

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

**Minutes of June 13, 2014 Board Meeting
Orange County Water District
18700 Ward Street
Fountain Valley, CA 92708**

1. Chair, Ruh called the meeting to order at 9:08 a.m.

Board Members Present

Board Members Absent

William Ruh, Chair
Linda Ackerman, Vice-Chair
William P. von Blasingame
Jay Famiglietti

Tom Rivera
Susan Longville

Staff Members Present

Kurt V. Berchtold, Executive Officer
Dorene D'Adamo, SWRCB
Lori Okun, Assistant Chief Counsel, SWRCB
Joanne Schneider, Environmental Program Manager
Michael J. Adackapara, Supervising Water Resource Control Engineer
Hope A. Smythe, Environmental Program Manager
Mark E. Smythe, Chief of Basin Planning - Inland
Milasol Gaslan, Chief of Stormwater - Inland
Wanda Cross, Chief of Basin Planning - Coastal
Michelle Beckwith, Chief of Stormwater - Coastal
Terri Reeder, Engineering Geologist
Glenn Robertson, Engineering Geologist
Adam Fischer, Environmental Scientist
Barbara Barry, Environmental Scientist
Felipa Carrillo, Executive Assistant
Kevin Heinemann, Senior Information Systems Analyst

Public Attendance

Jian Peng, County of Orange
George Muse, MWD of SC
Mark Baker, Contech
Gonzalo Vasquez, City of Cypress
David Garcia, RCFC & WCD
Karen Cowan, Larry Walker Associates
Jeremy Jungreis, City of Irvine
Daniel Apt, RBF Consulting
Gene Estrada, City of Orange
Vaikko Allen, Contech
Grant Sharp, OC Public Works
Terri Fritz, City of Redlands
Aisha Cissna, City of Anaheim
Tom Crowley, WVWD
Michael Yang, City of Irvine
James Fortuna, OC Public Works

Saul Martinez, City of Upland
Don Lee, Tetra Tech
Jeff Arbour, OC Waste & Recycling
Jason Uhley, RCFC & WCD
Lynn Morris, City of Rialto/City of San Jacinto
Amanda Carr, City of Irvine
Chris Crompton, County of Orange
Suzanne Brown, Larry Walker Associates
Greg Woodside, OCWD
Garry Brown, Coastkeeper
Jenna Voss, OC Public Works
Loriana Hornik, City of Huntington Beach
Shanae Smith, WVWD
Richard Boon, County of Orange
Mary Anne Skorpanich, County of Orange

2. Public Forum
None

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

Ms. Dorene "DeeDee" D'Adamo, SWRCB Liaison, talked about the drought and about the Temporary Urgency Change Petition to temporarily modify requirements in the water rights permit and license for the State Water Project and Central Valley Project in order to meet water quality objectives in the Water Quality Control Plan.

Ms. D'Adamo said the governor issued an executive order, directing the State Water Board and DWR, among other things, to expedite the review and processing of voluntary transfers of water. The SWRCB adopted a statewide general permit for recycled water use for golf course and agricultural irrigation, dust mitigation and fire suppression. The Association of California Water Agencies (ACWA), as well as the California Water Foundation (CWF), have prepared plans and recommendations to achieve sustainable groundwater management in California.

Ms. D'Adamo stated that they are working on a number of statewide general orders and doing some additional work with storm water strategic planning. They have started a process for the renewal of a number of storm water permits including discussions with stakeholders.

Ms. D'Adamo also said that staff is working on a draft for a statewide plan to control trash and that plan will be released next month. Ms. D'Adamo concluded by saying that they were working on a statewide general NPDES permit for discharges from drinking water systems, and that a hearing was scheduled for July 15, and possibly adoption on August 5, 2014.

4. Approval of the Minutes of April 25, 2014 meeting

Motion: It was moved by Board Member Famiglietti, seconded by Board Member von Blasingame, and unanimously carried to approve the Minutes of the April 25, 2014 Board Meeting as presented.

5. Consideration of Consent Calendar Items

*Chair Ruh announced that there was an errata sheet for item No. *6.*

- *6. Waste Discharge Requirements for American Golf Corporation, National Golf Property Realty Sub LP, and Orange County Waste & Recycling for the Rancho San Joaquin Golf Course (former Lane Road Landfill: a Closed Class III Solid Waste Disposal Site) in Irvine, Orange County – Order No. R8-2014-0048

Motion: It was moved by Board Member von Blasingame, seconded by Board Member Ackerman, and unanimously carried to adopt Order No. R8-2014-0048 as presented with the errata sheet.

7. Request for Cleanup and Abatement Account Funds – Resolution No. R8-2014-0045

Executive Officer Kurt Berchtold, provided a brief background for the proposed resolution of support for a request for funds from the cleanup and abatement account, submitted by West Valley Water District. Mr. Berchtold indicated that the Cleanup and Abatement account is managed by the State Board and explained how it is funded and how it works.

Mr. Berchtold explained that the specific request for funds from the Cleanup and Abatement Account was related to the cleanup of the perchlorate problem in the Rialto area, and that the Regional Board has been involved in this issue for a long time. Berchtold presented a map that displayed the areas affected by the perchlorate contamination as well as the water supply wells in the area.

Mr. Berchtold indicated that West Valley Water District wells were impacted by the eastern perchlorate plume and that the Water District has constructed a fluidized bed reactor treatment system that removes not only perchlorate, but also nitrates. The State Board provided partial funding for the existing treatment system. The Department of Defense has pledged \$3.4 million towards a new fixed bed reactor treatment system, a slightly different treatment technology. The Water District is requesting \$ 3 million from the Cleanup and Abatement Account for the new system. He said that once the system goes into full operation, the treated water would be provided to the local communities for drinking water supply.

Mr. Berchtold indicated that the State Board typically likes the Regional Board to provide input on requests for funds from the Cleanup and Abatement Account. Mr. Berchtold said that staff prepared this resolution supporting the Water District's proposal, and it is his recommendation that the Board adopt Resolution No. R8-2014-0045.

Mr. Berchtold also stated that representatives from West Valley Water District were in the audience and were willing to answer any questions.

A question was raised by Member von Blasingame and answered by Mr. Berchtold.

Motion: It was moved by Board Member Ackerman, seconded by Board Member von Blasingame, and unanimously carried to adopt Resolution No. R8-2014-0045 as presented.

8. Newport Bay Watershed Selenium Total Maximum Daily Loads (TMDLs) Basin Plan Amendment

Ms. Terri Reeder, Engineering Geologist in the Coastal Planning Section with the Regional Board presented this item. Ms. Reeder provided a brief history on the development of the selenium TMDLs in the Newport Bay Watershed. Ms. Reeder's presentation included a discussion of selenium sources and potential impacts in the watershed, regulatory history related to selenium, and the important challenges in treating or reducing selenium in surface waters in the watershed. Ms. Reeder discussed the draft joint TMDLs and Site-Specific Objectives (SSOs) that were developed in 2009 and the scientific, technical, regulatory, and legal challenges that prevented consideration of those recommendations. She also discussed the steps taken since 2009 to complete the selenium TMDLs.

Other Speakers:

Ms. Karen Cowen, Senior Scientist with Larry Walker Associates, is a consultant for the Nitrogen and Selenium Management Program (NSMP). Ms. Cowen provided the Regional Board with details on the progress of the development of the staff report, the Basin Plan Amendment, and the CEQA documents for the 2014 draft final Selenium TMDLs. Ms. Cowan gave a brief overview of the remaining challenges that had to be addressed from the 2009 draft TMDLs/SSOs, including scientific disagreement over appropriate fish tissue targets, permit language and compliance concerns. She also described the decision to decouple the TMDLs and SSOs into separate Basin Plan Amendments due to the additional and lengthy approval process required for SSOs. Ms. Cowan briefed the Board members on the workshops held in January and February 2014 to resolve those remaining issues and the revisions to the TMDLs that have since resulted. Ms. Cowan also discussed the phased structure of the revised draft TMDLs and the extended compliance schedule that is being considered. She also reviewed key elements of the recommended TMDL implementation plan.

Ms. Terri Reeder presented a brief overview of the anticipated schedule for completing the revised TMDLs and Basin Plan Amendment. Ms. Reeder stated that the draft staff report and the Basin Plan Amendment were expected to go out for peer and public review in September 2014. Ms. Reeder is also working with CalEPA's peer review staff to get that process initiated. Revised TMDLs, including all revisions made and response to peer and public review comments, are expected to be presented to the Regional Board at the December 12, 2014 Board meeting for consideration of adoption.

Questions by Member Ackerman were answered by Ms. Reeder and Ms. Cowan.

Comments: Amanda Carr, City of Irvine.

9. Public Workshop, Renewal of Waste Discharge Requirements, Orange County Flood Control District, County of Orange and Incorporated Cities of Orange County, Areawide Urban Storm Water Runoff Management Program (NPDES No. CAS618030) - Order No. R8-2014-0002

Adam Fischer, Environmental Scientist for the SARWQCB, presented this item. Mr. Fischer presented an overview of the development of the draft MS4 Permit and some of the proposed changes relative to the current Order. Furthermore, Mr. Fisher talked about the attention they have received during the comment process. Mr. Fisher stated he is already working on making amendments to the tentative Order, but more work is still to be done.

Mr. Fischer took additional comments and questions from members of the Board.

Questions by Member Ackerman and Member von Blasingame were answered.

Comments were made by Richard Boon, County of Orange; Amanda Carr, City of Irvine; Gene Estrada, City of Orange; Gregg Woodside, OCWD and Jason Uhley, RCFC.

Closing comments were made by Mr. Berchtold. He reiterated what Mr. Fischer said, that staff has more work to do on the new draft permit. Mr. Berchtold said that there is some level of disagreement with the draft permit between staff and some of the permittees. Mr. Berchtold said it was obvious that more detailed work was needed in order to work through those concerns. Mr. Berchtold said that the written comment period is still open until next Friday.

Mr. Berchtold said that the goal is to bring a revised draft permit back to the Regional Board for consideration of adoption at the September meeting and in the meantime, staff would be putting out a revised draft permit sometime this summer.

10. Underground Storage Tanks Corrective Action Plans
Information item.

11. Underground Storage Tanks Site Closure Report
Information item.

12. Regional Board Member and Executive Officer Communications

Mr. Berchtold stated that the Board Members' Water Board email accounts were all set up, and that Kevin Heinemann was available to assist them individually with any issues they may have.

Chair Ruh announced that a Water Bond Workshop at the Chino Basin Water Conservation District was being held by Assemblyman Freddy Rodriguez.

13. Closed Session
There was no closed session.

Adjournment

The meeting was adjourned at 12:11 p.m., to the regular Board meeting of July 25, 2014 at 9:00 a.m., in the City of Loma Linda, 25541 Barton Road, Loma Linda (*this meeting was later canceled*); however, the next meeting is scheduled for September 19, 2014 at 9:00 a.m., at the Orange County Water District, 18700 Ward Street, Fountain Valley, CA.

Respectfully submitted:



KURT V. BERCHTOLD
Executive Officer

/fc