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## Lahontan Regional Water Quality Control Board

Date Distributed: April 22, 2020

### MEETING AGENDA

***Video and Teleconference Meeting During COVID-19 Emergency:*** As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, this meeting will occur solely via remote presence. Links for the meeting, including a phone call option, will be posted on [https://www.waterboards.ca.gov/lahontan/board\\_info/agenda/2020\\_schedule.html](https://www.waterboards.ca.gov/lahontan/board_info/agenda/2020_schedule.html)

The Lahontan Regional Water Board (Water Board) is conducting this meeting on **Wednesday, May 6, 2020** as:

#### **Video and Teleconference Meeting Only**

No Physical Meeting Location  
(Authorized by and in furtherance of  
Executive Orders N-29-20 and N-33-20.)

- For those who only wish to watch the meeting, the customary webcast remains available at <https://cal-span.org/static/meetings-RWQCB-LAHO.php> and should be used UNLESS you intend to comment.
- For those who wish to comment on an agenda item or are presenting to the Water Board, additional information about participating telephonically or via the remote meeting solution is available here:  
[https://www.waterboards.ca.gov/lahontan/board\\_info/agenda/2020\\_schedule.html](https://www.waterboards.ca.gov/lahontan/board_info/agenda/2020_schedule.html).

The Water Board is conducting this meeting on **Thursday, May 7, 2020** as:

#### **Closed Session Only**

No Physical Meeting Location  
(Authorized by and in furtherance of  
Executive Orders N-29-20 and N-33-20.)

- The Water Board will be conducting closed session only (no open session) and there will be no opportunity for the public to address the Water Board on Thursday, May 7, 2020.

### General Meeting Information:

The following items are numbered for identification purposes only and will not necessarily be considered in this order. The meeting will not be called to order prior to the time specified. All Water Board files, exhibits, and agenda materials pertaining to items on this agenda are hereby made a part of the record for the appropriate item.

Comments on individual agenda items are welcome. If you are considering speaking or submitting written materials, please consult the notes at the beginning of the agenda.

### Adoption of Uncontested Calendar:

Items denoted by (✕) are expected to be routine and non-controversial and will be proposed for the uncontested calendar. The Water Board will act on these items at one time without discussion. If any Water Board member or person requests discussion, the item may be removed from the uncontested calendar to be considered separately. Requests to have an item removed from the uncontested calendar can be made in advance of the meeting by emailing to the Executive Assistant at [katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov) or by calling the Water Board's Executive Officer via her Executive Assistant, Katrina Fleshman at (530) 542-5414.

## **REGULAR MEETING: Wednesday, May 6, 2020 at 9:00 a.m.**

### **Call to Order and Introductions**

1. **Public Forum** – A public forum is held at the beginning of each general meeting where persons may speak on matters within the Water Board's jurisdiction that are not related to a specific agenda item or currently pending before the Water Board. Comments regarding pending or impending adjudicatory matters will not be allowed.
2. **Minutes** – The Water Board will consider adopting the minutes of the Regular meeting of March 11-12, 2020, in Barstow, California.
3. **Reports by Water Board Chair and Water Board Members** – The Water Board members will provide updates to the Water Board and public on events and activities of interest.
4. **Executive Officer's Report** – The Executive Officer will provide an update to the Water Board and public on key actions and activities in the Lahontan region, including the items below. This is an informational item and no formal action is requested, though Water Board members may give direction to staff. (Patty Z. Kouyoumdjian).
  - a. Notification of Spills (Pursuant to Water Code section 13271, and Health and Safety Code section 25180.7)
5. **Land Disposal Program Core Regulatory Review Program** – The Water Board staff will provide an overview of the Land Disposal Program. This is an informational item and no formal action is requested, though Water Board members may give direction to staff. (Christina Guerra)

6. [Local Agency Management Program for Lassen County](#) – The Water Board will consider approval of the Local Agency Management Program for onsite wastewater systems in Lassen County. (Trevor Miller)
7. [Renewal of Waste Discharge Requirements, Water Reclamation Requirements, and National Pollutant Discharge Elimination System Permit for the Victor Valley Wastewater Reclamation Authority Regional Wastewater Treatment Plant, San Bernardino County](#) – The Water Board will consider adopting the renewal of a National Pollutant Discharge Elimination System (NPDES) permit for the Victor Valley Wastewater Reclamation Authority (VWVRA). The proposed permit will regulate direct discharges from a single outfall to the Mojave River and will establish the treatment requirements to produce recycled water. (John Morales)
8. [Revised Waste Discharge Requirements for DV Natural Resources and the U.S. Department of the Interior, Bureau of Land Management, Briggs Project, Inyo County](#) – The Water Board will consider adopting revised Waste Discharge Requirements to authorize microbial bioleaching to extract gold from the ore and to provide general updates to reflect current site conditions. (Tiffany Steinert)
9. [Annual Enforcement Program Update](#) – The Water Board staff will present a summary of enforcement activities for 2019, prior calendar years, and identify enforcement priorities for the upcoming year. State Water Board staff will also give a presentation on the Compressed Administrative Civil Liability Process. This is an informational item and no formal action is requested, though Water Board members may give direction to staff. (Scott Ferguson and David Boyers)

## Adjournment

### **Thursday, May 7, 2020 at 9:00 a.m. (CLOSED SESSION ONLY)**

The Water Board will be conducting closed session only (no open session) and there will be no opportunity for the public to address the Water Board on Thursday, May 7, 2020.

#### **Roll Call and Declaration of a Quorum**

10. [Closed Session](#)<sup>1</sup>
  - a. Discussion of Significant Exposure to Litigation. Authority: Government Code section 11126, subdivision (e)(2)(B)(i).
  - b. Discussion to Decide Whether to Initiate Litigation. Authority: Government Code section 11126, subdivision (e)(2)(C)(i).

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<sup>1</sup> At any time during the regular session, the Water Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon the evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code section 11126, subdivisions (a), (c)(3) and (e).

- c. To deliberate on a decision to be reached based upon evidence introduced in a hearing. Authority: Government Code section 11126, subdivision (c)(3).
- d. Discussion of Litigation. Fox Capital Management Corporation v. Lahontan Regional Water Quality Control Board, El Dorado County Superior Court, Case No. SC20170189. Authority: Government Code section 11126, subdivision (e).
- e. Discussion of Litigation. Seven Springs Limited Partnership v. Lahontan Regional Water Quality Control Board, El Dorado County Superior Court, Case No. SC2018061. Authority: Government Code section 11126, subdivision (e).
- f. Discussion of Litigation. In re PG&E Corporation, et al., Debtors, Chapter, Case No.19-30088, United States Bankruptcy Court, San Francisco Division. Authority: Government Code section 11126, subdivision (e).
- g. Discussion of Personnel Matters. Authority: Government Code section 11126, subdivision (a).

## **Adjournment**

## GENERAL PROCEDURES

The Water Board will be considering many items during this meeting which may result in Water Board action or direction to staff. We encourage input from all people interested in a given item or issue, so that when we act, our decision is based on all available information. Although an oath is not administered in most of the proceedings before this Water Board, we expect all statements made before this Water Board to be truthful with no attempts to mislead this Water Board by false statements, deceptive presentation, or failure to include essential information.

### Sequence of Agenda Items

The items are numbered for identification purposes only and will not necessarily be considered in this order.

### Availability of Agenda Material

To view or download documents available on the public website, go to <https://www.waterboards.ca.gov/lahontan/>. Documents not available on the public website may be requested by contacting [lahontan@waterboards.ca.gov](mailto:lahontan@waterboards.ca.gov) (See note below for information on the timing for submitting comments.)

### Accessibility

If you have special accommodations or language needs, please contact Katrina Fleshman, Executive Assistant, at least ten days prior to the meeting date at (530) 542-5414 or [katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov). TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

### Public Forum

Any person may address the Water Board regarding a matter within the Water Board's jurisdiction that is not related to an item on this meeting agenda or currently pending before the Water Board. Comments regarding matters that are under development for future meetings or not within the Water Board's regulatory authority will be restricted. Comments regarding pending or impending adjudicatory matters will not be allowed.

Information about participating telephonically or via the remote meeting solution is available here:

[https://www.waterboards.ca.gov/lahontan/board\\_info/agenda/2020\\_schedule.html](https://www.waterboards.ca.gov/lahontan/board_info/agenda/2020_schedule.html).

Comments will generally be limited to five (5) minutes. Any person wishing to make a longer presentation should request an extension from the Executive Officer at least fifteen (15) days prior to the meeting, and if you want written materials to be provided to the Water Board, please contact Katrina Fleshman, Executive Assistant, at least ten (10) days prior to the meeting date at (530) 542-5414 or

[katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov)

### Oral Comments and Presentations

The purpose of the meeting is to provide the Water Board with an opportunity to receive testimony and information from concerned and affected persons and to make decisions after considering the evidence presented. In order to give everyone an opportunity to be heard, a time limit for oral comments may be imposed on any agenda item. Comments will generally be limited to five (5) minutes. Interested persons are encouraged to submit their comments in writing by the applicable due date and use time for oral comments to summarize those concerns. Any person wishing to make a longer presentation should request an extension from the Executive Officer at least ten (10) days prior to the meeting.

Anyone wishing to present a Microsoft PowerPoint® presentation during the meeting, must provide the presentation to Katrina Fleshman, Executive Assistant at least ten (10) working days prior to the meeting at [katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov).

Information about participating telephonically or via the remote meeting solution is available here:

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### Written Comments

Comments on individual items are welcome and encouraged. Written comments on an agenda item must be submitted on or before the due date listed in the hearing notice associated with the agenda item. Hearing notices are posted on the [Water Board's website](#).

For items on the agenda that do not have a separate hearing notice with specific due dates, written comments must be submitted at least ten (10) days before the meeting to the Executive Assistant, Katrina Fleshman ([katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov)). This allows time to distribute the material to Water Board members in advance of the meeting, providing the opportunity for the members to read and consider the information submitted.

Pursuant to California Code of Regulations, Title 23, section 648.4, the Water Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time and why compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Water Board may refuse to admit it. A copy of the procedures governing Water Board meetings is available upon request. Hearings before the Water Board are not conducted pursuant to Government Code section 11500 et seq.

### Hearing Record Exhibits

Material presented to the Water Board as part of the testimony that is to be made part of the record must be left with the Water Board.

### Ex Parte Requirements

An ex parte communication is a communication to a Water Board member from any person, about a pending or impending matter, that occurs in the absence of other parties and without notice and opportunity for them to respond. The California Government Code prohibits the Water Board members from engaging in ex parte communications on permitting, enforcement, and other “quasi-adjudicatory” matters. A communication about a pending adjudicative matter, received during a public forum, or during the public meeting when the item is not noticed, may violate the ex parte prohibition. The public is encouraged to contact Water Board staff to determine whether a matter is a pending or impending adjudicatory matter. Ex parte communications are allowed on pending general orders (such as general waste discharge requirements, general waivers, and general Clean Water Act section 401 water quality certifications) subject to the disclosure requirements of Water Code section 13287. Further [information and disclosure forms](#) are located on the Water Board’s website.

The ex parte rules are intended to provide fairness, and to ensure that the Water Board’s decisions are transparent, based on the evidence in the administrative record, and that evidence is used only if stakeholders have had the opportunity to hear and respond to it. A Water Board member who has engaged or been engaged in a prohibited ex parte communication will be required to publicly disclose the communication on the record and may be disqualified from participating in the proceeding. For more information, please look at the [ex parte questions and answers](#) document located on the Water Board’s website.

### Contributions to Regional Water Board Members

All persons who actively support or oppose the adoption of waste discharge requirements or an NPDES permit before the Water Board must submit a statement to the Water Board disclosing any contributions of \$250 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his or her agent, within the last 12 months to any Water Board member. All permit applicants and all persons who actively support or oppose adoption of a set of waste discharge requirements or an NPDES permit pending before the Water Board are prohibited from making a contribution of \$250 or more to any Water Board member for three months following a Water Board decision on the permit application.

### Petition of Regional Water Board Action

Any person aggrieved by an action of the Water Board may petition the State Water Resources Control Board (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 the action was taken, except that if the thirtieth day following the date the action was taken 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 regulation applicable to filing petitions](#) may be found on the Water Board website or will be provided upon request.

### Water Quality Certification

A listing of pending applications for Water Quality Certification pursuant to Section 401 of the Clean Water Act, may be obtained by contacting the staff below:

**Northern Lahontan Basin:** Robert Tucker in South Lake Tahoe at (530) 542-5467, [robert.tucker@waterboards.ca.gov](mailto:robert.tucker@waterboards.ca.gov)

**Southern Lahontan Basin:** Jan Zimmerman, in Victorville at (760) 241-7376, [jan.zimmerman@waterboards.ca.gov](mailto:jan.zimmerman@waterboards.ca.gov)

The Water Board, has a home page that can be accessed on the Internet, at: [www.waterboards.ca.gov/lahontan](http://www.waterboards.ca.gov/lahontan).

### Recordings

Recordings are made of each Water Board meeting and are retained on the Water Board website.



## LAHONTAN WATER BOARD MEMBERS

California Water Code section 13201 provides for the Governor to appoint seven members to the Regional Water Quality Control Board. Each member shall reside or have a principal place of business within the region. Appointments are subject to confirmation by the state Senate.

Name	From	Term Expires
Peter C. Pumphrey, Chair	Bishop	9/30/23 Pending Senate confirmation
Don Jardine, Vice-Chair	Markleeville	9/30/23 Pending Senate confirmation
Kimberly Cox	Helendale	9/30/22
Keith Dyas	Rosamond	9/30/20
Amy Horne, PhD.	Truckee	9/30/22
Eric Sandel	Truckee	9/30/21
Vacant		

## LAHONTAN WATER BOARD CONTACTS

Patty Z. Kouyoumdjian, Executive Officer  
 Elizabeth Beryt, Counsel to the Water Board  
 Katrina Fleshman, Executive Assistant

To reach the Executive Officer, please contact her Executive Assistant, Katrina Fleshman, via email at [katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov) or call (530) 542-5414.

The primary responsibility of the Water Board is to protect the quality of the surface and groundwater within the Region for beneficial uses. The duty is carried out by formulating and adopting water quality plans for specific groundwater or surface water bodies; by prescribing and enforcing requirements on domestic and industrial waste dischargers, and by requiring cleanup of water contamination and pollution. Specific responsibilities and procedures of the Water Board are outlined in the Porter-Cologne Water Quality Control Act.

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	Attachment B – 3 <sup>rd</sup> Quarter 2019 Violations Table	<b>4 – 27</b>
	Attachment C – Pending Enforcement Cases (2/11/2020)	<b>4 – 29</b>
	Attachment D – Unauthorized Discharge Report 1/16/2020 to 2/15/2020	<b>4 – 33</b>
	Attachment E – Notice of Public Workshops (1) Bacteria WQO Evaluation (2) Tribal Bacteria WQO	<b>4 – 35</b>
	Attachment F – Leviathan Mine Resolution	<b>4 – 39</b>
<b>2</b>	Executive Officer's Report – April 2020	<b>4 – 41</b>
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	Attachment I – Executive Officer's May 2020 Action Items	<b>4 – 83</b>
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	Attachment M – May 2020 Standing Items	<b>4 – 95</b>



# **ENCLOSURE 5**





**EXECUTIVE OFFICER'S REPORT • May 2020**  
Covers March 16, 2020 – April 15, 2020

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*State and Regional*

**1. Personnel Report – Eric Shay**

**New Hires** – None

**Vacancies:**

- C.E.A. (Career Executive Assignment) to serve as the Region’s Assistant Executive Officer.
- Senior Engineering Geologist (Specialist), South Regulatory Division, Victorville. This position serves as the Regional Groundwater Specialist, Regional Policies Representative and Lead, and Regional Specialist for Investigations and Studies. The position will provide lead responsibility for making policy recommendations; provide technical expertise; evaluate and draft geological reports, staff reports, other technical documents; and perform analyses on technically complex assignments related to ground water quality.
- Senior Environmental Scientist (Specialist), Compliance & Planning Division, South Lake Tahoe. This position serves as the Regional Monitoring Coordinator; lead for Climate Change Adaptation and Mitigation Strategy; and regional specialist for monitoring related special studies, investigations, and projects. The position will provide the lead responsibility for making policy recommendations, providing

technical expertise, evaluating environmental documents, and performing analysis on technically complex projects related to water quality monitoring.

- Engineering Geologist, Department of Defense / Site Cleanup Program Unit, Victorville. This position analyzes threat of pollutants to groundwater and surface waters, reviews technical reports for cleanup strategies, reviews site investigation results, reviews proposed cleanup alternatives to ensure compliance with water quality objectives, prepares enforcement orders, investigates spills, and conducts inspections of cleanup sites and facilities.
- Water Resource Control Engineer, Wastewater & Agricultural Operations Unit, Victorville. This position provides regulatory oversight of wastewater and agricultural projects involving discharges to ground or surface waters and projects intended to restore and/or enhance water quality.
- Scientific Aid, Cleanup/Site Investigation & Enforcement Unit, South Lake Tahoe. This position assists staff with administering the site cleanup, underground storage tank, land disposal, and enforcement programs; reviewing reports, and maintaining databases; reviews self-monitoring reports for cases, permits and enforcement actions; reviews water quality data to prepare for field inspections and permit updates; assists with field inspections; and reviews California Environmental Quality Act documents.

**Departures** – None

### *North Lahontan Region*

## **2. 2020 Carson River Watershed Forum – Jennifer Watts, Ph.D., and Cindy Wise**

On March 10, 2020, Water Board staff, Jennifer Watts, gave a presentation at the 2020 Carson River Watershed Forum in Carson City, Nevada. The Forum was organized by the Carson River Coalition in conjunction with the Carson Water Subconservancy District. The mission of these organizations is to manage, conserve, and protect the Carson River watershed, its floodplains, and natural resources. The theme for this year's Forum was water quality and watershed health in the Carson River watershed.

Dr. Watts began her presentation with general information about the Lahontan Water Board and the Integrated Report process, with focus on the 2018 updates to the Clean Water Act Section 303(d) List for the East and West Fork Carson River. For the 2018 Integrated Report, Dr. Watts explained how the River has been segmented for water quality assessment, as determined by land uses; and included in her presentation, an analysis of water quality data with the new segmentation. The new segmentation and related evaluation of the data resulted in several changes to the listings, including delisting some constituents for the Headwaters to Hope Valley reach and new listings for five constituents in the most downstream segment of the West Fork Carson River in California.

Dr. Watts was joined in her presentation by Michael Hanks of the State Water Board's Nonpoint Source Unit. Mr. Hanks provided background information about the West Fork Carson Vision Project that he is collaborating on with Water Board staff, Cindy Wise, to address water quality impairments. Mr. Hanks provided an update on the Vision Project, described efforts to develop land use maps and a related narrative, identify management measures, and launch of outreach tools such as a dedicated project website. He also gave an overview of his culvert pollutant source assessment study being implemented in the watershed. Representatives from the United States Forest Service and United States

Geological Survey (USGS) offered feedback on how to improve the assessment study and about other sources of data. Other Forum attendees discussed how to improve outreach and stakeholder coordination for the West Fork Carson River Vision Project.

Also attending the Forum, was Water Board staff, Cathe Pool, PE. Ms. Pool provided support to the presentation by Julie Sullivan, PE, Leviathan Mine Site Project Manager, United States Environmental Protection Agency (USEPA), on recent activities at the Leviathan Mine in the East Fork Carson River watershed. Ms. Sullivan discussed the on-going Acid Mine Drainage (AMD) treatment activities by the Water Board and Atlantic Richfield, as well as on-going Remedial Investigation/Feasibility (RI/FS) progress. Ms. Sullivan outlined the recent progress on an Early Final Remedial Action (EFRA) proposed by Atlantic Richfield in collaboration with the Water Board and USEPA to capture and treat AMD year-round. Schedules for the RI/FS and EFRA were discussed but are preliminary at this time.

Most of the Carson River watershed is in Nevada. In addition to the presentations on the West Fork Carson Vision Project and Leviathan Mine, Nevada Division of Environmental Protection (NDEP) staff presented on Nevada's 2016/2018 Integrated Report process and on the use of macroinvertebrates to assess water quality, and Fallon Paiute Shoshone Tribal representatives reported on their water quality monitoring program. Other presenters included representatives from USGS, the National Weather Service and the U.S. Army Corps of Engineers. Additionally, USEPA staff provided updates on the Carson River Mercury Superfund Site, which is a remediation project that covers a large area that includes the entire Carson River and its floodplain downstream of Dayton, Nevada to the Lahontan Reservoir and the Carson sink. The soils, sediments, and fish and wildlife at this site are subject to mercury contamination from mining activities in the historic Comstock mining area around Virginia City, Nevada.

### **3. USFS-LTBMU South Shore Fuel Reduction and Healthy Forest Restoration Project – Adam Henriques**

The 2020 Annual Operating Plan (AOP) presents the ninth installment of the South Shore Fuels Reduction Project - a forest fuels reduction initiative undertaken by the U.S Forest Service (USFS), Lake Tahoe Management Unit (LTBMU) that aims to reduce the risk of high intensity wildfire in the Wildland Urban Interface, or those areas adjacent to communities, in the South Shore area of Lake Tahoe through a variety vegetation management activities. Project goals include the restoration of forest health, meadows, riparian areas, and aspen stands. The project has operated under a Waste Discharge Requirement (WDR) approved by the Water Board on April 12, 2012.

The LTBMU has operated under this WDR for eight seasons of an anticipated 7 – 10 years to project completion. To date, approximately 7,406 acres of the 10,000-acre project have been treated (74% complete); 4,529 acres have been thinned by hand crews and 2,877 acres have been mechanically treated. Piles have been burned in 1,363 acres of upland treated areas and in 126 acres in treated stream environment zones (SEZs). The Plan for 2020 includes treatment of 616 acres; 596 acres will be treated using mechanical methods, 15 acres will be treated by hand, and piles in 15 acres will be burned in treated SEZs.

The 2020 AOP was submitted in a timely fashion and reflects many of the comments provided by Water Board staff to LTBMU over previous iterations of the document, illustrating a commitment from the LTBMU to both the South Shore Project and to working collaboratively with the Lahontan Water Board. The 2020 AOP provides details for best case scenario operating conditions which may or may not be achieved depending on



weather conditions, contract management, staffing, and other unforeseen issues. The COVID-19 emergency has brought significant amounts of uncertainty to the LTBMU as it relates to staffing, contracting, and work projections. Based on conversations with LTBMU staff, fire response staffing was identified as the primary priority for the agency with fuels reduction staffing as the second priority. At the time of the 2020 AOP submittal, LTBMU staff did not have a complete understanding or prediction of how the pandemic would affect implementation of projects identified in the document but seemed optimistic that proposed work would occur.

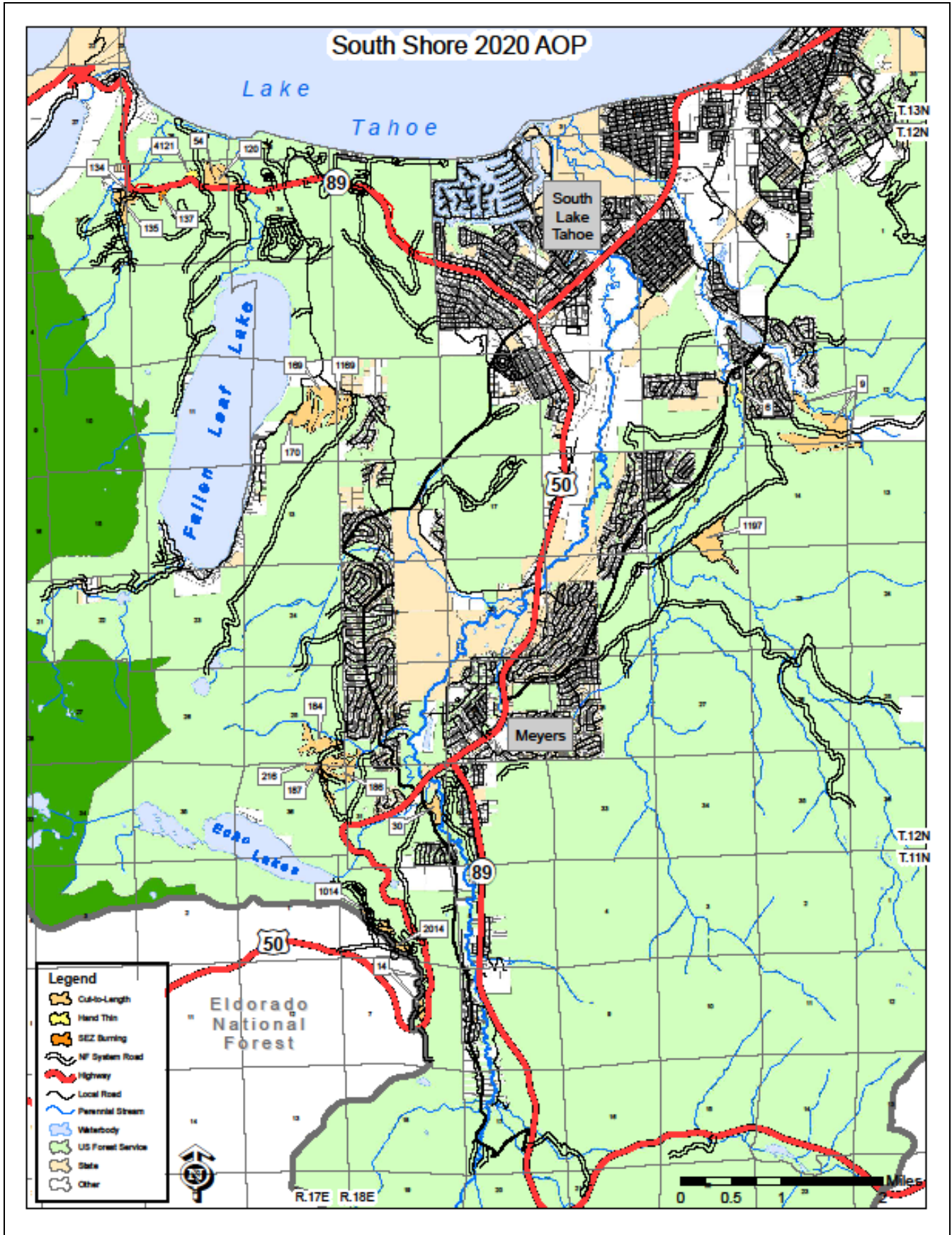


Figure 3.1: 2020 South Shore AOP proposed areas of work

**4. Sustainable Groundwater Management Act Update – Shelby Barker**

In accordance with the Sustainable Groundwater Management Act (SGMA), unadjudicated basins classified as medium to high priority are required to establish a Groundwater Sustainability Agency (GSA) and submit a Groundwater Sustainability Plan (GSP) by January 31, 2022. Groundwater basins with local plans that were already in place may submit an alternative plan in lieu of the GSA, if approved by Department of Water Resources (DWR), GSPs for critically overdraft basins, had an earlier deadline and were due to DWR by January 31, 2020. Following the 2019 Groundwater Basin Prioritization, only two unadjudicated groundwater basins in the Lahontan Region are medium priority or higher. South Lake Tahoe Groundwater Basin is a medium priority and, submitted an alternative plan that DWR approved. Indian Wells Valley Groundwater Basin is a high priority basin and is in critical overdrafted. The Indian Wells Valley GSP was submitted to DWR on January 31, 2020, in compliance with SGMA requirements.

DWR has launched its Final GSP Submissions Portal. Once a GSA submits their final GSP, DWR has two to three weeks to ensure that the GSP is viewable on the public side. The Indian Wells Valley GSP has been made available for public comment and may be viewed at <https://sgma.water.ca.gov/portal/gsp/all>.

DWR has extended the public comment period for Indian Wells Valley GSP to June 3, 2020. Water Board staff, plan to review and provide comments to DWR's Groundwater Management Program regarding the Indian Wells Valley GSP by May 20, 2020. DWR has two years to approve or deny the GSPs.

**5. Bishop Area Wastewater Joint Powers Authority – Jehiel Cass**

In the September 2019 Executive Officer's Report, Water Board staff indicated that the City of Bishop (City) and Eastern Sierra Community Services District (District) were pursuing a Joint Powers Authority (JPA) to more effectively manage the collection, treatment, and disposal of wastewater in the Bishop area. Both the Bishop City Council and District's Board of Directors unanimously approved formation of the Bishop Area Wastewater JPA (see April 15, 2020 letter, attached labeled Attachment 5.1).

Final acquisition of the City of Los Angeles Department of Water and Power land for effluent disposal is anticipated in May 2020. Both the City and District have immediately begun collaborative measures to improve treatment efficiency at their respective wastewater treatment plants. Studies are in progress to determine the most efficient and cost-effective measures for effluent management. Water Board staff will work with the new Bishop Area Wastewater JPA to identify needs for controlling the groundwater nitrate pollution present that is present beneath the disposal areas. The Bishop Area Wastewater JPA provides a single entity for managing wastewater in the Bishop area.

**6. Naval Air Weapons Station China Lake, Navy Partnering – Bill Muir**

The partnering approach currently used at the Naval Air Weapons Station China Lake (NAWSCL) has taken a creative approach during these unusual times of the COVID-19 emergency. Typically, the partnering strategy encourages more face-to-face meetings and a more personal approach in getting to know the various partner agency members. This approach enhances understanding of each partnering agency or department equities and regulatory requirements. These collaborative meetings focus on better, more efficient ways to facilitate cleanup of legacy sites at NAWSCL. During the current COVID-19

pandemic, management partners in the cleanup of NAWSCL continue to meet on a regular basis via teleconferencing. Originally, the plan was to use video chat types of platforms for these virtual meetings. However, the Department of the Navy, due to strict security requirements, is unable to participate on official Navy equipment and use such technology outside of their Department. While the teleconferences are working for now, the hope is that we can return to bi-monthly, in-person meetings in the near future, which have been successful to this point. Although it is recognized that teleconferencing is required at this time, it is acknowledged that personal interactions create a much more focused and amenable approach with better communication between all partners. For now, the partners continue to work issues out together and enable the installation restoration program at NAWSCL to continue moving environmental cleanup projects forward.

## **7. Small Arms Range, Site SR401, Former George Air Force Base – *Linda Stone***

The U.S. Air Force (USAF) is preparing to implement a Non-Time Critical Removal Action for Site SR401 Small Arms Range, located on the former George Air Force Base (AFB) in Victorville, San Bernardino County. The goal of the removal action is to excavate, treat, and dispose of lead-contaminated soils to ensure that the site does not pose a threat to human health. Because of the low mobility of lead in soil and the significant depth to groundwater (i.e., approximately 140 feet), the contamination is not considered a threat to water quality. Water Board staff is working with the USAF and the U.S. Environmental Protection Agency (USEPA) to support the removal action and ensure that it is protective of human health and the environment.

Site SR401, Small Arms Range, is a 9-acre site that was used for rifle and pistol practice when George AFB was active (1942 to 1992). This site is located on undeveloped land in the southeast portion the former George AFB. This portion of the former base is currently controlled by the Federal Bureau of Prisons, which operates the Victorville Federal Correction Complex northwest of the former Small Arms Range site. Elevated levels of lead in surface and near-surface soils (to depths of four feet) are the result of the presence of bullet fragments from historic use as a firing range. The USAF estimates that over 1 ton of contaminated soil will be treated and removed. Because the concentration of lead in soil exceeds the Resource Conservation and Recovery Act (RCRA) criteria for hazardous waste, the soil will be treated on-site to stabilize the soluble lead concentrations to non-hazardous levels. Treatment will consist of mixing the soil with Portland cement. After treatment has stabilized the lead concentration to non-hazardous levels, the material will be disposed offsite at an appropriately licensed facility.

The USAF will conduct this removal action as a “non-time critical removal action” under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and has submitted a Technical Memorandum that selects the removal action in accordance with CERCLA’s non-time critical removal action process. The removal action work at Site SR401 is expected to occur during summer 2020.

## **8. Status of United States Geological Survey (USGS) Hinkley Chromium Background Study – *Anne Holden***

In January 2020, draft chapters of the Hinkley Chromium Background Study Report were released for review to the Technical Working Group (TWG) and underwent preliminary review through the USGS’s internal process (see Figure 8.1, below). Water Board staff’s reviews are complete, and comments were submitted to the USGS’s lead author, Dr. John Izbicki, on April 1, 2020.



The primary purposes of the study are to 1) evaluate the extent of anthropogenic hexavalent chromium (Cr6) released from Pacific Gas and Electric's (PG&E's) Hinkley compressor station, and 2) estimate background Cr6 concentrations in the upper aquifer of the study area (Hinkley and Water Valleys). The comprehensive scientific approach developed by the USGS to determine the extent of the chromium plume in groundwater and estimate background chromium values is evident in the draft final report. The draft document comprises nine chapters of detailed technical information on study methods, data collection, analyses, results, and conclusions.

Since 2015, USGS scientists have been collecting and analyzing data on geologic sources and influences on Cr6 occurrence, studying groundwater geochemistry, measuring aquifer properties affecting groundwater flow, determining the age and source of groundwater, and evaluating historical chromium trends. The following list conveys a sense of the extensive amount of data collected in support of the chromium background study:

- Groundwater geochemistry, age and source tracers, and chromium and other constituents sampled at over 175 wells
- Over 1,600 groundwater duplicate samples evaluated for data quality
- Twelve study-specific wells installed for groundwater flow analysis at six sites
- Thirty-six samples of alluvium and core material collected for detailed chemical and mineralogic analyses
- More than 1,500 portable X-ray fluorescence measurements on over 250 samples of rock, alluvium, and core material
- Thirty-six samples of aquifer pore-water collected at 11 sites
- Geophysical and other data collected to better understand aquifer properties and groundwater flow including:
  - Cone penetrometer data at 43 locations
  - Borehole geophysics (electromagnetic and nuclear magnetic resonance logs) at 102 monitoring wells
  - Point velocity probe data at 43 wells
  - Coupled well-bore flow data at five wells
  - Slug tests at 95 monitoring wells

In 2019, the schedule for the release of the final report was extended one year to December 2020. This extension was needed to accommodate delays in the project schedule due to the 2018-2019 federal government shutdown, decelerated progress on updating a groundwater model; and additional analyses on supplemental data collected in 2018 to address data gaps identified by the TWG. Currently, the final report is scheduled for completion and public release in late 2020. Figure 8.1 shows the USGS's internal review process, the status of review progress as of April 1, 2020, and the status after preliminary comments are addressed. Dr. John Izbicki and USGS staff began addressing the TWG's comments immediately after receipt on April 1, 2020.

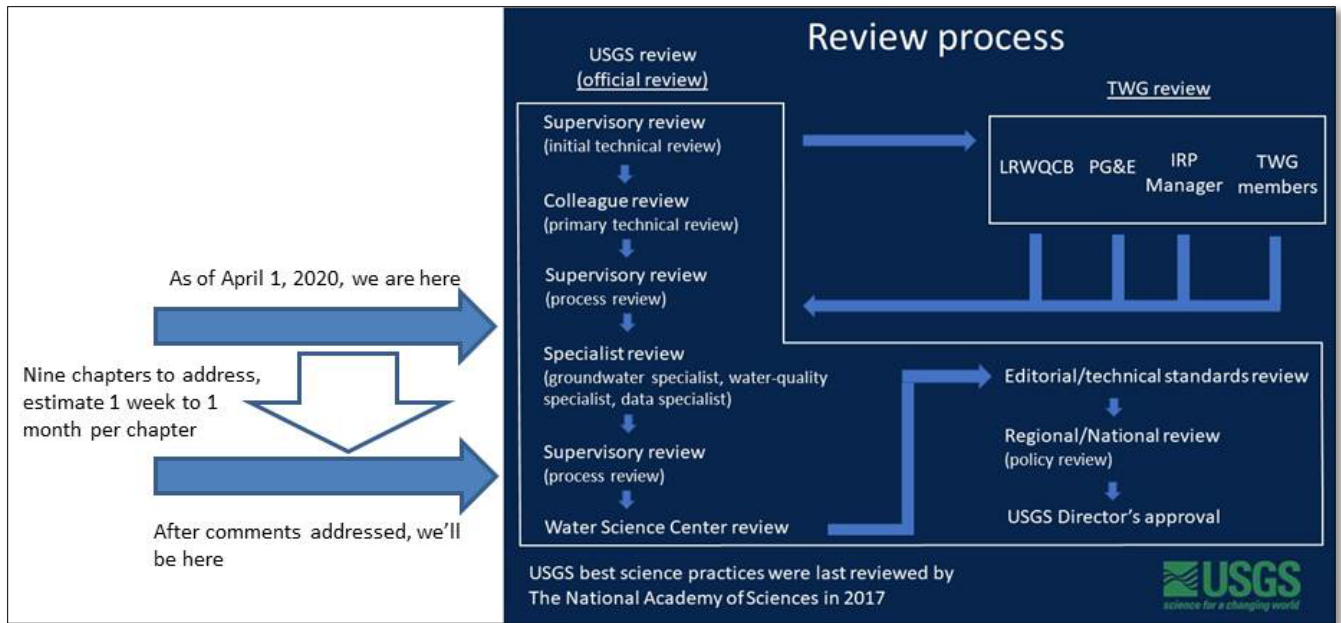


Figure 8.1 USGS review process and status of progress.

Finally, Water Board staff is keeping apprised on any changes to the final report release schedule due to the ongoing COVID-19 pandemic and will communicate any issues that arise in future status reports.

## 9. Victor Valley Wastewater Reclamation Authority – Inadvertent Release and Response – Mark J. Lemus

The Victor Valley Wastewater Reclamation Authority (VWVRA) experienced an inadvertent release at their Regional Wastewater Treatment Plant in Victorville, California. 50,000 gallons of partially treated wastewater was released into nearby percolation ponds where wastewater percolated and intermingled with naturally occurring groundwater. The release was the result of increased wet weather flows during a rain event and an operator error. VWVRA responded swiftly to the release by placing a curbed pavement that will route future overflow to a nearby basin that will send wastewater back through the plant avoiding overflow to percolation ponds reserved for highly treated wastewater effluent.

The release occurred the evening of Thursday, March 12, 2020, during a large, region-wide storm event. The Regional Plant was receiving abnormally higher than normal wastewater influent flows. In addition, at the time several in-plant treatment units began sending collected storm water back to the headworks of the Plant, creating an unaccounted-for side stream of excess flow. Normal operations rely on two equalization basins that hold preliminary and primary treated wastewater pending further treatment. These two basins typically collect peak wastewater flows during the day and release the flow at a steady rate into the sensitive biological treatment process. During the event, operations staff were unable to properly manage the diversion of flows to and from the equalization basins and partially treated wastewater overtopped a dirt berm and road onsite that separated the equalization basins from the nearby final effluent percolation ponds.

VWVRA staff immediately placed sandbags and constructed a temporary dirt berm along the road that separated the equalization basins and nearby percolation ponds. This was followed by the pouring of a curb along the perimeter of the equalization basins affected and the paving of a curbed pathway that will lead future overflow to a basin that will drain

spilled wastewater back to the headworks of the plant. A new camera with a view of the equalization basins was installed, operational procedures were modified to increase staffing during a current or suspected storm event, and retraining of operations staff regarding equalization flow management and side stream effects of the Regional Plant.

Figure 9.1 shows an overview of the release as well as work completed as a response. The release was recorded as a violation and Water Board staff will follow up with an inspection of work completed.





Figure 9.1 VVWRA Regional Plant - Overview of Inadvertent Release. Photo Courtesy of Google Earth 2018.



## 10. Quarterly Violations Report – 4th Quarter 2019 – Scott Ferguson

The Quarterly Violations Report for October 1, 2019 to December 31, 2019 includes (1) a brief summary of violations that occurred during the reporting period, and (2) the enforcement action status table.

### **Synopsis of 4th Quarter 2019 Violations**

Fifty-six (56) violations were recorded for the fourth quarter 2019 reporting period (Attachment A), much less than the 103 violations recorded for the same quarter a year ago. The violations were distributed across a wide variety of facilities throughout Inyo, Kern, Los Angeles, Mono, Nevada, Placer, and San Bernardino Counties. The most common violations reported were monitoring and reporting violations (22), water quality effluent violations (14), stormwater violations (9), and receiving water groundwater violations (5).

The number of violations for the 4<sup>th</sup> quarter were also down from the 91 violations recorded for the previous quarter. Violations during the third quarter were dominated by water quality effluent violations (30) spread across several wastewater treatment facilities and Hot Creek Fish Hatchery and monitoring and reporting violations (28) distributed across multiple facility types and core regulatory programs.

Monitoring and reporting program violations continue to dominate the types of violations Water Board staff is seeing. This quarter saw such violations distributed relatively evenly among deficient monitoring (8 violations), deficient reporting (6 violations), and late reporting (8 violations). The majority of these violations are associated with small to moderate size wastewater treatment facilities (15 facilities out of a total of 21 facilities). Addressing these types of violations is one of staff's recommended Enforcement Program priorities for 2020.

Staff will begin implementing a program in June 2020 to respond to a greater number of these violations. Initial staff response will be either a phone call or email to dischargers that have had monitoring and reporting violations during the past two reporting periods. Notices of Violation will be issued to those with a more chronic history of monitoring and reporting violations. Staff will follow up with formal enforcement for those dischargers who do not respond positively to the informal enforcement. It is important to improve compliance with monitoring and reporting requirements, as self-monitoring reports are the primary mechanism for evaluating compliance with waste discharge requirements.

### **Table of Pending Formal Enforcement Cases**

Please see Attachment K.

Attachments:

Attachment J – 4th Quarter 2019 Violations Table

Attachment K – Pending Enforcement Cases



CITY OF BISHOP /  
EASTERN SIERRA COMMUNITY SERVICE DISTRICT



Mr. Jehiel Cass  
Senior Water Resources Control Engineer  
Lahontan Regional Water Quality Control Board  
Victorville Branch Office  
15095 Amargosa Rd., Bldg 2 – Suite 210  
Victorville, CA 92394

April 15, 2020

RE: City of Bishop / Eastern Sierra Community Service District Collaborative Update

Dear Jay:

The following is intended to provide you with a brief update with respect to the status of salient collaborative efforts, related to wastewater treatment in the Bishop area, between the City of Bishop (City) and the Eastern Sierra Community Service District (District).

**Joint Powers Authority**

We are pleased to report that both the Bishop City Council and District’s Board of Directors have unanimously approved the Agreement that forms the Bishop Area Wastewater Authority Joint Powers Authority (JPA). Now, our agencies must complete the necessary legal and procedural steps to put the JPA into force. This JPA will mutually benefit both agencies’: environmental compliance, operations, economics, rate payers, and the ultimate goal of protecting groundwater quality. Given the current and projected unforeseeable conditions, the path to success for the JPA is likely to be neither quick nor straight-forward. We hereby request that the Lahontan Regional Water Quality Control Board and Staff recognize these challenges that are out of our control and support the JPA for all of our mutual benefits.

**Los Angeles Department of Water and Power (DWP) Possible Land Transfer**

Discussions with the DWP are in the final stages regarding a possible land transfer that will enable the City and District to more effectively jointly discharge treated effluent from our wastewater treatment plants. To consummate such a transfer, DWP has required that our agencies form a JPA. That requirement has now been met. We have been working with Resource Concepts, Inc (RCI) from Carson City, Nevada to have a third-party scientific evaluation of the land required for more effective use of discharged treated effluent through

improved irrigation practices and increased agronomic uptake of nitrogen from the discharged treated effluent.

We anticipate that the final amount and location of acreage to be transferred from DWP to the JPA can be agreed upon by the end of May.

**General Collaborative Efforts**

Collaboration between the City and the District exists not only at the executive level; it exists also at the staff level. Recently, City and District wastewater treatment staff have cross-trained on the operation of each other’s wastewater treatment plants. The objective of the cross-training was to assure knowledgeable and safe continuous plant operation in the event of reduced manpower due to illness or emergency. That is just one in a number of examples of our agencies’ staffs coming together to creatively and mutually solve problems and support each other.


In the more than 25 years that we have served our respective agencies there has never been a more positive and productive collaborative relationship between the City of Bishop and the District.


**Future Projects**

The City and District, under the JPA, are anticipating future integration of some aspects of the wastewater collection, treatment, and discharge of treated effluent systems. We expect to evaluate diversion of a portion of the District’s flow to the City’s plant. We also anticipate possible integration of pond capacity of both plants. As mentioned above, studies are in progress to evaluate more effective use of discharged treated effluent through improved irrigation practices and increased agronomic uptake of nitrogen from the discharged treated effluent. All of these improved practices come with a cost. Given the extreme economic challenges that will be faced by both the City and the District, and therefore the JPA, we once again request the Lahontan Regional Water Quality Control Board’s understanding and support as we navigate these uncharted waters.

\* \* \* \* \*

Respectfully submitted,

  
Deston Dishion  
Public Works Director  
City of Bishop

  
Walt Pachucki  
President, Board of Directors  
Eastern Sierra Community Service District

Transmitted via email  
cc: Sergio Alonso [Sergio.alonso@waterboards.ca.gov](mailto:Sergio.alonso@waterboards.ca.gov)  
Mark Lamus [Mark.lemus@waterboards.ca.gov](mailto:Mark.lemus@waterboards.ca.gov)

**EXECUTIVE OFFICER ACTION ITEMS**  
**MAY 2020 EO REPORT - MARCH 16, 2020 to APRIL 15, 2020**  
**Lahontan Regional Water Quality Control Board**

DOCUMENT	DATE SIGNED
<b>NO FURTHER ACTION REQUIRED *</b>	
NONE	
<b>401 WATER QUALITY CERTIFICATION</b>	
Board Order R6T-2020-0020, Clean Water Act Section 401 Water Quality Certification and Exemption to Waste Discharge Prohibitions, Alpine County	3/25/2020
Board Order No. R6V-2020-0018, Granting Clean Water Act Section 401 Water Quality Certification, Earthen Dike and Ditch Repair Project (1G740), San Bernardino County	3/30/2020
Board Order R6T-2020-0019, Clean Water Act Section 401 Water Quality Certification for Susanville Ranch Park Meadow Restoration Project, Lassen County	4/7/2020
Board Order R6T-2020-0020, Granting Clean Water Act Section 401 Water Quality Certification and Basin Plan Prohibition Exemption, Alpine County Culvert Rehabilitation and Replacement Project, Alpine County	4/8/2020
<b>WASTE DISCHARGE REQUIREMENTS</b>	
Adoption of California Environmental Quality Act Negative Declaration for General Waste Discharge Requirements for Limited Domestic Wastewater Treatment Systems	3/19/2020
General Waste Discharge Requirements for Limited Domestic Wastewater Treatment Systems	3/19/2020
Adoption Of California Environmental Quality Act Negative Declaration General Waste Discharge Requirements For Small Industrial Wastewater Treatment Systems	3/19/2020
General Waste Discharge Requirements for Small Industrial Wastewater Treatment Systems	3/19/2020
<b>EXEMPTIONS</b>	
Exemption to Waste Discharge Prohibition Below the Highwater Rim of Lake Tahoe for the 99 Chipmunk Foundation Repair Project, Kings Beach, Placer County	4/1/2020
COVID-19 Extension for First Quarter 2020 Residential Well Sampling – Stipulated Agreement for Replacement Water Supply, Green Valley Foods Products, Barstow, San Bernardino County	4/13/2020
<b>MISCELLANEOUS DOCUMENTS</b>	
Investigative Order No. R6T-2020-0005 for Inyo Crude Shell "Y" Mart, 1290 Main Street North, Bishop, Inyo County	3/19/2020
Corrective Action Order for a Well Destruction Work Plan and a Well Destruction Report Pursuant to Health and Safety Code Section 25296.10 Corrective Action Requirements, Laws Bulk Plant (Former)/Inyo Crude (Global ID: T0602700019), Inyo County (APN 010-190-04-00), USTCF Claim No. 8646	3/25/2020
Schedule Extension – Cleanup and Abatement Order R6T-2017-0022, Lake Tahoe Laundry Works, South Lake Tahoe, El Dorado County, Site Cleanup Program Case No. T6S043	4/3/2020

\* The Executive Officer finds the release of petroleum products at the following sites poses a low threat to human health, safety, and the environment. Therefore, these cases were closed in accordance with the Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closure (Resolution 2012-016). The Policy recognizes contaminant mass often remains after the investment of reasonable remedial effort and this mass may be difficult to remove regardless of the level of additional effort and resources invested. The establishment of the Policy is an effort to maximize the benefits to the people of the State of California through the judicious application of available resources.

**Additional links:**

General Policy information: [http://www.swrcb.ca.gov/ust/lt\\_cls\\_plcy.shtml#policy081712](http://www.swrcb.ca.gov/ust/lt_cls_plcy.shtml#policy081712)

Copy of Policy: [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0016atta.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf)

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/110612\\_6\\_final\\_ltcp%20imp%20plan.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/110612_6_final_ltcp%20imp%20plan.pdf)

**Attachment J**  
**4th Quarter 2019 Violations Table**

<b>Violation Category</b>	<b>Priority</b>	<b>County</b>	<b>Responsible Party</b>	<b>Facility</b>	<b>Violation Description</b>	<b>Corrective Action</b>	<b>Enforcement Action</b>
<b>Highlighted Violations - Monitoring &amp; Reporting</b>	B	Region-wide	Def. Monitoring (6 parties) Def. Reporting (6 parties) Late Reporting (8 parties)	Small to moderate size wastewater treatment facilities - (15 facilities/16 violations) Fish hatcheries - (3 facilities/3 violations) Land disposal facilities - (3 facilities/3 violations)	Deficient Monitoring (8 violations) Deficient Reporting (6 violations) Late Reporting (8 violations)	Three (3) of the twenty (20) Dischargers proposed or took corrective action.	Limited informal enforcement actions. (2 out of 22 violations).
<b>Water Quality Effluent Violations</b>	B	Mono San Bernardino San Bernardino	California Dept. of Fish and Wildlife Fort Irwin National Training Facility Victor Valley Wastewater Reclamation Authority (VWVRA)	Hot Creek Fish Hatchery Fort Irwin Wastewater Treatment Facility VWVRA Wastewater Reclamation Facility	Nitrate and flow (6 violations) Total coliform (7 violations) Total coliform (1 violation)	~Source water quality and permit requirements combining to produce violations. ~Operators discharged effluent to percolation ponds instead of making available for recycled water use. ~Violation thought to be caused by sample contamination during sampling. VWVRA staff has exercised additional care during sampling and no further exceedences have occurred.	~Time Schedule Order/ Permit Renewal/MMPs ~None ~None
<b>Water Quality Receiving Water (Groundwater) Violations</b>	B	Mono Inyo San Bernardino	Mutiple (5)	Landfill Facilities (3 facilities/3 violations) Colosseum Gold Mine USMC Yermo Domestic Wasterwater Treatment Facility	Arsenic, Sulfate, Nitrate, TDS, and VOCs Sulfate Pentachlorophenol, Bis(2-ethylhexyl) phthalate, and Benzo[a]Pyrene	~Two (2) out of three (3) landfill operators are working with WB staff to address causes of violations. ~Mine operator evaluating monitoring program revisions to account for localized changes in water quality. ~USMC personnel will be working with WB staff to implement corrective actions.	~Landfill and mining to be addressed through existing permit requirements per the Title 27-Land Disposal Regulatory Program . ~None ~None
<b>Stormwater Violations</b>	B	San Bernardino	Multiple (5)	Industrial Facilities Projects (5 facilities/5 violations)	Failure to recertify No Exposure Certification	None proposed by Dischargers to date.	Oral Communication by State Water Board staff for all five facilities. Water Board staff to follow up with Dischargers.



**Attachment K  
Pending Enforcement Cases  
April 21, 2020**

Facility	County	Enforcement Action	Current Status	Next Step
<b>Executive Officer</b>				
Tahoe Donner Association Equestrian Center	Placer	<b>Recission Order for CAO</b>	Public comments and compliance with all CAO requirements have been reevaluated.	Advisory Team preparing final recommendation for the CAO. <b>[April 2020]</b>
Desert View Dairy	San Bernardino	<b>Amended Cleanup and Abatement Order (CAO)</b>	Water Board and Discharger completed additional sampling as agreed to during the third quarter 2019.	Issue Water Code section 13267 Order to modify sampling requirements associated with the Desert View Dairy site. <b>[May 2020]</b>
City of Victorville	San Bernardino	<b>ACL Complaint issued - July 1, 2016.</b>	Settlement Agreement approved by Water Board at March 2020 Board meeting.	Oversee payment of ACL (\$750,000) to State Water Board and implementation of Supplement Environmental Project.



**Attachment K  
Pending Enforcement Cases  
April 21, 2020**

Facility	County	Enforcement Action	Current Status	Next Step
<b>Prosecution Team</b>				
Tahoe Keys Marina	El Dorado	<b>Expedited Payment Letter - Mandatory Minimum Penalty</b> re-issued on October 27,2016.	Discharger submitted request on November 16, 2016, to dismiss all penalties. Prosecution Team reviewed Discharger's request.	Prosecution Team preparing a revised MMP Expedited Payment letter with additional violations from the last three years. <b>[2nd Quarter 2020]</b>
Ramiro Villa Avila/ APN 3060-020-043 Pearblossom	Los Angeles	<b>CAO and ACL Complaint</b>	Preparing to release Proposed CAO for public comment period and preparing to issue ACL Complaint in response to waste discharges associated with unpermitted cannabis cultivation site.	Issue Proposed CAO for public comment. <b>[2nd Quarter 2020]</b> Issue ACL Complaint. <b>[2nd Quarter 2020]</b>
William Goldberg APN 3334-004-011 Hi Vista	Los Angeles	<b>CAO</b>	Preparing to release Proposed CAO for public comment period in response to waste discharges associated with unpermitted cannabis cultivation site.	Issue Proposed CAO for public comment. <b>[2nd Quarter 2020]</b>
West Walker River near Coleville	Mono	<b>ACL Complaint</b>	Preparing to issue ACL Complaint in response to unauthorized discharge of fill to West Walker River.	Issue ACL Complaint. <b>[2nd Quarter 2020]</b>

**Attachment K**  
**Pending Enforcement Cases**  
**April 21, 2020**

Facility	County	Enforcement Action	Current Status	Next Step
Bijou Marketplace	El Dorado	<b>ACL - Settlement</b>	Pending completion of settlement negotiations.	Release Proposed Settlement for public comment. <b>[2nd Quarter 2020]</b>
VWVRA	San Bernardino	<b>ACL - Settlement</b> (Mandatory Minimum Penalties)	Staff issued Notice of Violation/Record of Violations to VWVRA in preparation for settlement negotiations.	Complete settlement negotiations. <b>[2nd/3rd Quarter 2020]</b>
Susanville CSD	Lassen	<b>ACL - Settlement</b> (Mandatory Minimum Penalties)	Staff issued Notice of Violation/Record of Violations identifying complete set of violations in preparation for settlement negotiations with Susanville CSD.	Complete settlement negotiations. <b>[2nd/3rd Quarter 2020]</b>



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## Lahontan Regional Water Quality Control Board

### Status of Actions April 2020 PG&E Hinkley Chromium Contamination

#### Chromium Plume Boundary

The Fourth Quarter 2019 chromium plume maps can be viewed on GeoTracker at: [https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo\\_report/6574211835/SL0607111288.PDF](https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/6574211835/SL0607111288.PDF), and are Figures 5-1 through 5-6 of this report. In general, the Fourth Quarter 2019 maximum composite chromium plume contour lines compared to those of Third Quarter 2019 show slight decreases in some areas and slight increases in other areas. These changes are generally interpreted to reflect natural fluctuations of groundwater concentrations as remediation progresses, and not necessarily an indication that plume migration is occurring.

Previous quarters chromium plume maps are posted on the Water Board's Hinkley website at: [http://www.waterboards.ca.gov/lahontan/water\\_issues/projects/pge/index.shtml](http://www.waterboards.ca.gov/lahontan/water_issues/projects/pge/index.shtml), at the bottom of the page under the section titled "Other Documents and Information." The First Quarter 2020 plume map is due on May 10, 2020, consistent with the reporting due dates contained in Cleanup and Abatement Order No. R6V-2015-0068 (CAO).

#### Request to Expand In-Situ Remediation Zone Permitted Area

PG&E requested a revision to the In-Situ Remediation Zone (IRZ) permitted area under the existing Notice of Applicability (NOA) of General Waste Discharge Requirements, Board Order No. R6V-2008-0014. PG&E proposes to expand the IRZ areas as follows: 600 feet to the west for the Central Area; and 140 feet to the west and 650 feet to the north for the South-Central ReInjection Area. The proposal also includes changes to the sentry well monitoring network used to monitor for byproducts impacts from IRZ operations. These increased IRZ areas are conservative but would allow for future remedial expansion.

Expanding the permitted IRZ areas will require reissuance of the NOA. Water Board staff are also identifying areas where flexibility can be incorporated into the new NOA that would allow PG&E to implement adaptive management real-time as remediation progresses. PG&E is also requesting streamline reporting in the NOA, specifically a change from quarterly to semi-annual reporting, though quarterly monitoring will continue, and notifications of adverse conditions will remain unchanged. Water Board staff hope to release a draft NOA for public comment second quarter 2020.

### **Request for Plan to Define Chromium Plume Boundary**

In November 2018, Water Board staff required PG&E to address increasing chromium concentrations in groundwater along the southern and southeastern portion of the plume and to better define the chromium plume boundary in this area. PG&E submitted technical justification in February 2019 to continue to collect quarterly monitoring data from two extraction wells on the Compressor Station to evaluate the extent of hydraulic capture in those monitoring wells that are exhibiting increasing chromium concentrations.

Water Board staff accepted the technical justification for the continued use of existing wells to define the chromium plume boundary in a letter dated December 18, 2019. Based on preliminary review of Second and Third Quarter 2019 monitoring data, PG&E determined that there was no need to install additional monitoring wells; therefore, no work plan was prepared. PG&E documented the results of this evaluation and provided the rationale for why additional monitoring wells are not warranted in Section 5.5 of the “Fourth Quarter 2019 Groundwater Monitoring Report and Domestic Well Results Site-Wide Groundwater Monitoring Program” report, submitted to the Water Board on February 10, 2020. This report is available on GeoTracker at: [https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo\\_report/6574211835/SL0607111288.PDF](https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/6574211835/SL0607111288.PDF).

### **Other Remedial Actions**

PG&E submitted a “Request for Approval to Perform Pilot Test of Modified Groundwater Extraction for Lower Aquifer Remediation” on January 9, 2020. PG&E is requesting Water Board approval to perform a pilot test to evaluate if operation of the groundwater extraction wells EX-29, EX-30 and EX-37 should be changed to enhance chromium concentration reductions. This action is part of PG&E’s adaptive management for plume remediation. The proposed pilot test would be performed over an 18-month period that will involve turning off extraction wells EX-29, EX-30 and EX-37 in an attempt to enhance chromium concentration reductions at wells MW-92C and MW-100C where groundwater flow appears to be stagnating. Once enough information has been obtained, the findings will be summarized and recommendations for future Lower Aquifer remedial operations will be developed.

In a letter dated February 6, 2020, Water Board staff requested additional information and clarification regarding the current disposition of groundwater extraction wells EX-29 and EX-30 and data to support that progress of treatment at monitoring wells MW-92C and MW-100C, where stagnating groundwater is alleged. Water Board staff also solicited comments from the IRP Manager on the pilot study. In a letter dated March 28, 2020, the IRP Manager requested clarification on the criteria that will be used to turn groundwater extraction wells EX-29, EX-30 and EX-37 back on should chromium concentrations indicate an increasing trend and clarification on the “alternatives” being considered as part of the pilot study. PG&E has provided a response to both the Water Board and IRP Manager comments; those responses are being reviewed by Water Board staff.

## **Chromium Background Study**

In January 2020, preliminary draft chapters of the Hinkley Background Study Report were released for review to the Technical Working Group and concurrent with review through the United States Geological Survey's (USGS) internal process. The draft document comprises nine chapters of detailed and technical information on study methods, data collection, analysis, results, and conclusions. Water Board staff reviews of the preliminary draft document are complete, and our comments were submitted to the USGS's lead author, Dr. Izbicki, on April 1, 2020. It is Water Board staff opinion that the report represents a comprehensive and exhaustive effort of data collection and analysis and is a well-researched scientific approach to developing background values for the Hinkley and Water Valleys.

In 2019, the schedule for the release of the Final Report was extended one year to accommodate delays in the project schedule due to the 2018/2019 government shutdown, decelerated progress on updating a groundwater model, and completing data analysis. Currently, the Final Report is scheduled for completion and public release in late 2020. Water Board staff are keeping apprised on any changes to the Final Report release schedule due to the ongoing COVID-19 pandemic and will communicate any issues that arise in upcoming status reports.

## **Your Water Board Staff Contacts**

Water Board oversight of the PG&E Hinkley Chromium Cleanup project continues to be provided by staff in the Water Board's Victorville office, which is located at 15095 Amargosa Road, Building 2, Suite 210, Victorville, CA 92394. Your Water Board staff contacts are listed below. Please feel free to contact any of the Water Board staff listed should you need assistance.

Jan Zimmerman, Senior Engineering Geologist  
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Shelby Barker, Engineering Geologist  
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Lahontan Regional Water Quality Control Board  
15095 Amargosa Road, Building 2, Suite 210, Victorville, CA 92394  
(760) 241-6583, general number  
<https://www.waterboards.ca.gov/lahontan/>

[https://cawaterboards.sharepoint.com/RB6/Land Disposal VVL/PG&E/Status of Actions/PGE Status of Action\\_April 2020.docx](https://cawaterboards.sharepoint.com/RB6/Land Disposal VVL/PG&E/Status of Actions/PGE Status of Action_April 2020.docx)



**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**EXECUTIVE OFFICER'S REPORT  
MAY 2020 STANDING ITEMS**

The Water Board has requested regular reports on a number of programs and projects. The following table lists these standing reports, the reporting frequency and the dates the items are due.

ISSUE	FREQUENCY	DUE DATE
Cannabis Update	Annual	September
Climate Change Adaptation Strategy Update	Annual	May
County Sanitation Districts of Los Angeles – District No. 20, Palmdale	Annual	September
Grazing Update	Annual	July
Onsite Septic Systems	Annual	April
Salt & Nutrient Management Plans	Annual	May
Status of Triennial Review Projects	Annual	August
Status of Dairies	Annual	February
Status of Grants	Annual	June
City of Barstow Nitrate	Annual	March
City of Barstow Orphan Perchlorate	Semi-Annual	March September
Lake Tahoe Water Quality	Annual	December
Leviathan Mine	Semi-Annual	January July
Harmful Algal Blooms	Annual	November
Pacific Gas & Electric Company	Semi-Annual	June December
Quarterly Violations Report	Quarterly	January (3 <sup>rd</sup> quarter) – April (4 <sup>th</sup> quarter) – <b>May EO Report article #10</b> July (1 <sup>st</sup> quarter) October (2 <sup>nd</sup> quarter)

\*Water Board staff presentation