



Lahontan Regional Water Quality Control Board

MINUTES

August 19-20, 2024

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

Monday, August 19, 2024, 9:00 a.m.

Lahontan Water Board Annex, Hearing Room
971 Silver Dollar Avenue, South Lake Tahoe, CA 96150

Tuesday, August 20, 2024, 9:00 a.m.

Lahontan Water Board Annex, Hearing Room
971 Silver Dollar Avenue, South Lake Tahoe, CA 96150

And

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

Regular Meeting

Via Video and Teleconference (Gov. Code § 11133)

Water Board Members

Dr. Kimberly Cox, Helendale.
Amy Horne, Ph.D., Truckee
Essra Mostafavi, Bishop

Dr. Robert Pearce, Chalfant
Rick Dever, Crestline
Keith Dyas, Rosamond (Absent Day 1)

State Water Board

Elizabeth Beryt, Office of Chief Counsel

Lori Okun, Office of Chief Counsel

Water Board Staff

Ben Letton, Asst. Executive Officer
Jan Zimmerman, Supv. Engineering Geologist
Trevor Miller, Sr. WRC Engineer
Dan Sussman, Sr. Environmental Scientist
Christina Guerra, Sr. Engineering Geologist
Jennifer Watts, Environmental Scientist
Shelby Barker, Sr. Engineering Geologist
Melissa Thaw, Environmental Scientist
Katrina Fleshman, Board Clerk

Timothy Middlemis-Clark, Supv. WRC Engineer
Andrew Jensen, Environmental Program Mgr.
Tiffany Steinert, Engineering Geologist
Reginald Tan, Sr. WRC Engineer
Alonzo Poach, Sr. Engineering Geologist
Anna Garcia, Sr. Engineering Geologist
Eli Balderas, Scientific Aid
Bryan Talmadge, Sr. WRC Engineer

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

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

Hearing: Monday, August 19, 2024, @ 9:00 a.m.

CALL TO ORDER AND INTRODUCTIONS

The Water Board Chair, Dr. Amy Horne, called the meeting to order at 9:00 a.m. Board Chair, Dr. Horne, introduced the Water Board Members, Water Board staff and parties. Board Member Dyas was not present.

1. Hearing on Administrative Civil Liability Complaint R6T-2023-0027 Issued to David Park and Park Livestock Co., Mono County

Chair Dr. Horne made an opening statement summarizing the subject matter and purpose of the hearing. Chair Dr. Horne administered the oath to persons who intended to testify at the hearing.

Advisory Team, Prosecution Team, and Respondents that were present at the hearing included:

Advisory Team:

- Jan Zimmerman, Supervising Engineering Geologist
- Anna Garcia, Senior Engineering Geologist (Specialist)
- Alonzo Poach, Senior Engineering Geologist
- Tiffany Steinert, Engineering Geologist
- Elizabeth Beryt, Attorney IV, Office of Chief Counsel
- Lori Okun, Attorney IV, Office of Chief Counsel

Prosecution Team:

- Ben Letton, Assistant Executive Officer
- Liz VanDiepen, Engineering Geologist
- Kerri O'Keefe, Engineering Geologist
- German Meyers, Water Resource Control Engineer
- Naomi Rubin, Attorney IV, Office of Enforcement
- Carson Capps, Attorney, Office of Enforcement

Respondents:

- David W. Park
- Valerie Kincaid (Counsel for Respondents), Paris Kincaid Wasiewski LLP
- Jonathon Marz (Counsel for Respondents), Paris Kincaid Wasiewski LLP

The Board held the hearing on Administrative Civil Liability Complaint R6T-2023-0027 issued to David Park and Park Livestock Co. The parties presented evidence and legal argument and responded to questions from the Board.

PUBLIC COMMENTS

- Mary Anne Martin, Park Livestock
- Raymond Vierra, Park Ranch
- Nancy Burns, Park Ranch Livestock
- Evan Powers, Park Ranch
- Dominic Lamons, Park Ranch
- Don Harper, Natural Resource Group

CLOSE OF HEARING

The Regional Water Board met in closed session to deliberate pursuant to Government Code section 11126, subdivision (c)(3). The Water Board members went into Closed Session on Monday, August 19, 2024, from 12:45 p.m. to 4:05 p.m.

HEARING REOPENED

Open session resumed at 4:19 p.m. The Board Chair reopened the Hearing.

CLOSE OF HEARING

The Board took no action and indicated that consideration of the David Park ACL will be continued to a future Board meeting. Prior to that meeting, the Advisory Team will circulate a Proposed Order to the Parties. A written transcript is being prepared as the official record of the hearing.

ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 4:23 p.m. on August 19, 2024.

REGULAR MEETING: Tuesday, August 20, 2024, at 9:00 a.m.

Call to Order and Introductions

The Water Board Chair, Dr. Amy Horne, called the meeting to order at 9:04 a.m. Board Chair, Dr. Horne, introduced the Water Board Members, and Water Board staff. Chair Dr Horne discussed procedures for the in-person and video teleconference meetings.

2. Public Forum

No public forum.

3. Minutes

The Water Board adopted the minutes of the Regular Meeting of April 17-18, 2024.

Motion: Moved by Member Dr. Kiimberly Cox, seconded by Member Dr. Rob Pearce, to approve the April 17-18, 2024, 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	Abstain
Member Dr. Pearce	Aye
Member Dever	Abstain

[View the adopted April 17-18, 2023, Meeting Minutes](#)

4. Reports by Water Board Chair and Water Board Members

Water Board member Dr. Horne provided an overview of the Chairs meeting discussion held on August 7, 2024.

Water Board member, Essra Mostafavi, would like to follow-up on the PFAS issues within our region. Water Board staff, Assistant Executive Officer, indicated that Water Board staff regularly look into issue of PFAS, and love the support of the Water Board members on this issue. Water Board Member, Essra Mostafavi, indicated that she wrote a paper on PFAS and will share that with the Water Board executive staff.

Water Board staff, Assistant Executive Officer, Ben Letton indicated that Ms. Nichole Morgan, State Bord Liaison, will be discussing Wastewater needs assessment at the October 2, 2024, Water Board meeting.

5. Executive Officer's Report

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

- a. Overview of the Executive Officer's Report
- b. Personnel/New Hires, Promotions and Departures
- c. Budget Letter 24-10
- d. 2024 Lake Tahoe Summit
- e. 2025 Proposed Water Board Meeting Schedule
- f. Reliability replacement water for Hinkley residence

Water Board staff, Shelby Barker, gave an overview of the 1st Quarter Violations Report.

6. *Transfer of Ownership of Waste Discharge Requirements for Desolation Hotel Hope Valley, Alpine County

Water Board staff, Kristen Tokheim, Water Resource Engineer, asked the Water Board to consider amending Board Order No. R6T-2004-0028, as amended by R6T-2004-0028A1, for the Transfer of Ownership of Waste Discharge Requirements for Desolation Hotel Hope Valley, formerly known as Sorensen's Resort and Café.

Motion: Moved by Member Keith Dyas, seconded by Member Dr. Cox, to amend Board Order No. R6T-2004-0028, as amended by R6T-2004-0028A1, for the Transfer of Ownership of Waste Discharge Requirements for Desolation Hotel Hope Valley, formerly known as Sorensen's Resort and Café, 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	Aye
Member Dr. Pearce	Aye
Member Dever	Aye

7. *Rescission of Waste Discharge Requirements, Board Order No. 6-85-32 For Crowley Lake Fish Camp, Mono County

Water Board staff, Serio Alonso, Water Resource Engineer, asked the Water Board to consider rescinding Waste Discharge Requirements (WDRs) since the facility is covered under the OWTs Policy and shall comply with the conditions of the OWTS Policy conditional waiver.

Motion: Moved by Member Keith Dyas, seconded by Member Dr. Cox, to rescind the Waste Discharge Requirements (WDRs) since the facility is covered under the OWTs Policy and shall comply with the conditions of the OWTS Policy conditional waiver, 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	Aye
Member Dr. Pearce	Aye
Member Dever	Aye

8. 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, Bryan Talmadge, Senior Water Resource Control Engineer, gave presentation on received public comments. Mr. Talmadge asked the Water Board to consider adopting the revised Conditional Waiver of Waste Discharge Requirements for Wastes Resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (2024 Timber Waiver).

PUBLIC COMMENTS

- Rick Hopson, USDA Forest Service
- Sam Flanagan, Bureau of Land Management
- Genivieve Rasmussen, Associate Director, Bureau of Land Management
- Jason Jimenez, USFS, Tahoe
- Martin Goldberg, Lake Valley Fire Protection District

DIRECTIONS BY WATER BOARD STAFF

Water Board members expressed that they understand the immediate need for this Timber Waiver and suggests Water Board staff gather the prospectives of the future revisions with the Bureau of Land management partners.

Motion: Moved by Member Keith Dyas, seconded by Member Mostafavi, to adopt the revised Conditional Waiver of Waste Discharge Requirements for wastes resulting from Timber Harvest and Vegetation Management Activities in the Lahontan Region (2024 Timber Waiver), 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	Aye
Member Dr. Pearce	Aye
Member Dever	Aye

9. FY 23/24 Accomplishments and FY 24/25 Priorities

Water Board staff, Ben Letton, Assistant Executive Officer, provided an overview of the FY 23/24 Accomplishments and FY 24/25 Priorities. Including the following topics:

- Lahontan Water Board's Vision, Mission, Regional Goals and Core values
- Leadership program
- "One Region" Initiative
- FY 23/24 Key Accomplishments
- Priorities in FY 24/25
- Executive Objectives

Water Board staff, Timothy Middlemis-Clark, Supervising Water Resource Engineer, for the Regulatory and Cleanup Division, gave presentation on the unit's programs, division objectives and celebrated work by the Lahontan staff.

Water Board staff, Andrew Jensen, Environmental Program Manager, of the Compliance and Planning Division gave an overview of "who we are and what we do" within the division. Mr. Jensen further discussed the divisional objectives, successes, and performance targets.

Water Board staff, Jan Zimmerman, Supervising Engineering Geologist, of the South Lahontan Basin Division, discussed the shared Missions and Values. Ms. Zimmerman provided an overview of the Unit and successes, targets and objectives.

Water Board staff, Ben Letton, Assistant Executive Officer, provided an overview of the Lahontan Water Board's FY 24/25 Performance Targets projections. Mr. Letton also provided the percentage of targets met from FY 14/15 through 23/24. Mr. Letton further discussed the personnel hiring. Mr. Letton went on to discuss the Board meeting schedule, timeline to prepare a Board items and the importance of the Board meeting schedule.

QUESTIONS/COMMENTS BY WATER BOARD MEMBERS

Water Board member, Chair Dr. Horne, asked the Water Board staff for a deadline for providing the Water Board staff with their 2025 availability and/or unavailability for the 2025 Water Board meetings. Water Board clerk, Katrina Fleshman indicated that she would like the Board's input by the first week of September.

10. Racial Equity Resolution for the Lahontan Region

Water Board staff, Ben Letton, Assistant Executive Officer, provided an overview of the Racial Equity Resolution and the staff that participated in putting the Resolution together.

Water Board staff, Melissa Thaw, Environmental Scientist, gave presentation on the background of creating the Racial Equity Resolution for the Lahontan Region.

Water Board staff, Anna Garcia, Senior Engineering Geologist, explained the process the Racial Equity Working Group went through to develop the resolution and ongoing efforts to incorporate racial equity into work processes.

Water Board staff, Eli Balderas, Environmental Scientist, provided a summary of the Racial Equity Resolution and described how the resolution position will staff to develop an Action Plan. Mr. Balderas went on to indicate that while four responses were received from the public, no comments were received that warranted changes to the Resolution. Mr. Balderas asked the Water Board to consider adopting the Proposed Racial Equity Resolution for the Lahontan Region.

COMMENTS BY WATER BOARD MEMBERS

Water Board Member Dr. Cox requested that Water Board staff change the words "*white supremacy*" to "*all forms of supremacy*" or to strike the words altogether, on page 6, under "THEREFORE, BE IT RESOLVED..." #1 first paragraph, line 1. Water Board staff, Anna Garcia, indicated that staff will strike out the words "white supremacy" from the Proposed Resolution.


Motion: Moved by Member Dr. Cox, seconded by Member Mostafavi, to adopt the Proposed Racial Equity Resolution for the Lahontan Region, with the change of strike out the words "*white supremacy*" from the Resolution on page 6, first paragraph, line 1. 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	Aye
Member Dr. Pearce	Aye
Member Dever	Aye

ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 2:21p.m. on August 20, 2024.

Prepared by:  Adopted: October 2, 2024
Katrina Fleshman, Water Board Clerk