

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

February 3, 2023

ITEM: 12

SUBJECT: Executive Officer's Report

The purpose of this report is to provide brief summaries of the Santa Ana Water Board's key accomplishments in calendar year 2022. In 2022, seven Board meetings were held, and this report includes the items that were brought forward for approval as well as advancements in other programs not requiring Board action. This report is not intended to be a comprehensive account of all the Santa Ana Water Board actions.

In the future, staff will discuss the plans for Fiscal Year 2023/2024 in the Spring of 2023, will be seeking the Santa Ana Water Board input and feedback, and we will begin to report our accomplishments and priorities on a fiscal year basis to coincide with Water Board's performance measures targets for Fiscal Year 2023/2024.

The following 2022 accomplishment summaries are included in this report:

1. Municipal Separate Storm Sewer System Permitting
2. Wastewater Discharger Permitting
3. Per- and Polyfluoroalkyl Substances (PFAS) Investigations
4. Landfill Waste Discharge Permitting (include compost sites)
5. Underground Storage Tank/Site Cleanup Section's Program
6. Site Cleanup Section's Program
7. Total Maximum Daily Loads in Upper and Lower Newport Bay
8. Dredge and Fill Discharges

- 1. Municipal Separate Storm Sewer System Permit:** Municipal stormwater discharges are regulated by the Region's municipal separate storm sewer system (MS4) permits as required by the Clean Water Act. Currently, these discharges are regulated by three MS4 permits issued to the three counties (Orange, Riverside, and San Bernardino) and all the incorporated cities within the jurisdiction of the Santa Ana Water Board. Staff proposes to replace the three MS4 permits with one regional MS4 permit. Replacement of these permits is a major effort for the Staff due to the complexity of the permit requirements and large number of permittees covered by a regional permit. Significant progress was made in 2022 and the work will continue in 2023.

2022 Accomplishments: Actions taken to advance the regionwide MS4 Permit in 2022 are summarized below:

- a. Staff Working Proposal Released: In January 2022, staff released a Staff Working Proposal for regulating discharges of pollutants in urban runoff from MS4s in Orange, Riverside, and San Bernardino Counties on a regionwide basis. The Staff Working Proposal was released for preliminary review and precedes the release of a draft permit subject to formal public review and written comments. Staff is working with permittees and other interested persons and has received informal comments on the Staff Working Proposal for consideration for the next version of the permit.
- b. MS4 Proposed Permit Workshop: At the February 4, 2022 Board Meeting, a workshop was held to provide an overview to the Board about the proposal to regulate the discharge of pollutants in urban runoff from MS4s or activities within the jurisdiction and control of the permittees as included in the Staff Working Proposal. At the workshop, the Board was also able to hear comments from the permittees and interested parties. The Board provided direction to staff to work with the permittees and other interested persons prior to releasing a formal draft of the permit, giving opportunity for collaboration.
- c. Staff Level MS4 Proposed Permit Workshop: A public workshop on the Staff Working Proposal was held on August 2, 2022, where the workshop was administered by Santa Ana Water Board staff. The workshop discussed and solicited feedback on the Staff Working Proposal. An overview of the Region's stormwater program and key provisions of the Staff Working Proposal were provided. Many permittees and interested parties were in attendance, and they asked questions and provided comments related to the proposed permit.

2. Wastewater Discharge Permitting: Municipal and industrial wastewater dischargers to waters of the United States must obtain permits to discharge pursuant to the Clean Water Act and California's Porter-Cologne Water Quality Control Act. Individual and general permits issued under these authorities must comply with the federal National Pollutant Discharge Elimination System (NPDES) requirements and the State's Waste Discharge Requirements (WDR).

2022 Accomplishments: The Board reissued five wastewater discharge permits and terminated one permit, and the actions are listed below.

- a. Renewal of WDR and NPDES Permit for Orange County Water District's Advanced Water Purification Facility
- b. WDR, Master Recycling Permit, and NPDES Permit for Inland Empire Utilities Agency's Regional Water Recycling Facilities
- c. WDR and NPDES Permit for San Bernardino Municipal Water Department, Geothermal Facility, San Bernardino County
- d. WDR, Master Recycling Permit, and NPDES Permit for City of Beaumont's Wastewater Treatment Plant
- e. WDR and Master Recycling Permit for Orange County Water District, Groundwater Replenishment System, Orange County

- f. Termination of WDR and NPDES Permit for Poseidon Resources L.L.C., Huntington Beach Desalination Facility, Orange County

3. Per- and Polyfluoroalkyl Substances (PFAS) Investigations: To understand and evaluate the presence of per- and polyfluoroalkyl substances (PFAS), multiple areas of investigation are underway within the region due to the detection of PFAS in the public drinking water systems. This pervasive chemical has been detected throughout the region.

2022 Accomplishments:

- a. There were two comprehensive information items presented at the June 2022 and December 2022 Board meetings.
- b. Multiple investigations are underway, staff are investigating for the presence of PFAS at 3 airports, 21 landfills, 5 military bases, 46 chromium plating facilities, 28 public owned wastewater treatment plants, and 19 refineries and bulk fuel facilities are occurring. Santa Ana Water Board staff are responsible for reviewing and responding to the information and data from these investigations. These investigations are an ongoing effort and reporting to the Board will continue in 2023.

4. Landfill Waste Discharge Permitting: A discharge permit provides requirements to discharge waste to land for treatment, storage, or disposal in waste management units. Waste management units include waste piles, surface impoundments, land treatment units, and landfills.

2022 Accomplishments:

The Board reissued one landfill waste discharge permit that included waste discharge requirements and monitoring and reporting program for the San Timoteo Sanitary landfill.

5. Underground Storage Tank Program: The Underground Storage Tank program directs environmental cleanup activities at leaking underground storage tank (UST) sites for more the one hundred cases. Such sites include active and inactive gasoline stations, agricultural sites, brownfield redevelopment sites, airports, bulk petrochemical storage terminals, pipeline facilities, and various chemical and industrial facilities.

2022 Accomplishments: In 2022, Santa Ana Water Board staff closed 10 UST cases, assisted with the closure of 5 UST cases where the Orange County Healthcare Agency (OCHCA) acted as the lead agency, and received one UST case Corrective Action Plan. The UST case closures and the corrective action plan are listed below.

- a. FCE Automotive, 848 W Chapman Ave, Orange, Orange County
Lead Agency: Santa Ana Water Board
Closure Date: 1/10/2022
- b. Arco Station #81994, 12931 Garden Grove, Garden Grove, Orange County
Lead Agency: OCHCA
Closure Date: 1/19/2022
- c. Gas Plus, 1266 E St. South, San Bernardino, San Bernardino County
Lead Agency: Santa Ana Water Board
Closure Date: 2/1/2022
- d. 7 Eleven Former Firestone Tire, 16171 Beach Boulevard, Huntington Beach, Orange County
Lead Agency: Santa Ana Water Board
Closure Date: 2/28/2022
- e. Shell Oil, 6022 Chapman, Garden Grove, Orange County
Lead Agency: OCHCA
Closure Date: 3/8/2022
- f. Arco #3085, 3361 South Bristol Street, Santa Ana, Orange County
Lead Agency: Santa Ana Water Board
Closure Date: 3/23/2022
- g. Arco #5147, 2245 South Main Street, Santa Ana, Orange County
Lead Agency: Santa Ana Water Board
Closure Date: 3/23/2022
- h. Chevron #9-0786, 700 Imperial, Brea, Orange County
Lead Agency: Santa Ana Water Board
Closure Date: 4/20/2022
- i. Thrifty Oil #376, 801 N Bristol Street, Santa Ana, Orange County
Lead Agency: Santa Ana Water Board
Closure Date: 5/5/2022
- j. Arco #6160, 13361 Harbor, Garden Grove, Orange County
Lead Agency: OCHCA
Closure Date: 5/12/2022
- k. Golden Coach Moving, 14325 Chandler Street, Norco, Riverside County
Lead Agency: Santa Ana Water Board
Closure Date: 7/1/2022
- l. Mobil #18-HCN, 1351 E Dyer Road, Santa Ana, Orange County
Lead Agency: Santa Ana Water Board
Closure Date: 7/20/2022
- m. Rados Property, 11972 Beach, Stanton, Orange County
Lead Agency: OCHCA
Closure Date: 7/25/2022
- n. Arco #6345, 2624 East Alessandro Boulevard, Riverside, Riverside County

Lead Agency: Santa Ana Water Board

Closure Date: 8/3/2022

- o. Arco #1905, 18025 Magnolia, Fountain Valley, Orange County

Lead Agency: OCHCA

Closure Date: 11/1/2022

- p. Crossroad Fuel, 101 Big Bear Boulevard West, Big Bear City, San Bernardino County

Corrective Action Plan Submittal Date: 11/4/2022

Proposed Remedial Actions for Soil: Soil Vapor Extraction/Air Sparging

Proposed Remedial Actions for Groundwater: Soil Vapor Extraction/Air Sparging

- 6. Site Cleanup Program:** The Site Cleanup Program (SCP) is responsible for oversight of environmental investigation and remediation at over two hundred sites within our region. Historical discharges of various chemicals of concern (e.g. volatile organic compounds, petroleum hydrocarbon, 1,4-dioxane, PFAS, chromium VI, etc.) have resulted in soil and groundwater contamination at the referenced sites. The SCP is also involved in assessment of potential vapor intrusion and implementation of mitigation measures to protect human health. In addition, SCP issues discharge authorization permits, called Waste Discharge Requirements (WDRs), for in-situ groundwater remediation for sites within our region.

The Water Quality, Supply, and Infrastructure Improvement Act, referred to as Proposition 1, was passed by California voters in November 2014 and provided \$900 million for a statewide Groundwater Sustainability Program (AB 1471, Chapter 10). The State Water Resources Control Board (State Water Board) administered \$670 million to prevent and cleanup contamination of groundwater that serves (or has served) as a source of drinking water. The funds are available as grants for planning and implementation projects. SCP staff oversees seven grant funded projects totaling approximately \$73.8 million in the Santa Ana Region.

2022 Accomplishments:

- a. Issued four WDRs for in-situ groundwater remediation.
- b. Implemented vapor intrusion mitigation measures at five sites.
- c. Implemented interim groundwater remedial measures at eight sites.
- d. Conducted contamination source removal at one site.
- e. On June 13, 2022, Orange County Water District (OCWD) received a "Final Project Report and Deliverables Completion Letter" for the North Basin Extraction Well EW-1 Project. The grant applicant, OCWD, fulfilled all the deliverable and reporting requirements for the approximately \$1.94 million groundwater remedy.

- 7. Total Maximum Daily Loads in Upper and Lower Newport Bay:** Santa Ana Water Board staff manage Total Maximum Daily Loads (TMDL) to address pollution in

Upper and Lower Newport Bay. Basically, TMDLs are developed to allocate allowable pollutant loads for each pollution source, and identify management measures that, when implemented, will assure that water quality standards are attained. Development of a TMDL is a lengthy process, and once TMDLs are adopted by the Board they are added to the Santa Ana Water Board's Basin Plan and included as an implementation plan.

2022 Accomplishments: The Board adopted one TMDL and amended another TMDL and these actions are listed below:

- a. Resolution Amending the Water Quality Control Plan for the Santa Ana River Basin to Incorporate Copper TMDLs for Newport Bay, Orange County
- b. Amendment to the Water Quality Control Plan for the Santa Ana River Basin to Revise the Schedule for Attaining the Fecal Coliform TMDLs for Newport Bay, Orange County

8. Dredge and Fill Discharges: Dredge and fill discharges to waters of the U.S. are primarily regulated through Clean Water Act Section 401 Water Quality Standards Certifications, accompanied by authorization to discharge via State regulations under State Water Board Order No. 2003-0017-DWQ. Discharges of dredge and fill to waters of the State that are not subject to federal jurisdiction are authorized under the State Water Board's General Order No. 2004-0004-DWQ or individual waste discharge requirements issued by the Santa Ana Water Board.

2022 Accomplishments: The Board issued or amended fourteen waste discharge requirements for the Dredge and Fill program and the Executive Officer signed sixteen 401 certifications. The dredge and fill projects and their associated counties are summarized in the following two tables.

Dredge and Fill Waste Discharge Requirements for 2022

Project Name	County
San Bernardino County Department of Public Works, Environmental Management Division, Flood Control District, West Fontana Channel Improvement Project (Banana to Hickory), Unincorporated Fontana	San Bernardino
Pacific Summit-Foothill, LLC, Sycamore Heights Residential Development Project, City of Rancho Cucamonga, San Bernardino County (Amended)	San Bernardino
Fontana Union Water Company, Lytle Creek Diversion and Intake Facility, Unincorporated San Bernardino County	San Bernardino
San Bernardino Valley Water Conservation District, Mill Creek Diversion Debris Management Project	San Bernardino

IDI Logistics, LLC, West Valley Logistics Center Project, City of Fontana	San Bernardino
Inland Empire Utilities Agency, Magnolia Channel Detention Basin Maintenance Project, City of Chino,	San Bernardino
Diversified Pacific Communities, Tentative Tract Map Nos. 37731 Project, City of Riverside,	Riverside
Diversified Pacific Communities, Tentative Tract Map Nos. 37732 Project, City of Riverside, Riverside	Riverside
La Ventana 242, LLC, and D.R. Horton, Inc., Tentative Tract Map 31100 Line F Outfall Structure	Riverside
Summerhill Drive Extension Project, City of Lake Elsinore	Riverside
D.R. Horton, Inc., Tentative Map 37802 Project, City of Calimesa	Riverside
IDI Logistics LLC, PLC North On and Off Site Commercial Development Project, City of Perris,	Riverside
Esplanade Avenue Widening Phase 1 Project, City of San Jacinto	Riverside
Yorba Linda Estates, LLC, Esperanza Hills Specific Area Project, Unincorporated Orange County	Orange

401 Certifications for Dredge and Fill in 2022

Project Name	County
Colton Distribution Center (Amended)	San Bernardino
Cajon Deadman Washout	San Bernardino
Interstate 10 Eastbound Truck Climbing Lanes Improvement	San Bernardino
Santa Ana River Trail Phase III Project	San Bernardino
General Drive Industrial Park (Amended)	Riverside
Riverside Levees Rehabilitation	Riverside
Rancho Diamante TTM 35392	Riverside
Old 215 Mixed Commercial	Riverside
Tuscany Villa	Riverside
SFPP LS 51 Washout Sites	Riverside
Rider 2 and 4 Development	Riverside
Park West Off-Site Storm Drain	Riverside
State Route 60/Moreno Beach Draft Interchange Project, Phases 1 and 2	Riverside
River Walk Village Emergency Overflow Outlet	Riverside
Silverado Canyon Road and Ladd Creek Bridge Replacement	Orange
Harbor Island Bridge Retrofit	Orange