

ITEM 2 LATE ADDITION

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION
MEETING OF NOVEMBER 9-10, 2016
SOUTH LAKE TAHOE**

ITEM 2
MINUTES

LATE ADDITION
Please insert the Minutes behind the Item 2 green sheet.

ENCLOSURE		BATE NUMBER
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Lahontan Regional Water Quality Control Board

MINUTES

September 14-15, 2016

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	Brianna St.Pierre, Engineering Geologist
Lauri Kemper, Assistant Executive Officer	Patrice Copeland, Sr. Engineering Geologist
Scott Ferguson, Sup Engineering Geologist	Jan Zimmerman, Engineering Geologist
Amber Wilke, Acting Clerk of the Board	Darryl Kambitsch, Office Technician
Mike Coony, WRCE	Jehiel Cass, Sr. WRCE
Cathe Pool, Sr. WRCE	Rebecca Phillips, SSA

REGULAR MEETING: September 14, June 8, 2016- 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 7:30 p.m. on September 14, 2016. There were no members of the public in the audience which resulted in dismissal of introductions in the Chair's opening statement.

1. **PUBLIC FORUM**

None.

AMY L. HORNE, PHD, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

2. Minutes

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

Ms. Cox	aye
Mr. Jardine	aye
Dr. Horne	abstained from voting due to her absence in June
Mr. Dyas	aye
Mr. Pumphrey	aye

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

3. Adoption of Uncontested Calendar

None.

REPORTS

4. **Reports by Water Board Chair and Board Members**

Moved the item to Thursday, September 15, 2016.

5. **Executive Officer's Report**

Ms. Kouyoumdjian gave updates on:

- Staffing hires and transitions;
- Enactment of the FY 2016-17 Budget Act and trailer bill;
- Toxic algae outbreak in Silverwood Lake;
- Governor's Tree Mortality Task Force meeting in South Lake Tahoe;
- President Obama's attendance at the Lake Tahoe Summit on August 31st;
- Wildfires in our region, including the Blue Cut fire in San Bernardino County;
- Climate Change survey preliminary results and future report at November Board meeting;
- Management meetings with USEPA and Nevada Department of Environmental Protection;
- New building for the Victorville Lahontan South office;
- Pedersen Ranch Mitigation Bank opened on October 7; and
- Presentation to Rebeca Phillips of the Sustained Superior Accomplishment Award.

Board Comments:

- Ms. Cox commented that she was excited to see the new Victorville Office. Dr. Horne stated the new building is overdue and requested a tour. Dr. Horne also asked for clarification regarding the Barstow cleanup update (Bates 5-12). Ms. Kouyoumdjian indicated the nitrate pollution was being addressed through a Cleanup and Abatement Order with the City of Barstow. She also reported that the Water Board received a \$2.6 million grant from the State Board to address the perchlorate ground water pollution. Ms. Kouyoumdjian also let the Water Board know that Ms. Kemper and staff were meeting with the Barstow City Manager and staff the following week to discuss source reduction and cleanup of the plume. Staff has been encouraging the City, at a minimum, to deal with the hot spots.

- Dr. Horne also asked for an update regarding the Palmdale groundwater cleanup (Bates 5-18) and the Cease and Desist Order that was given as a temporary solution while they built the treatment plant. Dr. Horne stated that it appeared cleanup was not a high priority. Dr. Horne requested that staff report back to the Water Board on pollution hot spots, plume reduction and provide maps of the area. Ms. Kouyoumdjian committed to preparing an item in the November Executive Officer’s report with more information regarding the site cleanup.

RESCISSIONS

6. **RESCISSION OF WASTE DISCHARGE REQUIREMENTS, BOARD ORDER NO.R6V2010-0010 - BOARD ORDER NO. R6V-2016-[PROPOSED] FOR NURSERY PRODUCTS, HAWES COMPOSTING FACILITY, SAN BERNARDINO COUNTY**

Ms. St. Pierre, Engineering Geologist, presented on the proposed Board Order for Nursery Products, Hawes Composting Facility. Chris Seney from Nursery Products also spoke in support of the item.

Board Comments:

- Ms. Cox asked if staff attended the State Board hearings as they were developing the Statewide General Composting order. She expressed concern that the statewide permit does not require financial assurance. Ms. St. Pierre stated that staff was very involved in the statewide permit meetings and advocated for financial assurance requirements.
- Dr. Horne shared Board member Cox’s concerns. However, Ms. St. Pierre explained that the State Board did not want to discourage composting. Dr. Horne asked if the requirements of the General Order are sufficiently protective. Ms. St. Pierre stated that in some cases the statewide permit is sufficient. Also, on a case-by-case basis the Water Board can impose individual requirements.

- **Motion** – Moved by Ms. Cox to approve Board Order No. R6V-2010-000 as presented. Mr. Jardine seconded. The motion unanimously **carried** per the following vote:

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

To view the adopted Board Order No. R6V-2016-0052 [CLICK HERE](#)

REVISED, UPDATED OR AMENDED PERMITS

7. **REVISED WASTE DISCHARGE REQUIREMENTS - BOARD ORDER NO. R6V-2016-[PROPOSED] FOR KERN COUNTY PUBLIC WORKS DEPARTMENT, RIDGECREST RECYCLING AND SANITARY LANDFILL, KERN COUNTY**

No Board Comments

- **Motion** – Moved by Mr. Dyas to approve Board Order No. R6V-2016 (proposed) for Kern County as presented. Mr. Pumphrey seconded. The motion unanimously **carried** per the following vote:

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

Mr. Pumphrey aye
Mr. Sandel absent

To View the Adopted Board Order No. R6V-2016-0051 [CLICK HERE](#)

8. **CLOSED SESSION**

No discussion for closed session.

Adjournment: Chair Dr. Horne adjourned the meeting at 10:15 p.m. September 14, 2016.

REGULAR MEETING: Thursday, September 15, 2016 – 8:30 a.m.

INTRODUCTIONS

Chair Dr. Horne called the meeting to order at 8:33 a.m. on September 15, 2016, and introduced members of the Board. Ms. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State and Regional Water Board Staff.

9. **PUBLIC FORUM**

None

PLANS AND POLICIES

10. **Onsite Wastewater Treatment System (OWTS) Policy Implementation**

Mike Coony, Water Resource Control Engineer (WRCE), presented on the OWTS Policy Implementation, which included responsibilities and timelines. Staff is seeking ideas and input from the Water Board members and public.

Public Comment:

Mike Podegracz spoke to the Water Board on OWTS and represents several towns in the high desert. He supports a regional entity to be a data repository for the Mojave.

Board Comments:

- Ms. Cox stated when she moved here 30 years ago that this was an only a septic system area. One thing that may be lost when you look into the community sewerage is a certain amount of groundwater recharge that is a benefit to the area. There is only a water quality issue when you get into the higher density areas. It seems like all the cities and counties have come to a consensus and don't have issues. Ms. Cox expressed the need to be judicious within the latitude we have we implement this moving forward and supported Mr. Podegracz's comments regarding a regional entity for water quality monitoring rather than the individual cities. She encouraged all local area management plans (LAMP) in the Mojave area to support a regional approach. Ms. Cox asked staff if existing lots can develop under the old requirements but if they subdivide then the new policy would be in effect. Mr. Coony replied yes.
- Mr. Jardine agreed with Ms. Cox that the Water Board has to have some flexibility moving forward.
- Mr. Dyas asked what role the Water Board would play with counties in regard to developing LAMP and regulatory oversight. Mr. Coony described the Water Board's responsibility for approval of a LAMP which is spelled out in the policy.
- Mr. Pumphrey expressed concern that there are gaps in terms of the level of information we have on septic systems region wide or in problem areas. Mr. Cass replied that it's true that some counties don't know locations of every system. The water quality status we have of these septic system areas is primarily best professional judgement.

- Mr. Dyas asked about the concept of requiring funding plans – who requires this and under what jurisdiction? Mr. Cass, Sr. WRCE, replied only a Tier 2 program requires a water quality assessment program and would expect the County to go to their Board of Supervisors for additional funding. If a proposed LAMP is inadequate and not approved, then Tier 1 rules would apply.
- Dr. Horne asked if staff had confidence in the water quality monitoring. Mr. Cass predicted that 1 to 2 cycles of the 5 year assessment programs and installation of dedicated monitoring wells are needed and staff would work with local government to determine how to fund these wells.

4. Reports by Water Board Chair and Board Members (Moved from the September 14, 2016 Board Meeting)

Mr. Pumphrey:

- In August attended Sierra Water Working Group workshop on Collaboratively Planning for Disadvantaged Community Grant Applications. Lisa Dernbach (staff) was also there;
- Save the date: May 8th and 9th there going to be an event “Reclaiming the Sierra 2017 Headwaters Resiliency”; and
- Presented to staff a wall-hanging for the new Victorville office that his wife Roberta made that depicts Route 66.

Mr. Jardine:

- Attended the Lake Tahoe Summit.

Dr. Horne:

- Attended the Lake Tahoe Summit;
- Attending WCQQ, on Board Panel;
- Attended State Water Board meeting – drought report; and
- Discussed AB 2480, the headwaters bill, which passed both the House and Senate and is on the Governor’s desk.

11. Resolution Authorizing a Supplemental Environmental Project Program Memorandum of Understanding with the Transition Habitat Conservancy

- Presented by Cathe Pool, Senior WRCE, and Cody Hampton with Transition Habitat Conservancy.

Ms. Pool described how Transition Habitat Conservancy currently has work in areas that overlap with the Mojave Integrated Regional Management Program (IRWMP). Ms. Pool asked if the Water Board wanted to have the Conservancy and the IRWMP operating in the same area? What staff did as a compromise was to have the Transition Habitat Conservancy join the Mojave IRWMP and encouraged them to put their projects on the Mojave IRWMP list. In the next 2 years when the Mojave IRWMP does their project review possibly some of the Transition Habitat Conservancy projects will appear on the list. As of now they are not on the list. In the meantime, Ms. Pool explained that the Transition Habitat Conservancy will be eligible to receive Supplemental Environmental Project (SEP) funding if the Water Board approves the Memorandum of Understanding (MOU). Staff asked for future direction from the Water Board to either continue developing MOUs with all eligible organizations or require eligible organizations to become members of IRWMP that have SEP programs in place and only develop MOUs with IRWMP.

Ms. Pool recommended that we continue to develop MOUs with all eligible organizations. The watershed councils have a different focus than IRWMP. We also believe that working with a wide variety of groups will give us the best list of possible projects to choose from.

Once the MOU template is standardized, then it won't be as time laden for staff. Watershed groups and the IRWMPs would both have projects eligible for SEP funding and State grants which require a multi-vested community-based project.

After discussion the Water Board accepted staff recommendation.

Motion: Moved by Mr. Pumphrey, seconded by Mr. Jardine, to approve the MOU with the Transition Habitat Conservancy as presented. The motion *carried* per the following votes:

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

To view the adopted Board Resolution No. [R6T-2016-0061 CLICK HERE.](#)

With no further business to come before the Board, the meeting was adjourned at 11:00 a.m. on September 15, 2016.

Prepared by: _____ Adopted: _____
Kathy Otermat, Executive Assistant