
Santa Ana Regional Water Quality Control Board

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday, February 4, 2022 at 9:00 a.m.

Video and Teleconference Meeting Only

No Physical Meeting Location

(Authorized by Government Code section 11133 and Executive Order [N-1-22](#))

Live video webcast: [LIVE VIDEO](#)

NOTICE:

Video and Teleconference Meeting During COVID-19 Emergency: As a result of the COVID-19 emergency and as authorized by Government Code section 11133 and Executive Order N-1-22, 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, February 2, 2022. To register visit:

https://us02web.zoom.us/webinar/register/WN_LO8kTC5BRguYkthnnHvKQ

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 jessica.baenre@waterboards.ca.gov or call 951-782-3285. If you need assistance during the Board meeting, please email r8support@waterboards.ca.gov.

Any person may ask for additional time for their oral comment by sending a request with a justification supporting the request to Jayne Joy at jayne.joy@waterboards.ca.gov or by contacting her at (951) 782-3284 by 5:00 p.m. on February 2, 2022. Interested persons requesting additional time will be advised prior to the date of the hearing of the amount of time they will be allocated. The decision to grant or deny additional time will be based upon the complexity and the number of issues under consideration, the extent to which entities and persons have coordinated, the number of interested persons anticipated, the extent to which entities and persons have identified unique interests, and the time available for the hearing. It is the Santa Ana Water Board's intent that reasonable requests be accommodated.

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. Lana Ong Peterson Resolution of Appreciation
{Jayne Joy 951-782-3284 jayne.joy@waterboards.ca.gov}

Item 5. Election of Santa Ana Water Board Officers for 2022
{Jayne Joy 951-782-3284 jayne.joy@waterboards.ca.gov}

Item 6. Regional Board Meeting Minutes of September 17, 2021 – The Santa Ana Water Board will consider approval of the Minutes of the regular Board meeting of September 17, 2021.
{Jessica Baenre 951-782-3285 jessica.baenre@waterboards.ca.gov}

Item 7. Regional Board Meeting Minutes of October 15, 2021 – The Santa Ana Water Board will consider approval of the Minutes of the regular Board meeting of October 15, 2021.

{Jessica Baenre 951-782-3285 jessica.baenre@waterboards.ca.gov}

Item 8. 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 *9. Waste Discharge Requirements for San Bernardino County Department of Public Works, Environmental Management Division, Flood Control District, West Fontana Channel Improvement Project (Banana to Hickory), Unincorporated Fontana, San Bernardino County, Order No. R8-2022-0005 – The Santa Ana Water Board will consider adoption of waste discharge requirements authorizing the discharge of dredge or fill material to 5.10 acres of waters of the state for channel enlargement, revised channel walls, and enlarged culverts between Banana and Hickory Basins.

Order Number R8-2022-0005

{Terri Reeder 951-782-4995 terri.reeder@waterboards.ca.gov}

Item *10. Amendment of Waste Discharge Requirements Order Number R8-2021-0016 for Pacific Summit-Foothill, LLC, Sycamore Heights Residential Development Project, City of Rancho Cucamonga, San Bernardino County – The Santa Ana Water Board will consider adoption of an amendment to existing waste discharge requirements to recognize a modification to the United States Army Corps of Engineers nationwide permit authorization term.

Order Number R8-2022-0007

{Claudia Tenorio 951-782-4963 claudia.tenorio@waterboards.ca.gov}

Item *11. Waste Discharge Requirements for Diversified Pacific Communities, Tentative Tract Map No. 37732 Project, City of Riverside, 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 a residential development and associated infrastructure on approximately 22.6 acres.

Order Number R8-2022-0009

{Claudia Tenorio 951-782-4963 claudia.tenorio@waterboards.ca.gov}

Item 12. Workshop on Staff Working Proposal for NPDES Permit and Waste Discharge Requirements for Discharges of Pollutants in Urban Runoff from the Municipal Separate Storm Sewer Systems in the Counties of Orange, Riverside, and San Bernardino (NPDES No. CAS618000) – Staff of the Santa Ana Water Board has released a staff working proposal for regulating discharges of pollutants in urban runoff from Municipal Separate Storm Sewer Systems (MS4s) in Orange, Riverside, and San Bernardino Counties on a regionwide basis. An overview of the Region's stormwater program and key provisions of the staff working proposal will be provided,

as well as an opportunity for feedback on the staff working proposal from permittees and other stakeholders. The Board may provide input to staff on the working proposal; however, no action or voting will be taken. [Staff Report](#)
{Adam Fischer 951-320-6363 adam.fischer@waterboards.ca.gov}

Item 13. Executive Officer's Report

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

Item 14. Regional Board Member and Executive Officer Communications –

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 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 March 18, 2022 at 9:00 am. Please follow our website for further updates:

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

NOTICES:

Any person who has a disability and 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.