

State of California
Santa Ana Regional Water Quality Control Board

Minutes of the March 12, 2021 Board Meeting
Video and Teleconference Meeting
No Physical Meeting Location
(Authorized by and in furtherance of
Executive Orders [N-29-20](#) and [N-33-20](#))

Chair Peterson called the meeting to order at 9:01 a.m.

1. **Introductions**

Board Members Present at Virtual Board Meeting:

Lana Peterson, Chair
Kris A. Murray, Vice Chair
William Ruh
Tom Rivera
Daniel P. Selmi
Joseph Kerr
Letitia Clark

Staff Present at Virtual Board Meeting:

Hope A. Smythe, Executive Officer
Jayne Joy, Assistant Executive Officer
Teresita Sablan, Regional Board Counsel
Ann E. Sturdivant, Division Chief
Mark E. Smythe, Division Chief
Lauma Willis, Division Chief
Cindy Li, Chief of Land Disposal
David G. Woelfel, Chief of Regional Programs
Julio C. Lara, Chief of Wastewater
Claudia Tenorio, Environmental Scientist
Ryan Harris, Water Resources Control Engineer
Barbara Barry, Chief of Basin Planning - Inland Waters
Yiping Cao, Environmental Scientist
Kevin Heinemann, Information Technology Manager
Don Nguyen, Information Technology Associate
Daniel Mefford, Information Technology Specialist I
Jeannie Aguilar, Associate Governmental Program Analyst/Board Clerk
Jennifer Fordyce, Assistant Chief Counsel, State Water Board
Sean Maguire, State Board Liaison, State Water Board

Virtual Public Attendance by Virtual Speaker Cards Received

Barry Jones, Helix Environmental Planning; Thomas Bitney; Arlene Chun, San Bernardino County Stormwater Program; Amy McNeill, Riverside County Flood Control.

Item 2. Public Forum:

None

Item 3. Recognition of Past Chair William Ruh

Chair Peterson presented the history of William Ruh’s participation with the Santa Ana Regional Water Board meetings. Chair Peterson expressed gratitude to William Ruh for his past leadership. Board members thanked Board Member William Ruh.

Item 4. State Water Resources Control Board (State Water Board) Liaison Report

This item was presented by Board Member Sean Maguire, State Water Board.

Mr. Maguire presented the 2021 State Water Board Strategic Work Plan prepared annually. Mr. Maguire pointed out the Strategic Work Plan is broken into four different goals. The first goal is to protect public health by ensuring reliable access to safe, affordable drinking water and sanitation. The second goal is to protect and restore watersheds, marine waters, and ecosystems. The third goal is increase statewide water resiliency in the face of climate change, and the fourth goal is to strengthen internal capacity and systems, such as, incorporate effective public participation, support effective partnerships, track communicate, and manage data effectively. Mr. Maguire presented a list of the 2020 accomplishments and presented a list of the highest priority actions for 2021.

Board members had questions for Mr. Maguire.

Item 5. Regional Board Meeting Minutes of February 5, 2021

Chair Peterson asked the Board Members for a motion of the Minutes and asked Board Clerk Ms. Aguilar for a roll call vote.

Motion: It was moved by Board Member William Ruh, seconded by Board Member Letitia Clark and the Minutes of the February 5, 2021 Board Meeting was unanimously approved by roll call vote.

Roll call vote: Board Member Letitia Clark - Aye, Board Member Joe Kerr - Aye, Board Member Daniel Selmi - Aye, Board Member Dr. Tom Rivera - Aye, Board Member William Ruh – Aye, Vice Chair Kris Murray - Aye, Chair Lana Peterson – Aye.

Item 6. Consideration of the Consent Calendar items are listed with an asterisk

Chair Peterson asked the Board Members for a motion and asked Board Clerk Ms. Aguilar for a roll call vote.

Item *7. Waste Discharge Requirements for SPT-AREP III Tuscany Associates, LLC Tuscany Valley/Crest Residential Development Project City of Lake Elsinore, Riverside County – Order Number R8-2021-0008

Item *8. Waste Discharge Requirements and Master Recycling Permit for Orange County Water District's Advanced Water Purification Facility, Orange County – Order Number R8-2021-0003

Item *9. Consideration of Acceptance and Approval of the 2018 Groundwater Management Zones Ambient Water Quality Determinations – Order Number R8-2021-0020

Motion: It was moved by Board Member William Ruh, seconded by Board Member Joe Kerr and unanimously carried to adopt Orders R8-2021-0008, R8-2021-0003 with Errata Sheet and R8-2021-0020, as presented by roll call vote.

Roll call vote: Board Member Letitia Clark – Aye, Board Member Joe Kerr - Aye, Board Member Daniel Selmi - Aye, Board Member Dr. Tom Rivera - Aye, Board Member William Ruh – Aye, Vice Chair Kris Murray - Aye, Chair Lana Peterson – Aye.

Item 10. Update on the Total Maximum Daily Loads (TMDLs) for Bacterial Indicators for the Middle Santa Ana River Watershed

This item was presented by Ms. Barbara Barry, Chief of Basin Planning, Inland Waters.

Ms. Barry provided an overview of the Middle Santa Ana River Bacterial Indicator TMDLs. The TMDLs for indicator bacteria in the Middle Santa Ana River Watershed was adopted on August 26, 2005 by the Santa Ana Water Board and approved May 16, 2007 by U.S. EPA to address impairments. Ms. Barry explained that TMDLs can be thought of as a plan to restore an impaired waterbody to water quality objectives. It involves the calculation of the maximum pollutant allowable load to enter the waterbody so it can meet objectives of a particular pollutant. There are several steps involved in developing TMDLs including identifying all potential sources of pollutants and assigning allocations of allowable pollutant to responsible parties.

Ms. Barry informed the Board the Middle Santa Ana River Watershed is located within San Bernardino County, Riverside County and a small portion of Los Angeles County and is 488 square miles in size. Ms. Barry said responsible parties to the TMDL's are confined animal feeding operations, U.S. Forest Service, and agricultural operations (irrigated and dry land farming). Ms. Barry noted several responsible parties within the watershed formed the Middle Santa Ana River Watershed TMDL Task Force. The Task Force was created to address bacterial indicator issues in the watershed and implements the TMDLs. The Task Force has been working cooperatively with Santa Ana Water Board staff on the SAR watershed for many years. The TMDLs has different compliance dates for dry and wet season discharges. The compliance deadlines for the TMDLs for dry summer conditions were no later than December 31, 2015 and for wet winter conditions are no later than December 31, 2025.

Presenters: Theresa Dunham, Kahn, Soares and Conway, LLP; Rick Whetsel, Santa Ana Watershed Project Authority.

Presentation by Rick Whetsel, Senior Watershed Project Manager with the Santa Ana Watershed Project Authority (SAWPA).

Mr. Whetsel spoke on behalf of SAWPA and the Middle Santa Ana River Watershed TMDL Task Force. He provided an update on the efforts and accomplishments of the Middle Santa Ana River TMDL Task Force and its stakeholder members.

Presentation by Theresa Dunham, Kahn, Soares and Conway, LLP.

Ms. Dunham presented key implementation mechanisms for achieving TMDLs. Ms. Dunham focused on the implementation of the bacteria reduction plans, which were incorporated into the municipal stormwater permits for the Riverside County and the San Bernardino County Programs in 2012. Ms. Dunham said one of the fundamental components of the bacteria reduction plans is they are designed to achieve the dry weather waste load allocations through a fundamental approach of eliminating and or reducing dry weather flows from the municipal stormwater systems. Ms. Dunham described the specific implementation activities.

Board Members had questions for Ms. Dunham and Mr. Whetsel.

Speakers: Arlene Chun, San Bernardino County Stormwater Program Manager provided an update of the TMDLs Task Force. Amy McNeill, Riverside County Flood Control and Water Conservation District expressed their support for the task force efforts to address bacteria impairment in the Middle Santa Ana River.

Board Members had questions for the speakers.

Item 11. Underground Storage Tanks Corrective Action Plans

Report on File.

Item 12. Underground Storage Tanks Site Closure Report

Report on File.

Item 13. Executive Officer's Report

Executive Officer, Hope Smythe provided next year's priorities to the Regional Board. Ms. Smythe spoke about the racial equity initiative that the State Water Board and the Regional Water Board have undertaken. She said that they are working on a racial equity resolution.

Item 14. Regional Board Member and Executive Officer Communications

Ms. Smythe asked the Board members to hold the dates for the continued public hearing for Poseidon's Huntington Beach Desalination Project.

Item 15. Closed Session

Chair Peterson leads everyone to the closed session to consider personnel matters under Government Code §11126 subdivision (a)(1). Chair Peterson announced open session is now adjourned.

Adjournment – Chair Peterson adjourned the meeting at 11:30 a.m. to the regular Board Meeting of May 7, 2021 at 9:00 a.m. This will be a video and teleconference meeting. Due to the COVID-19 emergency and the Governor’s Executive Order N-33-20, 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. Chair Peterson thanked the Board members.

Respectfully submitted:

HOPE A. SMYTHE
Executive Officer

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