

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

MINUTES OF BOARD MEETING

Thursday, November 15, 2012, 10:00 a.m. to 11:00 a.m.

Regional Board Workshop: 11:00 a.m. to 12:30 p.m.
In the Matter of Discharges of Wastewater from Septic Systems
in Low Income Coachella Valley Mobile Home Parks

California Regional Water Quality Control Board
Colorado River Basin Region
Board Room
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Ellen Way at 10:00 a.m. on November 15, 2012 at Palm Desert, California.

Roll Call (Board Members Only)

Board Members Present:

Buford Crites, Tom Davis, Jeff Hays, Edward Muzik, Ellen Way, Nancy Wright

The Board Secretary stated that a quorum was present.

Staff Present:

Jose Angel, Terry Barnes, Mary Castañeda, John Carmona, Francisco Costa, Maria Davydova, Kai Dunn, Abdi Haile, Abid Khalaf, Robert Perdue, Logan Raub, Jon Rokke, Nadim Shukry-Zeywar, Joan Stormo, Soni Wells, Anders Wistrom, Doug Wylie

Others Present:

Mark Abbott, Riverside County Environmental Health
Linsey Dale, Imperial County Farm Bureau (ICFB)
Miguel Figueroa, Calexico New River Committee
Wil Gonzalez, CVWD
Jeff Johnson, Riverside County Environmental Health
Al Kalin, ICFB
Debi Livesay, TM/CVWD
Bob Lyman, Riverside County TLMA
David Mahaffey, Action Pumping Inc.
Roger Mayes, High Desert Water District
Ramon Mendoza, MITI
Tom Vandenberg, State Water Board, Office of the Chief Counsel

MINUTES

1. Minutes of September 20, 2012 Board Meeting

MOTION: Buford Crites moved, Nancy Wright seconded, and motion carried unanimously that the Minutes be adopted. Tom Davis abstained.

PUBLIC FORUM

2. Ramon Mendoza, resident of Morongo Valley.

Mr. Mendoza stated his support for restrictions on wastewater discharges in Yucca Valley. Mr. Mendoza additionally expressed his concerns over the quality of water being imported and discharged in Yucca Valley.

UNCONTESTED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS AND WASTE DISCHARGE REQUIREMENTS

3. R7-2012-0050 Rescission of Waste Discharge Requirements for **90-044-Truckhaven Geothermal Project**

MOTION: Buford Crites moved, Tom Davis seconded, and motion carried unanimously that Order No. R7-2012-0050 be adopted with errata.

4. R7-2012-0051 Revised Waste Discharge Requirements for **Hi-Grade Materials Company, Owner/Operator, Sand and Gravel Plant Washwater Basins**, Hesperia – San Bernardino County

MOTION: Buford Crites moved, Tom Davis seconded, and motion carried unanimously that Order No. R7-2012-0051 be adopted.

5. R7-2012-0052 Waste Discharge Requirements for **Imperial Community College District, Owner/Operator, Imperial Valley College Wastewater Treatment Plant**, Imperial – Imperial County

MOTION: Upon staff's request, Board Chair Way pulled R7-2012-0052 from the agenda and indicated that it will be considered at a future Board Meeting.

OTHER BUSINESS

6. Schedule of Board Meetings for Calendar Year 2013

The following are the Board meeting dates and locations that the Board adopted:

January 17, 2013, Palm Desert
March 14, 2013, Palm Desert
May 16, 2013, Yucca Valley
June 20, 2013, Palm Desert
September 19, 2013, Palm Desert
November 14, 2013, Imperial Valley

7. Informational Update on the Phase II Small MS4 (Municipal Separate Storm Sewer System) Program in the Imperial Valley — AW

Anders Wistrom, WRCE, reported on the main features of the MS4 Phase II permit and the development and implementation of Storm Water Management Plans. He informed the Regional Water Board that MS4 permittees for Imperial County are presently in non-compliance with the General MS4 NPDES Permit. RWQCB staff has carefully reviewed current and past Annual Reports and are meeting with City and County upper management to facilitate Dischargers compliance with the Permit. Staff is committed to provide assistance to all MS4 managers to attain compliance and prepare for the upcoming General MS4 Permit renewal in 2013.

8. Informational Update on Current-Use Pesticide Impairment in Imperial Valley — NZ/AH

Nadim Shukry-Zeywar reported that the Alamo River and the New River are listed under Section 303(d) of the Clean Water Act (CWA) as impaired due to current use of the pesticides chloropyrifos and diazinon. The CWA requires states to establish total maximum daily loads (TMDLs) or equivalent regulatory programs for waters not meeting water quality standards. Regional Board staff is working with the Imperial County Farm Bureau on developing alternatives to TMDLs to address these impairments.

9. Informational Item on the New River Improvement Project Strategic Plan: Water Quality Control Policy Follow-up Actions — JA

Due to time constraints for the Workshop on Septic Systems in Low Income Coachella Valley Mobile Home Parks, this Item was rescheduled for a future meeting.

10. Informational Update on State Water Resources Control Board Activities — TV

(See hand-out)

11. Colorado River Basin Water Board Executive Officer's Report — RP

Robert Perdue, Executive Officer, reported negotiations continue with PG&E concerning acceptable arsenic concentrations for water that will be injected into groundwater wells to remediate the large chromium plume in groundwater adjacent to the Colorado River at the Topock Compressor Station, south of Needles.

12. Colorado River Basin Water Board Member Comments

Nancy Wright and Ed Muzik took the October 31, 2012 Water Education Foundation Delta Tour prior to the November 1 & 2, 2012, Water Quality Coordinating Committee meeting in Sacramento at CAL-EPA. Ms. Wright reported the Tour was highly informational, with speakers describing the often conflicting pressures placed on California's largest estuary, which runs east to west, versus the water supply demands of the drier parts of California south of the Delta.

Tom Davis, Mr. Muzik and Ms. Wright attended the WQCC. Ms. Wright highlighted the in-depth presentation of U.C. Davis Professor Jeff Mount concerning the physical aspects of the Delta and its stressors.

Mr. Davis reported on a presentation by General Manager David Roth of the Kings River Conservation District. Mr. Davis noted the conglomerated King Basin Water Authority's successful usage of the Integrated Water Management Planning process to obtain large state grants addressing ground water overdraft.

13. Colorado River Basin Water Board Chair's Report — EW

Chair Ellen Way expressed her appreciation to the Members who attended the Delta Tour and WQCC as representatives of the Regional Board.

CLOSED SESSION

14. 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)].

No closed session was held.

**ARRANGEMENTS FOR NEXT BOARD MEETING: THURSDAY, JANUARY 17, 2013,
9:00 A.M., IN PALM DESERT**

Adjournment: 11:26 a.m.

MOTION: Jeff Hays moved, Buford Crites seconded, and motion carried unanimously to adjourn the meeting.

WORKSHOP (11:00 a.m. – 12:30 p.m.)

Topic: In the Matter of Discharges of Wastewater from Septic Systems in Low Income Coachella Valley Mobile Home Parks

Purpose of workshop: To seek input from utility agencies, regulatory agencies, tribal representatives, non-governmental organizations, and any directly or indirectly affected stakeholders regarding septic system problems in low income mobile home parks (MHP) in the eastern Coachella Valley. Although a quorum of Regional Board members may be present at the Workshop, no Board action will be taken.

Workshop agenda:

1. Introduction to the problem: “Coachella Valley MHP Septic System Regulation” (Powerpoint presentation by Regional Board staff)
2. Presentations by other regulatory agencies and stakeholders (if applicable)
3. Tentative summary and prioritization of MHP issues—opportunity for public input
4. Staffing and funding resources issues
5. Public forum—opportunity to address the Regional Board to share thoughts and ideas and to provide comments
6. Next steps—where do we go from here?

The Workshop began at 11:30 a.m. and ended at 1:00 p.m. It was well attended with presentations given by Board staff, regulatory agency representatives, and members of the public. Additional workshops will be scheduled and other actions will be taken to follow up on addressing the problems discussed in the Workshop.

Workshop Presentations:

- Jon Rokke (Water Board staff) – presentation recapped eastern Coachella Valley MHP issues, previously presented at the September 2012 Regional Water Board meeting.
- Doug Wylie (Water Board staff) – presented a summary of the new state-wide Onsite Wastewater Treatment Systems (OWTS), or septic systems, Policy recently approved by OAL. This policy will become effective May 13, 2013.
- Don Lyman (Riverside County Transportation and Land Management Agency) – presented Riverside County’s Code Compliance Unit’s perspective, priorities and challenges. Mr. Lyman also offered historical context of the county’s role in dealing with legislation related to Polanco Parks.
- Megan Beaman (Beaman Law) – spoke about MHP problems from the tenant and legal perspectives.

- Patti Reyes (Coachella Valley Water District) – delivered presentation about CVWD’s efforts to date in providing sewer and water infrastructure to the east valley. Her presentation also provided the current cost estimates for providing sewer service to the Sunbird MHP property boundary.
- Mark Abbott (Riverside County Environmental Health) – presented an overview of Environmental Health’s role in permitting MHP septic systems and private water systems, as well as the challenges posed by unpermitted MHPs.
- Laura Massie (California Rural Legal Assistance) – presented her organization’s perspectives and challenges as advocates for low income MHP tenants.
- Debbie Livesay (Torrez Martinez Tribe) – engaged in a dialog with Regional Water Board members about MHPs’ challenges and jurisdictional issues on tribal lands.

Jose Angel, AEO, recommended forming a Workgroup to better characterize the extent of the problems (permitted vs. unpermitted systems, systems with problems vs. systems that are operating properly, water quality problems vs. other types of infrastructure problem), prioritize the problems, and to develop a strategy to deal with the problems. He expects to be able to brief the Regional Water Board on the nature of the problems by March of next year and have additional workshops addressing problems discussed in today’s Workshop.

DRAFT – December 2012