

State of California
California Regional Water Quality Control Board
Colorado River Basin Region

MINUTES OF BOARD MEETING
Thursday, May 21, 2009, 10:00 a.m.
City of La Quinta
City Hall Council Chambers
78-495 Calle Tampico
La Quinta, CA 92253

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by the Chair Ellen Way at 10:08 a.m. on May 12, 2009 in the City Council Chambers, City of La Quinta, California.

Roll Call (Board Members Only)

Board Members Present:

Tom Davis, Jeff Hays, Red Martinez, Edward Muzik (telephonic), and Ellen Way. The Board Secretary stated that a quorum was present. John Edney and Rick Post were absent.

Staff Present:

Adnan Al-Sarabi, Jose Angel, Terry Barnes, Mary Castañeda, John Carmona, Kai Dunn, Herb Jackson, Robert Perdue, Cliff Raley, Maribel Rodriguez, Jon Rokke, Jennie Snyder, Hilda Vasquez, Doug Wylie.

Others Present:

Debra Beck, Senator John J. Benoit
Michael Bogart, IID Energy
Bob Doss, PG&E
Arturo Estrada, City of Clexico
Troy Elliott, Wm. Bolthouse Farms
Bob Lucas
William Maitland, MRMTEL
Mike Pollacil, GSWC
Ivory Stark, Coachella Valley Water District
Michael Taylor, IID Energy
Tom Vandenberg, Office of the Chief Counsel, SWRCB
Mayumi Okamoto, Office of the Chief Counsel, SWRCB

Minutes

1. Minutes of March 19, 2009 Board Meeting

MOTION: Tom Davis moved, Jeff Hays seconded, and motion carried unanimously that the Minutes be adopted.

Public Forum

2. No public comments.

UNCONTESTED WASTE DISCHARGE REQUIREMENTS

3. R7-2009-0016 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for **City of Holtville, Municipal Wastewater Treatment Plant**, Holtville – Imperial County (Amendment)
4. R7-2009-0018 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for **City of Calexico, Water Pollution Control Plant**, Calexico – Imperial County (Renewal)
5. R7-2009-0022 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for **City of El Centro, Wastewater Treatment Plant**, El Centro – Imperial County (Renewal)
6. R7-2009-0026 Waste Discharge Requirements for **Mt. San Jacinto Winter Park Authority, Owner/Operator Palm Springs Aerial Tramway – Valley Station Wastewater Treatment And Disposal System**, City of Palm Springs and San Jacinto State Park – Riverside County (New)
7. R7-2009-0046 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for **Country Life Mobile Home and Recreational Vehicle Park**, City of Imperial – Imperial County (Amendment)

8. R7-2009-0052 Rescission of Waste Discharge Requirements (Board Order R7-2007-0015) for **Pacific Gas & Electric Company, Owner/Operator, Topock Compressor Station**, Upland in-situ Pilot Test, Needles – San Bernardino County (Rescission)
9. R7-2009-0053 Waste Discharge Requirements (Board Order R7-2000-0053) for **ORNI 21, LLC, Owner/Operator, Wister Geothermal Exploration**, Salton Sea – Imperial County (New)
10. R7-2009-0055 Waste Discharge Requirements for **Wm. Bolthouse Farms, Inc., Westmorland Washout Facility, Owner/Operator Carrot Rinsing Facility**, Westmorland – Imperial County (New)

MOTION: Red Martinez moved, Jeff Hays seconded, and motion carried unanimously that Order Nos. R7-2009-0016, R7-2009-0018, R7-2009-0022, R7-2009-0026, R7-2009-0046, R7-2009-0052, R7-2009-0053, and R7-2009-0055 are adopted with errata for R7-2009-0055.

ACTION ITEM

11. R7-2009-0049 Cease and Desist Order No. R7-2009-0049 Issued to **Imperial Irrigation District, Owner/Operator El Centro Generating Station**, El Centro – Imperial County (New)

MOTION: Jeff Hays moved, Tom Davis seconded. The motion carried unanimously that Order No. R7-2009-0049 is adopted with errata.

RESOLUTION

- ~~12. R7-2009-0054 Adoption of the FY 2009/2010 Emergency, Abandoned, and Recalcitrant (EAR) Account Site List (New)~~

Because Jeff Hays needed to recuse himself, Resolution Order No. R7-2009-0054 was moved to the June 18, 2009 Board meeting because of a lack of quorum.

OTHER BUSINESS

13. Informational Update on State Water Resources Control Board Activities – TAV

Mr. Vandenberg updated the Board members on the results of the State Water Board's May 19, 2009 public hearing. He explained that the State Water Board adopted a proposed Resolution relating to the Underground Storage Tank Cleanup Program and UST Cleanup Fund. The Resolution incorporated public comments received regarding how to address the current funding shortages and identified actions to improve administration of the Program and Fund to save costs. A second item Mr. Vandenberg discussed concerned the public hearing and workshop held by the State Water Board on the proposed General Waste Discharge Requirements for Landscape Irrigation Uses of Municipal Recycled Water. The workshop was held to consider stakeholder comments. He added that the State Water Board expects to place the General Permit and the associated CEQA document on its June agenda for consideration of adoption. Two other items briefly mentioned were the draft Construction General Permit and the draft Water Quality Enforcement Policy. A public hearing was scheduled for June 3rd on the former to accept comments. A public hearing/workshop was also scheduled for June 4th on the latter to consider the latest round of revisions to the Policy.

14. Colorado River Basin Water Board Executive Officer's Report – RP

Executive Officer, Robert Perdue, presented Maribel Rodriguez, Sanitary Engineering Technician, a Certificate of Appreciation from the Board for Sustained Superior Accomplishment. Mr. Perdue explained that Ms. Rodriguez served a vital role as the California Integrated Water Quality System coordinator, pivotal for the tracking of permits, compliance and enforcement. Along with the certificate, the award included a check for \$250. Mr. Perdue also addressed the ongoing fiscal crisis which has resulted in seven (7) staff members receiving potential precursors to actual layoff surplus notices under the civil service labor procedures. Additionally, the Executive Officer pointed out that staff and legal counsel had met the prior day with PG&E to discuss progress on the Topock hexavalent-chromium release cleanup near Needles along the Colorado River. Mr. Perdue indicated that directly following the Regional Water Board meeting, Regional Board legal counsel and he were going to attend the Topock Leadership Meeting in Palm Desert with several Tribes, federal and state agencies, Metropolitan Water District, and the responsible party. PG&E. Several Board Members emphasized to the Executive Officer the high priority of this cleanup.

15. Colorado River Basin Water Board Member Comments

Tom Davis went on a tour in April of the Colorado River aqueduct. He said it was fascinating and encouraged the public to take the tour. Assistant Executive Officer, Jose Angel, went to a citizen forum with past Chair Nancy Wright.

16. Colorado River Basin Water Board Chair's Report – EW

Chairperson, Ellen Way, announced that the next Regional Board meeting will be at the Hi-Desert Water District, 55-439 29 Palms Highway, Yucca Valley, CA, starting at 10:00 a.m. on Thursday, June 18, 2009.

CLOSED SESSION

17. At any time during the regular session, the Board may adjourn to meet in closed session to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence [Authority: Government Code Section 11126(c)(3)]; to discuss significant exposure to litigation [Authority: Government Code Section 11126(e)(2)(B)(i)]; to discuss whether to initiate litigation [Authority: Government Code Section 11126(e)(2)(C)(i)]; or to discuss initiated litigation [Authority: Government Code Section 11126(e)]. Discussion of litigation is within the attorney-client privilege and may be held in closed session [Authority: Government Code Section 11126(e)(2)].

There was no closed session.

Arrangements for Next Board Meeting

Date: June 18, 2009 at 10:00 a.m., in the Hi-Desert Water District Board Room, Town of Yucca Valley, California.

Adjournment: 10:51 a.m.

MOTION: Ed Muzik moved, Tom Davis seconded. The motion carried unanimously that the Board Meeting be adjourned.