

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

**Minutes of September 19, 2014 Board Meeting
Orange County Water District
18700 Ward Street
Fountain Valley, CA 92708**

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

<u>Board Members Present</u>	<u>Board Members Absent</u>
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William Ruh, Chair
Tom Rivera
Susan Longville
William P. von Blasingame
James Famiglietti

Linda Ackerman, Vice-Chair

Staff Members Present

Kurt V. Berchtold, Executive Officer
David Rice, Regional Board Counsel
Michael J. Adackapara, Supervising Water Resource Control Engineer
Hope A. Smythe, Environmental Program Manager
Mark E. Smythe, Chief of Basin Planning - Inland
Milasol Gaslan, Chief of Stormwater - Inland
Keith L. Elliott, Water Resources Control Engineer
Felipa Carrillo, Executive Assistant
Daniel Mefford, Staff Information Systems Analyst

Public In Attendance

Steve Horn, County of Riverside
Mark Norton, SAWPA
Cynthia Gabaldon, CGRME/Co. of SB
Marc Rodabaugh, Co. SB FCD
David Garcia, RCFC & WCD
Jay Grady, CalPortland Co.
Garrett Dunbar, WLS Water Law Clinic
Ariana Zamora, CAPCA
Greg Woodside, OCWD
Phuong Hunter, CASC
Jack Nelson, Yucaipa Valley WD
Al Javier, EMWD

Kevin Street, City of Riverside
Derek Karimoto, City of Costa Mesa
Richard Meyerhoff, CDM Smith
Colin Kelly, Orange County Coastkeeper
Don Lee, Tetra Tech
Lee Hoffman, WLS Water Law Clinic
Brett Scott, WLS Water Law Clinic
Suzanne Fawol, NWRI
Bryant Alvarado, Larry Walker Assoc.
Darcy Kuenzo, RCFC & WCD
Tom Hashemi, Reference Labs
Andy Malone, Wildermuth Environmental

2. Public Forum

Colin Kelly, staff attorney with Orange County Coastkeeper, briefly discussed a few projects that Coastkeeper was involved with, including the use of drought-tolerant landscapes of parkways and the organization's work with providing educational tools for educating students. He introduced a few law students from the Whittier Law School that were in attendance at the Board Meeting and indicated that they were available to help Board staff with enforcement actions.

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

There was no State Board report.

4. Approval of the Minutes of June 13, 2014 meeting

Motion: It was moved by Board Member Longville, seconded by Board Member von Blasingame, and unanimously carried to approve the Minutes of the June 13, 2014 Board Meeting as presented.

5. Consideration of Consent Calendar Items

*6. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – Jesenia Macias.

*7. Rescissions - Order No. R8-2014-0058

<u>Order No.</u>	<u>Facility and Location</u>	<u>Reason for Rescission</u>
70-16	City of Redlands, Brine Pond, Redlands	Facility is now covered under general Order for post-closure maintenance. WDR is no longer necessary.
R8-2012-0046	Kinder Morgan Energy Partners, LP, SFPP Colton Fuel Terminal	Project has been terminated. WDR is no longer necessary.
R8-2007-0067	Old Stone Heights, LLC, Parcel Map 30626, Riverside	Project has been completed. WDR is no longer necessary.
00-37	Riverside County Waste Management Dept., Old Beaumont Landfill, Beaumont	Corrective actions have been implemented and enforcement order is no longer applicable. Facility is now covered under general Order for post-closure maintenance.

*8. Revised Waste Discharge Requirements for CalPortland Co., Colton Facility - Order No. R8-2014-0044

*9. Amendment of Order No. R8-2014-0048, General Waste Discharge Requirements for Post-closure Maintenance at Closed Class II Waste Management Units (Surface Impoundments and Wastepiles) - Order No. R8-2014-0070

*10. Amendment of Order No. R8-2014-0048, Waste Discharge Requirements for Drainage Improvements, Post-closure Monitoring and Maintenance at Rancho San Joaquin Golf Course (former Lane Road Landfill) in Orange County - Order No. R8-2014-0071

Motion: It was moved by Board Member von Blasingame, seconded by Board Member Rivera, and unanimously carried to adopt Order Nos. R8-2014-0058, R8-2014-0044, R8-2014-0070, R8-2014-0071, and approve the exemption from the minimum lot size requirements requested by Jesenia Macias.

11. Basin Monitoring Program Task Force: Approval of Groundwater Management Zone Ambient Quality - Resolution No. R8-2014-0072

Executive Officer Kurt Berchtold provided a brief background of this item. He said that in 2004 the Regional Board adopted a Basin Plan Amendment, making certain changes to the salt and nutrient management program in the region. Mr. Berchtold said that those amendments established revised groundwater management zone boundaries, and established water quality objectives for all those groundwater management zones. He also indicated that the water quality objectives were based on historical ambient quality for 20 years from 1954 -1973.

Mr. Berchtold said that the 2004 Basin Plan amendments also required recalculating ambient water quality every three years using a 20-year average. The triennial updates have been done a few times since 2004 and the latest information was included in the agenda material for this item. Mr. Berchtold said that the significance of these determinations was that they would provide us with a good indication of the current groundwater quality and the assimilative capacity of the various groundwater management zones. He explained that if the ambient water quality was better than the water quality objectives, then assimilative capacity exists, and if it is worse than the water quality objectives, then there is no assimilative capacity. Mr. Berchtold said that the significance of assimilative capacity is that it dictates how we set permit limits for all of the facilities that are regulated by the Regional Board. If there is no assimilative capacity, we are required to set limits at the water quality objectives to ensure that there is no further degradation of those groundwater management zones.

Mr. Berchtold said that more detailed information on how this is done would be provided by the speakers on this item. He also pointed out that there was a letter from Wildermuth Environmental and an errata sheet that staff prepared for this item that were included in the agenda package.

Speakers:

Mark Norton, SAWPA, talked about the annual Santa Ana Watershed water quality reports, the triennial reports, wasteload allocations, and assimilative capacity for the various groundwater management zones.

Andy Malone, Wildermuth Environmental, presented the recent changes and results of the most recent. Mr. Malone talked about the salt management problem in the Santa Ana River (SAR) watershed, including the imported water sources and their quality, the use of recycled water and their impacts on salt and nutrients in the groundwater management zones of the region.

Mr. Berchtold shared Mr. Malone's opinion about being ahead of the rest of the State in how salt in this Region is managed, and how this is a very critical issue for this Region. Mr. Berchtold said that this Region has been working on managing salt for a very long time, and that this re-computation of ambient quality is a key part of that. Mr. Berchtold explained why we use the 20-year average for the calculations, and re-emphasized the importance of all this. He said more detailed information regarding ambient quality would be brought back during future Board meetings.

Staff recommended that the Regional Board adopt Resolution No. R8-2014-0072 with the errata sheet - removing the proposed ambient quality for the Elsinore Management Zone. Staff will submit a revised number for the Elsinore Management Zone at a later date.

Motion: It was moved by Board Member Rivera, seconded by Board Member Longville, and unanimously carried to adopt Resolution No. R8-2014-0072, as presented with the errata sheet, removing the proposed number for the Elsinore Management Zone.

12. Riverside and San Bernardino County MS4 Permits Update

Executive Officer Kurt Berchtold introduced this item. Mr. Berchtold briefly indicated that staff had been working on renewing the Orange County Stormwater permit and had provided updates to the Board. Mr. Berchtold also said that the Riverside and San Bernardino permits would expire in January 2015, and that the two counties had recently submitted their applications for renewal of those permits. He said staff is in the process of working with both counties in reviewing the applications, and that more information would be presented to the Board next year on the renewal process.

Mr. Berchtold also mentioned that both counties had been invited to attend today's meeting and give the Board an update on the status of their programs and what they are looking forward to in the next permits. Mr. Berchtold pointed out that there was a possibility of combining both counties into one permit, but said that both counties have concerns about that. Mr. Berchtold said that staff is continuing to discuss those issues with both counties to see what will work for both counties before deciding what we want to present to the Board in terms of the permit for the two counties.

Speakers:

Jason Uhley, Riverside County, presented an outline of their programs and the highlights of the successes in various program areas. He discussed his concerns related to combining both permits.

Marc Rodabaugh, County of San Bernardino Flood Control District, presented an outline of their program's successes. He also discussed the issues related to combining both permits.

There were a few questions by Board Member Rivera and Board Member Longville in regards to Norton AFB and the perchlorate issues in Rialto.

Mr. Berchtold said that Norton AFB had significant contamination problems most of which had been addressed through the Department of Defense cleaning programs. He also indicated that there are two perchlorate plumes in the Rialto area and that the County is the responsible party for cleaning up one of those plumes. Mr. Berchtold added that as part of the public education and outreach efforts, staff has been focusing on addressing issues related to environmental justice issues and issues related to disadvantaged communities; the Rialto area is generally considered as a disadvantaged community. Mr. Berchtold said that staff would be working with the two counties to see whether there are opportunities to address such issues in the reissued permits.

Chair Ruh commented that environmental education is already being provided to students in schools.

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

Executive Officer Kurt Berchtold said that some information on water quality impacts associated with the drought would be presented at the October Board meeting, and that Mark Norton from SAWPA had volunteered to make a brief presentation regarding the issue.

Mr. Berchtold also noted that there have not been any enforcement actions on the agendas lately. He indicated that most enforcement actions are resolved by the Regional Board's Prosecution Team without the need of a Board hearing. Mr. Berchtold said that a report would be prepared for the Board Members that summarizes recent enforcement actions.

Mr. Berchtold said that the WQCC meeting in Sacramento, with an optional tour, is coming up. Mr. Berchtold said that State Board staff has asked the Regional Boards to put together a summary of recent accomplishments and upcoming priorities for the region. Mr. Berchtold said he has already drafted preliminary information related to accomplishments, priorities, wetlands restoration and environmental justice issues.

Chair Ruh congratulated Board Member von Blasingame for being appointed to the Board of Governors as our representative to Southern California Wetlands Recovery Project (SCWRP), and for his willingness to accept that nomination.

Mr. Berchtold added that the Orange County Sanitation District (OCSD) is celebrating their 60th year anniversary. He said that OCSD is presenting commendations to a number of their regional partners, and that OCSD has recognized the Regional Board. Mr. Berchtold and Board Member von Blasingame will attend the OCSD meeting next week to accept the award.

Board Member Rivera recommends that an orientation or workshop be offered to new Board Members and to possibly get together as a group. Board Member Longville indicated that the Board could also benefit from this workshop to get a better understanding of the Basin Planning process that would help them to make informed decisions. Chair Ruh said he had already talked to the Executive Officer regarding this issue.

16. Closed Session
There was no closed session.

Adjournment

The meeting was adjourned at 10:52 p.m., to the regular Board meeting of October 31, 2014 at 9:00 a.m., at the City of Loma Linda, 25541 Barton Road, Loma Linda, CA.

Respectfully submitted:

KURT V. BERCHTOLD
Executive Officer

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