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## Colorado River Basin Regional Water Quality Control Board

### REGIONAL BOARD PUBLIC MEETING

9:00 a.m., Thursday, November 19, 2015

California Regional Water Quality Control Board  
Colorado River Basin Region  
Board Room  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260  
(760) 346-7491

The primary duty of the Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board or Board) is to protect the quality of the waters within the region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basins and by prescribing and enforcing requirements on all domestic and industrial waste discharges. Specific responsibilities and procedures of the Colorado River Basin Water Board and the State Water Resources Control Board are specified in the Porter-Cologne Water Quality Control Act (commencing with Section 13000 of the California Water Code) and implementing regulations in Titles 23 and 27 of the California Code of Regulations.

The purpose of the Board public meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the information received. Persons who want to submit written comments or evidence on any agenda item must comply with the Board's **Meeting Procedures**. These procedures can be viewed at: <[http://www.waterboards.ca.gov/coloradoriver/board\\_info/agenda/docs/bm\\_procedures.pdf](http://www.waterboards.ca.gov/coloradoriver/board_info/agenda/docs/bm_procedures.pdf)>. Persons wishing to speak at the meeting should complete a speaker request card and provide it to staff. You may also wish to sign in on the attendance sheet that will be provided. Although signing in is voluntary, we appreciate knowing who attended to help us evaluate the level of public interest.

The Board and staff welcome information on pertinent problems, but comments at the meeting should be brief and directed to specifics. Whenever possible, lengthy testimony should be presented to the Board in writing and only a summary of pertinent points presented verbally.

The Board also encourages feedback outside of this public meeting regarding things you feel the Board is doing well in or could improve on with respect to its primary mission—to protect the water quality of the Region. If you would like to provide feedback, please go to the Cal-EPA Customer Service Survey, which can be accessed at the following website link: <http://www.calepa.ca.gov/Customer/>.

During the public forum part of the meeting, any member of the public may address the Board and ask questions relating to any matter within the Board's jurisdiction. This need not be related to any item on the agenda, and the presentation should normally be limited to three (3) minutes. If the matter should appropriately be included within an item that is listed on the agenda, the

ELLEN WAY, CHAIR | ROBERT PERDUE, EXECUTIVE OFFICER

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presentation to the Board should be made at the time that the particular item is taken up by the Board.

It is the policy of the State and Regional Water Boards to discourage the introduction of surprise testimony and exhibits. Therefore, pursuant to Title 23 of the California Code of Regulations (hereafter Title 23), Section 648.4, the Board may refuse to admit into evidence written testimony pertaining to agenda items if it is not submitted to the Board in a timely manner, and shall refuse to do so where there is a showing of prejudice to any party or the Board. This rule may be modified where a party demonstrates that compliance would create severe hardship.

All items appearing under the "Uncontested Items" calendar will be acted upon by the Board in one motion **without discussion**. Should any Board Member or other person request that any item be considered separately, that item will be taken up at a time as determined by the Board Chair.

Details concerning these agenda items should be directed to Soni Wells at: (760) 346-7491 or [Soni.Wells@waterboards.ca.gov](mailto:Soni.Wells@waterboards.ca.gov) during normal working hours at the Board's office. Ms. Wells is available to answer general questions and to direct your call to the staff person assigned to this matter to answer your specific questions. Please note that agenda items are numbered for identification purposes only and will not necessarily be considered in the order indicated.

The facility is accessible to people with disabilities. Individuals requiring special accommodations are requested to contact Hilda Vasquez at (760) 776-8950 at least five (5) working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Persons applying for, or actively opposing, Waste Discharge Requirements or National Pollutant Discharge Elimination System (NPDES) permits being considered by the Board must comply with legal requirements if they or their agents have contributed, or propose to contribute, more than \$250 to a Board member for an election campaign. Contact the Board office for details if you believe that you fall into this category.

Any person adversely affected by a decision of the Board may petition the State Water Resources Control Board to review the decision. The petition must be received by the State Water Resources Control Board within thirty (30) days of the Board's meeting at which the action was taken. Copies of the laws regarding the filing of petitions will be provided upon request to the Board, or may be obtained on the Internet at: [http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality/index.shtml](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml).

Board agendas and copies of the items to be considered by the Board may be downloaded from the Board's Website at: [http://www.waterboards.ca.gov/coloradoriver/board\\_info/agenda/index.shtml](http://www.waterboards.ca.gov/coloradoriver/board_info/agenda/index.shtml).

Board-approved minutes are posted at the Board's Website at: [http://www.waterboards.ca.gov/coloradoriver/board\\_info/board\\_minutes/](http://www.waterboards.ca.gov/coloradoriver/board_info/board_minutes/)

A listing of pending applications for Water Quality Certifications, pursuant to Section 401 of the Federal Clean Water Act, may be obtained from the Board's Website at: [http://www.waterboards.ca.gov/coloradoriver/water\\_issues/programs/401\\_certification/](http://www.waterboards.ca.gov/coloradoriver/water_issues/programs/401_certification/) or by calling Jay Mirpour at (760) 776-8981.

## BOARD MEETING AGENDA

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### MINUTES

1. Minutes of September 17, 2015 Board Meeting

### PUBLIC FORUM

2. Any person may address the Colorado River Basin Water Board at this time regarding any matter within the Board's jurisdiction that is not related to an item on this Meeting agenda. **Comments will generally be limited to three (3) minutes, unless otherwise directed by the Board Chair.** Members of the public may also address the Board from noticed telephonic location(s), if any.

### UNCONTESTED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITS AND WASTE DISCHARGE REQUIREMENTS

3. [R7-2015-0042](#) Tentative Board Order Waste Discharge Requirements, for Eiichi Kato, Owner, Earthrise Nutritionals, LLC, Operator, Imperial Valley Bio-Products Facility, Calipatria, Imperial County  
*[New WDRs, Jennie Snyder]*
4. [R7-2015-0048](#) Tentative Board Order Waste Discharge Requirements (for Magma Land Company and Imperial Magma, LLC, Land Owners; Salton Sea Power Generation Company and Salton Sea Power LLC, Region 1 Facility Owners; CalEnergy Operating Corporation, Operator Region 1 Salton Sea Power Plants Units 1-5, Class II Brine Pond, Imperial County  
*[Update, Herb Jackson]*
5. [R7-2015-0049](#) Tentative Board Order Waste Discharge Requirements for the Ormat Nevada Heber Wellfield Basins and Mud Sumps, 947 Dogwood Road, Heber, Imperial County  
*[Update, Herb Jackson]*
6. [R7-2015-0050](#) Tentative Board Order Waste Discharge Requirements for McCabe Union School District, Owner; Frank Cornejo and JC Lab and Monitoring Services, Operator, Municipal Wastewater Treatment Plant and Disposal Ponds, El Centro, Imperial County  
*[New WDRs, Jose Cortez]*

**RESCISSION**

7. [R7-2015-0051](#) Rescission of Waste Discharge Requirements for Orders R7-2006-0032, Imperial Valley Cheese; R7-2004-0003, Toscana Land LLC; and, R7-2012-0005, Hudson Ranch Power II, LLC.  
*[Doug Wylie]*

**ADMINISTRATIVE CIVIL LIABILITY ORDER**

8. [R7-2015-0044](#) Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order in the matter of Peter Ormond, Owner, Date Gardens Mobile Home Park, Waste Water Treatment Plant, El Centro, Imperial County  
*[Maribel Jernegan]*

**CEASE AND DESIST ORDER**

9. [R7-2015-0047](#) Special Board Order Amending Cease and Desist Order R7-2009-0061, National Pollutant Discharge Elimination System (NPDES) Permit CA0104361 for the City of Holtville Wastewater Treatment Plant, City of Holtville – Imperial County  
*[Kai Dunn]*

**OTHER BUSINESS**

10. Schedule of Board Meetings for Calendar Year 2016
11. Informational Update: Imperial and Riverside Counties OWTS LAMP  
*[Mary Serra]*
12. Informational Update: Border Pollution  
*[Jose Angel]*
13. Informational Update: State Water Resources Control Board Activities  
*[Tom Vandenberg]*
14. Informational Update: Geothermal  
*[Elizabeth Johnson, Geothermal Officer, Division of Oil and Gas and Geothermal Resources (DOGGR)]*
15. Informational Update: Audio/Video upgrade status  
*[Hilda Vasquez]*
16. Colorado River Basin Water Board Executive Officer's Report  
*[Robert Perdue]*
17. Colorado River Basin Water Board Member Comments
18. Colorado River Basin Water Board Chair's Report  
*[Ellen Way]*

**CLOSED SESSION**

19. At any time during the regular session, the Board may adjourn to meet in closed session to consider the appointment, employment, evaluation of performance, or dismissal of a public employee [Authority: Government Code Section 11126(a)]; to consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence [Authority: Government Code Section 11126(c)(3)]; to discuss significant exposure to litigation [Authority: Government Code Section 11126(e)(2)(B)(i)]; to discuss whether to initiate litigation [Authority: Government Code Section 11126(e)(2)(C)(i)]; or to discuss initiated litigation [Authority: Government Code Section 11126(e)]. Discussion of litigation is within the attorney-client privilege and may be held in closed session [Authority: Government Code Section 11126(e)(2)].

**ADJOURNMENT OF BOARD MEETING**