

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**MEETING OF MAY 11, 2022
SOUTH LAKE TAHOE, CA**

ITEM 4
EXECUTIVE OFFICER'S REPORT

ENCLOSURE	ITEM	BATES NO.
1	Executive Officer's Report – February 2022	4 - 3
	Attachment A – Executive Officer's February 2022 Action Items	4 - 17
	Attachment B – February 2022 Unauthorized Discharge Report	4 - 21
2	Executive Officer's Report – March 2022	4 - 25
	Attachment A – Executive Officer's March 2022 Action Items	4 - 35
	Attachment B – March 2022 Unauthorized Discharge Report	4 - 39
3	February and March Proposed 2022 Standing Items	4 - 43

ENCLOSURE 1



EXECUTIVE OFFICER’S REPORT
Covers February 1 – February 28, 2022

Contents

1. Personnel Report – *Sandra Lopez*.....1
 2. Federal Government Shows Support to Mountain Pass Mine – *Shelby Barker*.....2
 3. Eastern California Cannabis Unit: Establishing Priority Watersheds for the Lahontan and Colorado River Basin Regional Water Quality Control Boards – *Alex Spencer*5
 4. Standing Item — Confined Animal Facility Status Report – *John Morales and TJ Middlemis-Clark*.....8



1. Personnel Report – Sandra Lopez

New Hires - None

Vacancies

- Engineering Geologist, Non-Point Source Unit, South Lake Tahoe. This position will assist with technical, regulatory, and administrative procedures related to review of project environmental disclosure and permitting documents.
- Senior Engineering Geologist (Specialist), Leviathan Mine, South Lake Tahoe. This position will evaluate and provide advice to Water Board management regarding the Water Board's cleanup and abatement actions needed at the Leviathan Mine to comply with the USEPA's Administrative Abatement Action Order.
- Water Resource Control Engineer, Forestry / Dredge & Fill Unit, South Lake Tahoe. This position reviews and inspects U.S. Forest Service timber harvest and vegetation management, and/or ecological restoration projects.
- Engineering Geologist, Forestry / Dredge & Fill Unit, South Lake Tahoe. This position will review timber harvest plans and conducting pre-harvest and post-harvest field inspections in order to evaluate the impact of logging operations and

other forest practices (e.g., vegetation management for utility corridors) on the quality and beneficial uses of water.

- Engineering Geologist, Cleanup/Site Investigation & Enforcement Unit, South Lake Tahoe. This position will oversee/direct site investigation and cleanup activities at various sites, such as underground storage tank sites, dry cleaner sites, mines, landfills, and Department of Defense sites.
- Engineering Geologist, Cannabis Unit, Victorville. This position will work as a part of an interdisciplinary team and will perform duties regulating the discharge of waste from illegal or permitted cannabis cultivation sites and associated facilities or operations with similar environmental effects.
- Scientific Aid, Regulatory & Enforcement Unit, South Lake Tahoe. This position supports staff primarily through review of submitted self-monitoring reports, along with other special projects.
- Scientific Aid, Forestry/Dredge & Fill and Non-Point Source Units, South Lake Tahoe. This position will evaluate water quality data and assess compliance with water quality orders and permits associated with grazing, restoration, timber, and forestry activities.
- Senior Water Resource Control Engineer, Wastewater and Agriculture Unit, Victorville. This position will supervise staff performing tasks related to existing, new, expanded, and improved wastewater treatment and disposal facilities, onsite wastewater treatment systems and septic systems, dairies, heifer ranches, stormwater, and site cleanup program sites.
- Scientific Aid, Wastewater and Agriculture Unit, Victorville. This position supports staff primarily through review of submitted self-monitoring reports, along with other special projects.

Departures - None

2. Federal Government Shows Support to Mountain Pass Mine – *Shelby Barker*

Mountain Pass Mine, located in California along the I-15 corridor near the Nevada state line, is the only active rare earth mineral mine in the United States (US) (Figure 2.1). In 2015, Molycorp Minerals, LLC (Molycorp) filed Chapter 11 bankruptcy leaving the mine in cold idle until it was purchased by MP Mine Operations, LLC (MPMO). The rare earth elements found at Mountain Pass Mine are necessary for components in national defense systems as well as technological consumer products including smartphones, fiber-optic cables, medical devices, and green technologies such as wind turbines and electric vehicles (EV). Since the sale of Mountain Pass Mine, MPMO has continued to grow and catch the eye of various investors and federal agencies. The initial attention was unsurprising, given that the 17 rare earth minerals mined at the Mountain Pass Mine site are classified as strategic minerals by the US government giving these minerals importance to so many technological industries.

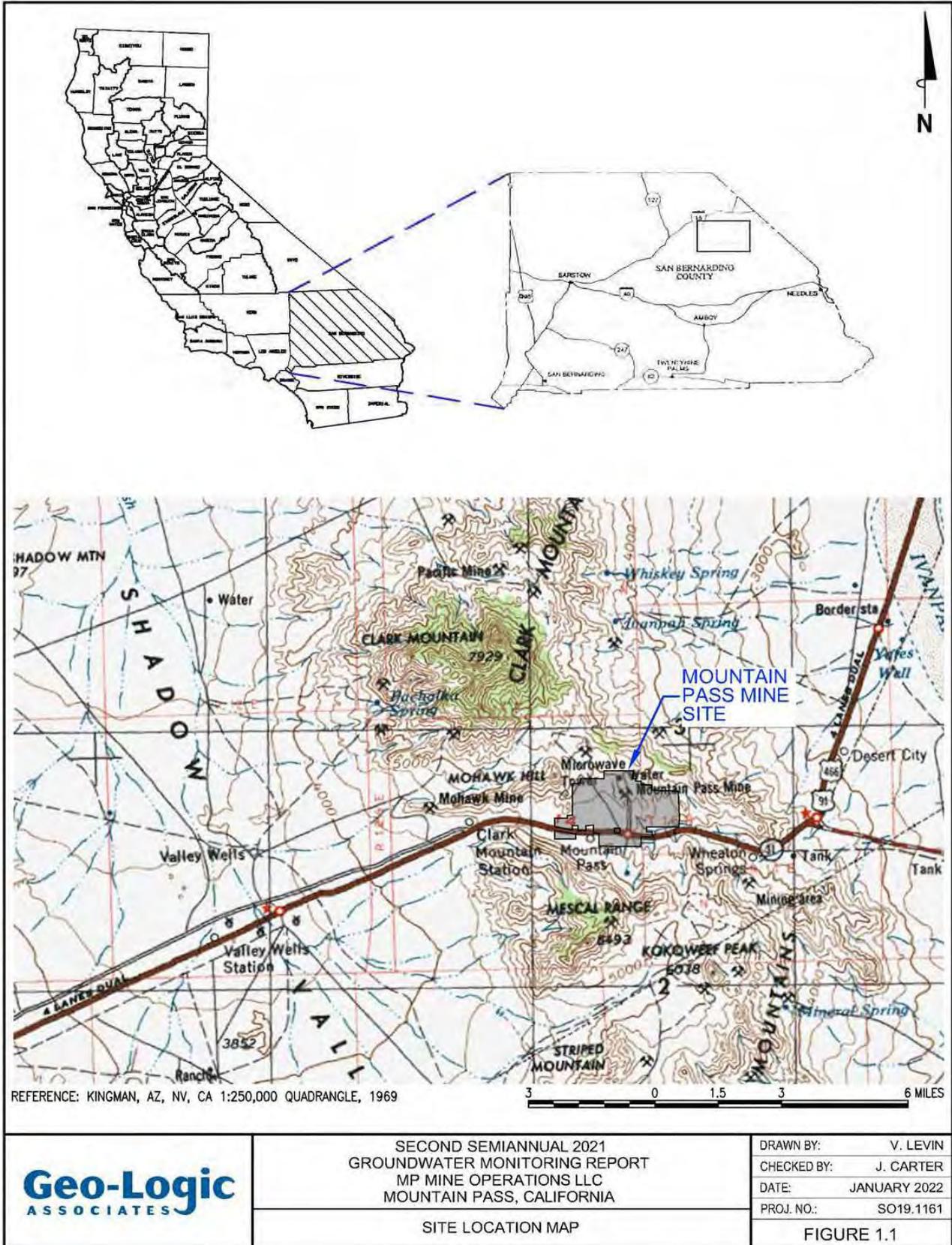


Figure 2.1: Map showing location of Mountain Pass Mine in San Bernardino County

However, immediately following MPMO's purchase of Mountain Pass Mine, industry leaders became increasingly concerned about the US reliance on China for the majority of rare earth elements and began sharing such concerns with the Trump administration. In December 2017, President Donald Trump signed Executive Order 13817: A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals (2017 Executive Order), requiring the Secretary of the Interior to identify critical minerals in the US and made it a policy for the Federal Government "to reduce the Nation's vulnerability to disruptions in the supply of critical minerals." This Executive Order led to a 2018 Report that identified 35 critical minerals as a particular concern, including several rare earth elements that are found at Mountain Pass Mine. However, the 2017 Executive Order and subsequent 2018 Report had not yet opened any avenues to provide additional funding to Mountain Pass Mine.

Each year since purchasing Mountain Pass Mine, MPMO had increased their mining production, compared to predecessor volumes, but are still unable to process the rare earth oxide (REO) on site. As such, REO are still being sent to China for further processing and refining. This issue and other similar concerns with access to mining and processing of these critical minerals led President Trump to issue another Executive Order in September 2020 (2020 Executive Order) declaring a national emergency to address the country's reliance on foreign sources for these critical minerals. The 2020 Executive Order also specifically identified the need to improve America's domestic mining and processing capacity.

Shortly thereafter in November 2020, MPMO merged with Fortress Investments which allowed the newly formed parent company, MP Materials Corporation, to become a publicly traded company on the New York Stock Exchange (NYSE) beginning November 18, 2020. This raised approximately \$500 million to support the MPMO's Stage II Optimization, which will allow them to process REO material onsite as opposed to selling it to China for processing. That same week they went public on the NYSE, the Pentagon awarded Mountain Pass Mine a Defense Production Act Title III Grant for \$9.6 million to help facilitate design and construction of their \$200 million REO refinement facility as part of the Stage II Optimization project.

The predecessor, MolyCorp, primarily focused on processing cerium, which is the most abundant of the rare earth elements at Mountain Pass Mine. However, MPMO intends to design their Stage II Optimization project to also process the more profitable rare earth elements used in permanent magnets. Neodymium-Praseodymium (NdPr) oxide, which is expected to represent approximately 90% of MPMO's future revenue, is the primary material needed to make the most efficient and highest strength permanent magnets used in many electric systems such as EV traction motors, wind turbines, drones, industrial robots, speakers, and consumer electronics. Other heavy rare earth elements present in mine materials such as terbium and dysprosium that will be processed can be used in other critical defense systems, medical devices, fiber optics, and other advanced technologies. In December 2021, MPMO announced that they will also design and construct the first commercial-scale magnet facility to be built in the US in over 20 years. Currently, there is no single end-to-end facility in the US that can convert NdPr oxide to a finished magnet.

President Joseph Biden has continued the Federal support of improving domestic production of these critical minerals. In June 2021, the Biden Administration released their 100-day review, “Building Resilient Supply Chains, Revitalizing American Manufacturing and Fostering Broad-Based Growth,” which included a section on strategic and critical minerals and their thoughts on rare earths. In February 2022, President Biden, alongside California Governor Gavin Newsom, White House National Climate Advisor Gina McCarthy, Deputy Secretary of Defense Kathleen Hicks, and Energy Secretary Jennifer Granholm, announced that Mountain Pass Mine received \$35 million in funding awards from the Department of Defense’s Industrial Base Analysis and Sustainment Program to further support MPMO to establish their full end-to-end domestic permanent magnet supply chain. This funding will enable MPMO to proceed with plans to separate the heavier rare earth elements into 11 additional oxides, particularly terbium and dysprosium, which will be used in the NdPr magnets.

Construction for Stage II Optimization project broke ground in 2021, and MPMO hopes it will be operational in 2022. Water Board staff are working with MPMO to evaluate whether the proposed operations will affect current waste effluent discharges, or produce new waste discharges, that may require revisions to the Waste Discharge Requirements (WDRs), or new WDRs, for the Mountain Pass Mine facility. The end-to-end magnet facility is expected to be operational in 2023 with production of finished magnets in 2025. General Motors has already committed to being one of its foundational customers of the facility.

In 2021, MPMO produced 42,400 metric tons of REO (over 3.5 times the volume produced by Molycorp), making Mountain Pass Mine the second largest producer of rare earths in the world, and the largest producer outside of China. MPMO also announced that they profited approximately \$330 million in revenue and \$168 million in net income in 2021, with a cash balance of \$500 million. Also, in the same year, MPMO issued a \$690 million green convertible bond with proceeds to be used to reduce the Mine’s environmental impact and/or enable the production of low-carbon technologies.

3. Eastern California Cannabis Unit: Establishing Priority Watersheds for the Lahontan and Colorado River Basin Regional Water Quality Control Boards –
Alex Spencer

As part of Executive Oversight Committee (EOC) recommendations for improving statewide performance of the State and Regional Water Boards Cannabis Cultivation Programs, Regional Water Board Units throughout California have been tasked with identifying priority watersheds through which to identify enrollment, inspection, and enforcement priorities. This task is intended as a collaborative effort between the Regional Boards and the California Department of Fish and Wildlife (CDFW). The Eastern California Cannabis Unit, with jurisdiction encompassing the Lahontan and Colorado River Basin Regions, shares territory with five separate CDFW Regions: The Inland Desert (6), the South Coast (5), the Central (4), the North Central (2), and the North Region (1).

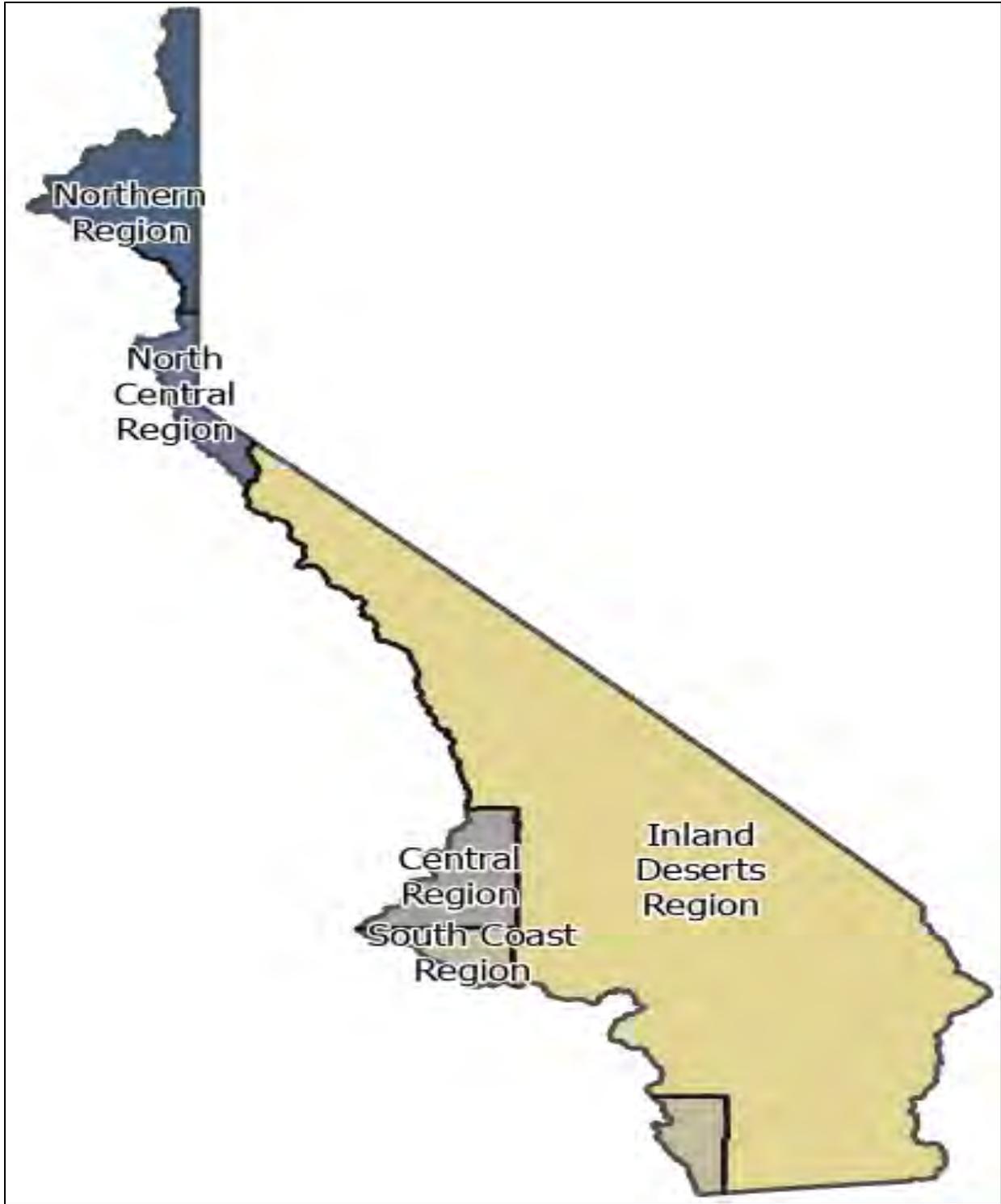


Figure 3.1: Overlap of CDFW and the Lahontan and Colorado River Basin Regions

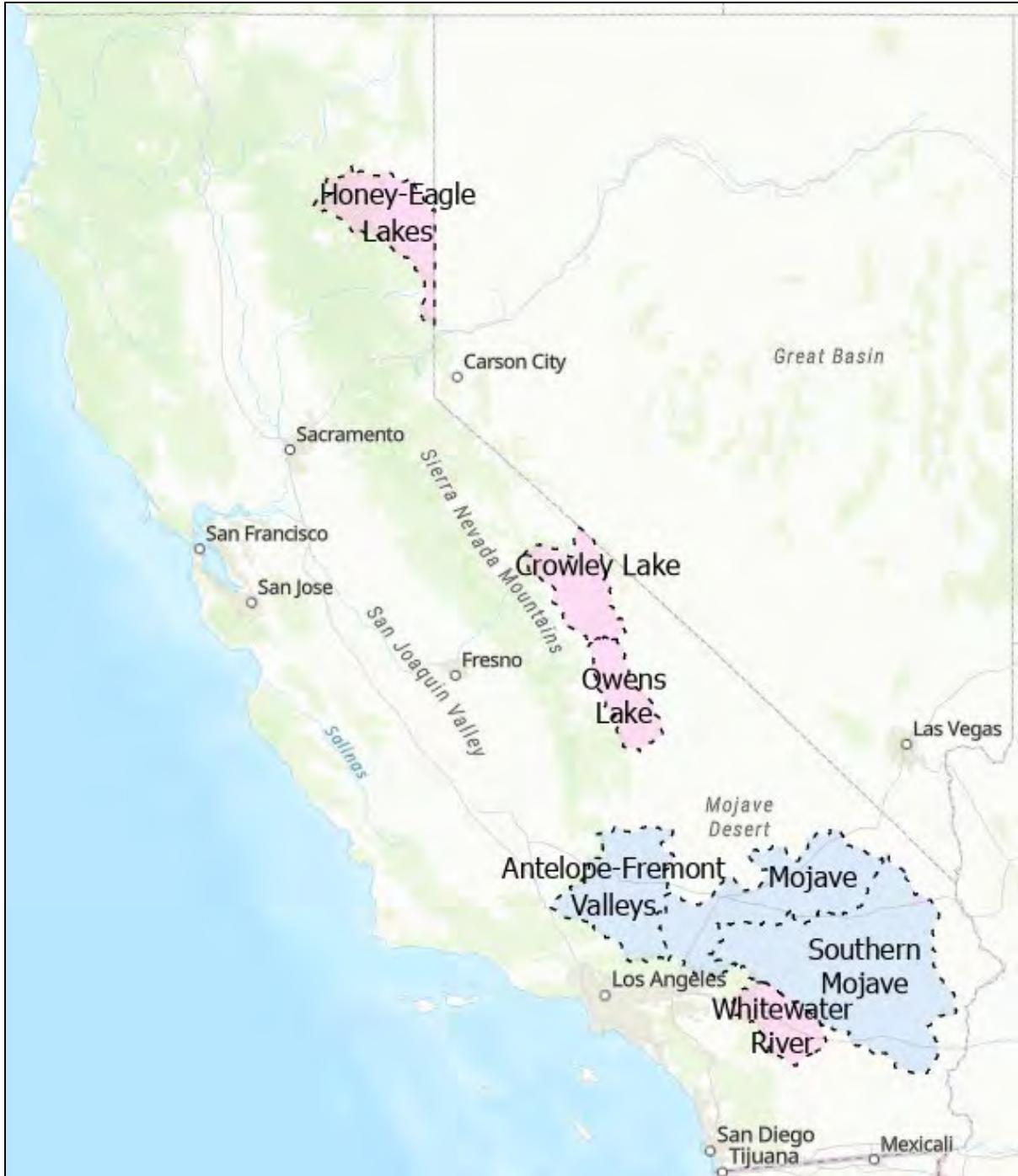


Figure 3.2: Primary (blue) and secondary (red) priority watersheds

Eastern California Cannabis Unit staff reached out to these counterparts, with emphasis on the Inland Desert Region, to determine priority areas for each agency. Criteria for the analysis, prescribed by the EOC includes:

- Acres disturbed by cultivation
- Cultivation density
- Water diversion present
- Wild or scenic waterways present
- Threat to drinking water
- Disadvantage community presence
- Anadromous species present
- Wetland impacts

In our effort to collaborate with our CDFW partners, we established additional parameters focusing on the interests of both agencies. These parameters include:

- Presence of sensitive or critical habitats habitat
- CDFW or government owned lands
- Hunting and fishing use/game preservations
- Natural Community Conservation Plans
- Multispecies Habitat Conservation Plans
- Presence of overdrafted or adjudicated groundwater basins
- Presence of 303d listed streams
- Presence of higher order streams

This assessment was completed hand-in-hand with the Inland Desert Region, using GIS software to display each parameter throughout our regions. After reaching out to the other CDFW Regions within the Lahontan and Colorado River Basins, unit staff chose three primary priority watersheds: The Antelope-Fremont Valleys, the Mojave, and the Southern Mojave. Four secondary priority watersheds were also chosen, as they also included sensitive habitat, a strong presence of legal and illegal cannabis cultivation, and representation for more northern portions of our regions: The Honey-Eagle Lakes, Crowley Lake, Owens Lake, and the Whitewater River Watersheds. Each watershed exists within the boundaries of the Lahontan Water Board and intersect with all five of the CDFW regions who share our boundaries.

The establishment of these watersheds will further allow the Eastern California Cannabis Unit to focus enforcement efforts in areas where they are most needed. Regional and State Water Board management and staff also hope to use this tool as a way to collaborate between Water Board, CDFW scientific staff, County and law enforcement staff to increase the rate and efficiency of search warrants and inspections.

4. Standing Item — Confined Animal Facility Status Report – *John Morales and TJ Middlemis-Clark*

The Water Board has tracked and, in some cases, regulated the groundwater quality impact of confined animal facilities (CAFs) since 1983. In the intervening time, Water Board staff have developed and presented strategies and items for board adoption to

deal with the potential or recognized water quality impact to groundwater. For the purposes of these projects, Water Board staff have considered any facility housing either more than 50 animal units (AUs, defined as 1,000 pounds of animal weight) or 500 or more animals, whichever is fewer, to be a CAF.

2010 Dairy Strategy

Water Board staff have spent the last decade implementing the regulatory strategy outlined in Water Board's May 2010 (Item 7) staff report to address groundwater pollution impacts from large CAFs. The strategy discusses the regulatory background, a proposed dairy regulatory program framework, a list of challenges, and a list of recommendations.

The dairy strategy contains the following key components, shown in priority order:

1. Assess and address risk to downgradient receptors from exposure to polluted groundwater
2. Identify appropriate source controls and require phased implementation of suitable waste minimization, control, and disposal practices under WDRs or a Conditional Waiver
3. Ensure adequate monitoring to evaluate the extent of affected groundwater and the effectiveness of source control measures implemented
4. Require groundwater remediation where groundwater beneficial uses are impaired

These key components were discussed in previous Executive Officer Reports, including the February 2021 Executive Officer's Report, Standing Item 4.

Current Status of Dairy and Other Cattle Facilities

Staff monitor the status of 13 active and former CAFs. Individual waste discharge requirements (WDRs) were issued to four dairies. Currently, there are eight active dairies and heifer ranches and five closed or closing facilities. Under cleanup and abatement orders or settlement agreement, five CAFs are providing replacement bottled water to nearby residences. Figure 4.1 displays the relative locations of the tracked facilities.

The eight facilities that are currently active house 17,842 cattle, based on discussions between staff and facility owners during inspections conducted within the past year. All active facilities are regularly inspected and assessed regarding water quality impact reduction practices. Implementing these practices is voluntary for facilities who are not regulated by WDRs. However, detected impacts to water quality can lead to regulated enforcement actions.

Closed (and closing) facilities may also have impacted groundwater. This is particularly true if any contaminated materials are left onsite. Therefore, Water Board staff plan to send closure letters to these facilities with specific steps. These steps may include

demonstrating manure removal throughout the facility and assessing groundwater to determine the extent of any possible nitrate and total dissolved solids (TDS) contamination. Depending on the condition of the site, the responsible parties may be required, under enforcement actions, to improve site cleanup activities and/or groundwater cleanup remediation efforts prior to departure.

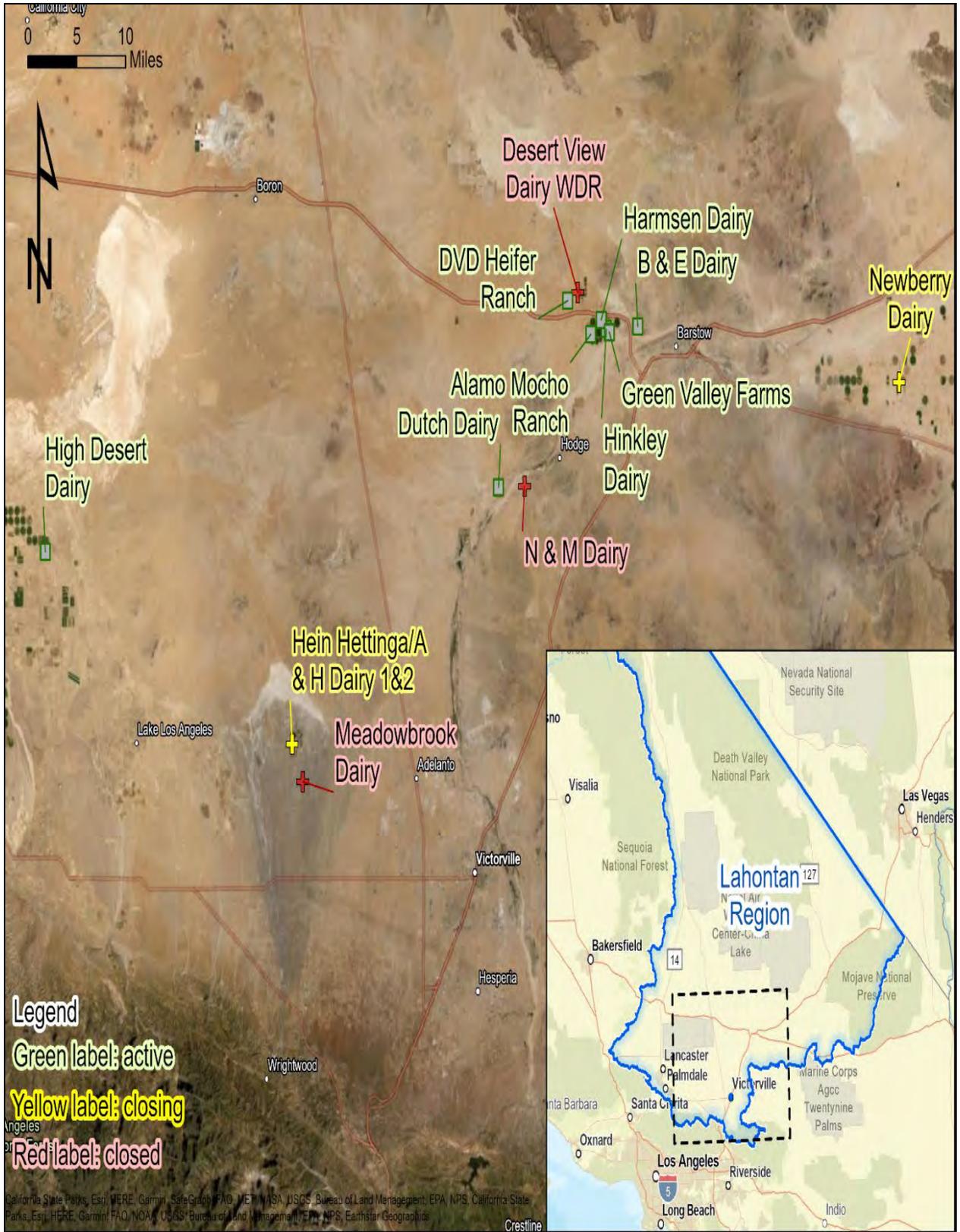


Figure 4.1: Map of tracked confined cattle facilities in the Lahontan Region

During the past ten years, staff developed the discharge requirements and enforcement actions in place at the active and closed facilities. Additionally, staff sampled groundwater wells, inspected facilities, conducted outreach workshops, and worked on a set of general waste discharge requirements for all dairy and other cattle facilities in the region. In the near term, staff plan to conduct additional outreach, extending beyond dairy and other cattle facility owners and representatives to other interested and potentially impacted parties and stakeholders. Staff plan to seek study funding opportunities and discuss the dairy and other cattle facilities program with the board as a workshop item in fall 2022.

ATTACHMENT A

EXECUTIVE OFFICER ACTION ITEMS
February 1, 2022, to February 28, 2022
Lahontan Regional Water Quality Control Board

DOCUMENT	DATE
NO FURTHER ACTION REQUIRED ¹	
NONE	N/A
EXEMPTIONS	
Pending Action for Notice of Applicability for General Waste Discharge Requirements for Small Construction, Including Utility, Public Works, and Minor Streambed/Lakebed Alteration Projects, Board Order R6T-2003-0004, and Exemption to Waste Discharge Prohibitions for the Miller Pier Rebuild Project, Nevada County	2/25/2022
EXTENSIONS	
Review of Krazan-Veir's November 23, 2021 Request For Extension of Corrective Action Order Due Dates, Petro-Lock, Inc. Main Bulk Facility, 45315 North Trevor Avenue, Lancaster, Los Angeles County	2/16/2022
ADOPTED BOARD ORDERS	
Resolution No. R6t-2022-0003 Granting an Exemption to The Aquatic Pesticide Discharge Prohibition in The Water Quality Control Plan for The Lahontan Region for The Tahoe Keys Lagoons Aquatic Weed Control Methods Test for The Tahoe Keys Property Owners Association City of South Lake Tahoe	2/25/2022
Resolution R6t-2022-0002 Certification of California Environmental Quality Act Final Environmental Impact Report For The Tahoe Keys Lagoons Aquatic Weed Control Methods Test	2/25/2022
401 WATER QUALITY CERTIFICATIONS	
NONE	N/A

¹ The Executive Officer finds the release of petroleum products at the following sites poses a low threat to human health, safety, and the environment. Therefore, these cases were closed in accordance with the Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closure (Resolution 2012-016). The Policy recognizes contaminant mass often remains after the investment of reasonable remedial effort and this mass may be difficult to remove regardless of the level of additional effort and resources invested. The establishment of the Policy is an effort to maximize the benefits to the people of the State of California through the judicious application of available resources.

DOCUMENT**DATE****WASTE DISCHARGE REQUIREMENTS**

Notice of Applicability, State Water Resources Control Board Order WQ 2014-0153-DWQ, General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems, Olancha Lake RV Park, Inyo County	2/17/2022
Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit For Tahoe Keys Property Owners Association Tahoe Keys Lagoons Aquatic Weed Control Methods Test	2/25/2022

MISCELLANEOUS DOCUMENTS

NONE	N/A
------	-----

Additional links:

[General Policy information](#)

[Copy of Policy](#)

[Implementation Plan](#)

ATTACHMENT B

UNAUTHORIZED DISCHARGE REPORT
 FEBRUARY 1, 2022 TO FEBRUARY 28 , 2022

Responsible Party	Location of Occurrence	Regulated Facility	Basin N/S?	Date of Occurrence	Volume of Occurrence	Violation Description	Comments	Status
COUNTY: El Dorado								
KMC .inc	1030 Al Tahoe Blvd. South Lake Tahoe	No	N	2/27/2022	Over 1000 gallons of sewage	Blockage in a sewer collection system for a Comercial shopping complex, sewage surfaced at a cleanout within the parking lot and flowed into a storm drain which went to a storm water basin.	The Property manager could not find a plumber on Friday night, the utility district responded with an on call crew and billed property	Blockage remove storm drain cleaned out, surface are disinfected

*All discharges to surface waters are to be included in this report.

**Discharges of less than 1000 gallons to land are not to be included in this report.

ENCLOSURE 2



EXECUTIVE OFFICER’S REPORT
Covers March 1, 2022 – March 31, 2022

Contents

1. Personnel Report – <i>Sandra Lopez</i>	1
2. Status of United States Geological Survey (USGS) Hinkley Chromium Background Study – <i>Amanda Lopez</i>	2
3. Resolution of Edwards Air Force Base Operable Unit 4/9 Arroyos Dispute – April 2022 – <i>Alonzo Poach</i>	4
4. Notice of Public Workshop and Opportunity for Public Comment on the Administrative Draft Maximum Contaminant Level for Hexavalent Chromium and Effects on the Hinkley Chromium Cleanup – <i>Amanda Lopez</i>	5
5. Governor’s Drought Executive Order N-7-22 – <i>Anna Garcia</i>	5
6. The Mojave River Watershed Mitigation Bank – <i>Tiffany Steinert, Jan Zimmerman, and Patrice Copeland</i>	6

1. Personnel Report – *Sandra Lopez*

New Hires

- Ghasem Pour-ghasemi, Senior Water Resource Control Engineer, Wastewater and Agriculture Unit, Victorville. This position will supervise staff performing tasks related to existing, new, expanded, and improved wastewater treatment and disposal facilities, onsite wastewater treatment systems and septic systems, dairies, heifer ranches, stormwater, and site cleanup program sites.
- Bryan Talmadge, Water Resource Control Engineer, Forestry / Dredge & Fill Unit, South Lake Tahoe. This position reviews and inspects U.S. Forest Service timber harvest and vegetation management, and/or ecological restoration projects.

Vacancies

- Engineering Geologist, Non-Point Source Unit, South Lake Tahoe. This position will assist with technical, regulatory, and administrative procedures related to review of project environmental disclosure and permitting documents.
- Senior Engineering Geologist (Specialist), Leviathan Mine, South Lake Tahoe. This position will evaluate and provide advice to Water Board management regarding the Water Board's cleanup and abatement actions needed at the Leviathan Mine to comply with the USEPA's Administrative Abatement Action Order.
- Engineering Geologist, Forestry / Dredge & Fill Unit, South Lake Tahoe. This position will review timber harvest plans and conducting pre-harvest and post-harvest field inspections to evaluate the impact of logging operations and other forest practices (e.g., vegetation management for utility corridors) on the quality and beneficial uses of water.
- Engineering Geologist, Cleanup/Site Investigation & Enforcement Unit, South Lake Tahoe. This position will oversee/direct site investigation and cleanup activities at various sites, such as underground storage tank sites, dry cleaner sites, mines, landfills, and Department of Defense sites.
- Engineering Geologist, Cannabis Unit, Victorville. This position will work as a part of an interdisciplinary team and will perform duties regulating the discharge of waste from illegal or permitted cannabis cultivation sites and associated facilities or operations with similar environmental effects.
- Scientific Aid, Regulatory & Enforcement Unit, South Lake Tahoe. This position supports staff primarily through review of submitted self-monitoring reports, along with other special projects.
- Scientific Aid, Forestry/Dredge & Fill and Non-Point Source Units, South Lake Tahoe. This position will evaluate water quality data and assess compliance with water quality orders and permits associated with grazing, restoration, timber, and forestry activities.
- Scientific Aid, Wastewater and Agriculture Unit, Victorville. This position supports staff primarily through review of submitted self-monitoring reports, along with other special projects.

Departures – None

2. **Status of United States Geological Survey (USGS) Hinkley Chromium Background Study – *Amanda Lopez***

The USGS background study was performed to 1) evaluate the extent of anthropogenic hexavalent chromium released from Pacific Gas and Electric's (PG&E's) Hinkley

compressor station, and 2) estimate background hexavalent chromium concentrations in the upper aquifer of the study area (Hinkley and Water Valleys). The final report will describe the comprehensive scientific approach developed by the USGS to determine the extent of the anthropogenic chromium plume in groundwater and estimated background chromium values. USGS scientists collected and analyzed data from geologic sources and influences on hexavalent chromium occurrence, studied groundwater geochemistry, measured aquifer properties affecting groundwater flow, determined the age and source of groundwater, and evaluated historical chromium trends.

The USGS Background Study Report was set to be released in April 2022. Unfortunately, in February, the USGS notified Water Board staff that they were unable to meet the final report submittal deadline due to increased level of internal review, USGS staff turnover, and the ongoing COVID-19 pandemic which have all contributed to the delayed release of the final report. USGS requested an extension for delivering the Background Study Report with anticipation that the final report would be released by September 2022. In the most recent quarterly update provided by USGS lead author, Dr. John Izbicki, the USGS Background Study Report is in the final stages of review and approval before it is sent for publication.

Below is a timeline summarizing the activity concerning the USGS Background Study Report from 2020 to the present.

- 2020
 - January – release of Draft Background Study Report to the Technical Working Group (TWG).
 - April – TWG comments, including Water Board staff comments, on Draft Background Study Report submitted to Dr. Izbicki.
 - October – A progress report on the USGS’s review of the draft report indicates the final report will be released in early 2021.
- 2021
 - March – Dr. Izbicki notifies Water Board staff that the final report and final invoice will not be submitted until April 2022.
 - May – Dr. Izbicki discusses final report delay at TWG meeting, addresses some changes to the final report because of the USGS review process. Report reviews were delayed due to the COVID-19 pandemic as well as staffing changes within the USGS internal review team.
- 2022
 - February – Dr. Izbicki notifies Water Board staff that the final report is unlikely to be submitted by the April 2022 deadline.
 - March – USGS contract extension request for the anticipated release of the final Background Study Report in September 2022. Water Board Contract Manager approves USGS request to extend the final invoice due

date and final report deliverable to September 2022 and notifies USGS of the contract deadlines.

- September – final Background Study Report due to the Water Board.

After the final Background Study Report is released, Water Board staff will hold a public workshop as part of a future Board meeting to discuss the final report. At the workshop, Dr. Izbicki will present the methodology and conclusions of the background study and answer questions of the public and board members to provide clarification.

Additionally, Water Board staff will evaluate the need for revisions to the Cleanup and Abatement Order using the Background Study Report as guidance. Public engagement will be incorporated into any proposed revisions to the Cleanup and Abatement Order, which is likely to happen within the 2- to 3-year time frame after the release of the final Background Study Report.

3. Resolution of Edwards Air Force Base Operable Unit 4/9 Arroyos Dispute – April 2022 – *Alonzo Poach*

The Edwards Air Force Base (Edwards AFB) Arroyos Record of Decision (ROD) dispute was initiated in November 2014 by the Department of Toxic Substances Control (DTSC) and the United States Environmental Protection Agency (USEPA), Region 9. After over seven years of formal negotiations, the USEPA Region 9 Regional Administrator (RA), Martha Guzman Aceves, issued a written position (i.e., a decision) on the Edwards AFB Arroyos Dispute in a letter dated March 10, 2022. When a RA issues a decision on a dispute, the other stakeholders (State of California and United States Air Force) have 14-days to elevate the dispute to the USEPA Administrator in Washington DC. The 14-day elevation period expired on March 25, 2022, with no party choosing to elevate the dispute to the USEPA Administrator.

The disputed issues on the Arroyos Record of Decision primarily focused on various risk management and toxicity criteria issues.

The resolution, as outlined in RA Guzman Aceves' written position, requires the Air Force to incorporate 10^{-6} risk levels for cleanup goals, remove references to proposed 10^{-5} action levels, update several other issues regarding risk with previously agreed upon language, implement worker protection actions for specific buildings, and issue a new Proposed Plan. In addition, the ROD (to be issued in conjunction with the new Proposed Plan) will select an interim groundwater remedy that will consist of institutional controls to restrict groundwater pumping instead of selecting a technical impracticability/containment zone remedy for the Arroyos. Because of uncertainty in the conceptual site model and contaminant plume extent, the Air Force and regulatory agencies agree that additional site characterization and treatability studies will be needed before a final groundwater remedy can be selected.

The Air Force must now provide a revised Draft Final Arroyos ROD implementing the RA's decision by the end of May 2022. Upon issuance of the revised Draft Final Arroyos ROD, USEPA Region 9, DTSC, and Lahontan Water Board will have 60-days to review and provide comments on the document.

4. Notice of Public Workshop and Opportunity for Public Comment on the Administrative Draft Maximum Contaminant Level for Hexavalent Chromium and Effects on the Hinkley Chromium Cleanup – Amanda Lopez

On March 21, 2022, the State Water Resources Control Board (State Water Board) announced the release of an administrative draft maximum contaminant level (MCL) for hexavalent chromium. The proposed hexavalent chromium MCL is 10 parts per billion (ppb). The State Water Board plans to conduct two virtual public workshops to hear public comments regarding the proposed MCL; these workshops are planned for April 5 and April 7, 2022. In addition, written comments are also being solicited and are due by noon on April 29, 2022. The formal procedure for adopting regulation under the Administrative Procedure Act has not yet begun and these workshops were not part of that process. Input provided during the workshops and public comments may be used to inform the development of the regulation. Additional opportunities to comment on the administrative draft of the proposed drinking water standard will be available once the formal rulemaking process is initiated latter his year.

For more information, the Chromium-6 Drinking Water MCL Webpage is here: https://waterboards.ca.gov/drinking_water/certlic/drinkingwater/Chromium6.html.

To sign up for the Drinking Water Program Announcements LYRIS e-mail list, go here: www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html.

In November 2015, the Water Board issued Cleanup and Abatement Order (CAO) No. R6V-2015-0068 to Pacific Gas & Electric Company (PG&E) to clean up and abate waste discharges of total and hexavalent chromium to the groundwaters of the Mojave Hydrologic Unit. At the time the CAO was issued, the MCL for hexavalent chromium was 10 ppb. However, the MCL was subsequently invalidated in 2017. While the final MCL for hexavalent chromium is pending a hearing by the State Water Resources Control Board, the Lahontan Water Board may need to subsequently update the CAO to reflect the new regulatory level. However, it is not anticipated that the final hexavalent chromium MCL will affect the background cleanup goals established in the CAO.

5. Governor’s Drought Executive Order N-7-22 – Anna Garcia

The purpose of this article is to provide the Lahontan Water Board with information contained in the Governor’s [Drought Executive Order N-7-22](#). The Executive Order includes provisions related to ensuring drinking water for vulnerable communities, safeguarding groundwater, protecting vulnerable fish and wildlife, and preventing illegal water diversions.

In response to the ongoing drought emergency, Governor Newsom signed [Drought Executive Order N-7-22](#) on March 28, 2022. Under the Executive Order, the State Water Resources Control Board shall consider adopting emergency regulations, by May 25, 2022, that include requirements to expedite consideration of petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish and expand inspections to determine whether illegal diversions or wasteful and unreasonable use of water are occurring and bring

enforcement actions, as appropriate. Discussed herein are those portions of the Executive Order that pertain to drinking water, water quantity, and water quality.

The Executive Order protects drinking water for vulnerable communities through Item 7 and Item 10. Item 7 facilitates the hauling of water for domestic use by bottle or truck through the suspension of any ordinance, regulation, prohibition, policy, or requirement that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction. For household or small community drinking water systems that have failed due to drought conditions, Item 10 of the Executive Order directs the Department of Water Resources (DWR) to work with other state agencies to expedite regulatory pathways for modification, repair, or reconstruction of the failed well(s).

Items 9a and 9b of the order relate to well permitting activities. These items require a county, city, or public agency with well permitting authority to obtain written verification from the Groundwater Sustainability Agency managing a high- or medium-priority basin before issuing a permit to install a new groundwater well in the basin. Also, a permit shall not be issued for installation of a new groundwater well or alteration of an existing well without determining that the well will not interfere with the function of nearby wells and will not cause subsidence that would impact nearby infrastructure. Items 9a and 9b do not apply to wells that will provide less than 2 AF/year for domestic users or to public water supply systems.

Items 11 through 13 of the Executive Order are focused on groundwater recharge efforts. Item 11 directs state agencies to collaborate with tribes and federal, regional, and local agencies to promote groundwater recharge and increase storage. Item 12 directs Regional Boards to accelerate water rights permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge for projects that enhance capture of high precipitation events for local storage and recharge. Item 13 suspends permitting for recharge projects under either Flood-Managed Aquifer Recharge or DWRs Sustainable Groundwater Management Grant Program.

Additional information regarding [Drought Executive Order N-7-22](#) is available from the [Office of the Governor](#).

6. The Mojave River Watershed Mitigation Bank – *Tiffany Steinert, Jan Zimmerman, and Patrice Copeland*

On April 6, 2022, the Lahontan Water Board, along with other state and federal partners, approved the Mojave River Watershed Mitigation Bank (Bank) – the second mitigation bank in the Lahontan region and the first located in the Mojave watershed.

Mitigation banks are formed to protect, restore, and enhance special environmental resources, such as wetlands, streams, or other resources, to offset unavoidable impacts from projects that receive state and federal permits. Permit holders may buy “credits” from the banks when their projects, that are located elsewhere, but often within the same watershed, cause impacts on those special types of environmental resources. The bank then maintains and protects the environmental resources from any future development and ensures that the resources are kept in their natural state in perpetuity.

The Mojave River Watershed Mitigation Bank is located at the terminus of the Mojave River overflow in the Cronese Lake Basin, east of Barstow and west of Baker (Figure 6.1). The Bank property offers credits for the mitigation of impacts to Waters of the State and Waters of the United States, such as wetlands, streams, floodplains, and riparian areas. Over the past eight years, the Bank Sponsor, Desert Environmental Resources, Inc., has worked with the Lahontan Water Board, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, and the California Department of Fish & Wildlife on developing this Bank, which has been thoroughly vetted by the state and federal agencies.

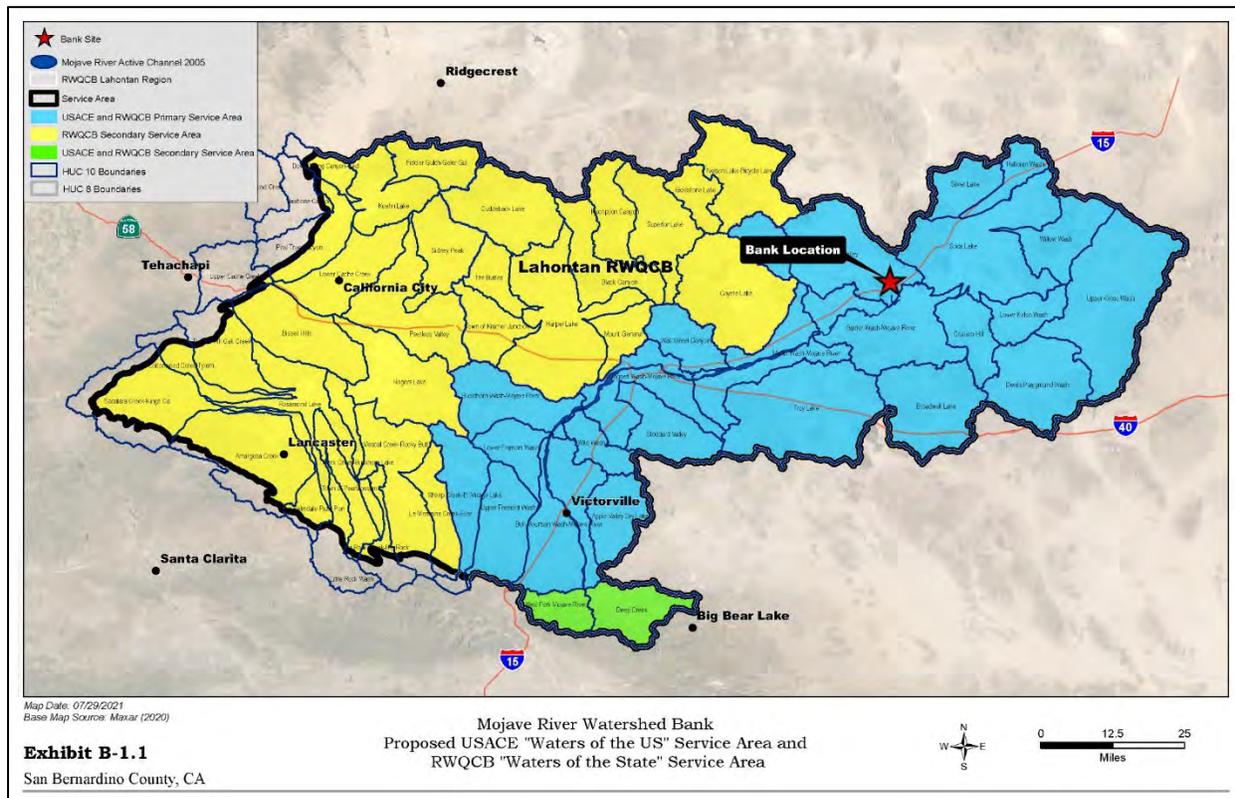
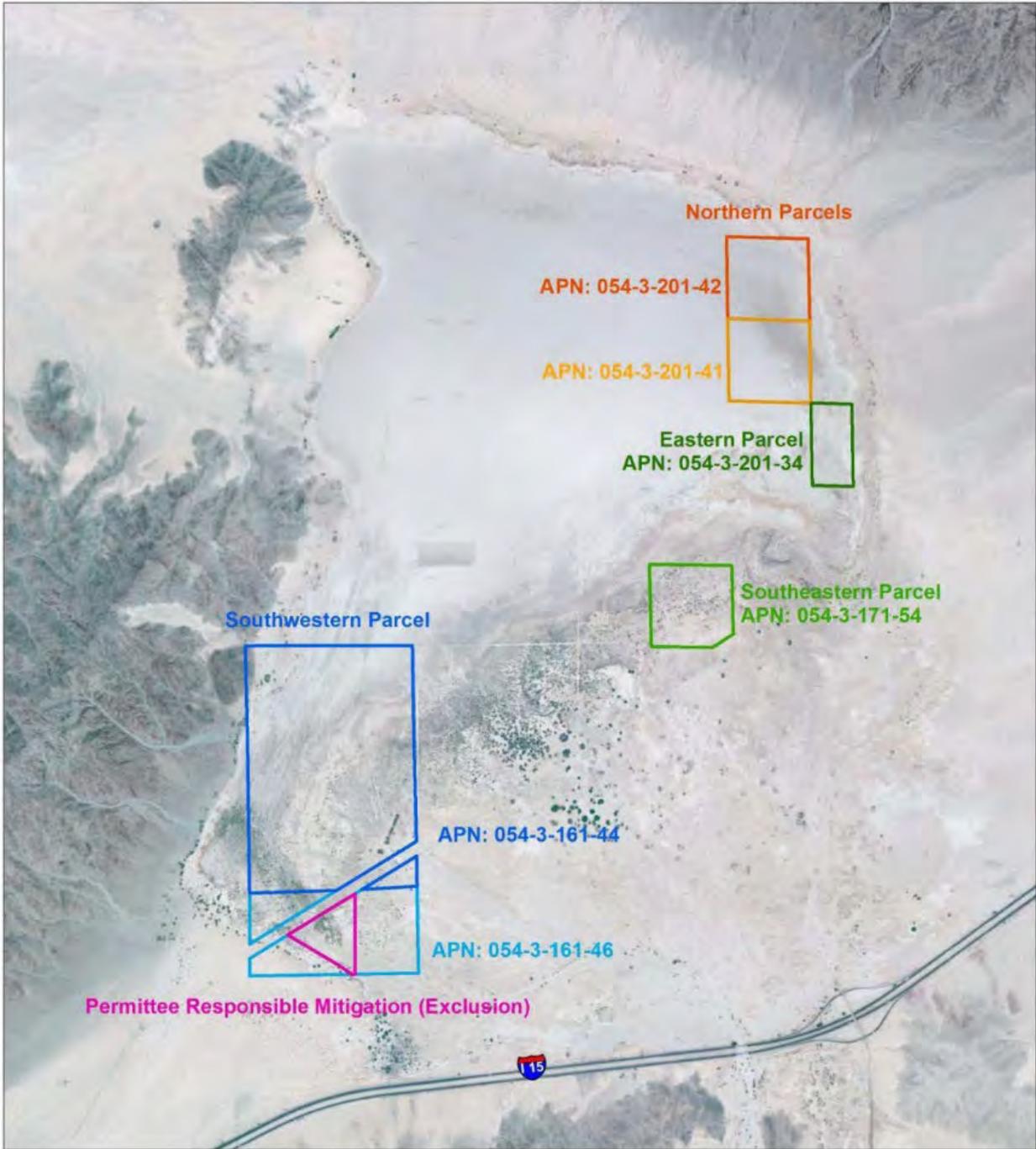


Figure 6.1. General location of the Mojave River Watershed Mitigation Bank property in the Mojave watershed. The Bank service area encompasses both the Mojave and Antelope watersheds.

The Bank consists of six separate parcels located on and around East Cronese Lake that total approximately 452.4 acres with 421.45 acres worth of restoration and preservation credits for sale (Figure 6.2). Restoration credits are available in areas with high percent cover of invasive plants, and preservation credits are available in areas with low percent cover of invasive plants; all credits sold will be protected from future disturbances and preserved as intact water resources. In addition, there are approximately 16 acres of upland habitat available as buffer credits. The Bank Property will be conserved and managed in perpetuity in accordance with the Bank Enabling Instrument and associated management plans, as approved by the state and federal agencies.



Mojave River Watershed Bank Parcels with 2010 Aerial Imagery

Map Created: 10 August 2014
 David Magney Environmental Consulting
 805/646-6045 - www.magney.org
 Data Sources: DMEC, San Bernardino County
 Base Imagery: ESRI World Imagery (2010)

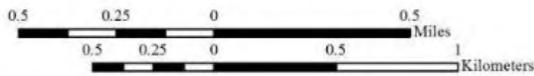


Figure 6.2. Mojave River Watershed Mitigation Bank parcels on and around East Cronese Lake.

ATTACHMENT A

EXECUTIVE OFFICER ACTION ITEMS
March 1, 2022, to March 31, 2022
Lahontan Regional Water Quality Control Board

DOCUMENT	DATE
NO FURTHER ACTION REQUIRED¹	
NONE	N/A
EXEMPTIONS	
NONE	N/A
EXTENSIONS	
Denial of Request for Extension to Conduct the Five-Year Constituents of Concern Monitoring Program, U.S. Borax Mine, U.S. Borax, Inc., Rio Tinto Minerals, Kern County	3/18/2022
ADOPTED BOARD ORDERS	
Resolution R6t-2022-0011 2022 Triennial Review of The Water Quality Control Plan for The Lahontan Region (Basin Plan)	3/16/2022
401 WATER QUALITY CERTIFICATIONS	
Board Order No R6T-2002-0008 Granting Clean Water Act Section 401 Water Quality Certification, Stock-Johannessen Pier Construction Project, Placer County	3/02/2022
WASTE DISCHARGE REQUIREMENTS	
Revised Waste Discharge Requirements For San Bernardino County Solid Waste Management Division Barstow Class Iii Landfill, Class Ii Surface Impoundments, And Septage Sludge Landfarm	3/09/2022
MISCELLANEOUS DOCUMENTS	
We are contacting you because your Tribal Nation has expressed interest in Tribal Beneficial Uses (TBUs) and we would like your help establishing a date for a TBUs virtual Tribal Summit later this year.	3/25/2022

¹ The Executive Officer finds the release of petroleum products at the following sites poses a low threat to human health, safety, and the environment. Therefore, these cases were closed in accordance with the Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closure (Resolution 2012-016). The Policy recognizes contaminant mass often remains after the investment of reasonable remedial effort and this mass may be difficult to remove regardless of the level of additional effort and resources invested. The establishment of the Policy is an effort to maximize the benefits to the people of the State of California through the judicious application of available resources.

DOCUMENT**DATE**

Acceptance of Annual Report, Independent Review Panel Manager Budget, And Scope of Work, Pacific Gas And Electric (PG&E) Hinkley Compressor Station, Cleanup And Abatement Order No. R6V-2015-0068	3/28/2022
--	-----------

Additional links:

[General Policy information](#)

[Copy of Policy](#)

[Implementation Plan](#)

ATTACHMENT B

UNAUTHORIZED DISCHARGE REPORT
MARCH 1, 2022 TO MARCH 31, 2022

Responsible Party	Location of Occurrence	Regulated Facility	Basin N/S?	Date of Occurrence	Volume of Occurrence	Violation Description	Comments	Status
COUNTY: EL DORADO								
Lennon Allen	Timber Cove Marina	Y	N	3/21/2022	*Potential Release	A pontoon boat at the Timber Cove Marina sank. The cause of the incident is unknown.	Authorities are attempting to contact the registered owner to coordinate a vessel recovery.	No sheen was observed but there could be a potential release.
COUNTY: PLACER								
Tahoe City Public Utility Dist CS	4079 Gstaad, Tahoe City	Y	N	3/15/2022	450 gallons	Grease build up as a result of 50" sag in 6" main, caused 450 gallons of sewage to spill from Inside Building.	Spill began in the lower bathroom inside structure, then from plumbing underneath structure where access cap had come off. at 4079 Gstaad.	No surface water was affected.
Unknown	North Lake Blvd near Hwy 267 and Hwy 28, Tahoe City	N	N	3/23/2022	5'x5'	Caller reported a sheen of petroleum 5'x5' floating on top of the water between North Tahoe Beach and Kings Beach in the Lake Tahoe, Described as several small areas of oil creating a sheen. Caller also states there is a boat that is capsized in the lake not far from wear the oil sheen is located.	Per caller boat was a smaller white motor boat that looks stuck in the sand and water due to the lake being low at this time.	

*All discharges to surface waters are to be included in this report.

**Discharges of less than 100 gallons to land are not to be included in this report.

UNAUTHORIZED DISCHARGE REPORT
MARCH 1, 2022 TO MARCH 31, 2022

COUNTY: SAN BERNARDINO								
Adelanto Public Utility Authority	Adelanto CS, ~2,500 feet south of 20039 Muskrat Ave near the cross street of DeSoto Rd	Y	S	3/14/2022	1,808 gallons	1808 gallons of sewage to spill from Manhole in two locations, Adelanto CS, ~2,500 feet south of 20039 Muskrat Ave near the cross street of DeSoto Rd	Cause of spill is unknown.	The spill was cleaned up and contained and a portion of the spill was returned to the Sanitary Sewer System.
City of Hesperia	Two manholes at Easement South of Main ST. and East of the Aqueduct	Y	S	3/22/2022	2,550 gallons	Vandalism caused 2,550 gallons of sewage to spill from two separate manholes located at the easement south of Main street and east of the Aqueduct to an unpaved surface.	No surface water body was affected.	Spill was cleaned and contained. Flow was restored.

*All discharges to surface waters are to be included in this report.

**Discharges of less than 100 gallons to land are not to be included in this report.

ENCLOSURE 3

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**EXECUTIVE OFFICER'S REPORT
FEBRUARY AND MARCH 2022 STANDING ITEMS**

The Water Board has requested regular reports on a number of programs and projects. The following table lists these standing reports, the reporting frequency and the dates the items are due.

ISSUE	FREQUENCY	DUE DATE
Cannabis Update	Annual	September
Climate Change Adaptation Strategy Update	Annual	May
County Sanitation Districts of Los Angeles – District No. 20, Palmdale	Annual	September
Grazing Update	Annual	November
Onsite Septic Systems	Annual	April
Salt & Nutrient Management Plans	Annual	September
Status of Triennial Review Projects	Annual	August
Status of Dairies	Annual	February – Article #4
Status of Grants	Annual	June
City of Barstow Nitrate	Annual	June
City of Barstow Orphan Perchlorate	Annual	June
Lake Tahoe Water Quality	Annual	December
Leviathan Mine	Annual	March
Harmful Algal Blooms	Annual	November
Pacific Gas & Electric Company	Semi-Annual	May December
Quarterly Violations Report	Quarterly	January (3 rd quarter) April (4 th quarter) July (1 st quarter) October (2 nd quarter)

*Water Board staff presentation