration of Revised Waste Discharge Requirements Order No. R5-2012-0122

RESCISSIONS (AGENDA ITEM 17)

- a. 7 Points, LLC, 7 Points Cannabis Cultivation Facility, Tulare County – Waste Discharge Requirements Order No. 85-301
- b. Bernard Te Velde, the 2000 Te Velde Family Trust, Microgy, Inc., Donald J. Cameron, and Terranova Ranch, Inc., Lone Oak Dairy #2, Fresno County – Waste Discharge Requirements Order No. R5-2008-0001
- c. City of Redding and City of Anderson Biosolids Application, Shasta County – Waste Discharge Requirements Order No. 5-01-226
- d. City of Willows, Willows Wastewater Treatment Plant, Glenn County – Waste Discharge Requirements Order No. R5-2016-0090 (NPDES Permit CA0078034)
- e. Cornelius de Jong Dairy, Inc.; Dry Heifer Feedlot, Tulare County – Waste Discharge Requirements Order No. 97-072
- f. De Jong Investment Group, Cloverdale Dairy LLC, and Microgy Inc., Cloverdale Dairy, Kings County – Waste Discharge Requirements Order No. R5-2008-0041
- g. De Jong Investment Group, Hollandia Farms Inc., and Microgy Inc., Hollandia Farms Dairy, Kings County – Waste Discharge Requirements Order No. R5-2008-0042
- h. Jackson Valley Irrigation District, Lake Amador Resort, Amador County – Waste Discharge Requirements Order No. 99-033
- i. Lansing LLC, Wreden Ranch LLC, and Microgy, Inc., Wreden Ranch Dairy, Kings County – Waste Discharge Requirements Order No. R5-2008-0043
- j. Lucero Olive Oil, Tehama County – Waste Discharge Requirements Order No. R5-2012-0002
- k. Olam West Coast Inc and T&P Farms, Olam West Coast Williams Facility, Colusa County – Waste Discharge Requirements Order No. R5-2018-0006
- l. River Pines Public Utility District, River Pines Wastewater Treatment Plant, Amador County – Waste Discharge Requirements Order No. 85-291
- m. Sabre Refining, Inc., Fruitvale Refinery, Kern County – Waste Discharge Requirements Order No. 78-24

CHANGE OF NAME (AGENDA ITEM 18)

- a. Robert H and Marjo Johanson, Tanwood Mobile Home Park, Calaveras County – Waste Discharge Requirements Order No. 95-223
- b. Sunsweet Dryers Inc, Sunsweet Dryers River Bend Unit, Colusa County – Waste Discharge Requirements Order No. 5-00-205

MOTION TO ADOPT AGENDA ITEM 8 (Uncontested Calendar Items 11 with Late Revisions, and 15 through 18)

Motioned: Member Lee Reeder
Seconded: Member Yang

Roll Call Vote:

Member Lee Reeder Yes
Member Brar Yes
Member Yang Yes
Vice Chair Kadara Yes

Approved by Roll Call Vote of 4-0-0

AGENDA ITEM 9 – CITY OF CHICO, CHICO WATER POLLUTION CONTROL PLANT, BUTTE COUNTY – CONSIDERATION OF NPDES PERMIT RENEWAL WITH LATE REVISIONS AND LATE LATE REVISIONS (NPDES PERMIT CA0079081)

Staff Presentation (Regional Board)

Stacy Gotham, Senior Engineer, Redding office, discussed the facility. Challenges include a 28% increase to the population of the City of Chico since 2018, due to the influx of new residents relocating to the area after the November 2018 Camp Fire destroyed the neighboring community of Paradise. Treated wastewater from the City’s plant is discharged to the Sacramento River. The current treatment design capacity at the plant is 8.4 million gallons per day (mgd) and the average dry water flow at the treatment plant for the past two years has been 5.9 mgd.

Many of the comments received on this Permit were related to groundwater protection. Nitrate is one of the most common groundwater contaminants in California. Comments received by the City mainly pertained to the Order’s monitoring and reporting program, specifically related to sample types and frequency requirements, and were resolved. Comments received by Ms. Kipps, an interested person that was formerly employed by the Board in its Fresno Office, were generally related to management of volume of the waste and protection of groundwater. Ms. Kipps requested a total nitrogen limit to be placed on the land discharge and requested the ponds be lined to protect groundwater.

Board staff responded to some of Ms. Kipps’ comments by noting that the study that Ms. Kipps’ comments relied upon was deficient in several respects, and that the proposed Order was drafted with requirements to address the deficiencies noted in the study and a requirement to submit an updated study. The first step in the study is due in six months, with a final analysis due in three years of permit adoption.

Staff acknowledges the Chico urban area has a well-documented issue with elevated nitrate in the groundwater and cannot support additional input of nitrate above the groundwater quality

objective. For this reason, staff revised the Permit to include a new total nitrogen effluent limit of 10 mg/L on the land discharge, but the proposed Permit does not require the immediate lining of the ponds. Further, the Order requires technical studies to obtain the data needed to justify further land discharge-related facility improvements. The City recently conducted an engineering needs analysis for the treatment plant. This analysis resulted in a plan for significant upgrades over a 20-year period. A 10-year compliance schedule for nitrogen reduction is appropriate and aligns with the City's plan for treatment plant upgrades.

Ms. Kipps requested the proposed 10-year compliance schedule be reduced to 4 years, and that the land discharge limit be lowered to 1.8 mgd. The City of Chico responded by providing a water balance report to support the ponds can receive 2.5 mgd without an operational upset. Staff finds the existing permitted flow limit for the land discharge should be maintained and that current discharge operations don't justify lowering the limit. Ms. Kipps also requested that the Board reduce the existing average dry weather flow limit of 12 mgd to 8.4 mgd. The revised Order includes an average dry weather flow limit of 8.4 mgd. A reopener provision has been included in the Order to allow for the flow limit to be revised upward to 12 mgd if warranted.

The revised Permit also includes additional monitoring parameters for the land discharge and groundwater after consideration of Ms. Kipps' comments. In addition, the revised Permit includes additional language describing the stormwater, sludge, and supernatant handling.

Staff recommends adoption of the proposed NPDES Permit with the late revisions and late late revisions. Ms. Gotham entered the presentation, agenda package, all late revisions, and Regional Board files into the record.

Comments from Discharger

Beverly Hann, a consultant from Carollo Engineers representing the City of Chico provided a brief introduction on the City and its on-going efforts to recover from the devastating 2018 Camp Fire. Ms. Hann's presentation focused on the history and site evolution of the ponds at the WPCP. Ms. Hann closed her presentation by stating the City accepts all late revisions to the Permit and supports staff's recommendation to adopt it as presented.

Comments from Interested Persons

JoAnne Kipps commented that monitoring and pond operations under the initially proposed permit was inadequate. Since monitoring was initiated in 2017, data has consistently shown groundwater in excess of water quality objectives for nitrate and manganese. The proposed Order prescribes a new effluent limit of 10 milligrams per liter for total nitrogen but defers compliance for 10 years. Ms. Kipps points out that the proposed Permit delays the assessment of the extent of manganese pollution caused by the City's operations. The Board should require the City to address both the nitrate and manganese threats in a timely manner and to shorten the period to achieve compliance to four years. Ms. Kipps also asked that the Board limit pond discharges to reduce manganese concentrations in groundwater below the ponds, as well as retard the offsite spread of waste constituents.

Michael Garabedian, Placer County Tomorrow, and Friends of the North Fork American River stated his support for an extension of time for public comment. Mr. Garabedian also stated he supported comments from Ms. Kipps.

Closing Statement from Discharger

Erik Gustafson, City of Chico Public Works Director, thanked the Board for the opportunity to comment and thanked Board staff for the work put into this permit renewal. Mr. Gustafson stated the City was still reeling from the 2018 Camp Fire and was heavily involved in a rate analysis. Nonetheless, he feels the City can meet the timelines of the NPDES Permit as presented and noted he, James Carr, and Skyler Lipski support the staff recommendation to renew the NPDES Permit.

Comments and Staff Recommendation

Bryan Smith, Supervising Water Resource Control Engineer in the Redding office, indicated the proposed Order includes a required assessment of groundwater. As it relates to the issues raised by Ms. Kipps, if observations over the next three years indicate improvements need to be made at the facility, the Board will require the City to address those issues. Additionally, a late revision to the Permit was made to specifically address the concern with any sensitive receptors drinking water wells in the area.

EO Pulupa stated the City has historically overloaded groundwater with nitrate. However, this is not groundwater currently being used as a source of drinking water. The 10-year time schedule proposed in the Order allows the City of Chico to make a deliberate planning effort to address compliance issues. EO Pulupa recommended the adoption of the proposed Permit with all late revisions.

Questions and Comments from Board Members

Acting Chair Kadara acknowledged the comments from Ms. Kipps and staff. Since there is a way to address effluent limitations if exceeded, and the water is not used for drinking, she supports the recommendation to adopt the Permit with all late revisions.

Board Member Yang asked staff to clarify whether Ms. Kipps was requesting a 4-year compliance timeframe and whether staff were recommending 10 years. EO Pulupa confirmed that was the recommendation. In response to Board Member Yang's inquiries, EO Pulupa stated that multiple reporting requirements are imposed on the City. Further investigation of manganese issues and other issues dealing with mobilizing naturally occurring metals in the groundwater is also required. EO Pulupa noted the Permit contains approximately 200 pages, of which pages E39 to E41 detail 42 special reports (in addition to the regular effluent monitoring reports and receiving water monitoring reports) due from the City of Chico. Member Yang thanked EO Pulupa for the information.

Board Member Brar commented the City of Chico and Board staff have been dealing with the effects of the 2018 Camp Fire for some time. Ms. Brar felt this Permit is an indication of what happens when agencies work together for the benefit of the community. Ms. Brar commented

she was aware of the impacts of the Camp Fire on the City of Chico and commended all parties involved for working together to complete the proposed Order.

MOTION TO APPROVE AGENDA ITEM 9 - CITY OF CHICO, CHICO WATER POLLUTION CONTROL PLANT, BUTTE COUNTY – CONSIDERATION OF NPDES PERMIT RENEWAL (NPDES PERMIT CA0079081) WITH LATE REVISIONS AND LATE LATE REVISIONS

Motioned: Member Yang
Seconded: Member Brar

Roll Call Vote:

Member Lee Reeder	Yes
Member Brar	Yes
Member Yang	Yes
Vice Chair Kadara	Yes

Approved by Roll Call Vote of 4-0-0

AGENDA ITEM 10 - CITY OF MODESTO WATER QUALITY CONTROL FACILITY AND CITY OF TURLOCK REGIONAL WATER QUALITY CONTROL FACILITY, STANISLAUS COUNTY – CONSIDERATION OF NPDES PERMIT RENEWAL (NPDES PERMIT CA0085316)

Staff Presentation (Regional Board)

Armando Martinez, Water Resources Control Engineer, Rancho Cordova Office, stated he took the Oath and began his presentation to the Board. The City of Turlock, City of Modesto, Del Puerto Water District, City of Ceres, and Stanislaus County are partner agencies in the North Valley Program. Both the City of Turlock and City of Modesto are listed as Dischargers in the current and proposed Order. The receiving water is the Delta-Mendota Canal (DMC). The DMC carries Central Valley Project water for irrigation and municipal uses and replaces San Joaquin River flows in the Mendota Pool.

The Project consists of the discharge of Title 22-tertiary treated municipal wastewater to the DMC via a joint outfall from the City of Modesto and City of Turlock wastewater treatment facilities. The North Valley Program is designed to deliver recycled water for agricultural reuse, via the DMC, to Del Puerto Water District.

The purpose of the North Valley Project is to address the regional and local water supply issues by providing a long-term, steady supply of tertiary recycled water. The discharge of tertiary recycled water to the DMC allows the Del Puerto Water District to use the water downstream of the discharge during drought conditions which reduces the reliance on the Central Valley Project water allocations and groundwater pumping.

Although the North Valley Program provides the benefit of delivering recycled water for agricultural irrigation, there are concerns about impacts to downstream drinking water facilities

from the discharge of treated domestic wastewater. Some of the drinking water concerns include pathogens such as cryptosporidium, giardia, and constituents of emerging concern (CECs) that have health concerns or that do not easily biodegrade. Other drinking water concerns include increased nutrients, which can result in algal blooms that produce harmful toxins, taste, and odor issues, and can lead to increased costs to treat drinking water. To address these water concerns, Central Valley Water Board Staff consulted with State Water Board Division of Drinking Water (DDW) staff to determine the necessary disinfection requirements to protect the downstream drinking water uses.

Mr. Martinez confirmed staff recommended renewal of the proposed NPDES Permit with late revisions. Additionally, he entered the presentation, agenda package with late revisions, and files into the record.

Comments from Discharger

Dale Goodman, Municipal Services Director, City of Turlock, expressed his gratitude to the to the Board and Board staff for the efforts in renewing the NPDES Permit for the North Valley Regional Recycled Water Project. He felt the NPDES Permit was the cornerstone of this Project and without it, wouldn't be able to accomplish the goals of the Project. Specifically, he thanked Jim Marshall for the years of service he provided and wished him well in his retirement.

The benefits of this Project across San Joaquin Valley include helping to stabilize the cost of living for individuals in disadvantaged areas. Because they can sell this recycled water to the Del Puerto Water District, the cities can keep sewer rates down for rate payers. Additionally, he noted it was important to the communities and citizens to provide a drought-resistant water source for agricultural use.

Will Wong, Director of Utilities, City of Modesto, thanked Jim Marshall for his years of service in working with the city on many different permits, and most recently the North Valley Program. The North Valley Program is an innovative project that will help solve the water supply crisis in terms of water supply. Over the years, the City of Modesto has upgraded facilities to tertiary levels. Both facilities have nutrient removal and adhere to Title 22 regulations. Mr. Wong noted this Project could be replicated to meet the State and Regional Board's water conservation and reuse goals.

Comments from Interested Persons

Anthea Hanson, General Manager, Del Puerto Water District, indicated the North Valley Regional Recycled Water Program (NVRWP) was of the highest importance to them and they worked in collaboration with the cities of Modesto and Turlock to bring the project to fruition. Ms. Hansen provided the Board with some history of the project and goals going forward. The Program was established as:

- A regional solution to both the local and state's water supply crisis.
- To make the cities of Modesto & Turlock's recycled water available for agricultural irrigation and wildlife refuges.

- Provide long-term, drought-proof water supply to the Water District.
- Reduce reliance on Central Valley Project (CVP) and groundwater pumping to meet water supply needs.
- Offset wastewater service costs to Modesto and Turlock rate payers.

Michael Garabedian, Placer County Tomorrow, stated when the State Water Board adopted the Recycled Water Program, two attorneys on the special stakeholder group had not looked at the industrial pretreatment program as a factor and felt there should also be audits/investigations performed periodically to monitor program effectiveness.

EO Pulupa responded and indicated the Order in front of the Board today is one of three complex permits that governs these requirements. The City of Turlock and the City of Modesto both have pretreatment requirements incorporated into the NPDES permits.

Closing Comments from Discharger

Will Wong, Director of Utilities, City of Modesto, thanked the Board for their time and thanked Board staff for their assistance and collaboration with the complex permit. Mr. Wong indicated he did not have any objections to the recommendations and findings and recommended adoption of the permit as proposed (with late revisions).

Comments and Staff Recommendation

EO Pulupa recommended adoption of the permit with late revisions as presented.

Questions and Comments from Board Members

Member Yang emphasized the importance of water recycling programs for the State of California, especially considering the severe drought. Member Yang stated it was positive to see the Cities of Modesto and Turlock working together to achieve this goal. He then thanked staff and others involved in the permit for their efforts.

MOTION TO APPROVE AGENDA ITEM 10 – CITY OF MODESTO WATER QUALITY CONTROL FACILITY AND CITY OF TURLOCK REGIONAL WATER QUALITY CONTROL FACILITY, STANISLAUS COUNTY – CONSIDERATION OF NPDES PERMIT RENEWAL (NPDES PERMIT CA0085316)

Motioned: Member Yang
 Seconded: Member Lee Reeder

Roll Call Vote:

Member Lee Reeder	Yes
Member Brar	Yes
Member Yang	Yes
Vice Chair Kadara	Yes

Approved by Roll Call Vote of 4-0-0

AGENDA ITEM 11 - SIERRA PACIFIC INDUSTRIES, SHASTA LAKE DIVISION, SHASTA COUNTY – CONSIDERATION OF NPDES PERMIT RENEWAL (NPDES PERMIT CA0081400)

This agenda item was moved from the contested calendar to the consent calendar and was renumbered as Agenda Item 15.e. Late revisions were presented by Assistant EO Adam Laputz.

AGENDA ITEM 12 - GENERAL WASTE DISCHARGE REQUIREMENTS FOR MAINTENANCE DREDGING OPERATIONS – CONSIDERATION OF NEW GENERAL WASTE DISCHARGE REQUIREMENTS

This agenda item was removed from the agenda for consideration at a future Board meeting.

AGENDA ITEM 13 - PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE TULARE LAKE BASIN TO REMOVE THE MUNICIPAL AND DOMESTIC SUPPLY (MUN) AND AGRICULTURAL SUPPLY (AGR) BENEFICIAL USE FROM GROUNDWATER WITHIN A HORIZONTALLY AND VERTICALLY DELINEATED AREA UNDERLYING A PORTION OF THE SOUTHERN LOST HILLS OILFIELD – CONSIDERATION OF A RESOLUTION

Staff Presentation (Regional Board)

Glenn Meeks, Sr. Engineering Geologist, Rancho Cordova office, indicated he had taken the Oath and began his presentation. He noted he was presenting a Resolution for adoption on a basin plan amendment to de-designate the Municipal and Domestic Supply (MUN) and Agricultural Supply (AGR) beneficial uses from groundwater within a horizontally and vertically delineated portion of the Southern Lost Hills Oilfield.

Mr. Meeks began with describing the definition of a reasonable use and the Board's responsibilities related to it and noted that the Board identified the need to evaluate the appropriateness of designated beneficial uses as a priority in the Board's 2014 Triennial Review. Concurrently, the CV-SALTS initiative identified there was a need to evaluate appropriate beneficial use designation for both MUN and AGR uses related to salinity to allow flexibility for managing limited water supplies and to encourage water reuse and recycling.

The proposed amendment was in response to a petition from Seneca Resources Corporation for de-designation, or exemption, of the MUN and AGR beneficial uses for the confined aquifers into which produced water is injected as a part of oil production operations.

Mr. Meeks noted that Board staff implemented three significant public process efforts related to this project. First, a consultation opportunity notification letter was sent out to tribes located within 100 miles of the project area on 6 March 2020 to provide an opportunity for the tribes to comment and/or participate in the project. Next, a CEQA Scoping Meeting was held online on

30 November 2021, followed by a 45-day public comment period held from 25 March to 9 May 2022. Seneca Company also performed outreach throughout the life of the project.

The project area is regulated under the Water Quality Control Plan for the Tulare Lake Basin. The Central Valley Water Board incorporated State Water Board Resolution No. 88-63, the Sources of Drinking Water Policy, into the Tulare Lake Basin Plan in 1989. The policy designated all surface water bodies and groundwater in the Basin as supporting the MUN beneficial use, unless specifically identified in the Basin Plan as a waterbody not supporting the MUN use. The Policy also identifies exceptions to the MUN beneficial use that can apply to certain water bodies, including an exception where the total dissolved solids (TDS) exceed 3,000 milligrams per liter (mg/L), provided that the waterbody is not expected to supply a public water system. Seneca, with assistance from Kennedy Jenks consultants, prepared a June 2018 Revised Technical Report in Support of Petition for Beneficial Use De-Designation and Basin Plan Amendment South Lost Hills Oilfield Lower Tulare and Etchegoin Formations. This technical report was heavily relied upon in development of the staff report for this project.

Several parameters were used to define the preliminary horizontal and vertical de-designation boundaries, including the groundwater quality, subsurface geology (including the confining clay layers), oilfield boundaries, and presence or absence of water supply wells. Data collection efforts also included reviewing historic information, geologic reports, well logs, groundwater depth and flow direction data, groundwater quality data, and well use information.

Based on staff evaluation of proposed alternatives, MUN de-designation per exception Criterion 1a of the Sources of Drinking Water Policy and AGR de-designation based on a 5,000 mg/L TDS threshold, within the proposed vertical boundaries or project zone, were selected as the preferred alternatives. Due to the extremely high salinity of the groundwater in the proposed project zone, both alternatives result in the same discrete boundaries for both MUN and AGR de-designation. Further, an environmental analysis indicated no potentially significant environmental or cumulative impacts for the preferred alternatives.

Mr. Meeks closed by stating staff recommends approval of the staff report and supporting analyses and to adopt the basin plan amendment as proposed.

Staff Recommendation and Closing Remarks

EO Pulupa stated he supported staff's recommendation to approve the staff report and supporting analyses and adopt the basin plan amendment as proposed.

Questions and Comments from Board Members

Vice Chair Kadara emphasized the importance of protecting groundwater and agreed with the staff recommendation. Lastly, she thanked staff for their work.

MOTION TO APPROVE AGENDA ITEM 13 – PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE TULARE LAKE BASIN TO REMOVE THE MUNICIPAL AND DOMESTIC SUPPLY (MUN) AND AGRICULTURAL SUPPLY (AGR) BENEFICIAL USE FROM GROUNDWATER WITHIN A HORIZONTALLY AND VERTICALLY

DELINEATED AREA UNDERLYING A PORTION OF THE SOUTHERN LOST HILLS OILFIELD AND SUPPORTING DOCUMENTS

Motioned: Member Lee Reeder
Seconded: Member Yang

Roll Call Vote:

Member Lee Reeder	Yes
Member Brar	Yes
Member Yang	Yes
Vice Chair Kadara	Yes

Approved by Roll Call Vote of 4-0-0

MEETING ADJOURNED

The Board meeting adjourned at 3:02 p.m. to the 11/12 August 2022 Board Meeting.