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:

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas L. Bosworth</td>
<td>San Diego County Sanitation District</td>
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<tr>
<td>Todd Snyder, Dan Brogadin</td>
<td>County of San Diego</td>
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<tr>
<td>Rachel Davenport</td>
<td>City of San Diego</td>
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<tr>
<td>Adrienne Abor, Raquelle Hogge</td>
<td>Nautilus/Enthalpy</td>
</tr>
<tr>
<td>Waylon Matson</td>
<td>4 Walls International</td>
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<tr>
<td>Raya Yazdaniford</td>
<td>CalTrans</td>
</tr>
<tr>
<td>Amber Craig, Chris Harris</td>
<td>U.S. Customs and Border Protection</td>
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<tr>
<td>Carla Camacho</td>
<td>Ocean Discovery Institute</td>
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</tbody>
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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 Joaquín 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.


Chair Abarbanel adjourned for lunch and Closed Session at 10:48 a.m., and he reconvened the Public Meeting at 12:13p.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)


o. People of the State of California, Ex. Rel. the Regional Water Quality Control Board, San Diego Region v. International Boundary and Water Commission, United States Section, Jose Nunez, in his capacity as Acting Commissioner of the International Boundary and Water Commission, United States Section. Complaint for Declaratory and Injunctive Relief (Clean Water Act 33 U.S.C. §1251 et seq.), United States District County for the Southern District of California, Case No. [not yet assigned], filed September 4, 2018.  (David Gibson)
Petitions for Review Pending Before the State Water Board¹

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:  
Christina Blank  
Executive Assistant

Signed by:  
David Gibson  
Executive Officer

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.