

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

ITEM: 4

Minutes of June 15, 2012 Board Meeting
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, CA 92618

1. Chair Beswick called the meeting to order at 9:00 a.m.

Board Members Present

Board Members Absent

Carole Beswick, Chair
Mark Murai, Vice-Chair
William Ruh
Fred Ameri
Richard Freschi
Linda Ackerman

Staff Members Present

Kurt V. Berchtold, Executive Officer
David Rice, Regional Board Counsel
Joanne Schneider, Environmental Program Manager
Gary D. Stewart, Chief of Permitting and Compliance
Dave Woelfel, Environmental Scientist
Mary Bartholomew, Environmental Scientist
Kevin Heinemann, Information Systems Analyst
Felipa Carrillo, Executive Assistant

Public In Attendance

Tom Meregillano, OCSD
Matt Yeager, Yeager Env. Assoc.
Ron Coss, OCSD
Oscar Khoury, Riverside Public Utilities
David Garcia, RPU
Diana Lang, Oxy
Steve LaMar, IRWD/SDWC
Dean Pasko, OCSD
Larry McKenney, SAWPA
Cindy Beck, IRWD
Alex Waite, City of Tustin
Greg Woodside, OCWD

Jim Colston, OCSD
James (Jim) Herberg, OCSD
Rob Thompson, OCSD
Amanda Carr, City of Irvine
Kristy Monji, Oxy
Marsha Westropp, OCWD
Debbie Burris, DDB Engineering, Inc
Ngoc-Tram Tan, WSS/OCSD
Jessica Chin
Don Lee, Tetra Tech
Dr. Jack Skinner

2. **Public Forum**

Dr. Jack Skinner voiced his concerns to the Regional Board regarding the Orange County Sanitation District's (OCSD) proposed use of its short outfall. He said OCSD is moving ahead quite rapidly with plans to release treated wastewater to the Ocean through its short outfall and feels it had not been addressed adequately. He said the outfall that OCSD wants to use is about a mile off the beach in shallow water, and that ever since they built that new outfall, it has had a history of causing beach contamination and potential health risk to swimmers. Dr. Skinner asked the Regional Board if they had taken all types of precaution before going ahead with this plan in order to protect the public's health and welfare.

Mr. Berchtold said that staff has taken into consideration Dr. Skinner's concerns and is confident that discharge through the short outfall will not cause any adverse water quality impacts at the beach. After a brief discussion, the Regional Board decided to remove items 14 and 15 from the consent calendar to be discussed later.

3. **State Water Resources Control Board (SWRCB) Liaison Report**

Chair Beswick stated that Tam Doduc, SWRCB Liaison, was not present today, but had provided a written report to the Board Members.

Mr. Berchtold added that there was a proposal in this year's budget package to reduce the number of members from nine to seven on each of the Regional Boards. He said the proposal was approved by the budget committees in both houses of the legislature, and it was likely that change would happen as part of the budget approval this year.

Chair Beswick also added that there are proposed changes to appointment categories and conflict of interest rules.

4. **Approval of the Minutes of March 16, 2012**

Motion: It was moved by Board Member Freschi, seconded by Board Member Ruh, and unanimously carried to approve the Minutes of the March 16, 2012 Board Meeting as presented.

Approval of the Minutes of April 27, 2012

Motion: It was moved by Board Member Murai, seconded by Board Member Ackerman, and unanimously carried to approve the Minutes of the April 27, 2012 Board Meeting as presented.

Chair Beswick announced that item 12 had been postponed, and Items 14 and 15 were being withdrawn from the consent calendar.

5. **Consent Calendar**

- *6. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Juan and Nena Amaral
- *7. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Ravinder and Manbir Sidhu
- *8. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Ronald Jones
- *9. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Jo Montoya
- *10. Irvine Ranch Water District, Michelson Water Reclamation Plant – Order No. R8-2012-0004
- *11. Waste Discharge Requirements for FR/Cal Moreno Valley, LLC's Nandina Distribution Center, City of Moreno Valley, Riverside County – Order No. R8-2012-0036

- *13. Renewal of Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit (NPDES No. CAS CAS619001) for OXY USA, Inc., Huntington Beach Crude Oil and Gas Production Facilities – Order No. R8-2012-0029

Motion: It was moved by Board Member Ruh, seconded by Board Member Ackerman, and unanimously carried to approve the consent calendar items as presented.

14. Renewal of Waste Discharge Requirements and National Pollutant Discharge Elimination Permit (NPDES No. CA CA8000326) for Orange County Sanitation District, Reclamation Plant No. 1 and Treatment Plant No. 2 – Order No. R8-2012-0035, and

15. Amendment of Time Schedule Order No. R8-2004-0067 for Orange County Sanitation District – Order No. R8-2012-0037

Mr. Berchtold commented that Dr. Skinner's concerns (see Public Forum, above) should be considered as part of the record for this item. Mr. Berchtold indicated he had earlier provided a response and asked if anyone from OCSD would like to respond further to that issue.

Jim Colston, OCSD, responded by saying that this permit renewal was vital for the sanitation district and that timing was key as they move forward with the important project, which Dr. Skinner referenced.

Mr. Colston's presentation described all the work they have been doing to prepare for the project. He explained the purpose of using the short outfall and the long outfall and how they are trying to avoid using the Santa Ana River as a discharge point, as well as trying not to impact any beneficial uses in the Ocean or on the beach.

Mr. Colston said they have met with the local community, Dr. Skinner and the OC Health Care Agency to discuss this project and have established an extensive monitoring program. He said Larry Honeybourne was here from the health care agency and said that they work closely with his staff and will continue to meet with them, including Dr. Skinner, because they were committed to protecting those folks that recreate in that area.

There were several questions from Board Members.

Motion: It was moved by Board Member Ameri, seconded by Board Member Freschi, and unanimously carried to adopt Order No. R8-2012-0035 and Order No. R8-2012-0037, amending Time Schedule Order No. R8-2004-0067.

Mr. Berchtold mentioned that the first time the Regional Board had considered adopting a permit for OCSD that required full secondary treatment was in 2004. But prior to that time, the Board had granted a waiver of full secondary treatment standards. OCSD had made a huge commitment in terms of the resources to achieve compliance with secondary treatment standards and he noted the magnitude of the construction projects they needed to undertake to achieve that. He added that OCSD had set out an aggressive schedule at that time and they are close to completing the project on schedule. He thanked OCSD for all its good work.

16. **Public Hearing: Basin Plan Amendments - Recreational Standards for Inland Surface Waters – Resolution No. R8-2012-0001 (continued from March 16, 2012 and April 27, 2012 hearings).**
(Information pertaining to this item is contained in a verbatim transcript of the proceedings)

Ms. Schneider stated for the record that the Board Members had in their packets: a brief supplemental staff report; an errata sheet dated May 29, 2012; a comment letter from U.S. EPA dated April 25, 2012 with comments pertaining to the April 23, 2012 errata sheet that was presented at the April 27, 2012 Board meeting; and a comments/responses document that included a summary of Heal the Bay comments presented orally at the April 27, 2012 meeting, Board staff's responses to those comments, and staff's responses to the USEPA April 25, 2012 comments. She said they also had tentative Resolution No. R8-2012-0001.

Staff's recommendation is for the Regional Board to adopt Resolution No. R8-2012-0001, confirming the preliminary determination by Regional Board staff that the proposed amendments could not have a significant effect on the environment, and certifying the environmental checklist and analysis document, which is Attachment C of the substitute environmental document. By approving the resolution, the Regional Board would adopt the Basin Plan Amendment delineated in Attachment 1 and Attachment 2 to the Resolution as modified by the May 29, 2012 errata sheet.

Motion: It was moved by Board Member Freschi, seconded by Board Member Ruh to approve the staff recommendation.

Chair Beswick closed the public hearing and asked for a vote on the Motion. The Motion was unanimously carried to approve staff's recommendation to adopt Resolution No. R8-2012-0001 as modified by the May 29, 2012 errata sheet.

17. **Stormwater Capture**

Executive Officer Berchtold informed the Regional Board that the Southern California Water Committee had asked for an opportunity to present some information regarding stormwater capture. He thought it would be informative and useful for the Board because it was closely entwined with matters regarding Low Impact Development (LID) that the Board has dealt with before and would be dealing with in the future when our MS4 permits come up for renewal once again.

Steve LaMar, IRWD, said that they have been talking stormwater capture for water supply purposes for a long time. He complimented the Regional Board and the County of Orange for their work with the Coyote Canyon/San Gabriel River Subwatershed study. He said it was one of the most detailed geographic information system studies he had ever seen and was excited about progressing to other subwatersheds in Orange County.

Greg Woodside briefly informed the Regional Board that they had in front of them a summary of the issue paper that presents the results of their work. He said they are focusing on how to use the existing framework with MS4 permits for integrated water management in order to get the most return for water supply. They are working to develop a database of stormwater projects in Southern California - both small and large scale projects.

He indicated that a committee was formed to look at MS4 permits for stormwater management and benefit in terms of water supply opportunities for enhancing the water supply and protecting water quality.

18. **Hazardous Waste Incident Report**
Written information item.

19. **Underground Storage Tanks Corrective Action Plans**

Written information item.

20. **Underground Storage Tanks Site Closure Report**

Written information item.

21. **Regional Board Member and Executive Officer Communications**

Mr. Berchtold informed the Regional Board that two of the Board members would not be available to attend the July 20, 2012 Board Meeting and suggested finding an alternate date. He informed them about the possibility of the quorum changing to four instead of five. He said the agenda for the next meeting might be lighter than it was today and that it might be a brief meeting or a telephonic meeting and would follow up with Board Members on this issue.

22. **Closed Session**

None

23. **Adjournment**

The meeting adjourned at 9:40 a.m. to the next meeting, sometime in July. The date of the July meeting will be posted.

Respectfully submitted:

KURT V. BERCHTOLD
Executive Officer

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DRAFT