CALL TO ORDER

Chair Tomas Morales called the meeting to order on August 8, 2018 at 9:00 a.m. at the San Diego Regional Water Quality Control Board Hearing Room, 2375 Northside Drive, Suite 108, San Diego, California 92108.

ATTENDANCE:

Board Members present:

Tomas Morales, Chair; Henry Abarbanel, Ph.D., Vice Chair; Eric Anderson, Board Member; Betty H. Olson, Ph.D., Board Member; Gary Strawn, Board Member; Stefanie Warren, Board Member.

Staff present:


Remote attendance:

Rachel O’Donovan, Kimberly McMurray-Cathcart, Kristin Schwall, Melissa Corona, Fisayo Osibodu, Lalitha Thotakura, Tony Felix, Joann Lim, Jody Ebsen, Hiram Sarabia.

Others present on behalf of the San Diego Water Board:


Public Attendance:

Clint Boschen  
_Tetra Tech_

Todd Snyder, Jo Ann Weber, Heather Krish, Victor Avina  
_County of San Diego_

Mary Vondrak  
_City of Laguna Beach_

Grant Sharp, Rita Abellar, Cindy Rivers  
_County of Orange_

Renee Anderson, Barry Pulver  
_Residents of San Diego Region_

Victor Kalkirtz, Rachel Davenport, Ruth Kolb, Gail Ryan, Alejandra Gavaldon, Kris Michell, Kris McFadden, Arielle Beaulieu  
_City of San Diego_

Kelly Tait, Karen Holman  
_Port of San Diego_

Tim Klein, Michelle Hallack  
_Alta Environmental_

Nick Popaditch, Jessica Palmer, Norma Ramirez  
_U.S. Navy_
Minutes of Meeting

Public comments on agenda items were limited to 3 minutes or otherwise at the discretion of the Board Chair.

PUBLIC FORUM

Neil Mohr of Republic Services provided an update on the Sycamore Landfill expansion project.

BOARD BUSINESS:

1. Minutes of Board Meeting: June 20, 2018
   Motion: Mr. Anderson moved to adopt the proposed minutes.
   Seconded by: Mr. Strawn
   MOTION CARRIED: (June 20, 2018)
   Aye: Dr. Abarbanel
        Mr. Anderson
        Dr. Olson
        Mr. Strawn
        Ms. Warren
        Chairman Morales
   Nay: None.
   Absent: None.
   Abstain: None.

2. Chairman's, Board Members', State Water Board Liaison's, and Executive Officer's Reports.
   These items were for Board discussion only. Public testimony was not allowed, and the Board took no formal action.

   Mr. Morales reported that the discussion topics for the WQCC in October are almost final.

   Dr. Abarbanel summarized a meeting in which he, Mr. Gibson, and Sarah Mearon participated at San Diego State University to discuss the Sage Project, which establishes partnerships with local communities to afford students real-world learning opportunities by
working on community-based projects and incorporating that work into their courses. He also provided an update on the Next Generation Monitoring project.

Mr. Gibson provided an update on the Cannabis Program and responded to Board Member questions.

3. Future Agenda Items:

Board members discussed items for possible inclusion on future agendas

Dr. Abarbanel expressed ongoing concern regarding the storage of nuclear waste at the San Onofre Nuclear Generating Station (SONGS), and requested that Southern California Edison return to provide an update and answer the questions posed in June.

INFORMATIONAL ITEMS:

4. Annual Update on the Strategy for a Healthy San Diego Bay. (Wayne Chiu)
   Staff Presentation
   Wayne Chiu
   Port of San Diego Presentation
   Karen Holman, Kelly Tait
   Dan McKirnan also commented on the item.
   Chair Morales recessed the meeting at 11:05 a.m. and reconvened at 11:20 a.m.

   Staff presentation
   Michelle Santillan
   The following stakeholders provided comments on this item:
   • Kris Michell, Chief Operating Officer, City of San Diego
   • Victor Avina, Policy Advisor, County of San Diego, Supervisor Cox’s office
   • Todd Snyder, Watershed Protection Program Manager, County of San Diego
   • Grant Sharp, Manager, South Orange County Watershed Management Area
   • Matt O’Malley, San Diego Coastkeeper
   Laurie Walsh addressed questions posed by the commenters.
   Chair Morales recessed for lunch and Closed Session at 12:30 p.m. Ms. Hagan indicated that the Board would discuss Item Nos. 6 (k) and (l) and Item 7 during Closed Session. Chair Morales reconvened the public meeting at 2:25 p.m.
CLOSED SESSIONS
Closed Sessions are not open to the Public

6. Discussion of Ongoing Litigation [Authorized under Government Code §11126, subd. (e)]. The San Diego Water Board may meet in Closed Session to discuss ongoing litigation for the following cases:

Civil Actions (Judicial and Administrative, other than Petitions for Review filed with the State Water Board)

- **a.** 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)

- **b.** State of California Department of Finance, State Water Resources Control Board, And California Regional Water Quality Control Board, San Diego Region v. Commission on State Mandates. Petition for Writ of Administrative Mandamus. Sacramento County Superior Court, Case No. 34-2010-80000604 (filed July 2010). (Catherine George Hagan)


- **d.** Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016 (NPDES No. CAS0108766) adopted November 10, 2010, County of Riverside, Riverside County Flood Control and Water Conservation District, and the Cities of Murrieta, Temecula and Wildomar, Co-Claimants, filed with Commission on State Mandates, No. 11-TC-03 (filed November 2011). (Catherine George Hagan)

- **e.** Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2013-0001 (Regional MS4 Permit) filed with Commission on State Mandates by County of San Diego. (San Diego Region Water Permit – County of San Diego, Test Claim No. 14-TC-03 (filed June 2015). (Catherine George Hagan)

- **f.** Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2013-0001 as amended by Order No. R9-2015-0001 and Order No. R9-2015-0100 (Regional MS4 Permit) filed with the Commission on State Mandates by Orange County Copermitees, Test Claim No. 15-TC-02 (filed June 2016). (Catherine George Hagan)


Petitions for Review Pending Before the State Water Board¹

None at this time other than those being held in abeyance.

Board Members discussed items (k) and (l) during this Closed Session, but no action was taken.

¹ Petitions for review of San Diego Water Board actions or inactions filed with the State Water Board being held in abeyance by the State Water Board are generally not listed in the agenda. The titles of these matters are available at the San Diego Water Board. Please contact Catherine George Hagan at Catherine.Hagan@waterboards.ca.gov or 619-521-3012 for more information.
7. Consideration of Initiation of Litigation. The San Diego Water Board may meet in Closed Session to discuss the City of Imperial Beach, City of Chula Vista, and San Diego Unified Port District Complaint against the United States International Boundary and Water Commission (USIBWC), Surfrider’s Notice of Intent to Sue and the Board’s own Notice of Intent to Sue USIBWC over matters within the San Diego Water Board’s jurisdiction [Authorized under Government Code §11126, subdivision (e)]. (David Gibson)

Board Members discussed this item during Closed Session, but no action was taken.

**ADJOURNMENT**

There being no further business, Chair Morales adjourned the meeting at 2:25 p.m.

These minutes were prepared by:  
Signed by:

_________________________________________  
Christina Blank  
Executive Assistant

_________________________________________  
David Gibson  
Executive Officer