

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

Minutes of June 10, 2010 Board Meeting  
Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618

1. Chair Beswick called the meeting to order at 9:10 a.m.

Board Members Present

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

Board Members Absent

William Ruh, Vice-Chair

Staff Members Present

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer  
David Rice, Regional Board Counsel  
Joanne Schneider, Environmental Program Manager  
Stephen Mayville, Chief of Enforcement  
Hope Smythe, Chief of Basin Planning (Inland Waters)  
David Woelfel, Environmental Scientist  
Felipa Carrillo, Executive Assistant  
Daniel Mefford, Information System Technician

Public Attendance

Ken Manning, Chino Basin Watermaster  
Tom Hughes, Champion Paving  
Mike Wehner, OCWD  
Tim Moore, Risk Sciences  
John Rossi, Western MWD  
Don Lee, Tetra Tech  
Jim Ruth, OCSD  
Tim Love, IEUA

Chair Beswick announced Mr. Thibeault's retirement and that this was his last Board Meeting as Executive Officer (EO). Of his 35 years of service, he served 22 years as the EO and is responsible for the successful programs in our region. On behalf of the Board, Chair Beswick expressed thanks for the skills Gerry brought to this region. They are grateful to have found an internal candidate for the EO position and look forward to working with Kurt Berchtold

2. Public Forum

Jim Ruth, Mike Wehner and John Rossi congratulated Mr. Thibeault on his retirement. They expressed their sincere appreciation for his great work and leadership over the last 35 years - leaving behind a mark and a legacy for many years to come.

Mr. Thibeault humbly accepted the compliments given to him. He gave credit to staff's and stakeholders' incredible efforts.

3. State Water Resources Control Board Liaison Report

Walt Pettit, SWRCB, provided the Board with an update on State Board activity. He talked about the Integrated Report that is pending consideration by State Board. He explained that the State Board decided to assume responsibility for permit issuance for once-through-cooling plants.

Mr. Thibeault mentioned the importance of the Once-Through-Cooling Policy and the State Board's decision to take over the permit issuance for once-through-cooling plants.

Mr. Berchtold recommended that Mr. Pettit direct his particular attention to Board staff's comments on the Integrated Report.

Announcement: Chair Beswick announced that at their last Chairs' meeting, there was some discussion about the composition of the regional boards, quorum issues and appointment issues. She said that of the six members on this Board, two have terms expiring in September, two are reappointed but not confirmed and that leaves two. She has pleaded with the Governor's office for additional appointments. She encourages people who understand what the job is about to apply for this Board. She hopes to still have a quorum after September.

*(Please note that some items were out of order, due to quorum issues at commencement of the meeting)*

10. Storm Water Quality Standards Task Force Progress Report (information item).

Tim Moore discussed briefly the proposed recreational standards Basin Plan amendments that the Storm Water Quality Standards Task Force has been developing. He stated that the Task Force hopes that the Board will be able to hold a public hearing to consider adoption of the amendments at a Board meeting later this fall.

In addition, he discussed the issue of pay parity for Regional Board staff. He stated that Regional Board staff is greatly underpaid, considering the importance of the work they do, such as making very important decisions that greatly affect other public agencies and private businesses. He said he would discuss the pay parity issue with other task forces he works with, in hopes that the members would take steps to influence state government to improve salaries.

Member PonTell said that the One Water One Watershed (OWOW) committee has done a lot of work on establishing priorities for the SAR basin. He recommends inviting SAWPA to come and tell us exactly where they're going, and take a look at what projects are important to our region.

4. Approval of the Minutes

Action: It was moved by Member Freschi, seconded by Member PonTell, and unanimously approved that the Minutes of the April 30, 2010 Board Meeting be adopted as presented.

Item 8 was removed from the consent Calendar.

5. Consent Calendar

\*6. Rescissions - Order No. R8-2010-0021

\*7. Delegation Resolution - Resolution No. R8-2010-0037

Action: It was moved by Member VanGundy, seconded by Member Ameri, and unanimously approved, that the Board adopt Order No. R8-2010-0021 and Resolution No. R8-2010-0037.

8. Stipulation for Settlement of Administrative Civil Liability Complaints, City of Beaumont, Riverside County - Order No. R8-2010-0022

Mr. Thibeault explained that this item was placed on the consent calendar, but because of last-minute comments received from the agency performing the Supplemental Environmental Project (SEP), it was removed. He said that the University of California-Riverside requested that some of the language in the proposed settlement be changed.

Mr. Thibeault recommended that the Board direct Mr. Berchtold to work out these changes with University of California-Riverside, and to settle the matter on behalf of the Board or, if necessary, bring it back at a subsequent meeting.

Motion not required, as authority had already been given by the Board.

9. Stipulation and Settlement Agreement, Chino Basin Watermaster and Inland Empire Utilities Agency, San Bernardino County, Order No. R8-2010-0031

Mr. Thibeault reminded the Board that this matter had been brought before them at previous board meetings.

Mr. Berchtold presented the proposed settlement for the Board's consideration. The matter pertains to compliance by CBWM and with long-term maximum benefit requirements and commitments, especially the requirement to maintain hydraulic control in the Chino Basin. He said the Executive Officer issued an Administrative Civil Liability Complaint for \$227,700 to CBMW and IEUA for alleged violations of requirements to achieve hydraulic control. A settlement with both agencies has been negotiated. Payment of \$124,350 will be made and a Supplemental Environmental Project (SEP) will be implemented by IEUA. The SEP will be a self-regenerating water softener removal rebate program. There is an agreement with both agencies regarding the terms of the settlement. Mr. Berchtold recommended adoption of Order No. R8-2010-0031, to formalize the settlement agreement.

Ken Manning, Chino Basin Watermaster and Tom Love, IEUA, presented an update on the progress they are making in order to achieve hydraulic control.

Action: It was moved by Member PonTell, seconded by Member Van Gundy, and unanimously approved, that the Board adopt Order No. R8-2010-0031, to formalize the settlement agreement.

11. Regional Board Member and Executive Officer Communications

Member Freschi said that the Water Advisory Committee of Orange County presented Mr. Thibeault with a plaque last week, and asked him to say a few words.

Mr. Thibeault said the reason why this whole system has worked is because board members and staff have been outstanding. It has been beneficial for this region to have support from the Board, allowing us to take a consensus-building approach with the stakeholders and bring outstanding success stories that everyone has a role in.

12. Closed Session

There was no closed session.

13. Adjournment

The meeting was adjourned at 10:55 a.m. to the regular Board meeting of July 23, 2010 at 9:00 a.m., at the City of Loma Linda City Council Chambers, 25541 Barton Road, Loma Linda, CA.

Respectfully submitted:



**KURT V. BERCHTOLD**  
Executive Officer

/fc