



California Regional Water Quality Control Board Lahontan Region



Linda S. Adams
Secretary of
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Arnold Schwarzenegger
Governor

MINUTES January 14, 2009

Regular Meeting

Tahoe-Truckee Sanitation Agency
Board Room
13720 Joerger Drive
Truckee, CA 96161

Mr. Clarke, Chair, called the meeting to order at 4:00 p.m. on January 14, 2009.

Board Members Present

Jack Clarke, Apple Valley
Mike Dispenza, Palmdale
Keith Dyas, Rosamond
Amy Horne, Ph.D., Truckee
Don Jardine, Markleeville (arrived at 4:15 p.m.)
Eric Sandel, Truckee

Board Member Absent

None

State Board Liaison

Art Baggett, Member, State Water Resources Control Board

Legal Counsel

David Coupe, Office of Chief Counsel, State Water Resources Control Board
Jorge Leon, Office of Enforcement, State Water Resources Control Board

Staff Present

Harold Singer, Executive Officer	Scott Ferguson, Senior WRCE
Bob Dodds, Assistant Executive Officer	Mary Fiore-Wagner, Environmental Scientist
Charles Curtis, Supervising WRCE	Alan Miller, Senior WRCE
Lauri Kemper, Supervising WRCE	Eric Shay, Staff Services Analyst
Laurie Applegate, Executive Assistant	Tobi Tyler, WRCE

Addressing the Board

Art Baggett, Member, State Water Resources Control Board
Pat Davison, Contractors Association of Truckee Tahoe
Carl Gustafson, resident of Squaw Valley
Rick Lierman, Squaw Valley Public Service District
Everd McCain, Belfast Ranch
B. J. Pearson, Eagle Lake Estates
Dan Wilkins, Town of Truckee

California Environmental Protection Agency

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Mr. Clarke welcomed Art Baggett, member of the State Water Board and State Board liaison to the Lahontan Water Board. Mr. Baggett gave a report regarding issues of interest at the statewide level. Mr. Baggett discussed the State Board's proposed policy on supplemental environmental projects.

OTHER BUSINESS

1. Executive Officer's Report

Mr. Singer discussed items from the December 2008 – January 2009 written report and gave an update regarding the proposed furloughs of State employees and the statewide hiring freeze. Mr. Singer noted staff will continue to do the highest priority work in the region.

Board members discussed the State Board's proposed supplemental environmental project policy and directed Mr. Singer to work with Mr. Clarke to draft a comment letter to the State Board outlining their concerns with the proposed policy. Board members will be sent a copy of the final letter.

The Board recessed for dinner at 5:00 p.m.

Regular Meeting, continued **7:00 p.m., January 14, 2009**

Mr. Clarke, Chair, called the meeting to order at 7:10 p.m.

Board members present: Jack Clarke, Mike Dispenza, Keith Dyas, Amy Horne, Don Jardine, and Eric Sandel. Board members absent: none.

2. PUBLIC FORUM

No one addressed the Board during the Public Forum.

3. MINUTES

**Minutes of the Regular Meeting of November 12-13, 2008 in Barstow and
Minutes of the Special Meeting of December 11, 2008 in South Lake Tahoe**

- **Motion:** Moved by Mr. Sandel, seconded by Mr. Dispenza and **unanimously carried** to adopt the November and December 2008 minutes as written.



4. ADOPTION OF THE UNCONTESTED CALENDAR

Items 7, 8, 9 and 10 were considered for adoption on the uncontested calendar.

7. **Rescission of Waste Discharge Requirements for Litchfield Geothermal Facility (Board Order No. 6-97-70)**
8. **Renewal of National Pollutant Discharge Elimination System Permit for Carson Development Company, Inc., Wineagle Geothermal Power Plant, Lassen County**
9. **Renewal of National Pollutant Discharge Elimination System Permit for Amedee Geothermal Power Plant, Lassen County**
10. **Amended Water Quality Certification, Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit for City of Los Angeles Department of Water and Power, Lower Owens River Project, Inyo County**

Mr. Singer recommended the Board adopt Items 7, 8, 9 (with late revision sheet) and 10 on the uncontested calendar.

- **Motion:** Moved by Dr. Horne, seconded by Mr. Dyas and unanimously carried to adopt Items 7, 8, 9 (with late revision sheet) and 10 on the uncontested calendar.

ENFORCEMENT

5. **Consideration of a Settlement of Claims for an Administrative Civil Liability through the Adoption of an Administrative Civil Liability Order for Mr. Everd McCain, B.J. Deis, and McCain and Associates for Violations of (1) Waste Discharge Prohibitions Specified by the Water Quality Control Plan for the Lahontan Region, (2) Clean Water Act section 301, (3) California Water Code section 13267, (4) California Water Code section 13304, and (5) Clean Water Act section 401 Water Quality Certification – Belfast Ranch – Skeet Dam and Buz Dam, Lassen County**

Mr. Clarke read an opening statement outlining the order of presentation.

Mary Fiore-Wagner gave the staff presentation and recommended the Board adopt the Administrative Civil Liability Order as proposed. Jorge Leon, attorney for the prosecution team, and staff answered questions from the Board.

Everd McCain asked the Board to adopt the Administrative Civil Liability Order as proposed.



- **Motion:** Moved by Dr. Horne, seconded by Mr. Sandel and **unanimously carried** to adopt the Administrative Civil Liability Order as proposed.

RESCISSION OF WASTE DISCHARGE REQUIREMENTS

6. Eagle Lake Estates Project, Lassen County

Alan Miller gave the staff presentation, discussed issues related to the item, and recommended the Board adopt the Order rescinding Board Order No. 6-82-03 for Eagle Lake Estates with changes outlined in the late revision sheet. Staff answered questions from the Board.

B. J. Pearson, Eagle Lake Estates, discussed the history of the project and concurred with staff's recommendation to rescind the waste discharge requirements.

Dr. Horne commented that rescinding the waste discharge requirements would simplify the process for Mr. Pearson.

- **Motion:** Moved by Mr. Dyas, seconded by Mr. Dispenza and **unanimously carried** to adopt the Order rescinding Board Order Number 6-82-03 with the changes in the late revision sheet.

(Note: See Item 4 for Board action on Items 7, 8, 9 and 10)

STATUS REPORT

11. Truckee River Water Quality Monitoring Program

Mr. Singer noted the importance of increasing the level of monitoring in the Truckee River watershed and for coordination among the area's dischargers. He complimented the Town of Truckee and Placer County for developing a state-of-the-art water quality monitoring program and noted that the program would be phased in over time. He acknowledged the resource limitations of the two agencies and noted other parties need to be brought to the table.

Alan Miller gave the status report. Mr. Miller and Lauri Kemper answered questions from the Board.

Pat Davison, Executive Director, Contractors Association of Truckee Tahoe (CATT), handed out and discussed a letter to the Board dated January 14, 2009. Ms. Davison noted CATT supports the reduction of pollutants in the waterways and protection of the environment; however, she pointed out that there are other influences on water quality other than development. Ms. Davison asked the Board to invite other partners such as the California Department of Parks and



Recreation, Caltrans, the Union Pacific Railroad and the Forest Service to come to the table and share the funding load.

Dan Wilkins, Director of Public Works for the Town of Truckee discussed the monitoring program and answered questions from Mr. Singer about the Town's revenue sources. Mr. Wilkins noted that, other than the Town's general fund, there are currently no funding resources for implementation of the program. Mr. Singer commented that a fixed revenue source was needed to maintain a base program.

Board members complimented the Town of Truckee and Placer County on the monitoring program and noted the need to be creative when implementing it due to the adverse budget climate and lack of funding sources. Board members noted the need for coordination and agreed that the nonparticipating entities should be brought to the table.

OTHER BUSINESS

12. Resolution Approving a Request by the Squaw Valley Public Service District for Funds from the Red Dog Diesel Spill Mitigation Fund for Monitoring Plan and Groundwater Management Database Development, Olympic Valley, Placer County

Chuck Curtis gave the staff presentation and recommended the Board adopt the Resolution as proposed.

Carl Gustafson, resident of Squaw Valley, expressed concern about the condition of Squaw Creek and aquatic life in the creek. Mr. Gustafson noted numerous studies have been conducted addressing monitoring and hoped that the studies do not overlap. Mr. Gustafson asked the Board to adopt the Resolution.

Rick Lierman, General Manager, Squaw Valley Public Service District, asked the Board to adopt the Resolution and answered questions from the Board.

- **Motion:** Moved by Dr. Horne, and seconded by Mr. Sandel and unanimously carried to adopt the Resolution as proposed.

13. Reports by Chair and Board Members

Mr. Clarke discussed the Water Quality Coordinating Committee meeting to be held on February 23-24, 2009 in Chino, California.



14. **Election of Chair and Vice-Chair for 2009**

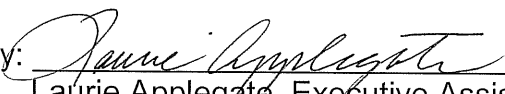
- **Motion:** Moved by Mr. Dispenza, seconded by Mr. Sandel and **unanimously carried** to elect Jack Clarke as Chair for 2009.
- **Motion:** Moved by Mr. Sandel, seconded by Mr. Jardine and **unanimously carried** to elect Mike Dispenza as Vice Chair for 2009.

15. **CLOSED SESSION**

The Board met in closed session from 9:30 p.m. to 10:04 p.m. to discuss Item 15h. The Board reconvened in open session at 10:05 p.m.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 10:05 p.m. on January 14, 2009.

Prepared by:  Adopted: March 11, 2009
Laurie Applegate, Executive Assistant

