

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

**September 17, 2021**

**ITEM: XX**

**SUBJECT: Executive Officer's Report**

**1. Update on Work Plan Schedule - Human Right to Water Resolution R8-2019-0078**

In December 2019, the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) adopted [Resolution R8-2019-0078](#), acknowledging the Human Right to Water as a core value. 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.

Staff performed Work Plan Tasks 1 through 7, identified for Year 1 (2020). The status and outcome of these efforts were reported to the Board in December 2020, thereby completing Task 8, the final task of Year 1.

Staff is currently performing Tasks 1 through 5, identified for Year 2 (2021). Task 6, the mid-year 2021 report of staff's implementation of the Work Plan, was provided to you on June 16, 2021.

An extension of the timeline for completion of some of the required work was granted by the Executive Officer on August 6, 2021, as allowed under Provision 6 of the Resolution. The extension letter and revised Work Plan schedule are attached.

An end-of-year report will be presented in accordance with Task 8, Year 2 of the Work Plan.

**2. Public Meetings for the former Ford Aeronutronics Site in Newport Beach**

On Thursday, July 29, 2021, Santa Ana Water Board staff hosted a hybrid (in person and live-stream) community meeting regarding the volatile organic compounds (principally trichloroethene, a carcinogen) present in soil vapor beneath some residential and commercial properties at the former Ford Aeronutronics site in the City of Newport Beach. This was the seventh public meeting for this project. The meeting was held from 6:30 to 8 pm at the Newport Beach Civic Center and was Livestreamed via YouTube. The meeting was also recorded and a link to the

recording is available at <https://www.youtube.com/watch?v=BPNyfPP3KIU>. The primary purposes of the meeting were to: provide a project status update regarding recent environmental investigations; discuss a general overview of the human health risk assessment results; discuss the results from the soil vapor extraction pilot test; and present potential remediation and mitigation strategies.

The meeting was open to the public and included a presentation followed by a question and answer session. The session was moderated by Tracy Craig of Craig Communications, Ford's communications consultant. Previous meetings were moderated by a representative from the State Water Board's Office of Public Participation, and they continue to be informed of public outreach activities. Craig Communications was also in charge of distributing notifications for the public meeting and facilitating the virtual platform. The total number of attendees for the meeting included 22 people in person and 33 viewers via the Livestream through YouTube, which included some consultants.

The meeting started with a 30-minute presentation by Jessica Law of the Site Cleanup Program, with Power Point slides. The presentation was followed by an expert panel discussion. The panel included Jessica Law and Dr. Nick Amini of the Santa Ana Water Board, Dr. Amanda Palumbo of Cal EPA's Office of Environmental Health Hazard Assessment (OEHHA), and two representatives of Wood (the technical consultant to Ford), Mike Barnes and Caryn Kelly.

The in-person audience was provided with flashcards for writing down their questions during the presentation; on-line attendees could type their questions using the chat feature in the Livestream. At the end of the presentation, the questions were read aloud and answered by the panel member most knowledgeable in the subject. Jessica Law and Mike Barnes addressed general, project-specific questions. Dr. Palumbo and Caryn Kelly addressed questions regarding health risks. Dr. Amini addressed pilot test and remediation-related questions. This style of question and answer proved to be very effective in addressing a wide variety of the audience's concerns, with over 20 questions received during the meeting.

After the panel discussion, the in-person audience members were given the chance to discuss any questions or concerns one-on-one with individual panelists. For those who attended via Livestream, a virtual meeting room was available, which allowed them to view the poster boards that were displayed at the in-person meeting, and gave them an opportunity to set up one-on-one discussions if they had specific questions. The overall feedback from the attendees was positive.

The main questions and concerns expressed by the attendees were related to health risks, remediation/mitigation details, and the expected timeframes for the upcoming stages of investigation and cleanup.

In addition to the general public meeting, Santa Ana Water Board staff have been conducting community meetings to discuss the results of the human health risk

assessments and draft feasibility study and remedial action plans, targeted at communities in specific geographic areas that overlie the soil gas plume.

A total of eight separate community-specific human health risk assessments and three community-specific draft feasibility study/remedial action plans have been prepared for the former Ford site. To date, we have held meetings with three different communities to discuss the risk assessment results for each area, and one meeting to discuss the details of a community-specific feasibility study/remedial action plan. These meetings occurred from April 2021 through July 2021, and additional meetings are planned for the remaining communities.

The pace of the investigation at the former Ford site is proceeding in an expedited manner, with consideration for maintaining the integrity and quality of data. The next general public meeting, which will provide another project status update for the former Ford site, is tentatively scheduled for Winter 2021/2022, and will also be in a hybrid format. Staff will continue to keep the Board advised about this matter.

Human Right to Water  
Work Plan  
Santa Ana Regional Water Quality Control Board

Background: 2017-2019

1. Santa Ana Regional Water Board staff (Regional Board staff) presentation to the Santa Ana Regional Water Board: Environmental Justice and the Human Right to Water (HRTW) (December 2017).
2. Regional Board staff engaged in efforts to address the problem of homeless encampments in waterways.
  - Regional Board staff served on the Santa Ana Watershed Project Authority's "One Water One Watershed" (OWOW) Pillars for Tribal Communities and Disadvantaged Communities (DACs) 2017-2018. The homeless population is considered a DAC. Pillar members agreed that surface water monitoring near homeless encampments is needed.
  - Regional Board staff performed an audit of permittees in San Bernardino and Riverside Counties covered by permits issued for stormwater discharges from municipal separate storm sewer systems (MS4) (February through May 2018).
  - Regional Board staff met with San Bernardino, Riverside and Orange County and associated City MS4 permittees and included a discussion of the homeless population as a DAC. The intent was to motivate permittees to address complaints regarding homeless encampments in waterways, and possible impacts to water quality.
    - Meetings commenced with Riverside County (October 2018), followed by Orange County (November 2018) and San Bernardino County (December 2018).
    - The feasibility of requiring MS4 permittees to monitor the water quality impacts from homeless encampments in waterways is still being evaluated.
3. Regional Board staff developed key tasks to include in a HRTW Resolution (January through September 2019).
4. Regional Board staff prepared the draft HRTW Resolution (April through October 2019).
5. SAWPA commenced preparation of a program for surface water monitoring near homeless encampments (2019).
6. Regional Water Board staff met with DDW's South Coast Section Chief and the senior engineers of the San Bernardino, Riverside and Santa Ana Districts (June, July 2019) to discuss impaired drinking water systems within the Santa Ana Region

and received input for Supplemental Environmental Project (SEP) applications, with a priority ranking for DACs and EJ communities.

7. Regional Board staff solicited proposals for SEPs via listserv and a posting on the Regional Board web site (August 2019); screened applications were compiled into the 2020 SEP list; SEP list was presented in a Resolution to the Regional Board and adopted on October 25, 2019.
8. Public notice of the draft HRTW Resolution (November - December 2019).
9. Presentation of the draft HRTW Resolution to the Regional Board (December 6, 2019).

Human Right to Water  
Work Plan  
Santa Ana Regional Water Quality Control Board

Work Plan: Calendar Year 1 - 2020

1. Utilize existing databases, maps and public information to identify the locations of all Tribes, disadvantaged communities (DACs) and Environmental Justice (EJ) communities in the Santa Ana Region.
2. Obtain or create one or more maps to delineate each DAC, EJ and Tribal community.
  - Coordinate with local county and city agencies to obtain or assemble a map overlay depicting the general locations of homeless encampments.
3. Perform an equity assessment of existing Regional Board Programs focusing on availability of staff resources and potential State funds (such as grants and loans) to assist DACs, Tribal and EJ communities, and identify any adverse impacts to those communities.
  - Basin Planning
    - TMDLs/Basin Plan Amendments
    - 401 Certification
    - Triennial Review
    - Integrated Report
    - Conditional Waiver for Agricultural Discharges (San Jacinto Watershed)
  - Permitting
    - Wastewater/NPDES permitting
      - Septic system conversion to sewer connections
      - PFAS and other contaminants of emerging concern (CECs)
    - Land Disposal (WDRs)
      - PFAS and other CECs
    - Dredge and Fill (401 Certifications/WDRs)
  - Department of Defense
  - Underground Storage Tanks/Oil and Gas Programs
  - Site Cleanup
    - SCAP funding – Prioritizing DACs
    - Proposition 1 grants – Prioritizing DACs, severely disadvantaged communities and economically distressed areas.
    - PFAS and other CECs – are there disproportionate impacts to DACs?
  - Storm Water
    - MS4 permit requirements
    - Are there disproportionate impacts from stormwater runoff to DACs in industrial areas of the Region?

- Cannabis
    - Illegal/unpermitted cannabis grows in DACs; threats or impacts to surface water or groundwater quality or drinking water from pesticides and illegal water diversion
    - DACs exploited for labor or trafficking, and denied reasonable access to safe, clean affordable drinking water.
  - Enforcement
    - Supplemental Environmental Projects (SEPs)
    - Cleanup at sites with recalcitrant property owners
    - Equitable enforcement for cleanup in financially depressed areas (Brownfield properties)
4. **Mid-Year 2020** - Present the outcome of the Program Assessment to the Regional Board in the Executive Officer's Report
  5. Regional Board collaboration w/DDW staff
    - Tabulate locations and costs for impaired drinking water systems and those in need of connection in DACs and EJ communities
    - Emergency response for damage to drinking water systems in DACs and EJ communities
  6. Identify potential support for tabulated projects using SEPs and local agency projects
  7. Meetings and implementation efforts for the identified projects
  8. **End of Year 2020** – Human Right to Water Presentation to the Regional Board

Human Right to Water  
Work Plan  
Santa Ana Regional Water Quality Control Board

Work Plan: Calendar Years 2 and 3 - 2021 and 2022

1. Continue implementation of the projects identified in Year 1 (2020)
2. Search existing databases for groundwater quality monitoring data from private (domestic) wells in the Santa Ana Region and compile the data for use in GIS mapping
3. Identify private wells that are used for drinking water supplies in DACs, Tribal and EJ communities in the Santa Ana Region
4. Create one or more maps with the overlay of DACs and EJ communities, showing all known private wells, and indicating wells with data that indicate they have been impacted
5. Coordinate with State and local agency staff to identify projects that would assist with replacement water or rehabilitation of impaired wells in DACs, Tribal and EJ communities.
6. **Mid-Year 2021** - Present the status of implementation of the Year 1 (2020) projects, and the outcome of private well compilation in the Executive Officer's Report
7. Meetings and implementation efforts for the identified projects
8. **End of Year 2021** – Human Right to Water Presentation to the Regional Board
9. **Mid-Year 2022** – present an update on the status of implementation of the Year 1 and Year 2 (2020 and 2021) projects and efforts in the Executive Officer's Report
10. **End of Year 2022** – Human Right to Water Presentation to the Regional Board



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## Santa Ana Regional Water Quality Control Board

**TO:** Jayne Joy  
Assistant Executive Officer  
**SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD**

Ann Sturdivant  
Groundwater Division Chief  
**SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD**

**FROM:** Hope Smythe  
Executive Officer  
**SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD**

**DATE:** August 6, 2021

**SUBJECT: APPROVAL OF THE REVISED HUMAN RIGHT TO WATER WORK PLAN**

I have reviewed the August 6, 2021 draft of revised Human Right to Water (HRTW) Work Plan and hereby approve the revisions to the Work Plan tasks and due dates. The revised tasks and due dates will ensure that the HRTW effort will continue to be coordinated with stakeholders and will also ensure that timely updates to the Santa Ana Water Board will be provided.

Thank you both for your hard work on moving this important Santa Ana Water Board effort forward.

Attachment: August 6, 2021 Revised Human Right to Water Work Plan