
Santa Ana Regional Water Quality Control Board

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday, February 3, 2023 at 9:00 a.m.

City of Anaheim

200 S. Anaheim Blvd.

Anaheim, CA 92805

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_qzjuCuHRg-tRUZNJqv6jQ

You must submit a virtual speaker card **no later than 5:00 p.m. on Wednesday, February 1, 2023**. 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.

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/DmUA2vGJg7>.

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. Election of Santa Ana Water Board Officers for 2023 –

(Action item)

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

Item 5. Regional Board Meeting Minutes of December 2, 2022 –

The Santa Ana Water Board will consider approval of the Minutes of the regular Board meeting of December 2, 2022. (Action item)

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

Item 6. 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 *7. Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification for California Department of Water Resources, Perris Dam Emergency Release Facility (ERF) Project, Riverside County –

The Santa Ana Water Board will consider adoption of Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification authorizing the discharge of fill material to federal and non-federal waters of the state for modification of the current emergency release structure for Perris Dam and construction of a water conveyance facility to safely control a reservoir release and convey emergency flows from Lake Perris to the Perris Valley Channel.

Order Number R8-2023-0010

{Hossein Shahrokhnia 951-782-4998 hossein.shahrokhnia@waterboards.ca.gov}

Item *8. Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification for County of Riverside Transportation Department, Gilman Springs Shoulder and Median Widening Project, Riverside County –

The Santa Ana Water Board will consider adoption of Waste Discharge Requirements and Clean Water Act Section 401 Water Quality Certification authorizing the discharge of fill material to federal and non-federal waters of the state for reconstruction of the existing Gilman Springs Road to improve safety and traffic operations by eliminating the hazards associated with narrow and undivided roadway.

Order Number R8-2023-0011

{Hossein Shahrokhnia 951-782-4998 hossein.shahrokhnia@waterboards.ca.gov}

Item 9. General Waste Discharge Requirements for Discharges of Waste from Irrigated Lands in the San Jacinto River Watershed, Riverside County –

The Santa Ana Water Board will consider the adoption of General Waste Discharge Requirements for discharges of waste from irrigated lands in the San Jacinto River watershed. The General Waste Discharge Requirements will replace the Conditional Waiver of Waste Discharge Requirements for Discharges from Agricultural Operations in the Watersheds of the San Jacinto River and its Tributaries, collectively the “The San Jacinto River Watershed” Riverside County (Order R8-2016-0003, as amended by Order R8-2017-0023 and renewed by Order R8-2021-0034). (Action item)

Order Number R8-2023-0006

Response to Comments

{SueAnn Neal 951-782-4468 sueann.neal@waterboards.ca.gov}

Item 10. 2024 Integrated Report –

Santa Ana Water Board staff will provide an overview of the listing recommendations for the Santa Ana Region in the draft 2024 Clean Water Act Sections 303(d) and 305(b) Integrated Report and the public process for the report’s adoption. (Information item)

{Barbara Barry 951-248-0375 barbara.barry@waterboards.ca.gov}

Item 11. Stormwater Enforcement Update –

Santa Ana Water Board staff will present an overview of the Region’s enforcement process for stormwater violations where monetary penalties were assessed and issued in the 2020 through 2022 fiscal years. (Information item)
{Michelle R. Beckwith 951-782-4433 michelle.beckwith@waterboards.ca.gov}

Item 12. Executive Officer’s Report –

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

Item 13. 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 scheduled for March 17, 2023 at 9:00 a.m. Please follow our website for further updates:

https://www.waterboards.ca.gov/santaana/board_info/board_meeting_schedule.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.