

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

**Minutes of October 28, 2011 Board Meeting
City of Loma Linda
25541 Barton Road
Loma Linda, CA 92354**

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

Board Members Present

Board Members Absent

Carole Beswick, Chair
William Ruh
Fred Ameri
Richard Freschi
Linda Ackerman

Mark Murai

Staff Members Present

Kurt V. Berchtold, Executive Officer
Michael J. Adackapara, Supervising Water Resource Control Engineer
Joanne Schneider, Environmental Program Manager
Stephen Mayville, Chief of Enforcement
Mark E. Smythe, Chief of Stormwater - Coastal
Hope Smythe, Chief of Basin Planning - Inland
Milasol Gaslan, Chief of Storm Water - Inland
Doug Shibberu, Environmental Scientist
Mary Bartholomew, Environmental Scientist
Michael Roth, Environmental Scientist
Felipa Carrillo, Executive Assistant
Kevin Heinemann, Staff Information Systems Analyst

Legal Counsel

David Rice, Regional Board Counsel

Public Attendance

Joe Rosales, City of Montclair
Jason Uhley, RCFC & WCD
Terry Balog, Frog Environmental
George Carmano, Stormwater Online
Don Lee, Tetra Tech
Ken Pretell, KJP Consulting & CRRC
Tracy Egoscue, Paul Hastings
Len Barton, Advanced Steel Recovery
Gary Tavetian, Office of Attorney General
Steve N., City of Fontana
Todd Shibata, Riverside Co. Waste MD
George Adams, SA Recycling

Garry Brown, O. C. Coastkeeper
Marsha Westropp, OCWD
Claudio Padres, RCFC
Luis Ornelis, UMC
Jack Nelson, Yucaipa Valley WD
Gary Akers, San Bernardino City
Scott Maloni, Poseidon
Eric Mosolgo, Brown & Caldwell
Emilio Acosta, Bruce Metal
Bob Whitloch, City of San Bernardino
Larry McKenney, SAWPA
Tom Bois

Chair Beswick presented Resolution No. R8-2011-0055, to former Board Member Seymour Van Gundy, recognizing his valuable participation as a Board member since 2000, and serving as vice-chair in 2008 and 2009. Dr. Van Gundy was reappointed three different times by both Governor Davis and Governor Schwarzenegger in the category of Water Quality. As a Board

Member, Dr. Van Gundy gave his time and strong support generously to this region. His scientific expertise was a huge asset, and really did protect this region in a very unique way. He will be missed.

Seymour Van Gundy was grateful for the Resolution, and thanked everyone for putting up with him. He said he was glad to have been able to bring the science perspective to this region, and that he enjoyed working with everyone.

2. Public Forum

None.

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

Tam Doduc, State Water Board Member offered an update on several budget bills that are of great interest to the waterboards, which were recently signed by the governor.

Ms. Doduc stated that the draft onsite wastewater treatment septic system policy has been released, with public meetings scheduled throughout the state.

Ms. Doduc noted that a new fee schedule was adopted by State Water Board, raising fees significantly. She said an assessment was needed to determine where and how current funding resources are being used, to do a serious analysis to identify key priorities, to ensure funding and resources are directed toward those core activities, and to place some kind of a process for developing performance measures, targets and goals to priority activities that are being conducted. Staff put together a work plan proposing to focus only on NPDES and WDR programs and eventually included storm water and irrigated lands. She said transparency and accountability are needed and hopes to provide that to the fee payers, but also make sure that the activities that are of highest priority within our own internal organization are being funded.

Ms. Doduc answered some questions raised by Board members.

Chair Beswick announced that Executive Officer Kurt Berchtold would provide Board Members with a link to the Little Hoover Commission report.

Ms. Doduc added that the report highlights inconsistencies among the various state agencies in conducting economic analysis.

4. Approval of the Minutes

The Minutes of the September 16 and October 28, 2011, Board meetings will be presented at the December 9, 2011 Board Meeting for approval.

5. Consent Calendar

It was noted by Chair Beswick that there is an errata for item *7.

- *6. Rescissions – Orders for the following facilities are proposed to be rescinded because the discharge has ceased and/or the project has been completed, discharges are regulated by other Orders or the discharges pose an insignificant threat to water quality. Order No.: R8-2011-0052

<u>Order No.</u>	<u>Facility and Location</u>	<u>County</u>
1. R8-2005-0051	Wasson Canyon Investments, LP, T31792, Lake Elsinore	Riverside
2. R8-2002-0027	Jack Tuls & Sons Dairy/R & J Dairy, 38980 Record Road, San Jacinto	Riverside
3. 82-142	Ameron Pipe Division, Southern California (Arrow Plant), Etiwanda	San Bernardino
4. R8-2004-0009	San Bernardino Valley Municipal Water district, Pilot Dewatering Program, San Bernardino	San Bernardino
*7.	Revised Waste Discharge Requirements for the Hemet Sanitary Landfill (HSL), Class III Solid Waste Disposal Site in Hemet, Riverside County – Order No.: R8-2011-0002.	
*8.	Waste Discharge Requirements and Technically Conditioned Clean Water Act (CWA) Section 401 Water Quality Standards Certification for U.S. Army Corps of Engineers (USACOE), Lower Newport Bay Maintenance Dredging Project – Order No.: R8-2011-0050.	
*9.	Waste Discharge Requirements for City of Fontana, Interstate 15/Duncan Canyon Road Interchange Project, City of Fontana, San Bernardino County – Order No.: R8-2011-0051.	

Motion: It was moved by Member Ruh, seconded by Member Freschi, and unanimously carried to adopt Order Nos. R8-2011-0052, R8-2011-0002 with errata, R8-2011-0050 and R8-2011-0051 as presented.

It was noted that Item 10 had an errata.

10. Sector-Specific General Permit for Storm Water Runoff Associated with Industrial Activities from Scrap Metal Recycling Facilities Within the Santa Ana Region (NPDES No.CAG618001 – Order No. R8-2011-0011

(Information pertaining to this item is contained in a verbatim transcript of the proceedings).

Executive Officer, Kurt Berchtold, stated that at the last hearing, a number of comments were received. He said that at the conclusion of the hearing, Board members had directed staff to consider further changes to the permit based on the comments received during the hearing on the draft permit and to bring it back to them at this hearing.

However, since the last meeting, Mr. Berchtold stated he has had a series of conversations with Executive Director Tom Howard from State Water Board regarding the permit. Mr. Howard wrote a memo expressing his concerns about a regional sector specific permit creating some inconsistencies on a state-wide basis and believes that it would be more appropriate to consider a sector-specific permit on a state-wide basis.

Mr. Berchtold stated he was invited to attend a future State Board meeting to present the draft permit and the process used to develop the draft permit, to see whether the State Board would want to consider taking the permit up on a state-wide basis. He recommends the Board not take action at this time, until he is able to address the State Board, then report back on their reaction and see what would be the appropriate next steps for this permit.

Chair Beswick stated she had a similar conversation with Tom Howard, and she is willing to allow them time to look at the permit. She suggested that the matter be brought back to the Board in a few months.

Mr. Smythe answered questions raised by members of the Board and public participants.

Comments provided by the following participants:

George Adams, AC Recycling; Garry Brown, OC Coastkeeper; Terry Balog and Tom Bois.

Motion: It was moved by Member Ruh, seconded by Member Ackerman and approved by a 3 -2 vote to table this matter until the January meeting.

Chair Beswick asked staff to send a memo to Tom Howard explaining the Board's action.

11. **Public Workshop on the Riverside County Water Quality Management Plan**

and

12. **Public Workshop on the San Bernardino County Technical Guidance Document for Water Quality Management Plans**

Milasol Gaslan, Chief of Storm Water (Inland), provided a brief history of the municipal separate storm sewer system (MS4) permits. Ms. Gaslan stated that the renewed Waste Discharge Requirements for Areawide Urban Storm Water Runoff for Riverside and San Bernardino Counties were adopted in January 2010. She stated that in July 2011, the Permittees submitted updated WQMPs. The WQMPs were posted on the Region's website for a 30-day comment period.

Ms. Gaslan indicated no significant public comments were received; therefore no Board action was required.

Mr. Berchtold stated that staff would work with both counties to resolve staff's comments and approve the two plans once comments were resolved.

Presentations were made by Jason Uhley and Claudio Padres of Riverside County.

13. **Board Meeting Dates and Locations for 2012**

A listing of tentative dates and locations was presented. The item will be considered for adoption at the December Board meeting.

14. **Appointment of a Committee to Nominate Regional Board Officers for 2012**

Chair Beswick announced that Members Ruh and Ackerman agreed to serve as a committee to nominate Regional Board officers for 2012.

15. **Regional Board Member and Executive Officer Communications**

Member Ruh discussed topics covered at the WQCC meeting held in Sacramento in September. He also noted that a booklet called, *Citizen's Guide to Working with California Water Boards* had been made available at the meeting. He stated it was a very beneficial booklet for new and older members.

16. **Closed Session**

The Board went into a closed session to discuss an adjudicated matter.

17. **Adjournment**

The meeting was adjourned at 11:38 a.m. to the regular Board meeting of Friday, December 9, 2011 at 9:00 a.m., at the City of Loma Linda, 25541 Barton Road, Loma Linda, CA 92708.

Respectfully submitted:

A handwritten signature in black ink that reads "Kurt V. Berchtold". The signature is written in a cursive style with a large initial 'K' and 'B'.

KURT V. BERCHTOLD
Executive Officer

/fc