

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

**Minutes of the July 29, 2016 Board Meeting  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354**

1. Chair Ruh called the meeting to order at 9:05 a.m.

Board Members Present

Board Members Absent

William Ruh, Chair  
Linda Ackerman, Vice-Chair  
Tom Rivera  
William P. von Blasingame

James Famiglietti

Staff Members Present

Kurt V. Berchtold, Executive Officer  
David Rice, Regional Board Counsel  
Joanne Schneider, Division Chief  
Hope A. Smythe, Division Chief  
Ann Sturdivant, Division Chief  
Mark E. Smythe, Chief of Basin Planning (Inland)  
Wanda Cross, Chief of Regional Planning Programs  
Xinyu (Cindy) Li, Chief of Land Disposal  
Milasol Gaslan, Chief of Permitting and Compliance  
Chuck Griffin, Enforcement Coordinator  
Keith Person, Water Resources Control Engineer  
Ryan Harris, Water Resources Control Engineer  
Daniel Mefford, Assistant Information Systems Analyst  
Felipa Carrillo, Executive Assistant

Public In Attendance

Scott Warren, Citizen  
Pat Boldt – WRCAC  
Steve Pastor, RCFB  
Hisam Baqai, City of Beaumont  
Johnny Gonzales, SWRCB  
John Robey, RDO Equipment Co.  
Judy Bingham, Citizen  
Jack Nelson, Yucaipa Valley WD  
Bruce Scott, WRCAC  
Nanette Scott, Scott Bros Dairy  
Nelson Dilworth, Crescenter  
John Oostdam, O&S Holsteins  
Al Javier, EMWD  
Jayne Joy, EMWD  
Frank Huizar, Huizar & Assoc.

Glenn Feenstra, CPS  
Gene Rheinqous, Farming  
Brad Scott, Dairy Farms, Scott Bros.  
Michelle Diamond, Tetra Tech, Inc.  
Roger Turner, Roger Turner & Assoc. / WRCAC  
Gerald J. Volomino, Jr., Property Owner  
David Washburn, Hemet  
Richard N. Warne, City of Beaumont  
John McNamara, CR&R, Stanton, CA  
Michel Oosten, Mario Holsteins Dairy  
Nick Bruno, Big Valley Farms / Bruno Farms  
Amer Jakher, City of Beaumont  
Randy Record, EMWD  
Rob Vandenheuvel, Milk Producers Council

2. Public Forum  
None.

3. State Water Resources Control Board (SWRCB) Liaison Report

There was no State Board Liaison report.

4. Approval of the Minutes of the Regular Board Meeting of June 10, 2016

Motion: It was moved by Board Member Rivera, seconded by Board Member Ackerman, and unanimously carried to approve the Board Meeting Minutes of June 10, 2016 as presented.

5. Consideration of Consent Calendar Items

\*6. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement – Frank Huizar

\*7. Amendment of Waste Discharge Requirements for Orange County Water District, Groundwater Replenishment System, Advanced Purification Facility - Order No. R8-2016-0051

\*8. Waste Discharge Requirements for Bell Industries, Santa Ana Order No. R8-2016-0053

Motion: It was moved by Board Member Rivera, seconded by Board Member von Blasingame, and unanimously carried to adopt Orders No. R8-2016-0051, R8-2016-0053, and approve the Appeal from Frank Huizar.

9. City of Beaumont Status Report (information item)

Hope Smythe, Division Chief, presented this item. Ms. Smythe reminded the Regional Board that at the April Board meeting, based on public comments received, they had asked Board staff to provide an update of the City of Beaumont's compliance with requirements in the City's wastewater treatment plant discharge permit. Ms. Smythe summarized staff's concerns related to the wastewater treatment plant being at or exceeding 75% of design capacity, including the City's failure to comply with permit requirements to provide a report and plan for addressing treatment plant capacity. Ms. Smythe indicated that as a result of the City's failure to submit their report and plan, Board staff had issued a Notice of Violation. The City subsequently submitted an evaluation of when the design capacity would be reached or exceeded based on anticipated growth in the city. Ms. Smythe further indicated that the City's proposed plan specified that by December 2016, they will submit a feasibility report that evaluates options to increase treatment plant capacity or to send the City's wastewater to Yucaipa Valley Water District for treatment/disposal. Ms. Smythe provided an overview of Board staff concerns with the proposed plan submitted by the City.

Ms. Smythe also discussed the City's, as well as the other partners', compliance with the salt management plan and their "maximum benefit" program. Ms. Smythe indicated that for the Beaumont and San Timoteo Groundwater Management Zones, some of the "maximum benefit" program commitments had not been met. This could lead to Board staff recommending that the Board find that the lowering of water quality is no longer of maximum benefit to the people of the state and thereby revoke the "maximum benefit" program.

Ms. Smythe concluded with the recommendation that Board staff seek additional information from the City to allow an evaluation of the appropriateness of their wastewater treatment plant expansion options. She also recommended that Board staff meet with all of the "maximum benefit" partners to determine their commitment to the ongoing implementation of the "maximum benefit" program.

**Speakers:**

Richard Warne, City Manager, City of Beaumont, Amer Jakher, City of Beaumont. Mr. Warne and Mr. Jakher indicated that the City was committed to complying with all requirements of the Board and to working with Board staff to address the issues identified. Mr. Warne and Mr. Jakher answered questions from the Board.

Hisam Baqai, City of Beaumont consultant. Mr. Baqai indicated that the City's wastewater treatment plant has the ability to address the wastewater flows in excess of the design flows.

Judy Bingham, Citizen. Ms. Bingham spoke to the financial difficulties of the City and the need to ensure the City is held accountable.

The Board asked staff to provide an update at a future Board meeting.

10. Stipulated Settlement and Cleanup and Abatement Order for City of Ontario, City of Upland, Inland Empire Utilities Agency, Aerojet Rocketdyne Inc., The Boeing Company, General Electric Company, and Lockheed Martin Corporation, former Ontario-Upland Sewage Treatment Plant (Regional Recycling Plant No.1), City of Ontario - C&AO No. R8-2016-0016  
*(This item was postponed)*

11. Conditional Waiver of Waste Discharge Requirements for Agricultural Operations in the Watersheds of the San Jacinto River and its Tributaries, Canyon Lake and Lake Elsinore and their Tributaries, Collectively, "The San Jacinto River Watershed", Riverside County and draft Mitigated Negative Declaration – Order No. R8-2016-0003  
*(Information pertaining to this item is contained in a verbatim transcript of the proceedings)*

Joanne Schneider, Division Chief, presented this item. Ms. Schneider indicated that that Board staff has worked extensively with stakeholders in the watershed to develop and recommend an order that fulfills the regulatory obligation to implement the Basin Plan and that is achievable and efficient. Ms. Schneider stated that the postponements of consideration of the orders allowed stakeholders time to review and provide additional comments on the draft order. Regional Board staff made revisions in response to these comments. However, the revisions did not affect the findings in the draft Mitigated Negative Declaration. Ms. Schneider reviewed the list of the documents provided in the Board members' agenda package, including staff's written responses to the comments received.

Ms. Schneider reviewed some of the salient facts concerning agricultural activities in the San Jacinto Watershed, described water quality issues of particular concern, and provided an overview of the draft Conditional Waiver (CWAD) requirements. She described the issues that had been raised and discussed the manner in which the draft CWAD had been revised to address them. She emphasized that the draft Order employs a flexible, adaptive management approach, recognizing that this would be the first time that agricultural operations in the region (other than dairies) would be regulated. Ms. Schneider also discussed the Coalition Group approach, which would provide for considerable resource efficiency in implementing the CWAD requirements. She also indicated that the Coalition Group could recommend a methodology to avoid the issue that had been raised regarding the confidentiality of farm-specific information.

Ms. Schneider also indicated that additional written comments had been received the previous evening and morning of the Board meeting. She provided staff's responses to those additional

comments and recommended that the footnote in the draft CWAD that pertains to United States Forest Service grazing allotments be revised in accordance with USFS recommendations.

Staff's recommendation is for the Regional Board to adopt Order No. R8-2016-0003 and approve the Mitigated Negative Declaration prepared for the adoption and implementation of the Order, and that the Board direct the Executive Officer to file a notice of determination with the Office of Planning and Research in conformance with CEQA requirements.

Comments were made by the following speakers:  
Johnny Gonzales, SWRCB,  
Bruce Scott, WRCAC and  
Roger Turner, Roger Turner & Assoc./ WRCAC

*A 10-minute break was observed, and the meeting convened at 12:03 p.m.*

Speakers Continued:

Randy Record, EMWD; Rob Vandenheuvel, Milk Producers Council; Steve Pastor, Riverside County Farm Bureau; Glenn Feenstra, Crop Production Services; Gerald Volomino, Jr., Property Owner and Pat Boldt, WRCAC.

A number of questions were raised by the Regional Board members about the dischargers having to enroll in the CWAD within six months if the Conditional Waiver was adopted. The Board members questioned whether 6 months was adequate to allow for the formation of Coalition Groups. A nine-month period for enrollment was recommended by Member von Blasingame. After further discussion, Mr. Berchtold asked that the motion include the opportunity to make necessary conforming changes to any other dates that might be necessary, based on the nine-month modification.

Motion: It was moved by Board Member Rivera, seconded by Board Member Ackerman, to adopt Order No. R8-2016-0003, Conditional Waiver with all revisions and amendments, including making necessary conforming changes to any other dates that might be necessary, based on the nine-month modification, including the adoption of the Mitigated Negative Declaration as presented.

Mr. Rice recommended that a roll call vote be taken on the motion.

Ms. Carrillo commenced with the roll call:

Board Member Rivera: Aye.  
Board Member von Blasingame: Aye.  
Vice Chair Ackerman: Aye.  
Chair Ruh: Aye.

The motion carried unanimously.

#### 12. Regional Board Member and Executive Officer Communications

Mr. Berchtold updated the Regional Board about the two enforcement hearings they were involved in about a year ago, Costa Mesa Sanitary District (CMSD) and the former gasoline station site in the Arlington area of Riverside. Mr. Berchtold said that both have challenged the Board's decision. He said CMSD filed a lawsuit against the Board, and that the parties that were named for the Arlington site have filed a petition for review by the State Board.

Mr. Berchtold also announced the recent appointment of Hope Smythe to Assistant Executive Officer. She was congratulated.

13. Closed Session  
None

Adjournment

The meeting was adjourned at 12:50 p.m. to the regular Board meeting of September 16, 2016, at the Irvine Ranch Water District (multi-purpose room), 15600 Sand Canyon Avenue, Irvine.

Respectfully submitted:



**KURT V. BERCHTOLD**  
Executive Officer

/fc