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## Lahontan Regional Water Quality Control Board

### MINUTES

**October 6-7, 2021**

The Lahontan Regional Water Quality Control Board (Water Board) conducted this meeting using Video and Teleconference as shown below:

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

#### Water Board Members

Peter C. Pumphrey, Chair, Chalfant  
Amy Horne, Ph.D., Truckee  
Keith Dyas, Rosamond

Eric Sandel, Vice-Chair, Truckee  
Kimberly Cox, Helendale  
Essra Mostafavi, Bishop

#### State Water Board

Elizabeth Beryt, Office of Chief Counsel

Nichole Morgan, State Water Board Liaison

#### Water Board Staff

Mike Plaziak, Executive Officer  
Ben Letton, Assistant Executive Officer  
Amanda Lopez, Engineering Geologist  
Brian Judge, Engineering Geologist  
Dan Sussman, Sr. Environmental Scientist  
Trevor Miller, WRC Engineer  
Mike Suglian, Scientific Aid

Scott Ferguson, Supervising WRC Engineer  
Patrice Copeland, Supervising Engineering Geologist  
Jan Zimmerman, Sr. Engineering Geologist  
Mary Fiore-Wagner, Sr. Environmental Scientist  
Robert Tucker, Sr. WRC Engineer  
Katrina Fleshman, Executive Assistant

[View the full Agenda and listen to the audio of this meeting](#)

**REGULAR MEETING: Wednesday, October 6, 2021, @ 10:00 a.m.**

#### **CALL TO ORDER AND INTRODUCTIONS**

Chair Pumphrey called the meeting to order at 10:00 a.m. and discussed procedures to adhere to the Governor's Executive Order during this COVID-19 emergency, the meeting will be video and teleconference only with no in person attendance. Chair Pumphrey introduced Travis with AGP Video and asked Travis to give direction to the public that wish to speak.

Chair Pumphrey introduced the Water Board Members, Water Board staff and State Water Board staff.

## 1. PUBLIC FORUM

No public comment

## 2. MINUTES

Motion: Moved by Member Dyas, seconded by Member Dr. Cox to approve the June 16, 2021, meeting Minutes as presented. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

Chair Pumphrey	Aye
Vice-Chair Sandel	Aye
Member Dr. Cox	Aye
Member Dyas	Aye
Member Dr. Horne	Aye
Member Mostafavi	Aye

[View the adopted June 16, 2021, Amended Meeting Minutes](#)

## 3. REPORTS BY WATER BOARD CHAIR AND WATER BOARD MEMBERS

Member Dr. Cox spoke regarding illegal marijuana grows in the South Lahontan Region and the Colorado region. Member Dr. Cox indicated PBS will be showing footage on this and encourages staff to watch.

Member Dr. Horne reported that she received a grant from the Forest service to write a report on the climate change and effects on the Forrest.

Eric Sandel mentioned he saw an article about drones being used to replant trees in the Forrest and encourages staff to read it.

Chair Pumphrey, indicated at the last Chairs meeting there was an update on State Board's preparation of integrated reports and the process of displaying the report. Chair Pumphrey stated the next WQCC meeting is set for October 21-22, 2021. State Board will be organizing a meeting with the Assistant EO's on a regular schedule.

Nichole Morgan introduced herself as the Lahontan State Board Liaison and indicated the State Board Drought website provides information on drought assistance for households, small water systems and counties. On September 21st, Carly Nieman director of DWR and our, US Bureau of Reclamation Director, provided a drought update at the statewide board meeting. The recording of the meeting is now available on the State Water Board website. In September, the Governor signed SB 155, which extends the watershed moratorium from September 30th, 2021 to December 31st, 2021. Also last month, the Governor signed AB 3601, which suspends the requirements of the Bagley Keen open meeting act for teleconferencing through January 31st, 2022.

## 4. EXECUTIVE OFFICER'S REPORT

The Executive Officer, Michael R. Plaziak, provided an update to the Water Board and public on key actions and activities in the Lahontan region, including the items below.

- a. Personnel Report/Update on filling vacancies.
- b. Leviathan Mine update.

Scott Ferguson, Supervising WRC Engineer, gave update on the First Quarter Violations Report.

**5. \*RESCISSION OF WATER RECYCLING REQUIREMENTS BOARD ORDER NOS. R6V-2003-0028 (INCLUDING 2003-0028A1) AND R6V-2009-0138 FOR THE VICTOR VALLEY WASTEWATER RECLAMATION AUTHORITY; HIGH DESERT POWER PROJECT; AND CITY OF VICTORVILLE, WESTWINDS GOLF COURSE**

Water Board staff asked the Water board to consider rescinding individual Water Reclamation Requirements (WRRs) for the use of recycled water at the High Desert Power Project and City of Victorville's Westwinds Golf Course.

NO PUBLIC COMMENT

Motion: Moved by Member Sandel, seconded by Member Dr. Horne to rescind the individual Water Reclamation Requirements (WRRs) for the use of recycled water at the High Desert Power Project and City of Victorville's Westwinds Golf Course. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

Chair Pumphrey	Aye
Vice-Chair Sandel	Aye
Member Dr. Cox	Aye
Member Dyas	Aye
Member Dr. Horne	Aye
Member Mostafavi	Aye

**6. TRIENNIAL REVIEW WORKSHOP**

Water Board staff, Daniel Sussman, provided presentation on the water quality standards and, as appropriate, modifying and adopting standards contained in the Basin Plan. Water Board staff indicated the purpose of the Triennial Review is to identify and prioritize key Basin Plan issues that will guide Basin Planning efforts for the following three years. Including a status report of basin planning projects prioritized in the 2018 Triennial Review. Identifying new and existing basin planning needs. Water Board staffed provided the Water Board with an unprioritized Triennial Review list of projects to be considered by the Water Board at a subsequent public hearing in November 2021.

WATER BOARD COMMENT

Member Dr. Cox, during the last Triennial review, Water Board staff considered thirteen review projects. Where are we at on these? Mr. Sussman discussed the slides that address Dr. Cox's question and indicated later today you will receive more information from Water Board staff, Laurie Scribe. Member Dr. Cox gave her input on what she felt was most important to consider as a priority.

Member Dr. Horne, asked if we look at all identified issues with the Basin Plan, how long will it take to address all the issues. Mr. Sussman indicated 50% could be accomplished in the next twelve years. Member Dr. Horne feels Lahontan needs a long-term strategy and would like to know how much on the list can be accomplished in the next three years. Member Dr. Horne suggested developing some criteria for streamlining the Basin Planning process.

Member Dr. Horne stated that Lahontan needs to develop a long-range strategy for updating, streamlining and amending the Basin Plan. Water Board staff, Mr. Sussman replied it would be possible to determine how 50% of the current workload could be accomplished in the next four cycles of the Triennial review. Member Dr. Horne commented she would like to see a hybrid approach used by the San Francisco and San Diego boards. Similar to San Francisco, use numeric criteria to prioritize projects and like San Diego only

put on the Triennial Review list what can be accomplished in the next three-year cycle. Member Dr. Horne went on to say there are several projects on the list that are related to our Climate Change policy statements. Member Dr. Horne suggested that it would be good to articulate criteria for establishing site-specific water quality objectives because setting too many could conflict with our goal of streamlining the Basin Plan and regulatory consistency.

Member Sandel asked if the Mono Lake Committee can do a report at the next meeting. Geoffrey McQuilkin, from Mono Lake Committee replied he can coordinate with Water Board Staff. Mr. Plaziak further indicated that he can work with State Board to also see if Lahontan can pull someone in from the Water rights to talk about the issue.

Member Sandel further stated he likes the 34-item list; items 33 in particular, and from the proposed 2018 Triennial Review list he likes the idea of moving 14 and 15 Water quality Objectives for Lake Tahoe Nearshore and biological indicators to above the line.

Member Dyas likes the direction this is headed and sees that his prior recommendations have been considered.

Member Mostafavi recommended the San Francisco method of a weighted scoring scheme, and would like to bring attention to items 1, 2, 4, and eight.

Chair Pumphrey, suggested Water Board staff to make obvious changes to Basin Plans, if they are small errors, as it comes up without having to come up with a formal Basin Plan process for such errors. Chair Pumphrey further directed this suggestion to Counsel Beryt.

#### PUBLIC COMMENT

Charlotte Lange, Mono Lake Kutzadika Tribe

Dean Tonenna, Mono Lake Kootzaduka Tribe

Clay Murray, Mammoth Community Water District

Tess Dunham, Kahn Soares & Company, representing Centennial Livestock and Community Water District

Garrett Higerd, Mammoth Community Water District

Geoff McQuilkin, Executive Director, Mono Lake Committee

Bartshe Miller, Mono Lake

Wendy Schneider, Friends of the Inyo

#### THE WATER BOARD TOOK A BREAK FROM 12:40PM TO 1:30PM

### 7. LAKE TAHOE WATER CLARITY AND LAKE TAHOE MUNICIPAL STORM WATER PERMIT (ORDER R6T-2017-0010) UPDATE

#### First presentation:

Water Board staff, Mary Fiore-Wagner gave overview of this item, and introduced Brian Judge, who provided an update of efforts to evaluate and restore Lake Tahoe's deep-water transparency.

Second presentation:

Robert Larson, from California Natural Resources Agency, gave presentation on the Tahoe Science Advisory Council's role in evaluating conditions affecting Lake Tahoe's clarity, and future renewal of Waste Discharge Requirements and NPDES Permit for Storm Water.

Third presentation:

Mary Keller, Placer County Department of Public Works, gave a presentation of the Urban Runoff Discharges from Placer County within the Lake Tahoe Hydrologic Unit (Lake Tahoe Municipal Storm Water Permit) which expires on March 9, 2022.

Fourth presentation:

Brenden Ferry, Deputy Director, of El Dorado County, Tahoe Planning and Stormwater Division, gave presentation on winter road operations and what is used to protect public safety and water quality during the winter season.

Fifth presentation:

Jason Burke, City of Lake Tahoe, Public Works Department gave presentation on Road Operations, sweeping and trash compliance.

Closing presentation:

Water Board Staff, Mr. Judge stated to Water Board that the Staff Recommendations for the permit update is as follows: Minor Renewal, 1) Update Dates, 2) Update Lake Clarity Credits, 3) Update Tables and Figures. And recommended timeline(s), 1) October 2021 - Pollutant Load Reduction Plans Proposed, 2) January 2022 - Permit circulated for public comment, 3) March 2022 – Water Board hearing to consider permit adoption.

## QUESTIONS/COMMENTS BY THE WATER BOARD

Member Sandel asked Mr. Larsen when the revised model will be in use. Mr. Larsen replied within the next five years he feels we will be able to run scenarios and use that tool to ask the question when we develop the TMDL.

Member Dr. Horne asked if Mr. Larsen anticipates that the next five-year increment of the municipal permit will have the same percentage decrease from baseline that Water Board anticipated when they first started this program. Mr. Larsen replied he does not feel there is any information to suggest that the target will change at this time.

Member Sandel asked Ms. Keller if Placer County is replacing the cartridge filters periodically, and how do they know when they need to be replaced. Ms. Keller replied when staff go to do their regular maintenance, the cartridges are checked and if they need replacing, they get replaced.

Keith Dyas asked Ms. Keller how difficult it is to remove sediment from the infiltration features that are rock lined. Ms. Keller replied sometimes they get pine needles in them and they use a vacuum and they work just fine after.

## PUBLIC COMMENTS

Jason Kuchnicki, Nevada Division of Environmental Protection.

Laura Patten, League to Save Lake Tahoe.

Jacques "Jack" Placer County Public Works Department

## 8. CLIMATE CHANGE ACTION PLAN ANNUAL UPDATE

Water Board Staff, Laurie Scribe presented the annual update to the Board summarizing progress made in implementing the Climate Change Action Plan and Resolution R6T-2019-0277, Climate Change Mitigation and Adaptation Strategy.

NO DIRECTION BY THE WATER BOARD

## Adjournment

**REGULAR MEETING: Thursday, October 7, 2021, @ 9:00 a.m.**

### CALL TO ORDER AND INTRODUCTIONS

Chair Pumphrey called the meeting to order at 9:01 a.m. and discussed procedures to adhere to the Governor's Executive Order during this COVID-19 emergency, the meeting will be video and teleconference only with no in person attendance. Chair Pumphrey introduced Travis with AGP Video and asked Travis to give direction to the public that wish to speak.

Chair Pumphrey introduced the Water Board Members, Water Board staff and State Water Board staff.

## 9. PUBLIC FORUM

Pippin Madder spoke regarding TTSA issues.

## 10. STATUS REPORT ON CLEANUP ACTIVITIES CONCERNING CHROMIUM CONTAMINATION FROM PACIFIC GAS AND ELECTRIC COMPANY'S (PG&E'S) HINKLEY COMPRESSOR STATION

### First Presentation:

Water Board staff, Amanda Lopez, spoke on actions taken during the past year and planned for this year for chromium contamination cleanup in Hinkley such as cleanup and remediation efforts, the chromium background study, and community outreach efforts.

### Second Presentation:

Iain Baker, PG&E representative, gave presentation and update on the progress on the plume protection of local water supplies, both the elevation and quality and some of the technical challenges that PG&E has been facing. Mr. Baker also gave an update on the Groundwater Remediation Program.

### Third Presentation:

Kevin Sullivan, PG&E representative gave presentation on the Agricultural Treatment Unit (ATU) system in Hinkley, California and presented potential options for addressing remedial byproducts.

Fourth Presentation:

Dr. Raudel Sanchez, IRP Manager, gave presentation regarding updates on the outreach program for the PG&E Groundwater Remediation Program.

## QUESTIONS/COMMENTS BY WATER BOARD

Member Dr. Cox asked Water Board staff, Amanda Lopez, about a status on the cleanup continuum regarding her statement on slide 17 *“no later than 10 years prior to the conclusion of the remediation project.”* Ms. Lopez replied the first goal is PG&E is required to reach and maintain 50 parts per billion, hexavalent and total chromium and 90% of the plume by December 31st, 2025. PG&E has a second goal to reach and maintain 10 parts per billion chromium, hexavalent and total an 80% by December 31st, 2032 and the last goal is to reach and maintain background levels. PG&E representative, Kevin Sullivan, explained more in his presentation.

Member Dyas asked Ms. Lopez, what the purpose is for a groundwater drawdown byproduct. Ms. Lopez replied we can't force someone to refill an aquifer that was affected by drought. However, PG&E is required to provide replacement water to anyone who's been affected by their remediation project.

Member Dr. Horne asked Water Board staff, Jan Zimmerman, what additional data would staff like to see that would give assurance that PGE is in compliance with the WDR. Ms. Zimmerman replied would like to see vadose zone data to verify that the ATU's are reducing the TDS and the nitrate concentrations, as the models seem to suggest.

Member Mostafavi asked Ms. Lopez to explain further, slide 12, to help her understand how Water Board is proposing to uptake the hexavalent chromium rather than just keep it from migrating to the west. Ms. Lopez replied PGE's strategy is not only to prevent the migration, but they are also treating the hexavalent chromium through extraction and application to the agricultural treatment units. And part of it is not allowing this plume to migrate any further than the footprint that was established in the 2015 clean up and abatement order.

Member Mostafavi asked Mr. Baker to explain within the EIR, what are the environmental implications, and the human health implications, of dairy cows and using these fodder crops for the dairy? Mr. Baker replied there has never been a detection of hexavalent chromium in those fodder crops.

Member Sandel asked Mr. Sullivan if slide seven shows possible future sites or is that now superseded by events. Mr. Sullivan replied the thing that has worked very well with this permit is it gives us areas where we have approval to go modify and use adaptive management tools.

Member Dr. Cox stated the residents along Community Boulevard mentioned that their domestic well is out of water. Dr. Cox asked Mr. Baker if any of the PG&E activities are negatively impacting those domestic wells. Mr. Baker replied PG&E has some freshwater extraction in that area and that provides water to the compressor station, but including all PG&E's pumping north of there, that still would not affect the wells. Mr. Baker further stated without any recharge from the Mojave River, that is the area with the most dramatic impacts.

Chair Pumphrey asked Water Board staff to give Water Board members a sense of what the Water Board is being asked to do today. Chair Pumphrey further asked staff in order to bring resolution to this, what are Water Board members going to be asked to do in the future? Can staff also give Water Board members a sense of when Water Board members might be asked to do that? Mr. Plaziak indicated what Water Board staff is asking for the board to do today is consider the Farm Swap and give feedback. Chair Pumphrey asked to clarify the concept "*consider this*" is not consider as in give an approval to, rather it's "*consider*" as in we think this is something that ought to be pursued and Water Board members agree to continue to have these discussions. Mr. Plaziak indicated that is a correct statement. Mr. Plaziak further indicated maybe looking at two to three years from now, before we see a revised WDR.

Member Dr. Cox suggested Water Board staff have a workshop so that Water Board members can hear more on this issue from staff and the subject matter experts, such as Mr. Sullivan.

Member Dr. Horne feels at the basin level, this is a reasonable approach and worth further discussions between PG&E and the staff.

Member Sandel stated he agrees with PG&E proposal. Member Sandel asked what if the Water Board were to demand of any agricultural activity that crops had to be irrigated at agronomic rates only, and would that not prevent TDS contamination and nitrogen contamination, because everything would be taken up into the crop and nothing left over to head towards the aquifer? Ms. Lopez replied PG&E does irrigate their fields at agronomic rates.

Chair Pumphrey requested that Lahontan set a Workshop to address what the Water Board would need to ask of PG&E in terms of information, data and supportive evidence, and to further investigate the issues that's been raised, so that Water Board may have a clearer exploration of how broad of a decision the Water Board needs to make, when does Water Board need to make it, and what are the alternatives.

## 11. CLOSED SESSION

The Water Board did not go into Closed Session

## ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 1:45 p.m. on October 7, 2021.

Prepared by: \_\_\_\_\_ Adopted: \_\_\_\_\_  
Katrina Fleshman, Water Board Clerk