California Regional Water Quality Control board
Santa Ana Region

Minutes of April 30, 2004 Meeting
Cucamonga Valley Water District
10440 Ashford Street
Rancho Cucamonga

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

Board Members Present

Carole Beswick, Chair
Fred Ameri, Vice-Chair
Jose Solorio
Seymour Van Gundy
John Withers
Joan Dotson
William Ruh

Board Members Absent

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Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Jorge León, Office of Chief Counsel
Michael J. Adackapara, Supervising Water Resources Control Engineer
Robert Holub, Supervising Water Resources Control Engineer
Mark E. Smythe, Chief, Storm Water Coastal Waters
Wanda Marquis-Smith, Senior Environmental Scientist
Mark Adelson, Senior Environmental Scientist
Jun Martirez, Senior Water Resources Control Engineer
Ann Sturdivant, Senior Engineering Geologist
Milasol Gaslan, Senior Water Resources Control Engineer
Patrice Copeland, Engineering Geologist
Doug Shibberu, Environmental Scientist
Kamron Saremi, Water Resources Control Engineer
Debi Ney, Associate Governmental Analyst
Aaron Buck, Environmental Scientist
Keith Elliott, Water Resources Control Engineer
Kevin Heinemann, Staff Information Systems Analyst
Catherine A. Ehrenfeld, Staff Services Analyst

State Board Representative

Phi Wyels, State Board Attorney

Public Attendance

Darren M. Salvin, Esq.
Tom O. Peters
Susan M. Trager, City of Rialto
Scott Sommer, City of Rialto
Bob Zetterberg, City of Rancho Cucamonga
Gary Hackney, Inland Empire Utilities Agency
Jason Sapp, GeoLogic Associates
Cris Carrigan, City of Rialto
Dan Gilder, NRDC
Rod Cruze, City of Riverside
Kathy Hubbard, Justice & Associates
Gary Lass, GeoLogic
Tim Simpson, Geo-Matrix
Richard Dongell, Whittaker Corp.

Tom Rheiner, RCFC & WCD
Rose Hess, Inland Empire Utilities Agency
Danielle Sakai, Best, Best & Krieger
Ward Benshoof, Weston, Benshoof
Bruce Cash, United Strategies
Pete Nyquist, Weston, Benshoof
Matt Yeager, San Bernardino County Flood Control
Clayton Miller, Construction Industry Coalition on Water Quality
Greg Woodside, Orange County Water District
Bob Thompson, Senator Nell Soto
Arthur L. Rivera, San Bernardino County Solid Waste Mgmt. Division
Eric Lardiere, Whittaker Corp
Bill Hunt, City of Rialto
Dave Jenkins, Kleinfelder
Mark Norton, SAWPA
Jim Souza, Pyro Spectaculars
Gary Brown, Pyro Spectaculars
Angie King

2. Public Forum

3. Approval of Minutes

Action: It was moved by Member Van Gundy, seconded by Member Solorio and unanimously approved by the Board that the Minutes of March 12, 2004 be approved as presented.

4. Consent Calendar

*5 Waste Discharge Requirements, Boeing Realty Corporation, Boeing Integrated Defense Systems Pacific Gateway Business Center, Seal Beach, Orange County
Order No. R8-2004-0049

*6. Renewal of Waste Discharge Requirements for San Bernardino Valley Municipal Water District, Pilot Dewatering Program, Riverside & San Bernardino Counties — Order No. R8-2004-0009

*7. General Waste Discharge Requirements, (NPDES NO. CAG998002) — Order No. R8-2004-0021 This Item was postponed.

*8. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement — Peter and Sandy Ulloa, 21246 Mazie Avenue, Perris, Riverside County, APN 345-220-047. This item was removed from the Agenda

*9. Update of Waste Discharge Requirements for California Street Landfill, City of Redlands, San Bernardino
Order No. R8-2004-0008.

Action: It was moved by Member Withers, seconded by Member Solorio and unanimously approved that the Board adopt Order No. R8-2004-0049, R8-2004-0009 and Order No. R8-2004-0008

10. Public Hearing, San Bernardino County Storm Water Permittees' Model Water Quality Management Plan (WQMP)

Information regarding this item is available in a verbatim transcript.

Milasol Gaslan, Chief of Inland Storm Water Section, presented a brief overview of the WQMP submitted by the San Bernardino County Permittees. The WQMP requires proponents of new development projects to address expected pollutants and hydrologic conditions of concern that may result from the proposed development. A representative from CICWQ provided oral and written testimony. A NRDC representative provided testimony in support of adoption of the WQMP. The Regional Board adopted the WQMP subject to non-substantive changes as proposed by staff in the errata sheets, pending permittees submittal of additional information on May 15 as well as any other non-substantive changes to address comments provided by the CICWQ representative.

Speakers on the item were:

Matt Yeager, San Bernardino County Flood Control District
Clayton Miller, Construction Industry Coalition
Dan Gilder, NRDC and Defend the Bay

11. Stormwater Quality Standards Task Force Status Report

Speakers on the item were:

Mark Norton of SAWPA and Tim Moore of Risk Sciences.

12. Basin Plan Amendment Workshop — Incorporation of Total Maximum Daily Loads (TMDLs) for Nutrients for Lake Elsinore and Canyon Lake — This item was cancelled and will be rescheduled at a later date.

13. Mandatory Penalties Complaint – Atlantic Richfield Company, Service Station at 5981 Warner Avenue, City of Huntington Beach – This item was postponed.

14. Mandatory Penalties Complaint – Thrifty Oil Company, former Station #372, 14472 Brookhurst Street, Garden Grove — The liability was paid and discharger waived its right to a hearing. No Board action was required.

15. Mandatory Penalties Complaint – ExxonMobil Refining & Supply Company, Service Station #18-668, 16230 Harbor Blvd., Fountain Valley – The liability was paid and discharger waived its right to a hearing. No Board action was required.

16. Administrative Civil Liability Complaint, Holliday Rock Company, Inc., Orange County – The liability was paid and discharger waived its right to a hearing. No Board action was required.

17. Report on Newport Bay Bioaccumulation Study - Southern California Coastal Waters Research Project

Doug Shibberu, Environmental Scientist, with the Coastal Waters. Basin Planning Unit, provided a short summary of the preliminary results from a study conducted to assess the levels of bioaccumulative pollutants in fish collected from Newport Bay.

18. Rialto Environmental Assessment Partnership (REAP)

Kurt Berchtold, Assistant Executive Officer, introduced the REAP (Rialto Environmental Assessment Partnership), an innovative pilot project for removal of perchlorate from the soil and groundwater.

Information regarding this item is available in a verbatim transcript.

Speakers on the item were:

Bruce Cash, President of United Strategies, representing Pyro Spectaculars
Dave Jenkins from Kleinfelder
Darren Salvin, Counsel for Thomas O. Peters
Scott Sommer, Attorney for the City of Rialto
Jon Rohrer, of Komex, Consultant for Fontana Water Company and West Valley Water District
Steven Elie, of Musick, Peeler, and Garrett, Council for Fontana Water and West Valley Water District
Danielle Sakai, representing the City of Colton
Susan Trager, Law Offices of Susan Trager, representing City of Rialto

19. Cleanup and Abatement Order, Pyro Spectaculars, Inc., Whittaker Corporation and Thomas O. Peters, San Bernardino County

Information regarding this item is available in a verbatim transcript.

Board Chair Beswick read Chairs' Statement, swearing in participants in the hearing.

Ann Sturdivant, Senior Engineering Geologist, presented the Cleanup and Abatement Order. Kurt Berchtold, Assistant Executive Officer, provided staff's response to comments by Whittaker Corporation

Speakers on the item were:

Ward Benshoof, Weston, Benshoof
Gary Brown, Pyro Spectaculars
Darren M. Salvin, Thomas O. Peters Revocable Trust
Richard Dongell, Dongell, Lawrence, Finney, Whittaker Corporation,
Tim Simpson, GeoMatrix Corporation
Eric Lardiere, Whittaker Corporation
Cris Carrigan, Miller, Starr for the City of Rialto
Susan Trager, Law Offices of Susan Trager; City of Rialto
Danielle Sakai, City of Colton
Steven Elie, Musick, Peeler, Garrett; West Valley Water District & Fontana Water Company
Craig Moyer, Manatt, Phelps & Phillips, Goodrich.

20. Status Report on Rialto-Colton-Fontana Perchlorate Investigation

Assistant Executive Officer Berchtold noted that the court hearing date in the Emhart case conflicts with the July 30 Board meeting date, and requested that the Board consider rescheduling that meeting.

21. Resolution Regarding Funding from the State Water Resources Control Board (SWRCB) Emergency, Abandoned and Recalcitrant Site Account .

This item was inadvertently omitted from the consent calendar. There was a motion to adopt the resolution, which was seconded. The motion was unanimously approved.

22. Adjournment
The Board was adjourned to the regular meeting of June 4, 2004 at 9:00 a.m., at Council Chambers, City of Loma Linda, 25541 Barton Road, Loma Linda

Respectfully submitted:

GERARD J. THIBEAULT
Executive Officer