

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

Minutes of January 29, 2010 Board Meeting
City of Loma Linda
25541 Barton Road
Loma Linda, CA 92354

1. Chair Beswick called the meeting to order at 9:15 a.m.

Board Members Present

Board Members Absent

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

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
David Rice, Regional Board Counsel
Joanne Schneider, Environmental Program Manager
Michael J. Adackapara, Supervising Water Resource Control Engineer
Hope Smythe, Chief of Basin Planning (Inland Waters)
Keith Elliott, Water Resources Control Engineer
Maria Macario, Water Resources Control Engineer
Kevin Heinemann, Staff Information Systems Analyst
Felipa Carrillo, Executive Assistant

2. Public Forum

There were no speakers.

3. State Water Resources Control Board Liaison Report

None.

Public Attendance

Joe Rosales, City of Montclair
Saul Martinez, City of Upland
Kent Wegelin, City of Moreno Valley
Scott Rapp, City of Rancho Cucamonga
Naresh Varma, San Bernardino County FCD
Rosemary Hoerning, City of Redlands
Jason Pereira, Calif Watershed Engineering
Sandy Caldwell, Southstar Engineering
Tim D'Zmura, City of Wildomar
Stephen Wilson, City of Ontario
Felipe Molinos, City of Fontana
Tom Thornton, City of Hesperia
Phuong Hunter, City of Moreno Valley
Matt Harward, Yucaipa Valley Water District
Don Lee, Tetra Tech

Jennifer Shepardson, City of San Bernardino
Julie Carver, City of Rialto
Autumn DeWoody, Inland Empire Waterkeeper
Matt Yeager, San Bernardino County FCD
Bob Collacott, URS Corporation
Larry McCallon, Highland
Ben Montgomery, City of Chino Hills
Robert Taylor, San Bernardino Nat'l Forest
Robbie Broesou, Senator Bob Dutton
Marsha Westropp, Orange Co. Water District
Colin Kelly, Inland Empire Water Keeper
Steve Horn, Riverside County EDA
Lance Larson, San Bernardino County
Symeon Finch, Orco Block Co.
Daniel Apt, RBF Consulting

Bill Hemsley, City of Yucaipa
Leticia Ortiz, City of Fontana
Vaikko Allen, Contech
Mark Corey, CICWQ
Noah Garrison, NRDC
Randy Anstine, City of Calimesa
David Burhenn, Riverside County
Tim Moore, Risk Sciences
Jarb T., City of Loma Linda
Gary Ovitt, San Bernardino County

Latoya Cyrus, CAA
Ricardo Sandoval, City of Fontana
Mark Baker, Contech
John Kemmerer, US EPA
Andre Monette, City of Claremont
Mark Wills, Riverside County FC&WCD
Jason Uhley, Riverside County FC&WCD
Chris Amantea, Hunton & Williams
Mike Shelter, Riverside County

4. Approval of the Minutes

Action: It was moved by Member Freschi, seconded by Member Ruh, and unanimously approved that the Minutes of December 10, 2010 Board Meeting be adopted as presented.

5. Consent Calendar

It was noted that Item 8 had been postponed and that Items 9 and 10 would be removed from the consent calendar.

*6. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Duayne and Carole Bliss, San Bernardino County

*7. Revised Waste Discharge Requirements for Olinda Alpha Landfill, Orange County – Order No. R8-2010-0006

Action: It was moved by Member PonTell, seconded by Member Ruh, and unanimously approved that the Board adopt Order No. R8-2010-0006, and approve the exemption from minimum lot size requirements requested by Duayne and Carole Bliss.

9. Renewal of Waste Discharge Requirements, County of Riverside, Riverside County Flood Control and Water Conservation District, and Incorporated Cities of Riverside County, Urban Storm Water Runoff Management Program (NPDES No. CAS618033) - Order No. R8-2010-0033,

and

10. Renewal of Waste Discharge Requirements, the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region, Area-wide Urban Storm Water Runoff Management Program (NPDES No. CAS618036) - Order No. R8-2010-0036

Information regarding these two items is contained in a verbatim transcript of the proceedings.

Chair Beswick opened public hearing on Items 9 and 10 by reading the Chair Statement and swearing in all those who were expected to testify at the hearing. She incorporated all Board files, including all comments and responses, into the administrative record for these items.

Ms. Beswick indicated that there was widespread support on most provisions of the permits and so a full adjudicatory hearing as described in the Hearing Procedures Notice was not necessary. She noted that due to the similarities of both MS4 permits, regional board staff would be making a joint presentation for both Items 9 and 10 and then the Board would consider each item

separately by receiving comments from the designated parties, interested parties and a rebuttal (if necessary).

Gary Ovitt, Chairman, San Bernardino County Board of Supervisors, indicated that the proposed draft MS4 permit represented a reasonable compromise and the Regional Board should adopt the proposed Order.

Board staff, Keith Elliot, Water Resources Control Engineer, made a combined presentation for Items 9 and 10. He briefly discussed the two major issues that were related to the implementation of Low Impact Development (LID) techniques and Total Maximum Daily Load (TMDL) provisions and how these issues were being addressed in the draft Order. He also indicated that the LID and TMDL provisions in the Riverside and San Bernardino County MS4 permits were similar to the provisions in the recently adopted Orange County MS4 permit.

Mr. Elliott also indicated that some of the footnotes in the San Bernardino County MS4 permit were inadvertently deleted and they should be reinstated. He noted that all footnotes, except Footnote 7 regarding MEP, Footnote 29 regarding LID, Footnote 34 for wasteload allocation compliance, Footnote 47 regarding construction dewatering, but only the 1st sentence should be deleted, Footnote 57 regarding general construction storm water permit, Footnote 75 regarding the general construction storm water permit, Footnote 85 regarding groundwater protection, and Footnote 88 regarding biotreatment, but only the 1st sentence, should be deleted.

Mr. Elliott indicated that staff's recommendation was to adopt the January 29, 2010 underline/strikeout version of the Items 9 and 10.

Michael Adackapara, Division Chief, answered questions from the Board.

Speakers:

Noah Garrison, NRDC
Colin Kelly, Staff attorney representing Inland Empire Waterkeeper
Vaikko Allen, Contech
Jason Uhley, Riverside County FC & WCD
Andre Monette, City of Claremont

Chair Beswick closed the hearing on both items.

Item 10 was first considered by the Board. During the discussion on Item 10, Board member Ruh recused himself.

Action on Item 10: It was moved by Member Ameri, seconded by Member Van Gundy, to adopt the January 29, 2010 underline/strikeout version of the third draft of Order No. R8-2010-0036, NPDES No. CA8618036, with the changes to the footnotes as presented by staff. The motion was approved unanimously.

Board Member Ruh returned for the discussions on Item 9.

Action on Item 9: It was moved by Member PonTell, seconded by Member Van Gundy, and unanimously approved that the Board adopt Order No. R8-2010-0033, NPDES No. CA8618033, as presented in the January 19, 2010 marked up version.

On behalf of the whole Board, Chair Beswick thanked all stakeholders who worked so hard during the last nine months of permit negotiations.

Mr. Thibeault, Executive Officer, noted that both Riverside and San Bernardino counties had embarked on some innovative approaches to addressing the storm water pollution problems.

11. Regional Board Member and Executive Officer Communication

There was nothing to report, except that there was no Chairman's meeting in January.

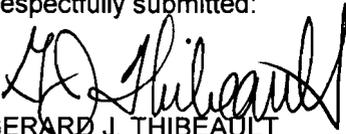
12. Closed Session

The Board went into a closed session to discuss some personnel items. Chair Beswick reopened the hearing to announce that the Board has established a process to replace the Executive Officer upon his retirement.

13. Adjournment

The meeting was adjourned at 11:15 a.m. to the regular Board meeting of Thursday, March 18, 2010 at 9:00 a.m., at the Irvine Ranch Water District, 15600 Sand Canyon Ave., Irvine, CA 92618.

Respectfully submitted:



GERARD J. THIBEAULT
Executive Officer

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