

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION  
9174 Sky Park Court, Suite 100  
San Diego, California 92123

MINUTES OF MEETING  
NOVEMBER 18, 2009

At 9:00 a.m. Chairman Wright called to order the meeting of the California Regional Water Quality Control Board, San Diego Region at the Regional Water Quality Control Board, 9174 Sky Park Court, San Diego, California.

**Item 1** – Roll Call and Introductions: Board Members Present: Chairman Richard Wright, David King, Eric Anderson, Wayne Rayfield, Grant Destache, and Marc Luker.

Staff Present: John Robertus, David Gibson, Michael McCann, Lori Costa, David Barker, Julie Chan, Bob Morris, Deborah Jayne, Craig Carlisle, Chiara Clemente, Jeremy Haas, John Odermatt, James Smith, Eric Becker, Bruce Posthumus, DiAnne Broussard, Mike Porter, Alan Monji, Barry Pulver, Jody Ebsen, Frank Melbourn, Cathryn Henning, Wayne Chiu, Laurie Walsh, Chris Means, Joann Cofrancesco, Carol Tamaki, Fisayo Osibodu, Ben Neill, Chad Loflen, Kristin Schwall, Charles Cheng, Cynthia Gorham, Tony Felix, Tom Alo, Helen Yu, Lisa Honma, Debbie Woodward, Robert Pierce, Cheryl Prowell, and Lynn Berlad.  
Others Present on behalf of the Regional Board: State Water Resources Control Board – Catherine Hagan, Fran Spivy-Weber, Jessica Newman, Frances McChesney, and David Boyers.

Public Attendance: James Dodson- Vallecitos Water District; John Lormon, Walter Rusinek- Procopio Corey; Terry Thielen- Lake San Marcos; Linda Wagner- City of Chula Vista; Laura Hunter- EHC; Jon Van Rhyn, Y. Sachiko Kohatsu- County of San Diego; Jim Peugh- San Diego Audubon Society; Bary Willis- San Diego resident; George Zanter- Herzog Environmental; Malcolm Franks, Inez Feltscher, Sarah Johnson, Keith Battle, Bill Fedak; Ron Stanley; Rene Monteagudo, Stephanie Dutcher, Alec Weismer, Tori Lindman, Jack Griffiths, Linda Cooper, Mike Kirkconnel, Meaghan Reynolds, Janette Littler, Ted Felicetti, Nathan Walter, Gary Valdez, Debi Murphy, Hershell Price, Barbara Metzger, Sonia Nasser, Ruth Kolb, Lisa Marly, Drew Kleis- Self; Jim Simmons, Bill Hutton, Heather Riley, Angelika Villagrana- Gregory Canyon Ltd.; Bill Magdych- Bill Magdych Associates; Matt Moore, Jennifer Nevins- URS Corp.; Gary Knight- San Diego North Economic Development Council; Amy Harris- San Diego Taxpayers Assoc.; Nancy Chase- GCL; Pam Slater-Price- Sand Diego Board of Supervisors; Jim Wood- Mayor of Oceanside; Guss Pennell, Mo Lahsaie, Alison Witheridge- City of Oceanside; Larry Purcell- San Diego County Water Authority; Stephanie Sekich, Johnny Pappas- Surfrider Foundation; Nancy McCleary- League of Women Voters of San Diego County; Damon Nagami-

Natural Resources Defense Council; Ed Kimura, Penny Elia- Sierra Club; George Courser- Backcountry Coalition; Shasta Gaughen, Mona Sespe- Pala Band of Mission Indians; Paul Macurro- Pechanga Reservation; Todd Snyder, Tom Zeleny, Jean Fernandes- County of San Diego; Amanda Carr, Tim Carlstedt, Richard Boon, MaryAnne Skorpanich, Jian Peng, Geoffrey Hunt, Chris Crompton- County of Orange; Jim Barrett, Ann Sasaki, Steve Meyer- San Diego Public Utilities; Gabriel Solmer- Legal Director; Andre Monette- Santa Fe Irrigation District; Karen Fraqnz- San Diego Coastkeeper; Colin Kelley- Orange County Coastkeeper; Claudio Padres, Arlene Chun- Riverside County Flood Control; Vaikko Allen- Contech; Mark Corey- Construction Industry Coalition; Lisa Marks, Charlotte Masarik, Cindalee Penney-Hall- Resident of Laguna Beach; Noah Garrison- NRDC; Jack Eidt- Wild Heritage Planners; John Kemmerer- EPA Region 9; Tom Bonigut- City of San Clemente; Nancy Palmer- City of Laguna Niguel; Lisa Zanaski, Brad Fowler, Richard Montevideo, Steven Weinberg, David Rocha- City of Dana Point; Joe Ames, Deborah Carson, Rich Schlesinger- City of Mission Viejo; Ziad Mazboudi, Mayor Mark Nielson, Joe Tait- City of San Juan Capistrano; Randal Bressette, Humza Javed- City of Laguna Hills; Verna Rollinger- Laguna Beach Council Member; Malik Tamimi- City of Poway; Rob Vardenhemel- Mild Producers Coucil; Len Sixifield- US Navy; Theresa O'Rourke- US Army; Chris Viveros- Rincon; Elaine Lukey, James Wood- City of Carlsbad; Todd Novacer- Moulton Niguel Water; Paul Hartman- City of Vista; Andre Crumpacker- Weston Soutlions; Con Kontaxis- Caltrans; Jay Shrake- Mactec; Liz Kruidenier- LWW-SDC; Devin Slaven- City of Lake Forest; Maged Soliman- Los Angeles County; Aldo Licitra- City of Temecula; Laura Eisenberg- RUV; Moy Yahya- City of Aliso Viejo; Robert Stone, Pete Shruffer- Quantum Ozone Inc.; Richard Gardner- SCWD

**Item 2** – Public Forum

Jim Puegh, San Diego Audubon Society, said he hoped the Regional Board would move forward with not extending the South Bay Power Plant permit. He asked that the meeting be held in Chula Vista when the item came before the Board and said he would like to talk about the environmental impacts of the plant at the meeting.

Jon Van Rhyn, County of San Diego, on behalf of the county, thanked John Robertus for everything he had done and wished him the best in his retirement.

Laura Hunter, Environmental Health Coalition, requested that the South Bay Power Plant meeting be held in Chula Vista. She also asked the Regional Board to issue a 13267 order asking for a work plan to mitigate the damage they had done to the Bay, and made a noticing request.

Linda Wagner, City of Chula Vista, again offered their Council Chambers for the South Bay Power Plant hearing.

Terry Thielen, Lake San Marcos resident, asked the Board to fine the Vallecitos Water District for their spill of untreated sewerage into Lake San Marcos.

John Lormon, Procopio Cory, said he was working for the City of San Marcos to address the issues in Lake San Marcos.

James Dodson, counsel for Vallecitos Water District, reported that they have been aggressively taking precautions to avoid spills and are working with other parties on an agreement to address the issues.

**Item 3** – Minutes of Board Meetings of October 14, 2009

*This record of the minutes of the meeting on this date is not intended as the official record of events and is solely for administrative convenience. A more detailed account of the proceedings is available upon request, consisting of a tape recording and a court reporter transcribed record. Please contact the Regional Board office for assistance.*

Mr. Destache moved approval of the October 14, 2009 minutes. The motion was seconded by Mr. King and approved with abstention by Mr. Rayfield and Mr. Anderson.

**Item 4** – Chairman's, Board Members', State Board liaison's and Executive Officer's Reports: These items are for Board discussion only. No public testimony will be allowed, and the Board will take no formal action.

Fran Spivy-Weber, State Board Member Liaison, thanked Board Members for attending the WQCC, and then reported on a projected \$21 billion deficit for the state, a conservation bill that was passed, 25 new employees for Water Rights enforcement, the state Enforcement Policy adopted by the State Board, and once through cooling policy workshop on December 1.

Chairman Wright said the rest of the reports would be heard later in the meeting.

**Consent Calendar:**

**Item 5** – Modification of Waste Discharge Requirements: Mr. Larry Tardie, Lilac Oaks Campground, San Diego County (Tentative Addendum No. 1 to Order No. 94-074) (*Fisayo Osibodu*)

**Item 6** – Administrative Civil Liability against the City of Laguna Beach, Bluebird SOCWA Lift Station Sanitary Sewer Overflow to the Pacific Ocean. The Regional Board will consider adoption of a Tentative Order that would impose liability in the amount of \$70,680 recommended in Complaint R9-2009-0040 for a 591,000 gallon sanitary sewer overflow in violation of State Board Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Section 301 of the Clean Water Act and California Water Code Section

13376. The City of Laguna Beach has waived its right to a public hearing. The Regional Board may approve, modify, or reject assessment of the recommended penalty. If the Regional Board rejects the Tentative Order, the matter may be rescheduled to a future public hearing at which time the Regional Board will receive evidence and testimony and consider assessment of liability. (Tentative Order R9-2009-0168) (*Rebecca Stewart*)

**Item 7** – Waste Discharge Requirements: Rite Time Pharmaceuticals Inc., Anza Commercial Center Onsite Wastewater Treatment System, Riverside County (Tentative Order No. R9-2009-0147) (*Fisayo Osibodu*)

**Item 8** – NPDES Permit Rescissions: (*Kristin Schwall*)

a) An Order rescinding Waste Discharge Requirements for Van Ommering Dairy, San Diego County, Order No. R9-2004-0065, NPDES No. CA0109207 (Tentative Order No. R9-2009-0165);

b) An Order rescinding Waste Discharge Requirements for Frank J. Konyon Dairy, San Diego County, Order No. 2000-163, NPDES No. CA0109053 (Tentative Order No. R9-2009-0166); and,

c) An Order rescinding Waste Discharge Requirements for the Tom Van Tol T.D. Dairy, San Diego County, Order No. 2001-28, NPDES No. CA0109339 (Tentative Order No. R9-2009-0167).

Mr. King moved approval of the Consent Calendar Items 5-8. The motion was seconded by Mr. Rayfield and approved by unanimous vote.

***Remainder of the Agenda (Non-Consent Items):***

**Item 9** – Gregory Canyon Bridge 401 Water Quality Certification. The Regional Board will consider certification, in accordance with Section 401 of the Clean Water Act, for the Gregory Canyon Bridge. The Regional Board will hear testimony on the bridge component of the Gregory Canyon Landfill and direct the Executive Officer to amend, postpone, certify, or deny water quality certification No. R9-2009C-073. Comments and testimony will be limited to the impacts of certification of the bridge. The Board is not considering and will not accept testimony on Waste Discharge Requirements for the landfill. The WDRs for the landfill project will be considered by the Board at a future public meeting. (Draft Cert. No. R9-2009C-073) (*Chiara Clemente*)

Chairman Wright introduced the item and explained the hearing procedures.

Mr. Luker disclosed that he was a member of the Pechanga Band of Luiseno Mission Indians.

Mr. Anderson disclosed that he received a letter from NRDC directly, a letter that was also included in the agenda package to the Board.

Mr. Rayfield made a motion to have the Board act on the certification, and not defer to the Executive Officer. The motion was seconded by Mr. Grant and approved by unanimous vote.

Senior staff member Chiara Clemente gave the presentation.

Other speakers included:

Jim Simmons – Gregory Canyon Landfill project manager

Bill Hutton – Gregory Canyon Ltd. legal counsel

In support:

Angelika Villagrana – San Diego Regional Chamber of Commerce

Jack Griffiths – north county property owner

Keith Battle

Gary Knight – San Diego North Economic Development Council

Amy Harris – San Diego Co Taxpayers Association

In opposition:

Supervisor Pam Slater-Price – County of San Diego

Mayor Jim Wood – City of Oceanside

Larry Purcell – San Diego County Water Authority

Stefanie Sekich – Surfrider Foundation

Nancy McCleary – League of Women Voters of San Diego County

Johnny Pappas – Surfrider Foundation

Damon Nagami – Natural Resources Defense Council

Ed Kumura – Sierra Club

Walter Rusinek – Procopio Corey

George Courser – Back Country Coalition

Shasta Gaughen – Pala Band of Mission Indians

Paul Macarro – Pechanga Reservation

Mona Sespe – Pala Band Member

Hershell Price – County Water Authority Board of Directors

Mr. Hutton made closing comments.

Ms. Clemente made closing comments.

Theresa O'Rourke, U.S. Army Corp of Engineers, answered questions asked by the Board.

Mr. Robertus made comments.

Board Members made comments and recommendations.

Mr. Rayfield made a motion to seek an extension from the Corps of Engineers and defer action to a later date in coordination with the landfill waste discharge requirements. The motion was seconded by Mr. Luker and approved with opposition by Mr. King and Mr. Destache.

**Item 10** – 2008 Update of Federal Clean Water Act Sections 305(b) and 303(d) Integrated Report on Evaluation of Surface Water Quality and Listing of Impaired Water Body Segments in the San Diego Region (*Alan Monji*)

Chairman Wright introduced the item. Staff member Alan Monji gave the presentation.

Other speakers included:  
Todd Snyder – County of San Diego  
Amanda Carr – County of Orange

Mr. Robertus thanked the County representatives for their hard work and then recommended bringing the item back at the December Board meeting.

Mr. Monji answered questions asked by the Board.

Mr. David Gibson and Ms. Catherine Hagan made comments.

Staff will respond to comments and make revisions to report. The item will be brought back to the Board for adoption at the December 16, 2009 meeting.

Mr. Destache made closing comments.

*The meeting was recessed for lunch 12:30 and reconvened at 1:10.*

**Item 11** – Administrative Assessment of Civil Liability, City of San Diego, Sewage Collection System: The Regional Board will consider adoption of a Tentative Order that would impose \$620,278 in civil liability recommended in Complaint No. R9-2009-0042 for violations of State Board Order No. R9-2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems. The Regional Board may approve, modify, or reject assessment of the recommended liability. The deadline for the submission of rebuttal evidence and legal argument pertaining to the Complaint is Monday, November 5, 2009. (Tentative Order No. R9-2009-0172) (*Frank Melbourn*)

Chairman Wright introduced the item and explained the hearing procedures.

Staff member Frank Melbourn gave the presentation. Senior staff member Jeremy Haas addressed the Supplemental Environmental Project proposed by the City of San Diego.

Other speakers included:

In opposition:

Tom Zeleny – City attorney, City of San Diego

In support:

Gabriel Solmer – San Diego Coastkeeper

Andre Monette – counsel to Santa Fe Irrigation District

Karen Franz – San Diego Coastkeeper

Mr. Zeleny gave a presentation and made closing comments.

David Boyers, State Water Board attorney of the Office of Enforcement, made closing comments.

Board Members made comments and asked questions of staff.

Mr. King made a motion to raise the liability to \$680,287 with the forgiveness of \$60,000 if it was repaid to the Irrigation District. The motion was seconded by Mr. Rayfield and approved by unanimous vote.

**Item 12** – Reissuance of NPDES Waste Discharge Requirements for Discharges of Runoff from the Municipal Separate Storm Sewer Systems (MS4s) draining the watersheds of the County of Orange, the Orange County Flood Control District, and the incorporated Cities of Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, and San Juan Capistrano within the San Diego Region (South Orange County Municipal Storm Water Requirements). The Board will hear comments and consider adoption of Tentative Order No. R9-2009-0002 (formerly Tentative Orders No. R9-2008-0001 and R9-2007-0002). (Tentative Order No. R9-2009-0002) (*Ben Neill*)

Chairman Wright introduced the item and explained the procedures for the hearing.

Ms. Hagan reported that comment letters were received late on November 17 by Coast Law Group, Orange County, and Michael Beenan.

Staff member Ben Neill gave the presentation.

Other speakers included:

In opposition:

Mayor Mark Nielsen – City of San Juan Capistrano

Mayor Pro-Tem Randal Bressette – City of Laguna Hills

Mayor Pro-Tem Steven Weinberg – City of Dana Point  
Councilmember Verna Rollinger – City of Laguna Beach (*In support*)  
Mary Anne Skorpanich – County of Orange  
Richard Boon – County of Orange  
Tim Carlstedt – Bingham McCutchen for County of Orange  
Richard Montevideo – City of Dana Point  
Ziad Mazboudi – City of San Juan Capistrano  
Brad Fowler – City of Dana Point  
Joe Ames – City of Mission Viejo  
Lisa Zawaski – City of Dana Point  
Nancy Palmer – City of Laguna Niguel  
Tom Bonigut – City of San Clemente  
Andre Monette – counsel to Cities of Lake Forest and Aliso Viejo

In support:

John Kemmerer – U.S. EPA  
Penny Elia – Sierra Club  
Jack Eidt – Wild Heritage Planners  
Cindalee Penney-Hall – Laguna Beach resident  
Lisa Marks – Laguna Beach resident  
Barbara Metzger – Laguna Beach resident  
Charlotte Masarik – Laguna Beach resident

In opposition:

Noah Garrison – Natural Resources Defense Counsel  
Colin Kelly – Orange County Coastkeeper

*Board Member Luker left at 5:40 p.m.*

Claudio Padres – Riverside County Flood Control District  
Vaikko Allen – Contech  
Mark Grey – Construction Industry Coalition on Water Quality

Mr. Neill made closing comments.

Board Members and Mr. Robertus made comments.

Ms. Hagan talked about the Board's options.

Staff member Chad Loflen responded to a question asked by Mr. King on numeric action levels and effluent limits.

Board Members continued their discussion on bio-filtration, reporting date, TMDLS, implementation, numeric effluent limitations vs. numeric action levels, and other possible changes to the permit.



After Board Member discussion, the Board directed staff to change the "non storm water numeric effluent limitations" language in the permit to "non storm water numeric action levels." Also, monitoring should begin at the conclusion of the first year rather than waiting until the third year.

The item would be brought back to the Board for action at the December 16, 2009 meeting.

**Item 13** – Approval of Year 2010 Board Meeting Schedule (*John Robertus*)

Mr. Rayfield moved approval of the 2010 Board Meeting Schedule. The motion was seconded by Mr. Destache and approved by unanimous vote.

**Item 4** (continued)

Mr. Anderson reported that he attended the California Nursery Conference.

Mr. King reported that he granted a motion made by the Shipyard Sediment Cleanup Team to extend the date for releasing the revised cleanup and abatement order and technical report to December 22, 2009.

Mr. Robertus said that he received requests to hold the December meeting in Chula Vista and asked the Board for direction. After discussion, it was decided that the December meeting would be held in San Diego.

Mr. Robertus gave the status of the International Boundary and Water Commission's upgrade of the International Treatment Plant.

Chairman Wright read the Oath of Office swearing in David Gibson as the new Executive Officer.

**Item 14** – *Closed Session* - Discussion of Ongoing Litigation [Authorized under Government Code Section 11126, subd. (e)]

The Regional Board may meet in closed session to discuss ongoing litigation for the following cases:

**Civil Actions**

a. *People of the State of California Ex Rel. the Regional Water Quality Control Board, San Diego Region v. Carlos Marin, an individual in his capacity as Commissioner of the International Boundary and Water Commission, United States Section, et al., Complaint for Violations of the Clean Water Act and Related State Law Claims. United States District Court, Southern District of California, Case No. 01-CV-027BTM(JFS) (filed February 2001). (John Robertus)*

b. *Surfrider Foundation v. California Regional Water Quality Control Board -- San Diego Region and California State Water Resources Control Board; (Cabrillo Power I, LLC, Real Party-in-Interest)*, Petition for Writ of Mandate. San Diego County Superior Court, Case No. 37 2007-00069621-CU-PT-CTL (filed July 2007). (Brian Kelley)

c. *William G. Dickerson and Heidi Dickerson, Husband and Wife; Larry Gunning and Penelope L. Gunning, Husband and Wife; and Perry & Papenhausen, Inc., a California Corporation v. San Diego Regional Water Quality Control Board, a Public Entity*, Petition for Writ of Mandate. San Diego County Superior Court, Case No. 37-2007-00075846-CU-WM-CTL (filed September 2007). (Frank Melbourn)

d. *In re: Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2007-001, (NPDES No. CAS0108758) Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, the San Diego Unified Port District, and the San Diego County Regional Airport Authority adopted on January 24, 2007. Test Claim filed by San Diego County, et al., with Commission on State Mandates, No. 07-TC-09* (filed June 2008). (Catherine George Hagan)

e. *Joye Goodwin and Hope Goodwin v. EDCO Disposal Corporation, a California Corporation, dba EDCO Waste & Recycling Services, State of California Water Resources Board, John P. Anderson, et al., San Diego County Superior Court No. 37-2007-00066373-CU-PO-NC* (filed March 2009). (John Anderson, Catherine Hagan)

f. *William and Lori C. Moritz v. California Regional Water Quality Control Board, San Diego Region*, Petition for Writ of Mandate. San Diego County Superior Court, Case No. 37-2009-00093097-CU-WM-CTL (filed June 2009) (Christopher Means)

**Petitions for Review Pending Before State Water Resources Control Board**

g. Petition of NRDC, Inc. (Waste Discharge Requirements Order No. R9-2007-001 [NPDES No. CAS0108758] for Urban Runoff Discharges from the Municipal Storm Systems in the Incorporated Cities of San Diego, San Diego Unified Port District, and San Diego Regional Airport Authority, SWRCB/OCC File A-1830©, filed February, 2007 (in abeyance).

h. Petition of City of San Marcos (Investigative Order No. R9-2008-0118 for City of San Marcos Discharge of Material into Upper Copper Creek, San Marcos, San Diego County), filed October, 2008 (in abeyance).

- i. Petition of Natural Resources Defense Council and San Diego Coastkeeper (Executive Officer Approval of Countywide Model Standard Urban Stormwater Mitigation Plan for Development Applications), SWRCB/OCC File A-2010, filed April 2009 (in abeyance). (*Eric Becker*)
- j. Petition of San Diego Coastkeeper and Petition of Surfrider Foundation (Order No. R9-2009-0038 (Poseidon Resources Corporation, Carlsbad Desalination Plant, Order Amending Waste Discharge Requirements No. R9-2006-0065 [NPDES No. CA0109223]), SWRCB/OCC File A-2024 and A-2024(a), filed June 2009. (*Michelle Mata*)
- k. Petition of Department of the Navy (Waste Discharge Requirements Order No. R9-2009-0081 [NPDES No. CA0109185] for the United States Department of the Navy, Naval Base Coronado, San Diego County), SWRCB/OCC File A-2032, filed July 2009. (*Vicente Rodriguez*)
- l. Petition of South Coast Water District and South Orange County Wastewater Authority (Administrative Civil Liability Order No. R9-2009-0048 for South Orange County Wastewater Authority, South Coast Water District Groundwater Recovery Facility, San Diego County), SWRCB/OCC File A-2035, filed July 2009. (*Jeremy Haas*)
- m. Petition of La Costa Town Square, LLC (Denial of Clean Water Act section 401 Water Quality Certification, La Costa Town Square Project, Application 09C-043, San Diego County), SWRCB/OCC File A-2039, filed August 2009 (in abeyance). (*Chiara Clemente*)
- n. Petition of San Juan Capistrano (Revised Cleanup and Abatement Order No. R9-2009-0124 for Chevron USA, Inc and the City of San Juan Capistrano at Chevron Service Station No. 9-3417, 32009 Camino Capistrano, San Juan Capistrano, Orange County), SWRCB/OCC File A-2051, filed October 2009 (in abeyance).

The Closed Session was not held.

**Item 15** – *Closed Session* - Consideration of Initiation of Litigation or Discussion of Significant Exposure to Litigation

The Regional Board may meet in closed session to initiate or consider initiating litigation against persons who are alleged to have violated the Porter-Cologne Water Quality Control Act or the federal Clean Water Act or to discuss significant exposure to litigation [Authorized under Government Code Section 11126(e)] (*John Robertus*)

The Closed Session was not held.

**Item 16** – *Closed Session* - Deliberation on a Decision to be Reached Based on Evidence Introduced in a Hearing

The Regional Board may meet in closed session to consider evidence received in an adjudicatory hearing and to deliberate on a decision to be reached based upon that evidence [Authorized under Government Code Section 11126(c)(3)]

The Closed Session was not held.

**Item 17** – *Closed Session* - Personnel

The Regional Board may meet in closed session to consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee unless the employee requests a public hearing [Authorized under Government Code Section 11126(a)]


The Closed Session was not held.

**Item 18** – Arrangements for Next Meeting and Adjournment


Wednesday, December 16, 2009 - 9:00 a.m.  
Water Quality Control Board  
Regional Board Meeting Room  
9174 Sky Park Court  
San Diego, California

With there being no further business, the meeting was adjourned at 7:00 p.m.

These minutes were prepared by:

  
\_\_\_\_\_  
Lori Costa  
Executive Assistant

Signed by:

  
\_\_\_\_\_  
David W. Gibson  
Executive Officer