

---

## Santa Ana Regional Water Quality Control Board

# AGENDA ANNOUNCEMENT

### REGIONAL BOARD MEETING

**NOTICE:** Thursday, July 30, 2020 at 9:00 a.m.,  
Friday, July 31, 2020 at 9:00 a.m., and  
Friday, August 7, 2020 at 9:00 a.m.

Video and Teleconference Meeting Only  
No Physical Meeting Location  
(Authorized by and in furtherance of  
Executive Orders [N-29-20](#) and [N-33-20](#))  
Live video webcast: [LIVE VIDEO](#)

### NOTICE:

**Video and Teleconference Meeting During COVID-19 Emergency:** As a result of the COVID-19 emergency and the Governor's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, 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/>

We are anticipating a longer duration of time for the Board Meetings on July 30, 2020, July 31, 2020 and August 7, 2020; therefore, we will schedule morning, lunch, and afternoon breaks. Lunch break will be from 12:00 p.m. to 1:00 p.m. (time is approximate and is dependent on the flow of the meeting).

If you want to comment on an item during the meeting, you will need 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](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.

WILLIAM RUH, CHAIR | HOPE SMYTHE, EXECUTIVE OFFICER

To request to speak on any item at the July 30, 2020 and July 31, 2020 meeting, you must submit a virtual speaker card no later than 5:00 p.m. on Tuesday, July 28, 2020. To register visit: [https://us02web.zoom.us/webinar/register/WN\\_om09HDi5SiGIJ8-DDLX2fw](https://us02web.zoom.us/webinar/register/WN_om09HDi5SiGIJ8-DDLX2fw)

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 [jeannie.aguilar@waterboards.ca.gov](mailto:jeannie.aguilar@waterboards.ca.gov) or call 951-782-3285.

### **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 Regional Board on any matter within the Regional 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. Regional Board Meeting Minutes of May 15, 2020** - The Board will consider approval of the Minutes of the regular Board meeting of May 15, 2020. (Action item). {Jeannie Aguilar 951-782-3285 [jeannie.aguilar@waterboards.ca.gov](mailto:jeannie.aguilar@waterboards.ca.gov)}

### **Item 4. Renewal of Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit (NPDES No. CA8000403) for Poseidon Resources (Surfside) L.L.C., Huntington Beach Desalination Facility**—

Consideration of renewal of waste discharge requirements and compliance with Water Code section 13142.15(b) for the intake of seawater and discharges of concentrated seawater and filter backwash to the Pacific Ocean. Order No. R8-2020-0005 {Julio Lara 951-782-4901 [julio.lara@waterboards.ca.gov](mailto:julio.lara@waterboards.ca.gov)}

**Closed Session** - At any time during the regular session, the Regional 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 (Government Code Section 11126(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, (Government Code Section 11126(a)(1));
- c. discuss significant exposure to litigation (Government Code Section 11126(e) (2)(B)(i));
- d. discuss whether to initiate litigation (Government Code Section 11126(e)(2) (C)(i)); and
- e. discuss pending litigation in the following matters (Government Code, §11126, subdivision (e)):
  - (1) Goodrich Corporation vs. California State Water Resources Control Board et al. (Los Angeles Superior Court Case Number BS 110389, [consolidated with BS110390 and BS110391])
  - (2) In re Petitions of Kwikset Locks, Inc. (SWRCB/OCC File Numbers A-1732, 1732(a), 1732(b), 1732(c), and 1732(d))
  - (3) In re Own Motion Review of Rialto-Area Perchlorate Contamination (SWRCB/OCC File Number A-1824).
  - (4) *United El Segundo, Inc. & Rapid Gas, Inc. vs. Santa Ana Regional Water Quality Control Board*, Riverside County Superior Court, Case Number RIC 1722363 [Challenging Cleanup and Abatement Order Number R8-2016-0048].
  - (5) *Orange County Water District vs. Sabic Innovative Plastics US, LLC et al.*, Orange County Superior Court, Case No. 30-2008-00078246-CU-TT-CXC [cross-complaints against Regional Board seeking declaratory relief].
  - (6) *Edwards Lifesciences LLC et al. vs. Regional Water Quality Control Board, Santa Ana Region*, Orange County Superior Court, Case No. 30-2019-01083704-CU-WM-CXC [challenging investigative order issued under Water code section 13267 on August 30, 2018].

**Adjournment** to the continuation of the Board Meeting of July 31, 2020, at 9:00 am., and August 7, 2020, at 9:00 a.m., followed by the regular Board Meeting of September 11, 2020, at 9:00 am. Due to the COVID-19 emergency and the Governor's Executive Order N-33-20, recent Board meetings have been presented as video and teleconference meetings with no physical meeting location, and solely via remote presence. Please follow our website for further updates:

[https://www.waterboards.ca.gov/santaana/board\\_info/agendas/2020\\_agendas.html](https://www.waterboards.ca.gov/santaana/board_info/agendas/2020_agendas.html)

**NOTICES:**

Any person who has a disability and requires reasonable accommodation to participate in this Santa Ana Water Board meeting should contact Jeannie Aguilar at 951-782-3285 or at [jeannie.aguilar@waterboards.ca.gov](mailto:jeannie.aguilar@waterboards.ca.gov), no later than seven business days prior to the meeting.

If you need interpreter services, contact Jeannie Aguilar at least seven business days prior to the date of the Board meeting at [jeannie.aguilar@waterboards.ca.gov](mailto:jeannie.aguilar@waterboards.ca.gov).

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal

Clean Water Act, may contact Jason Bill at 951-782-3295  
[jason.bill@waterboards.ca.gov](mailto:jason.bill@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 “Subscriptions” 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 7 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.