

## Lahontan Regional Water Quality Control Board

# MINUTES

## June 8-9, 2016

### Regular Meeting

Tallman Pavillion – Tri County Fair Grounds  
Sierra Street & Fair Drive  
Bishop, CA 93514

### Board Members Participating

Peter C. Pumphrey, Vice Chair, Bishop  
Kimberly Cox, Helendale  
Keith Dyas, Rosamond  
Don Jardine, Markleeville  
Eric Sandel, Truckee

### Board Members Absent

Amy Horne, Ph.D., Chair, Truckee

### Legal Counsel

Kimberly Niemeyer, Office of Chief Counsel, State Water Resources Control Board

### Regional Board Staff Participating

Patty Z. Kouyoumdjian, Executive Officer  
Lauri Kemper, Assistant Executive Officer  
Mike Plaziak, Sup. Engineering Geologist  
Doug Smith, Sup. Engineering Geologist  
Jan Zimmerman, Engineering Geologist  
Patrice Copeland, Sen. Engineering Geol.

Cathe Pool, Senior WRCE  
Alan Miller, Senior WRCE  
Brianna St.Pierre, Engineering Geologist  
Daryl Kambitsch, Acting Board Clerk  
Amber Wike, Acting Board Clerk  
Robert Tucker, WRCE

### **REGULAR MEETING: Thursday, June 8, 2016- 7 p.m.**

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

### INTRODUCTIONS

Vice Chair, Peter Pumphrey, called the meeting to order at 7 p.m. on June 8, 2016. There were no members of the public in the audience which resulted in dismissal of introductions and the Chair's opening statement.

## 1. PUBLIC FORUM

No public was present to speak for the first Public Forum of the Board Meeting. Vice Chair Pumphrey, informed staff and members of the Board of communication that was submitted to Executive Officer, Patty Z. Kouyoumdjian, by Darin Banks, requesting to speak at the June Board Meeting held in Bishop. Due to conflicting appointments, Mr. Banks was unable to attend the June Board Meeting, however, his communications and concerns involving the oversight of the PG&E Waste Pit in Hinkley, were provided to the Board and was included in the June Agenda.

Board Member Sandel asked, "When are we going to have staff respond to Mr. Banks' concerns regarding the petroleum found in these wells?"

Ms. Kouyoumdjian, responded, "Staff has put in a request to PG&E for their Work Plan and response to the First Quarter 2016 Former Waste Pit Groundwater Monitoring Report findings, that was submitted in GeoTracker. We are in the beginning stages of reviewing that document." Ms. Kouyoumdjian also stated, "Once the review of the Work Plan and response from PG&E is finished, staff will address Mr. Banks' concerns."

## OTHER BUSINESS

### 2. Minutes

- **Motion:** Moved by Mr. Sandel, seconded by Mr. Jardine, to approve the May 2016 Minutes as presented. The motion **carried** per the following votes:

Ms. Cox	sustained during first roll call aye, in confidence that her fellow Board Members, properly reviewed and approved the May Minutes in second roll call.
Mr. Dyas	aye
Dr. Horne	absent
Mr. Jardine	aye
Mr. Pumphrey	sustained from voting from first roll call due to his absence at the May Board Meeting aye, in second roll call with confidence in fellow Board Member's review and approval.
Mr. Sandel	aye

Click here to view adopted [May Minutes](#)

### 3. ✗Adoption of Uncontested Calendar

- **Motion:** Moved by Mr. Dyas, seconded by Ms. Cox, to approve Item 5 and Item 6 as presented on the uncontested calendar. The motion **carried** per the following votes:

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

**RENEWAL OF NPDES PERMIT****4. General Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit of Storm Water Discharges Associates with Marina Operations in the Lake Tahoe Hydrologic Unit, El Dorado and Placer Counties**

Alan Miller, Chief of North Basin Regulatory Unit, presented for his staff Tobi Tyler. Mr. Miller recognized and complimented Ms. Tyler for being the primary staff person behind the reissuance of the permit and for her diligent work in exceeding expectations for going above and beyond in the re-issuance of this permit.

Mr. Miller stated that one of the late additions to the item's packet was a really nice letter from the Lake Tahoe Marina Association acknowledging Tobi Tyler and Liz Van Diepen's efforts in resolving and addressing issues and concerns with the original and Draft NPDES permit.

After public review and comments, changes were made to the prior version of the NPDES permit to the current version. Some of the changes included:

- Removal of maintenance dredging;
- Changes made to just cover the Industrial Storm Water Marina Operations;
- Army Corp is issuing a draft regional permit specifically covering Lake Tahoe that will include maintenance dredging;
- Removing Aquatic Invasive Species Control (AIS) program. Partner agencies are more involved with the AIS program and will be monitored through those Partner agencies;
- Changes to the Monitoring and Reporting Program;
- Changes to the Sampling Program – added annual surface water sampling Clarification from the original permit;
- Removed diesel from the constituents list for the marina's that do not sell diesel;
- Reduced requirements for sampling when the marina is closed at night or during winter season; and
- Requirements to annual evaluations for AIS monitoring.

Mr. Miller explained that there was a high degree of public participation with this permit. Those groups participating included the twelve marinas, League to Save Lake Tahoe, Lake Tahoe Marina Association, conservation groups involved with the AIS Control Program. The participation and involvement of public and staff was conducted by Tobi Tyler and Liz Van Diepen. A Draft version of the Permit was sent out in February 2016. Twenty-four people with marinas and other groups met and discussed and addressed their concerns with the draft permit. It was a very productive meeting, and gave staff a chance to interact with public. Another meeting was conducted after another revised draft version was sent out in May to interested parties. This was a smaller group, and we discussed their proposed changes, comments, and inputs which was very helpful and productive. Mr. Miller then asked the Board to adopt the Permit with the proposed late revisions as it was presented.

Ms.Cox asked, "In the Late Revision that was submitted, it allows options with runoff volume generated by a twenty year storm. Is this triggered after that event occurs or who determines that the site can't meet that condition? And how do the mechanics of that work?"

Mr. Miller answered, “Well, this is a new program, so, I can’t be certain. However, my understanding as a regulator if this came into play and the Marina Operator couldn’t meet their sampling limit requirements, then they will be violating their permit, so, they can have an option or flexibility, or some other way to comply, by communicating and working together to resolve the problem. This is this kind of thing that can be opened up with that option.”

Ms. Cox stated, “I like the flexibility of the options provided to Marinas for compliance.”

Ms. Kouyoumdjian added, “We will meet with Marina operators to see how this option is going to work and finely tune any issues and learn from these options.”

- **Motion** – Moved by Mr. Dyas to adopt the permit as presented with the late revisions. Ms. Cox seconded. The motion unanimously **carried** per the following vote:

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

Click here to view adopted [Board Order No. R6T-2016-0038](#)

## **REVISED WASTE DISCHARGE REQUIREMENTS**

5. **✗ Revised Waste Discharge Requirements for Waste Management of California, Inc. Lancaster Landfill and Recycling Center, Los Angeles County, WDID 6B190343001**

Click here to view adopted [Board Order No. R6V-2016-0037](#)

6. **✗ Revised Waste Discharge Requirements for Kern County Public Works Department, Tehachapi Sanitary Landfill, WDID 6B150303017**

Click here to view adopted [Board Order No. R6V-2016-0032](#)

## **REPORTS**

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

Peter Pumphrey discussed the State Water Board’s Water Quality Coordinating Committee (WQCC) meeting on October 24-25, 2016, held in Sacramento, and encouraged any Board Member that could participate to do so.

8. **Executive Officer’s Report**

Ms. Kouyoumdjian, Executive Officer, discussed the Mono Lake Tour, thanked the Board for attending and Victorville staff for conducting the Tour. Ms. Kouyoumdjian explained to the Board that there was a late addition to the Executive Officer’s Report, a pink sheet summary for PG&E that was related to Public Forum Item No. 1.

There was another addition to the EO Report, an Enforcement Table that shows what enforcement actions will be taken or are in the works. These two items were the late additions to the [June Written Reports](#). Ms. Kouyoumdjian also gave additional updates on:

- a. The WQCC Meeting in October and encouraged Board Members to attend.
- b. Victorville Office move.
- c. Bridgeport Ranchers – Discussions with Mark Lacey, other Bridgeport ranchers, Doug Smith, Doug Cushman, Bruce Warden, and Patty Kouyoumdjian, about what's working and what's not. We all committed to meet three more times before the end of the year to explore water quality improvements and what actions can be taken to improve water quality.
- d. Barstow Water Perchlorate Plume – In April Ms. Kouyoumdjian applied to State Board for \$2.6 million dollars for site cleanup funds. Previous meetings with the members of the community showed that the community prefers private wells instead of being connected to a community water system.
- e. George AFB –The school tested for pesticides only found a trace of few organic pesticides.
- f. Onsite Septic Tanks – Standing Report for Onsite Septic Tanks will be moved to the Fall.
- g. Updates not in the report – Copper sulfate treatment for LADWP to use in Haiwee Lake. No findings of injured or dead fish. LADWP has committed to do better in the application process in the future.
- h. Bishop Creek – Livestock is causing the problem and a slight contribution from humans. A letter will be sent to LADWP to collect more information about their grazing allotments.
- i. We received \$400,000 for the Lake Tahoe Nearshore Program – Workplan discussions are beginning to decide how to improve the Program.
- j. We received 3 new staff for the Surface Water Ambient Monitoring Program (SWAMP) – State decided to end the contracts for contractors and hired three civil state positions for the SWAMP program.
- k. We received 1 new staff person for the Leviathan unit to implement the settlement agreement.
- l. Board Members can receive up to 3 days for Board meeting and preparation time, and now the compensation amount will be \$250, instead of \$100 when the budget passes.

Ms. Cox asked, "With the Barstow Perchlorate Plume, how much is our amount for the site cleanup? When will we receive that grant?"

Ms. Kouyoumdjian replied, "\$2.6 Million and another \$7-8 million down the road. We aren't sure when we will receive the funding, but we have a good chance of getting the grant."

Ms. Cox said, "I know the members of the Barstow community wants to stick to their ways and have their own private wells and they will be excited to hear that they will be getting the grant funding for that."

## 9. **CLOSED SESSION**

No discussion for closed session.

Adjournment: Vice Chair Pumphrey, adjourned the meeting at 8:05p.m. June 8, 2016.

**REGULAR MEETING: Thursday, June 9, 2016 – 8:05 a.m.****INTRODUCTIONS**

Vice Chair Pumphrey, called the meeting to order at 8:33 a.m. on June 9, 2016, and introduced members of the Board.

Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel, State and Regional Water Board Staff.

**10. PUBLIC FORUM**

Kate Augmen, with the Eastern Sierra Land Trust, said, “ I just want to give a big thanks to the Board and staff for paying attention to this part of the region and this part of California. Peter Pumphrey is a big help with local support in our area and we are very appreciative of him.”

**11. ADOPTION OF UNCONTESTED ITEMS**

(Item 12, Revised Waste Discharge Requirements for Herlong Public Utility District, Wastewater Treatment and Disposal Facility, Lassen County, WDID 6A180208004)

**REVISED WASTE DISCHARGE REQUIREMENTS****12. ✗ Revised Waste Discharge Requirements for Herlong Public Utility District, Wastewater Treatment and Disposal Facility, Lassen County, WDID 6A180208004**

- **Motion** – Moved by Mr. Jardine to adopt the permit as presented. Mr. Dyas seconded. The motion unanimously **carried** per the following vote:

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

To view the adopted Board Order [R6T-2016-0036 CLICK HERE.](#)

**13. Revised Waste Discharge Requirements for Athens Services American Organics Victor Valley Regional Composting Facility, San Bernardino County, WDID 6B369912001**

Ms. Cox stated, “I just want to let the Board and public know, that I participated in a tour of a composting facility in Oceanside, California, which is run by Athens, who are present here today. At the time, I was unaware that this item was going to be heard before attending the tour.”

Victorville staff, Brianna St. Pierre, gave her presentation to the Board and recommend the Board adopt the revised Waste Discharge Requirements as proposed.

The Board staff received complaints of odors and dust from the facility – mitigation measures are required in the revised WDR to improve odors from facility.

Ms. Cox, commented, “From my point of view, living in Helendale, the site had been very poorly operated in the past. A large school of several hundred students across the Mojave River has noticed since Athens has taken over the operation, the odors have improved and asked if there is anything that controls the feed stock that can control the odors and water quality improvement?”

Ms. Cox asked, “How do the standards in this permit relate to Nursery Products?”

Ms. St. Pierre answered, “They are almost exactly the same.”

Ms. Kouyoumdjian said, “This composting facility is unique and has very strict requirements.”

Speaker – Anthony Burtrain with Athens, said, “Athens purchased the facility in 2009 and has made substantial changes to the operations to make strides in odor complaints and other nuances. Athen’s goals are to provide zero waste to all of their facilities, eliminate as much compost that will be transferred to landfills, and we want to address any concerns or issues that the Board or community may have.” Mr. Burtrain thanked the Board for the helpfulness of staff, and said, “the requirements given when we met with staff were very strict but, staff was very helpful.” Mr. Burtrain stated, “If there’s any issues please bring those issues to our attention. We want to comply and be receptive of our communities. We are obligated to meet regulations and are willing to comply with those requirements of the Order. We recently had odor monitoring systems installed and want to meet every regulation and requirement of us and help protect water quality.”

- **Motion** – Moved by Ms. Cox to approve the item as proposed. Mr. Dyas seconded. The motion was unanimously **carried** per the following vote.

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

To view the adopted Board Order [R6V-2016-0031 CLICK HERE.](#)

**NEW WASTE DISCHARGE REQUIREMENTS**

**14. Waste Discharge Requirements for the California Department of Transportation  
Honey Lake Safety Roadside Rest Area Wastewater Treatment and Disposal Facility,  
Lassen County, WDID 6A18807002**

Tahoe staff, Robert Tucker, gave his presentation to the Board and recommended the Board adopt the New Waste Discharge Requirements for the Honey Lake Safety Roadside Rest Area's Wastewater Treatment and Disposal Facility.

Mr. Jardine Commented that the Item presented was very interesting.

- **Motion** – Moved by Mr. Jardine to adopt the permit as presented. Mr. Sandel seconded. The motion unanimously **carried** per the following vote:

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

To view the adopted Board Order [R6T-2016-0034 CLICK HERE.](#)

With no further business to come before the Board, the meeting was adjourned at 9:21 a.m. on June 9, 2016.



Prepared by: \_\_\_\_\_ for Amber Wilke \_\_\_\_\_ Adopted: 09/14/2016  
Amber Wike, Interim Executive Assistant