

Central Valley Regional Water Quality Control Board

MEETING NOTICE AND AGENDA – **REVISED 10/10/24**

FRIDAY, 18 OCTOBER 2024, 9:00 A.M.

Central Valley Water Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

(In-Person and via Video and Teleconference)

HOW TO ATTEND THIS MEETING:

This meeting will occur with both a physical meeting location and an option for the public to participate remotely. A majority of the Board Members will be physically present at the noticed meeting location above, consistent with the requirements of the Bagley-Keene Open Meeting Act. 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 [GovDelivery e-mail list](#) at

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

Additional information for those wishing to attend remotely can be found below.



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

If you do not need to participate but would like to remotely watch and listen in to this meeting, please use the public meeting webcast available on [YOUTUBE](#) at

(<https://youtube.com/live/xt8ay2GVCYs?feature=share>).



TO PARTICIPATE IN THE MEETING (via ZOOM):

Persons wishing to participate in the meeting via video or teleconference 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; and
- 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 Thursday, 17 October 2024**, 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 Meeting ID and password.

This hearing will be offered in English. To request translation of written documents, interpretation services in another language, or sign language services, please use one of the following options no later than October 8, 2024:

- Submit a [Language Services Request](#) online at
(https://forms.office.com/pages/responsepage.aspx?id=JWoY_kl95kGZQQXSKB02weK0qg8yprhDkaNWK3voyE5UM0dPUTEyRk03QIBBTfG1VUo3MjIUUTgwNC4u).
- Call the Office of Public Participation at (916) 341-5254; or
- Email the Office of Public Participation at opp-languageservices@waterboards.ca.gov.

Any person who requires reasonable accommodation to participate in the 18 October 2024 Board hearing should contact Mindy Maxwell via phone at (916) 464-4839 or via email at agenda5@waterboards.ca.gov no later than 8 October 2024.

Users of a Telecommunications Device for the Deaf (TDD) may contact the California Relay Service at (800) 735-2929 or the teletype (TTY) voice line at (800) 735-2922.

Additional information on attending the meeting can be found on the [Regional Board Meeting Calendar webpage](#) 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](#) at

(https://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/).

BOARD BUSINESS

1. Roll Call and Declaration of a Quorum.

2. Introductions, Pledge of Allegiance, Meeting Rules.
3. 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.
4. State Water Board Liaison Update.
5. 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.
6. [Executive Officer's Report.](#)
7. [Consideration of Minutes from the 23 August 2024 Board Meeting.](#)
8. [Consideration of Uncontested Items – The Board will consider agenda items 12 through 16.](#)

CONTESTED, DISCUSSION, INFORMATIONAL ITEMS

BOARD PRESENTATION

Enforcement Program

9. [Compliance and Enforcement Program Update – Informational Item Only \[Kari Holmes \(916\) 464-4848\]](#)

~~NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS~~

10. ~~City of Rio Vista, Beach Wastewater Treatment Facility, Solano County— Consideration of NPDES Permit Renewal (NPDES Permit No. CA0079588)~~ **(THIS ITEM WAS MOVED TO THE UNCONTESTED CALENDAR)**
11. ~~City of Yuba City, Wastewater Treatment Facility, Sutter County— Consideration of NPDES Permit Renewal (NPDES Permit CA0079260)~~ **(THIS ITEM WAS MOVED TO THE UNCONTESTED CALENDAR)**

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 12)

- a. [Darin Lemos, Lockwood III Dairy, Stanislaus County – Cease-and-Desist Order No. R5-2020-0030 Rescission](#)

WASTE DISCHARGE REQUIREMENTS (AGENDA ITEM 13)

- a. [CalMat Co. DBA Vulcan Materials Company and The Urrutia 2018 RVOC Trust, through its Trustee, Ed Huff, Austin Quarry, Madera County – Consideration of New Waste Discharge Requirements](#)
- b. [Dunavant Enterprises, Inc., Producers Cotton Oil Company, Fresno County – Consideration of Revised Waste Discharge Requirements Order No. 92-195](#)
- c. [Greenlaw Development, LLC, Mariposa Industrial Park, Phase 3 Project, San Joaquin County – Consideration of New Waste Discharge Requirements](#)
- d. [Louisiana-Pacific Corporation, Red Bluff Class III Wood Waste Landfill, Tehama County – Consideration of Revised Waste Discharge Requirements Order No. R5-03-140](#)
- e. [Oakdale Irrigation District, Paulsell Lateral Expansion Project, Stanislaus County – Consideration of New Waste Discharge Requirements](#)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS (AGENDA ITEM 14)

- a. [City of Jackson, Wastewater Treatment Plant, Sutter County \(NPDES Permit CAG585001\) – Consideration of Time Schedule Order](#)

THESE ITEMS WERE MOVED FROM THE CONTESTED CALENDAR

10. [City of Rio Vista, Beach Wastewater Treatment Facility, Solano County – Consideration of NPDES Permit Renewal \(NPDES Permit No. CA0079588\)](#)
11. [City of Yuba City, Wastewater Treatment Facility, Sutter County – Consideration of NPDES Permit Renewal \(NPDES Permit CA0079260\)](#)

RESCISSIONS (AGENDA ITEM 15)

- a. Madera County Maintenance District No. 19, Parkwood Wastewater Treatment Facility, Madera County – Waste Discharge Requirements Order No. 85-109

CHANGE OF NAME AND/OR OWNERSHIP OF FACILITIES (AGENDA ITEM 16)

- a. Ampine: A Division of Timber Product Company, Ampine Process Water Discharge, Amador County – Waste Discharge Requirements Order No. R5-2008-0167-01
- b. Mountain House Community Services District, Wastewater Treatment Plant, San Joaquin County – NPDES Permit CA0084271

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. 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. F084875; Madera Superior Court Case No. MCV071280 [originally filed in Fresno Superior as Case No. 14-CECG-03576]).
- 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. 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)] (3DCA Case No. C093513):
 - 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).
- d. Valley Water Management Company v. Central Valley Reg'l Water Quality Control Bd., (Kern County Superior Court Case No. BCV-19-101750).

Litigation filed by the Central Valley Water Board against other parties:

- e. 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).
- f. 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).

- g. 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).
- h. 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).
- i. Orland Sand and Gravel Facility – Central Valley Water Board, et al. v. Dale Roy Bogart, et al. (Glenn County Superior Court Case No. 22CV2833).

Petitions for Review of Central Valley Water Board Actions filed with State Water Board:

- j. 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).
- k. 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)).
- l. 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).
- m. 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).
- n. 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).
- o. 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)).
- p. 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).
- q. 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)).
- r. Forward Landfill WDRs, Order R5-2024-0002 – Petition filed by Michael La Forge (State Water Board File No. TBD).

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/) at

(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) at

(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 be admitted. Any person requesting to submit late materials must demonstrate compelling 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 48 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](#) at

(https://www.waterboards.ca.gov/public_notices/petitions/water_quality/).

Or it will be provided upon request.