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## Lahontan Regional Water Quality Control Board

### MINUTES

**June 8-9, 2022**

The Lahontan Regional Water Quality Control Board (Water Board)  
conducted this meeting at the location shown below:

Hampton Inn  
2710 Lenwood Road, Barstow, CA 92311

And

Via Video and Teleconference (For public commenters)

#### Water Board Members

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

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  
Robert Tucker, Sr. WRC Engineer  
Amanda Lopez, Engineering Geologist  
Jennifer Watts, Environmental Scientist  
Sergio Alonso, WRC Engineer  
Cathe Pool, Sr. WRC Engineer  
Trevor Miller, WRC Engineer  
Jeff Brooks, Sr. Engineering Geologist  
Katrina Fleshman, Executive Assistant

Scott Ferguson, Supervising WRC Engineer  
Patrice Copeland, Supervising Engineering Geologist  
Andrew Jensen, Environmental Program Mgr.  
Dan Sussman, Sr. Environmental Scientist  
Jan Zimmerman, Sr. Engineering Geologist  
Ghasem Pour-Ghasemi, Sr. WRC Engineer  
Kerri O'Keefe, Engineering Geologist  
Molina Hauv, Engineering Geologist  
Mary Fiore-Wagner, Sr. Environmental Scientist  
Angelica Soto, Board OT

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

**REGULAR MEETING: Wednesday, June 8, 2022, @ 2:30 p.m.**

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

Chair Pumphrey called the meeting to order at 2:35 p.m. and discussed procedures for in-person and video and teleconference meeting. Chair Pumphrey introduced AGP Video and gave 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 comments.

## 2. MINUTES

Motion: Moved by Member Cox, seconded by Member Dr. Horne to approve the May 11, 2022, 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 Dr. Horne	Aye
Member Dr. Cox	Aye
Member Dyas	Aye
Member Mostafavi	Aye

[View the adopted May 11, 2022, Meeting Minutes](#)

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

State Board member Nichole Morgan gave updates to the Water Board. Indicating the State Board has passed emergency regulations and discussed drinking water needs assessment.

Member Dr. Horne indicated at the Chairs meeting they discussed updates of activities on the State level, including a Press Release for Emergency Water Conservation Regulation. During the Chairs meeting, members were introduced to a new communications team. Dr. Horne reiterated Ms. Morgan's comments regarding the drinking water needs assessment. Dr. Horne stated the next WQCC is set for October 17-28, 2022.

Water Board Chair, Pete Pumphrey, mentioned he would like the Water Board staff to set up a workshop with Inyo/Mono to discuss State Board Division of Finance funding sources for water purveyors and wastewater treatment operators. Char Pumphrey also stated on the topic of wildfires, the Water Board should be proactive on activities the Water Board can be a part of. Chair Pumphrey hopes to discuss this at the next WQCC meeting.

## 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/Introduced new staff and returning staff members. And discussed new Water Board vacancies to be filled.
- b. Water Board Staff, Scott Ferguson's pending retirement, and his accomplishments with Water Board.

## 5. REVISED WASTE DISCHARGE REQUIREMENTS AND MONITORING AND REPORTING PROGRAM FOR LOS ANGELES COUNTY SANITATION DISTRICT NO. 14, LANCASTER WATER RECLAMATION PLANT

Water Board staff asked the Water Board to move the Revised Waste Discharge Requirements (WDRs) permit for the Los Angeles County Sanitation District (LACSD) Lancaster Water Reclamation Plant (Lancaster WRP) to the uncontested calendar and adopt the Revised WDRs permit for the LACSD Lancaster WRP.

Motion: Moved by Member Dr. Cox, seconded by Member Dr. Horne to adopt the Revised WDRs permit for the LACSD Lancaster WRP as presented. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

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

**6. \*RESCISSION OF WASTE DISCHARGE REQUIREMENTS, BOARD ORDER NO. 6-96-155, FOR AMARGOSA OPERA HOUSE, INC.**

Water Board staff, Molina Hauv, Engineering Geologist, asked the Water Board to consider rescinding waste discharge requirements for an open sewage pond system, which has been replaced by a conventional septic tank system overseen by Inyo County staff under the Inyo County Local Area Management Plan.

Motion: Moved by Member Dr. Cox, seconded by Member Dr. Horne to rescind the Waste Discharge Requirements for an open sewage pond system, as presented. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

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

**7. BASIN PLAN AMENDMENT TO CLARIFY BENEFICIAL USES FOR THE MOJAVE RIVER, UPDATE SITE CLEANUP, LAND DISPOSAL, AND BISHOP UNDERGROUND TANK POLICY SECTIONS, AND OTHER EDITORIAL REVISIONS**

The Lahontan Water Board staff, Jennifer Watts, held a public hearing to consider a proposed resolution adopting an amendment to the Water Quality Control Plan for the Lahontan Region to Clarify Beneficial Uses for the Mojave River, Update Site Cleanup, Land Disposal, and Bishop Underground Tank Policy Sections, and other editorial Revisions. Ms. Watts presented an overview of the necessity for the Basin Plan Amendment, the proposed changes to the Basin Plan and next steps in the Basin Plan Amendment process.

**COMMENTS BY WATER BOARD**

Member Dr. Horne acknowledged the importance of updating the Basin Plan to improve customer service and would love to hear feedback from Water Board staff on how they may streamline the Basin Plan.

Member Dr. Cox asked if there is a procedure for a wholesale review of the Basin Plan at the Regional Board level. Ms. Watts indicated there is not an established procedure for that, however the Triennial Review provides an opportunity for Board members to suggest changes to the Basin Plan. Member Dr. Cox would like to see the Cold Beneficial Uses for the Mojave River more accurately described in the Basin Plan. Ms. Watts indicated that is something that could be addressed in the future.

Motion: Moved by Member Mostafavi, seconded by Member Dyas to adopt the proposed resolution adopting an amendment to the Water Quality Control Plan for the Lahontan Region to Clarify Beneficial Uses for the Mojave River, Update Site Cleanup, Land Disposal, and Bishop Underground Tank Policy Sections, and other Editorial Revisions, as presented. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

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

## 8. GENERAL WASTE DISCHARGE REQUIREMENTS FOR IN-SITU AND EX-SITU GROUNDWATER REMEDIATION PROJECTS

### a. Resolution for Adoption of the California Environmental Quality Act Negative Declaration for General Waste Discharge Requirements for In-Situ and Ex-Situ Groundwater Remediation Projects

Water Board staff, Kerri O'Keefe, Engineering Geologist, gave presentation and asked the Water Board to consider adopting a resolution for adoption of a Negative Declaration.

#### COMMENTS BY WATER BOARD

Member Dr. Horne asked Water Board staff to investigate Biochar produced from firetrees removed during forest thinning as a source of granular carbon during ex-situ remediation.

Motion: Moved by Member Dr. Horne, seconded by Member Dr. Cox to adopt the resolution for adoption of a Negative Declaration, as presented. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

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

### b. General Waste Discharge Requirements for In-Situ and Ex-Situ Groundwater Remediation Projects

Water Board held a public hearing to receive public comments and consider adopting the General Waste Discharge Requirements for In-Situ and Ex-Situ Groundwater Remediation Project.

Motion: Moved by Member Dr. Cox, seconded by Member Dyas to adopt the General Waste Discharge Requirements for In-Situ and Ex-Situ Groundwater Remediation Project, as presented. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

Chair Pumphrey	Aye
Vice-Chair Dr. Horne	Aye

Member Dr. Cox	Aye
Member Dyas	Aye
Member Mostafavi	Aye

14. The Water Board went into Closed Session after Item #8, at 4:00 p.m. to 4:16 p.m. on Wednesday, June 8, 2022

WATER BOARD TOOK A BREAK FROM 4:16PM TO 7:00PM

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

Amanda Lopez, Water Board staff, presented the annual status update on chromium contamination cleanup remediation efforts in Hinkley, an update on the chromium background study, and community outreach efforts.

Iain Baker, PG&E representative, presented an update on the progress of chromium cleanup using adaptive management of remediation systems, technical challenges PG&E has encountered with remediation, and next steps to resolve some of the technical challenges.

Kevin Sullivan, PG&E representative, spoke to the use of agricultural treatment for chromium remediation and the use of the proposed basin-wide approach, Farm Swap, and Low Energy Precision Application (LEPA), to satisfy the requirements of the Final Environmental Impact Report Mitigation Measure WTR-MM-4.

Dr. Raudel Sanchez, Independent Review Manager, provided a report out on the outreach and technical services provided to the Hinkley community

**COMMENTS BY THE WATER BOARD**

Member Mostafavi asked about the remedial timeframe PG&E would find reasonable.

Member Dr. Cox asked if PG&E has looked into "pump and treat" as a method of remediation in lieu of the Agricultural Treatment Units (ATUs) to increase aquifer water levels from pump and treat return flows. Mr. Baker indicated that as of now, they have not considered it. However, Mr. Baker estimated that PGE pumps approximately 2,800 acre-feet per year for remediation purposes and the ATUs provide approximately 20% return flow to the aquifer. Member Dr. Cox also expressed concern with drought conditions, declining aquifer water levels, and 100% consumptive use of groundwater using agriculture for remediation. Dr. Cox proposed staff evaluate the "pump and treat" remediation in lieu of agricultural treatment. Member Dr. Cox also asked Dr. Sanchez if he had heard about domestic drinking water wells on Community Blvd running dry within the last year. Dr. Sanchez stated that wells with low water levels were found mostly in the northern part of Hinkley north of Highway 58.

Member Dr. Horne stated that PG&E should keep their options open to respond to whatever happens in the future and suggests conversations with staff.

Member Mostafavi would like to see the Water Board prioritize remediation options.

Board Chair Pumphrey encouraged Mr. Sullivan to sit down with Water Board staff and clarify what he is trying to accomplish.

## ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 9:43 p.m. on June 8, 2022.

### **REGULAR MEETING: Thursday, June 9, 2022, @ 8:30 a.m.**

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

Chair Pumphrey called the meeting to order at 8:30 a.m. introduced Jeremy with AGP Video and gave direction to the public that wish to speak.

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

#### **10. PUBLIC FORUM**

No public comments.

#### **11. PUBLIC HEARING – NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND WASTE DISCHARGE REQUIREMENTS PERMIT FOR BASELOAD POWER WENDEL, LLC, WENDEL GEOTHERMAL POWER PLANT, LASSEN COUNTY**

Water Board staff, Trevor Miller, held a public hearing to receive public comments and consider adopting an individual NPDES Permit for the discharge of geothermal fluids to surface waters in the Susanville Hydrologic Unit.

#### **COMMENTS BY WATER BOARD**

Member Mostafavi asked Water Board staff to investigate Boron issues. Member Mostafavi also indicated that there is not enough information on this NPDES Permit and to address public concerns, she would like to postpone this until more research and information is brought back to the Water Board.

Member Dyas agrees with Member Mostafavi and indicated that if she is making a motion to postpone this, he will second.

Member Dr. Cox asked Legal Counsel, Elizabeth Beryt to clarify Water Board's responsibility when determining this permit. Ms. Beryt indicated our main goal is Water Quality.

Member Dr. Cox indicated she would like to see more Water Quality requirements

Member, Dr. Horne, stated she is not inclined to approve this permit today as written. Member Dr. Horne agrees with Member Mostafavi that this should not be approved, but would like to deny the permit, not postpone.

Member Dr. Horne would like to see more clarity of the condition of the well. Also sampling and frequency of sampling must be efficient to know that the contamination is not happening.

Chair Pumphrey agrees with Board members that this permit should be postponed with direction by the Water Board on how to bring it back to the Water Board.

Member Mostafavi made a motion to postpone the vote and seek further information. Further stating she would like the staff to evaluate the hydrocarbon issue and their effect on wildlife, as well as water quality implications.

Member Dr. Cox would like to know the primary agency with responsibility for permitting a project like this. If the system is closed, does that make it a more sustainable resource? Dr. Cox also asked who the other partner agencies are in overseeing this facility? And if the facility needs upgrading. Member Dr. Cox would also like staff to consider water quality parameters for well production constituents.

Chair Pumphrey asked for more information on hydrocarbons as part of the constituents of discharge. Mr. Pumphrey also indicated the operations as proposed constitutes waste of resources. Chair Pumphrey asked if Water Board has jurisdiction over an inefficient use of a water resource.

Water Board Executive Officer, Mr. Plaziak, asked the Board to clarify their concerns regarding hydrocarbons. Is the Board concerned about hydrocarbons in the discharge or is the Board concerned about hydraulically pulling hydrocarbons from another source into the source aquifer for the project?

Motion: Moved by Member Mostafavi, seconded by Member Dyas to postpone the individual NPDES Permit for the discharge of geothermal fluids to surface waters in the Susanville Hydrologic Unit, until the Water Board's direction is addressed, and more information can be presented to the Water Board. Chair Pumphrey called for a roll call vote and the motion carried per the following votes:

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

**12. FY 21/22 ACCOMPLISHMENTS AND FY 22/23 STRATEGIC PLAN**

Water Board Executive Officer, Michael Plaziak, discussed the region's accomplishments on the Lahontan Region Action Plan over the past year and the strategic plan for the next fiscal year.

Water Board staff, Scott Ferguson, Supervising WRC Engineer, presented the Regulatory and Cleanup Division strategic narrative for FY 22/23. Mr. Ferguson also presented on the challenges and progress for 21/22, and the division objectives.

Water Board staff, Andrew Jensen, Environmental Program Manager, presented on the Compliance and Planning Division's objectives for the upcoming fiscal year.

Water Board staff, Jan Zimmerman, Senior Engineering Geologist, presented on the South Lahontan Basin Division's accomplishments, strategic narrative, and division objectives.

Water Board Assistant Executive Officer, Ben Letton, presented the FY 21/22 accomplishments, organizational resources, and both 21/22 and 22/23 performance targets.

Water Board Executive Officer, Mr. Plaziak, closed the presentation with a summary of the organizational outlook for 22/23.

**13. WATER BOARD ANNUAL ENFORCEMENT UPDATE**

Water Board staff, Scott Ferguson, Senior WRC Engineer, presented a summary of violations and enforcement activities for the 2021 and prior calendar years and discuss priorities for the upcoming 2022/2023 fiscal year.

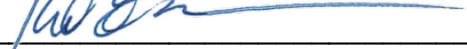
David Boyers, Assistant Chief Counsel for the Office of Enforcement, presented on the statewide enforcement priorities and initiatives. Mr. Boyers also indicated there is a Water Quality Enforcement Update Policy that is a five-year review coming to the board in May of 2023 for adoption with the final in November 2023

**14. CLOSED SESSION**

The Water Board entered Closed Session at 5:00 p.m. on Wednesday, June 8, 2022. However, the Water Board did not go into Closed Session on Thursday, June 9, 2022.

**ADJOURNMENT**

With no further business to come before the Water Board, the meeting adjourned at 1:06 p.m. on June 9, 2022.

Prepared by:  Adopted: September 14, 2022  
Katrina Fleshman, Water Board Clerk