CALL TO ORDER

Chair Henry Abarbanel called the meeting to order on March 13, 2019 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:

Henry Abarbanel, Ph.D., Chair; Celeste Cantú, Vice Chair; Eric Anderson, Board Member; Megan Blair, Board Member; Gary Strawn, Board Member; Stefanie Warren, Board Member.

Board Members absent:

Betty H. Olson, Ph.D.

Staff present:


Remote attendance:

Cleo Munoz, Sean McClain, Betty Fetscher, Jody Ebsen, Melissa Corona, Alan Monji, Brian McDaniel.

Others present on behalf of the San Diego Water Board:

State Water Resources Control Board – Catherine Hagan, Office of Chief Counsel; Catherine Hawe, Office of Enforcement. California Court Reporting – Marlee Nelson.

Public Attendance:

Thomas L. Bosworth
San Diego County Sanitation District
Waylon Matson
4 Walls International

Todd Snyder, Dan Brogadin
County of San Diego
Raya Yazdanifard
CalTrans

Rachel Davenport
City of San Diego
Amber Craig, Chris Harris
U.S. Customs and Border Protection

Adrienne Abor, Raquelle Hogge
Nautilus/Enthalpy
Carla Camacho
Ocean Discovery Institute
BOARD MEETING

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

PUBLIC FORUM

There were no Public Forum speakers.

BOARD BUSINESS:

1. **Minutes of Board Meeting:** February 13, 2019
   - **Motion:** Mr. Anderson moved to adopt the proposed minutes
   - **Seconded by:** Mr. Strawn
   - **MOTION CARRIED:** (February 13, 2019)
   - **Aye:** Mr. Anderson, Ms. Cantú, Mr. Strawn, Ms. Warren, Chairman Abarbanel
   - **Nay:** None.
   - **Absent:** Dr. Olson
   - **Abstain:** Ms. Blair

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.
   - Ms. Cantú reported on a meeting she had with Joaquin Esquivel in Sacramento last month.
   - Mr. Gibson announced that he would be leading a tour of the lower Tijuana River Valley for State Board Members on March 18.
   - Chair Abarbanel congratulated staff for being awarded the Sierra Club’s Fantastic Environmental Action Taken (FEAT) award.

3. **Future Agenda Items:** Board members discussed items for possible inclusion on future agendas
   - Dr. Abarbanel asked for an update on the Modern Monitoring project, and Mr. Gibson responded to questions about it.

CONSENT CALENDAR

   - Mr. Bradford responded to Board Member questions.

Motion to approve the
Consent Calendar: Mr. Anderson
Seconded by: Ms. Cantú
MOTION CARRIED: (Order No. R9-2019-0011)
(Order No. R9-2019-0020)

Aye: Mr. Anderson
Ms. Blair
Ms. Cantú
Mr. Strawn
Ms. Warren
Chairman Abarbanel

No: None.
Absent: Dr. Olson
Abstain: None.

INFORMATIONAL ITEMS


Item 8 was taken out of order.

8. Update on Water Quality Conditions and Issues Affecting the US Customs and Border Protection Mission. (David Gibson)

Presentation
Amber Craig, U.S. Customs and Border Protection
Chris Harris of U.S. Customs and Border Protection and Mr. Gibson also responded to Board Member questions.

7. Ocean Discovery Institute update. (Henry Abarbanel)

Presentation
Carla Camacho, Ocean Discovery Institute
Mr. Gibson also responded to Board Member questions.

9. POSTPONED TO A FUTURE MEETING Public Hearing to Consider NPDES Permit Reissuance and Water Code Section 13142.5(b) Determination: Waste Discharge Requirements for the Poseidon Resources (Channelside) LP, Claude “Bud” Lewis Carlsbad Desalination Plant Discharge to the Pacific Ocean (Tentative Order No. R9-2019-0003, NPDES No. CA0109223). (Ben Neill)

Chair Abarbanel adjourned for lunch and Closed Session at 10:48 a.m., and he reconvened the Public Meeting at 12:13 p.m. Ms. Hagan stated that the Board would discuss Items 10(j) and 10(o) during Closed Session.
CLOSED SESSIONS
Closed Sessions are not open to the Public

10. 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)


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)


g. Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2015-0100, Provisions A.4, B.2, B.3.a, B.3.b, B.4, B.6, D.1.c(6), D.2.a(2), D.3, D.4, E.3.c(2), E.3.c(3), E.3.d, E.5.a, E.5.c(1)(a), E.5.c(2)(a), E.5.c(3), E.5.e, E.6, F.1.a, F.2.a, F.2.b, F.2.c, F.3.b(3), and F.3.c. 16-TC-05, 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, (June 2017). (Catherine George Hagan)

h. Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2017-0077, Sections A.1, A.3, and A.5, 17-TC-05, City of San Juan Capistrano and County of San Diego, Claimants, filed with the Commission on State Mandates, (June 2017). (Catherine George Hagan)


Petitions for Review Pending Before the State Water Board

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

Board Members discussed Items 10(j) and 10(o).

ADJOURNMENT

There being no further business, Chair Abarbanel adjourned the meeting at 12:13 p.m.

These minutes were prepared by: Signed by:

Christina Blank
Executive Assistant

David Gibson
Executive Officer

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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.