

Lahontan Regional Water Quality Control Board

MINUTES

September 16-17, 2015

Regular Meeting

California Regional Water Quality Control Board-Lahontan Region
Holiday Inn Express, Sidewinder Room
2700 Lenwood Road
Barstow, CA 92311

Board Members Participating

Kimberly Cox, Chair, Helendale
Keith Dyas, Vice Chair, Rosamond
Amy Horne, Ph.D., Truckee
Don Jardine, Markleeville
Peter C. Pumphrey, Bishop

Board Member Absent

Eric Sandel, Truckee

Legal Counsel

Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board

State Board Staff

Gita Kapahi, Director, Office of Public Participation
AnnaKathryn Benedict, Office of Enforcement, State Water Resources Control Board
Andrew DiLuccia, Office of Public Affairs, State Water Resources Control Board

Regional Board Staff Participating

Patty Z. Kouyoumdjian, Executive Officer
Lauri Kemper, Assistant Executive Officer
Mike Plaziak, Sup. Engineering Geologist
Doug Smith, Sup. Engineering Geologist
Rich Booth, Senior Engineering Geologist
Patrice Copeland, Sr. Engineering Geologist

Cindi Mitton, Senior WRCE
Lisa Dernbach, Sr. Engineering Geologist
Alonzo Poach, Engineering Geologist
Jeffery Fitzsimmons, Engineering Geologist
Anne Holden, Engineering Geologist
Sue Genera, Executive Assistant

REGULAR MEETING: Wednesday, September 16, 2015- 1:00 p.m.

To view the full Agenda and listen to the audio of this meeting [CLICK HERE](#)

INTRODUCTIONS

Kimberly Cox, Board Chair, called the meeting to order at 1:00 p.m. on September 16, 2015, and introduced Board Members.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State and Regional Water Board Staff.

OTHER BUSINESS

1. Public Workshop to discuss changes made on the Draft PG&E Cleanup and Abatement Order (CAO) by the Advisory Team

To view the full Transcript, which includes all questions and comments made during the workshop, [CLICK HERE](#)

Gita Kapahi addressed the audience and gave an overview of the process for the workshop and opportunities for public comment. Kim Niemeyer, Staff Council, explained due process and the rolls of the Prosecution Team and Advisory Team in a Hearing.

The Prosecution Team and PG&E presented mutually agreed upon changes (consensus changes) to the Draft CAO submitted to the Advisory Team for possible inclusion the final Draft CAO.

The Advisory Team, explained that all of the consensus changes provided by the Prosecution Team and PG&E were incorporated in the latest version of the draft CAO with minor modifications. The Advisory Team presented recommendations on the areas of the draft CAO that the Prosecution Team and PG&E could not find consensus. Areas discussed were:

- a. Cleanup requirements for the lower aquifer
- b. Plume definition and mapping
- c. Replacement water requirements
- d. Performance and Submittal Requirements

The Advisory Team responded to questions and heard comments from the Board, Parties, and the public, for consideration when drafting the final Draft CAO. Five key issues of concern were raised at the workshop: plume mapping and best professional judgment; use of the word “uncertain”; cleanup requirements in the lower aquifer; use of the word “interim”; and, replacement water requirements. The Board requested that the Advisory Team take the key issues into consideration when preparing the final draft CAO.

Note: The Board recessed for dinner from 4:35-7 p.m.

After the dinner recess, the Advisory Team gave a summary of the comments they heard from the afternoon session and reminded the audience that written comments are due by September 30, 2015. The final Draft CAO will be released mid-October and presented at the November Board Meeting for the Board’s consideration.

2. Status Report on Activities Concerning Chromium Contamination from Pacific Gas and Electric Company’s (PG&E) Hinkley Compressor Station

Ms. Lisa Dernbach, Senior Engineering Geologist; Mr. Kevin Sullivan, representing PG&E; and Mr. Ian Webster, IRP Manager, presented status updates on recent efforts and activities in the Hinkley community and answered Board questions.

Public Comment:

- a. Larry Griep, Hinkley resident, reported that he has been volunteering to deliver food to as many as 70 Hinkley residents. Mr. Griep expressed his concern with the lack of monitoring in the West.
- b. Daron Banks, Hinkley Resident, asked the Board to address the original contamination site.

3. PUBLIC FORUM

None.

Note: The Board adjourned for the evening at 8:49 p.m.

REGULAR MEETING: Thursday, September 17, 2015 – 8:30 a.m.

OTHER BUSINESS**4. Minutes**

This Item is postponed.

5. PUBLIC FORUM

None.

NEW OR REVISED WASTE DISCHARGE REQUIREMENTS**6. California Department of Transportation – District 9 Industrial Washwater Recycling, Treatment and Disposal System, Crestview Maintenance Facility, Mono County**

- **Motion:** Moved by Mr. Dyas, and seconded by Mr. Pumphrey, to adopt Item 6 as presented The Chair called for a Roll Call Vote and the motion ***carried*** per the following votes:

Ms. Cox	aye
Mr. Dyas	aye
Dr. Horne	aye
Mr. Jardine	aye
Mr. Pumphrey	aye
Mr. Sandel	absent

Click here to view adopted [Board Order No. R6T-2015-0056](#)

7. U.S. Borax, Inc., Clean Energy Fuels Company, Boron Facility, Kern County

- **Motion:** Moved by Mr. Pumphrey, and seconded by Dr. Horne, to adopt Item 7 as presented The Chair called for a Roll Call Vote and the motion ***carried*** per the following votes:

Ms. Cox	aye
Mr. Dyas	aye
Dr. Horne	aye
Mr. Jardine	aye
Mr. Pumphrey	aye
Mr. Sandel	absent

Click here to view adopted [Board Order No. R6V-2015-0057](#)

REPORTS

8. Reports by Water Board Chair and Board Members

Mr. Jardine notified the Board that Nevada Governor, Brian Sandoval, is hosting a Drought Summit, September 21-22 in Carson City, NV.

Mr. Pumphrey stated that the 4th Annual Sierra Water Summit was a success and that notes from the meeting will be posted to the Sierra Water Workgroup website.

Dr. Horne was a participant at the Summit and reported on her takeaways from the day. She will be giving a presentation on progress made by the State Watershed Workgroup at the upcoming WQCC meeting in Sacramento. After the Colorado River Compact Conference in January, Dr. Horne will be organizing an event to benefit the community as a requirement to complete her law degree.

Chair Cox reported on the Chairs Conference call and that the WQCC meeting is October 12-13.

9. Executive Officer's Report

Ms. Kouyoumdjian, Executive Officer, presented the [September Written Report](#) and gave additional updates on:

- a. 2016 Board Schedule and Standing Reports
- b. New Staff: Jane Covey, Brian Judge, Jeffrey Fitzsimmons, and Alonzo Poach
- c. Lake Tahoe Science meeting
- d. Timber Waiver Compliance
- e. MolyCorp Mine
- f. Dairy Status
- g. Grazing Regulatory Action Plan
- h. Basin Plan Amendment on pesticide use in water bodies
- i. Truckee River Watershed Council

Ms. Lauri Kemper presented the Quarterly Violations Report and the schedule of pending enforcement actions.

PLANS AND POLICIES

10. Scoping Meeting - 2015 Triennial Review of the Water Quality Control Plan for the Lahontan Region (Basin Plan)

Rich Booth, Senior Engineering Geologist addressed the Board and gave a Power Point presentation highlighting the 22 projects for consideration in the 2015 Triennial Review. Mr. Booth requested input from the Board on criteria to prioritize the projects.

Board Comments:

Mr. Jardine stated that the Bridgeport Valley (Revise Water Quality Objectives for Bacteria) is a high priority for him.

Mr. Pumphrey asked staff to provide a list of possible criteria to evaluate these projects. He suggested reaching out to entities with projects and request assistance in the way of data or other resources to help move forward with these projects. Mr. Pumphrey asked when working on a broad project (such as Revise Water Quality Objectives for Bacteria, Bacteria

Indicators, or Riparian Protection Policy), staff resources could work double duty to collect data on site-specific projects for dual benefit. Bacteria indicators are a high priority for him.

Dr. Horne asked if the Total Maximum Daily Load (TMDL) staff would work on the Truckee River Watershed Council's request to amend the Truckee TMDL. Mr. Booth stated that he would add it to the project list. Dr. Horne requested future scoping meetings be held in both the north and south Lahontan Regions. She asked staff to list which projects are mandatory and not up for debate (staff resources to run the Basin Planning Program). She stated that projects on the previous list should not take priority over new projects. Projects that have a greater stakeholder support or strategic importance due to population growth or climate change should hold greater importance. It is useful to have projects listed out in columns delineating whether they are broad projects or site specific/local projects.

Mr. Dyas asked who requested project 14 (Remove two beneficial uses from Piute Ponds) as he thought these fell under the jurisdiction of the Air Force and he wants to make sure the Air Force agrees with this request. Mr. Booth and Erica Bensch with the Los Angeles County Sanitation District (LACSD) stated LACSD has a waste discharge permit to discharge into Piute Ponds and that the Air Force does have jurisdiction over those ponds. LACSD will work with staff and the Air Force to reach consensus.

REPORTS

11. Sustainable Groundwater Management Act of 2014 (SGMA)

Brian Moniz, Regional Coordinator with the Department of Water Resources, gave an overview of SGMA's inception. Mr. Moniz emphasized SGMA's guiding principal, which states that groundwater resources are best accomplished locally. SGMA provides the framework, which encompasses the local and state rolls. The framework the Act provides, applicability, key definitions, and assigns deadlines to the local Groundwater Sustainability Agencies (GSAs). The local's responsible is to establish GSAs, develop powers and authorities for managing the GSA as well as developing sustainability plans.

Dwayne Chisam, Assistant General Manager, Antelope Valley Eastern Kern Water Agency, asked if the state provides guidelines for multiple entities that want to establish a GSA. Mr. Moniz stated there are criteria in legislation for which entities can create a GSA.

Dr. Horne asked if entities could apply for and use a planning grant to assist them in creating a GSA and defining boundaries. Mr. Moniz did not know; however, his department does have a contract for facilitation services available for this use.

Katherine Rubin, Los Angeles Department of Water and Power, asked when the deadlines are for the new regulations. Mr. Moniz provided her with the information he had and would research the dates he did not know.

Erik Ekdahl and Samuel Boland-Brien, with the State Board's Groundwater Management Program, gave a joint presentation highlighting historical data on climate change, population growth, agricultural land use change, and groundwater elevation change. They identified high and medium priority Basins in the Lahontan Region, the majority being in the south Lahontan Region.

12. CLOSED SESSION

None.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 11:52 a.m. on September 17, 2015.

Prepared by: _____
Sue Genera, Executive Assistant

Adopted: 11/4/15