

California Regional Water Quality Control Board
Santa Ana Region

Special Board Meeting
Minutes of October 3, 2006
PUBLIC HEARING

Canyon Lake Middle School, Multi-Purpose Room
33005 Canyon Hills Road
Lake Elsinore, CA

DRAFT

Chair Beswick called the meeting to order at 6:06 P.M.

Board Members Present

Board Members Absent

Carole Beswick, Chair
John Withers, Vice-Chair
William Ruh
Seymour Van Gundy
Mary Cramer
Deborah Neev

Staff Members Present

Jorge Leon, Regional Board Legal Counsel
Erik Spiess, Regional Board Legal Counsel
Kurt V. Berchtold, Assistant Executive Officer
Michael J Adackapara, Supervising Water Resources Control Engineer
Steven D. Mayville, Chief of Enforcement
Hope A. Smythe, Chief of Basin Planning-Inland Waters
Susan Beeson, Sanitary Engineering Associate
Bill Norton, Sanitary Engineering Associate
Michael Perez, Water Resources Control Engineer
Kevin Heinemann, Staff Information Systems Analyst
Felipa Carrillo, Executive Assistant

State Board Representative

None

Public Attendance

Alex Adamek
Liz & Dennis Ahlgrim
R. Alexander
Darren and Shelley Allanson
Janet Anderson
Kris Anderson
Luis Aragon
Nancy Blair
Becky Cobb

Herb Crane
Peggy Crane
Shelley Doyle
Scott Foster
Angie Gilchriese
Cindy Grimes
Randy Hartog
Charles Hill
Dave Hyatt
Jane Joy
Kathy Kassens
Gerry and Larry Kinsley
Peter Krakowiak
Susan Krepech
Jim and Sue Loggan
Ian MacKenzie
Dan Marbut
Tommy Morgan
Melvin McCutcheon
Colleen Mueller
Meghan Muelle
Grant Mushrush
Darlene Pauquette
Joey and Brenda Placenti
Eli Pavoni
Joe Quinn
James Richard
Rosalind Richardson
Lattie Robertson
Richard Roe
Joyce Sapp
Bernie Strojny
Ben Wicke
Marc & Linda Wilson

Public Speakers

Darren Allanson
Luis Aragon
Greg Cannon
Jim Cobb
Dan Cormier
Teresa Kessler
Larry Kinsley
Melvin McCutcheon
Tommy Morgan
Jim Perry
Keith Richardson
Kelly Robertson
Spence Scarcello
James Sheppard
Steve Wernick

Interested Agencies

Charlie Bachmann, EMWD
Martin Gibson, Mayor, City of Canyon Lake
Damian Meins, Riverside Co. Environmental Health
Joe Mouawad, EMWD
Ron Roberts, Co. of Riverside, District 3 Supervisor's Office
Harvey Ryan, EMMWD
Phil Williams, EMMWD
Ronald Young, EMMWD

Proposed Basin Plan Amendment to Incorporate Waste Discharge Prohibition on the Use of Onsite Individual Septic Tank/Subsurface Disposal Systems (Septic System) in the Quail Valley Area of Riverside County

Information pertaining to this item is contained in a verbatim transcript.

Jorge Leon, Regional Board's legal counsel, discussed the purpose of the special Board meeting and the process for the adoption of the proposed Basin Plan amendment. He indicated that if the Basin Plan amendment is approved by the Regional Board, then it has to be sent to the State Water Resources Control Board (SWRCB) for its consideration. If approved by the SWRCB, the amendment becomes effective upon approval by the Office of Administrative Law (OAL). All interested parties could submit comments on the Basin Plan amendment prior to its consideration by the SWRCB and by the OAL. Regional Board staff will be submitting a list of interested parties to the SWRCB and OAL. Mr. Leon urged all interested parties to sign up for inclusion in the interested parties list. Mr. Leon and Ms. Beswick indicated that the Board is charged with protecting water quality and does not have any control over the cost of sewers or land use planning. Such issues must be directed to the appropriate agencies.

Steve Mayville began the staff presentation by providing the Board with background on the septic system problems in Quail Valley. He informed the Board that staff was originally alerted to the problem by a complaint from the City of Canyon Lake in March 2004. He outlined the problem in Quail Valley by describing the threat to public health and water quality from the large number of failing septic systems. He indicated that surface flows from the area are tributary to Canyon Lake, the beneficial uses of which include municipal and domestic supply. The Lake is also designated for body contact recreation (REC-1). When Canyon Lake overflows, it discharges to the lower reach of San Jacinto River and flows into Lake Elsinore.

According to the County of Riverside, there are more than 3900 buildable lots in Quail Valley. Approximately 1/3 of those lots have been developed, which means that between 1100 and 1400 septic systems exist in Quail Valley. The majority of lots in Quail Valley are served by septic systems, except the area being developed by Forecast Homes.

A number of factors contribute to the septic system problems in Quail Valley including high groundwater, the thin soil layer over fractured bedrock and small lot sizes. During the 2004/2005 rainy season, septic systems failed at an alarming rate forcing septic system wastes to the ground surface. Without a storm drain system, the septic system effluent commingled with runoff and flowed in natural drainage channels that drain into Canyon Lake. Some residents were observed discharging their grey water onto the streets because their septic systems were not functioning. Children were observed playing in the puddles and the drainage channels. Surface flows from Quail Valley are tributary to Canyon Lake, a 303(d) listed waterbody.

In 2005, samples of effluent were collected by both Board and Riverside County staff on multiple occasions. The samples tested reflect high levels of fecal coliform and enterococcus bacteria that are indicative of contamination by sewage.

Statistics gathered by Riverside County reflect that during the years 2003-2004 and 2004-2005, the number of complaints received by the County related to septic system problems in Quail Valley presented 13 and 21 percent, respectively, of the number of similarly related complaints received for the entire County. In the last 4 ½ years, ten percent of the complaints were repeat complaints from Quail Valley. The greatest frequency of complaints in Quail Valley were from sub-areas 4 and 9.

Board staff solicited assistance from stakeholders to address the problems related to the failing septic systems by forming an Ad-Hoc Task Force (made up of representatives from sewerage agencies, City of Canyon Lake and Riverside County) and by soliciting comments from the citizens in the community by conducting two town-hall style meetings in June and December 2005. The most viable alternative to septic systems in Quail Valley appeared to be the installation of a sewer system.

Eastern Municipal Water District (EMWD) commissioned a sewer feasibility study, which concluded that sewer construction is feasible. The study suggested phasing construction in order to deal with the more impacted areas of Quail Valley, such as sub-areas 4 and 9. The entire Quail Valley community would benefit from installing a sewer system. Each septic system contributes its effluent to the shallow ground water. The elimination of septic systems from high density areas could reduce the load on groundwater and possibly eliminate surfacing of groundwater. Under this scenario, it is likely that septic systems in low density areas would function properly.

Board staff presented a draft Basin Plan Amendment (BPA) at the Board Workshop in May 2006 that proposed to prohibit new septic systems in sub-areas 4 and 9, and require existing septic systems to connect to sewers within one year of sewer availability. However, some significant events occurred after the May 2006 workshop that influenced Board staff to modify the proposed BPA. First, Riverside County adopted an ordinance prohibiting new septic system installation in sub-areas 4 and 9. The County ordinance will only take effect when the BPA becomes effective. Second, EMWD has indicated that it was unable to secure the \$1.85 million needed to design the sewer system for Quail Valley.

The revised draft BPA includes a provision to prohibit new septic systems in the entire Quail Valley area if the Board finds that the sewerage agency is not on schedule to provide a sewer system for Quail Valley within 5 years of the effective date of the BPA. If the sewer system design is proceeding, new septic systems may be permitted in all areas of Quail Valley other than sub-areas 4 and 9.

Mr. Mayville concluded his presentation by summarizing the comments and staff responses. He indicated that the most significant concern was sewer system financing and the cost to individual homeowners. He noted that EMWD, EVMWD, Riverside County Board of Supervisors and Board staff have been working on finding funding sources so as to reduce the financial burden on the individual homeowners. Mr. Mayville also noted that minor changes to the BPA were included in the errata sheet.

Following Mr. Mayville's presentation, agency representatives, citizens from Quail Valley and other interested parties commented on the proposed BPA. Mr. Berchtold responded to the public comments and questions. Mr. Leon indicated that staff had fulfilled the legal requirements for public notice.

The Board then briefly discussed the proposed BPA. Mr. Withers asked Board staff to update the Board on a regular basis regarding the progress of sewer system installation in Quail Valley.

Action: It was moved by Member **Withers**, seconded by Member **Ruh**, and unanimously approved that the Board adopt the Basin Plan Amendment by adopting Order No. R8-2006-0024 with the errata.

28. **Adjournment**

The meeting was adjourned at 8:25 P.M.

Respectfully submitted:

GERARD J. THIBEAULT
Executive Officer

/fc

California Regional Water Quality Control Board
Santa Ana Region

Minutes of October 13, 2006
Eastern Municipal Water District
2270 Trumble Road
Perris, CA

DRAFT

1. Chair Beswick called the meeting to order at 9:00 a.m.

Board Members Present

Board Members Absent

Carole Beswick, Chair
John Withers, Vice-Chair
William Ruh
Seymour Van Gundy
Mary Cramer
Deborah Neev

Staff Members Present

Gerard J. Thibeault, Executive Officer
Kurt V. Berchtold, Assistant Executive Officer
Jorge Leon, Regional Board Counsel
Erik Spiess, Regional Board Counsel
Joanne E. Schneider, Environmental Program Manager
Hope Smythe, Chief of Inland Planning
Xinyu (Cindy) Li, Engineering Geologist
Dixie Lass, Chief of Land Disposal
Keith Person, Water Resources Control Engineer
Debi Ney, Associate Governmental Program Analyst
Jun Martirez, Chief of Permitting
Kevin Heinemann, Staff Information Systems Analyst
Felipa Carrillo, Executive Assistant

State Board Representative

Tam Doduc, Board Chair, SWRCB, announced that one of the items to be presented at their next Board Meeting in Sacramento was the consideration of the 2006 update of the 303(d) list of impaired water bodies. She thanked the Board for staff's effort in helping with the data and the analysis.

Public Attendance

Darniel Cozad
Vijay Korisac
Teresa López
Damian Meins
Jan Misqueuz
Behrooz Mortazavi
Erik Mroz
Susana Negrete
Robert Owen
Zahra Panahi

Jason Pesick
Bob Reiter
Danielle Sakai
Nancy Sansonett
Scott Sommer
Tin Veerakit
Simon Washburn
Greg Woodside

2. **Public Forum**

Before introducing Michelle Mehta, Kurt Berchtold provided background regarding NRDC and Defend the Bay's lawsuit against a dairy in our Region for violations of the Clean Water Act in 2002. He said the action taken against the dairy resulted in a consent decree and funding being provided to the Board to supplement the Board's regulatory work on dairies in the Region.

Michelle Mehta from NRDC stated that one of the dairies in our region failed to implement an Engineered Waste Management Plan. She said NRDC entered into a settlement with the dairy. NRDC and Defend the Bay convinced the court that rather than the money going to the court in sanctions, the funds should go to the Board for extra enforcement. This money will augment the dairy unit and support additional field inspections in order to improve oversight of the dairies in the Chino Basin.

Michelle Mehta congratulated the Board and extended congratulations to the Board on behalf of Bob Caustin.

3. **Approval of Minutes**

Action: It was moved by Member **Ruh**, seconded by Member **Neev** and unanimously approved that the Minutes of **August 25, 2006** Board meeting be approved as presented.

4. **Consideration of Consent Calendar Items**

- *8. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement, Phillip Gutierrez, 10704 Deer Canyon Drive, Alta Loma, San Bernardino County, APN 1074-331-21
- *9. Waste Discharge Requirements for SunCal Stetson Ranch, LLC, Stetson Ranch Residential Development, Order No. R8-2006-0076
- *10. Amendment Of Order No. R8-2004-0021, NPDES No. CAG998002, General Waste Discharge Requirements for Short-Term Groundwater-Related Discharges to Surface Waters and Deminimus Wastewater Discharges to Surface Waters Within the San Diego Creek/Newport Bay Watershed, Order No. R8-2006-0065
- *10A. Amendment of Order No. 01-55, NPDES No. CA8000383, Waste Discharge and Producer/User Reclamation Requirements for the City of Corona's Wastewater Treatment Plant No. 1, Riverside County, Order No. R8-2006-0064

- *11. Amendment of Existing Waste Discharge Requirements for the Mid-Valley Sanitary Landfill, County of San Bernardino Waste System Division, Order No. R8-2006-0040

Action: It was moved by Member **Withers**, seconded by Member **Ruh** and unanimously approved that the Board adopt Orders No. R8-2006-0076, No. R8-2006-0065, No. R8-2006-0064, R8-2006-0040 and approve the exemption from the minimum lot size requirements requested by Phillip Gutierrez.

5. **Salt Management in the San Jacinto Basin**

Dr. Behrooz Mortazavi from Eastern Municipal Water District (EMWD) provided the Board an overview of activities and projects that EMWD has undertaken, and is planning to undertake, to address the serious salt management issues in the San Jacinto Basin. The EMWD Integrated Water Resources Program has three major elements: desalination of the poorer quality management zones, groundwater recharge/recovery in the management zones with the best quality, and recycled water use in specific management zones within the San Jacinto Basin.

6. **Cienega Filtration Project, San Diego Creek Watershed**

Paul Jones from Irvine Ranch Water District spoke to the Board about the selenium and nitrogen removal technology that IRWD is proposing to do in the San Diego Creek watershed. The Natural Treatment System (NTS) master plan is to build 30 new treatment wetlands throughout the watershed, primarily for nitrate removal. The Cienega Filtration Project portion of the NTS, however, is a subsurface anoxic bio-filter specifically designed to remove selenium in the watershed. This project is targeting the high selenium area in Peters Canyon Channel near Barranca Parkway. A full-size media cell will be built next to Peters Canyon Channel, underneath a future school's ballfields. The plan is to construct an interim inlet facility, where high selenium surface water will be pumped from Peters Canyon Channel, run through the bio-filter to extract nitrogen and selenium, and then returned back to the wash near the inlet. The schedule for planning and design is complete and will go to the Board of Directors in December. IRWD is ready to start the construction in January and will have the field demonstration facility operational in May. They want to operate it for one year. If they get good performance in six months, they would like to go forward in building nine more filter cells with authorization from the Board.

7. **Beaumont – Cherry Valley On-Site Disposal Systems**

Information regarding this item is contained in a verbatim transcript of the proceedings.

Cindy Li, Engineering Geologist, introduced an emerging issue with respect to the potential effect on-site disposal systems (septic systems) have on groundwater quality in the Beaumont – Cherry Valley area.

Kristal Davis, Wildermuth Environmental, Inc., presented the findings of their investigation "Water Quality Impact from On-site Waste Disposal Systems in the Cherry Valley Community of Interest" to the Board. Ms. Davis summarized groundwater nitrate water quality data and data on the presence of pharmaceuticals in groundwater, as an indication that septic systems in the Beaumont – Cherry Valley areas are impacting local groundwater quality.

12. **Administrative Civil Liability Complaint, J. K. Properties, Inc., City of Stanton, Orange County - Order No. R8-2006-0078**

This item was postponed to the December 1, 2006 Board Meeting.

13. **Rialto Perchlorate Investigation Resolution No. R8-2006-0079**

Information regarding this item is contained in a verbatim transcript of the proceedings.

Speakers on this item:

Scott A. Sommer, City of Rialto
Pete Duchesneau, Goodrich Corp.
Danielle Sakai, Best, Best & Krieger
Erik Mroz, Attorney for Pyro Spectaculars, Inc.
Sujatha Jahagirdar, Environment California
Davin Diaz, CCAEJ
Robert Wyatt, Emhart
Jorge Leon, Staff Advocacy Team

Action: It was moved by Member **Ruh**, seconded by Member **VanGundy** and unanimously approved that the Board adopt Resolution No. R8-2006-0079 as amended to incorporate changes requested in an email message from Scott Sommer, and further changes requested by the Staff Advocacy Team

14. **Status Report on Rialto-Colton-Fontana Perchlorate Investigation**

Kurt Berchtold provided a brief update on the progress of the field investigation. He said the investigation work is continuing. He said Goodrich recently submitted their first monitoring report for their new wells and their final report is due in late October.

15. **Executive Officer's Report**

Executive Officer Thibeault reported on the progress of a committee working to develop an alternative to the recharge order. He said progress has been excellent and he is optimistic that a final proposal will be developed by the end of the year. Bob Reiter, SBVMWD, addressed the Board and concurred with Mr. Thibeault's comments.

16. **Regional Board Member Communications**

Board Members John Withers and Mary Cramer were selected as the Nominating Committee. It was also announced that the next Board Meeting had been moved to the Irvine Ranch Water District in Orange County. Board Members were encouraged to attend the upcoming WQCC meeting in Sacramento.

17. **Closed Session**

There was no closed session.

18. Adjournment

The meeting was adjourned at 12:03 P.M. to the regular meeting of December 1, 2006 at 9:00 A.M., at the Irvine Ranch Water District, 15600 Sand Canyon Ave., Irvine.

Respectfully submitted:

GERARD J. THIBEAULT
Executive Officer

/fc