
Colorado River Basin Regional Water Quality Control Board

State of California California Regional Water Quality Control Board Colorado River Basin Region

MINUTES OF BOARD MEETING

December 14, 2021, 9:00 a.m. to 12:26 p.m.

Zoom Video and Teleconference Meeting Only

Archived audio and video webcasts of Board meetings are available at the following link:

<https://cal-span.org/static/meetings-RWQCB-COLO.php>

Board Member Roll Call and Introductions

Nancy Wright, Jayne Powell, Ed Muzik, Peter Satin, Beatriz Gonzalez, and Vivian Perez were in attendance. The Board Clerk stated that a quorum was present.

The virtual meeting via Zoom was called to order by Board Chair Nancy Wright at 9:00 a.m. on December 14, 2021.

State and Regional Water Board Staff Present

Paula Rasmussen, Cassandra Owens, Katharine Buddingh, David Lancaster, Mary Castaneda, CJ Jasieniecki, Dan Mefford, Adriana Godinez, Reggie Tan, Jennie Snyder, Logan Raub, Kai Dunn, Jose Cortez, Abdi Haile, and Sean Maguire.

Virtual Public Attendance

Adam Maichel, SOLV Energy
Angelo Purpura, SOLV Energy
Arjun Nathan, Public
Bernie Balland, IBEW Local 440
Brian Monaghan, Wildands
Cate Davis, Public
Charlotte Willens, Public
Chris Dunn, SOLV Energy
Daniel Luther, IBEW Local 440
Dave Grubb, SOLV Energy
David Berger, Public

NANCY WRIGHT, CHAIR | PAULA RASMUSSEN, EXECUTIVE OFFICER

Ed Smeloff, Grid Integration Vote Solar
Eric Hinzman, SOLV Energy
Hedy Koczwara, Aspen Environmental Group
Ian Fifield, SOLV Energy
Jalen Lamb-Hall, Public
Jane Dunnington, Public
Jeff Davis, Public
Jeremy Forshaw, IBEW Local 440
James Rush, IBEW Local 440
Joan Taylor, Sierra Club
Jonathon, Kropf, SOLV Energy
Jorge Esqueda, IBEW Loc Public Local 440
Juan Felipe Builles, Public
Kathy Garcia Spicer, Public
Kevin Emmerich, Basin and Range Watch
Loggan Purpura, SOLV Energy
Louie Lopez, Iron Workers Local 433
Magdalena Rodriguez, CDFW
Malea Lamb, Public
Manuela Gomez-Villa, Public
Mariah Gauthier, Public
Marissa Mitchell, Intersect Power
Mia Rosati, Public
Mikeala Lamb-Hall, Public
Neve Stearns, Intersect Power
Paul Spicer, Public
Pierre Dunham, SOLV Energy
Pierre Gousseland, Terabase Energy
Rayna Whitman, SOLV Energy
Reegan Moen, SOLV Energy
Rob Shuck, SOLV Energy
Seth Israel, SLV Energy
Sue Stendebach, Public
Susan Harris, Public
Taylor Dodson, SOLV Energy
Venessa Ingalls, IBEW Local 440
Wendy Wallace, Public

Public Forum

There were no public speakers during the public forum.

1. Approval of Minutes

Minutes of November 2, 2021 Board Meeting.

Peter Satin moved, Jayne Powell seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Beatriz Gonzalez – Aye, Ed Muzik – Aye, Vivian Perez – Aye, Peter Satin – Aye.

The motion was carried to adopt the minutes of the November 2, 2021 Board meeting.

2. State Water Board Liaison Update [*Sean Maguire, State Water Board Liaison*]

Sean Maguire provided an update on State Water Board activities.

Uncontested Items

3. R7-2019-0019-02 – Consideration of adoption of Amended Cease and Desist Order for the Palm Springs Aerial Tramway, Mountain Station Wastewater Treatment Plant, owned and operated by the Mt. San Jacinto Winter Park Authority, located in Palm Springs, Riverside County [*Reginald Tan, WRCE*]

Motion: Ed Muzik moved, Jayne Powell seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Beatriz Gonzalez – Aye, Ed Muzik – Aye, Vivian Perez – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt Order R7-2019-0019-02 as proposed.

Contested and Discussion Items

4. R7-2021-0052 – Consideration of adoption of Waste Discharge Requirements for Dredged or Fill Discharges to Waters of the State for California Department of Water Resources, Vegetation Enhancement Project at Clubhouse, Tule Wash, and Bombay Beach West Sites, Imperial County [*Kai Dunn, Sr. WRCE*]

Kai Dunn, Senior Water Resources Control Engineer, introduced the item and provided an overview of the proposed Order regulating a vegetation enhancement project aimed at improving conditions around the Salton Sea, including requirements to protect waters of the state.

Motion: Jayne Powel moved, Peter Satin seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Beatriz Gonzalez – Aye, Ed Muzik – Aye, Vivian Perez – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt Order R7-2021-0052 as proposed.

5. R7-2021-0025 – Consideration of adoption of Waste Discharge Requirements for Water Reclamation Plant No. 7, owned and operated by Coachella Valley Water District, located in Indio, Riverside County [*Reginald Tan, WRCE*]

The Board Chair pulled Item #5 to be heard at a future meeting.

6. R7-2021-0050 – Consideration of adoption of General Waste Discharge Requirements for Discharges of Waste from Irrigated Agricultural Lands for Dischargers that are Members of a Coalition Group in the Imperial Valley, Imperial County [*Jennie Snyder, WRCE*]

Jennie Snyder, Water Resources Control Engineer, provided an overview of key proposed permit provisions and updates, including those relating to precedential requirements from State Water Board Order WQ 2018-0002, *In the Matter of Review of Waste Discharge Requirements General Order No. R5-2012-0116 for Growers Within the Eastern San Joaquin River Watershed that are Members of the Third-Party Group*. She also discussed comments received and staff's responses to those comments.

Speakers: Rachel Mogus, Imperial County Farm Bureau

Motion: Nancy Wright moved, Vivian Perez seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Beatriz Gonzalez – Aye, Ed Muzik – Aye, Vivian Perez – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt Order R7-2021-0050 with changes made in response to comments.

** The Board Chair called for a brief break from 10:20 a.m. – 10:30 a.m.*

7. R7-2021-0053 – Consideration of adoption of a Resolution for Certification of the Final Environmental Impact Report for the Oberon Renewable Energy Project, Riverside County [*Logan Raub, ES*]

Prior to the hearing, the Board Members were provided with a Late Changes Sheet specifying changes to Attachment A (Final Environmental Impact Report) and Attachment B (Mitigation Monitoring & Reporting Program) of the Resolution. The Late Changes Sheet was also posted to the Board's website during the hearing.

Logan Raub, Environmental Scientist, introduced the item and provided an overview of the proposed Resolution, including background on the Oberon Renewable Energy Project, the California Environmental Quality Act, and the Environmental Impact Report, including the various Project alternatives, significant comments received during the public comment period for the draft Environmental Impact Report, and staff responses. David Lancaster, an attorney from the Office of Chief Counsel, provided an overview of the Findings of Fact and Statement of Overriding Considerations. Logan Raub concluded the presentation with a specific reference to the Late Changes Sheet (discussed above).

Speakers: Hedy Koczvara, Aspen Environmental Group
Marissa Mitchell, Intersect Power
Adam Maichel, SOLV Energy
Chris Dunn, SOLV Energy
Ed Smeloff, Grid Integration Vote Solar
Jane Dunnington, Public
James Rush, IBEW Local 440
Joan Taylor, Sierra Club

Kathy Garcia Spicer, Public
Kevin Emmerich, Basin and Range Watch
Louie Lopez, Iron Workers Local 433
Brian Monaghan, Wildlands
Reegan Moen, SOLV Energy
Sue Stendebach, Public
Susan Harris, Public
Venessa Ingalls, IBEW Local 440

Motion: Ed Muzik moved to adopt Resolution R7-2021-0053, specifically subject to the revisions identified in the Late Changes Sheet (discussed above); Jayne Powell seconded; and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Beatriz Gonzalez – Aye, Ed Muzik – Aye, Vivian Perez – Aye, Peter Satin – Aye.

The motion was carried unanimously.

8. R7-2021-0048 – Consideration of Adoption of Waste Discharge Requirements for Dredged and Fill Discharges to Waters of the State for IP Oberon, LLC and IP Oberon II, LLC, Oberon Renewable Energy Project, Riverside County [*Logan Raub, ES*]

Logan Raub, Environmental Scientist, introduced the item and provided an overview of the proposed Order, including information about the Oberon solar facilities avoidance and mitigation measures to protect waters of the state, the solar facilities unavoidable and unmitigable impacts, and compensatory mitigation.

Motion: Peter Satin moved, Jayne Powell seconded, and a roll call vote was taken.

Roll Call Vote: Nancy Wright – Aye, Jayne Powell – Aye, Beatriz Gonzalez – Aye, Ed Muzik – Aye, Vivian Perez – Aye, Peter Satin – Aye.

The motion was carried unanimously to adopt Order R7-2021-0048 as proposed.

Informational Items

9. Colorado River Basin Water Board Executive Officer's Report [*Paula Rasmussen, EO*]
 - 2022 Board meetings may be transitioning to “hybrid” meetings that are both in person and online beginning February 2022. This would require a Board quorum to be physically present at the meeting.
 - On December 7, 2021, the State Water Board approved the Basin Plan Amendment for the Yucca Valley Septic Tank Prohibition (Maria Davydova, ES)
 - Tribal consultation letters were issued for the Total Maximum Daily Load project for pyrethroids pesticides in Imperial Valley (Lauren Briggs, ES)
 - Staff participated in a tour of the Species Conservation Habitat Project at the Salton Sea provided by California Natural Resources Agency.

- Staff participated in the California-Mexico Board Relations Council meeting held on December 13, 2021 via virtual format. Updates were provided on COVID-19 responses at the border, wastes, and transportation.
- Staff will participate in a kickoff meeting for the Salton Sea Long Range Planning Committee later in December to discuss the purpose of the long range plan, committee charge, and the state of the Salton Sea.
- Lastly, there are four Regional Water Board staff recently retired or soon retiring: Cathy Sanford, EG, Nadim Shukry-Zeywar, Senior ES, Abdi Haile, Supervising EG, and Suhas Chukraborty, WRCE.

10. Colorado River Basin Water Board Member Comments

Vice-Chair Powell expressed her heartfelt appreciation for the hard work from staff all year. Board member Muzik thanked staff for providing great presentations to the Board. Board member Gonzalez echoed Board member Muzik's comments and wished all a happy holiday.

11. Colorado River Basin Water Board Chair's Report

Chair Wright thanked staff for their hard work and wished all a wonderful year in 2022.

Closed Session

12. There was no closed session held.

Adjournment

The Board adjourned and ended the meeting at 12:26 p.m.