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## Santa Ana Regional Water Quality Control Board

# AGENDA ANNOUNCEMENT

### REGIONAL BOARD MEETING

Friday, September 9, 2022 at 9:00 a.m.

City of Corona

400 S. Vicentia Ave.

Corona, CA 92882

**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](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\\_VrX2tIlanQliG9j94U1huGw](https://us02web.zoom.us/webinar/register/WN_VrX2tIlanQliG9j94U1huGw)

You must submit a virtual speaker card **no later than 5:00 p.m. on Wednesday, September 7, 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](mailto:jessica.baenre@waterboards.ca.gov) or call 951-782-3285. If you need assistance during the Board meeting, please email [r8support@waterboards.ca.gov](mailto:r8support@waterboards.ca.gov).

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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/fhLVt4z1jh>.

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](mailto:dorene.dadamo@waterboards.ca.gov)}

**Item 4. Regional Board Meeting Minutes of July 22, 2022** – The Santa Ana Water Board will consider approval of the Minutes of the regular Board meeting of July 22, 2022.  
{Jessica Baenre 951-782-3285 [jessica.baenre@waterboards.ca.gov](mailto:jessica.baenre@waterboards.ca.gov)}

**Item 5. 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 \*6. Waste Discharge Requirements for La Ventana 242, LLC, and D.R. Horton, Inc., Tentative Tract Map 31100 Line F Outfall Structure, Riverside County**  
The Santa Ana Water Board will consider the adoption of waste discharge requirements authorizing the discharge of fill material to waters of the state for storm drain

improvements for a planned residential development in Winchester. **Order Number R8-2022-0047**

{Kyle Fructuoso 951-320-2028 [kyle.fructuoso@waterboards.ca.gov](mailto:kyle.fructuoso@waterboards.ca.gov)}

**Item \*7. Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification for City of Lake Elsinore, Summerhill Drive Extension Project, Riverside County**

– The Santa Ana Water Board will consider adoption of waste discharge requirements and a Clean Water Act section 401 water quality certification authorizing the discharge of fill material to federal and non-federal waters of the state for the extension of Summerhill Drive as part of a master-planned community.

**Order Number R8-2022-0052**

{Kyle Fructuoso 951-320-2028 [kyle.fructuoso@waterboards.ca.gov](mailto:kyle.fructuoso@waterboards.ca.gov)}

**Item \*8. Termination of Waste Discharge Requirements and NPDES Permit for Poseidon Resources (Surfside) L.L.C., Huntington Beach Desalination Facility, Orange County**

– The Santa Ana Water Board will consider termination of the waste discharge requirements and National Pollutant Discharge Elimination System (NPDES) permit for the Huntington Beach Desalination Facility, Order Number R8-2021-0011 (NPDES CA CA8000403), as the facility will not be constructed and the permittee has requested termination. **Order Number R8-2022-0053**

{Julio Lara 951-782-4901 [julio.lara@waterboards.ca.gov](mailto:julio.lara@waterboards.ca.gov)}

**Item \*9. Waste Discharge Requirements for City of San Jacinto, Esplanade Avenue Widening Phase 1 Project, Riverside County**

– The Santa Ana Water Board will consider adoption of waste discharge requirements authorizing the discharge of fill material to waters of the state for the widening of Esplanade Avenue from two lanes to four lanes between Warren Road and Sanderson Avenue. **Order Number R8-2022-0057**

{Maher Zaher 951-394-9506 [maher.zaher@waterboards.ca.gov](mailto:maher.zaher@waterboards.ca.gov)}

**Item \*10. Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification for San Bernardino Valley Water Conservation District, Mill Creek Diversion Debris Management Project, San Bernardino County**

– The Santa Ana Water Board will consider adoption of waste discharge requirements and a Clean Water Act section 401 water quality certification authorizing the discharge of fill material to federal and non-federal waters of the state for upgrades to an existing groundwater recharge diversion facility. **Order Number R8-2022-0058**

{Kyle Fructuoso 951-320-2028 [kyle.fructuoso@waterboards.ca.gov](mailto:kyle.fructuoso@waterboards.ca.gov)}

**Item 11. Presentation by Representatives of the Stormwater Monitoring Coalition (SMC)**

– SMC representatives will discuss their role in facilitating SMC members' collaborative efforts to address regional stormwater quality issues. (Information Item)

{Adam Fischer 951 320-6363 [adam.fischer@waterboards.ca.gov](mailto:adam.fischer@waterboards.ca.gov)}

**Item 12. Water Conservation Activities** – Staff from the State Water Board’s Office of Research, Planning and Performance will provide an overview of the state’s water conservation activities. (Information Item)  
{Jayne Joy 951-782-3284 [jayne.joy@waterboards.ca.gov](mailto:jayne.joy@waterboards.ca.gov)}

**Item 13. Executive Officer’s Report**  
{Jayne Joy 951-782-3284 [jayne.joy@waterboards.ca.gov](mailto:jayne.joy@waterboards.ca.gov)}

**Item 14. 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) *United El Segundo, Inc. & Rapid Gas, Inc. vs. Santa Ana Regional Water Quality Control Board*, Riverside Cnty. Super. Ct., Case No. RIC 1722363 [Challenging Cleanup and Abatement Order R8-2016-0048].
  - (2) *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].
  - (3) *California Coastkeeper and Orange County Coastkeeper v. California Regional Water Quality Control Board, Santa Ana Region*, Alameda Cnty. Super. Ct., Case No. RG21113898 [Challenging Order R8-2021-0011 issued to Poseidon Resources (Surfside) L.L.C. for the Huntington Beach Desalination Facility].
  - (4) *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].

**Adjournment** – To the regular Board meeting of October 21, 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](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](mailto: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](mailto: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](mailto: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.