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## Lahontan Regional Water Quality Control Board

Date Distributed: April 30, 2025

### MEETING AGENDA

The Lahontan Regional Water Board (Water Board) is conducting this meeting from the locations shown below:

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

And

Lahontan Regional Water Quality Control Board  
15095 Amargosa Road, Bldg. 2, Suite 210  
Victorville, CA 92394

#### REGULAR MEETING

Tuesday, May 13, 2025, 9:00 a.m.

AND

Lahontan Regional Water Quality Control Board  
2501 Lake Tahoe Blvd.  
South Lake Tahoe, CA

#### SPECIAL MEETING/LUNCH

Tuesday, May 13, 2025, 12:30 p.m.

**Closed Session Locations:** At any point during the meeting, the Water Board may deliberate in closed session. The closed session will be conducted at the Lahontan Water Board, South Lake Tahoe office locations, at 971 Silver Dollar Avenue, South Lake Tahoe, CA, or at 2501 Lake Tahoe Blvd., South Lake Tahoe, CA, and the Lahontan Water Board, Victorville office location, at 15095 Amargosa Road, Bldg. 2, Suite 210 Victorville, CA 92394.

**For the May 13, 2025, Regular Meeting - Video and Teleconference Option:** The regular meeting will occur with a physical meeting location and an option for the public to participate from a remote location. A majority of the Board Members will be physically present at the noticed meeting locations mentioned above, consistent with the requirements of the Bagley-Keene Open Meeting Act.

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ESSRA MOSTAFAVI, CHAIR | BEN LETTON, ACTING EXECUTIVE OFFICER

**Note:** A quorum of the Water Board may be dining on Monday, May 12, 2025, at 5:30 p.m. at Scusa's Restaurant, 2543 Lake Tahoe Blvd. South Lake Tahoe, CA 96150. The Water Board will not be discussing anything related to the Water Board's authority during this dinner.

For those who only wish to watch the meeting, the customary webcast remains available at [CAL-SPAN](#)

For those who wish to comment on an agenda item or are presenting to the Water Board, additional information about participating telephonically or via the remote meeting solution is available at [https://www.waterboards.ca.gov/lahontan/board\\_info/remote\\_meeting/](https://www.waterboards.ca.gov/lahontan/board_info/remote_meeting/).

**For the Special Meeting/Lunch:** The special meeting/lunch will occur with a physical location only at 2501 Lake Tahoe Blvd., South Lake Tahoe, CA. The lunch will not include an option for the public to participate from a remote location.

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### General Meeting Information:

The following items are numbered for identification purposes only and will not necessarily be considered in this order. The meeting will not be called to order prior to the time specified. All Water Board files, exhibits, and agenda materials pertaining to items on this agenda are hereby made a part of the record for the appropriate item.

Comments on individual agenda items are welcome. If you are considering speaking or submitting written materials, please consult the notes at the end of the agenda.

### Adoption of Uncontested Calendar:

Items denoted by (✖) are expected to be routine and non-controversial and will be proposed for the uncontested calendar. The Water Board will act on these items at one time without discussion. If any Water Board member or person requests discussion, the item may be removed from the uncontested calendar to be considered separately. Requests to have an item removed from the uncontested calendar can be made in advance of the meeting by emailing to the Board Clerk at [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) or by calling the Water Board's Executive Officer via his Executive Assistant, Katrina Fleshman at (530) 542-5414.

REGULAR MEETING: Tuesday, May 13, 2025, at 9:00 a.m.

### Call to Order and Introductions

1. **Public Forum** – A public forum is held at the beginning of each general meeting where a person may speak on matters within the Water Board's jurisdiction that are not related to a specific agenda item or currently pending before the Water Board. Comments regarding pending or impending adjudicatory matters will not be allowed.
2. **Minutes** – The Water Board will consider adopting the minutes of the Regular Meeting of January 30, 2025.
3. **Reports by Water Board Chair and Water Board Members** – The Water Board members will provide updates to the Water Board and public on events and activities of interest.

4. **Executive Officer's Report** – The Executive Officer will provide an update to the Water Board and public on key actions and activities in the Lahontan region, including the items below. This is an informational item, and no formal action is requested, though Water Board members may provide directions to staff. (Ben Letton).
  - a. Notification of Spills (Pursuant to Water Code section 13271, and Health and Safety Code section 25180.7)
5. **Revision of Waste Discharge Requirements, for the Desert Oasis Dairy, San Bernardino County**. The Water Board will consider adopting revised Waste Discharge Requirements (WDRs) that will update the requirements and monitoring for Desert Oasis Dairy in Barstow. (John Morales)
6. **Lake Tahoe Marina General NPDES Permit Informational Update** – Staff will provide an overview of the General Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit for Storm Water Discharges Associated with Marina Operations in The Lake Tahoe Hydrologic Unit, El Dorado, and Placer Counties, and solicit feedback for the Permit reissuance, which is anticipated by the Fall of 2026. This is an informational item, and no formal action is requested, though Water Board members may provide directions to staff. (Brian Judge).
7. **Revised San Bernardino County Local Agency Management Program** – The Water Board will consider adopting a resolution approving the revised Local Agency Management Program (LAMP) for San Bernardino County. Water Board staff will present background information related to Onsite Wastewater Treatment Systems (OWTS), State Water Board's OWTS Policy, and the most recent revision of the San Bernardino County LAMP. (Jose Valle de Leon)
8. **\* Rescission of Project Approvals Regarding Tahoe Keys Lagoons Aquatic Weed Control Methods Test**. – The Water Board will consider adopting a resolution that (1) vacates and sets asides Resolution R6T-2022-0002 Certification of California Environmental Quality Act Final Environmental Impact Report for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test; (2) vacates and sets aside Resolution No. R6T-2022-0003 Granting an Exemption to the Aquatic Pesticide Discharge Prohibition in The Water Quality Control Plan for the Lahontan Region for the Tahoe Keys Lagoons Aquatic Weed Control Methods Test for the Tahoe Keys Property Owners Association City Of South Lake Tahoe; (3) terminates Order No. R6T-2022-0004 Waste Discharge Requirements and National Pollutant Discharge Elimination System (NPDES) Permit for Tahoe Keys Property Owners Association Tahoe Keys Lagoons Aquatic Weed Control Methods Test; and (4) rescinds Mitigation Monitoring And Reporting Program No. R6T-2022-0005 Mitigation Monitoring and Reporting Program For The Tahoe Keys Lagoons Aquatic Weed Control Methods Test For The Tahoe Keys Property Owners Association City Of South Lake Tahoe. (Timothy Middlemis-Clark and Elizabeth Beryt).

## 9. Closed Session<sup>1</sup>

- a. Discussion of Significant Exposure to Litigation. Authority: Government Code section 11126, subdivision (e)(2)(B)(i).
- b. Discussion to Decide Whether to Initiate Litigation. Authority: Government Code section 11126, subdivision (e)(2)(C)(i).
- c. To deliberate on a decision to be reached based upon evidence introduced in a hearing. Authority: Government Code section 11126, subdivision (c)(3).
- d. Discussion of Litigation. California Sportfishing Protection Alliance v. Lahontan Regional Water Quality Control Board, El Dorado County Superior Court, Case No. 22-CV-0841. Authority: Government Code section 11126, subdivision (e).
- e. Discussion of Personnel Matters. Consideration of the appointment, employment, or evaluation of performance about a public employee. Authority: Government Code section 11126, subdivision (a).

## Adjournment

SPECIAL MEETING/LUNCH: Tuesday, May 13, 2025, 12:30 p.m

**LUNCH:** Meet-and-Greet between the Lahontan Water Board and Lahontan Water Board staff at the Lahontan Water Board, South Lake Tahoe office location, at 2501 Lake Tahoe Blvd., South Lake Tahoe, CA

**Lunch Description:** The Lahontan Water Board will be eating lunch with Lahontan Water Board staff. Water Board staff will be introduced to Water Board members and provide an overview of their work.

## Adjournment

### GENERAL PROCEDURES

The Water Board will be considering many items during this meeting which may result in Water Board action or direction to staff. We encourage input from all people interested in a given item or issue, so that when we act, our decision is based on all available information. Although an oath is not administered in most of the proceedings before this Water Board, we expect all statements made before this Water Board to be truthful with no attempts to mislead this Water Board by false statements, deceptive presentation, or failure to include essential information.

### Sequence of Agenda Items

The items are numbered for identification purposes only and will not necessarily be considered in this order.

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<sup>1</sup> At any time during the regular session, the Water Board may adjourn to a closed session to consider litigation, personnel matters, or to deliberate on a decision to be reached based upon the evidence introduced in the hearing. Discussion of litigation is within the attorney-client privilege and may be held in closed session. Authority: Government Code section 11126, subdivisions (a), (c)(3) and (e).

### Availability of Agenda Material

To view or download documents available on the public website, go to <https://www.waterboards.ca.gov/lahontan/>. Documents not available on the public website may be requested by contacting [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov).

### Language Services

This hearing will be offered in English. To request translation of written documents, interpretation services in another language, or sign language services, please use one of the following options at least ten (10) business days before the meeting:

- Submit a Language Services Request online
- Call the Office of Public Participation at (916)-341-5254
- Email the Office of Public Participation at:  
[opp-languageservices@waterboards.ca.gov](mailto:opp-languageservices@waterboards.ca.gov)

### Accessibility

Users of a Telecommunications Device for the Deaf (TDD) may contact the California Relay Service at (800) 735-2929 or the teletype (TTY) voice line at (800) 735-2922.

If you have special accommodations or language needs, please contact the Board Clerk, Katrina Fleshman, at least ten days prior to the meeting date at: (530) 542-5414 or [katrina.fleshman@waterboards.ca.gov](mailto:katrina.fleshman@waterboards.ca.gov).

### Meeting Procedures

The Water Board circulates item-specific Notices and/or Hearing Procedures along with drafts of its Orders, Amendments, and other action items. If there is a conflict between an item-specific Notice or Hearing Procedure and the Meeting Procedures in this Agenda, the item-specific Notice or Hearing Procedure will control. Please contact Water Board staff if you do not know whether there is a Notice or Hearing Procedure for a specific item. The statutes and regulations that govern the Water Board's meetings are on the State Water Board's Laws and Regulations web page ([https://www.waterboards.ca.gov/laws\\_regulations/](https://www.waterboards.ca.gov/laws_regulations/)).

To give everyone an opportunity to be heard, a time limit for oral comments may be imposed on any agenda item. Comments will generally be limited to five (5) minutes. People are encouraged to use time for oral comments to summarize their written submittals. Any person wishing to make a longer presentation should request an extension at least ten (10) days prior to the meeting at: [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov). Anyone wishing to present a Microsoft PowerPoint® presentation during the meeting, must provide the presentation to Katrina Fleshman, Executive Assistant at least ten (10) working days prior to the meeting at: [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov).

Written comments on an agenda item must be submitted on or before the due date listed in the item-specific Notices and/or Hearing Procedures. Written materials that are received after deadlines set by item-specific Notices and/or Hearing Procedures will not generally be admitted.

For items on the agenda that do not have an item-specific Notices and/or Hearing Procedures with specific due dates, written comments must be submitted at least ten (10)

days before the meeting to the Executive Assistant, Katrina Fleshman ([RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov)).

Material presented to the Water Board as part of the testimony that is to be made part of the record must be left with the Water Board.

### Ex Parte Requirements

An ex parte communication is communication to a Water Board member from any person, about a pending or impending matter that occurs in the absence of other parties and without notice and opportunity for them to respond. The California Government Code prohibits the Water Board members from engaging in ex parte communications on permitting, enforcement, and other “quasi-adjudicatory” matters. Communication about a pending adjudicative matter, received during a public forum, or during the public meeting when the item is not noticed, may violate the ex parte prohibition. The public is encouraged to contact Water Board staff to determine whether a matter is a pending or an impending adjudicatory matter. Ex parte communications are allowed on pending general orders (such as general waste discharge requirements, general waivers, and general Clean Water Act section 401 water quality certifications) subject to the disclosure requirements of Water Code section 13287. Further [information and disclosure forms](#) are located on the Water Board’s website.

The ex parte rules are intended to provide fairness, and to ensure that the Water Board’s decisions are transparent, based on the evidence in the administrative record, and that evidence is used only if stakeholders have had the opportunity to hear and respond to it. A Water Board member who has engaged or been engaged in a prohibited ex parte communication will be required to publicly disclose the communication on the record and may be disqualified from participating in the proceeding. For more information, please look at the [ex parte questions and answers](#) document located on the Water Board’s website.

### Petition of Regional Water Board Action

Any person aggrieved by an action of the Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, Title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date the action was taken, except that if the thirtieth day following the date the action was taken falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the [law and regulation applicable to filing petitions](#) may be found on the Water Board website or will be provided upon request.

### LAHONTAN WATER BOARD MEMBERS

California Water Code section 13201 provides for the Governor to appoint seven members to the Regional Water Quality Control Board. Each member shall reside or have a principal place of business within the region. Appointments are subject to confirmation by the state Senate.

<b>Name</b>	<b>From</b>	<b>Term Expires</b>
Essra Mostafavi, Chair	Bishop	9/30/25
Kimberly Cox	Helendale	9/30/26
Amy Horne, PhD.,	Truckee	9/30/26

Rick Dever	Crestline	9/30/27
Robert Pearce, Vice-Chair	Chalfant	9/30/27
Jeff Loux	Truckee	9/30/28

#### LAHONTAN WATER BOARD CONTACTS

Ben Letton, Acting Executive Officer  
Elizabeth Beryt, Counsel to the Water Board  
Katrina Fleshman, Board Clerk

To reach the Executive Officer, please contact his Assistant, Katrina Fleshman, via email at [RB6-Lahontan@waterboards.ca.gov](mailto:RB6-Lahontan@waterboards.ca.gov) or call (530) 542-5400.

The primary responsibility of the Water Board is to protect the quality of the surface and groundwater within the Region for beneficial uses. The duty is carried out by formulating and adopting water quality plans for specific groundwater or surface water bodies; by prescribing and enforcing requirements on domestic and industrial waste dischargers, and by requiring cleanup of water contamination and pollution. Specific responsibilities and procedures of the Water Board are outlined in the Porter-Cologne Water Quality Control Act.