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Santa Ana Regional Water Quality Control Board

**REVISED**  
**AGENDA ANNOUNCEMENT**

**REGIONAL BOARD MEETING**

**Friday, September 22, 2023 at 9:00 a.m.**

Chino Basin Water Conservation District

4594 San Bernardino St.

Montclair, CA 91763

**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 for the public 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\\_8-o2QCFwROa932BEtDCKjQ](https://us02web.zoom.us/webinar/register/WN_8-o2QCFwROa932BEtDCKjQ)

You must submit a virtual speaker card **no later than 5:00 p.m. on Wednesday, September 20, 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](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).

### **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/5VVcrEdthC>.

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** –

The State Water Board will provide an update on State Water Board activities.  
{Jayne Joy 951-782-3284 [jayne.joy@waterboards.ca.gov](mailto:jayne.joy@waterboards.ca.gov)}

#### **Item 4. Regional Board Meeting Minutes of July 28, 2023** –

The Santa Ana Water Board will consider approval of the Minutes of the regular Board meeting of July 28, 2023. (Action item)  
{Jessica Baenre 951-782-3285 [jessica.baenre@waterboards.ca.gov](mailto:jessica.baenre@waterboards.ca.gov)}

#### **Item 5. Public Hearing on Mandatory Minimum Penalty Complaint, Placentia Hospitality LLC, Orange County** –

The Santa Ana Water Board will conduct a public hearing to consider whether to affirm, reject, or modify the mandatory minimum penalty proposed against Respondent Placentia Hospitality LLC in Complaint No. R8-2023-0012. (Action item)

**[Complaint No. R8-2023-0012](#) / [Hearing Procedure](#) / [Public Notice](#)**

{Michelle R. Beckwith 951-782-4433 [michelle.beckwith@waterboards.ca.gov](mailto:michelle.beckwith@waterboards.ca.gov)}

**Item 6. Homelessness and Flood Risk Reduction in Riverside County** –

Riverside County Flood Control and Water Conservation District (RCFC&WCD) began a partnership with local city, county, and non-profit outreach teams and service providers in September 2021 to educate those dwelling in the river about the pending levee rehabilitation project and to offer services, including housing alternatives, ahead of the construction to protect the safety of those that are experiencing homelessness in the river bottom. There will be presentations by Julianna Adams, Chief of Emergency Management & Government Affairs, RCFC&WCD, and Kayla Brown, General Manager/Parks Director of the Riverside County Regional Park and Open-Space District. (Information item)

{Jayne Joy 951-782-3284 [jayne.joy@waterboards.ca.gov](mailto:jayne.joy@waterboards.ca.gov)}

**Item 7. Enforcement Priorities Update** –

Santa Ana Water Board staff will provide an overview of the Santa Ana Region's enforcement priorities for Fiscal Year 23/24. (Information item)

{Chuck Griffin 951-782-4966 [chuck.griffin@waterboards.ca.gov](mailto:chuck.griffin@waterboards.ca.gov)}

**Item 8. Cannabis Program Update** –

Santa Ana Water Board staff will provide an update on the South Coast Regional Program implementation of the statewide Cannabis Cultivation Program, including updates on enrollment and enforcement priorities. (Information item)

{Brian M. Covellone 951-782-4382 [brian.covellone@waterboards.ca.gov](mailto:brian.covellone@waterboards.ca.gov)}

**Item 9. Executive Officer's Report** –

{Jayne Joy 951-782-3284 [jayne.joy@waterboards.ca.gov](mailto:jayne.joy@waterboards.ca.gov)}

**Item 10. 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.

**Item 11. Chino Basin Water Conservation District Garden Tour** –

There will be a guided, informational tour of the Chino Basin Water Conservation District (CBWCD) garden. The tour will depart from the CBWCD Board room after Item 10 and is scheduled to last for 30 minutes. No voting or formal action by the Santa Ana Water Board will take place. The tour includes walking and standing for periods up to 30 minutes. Please note there is no option for remote participation on the tour.

**Public Notice**

{Jessica Baenre 951-782-3285 [jessica.baenre@waterboards.ca.gov](mailto:jessica.baenre@waterboards.ca.gov)}

**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](mailto:katharine.bramble@waterboards.ca.gov)}

**Adjournment –**

To the regular Board meeting scheduled for October 27, 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](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](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.