



BOARD OF DIRECTORS SPECIAL MEETING AGENDA

Monday, August 16, 2021 at 3:00 PM

Via Teleconference – No Live Attendance

NOTICE IS HEREBY GIVEN MISSION SPRINGS WATER DISTRICT BOARD MEETINGS WILL BE CONDUCTED PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER N-29-20 IN AN EFFORT TO PROTECT THE PUBLIC HEALTH AND PREVENT THE SPREAD OF COVID-19 (CORONAVIRUS). THE PUBLIC MAY ATTEND AND PARTICIPATE TELEPHONICALLY AS THERE WILL BE NO PUBLIC LOCATION FOR ATTENDING IN PERSON. THE AUDIO/VIDEO RECORDING OF THESE MEETINGS MAY BE POSTED TO THE MSWD WEBPAGE FOLLOWING THE MEETING.

THE PUBLIC MAY SUBMIT ANY COMMENTS ADDRESSING ITEMS BELOW BY EMAILING DPETEE@MSWD.ORG PRIOR TO THE START OF THE MEETING.

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/8220655340?from=addon>

Or

DIAL BY PHONE

1(408)638-0968

MEETING ID: 822 065 5340

CALL TO ORDER

ROLL CALL

PUBLIC INPUT

*This is the opportunity for members of the public to address the Board on matters within the Board's jurisdiction. **Please limit comments to three (3) minutes or less.** State law prohibits the Board from discussing or taking action on any item not listed on the agenda.*

ACTION/DISCUSSION ITEMS

1. JULY 20, 2021 ARTICLE RELATED TO SPILL AT HORTON TREATMENT PLANT

It is recommended to authorize the Board President to issue a response to Director Grasha's July 20th article related to the spill at the Horton Treatment Plant and give direction to the General Manager to distribute the response.

GENERAL MANAGER'S REPORT

DIRECTORS' COMMENTS

ADJOURN

If you need special assistance to participate in this meeting, please contact the Executive Assistant at (760) 660-4403 at least 48 working hours prior to the meeting.

ANY DISCLOSABLE PUBLIC RECORDS RELATED TO AN OPEN SESSION ITEM ON A REGULAR MEETING AGENDA AND DISTRIBUTED BY MISSION SPRINGS WATER DISTRICT TO ALL OR A MAJORITY OF THE BOARD OF DIRECTORS LESS THAN 72 HOURS PRIOR TO THAT MEETING ARE AVAILABLE FOR PUBLIC INSPECTION AT THE DISTRICT OFFICE, 66575 SECOND STREET, DESERT HOT SPRINGS, CALIFORNIA DURING NORMAL BUSINESS HOURS AND MAY ALSO BE AVAILABLE ON THE DISTRICT'S WEBSITE AT <https://www.mswd.org/board.aspx>. NOTE: THE PROCEEDINGS MAY BE AUDIO AND VIDEO RECORDED.

CERTIFICATION OF POSTING

I certify that on or before August 15, 2021, a copy of the foregoing notice was posted near the regular meeting place of the Board of Directors of Mission Springs Water District at least 24 hours in advance of the meeting (Government Code Section 54954.2).



Arden Wallum
Secretary of the Board of Directors

Response of President NANCY WRIGHT to CINDY UKEN and the Uken Report

Re: Uken Report "Uncover the Facts," July 20, 2021

Ms. Uken,

It has come to my attention that on July 20, 2021, you reported statements by Steve Grasha, who represented himself as a Director on the Mission Springs Water District Board of Directors. Your article included, and was based on a number of inaccurate, inflammatory statements which I am requesting be retracted by you and your organization and corrected by posting this response, verbatim, on your blog.

I agree completely in uncovering facts that are important to my community; but I draw the line when "facts" are distorted, manufactured and deceitful. Please share with your readers the following, all of which I believe is verifiable and accurate, regarding the District's inadvertent discharge of treated wastewater that occurred in October 2020. Had you taken the time to contact the District or the State regulatory agency over accidental spills of treated sewage or assumed the ethical responsibility with which all journalists are charged, you could easily and quickly have verified the facts before you published this article. Unfortunately, very little of the information you reported bears any semblance to the truth.

MSWD staff are professional, knowledgeable and experienced in providing water and wastewater service to the District's customers, and also understand the requirements of state and federal agencies charged with permitting and setting standards applicable to the District's operations.

You intend that your readers believe what you write. In this blog article, and others you have published, instead of providing accurate information on which people can rely, you have reported facts and statements made by Steve Grasha, most of which are verifiably inaccurate or outright lies, seemingly to support some unfathomable private agenda. A lie is when someone knowingly makes a false statement in order to mislead others. This blog article is based almost entirely on premeditated, inflammatory lies, with the effect of misleading the public and causing unnecessary public concern and panic.

In the order raised by your blog article, now LET'S SET THE RECORD STRAIGHT:

1. Your headline states: "MSWD DIRECTOR CLAIMS MISSION SPRINGS WATER DISTRICT'S 'INTENTIONAL ACT OF DUMPING RAW COVID-INFECTED SEWAGE' INTO THE NEIGHBORHOODS KILLED PEOPLE"

There was no "intentional" act of "dumping." On October 3, 2020, TREATED effluent, which was permitted and tested prior to its discharge, ACCIDENTLY overflowed via a breach in a temporary holding pond. This was not a "long term" or "ongoing release of COVID-infected Sewage." The accidental release was discovered and restrained within just a few hours, when District staff immediately began to notify neighboring residents and initiated the cleanup process. No private dwelling was damaged or affected, and the cleanup was accomplished in less than 24 hours. The treated effluent was not raw sewage. It had been treated to a standard

which allowed it to be discharged from the wastewater treatment plant into recharge basins. The “spill” also did not “kill” or, to our knowledge, make anyone sick. These facts could have been easily verified by a simple call to the District’s General Manager.

Wastewater treatment plants are designed to collect raw sewage from our homes and businesses, and treat it to strict standards that are monitored and enforced by regular testing and reporting to the State of California Regional Water Quality Control Board (RWQCB). When treated effluent leaves the wastewater treatment plant, it is intended to be placed in recharge ponds, where it percolates into the groundwater. While it is not treated to drinking standards, it also is not “raw sewage.”

Just to further clarify the “facts,” during the COVID-19 pandemic, more and more people were working from home (or were unemployed); children were out of school, and unusually high amounts of “disposable” wipes were being flushed down toilets throughout our community. Wastewater treatment plants are not designed or equipped to handle the extreme conditions that were experienced during the pandemic. It was this condition that caused the District to resort to a temporary holding pond for excess TREATED wastewater. I do not anticipate this will happen again as the District is currently in the process of expanding its wastewater capacity by constructing a new regional wastewater treatment facility.

- 2. You state: “He is seeking the help of a chief investigator in the Riverside County District Attorney’s office,” where he has apparently requested “a proper and thorough criminal investigation [which] would likely prove the “spill” of “raw COVID infected sewage” . . . “is in violation of every environmental crime law imaginable.”**

First, I would like to point out that Mr. Grasha is not authorized to speak for the District on this matter, nor is he a water quality expert or attorney. The statements attributed to him are deliberately misleading and dishonest.

In addition to promptly cleaning up the spill and notifying neighboring residents, it was the District that reported the spill to the RWQCB. The reporting was handled routinely at the staff level. It is the RWQCB that has jurisdiction over this matter and deals with similar spills that occur with other agencies. While all wastewater plant operators strive to avoid spills, they do occur from time to time and the RWQCB deals with them from a regulatory standpoint. The District is working and fully cooperating with the RWQCB regarding this incident, and will continue to do so.

I can only assume the District Attorney’s office understands this better than Mr. Grasha and has confirmed that this matter is being handled by the appropriate regulatory agency, the RWQCB.

- 3. You repeat: “Millions of gallons of untreated COVID-infected sewage poured into adjacent neighborhoods where children and families live and play.”**

The report to the RWQCB provides accurate details of the breach, which resulted in fewer than a million gallons of treated effluent being released.

4. **You state, in a single paragraph: “This allegation may be proven by a simple audit of the solid waste disposal by MSWD’s solid waste hauler, Grasha alleges. He claims the waste not trucked to the licensed disposal facility but was released into the neighborhoods in an attempt to coverup the ‘ongoing and never-ending acts of depravity’ to coverup for years of horrid leadership. Grasha alleges one of those acts, giving away critical district-owned [land?] meant for the expansion of the Horton Wastewater Treatment Plant, was instead used for a city park to curry favor with voters at the cost of dumping millions of gallons of raw COVID infected sewage into the neighboring community filled with innocent children and families.”**

This barely intelligible reporting appears to confirm a number of unsubstantiated, uneducated claims. Mr. Grasha, who was given a comprehensive tour of the wastewater treatment plant following his election in 2018, seems to have forgotten most of what he was taught. The statements attributed to him in this article suggest that he remains uninformed and unfamiliar with the operation of wastewater treatment plants or the regulatory agencies with jurisdiction over their operation. For example, the treatment process results in waste solids being trucked from the plant to a licensed disposal facility, and the treated liquid effluent transferred to recharge ponds where it percolates into the groundwater. Clearly, a “simple audit of the solid waste disposal” will not provide any information regarding the release of treated effluent from the temporary holding pond. We are held to a strict standard requiring that we keep detailed records of our plant processes which show that we have properly operated our plant.

The truth is that wastewater treatment plants do unfortunately from time to time, experience spills despite best efforts to avoid them. Again, the spill at issue involved treated wastewater and the District promptly responded by cleaning it up and notifying nearby affected neighborhoods. This spill was caused by an accidental breach of a dike wall on a temporary holding pond and not because of improper operation of the plant. Neither Mr. Grasha, nor I, contributed to or participated in the effort to respond to the spill or notify residents. Nor has either of us been directly involved with the District’s efforts to notify the RWQCB or worked with that agency in response to the incident. Nonetheless, Mr. Grasha, and you, have chosen to spread dangerous, inflammatory and intentionally false misinformation about the spill within the community.

In this poorly written and barely intelligible statement attributed to Mr. Grasha, the short-term, non-threatening treated effluent spill is also somehow connected with the District’s 1987 LEASE of temporarily excess land to the CITY OF DESERT HOT SPRINGS for use as a community park. This is no “land give-away” and to tie this to a community gesture over 30 years ago is unbelievable to the point of being ludicrous. Once again, this statement by Mr. Grasha is baseless and totally unrelated to the effluent spill.

5. **You quote Mr. Grasha: “These acts of depravity MUST be fully investigated by CRIMINAL investigators and not the clerks that work directly for Nancy Wright who chairs both the agency charged with investigation and the agency that did the likely criminal dumping of raw COVID infected sewage into our neighborhoods.”**

As you are aware, I am and have for many years been an elected member of the District’s board of directors. In accordance with Water Code sections 13200 *et seq.*, I have also been appointed by three Governors to the Colorado River Basin Regional Water Quality Control Board (RWCQB). Water Code section 13201 contemplates that the Governor will appoint knowledgeable and experienced board members “from the public and non-public sectors,” with “demonstrated interest or proven ability in the field of water quality, including water pollution control, water resource management, water use, or water protection.” Water Code section 13206 states: “Public officers associated with any area of government, including planning or water, and *whether elected or appointed*, may be appointed to, and serve contemporaneously as members of, a regional [water quality control] board.” That I may serve as an elected director of the District and an appointed member of the RWQCB is a well-settled matter of law, which was confirmed by the District and the State of California before I was first appointed. Mr. Grasha’s uninformed and self-serving suggestion that it is somehow improper for me to serve on both agency boards is without merit. I have not and will not participate in any RWQCB discussions about the effluent spill, and my participation and actions are guided by legal counsel of the RWQCB (the Attorney General’s office) and the District. There is nothing improper or illegal about my service on both agency boards.

6. **You quote Mr. Grasha: “An audit of solid waste disposal records and truck weights and trips will likely show that sewage was not treated to the appropriate safety levels potentially causing the death rate from COVID in the neighborhood to be double that of other areas of Riverside County, Grasha claims;” and “The COVID death rate in the area of the intentional sewage release seems to be about double of neighboring communities.”**

The above statement attributed to Mr. Grasha confirms that even after more than two years as an elected official of the District he remains completely ignorant of how wastewater treatment plants work. He should know, for example, that “disposal records, truck weights and trips” only indicate the volume of solids removed and are mostly associated with loading to the treatment plant and not the treatment levels or effluent standard. More important is the fact that the District tests its effluent for certain constituents and has always met the strict standards set by the RWQCB. This compliance is well documented. There is further no evidence or indication that the District’s treated wastewater contributed to COVID infections or the death rate from COVID anywhere within the District.

7. **You state: “That [the audit of District records] could prove challenging as Grasha alleges the email server was removed from the district office likely containing evidence that may help to prove the (sic) this was an intentional act that may have literally killed people.”**

Just to be clear, the email server was not removed from the District’s office. Email upgrades were recently made by the District’s IT professionals, to improve security and performance. The District’s records were not affected by the upgrades.

8. **You quote Mr. Grasha: “A simple water-use restriction would have saved lives but was not (ordered) to avoid scrutiny by the public in the closing days of the November election.” . . . They may have killed people for their own political benefit.”**

If Mr. Grasha had even a rudimentary understanding of the wastewater treatment process and the wastewater system operated by the agency for which he is an elected Board member, he would have known it is impossible to impose a “water use restriction” on wastewater. For someone who described himself on election materials as a “water systems engineer,” his statement demonstrates his complete lack of understanding about water and wastewater operations.

9. **You state: “In a July 8, 2021 letter to the California Regional Water Quality Control Board, which oversees MSWD, iArden (sic) Wallum General Manager/Chief Engineer for MSWD, writes that immediate corrective and preventative actions have been implemented to bring the discharge into full compliance.”**

This statement is one of very few in your report that is accurate.

10. **You state: “Grasha was elected to the Mission Springs Water District Board in November 2018 with more votes than anyone in the 70-year history of the Mission Springs Water District. Since then, he has been investigated for possible residency violations as they relate to his seat on the board. The investigation found Grasha in full compliance.**

The District was not involved in any investigation of Mr. Grasha’s election qualification or residency. However, it has been noted that just before the election he moved a camper trailer into a recreational campground that specifically requires in its Rules and Regulations that “the facilities are operated for recreational purposes by the members and may not be used as a residence.” He claims it is this camper trailer that provides his place of residence to qualify him for election to the District’s Board. However, he provides only a post office box number for delivery of his District mail; and there is apparently no record of Mr. Grasha ever having had a water or sewer service account with the District (meaning he is not and never has been a customer of the District he serves).

11. **You describe an incident involving Mr. Grasha's disruption of a District meeting: "Grasha, known for being outspoken and sometimes loud, prompted his colleagues in January 2020 to call law enforcement. Police were called to a Mission Springs Water District Study Session to escort Grasha from the meeting after a discussion escalated into yelling and foul language."**

Again, although this statement is basically accurate, and his rage did prompt the police to remove him from the meeting; but its purpose in this report is unclear. As anyone who has attended the District's meetings knows, Mr. Grasha has been disruptive, aggressive and impolite at most Board meetings, making basic or professional decorum practically impossible.

Finally, you end your report by demonstrating what appears to be your support and glorification of Mr. Grasha, and your ratification of his untruthful, deliberately inflammatory misrepresentations, by stating: **"Despite efforts to deter and silence him, Grasha remains undeterred."**

In this instance, your inflammatory, baseless reporting of Mr. Grasha's statements without corroboration of the facts or disclaimer certainly appears to have been intended to incite fear and panic in the residents of our community.

AGAIN, LET'S SET THE RECORD STRAIGHT. YOU DIDN'T QUESTION THE VERACITY OF MR. GRASHA'S CLAIMS BEFORE YOU PUBLISHED YOUR REPORT. NOW, PLEASE CONSIDER THE TRUTH, PRESENTED WITHOUT HYSTERIA, THREAT OR INUENDO.

PLEASE POST THIS RESPONSE ON YOUR BLOG.

Thank you,

Nancy Wright

President MSWD