

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

**Minutes of November 30, 2007 Board Meeting  
Irvine Ranch Water District  
15600 Sand Canyon  
Irvine**

1. Chair Beswick called the meeting to order at 9:03 a.m.

<b>Board Members Present</b>	<b>Board Members Absent</b>
Carole Beswick, Chair	Maurice Gallarda
Deborah Neev, Vice-Chair	
John Withers	
William Ruh	
Seymour Van Gundy	
Mary Cramer	
Fred Ameri	

**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  
 Mark E. Smythe, Chief of Storm Water (Coastal)  
 Hope Smythe, Chief of Basin Planning (Inland)  
 Jun Martirez, Chief of Permitting  
 Kevin Heinemann, Staff Information Systems Analyst  
 Felipa Carrillo, Executive Assistant

2. **State Board Representative**

Tam Doduc, SWRCB Chair, congratulated Board Members Ruh and Neev for their recent reappointment by the Governor for another four-year term. She briefly discussed a number of issues that are proposed for consideration by the State Board either during this year or early next year, including the draft water recycling policy and the strategic plan update.

**Public Attendance**

Rod Cruze, City of Riverside	William T. Hunt, Rialto
Mark Norton, SAWPA / LESJWA	Pat Bolds, WRCQC
Tim Moore, Risk Sciences	Chandra Johannesson, City of Riverside
Ken Domer, City of Villa Park	Erik Mroz, Attorney
Jerry Cowden, Rialto Concrete Pdts	Ralph Murray, GLA
Karen Baroldi, OCSD	Alex Waite, City of Tustin
Justin LoFranco, City of Corona, DWP	Dawn Lei, Golden State Water Co.
David Chang, Golden State Water Co.	Jennifer Novak, DOJ
Greg Woodside, OCWD	David Aladjem, San Bernardino Valley MWD
Jessica Chin, City of Riverside	Daniel Cozad, Green Valley Initiative
Scott Sommer, Attorney	

## Public Forum

None

### 3. Approval of Minutes

**Action:** It was moved by Member Van Gundy, seconded by Member Ruh and unanimously approved that the Minutes of September 7, 2007 be approved as presented.

### 5. Consent Calendar

It was noted that there were errata sheets for Items No. 6, 7, 11 and 13 of the consent calendar. Item No. 15 had been taken off the consent calendar.

- \*5. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement - Arturo Garcia
- \*6. Consideration of a Stipulated Administrative Civil Liability Order, City of Villa Park, Orange County – Order No. R8-2007-0085
- \*7. Consideration of a Stipulated Administrative Civil Liability Order, City of Colton, San Bernardino County – Order No. R8-2007-0087
- \*8. Inland Empire Utilities Agency (IEUA) Recycled Water Pipeline, San Bernardino County – Order No. R8-2007-0084
- \*9. Old Stone Heights, L.L.C., Co., Parcel Map No. 30626, Riverside County - Order No. R8-2007-0067
- \*10. Resolution No. R8-2007-0081 for Management and Disposal of Solid Wastes from the 2007 Wildfire Destruction in All Counties Within the Santa Ana Region
- \*11. Renewal of Waste Discharge and Producer/User Reclamation Requirements for the Irvine Ranch Water District's Michelson Water reclamation Plant, Orange County – Order No. R8-2007-0003
- \*12. Amendment of Order No. R8-2004-0020 (NPDES No. CA800073) as amended by Order no. R8-2006-0038, and Order No. R8-2006-0010 (NPDES No. CA0105279), Waste Discharge and Producer/user Water Recycling Requirements for the Inland Empire Utilities Agency's Carbon Canyon Water Reclamation Facility and RP1/RP4 Water Reclamation Facilities – Order No. R8-2007-0078
- \*13. General Waste Discharge Requirements for discharges to surface waters of groundwater resulting from groundwater dewatering operations and/or groundwater cleanup activities at sites within the San Diego Creek/Newport Bay watershed polluted by petroleum hydrocarbons, solvents, metals and/or salts – Order No. R8-2007-0041
- \*14. Middle Santa Ana River TMDL Task Force Agreement – Resolution No. R8-2007-0082

**Action:** It was moved by Member Ruh, seconded by Member Withers, and unanimously approved that the Board adopt Order No. R8-2007-0085 with errata, Order No. R8-2007-0087 with errata, Order No. R8-2007-0084, Order No. R8-2007-0067, Resolution No. R8-2007-0081, Order no. R8-2007-0003 with errata, Order No. R8-2007-0078, Order No. R8-2007-0041 with errata, Resolution No. R8-2007-0082, and approve the exemption from minimum lot size requirements requested by Arturo Garcia.

It was noted that Item No. 16 had been settled. Item No. 17 and 18 had been postponed. Item No. 19A was added to the Agenda and the possibility of a closed session.

15. **Lake Elsinore and Canyon Lake Nutrient TMDLs – Resolution No. R8-2007-0083**

A presentation was made by Tim Moore. He discussed the implications of the Lake Elsinore nutrient reduction plan, with the focus on in-lake actions. He discussed several alternative plans. He ended by saying that the plan has been thoroughly reviewed by the Task Force and Regional Board staff, and asked for the Regional Boards' approval and adoption so that implementation can move forward.

**Action:** It was moved by Member Van Gundy, seconded by Member Ruh, and unanimously approved that the Board adopt Resolution No. R8-2007-0083

(Note: SWRCB Chair Doduc left the meeting prior to this item.)

19. **City of Rialto Water Supply Update**

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

Peter Fox, Water Superintendent for the City of Rialto, presented an overview of the activities that are going on to address the City's water supply problems. He provided a water supply update for the City of Rialto from 1999 to present. He mentioned some of the wells that were out of service due to contamination or vandalism.

William Hunt, Hunt Environmental Services, Inc., presented an overview of Rialto's perchlorate treatment initiative. He said, the City of Rialto and the County of San Bernardino GLA are working together to perhaps do a 5<sup>th</sup> project involving Rialto Well #3. One of their future project goals is to implement a full-scale system, which has been designed. His presentation included the key accomplishments in the last 12 months. Mr. Hunt said the best news is that DSTCP has agreed to fund a full-scale project. He went over the technical aspect of the project.

Scott Sommers, counsel for the City of Rialto, commented on the status of Rialto's situation. He said there was a lot of work going on to develop optimum perchlorate treatment systems, which are still in the experimental stage. He ended by saying that the inability to recharge and the lack of wells were still big issues.

19A. **Rialto-Colton-Fontana Perchlorate Investigation, State Water Resources Control Board Hearing on Proposed Cleanup and Abatement Order No. R8-2005-0053, and Associated Litigation**

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

(Note: Ted Cobb and Jorge Leon from the State Water Board's Office of the Chief Counsel joined the meeting via telephone.)

Present in the audience was Scott Sommer, representing the City of Rialto; Peter Duchesneau, who is an attorney representing Goodrich; and Erik Mroz, who is an attorney representing Pyro Spectaculars, Inc. Of those, Mr. Sommer was the only one to address the Board.

Scott Sommers, representing the City of Rialto, asked that the Advocacy Team have a back-up approach available, or a proposal ready to go in case the judge in Los Angeles doesn't like what she sees and negotiation is unsuccessful. He said the City of Rialto has waited a long time for something to happen on the enforcement level. In conclusion, he reminded the Board of the public's interest in this.

Erik Spiess provided the Board with an update on the status of litigation pertaining to the perchlorate contamination associated with the 160-acre site in the City of Rialto. He mentioned that Jennifer Novak, a Deputy Attorney General was in the audience, available to help answer questions. He concluded by saying that in the event that there is no settlement, the RWQCB is ready to proceed with a back-up plan.

20. **Stormwater Quality Standards Task Force Status Report**

Tim Moore presented a Strawman Summary document that describes the preliminary recommendations of the Task Force for Basin Plan amendments related to recreational uses and bacterial quality objectives. The document will be sent to the State Board and EPA for review to determine whether either agency sees any serious flaws in the recommendations. Mr. Moore also presented a schedule for development and consideration of the amendments.

21. **Recharge Cooperative Agreement**

Tim Moore said that the point of having the Recharge Cooperative Agreement is to make a Waste Discharge Requirement unnecessary; the Agreement would constitute a written commitment to address TDS and nitrogen, as well as monitoring. He said that all of the major agencies have already agreed and signed the Cooperative Agreement.

Mr. Thibeault added that the most important part of the Cooperative Agreement is that everyone has agreed to model the effects of their activities on the basin and compare those effects to the basin plan objectives. He said this could not have been achieved under the Waste Discharge order, only under the cooperative agreement. He concluded by saying that nowhere else in the country is this being done.

22. **Green Valley Initiative**

Board Member Withers, a volunteer in the Green Valley Initiative project, which began a year ago, said this project was brought together by selected parties, including academics and business people to see whether they could establish the Inland Empire as the leader in green issues, policy issues, technologies and sustainability.

Dan Cozad said the Green Valley Initiative is looking for general expressions of support, no commitment, no staff time, no money, just general legislative expression of intent. Already, there is a community-generated effort with San Bernardino and Riverside Counties. He said people need to be educated about the strategic plan by helping them understand what they can do. He said it would help the cities, the counties and local businesses.

Chair Beswick asked Mr. Cozad to bring this item back in a more formalized manner before considering adoption.

23. **Hazardous Waste Incident Report**

Information item.

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

Information item.

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

Information item.

26. **Appointment of a Nominating Committee to Elect Regional Board Officers for 2008**

Board Members Withers, Ruh and Van Gundy agreed to participate in the nominating committee for Regional Board Officers for 2008.

27. **Board Meeting Dates and Locations for 2008**

All Board Members agreed to the Board Meetings Dates and Locations for 2008 as presented.

28. **Executive Officer's Report**

None.

29. **Regional Board Member Communications**

Board Member Cramer announced she would be participating in a year-long commitment in water education.

30. **Closed Session**

There was no closed session.

31. **Adjournment**

The meeting was adjourned at 11:25 a.m. to the regular Board meeting on January 18, 2008 at 9:30 a.m., at the City of Loma Linda, Council Chamber, 25541 Barton Road, Loma Linda.

Respectfully submitted:



GERARD J. THIBEAULT  
Executive Officer

/fc