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## Lahontan Regional Water Quality Control Board

# MINUTES

## November 13, 2024

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

Eastern Sierra Tri-County Fairgrounds  
475 Sierra Street  
Bishop, CA 93514

And

Via Video and Teleconference (Gov. Code § 11133)

### Water Board Members

Kimberly Cox, Helendale  
Essra Mostafavi, Bishop (ABSENT)  
Robert Pearce, Chalfant

Amy Horne, Ph.D., Truckee  
Rick Dever, Crestline  
Jeff Loux, Truckee

### State Water Board

Elizabeth Beryt, Office of Chief Counsel  
Lori Okuni, Office of Chief Counsel

Nichole Morgan, Lahontan Board Liaison  
David Coupe, Office of Chief Counsel

### Water Board Staff

Ben Letton, Asst. Executive Officer  
Andrew Jensen, Environmental Program Mgr.  
Timothy Middlemis-Clark, Supv. WRC Engineer  
Dan Sussman, Sr. Environmental Scientist  
Liz Van Diepen, Engineering Geologist  
Mary Fiore-Wagner, Sr. Environmental Scientist  
Abby Cazier, Sr. WRC Engineer  
Katrina Fleshman, Board Clerk

Jan Zimmerman, Supv. Engineering Geologist  
Trevor Miller, Sr. WRC Engineer  
Hannah Bartholomew, WRC Engineer  
Melissa Thaw, Environmental Scientist  
Tiffany Steinert, Engineering Geologist  
Alonzo Poach, Sr. Engineering Geologist  
Ariel Lafarga, Asst. Board Clerk  
Anna Garcia, Sr. Engineering Geologist (Spc.)

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

**REGULAR MEETING: Wednesday, November 13, 2024, at 8:30 a.m.**

### **CALL TO ORDER AND INTRODUCTIONS**

The Water Board Chair, Dr. Amy Horne, called the meeting to order at 8:34 a.m. The Board Chair, Dr. Horne, introduced the Water Board Members, and the Water Board

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

staff, and discussed procedures for in-person and video and teleconference meetings.

### 1. PUBLIC FORUM

No public comments.

### 2. MINUTES

Motion: Moved by Member Rob Pearce, seconded by Member Dr. Cox, to approve October 2, 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 Mostafavi	Absent
Member Pearce	Aye
Member Dever	Aye
Member Loux	Abstain

[View the adopted October 2, 2024, Meeting Minutes](#)

### 3. REPORTS BY WATER BOARD CHAIR AND WATER BOARD MEMBERS

Water Board staff, Nichole Morgan, State Board Liaison, discussed several workshops held by State Water Board, discussed the Clean Water State Revolving fund, and provided a report on the Wastewater needs assessment. Ben Letton, Assistant Executive Officer, further gave a comment on community needs regarding Wastewater needs assessment.

Water Board Chair, Dr. Horne read and presented the Resolution of former Water Board member, Peter Pumphrey.

### 4. 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. Cannabis Report
- b. Updates to the Standing Items
- c. 2025 Water Board meeting schedule

### ADOPTION OF THE 2025 LAHONTAN WATER BOARD MEETING SCHEDULE.

Motion: To approve Adoption of the 2025 Lahontan Water Board meeting schedule as presented to the Water Board members. 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 Mostafavi	Absent
Member Pearce	Aye
Member Dever	Aye
Member Loux	Aye

Water Board member Mary Fiore-Wagner, Senior Environmental Scientist, presented a Superior Accomplishment Award to Water Board staff, Sabrina Rice, Environmental Scientist.

#### COMMENTS BY WATER BOARD MEMBERS

Water Board member, Dr. Cox, asked if the staff has good relations with other agencies, regarding the Cannabis issues. Water Board staff, Abby Cazier, replied that Lahontan staff has an amazing relationship with Law Enforcement and Fish and Wildlife.

Dr. Horne asked how the watersheds priority was selected. Ms. Cazier replied that Lahontan has targeted the areas where cultivation is most prevalent.

#### 5. **ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R6T-2023-0027 ISSUED TO DAVID PARK AND PARK LIVESTOCK CO., MONO COUNTY**

The Prosecution Team has issued an Administrative Civil Liability (ACL) Complaint that proposes the Water Board impose civil liability of \$3,053,026.42 against David Park and Park Livestock Co. for the violations alleged in the ACL Complaint. The Water Board provided a proposed Order Assessing Administrative Civil Liability against David Park and Park Livestock Company.

State Water Board Staff, Naomi Rubin, Attorney with the Office of Enforcement, gave a statement requesting the Water Board reject the order as presented.

The Respondent's attorney, Valerie Kincaid, with Paris Kincaid Wasiewski LLP, gave a statement agreeing to the proposed order as presented by the Water Board.

Motion: Moved by Member Dr. Cox, seconded by Member Rick Dever, to approve proposed Order Assessing Administrative Civil Liability against David Park and Park Livestock Company as presented. Board Chair Dr. Horne called for a roll call vote and the motion carried per the following votes:

Board Chair Dr. Horne	No
Member Dr. Cox	Aye
Member Mostafavi	Absent
Member Pearce	Aye
Member Dever	Aye
Member Loux	Abstain

#### 6. **TRIENNIAL REVIEW**

Water Board staff, Dan Sussman, Senior Environmental Scientist, provided a status report of the issues prioritized by the Water Board in the 2022 Triennial Review and presented a suite of issues to prioritize for the 2025 Triennial Review. The Triennial Review is an opportunity for the Water Board to prioritize basin planning issues while explicitly considering staff resources and project timelines.

#### COMMENTS BY WATER BOARD MEMBERS

Water Board member Dr. Cox asked about the Triennial Review list being practical and attainable. Dr. Cox asked Mr. Sussman to clarify what he said about putting the

higher priorities on the list, and the remaining in the staff report. Mr. Sussman confirmed the statement. Dr. Cox went on to say the list needs to be the highest priority of the Water Board and feels Lahontan needs to look to our subject matter experts to assist in prioritizing the items that end of on the list. Mr. Sussman indicated the number of items on the list depends on staff resources. Dr. Cox suggested Lahontan staff prioritize at least three to be high priority with two alternatives.

Water Board member, Rick Dever, asked what goes into the PYs; how does staff figure out how long it takes, and what is the criteria for that. Mr. Sussman indicated the 2.6 PYs that we have for this work is based on budget that we receive from State Board.

Water Board member, Jeff Loux, asked to elaborate a bit regarding the Triennial Review list of items, on the instream flow criteria and the Truckee River site specific objectives. Mr. Sussman replied that Lahontan has several other priorities and to the basin planning program lacks the capacity to complete those, but they are still an issue and do not go away.

Water Board Chair, Dr. Amy Horne, encouraged the other Water Board members to review past Triennial Reviews of the Basin Plan of the Lahontan Region and other regions, and also to compare how other regions streamline their Basin Plans.

## **7. 2024 LEVIATHAN MINE SITE PROJECT UPDATE**

Water Board staff, Hannah Bartholomew, Water Resource Control Engineer, discussed the 2024 water treatment and maintenance operational challenges encountered at the Leviathan Mine Site.

### **PUBLIC COMMENT**

David Freeman, Supervisor, Nevada Department of Environmental Protection.

### **COMMENTS BY WATER BOARD MEMBERS**

Water Board member Dr. Cox asked about the Leviathan Mine property transfer and what Lahontan's responsibilities would be after that transfer. Ms. Bartholomew indicated it would depend on when the USEPA orders change. Right now, Lahontan will continue to operate our palm water treatment plant until the centralized palm water treatment plant is built, then the transition will occur.

Water Board members, Rob Pearce and Rick Dever, stated they are looking forward to the Leviathan Mine tour this summer.

Water Board member, Jeff Loux, asked how much ARCO has participated in the funding. Ms. Bartholomew indicated there were cost shares negotiated in the 2015 Settlement agreement.

The Water Board Chair, Dr. Horne, asked what the steps are to fixing the remedial investigation. Ms. Bartholomew replied that it is in the hands of USEPA. Lahontan is hopeful that it will have a collaborative process.

## 8. NON-CHEMICAL CONTROL OF AIS IN LAKE TAHOE: COORDINATION AND PERMIT STREAMLINING

Water Board staff, Melissa Thaw, Environmental Scientist, spoke regarding the presentation purpose, the aquatic invasive species (AIS) Management Divisional Objective and discussed steps taken on interagency coordination, enhanced communication, streamlined permitting, responsible funding stewardship, and AIS monitoring.

Guest speaker, Dennis Zabaglo, Aquatic Invasive Species Program Manager, representing the Tahoe Regional Planning Agency, provided an overview of the Lake Tahoe AIS program, and described essential inter-agency coordination efforts.

Water Board member, Liz VanDiepen, Engineering Geologist, updated the Water Board on permitting actions.

Guest speaker, Sara Matthews, Program Coordinator, from the Tahoe Resource Conservation District, provided information on non-chemical control methods and their new data dashboard, which are relevant to Marina permitting.

Water Board staff, Liz VanDiepen, Engineering Geologist, summarized Lahontan's achievements with the AIS.

### COMMENTS BY WATER BOARD MEMBERS

Water Board Chair, Dr. Horne, asked about the reproduction of the Asian Clam. Mr. Zabaglo indicated that the clams are asexual and produce with veers like the zebra mussel.

Dr. Horne asked about the reproduction of the mud snails as well. Mr. Zabaglo replied that mud snails are asexual as well but can produce offspring sexually too. Dr. Horne asked how the mud snails got into Lake Tahoe. Mr. Zabaglo replied that we may never know how that happened.

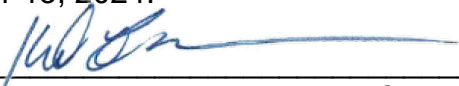
## 9. CLOSED SESSION

The Water Board members did not go into Closed Session on Wednesday, November 13, 2024.

### ADJOURNMENT

With no further business to come before the Water Board, the meeting adjourned at 2:35 p.m. on November 13, 2024.

Prepared by: \_\_\_\_\_

  
Katrina Fleshman, Water Board Clerk

Adopted: \_\_\_\_\_ January 30, 2025