

**State of California  
California Regional Water Quality Control Board  
Santa Ana Region**

ITEM:4

**Minutes of June 7, 2013 Board Meeting  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354**

1. Chair Beswick called the meeting to order at 9:00 A.M.

Board Members Present

Board Members Absent

Carole H. Beswick, Chair  
William Ruh  
Fred Ameri  
Tom Rivera  
Susan L. Longville

Linda I. Ackerman

Staff Members Present

Kurt V. Berchtold, Executive Officer  
David Rice, Regional Board Counsel  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Stephen Mayville, Chief of Enforcement and Dairy Units  
Hope Smythe, Chief of Basin Planning - Inland  
Milasol Gaslan, Chief of Storm Water (Inland Waters)  
Xinyu (Cindy) Li, Chief of Land Disposal  
Edward G. Kashak, Engineering Geologist  
Chuck Griffin, Water Resources Control Engineer  
Keith Elliott, Water Resources Control Engineer  
Jawed Shami, Water Resources Control Engineer  
Tomas Eggers, Water Resources Control Engineer  
Felipa Carrillo, Executive Assistant  
Kevin Heinemann, Staff Information Systems Analyst

Public in Attendance

Colin Kelly, Inland Empire Waterkeeper	Don Lee, Tetra Tech
Marsha Westropp, OCWD	Bruce Scott, WRCAC
Nanette Scott, Scott Bros Dairy Farms	Pat Boldt, WRCAC
Kevin Chi, Inland Empire Waterkeeper	Jason Hirschhorn, Inland Empire Waterkeeper
Mimi Johnson, Citizen	Suedy Torabi, Hunton & Williams
Tracy Egoscue, WRCAC	Jack Nelson, Yucaipa Valley WD
Jeff Arbour, Orange Co. Waste & Recycling	Richard Wilson, City of Anaheim
Roger Turner, Roger Turner & Assoc.	Rob Vandenheuvel, Milk Producers Council
Bob Wall, California Steel Industry	Ramsey Haddad, California Steel Industry
David Garcia, Riverside Co. Flood Control	Eric Lindberg, GeoLogic Associates

2. Public Forum  
None.

3. State Water Resources Control Board (SWRCB) Liaison Report  
None.

4. Approval of the Minutes of March 22, 2013

Motion: It was moved by Board Member Rivera, seconded by Board Member Ruh, and unanimously carried to approve the Minutes of the March 22, 2013 Board meeting as presented.

5. Consent Calendar

- \*6. Waste Discharge Requirements and Master Reclamation Permit for City of Anaheim, Water Recycling Demonstration Project - Order No. R8-2013-0014.
- \*7. General Waste Discharge Requirements for Site Maintenance and Water Quality Monitoring at Closed, Abandoned, or Inactive (CAI) Landfills within the Santa Ana Region – Order No. R8-2013-0010.
- \*8. Amendment of General Waste Discharge Requirements, Order No. R8-2002-0033 - Order No. R8-2013-0020.
- \*9. Amendment of Order No. R8-2010-0033 (NPDES No. CAS618033) to Add/Delete Permittees - Order No. R8-2013-0024.

Motion: It was moved by Board Member Ruh, seconded by Board Member Longville, and unanimously carried to adopt Orders No. R8-2013-0014, R8-2013-0010, R8-2013-0020 and R8-2013-0024 as presented.

10. General Waste Discharge Requirements for Concentrated Animal Feeding Operations (Dairies and Related Facilities) Within the Santa Ana Region - R8-2013-0001

Stephen Mayville, Chief of Enforcement and Dairy Units, presented this item. Mr. Mayville commented that staff has presented various topics pertinent to the tentative order since October 2012. Staff also conducted a number of stakeholder meetings with industry and environmental advocates. He said that last month mini seminars were conducted at the request of the regulated community; one in San Jacinto and the other in Chino. This was done to reach out to the dairymen and allow them to converse with staff and explain the draft permit.

Mr. Mayville focused his discussion on how the tentative order protects the quality of both surface and groundwater. He thanked the stakeholders and everyone involved for their openness and willingness to listen to all parties and for considering the suggestions and recommendations to a complex problem in putting this draft permit together. Mr. Mayville said that detailed comments from Colin Kelly with Inland Empire Waterkeeper, helped considerably to get a closer look at the anti-degradation and anti-backsliding issues.

Mr. Mayville said two drafts of the Order have been available to the public for comment, prior to the version being presented this morning. He said the drafts were issued last December and March of this year. He said comments were received from a number of interested parties, and staff has responded to these comments and made substantial revisions in response to the comments. He said the draft Order being presented today was made available to the public on April 29, 2013, and only one comment was received, and that was from Colin Kelly with Inland Empire Waterkeeper (Mr. Kelly also spoke at this hearing).

He reminded the Regional Board that dairies in Region 8 are mostly found in two areas; in the Chino Basin and in the San Jacinto River watershed.

He said that the tentative order protects surface waters by requiring compliance with the bacteria TMDL for the Middle Santa Ana River and the nutrient TMDL requirements for Lake Elsinore and Canyon Lake. The tentative order continues to require implementation and maintenance of engineered waste management plans and facility specific nutrient management plans (where necessary).

Mr. Mayville briefly discussed the desalter projects and the salt and nutrient offset program for protection of the Chino area groundwater. Dairies in the San Jacinto River watershed have implemented a number of innovative control measures and are required to monitor groundwater, investigate the impact of dairy discharges on groundwater quality, and implement additional control measures, if necessary.

At the conclusion of Mr. Mayville's presentation, he answered questions from the Board and recommended adoption of Order No. R8-2013-0001.

Speakers:

Colin Kelly, staff attorney for Inland Empire Waterkeeper, presented his comments on the draft permit. Mr. Kelly addressed the Board regarding his concerns with nitrate, anti-degradation, anti-backsliding issues, including the enforcement policy, but overall, he indicated the permit improved dramatically and was generally in support of the permit.

Tracy Egoscue, attorney for Western Riverside County Agricultural Coalition (WRCAC), indicated that a pilot program that was pending at the Scott Brothers Dairy Farm is fully permitted and about to be fully operational. She indicated that the draft permit specifically acknowledges compliance with the 2007 permit, and the permit notes that these dairies are in compliance. Ms. Egoscue said they feel very strongly that there is no issue with anti-backsliding and stated for the record that the Dischargers believe that they were in compliance with the schedules specified in the 2007 permit. She also expressed her support for the draft permit.

Motion: It was moved by Board Member Ruh, seconded by Board Member Ameri, and carried to adopt Order No. R8-2013-0001 as presented.

Opposed: Board Member Rivera

#### 11 Fuel Spill Into Cold Creek and the Santa Ana River

Stephen Mayville, Chief of Enforcement, presented an update on the 4700-gallon fuel spill involving an overturned fuel tanker that occurred on April 26, 2013, on Highway 38, East of Angeles Oaks in the San Bernardino Mountains.

Mr. Mayville explained that the cleanup efforts have focused on removing contaminated soil adjacent to Highway 38, as well as flushing and capturing fuel caught up in Cold Creek sediments and rock fissures.

Mr. Mayville added that after reopening Highway 38, additional efforts are still being expended to remove contaminated soil adjacent to Cold Creek on the upstream side of the Highway 38 culvert. Cleanup of sediments beyond approximately 1,000 feet downstream of Highway 38 presented unsafe conditions for the work crews due to very rough terrain.

Mr. Mayville said that sampling by Regional Board staff at several locations in the Santa Ana River did not detect any petroleum constituents at levels that would be of any concern. Mr. Mayville also said that no sheen has been observed in the River. He said that water behind the Severn Oaks Dam has also been sampled several times and results have also indicated non-detect for petroleum constituents.

He described the 20 Baker tanks that were placed at the end of the Southern California Edison penstock pipe that collected 400,000-gallon batches of water for analysis prior to discharge to the Santa Ana River. He informed the Regional Board that the batches have been analyzed, and all have returned non-detect for petroleum constituents. The cleanup is expected to end by mid-June. A longer term monitoring plan will be put in place.

Mr. Berchtold, Executive Officer, commented that several Regional Board staff members have been actively participating in this incident and assisting with the cleanup almost on a daily basis.

12. Hazardous Waste Incident Report  
Information item.
13. Underground Storage Tanks Corrective Action Plans  
Information item.
14. Underground Storage Tanks Site Closure Report  
Information item.
15. Regional Board Member and Executive Officer Communications

Chair Beswick announced that the WQCC meeting in Sacramento has been set for October 24 and 25, with a potential tour on Wednesday the 23<sup>rd</sup>. She also announced that the governor has sent a message that every region should do some kind of climate change workshop. SAWPA is hosting a workshop called Climate Change and Adaptation on June 8, 2013, and all are invited.

Member Longville wanted to acknowledge the funding from the Bureau of Reclamation that has helped Santa Ana Watershed Project Authority (SAWPA) to carry out a number of tasks associated with One Water One Watershed 2.0 (OWOW). She added that the Bureau has invested significantly because they think the OWOW process is a good model.

16. Closed Session  
There was no closed session.
17. Adjournment

The meeting was adjourned at 10:44 a.m. to the regular Board meeting of July 19, 2013 at 9:00 a.m., in the City of Loma Linda, 25541 Barton Road, Loma Linda CA 92354.

Respectfully submitted:

**KURT V. BERCHTOLD**  
Executive Officer

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