

**State of California**  
**Santa Ana Regional Water Quality Control Board**

Minutes of the May 3, 2024 Board Meeting  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660  
And via Video and Teleconference (Gov. Code, § 11123.2)

Chair Murray called the meeting to order at 9:02 a.m.

**Item 1. Introductions and Declaration of Quorum**

\*\*\*Indicates that attendance was virtual.

Board Members Present at Board Meeting

Kris A. Murray, Chair  
John Scandura, Vice Chair  
Letitia Clark, Board Member  
Gloria Alvarado, Board Member  
Al Lopez, Board Member

Board Members Absent at Board Meeting

William Ruh, Board Member

Staff Present at Board Meeting

Jayne Joy, Executive Officer  
Eric Lindberg, Assistant Executive Officer  
Jessica Baenre, Executive Assistant  
Nick Amini, Branch Manager  
Jagroop Khela, Branch Manager  
Dan Mefford, Information Technology Specialist  
Don Nguyen, Information Technology Associate  
Fernanda Arechiga, Scientific Aid\*\*\*  
Cindy Li, Senior Engineering Geologist  
Miguel Oviedo, Engineering Geologist  
Claudia Tenorio, Senior Environmental Scientist (Supervisor)  
Hossein Shahrokhnia, Environmental Scientist  
Maile Gee, Senior Engineer Geologist  
Pamela Ybarra, Water Resource Control Engineer\*\*\*

State Water Board Present at Board Meeting

Lori Okun, Regional Board Counsel  
Dorene D'Adamo, State Water Board Liaison\*\*\*

Public Attendance Present at Board Meeting

Richard Boon, Riverside County Flood Control  
Christopher Bland, San Bernardino County Flood Control District

Arlene Chun, San Bernardino County DPW  
James Fortuna, County of Orange  
Amanda Carr, County of Orange  
Sarah Chiang, County of Orange

### **Item 2. Public Forum**

Christopher Bland, with the San Bernardino County Flood Control Department, urged Board Members to be present during the MS4 Permit workshops.

Richard Boon, with the Riverside County Flood Control, asked Chair Murray to have the Board engage in a discussion with the permittees before the next regulatory action for the MS4 Permit takes place.

Amanda Carr, with the County of Orange, supported the comments made by Mr. Bland and Mr. Boon. In addition, Ms. Carr mentioned that the Tri-County group, which consists of San Bernardino, Riverside, and Orange County permittees, are meeting bi-weekly and will draft a single comment letter for the MS4 Permit. Ms. Carr mentioned that she would like an opportunity for discussion once comments are received.

In response, Ms. Joy addressed concerns regarding the MS4 Permit process. Ms. Joy clarified that she had spoken to Richard Boon, Amanda Carr, Christopher Bland, Arlene Chun, and James Fortuna, before the meeting, and there had been a misunderstanding regarding the process. Ms. Joy explained that the initial meetings were intended for the public to speak with staff before the public comment period ended. She assured the public that at least one workshop would be held before the draft MS4 Permit was brought to a public hearing for consideration.

Board Members asked questions and provided comments.

### **Item 3. State Water Resources Control Board (State Water Board) Liaison Report**

State Water Board Member Dorene D'Adamo provided an update on the following:

#### Drinking Water

- On April 10th, the Biden administration issued the first-ever national legally enforceable drinking water standard to protect communities from exposure to harmful PFAS.
- On April 17th, the State Water Board adopted a maximum contaminant level of 10 parts per billion for Hexavalent Chromium.
- On May 2nd, the Advisory Group for Safe and Affordable Funding for Equity and Resilience held their second meeting.

#### Sustainable Groundwater Management

Tulare Sub-Basin:

- On April 5th, the State Water Board held a virtual workshop on the proposed probation for the Tulare Sub-Basin.
- On April 8th, the State Water Board held an in-person workshop in Porterville.
- The Tulare Sub-Basin will be an agenda item for the State Water Board at the September board meeting.

#### Tulare Lake Sub-Basin:

- On April 16th, the State Water Board held a hearing for the Tulare Lake Sub-Basin. The Tulare Lake Sub-Basin was placed on probation pursuant to the Sustainable Groundwater Management Act. The Tulare Lake Sub-Basin will be responsible for submitting reports on their extractions and subject to Water Board fees.

#### Coastal and Estuarine Waters

- On April 17th, the State Water Board adopted a resolution to revise the interim mitigation payment calculation for the water quality control policy on the use of Coastal and Estuarine Waters for power plant cooling.

#### Bay Delta Water Quality Plan

- At the end of April, the State Water Board held a three-day workshop that discussed the proposal for the Bay-Delta Water Quality Control Plan update. The State Water Board anticipates taking action on the Bay-Delta Plan next year.

#### Salton Sea Management Program

- On May 22nd, the State Water Board will hold a public workshop for the Salton Sea Management Program.

#### Water Use Efficiency

- The State Water Board has started briefings for the staff proposal for outdoor water use efficiency. Ms. D'Adamo anticipates that this item will be considered for adoption in July.

Board Members asked questions and provided comments.

#### **Item 4. Racial Equity**

Jayne Joy, Executive Officer, presented this item.

Ms. Joy provided an update on racial equity activities in the Santa Ana Region and stated that racial equity will be a standing agenda item on Board agendas. Ms. Joy discussed strategic objectives and Santa Ana Water Board staff activities.

Strategic objectives include:

- Integrating racial equity and measuring impact
- Creating and maintaining spaces of inclusion and belonging
- Activating Black, Indigenous, Latinx, Asian, and People of Color Community Wisdom
- Sharing power and knowledge within communities

Santa Ana Water Board staff activities include:

- Improving coordination and alignment
- Building internal capacity
- Expanding engagement
- Using racial equity tools
- Advancing equitable outcomes in existing programs

Board Members asked questions and provided comments.

**Item 5. Regional Board Meeting Minutes of February 2, 2024**

Chair Murray asked the Board Members for a motion and asked Board Clerk Ms. Baenre for a roll call vote.

*Motion: It was moved by Board Member Lopez, seconded by Board Member Clark, and the Regional Board Meeting Minutes of February 2, 2024, were approved as presented by roll call vote.*

Roll call vote: Board Member Lopez- Aye, Board Member Alvarado- Aye, Board Member Clark- Aye, Vice Chair Scandura- Aye, Chair Murray- Aye.

**Item 6. Regional Board Meeting Minutes of March 15, 2024**

Chair Murray asked the Board Members for a motion and asked Board Clerk Ms. Baenre for a roll call vote.

*Motion: It was moved by Board Member Clark, seconded by Board Member Alvarado, and the Regional Board Meeting Minutes of March 15, 2024, were approved as presented by roll call vote.*

Roll call vote: Board Member Lopez- Aye, Board Member Alvarado- Aye, Board Member Clark- Aye, Vice Chair Scandura- Aye, Chair Murray- Aye.

**Item 7. Consideration of the Consent Calendar items are listed with an asterisk**

Chair Murray asked the Board Members for a motion and asked Board Clerk Ms. Baenre for a roll call vote. It was noted that Item 8 and Item 9 had errata sheets.

Item \*8. Waste Discharge Requirements for Sanmina Corporation, In-situ Remediation Pilot Test at Former Sanmina Plant 1 and Michelson Plaza, Orange County; R8-2024-0016

Item \*9. Waste Discharger Requirements for Minor Ranch, LLC, Menifee Valley Specific Plan Project, Menifee, Riverside County; R8-2024-0042

*Motion: It was moved by Board Member Clark, seconded by Board Member Alvarado, and Order Number R8-2024-0016 with the errata sheet and Order Number R8-2024-0042 with the errata sheet were approved as presented by roll call vote.*

Roll call vote: Board Member Lopez- Aye, Board Member Alvarado- Aye, Board Member Clark- Aye, Vice Chair Scandura- Aye, Chair Murray- Aye.

## **Item 10. Land Disposal Program Report and Regional Landfill Regulatory Program**

### **Overview**

Cindy Li, Senior Engineering Geologist and supervisor for the Land Disposal and Department of Defense (DoD) program, presented this item. The presentation provided an overview of the Land Disposal program.

Ms. Li introduced the Land Disposal and DoD program staff which includes Joanne Lee (Water Resource Control Engineer), Keith Person (Water Resource Control Engineer, promoted in March 2024), Bill Rice (Engineering Geologist), Patricia Hannon (Engineering Geologist/ DoD program), Fernanda Arechiga (Scientific Aide) and Victor Sturdivant (Scientific Aide).

The Land Disposal Program is a core regulatory program that protects groundwater resources and regulates discharge to land. Staff functions include permitting, inspections, enforcement, reviewing reports, program management, groundwater clean-up activities, PFAS investigations, clean closure, and post-closure land redevelopment.

Ms. Li explained that the current regulations governing the land disposal program include the California Water Code, CCR Title 27 Regulations, SWRCB Resolution No. 93-62, and Federal Municipal Solid Waste Regulations of 40 CFR 258. She also discussed the history of regulations, highlighting the 1949 Dickey Water Pollution Act, the 1985 Solid Waste Assessment Tests program, the 1993 State Board Resolution 93-62, and the 1997 Title 27 Regulations.

Ms. Li explained that one way to regulate our environment is through waste classification. She mentioned three categories: hazardous waste, designated waste, and nonhazardous solid waste. Ms. Li also discussed the three types of monitoring programs (detection, evaluation, and corrective action) that are included in the waste discharge requirements approved by the board.

Ms. Li also discussed active land disposal facilities, closed landfills, abandoned landfills, inactive landfills, surface impoundments, composting regulatory programs, and groundwater cleanup at land disposal facilities.

Board Members asked questions and provided comments.

## **Item 11. Underground Storage Tank Cleanup Case Study – ARCO #5346**

Miguel Oviedo, Engineering Geologist, presented this item. The presentation centered on a former Underground Storage Tank (UST) Cleanup Case Study – Arco #5346.

Mr. Oviedo outlined key points of the site assessment and remedial history:

- In January 2000, the initial site investigation discovered petroleum hydrocarbon impacts extending to groundwater approximately 42 feet below the ground surface.
- The case was transferred to the Santa Ana Water Board in October 2002.
- Groundwater investigations occurred in January 2000 and August 2021, during which 34 groundwater wells were installed to characterize and remediate the groundwater contaminant plume.

- It was found that the site's contaminant plume was mixed with the plume from the nearby fueling station, Mobil #18-991, and extended about 600 feet to the south. The vertical extent of the groundwater plume of Methyl Tertiary Butyl Ether (MTBE) and Tertiary Butyl Alcohol (TBA) was measured at low concentrations between 90 and 135 feet below the ground surface.

Mr. Oviedo discussed the remedial activities:

- In February 2002, the Riverside County Department of Environmental Health approved the work plan for the groundwater extraction and treatment system.
- In April 2002, the system was installed.
- The system operated between 2002 and 2012.
- During its operation, the system extracted and treated 4,012,051 gallons of impacted groundwater. Additionally, the system removed 451 pounds of MTBE and 115 pounds of TBA.

Mr. Oviedo discussed the Low-Threat Closure Policy (LTCP) background:

- The LTCP came into effect in 2012 and applies to petroleum impact cases, with most being UST cases.
- The policy sets out general and specific criteria to determine when a leaking UST case poses low risk to human health and the environment and is ready for closure.
- The policy mandates a 60-day public notification to be sent to the UST owners/operators, adjacent property owners, and interested parties.

Mr. Oviedo reviewed the LTCP case closure criteria.

- In October 2021, Santa Ana Water Board staff evaluated a request for case closure. The request demonstrated satisfaction of the LTCP criteria.

Mr. Oviedo discussed the timeline for closing the case for Arco #5346:

- In December 2022, the Santa Ana Water Board staff issued a 60-day public notification of case closure to interested parties.
- After the comment period, the Santa Ana Water Board staff issued a directive to destroy the wells.
- In April and May 2023, 34 groundwater monitoring wells and 2 vapor extraction wells were destroyed.
- From May 2022 to April 2023, the groundwater extraction and treatment system and the SVE system were demolished.
- In June 2023, a "no further action" letter was issued to the responsible party, and the case was closed.

Eric Lindberg, Assistant Executive Officer, mentioned that there are 6 staff members working on the UST program. Currently, there are 101 active cases. Over the past 5 years, approximately 50 cases have been closed, bringing the total to 600. The Santa Ana Water Board is on track to have fewer than 100 open cases for the first time since the program began. Mr. Lindberg emphasized that closing cases is a positive outcome for groundwater quality, the public interest, and the environment as a whole.

Board Members asked questions and provided comments.

**Item 12. Executive Officer's Report**

Ms. Joy submitted a written report on the status of the public meeting held on March 13, 2024, for the former Ford Aeronutronics in Newport Beach.

**Item 13. Board Member and Executive Officer Communications**

Board Member Lopez made no remarks.

Board Member Alvarado thanked the staff and mentioned that the Board meetings are a way to inform the community and keep the community aware of the work that is being done.

Board Member Clark thanked the staff and discussed how many issues that have been discussed at the Board meetings are now becoming mainstream conversations.

Vice Chair Scandura thanked the staff and mentioned that the next Board meeting will be in July.

Chair Murray mentioned that the Board will be engaged in the stormwater discussions for the region, acknowledged the concerns of the major permittees and the public, and thanked the staff.

**Closed Session**

None.

**Adjournment**

Chair Murray adjourned the meeting at 11:16 a.m. in honor and in memory of former Huntington Beach Mayor Shirley Dettloff.

Respectfully submitted:

**JAYNE JOY, P.E.**  
Executive Officer

*/jb*