

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

**Minutes of March 14, 2014 Board Meeting  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354**

1. Vice-Chair Ackerman called the meeting to order at 9:00 A.M.

Board Members Present

Board Members Absent

Linda Ackerman, Vice-Chair  
Tom Rivera  
Susan Longville  
William P. von Blasingame  
James Famiglietti

William Ruh, Chair

Staff Members Present

Kurt V. Berchtold, Executive Officer  
David Rice, Regional Board Counsel  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Hope A. Smythe, Environmental Program Manager  
Xinyu (Cindy) Li, Chief of Land Disposal  
Wanda Cross, Chief of Basin Planning - Coastal Waters  
Mark E. Smythe, Chief of Stormwater - Coastal  
Bill Rice, Engineering Geologist  
Felipa Carrillo, Executive Assistant  
Kevin Heinemann, Staff Information Systems Analyst  
Daniel Mefford, Information Systems Technician

Public In Attendance

Mary Ann Skorpanich, County of Orange  
Chris Crompton, County of Orange  
Colin Kelly, Orange County Coastkeeper  
Larry Crandall, retired  
Eric Tolles, City of Irvine  
B. Tucker, Thermo Energy  
Jason Uhley, RCFC &WCD  
Rebecca Franklin, SBMWD  
Alex Waite, City of Tustin  
Adoga Kiharangwa, City of Corona

Amanda Carr, City of Irvine  
Marsha Westropp, OCWD  
Jack Nelson, Yucaipa Valley WD  
Julianna Gonzalez, RCFC &WCD  
Gil Navarro, SBVMWD  
Don Lee, Tetra Tech  
Julie Carver, City of Pomona  
Richard Orr, Leighton Consulting  
Jayne Joy, EMWD  
Tim Moore, Risk Sciences

2. Public Forum

Gil Navarro, SBVMWD, talked about the water conservation efforts that are being undertaken by the District and the comments the District received from the public regarding the need for water conservation at the public facilities, such as the schools. He indicated that the District would try to sponsor legislation that would require the school districts to replace the lush green lawns with water saving plants. He urged the Board, as public officials dealing with water quality and quantity, to look for opportunities for water conservation projects.

3. State Water Resources Control Board (SWRCB) Liaison Report  
None

4. Approval of the Minutes of January 31, 2014 meeting

Motion: It was moved by Board Member Longville, seconded by Board Member Rivera, and unanimously carried to approve the Minutes of the January 31, 2014 Board Meeting as presented.

5. Consent Calendar Items

It was noted that Item \*8 had been postponed to the April 25, 2014 meeting.

- \*6. Appeal for Exemption from the Yucaipa-Calimesa Prohibition for Subsurface Disposal System Use - Bill McIntosh
- \*7. General Waste Discharge Requirements for Closed Surface Impoundments and Waste Piles within the Santa Ana Region - Order No. R8-2014-0001
- \*9. Amendment of Waste Discharge Requirements for Nutrilite Facility, Riverside County - Order No. R8-2014-0014
- \*10. Renewal of Waste Discharge and Water Reclamation Requirements and National Pollutant Discharge Elimination System Permit (NPDES No. CA CA8000395) for City of Corona, Department of Water and Power, Water Reclamation Facility No. 3 - Order No. R8-2014-0015
- \*11. Approving Pretreatment Program Modifications and Amending Order No. R8-2008-0008 Waste Discharge and Producer/User Reclamation Requirements for Eastern Municipal Water District Regional Water Reclamation Facilities Discharge to Groundwater Management Zones – Order No. R8-2014-0016
- \*12. Approval of Middle Santa Ana River Bacterial Indicator TMDL Dry Season Comprehensive Bacterial Reduction Plans for the Cities of Claremont and Pomona - Resolution No. R8-2014-0030 (City of Claremont) and Resolution No. R8-2014-0031 (City of Pomona)

Motion: It was moved by Board Member von Blasingame, seconded by Board Member Rivera, and unanimously carried to adopt Orders No. R8-2014-0001, R8-2014-0014, R8-2014-0015, R8-2014-0016, R8-2014-0030 and R8-2014-0031, and approve the exemption from the minimum lot size requirements requested by Bill McIntosh, as presented.

Items 13 and 14 were considered together

- 13. Request to Amend Time Schedule Order No. R8-2009-0069, as Amended on December 6, 2013 for Dischargers Enrolled in Order No. R8-2007-0041, NPDES No. CAG918002, General Permit for Discharges to Surface Waters of Groundwater Resulting from Groundwater Dewatering Operations and/or Groundwater Cleanup Activities at Sites within the San Diego Creek/Newport Bay Watershed Polluted by Petroleum Hydrocarbons, Solvents, Metals and/or Salts - Order No. R8-2014-0025, and
- 14. Request to Amend Time Schedule Order No. R8-2009-0070, as Amended on October 4, 2013 and December 6, 2013 for the City of Irvine, Groundwater Dewatering Facilities, Order No. R8-2005-0079, NPDES No. CA8000406, Irvine, Orange County – Order No. R8-2014-0026

Executive Officer Berchtold, made a brief introduction of these two related Time Schedule Orders (TSOs) that were first adopted in 2009.

#### Speakers

Mary Ann Skorpanich, County of Orange, indicated that the primary reason for her to request the Board to reconsider the TSOs adopted in December 2013 was to be able to provide the Board with additional information regarding the permits, the TSOs, and the utility of the diversion projects. Ms. Skorpanich provided background information about the projects being built today. She explained in her presentation why extending the dates in the TSOs was critical. Ms. Skorpanich explained that the stakeholders are building expensive projects to offset the discharges. If the permits are not active with the requested time schedule extensions, the impetus for the projects would not be there.

Amanda Carr, City of Irvine, presented an overview of how these two permits would affect the Peters Canyon Wash Pipeline diversion project and the unique construction and complexity challenges they are going to be facing. Ms. Carr explained that the project has already been approved by the Regional Board, and that both the general dewatering permit and the Irvine permits are tied very closely to the timelines of the TSOs. Ms. Carr said that as soon as the diversion projects are built and start operating, they will be offsetting all the point source dischargers as well as diverting many times more of non-point sources of selenium. Ms. Carr described how the Santa Ana Delhi project, the Como Channel, the Valencia Storm Drain and the Edinger Storm Drain diversion projects would all be affected by these two permits.

Ms. Carr echoed the need for the permits and the need to extend the time schedules in these permits to December 2019 to account for any potential for construction delays.

The Board Members asked a few clarifying questions about the cost and the schedules for the projects. Both, Ms. Skorpanich and Ms. Carr answered their questions.

Additionally, Executive Officer Berchtold indicated that it might be possible to develop new permits before the requested deadline in which case these TSOs would be replaced by new permits. Mr. Berchtold said that the ultimate timing for how long these TSOs survive, is up to staff and the Board and our future regulatory actions.

#### Additional comments:

Eric Tolles, City of Irvine, pointed out the unique cooperation of the State and local agencies that are involved in these projects. He also said that by extending the expiration date, it would provide the necessary regulatory certainty for the project partners as this important investment is undertaken.

Colin Kelly, Orange County Coastkeeper, expressed his concerns about the uncertainty of the TMDL, and whether it would be out in a timely manner. Mr. Kelly went over the recent accomplishments working with Regional Board staff, and requested that the duration of the TSO extension be as short as possible.

Executive Officer Berchtold said staff would provide periodic updates to the Board.

Board Member Longville stated that extending the TSOs by another three years as originally proposed, is not unreasonable.

Motion passed 4-1: It was moved by Board Member Longville, seconded by Board Member von Blasingame, and carried by Board Members Ackerman and Famiglietti, to adopt Orders No. R8-2014-0025 and R8-2014-0026, specifying expiration date of December 2019.

Opposed: Board Member Rivera

15. Basin Plan Amendments to Incorporate Revisions to the Salt Management Plan for the Santa Ana Region - Resolution No. R8-2014-0005  
*(It was noted that item 15 had been postponed until April 25, 2014)*

16. Emerging Constituents Monitoring Program (information item)

Tim Moore, Risk Sciences Consultant, presented to the Regional Board the 2013 Sampling Report for Emerging Constituents in the Santa Ana Region. Mr. Moore said this was the fifth and final report from the Emerging Constituents Task Force. He said that the report includes the actual results and data from the 2013 sampling program. Mr. Moore stated that in the Appendix section of the report, it summarizes the results that were analyzed from 2010 – 2013. It also includes the locations where the samples were collected from, and the purpose of the study was also discussed.

Mr. Moore explained that in 2009, SAWPA formed a task force to address the issue of various house-hold chemicals being disposed of into the sanitary sewers. The task force was established out of a growing concern that some of these chemical may be impacting water quality.

He indicated that these chemicals are commonly used in house-holds and that they are not subject to any existing monitoring requirements. However, the Regional Board had begun issuing permits with some monitoring requirements associated with chemicals of emerging concern and that requirement was also fulfilled through this study.

Mr. Moore said that the study did not identify any chemical constituents at levels that would cause any concerns. He said the project paid great dividends and reinforced the task force process in addressing issues facing the Santa Ana Region.

A question from Board Member Famiglietti was answered by Mr. Moore.

17. Hazardous Waste Incident Report  
Information item.

18. Underground Storage Tanks Corrective Action Plans  
Information item.

19. Underground Storage Tanks Site Closure Report  
Information item.

20. Regional Board Member and Executive Officer Communications

Mr. Berchtold extended an invitation to the Board to attend the annual Staff Appreciation Luncheon being held on April 17, 2014.

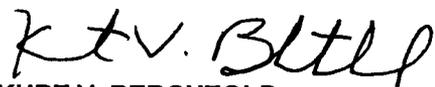
Mr. Berchtold said that there is an 'issue paper' regarding the creation of Water Board email accounts for Board Members. He said that the Office of Chief Council has made a strong recommendation to create those email accounts for all Board Members and to begin using those accounts for all State business. Mr. Berchtold said that the issue paper identifies the pros and cons associated with this.

21. Closed Session  
There was no closed session.

22. Adjournment

The meeting was adjourned at 10:27 A.M. to the regular Board meeting of April 25, 2014 at 9:00 a.m., at the Orange County Water District, 18700 Ward Street, Fountain Valley.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Kurt V. Berchtold". The signature is written in a cursive, somewhat stylized font.

**KURT V. BERCHTOLD**  
Executive Officer

/fc