

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

MINUTES OF BOARD MEETING

June 25, 2008, 10:00 a.m.
City Council Chambers
City of Indio
150 Civic Center Mall
Indio, CA 92201

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Acting Chair Jeff Hays at 10:04 a.m. on June 25, 2008 in the City Council Chambers, City of Indio, California.

Roll Call (Board Members Only)

Board Member Present:

Thomas Davis, Jeff Hays, Maurice “Red” Martinez, Edward Muzik, Richard “Rick” Post, Jon Edney. Ellen Way was not present. The Board Secretary stated that a quorum was present. Tom Davis had to leave the meeting at 11:00 a.m.

Staff Present:

Adnan Al-Sarabi, Jose Angel, Terry Barnes, Mary Castañeda, John Carmona, Jose Cortez, Kai Dunn, Abdi Haile, Herb Jackson, Kirk Larkin, Robert Perdue, Cliff Raley, Jennie Snyder, Joan Stormo, Hilda Vasquez, Doug Wylie, and Nadim Zeywar.

Others Present:

Steve Bigley, Coachella Valley Water District
Gary Burroughs, City of Brawley
Kristen Campbell, CalEnergy Op. Corp.
Arlene Chun, Riverside County Flood Control
Garry Forney, Bull Holdings, Inc.
Sarann Graham, Hi-Desert Water District
Joe Glowitz, Hi-Desert Water District
David Mahaffey, Septic Systems/Sewer/New Waterless Toilets Tech
Breanna Marcinek, Riverside County Flood Control
Ruben Mireles, City of Brawley
Art Popp, Palm Springs Aerial Tramway

Minutes

1. Minutes of May 21, 2008 Board Meeting

MOTION: Red Martinez moved, Rick Post seconded, and motion carried unanimously that the Minutes as amended, be approved. Jon Edney abstained.

Public Forum

2. Art Popp from the Palm Springs Aerial Tramway voiced his objections to being told by Regional Board staff that the Tramway would now need three permits instead of one for its three wastewater treatment facilities. The permits will be placed on the Board's agenda for the September 17, 2008 Board meeting. Garry Forney said he received a complaint letter from the Regional Board and was directed to do weekly testing, plus quarterly testing. He feels this is unnecessary and wants to do only monthly testing since he said that 12 years of monitoring results showed non-detectable levels of pathogens.

UNCONTESTED WASTE DISCHARGE REQUIREMENTS

3. JF R7-2008-0002 Waste Discharge Requirements for Salton Community Services District, Owner/Operator Salton City New Wastewater Treatment Plant, Salton City – Imperial County
4. JF R7-2008-0010 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Date Gardens Mobile Home Park, Date Gardens Mobile Home Park Wastewater Treatment Plant, El Centro, CA – Imperial County (Renewal)
5. JF R7-2008-0011 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for BFD Asset Partners, LLC and Country Life Mobile Home and RV Park (MHRVP) Asset Partners, LP, Country Life MHRVP Wastewater Treatment Facility, NPDES Board Order No. CA0104264, El Centro – Imperial County (Renewal)
- ~~6. JS R7-2008-0026 Waste Discharge Requirements for Bureau of Land Management, Land Owner Granite Construction Company, Facility Owner/Operator Jimenez Pit Sand and Gravel Processing Plant Washwater Infiltration/Evaporation Basin Disposal Facilities, Northeast Of Ocotillo – Imperial County (Item pulled)~~

7. KL R7-2008-0027 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for City of Brawley, Brawley Wastewater Treatment Plant, Brawley – Imperial County (Amendment)
8. KL R7-2008-0028 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for City of Calexico, Calexico Wastewater Treatment Plant, Calexico – Imperial County (Amendment)
9. JF R7-2008-0029 National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for City of Calipatria, Calipatria Wastewater Treatment Plant, Calipatria – Imperial County (Amendment)
10. JC R7-2008-0045 Waste Discharge Requirements for US Bureau of Land Management, Landowner Superior Ready Mix, Plant Owner James E. Simon Company, Plant Operator Sand And Gravel Plant Concrete Mixer Truck Wash Facility, North of Indio – Riverside County
11. JC R7-2008-0046 Waste Discharge Requirements for US Bureau of Reclamation, Owner Imperial Irrigation District, Operator Imperial Dam Housing and Offices Domestic Wastewater Ponds Winterhaven – Imperial County
12. HJ R7-2008-0049 Waste Discharge Requirements for Magma Power Company, Landowner Imperial Magma LLC, Landowner J.R. Smith, Landowner John and Anne Elmore, Landowner Calenergy Operating Corporation, Operator for J.J. Elmore Power Plant Class II Holding Pond Salton Sea Known Geothermal Resource Area – Imperial County
13. HJ R7-2008-0050 Waste Discharge Requirements for Magma Power Company, Landowner River Ranch, Inc., Landowner Calenergy Operating Corporation, Operator for Leathers Power Plant Class II Surface Impoundment Salton Sea Known Geothermal Resource Area – Imperial County
14. JF R7-2008-0800 General National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Concentrated Animal Feeding Operations (CAFOs) in the Colorado River Basin Region – General Board Order No. R7 – 2008-0800 (CAG017001)

MOTION: Jon Edney moved, Red Martinez seconded, and motion carried unanimously that Waste Discharge Requirements Order Nos. R7-2008-0002, (with errata), R7-2008-0010, R7-2008-0011, R7-2008-0027, R7-2008-0028, R7-2008-0029, R7-2008-0045 (with errata), R7-2008-0046, (with errata), R7-2008-0049 (with errata), R7-2008-0050 (with errata), and R7-2008-0800, be adopted including the Erratas. Board Order R7-2008-0026 was pulled from the agenda.

UNCONTESTED ENFORCEMENT ACTIONS

15. DW R7-2008-0043 Administrative Civil Liability Order No. R7-2008-0043 Mandatory Minimum Penalty and Penalty for Violation of other Waste Discharge Requirements in the Matter of City of Brawley, Owner/Operator Municipal Wastewater Treatment Plant – Imperial County

MOTION: Rick Post moved, Tom Davis seconded. The motion was carried with 5 Ayes and 1 No (Jon Edney) that Administrative Civil Liability Order No. R7-2008-0043 be adopted.

MEMORANDUM OF AGREEMENT

16. CR MOA Memorandum of Agreement by and among Town of Yucca Valley, Hi-Desert Water District, and California Regional Water Quality Control Board, Town of Yucca Valley – San Bernardino County, and Resolution No. R7-2007-0074

MOTION: Ed Muzik recused himself from participating in or voting on this agenda item. Due to Mr. Muzik's recusal, a roll count was taken again. Thomas Davis, Jeff Hays, Maurice "Red" Martinez, Richard "Rick" Post, and Jon Edney were present. Ellen Way was not present. Ed Muzik was not counted in accordance with the recusal. The secretary announced that a quorum was still present. Rick Post moved, Red Martinez seconded. and motion carried with 5 Ayes and 0 Noes that the Memorandum of Agreement be adopted.

OTHER BUSINESS

17. Informational Update on CVSC Bacterial Indicators TMDL – NZ

Mr. Zeywar briefed the Board members on the progress of the monitoring plan and Quality Assurance Project Plan developed by the Coachella Valley Agricultural Task Force.

- On May 15, 2008, the Coachella Valley Agriculture Stakeholder Water Quality Task Force submitted to Regional Board staff a Quality Assurance Program Plan (QAPP) for its TMDL monitoring.
- The QAPP is being reviewed by Regional Board staff. No major problems were found so far.
- The QAPP was sent also to the USEPA for review and comments.
- Preliminary comments from USEPA indicate that the QAPP addressed all required elements, and that if they have any comments, they will be minor.
- Regional Board staff will provide the Task Force with written comments soon so monitoring can start the last week of July for a year, as planned.

18. Informational Update on State Water Resources Control Board Activities – TV

Mr. Vandenberg gave a brief update on State Water Board activities over the last month. Topics included:

- The Water Quality Improvement Initiative (restructuring the Regional Board system, making changes to the water quality law, etc.)
- Statewide General Permit for Landscape Irrigation Uses of Recycled Water
- General Construction Stormwater Permit
- Sediment Quality Objective Policy
- Little Hoover Commission Advisory Committee Update regarding how to improve California's Water Boards.

19. Colorado River Basin Water Board Executive Officer's Report – RP

The Board and staff participated in the presentation of a Superior Accomplishment Award to Mary Castañeda, Staff Services Analyst. Executive Officer, Robert Perdue, reported on his attendance at the Governor's Office of Homeland Security Annual Conference in Palm Desert. He explained the Regional Board's role in emergencies affecting the State of California.

20. Colorado River Basin Water Board Member Comments

Jon Edney apologized for not being at the May 21, 2008 Board meeting. He suggested having two 2009 Board meetings in El Centro and having the meetings on Thursday's. He also requested to have every 3rd or so Board meeting in a different location. Ed Muzik mentioned having a Board meeting in the Imperial Valley and the High Desert. Red Martinez asked if we needed a seventh Board meeting. Ed Muzik talked about the WWTP beginning construction in the year 2010 and ending in 2012. Rick Post asked if five Board members attend a CEQA Scoping meeting, would that be a quorum? Tom Vandenberg, Board counsel, replied that it would. Rick Post and Ed Muzik will be attending the meeting.

21. Colorado River Basin Water Board Chair's Report – EW

There was no report.

CLOSED SESSION

22. At any time during the regular session, the Board may adjourn to meet in closed session 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)].

Arrangements for Next Board Meeting

Date: September 17, 2008

Adjournment

Ed Muzik moved to adjourn the meeting. Red Martinez seconded. The meeting adjourned at 11:54 a.m.