CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
BOARD MEETING MINUTES
May 13, 2020

Pursuant to the Governor’s Executive Orders (N-29-20 and N-33-20) to protect public health by limiting public gatherings and requiring social distancing, this meeting occurred solely by remote presence.

CALL TO ORDER
Chairman Henry Abarbanel called the remote meeting to order on May 13, 2020 at 11:00 a.m.

ATTENDANCE:

Board Members present:

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

Staff present:


Others present on behalf of the San Diego Water Board:

Laurel Firestone, State Water Resources Control Board; Catherine Hagan, Vincent Vu, Office of Chief Counsel; Vinty Siev, Division of Information Technology.

Public Attendance:

Sophie Barnhorst, Jeffrey Pasek, John Stufflebean, Amy Dorman, Shauna Lorance
City of San Diego

Doug Owen
Stantec

Debra Burris
DDB Engineering, Inc.

Michael Welch
Michael Welch Consultants
Public comments on agenda items were limited to 3 minutes or otherwise at the discretion of the Board Chair
Aye:
- Mr. Anderson
- Ms. Blair
- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

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.

Ms. Cantú reported that the Chair has appointed a committee consisting of Dr. Olson, Mr. Strawn, and Ms. Cantú to investigate the use of modern technologies that would enhance the Board’s monitoring capabilities, given limited resources and dealing with the COVID-19 situation.

Ms. Firestone stated that the Governor’s May Budget Revise is expected in the next couple of days; she indicated that, as the State and Regional Water Boards are fee-funded, we are in a slightly better position than those agencies that rely on the General Fund. She also provided an update on State Board activities and priorities for upcoming meetings, and she responded to Board Member questions.

Mr. Gibson introduced new staff members, Lark Starkey and Lara Quetin. He reported that under the USMCA trade agreement $300 million has been allocated for addressing issues in the Tijuana River Valley, and that there will be a USEPA public stakeholder meeting on or about June 2, 2020. Dr. Abarbanel asked that the Board Members be notified when that date is finalized.

Mr. Anderson offered to help Water Board staff in the revisions to the Irrigated Lands Orders.

Mr. Gibson then responded to Board Member questions and comments.

3. Future Agenda Items: Board members discussed items for possible inclusion on future agendas.

Board Members did not identify any Future Agenda Items.
CONSENT CALENDAR

4. Rescission of Order No. 98-04, Waste Discharge Requirements for United States Marine Corps Base Camp Pendleton, Sewage Treatment Plant No. 9 (Las Pulgas), San Diego County (Tentative Order No. R9-2020-0008. (Brandon Bushnell)

5. NPDES Permit Issuance: Waste Discharge Requirements for the City of San Diego, North City Water Reclamation Plant and Pure Water Facility, Indirect Potable Reuse Reservoir Augmentation Discharge to Miramar Reservoir, San Diego County (Tentative Order No. R9-2020-0001, NPDES 0109398). (Fisayo Osibodu)

The following stakeholders commented on Tentative Order No. R9-2020-0001:
- Chris Cate, City Council Member, San Diego City Council District 6
- Shauna Lorance, City of San Diego Public Works Department
- Craig Carlisle, Resident of City of San Diego

Motion to approve the Consent Calendar:
- Mr. Strawn

Second:
- Ms. Blair

MOTION CARRIED:
- (Order No. R9-2020-0005)
- (Order No. R9-2020-0004)

Aye:
- Mr. Anderson
- Ms. Blair
- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

Nay:
- None.

Absent:
- None.

Abstain:
- None.

Chair Abarbanel adjourned for closed session at 11:55 a.m. Ms. Hagan stated that the Board would discuss Item 6(i) during closed session, but that no action would be taken. Ms. Cantú reconvened the public meeting at 1:30 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)


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:**


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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.


ADJOURNMENT

There being no further business, Ms. Cantú adjourned the meeting at 1:31 p.m.

These minutes were prepared by: Signed by:

Christina Blank David Gibson
Executive Assistant Executive Officer