



Lahontan Regional Water Quality Control Board

MINUTES

April 17-18, 2024

The Lahontan Regional Water Quality Control Board (Water Board) conducted this meeting at the locations shown below:

Holiday Inn Express & Suites Barstow-Conference Room
2700 Lenwood Road, Barstow, CA 92311

And

Antelope Valley-East Kern Water Agency
6500 W Ave N
Palmdale, CA 93551

And

Via Video and Teleconference (Gov. Code § 11133)

Water Board Members

Kimberly Cox, Helendale	Amy Horne, Ph.D., Truckee
Keith Dyas, Rosamond	Essra Mostafavi, Bishop (Absent)
Robert Pearce, Chalfant	

State Water Board

Elizabeth Beryt, Office of Chief Counsel	Nichole Morgan, State Water Board
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Water Board Staff

Mike Plaziak, Executive Officer	Ben Letton, Asst. Executive Officer
Jan Zimmerman, Sr. Engineering Geologist	Andrew Jensen, Environmental Program Mgr.
Trevor Miller, Sr. WRC Engineer	Timothy Middlemis-Clark, Supv. WRC Engineer
Dan Sussman, Sr. Environmental Scientist	Reginald Tan, Sr. WRC Engineer
Christina Guerra, Sr. Engineering Geologist	Alonzo Poach, Sr. Engineering Geologist
Jennifer Watts, Environmental Scientist	Anna Garcia, Sr. Engineering Geologist
John Morales, WRC Engineer	Jose Valle DeLeon, WRC Engineer
Lauder Fairchok, WRC Engineer	Adam Henriques, Environmental Scientist
Katrina Fleshman, Board Clerk	Ariel Lafarga, Asst. Board Clerk

[View the full Agenda and listen to the audio of this meeting](#)

DR. AMY HORNE, CHAIR | MICHAEL R. PLAZIAK, PG, EXECUTIVE OFFICER

REGULAR MEETING: Wednesday, April 17, 2024, @ 1:00 p.m.**CALL TO ORDER AND INTRODUCTIONS**

The Water Board Chair, Dr. Amy Horne, called the meeting to order at 1:03 p.m. Acting Board Chair, Dr. Horne, introduced the Water Board Members, and the Water Board staff, and discussed procedures for in-person and video and teleconference meetings.

1. PUBLIC FORUM

No public comments.

2. MINUTES

Motion: Moved by Member Dr. Cox, seconded by Member Rob Pearce, to approve the December 6, 2023, meeting Minutes as presented. Board Chair Dr. Horne called for a roll call vote and the motion carried per the following votes:

Board Chair Dr. Horne	Aye
Member Dr. Cox	Aye
Member Dyas	Aye
Member Mostafavi	Absent
Member Pearce	Aye

[View the adopted December 6, 2023, Meeting Minutes](#)

3. REPORTS BY WATER BOARD CHAIR AND WATER BOARD MEMBERS

No reports by Water Board members. Nichole Morgan, State Water Board Liaison, gave an update on April 18, 2024.

4. EXECUTIVE OFFICER'S REPORT

The Executive Officer, Mike Plaziak, provided an update to the Water Board and public on key actions and activities in the Lahontan region, including the items below.

- a. Vacancies
- b. New Hires
- c. Return to office.

Water Board staff, Shelby Barker, gave an overview of the 4th Quarter Violations Report.

QUESTIONS/COMMENTS BY WATER BOARD MEMBERS

Board Chair, Dr. Horne, expressed interest in the Groundwater sustainability forum. Dr. Horne asked Lahontan staff if there is any information about reassigning low and very low basins priorities if new evidence is submitted. Water Board Executive Officer, Mike Plaziak, responded that Water Board staff will get the information and provide that to Dr. Horne.

Water Board Chair, Dr. Horne further asked whether a vision plan approach could work in Bridgeport Valley. Mr. Jensen, Environmental Program Manager, replied that the Lahontan staff is currently regulating grazing operations including vision plans for West Fort Carson in the Bishop area.

Water Board Member Rob Pearce encouraged Water Board staff to attend the Cattleman's Association meetings, which occur in April of every year, and maybe give presentation on what Lahontan is doing.

5. *RESCISSION OF WASTE DISCHARGE REQUIREMENTS, BOARD ORDER NO. 6-01-038 FOR NEIL AND MARY DEVRIES, N&M DAIRY

Water Board staff, John Morales, Water Resource Engineer (WRC), asked the Water Board to consider rescinding Waste Discharge Requirements (WDRs) associated with N&M Dairy since the facility has closed and complied with termination and closure procedures. The on-site infrastructure and impoundments, including the disposal areas, are no longer in use and have been decommissioned, thus no longer requiring the WDRs.

Motion: Moved by Member Dr. Cox, seconded by Member Dyas, to rescind the Waste Discharge Requirements (WDRs) associated with N&M Dairy, as presented. Acting Chair Dr. Horne called for a roll call vote and the motion carried per the following votes:

Acting Board Chair Dr. Horne	Aye
Member Dr. Cox	Aye
Member Dyas	Aye
Member Mostafavi	Absent
Member Pearce	Aye

6. DAIRY PROGRAM UPDATE AND STRATEGY FOR REGULATING CONFINED DAIRY AND OTHER CATTLE FACILITIES.

Water Board staff, John Morales, WRC Engineer, provided an update on the Dairy Program and presented the Water Board with a strategy to address the threat to water quality from Confined Animal Facility (CAF) discharges through Individual Waste Discharge Requirements instead of a regionwide General Order. The update included discussion on existing enforcement orders and enforcement strategies for non-compliance.

PUBLIC COMMENTS

Toby Moore, Water Resources Manager, Golden State Water Company.

Loren Pitts, Hinkley resident, representing self.

Brent Querforth, Hinkley resident, representing self.

QUESTIONS/COMMENTS BY WATER BOARD

Executive Officer, Mike Plaziak, gave comment, that Lahontan will be looking into how our cleanup and abatement orders are being implemented in terms of efficiency, effectiveness, and the replacement of water to households in the Hinkley area. Mr. Plaziak went on to say that he will look at how Lahontan can develop a plan to figure out how to restore beneficial uses, if feasible, in areas impacted by dairies.

Dr. Cox suggested improving water flows to the Dairy Basin plan orders. Mr. Morales indicated that on his PowerPoint presentation, slide #10, it shows four permitted and twelve unpermitted, confined animal facilities, that operated that is no longer operational.

Dr. Cox asked Mr. Toby Moore, of the Golden State Water Company, about the Nitrates and where they come from, and how did they determined it was contaminated. Mr. Moore indicated it is coming from the Oasis Dairy well. And the information came from discussion with Lahontan Water Board staff and some sampling (City of Barstow, Mojave water agency, etc.)

Board member, Dr. Pearce, asked if any of the Dairies are working with NRCS. Mr. Morales replied we don't have the information but will consider it.

7. SENATE BILL 1215 (SB 1215) PROGRAM UPDATE

Water Board staff, Jose Valle de Leon, WRC Engineer, provided an introduction and update to the implementation of the SB1215 Program, and the Water Boards' statewide sewer consolidation program. The presentation included information about the program eligibility requirements, statewide policies, current progress, and future goals.

QUESTIONS/COMMENTS BY WATER BOARD

Water Board member, Keith Dyas, asked about the failure of septic systems in the community of Wrightwood, and if that contributed to the nitrates in the groundwater. Mr. Valle DeLeón indicated it has increased, but not to extremes.

Water Board member, Dr. Cox, asked if Mr. Valle DeLeón coordinates with Victor Valley Water. Dr. Cox indicated there are a lot of disadvantaged pockets in their service area that would probably like to get connected, but there's no funding to do that. Mr. Valle DeLeón replied, there was a setback to Wrightwood, therefore we reevaluated how we approach it. Internally in their (Division of Financial Assistance (DFA)) department there is a prioritization list. DFA looks at certain criteria, and that is how they rate the project to see if they get funding or not. Mr. Tan indicated some of the communities would not qualify under the SB1215 program, but he will look into the eligibility of the smaller communities.

8. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND WASTE DISCHARGE REQUIREMENTS FOR MOJAVE RIVER FISH HATCHERY (HEARING)

Water Board staff, Lauder Fairchok, WRC Engineer, held a public hearing to receive public comments and ask the Water Board to consider adopting the updated NPDES permit for the discharge of hatchery wastewater from Mojave River Fish Hatchery to the Mojave River and Bear Valley Country Club/Spring Valley Lake Association.

PUBLIC COMMENT

Ruth Brock, Spring Valley Lake, Lake Committee

QUESTIONS/COMMENTS BY WATER BOARD

Water Board Member, Dr. Cox, asked about phosphorus limits, asked since there's no limits to phosphorus, but Water Board is required to monitor for that, what is Lahontan looking for and if there is a specific number Water Board staff looks for?

Ms. Fairchok, replied, that Water Board has no specific values that we look for regarding limits. However, we look to Environmental Protection Agency sources specifically for what they would indicate to be in excess of phosphorus.

Water Board Member, Dr. Cox, asked if the nutrient contribution from the Fish Hatchery be contributing to the harmful algae blooms (HABs) that we see on a consistent basis be at the Mojave narrows. Water Board Staff, Ms. Fairchok replied we don't know the specific values for phosphorus downstream of the hatchery and that is why we are monitoring to see whether that's due to phosphorus from the Hatchery, and there are a lot of other factors that could play into the amount of HABs in an area.

Water Board Chair, Dr. Horne, asked if the wastewater from the Fish Hatchery is going through the golf course, is there any uptake of any bio stimulatory nutrients occurring in the golf course. Or is the golf course contributing to problems in the lake? Ms. Fairchok replied Lahontan considered Spring Valley Lake Association concerns throughout the development of this order. Lahontan also communicated with the Bear Valley Country Club and received water quality data from them. Water Board Staff, Mr. Middlemis-Clark further added that the water that works its way through Spring Valley Lake is in concrete channels, and they do use some of it for irrigation. They use some of the nutrients that way and it is unlikely it makes it to the lake from the irrigation use.

Motion: Moved by Member Dr. Cox, seconded by Member Pearce, to adopting the updated NPDES permit for the discharge of hatchery wastewater from Mojave River Fish Hatchery to the Mojave River and Bear Valley Country Club/Spring Valley Lake Association as presented. Acting Chair Dr. Horne called for a roll call vote and the motion carried per the following votes:

Acting Board Chair Dr. Horne	Aye
Member Dr. Cox	Aye
Member Dyas	Aye
Member Mostafavi	Absent
Member Pearce	Aye

ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 3:42 p.m. on April 17, 2024.

REGULAR MEETING: Thursday, April 18, 2024, at 9:00 a.m.

Call to Order and Introductions

9. PUBLIC FORUM

No public comments.

10. MONO BASIN TRIBAL BENEFICIAL USE DESIGNATIONS (HEARING)

Opening remarks were provided by Charlotte Lange, Board Chair of the Kootzaduka Tribe, representing Tribal members. Chair Lange explained the importance of this item in helping to keep Mono Lake clean and beautiful for all to enjoy.

The Water Board held a Public Hearing to receive input on the proposed future adoption of the Mono Basin Tribal Beneficial Uses Basin Plan Amendment.

Water Board staff, Jennifer Watts, Environmental Scientist, gave presentation of the project, including the following:

- Overview of Basin Plans
- Definition of Tribal Beneficial Uses (TBU)
- Tribal Outreach
- TBU Designation Requests
- Tribal Uses of Mono Basin Waterbodies
- Proposed Basin Plan Amendment
- Environmental Impact Analysis
- Project Schedule Review

QUESTIONS/COMMENTS BY WATER BOARD

Water Board member, Dr. Cox, asked Ms. Watts about her reference of the the water levels in Mono Lake (page 23, 2.2. Mono Lake Water Levels) and wonders if there is any ability for this basin plan to effectuate increases in the water levels in the Mono Lake. Ms. Watts replied that Lahontan does not know of any direct correlation, and Ms. Beryt may have more information. Legal Counsel, Elizabeth Beryt, stated that there is an analysis in the Water rights proceedings. Important to note that the draft Substitute Environmental Documentation discussion does include a discussion indicating that it's speculative on how our beneficial use designation project could be to changes to the water levels. It is uncertain at this time due to the adjudicatory nature of Water Rights proceedings.

The Water Board Acting Chair, Dr. Horne, asked under who's authority is the water rights decision (what department). Ms. Watts replied it is administered by the State Water Board.

PUBLIC COMMENTS

- Dean Tonnena, Mono Lake Kootzaduka Tribal member, gave a presentation on the Tribal Beneficial Uses of Mono Lake and Tributary Waterbodies.
- Ruth Austin, Kootzaduka Tribal member
- Angela Williams Eddy, Mono Lake Kootzaduka Vice-Chair, and Paiute member

WATER BOARD TOOK A BREAK

- Ken Lange, Mono Lake Kootzaduka Tribal member
- Donna Jensen, Mono Lake Kootzaduka Tribal member
- Ronda Kauk, Mono Lake Kootzaduka Tribal member
- Sandra Warlie, Bishop Paiute Tribe
- Joseph Art Sam, Chairman of the Bridgeport Indian Colony
- Janice Mendez, Bridgeport Indian Colony
- Noah Williams, Big Pine Paiute Tribe/ CalEPA Tribal Advisory Committee
- Meryl Picard, Bishop Paiute Tribal Chairwoman
- Danelle Gutierrez, Tribal Historic Preservation Officer for Big Pine Paiute Tribe
- Michon R. Eben, Reno Sparks Indian Colony, Tribal Historic Preservation Office
- Kris Hohag, represents Sierra Club, and is a Bishop Paiute Tribal member
- Lavina Bengochia-Banning
- Roberto Cabrales, Communities for a Better Environment
- Anna Dacarr, Big Pine
- Geoffrey McQuilkin, Mono Lake Committee (MLC) Executive Director
- Aaron Stanton, Attorney, Shute, Mihaly & Weinberger LLP, representing MLC
- Bartshe Miller, Eastern Sierra Policy Director, MLC

WATER BOARD TOOK A BREAK FROM 12:40PM TO 1:15PM

CONTINUED WITH PUBLIC COMMENTS

- Dr. Dave Herbst, Sierra Nevada Aquatic Research Lab, University of California, gave presentation regarding the Mono Lake Alkali Fly *Ephydra hians*.
- Charming Evelyn, Chair of the Water Committee for the Sierra Club, Angeles chapter
- Katherine Rubin, Los Angeles Department of Water and Power (LADWP)
- Conner Everts, Southern California Watershed Alliance.
- Mark Lopez, East Yard Communities for Environmental Justice.
- Constance Millar, representing self
- Scott Green, California State Parks
- Sophia Borgias, Assistant Professor at Boise State University Boise State University
- Lynn Boulton, Sierra Club Range of Light Group Toiyabe Chapter
- Christine Bubser, Sierra Club Range of Light Group

- Allison Weber, Forest Policy Director for Friends of the Inyo
- Wendy Schnieder, Executive Director of Friends of the Inyo
- Bob Marks, representing self
- Paul McFarland, representing self
- Caelen McQuilkin, representing self
- Wilfred Nabahe, USDA FS Inyo National Forest
- Bob Gardner, representing self

11. CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR WASTE DISCHARGES RESULTING FROM TIMBER HARVEST AND VEGETATION MANAGEMENT ACTIVITIES IN THE LAHONTAN REGION (2024 TIMBER WAIVER)

Water Board staff moved the “Conditional Waiver of Waste Discharge Requirements for Waste Discharge Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region” to a future Water Board meeting.

12. ANNUAL ELECTION OF WATER BOARD CHAIRPERSON AND VICE-CHAIRPERSON

Water Board members elected Amy Horne, as Water Board Chairperson and Board member Essra Mostafavi as Vice-Chairperson for 2024.

Motion: Moved by Member Dr. Cox, seconded by Member Pearce to elect Dr. Amy Horne as Water Board Chairperson and member Essra Mostafavi as Vice-Chairperson for 2024. Acting Chair Dr. Amy Horne called for a roll call vote and the motion carried per the following votes:

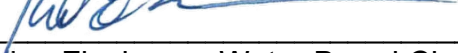
Acting Board Chair Dr. Horne	Aye
Member Dr. Cox	Aye
Member Dyas	Aye
Member Mostafavi	Absent
Member Pearce	Aye

13. CLOSED SESSION

The Water Board members did not go into Closed Session on Wednesday, April 18, 2024.

ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 2:34 p.m. on April 18, 2024.

Prepared by:  Adopted: 8/20/2024
Katrina Fleshman, Water Board Clerk