
Santa Ana Regional Water Quality Control Board

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday, December 4, 2020 at 9:00 a.m.
Video and Teleconference Meeting Only
No Physical Meeting Location
(Authorized by and in furtherance of
Executive Orders [N-29-20](#) and [N-33-20](#))
Live video webcast: [LIVE VIDEO](#)

NOTICE:

Video and Teleconference Meeting During COVID-19 Emergency: As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, this meeting will occur solely via remote presence.

If you want to watch or listen to the meeting but do not want to comment, you can access the webcast of the meeting at <https://cal-span.org/>

If you want to comment on an item during the meeting, you will need to submit a virtual speaker card by following the instructions included below. A computer is not required to participate in the meeting; the public will also have the option to dial into the meeting by phone. Additional information regarding remote meeting participation is available on the Santa Ana Water Board's website:

https://www.waterboards.ca.gov/santaana/board_info/remote_meeting/index.html

Special Virtual Speaker Card Instructions

Persons speaking at Santa Ana Water Board meetings are accustomed to filling out a speaker card. To allow for a more orderly process of identifying speakers in advance, the Santa Ana Water Board will use virtual speaker cards. The virtual speaker card will allow the Board Clerk to locate commenters within the Zoom meeting waiting list and unmute them so they can address the Board at the appropriate time.

To request to speak on an item at this meeting, you must submit a virtual speaker card no later than 5:00 p.m. on Wednesday, December 2, 2020. To register visit:

https://us02web.zoom.us/webinar/register/WN_wYuicqssRlyT1gU5mPEypg

If you do not submit the registration form by the deadline, please do so as soon as you can. You cannot participate in the Zoom meeting until you receive an email with the password. Please note, that commenters will generally be taken in the order of the receipt of the virtual speaker cards. Further, note that the Board Chair has the discretion to specify the order of commenters.

After you submit the online registration form, you will receive an email with the Zoom weblink and phone numbers to participate in the meeting. If you do not receive a confirmation email with the Zoom information after filling out the online registration form, please email jeannie.aguilar@waterboards.ca.gov or call 951-782-3285.

Order of Agenda

Agenda Items are numbered for identification purposes only and may not necessarily be considered in this order.

Item 1. Introductions

Item 2. Public Forum - Any person may address the Regional Board on any matter within the Regional Board's jurisdiction, provided that the matter does not appear elsewhere on the agenda, has not been scheduled to appear on a future agenda, and is not otherwise pending before the Board.

Item 3. State Water Resources Control Board Liaison Report - This item is for information only. No public testimony will be allowed, and the Regional Board will take no formal action.

Item 4. Regional Board Meeting Minutes of September 11, 2020 - The Board will consider approval of the Minutes of the regular Board meeting of September 11, 2020 (action item).
{Jeannie Aguilar 951-782-3285 jeannie.aguilar@waterboards.ca.gov}

Item 5. Board Meeting Dates for 2021 - The Regional Board will consider adoption of the calendar meeting dates for 2021 (action item).
{Hope A. Smythe 951-782-4493 hope.smythe@waterboards.ca.gov}

Item 6. Appointment of a Committee to Nominate Regional Board Officers for 2021 - (action item).
{Hope A. Smythe 951-782-4493 hope.smythe@waterboards.ca.gov}

Item 7. Consideration of the Consent Calendar - Items below, marked with an asterisk, are expected to be routine and non-controversial. The Board will be asked to consider these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the consent calendar, it will be taken up in the order shown.

Item *8. Rescission of Waste Discharge Requirements, Order No. R8-2006-0062 issued to Fortland Development, Inc. Tract 31957, Lake Elsinore Highlands –

Discharge has not occurred and the waste discharge requirements are no longer necessary for this project. **Order Number R8-2020-0054**
{David Woelfel 951-782-7960 david.Woelfel@waterboards.ca.gov}

Item *9. Resolution R8-2020-0053 – This resolution would establish procedures and requirements for Region 8 Supplemental Environmental Projects/Enhanced Compliance Actions (SEP/ECA) that can be used for consideration in enforcement settlement negotiations. **Resolution Order Number R8-2020-0053**

{Chuck Griffin 951-782-4996 chuck.griffin@waterboards.ca.gov}

Item *10. Renewal of Waste Discharge Requirements (WDRs), National Pollutant Discharge Elimination System (NPDES) Permit No. CA0001163, for AES

Huntington Beach, L.L.C., Huntington Beach Generating Station – This tentative WDRs Order and NPDES Permit will re-authorize and update discharge specifications prohibitions, provisions, monitoring and reporting requirements, and findings of fact applicable to the discharge of up to 127 million gallons per day of once-through cooling seawater and low volume and non-chemical metal cleaning wastes wastewater to the Pacific Ocean off the coast of Orange County. **Order Number R8-2020-0040**
{Julio Lara 951-782-4901 julio.lara@waterboards.ca.gov}

Item *11. Waste Discharge Requirements for Seaton Perry, LLC, Seaton Tech Center Development Project, Unincorporated Community of Mead Valley, Riverside County

- Authorizing discharges of 0.28 acre of fill to waters of the State. The water proposed for fill is an ephemeral drainage and its ephemeral tributary which overlays the Perris North Groundwater Management Zone. The project site is located within the watershed of a Riverside County Flood Control and Water Conservation District's Perris Valley Master Drainage Plan storm drain lateral, which is tributary to Perris Valley Channel. The discharge of fill is associated with the development of the Seaton Tech Center Industrial Development, which would construct a 203,029-square-foot warehouse building and associated parking areas and utilities on a 9.15-acre Project site. The U.S. Army Corps of Engineers declined to take jurisdiction over the onsite waters on September 11, 2020. **Order Number R8-2020-0049**

{David Woelfel 951-782-7960 david.Woelfel@waterboards.ca.gov}

Item *12. Amendment of Waste Discharge Requirements Order No. R8-2008-0025 for Change of Ownership from Distinguished Homes, Inc. to Iron Horse Hills, LLC, Tract Map No. 16798 Residential Development Project

- This Order amends existing Santa Ana Water Board Waste Discharge Requirements (WDRs), Order No. R8-2008-0025, to recognize a change in the Tract Map No. 16798 Residential Development Project (Project) ownership from Distinguished Homes, Inc., to Iron Horse Hills, LLC. This Order also adds project status notification conditions to the WDRs. The new owner of the Project proposes no material changes to the character, location, or volume of discharges authorized by the existing WDRs, Order No. R8-2008-0025, and none is authorized by this Amending Order. **Order Number R8-2020-0050**

{David Woelfel (951)782-7960 david.Woelfel@waterboards.ca.gov}

Item *13. Amendment of Waste Discharge Requirements Order No. R8-2020-0034 for Change of Ownership from Crestmore Redevelopment, LLC, an Indirect Subsidiary of VCP Management, LLC (Viridian Partners), to Agua Mansa Commerce Predev, LLC Agua Mansa Commerce Park Specific Plan Project - This

Order amends existing Santa Ana Water Board Waste Discharge Requirements (WDRs), Order No. R8-2020-0034, to recognize a change in the Agua Mansa Commerce Park Specific Plan Project (Project) ownership from Crestmore Redevelopment, LLC, an Indirect Subsidiary of VCP Management, LLC (Viridian Partners), to Agua Mansa Commerce Predev, LLC. The new owner of the Project proposes no material changes to the character, location, or volume of discharges authorized by the existing WDRs, Order No. R8-2020-0034, and none is authorized by this Amending Order. **Order Number R8-2020-0051**

{David Woelfel (951)782-7960 david.Woelfel@waterboards.ca.gov}

Item 14. Presentation of the Recent Groundwater Management Zones Ambient Water Quality Determinations for the Period of 1999-2018 - Pursuant to the Salt

Management Plan specified in the Basin Plan, total dissolved solids (TDS) and nitrate-nitrogen ambient water quality concentrations, are to be determined every three years for each groundwater management zone within the Region. The Basin Monitoring Program (BMP) Task Force consultants have completed their update of the ambient water quality, as well as an interpretative analysis of the results. The data and findings from the update will be presented to the Santa Ana Regional Water Board as an informational item by the BMP Task Force administrator and their consultant. (This information item was postponed from October 16, 2020.)

{Cindy Li 951-782-4906 cindy.li@waterboards.ca.gov}

Item 15. Upper Temescal Valley Groundwater Management Zone Basin Plan Amendment – Resolution Number R8-2020-0038 - Public hearing to consider the

proposed Basin Plan Amendment to adopt the Salt and Nutrient Management Plan for the Upper Temescal Valley Groundwater Management Zone. (This action item was postponed from October 16, 2020.) **Resolution Number R8-2020-0038**

{Cindy Li 951-782-4906 cindy.li@waterboards.ca.gov}

Item 16. Human Right to Water Status Update - Staff will provide a summary of the activities completed during 2020 in support of the human right to water, in accordance with the Board's Resolution R8-2019-0078. Updated maps showing some of the Santa Ana Water Board's project locations, impaired water bodies, Environmental Justice/Disadvantaged Communities and Tribal Communities will also be presented (information item). **Order Number R8-2019-0078**

{Ann Sturdivant 951-782-4904 ann.sturdivant@waterboards.ca.gov}

Item 17. Underground Storage Tanks Corrective Action Plans - Board staff will provide a list of sites where Corrective Action plans have been submitted within the

Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728 (information item).

{Kenneth R. Williams 951-782-4496 ken.williams@waterboards.ca.gov}

Item 18. Underground Storage Tanks Site Closure Report – Board staff will provide a list of site closures that have occurred within the Region as required by the California Underground Storage Tank Regulations, Title 23, Article 11, Section 2728(d) (information item).

{Kenneth R. Williams 951-782-4496 ken.williams@waterboards.ca.gov}

Item 19. Executive Officer's Report

{Hope A. Smythe 951-782-4493 hope.smythe@waterboards.ca.gov}

Item 20. Regional Board Member and Executive Officer Communications - The Regional Board Members and the Executive Officer may discuss meetings, communications, correspondence or other items of general interest, relating to matters within the Board's jurisdiction. There will be no voting or formal action taken.

Closed Session - At any time during the regular session, the Regional Board may adjourn to a closed session to:

- a. Consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence (Government Code Section 11126(c)(3));
- b. consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against a public employee, (Government Code Section 11126(a)(1));
- c. discuss significant exposure to litigation (Government Code Section 11126(e) (2)(B)(i));
- d. discuss whether to initiate litigation (Government Code Section 11126(e)(2) (C)(i)); and
- e. discuss pending litigation in the following matters (Government Code, §11126, subdivision (e)):
 - (1) Goodrich Corporation vs. California State Water Resources Control Board et al. (Los Angeles Superior Court Case Number BS 110389, [consolidated with BS110390 and BS110391])
 - (2) In re Petitions of Kwikset Locks, Inc. (SWRCB/OCC File Numbers A-1732, 1732(a), 1732(b), 1732(c), and 1732(d))
 - (3) In re Own Motion Review of Rialto-Area Perchlorate Contamination (SWRCB/OCC File Number A-1824).
 - (4) *United El Segundo, Inc. & Rapid Gas, Inc. vs. Santa Ana Regional Water Quality Control Board*, Riverside County Superior Court, Case Number RIC 1722363 [Challenging Cleanup and Abatement Order Number R8-2016-0048].
 - (5) *Orange County Water District vs. Sabic Innovative Plastics US, LLC* et al., Orange County Superior Court, Case No. 30-2008-00078246-CU-TT-CXC [cross-complaints against Regional Board seeking declaratory relief].

(6) *Edwards Lifesciences LLC et al. vs. Regional Water Quality Control Board, Santa Ana Region*, Orange County Superior Court, Case No. 30-2019-01083704-CU-WM-CXC [challenging investigative order issued under Water code section 13267 on August 30, 2018].

Adjournment to the regular Board Meeting of February 5, 2021, at 9:00 am. This will be a video and teleconference meeting. Due to the COVID-19 emergency and the Governor's Executive Order N-33-20, Board Meetings have been presented as video and teleconference meetings with no physical meeting location, and solely via remote presence. Please follow our website for further updates:

https://www.waterboards.ca.gov/santaana/board_info/agendas/2020_agendas.html

NOTICES:

Any person who has a disability and requires reasonable accommodation to participate in this Santa Ana Water Board meeting should contact Jeannie Aguilar at 951-782-3285 or at jeannie.aguilar@waterboards.ca.gov, no later than seven business days prior to the meeting.

If you need interpreter services, contact Jeannie Aguilar at least seven business days prior to the date of the Board meeting at jeannie.aguilar@waterboards.ca.gov.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act, may contact Jason Bill at 951-782-3295.

jason.bill@waterboards.ca.gov

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list, may do so as follows: go to [Santa Ana Water Board Website](#), select "Subscribe" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date to view any changes to the agenda. Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to [Santa Ana Water Board Website](#) and select "Regional Board" then "Agendas" from the homepage.