

Lahontan Regional Water Quality Control Board

MINUTES

January 11-12, 2017

Regular Meeting

Mojave Water Agency
13846 Conference Center Drive
Apple Valley, CA 92307

Board Members Participating

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

Board Members Absent

Eric Sandel, Truckee

Legal Counsel

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

Regional Board Staff Participating

Patty Z. Kouyoumdjian, Executive Officer
Lauri Kemper, Assistant Executive Officer
Kathy Otermat, Clerk of the Board

Scott Ferguson, Sup Engineering Geologist
Patrice Copeland, Sr. Engineering Geologist
Jan Zimmerman, Engineering Geologist

REGULAR MEETING: January 11, 2017- 7:30 p.m.

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

INTRODUCTIONS

Chair Dr. Horne called the meeting to order at 7:11 p.m. on January 11, 2017 and introduced Board Members. Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel and Regional Water Board Staff.

1. PUBLIC FORUM

None.

2. Minutes

- **Motion:** Moved by Mr. Pumphrey, seconded by Ms. Cox, to approve the September 2016 Minutes as presented. The motion **carried** per the following votes:

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

Click here to view adopted [September 2016 Meeting Minutes](#)

- **Motion:** Moved by Mr. Dyas, seconded by Mr. Pumphrey, to approve the November 2016 Minutes as presented. The motion **carried** per the following votes:

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

Click here to view adopted [November 2016 Meeting Minutes](#)

ADOPTION OF UNCONTESTED CALENDAR

- **Motion:** Moved by Mr. Dyas, seconded by Ms. Cox, to approve the Uncontested Calendar as presented which were items 3, 6, 7 and 8. The motion **carried** per the following votes:

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

NEW WASTE DISCHARGE REQUIREMENTS

4. **Crystal Geysers Olancho Water Bottling Facility, Inyo County**

Mr. Scott Ferguson, Supervising WRCE, addressed the Board and presented the Waste Discharge Requirements for Crystal Geysers's existing water bottling facility in Olancho and Crystal Geysers's new facility at Cabin Bar Ranch

Board Comments:

- Ms. Cox asked about the difference in the arsenic in the ground water between Olancho and Cabin Bar and the depth of the extraction wells in Olancho compared to Cabin Bar. Mr. Ferguson stated he believes they are both screened in the same general depth but staff found through site investigation that arsenic levels are highly variable both in depth and laterally. Staff is seeing a trend showing areas closer to the fine sediment materials near Owens Lakebed have higher arsenic concentrations than the gravel areas closer to the Sierra Nevada where the concentrations are lower.

- Mr. Pumphrey asked if arsenic water trucked off-site from Olancha facility will discontinue once the new ponds are put in. Mr. Ferguson stated that the arsenic is coming from the treatment facility regeneration process and trucking of wastes off-site will continue until or if when they come up with a different system
- Mr. Dyas asked if the region has been regulating the Crystal Geyser Olancha discharges since 1990 per slide 2. Mr. Ferguson stated these will be the first time the Board has issued waste discharge requirements. Crystal Geyser Olancha has been operating without waste discharge requirements since 1990. Cabin Bar is a brand new facility and they won't be operating until they get a permit. Mr. Dyas asked if they were unaware they had obligations. Mr. Ferguson stated it's unclear why they didn't get a permit before.
- Chair Dr. Horne gave compliments to Ms. Anne Holden, Engineering Geologist on the excellent job pulling these two permits together. The permits are clear with reasonable requirements, a process that was very respectful of public comments and the way the issues were resolved was very pragmatic.
- Mr. Pumphrey stated how much the communities appreciated the work and public outreach done on these permits. All the comments he heard and letters he read in the newspapers were uniform in praising the staff and those involved in the meetings.
- **Motion:** Moved by Mr. Pumphrey, seconded by Mr. Dyas, to approve the Waste Discharge Requirements for the Crystal Geyser Olancha bottling facility. The motion **carried** per the following votes:

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

5. **Crystal Geyser Cabin Bar Ranch Water Bottling Facility, Inyo County**

Mr. Scott Ferguson, Supervising WRCE, included the Crystal Geyser new Cabin Bar Ranch facility with the presentation for the Crystal Geyser Olancha facility.

- **Motion:** Moved by Mr. Dyas, seconded by Mr. Jardine, to approve the Waste Discharge Requirements for the Crystal Geyser Cabin Bar Bottling Facility. The motion **carried** per the following votes:

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

OTHER BUSINESS OR STATUS REPORTS

9. **Climate Change Survey Results**

Mr. Scott Ferguson, Supervising WRCE, presented an update on the Climate Change Survey presented at the November 2016 Board Meeting and asked for Board input on the new schedule, the timing and elements included.

Board Comments:

- Ms. Cox was impressed by the survey responses and the number who responded. She was particularly pleased with the key concerns that surfaced, showing that many folks are on the same page. She believes it is important that if the schedule needs to slip because of other obligations then it's important to keep involvement and communication going with respondents. She is fine if staff has to slow down the schedule to allow for more meetings to occur in the North and the South. She believes some folks are probably engaged because they want to know the impact of the outcomes that will affect them and staff should keep them involved.
- Mr. Pumphrey agreed that the schedule is ambitious and it would be well to remember that certain parts can be started before we get a finished product. Regarding Board involvement, he thinks it makes sense to see how the working groups are organized and how they will help figure out a strategy for the content of the workshops. That may be a point where it would make sense for the Board members to be involved.
- Mr. Dyas concurred with proposed schedule and was very pleased with the public outreach efforts and results.
- Mr. Jardine agreed with Board members on the schedule and that the schedule is ambitious. He'd like to see Board members participate with the working groups.
- Chair Dr. Horne agreed with prior comments and was very pleased that 170 people responded as well as the quality and names of people that want to continue to partner with the region. She thought that the Board was going to see the actual survey results and asked if staff knew what would be discussed in June 2017. Mr. Ferguson stated one of the goals is drawing the 400+ ideas from the first 2 workshops down to a panel of 25 categories. Chair Dr. Horne asked, given staff resources and even just from an efficiency standpoint where does the region start its efforts? Perhaps, internally the region identifies 10-15 action items to focus on for the life of our strategy and focus on maybe 5 for the first 5 years. She suggested at the first workshop to focus on one item such as infrastructure. Mr. Ferguson stated the region is going to have to focus on 3 workgroup areas with the challenge being there are so many inter-related subjects we need to stay focused and here's the schedule for doing so.
- Ms. Kouyoumdjian stated there's not enough information presented to guide the Board on what they want to discuss in more detail. What was provided is a snapshot and the staff report will give the Board an analysis of the survey as well as the 25 items to help the Board formulate what the workshops should look like. She hopes to get that report out 30 days before the meeting so that stakeholders can also comment.
- Chair Dr. Horne stated that it occurred to her a lot of the things the Board is talking about doing is adaptation on the impact of climate change including the role that the forest ecosystem health can mitigate climate change. The Board needs to be looking side to side to what our sister agencies are doing because our sister agencies may be putting in policies that makes it more difficult to mitigate climate change. If the Board could be proactive and better protective of water quality but needs collaboration with our sister agencies. Mr. Ferguson stated he understands a more holistic realistic approach is better than the region remaining in its silo. Forest health is one of the highest priorities because that may take the region down a path and show us that there's great support for that and a greater chance of success. Another area is the effort to restore the high mountain meadows that gives potential to bring in potential funding to get to a larger scale.
- Mr. Pumphrey asked what the working groups are and Mr. Ferguson stated wetland flood plain protection, our infrastructure protection, stormwater low-impact development.

- Chair Dr. Horne stated without looking at the comments, she was unable to provide any substantive feedback. Mr. Ferguson replied that staff can provide the raw comments in a package to give the Board a preview prior to the staff report. He also informed the Board that the survey was translated into Spanish and released.

10. CLOSED SESSION

No discussion for closed session.

Adjournment: Chair Dr. Horne adjourned the meeting at 9:35 p.m. January 11, 2017.

REGULAR MEETING: Thursday, January 12, 2017 – 8:30 a.m.

INTRODUCTIONS

Chair Dr. Horne called the meeting to order at 8:33 a.m. on January 12, 2017, and introduced members of the Board.

Ms. Kouyoumdjian, Executive Officer, introduced Legal Counsel and Regional Water Board Staff.

11. PUBLIC FORUM

None

PLANS AND POLICIES

12. Ft. Irwin Salt and Nutrient Management Plan, San Bernardino County

Ms. Lauri Kemper, Assistant Executive Officer, introduced speakers from Fort Irwin Jon Green and Steve Shultz who presented an overview of the Fort Irwin Salt and Nutrient Management Plan.

Board Comments:

- Ms. Cox asked if from water the Bicycle and Langford basins was going into the Fort Irwin basins. Mr. Shultz stated the basins are being depleted now at a slower rate than they have been historically – there are no manmade recharge and very little natural recharge.
- Mr. Dyas complimented Mr. Shultz on his presentation of a very complex system. He commented that Ft. Irwin is projected to recharge around 544 acre feet a year from the treated ponds and he asked about efforts to minimize evaporation from those ponds. Mr. Green answered first by water conservation throughout the installation and then expanding the recycled water system. Mr. Dyas ask if there is anything you can do to increase percolation therefore minimizes evaporation. Mr. Green stated they have tertiary treatment per Title 22 and are looking longer term at additional infrastructure improvements that would allow them to do direct injection. Mr. Dyas commented that in the background material that the natural recharge of these three basins is only 50 acre feet per year and a large area like Fort Irwin there might be a way to capture 4” of rainfall per year that would exceed 50 acre feet per year. Mr. Muhammed Bari, Director of Public Works responded that since 2004 Fort Irwin has reduced water consumption by 30% and have a long-term plan to collect water in the basins and percolate more instead of evaporation. They have a state-of-the-art water treatment system that he invited the Board to see in which they are recovering 99%. He thanked the Water Board and staff that have supported them.
- Chair Dr. Horne said she looked at the charts and materials in advance and learned so much from the presentation. She was very impressed with what they are doing. She asked if there are any septic systems and asked if all waste is being run through the

waste treatment plant. Mr. Bari confirmed they have some holding tanks and some septic areas also. And have a contractor who collects and dumps into our wastewater system.

- Chris Woodruff from Fort Irwin stated they are working on a master plan to get rid of the few holding tanks so we will get more of the wastewater and less of it leaking into the ground, contaminating our water source. The nice thing about the \$100 million water treatment plant is it's also a treating groundwater contamination.

13. Indian Wells Valley Salt and Nutrient Management Plan, Kern County

Ms. Lauri Kemper, Assistant Executive Officer gave a brief overview and introduced Tim Parker who is the consulting hydrologist with the Indian Wells Valley Water District and City of Ridgecrest.

Mr. Parker presented the status and scope of work to complete a Salt and Nutrient Management Plan. The Board was asked to provide input and that this plan will be presented to the Board in the fall for acceptance.

Board Comments:

- Chair Dr. Horne stated this is the only ground water basin in her region designated as critical and he is educating the Board about the implications of SGMA [Sustainable groundwater Management Act) on water management and it is extremely complicated.
- Ms. Cox asked about Slide 14 on the Tui Chub habitat. Mr. Parker explained that back in the 70's, Department of Fish and Wildlife imported Tui Chub that live in an irrigation type of ditch that receives seepage from some of the septic ponds. They are not native but they're there and thriving, recently becoming an issue for the City of Ridgecrest design for a new or modified sewage treatment plant. They decided they didn't want to disturb their environment. Ms. Cox found it interesting as there are other areas she would like to see them re-introduced in the Mojave River particularly in the transition zone. She was interested in hearing about the Pistachio farming and did not realize there was such a proliferation in that area. She asked if it was a new phenomenon or going on for quite some time. Mr. Parker replied that it's both, a grower came in a couple of years ago with a couple of thousand acres which far exceeded the previous amounts. Ms. Cox noted that looking at the TDS and nitrogen loading that's a significant contribution from the basin and asked if that was coming from the fertilizer used on the trees. Mr. Parker stated that they will work with different stakeholders to see what can be done to reduce the loading. The other side of it is that compared to the overall basin and distribution it is not going to have a significant impact overall. They are looking at it on a region-wide basis. Ms. Cox asked about the first bullet point in their objectives which is to eliminate large-scale pumping in the area and what was the proposed mechanism for that and if they were looking to adjudicate otherwise how would they be able to attain a required water use level to reach sustainability in this basin. Mr. Parker said Kern County recently went through a land use zoning process, and they basically took all the unused agriculture land and re-zoned so there's a cap in theory on the amount of agriculture that can go in there now. They are going to have an advisory group that's balanced and includes agricultural, urban interests, the Navy, the Cerros Valley Mineral, everybody at the table to talk through the options.
- Mr. Dyas expressed pleasure on the progress on the Salt and Nutrient Management Plan and inquired about the formation of a GSA and other agencies that were contacted that might wish to be participants. Mr. Dyas asked regarding the overdraft in the Indian Wells Valley Basin and if there have there been any signs of land subsidence. Mr. Parker replied only a couple millimeters per year, and they will come up with some kind of monitoring program for land subsidence that may be as simple as doing some benchmark surveying in key areas where there's pumping. Mr. Dyas asked about surface water importation. Mr. Parker replied that over the last decade apparently there

have been discussions with a few organizations including LADWP and the water district has also purchased some property in different areas in theory to try to come up with a project. These discussions are not ongoing right now but are needed.

- Chair Dr. Horne asked whether they have been able to characterize the water flows between the sub-basins and how they might be affected. Mr. Parker stated that's one of the reasons we're interested in having aerial electro magnetics and they'll be looking at this as part of the GSP should it be one basin or are there geologic boundaries that suggest there should be multiple basins. Chair Dr. Horne asked how he saw the relationship between salt nutrient management plan and development of the groundwater sustainability plan because they are now designated as critical and she believed the sustainability plan is due January 31, 2020. It seems like we have two different processes working on two different time cycles and she asked how they fit together in his perspective. Mr. Parker stated the analysis of the salt nutrient management plan tailors right into the sustainability plan. It will be a tool is how he looks at it.

Note: The Water Board took a break from 9:55-10:09 a.m.

REPORTS

14. Reports by Water Board Chair and Board Members

Ms. Cox:

- Commended Cindi Mitton on her recent retirement.

Mr. Pumphrey:

- Stated the 2017 Sierra Water Summit is scheduled for July 24-25 at Kings Beach.
- The Eastern Sierra Land Trust has received an \$8 million grant for a 5-year project called Ranching in Harmony. Some of it will be available to the ranchers in the Bridgeport area. It was a highly competitive grant competition, 154 applicants. It was unusual and unexpected to get 80% funding for what was asked for.

Chair Dr. Horne:

- Wrote an op-ed piece that was in the Sacramento Bee.
- Wrote an article in the Tahoe Quarterly taking a whole systems approach to looking at forest restoration in our region.
- There is a collaborative called Tahoe West where staff is participating. She is not participating but is getting monthly updates.
- Created a subcommittee of Board members to work with staff on the Climate Change survey and the subcommittee consists of Mr. Pumphrey and Chair Dr. Horne.

15. Executive Officer's Report

Ms. Kouyoumdjian, Executive Officer, gave updates on:

- Staff Report – 9 vacancies, 5 in South Lake Tahoe and 4 in Victorville
- Federal Permit with Region 5 to oversee a permit that will cover Federal facilities in our region as well as Region 5. It will be two separate permits.
- Awards received by Bud Amorfini in his career with the Lahontan Water Board received the Regional Forester award nominated by Jeff Marsolais of the Lake Tahoe Basin Management on the epic project at Heavenly. Jeff will be speaking to the Board to talk about the process.
- The Bridgeport Ranchers Organization collaborative meetings with the goal to come before the Board in March to get Board's input and guidance.
- Tahoe West is another collaborative effort for our region.
- Barstow Perchlorate Pilot Study Grant Awarded.

- EO Action Lists – items of what Ms. Kouyoumdjian signs on behalf of the Board, a new regular addition.
- Scott Ferguson provided an update on Quarterly Violations.

Board Comments:

- Ms. Cox requested a tour of the Fort Irwin treatment facility in April
- Mr. Jardine also would like to see the cutting edge systems at Fort Irwin
- Mr. Dyas also would like a tour of Fort Irwin
- Chair Dr. Horne thanked Scott Ferguson for the write-up on Bud Amorfini and is sorry to see Tom Gavigan transfer to another region. She gave congratulations on the Barstow Perchlorate grant. She asked about Upper Truckee restoration project and if there would be enforcement actions. Ms. Kouyoumdjian explained that staff is still completing review. Asked about Lake Tahoe Marina owners permit which included mandatory minimum penalties for storm water run-off and if the region was required to do that. Ms. Kouyoumdjian explained it is a separate statute, what the law requires and why the prosecution team is doing as required by law. Legal counsel Kim Niemeyer explained it is an NPDES permit and the mandatory minimum penalties in the Water Code apply to NPDES permits.

OTHER BUSINESS

16. Election of 2017 Chair/Vice Chair

Motion: Ms. Cox moved to nominate Mr. Pumphrey as Chair. Mr. Dyas asked that the motion be amended to add Mr. Jardine as Vice-Chair. The motion by Ms. Cox was amended and seconded by Mr. Dyas. The motion **carried** unanimously by an oral vote.

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned at 10:54 a.m. on January 12, 2017.

Prepared by: _____  _____ Adopted: _____

Kathy Otermat, Executive Assistant