

Lahontan Regional Water Quality Control Board

Date Distributed:

MINUTES
March 13-14, 2019

REGULAR MEETING

The Water Board conducted this meeting using Webcast equipment that permitted Water Board members to participate at two locations shown below:

Lahontan Water Board Annex, Hearing Room
971 Silver Dollar Avenue
South Lake Tahoe, CA 96150

Lahontan Water Board, Large Conference Room
15095 Amargosa Road, Bldg. 2, Ste 210
Victorville, CA 92394

Water Board Members Participating at South Lake Tahoe

Peter C. Pumphrey, Chair, Bishop
Don Jardine, Markleeville
Amy Horne, Ph.D., Vice-Chair, Truckee
Eric Sandel, Truckee

Water Board Members Participating at Victorville

Keith Dyas, Rosamond
Kimberly Cox, Helendale

Legal Counsel

Elizabeth Beryt, Office of Chief Counsel, State Water Resources Control Board

Regional Water Board Staff Participating

Patty Z. Kouyoumdjian, Executive Officer
Douglas Smith, Assistant Executive Officer
Scott Ferguson, Supervising WRCE
Patrice Copeland, Sup. Engineering Geologist
Jennifer Watts, Environmental Scientist
Dan Sussman, Sr. Environmental Scientist
Tiffany Steinert, Engineering Geologist
Kerri O'Keefe, Engineering Geologist
Robert Larsen, Senior Environmental Scientist
Katrina Fleshman, Board Clerk
Sandra Lopez, AGPA

Jeff Brooks, Senior Engineering Geologist
Douglas Cushman, Senior WRC Engineer
Brian Grey, Engineering Geologist
Ben Letton, Sup. Engineering Geologist
Jeff Brooks, Senior Engineering Geologist
James Carolan, Engineering Geologist
Lisa Scorallo, Engineering Geologist
Jehiel Cass, Senior WRC Engineer
Ed Hancock, Environmental Scientist
Kathy Otermat, Executive Assistant

REGULAR MEETING: Wednesday, March 13, 2019 at 6:30 p.m.

To view the full Agenda and listen to the audio of this meeting [CLICK HERE](#)

Call to Order

Chair Pumphrey called the meeting to order at 6:32 p.m. on March 13, 2019 and then called for Closed session.

1. CLOSED SESSION

The Water Board, without the public present, went into closed session at 6:32 p.m. regarding Item 1.e. Discussion of Litigation. People Ex Rel. Department of Fish and Wildlife, Regional Water Quality Control Board, Lahontan Region; and Department of Parks and Recreation vs. Gloria Ching Lai Ma et al., Mono County Superior Court Case No CV170080. Authority: Government Code section 11126, subdivision (e).

Call to Order and Introductions

Chair Pumphrey reconvened the meeting at 6:53 p.m. on March 13, 2019 and introduced the Water Board Members. Ms. Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel and Water Board staff.

2. PUBLIC FORUM

Mr. William Turner, retired Electrical Engineer from Eagle Lake, discussed the testing and provided documentation on the Pine Creek Watershed.

3. MINUTES

Motion: Moved by Vice-chair Dr. Horne, seconded by Member Sandel to approve the January 2019 Minutes as presented. Chair Pumphrey called for a roll-call vote and the motion *carried* per the following votes:

Member Cox	Aye
Member Dyas	Aye
Member Jardine	Aye
Member Sandel	Aye
Chair Pumphrey	Aye
Vice-chair Dr. Horne	Aye

Click here to view adopted [January 2019 Minutes](#).

4. REPORTS BY WATER BOARD CHAIR AND WATER BOARD MEMBERS.

Chair Pumphrey:

- The May 2019 Water Board meeting has been cancelled.
- The Water Quality Coordinating Committee (WQCC) meeting is set for October 29, 2019, and October 30, 2019.
- The 2019 Water Board Chairs meeting is set for April 30, 2019.

5. EXECUTIVE OFFICER'S REPORT

Ms. Patty Kouyoumdjian, Executive Officer, provided an update to the Water Board and public on key actions and activities in the Lahontan region, including the items below.

- Personnel Report
- Office closures due to snowstorms
- SWAMP Special Studies
- Woodfords Sodium Hypochlorite Spill
- Closed/inactive abandoned landfills (burn dumps)
- Dairies
- Tioga Lodge enforcement
- 5-Year Non-Point Source Plan
- Barstow Wastewater and Enforcement Projects
- Onsite Septic Tank Regulatory program
- \$4.6 Million South Lake Tahoe Grant
- Leviathan Mine Spring Treatment
- Edwards Air Force Base Dispute

QUESTIONS BY WATER BOARD

Vice-chair Dr. Horne inquired about the main sewer failure in Lake Tahoe. Ms. Kouyoumdjian indicated that they have an emergency 401 in place to replace the pipe. When the spill happened, Lahontan staff immediately went over to the site and assessed the spill. Robert Tucker, Senior WRC Engineer, elaborated on the 401 permit and Lahontan's response to the spill.

6. LAKE TAHOE NEARSHORE PROGRAM UPDATE

Mr. Robert Larsen, Senior Environmental Scientist, gave an overview and provided an update on the status of the recently revised Lake Tahoe Nearshore Protection Plan. Mr. Larsen provided the Water Board with information on several ongoing research and monitoring projects. Mr. Larsen also shared aspects of the Lake Tahoe Nearshore Plan with the Water Board.

STATEMENTS BY THE WATER BOARD

Member Sandel asked if there will be any solutions once staff knows and understands this Plan. Mr. Larsen stated staff are most interested in what actions we can take but are still developing those actions at this time.

Vice-chair Dr. Horne, inquired about the original Lake Tahoe Nearshore Plan, and if we have evidence to support Mr. Larsen's statements. Mr. Larsen indicated that the changes in the nearshore are complex and require further study.

7. LAKE TAHOE PIER BASIN PLAN AMENDMENT

Mr. Robert Larsen, Senior Environmental Scientist, asked the Water Board to consider adopting a resolution to approve an amendment to the Water Quality Control Plan for the Lahontan Region (Basin Plan) to remove the prohibition on new pier construction in sensitive areas at Lake Tahoe and to adopt and approve a substitute environmental documentation.

NO QUESTIONS BY THE WATER BOARD

Motion: Moved by Member Sandel; seconded by Vice-chair Dr. Horne to approve the amendment to the Water Quality Control Plan and adopt the substitute environmental documentation. Chair Pumphrey called for a roll Call Vote and the motion *carried* per the following votes:

Member Cox	Aye
Member Dyas	Aye
Member Jardine	Aye
Member Sandel	Aye
Chair Pumphrey	Aye
Vice-chair Dr. Horne	Aye

- 8. RENEWAL OF 2014 TIMBER WAIVER** – Mr. Jim Carolan, Engineering Geologist, gave a presentation on the renewal of the 2014 Timber Waiver and asked the Water Board to consider renewing the existing 2014 Timber Waiver for timber harvest and vegetation management activities in the Lahontan Region. Elizabeth Beryt indicated that the “interim” Order means that the Order will exist for a five-year period or until the Water Board updates the existing order

NO QUESTIONS BY THE WATER BOARD

PUBLIC COMMENT

Mr. Forest Schafer, Incident Commander representing the Tahoe Fire and Fuels Team, indicated he is in support of the renewal of the 2014 Timber Waiver.

Motion: Moved by Vice-Chair Dr. Horne; seconded by Member Dyas to approve the renewal of the Timber Waiver as proposed. Chair Pumphrey called for a roll call vote and the motion *carried* per the following votes:

Member Cox	Aye
Member Dyas	Aye
Member Jardine	Aye
Member Sandel	Aye
Chair Pumphrey	Aye
Vice-chair Dr. Horne	Aye

ADJOURNMENT – The meeting adjourned at 8:42 p.m. on March 13, 2019.

REGULAR MEETING: Thursday, March 14, 2019 at 8:30 a.m.

Call to Order and Introductions

Chair Pumphrey called the meeting to order at 8:31 a.m. on March 14, 2019 and introduced the Water Board Members. Ms. Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel and Water Board Staff.

9. PUBLIC COMMENT

Ms. Roberta Lagomarsini presented a quilt depicting the west shore of Lake Tahoe made for the staff of the Water Board.

Ms. Lauri Kemper, retired Lahontan Assistant Executive Officer, updated the Water Board on her post-retirement activities and interests.

10. SOUTH Y TETRACHLOROETHENE (PCE) GROUNDWATER CONTAMINATION UPDATE

Mr. Jeff Brooks, Senior Engineering Geologist, provided a status report regarding ongoing enforcement activities, investigations, and current conditions related to the PCE groundwater contamination in the South Y area of South Lake Tahoe. Mr. Brooks indicated that funding has been provided for continued work on the identification of potential sources of the PCE contamination. Mr. Brooks indicated that the Water Board will receive a report every six months.

John Thiel, General Manager of South Tahoe Public Utility District (STPUD), gave the Water Board the perspective of the water purveyors. Mr. Thiel provided a presentation showing the challenges, projects, and costs associated with tackling the PCE Contamination.

QUESTIONS BY THE WATER BOARD

Member Sandel asked if activated carbon is still the best treatment. Mr. Thiel believes that activated carbon is the best option. Jennifer Lukins, Assistant Manager of Lukins Brother's Water Company, Inc. stated that the Division of Drinking Water (DDW) indicated that granulated activated carbon is the best option at this time and that is what they are recommending.

Vice-chair Dr. Horne stated that the Water Board is always looking at ways to put excess wood in the forest to use. There is a product called Bio Char, which is a wood product and she wanted to know if they looked at that in comparison to the carbon derived from petroleum product. Mr. Thiel indicated that he is familiar with Bio Char for odor control for the sewer pump stations but is not aware of using Bio Char for the water treatment systems. Ms. Lukins indicated that the best available technology in carbon filtration is the recommended coconut hull.

Vice-chair Dr. Horne wanted to know the rates that the rate payers pay between the three different companies and what are the reasons for the differences. Ms. Lukins indicated that there are three different water entities, STPUD is a public utility district, Lukins is an investor owned utility, and Tahoe Keys Water Company is a homeowner's association. All three are governed differently and the rates are different.

Mr. Paul Hoeffy, Principal Environmental Scientist representing Lake Tahoe Laundry Works Working Parties, presented information regarding their field work since 2017, and indicated 313 samples were taken at 122 sites. Mr. Hoeffy indicated that they provided a Preferential Pathway Evaluation Work Plan that was submitted to the Water Board in September 2018. Mr. Hoeffy indicated that he requested that the Water Board draft a letter to Big O Tires to gain access to a back lot for sampling. Mr. Hoeffy indicated that they are preparing a technical report summarizing the work being done in the last six-months, by April 1, 2019.

Scott Reisch, legal counsel for Fox Capital, gave a closing statement to Mr. Hoffey's presentation indicating that this is not a small problem. They are having problems getting responses to their letters they sent out, and are requested assistance from the Water Board with any actions they can take to tackle this problem.

Member Dyas stated the Preferential Pathways Evaluation is interesting and he wanted to know if the evidence to date indicates whether existing utility backfill is transporting any PCE contamination. Kyle Flores, PEC Environmental, indicated they evaluated a closed-circuit television of the onsite storm drain and sewer pipes and did not see any significant defects. They also did soil sampling that showed no indication of any potential pathways to contamination.

Member Sandel wanted to know if the Water Board staff had any reaction to this presentation; the questions regarding letters going out, and permission to enter properties, etc. Mr. Brooks indicated that staff would be looking into the issues raised and report back to the interested parties.

COMMENTS BY THE WATER BOARD

Vice-chair Dr. Horne stated that the Water Board has noticed in the past that the costs go up the longer the response is delayed and therefore, appreciates everyone jumping on this project quickly.

11. DISCUSSION OF WATER BOARD ANNUAL ACCOMPLISHMENTS AND PRIORITIES

Ms. Patty Kouyoumdjian, Executive Officer, and Doug Smith, Assistant Executive Officer, presented the region's accomplishments from the past year and priorities for the next fiscal year.

Ms. Kouyoumdjian gave an overview of the presentation and indicated that the Priorities and Accomplishments by the Water Board is presented to the public every Spring. Ms. Kouyoumdjian indicated there is a new Item in the presentation and it is "Adopted State Policies" (what are we asked to do by the State Water Board). Ms. Kouyoumdjian stated the presentation will also show needs and challenges of the Water Board.

Mr. Smith gave an overview of staffing needs; staffing progress; budget and resources for staffing. Mr. Smith also presented the accomplishments and performance targets for Fiscal Years 17/18 & 18/19. Mr. Smith explained the staff Accomplishments & Priorities for the Fiscal Year 18/19 year and the Performance Targets for the Fiscal Years 17/18 and 18/19.

Mr. Smith indicated that because the Water Board Staff is fully staffed and our new staff are coming up to speed, there should be a flurry of new permits or updates in the next 18 to 24 months.

Ms. Kouyoumdjian went over the challenges Lahontan faces regarding regulatory programs, new laws, and policies/adopted statewide policies. Ms. Kouyoumdjian indicated that Lahontan has a list of 17 Orders that they will be presenting to the Water Board this year, in addition to the 7 General Orders coming to the Water Board this summer.

Ms. Kouyoumdjian indicated there is new work for the Water Board. Lahontan is asked, as are all the Regions, to look at the 345 ground water basins, including our numerous sub-basins, by December 2020. Salt and Nutrient Management basins average 5 to 8 sub-basins each. Lahontan is going to be asked to look at all of those to determine if they need Salt Nutrient and Management plans. If so, Lahontan will need to work on those and the Water Board should expect a lot more to come before them. By December 2021 the Water Boards will have to update all recycled water permits to comply with the Recycled Water Policy.

Ms. Kouyoumdjian stated the Bacteria Standards came before the Water Board in Triennial Review and the Water Board will be getting updates. There will be a several permits coming before the Water Board to comply with the State Water Board's Bacteria Recreational Policy.

Ms. Kouyoumdjian further indicated each Region is going to refresh their Irrigated Agriculture General Orders (Permits). In the Fall Lahontan will do an informational workshop before the Water Board to give a sense of what is required with the State Water Board's Order so that the Water Board can give us guidance on how to go forward.

Ms. Kouyoumdjian requested input from the Water Board for staff regarding Lahontan's Key Efforts and Priorities.

QUESTIONS BY THE WATER BOARD

Member Dyas stated he concurred with the Key Efforts and Priorities; work topics and schedules presented by Ms. Kouyoumdjian. In regard to the Irrigated Agriculture General Order and the Closed and Abandoned Landfill Order, Member Dyas suggested Lahontan go forward with the General Orders, but with the impressive list of priorities, the Water Board should put this in the proper priority.

Member Cox inquired about the "2020-2022 Next Generation Monitoring Project" in San Diego and asked Ms. Kouyoumdjian to provide background on what the Next Generation Technology is in that area. Ms. Kouyoumdjian indicated this was an effort the San Diego Regional Board started because of the complex flow monitoring from Mexico to California and the beach closures. San Diego Regional Board had to find new ways to allow a more rapid response on that. It is still a work in progress, and she has not seen a report on this yet.

Member Cox asked Ms. Kouyoumdjian regarding Ms. Mary Fiore-Wagner's work on the harmful algae blooms. If there any health concerns, if there was pull back from monitoring in that area, and if she has the support from the community in that area. Ms. Kouyoumdjian indicated that she believes some communities are better trained and have more capacity than others. Ms. Fiore-Wagner relies on those areas that can help out and will step up in the areas that do not have the ability to help. Ms. Fiore-Wagner is going to ask the State Water Board to step up and help in those areas of need. Since this affects public health, Lahontan will not ignore the threats to its communities.

Member Cox indicated that she agrees with the Irrigated Agriculture General Order, the Closed and Abandoned Landfill Orders, and integrating that into the already busy staff workload.

Member Sandel concurs with all prior comments regarding the priorities. Member Sandel had one comment regarding the 2019 Key Efforts to document, suggesting to maybe reword to show that Lahontan is continuing efforts to investigate contaminated drinking water. Member Sandel asked what Lahontan does with the water samples after they are taken. Member Sandel believes with the new technology, some of the samples can be useful later as research for where things were. Ms. Kouyoumdjian indicated that she will talk to her staff about the historical benefit of the samples and get back to the Water Board. Ms. Kouyoumdjian also concurred with Member Sandel's suggestions about rewording to show the continuing efforts.

Vice-chair Dr. Horne elaborated on Member Cox's discussion regarding the Next Generation Technology Project and asked about some of the State Board policies. There are three of the new Statewide policies where Ms. Kouyoumdjian indicated these will have a significant impact on our staff work. One is "Procedures for Discharges of Dredged or Fill Materials to Waters of the State". Vice-chair Dr. Horne asked Ms. Kouyoumdjian if she could comment further on that issue; such as creative ways of addressing this impact. Ms. Kouyoumdjian indicated this is a three-year project that will come before the State Water Board next month. There will be additional work for Lahontan, but the significance is organizing our programs to factor in the new ways and definitions.

Vice-chair Dr. Horne indicated the second State Water Board policy is: "Bio Stimulatory & Biological Integrity Project" and asked if Ms. Kouyoumdjian could comment on status of this one. Ms. Kouyoumdjian indicated Lahontan just started to work on this one. It is still early in the process, but it could impact our Basin Plan and regulatory processes.

Vice-chair Dr. Horne indicated the third one is: "Statewide Aggregate and Concrete General Order" and asked if Ms. Kouyoumdjian could comment on status of this one. Ms. Kouyoumdjian indicated this one is still in the early stages of development at the State Water Board.

Vice-chair Dr. Horne expressed concern over the large amounts of sites that go uninspected annually. Ms. Kouyoumdjian indicated that these are true facts and result of our limited staff resources. However, when there is an emergency, like a wildfire, she has to redirect staff to help with these emergencies. Routine work gets pushed aside so that staff can handle the emergencies first.

The Water Board took a break from 10:42 a.m. to 10:53 a.m.

- 12. LAHONTAN WATER BOARD ANNUAL ENFORCEMENT REPORT** – Mr. Scott Ferguson, Supervising Water Resource Control Engineer, presented a summary of violations and enforcement activities for the 2018 and prior calendar years and discussed priorities for the upcoming 2019/2020 fiscal year.

Mr. Ferguson asked for recommendations by the Water Board on how Lahontan can speed up Formal Enforcement Actions with limited resources. Mr. Ferguson indicated that Water Board staff will utilize the State Water Board's Office of Enforcement technical staff for technical support to help progress our Formal Enforcement Actions and will limit the number of Formal Enforcement Actions being worked on at any one time so that pending actions may be effectively finished before beginning new actions.

Mr. Ferguson indicated Water Board staff would like to improve evidence quality, as requested by the Water Board in past Water Board meetings and asked the Water Board for suggestions. The evidence sometimes does not support the proposed Water Board action. The need to improve evidence is not reflective of staff effort or intent. Mr. Ferguson indicated that separation of functions in some cases has caused issues with evidence quality, as well as staff intent to quickly work through and address problems. The addition of Doug Smith, Assistance Executive Officer, to the Prosecution Team is expected to improve evidence quality.

Mr. Ferguson indicated staff would continue to conduct enforcement at the lowest effective level and would continue to utilize informal enforcement actions where possible.

Mr. Ferguson discussed that the fine penalty process for minor violations can be expedited, which he called a "fix it ticket". Mr. Ferguson is asking the State Water Board for assistance to see if there is a different mechanism, where Lahontan can issue citations, or something where it will not bring Lahontan to a hearing for a \$500 fine. Staff would also like to work with the State Water Board's Office of Enforcement to explore a potential streamlined process; this might include looking at what other state agencies do for similar minor violations.

The last recommendation Mr. Ferguson discussed with the Water Board is for expanding staffing with our limited resources. Expanded staffing is needed to move beyond our current level of productivity in enforcement.

Mr. Ferguson stated that the Water Board suggested an idea of settlement workshops where a discharger and the Prosecution Team could come before the Water Board early on before a lot of resources are invested in something that could be resolved more easily early on in a case. Mr. Ferguson stated that after some research, it is not as simple as it seems, and does not look like this will result in what the Water Board intends. Water Board staff will present the Water Board with proposed settlements as we have in the past, giving time to receive public comments, and allow decisions by the Water Board. The Water Board can ask for revisions that will be considered by staff.

Yvonne West, Director of Office of Enforcement for the State Water Board, indicated that the State Water Board is here to bring any resources needed to help Lahontan meet their priorities. Ms. West presented her perception of Lahontan's need for prioritization. Ms. West further indicated her support of the Annual Enforcement Report and agrees with Lahontan's request for additional staff resources and specifically resources for formal enforcement. Ms. West acknowledged that a portion of core regulatory staff time is needed to pursue enforcement and that this is standard operating practice at all of the Regional Water Boards given the state-wide lack of formal enforcement resources. Ms. West suggested that small fines from "fix it tickets" may help expedite resolution of violations. Ms. West also indicated that the State Water Board is on board with helping with the Supplemental Environmental Project (SEP) program.

QUESTIONS BY THE WATER BOARD

Member Sandel inquired as to the difference between a “fix it ticket” and a “small fine”. Mr. Ferguson indicated a “fix it ticket” is referring to issuing citations for minor violations. Lahontan is reaching out to the State Water Board for their help to get the Regional Water Board’s authority to issue citations. Small fines are issued under our current traditional Administrative Civil Liabilities (ACL) process authority.

Vice-chair Dr. Horne stated Lahontan should focus on bringing more efficiencies on formal enforcement and reducing the time it takes to get formal enforcement actions to the Water Board. Vice-chair Dr. Horne agreed with Mr. Ferguson about settlement workshops and is also skeptical about the effectiveness of having settlement workshops in the middle of settlement discussions. Vice-chair Dr. Horne suggested an alternative of having a debrief between the Prosecution Team and the Water Board after the decision has been made; either at a separate time, or with the Water Board at the time of decision to discuss why the Prosecution Team made specific recommendations. Vice-chair Dr. Horne stated the priority is to bring the discharger into compliance first and asked if there was a way to separate the coming into compliance phase from the ACL. Vice-chair Dr. Horne stated the biggest push back from a discharger is the penalty amount. Ms. West affirmed that folks are more apt to fight the ACL versus a Cleanup and Abatement Order; however, some complex Cleanup and Abatement Orders can be just as contentious.

Vice-chair Dr. Horne asked if it would be possible to confine settlement discussion to ACLs. Ms. West stated depending on the facts, you could have a situation where you are going to clean up in addition to an ACL. There can be opportunities where they are separate actions and settlement discussions would not happen until after the Cleanup and Abatement Order was final and adopted.

Vice-chair Dr. Horne indicated it seemed to her the Water Board could make more use of Cleanup and Abatement Orders, Cease and Desist Orders, and especially Time Schedule Orders. She concurred with the SEP program and is concerned about evaluating the effectiveness of the enforcement program by counting the number of formal enforcement actions. Dr. Horne suggested that maybe the Water Board needs to think about the strategy of the formal enforcement separately from progressive enforcement. Maybe targeting a particular industry or location, such as prioritizing auto dismantlers. Dr. Horne noted that many formal enforcement actions such as Time Schedule Orders and Investigative Orders are buried in permits and that the Water Board does not count or get credit for those formal enforcement actions. Regarding prioritizing enforcement at Department of Defense (DOD) facilities, Dr. Horne has mixed feelings. Where the discharges at DOD facilities are a direct threat to people, Lahontan should go after those first.

Vice-chair Dr. Horne stated currently with the separation of functions, the Assistant Executive Officer is on the Prosecution Team and the Executive Officer is on the Advisory Team. The Water Board should consider the Executive Officer being on the Prosecution Team.

Member Jardine indicated he agreed with Water Board Member Sandel and with Vice-chair Dr. Horne and he further believes Lahontan needs to bring the discharger into compliance with small fines. Member Jardine indicated he agreed that the Water Board needs to take corrective actions at unpermitted sites.

Water Board Member Jardine left the Water Board meeting at 12:09 p.m.

Chair Pumphrey would like more continuing conversation at the Water Board level regarding settlement workshop and moving the Executive Officer to the Prosecution Team.

Chair Pumphrey indicated the nuance is trying to understand how the Prosecution Team and Advisory Team relate to each other. The Water Board needs to get a better understanding of outcomes and what we are trying to do with enforcement. Chair Pumphrey wants further conversations on what Lahontan is trying to accomplish and perhaps put the outcomes of the conversations on a future Water Board agenda for July and discuss the idea of moving the Executive Officer from the Advisory Team to the Prosecution Team.

Mr. Ferguson asked Vice-chair Dr. Horne for clarification regarding the reassignment of the Executive Officer to the Prosecution Team. Mr. Ferguson understands the Vice-chair Dr. Horne doesn't believe the Executive Officer is in a position on the Advisory Team to direct policy. Mr. Ferguson stated this can be explored more. Vice-chair Dr. Horne said that the Prosecution Team makes decisions on whether cases go to formal enforcement and that she thinks it is a problem that the Executive Officer is not able to weigh in on those decisions from a strategic perspective. Mr. Ferguson indicated he would suggest we make this an agenda item, not just a discussion. Chair Pumphrey agrees with Mr. Ferguson and would like a more focused conversation on the topic. Ms. Kouyoumdjian believes this issue should be brought back to the Water Board as a stand-alone item. Vice-chair Dr. Horne agrees that there is more focused discussion in the future. However, Vice-chair Dr. Horne asked Chair Pumphrey to ask the Water Board what they feel about the Executive Officer joining the Prosecution Team. Chair Pumphrey asked the Water Board members.

Member Dyas would like to keep the Executive Officer on the Advisory Team.

Member Cox would like to keep the Executive Officer on the Advisory Team since the Assistant Executive Officer is on the Prosecution Team.

Member Sandel would be intrigued to see the Executive Officer on the Prosecution Team but would want to keep the Assistant Executive Officer on the Prosecution Team.

Chair Pumphrey advised that he was not willing to make a decision on that at this meeting.

ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 12:23 p.



Prepared by: _____ Adopted: June 12, 2019

Katrina Fleshman, Executive Assistant