

California Regional Water Quality Control Board  
Santa Ana Region

Minutes of September 7, 2007 Board Meeting  
City of Loma Linda  
25541 Barton Road  
Loma Linda

1. Chair Beswick called the meeting to order at 9:06 a.m.

**Board Members Present**

Carole Beswick, Chair  
Deborah Neev, Vice-Chair  
John Withers  
William Ruh  
Seymour Van Gundy  
Fred Ameri

**Board Members Absent**

Maurice Gallarda  
Mary Cramer

**Staff Members Present**

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer  
Erik Spiess, Regional Board Counsel  
Joanne Schneider, Environmental Program Manager  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Gary Stewart, Chief of Compliance  
Stephen Mayville, Chief of Enforcement  
Mark Adelson, Chief of Regional Planning  
Jun Martirez, Chief of Permitting  
Wanda Cross, Chief of Basin Planning (Coastal)  
Terri Reeder, Engineering Geologist  
Ed Kashak, Engineering Geologist  
Linda Candelaria, Environmental Scientist  
Patrice Copeland, Engineering Geologist  
Kathleen Fong, Water Resources Control Engineer  
Jeff Kashak, Student  
Kevin Heinemann, Staff Information Systems Analyst  
Felipa Carrillo, Executive Assistant

**State Board Representative**

None.

**Public Attendance**

Rod Cruze, City of Riverside  
Pat Bolds, MFC  
Geoffrey Vanden Heuvel, MPC  
Jeff Gow, Riv. Co. Waste Mgmt.  
Justin LoFranco, City of Corona, DWP  
Bruce & Nanette Scott, Scott Bros Dairy Farms

Gian Villarreal, RBF/Caltrans  
John Kemmeres, USEPA  
Jack Skinner, Newport Bay  
Moy Hahya, Charles Abbott Assoc.  
Rob Vanden Heuvel, Milk Producers Council  
Marylynn Coffee, Nossaman

Coralee Johnson, Scott Bros Dairy Farms  
Bob Kalchthaler, Strategic Insights  
Chandra Johanneson, City of Riverside  
Paul Singarella, Latham  
Michelle Mehta, NRDC  
Dr. Cindy Lin, USEPA

Larry McKinny, RBF Consulting  
Brad Scott, Milk Producers Council  
Dr. Susan Paulsen, Flow Science  
Mike Loving, City of Irvine  
Noah Gorrison, NRDC  
Chris Crompton, County of Orange

### **Public Forum**

Chris Crompton, County of Orange, informed all members present that a new guidance document has been produced by the California Stormwater Quality Association (CASQA). It is the Municipal Stormwater Program Effectiveness Guidance, which is intended to assist stormwater program managers in designing and conducting assessments on the effectiveness of their program. It contains tools to help answer questions on whether these programs really work. He said they are working with State Board staff in Sacramento to develop and conduct a pilot workshop effort, hoping to include USEPA, State RWQCB staff and municipal program managers.

### 3. **Approval of Minutes**

**Action:** It was moved by Member Ruh, seconded by Vice-Chair Neev and unanimously approved that the Minutes of June 29, 2007 be approved as presented.

### 5. **Consent Calendar**

It was noted that Items No. 9 and Item No. 10 had been postponed.

- \*5. **Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement - Thomas and Lucille Hightower**
- \*6. **Renewal of Waiver of Waste Discharge Requirements for Specific Types of Discharges, Resolution No. R8-2007-0036**
- \*7. **Amendment of Order No. 98-3, Waste Discharge Requirements for The City of Corona Wastewater Treatment Plant No. 2, Riverside County, Order No. R8-2007-0052**
- \*8. **Rescission, Order No. R8-2007-0063**
- \*11. **Amendment to Order No. 01-18, Waste Discharge Requirements for Lamb Canyon Sanitary Landfill, Riverside County, Order No. R8-2007-0044**

**Action:** It was moved by Member Ruh, seconded by Member VanGundy, and unanimously approved that the Board adopt Orders No. R8-2007-0036, R8-2007-0052, R8-2007-0063, and R8-2007-0044, and approve the exemption from minimum lot size requirements requested by Thomas and Lucille Hightower.

12. **Renewal of General Waste discharge Requirements for Concentrated Animal Feeding Operations (Dairies and Related Facilities) Within the Santa Ana Region, NPDES CAG018001, R8-2007-0001.**

Information concerning this item is contained in a verbatim transcript of the proceedings.

Gary Stewart, Chief of Compliance, began his presentation by saying that they have finally come to a happy median after addressing some concerns brought forth by NRDC, Milk Producers Council, Western Riverside County Ag Coalition and others since 2004. He discussed the development of the Draft General Dairy Permit and the first draft of the permit was prepared in the issues that resulted in the schedule for issuance of the draft general permit. He said the previous general dairy permit was administratively extended because staff had anticipated an earlier release of the USEPA CAFO regulations.

Mr. Stewart described the workshops held in February and July of 2007. He talked about the concerns that were brought forth at the workshops and how those concerns were addressed in the current draft.

Mr. Stewart also described a number of additional minor changes made to the permit.

Speakers on this item:

Bruce Scott, Scott Bros. Dairies  
Geoffrey Vanden Heuvel, MPC  
John Kemmeres, USEPA

**Action:** It was moved by Member Withers, seconded by Vice-Chair Neev, and unanimously approved that the Board adopt Order No. R8-2007-0001

13. **Basin Plan Amendment to Incorporate Total Maximum Daily Loads (TMDLs) for Organochlorine Compounds for San Diego Creek and Newport Bay, Resolution No. r8-2007-0024.**

Information concerning this item is contained in a verbatim transcript of the proceedings.

Terri Reeder, Engineering Geologist, presented this item. She began with a summary of the organochlorine compounds TMDLs proposed by Board staff and a review of the December 1, 2006 workshop and subsequent Board discussions concerning those TMDLs. Ms. Reeder reviewed the list of documents included in the agenda package, including staff's responses to comments. She described the changes to the proposed Basin Plan amendment to incorporate the TMDLs that had been made in response to comments. These changes include added emphasis on the integrated and comprehensive Work Plan approach to implementing these and other TMDLs. She also described the CEQA analysis conducted to assess the potential environmental effect of implementing the recommended TMDLs and drew the Board's attention to the Substitute Environmental Document attached to the supplemental staff report, and the proposed CEQA Findings of Fact and Statement of Overriding Considerations (Attachment 1 to Resolution No. R8-2007-0024).

Joanne Schneider, Environmental Program manager, recommended the addition of an endnote to Table NB OCs-13 to provide the Regional Board flexibility in revising compliance schedules for implementation tasks (but not the final TMDL compliance date) without a Basin Plan amendment, provided that adequate justification is provided. Mr. Spiess recommended the addition of a finding in the Resolution to reflect the receipt of comments that were not sufficiently descriptive to enable a response.

Ms. Reeder recommended that the Board adopt Resolution R8-2007-0024, approving the CEQA Findings of Fact and Statement of Overriding considerations (Attachment 1 to the Resolution), and the Basin Plan amendment to incorporate the organochlorines TMDLs for the San Diego Creek, Upper and Lower Newport Bay into the Santa Ana River Basin Water Quality Control Plan (Attachment 2 to the Resolution).

Speakers on this item:

Dr. Jack Skinner, Newport Bay  
Chris Crompton, County of Orange  
Marylynn Coffee, Nossaman  
Dr. Susan Paulsen, Flow Science  
Paul Singarella, Latham & Watkins  
Dr. Cindy Lin, USEPA

**Action:** It was moved by Member Withers, seconded by Member Ruh, and unanimously approved that the Board adopt Order No. R8-2007-0024, with the addition of the endnote to Table NB OCs-13 and the Finding to the Resolution, as recommended by Board staff and legal counsel.

It was noted by Chair Beswick that items No. 14 through No. 18 had been either postponed or settled.

14. **Administrative Civil Liability Complaint, City of Colton, San Bernardino County**  
This item was postponed.

15. **Administrative civil Liability Complaint, City of Rialto, San Bernardino County**  
This item was settled.

16. **Administrative civil Liability Complaint, City of Riverside, Riverside County**  
This item was settled.

17. **Administrative Civil Liability Complaint, City of Cypress, Orange County**  
This item was settled.

18. **Administrative Civil Liability Complaint, City of Villa Park, Orange County**  
This item was postponed.

19. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation**

Mr. Berchtold reported on the legal proceedings that led to the delay of the scheduled perchlorate hearings and described anticipated legal actions affecting those hearings. He also reported that the County is continuing its investigation at the 160-acre site.

20. **Hazardous Waste Incident Report**  
Information item.

21. **Underground Storage Tanks corrective Action Plans**  
Information item.

22. **Underground Storage Tanks Site closure Report**  
Information item.

23. **State Water Resources Control Board Liaison Report**  
None.

24. **Executive Officer's Report**

Mr. Thibeault expressed staff's appreciation for those Board members who made extraordinary efforts to make it to today's meeting in order to have a quorum.

25. **Regional Board Member Communications**

Chair Beswick thanked Vice-Chair Neev for attending last month's Chairs meeting in Sacramento in her place. She concluded by saying that the next WQCC meeting is scheduled for October 29 & 30, 2007, but wasn't sure where it would be held as of yet.

**Closed Session**

There was no closed session.

26. **Adjournment**

The meeting was adjourned at 11:50 a.m. to the regular Board meeting on October 12, 2007 at 9:00 a.m., at the City of Loma Linda, Council Chamber, 25541 Barton Road, Loma Linda.

Respectfully submitted:



GERARD J. THIBEAULT  
Executive Officer

/fc