

**State of California**  
**Santa Ana Regional Water Quality Control Board**  
  
**Minutes of the March 22, 2019 Board Meeting**  
**City of Huntington Beach**  
**2000 Main Street**  
**Huntington Beach, CA 92648**

1. Chairman Ruh called the meeting to order at 9:09 a.m.

<u>Board Members Present</u>	<u>Board Members Absent</u>
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William Ruh, Chair  
 Linda Ackerman, Vice-Chair  
 Tom Rivera  
 William P. von Blasingame  
 Lana Peterson  
 Daniel P. Selmi  
 Kris Murray

Staff Members Present

Hope A. Smythe, Executive Officer  
 Jayne Joy, Assistant Executive Officer  
 Teresita Sablan, Regional Board Counsel  
 Lauma Willis, Division Chief  
 Mark E. Smythe, Division Chief  
 Milasol Gaslan, Chief of Wastewater  
 Michelle Beckwith, Chief of Storm Water – Coastal  
 David Woelfel, Chief of Regional Programs  
 Adam P. Fischer, Chief of Storm Water - Inland  
 Claudia Tenorio, Environmental Services  
 Eric Lindberg, Chief, Cannabis Section  
 William Rice, Engineering Geologist  
 Daniel Mefford, Assistant Information Systems Analyst  
 Felipa Montes, Executive Assistant

Public in Attendance

Scott Seyfried, SWRCB Hal Schillinger, Bioclean Glen Howland, TUSD Charles Busslinger, MWDOC Jason Dadakis, OCWD George Mason, Citizen Bonnie Benten, Citizen Colin Kelly, OC Coastkeeper John Earl, Surf City Richard Armendariz Patricia Goodman Jim Cagle, OC Wisw	Neal Holdridge, TCC Debbie Bris, DDB Engineering, Inc. Glenn Brooks Scott Maloni, Poseidon Water Vic Leipzig Jim Merid, City of Huntington Beach Michelle Diamond, Tetra Tech Rocket Rios, Kiwanis Club Inland Center (SB) Bob Oatin, CMSD Dennis Armstrong, Armstrong Brooks Consulting Joe Geever, Residents for Responsible Desalination
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2. Public Forum  
None

3. State Water Resources Control Board (SWRCB) Liaison Report  
None

4. Approval of the Minutes of the regular Board Meeting of February 8, 2019

Chairman Ruh asked for a motion to approve the Minutes of February 8, 2019.

Motion: It was moved by Board Member Peterson, seconded by Board Member Murray, and unanimously carried to approve the Minutes of the February 8, 2019 Board Meeting, as presented.

5. Consideration of \*Consent Calendar Items

It was noted by Executive Officer Smythe that Item \*8 had an errata.

- \*6. General Waste Discharge Requirements for Site Maintenance and Water Quality Monitoring at Inert Waste Disposal Facilities (IWDFs) Within the Santa Ana Region - Order No. R8-2019-0008.
- \*7. Amendment of Waste Discharge Requirements for Orange County Water District Groundwater Replenishment System, Advanced Water Purification Facility - Order No. R8-2019-0007.
- \*8. General Waste Discharge Requirements for Site Maintenance and Water Quality Monitoring at Inert Waste Disposal Facilities (IWDFs) Within the Santa Ana Region - Order No. R8-2019-0015 with Errata.
- \*9. Waste Discharge Requirements for Trammell Crow So Cal Development Inc., Parcel Maps 36950 & 36962 - Order No. R8-2019-0034.

Chairman Ruh asked for a motion for the approval the consent calendar items.

Motion: It was moved by Board Member Murray, seconded by Board Member von Blasingame and unanimously carried to adopt Order Nos. R8-2019-0008, R8-2019-0007, R8-2019-0015 with errata, and R8-2019-0034 as presented.

10. Cannabis Program Update - Information item

*(Information pertaining to this item is contained in a verbatim transcript of the proceedings).*

Eric Lindberg, Chief of the Cannabis Unit presented this item.

Mr. Lindberg provided an update on the cannabis cultivation regulatory program implementation in the Santa Ana region. He updated the Board on activities of the of unit over the last twelve months.

Mr. Lindberg said that his unit of five staff, covers three of the Regions in Southern California; Los Angeles-Region 4, Santa Ana-Region 8, and San Diego-Region 9. Their priority is to process enrollments in the Regions under the State-wide General Order, as well as perform public outreach and field inspections with law enforcement for the cannabis cultivators that are unpermitted, and/or located in no-grow areas.

Mr. Lindberg discussed the legislative background of Proposition 64, that is the Adult Use of Marijuana Act (AUMA) that came into effect November 2016, for the legal use, the growing, the possession, and the restrictions of Marijuana.

Mr. Lindberg said the State Board's General Order was adopted in 2017, with waste discharge requirements for indoor and outdoor cultivations, with some exemptions. The permit fees range from \$600 to \$8,000 based on the type of cultivation and size. The State Board proposed minor changes to the General Order and Cannabis Policy, and it is currently under review by the Office of Administrative Law (OAL).

Mr. Lindberg displayed several maps of the three regions where cultivation is and is not allowed, as well as various cities that are in the process of drafting local ordinances to permit commercial cannabis activities.

There were several questions from the Regional Board.

16e (4) Closed session

The Regional Board went into closed session to discuss the *Costa Mesa Sanitary District v. Santa Ana Regional Water Quality Control Board*, California Court of Appeal, Fourth District, Case No. G055278 [*Challenging assessment of administrative civil liability in Order No. R8-2015-0037*].

The Regional Board reconvened at 10:49 a.m

11. Poseidon Status Update: Evaluating the Use of Slant Wells for Subsurface Intake  
(*Information pertaining to this item is contained in a verbatim transcript of the proceedings*).

Scott Seyfried, Senior Engineering Geologist, State Board, was standing in for Regional Board staff, Ann Sturdivant, Supervising Engineering Geologist who was not able to attend.

Mr. Seyfried said that he and Ms. Sturdivant worked together to prepare the presentation. He said this presentation was an expansion of what was presented at the last board meeting covering subsurface intake systems. He said there were many good questions raised, and this presentation attempts to respond to those questions.

Mr. Seyfried said the Ocean Plan requires that all new and expanding projects should use subsurface intakes for desalination facilities, unless the Regional Board determines that subsurface intakes are not feasible. So, the topic of this presentation was: *Is it feasibility or not to obtain feed water for this plant from the subsurface underneath the ocean or from the ocean itself?*

Mr. Seyfried said the reason the Ocean Plan has an emphasis on subsurface intakes, is that by getting your plant feed water from beneath the ocean, it avoids the marine life mortality that is associated with surface water intakes. He said Poseidon is proposing to use surface water intakes for this plant and in order to proceed there needs to be a finding that subsurface intakes are not feasible.

Mr. Seyfried displayed several pictures of slant wells. He explained why subsurface intakes are preferred at desalination facilities, the functionality of a typical groundwater wells, and the challenges in maintaining coastal groundwater aquifers and the subsurface seawater intakes.

At the end of the presentation, Mr. Seyfried went into the specifics with Poseidon's work and the recommendations and said Board staff will complete their analysis and report back to the Board.

There were numerous questions from the Regional Board.

Speakers: Scott Maloni, Poseidon Water; Colin Kelly, Joe Geever, Jill Cagle, Richard Armendariz, Patricia Goodman, Glenn Howland, Bonnie Benton and Glenn Brooks.

12. Underground Storage Tanks Corrective Action Plans  
Information item.
13. Underground Storage Tanks Site Closure Report  
Information item.
14. Executive Officer's Report  
Submitted.
15. Regional Board Member and Executive Officer communications  
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16. Closed Session  
None at this point.

The Board meeting adjourned at 12:45 p.m. to the regular Board meeting of May 3, 2019, at 9:00 a.m. in the City of Loma Linda, 25541 Barton Road, Loma Linda, CA 92354.

Respectfully submitted:

**HOPE A. SMYTHE**  
Executive Officer

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