

MINUTES OF BOARD MEETING

January 10, 2019, 9:00 a.m. to 10:05 a.m.
California Regional Water Quality Control Board
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

Roll Call (Board members only) and Introductions

Nancy Wright, Buford Crites, Tom Davis, Ed Muzik, Jayne Powell, and Peter Satin were present. The Board Clerk stated that a quorum was present.

The meeting was called to order by Board Chair Nancy Wright at 9:00 a.m. on January 10, 2019 in Palm Desert, California.

State and Regional Board Staff Present:

Paula Rasmussen, Frank Gonzalez, Katharine Buddingh, Kai Dunn, Nadim Shukry-Zeywar, Joan Stormo, Doug Wylie, Mary Castaneda, Terry Barnes, Kevin Heinemin, Adriana Godinez, Reginald Tan, Maribel Jernegan, Abid khalaf, Jose Valle-DeLeon, and Kailyn Ellison.

Others Present

Keith Baird, Seeley County Water District
Saran Garcia, Seeley County Water District
Scott Rogers, Hazen and Sawyer
Sarah Lopez, Imperial Irrigation District
Steve Bigley, Coachella Valley Water District
Kerri DePierro, DePierro Development Corp.
Kevin M. Friedman, DePierro Development Corp.
David Rib, Mitsubishi Cement Corp.
Keith Shannon, Mitsubishi Cement Corp.
Roger Mayes, Hi-Desert Water District

Public Forum

There were no speakers during the public forum at this meeting.

1. Approval of Meeting Minutes
Minutes of October 18, 2018 Workshop
Minutes of November 8, 2018 Board Meeting

Motion: Buford Crites moved, Jayne Powell seconded, and the motion was carried unanimously to adopt minutes of October 18, 2018 and November 8, 2018.

Uncontested Items

2. R7-2019-0008 – Consideration of adoption of Waste Discharge Requirements for DePierro Development Corporation, Owner/Operator Self Service Laundry Laundromat Wastewater Disposal Facility, Twentynine Palms, San Bernardino County [*Reginald Tan, WRCE*]

Motion: Ed Muzik moved, Tom Davis seconded, and the motion was carried unanimously to adopt Order R7-2019-0008.

3. R7-2019-0009 – Consideration of adoption of Waste Discharge Requirements for Mitsubishi Cement Corporation, Owner/Operator Cushenbury Plant Industrial Wastewater Disposal Facility, Lucerne Valley, San Bernardino County [*Abid Khalaf, WRCE*]

Motion: Ed Muzik moved, Tom Davis seconded, and the motion was carried unanimously to adopt Order R7-2019-0009 with Errata.

4. R7-2019-0012 - Consideration of adoption of Rescission of Waste Discharge Requirements for GEMCOR Geothermal Facility, Calipatria, Imperial County - Desert Solutions Inc. Composting Facility, Cathedral City, Riverside County [*Doug Wylie, Sr. WRCE*]

Motion: Ed Muzik moved, Tom Davis seconded, and the motion was carried unanimously to adopt Order R7-2019-0012.

Enforcement Item

5. R7-2019-0001 – Proposed Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order in the Matter of Seeley County Water District Wastewater Treatment Plant, Seeley, Imperial County [*Maribel Jernegan, SEA*]

Chair Wright opened the hearing by introducing the members of the Prosecution Team and Advisory Team. The members of the Prosecution Team were Frank Gonzalez, Kai Dunn, Jose Figueroa, Maribel Jernegan, and Kailyn Ellison. The members of the Advisory Team were Paula Rasmussen and Katharine Buddingh.

Maribel Jernegan, Sanitary Engineering Associate, provided an overview and background information regarding the proposed Settlement Agreement and Stipulation. She summarized the history of the facility as well as the alleged effluent limitation and monitoring/reporting requirement violations. The Settlement Agreement and Stipulation proposed the final imposition of \$297,000 in administrative civil liability against Seeley County Water District, which was to be suspended pending completion of a Compliance Project. The original Settlement Agreement and Stipulation was for the amount of \$294,000; however, the parties all signed an Errata that proposed adding an additional \$3,000 in mandatory minimum penalties, which the Seeley County Water District Board had not yet had the opportunity to ratify. As a result, Chair Wright explained that the Board would hear the item at the current Board meeting, but would not vote on its approval.

Board members and the Advisory Team asked several questions regarding the proposed Compliance Project, which were answered by the Prosecution Team's legal counsel, Kailyn Ellison, and representatives of Seeley County Water District. In response to the Board's comments, the parties agreed to revise certain aspects of the Settlement Agreement and Compliance Project. The Board delegated authority to the Executive Officer to approve the Settlement Agreement with the agreed-upon changes and following an additional 30-day public comment period.

Motion: Ed Muzik moved, Tom Davis seconded, and the motion was carried unanimously to delegate authority to the Executive Officer to settle Administrative Civil Liability Order R7-2019-0001 with Errata and additional changes discussed.

Informational Items

6. Colorado River Basin Water Board Executive Officer's Report [*Paula Rasmussen*]

Paula Rasmussen introduced and welcomed new Colorado River Basin Water Board staff member Jose Valle de Leon, a Water Resources Control Engineer working in the NPDES permitting program.

She reported that as a follow up from the December 2018 Board Priorities Workshop, staff recently provided a written summary to the Board of the current Board priorities in key program areas. The list developed will be used as a guide for staff activities moving forward through the fiscal year. She noted that in December, she approved conditional settlements which resolved NPDES violations that were subject to mandatory minimum penalties. She also indicated that staff would be providing the Board with a list of settlements in a written report on a quarterly basis.

Ms. Rasmussen mentioned that a workshop on the Cannabis Program was held in the Colorado River Basin Water Board office, with staff available to assist the cultivators in the application process, if needed. As a result, there were 36 new enrollments for the region, with a total of 95 enrollments through December 2018.

She also mentioned that she attended a State Water Board hearing regarding the Colorado River Basin Water Board's Basin Plan amendment concerning the Salton Sea. The hearing included a presentation from Colorado River Basin Water Board staff on the Basin Plan amendment. The amendment made non-substantive changes to the Basin Plan and was adopted by the State Water Board at this meeting.

Ms. Rasmussen also stated that she will attend a Binational Technical Committee (BTC) meeting and a tour of the sewage treatment system in Mexicali, Mexico in January 2019. Nancy Wright, Board Chair, Joaquin Esquivel, State Water Board member, Frank Gonzalez, Assistant Executive Officer, and Adriana Godinez, Water Resources Control Engineer, will also be in attendance. Additionally, CalEPA asked for the Colorado River Basin Water Board's assistance in conducting a field visit of the New River to identify wetland locations. This will help CalEPA develop a Proposition 1 grant proposal to implement part of the New River strategic plan for habitat restoration along the New River.

7. Colorado River Basin Water Board Member Comments

Board member Muzik mentioned there will be a California Association of Sanitation Agencies (CASA) conference held in December 2018 and asked if anyone would be attending. He also suggested a tour of Wastewater Reclamation Plant be included as part of the June 13, 2019 Board meeting scheduled to be held in Yucca Valley.

Board member Davis stated that he will be attending the Urban Water Institute Conference in February 2019.

Board member Powell thanked the Executive Officer and staff for all their pre-Board meeting work, including the agenda packets and Errata sheets that were provided to the Board.

8. Colorado River Basin Water Board Chair's Report

Chair Wright discussed the Chair's recent monthly conference calls. The topics covered included the annual WQCC meeting usually held in October. She asked the other Board members to let her

know if they had any topics that they would like to see on the agenda, and she would forward the information to the State Water Board.

9. Selection of Chair and Vice-Chair for 2019

Board member Muzik nominated Ms. Wright for Board Chair and Mr. Crites for Vice-Chair for the calendar year 2019. Board member Davis seconded. All voted in favor of re-election of Ms. Wright and Mr. Crites as Board Chair and Vice-Chair. The Board members thanked Chair Wright and Vice-Chair Crites for their continued service.

10. Closed Session

There was no closed session held.

Adjournment

Meeting adjourned at 10:05 a.m.

DRAFT