
Santa Ana Regional Water Quality Control Board

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday, October 21, 2022 at 9:00 a.m.

California Air Resources Board

4001 Iowa Avenue

Riverside, CA 92507

And via Video and Teleconference (Gov. Code, § 11133)

[Live Video Webcast](#)

NOTICE:

This meeting will occur with both a physical meeting location and an option to participate from a remote location.

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

Video and Teleconference Option:

For those who **only wish to watch** the meeting, the webcast remains available at <https://cal-span.org/> and should be used **UNLESS** you intend to comment.

For those who wish to comment on an agenda item from a **remote location**, please complete the Zoom virtual speaker card available here:

https://us02web.zoom.us/webinar/register/WN_QF0eGfkPTbmhZZOj6eujow

You must submit a virtual speaker card **no later than 5:00 p.m. on Wednesday, October 19, 2022**. If you do not submit a virtual speaker card by the deadline, please do so as soon as you can. Virtual speaker cards received after the deadline from remote participants will be accommodated where possible, but participation in the meeting cannot be guaranteed.

Remote participants cannot participate in the Zoom meeting until receiving an email with the password. 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 jessica.baenre@waterboards.ca.gov or call 951-782-3285. If you need assistance during the Board meeting, please email r8support@waterboards.ca.gov.

KRISTINE MURRAY, CHAIR | JAYNE JOY, EXECUTIVE OFFICER

In-person Option:

For those who wish to comment on an agenda item in-person at the **physical meeting location**, it is **highly recommended** that you complete a speaker card in advance, please complete the Forms virtual speaker card available here:

<https://forms.office.com/g/RcSHhNcjPf>.

You may also fill out a virtual speaker card using the QR Code available at the physical meeting location. At the meeting location, you will see a printed QR Code. To use the QR Code, open your phone's camera, point the camera at the QR code, and your phone will display a link to forms.office.com. Click on the link, and you will be directed to the virtual speaker card website, where you can sign up to speak on an agenda item.

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.

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 Santa Ana Water Board on any matter within the 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 – State Water Board Member Dorene D'Adamo will provide an update on State Water Board activities.
{Dorene D'Adamo 916-641-5609 dorene.dadamo@waterboards.ca.gov}

Item 4. Regional Board Meeting Minutes of September 9, 2022 – The Santa Ana Water Board will consider approval of the Minutes of the regular Board meeting of September 9, 2022. (Action item)
{Jessica Baenre 951-782-3285 jessica.baenre@waterboards.ca.gov}

Item 5. Proposed Board Meeting Dates for 2023 – The Santa Ana Water Board will discuss the tentative calendar of meeting dates and locations for 2023. The calendar dates will be considered for adoption at the next Board meeting.
{Jayne Joy 951-782-3284 jayne.joy@waterboards.ca.gov}

Item 6. Appointment of a Committee to Nominate Regional Board Officers for 2023 – (Action item)
{Jayne Joy 951-782-3284 jayne.joy@waterboards.ca.gov}

Item 7. Renewal of Waste Discharge Requirements, Master Recycling Permit, and National Pollutant Discharge Elimination System (NPDES) Permit No. CA0105376 for City of Beaumont Wastewater Treatment Plant

– The Santa Ana Water Board will consider the adoption of waste discharge requirements, master recycling permit, and NPDES permit authorizing the discharge of tertiary treated and disinfected wastewater to Cooper’s Creek, tributary to San Timoteo Creek, and the production and distribution of recycled water from the City of Beaumont’s Wastewater Treatment Plant. (Action item) **Order Number R8-2022-0042**

{Julio Lara 951-782-4901 julio.lara@waterboards.ca.gov}

Item 8. Resolution Requesting Attorney General of California Initiate Judicial Enforcement of Cleanup and Abatement Order Against My Montecito Inc SH (My Montecito) and Restructure Petroleum Marketing Services of California, Inc. (RPMS)

– The Santa Ana Water Board will consider whether to formally request that the Attorney General initiate judicial enforcement action against My Montecito and RPMS for failure to comply with requirements in Cleanup and Abatement Order (CAO) R8-2021-0006. The requested judicial enforcement would include petitioning the Superior Court for an injunction compelling compliance with the applicable requirements of the CAO (Wat. Code, § 13304, subd. (a)), as well as for the imposition of civil penalties (Wat. Code, §§ 13268, 13350; Health & Saf. Code, § 25299, subd. (d)). (Action item)

Resolution Number R8-2022-0063

Attachment 1, Attachment 2, Attachment 3, Attachment 4

{Valerie Jahn-Bull 951-782-4903 valerie.jahn-bull@waterboards.ca.gov}

Item 9. Executive Officer’s Report

{Jayne Joy 951-782-3284 jayne.joy@waterboards.ca.gov}

Item 10. Resolution of Appreciation for Vice Chair Joe Kerr

{Jayne Joy 951-782-3284 jayne.joy@waterboards.ca.gov}

Item 11. Board Member and Executive Officer Communications – Santa Ana Water 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 Santa Ana Water 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 (Gov. Code, § 11126, subd. (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 (Gov. Code, § 11126, subd. (a)(1));
- c. discuss significant exposure to litigation (Gov. Code, § 11126, subd. (e)(2)(B)(i));
- d. discuss whether to initiate litigation (Gov. Code, § 11126, subd. (e)(2)(C)(i)); and

- e. discuss pending litigation in the following matters (Gov. Code, § 11126, subd. (e)(2)(A)):
- (1) *Cham-Cal Engineering Inc. and Western Avenue Associates, L.P. v. California Regional Water Quality Control Board-Santa Ana Region et al.*, Riverside Cnty. Super. Ct., Case No. CVRI 2101353 [Challenging Administrative Civil Liability Order R8-2020-0046].
 - (2) *Jonathan H. Cannon, as Trustee of the Cannon Family Trust, et al. v. Santa Ana Regional Water Quality Control Board*, Orange Cnty. Super. Ct., Case No. 30-2021-011835513-CU-WM-CJC [Challenging Investigative Order R8-2020-0047].
 - (3) *In re: Santa Ana Region MS4 Permit – Orange County et al.*, Commission on State Mandates Test Claim No. 09-TC-03 [Regarding a test claim filed by Orange County, Orange County Flood Control District, and several cities within Orange County alleging that portions of Order No. R8-2009-0030 created unfunded state mandates].
 - (4) *In re: Santa Ana Region MS4 Permit – Riverside County et al.*, Commission on State Mandates Test Claim No. 10-TC-07 [Regarding a test claim filed by Riverside County, Riverside County Flood Control and Water Conservation District, and several cities within Riverside County alleging that portions of Order No. R8-2010-0033 created unfunded state mandates].
 - (5) *In re: Santa Ana Region MS4 Permit – San Bernardino County et al.*, Commission on State Mandates Test Claim No. 10-TC-10 [Regarding a test claim filed by San Bernardino County, San Bernardino County Flood Control District, and several cities within San Bernardino County alleging that portions of Order No. R8-2010-0036 created unfunded state mandates].
 - (6) *In re: Water Code Section 13383(a) MS4 Trash Orders*, Commission on State Mandates Test Claim Nos. 17-TC-07 to 17-TC-28 [Regarding 22 different test claims filed by various MS4 permittees within the Santa Ana Region alleging that portions of the Water Code section 13383(a) MS4 Trash Orders issued to each created unfunded state mandates].

{Katharine Bramble 916-440-7769 katharine.bramble@waterboards.ca.gov}

Adjournment – To the regular Board meeting of December 2, 2022 at 9:00 a.m.

Please follow our website for further updates:

https://www.waterboards.ca.gov/santaana/board_info/agendas/2022_agendas.html

NOTICES:

Any person who requires reasonable accommodation to participate in this Santa Ana Water Board meeting should contact Jessica Baenre at 951-782-3285 or at

jessica.baenre@waterboards.ca.gov, no later than seven business days prior to the meeting.

If you need interpreter services, contact Jessica Baenre at least ten business days prior to the date of the Board meeting at jessica.baenre@waterboards.ca.gov.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Certification under section 401 of the federal Clean Water Act, may contact us by email at RB8-401application@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 10 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.

Any person aggrieved by an action of the Santa Ana Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the action, except that if the thirtieth day falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions will be provided upon request.