



California Regional Water Quality Control Board

Santa Ana Region



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Acting Secretary for
Environmental Protection

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Jerry Brown
Governor

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday, January 21, 2011

09:00 A.M.

City of Loma Linda

25541 Barton Road

Loma Linda, CA 92354

NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to www.waterboards.ca.gov/santaana/ and choose "Email Subscriptions" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date to view any changes to the agenda.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to www.waterboards.ca.gov/santaana/ and select the "Public Notices" page.

1. **Introductions**
2. **Public Forum** - Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item that is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a three-minute time limit.
3. **State Water Resources Control Board Liaison Report** - This item is for information only. No public testimony will be allowed, and the Regional Board will take no formal action.
4. **[Approval of the Minutes of the Regular Board Meeting of December 9, 2010](#)**
{Felipa Carrillo 951/782-3285 fcarrillo@waterboards.ca.gov}
5. **Consideration of Consent Calendar Items** - Items marked with an asterisk (*) are expected to be routine and non-controversial. The Regional Board will be asked to consider these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the consent calendar, it will be taken up in the order shown.
- *6. **[Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement](#)** - Benita McCord, 9944 Overhill Drive, Santa Ana, Orange County - APN 503-271-06
(Gary Stewart 951/782-4379 gstewart@waterboards.ca.gov)

- *7. **Rescissions** - Orders for the following facilities are proposed to be rescinded as the facility is no longer in operation or the project has been completed and Waste Discharge Requirements (WDRs) are no longer required.
{Gary Stewart 951/782-4379 gstewart@waterboards.ca.gov} Order No. R8-2011-0006

<u>Order No.</u>	<u>Facility and Location</u>	<u>Reason for Rescission</u>
1. R8-2005-0051	Wasson Canyon Investments, LP, Tract 31792, Lake Elsinore	Project has been completed. WDR no longer required
2. R8-2005-0088	Entrepreneurial-Sheffield Partners, LLC, Tentative Tract 32646, Riverside	Project has been completed. WDR no longer required
3. 98-070	Burrtec Waste Industries, Inc., Fontana	Facility connected to sewer. WDR no longer required

8. **Administrative Civil Liability Complaint, City of Huntington Beach, Orange County** - The Board will consider whether to affirm, reject, or modify the administrative civil liability assessment as proposed in Administrative Civil Liability Complaint No. R8-2010-0004.
{Stephen D. Mayville 951/782-4992 smayville@waterboards.ca.gov} Order No. R8-2011-0004
9. **Mandatory Minimum Penalty Complaint, Orange County Metal Processing, City of Fullerton, Orange County** - The Board will consider whether to affirm, reject, or modify the mandatory minimum penalty assessment as proposed in Complaint No. R8-2010-0065.
{Mark Smythe 951/782-4998 msmythe@waterboards.ca.gov} Order No. R8-2011-0009
10. **Mandatory Minimum Penalty Complaint, Durham Transportation, Inc., City of Santa Ana, Orange County** - The Board will consider whether to affirm, reject, or modify the mandatory minimum penalty assessment as proposed in Complaint No. R8-2010-0066.
{Mark Smythe 951/782-4998 msmythe@waterboards.ca.gov} Order No. R8-2011-0010
11. **Best Management Practices Strategic Plan for Selenium in the Newport Bay Watershed** - Board staff will review the Best Management Practices (BMP) Strategic Plan prepared by the Nitrogen and Selenium Management Program Working Group and submitted in conformance with permit requirements and requirements specified in Time Schedule Orders No. R8-2009-0069 and R8-2009-0070. The Board will be asked to direct the Executive Officer to consider approval of the Plan, modified if and as necessary based on comments received from Board staff and interested parties. The BMP Strategic Plan is expected to be a central component of the implementation plan for Total Maximum Daily Loads (TMDLs) and site-specific objectives for selenium for the Newport Bay watershed. The BMP Strategic Plan will be reviewed and revised over time, if and as necessary, and will be implemented by responsible parties upon approval by the Regional Board or the Board's Executive Officer, as the Board determines appropriate.
{Joanne E. Schneider 951/782-3287 jschneider@waterboards.ca.gov}
12. **Regional Board Member and Executive Officer Communications** - Board Members and the Executive Officer may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.

13. **Closed Session** - At any time during the regular session, the Regional Board may adjourn to a closed session to:
- a. consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence (Gov. Code Section 11126(c)(3));
 - b. consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against a public employee (Gov. Code Section 11126(a)(1));
 - c. discuss significant exposure to litigation (Gov. Code Section 11126(e)(2)(B)(i));
 - d. discuss whether to initiate litigation (Gov. Code Section 11126(e)(2)(C)(i)); and
 - e. discuss pending litigation in the following matters (Gov. Code, § 11126, subd.(e)):
 - (1) US EPA, Santa Ana Region v. Orange County Sanitation District (U.S. Dist. Ct., CD Cal.);
 - (2) Goodrich Corporation v. California State Water Resources Control Board et al. (Los Angeles Sup. Ct. Case No. BS 110389, [consolidated with BS 110390 and BS 110391].);
 - (3) In re Petitions of Kwikset Locks, Inc. (SWRCB/OCC File Nos. A-1732, 1732(a), 1732(b), 1732(c), and 1732(d));
 - (4) In re Own Motion Review of Rialto-Area Perchlorate Contamination (SWRCB/OCC File No. A-1824).
 - (5) In re Chemtura Corporation bankruptcy.
14. **Adjournment** to the regular meeting of March 4, 2011, at 9:00 a.m., at the City of Loma Linda, 25541 Barton Rd, Loma Linda, CA 92354.

NOTICES

Any person who has a disability and requires reasonable accommodation to participate in this Regional Board Meeting should contact Felipa Carrillo at fcarrillo@waterboards.ca.gov, or at 951/782-3285, no later than ten (10) days prior to the meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at 951/782-3234.