

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
BOARD MEETING MINUTES
March 13, 2024**

CALL TO ORDER

Chair Celeste Cantú opened the meeting March 13, 2024, at 9:00 a.m. in the San Diego Regional Water Quality Control Board Hearing Room, 2375 Northside Drive, Room 108, San Diego, California 92108.

ATTENDANCE

Board Members present:

Celeste Cantú, Board Chair; Betty H. Olson, Ph.D., Vice Chair; Megan Blair (remote), Gary Strawn, Yen Tu, and Stefanie Warren.

Staff present:

Jeremy Haas, Chris Blank, Laurie Walsh, Ben Neill, Lara Quetin, Roger Mitchell, Brandon Bushnell, Sarah Mearon, Mahsa Izadmehr, Jody Ebsen, Cailynn Smith, Cynthia Gorham, Melissa Liotta, Vanessa Cacayan, Heidi Fletcher, Michelle Santillan, Lori Okun, Joann Lim, Fisayo Osibodu, Abigail Pashina, Jessica Taylor, James Smith, Nicholas White, Brandi Outwin-Beals, Erica Ryan, Kate Buckley, Wayne Chiu, Mireille Lecourtois

Staff remote attendance:

Dave Gibson, Vicente Rodriguez, Eilizabeth Nguyen, Tanya Clark, Amy Grove, Melissa Corona, Erin Schmitt, Debbie Woodward, James Chhor, Regan Morey, Carey Kowalski, Eric Becker, Kimberly McMurray-Cathcart, Chiara Clemente, Sasha Smirensky, Regina Coughlin, Tom Alo, Christina Arias

Others present on behalf of the San Diego Water Board

Nichole Morgan, State Water Resources Control Board; Lori Okun, Vincent Vu, Alex Sauerwein, Office of Chief Counsel; Elise Hicks, California Reporting.

Public Attendance:

Present:

Tiffany Boy-Hodgson <i>Vallecitos Water District</i>	Andrew Monette <i>Best Best & Krieger; Vallecitos Water District</i>
Michael R. Welch <i>Michael Welch Consultants</i>	Jordan Key, Justin Gamble, Neil Searing, Ruth De La Rosa, <i>County of San Diego</i>
Nick Buhbe, Dan Haydon <i>Citizens Development Corporation</i>	Arielle Beaulieu, Josie Mastin, Todd Snyder, Katie Kerch, Brianna Menke, Jim Carroll, Craig Boyd, Rachel Davenport, Paul Hartman, Nicole Granquist <i>City of San Diego</i>
Stephanie Kellar, Reed Thornberg <i>City of San Marcos</i>	Michelle Mattson <i>Weston Solutions</i>
Lisa Zawaski <i>City of Dana Point</i>	John Rudolph, Chris Stransky, Tammy Arthur, Darcy Melargar <i>WSP Environmental</i>
Kristina Husler <i>Dudek</i>	Juan Magdaraog <i>City of Escondido</i>
Kayla Nyberg, Allisan McLaughlin <i>City of Vista</i>	Lisa Klinger <i>Lake San Marcos Resident</i>
Emily Stein <i>City of Santee</i>	John Quenzer <i>DeMax Engineering</i>
Jesus Velazquez <i>City of El Cajon</i>	Courtney Brown, Livia Beaudin <i>San Diego Coastkeeper</i>
Alex Schriever <i>NVS</i>	Peter Kozelka <i>USEPA</i>
Grant Sharp, Cindy Rivers, Amanda Karr <i>Orange County Public Works</i>	Bronti Cash <i>City of Oceanside</i>
Nidail Ogawa <i>City of Del Mar</i>	Joe Kuhn <i>City of La Mesa</i>

Remote attendance:

Julie Song <i>USEPA</i>	Annelise Moe, Tania Pineda <i>Heal the Bay</i>
Wayne Rosenbaum <i>Varco & Rosenbaum Environmental Law Group LLP</i>	Anya Kwan <i>Best Best & Krieger</i>
Travis Van Ligten, Jeremy Hohnbaum <i>City of Laguna Woods</i>	Greg Thomas <i>Lake San Marcos Wildlife Rescue</i>
Theresa Dunham <i>Kahn, Soares & Conway</i>	Doug Owen <i>Stantec</i>
Andrew Meyer <i>San Diego Audubon Society</i>	Rudy Perrino <i>Kutak Rock LLP</i>
Jian Peng <i>Orange County Public Works</i>	

BOARD MEETING

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

PUBLIC FORUM

Andrew Meyer updated the Board regarding the City of San Diego planning process for the Supplemental Environmental Plan (SEP)-funded De Anza Natural plan that is coming to the City Environment Committee on March 14, 2024 at 1:00 p.m. The City Council Members have asked that the Board Members speak on this item.

BOARD BUSINESS

Item 1 – Minutes of Board Meeting: February 14, 2024

Motion to adopt the February 14, 2024 minutes:

- Ms. Warren

Second:

- Mr. Strawn

Aye:

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

Nay:

- None

Absent:

- None

Abstain:

- Ms. Tu

Item 2 – Chair’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.*

Nichole Morgan provided updates on recent State Board actions and priorities and responded to Board Member questions and comments.

Mr. Gibson provided updates that were not in the written Executive Officer’s Report and responded to Board Member questions and comments. He also congratulated Fisayo Osibodu on his promotion to Senior Water Resource Control Engineer in the Water Sustainability and Protection Unit.

ACTION ITEMS:

Item 3 – Conditional Waivers of WDRs Reissuance: Reissuance of Conditional Waivers of Waste Discharge Requirements for Low Threat Discharges in the San Diego Region (Tentative Order No. R9-2024-0001). (*Mahsa Izadmehr and Brandon Bushnell*)

Chair Cantú gave an opening statement and administered the oath.

Mahsa Izamehr and Brandon Bushnell gave the staff presentation and responded to Board Member questions.

Chair Cantú requested public comments on the item; no public comments were offered.

Chair Cantú closed the public hearing and called for a motion to adopt the Tentative Order.

Motion to adopt Tentative Order No. R9-2024-0001:

- Dr. Olson

Second:

- Mr. Strawn

Aye:

- Ms. Blair
- Dr. Olson
- Mr. Strawn
- Ms. Tu
- Ms. Warren
- Chair Cantú

Nay:

- None

Absent:

- None

Abstain:

- None

Item 4 – Tentative Cleanup and Abatement Order: An Order Directing Citizens Developing Corporation, City of San Marcos, City of Escondido, Vallecitos Water District, and County of San Diego to Cleanup or Abate Effects of Waste Discharged to Lake San Marcos and San Marcos Creek, San Diego County (Tentative Order No. R9-2024-0009). (*Lara Quetin*)

Chair Cantú made an opening statement and administered the oath.

Lara Quetin and Sarah Mearon gave the staff presentation and responded to Board Member comments.

Steve Figgins gave a presentation on behalf of some of the named parties and responded to Board Member questions.

At 10:35 a.m., Chair Cantú announced that Ms. Blair had left the public meeting.

The following stakeholders made comments on the item:

- Lisa Klinger, San Marcos Lake Resident
- Dan Haydon, Citizens Development Corporation
- Justin Gamble, County of San Diego, Watershed Protection Manager
- Nick Buhbe, Citizens Development Corporation
- Andre Monette, Best Best & Krieger, Vallecitos Water District
- Tiffany Boyd Hodgson, Vallecitos Water District
- Courtney Brown, Coastkeeper
- Wayne Rosenbaum, Varco & Rosenbaum Environmental Law Group LLP
- Theresa Dunham, Kahn, Soares & Conway
- Rudy Perrino, Kutak Rock LLP

Sarah Mearon gave closing remarks and responded to Board Member questions. Laurie Walsh and Roger Mitchell also responded to Board Member questions.

Chair Cantú closed the public hearing and called for a motion to adopt the Tentative Order.

Motion to adopt Tentative Order No. R9-2024-0009:

- Ms. Warren

Second:

- Dr. Olson

Aye:

- Dr. Olson
- Mr. Strawn
- Ms. Tu
- Ms. Warren
- Chair Cantú

Nay:

- None

Absent:

- Ms. Blair

Abstain:

- None

Chair Cantú called a recess at 11:20 a.m. and reconvened the meeting at 11:30 a.m.

Item 5 – Time Schedule Order Consideration: An Order Requiring Designated Responsible Permittees to Comply with Bacteria Project I-Twenty Beaches and Creeks TMDL Requirements Prescribed in the Regional Municipal Separate Storm Sewer Systems Permit for the San Diego Region (Tentative Time Schedule Order No. R9-2024-0010). (*Mireille Lecourtois and Laurie Walsh*)

Chair Cantú gave an opening statement and administered the oath.

Mireille Lecourtois gave the staff presentation, presented an errata sheet, and responded to Board Member questions.

The following parties gave the discharger presentation and responded to Board Member questions:

- Brianna Menke, City of San Diego
- Justin Gamble, County of San Diego
- Amanda Karr, County of Orange

Chair Cantú called a recess at 12:13 p.m. and reconvened the meeting at 12:52 p.m. During the recess, the Board met in closed session to discuss Item No. 11 on the Agenda regarding personnel matters.

Livia Beaudin from Coast Law Group, representing Coastkeeper and the Coastal Environmental Rights Foundation, and Annelisa Moe from Heal the Bay gave the non-governmental organizations' presentation and responded to Board Member questions.

Chair Cantú requested public comments on the item; no additional public comments were offered.

Chair Cantú closed the public hearing and called for a motion and a second to approve the Tentative Time Schedule Order with errata.

Motion to adopt Tentative Time Schedule Order No. R9-2024-0010 with errata:

- Mr. Strawn

Second:

- Ms. Warren

Aye:

- Dr. Olson
- Mr. Strawn
- Ms. Tu
- Ms. Warren
- Chair Cantú

Nay:

- None

Absent:

- Ms. Blair

Abstain:

- None

Item 6 – Hearing for the Tentative Waste Discharge Requirements and National Pollutant Discharge Elimination System Permit for the City of San Diego E.W. Blom Point Loma Wastewater Treatment Plant Discharge to the Pacific Ocean Through the Point Loma Ocean Outfall (Tentative Order No. R9-2024-0004, NPDES No. CA0107409) and on the Tentative Decision Document for a variance from secondary treatment requirements pursuant to clean water act section 301(h). The USEPA and San Diego Water Board will jointly conduct this public hearing to receive and discuss comments related to this Tentative Order/Permit and Tentative Decision Document. The San Diego Water Board will not adopt either at this hearing but will formally act on the Order/Permit and Tentative Decision Document at a subsequent Board meeting. The USEPA will also issue its decision at a later date. *(Joann Lim and USEPA Staff)*

Board Member Tu recused herself from this item and left the meeting.

Chair Cantú gave an opening statement and administered the oath.

Joann Lim gave the staff presentation and responded to Board Member questions.

Peter Kozelka gave the USEPA presentation and responded to Board Member questions.

Juan Guerreiro, Public Utilities Director, and Lisa Celaya, Assistant Executive Director of the Public Utilities Department, gave the presentation on behalf of the City of San Diego and responded to Board Member questions.

Chair Cantú requested public comments on the item; no public comments were offered.

Chair Cantú repeated that the Board would take no action today, but they would do so at a future Board Meeting. She stated that written comments on this item are due by April 2, 2024.

BOARD MEMBER REQUESTS

Item 7 – Future Agenda Items: Recommended Course of Action and Estimated Staff Hours to Address Action Items from the February 14, 2024 Board Meeting. In addition, Board Members may discuss items for possible inclusion on future agendas. *(Kelly Dorsey)*

Board Members did not request any future agenda items at this time.

There being no further business, Chair Cantú adjourned the meeting at 2:37 p.m.

These Minutes were prepared by:

Signed by:

Christina A. Blank
Executive Assistant

David W. Gibson
Executive Officer