
Santa Ana Regional Water Quality Control Board

AGENDA ANNOUNCEMENT

REGIONAL BOARD MEETING

Friday, September 13, 2024 at 9:00 a.m.

City of Cypress
5275 Orange Avenue
Cypress, CA 90630

And via Video and Teleconference (Gov. Code, § 11123.2)

[Live Video Webcast](#)

NOTICE:

This meeting will occur with both a physical meeting location and an option to participate by Zoom. A majority of the Board members will be physically present at the noticed meeting location. One or more Board members may participate remotely.

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 virtual 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 by Zoom, please complete the Zoom virtual speaker card available here:

https://us02web.zoom.us/webinar/register/WN_gcVRtwwLRCiJXuNAcN4CMg

You must submit a virtual speaker card **no later than 5:00 p.m. on Wednesday, September 11, 2024**. 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 virtual participation in the meeting cannot be guaranteed.

Members of the public 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/e7DYgDhayB>.

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 and Declaration of Quorum

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}

Item 4. Racial Equity

The Santa Ana Water Board staff will provide an update on the Racial Equity activities.
{Jayne Joy, 951-782-3284, jayne.joy@waterboards.ca.gov}

Item 5. Regional Board Meeting Minutes of July 26, 2024

The Santa Ana Water Board will consider approval of the Minutes of the Regional Board meeting of July 26, 2024. (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 person, 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. Revising Waste Discharge Requirements Order R8-2024-0042 for Minor Ranch LLC, Menifee Valley Specific Plan Project, Riverside County

The Santa Ana Water Board will consider the adoption of the revised Waste Discharge Requirements Order R8-2024-0042 for Menifee Valley Specific Plan Project in Riverside County. The revision includes modifying compensatory mitigation requirements to grant the Discharger a 12-month extension to complete the purchase of mitigation credits and allow the Discharger to begin the Project construction through a valid credit reservation agreement with the mitigation bank.

Order Number R8-2024-0060

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

Item 8. Executive Officer's Report

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

Item 9. 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 10. Workshop on the Regional NPDES Permit and Waste Discharge Requirements for Discharges of Pollutants in Runoff from the Municipal Separate Storm Sewer Systems (MS4s) in the Counties of Orange, Riverside, and San Bernardino (NPDES No. CAS618000)

On March 1, 2024, staff of the Santa Ana Water Board announced the release of a Draft Regional MS4 Permit (Permit) for regulating discharges of pollutants in runoff from MS4s in Orange, Riverside, and San Bernardino Counties on a regionwide basis (Permit) to solicit feedback from permittees and other stakeholders. The comment period ended on July 3, 2024. Santa Ana Water Board staff will present an overview of comments received on the Permit and discuss the anticipated schedule for the public hearing to consider adoption of the Permit. There will also be an opportunity for feedback on the Permit from permittees, other stakeholders, and the public. The Board will not take any action at the workshop.

Order Number R8-2024-0001

{Adam Fischer, 951-320-6363, adam.fischer@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) *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].
 - (2) *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].
 - (3) *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].
 - (4) *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].

{Lori Okun, 916-323-1667, lori.okun@waterboards.ca.gov}

Adjournment

To the regular Board meeting scheduled for October 25, 2024 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 seven 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.