

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Board Meeting Room
2375 Northside Drive, Suite 108
San Diego, California

MINUTES OF MEETING
APRIL 12, 2017

At 9:00 a.m., Chairman Abarbanel called to order the meeting of the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) at the Board Meeting Room, 2375 Northside Drive, Suite 108, San Diego, California.

Item 1 - Roll Call and Introductions:

Board Members present: Henry Abarbanel, Eric Anderson, Tomas Morales, Betty Olson, Gary Strawn, and Stefanie Warren.

Staff present: Dave Gibson, James Smith, Chris Blank, Rachel O'Donovan, Deborah Jayne, David Barker, Wayne Chiu, Laurie Walsh, Roger Mitchell, Dat Quach, Sarah Mearon, John Odermatt, John Anderson, Frank Melbourn, Julie Chan, Chiara Clemente, Alan Monji, Hiram Sarabia, Barry Pulver, Brandi Outwin-Beals, Sean McClain, Brian McDaniel, Joann Lim, Amy Grove, Tom Alo, Debbie Woodward, Melissa Valdovinos, Cynthia Gorham, Helen Yu, Carey Nagoda, Michelle Santillan, Kelly Dorsey, Lalitha Thotakura, Craig Carlisle, Jeremy Haas, Beatrice Griffey, Kristin Schwall, Charles Cheng, Fisayo Osibodu, Ben Neill, and Mike Porter.

Remote Attendance: Christopher Means, Betty Fetscher, C. Sherrie Komeylyan, Kimberly McMurray-Cathcart, Whitney Ghoram, Christina Arias, Erica Ryan, Vicente Rodriguez, Lisa Honma, Lucas Lima, and Cleo Munoz.

Others present on behalf of the San Diego Water Board: State Water Resources Control Board - Catherine Hagan, Adriana Nuñez. California Court Reporting – Marlee Nelson.

Public Attendance: Dan McKirnan, Environmental Health Coalition (EHC); Mark Russell, Russell Environmental Group; Ben Gibson, Latham & Watkins, LLP; Mike Palmer; Halla Razak, City of San Diego Public Utilities; Jim Peugh, San Diego Audubon Society; Supervisor Dianne Jacob, San Diego County Board of Supervisors; Taylor Dupont, Supervisor Dianne Jacob; Steven G. Martin, Jerry Jones, Metro Wastewater JPA; Andre Monette, Al Lau, Allen Carlisle, Jim Peasley Padre Dam MWD; Marco Gonzalez, Coastal Environmental Rights Foundation; Matt O'Malley, San Diego Coastkeeper; Julia Chunn-Heer, San Diego County; Jayne Powell, Granite Construction; Chris Stransky, Tommy Arthur, AMEC Foster Wheeler; Hani Anthony, Ruth Kolb, Rachel Davenport, Mariah Mills, City of San Diego; Jessica Palmer, John Crow, U.S. Navy; Bryant Alvarado, Paul Hartman, LWA; Noel Thurston, Contech; Dave Schmidt, Surfrider; Heather Krish, County of San Diego; Robert Stone, Beth Zein, Ozone Plus; Bev Anderson-Abbs, Marisa Van Dyke, Erick Burres, State Water Resources Control Board; Garth Engelhorn, Alta Environmental; Amy Comte, Cal Tropitec; Cindy Rivers, CWE; Christopher Gale, Geosyntec Consultants; Kimberly Hyde, DLA Piper; Wendell Taper, San Diego River Conservancy; Mylene Hoceda, MTS; Adrienne Cibor, Nautilus; Joyce

Wong, Fluidion; Peter Kozelka, USEPA; Michael R. Welch; Mike Obermiller, City of Poway; Roberto Yano, City of Chula Vista; Yasmin Arellano, City of El Cajon; Dr. Steven Steinberg, Dr. Alvine Mehinto, SCCWRP; David Gaw, Sensera Systems; Dr. Gregory Quist, Smart Covers.

Item 2 - Public Forum

There were no items for the Public Forum.

Item 3 - Minutes of Board Meeting: March 15, 2017.

Mr. Strawn moved to approve the minutes, and Dr. Olson seconded the motion. A roll call vote was taken, and Board Members Abarbanel, Anderson, Morales, Olson, Strawn, and Warren voted "aye." The motion passed.

Consent Calendar: Item 6 is considered a non-controversial issue. (NOTE: If there is public interest, concern, or discussion regarding any consent calendar item or a request for a public hearing, then the item(s) will be removed from the Consent Calendar and considered after all other agenda items have been completed.)

Item 6 – Tentative Resolution: Tentative Resolution Addressing Threats to Beneficial Uses from Climate Change (Tentative Order No. R9-2017-0035). (*Jeremy Haas*)

This item was postponed until June.

Remainder of the Agenda (Non-Consent Items):

Chair Abarbanel took Item 7 out of order, stating that Items 4 and 5 would be taken later this morning.

Item 7 – Information Item: Findings of the San Diego Bay Fish Consumption Study. (*Tom Alo*)

Mr. Alo introduced the item and Dr. Steven Steinberg from the Southern California Coastal Water Research Project.

Dr. Steinberg presented the results of the study and responded to Board Member questions.

The following stakeholders commented on the study:

- Dan McKirnan, Environmental Health Coalition
- Mark Russell, Russell Environmental Group
- Ben Gibson, Latham & Watkins
- Mike Palmer, Recreational Fisherman

Chair Abarbanel called a recess at 10:18 a.m. and reconvened the meeting at 10:30 a.m.

Chair Abarbanel took items 4 and 5 at this time.

Item 4 - Chairman's, Board Members', State Water Board Liaison's, and Executive Officer's Reports. These items are for Board discussion only. No public testimony will be allowed, and the Board will take no formal action.

Mr. Gibson provided an update on upcoming meetings and agenda items, and responded to Board Member questions regarding the written Executive Officer's Report. He also recognized Dat Quach for his 31 years of service to the State, and announced that Mr. Quach will be retiring at the end of this month.

Item 5 - Future Agenda Items: Board members may discuss items for possible inclusion on future agendas (*David Gibson*)

Board Members did not identify any future agenda items.

Item 8 – Information Item: Informational Workshop on the Use of Remote Monitoring Technologies to Assist the San Diego Water Board Mission. (*Sarah Mearon*)

Ms. Mearon introduced the item, and Ms. Clemente presented information on the compliance and enforcement aspects of using remote monitoring technology. Ms. Chan and Mr. Quach also presented information on this item.

The following people gave presentations and responded to Board Member questions:

- Dr. Joyce Wong, Fluidlon
- David Gaw, Sensera Systems
- Dr. Steven Steinberg, SCCWRP
- Chris Stransky, AMEC Foster Wheeler
- Dr. Gregory Quist, Smart Covers
- Dr. Alvine Mehinto, SCCWRP

Chair Abarbanel recessed for lunch at 12:43 p.m. and reconvened the meeting at 1:30 p.m.

Item 9 – NPDES Permit Reissuance: *Waste Discharge Requirements and NPDES 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. R9-2017-0007, NPDES No. CA0107409). The Tentative Order is based on a variance from federal secondary treatment standards at Title 40 of the Code of Federal Regulations Part 133 (40 CFR 133), as provided for under Clean Water Act section 301(h) and 40 CFR 125, Subpart G. (*Joann Lim*)

The public comment period for submittal of written comments on staff's proposed revisions to the Tentative Order closed on February 24, 2017. The San Diego Water Board will accept oral comments from persons desiring to address the Board that are limited to staff's proposed revisions to the Tentative Order.

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

David Barker and Brandi Outwin-Beals also responded to Board Member questions.

The following stakeholders commented on the Tentative Order and responded to Board Member questions:

- Dianne Jacob, San Diego County Supervisor (taken out of order during Item 8)
- Halla Razak, Director of Public Utilities, City of San Diego
- Jim Peugh, Conservation Chair, San Diego Audubon Society
- Taylor Dupont, Legislative Aide, on behalf of Dianne Jacobs
- Andre Monette, Counsel, Padre Dam Municipal Water District
- Steven G. Martin, General Counsel, Metro Wastewater JPA
- Jerry Jones, Chair, Metro Wastewater JPA
- Marco Gonzalez, Coastal Environmental Rights Foundation
- Matt O'Malley, San Diego Coastkeeper
- Julia Chunn-Heer, Policy Manager, Surfrider, San Diego County Chapter

Chair Abarbanel closed the public hearing portion of the item and invited Board discussion. After some discussion, Board Members asked staff to modify the Tentative Order.

Chair Abarbanel called a recess at 2:57 p.m. to permit staff to make the requested revisions and reconvened the meeting at 3:20 p.m.

Ms. Lim presented the revisions for the Board's and public's review.

Mr. Anderson moved not to include the errata in the motion to approve to the Tentative Order, and Mr. Strawn seconded the motion. A roll call vote was taken, and Board Members Anderson and Strawn voted "aye." Board Members Abarbanel, Morales, Olson, and Warren voted "no." The motion failed.

Mr. Morales moved to approve Tentative Order No. R9-2017-0007 with errata, and Chair Abarbanel seconded the motion. A roll call vote was taken, and Board Members Abarbanel, Anderson, Morales, Olson, Strawn, and Warren voted "aye." The motion passed.

There being no further business, the meeting was adjourned at 3:32 p.m.

These minutes were prepared by:

Signed by:

Christina A. Blank

Christina Blank
Executive Assistant

David W. Gibson

David Gibson
Executive Officer