

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION  
BOARD MEETING MINUTES  
February 12, 2020**

**CALL TO ORDER**

Chairman Henry Abarbanel called the meeting to order on February 12, 2020 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., Board Chair; Celeste Cantú, Vice Chair; Megan Blair; Betty H. Olson, Ph.D.; Gary Strawn; Stefanie Warren.

**Board Member absent:**

Eric Anderson

**Staff present:**

David Gibson, Kelly Dorsey, Chris Blank, Leah Lorch, Ben Neill, David Barker, Keith Yaeger, Roger Mitchell, Jeremy Haas, Joann Lim, Chiara Clemente, Dulce Romero, Fisayo Osibodu, Laurie Walsh, Carey Nagoda, Regan Morey, Eric Becker, Chad Loflen, Kristin Schwall, Sean McClain, Wayne Chiu, Vicente Rodriguez, Craig Carlisle, Sarah Mearon, Whitney Ghoram, Amy Grove, Debbie Woodward, Darren Bradford, Mike Porter, Cynthia Gorham, Helen Yu, Nicole Gergans.

**Remote attendance:**

Rebecca Stewart, Sherrie Komeylyan, Cleo Muñoz, Christina Arias, Tony Felix, Brandon Bushnell, Melissa Corona, Jody Ebsen, Kimberly McMurray-Cathcart, Brian McDaniel.

**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.

**Public Attendance:**

Ruth Kolb, Arielle Beaulieu  
*City of San Diego*

Owni Toma, Jack Bebee  
*Fallbrook Public Utilities District*

Barbara Orelo  
*Enthalpy/Nautilus*

Michelle Porrelson, Peter MacLaggan  
*Poseidon Water*

Hannah Gbeh  
*San Diego County Farm Bureau*

Steve Jepsen  
*Southern California Alliance of Publicly  
Owned Treatment Works (SCAP)*

Andrew Homer, Gary Merrill  
*Genentech, Inc.*

Michael Welch  
*Michael Welch Consultants*

Tim Sisk  
*NRG – Encina*

Melissa Thorme, Rudy Guzman, Lori  
Rigby  
*City of Oceanside*

Jeremy Critchfield  
*South Orange County Water Authority*

**BOARD MEETING**

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

**PUBLIC FORUM**

Craig Carlisle thanked the Board staff for their work on the Scripps Institution of Oceanography NPDES Permit, which was adopted in December.

Hannah Gbeh, Executive Director of the San Diego Farm Bureau, introduced herself to the Board.

**BOARD BUSINESS:**

**1. Minutes of Board Meeting:**

- December 11, 2019

**Motion to adopt the proposed minutes:**

- Ms. Cantú

**Second:**

- Ms. Blair

**MOTION CARRIED:**

- (Minutes12112019)

**Aye:**

- Ms. Blair
- Ms. Cantú
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

**Nay:**

- None.

**Absent:**

- Mr. Anderson

**Abstain:**

- Dr. Olson

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. Firestone provided an update on State Board activities and priorities for the upcoming year and responded to Board Member questions.

Ms. Cantú spoke about the Tribal Summit hosted by CalEPA and the San Diego Water board on February 6, 2020, and indicated that she would be meeting with Tribal leadership on February 18, 2020.

Ms. Warren thanked Board staff for planning and executing the Tribal Summit, and she stated that the Board has come a long way from just a few years ago when invitees were reluctant to speak at forums hosted by the Board.

Ms. Blair also expressed that she was impressed by the level of input that the Board received during the Tribal Summit.

Mr. Strawn announced that the San Diego River Park Conservancy and Board staff would be hosting a two-day bio-assessment training in April. The dates have not yet been announced, but Mr. Strawn will keep the Board updated.

Dr. Olson stated that the South Orange County Watershed Management would be conducting a hydrological ecology study looking for human pathogens contributed through storm water, later this year.

Dr. Abarbanel reported that he, Mr. Gibson, and Melissa Corona had a conversation with Congressman Levin of the probable impact of \$300 million allocated to the Tijuana River Valley in the newly-signed USMCA treaty.

Mr. Gibson directed the Board Members' attention to the Supplemental Executive Officer's Report distributed this morning, and he stated that he had issued an Investigative Order to the International Boundary and Water Commission for year-round monitoring of bacterial indicators and other constituents. He also indicated that he is composing correspondence with USEPA regarding ongoing transboundary flows of highly polluted waters in the Tijuana River. He will send out that letter later this week. He also responded to Board Member questions.

Mr. Gibson then congratulated Sean McClain on his promotion to Senior Engineering Geologist supervising the Military Facilities Site Restoration unit and Mireille Garcia's elevation from Student Assistant to Water Resource Control Engineer in the Storm Water Management unit.

Dr. Abarbanel presented Sustained Superior Service Awards to Roger Mitchell, Keith Yaeger, and Paul Ciccarelli. All three thanked the Board and staff for their support in achieving these awards.

*Dr. Abarbanel called a recess at 9:50 a.m. and reconvened the meeting at 9:58 a.m.*

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

**CONSENT CALENDAR**

4. NPDES Permit Reissuance: Waste Discharge Requirements for Cabrillo Power I LLC, Encina Power Station, San Diego County, Discharge to the Pacific Ocean (Tentative Order No. R9-2020-0005, NPDES No. CA0001350). *(Ben Neill)*
5. NPDES Permit Amendment: An Order Amending Order No. R9-2019-0003, NPDES No. CA0109223, Waste Discharge Requirements for the Poseidon Resources (Channelside) LP Claude “Bud” Lewis Carlsbad Desalination Plant Discharge to the Pacific Ocean (Tentative Order No. R9-2020-0004). *(Ben Neill)*
6. New Waste Discharge Requirements: Waste Discharge Requirements for Makena Murrieta LLC, Makena Hills Project (Tentative Order No. R9-2020-0003). *(Darren Bradford)*
7. Tentative Resolution: Update to Clean Water Act Section 305b Report to Identify High Quality Waters of the State (Tentative Resolution No. R9-2020-0012). *(Carey Nagoda)*

**Motion to approve the Consent Calendar:**

- Mr. Strawn

**Second:**

- Ms. Blair

**MOTION CARRIED:**

- (Order No. R9-2020-0005)
- (Order No. R9-2020-0004)
- (Order No. R9-2020-0003)
- (Resolution No. R9-2020-0012)

**Aye:**

- Ms. Blair
- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

**Nay:**

- None.

**Absent:**

- Mr. Anderson

**Abstain:**

- None.

**ACTION ITEMS**

8. NPDES Permit Reissuance: Waste Discharge Requirements for the City of Oceanside, San Luis Rey Water Reclamation Facility, La Salina Wastewater Treatment Plant, and Mission Basin Groundwater Purification Facility Discharge to the Pacific Ocean Through the Oceanside Ocean Outfall (Tentative Order No. R9-2019-0166). *(Joann Lim and Keith Yaeger)*

Chair Abarbanel re-opened the public hearing for Items 8 through 11, which was continued from the December 11, 2019 meeting. The Board held one public hearing to receive presentations and comments for Items 8 through 11, then voted separately on each item. Chair Abarbanel made his opening statement and administered the oath for Items 8 through 11. Chair Abarbanel noted that Camp Pendleton yielded it's time to the City of Oceanside. Mr. Yaeger gave the staff presentation for all four items, accompanied with a PowerPoint presentation. Messrs. Yaeger, Barker, and Gibson responded to Board Member questions.

*Chair Abarbanel called a recess at 10:50 a.m. and reconvened the meeting at 10:58 a.m.*

Lori Rigby, Compliance Officer for the City of Oceanside, gave the presentation for the City of Oceanside, accompanied with a PowerPoint presentation.

*Chair Abarbanel called a brief recess for technical issues.*

Ms. Rigby, Melissa Thorme, Counsel for the City of Oceanside, and Rudy Guzman, Water Utilities District Manager for the City of Oceanside, continued the presentation for the City of Oceanside, accompanied with a PowerPoint presentation. Ms. Rigby and Messrs. Vu and Guzman responded to Board Member questions.

Jack Bebee, General Manager for the Fallbrook Public Utility District, gave the presentation for Fallbrook Public Utility District.

Andrew Homer, Counsel for Genentech, Inc., gave the presentation for Genentech, Inc.

Steve Jepsen, Executive Director for the Southern California Alliance of Publicly Owned Treatment Works (SCAP), commented on the four items.

Mses. Thorme and Rigby responded to Board Member questions.

*Chair Abarbanel called a recess for lunch at 12:15 p.m. and reconvened the meeting at 12:50 p.m. There were no closed session items.*

Messrs. Vu, Yaeger, Gibson, Barker, and Neill responded to Board Member questions. Ms. Thorme provided additional comments for the City of Oceanside.

Chair Abarbanel closed the public hearing. The board members engaged in discussion of Items 8 through 11. During the discussion, Chair Abarbanel re-opened the public hearing to receive limited comments from board staff and Genentech, Inc., in response to Board questions. Messrs. Neill, Homer, and

Barker responded to Board questions. Chair Abarbanel then closed the public hearing.

Chair Abarbanel made a motion to adopt Item 11. Vice-Chair Cantú seconded the motion. The Board members discussed the motion and received limited comments from staff in response to Board questions. The roll call vote on Item 11 was taken and motion carried.

Chair Abarbanel made a motion to adopt Items 8 through 10. Mr. Strawn seconded the motion. The board members discussed the motion. Separate roll call votes then were taken for Items 8 through 10.

Chair Abarbanel repeated his motion to adopt Item 8. Mr. Strawn seconded the motion. The roll call vote on Item 8 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 9. Mr. Strawn seconded the motion. The roll call vote on Item 9 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 10. Mr. Strawn seconded the motion. The roll call vote on Item 10 was taken and the motion carried.

**Motion to approve Tentative Order No. R9-2019-0166 with errata and that the Plume Tracking Monitoring Program Workplan be brought back to the Board for approval:**

- Dr. Abarbanel

**Second:**

- Mr. Strawn

**MOTION CARRIED:**

- (Order No. R9-2019-0166)

**Aye:**

- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

**Nay:**

- Ms. Blair

**Absent:**

- Mr. Anderson

**Abstain:**

- None.

9. NPDES Permit Reissuance: Waste Discharge Requirements for the Fallbrook Public Utility District, Fallbrook Water Reclamation Plant, and Santa Margarita Groundwater Treatment Plant Discharge to the Pacific Ocean through the Oceanside Ocean Outfall (Tentative Order No. R9-2019-0169). *(Joann Lim and Keith Yaeger)*

Chair Abarbanel re-opened the public hearing for Items 8 through 11, which was continued from the December 11, 2019 meeting. The Board held one public hearing to receive presentations and comments for Items 8 through 11, then voted separately on each item. Chair Abarbanel made his opening statement and administered the oath for Items 8 through 11. Chair Abarbanel noted that Camp Pendleton yielded it's time to the City of Oceanside. Mr. Yaeger gave the staff presentation for all four items, accompanied with a PowerPoint presentation. Messrs. Yaeger, Barker, and Gibson responded to Board Member questions.

*Chair Abarbanel called a recess at 10:50 a.m. and reconvened the meeting at 10:58 a.m.*

Lori Rigby, Compliance Officer for the City of Oceanside, gave the presentation for the City of Oceanside, accompanied with a PowerPoint presentation.

*Chair Abarbanel called a brief recess for technical issues.*

Ms. Rigby, Melissa Thorme, Counsel for the City of Oceanside, and Rudy Guzman, Water Utilities District Manager for the City of Oceanside, continued the presentation for the City of Oceanside, accompanied with a PowerPoint presentation. Ms. Rigby and Messrs. Vu and Guzman responded to Board Member questions.

Jack Bebee, General Manager for the Fallbrook Public Utility District, gave the presentation for Fallbrook Public Utility District.

Andrew Homer, Counsel for Genentech, Inc., gave the presentation for Genentech, Inc.

Steve Jepsen, Executive Director for the Southern California Alliance of Publicly Owned Treatment Works (SCAP), commented on the four items.

Mses. Thorme and Rigby responded to Board Member questions.

*Chair Abarbanel called a recess for lunch at 12:15 p.m. and reconvened the meeting at 12:50 p.m. There were no closed session items.*

Messrs. Vu, Yaeger, Gibson, Barker, and Neill responded to Board Member questions. Ms. Thorme provided additional comments for the City of Oceanside.

Chair Abarbanel closed the public hearing. The board members engaged in discussion of Items 8 through 11. During the discussion, Chair Abarbanel re-opened the public hearing to receive limited comments from board staff and Genentech, Inc., in response to Board questions. Messrs. Neill, Homer, and Barker responded to Board questions. Chair Abarbanel then closed the public hearing.

Chair Abarbanel made a motion to adopt Item 11. Vice-Chair Cantú seconded the motion. The Board members discussed the motion and received limited comments from staff in response to Board questions. The roll call vote on Item 11 was taken and motion carried.

Chair Abarbanel made a motion to adopt Items 8 through 10. Mr. Strawn seconded the motion. The board members discussed the motion. Separate roll call votes then were taken for Items 8 through 10.

Chair Abarbanel repeated his motion to adopt Item 8. Mr. Strawn seconded the motion. The roll call vote on Item 8 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 9. Mr. Strawn seconded the motion. The roll call vote on Item 9 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 10. Mr. Strawn seconded the motion. The roll call vote on Item 10 was taken and the motion carried.

**Motion to approve Tentative Order No. R9-2019-0169 with errata and that the Plume Tracking Monitoring Program Workplan be brought back to the Board for approval:**

- Dr. Abarbanel

**Second:**

- Mr. Strawn

**MOTION CARRIED:**

- (Order No. R9-2019-0169)

**Aye:**

- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

**Nay:**

- Ms. Blair

**Absent:**

- Mr. Anderson

**Abstain:**

- None.

10. NPDES Permit Reissuance: Waste Discharge Requirements for the Marine Corps Base, Camp Pendleton Southern Regional Tertiary Treatment Plant and Advanced Water Treatment Plant at Haybarn Canyon Discharge to the Pacific Ocean through the Oceanside Ocean Outfall (Tentative Order No. R9-2019-0167). (*Joann Lim and Keith Yaeger*)

Chair Abarbanel re-opened the public hearing for Items 8 through 11, which was continued from the December 11, 2019 meeting. The Board held one public hearing to receive presentations and comments for Items 8 through 11, then voted separately on each item. Chair Abarbanel made his opening statement and administered the oath for Items 8 through 11. Chair Abarbanel noted that Camp Pendleton yielded it's time to the City of Oceanside. Mr. Yaeger gave the



staff presentation for all four items, accompanied with a PowerPoint presentation. Messrs. Yaeger, Barker, and Gibson responded to Board Member questions.

*Chair Abarbanel called a recess at 10:50 a.m. and reconvened the meeting at 10:58 a.m.*

Lori Rigby, Compliance Officer for the City of Oceanside, gave the presentation for the City of Oceanside, accompanied with a PowerPoint presentation.

*Chair Abarbanel called a brief recess for technical issues.*

Ms. Rigby, Melissa Thorme, Counsel for the City of Oceanside, and Rudy Guzman, Water Utilities District Manager for the City of Oceanside, continued the presentation for the City of Oceanside, accompanied with a PowerPoint presentation. Ms. Rigby and Messrs. Vu and Guzman responded to Board Member questions.

Jack Bebee, General Manager for the Fallbrook Public Utility District, gave the presentation for Fallbrook Public Utility District.

Andrew Homer, Counsel for Genentech, Inc., gave the presentation for Genentech, Inc.

Steve Jepsen, Executive Director for the Southern California Alliance of Publicly Owned Treatment Works (SCAP), commented on the four items.

Mses. Thorme and Rigby responded to Board Member questions.

*Chair Abarbanel called a recess for lunch at 12:15 p.m. and reconvened the meeting at 12:50 p.m. There were no closed session items.*

Messrs. Vu, Yaeger, Gibson, Barker, and Neill responded to Board Member questions. Ms. Thorme provided additional comments for the City of Oceanside.

Chair Abarbanel closed the public hearing. The board members engaged in discussion of Items 8 through 11. During the discussion, Chair Abarbanel re-opened the public hearing to receive limited comments from board staff and Genentech, Inc., in response to Board questions. Messrs. Neill, Homer, and Barker responded to Board questions. Chair Abarbanel then closed the public hearing.

Chair Abarbanel made a motion to adopt Item 11. Vice-Chair Cantú seconded the motion. The Board members discussed the motion and received limited comments from staff in response to Board questions. The roll call vote on Item 11 was taken and motion carried.

Chair Abarbanel made a motion to adopt Items 8 through 10. Mr. Strawn seconded the motion. The board members discussed the motion. Separate roll call votes then were taken for Items 8 through 10.

Chair Abarbanel repeated his motion to adopt Item 8. Mr. Strawn seconded the motion. The roll call vote on Item 8 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 9. Mr. Strawn seconded the motion. The roll call vote on Item 9 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 10. Mr. Strawn seconded the motion. The roll call vote on Item 10 was taken and the motion carried.

**Motion to approve Tentative Order No. R9-2019-0167 with errata and amendment that the Plume Tracking Monitoring Program Workplan be brought back to the Board for approval:**

- Dr. Abarbanel

**Second:**

- Mr. Strawn

**MOTION CARRIED:**

- (Order No. R9-2019-0167)

**Aye:**

- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

**Nay:**

- Ms. Blair

**Absent:**

- Mr. Anderson

**Abstain:**

- None.

11. NPDES Permit Reissuance: Waste Discharge Requirements for Genentech, Inc. Discharge to the Pacific Ocean through the Oceanside Ocean Outfall (Tentative Order No. R9-2019-0168). *(Joann Lim and Keith Yaeger)*

Chair Abarbanel re-opened the public hearing for Items 8 through 11, which was continued from the December 11, 2019 meeting. The Board held one public hearing to receive presentations and comments for Items 8 through 11, then voted separately on each item. Chair Abarbanel made his opening statement and administered the oath for Items 8 through 11. Chair Abarbanel noted that Camp Pendleton yielded it's time to the City of Oceanside. Mr. Yaeger gave the staff presentation for all four items, accompanied with a PowerPoint presentation. Messrs. Yaeger, Barker, and Gibson responded to Board Member questions.

*Chair Abarbanel called a recess at 10:50 a.m. and reconvened the meeting at 10:58 a.m.*

Lori Rigby, Compliance Officer for the City of Oceanside, gave the presentation for the City of Oceanside, accompanied with a PowerPoint presentation.

*Chair Abarbanel called a brief recess for technical issues.*

Ms. Rigby, Melissa Thorme, Counsel for the City of Oceanside, and Rudy Guzman, Water Utilities District Manager for the City of Oceanside, continued the presentation for the City of Oceanside, accompanied with a PowerPoint presentation. Ms. Rigby and Messrs. Vu and Guzman responded to Board Member questions.

Jack Bebee, General Manager for the Fallbrook Public Utility District, gave the presentation for Fallbrook Public Utility District.

Andrew Homer, Counsel for Genentech, Inc., gave the presentation for Genentech, Inc.

Steve Jepsen, Executive Director for the Southern California Alliance of Publicly Owned Treatment Works (SCAP), commented on the four items.

Mses. Thorme and Rigby responded to Board Member questions.

*Chair Abarbanel called a recess for lunch at 12:15 p.m. and reconvened the meeting at 12:50 p.m. There were no closed session items.*

Messrs. Vu, Yaeger, Gibson, Barker, and Neill responded to Board Member questions. Ms. Thorme provided additional comments for the City of Oceanside.

Chair Abarbanel closed the public hearing. The board members engaged in discussion of Items 8 through 11. During the discussion, Chair Abarbanel reopened the public hearing to receive limited comments from board staff and Genentech, Inc., in response to Board questions. Messrs. Neill, Homer, and Barker responded to Board questions. Chair Abarbanel then closed the public hearing.

Chair Abarbanel made a motion to adopt Item 11. Vice-Chair Cantú seconded the motion. The Board members discussed the motion and received limited comments from staff in response to Board questions. The roll call vote on Item 11 was taken and motion carried.

Chair Abarbanel made a motion to adopt Items 8 through 10. Mr. Strawn seconded the motion. The board members discussed the motion. Separate roll call votes then were taken for Items 8 through 10.

Chair Abarbanel repeated his motion to adopt Item 8. Mr. Strawn seconded the motion. The roll call vote on Item 8 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 9. Mr. Strawn seconded the motion. The roll call vote on Item 9 was taken and the motion carried.

Chair Abarbanel repeated his motion to adopt Item 10. Mr. Strawn seconded the motion. The roll call vote on Item 10 was taken and the motion carried.

**Motion to approve Tentative Order No. R9-2019-0168 with errata and amendment that monitoring frequency for chronic toxicity be reduced from five to two per five-year period and done in coordination with other Oceanside Ocean Outfall dischargers:**

- Dr. Abarbanel

**Second:**

- Ms. Cantú

**MOTION CARRIED:**

- (Order No. R9-2019-0168)

**Aye:**

- Ms. Blair
- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

**Nay:**

- None.

**Absent:**

- Mr. Anderson

**Abstain:**

- None.

12. Election: Election of the 2020 Regional Board Chair and Vice Chair. (*David Gibson*)

**Motion to nominate Regional Board Chair Nominee:**

- Dr. Olson

**Second:**

- Ms. Blair

**Motion to nominate Regional Board Vice Chair Nominee:**

- Dr. Abarbanel

**Second:**

- Ms. Warren

**MOTION CARRIED:**

- **Regional Board Chair: Dr. Abarbanel**
- **Regional Board Vice Chair: Ms. Cantú**

**Aye:**

- Ms. Blair
- Ms. Cantú
- Dr. Olson
- Mr. Strawn
- Ms. Warren
- Dr. Abarbanel

**Nay:**

- None.

**Absent:**

- Mr. Anderson

**Abstain:**

- None.

ADJOURNMENT

There being no further business, Chair Abarbanel adjourned the meeting at 2:59 p.m.

These minutes were prepared by:

Signed by:

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Christina Blank  
Executive Assistant

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David Gibson  
Executive Officer