

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

Minutes of October 23, 2009 Board Meeting
City of Loma Linda
25541 Barton Road
Loma Linda, CA

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

Board Members Present

Board Members Absent

Carole Beswick, Chair
Seymour Van Gundy, Vice-Chair
William Ruh
Steven PonTell
Richard Freschi

Fred Ameri

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
David Rice, Regional Board Counsel (via teleconference)
Joanne Schneider, Environmental Program Manager
Robert L. Holub, Supervising Water Resource Control Engineer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Hope Smythe, Chief of Basin Planning (Inland Waters)
Gary Stewart, Chief of Permitting and Compliance
Mark G. Adelson, Chief of Regional Programs Planning Section
Pavlova Vitale, Environmental Scientist
Kevin Heinemann, Staff Information Systems Analyst
Felipa Carrillo, Executive Assistant

Public Attendance

Marsha Westropp, OCWD	Chris Berck, IEUA
Ken Jeske, Ontario	Don Lee, Tetra Tech
Patrick Sheilds, IEUA	Robert Carver Newman II, PhD
Randy Lee, IEUA	Darb Thaipyn, City of Loma Linda
Anthony Lara, Beaumont/CV Water District	Ed Torres, OCSD
Tim Moore, Risk Sciences	

2. Public Forum

Anthony Lara, Interim Manager of the Beaumont-Cherry Valley Water District, noted that the presentation by Dr. Cindy Li at the last Regional Board meeting regarding a report by the Water Quality Task Force that was formed by the Riverside County Board of Supervisors. The report and Dr. Li's presentation focused on septic system use in the Beaumont-Cherry Valley Community of Interest. Mr. Lara said that there was some discussion amongst the Regional Board members about the possibility of forming another task force to consider the Wildermuth report and possibly conduct another investigation. He asked if the Board had given that any further consideration.

Chair Beswick informed Mr. Lara that she had submitted a letter to Supervisor Ashley asking for his support and a commitment by the County to maintain the prohibition while a task force is formed.

Mr. Thibeault said that there has been some movement toward the formation of a task force and that he looks forward to working together with the District and others to address the septic tank concerns in that area.

3. State Water Resources Control Board Liaison Report

State Water Board member Tam Doduc, provided an update to the Regional Board. She announced that the Governor had appointed Walt Pettit, the former Executive Director of the State Water Board, to the Sanitary Engineering position on the State Water Board.

She mentioned that the Governor had called the legislature back into a special session to address water issues. Ms. Doduc indicated that she's hopeful that the legislature and the Governor will be able to move forward on some special session bills this year.

Deputy Director Darrin Polhemus was directed to work with County Health directors and others to look at revising the State Board staff's proposed septic tank regulations into a tiered system, based on risk and threat to water quality and public health. Ms. Doduc expects a revised approach and outline in November.

The Water Rights Order settling the Santa Ana River issues was adopted, and the new Water Quality Enforcement policy was close to being adopted, as soon as a couple of issues regarding the penalty calculations were worked out. A hearing on the Once-Through Cooling Policy will be conducted in November, aiming for possible consideration of adoption in December 2009.

She concluded by saying she looks forward to seeing the Board members at the WQCC meeting next week.

Mr. Thibeault commented that the Governor's office had made a great choice in appointing Mr. Pettit, and that he was going to be extremely valuable in this position.

Chair Beswick said that the Governor was at the Southern California Water Committee dinner the previous evening. He spoke about moving forward with the special session bills and is determined that there will be a deal by the end of the year.

4. Approval of the Minutes

Action: It was moved by Member PonTell, seconded by Member Freschi, and unanimously approved that the Minutes of the August 28, 2009 Board Meeting be adopted as presented

Agenda Update: It was noted that Item No. 6 had been postponed, and Items No. 7 and 8 had errata.

5. Consent Calendar

*7. Conditional Waiver of Statutory Requirements to File a Report of Waste Discharge and to Adopt Waste Discharge Requirements for the Use of Compost Products for Erosion Control Application on Fire- and Disaster-impacted Lands within the Santa Ana Region - Order No. R8-2009-0028

- *8. Public Hearing on Revisions to the Clean Water Act Section 305(b) Integrated Report/Clean Water Act Section 303(d) List - Order No. R8-2009-0062
- *9. Amendment of Order No. R8-2007-0039, Water Recycling Requirements For Inland Empire Utilities Agency and Chino Basin Watermaster - Chino Basin Recycled Water Groundwater Recharge Program, Phase I and Phase II Projects, San Bernardino County – Order No. R8-2009-0057

Action: It was moved by Member Ruh, seconded by Member Van Gundy, and unanimously approved that the Board adopt Orders No. R8-2009-0028 with errata, R8-2009-0062 with errata and R8-2009-0057 as presented

10. Orange County Sanitation District (OCSD)

Gary Stewart, Chief of Permitting and Compliance, began the presentation of this item. He said the Orange County Sanitation District's permit Order No. R8-2004-0062 would expire next week, but would continue in effect until the new permit was completed, and that the Regional Board and EPA staff are jointly drafting new Waste Discharge Requirements to replace the expiring permit.

Mr. Stewart discussed the District's status of their progress toward the construction of secondary treatment facilities, their compliance with Time Schedule Order (TSO) No. R8-2004-0067, and the extensive investigations undertaken by OCSD on emerging contaminants.

Mr. Stewart said that staff will review the proposed changes to the NPDES permit requested in the OCSD's renewal application and that it would be submitted to the Board for consideration of adoption in January 2010, along with an amended TSO, to reflect those changes.

Ed Torres, Director of Technical Services at OCSD, presented the District's proposed changes to improve their ocean monitoring program and the need for flexibility in their permit in order to operate more efficiently.

11. Storm Water Quality Standards Task Force Progress Report and Workshop

Tim Moore from Risk Sciences, provided an update to the Regional Board regarding Task Force progress on recommendations for an implementation plan, including monitoring, and integration with the Middle Santa Ana TMDL requirements.

Some discussion took place between Board Members, Regional Board staff and Tim Moore.

12. Regional Board Member and Executive Officer Communications

Mr. Thibeault informed the Board Members that he wanted to give them a very brief heads-up on an important issue that is coming up soon regarding the Agricultural Waiver. He said they may get contacted regarding this issue, an issue that has been very controversial in other areas, and if it is the same here, he wanted to make sure Board Members understood now what is being contemplated.

Regional Board staff, Mark Adelson, provided a brief overview of the proposal to consider a Conditional Waiver of Waste Discharge Requirements for Agricultural Discharges in the San Jacinto Watershed. The waiver would serve like a general permit, providing authorization to multiple dischargers, provided that they meet the conditions that will be specified. He described

the significance of the proposed action in relation to the implementation of TMDLs for this watershed. He explained what the waiver is, where it will be applied and why it is needed. He added there will be several meetings and a workshop before it is brought to the Board Members for consideration of adoption next year.

Board Member Ruh suggested that staff hold an information meeting outside of business hours to give more members of the public an opportunity to attend.

13. Appointment of a Committee to Nominate Regional Board Officers for 2010

Board Members William Ruh and Seymour Van Gundy were appointed as the committee to Nominate Regional Board Officers for 2010.

14. Proposed Board Meeting Dates for 2010

There were no conflicts in the dates proposed for 2010. Any future conflicts should be addressed to the EO.

15. Closed Session

There was no closed session.

16. Adjournment

The meeting was adjourned at 10:52 a.m., to the regular Board meeting of December 10, 2009 at 9:00 a.m., at City of Corona Council Chambers, 400 S. Vicentia Avenue, Corona, CA .

Respectfully submitted:



GERARD J. THIBEAULT
Executive Officer

/fc