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**CITY OF DANA POINT  
OCEAN WATER QUALITY SUBCOMMITTEE  
APPROVED ACTION MINUTES**

Tuesday, September 22, 2009  
3:00 – 5:00 p.m.

City Hall Offices  
Admin. Conference Room  
33282 Golden Lantern  
Dana Point, CA 92629

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**CALL TO ORDER:** The meeting was called to order by Council Member Joel Bishop.

**ROLL CALL**

Members present: Council Member Joel Bishop, Wayne Rayfield, Dick Dietmeier (pre-arranged late arrival), Michael Kelly, Nyle Schafhauser & Brad Fowler were present.

Additional attendees included: Joe McDivitt & Larry Fregin (SCWD), Ross Teasley (late arrival), & Dave Rocha (OC Harbor).

**A. APPROVAL OF ACTION MINUTES**

Action minutes of July 28, 2009 were approved.

**B. PUBLIC COMMENTS**

Any person wishing to address the Subcommittee during the Public Comments section or on an Agenda item is asked to complete a "Request to Speak" form. The completed form is to be submitted to City staff prior to the Agenda item being called and discussed.

In order to conduct a timely meeting, there will be a three-minute limit per person for the Public Comments portion of the Agenda. State law prohibits the Subcommittee from taking action on a specific item unless it appears on the posted Agenda.

If anyone has handouts to distribute to the Subcommittee, please follow proper procedure and hand them to the City staff. The City staff will see that they are distributed.

There were no public comments.

**C. CONSENT CALENDAR**

There were no items on the Consent Calendar.

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**D. PUBLIC HEARINGS**

There were no Public Hearings.

**E. PUBLIC MEETINGS**

There were no Public Meetings.

**F. OLD BUSINESS**

**ITEM 2: NPDES Permit Update – Brad Fowler**

Brad provided an update on the Draft NPDES permit. Another round of comments are due Monday, September 28 and the City will be submitting comments. The County will also be submitting comments of appropriately 60 pages on behalf of the copermittees. Some of the remaining significant issues include: Numeric Effluent Limits (NELS) in lieu of the the maximum Extent Practicable (MEP) standard which subjects the City to Mandatory Minimum Penalties (MMP) (additional costs), the deletion of the irrigation runoff exemption, and consistency in NPDES Permits throughout the County. The latest draft excluded the concerning language regarding FETDs that we have commented on in the past which is the one improvement of the Draft. The NPDES permit Adoption Hearing has not been scheduled to date.

**G. NEW BUSINESS**

There was no new business.

**H. STAFF REPORTS**

**ITEM 3: 2008 303(d) List – Lisa Zawaski**

Lisa provided a summary of the recently released draft 303(d) list of Impaired Waterbodies. On a good note, due to the City's efforts, we have been able to de-list Monarch Beach (with one exclusion of an inappropriate shellfish standard), Salt Creek Beach and Strand Beach. Dana Point/Marina area was listed for copper, toxicity and zinc, pollutants commonly associated with Marina Uses. This marina issue is being looked at Statewide. San Juan Creek was also listed for additional parameters, such as diazinon, phosphorus, selenium, toxicity and nitrogen, although it should be noted that all the samples sites are located upstream of Dana Point. The County has submitted a comment letter, noting some errors and inconsistencies.

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**ITEM 4: September 19 Coastal Clean Up Day Results**

Lisa provided a summary of the following clean ups:

- Doheny State Beach – 377 volunteers collecting 550 lbs of trash and recyclable
- San Juan Creek at Del Obispo Park- 41 volunteers and 50 bags of trash and recyclables.

Joel asked that the underwater clean up in the Dana Point Harbor on October 17 be put on the City Calendar.

**ITEM 5: Legislative Update**

Dick indicated that AB1366 relating to Salt and Brine disposal is being discussed.

**I. COMMENTS**

Brad indicated that the new Statewide General Construction Permit was recently approved. This will impact City CIP projects which disturb one acre or greater.

Brad mentioned lawsuit that LA County has filed which objects to incorporating TMDL NELS into the NPDES Permit. The result could set a statewide precedent for dry weather compliance.

Dick mentioned an LA rain Barrel Rebate Program that was highlighted in the LA Times. We will discuss the potential for a similar program for SCWD and/or Dana Point at the next meeting.

**J. ADJOURNMENT**

The *next* regular meeting of the Ocean Water Quality Subcommittee is tentatively scheduled for Tuesday, October 27<sup>th</sup> at 3 pm in the Administrative Conference Room in City Hall.