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## Santa Ana Regional Water Quality Control Board

# AGENDA ANNOUNCEMENT

### SPECIAL BOARD MEETINGS

**NOTICE:** Friday, April 23, 2021 at 9:00 a.m., and  
Thursday, April 29, 2021 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 meetings on April 23, 2021 and April 29, 2021. 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).

**The Santa Ana Water Board will hear all public comments on April 23, 2021 and close the oral comment period.** 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.

To request to speak on an item at the April 23, 2021 meeting, you must submit a virtual speaker card no later than 5:00 p.m. on Wednesday, April 21, 2021. To register visit: [https://us02web.zoom.us/webinar/register/WN\\_WZQf2IDHRE26BNEPIWsS4g](https://us02web.zoom.us/webinar/register/WN_WZQf2IDHRE26BNEPIWsS4g)

To ensure a productive and efficient hearing in which all interested persons have an opportunity to participate, the Chair of the Santa Ana Water Board may impose a time limit of two minutes or less for oral comments to accommodate all speakers on April 23, 2021. Oral comments must not exceed the scope of the new revisions and should avoid repeating previous comments to allow all interested persons time to be heard. Interested persons with similar concerns or opinions are encouraged to choose one representative to speak and are encouraged to coordinate their presentations with each other. If you do not submit the registration form by the deadline, your time will be limited to time available, if any, after registered commenters have all spoken.

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. Renewal of Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit (NPDES Number 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 13142.5(b) for the intake of seawater and discharges of concentrated seawater and filter backwash to the Pacific Ocean. **Order Number R8-2021-0011**  
{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) *Cham-Cal Engineering Inc. and Western Avenue Associates, L.P. v. California Regional Water Quality Control Board–Santa Ana Region et al.* (Riverside County Superior Court, Case No. CVRI 2101353) [Challenging Administrative Civil Liability Order R8-2020-0046]

**Adjournment** to the continuation of the Special Board Meeting of April 29, 2021, at 9:00 am., followed by the regular Board Meeting of May 7, 2021 at 9:00 am. 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: [https://www.waterboards.ca.gov/santaana/board\\_info/agendas/2021\\_agendas.html](https://www.waterboards.ca.gov/santaana/board_info/agendas/2021_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 “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 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.