

Lahontan Regional Water Quality Control Board

MINUTES

January 10-11, 2018

Regular Meeting

Mojave Water Agency
13846 Conference Center Drive
Apple Valley, CA 92307

Board Members Participating

Peter C. Pumphrey, Chair, Bishop
Don Jardine, Vice Chair, Markleeville
Kimberly Cox, Helendale
Keith Dyas, Rosamond
Amy Horne, Ph.D., Truckee

Board Members Absent

Eric Sandel, Truckee

Legal Counsel

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

Regional Board Staff Participating

Patty Z. Kouyoumdjian, Executive Officer
Doug Smith, Assistant Executive Officer
Jeff Brooks, Sr. Engineering Geologist
Tom Browne, WRCE
Mike Coony, WRCE
Sandra Lopez, Office Technician
Rebecca Phillips, AGPA
Ghasem Pour-Ghasemi, WRCE
Jan Zimmerman, Sr. Engineering Geologist

Scott Ferguson, Sup. WRCE
Patrice Copeland, Sr. Engineering Geologist
Shelby Barker, Engineering Geologist
Jehiel Cass, Sr. WRCE
Christine Guerra, Engineering Geologist
John Morales, WRCE
Alonzo Poach, Engineering Geologist
Tiffany Steinert, Engineering Geologist

REGULAR MEETING: January 10, 2018- 7:00 p.m.

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

INTRODUCTIONS

Chair Pumphrey called the meeting to order at 7:05 p.m. on January 10, 2018 and introduced Board Members. Patty Z. Kouyoumdjian, Executive Officer, introduced Legal Counsel. Note: Board Member Eric Sandel was absent.

1. PUBLIC FORUM

None.

2. Minutes

Motion: Moved by Member Dyas, seconded by Member Jardine, to approve the November 2017 Minutes with the following correction on page 2-6, item 10: replace “Truckee River Watershed Council” with “Tahoe Sierra Integrated Regional Water Management Group”. The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Member Cox	aye
Member Dyas	aye
Vice-Chair Jardine	aye
Chair Pumphrey	abstained
Member Horne	aye

Click here to view adopted [November 2017 Meeting Minutes](#)

3. Considering approval of Local Agency Management Program (LAMP) for the City of Apple Valley

Mr. Mike Coony, WRCE, presented and made recommendations to the Board to adopt a resolution approving the City of Apple Valley LAMP.

Mr. Mike Podegracz, Charles Abbott Associates Inc., representing the City of Apple Valley, presented on the City of Apple Valley LAMP.

Board Comments:

- Member Horne had a question on the land use density slide. Twenty-five percent of new development would be infill. She asked how many 15,000 square foot lot size or smaller lots are in the Alta flood plain. Patrick Carroll, building official with the Town of Apple Valley, answered that the Alta flood plain are generally larger parcels. There are very few parcels smaller than 15,000 square foot lot size.
- Member Cox asked for an example of what a Supplemental Treatment System (STS) is and why would anyone use one. Mr. Podegracz answered that if someone could not develop their property based on the requirements in the LAMP, such as hard rock or not enough soil, they would use an STS. The town has not approved an STS and have not planned on it but wanted to ensure the guidelines were in the LAMP in the event the town was to approve one.

Motion: Moved by Member Cox, seconded by Member Dyas, to approve the LAMP for the City of Apple Valley. The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Member Cox	aye
Member Dyas	aye
Vice-Chair Jardine	aye
Chair Pumphrey	aye
Member Horne	aye

4. Considering approval of Local Agency Management Program for the City of Hesperia.

Mr. Mike Coony, WRCE, presented and made recommendations to the Board to adopt a resolution approving the City of Hesperia LAMP.

Tina Souza, City of Hesperia, explained the minor differences between the Apple Valley and Hesperia LAMPs.

Motion: Moved by Member Cox, seconded by Vice-Chair Jardine, to approve the LAMP for the City of Hesperia. The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Member Cox	aye
Member Dyas	aye
Vice-Chair Jardine	aye
Chair Pumphrey	aye
Member Horne	aye

5. Amended Waste Discharge Requirements – Board Order No. R6V-2015-0057-A1 (Proposed) for U.S. Borax, Inc., Rio Tinto Minerals, Clean Energy Fuels Company, Boron Facility, Kern County.

Ms. Christina Guerra, Engineering Geologist, presented and recommended approval of the amended Waste Discharge Requirements for the U.S. Borax, Inc. Boron facility.

Board Comments:

- Member Cox had a question on what happened to the Boron acid ponds when they fill up. Ms. Guerra responded once the ponds are full they are closed. The discharger is currently evaluating ways to extract fluid that hasn't precipitated out within the stratification of the pond. The ponds are anticipated to be covered like a landfill.
- Member Horne asked if there was any overflow in the ponds from a storm in December 2016. Mr. Dan Gillette from U.S. Borax Inc. answered that there was not more than an inch or two of rain in that event and no overflow.

Motion: Moved by Member Horne, seconded by Member Dyas, to approve the Amended Waste Discharge for U.S. Borax Inc., Boron Facility. The Chair called for a Roll Call Vote and the motion **carried** per the following votes:

Member Cox	aye
Member Dyas	aye
Vice-Chair Jardine	aye
Chair Pumphrey	aye
Member Horne	aye

6. Status Updates on Water Board's Perchlorate Investigation and Cleanup Project and the City of Barstow's Nitrate Groundwater Contamination.

Mr. Alonzo Poach, Engineering Geologist, presented on the status of the perchlorate pollution in the Barstow area.

Mr. Ghasem Pour-ghasemi, WRCE, presented on the nitrate pollution in the Barstow area.

Board Comments:

- Member Dyas asked Mr. Pour-ghasemi if there were any plans to go to a full scale treatment of nitrate removal. Mr. Pour-ghasemi answered that because of the perchlorate moving down, the City of Barstow was reluctant to go on their own as they are afraid they would pull the perchlorate plume to their area. At this time, there has been back and forth with the Water Board to discuss how to deal with both problems. With the grant funds from the California Energy Commission (CEC), they want to see what this system will do and if it can deal with both perchlorate and nitrate. Member Dyas asked if the system worked in stages or simultaneously. Mr. Pour-ghasemi stated they would take care of the nitrate first then deal with the

perchlorate. The test will be for the next 18 months and then they will present a report to the CEC.

- Member Horne asked how many more residents will be impacted and required to receive bottled water since the plume is moving down a foot to a foot and a half per day. Mr. Poach stated on slide number 14 there are potentially three to six residents who could be impacted in the future, in addition to the current eight residents. Member Horne stated concern about the residents on Soapmine Road. Ms. Kouyoumdjian is grateful that there is now funding available.
- Member Cox referred to the nitrate plume on slide 26 and asked to what level is the City of Barstow required to treat. The City of Barstow is required to treat to 6.5 milligrams per liter. Member Cox also expressed concern for the City of Barstow and those residents whose wells were impacted.
- Chair Pumphrey asked if the historical amounts have been reduced. Mr. Poach stated when the emergency removal action installed a geonet membrane has resulted in a positive effect in the concentrations.

Note: The Water Board took a break from 8:40 p.m. to 8:50 p.m.

Public Comments:

- Mr. Kody Tompkins, from the City of Barstow, provided an update and clarifications to the presentations.
- Ms. Beth Uzony, representing the Soapmine Road area residents, expressed appreciation for the packet sent to residents by the Water Board and concern about the length of time it has taken to work on this problem. She is looking forward to seeing resolution. Ms. Uzony asked for the exact date when the levels of the nitrate concentration were tested. Mr. Jehiel Cass replied that Mr. Pour-ghasemi would follow-up with Ms. Uzony to provide the information requested. Member Horne appreciated Ms. Uzony for taking time to speak to the Board. Member Cox expressed concern about Ms. Uzony's animals.

Board Comments:

- Vice-Chair Jardine requested continued collaboration to address this issue as living ten years on bottled water was a long time.
- Member Cox expressed concern about residents being deprived of normalcy in their everyday lives and was hoping that grant money could expedite finding a solution.
- Chair Pumphrey stated this situation is extraordinarily distressful and stated the Board will first learn if there is an effective way to deal with this, which in turn will lead to accessing additional resources.

7. Reports by Water Board Chair and Board Members.

Vice-Chair Jardine:

- On January 30, 2018, there was a Water Summit meeting sponsored by the Governor of the State of Nevada with the Federal Water Master speaking.

Chair Pumphrey:

- Attended the October 2017 Water Quality Coordinating Committee (WQCC) two-day meeting.
- The December Chairs call discussed the WQCC meeting. The consensus being that it was beneficial to see how the other Boards were addressing issues and how there was crossover from Lahontan Water Board issues. There is more of a shift for

the Chairs to discuss what has worked in their regions and work more collaboratively.

8. Executive Officer's Report

Ms. Kouyoumdjian, Executive Officer, presented the written Executive Officer's Reports including updates on:

- a. Proposed changes to the 2018 Board Schedule. Member Horne recommended moving the May Board meeting to Bishop. Member Cox recommended moving the May meeting to May 16 and 17.
- b. Staffing changes including active hiring and promotions.
- c. Change in the Governor's Budget to allow SB 630 monies for personnel.
- d. GeoTracker training, which helps efforts to better understand water quality impacts from the Waste Discharge Requirement program.
- e. Update on the Bridgeport Waiver. All applications from ranchers have been received. Ranch management plans will be submitted by March 15.
- f. Update on the Nearshore Lake Tahoe evaluation and monitoring framework.
- g. Leviathan Mine recap of all efforts by Water Board staff to ensure the site operated well and did not spill hazardous and mine drainage into Leviathan Creek.
- h. Two different disputes in two different locations with Edwards Air Force Base. These are the first of many that are expected.

Mr. Jeff Brooks, Senior. Engineering Geologist, presented the Quarterly Violations report.

9. Election of 2018 Chair/Vice Chair.

Motion: Moved by Member Cox, seconded by Member Dyas, to retain Chair Pumphrey as Chair and Vice-Chair Jardine as Vice-Chair for 2018. The Chair called for a Roll Call Vote and the motion *carried* per the following votes:

Member Cox	aye
Member Dyas	aye
Vice-Chair Jardine	aye
Chair Pumphrey	aye
Member Horne	aye

10. CLOSED SESSION

No discussion for closed session.

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned at 9:55 p.m. on January 10, 2018.

Prepared by: _____ Adopted: _____

Kathy Otermat, Executive Assistant