

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Board Meeting Room
2375 Northside Drive, Suite 108
San Diego, California

MINUTES OF MEETING
DECEMBER 14, 2016

At 9:00 a.m., Chairman Abarbanel called to order the meeting of the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) at the Board Meeting Room, 2375 Northside Drive, Suite 108, San Diego, California.

Item 1 – Roll Call and Introductions:

Board Members present: Henry Abarbanel, Eric Anderson Tomas Morales, Betty Olson, Gary Strawn, and Stefanie Warren.

Staff Present: David Gibson, James Smith, Chris Blank, John Odermatt, Fisayo Osibodu, Amy Grove, John Anderson, Sarah Mearon, Jeremy Haas, David Barker, Alan Monji, Chad Loflen, Kristin Schwall, Roger Mitchell, Craig Carlisle, Dat Quatch, Brandi Outwin-Beals, Erica Ryan, Ben Neill, Wayne Chiu, Sean McClain, Laurie Walsh, Lisa Honma, Carey Nagoda, Helen Yu, Debbie Woodward, Lalitha Thotakura, Cynthia, Gorham, Kelly Dorsey, Lori Costa, Deborah Jayne, Jody Ebsen, Frank Melbourn, Chiara Clemente, Joann Lim, Melissa Valdovinos. Mike Porter and Christopher Means attended remotely.

Others present on behalf of the San Diego Water Board: State Water Resources Control Board – Catherine Hagan, Adriana Nuñez, Fran Spivy-Weber. California Court Reporting – Mason Booker.

Public Attendance: Brad Roth, Carlsbad Watershed Network; Jay Shrake, Amec Foster Wheeler; Sean Kirkwood; Chris Stransky, Amec Foster Wheeler; Warren Lydecker; Mary Anne Viney; Lisa McKethan; Jan Bandich; Virginia Becerra, Advanced Group; Justin Jones, Lakehouse Hotel; Branden Williams, St. Mark Golf Club; Nick Buhbe, Citizens Development Corporation; Sam Abu-Shaban, Orange County LEA; Mike Chize, NASSCO; Helen Peak, City of San Marcos; Ruth Kolb, City of San Diego; Terry Smith; Lindsey Stephenson; Robert Stone, Ozone Plus; Adena Boxer-Capitano; Eugene Capitano; Reed Thornberg; Amanda Mascia; Kasey Skrivset, Nautilus; Catilin Harvey, Nautilus; Mylene Naceda, MTIS; Pamela Heatherington, Environmental Center of San Diego; Alan Langworthy, City of San Diego; Tim Stebbins, City of San Diego; Peter Vroom, City of San Diego; Mike Obermiller, City of Poway; Clint Boschen, TetraTech; Jerry Diamond, TetraTech; Tony Heinrichs, Heinrichs Consulting, LLC; Mali Tamimi, City of Lemon Grove; Lara Gates, San Diego Council District 9; Bill Baber, City of La Mesa; Yasmin Arellano, City of El Cajon; Jeff Arban, Orange County Waste and Recycling; Eli Whitney; Michael Westing, Lake San Marcos Association Board; Lee Herzog, Lake San Marcos Association Board; Mike Welch; Jo Ann Weber, County of San Diego; Jamie Milani, County of San Diego; George Courser, Sierra Club; John Reaves, Hollandia Dairy; Adam Phillips, Escondido; Lynn Trang, Admiral; Matt O'Malley, San Diego Coastkeeper; James Brown, Batiquitos; Marco Gonzalez, Coastal

Environmental Rights Foundation; Ed Othmer, Industrial Environmental Association; Myles Pomeroy, Groundwork San Diego; Jessica Palmer, U.S. Navy; Helen Davies, City of Escondido; Tom Munnecke; Len Sinfield, U.S. Navy; Jerry Jones, Lemon Grove Sanitation; Al Lau, Padre Dam MWD; Roberto Yano, City of Chula Vista; Karenlee Robinson, Sierra Club; Eric Wolski, DDW; Julia Chunn-Heer, Surfrider San Diego.

Item 2 – Public Forum

The following stakeholders addressed the Board with a request to assign priority ranking to Agua Hedionda Lagoon:

- Amanda Mascia, resident of Carlsbad
- Mary Anne Viney, resident of Carlsbad
- Sean Kirkwood, resident of Carlsbad
- Lisa McKethan, resident of Carlsbad
- Jan Bandich, resident of Carlsbad

Chair Abarbanel asked whether Regional Board staff could meet with the stakeholders to address their concerns.

Mr. Gibson responded that he has planned a number of Outreach meetings with NGOs in the Region, including a meeting with some of the lagoon conservation organizations in San Diego County, and he would be sure to include the above-named stakeholders in that meeting.

Item 3 – Minutes of Board Meeting: November 9, 2016:

Mr. Strawn moved to approve the minutes, and Mr. Morales seconded the motion. A roll call vote was taken, and Board Members Abarbanel, Morales, Strawn, and Warren voted “aye,” with Board Members Anderson and Olson abstaining. The motion passed.

Item 4 – Chairman’s, Board Members’, State Water 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.

Ms. Warren provided a summary of the public outreach meeting at Magnolia School regarding vapor sampling from the former Ametek facility in El Cajon, and she complimented staff on their professionalism in dealing with the residents’ questions and concerns.

Ms. Spivy-Weber provided an update on items coming before the State Board in the upcoming months, and she announced her retirement.

Chair Abarbanel thanked Ms. Spivy-Weber for her service as State Board liaison to the San Diego Water Board and presented her with a gift from the Board and staff.

Mr. Gibson indicated that San Diego County has committed \$30,000 for sediment management at the Brown property and provided an update on Tijuana River Valley Recovery Team activities.

Item 5 – Future Agenda Items: Board members may discuss items for possible inclusion on future agendas. *(David Gibson)*

Mr. Anderson requested an update on alternative compliance mechanism implementation and progress.

Chair Abarbanel expressed concern that the incoming federal administration might choose to distance the United States from the Paris Accords and asked about the possibility of the State of California joining the Accords as a separate entity.

Consent Calendar: Items 6 through 8 are considered non-controversial issues. (NOTE: If there is public interest, concern, or discussion regarding any Consent Calendar item or a request for a public hearing, then the item(s) will be removed from the Consent Calendar and considered after all other agenda items have been completed.)

Item 6 – Master Recycling Permit Reissuance: Carlsbad Municipal Water District, Carlsbad Water Recycling Facility, San Diego County (Tentative Order No. R9-2016-0183). (*Fisayo Osibodu*)

Item 7 – NPDES Permit Reissuance: Waste Discharge Requirements for General Dynamics National Steel and Shipbuilding Company (NASSCO) Discharge to San Diego Bay (Tentative Order No. R9-2016-0116, NPDES No. CA0109134). (*Kristin Schwall*)

Item 8 – WDR Issuance: Closure, Post-Closure Maintenance, and Monitoring Requirements for Advanced Group 99-SJ, LLP and the County of Orange at the Forster Canyon Landfill, San Juan Capistrano, Orange County (Tentative Order No. R9-2016-0149). (*Amy Grove*)

Mr. Anderson moved to approve the Consent Calendar, with errata to Tentative Order No. R92016-0183, and Mr. Strawn seconded the motion. A roll call vote was taken, and Board Members Abarbanel, Anderson, Morales, Olson, Strawn, and Warren voted “aye.” The motion passed.

Remainder of the Agenda (Non-Consent Items)

Item 9 – Information Item: Update on Progress toward Remedy for Lake San Marcos and Upper San Marcos Creek Watershed. (*Sarah Mearon*)

Ms. Mearon gave the staff presentation.

Nick Buhbe from Citizens Development Corporation gave a presentation and responded to Board Member questions.

Chair Abarbanel

Chair Abarbanel called a brief recess at 10:50 a.m., and reconvened the meeting at 11:00 a.m.

Item 11 was taken out of order.

Item 11 – NPDES Permit Reissuance and Decision for a Variance from Secondary Treatment Requirements: Waste Discharge Requirements and NPDES Permit for the

City of San Diego, E.W. Blom Point Loma Wastewater Treatment Plant Discharge to the Pacific Ocean through the Point Loma Ocean Outfall (Tentative Order No. R9-2017-0007, NPDES No. CA0107409) and the Tentative Decision Document for a Variance from Secondary Treatment Requirements Pursuant to Clean Water Act section 301(h).
(Joann Lim)

The USEPA, Region IX, and the San Diego Water Board will conduct a joint public hearing to receive comments on the Tentative Order and the Tentative Decision Document. USEPA, Region IX, and the San Diego Water Board will not be acting on the Tentative Order and Tentative Decision Document at today's public hearing, but will formally act on the Tentative Order and the Tentative Decision Document at a subsequent Board Meeting in 2017. The public comment period for this item will remain open until 5:00 p.m. on December 21, 2016, and all written comments submitted by the deadline will be considered by USEPA, Region IX, and the San Diego Water Board before taking action on the Tentative Order and the Tentative Decision Document.

Chair Abarbanel introduced the Item, and Hector Aguirre, USEPA, Region IX, opened the hearing.

Ms. Lim gave the staff presentation and responded to Board Member questions.

Peter Kozelka conducted the USEPA presentation and responded to Board Member questions.

The following stakeholders commented on the Tentative Order:

- Kevin Faulconer, Mayor, San Diego
- Jerry Jones, Council Member, City of Lemon Grove
- Bill Baber, City Council Member, City of La Mesa
- Halla Razak, Director, Public Utilities Department, City of San Diego
- Tim Stebbins, Senior Marine Biologist, City of San Diego
- Matt O'Malley, San Diego Coastkeeper
- Marco Gonzalez, Coastal Environmental Rights Foundation

Chair Abarbanel called a brief recess at 12:50 p.m. and reconvened the meeting at 12:55 p.m.

The Board Members discussed the Tentative Order, and Mr. Aguirre closed the hearing.

Chair Abarbanel called a recess for lunch at 1:08 p.m. and reconvened the meeting at 2:00 p.m. There were no Closed Session items.

Item 10 – Basin Plan Amendment: A Resolution Amending the Water Quality Control Plan for the San Diego Basin to Incorporate Site-Specific Water Effect Ratios into Water Quality Objectives for Toxic Pollutants and Total Maximum Daily Loads for Copper, Lead, and Zinc in Chollas Creek (Tentative Resolution No. R9-2016-0148). *(Melissa Valdovinos)*

Ms. Valdovinos gave the staff presentation.

The following stakeholders commented on the Tentative Resolution:

- Drew Kleis, Deputy Director, Transportation and Storm Water Department, City of San Diego
- Ed Othmer, Vice President and Water Committee CoChair of the Industrial Environmental Association
- Karenlee Robinson, resident of San Diego
- Eric Haun, U.S. Navy, Navy Region Southwest
- Myles Pomeroy, Groundwork San Diego
- Joe Kuhn, Storm Water Manager, City of La Mesa
- Marco Gonzalez, Coastal Environmental Rights Foundation
- Matt O'Malley, San Diego Coastkeeper
- George Courser, Sierra Club, San Diego
- Jo Ann Weber, Planning Program Manager, County of San Diego

Board Members directed staff to revise the resolution to reflect concerns regarding monitoring methods expressed by stakeholders.

Chair Abarbanel stated that Item 9, the update on progress toward remedy for Lake San Marcos and Upper San Marcos Creek Watershed would be continued at the February meeting.

There being no further business, the meeting was adjourned at 4:28 p.m.

These minutes were prepared by:

Signed by:

Christina Blank
Executive Assistant

David Gibson
Executive Officer