

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

Minutes of July 15, 2011 Board Meeting
City of Loma Linda
25541 Barton Road
Loma Linda, CA 92354

1. Chair Beswick called the meeting to order at 9:05 A.M.

Board Members Present

Carole Beswick, Chair
Steven PonTell, Vice-Chair
Fred Ameri
Richard Freschi
Linda Ackerman

Board Members Absent

Seymour Van Gundy
William Ruh
Greg Morrison
Mark Murai

Staff Members Present

Kurt V. Berchtold, Executive Officer
David Rice, Regional Board Counsel
Michael J. Adackapara, Supervising Water Resource Control Engineer
Joanne Schneider, Environmental Program Manager
Mark Smythe, Chief of Stormwater - Coastal
Wanda Cross, Chief of Basin Planning – Coastal
David Woelfel, Environmental Scientist
Felipa Carrillo, Executive Assistant
Kevin Heinemann, Staff Information Systems Analyst

Public Attendance

Mary Anne Skorpanich, County of Orange
Debbie Burris, DDB Engineering, Inc
Amanda Carr, County of Orange
Richard Boon, County of Orange
Bruce Phillips, PACE
Marsha Westropp, OCWD
Don Lee, Tetra Tech
Ashli Desai, LWA
Allison Mackenzie, Babcock Laboratories

Jennifer Shepardson, City of San Bernardino
Kimberlyn Way, OC Watersheds
Jessica Chin, City of Riverside
Mark Grey, CICWQ/BIA/SC
Jack Nelson, Yucaipa Valley WD
Larry McKenney, SAWPA
Brian Diaz, Recupero & Assoc
Tim Moore, Risk Sciences

2. Public Forum
None

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

There was no report from our Liaison, but Vice-Chair PonTell announced that the next WQCC meeting would take place September 26 and 27 in Sacramento.

4. Approval of the Minutes

Action: It was moved by Member Freschi, seconded by Member Ackerman, and unanimously approved that the Minutes of the April 22, 2011 Board Meeting be adopted as presented.

5. Consent Calendar

*6. Appeal of Staff's Denial of an Exemption from the Minimum Lot Size Requirement for Terry and Melinda Pitts

*7. Rescissions – Order No. R8-2011-0032

Action: It was moved by Member Freschi, seconded by Member Ackerman, and unanimously approved that the Board adopt Rescission Order No. R8-2011-0032 and approve the exemption from minimum lot size requirements requested by Terry and Melinda Pitts.

8. Public Hearing on Revisions to the Basin Plan Amendment Incorporating Total Maximum Daily Loads (TMDLs) for Organochlorine Compounds for San Diego Creek, Upper Newport Bay and Lower Newport Bay - Resolution No. R8-2011-0037
(Information pertaining to this item is contained in a verbatim transcript of the proceedings)

Wanda Cross, Chief of the Coastal Planning Section, gave a brief presentation on the proposed revisions to the Basin Plan Amendment to incorporate organochlorine compounds (OCs) TMDLs for the San Diego Creek/Newport Bay Watershed that had been adopted by the Board in September 2007.

Ms. Cross explained the reasons the Newport Bay Watershed OCs TMDLs were required, and briefly described TMDL components. Ms. Cross also explained how the proposed Basin Plan Amendment adhered to specific basin planning requirements, including the State Board's California Environmental Quality Act (CEQA) regulations. She then discussed the purposes of the proposed amendments to correct some minor grammatical errors in the 2007 BPA, and to revise the end date for TMDL compliance from December 31, 2015 to December 31, 2020. Ms. Cross went over the proposed revisions to the Basin Plan Amendment, the errata sheet, the comments that were received, and finally, the staff's recommendation.

Action: It was moved by Member Ameri, seconded by Vice-Chair PonTell and unanimously approved that the Board adopt Resolution Order No. R8-2011-0037, with the revisions shown in the errata sheet.

9. Workshop on the County of Orange Model Watershed and Infiltration Hydromodification Management Plan (WIHMP) as Required by the County of Orange Areawide Urban Storm Water Runoff (MS4) Permit (Order No. R8-2009-0030, NPDES No. CAS618030)
(Information pertaining to this item is contained in a verbatim transcript of the proceedings)

Richard Boon, County of Orange Stormwater Program, introduced this item. He explained the work they have done to prepare a Model Watershed Infiltration and Hydromodification Management Plan (WIHMP) for the San Gabriel River/Coyote Creek Watershed in Orange County. He indicated that the plan addresses a number of specific objectives, including initiating a planning process at the watershed scale by integrating water quality, water supply, hydromodification and habitat protection issues. Another objective was to create a geotechnical information database that will inform the land development program in an effort to avoid adverse

impacts associated with hydromodification, particularly in sensitive areas. Mr. Boon noted that the County of Orange's work is being shared with both Riverside and San Bernardino counties.

Mr. Bruce Phillips, PACE, described the general outline of the process in a two-part presentation. He provided detailed demonstrations using GIS layers and explained the utility of this database to planners, stormwater management agencies, and others.

10. Stormwater Quality Standards Task Force
(Information pertaining to this item is contained in a verbatim transcript of the proceedings)

This item was presented by Joanne Schneider, Environmental Program Manager for the Regional Board, and Tim Moore of Risk Sciences, one of the consultants to the Stormwater Quality Standards Task Force. Ms. Schneider provided a brief overview of the formation of the Task Force and some of the key tasks completed by the Task Force, including the review of applicable legal requirements and the science underlying the existing and proposed bacteria quality objectives. She advised the Board that an understanding of the scientific basis of the objectives led the Task Force to consider and recommend other amendments to recreation standards. Ms. Schneider referred to the draft Executive Summary of the proposed amendments that was included in the Board's agenda packets and briefly identified some of the key amendments. Mr. Moore reviewed the scientific basis of both the existing and proposed bacteria quality objectives.

Appreciation was given to the Task Force members on behalf of the Board for their time and financial support as well.

11. Regional Board Member and Executive Officer Communications

Mr. Berchtold reported he has been serving on a state-wide group to develop a proposed state-wide policy for closure of low-risk underground storage tank sites. The group has completed its work and will present their product at the next State Board meeting. He expects the State Board to distribute a draft policy for public review.

Since being directed by the Board to take appropriate action on the Model Water Quality Management Plan for Orange County required under the MS4 permit, Mr. Berchtold has taken action by approving the document with the errata sheet discussed at the April Board meeting.

He said that subsequently, some discussions took place with EPA and NRDC. They had some concerns about internal inconsistencies or loop-holes within the approved document. NRDC provided some specific proposed revised language to correct those issues. However, to preserve their administrative remedies, NRDC also submitted a petition to the State Board, challenging his approval of the document.

Mr. Berchtold spoke with Noah Garrison from NRDC around the time the petition was submitted. Mr. Berchtold said that NRDC remains hopeful that they could work out their concerns with staff and withdraw the petition.

Board staff and Orange County are in the process of reviewing NRDC's proposed changes in more detail in order to try and resolve NRDC's concerns, and allow them to withdraw their petition. He said he would keep the Board updated on this process.

12. Closed Session
There was no closed session.

13. Adjournment

The meeting was adjourned at 11:12 A.M. to the next regular Board meeting of September 16, 2011 at 9:00 A.M., Irvine Ranch Water District, Irvine.

Respectfully submitted:

KURT V. BERCHTOLD
Executive Officer

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