

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

**MINUTES OF BOARD MEETING**

Thursday, November 17, 2011, 10:00 a.m.  
Regional Water Quality Control Board  
Colorado River Basin Region  
Board Room  
73-720 Fred Waring Drive, Suite 100  
Palm Desert, CA 92260

---

The California Regional Water Quality Control Board, Colorado River Basin Region, was called to order by Chair Ellen Way at 10:02 a.m. on November 17, 2011 at Palm Desert, California.

Roll Call (Board Members Only)

**Board Members Present:**

Buford Crites, Tom Davis, Jeff Hays, Edward Muzik, Ellen Way.

The Board Secretary stated that a quorum was present.

**Staff Present:**

Terry Barnes, John Carmona, Kai Dunn, Roselyn Fleming, Abdi Haile, Herb Jackson, Robert Perdue, Jennie Snyder, Hilda Vasquez, Doug Wylie.

**Others Present:**

Steve Bigley, Coachella Valley Water District  
Ellen Howard, State Water Board, Office of Enforcement  
Robert Olia, Needles  
George Wiens, Needles USD  
Debi Livesay, Torres Martinez Tribe and Director for the Coachella Valley Water District  
Kevin Poffenbarger, EPD Consulting  
Charlene Wardlow, Ormat  
Jennifer Henke, Coachella Valley Mosquito Vector Control District  
Carrie McLeod, USDA  
Tom Vandenberg, State Water Board, Office of the Chief Counsel

## MINUTES

1. Minutes of September 15, 2011 Board Meeting

**MOTION:** Buford Crites moved, Jeff Hays seconded, and motion carried unanimously that the Minutes be adopted.

## PUBLIC FORUM

2. No Public comment.

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

3. R7-2011-0039 Waste Discharge Requirements for Genesis Solar LLC, Owner/Operator Proposed **Genesis Solar Energy Project Class II Surface Impoundments**, Near Ford Dry Lake – Riverside County

**MOTION:** R7-2011-0039 was pulled and is to be considered at a future Board Meeting.

4. R7-2011-0053 Waste Discharge Requirements Board Order R7-2011-0053 for ORNI 21, LLC, a division of Ormat Nevada, Inc., Owner; **Highline Geothermal Exploration Project Wellfield Mud Sumps/Containment Basins**, Salton Sea – Imperial County

**MOTION:** Tom Davis moved, Buford Crites seconded, and motion carried unanimously that Order No. R7-2011-0053 be adopted.

5. R7-2011-0056 Waste Discharge Requirements for Needles Unified School District, Facility Owner/Operator United States Bureau of Land Management, Land Owner **Big River Elementary School Wastewater Treatment and Disposal System**, Community of Big River – San Bernardino County

**MOTION:** Tom Davis moved, Buford Crites seconded, and motion carried unanimously that Order No. R7-2011-0056 be adopted.

## **ENFORCEMENT**

6. R7-2011-0055 Administrative Civil Liability Order R7-2011-0055 in the Matter of **Imperial Irrigation District (IID) Grass Carp Hatchery**, El Centro – Imperial County

**MOTION:** Ed Muzik moved, Jeff Hays seconded, and motion carried unanimously that Order No. R7-2011-0055 be adopted.

7. R7-2011-0057 Special Board Order R7-2011-0057 Amending Cease and Desist Order R7-2011-0026, National Pollutant Discharge Elimination System (NPDES) Permit CA0104400 for the **City of Imperial**, Owner/Operator Water Pollution Control Plant, Imperial – Imperial County

**MOTION:** Jeff Hays moved, Ed Muzik seconded, and motion carried unanimously that Order No. R7-2011-0057 be adopted.

8. R7-2011-0049 Administrative Civil Liability Order R7-2011-0049 in the matter of the **City of Imperial Wastewater Treatment Plant**, Imperial – Imperial County

**MOTION:** Buford Crites moved, Tom Davis seconded, and motion carried four to one (E. Way voted “no”) that Order No. R7-2011-0049 be adopted.

9. R7-2011-0058 Cease and Desist Order R7-2011-0058 in the Matter of **Seeley County Water District, Seeley** – Imperial County

**MOTION:** Ed Muzik moved, Jeff Hays seconded, and motion carried unanimously that Order No. R7-2011-0058 be adopted.

## **OTHER BUSINESS**

10. Informational Update on Conventional and Advanced Wastewater Treatment

This item was deferred to a future Board meeting.

11. Schedule of Board Meetings for Calendar Year 2012

Mr. Muzik requested the May or June 2012 Board meeting be held in Yucca Valley. The Board decided that meetings beginning January 2012 held in Palm Desert will begin at 9:00 a.m. and Board meetings held in other locations begin at 10:00 a.m. Mr. Davis requested having the November 2012 Board meeting in Imperial Valley.

12. Informational Update on State Water Resources Control Board Activities — TV

(See hand-out)

13. Colorado River Basin Water Board Executive Officer's Report — RP

The Executive Officer spoke about recent and pending gubernatorial appointments to the Regional Boards. The Governor's appointment staff has indicated a commitment to, at a minimum, maintain quorums on all Regional Boards. Mr. Perdue explained the mechanics for Regional Board Members wishing to participate telephonically in Regional Board meetings in compliance with the Bagely-Keene ten (10) day public noticing requirement. With the Region 7 Water Board (RB7) operating on a minimum quorum of five (5), due to the recent resignation of Red Martinez as a result of his moving out of the Region, the Executive Officer requested Board Members who may be contemplating travel on Board meeting days, to kindly give the office more than ten (10) days notice. The Members would still have the option of attending the Meeting at the regularly scheduled Meeting location, in the event their travel plans change.

The Executive Officer reported the Assistant Executive Officer, Mr. Jose Angel, was absent from the Meeting due to his participation in meetings and media events in Imperial County concerning the New River with the Region 9 USEPA Administrator, Jared Blumenfeld. Mr. Angel will provide a report on his activities at the January 19, 2012, Regional Board Meeting.

14. Colorado River Basin Water Board Member Comments

Report by Board Member Tom Davis

Mr. Davis reported on the September 26 and 27 WQCC held in Sacramento at Cal-EPA, which was attended by four Region 7 Water Board Members and the Executive Officer. Mr. Davis said the highlights of the Meeting were the discussions and presentations on ground water and possible changes to the State Water Resources Control Board Ground Water Policy. Mr. Davis requested redistribution of Ground Water powerpoints from the WQCC. He stated that for our Region recharge water quality may be of interest to the Region 7 Water Board. Mr. Davis stated he had hoped for more question and answer time with the expert Ground Water panel members as opposed to having broken up into groups with facilitators.

Report by Board Member Ed Muzik

Mr. Muzik reported that, as an employee of the Hi-Desert Water Agency, he attended the November 1, 2011, State Water Resources Control Board meeting in Sacramento, during which the Yucca Valley Septic Tank Prohibition was approved including \$1.5 million funding from the Cleanup and Abatement Account. Issues still needing to be worked out include the level of processing of sewage, secondary or tertiary, and terms of future financing from the State Revolving Fund for the

municipal sewer treatment plant. Mr. Muzik indicated that an increase in local sales tax is one of the options being explored to help fund the treatment plant.

15. Colorado River Basin Water Board Chair's Report — EW

No report from Chair.

**CLOSED SESSION**

16. 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)].

No closed session items were discussed.

**ARRANGEMENTS FOR NEXT BOARD MEETING: Thursday, January 19, 2012,  
9:00 a.m., in Palm Desert**

**Adjournment: 11:09 a.m.**

**MOTION:** Buford Crites moved, Ed Muzik seconded, and motion carried unanimously to adjourn the meeting.