



California Regional Water Quality Control Board Lahontan Region

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Matthew Rodriguez
*Secretary for
Environmental Protection*

Edmund G. Brown Jr.
Governor

MINUTES
October 12, 2011

Regular Meeting

Mojave Desert Air Quality Management District
14306 Park Avenue
Victorville, CA 92392

Chairman Clarke called the meeting to order at 1:00 p.m. on October 12, 2011.

Board Members Present

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

Board Member Absent

None

Legal Counsel

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

Staff Present

Harold Singer, Executive Officer
Lauri Kemper, Assistant Executive Officer
Scott Ferguson, Senior WRCE
Patrice Copeland, Senior Eng. Geologist
Keith Elliott, Senior WRCE
Cindy Wise, Staff Environmental Scientist
Cindi Mitton, Senior WRCE
Jan Zimmerman, Engineering Geologist
John Morales, Water Resources Control Eng
Mike Coony, Water Resources Control Eng
Eric Taxer, Water Resources Control Eng

Rebecca Phillips, Office Technician
Vanessa Ramirez, Student Assistant
Christopher White, Student Assistant

Addressing the Board

Dr. James Hart, Adelanto City Manager; Betsy Elzufon, Larry Walker and Assoc.; John Fogerty, Executive Office, San Bernardino Sheriff's Department; Mark Hagan, USAF; Raymond Tremblay, LA Co. Sanitation District; Stafford Lehr, CA Dept. of Fish and Game; Jessica Bunker, LA Co. Water Works District No. 40; Erika de Hollan, LA Co. Sanitation Districts

INTRODUCTIONS

Chairman Clarke introduced the Board members. Mr. Singer introduced the Water Board staff and Kimberly Niemeyer legal counsel.

1. **PUBLIC FORUM** – Item moved to Page 6, following No. 9 continuation of Executive Officer's Report

2. **MINUTES**

Minutes of the Regular Meeting of September 14 – 15, 2011 in Kings Beach (Amber Wike)

- **Motion:** Moved by Mike Dispenza seconded by Dr. Horne and **unanimously carried** to adopt the September 14 – 15, 2011 minutes as written.

3. **ADOPTION OF UNCONTESTED CALENDAR**

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

RESCISSION OF WASTE DISCHARGE REQUIREMENTS

- *4. Rescission of Waste Discharge Requirements for Desert Terrace Apartments, San Bernardino County

- **Motion:** Moved by Dr. Horne, seconded by Peter Pumphrey and **unanimously carried** to adopt the Rescission Order as proposed.

STATUS REPORTS**5. Adelanto Public Utility Authority Cease and Desist Order Status Report, San Bernardino County**

Mr. Singer made introductory comments on this item. He informed the Board that this is just an information item and workshop. Mr. Singer also informed the Board that the City and Water Board prosecution team submitted additional information which was added in their packets.

Dr. James Hart, Adelanto City Manager, gave a general update on this item. He informed the Board that Larry Walker and Associates have been retained to help with reporting on the Water Board Orders. The three year extension has been finalized with VVWRA for diversion. Testing on Ponds 3, 4, 5 and 9 have been completed. Pond 5 construction is complete and is receiving discharge. Also Pond 9 construction is complete. Pond 4 will be completed by October 15.

Betsy Elzufon, with Larry Walker and Associates made a presentation to the Water Board to assist with answering comments from Water Board staff regarding the report that was submitted last week. The Water Board and Mr. Singer asked questions after Ms. Elzufon's presentation.

Eric Taxer, commented on the presentation made by Dr. Hart and said that the City of Adelanto has worked very hard to address the Regional Board's concerns. He also stated that there are still a few outstanding issues that have not been complied with which were provided to the Board in a table. Chairman Clarke and Dr. Horne had questions for Mr. Taxer.

Laura Drabandt, State Water Board, Staff Counsel, reported to the Water Board on the enforcement options. Due to the separation of functions, she informed the Board that she could not be more specific. She also informed the Board that the City of Adelanto is not yet in compliance.

Chairman Clarke had concerns with the amount of beds at the prisons in the presentation. He said the numbers were not adding up. Mr. Singer suggested that the City and Prosecution team should review the information and provide more clarity to the Board at a future meeting.

6. County Sanitation District No. 14 of Los Angeles County, Lancaster Water Reclamation Plant, Los Angeles County Cease and Desist Order Status Report

Mike Coony, Water Resources Control Engineer with the Victorville office gave the staff presentation. Mr. Coony answered questions from the Board.

RENEWAL OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

7. California Department of Fish and Game; Fish Springs Fish Hatchery, Inyo County
Note: This item has been postponed to a future Board Meeting.

Mr. Singer informed the Water Board that this item has been removed from the agenda.

8. California Department of Fish and Game; Mojave River Fish Hatchery, San Bernardino County

Keith Elliott, Senior Engineer gave the staff presentation. Dr. Horne suggested additional changes regarding the rain event in the Order.

Board discussion

Dr. Horne commented on the professionalism that the Fish and Game is showing and thanked them. Mr. Elliott answered questions from the Water Board.

- **Motion:** Moved by Eric Sandel, seconded by Keith Dyas and **unanimously carried** to adopt the Order with the late revisions and correction, and additional changes as proposed.

OTHER BUSINESS

9. **Executive Officer's Report**

Mr. Singer discussed items from the April 1, 2011 - June 31, 2011 Executive Officer's Report and answered questions from the Board.

Mr. Singer informed the Board that the Hinkley residents have requested that the Board have a Public Forum regarding PG&E. Mr. Singer suggested they do this at 7:00 p.m. this evening. He will discuss the PG&E Executive Officer's Report before the Public Forum. A Cleanup and Abatement Order (CAO) was issued on October 11, 2011 and Mr. Singer will give the Board a briefing on the CAO which was placed in the Board's folders. Ms. Kemper will give the Board a briefing on the status of other Water Board activities associated with PG&E's groundwater cleanup.

Mr. Singer went over the Draft Board Meeting schedule for 2012.

Note: Executive Officer's Report to be continued at 7:00 p.m.

10. Reports by Water Board Chair and Board Members

Dr. Horne commented on the Water Quality Coordinating Committee meeting that she attended. At the meeting, they discussed having the Water Boards working together as one Board. She also informed the Board about an art exhibit that she attended in Reno regarding altered landscapes that are in the Lahontan and Colorado Region. Dr. Horne handed out the brochure from this exhibit.

Mr. Pumphrey commented on the Water Quality Coordinating Committee meeting that he attended. He was very impressed by the talents and skills of the agency and made him more aware of the work and efforts of the Water Board staff.

Chairman Clarke gave a report regarding the Chair's conference call. He informed the Board that the discussion of the Water Board working together as one Board has been brought up before several times during the Chair's conference calls.

11. CLOSED SESSION*

The Board met in closed session from 4:30 p.m. to 4:41 p.m. to consider Item k. Discussion of Personnel Matters. Authority: Government Code section 11126. The Board reconvened in open session at 4:45 p.m.

The Board recessed for dinner at 4:45 p.m.

**Regular Meeting continued
7:00 p.m., October 12, 2011**

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

Board Members Present

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

Board Member Absent

None

INTRODUCTIONS

Chairman Clarke introduced the Board members.
Mr. Singer introduced the Water Board staff.

9. Executive Officer's Report (continued)

Mr. Singer discussed the CAO that was issued yesterday, October 11, 2011 to PG&E on replacement of water. The Water Board delegated Mr. Singer to issue the CAO. Mr. Singer gave a summary of the CAO and asked if the Board had questions.

Ms. Kemper discussed the 2008 CAO that required PG&E to develop a comprehensive strategy to clean up the ground water in the Hinkley Valley which included the submittal of a feasibility study to the Board last September.

Ms. Kemper informed the Board and Public that staff will have a public meeting later this year at the Hinkley School. They will be discussing the responses from the Peer Review on the background study, the status of the EIR, and current status of the plume investigation and the ground water cleanup.

1. PUBLIC FORUM (continued)

Carmela Spasojevich, Hinkley resident, expressed her relief that a CAO has been issued to PG&E, and also expressed her dismay at the length of time that PG&E is being given to comply with this CAO.

Robert Conaway, Helphinkley.org, voiced concern that Hinkley / Barstow area need representation on the Water Board.

James Dodd, PG&E Advisory Board Committee: He commends the Water Board for getting something done but not moving fast enough. He believes PG&E needs to help the people who want to move out of the area.

Karen Dodd, Hinkley resident: Where is the legal Administrative Civil Liability for PG&E?

Elaine Kearney, Hinkley resident: Built their retirement home in Hinkley and was not aware of the water problems. She is concerned that her property and home is poisoned and worthless.

Daron Banks, Hinkley resident: Private wells need to be added to the total and complete plume map. Suggest Water Board staff test their water not PG&E personnel.

Patti Dickman, Hinkley resident: Thanks the Water Board for issuing the CAO to PG&E, but disappointed in staff for the length of time that it took and the 10 months that the CAO gives PG&E to comply.

Jackie Conaway, Hinkley resident: Ms. Conaway thanks Mr. Singer for all he has done. Ms. Conaway asked if the Water Board knows the source of the Culligan Water being provided to the residences by PG&E and if it has been tested?

Dr. Horne thanked all the residents from Hinkley for coming to the Water Board meeting and making their presentations.

PLANS AND POLICIES

12. Discussion of Proposed Scope of Work and Development of a Salt and Nutrient Management Plan (SMP) for the Antelope Valley, Antelope Valley Regional Water Management Group, Los Angeles and Kern Counties

Jan Zimmerman, from the Victorville office and Cindy Wise from the South Lake Tahoe office each made a presentation to the Board. Also Jessica Bunker and Erika de Hollan, representing the Antelope Valley Group, described the efforts of the Antelope Valley Group.

Ms. Zimmerman, Ms. Wise, Ms. De Hollan and Ms. Bunker answered questions from the Board.

Mr. Sandel commented on the great insight that the presenters gave the Board. The presentation was very organized and well thought through.

Mr. Dispenza congratulated the Antelope Valley Group and is very proud of them.

Mr. Pumphrey is very impressed by the collaborated effort and it is great how they have involved all the stakeholders. The Group should really be commended.

Dr. Horne commented on how excited she is about this project.

Chairman Clarke agrees with all the Board Member's comments. Projects which are the result of collaboration of multiple agencies are great and can work.

Board members did not express any concerns with the workplan or the process being followed by the Antelope Valley Group.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 9:22 p.m. on October 12, 2011.

Prepared by: 
Rebecca Phillips, Office Technician

Adopted: December 6, 2011