

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

**Minutes of the May 3, 2019 Board Meeting
City of Loma Linda
25541 Barton Road
Loma Linda, CA 92354**

1. Board Member Peterson called the meeting to order at 9:07 a.m.

Board Members Present

William P. von Blasingame (acting Chair)
Tom Rivera
Lana Peterson
Daniel P. Selmi
Kris Murray

Board Members Absent

William Ruh, Chair
Linda Ackerman, Vice-Chair

Staff Members Present

Hope A. Smythe, Executive Officer
Jayne Joy, Assistant Executive Officer
Teresita Sablan, Regional Board Counsel
Lauma Willis, Division Chief
Mark E. Smythe, Division Chief
Xinyu (Cindy) Li, Chief of Land Disposal
Eric Lindberg, Sr. Engineering Geologist, Cannabis Section
Chuck Griffin, Water Resources Control Engineer
Ken J. Theisen, Water Resources Control Engineer
Mary Bartholomew, Environmental Scientist
Jason Bill, Environmental Scientist
Michael Perez, Water Resources Control Engineer
David Arellano, Scientific Aid
Daniel Mefford, Staff Information Systems Analyst
Felipa Montes, Executive Assistant

Public in Attendance

Clayton Larkins, Tetra Tech
Suze Knobler
Olga Morales
Chris Stransky, Wood Environmental
Jason Sapp, Geo-Logic Associates
Pal Boldt, WRCAC
Lynn Merrill, City of San Jacinto
Richard Meyerhoff, G&I Consultants
Sonia Villaneda, Lennar Homes
Kristine Kim, Riverside Co EH
Hal Schillinger, Bio Clean Environmental
Stormy Osifeso, City of Riverside
Chris Bland, SBCFCD
Al Javier, Eastern MWD
Andy Ramirez, City of San Jacinto
Bruce Scott, WRCAC
Richard Boon, RCFC & WCD

Sudhir Mohleji, Elsinore Valley MWD
William Shum
Ankita Vyas, Michael Baker Int'l
William Pan, CA Dept of Transportation
Cynthia Gabaldon, CGRME
Judi Arnold, Citizen
Ron Arnold, Citizen
Milford Harrison, SAWPA & SBVMWD
Bonnie Dierking, Riverside Co EH
Matthew Riha, Riverside Co EH
Rae Beimer, City of Moreno Valley
Arlene Chun, SBCFD
Brenda Dennstedt, WMWD / SAWPA
David Hammer, City of Chino
Steven Wolosoff, CDM Smith Inc
Debbie Johnson, AIS
Rick Whetsel, SAWPA

2. Public Forum
None

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

Mr. Sean Maguire reported that he was appointed by former governor Brown last year and looks forward to working with Region 8, and that Dee Dee D'Adamo will act as his backup liaison.

Mr. Maguire presented an update on the Metropolitan Water District's, San Joaquin Bay Delta's main water supply that serves over twenty million in Southern California.

Mr. Maguire announced that for the past ten years State Board has been working on updating the Water Quality Control Plan, to protect water supply and to restore the ecological systems. He explained how this project was divided into two phases; one focusing on the San Joaquin River and the second one, focusing on the Sacramento River, with Phase 1 being completed.

Another announcement that Mr. Maguire made was the recension of the WaterFix project from the permitting process between tunnels. In Gov. Newsom's State of the State Address, he indicated that he would support the project, but only as a single tunnel and as a significantly down-sized project.

Board Members welcomed Mr. Maguire as the new liaison.

Note: Item 9 was taken out of order.

9. Public Workshop for Revisions to Lake Elsinore and Canyon Lake Nutrient TMDLs – Resolution No. R8-2019-0041

(Information pertaining to this item is contained in a verbatim transcript of the proceedings).

Board staff, Ken Theisen, Board staff, together with consultants to the Lake Elsinore San Jacinto Watershed Authority (LESJWA) presented this item.

Board staff explained the proposed revisions to the TMDL are a product of TMDL Task Force, a cooperative stakeholder group that has been in-place for fifteen years. Staff indicated that Lake Elsinore has a long history of problems with excessive algae blooms and fish die-offs, and Canyon Lake has experienced impairments of beneficial uses, but not as significant as Lake Elsinore.

Board staff also indicated that LESJWA and the TMDL Task Force members have worked together to implement projects that have resulted in significant improvements in water quality, reducing the discharge of nutrients. Board staff indicated that they have worked closely together for the last four years, preparing the proposed revisions for the TMDL Technical Report.

Mr. Theisen said that Board staff will be sending the tentative Basin Plan Amendment along with the TMDL Technical Report to State Board to initiate peer review of the proposal and supporting documentation.

Board staff recommends that the Board continues to support this watershed stakeholder approach as they move forward, and continue the public comment period for the tentative Resolution and Basin Plan Amendment revisions from May 3 through June 30, 2019, allowing time for the peer review process, as well as allowing the public more time to review the supporting documentation.

Board staff will also prepare responses to the comments and make any necessary revisions as needed to the Resolution and/or Basin Plan Amendment. A final Resolution and Basin Plan Amendment will be presented to the Board for its consideration later this year.

There were several questions from the Regional Board, in which Mr. Theisen responded to.

Speakers: Dr. Michael Anderson from UC Riverside explained the modeling that he did for the revised Technical Report for the revised TMDLs.

Steve Wolosoff, CDM Smith, project manager for the Technical Report for the TMDL revisions, provided more detailed discussion and aspects of the Technical Report.

Ken Theisen, Board staff, spoke about the revised TMDLs, the revised wasteload allocations for non-point sources; sewage treatment plants and the MS4 Permits. He also discussed the implementation plan for the revised TMDLs, monitoring program, economic analysis, and CEQA document.

Brenda Dennstedat, Chair of the Lake Elsinore and San Jacinto Watershed Authority (LESJWA), provided closing remarks, supporting the cooperative stakeholder process moving forward.

Comments: Rae Beimer, City of Moreno Valley, presented a letter of support.

Intermission: 11:25 - 11:45 A,M,

4. Approval of the Minutes of the regular Board Meeting of March 22, 2019

Acting Chair von Blasingame asked for a motion of the Minutes.

Motion: It was moved by Board Member Rivera, seconded by Board Member Murray and unanimously carried to approve the Minutes of the March 22, 2019 Board Meeting as presented.

5. Consideration of *Consent Calendar Items

*6. Revision of Waste Discharge Requirements (WDRs) for County of San Bernardino, Mid-Valley Landfill – Order No. R8-2019-0011

*7. Waste Discharge Requirements for Space Center Mira Loma, Inc., LLC, Space Center Industrial Project, City of Jurupa Valley, Riverside County – R8-2019-0038

*8. Waste Discharge Requirements for LS Company Park, LLC, Edison and Oaks Avenue Road Widening Project, City of Chino, San Bernardino County – R8-2019-0040

Motion: It was moved by Board Member Murray, seconded by Board Member Rivera and was unanimously carried to adopt Order Nos. R8-2019-0011, R8-2017-0038 and R8-2019-0040 as presented.

10. Conditional Waiver of Waste Discharge Requirements for an Accessory Dwelling Unit (ADU), Olga Morales-Knobler, 1619 Dwight Street, Redlands, San Bernardino County APN 0176-073-23

Board staff, Mike Perez presented this item to the Regional Board. Mr. Perez provided an update on a recent legislation that changed regulation of septic systems for Accessory Dwelling Units (ADUs), statewide.

Board staff described the history of Regional Board requirements for septic tank use starting with a 1989 Resolution that amended the Basin Plan. That 1989 Resolution incorporated a minimum lot size requirement of one-half acre for new developments in the Santa Ana Region using septic tank subsurface disposal systems. In 2012 the State Board adopted the Onsite Wastewater Treatment System Policy (OWTS Policy) that established a tiered approach to septic system installation and replacement. One consequence of the OWTS Policy was that this Regional Board was asked by State Board to amend our Basin Plan to remove the earlier one-half acre minimum lot size requirement. Finally, in 2018 legislation was passed by the State Legislature which removed the OWTS Policy's minimum lot size criteria for ADUs

Board staff said that a proposal on behalf of Ms. Knobler was submitted several months ago, to evaluate the applicability of the OWTS Policy, specifically the Conditional Waiver of Waste Discharge Requirements under Tier 1 for the use of a new conventional septic system. Coverage under the OWTS Policy Conditional Waiver of Waste Discharge Requirements was revoked for the project, as it was not sufficiently protective of groundwater quality.

Later, Ms. Knobler submitted a proposal for the use of a National Science Foundation (NSF) 245 certified wastewater treatment system with an OWTS. The NSF 245 treatment system is an equivalent third-party certified system that provides 50% nitrogen reduction.

Board staff explained that the issuance of a Conditional Waiver from Waste Discharge Requirements with Conditions, allowing the use of an OWTS with an NSF 245 at the Knobler site should provide sufficient treatment of septic wastes, resulting in adequate protection of groundwater quality. Further, Regional Board staff asked for guidance from the Board in the use of this strategy in the permitting process for future ADU septic systems on a case-by-case basis.

There were several questions from the Regional Board.

Board staff recommends approval of a "*Conditional Waiver from Waste Discharge Requirements with Conditions*" approach, as identified in the Exhibit submitted, for this ADU project.

Acting Chair von Blasingame asked for a motion of the Item 10.

Motion: It was moved by Board Member Rivera, seconded by Board Member Murray to approve the Conditional Waiver of Waste Discharge for the Accessory Dwelling Unit (ADU).

Nay: Board Member Selmi.

11. Status Report on Amending the Septic Tank Prohibition in Quail Valley, Riverside County Resolution No. R8-2006-0024
(Information pertaining to this item is contained in a verbatim transcript of the proceedings).

Board staff, Mary Bartholomew, presented this item to the Regional Board. Ms. Bartholomew provided an overview of the Quail Valley's Septic System Prohibition revisions that will expand exceptions to allow septic systems in Quail Valley. Board staff identified the issues that are supported from the 2006 Prohibition. Board staff later discussed the initial proposal, the minimum lot size requirements, and later presented the revised proposal and the feedback received from the county for the revised proposal.

Speakers: Al Javier, EMWD and Ron and Judy Arnold, property owners in Quail Valley.

Executive Officer, Hope Smythe said that staff is working on bringing the Basin Plan Amendment back by September that would amend the Septic Tank Prohibition that was adopted in 2006.

Staff concluded that if the Board accepts the approach of the alternative treatment units, staff can release their environmental review and proceed with the 45-day comment period which comes before any adoption hearing.

12. Executive Officer's Report

Executive Officer, Hope Smythe extended an invitation to all interested in participating in the Desalination Tours coming up in Santa Barbara and Carlsbad. Information in packet.

13. Regional Board Member and Executive Officer Communications

None.

14. Closed Session

None

15. Adjournment

The Regional Board meeting adjourned at 01:27 p.m. to the regular Board meeting of June 14, 2019, at 9:00 a.m. in the City of Cypress, 5275 Orange Avenue, Cypress, CA 90630.

Respectfully submitted:

HOPE A. SMYTHE
Executive Officer

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