

State of California
Santa Ana Regional Water Quality Control Board

Minutes of the December 4, 2020 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 Ruh called the meeting to order at 9:01 a.m.

1. **Introductions**

Board Members Present at Virtual Board Meeting:

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

Chair Ruh introduces new Board Member 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
Julio C. Lara, Chief of Wastewater
David G. Woelfel, Chief of Regional Programs
Jason Bill, Senior Environmental Scientist
Chuck Griffin, Senior Water Resources Control Engineer
Ryan Harris, Water Resources Control Engineer
Adam Fischer, Senior Environmental Scientist
Celia Pazos, Engineering Geologist
Kevin Heinemann, Information Technology Manager
Don Nguyen, Information Technology Associate
Daniel Mefford, Information Technology Associate
Jeannie Aguilar, Associate Governmental Program Analyst
Sean Maguire, State Board Liaison

Virtual Public Attendance by Virtual Speaker Cards Received

Mark Norton, Santa Ana Watershed Project Authority; Michael Cruikshank, Water Systems Consulting Inc.; Samantha Adams, Wildermuth Environmental Inc.; Scott Maloni, Poseidon

Water; Coury McKinlay, AES Huntington Beach; Theresa Dunham, Kahn, Soares and Conway, LLP; Alfred Javier, Eastern Municipal Water District; Parag Kalaria, Elsinore Valley Municipal Water District.

Item 2. Public Forum:

Mr. Scott Maloni, Vice President of Poseidon Water, requested a hearing in February 2021 to consider the adoption of the Tentative Order for the Huntington Beach Desalination Project.

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

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

Mr. Maguire summarized that the State Board establishes statewide policies for water quality control, that includes, regulations for drinking water systems as covered in their human right to water resolution. Mr. Maguire said the State Water Board's Division of Financial Assistance provides grants and loans for water quality improvement projects and drinking water projects throughout the State to drinking water systems and communities in need.

Mr. Maguire said the State Board Members adopted their toxicity provisions. Toxicity provisions will be implemented through wastewater permits and other various permits. The State Board has established requirements for consistency throughout the State.

Mr. Maguire informed the Board of the impacts and challenges of COVID-19, such as, budget cutbacks, salary reductions, furloughs, staffing for contact tracing, and technology requirements for teleworking.

Mr. Maguire mentioned the State Board members and the Regional Board members have the Water Quality Coordinating Committee meeting once a year in October. This meeting is open to the public. This year the meeting was a Zoom meeting.

Dr. Tom Rivera, Lana Peterson, and William Ruh had questions.

Item 4. Regional Board Meeting Minutes of September 11, 2020

Chair Ruh asked the Board Members for a motion of the Minutes and asked Ms. Aguilar to do a roll call vote.

Motion: It was moved by Board Member Kerr, seconded by Board Member Murray, and the Minutes of the September 11, 2020, Board Meeting was unanimously approved by roll call vote.

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

Item 5. Board Meeting Dates for 2021

Minutes of December 4, 2020

Page 2

Board members concur with the dates presented. Chair Ruh asked the Board Members for a motion of the Board Meeting Dates for 2021 and asked Ms. Aguilar to do a roll call vote.

Motion: It was moved by Board Member Dr. Rivera, seconded by Board Member Clark, and was unanimously carried to adopt the Board Meeting Dates for 2021.

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

Board Member Murray asked about an additional meeting in February requested by Mr. Maloni. Ms. Smythe proposed that staff would look at their schedule and the timing to release the Tentative Order for the Poseidon facility in order to set a date.

Item 6. Appointment of a Committee to Nominate Regional Board Officers for 2021

Chair Ruh would like to appoint Board Member Kerr and Board Member Murray as the Committee to Nominate Regional Board Officers for 2021. Board Member Kerr and Board Member Murray accepted. Chair Ruh asked Ms. Aguilar for a roll call vote.

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

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

Chair Ruh asked for a motion and asked Ms. Aguilar to do a roll call vote.

Item *8. Rescission of Waste Discharge Requirements, Order No. R8-2006-0062 issued to Fortland Development, Inc. Tract 31957, Lake Elsinore Highlands - Order Number R8-2020-0054

Item *9. Resolution Order Number R8-2020-0053

Item *10. Renewal of Waste Discharge Requirements (WDRs), National Pollutant Discharge Elimination System (NPDES) Permit No. CA0001163, for AES Huntington Beach, L.L.C., Huntington Beach Generating Station - Order Number R8-2020-0040

Item *11. Waste Discharge Requirements for Seaton Perry, LLC, Seaton Tech Center Development Project, Unincorporated Community of Mead Valley, Riverside County - Order Number R8-2020-0049

Item *12. Amendment of Waste Discharge Requirements Order No. R8-2008-0025 for Change of Ownership from Distinguished Homes, Inc. to Iron Horse Hills, LLC, Tract Map No. 16798 Residential Development Project - Order Number R8-2020-0050

Item *13. Amendment of Waste Discharge Requirements Order No. R8-2020-0034 for Change of Ownership from Crestmore Redevelopment, LLC, an Indirect Subsidiary of VCP Management, LLC (Viridian Partners), to Agua Mansa Commerce Predev, LLC Agua Mansa Commerce Park Specific Plan Project – Order Number R8-2020-0051

Motion: It was moved by Board Member Rivera, seconded by Board Member Murray and unanimously carried to adopt Orders R8-2020-0054, R8-2020-0053, R8-2020-0040 with Errata Sheet, R8-2020-0049, R82020-0050 and R8-2020-0051 as presented by roll call vote

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

Item 14. Presentation of the Recent Groundwater Management Zones Ambient Water Quality Determinations for the Period of 1999-2018

This item was presented by Theresa Dunham from Kahn, Soares and Conway, LLP and Michael Cruikshank, Water Systems Consulting Inc.

Executive Officer, Hope Smythe, emphasized the importance of this Item. This Item involves groundwater resources critical for water supplies in our Region and this Item is related to our salinity planning efforts within the Region.

Ms. Dunham mentioned that she is replacing Tim Moore, Risk Sciences, and is excited to facilitate the Santa Ana Watershed Project Authority's Basin Monitoring Task Force (Task Force), and work this Santa Ana Water Board on these important projects. Ms. Dunham said the Basin Plan requires the Task Force to prepare a computation of ambient water quality for the groundwater located in the Santa Ana River Watershed. Ms. Dunham announced Mr. Michael Cruikshank, with Water Systems Consulting Inc. will present the most recent recomputation for the period of 1999 through 2018, which was completed and submitted to the Santa Ana Water Board.

Mr. Cruikshank indicated in 1995 the Task Force funded a study to evaluate the impacts that salt and nitrate have on the long-term sustainability of groundwater supply. Mr. Cruikshank said the Task Force revised groundwater basin boundaries, set new water quality objectives based on a better data set and developed a rigorous scientific method for computing the volume-weighted ambient water quality. Mr. Cruikshank stated there were four phases in collecting this groundwater quality data, such as data gathering, point statistics, computations, and interpretive tools. Mr. Cruikshank presented the results of the most recent recomputation for the period of 1999 to 2018.

Item 15. Upper Temescal Valley Groundwater Management Zone Basin Plan Amendment - Resolution Number R8-2020-0038

Cindy Li, Chief of Land Disposal, presented this item.

Ms. Li indicated in 2004, the Santa Ana Water Board amended the Basin Plan to incorporate revised: groundwater management zone (GMZ) boundaries, beneficial use designations, total dissolved solids (TDS) and nitrate groundwater quality objectives, and an associated salt and nutrient management implementation plan.

Ms. Li stated the Santa Ana Water Board staff determined that it was necessary to establish groundwater antidegradation objectives for the Bedford, Lee Lake, and Warm Springs Valley GMZs within the Upper Temescal Valley watershed in order to continue to permit recycled water discharge and reuse activities that impact these GMZs.

Ms. Li said Santa Ana Water Board staff required the Elsinore Valley Municipal Water District and the Eastern Municipal Water District to prepare a Salt and Nutrient Management Plan (SNMP) to support their recycled water discharge and reuse activities in the Upper Temescal Valley. The objectives of the SNMP were to develop and apply a technical methodology to establish antidegradation objectives and compute current and projected future ambient water quality. The purpose of the Basin Plan Amendment is to establish TDS and nitrate antidegradation objectives for the groundwater resources in the Upper Temescal Valley Watershed.

Board Member Selmi and Board Member Peterson asked several questions and questions were answered by Ms. Li and Ms. Smythe.

Speakers: Alfred Javier, Eastern Municipal Water District; Parag Kalaria, Elsinore Valley Municipal Water District. Mr. Javier and Mr. Kalaria support the adoption of Item 15, Resolution Number R8-2020-0038.

Motion: It was moved by Board Member Peterson, seconded by Board Member Murray and unanimously carried to adopt Orders R8-2020-0038 as presented by roll call vote.

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

Item 16. Human Right to Water Status Update - Order Number R8-2019-0078

This item was presented by Ann Sturdivant, Division Chief; and Celia Pazos, Engineering Geologist.

Ms. Sturdivant and Ms. Pazos presented the Annual Report on the Human Right to Water pursuant to Resolution R8-2019-0078 that was adopted last year. The Resolution directed staff to implement a 2-year Work Plan with specific tasks to ensure that the Santa Ana Water Board programs are equitably and consistently administered and are supportive of the Human Right to Water in all communities. Ms. Sturdivant discussed the tasks completed and performed in the first year of the Regional Board's 2-year Work Plan and identified the upcoming goals in the Work Plan for next year.

Ms. Sturdivant and Ms. Pazos provided maps showing the disadvantaged communities, the Environmental Justice communities, and the Tribal communities in our Region. Including the geographic distribution of some of the Regional Board's program activities, locations of some homeless encampments, impaired drinking water systems, 303(d) listed (impaired) water bodies in the Region and locations of three DDW projects added to the Region's SEP list.

Item 17. Underground Storage Tanks Corrective Action Plans

Report on file.

Item 18. Underground Storage Tanks Site Closure Report

Report on file.

Item 19. Executive Officer's Report

Hope Smythe, Executive Officer, informed the Board that there will be a presentation in February regarding our activities related to PFAS

Item 20. Regional Board Member and Executive Officer Communications

Board Member Peterson said she works in health care and is entering the third phase of COVID-19, therefore, it is difficult for her to add another meeting in February 2021.

Board Member Dr. Tom Rivera acknowledged the City of Beaumont for complying with the agreements and improvements regarding their extension. Board Members expressed their appreciation to the City of Beaumont.

New Board Member Letitia Clark thanked everyone for a warm welcome.

Item 21. Closed Session

There was no closed session.

Adjournment – Chair Ruh adjourned the meeting at 11:31 a.m. to the regular Board Meeting of February 5, 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.

Respectfully submitted:

HOPE A. SMYTHE
Executive Officer

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