

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

**Minutes of October 26, 2012 Board Meeting  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354**

1. Chair Beswick called the meeting to order at 9:07 A.M.

Board Members Present

Board Members Absent

Carole H. Beswick, Chair  
William Ruh  
Fred Ameri  
Richard A. Freschi  
Linda I. Ackerman  
Tom Rivera

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  
Mark G. Adelson, Chief of Regional Planning Programs  
Wanda Cross, Chief of Basin Planning - Coastal Waters  
Hope Smythe, Chief of Basin Planning - Inland  
Ann E. Sturdivant, Chief of Site Cleanup  
Kenneth R. Williams, Chief of Pollutant Investigations  
Edward G. Kashak, Engineering Geologist  
Felipa Carrillo, Executive Assistant  
Kevin Heinemann, Staff Information Systems Analyst

Public in Attendance

Seth Sielke, Fontana Water Co.  
Matt Bures, Dongell Lawrence Finney LLP  
Jim Griffin, Western United Dairymen  
David Garcia, City of Riverside  
Eric T. Lindberg, GeoLogic Associates  
Jayne Joy, EMWD  
Scott Martin, KMEP  
Dan Jablonski, CH2MHill  
William Von Blasingame, Citizen  
Rob Vandenheuvel, Milk Producers Council

Darren Meeka, Co. of San Bernardino SWMD  
Don Lee, Tetra Tech  
Kelsey DeForge, City of Beaumont  
Greg Herzog, City of Riverside  
Jason Uhley, RCFC & WCD  
Rich Sturn, CH2MHill  
Paul Salcido, KMEP  
Bruce Scott, WRCAC (Dairy Operator)  
Maria Elena Kennedy, Kennedy Communications

2. Public Forum  
None

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

Chair Beswick announced that our new State Board Liaison, Felicia Marcus, was unable to join us today.

Executive Officer, Kurt Berchtold added that Ms. Marcus would not be able to attend our December Board meeting either, but has arranged a visit to the office to meet staff and Chair Beswick. Ms. Marcus will be introduced to some of the issues the Board is dealing with.

4. Approval of the Minutes of July 20, 2012

Motion: It was moved by Board Member Ruh, seconded by Board Member Freschi, and unanimously carried to approve the Minutes of the July 20, 2012 Board meeting as presented

5. Consent Calendar

\*6. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement - Jose and Martha Perez

\*7. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement - Jamie and Justin Suprenant

\*8. Lake Elsinore/Canyon Lake Nutrient TMDL Monitoring Programs - Resolution No. R8-2012-0052

\*8A. Waste Discharge Requirements for Kinder Morgan Energy Partners, L.P. SFPP Colton Fuel Terminal, Willow Avenue Water Treatment Plant – Order No. R8-2012-0046

\*9. Renewal of Waste Discharge Requirements and National Pollutant Discharge Elimination Permit (NPDES No. CA 0105996) for Dos Cuadras Offshore RES, L.L.C., Platform Eva - Order No. R8-2012-0022

\*10. Renewal of Waste Discharge Requirements and National Pollutant Discharge Elimination Permit (NPDES No. CA 0106828) for Dos Cuadras Offshore RES, L.L.C., Platform Esther – Order No. R8-2012-0023

Motion: It was moved by Board Member Ruh, seconded by Board Member Freschi, and unanimously carried to adopt Resolution No. R8-2012-0052, Order Nos. R8-2012-0046, R8-2012-0022, R8-2012-0023, and approve the exemption from the minimum lot size requirements requested by Jose and Martha Perez and Jamie and Justin Suprenant

11. Status Report on the Development of a New Dairy Permit

Mr. Steve Mayville, Chief of the Dairy Unit, spoke to the Board about the development of the next dairy permit and where the program has come from and what lays ahead. Mr. Mayville indicated that a workshop would be scheduled on a later date to discuss the draft permit. Mr. Mayville touched on some of the controversial issues a new permit would need to address. Mr. Mayville began with the history of the program since 1972, when dairies and related dairy facilities were regulated by individual Waste Discharge Requirements (WDRs). Mr. Mayville indicated that the general National Pollutant Discharge Elimination System (NPDES) permit, which regulated all dairy facilities, had expired on September 6, 2012. Mr. Mayville also discussed some of the significant concerns and issues related to the renewal of a general NPDES permit, and provided a tentative schedule for its renewal.

Speakers:

Bruce Scott, WRCAC, supported staff's efforts. He also informed the Board about a bio-mass pilot project taking place at his dairy in Moreno Valley that turns manure into diesel fuel.

Rob Vandenheuvel, Milk Producers Council, also expressed support of regulating the dairies under an NPDES permit.

12. Enchanted Heights Sewering Project

Mark Adelson, Chief of the Regional Planning Section, briefly introduced this item. Mr. Adelson provided a brief background of this community and that it was built back in the early 70s, with septic tanks in a watershed that is tributary to Canyon Lake – a drinking water reservoir.

Mr. Adelson noted that during the heavy rainfall in the mid-80s, there were failures of these septic tank systems, and that the City of Perris and the Eastern Municipal Water District (EMWD) worked with State Water Board staff to identify funding, but that it was a struggle. Mr. Adelson said that Maria Elena Kennedy has worked successfully with the City of Perris, Riverside County, EMWD, and most importantly, she has worked with the residents of Enchanted Heights to bring sewers to the community.

Ms. Kennedy discussed about her outreach efforts that successfully brought this sewerage project to this disadvantaged community. Ms. Kennedy said she was able to get the Spanish-speaking residents to understand and sign the right-of-entry form that was needed to facilitate project implementation.

Ms. Kennedy said that the California Department of Public Health provided \$10 million for the mainline sewer and State Board provided \$5 million for the connection fees that made this project a success, because the residents could simply not afford the connection fees.

Ms. Kennedy also indicated that Kurt Berchtold and Mark Adelson of Regional Board staff visited Enchanted Heights and were able to see how successful the project was; the project also helps with implementation of Lake Elsinore and Canyon Lake TMDLs. Finally, Ms. Kennedy said that it is anticipated this project will be completed in 2013, and that the residents are very happy.

13. Perchlorate in Groundwater in the Rialto-Colton Basin

Executive Officer, Kurt Berchtold, provided an update on the status of the issues related to cleanup of groundwater contamination in the Rialto-Colton Basin due to perchlorate and TCE.

Mr. Berchtold provided some background on the work that has been going on for many years. He discussed some early investigations that identified two source areas in Rialto. He talked about the agencies involved in this problem, as well as the current status of the investigation and cleanup work. Finally, he talked about the current status of some of the settlements being finalized and/or negotiated.

Mr. Berchtold pointed out that in the past, he has served in a prosecutorial role on issues before the Board, and that if any matters come before the Board in the future, he would not be able to advise the Board in those matters and he would continue working with the prosecution in those matters.

14. Board Meeting Dates and Locations for 2013

A list of tentative board meeting dates for 2013 was provided to all board members for their review. This item will be considered for adoption at the December 14, 2012 Board Meeting.

15. Hazardous Waste Incident Report

Written information item.

16. Underground Storage Tanks Corrective Action Plans

Written information item.

17. Underground Storage Tanks Site Closure Report  
Written information item.

18. Regional Board Member and Executive Officer Communications

Chair Beswick announced that Board Member Ackerman would represent the Board at the OWOW project at SAWPA and appreciates Member Ackerman taking the time to do that. She also announced that Board Members Rivera, Ruh and herself, would be attending the upcoming WQCC meeting in Sacramento and that a tour of the San Joaquin Delta was being conducted. Board Member Ameri stated he was interested in attending the WQCC meeting.

Executive Officer Kurt Berchtold stated that he and Joanne Schneider would be attending the State Board meeting in November, where the Basin Plan Amendment to revise recreational standards would be considered for adoption.

He also stated that the Board's prosecution staff recently reached a settlement agreement with Elsinore Valley Municipal Water District related to a sewage spill, and that that settlement agreement has been posted on the State's website for public review and comment before it is finalized.

Mr. Berchtold provided the Board Members with a report that was put together by the Southern California Coastal Water Research Project (SCCWRP). He said it was an excellent report that looks at the 40-year history of the Clean Water Act and the progress that has been made in improving coastal water quality in Southern California. He stated that SCCWRP is a joint powers agency that focuses on coastal water quality issues. He said the Regional Board is a member and that he sits on the SCCWRP commission.

19. Closed Session  
There was no closed session.

20. Adjournment

The meeting was adjourned at 11:20 a.m. to the regular Board meeting of December 14, 2012 at 9:00 A.M., at the City of Loma Linda, 25541 Barton Road, CA 92354.

Respectfully submitted:

**KURT V. BERCHTOLD**  
Executive Officer

/fc