

State of California
Santa Ana Regional Water Quality Control Board

Minutes of the September 12, 2025 Board Meeting

Orange County Sanitation District

18480 Bandilier Circle

Fountain Valley, CA 92708

And via Video and Teleconference (Gov. Code, § 11123.2)

Vice Chair Scandura called the meeting to order at 9:01 a.m.

Item 1. Introductions and Declaration of Quorum

***Indicates that attendance was virtual.

Board Members Present at Board Meeting

Kris A. Murray, Chair***

John Scandura, Vice Chair

William "Bill" Ruh, Board Member***

Letitia Clark, Board Member

Gloria Alvarado, Board Member

Sixto "Al" Lopez, Board Member

Board Members Absent at Board Meeting

None

Staff Present at Board Meeting

Eric Lindberg, Executive Officer

Jessica Baenre, Clerk to the Board

Dan Mefford, Information Technology Specialist I

Don Nguyen, Information Technology Associate

Nick Amini, Branch Manager, Surface Water and Agriculture Branch

Jagroop Khela, Branch Manager, Planning, Implementation and Permitting Branch

Claudia Tenorio, Senior Environmental Scientist (Supervisor)

Brian Covellone, Senior Engineering Geologist (Supervisor)

Michael Kashak, Environmental Scientist

Regina Adigwe, Environmental Scientist

Chuck Griffin, Senior Water Resource Control Engineer (Specialist)

State Water Board Present at Board Meeting

Heraclio Pimentel, Regional Board Counsel, Office of Chief Counsel

David Lancaster, Attorney, Office of Chief Counsel***

Dorene D'Adamo, State Water Board Liaison, State Water Resources Control Board***

Public Attendance Present at Board Meeting

Jayne Joy

Pat Boldt, Pat Boldt Consulting

Public Attendance Present at Board Meeting (continued)

Lap Le, SBC

Arlene Chun, San Bernardino County Flood Control District

Amanda Carr, County of Orange

Item 2. Public Forum

None.

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

State Water Board Member Dorene D'Adamo provided an update on the following:

Bay Delta Plan

A revised draft of the Water Quality Control Plan was issued on July 24, and a hearing is scheduled to take place in late September.

Kern County Sub-Basin

A public hearing will be held on September 17 to consider designating the Kern County Sub-Basin as a probationary basin; staff will recommend returning the basin to the Department of Water Resources.

Safer Advisory Group

The Safer Advisory Group will hold a hybrid meeting on September 18.

Sites Project Authority

A status conference on the pending petition for the Sites Project Authority was held by the Administrative Hearings Office on September 4.

Delta Conveyance Project

A sixth amended hearing notice was released on June 20. Hearings resumed on September 2 and will continue through October via Zoom.

Annual Fees

The State Water Board will review staff recommendations on annual fees on September 16.

Board Meeting

On September 3, the State Water Board adopted a resolution to amend underground storage tank regulations, effective January 1, 2026, making the regulations consistent with current technologies and health and safety code amendments.

PFAS

PFAS testing is required at all water system sources under federal maximum contamination levels. Large systems need quarterly tests; smaller systems need biannual tests.

No Board Member comments or questions.

Item 4. Regional Board Meeting Minutes of July 25, 2025

Vice Chair Scandura asked the Board Members for a motion and asked Board Clerk Ms. Baenre for a roll call vote.

Motion: It was moved by Board Member Ruh, seconded by Board Member Lopez, and the Regional Board Meeting Minutes of July 25, 2025 were approved as presented by roll call vote.

Roll call vote: Board Member Lopez- Aye, Board Member Alvarado- Aye, Board Member Clark- Aye, Board Member Ruh- Aye, Chair Murray- Aye, Vice Chair Scandura- Aye.

Item 5. Consideration of the Consent Calendar items are listed with an asterisk

Item *6. Waste Discharge Requirements for Hicks Canyon Wash Project; Orange County; R8-2025-0043

Item *7. Waste Discharge Requirements for SPT-AREP III Tuscany Associates, LLC, Tuscany Valley/Crest Residential Development Project, City of Lake Elsinore; Riverside County; R8-2025-0071

Vice Chair Scandura asked the Board Members for a motion and asked Board Clerk Ms. Baenre for a roll call vote.

Motion: It was moved by Board Member Ruh, seconded by Board Member Clark, and Order Number R8-2025-0043 and Order Number R8-2025-0071 were approved as presented by roll call vote.

Roll call vote: Board Member Lopez- Aye, Board Member Alvarado- Aye, Board Member Ruh- Aye, Board Member Clark- Aye, Chair Murray- Aye, Vice Chair Scandura- Aye.

Item 8. Confined Animal Facilities Program and Nonpoint Source – Agriculture Program Updates

This information item was presented by Santa Ana Waterboard staff Michael Kashak and Regina Adigwe.

Mr. Kashak explained that animal facilities are regulated due to their potential to produce pollutants and discharge waste; these facilities are classified as Animal Feeding Operations and Concentrated Animal Feeding Operations. Since March 2019, the Santa Ana Water Board's regional dairy permit has overseen these facilities, requiring those with specific herd sizes to obtain permit coverage. This process involves submitting a notice of intent, receiving a Notice of Applicability upon approval, and submitting a Notice of Termination to end coverage.

Mr. Kashak provided the Board with a summary of current herd sizes in the Santa Ana Region and the number of inspections conducted by staff, along with comparisons over the previous 5-years.

Mr. Kashak highlighted several accomplishments, including general compliance with the Dairy Order, cooperative efforts with third parties to ensure permit compliance, drafting a new concentrated animal feeding operations permit, website updates, outreach activities, and collaboration with other regions and TMDL staff regarding the forthcoming permit. He also noted two challenges: failure to submit termination notices and outdated contact information. The current permit, which was set to expire on March 15, 2024, has been administratively extended until a new order replaces it. Proposed major changes include adding regulatory language for horse, poultry, swine, and mixed animal facilities based on equivalent threats of discharge.

Board Member Ruh and Vice Chair Scandura provided comments.

Dr. Adigwe provided an update on implementing the general waste discharge requirements for irrigated lands in the San Jacinto River Watershed in Riverside County, known as the Agricultural Order (Ag Order). The Non-Point Source (NPS) Program requires management practices to reduce pollution. The 2025-2030 NPS Program 5-year plan was recently updated and submitted to the Environmental Protection Agency for comments.

Dr. Adigwe explained that the Irrigated Lands Regulatory Program (ILRP) monitors compliance with various aspects of the Ag Order and uses it as a tool for implementation and enforcement. The ILRP holds quarterly roundtable meetings and provides bimonthly updates to the State Water Board. Dr. Adigwe explained that the updated Ag Order, which took effect on February 3, 2025, replaced the Conditional Waiver for Agricultural Discharges (CWAD); since its adoption, 12 new agricultural operations covering approximately 2,085 acres have enrolled. Dr. Adigwe intends to inspect non-enrolled farms, monitor reporting trends, address non-compliance, and if necessary, take enforcement actions to ensure adherence to regulations.

Dr. Adigwe provided the Board with a summary of the data reported in the 2024 Irrigation Nitrogen Management Plan Summary Report, including enrollment under the Ag Order by acreage, crops grown in the watershed, nitrogen application and consumption ratios, surface water monitoring and reporting evaluations, and groundwater water quality data.

Board Member Ruh, Chair Murray, Board Member Lopez, Board Member Clark and Vice Chair Scandura provided comments and asked questions.

Item 9. Supplemental Environmental Project List

This information item was presented by Santa Ana Waterboard staff Chuck Griffin and Southern California Coastal Water Research Project (SCCWRP) Deputy Director, Kenneth Schiff.

Mr. Griffin explained that a Supplemental Environmental Project (SEP) is part of an enforcement action settlement where a discharger can offset up to 50% of their penalty by

funding an environmental project, following guidelines from the State Water Resources Control Board 2017 SEP policy. SEPs can be proposed by the discharger, chosen from a list, or determined by a third-party administrator—although Region 8 currently lacks one. The settlement agreement must include details such as scope of work, budget, timeline, reporting requirements, and performance standards.

Mr. Griffin further explained that SEPs are limited to 50% of the total liability for mandatory minimum penalties, with specific allocation rules depending on the amount. Projects typically have a 36-month completion window, extendable with approval. Until the SEP is completed, the discharger remains liable for the total Administrative Civil Liability. Acceptable SEPs must fit into one of seven categories: public health, pollution prevention, pollution reduction, environmental restoration and protection, assessment and audits, environmental compliance promotion, or other.

Board Member Ruh provided comments.

Mr. Schiff explained that SCCWRP was established in 1969 as a joint powers authority, with a mission to understand the impact of human activities on the environment. SCCWRP is an unbiased, independent research agency and has member agencies that include: the City of San Diego, Orange County Sanitation District, Los Angeles County Sanitation District, City of Los Angeles, County of San Diego Environmental Health, Orange County Public Works Department, Los Angeles County Department of Public Works, Ventura County Watershed Protection Division, San Diego Regional Water Quality Control Board (RWQCB), Santa Ana RWQCB, Los Angeles RWQCB, State Water Resources Control Board, California Ocean Protection Council and US Environmental Protection Agency, Region IX.

Mr. Schiff explained that SCCWRP has successfully conducted over 40 SEP projects in the last 20 years and that most of the historical SEPs were from the traditional SEP list or discharger selection. In 2018, a new SEP policy was introduced that SEP funds could be applied to support Regional Monitoring Programs; this policy has been adopted by the State Water Board, the San Francisco Regional Water Quality Control Board and the San Diego Regional Water Quality Control Board. The SCCWRP process for regional monitoring includes: a workplan development phase, a settlement phase and a reporting phase.

Vice Chair Scandura provided comments and asked questions.

Mr. Griffin highlighted that SCCWRP has already facilitated monitoring programs for the region, is poised to answer critical water quality questions, has a proven track record, already maintains separate accounting, has a list of vetted projects and has a solid reputation for conducting projects with a goal of water quality and enhancement. He added that if SCCWRP is approved as the third-party administrator for our Region, it would allow a discharger to pay up to 50% of their penalty amount, with a cap depending on the type of penalty, to fund one of SCCWRP's Regional Monitoring Projects and not be liable any further.

Board Member Ruh provided comments.

Arlene Chun on behalf of San Bernardino County and Amanda Carr on behalf of Orange County provided support for funding the Regional Monitoring Projects to be conducted by SCCWRP.

Item 10. Executive Officer's Report

Eric Lindberg provided a verbal Executive Officer report on the following:

Newport Bay Copper Total Maximum Daily Load (TMDL)

The State Water Resources Control Board adopted the Newport Bay Copper TMDL on August 5. The administrative record is under legal review and will be submitted to the Office of Administrative Law on November 4.

Cactus Basin and Technical Advisory Group

Regional board staff are participating in the Cactus Basin and Technical Advisory Group. Mr. Lindberg explained that this group has a charter to discuss, identify and potentially recommend actions to facilitate a groundwater recharge effort. The group has met twice to date with three additional meetings currently scheduled. Regional board staff's participation in this effort is consistent with the Governor's water supply strategy, which compels state agencies to prioritize groundwater replenishment.

Jayne Joy Retirement

Executive Officer Jayne Joy retired on July 31. Staff held a luncheon and dessert social in her honor.

Assistant Executive Officer Vacancy

The vacancy advertisement for the Assistant Executive Officer position has closed. Mr. Lindberg plans to fill this vacancy quickly.

Chair's Meeting

The Chair's Meeting will take place in Sacramento on October 3.

No Board Member comments or questions.

Item 11. Board Member and Executive Officer Communications

Chair Murray thanked everyone for their presentations, welcomed Eric Lindberg to his new role, and extended best wishes to Jayne Joy, appreciating her prior leadership as Executive Officer for the Santa Ana Region.

Item 12. Orange County Sanitation District Wastewater Treatment Plant No. 1 Tour

Vice Chair Scandura announced that the tour of the Orange County Sanitation District Wastewater Treatment Plant No. 1 would depart from the lobby after the scheduled agenda items were completed.

Vice Chair Scandura, Board Member Lopez, Board Member Clark, regional board staff, and the public toured the Orange County Sanitation District Wastewater Treatment Plant No. 1 from 11:02 a.m. to 12:40 p.m. There was no quorum present for the tour.

Item 13. Resolution of Appreciation for Executive Officer Jayne Joy

Vice Chair Scandura read a Resolution of Appreciation for former Executive Officer Jayne Joy.

Jayne Joy provided comments.

Board Member Lopez, Board Member Ruh, Board Member Alvarado, Board Member Clark, Chair Murray and Vice Chair Scandura provided comments.

Arlene Chun and Amanda Carr provided public comments.

Closed Session

None.

Adjournment

The meeting was adjourned at 12:40 p.m. upon the completion of the Orange County Sanitation District Wastewater Treatment Plant No. 1 tour.

Respectfully submitted:

ERIC T. LINDBERG, PG CHG

Executive Officer

/jb