



California Regional Water Quality Control Board Lahontan Region



Linda S. Adams
Secretary of
Environmental Protection

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Arnold Schwarzenegger
Governor

MINUTES June 9, 2010

Regular Meeting

North Tahoe Event Center
8318 North Lake Blvd.
Kings Beach, CA 96143

Chairman Clarke called the meeting to order at 1:30 p.m. on June 9, 2010.

Board Members Present

Jack Clarke, Apple Valley
Mike Dispenza, Palmdale
Keith Dyas, Rosamond
Amy Horne, Ph.D., Truckee
Don Jardine, Markleeville
Eric Sandel, Truckee

Board Member Absent

None

Legal Counsel

David Coupe, Office of Chief Counsel, State Water Resources Control Board

Staff Present

Harold Singer, Executive Officer	Doug Cushman, Senior WRCE
Lauri Kemper, Assistant Executive Officer	Robert Larsen, Environmental Scientist
Chuck Curtis, Supervising WRCE	Cindi Mitton, Senior WRCE
Laurie Applegate, Executive Assistant	Eric Shay, Assoc. Gov. Program Analyst
	Doug Smith, Senior Eng. Geologist

Addressing the Board

Jason Kuchnicki, Nevada Division of Environmental Protection
Robert Erlich, City of South Lake Tahoe

INTRODUCTIONS

Mr. Clarke introduced the Board members.

OTHER BUSINESS

1. Informational Workshop on Draft Lake Tahoe Total Maximum Daily Load (TMDL) for Sediment and Nutrients

Mr. Singer gave introductory remarks. Doug Smith, Chief of the South Lake Tahoe TMDL unit, acknowledged Jason Kuchnicki with the Nevada Division of Environmental Protection, and Robert Larsen and Hannah Schembri with Lahontan staff for their work on the draft TMDL.

Robert Larsen gave the staff presentation. He noted staff plans to release the draft TMDL in June 2010; a public hearing is planned for September 2010; and consideration of the TMDL for adoption is planned for November 2010. Lahontan staff and Mr. Kuchnicki answered questions from the Board.

Addressing the Board: Robert Erlich, City of South Lake Tahoe.

The Board recessed for dinner at 4:20 p.m.

Regular Meeting, continued
June 9, 2010 – 7:00 p.m.

Chairman Clarke called the meeting to order at 7:00 p.m.

Board members present: Jack Clarke, Mike Dispenza, Keith Dyas, Amy Horne, Don Jardine, and Eric Sandel. Board members absent: None.

INTRODUCTIONS

Mr. Clarke introduced the Board members.

2. PUBLIC FORUM

No one addressed the Board during the Public Forum.

3. MINUTES

Minutes of the Regular Meeting of May 12-13, 2010 in Hesperia

- **Motion:** Moved by Mr. Sandel, seconded by Mr. Dyas and **unanimously carried** to adopt the May 12-13, 2010 minutes as written. Note: Mr. Dispenza abstained from voting because he was not at the May 2010 Board meeting.

4. ADOPTION OF THE UNCONTESTED CALENDAR

Note: An (*) appears next to items adopted by the Board on the uncontested calendar.

Mr. Singer recommended the Board adopt Items 5 (with late revision sheet), 6 and 7 on the uncontested calendar.

- **Motion:** Moved by Dr. Horne, seconded by Mr. Dispenza and **unanimously carried** to adopt Items 5 (with late revision sheet), 6 and 7 on the uncontested calendar.

WASTE DISCHARGE REQUIREMENTS***5. City of Victorville and Southern California Logistics Airport (SCLA); SCLA Central Wastewater Treatment Plant, San Bernardino County**

See Item 4 for Board action.

***6. Order No. R6T-2010-(Proposed) National Pollutant Discharge Elimination System (NPDES) General Permit No. CA G916001 Waste Discharge Requirements for Surface Water Disposal of Treated Groundwater**

See Item 4 for Board action.

REVISED WASTE DISCHARGE REQUIREMENTS***7. Revised Waste Discharge Requirements for County of Mono, Walker Class III Landfill, Mono County**

See Item 4 for Board action.

OTHER BUSINESS**11. Ratification of Amended Supplemental Environmental Project Pursuant to Provisions in Order No. R6V-2007-0034 for County Sanitation Districts Nos. 14 and 20 of Los Angeles County**

Note: Mr. Dyas recused himself from Item 11. He noted that he is employed by Edwards Air Force Base and that County Sanitation District No. 14 of Los Angeles County discharges wastewater onto Edwards Air Force Base.

Mr. Singer discussed the proposed resolution approving an alternate supplemental environmental project (SEP) that would allow funding of any phase of the Antelope Valley Recycled Water Project and pre-funding under limited conditions. He drew the Board's attention to a June 3, 2010 letter from Stephen

R. Maguin outlining the alternate SEP and noted that he signed and returned the letter to Mr. Maguin. Mr. Singer explained that in addition to the Lahontan Water Board's approval, a special meeting was scheduled for June 10 for the Districts' consideration of the alternate SEP. Mr. Singer answered questions from the Board and recommended adoption of the Resolution as proposed.

- **Motion:** Moved by Mr. Sandel, seconded by Dr. Horne and **unanimously carried** to adopt the Resolution as proposed. Note: Mr. Dyas recused himself from this item.

OTHER BUSINESS

8. Executive Officer's Report

Mr. Singer discussed the written material from the June 2010 Executive Officer's Report, and the Notification of Spills and Notification of Closure of Underground Storage Tank Cases reports. He noted that the prosecution team will give a status report at the next meeting regarding the Adelanto Public Utility Authority. The item will be noticed for Board discussion; however, it will not be noticed as an action item. Chuck Curtis answered questions from the Board regarding the higher levels of concentrations left in the soil of some of the underground storage tank cases on the closure list.

In addition to the written material, Mr. Singer discussed the following items:

- The Board currently has six members. One member needs to be confirmed by the Senate and two members' terms expire this year unless reappointed by the Governor.
- The July Board meeting will be a half-day meeting the afternoon of July 14 and will be held as a video/teleconference. The September 7-8 and November 9-10 meetings are being held in the north on a Tuesday/Wednesday due to holidays that fall on the normal Wednesday/Thursday meeting dates. Some Board members might have a conflict with the November meeting dates that could necessitate moving the November meeting to another week. Mr. Singer noted he would let the Board know as soon as possible if the November meeting date needs to change.
- Mr. Singer gave an update regarding the Nursery Products permit.
- Mr. Singer discussed a May 27 memo he sent to members of the State Water Resources Control Board (State Water Board) asking them not to adopt 31 new water body-pollutant combinations proposed for listing by State Water Board staff on the Clean Water Act Section 303(d) list. Mr. Singer, Ms. Kemper and Dr. Unsicker will be attending the State Water

Board meeting on June 15 to ask the members to use their discretion in this matter. Also on the State Water Board's June 15 agenda is the Lahontan Water Board's request for cleanup and abatement account funds to control the Asian clam infestation in Lake Tahoe.

- Mr. Singer discussed a recent decision by the Commission on State Mandates involving specific provisions in storm water permits. He noted the State Water Board is seeking to have the Commission's decision overturned. Mr. Coupe answered questions from the Board regarding the decision.
- Mr. Singer handed out a Legislative update from Rob Egle of the State Water Board's Office of Legislative Affairs.

Lauri Kemper discussed the Quarterly Violations Report and enforcement priorities. She discussed two items that did not appear in the report but that are staff priorities. Lahontan staff is working closely with Department of Fish and Game staff on the recent Donner Lake diesel spill. She also noted that a Notice of Violation was issued to the Adelanto Public Utility Authority on March 18. Dr. Horne asked if there was a way to capture whether a violation would trigger a mandatory minimum penalty (MMP) in the Quarterly Violations Report. Ms. Kemper noted she would discuss the matter with Scott Ferguson.

9. **Reports by Chair and Board Members**

Mr. Jardine commented that it was good to see Mr. Singer and Ms. Kemper at a recent Sierra Nevada Conservancy meeting.

Mr. Dispenza and Mr. Clarke thanked Mr. Singer for putting Item 11 on the agenda.

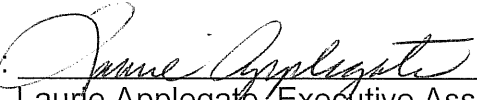
Mr. Clarke gave a report regarding the June 7 Chair's conference call.

10. **CLOSED SESSION**

The Board met in closed session from 8:15 p.m. to 8:51 p.m. to discuss Item 3.k. – Discussion of Litigation: In re East West Development V, LP, LLLP, et al., United States Bankruptcy Court for the District of Delaware, Case No. 10-10452 (BLS). **Authority:** Government Code section 11126, subdivision (e). The Board reconvened in open session at 8:52 p.m.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 8:52 p.m. on June 9, 2010.

Prepared by:  Adopted: July 14, 2010
Laurie Applegate, Executive Assistant