

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION  
BOARD MEETING MINUTES  
December 8, 2021**

*As a result of the COVID-19 emergency and the Governor's Executive Order [N-08-21](#) allowing a transition to customary open meeting requirements, this meeting occurred solely via remote presence.*

**CALL TO ORDER**

Chair Celeste Cantú called the remote meeting to order on December 8, 2021 at 9:00 a.m.

The Clerk called the roll, and Roger Mitchell gave an opening statement providing information for attendees to participate in the meeting.

**ATTENDANCE:**

**Board Members present:**

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

**Staff present:**

David Gibson, Kelly Dorsey, Chris Blank, Roger Mitchell, David Barker, Jeremy Haas, Brandi Outwin-Beals, Keith Yaeger, Cynthia Gorham, Dulce Romero, Chiara Clemente, Amy Grove, Ben Neill, Sherrie Komeylyan, Debbie Phan, Darren Bradford, Michelle Santillan, Melissa Corona, Lark Starkey, Chad Loflen, Jody Ebsen, Brandon Bushnell, Joann Lim, Eric Becker, Helen Yu, Sarah Mearon, Vicente Rodriguez, Jill Harris, Abby Pashina, Alan Monji, Cleo Muñoz, Nicole Gergans, Wayne Chiu, Carey Nagoda, Kimberly McMurray-Cathcart, Chiara Clemente, Christina Arias, Erica Ryan, Brian McDaniel, Laurie Walsh, Tanya Clark, Mireille Garcia, Christopher Means, Sean McClain, Frank Melbourn, Cailynn Smith, Lisa Honma.

**Others present on behalf of the San Diego Water Board:**

Catherine Hagan, Vincent Vu, Lori Okun, Office of Chief Counsel; Fraz Asad, Laura McLellan, State Water Board/DDW; Elise Hicks, California Reporting

**Public Attendance:**

Cari Dale, Lori Rigby, Lindsay Leahy <i>City of Oceanside</i>	Andrew Homer <i>Kelley, Drye &amp; Warren, LLP, representing Genentech</i>
Wayne Rosenbaum <i>Environmental Law Group</i>	Jack Monger <i>Industrial Environmental Association</i>
Scott Molloy <i>Building Industry Association of San Diego</i>	Peter Vroom, Drew Kleis <i>City of San Diego</i>
Patrick McDonough <i>San Diego Coastkeeper</i>	Leah Bookhamer <i>Resident of Escondido</i>
Grant Sharp <i>County of Orange/OC Public Works</i>	Luke Ginger <i>Heal the Bay</i>
Mike Beanan <i>Laguna Bluebelt Coalition</i>	Shasta Gaughen <i>Pala Band of Mission Indians</i>
Wade Hall <i>Temecula West Village, LLC</i>	Jon Butcher <i>U.S. Marine Corps</i>
George Rodriguez <i>ipay Nation of Santa Ysabel</i>	

**BOARD MEETING**

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

**PUBLIC FORUM**

Mike Beanan addressed the Board regarding the Aliso Beach berm breach.

*Chair Cantú changed the order of the items and moved the Board Business items to the end of the agenda.*

**CONSENT CALENDAR**

*\*Items on the consent calendar may be removed at the request of any Board member or person. If an item is removed from the uncontested items calendar, it will only be voted on at this meeting if the Board accepts the staff recommendation for the agenda item. Otherwise, the item will be continued to a subsequent board meeting to allow input by interested persons.*

3. Addendum No. 1 to Order No. 87-54, Waste Discharge Requirements for the City of San Diego, West Miramar Solid Waste Disposal Facility, San Diego County. (Amy Grove)
4. Rescission of Order No. R9-2009-0072, Waste Discharge Requirements for County of San Diego, San Pasqual Academy, San Diego County (Tentative Order No. R9-2021-0173). (Sherrie Komeilyan)

5. NPDES Permit Rescission: An Order Rescinding Order No. R9-2020-0005, NPDES No. CA0001350, Waste Discharge Requirements for Cabrillo Power I LLC, Encina Power Station, San Diego County, Discharge to the Pacific Ocean (Tentative Order No. R9-2021-0197). (*Debbie Phan*)
6. Waste Discharge Requirements for Temecula West Village LLC, Western Bypass and Altair Project, Riverside County (Tentative Order No. R9-2021-0177). (*Darren Bradford*)
7. Rescission of Order No. 94-02, Waste Discharge Requirements for Cowboy Country LLC, Mr. Terry Mathis and Mr. Paul Price, Cowboy Country RV Park, San Diego County (Tentative Order No. R9-2021-0185). (*Sherrie Komeylyan*)
8. Amendment to Cease and Desist Order No. R9-2021-0107, United States Section of the International Boundary and Water Commission South Bay International Wastewater Treatment Plant Discharge to the Pacific Ocean through the South Bay Ocean Outfall (Tentative Order No. R9-2021-0220). (*Keith Yaeger*)

**Motion to approve the Consent Calendar:**

- Mr. Anderson

**Second:**

- Dr. Olson

**MOTION CARRIED**

**Aye:**

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

**Nay:**

- None.

**Absent:**

- None.

**Abstain:**

- None.

**ACTION ITEMS**

9. Tentative Resolution: Adoption of 2022 Meeting Schedule (Tentative Resolution No. R9-2021-0221). (*David Gibson*)

**Motion to approve Resolution No. R9-2021-0221:**

- Dr. Olson

**Second:**

- Mr. Anderson

**MOTION CARRIED**

**Aye:**

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

**Nay:**

- None.

**Absent:**

- None.

**Abstain:**

- Mr. Abarbanel

10. Approval of 2021 Triennial Basin Plan Review 3-year Workplan (Tentative Resolution No. R9-2021-0116). (*Michelle Santillan*)

Michelle gave the staff presentation and responded to Board Member questions and comments. Mr. Gibson also responded to Board Member questions.

The following stakeholders commented on the item:

- Luke Ginger, Heal the Bay
- Scott Molloy, Building Industry Association of San Diego
- Shasta Gaughen, Pala Band of Mission Indians
- Drew Kleis, City of San Diego, Stormwater Department
- Peter Vroom, City of San Diego, Public Utilities Department
- Patrick McDonough, San Diego Coastkeeper
- Michael Connolly, Tribal Chairmen's Association
- Jack Monger, Industrial Environmental Association
- Wayne Rosenbaum, Environmental Law Group

**Motion to approve Resolution No. R9-2021-0116, with direction to the staff to present a list of Basin Planning aspirational goals to the Board for approval at a future Board meeting:**

- Ms. Warren

**Second:**

- Mr. Abarbanel

**MOTION CARRIED**

**Aye:**

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

**Nay:**

- None.

**Absent:**

- None.

**Abstain:**

- None.

*Chair Cantú called a recess at 10:34 a.m. and reconvened the meeting at 10:44 a.m.*

11. Waste Discharge Requirements for the City of Oceanside Indirect Potable Reuse Project via Groundwater Injection in the Mission Basin (Tentative Order No. R9-2021-0100). (*Brandon Bushnell*)

Brandon gave the staff presentation and responded to Board Member questions. Lori Rigby, Compliance Officer, and Lindsay Leahy, Principal Water Engineer, from the City of Oceanside also responded to Board Member questions. Chair Cantú closed the public hearing, and

**Motion to approve Resolution No. R9-2021-0100:**

- Ms. Warren

**Second:**

- Dr. Olson

**MOTION CARRIED**

**Aye:**

- Mr. Abarbanel
- Mr. Anderson
- Ms. Blair

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

**Nay:**

- None.

**Absent:**

- None.

**Abstain:**

- None.

*Chair Cantú adjourned for lunch and closed session at 11:09 a.m., and reconvened the public meeting at 12:45 p.m. During closed session, the Board discussed Item No. 19(i) and 19(j).*

12. NPDES Permit Amendment of Order No. R9-2019-0166, NPDES No. CA0107433, 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. R9-2021-0199).  
*(Joann Lim and Keith Yaeger)*

The Board held one public hearing to receive presentations and comments for Items 12 through 15, then voted separately on each item. Chair Cantú gave an opening statement and administered the oath. Joann gave the staff presentation for this (Item No. 12) and the following three items (Nos. 13-15). Joann and Keith responded to Board Member questions.

Lindsay Leahy, Principal Water Engineer for the City of Oceanside, gave the presentation for the City of Oceanside, accompanied with a PowerPoint presentation. Ms. Leahy, Lori Rigby, Compliance Officer, and Cari Dale, Water Utilities Director, responded to Board Member questions.

Chair Cantú closed the public hearing. The board members engaged in discussion of Items 12 through 15.

Dr. Olson made a motion to adopt Item 12, and Mr. Strawn seconded the motion. The Board members discussed the motion, and the roll call vote on Item 12 was taken and motion carried.

**Motion to approve Resolution No. R9-2021-0199:**

- Dr. Olson

**Second:**

- Mr. Strawn

**MOTION CARRIED**

**Aye:**

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

**Nay:**

- None.

**Absent:**

- Ms. Blair.

**Abstain:**

- None.

13. NPDES Permit Amendment of Order No. R9-2019-0169, NPDES No. CA0108031, 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. Tentative Order No. R9-2021-0204). (*Joann Lim and Keith Yaeger*)

Mr. Strawn made a motion to adopt Item 13, and Mr. Abarbanel seconded the motion. The roll call vote on Item 13 was taken and the motion carried.

**Motion to approve Resolution No. R9-2021-0204:**

- Mr. Strawn

**Second:**

- Mr. Abarbanel

**MOTION CARRIED**

**Aye:**

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

**Nay:**

- None.

**Absent:**

- Ms. Blair.

**Abstain:**

- None.

14. NPDES Permit Amendment of Order No. R9-2019-0167, NPDES No. CA0109347, 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. R9-2021-0205). (*Joann Lim and Keith Yaeger*)

Mr. Strawn made a motion to adopt Item 14, and Mr. Anderson seconded the motion. The roll call vote on Item 14 was taken and the motion carried.

**Motion to approve Resolution No. R9-2021-0205:**

- Mr. Strawn

**Second:**

- Mr. Anderson

**MOTION CARRIED**

**Aye:**

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

**Nay:**

- None.

**Absent:**

- None.

**Abstain:**

- Ms. Blair

15. NPDES Permit Amendment of Order No. R9-2019-0168, NPDES No. CA0109193, Waste Discharge Requirements for Genentech, Inc. Discharge to the Pacific Ocean through the Oceanside Ocean Outfall (Tentative Order No. R9-2021-0206). (*Joann Lim and Keith Yaeger*)

Ms. Warren made a motion to adopt Item 15, and Dr. Olson seconded the motion. The roll call vote on Item 10 was taken and the motion carried.

**Motion to approve Resolution No. R9-2021-0206:**

- Ms. Warren

**Second:**

- Dr. Olson

**MOTION CARRIED**

**Aye:**

- Mr. Abarbanel



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

**Nay:**

- None.

**Absent:**

- None.

**Abstain:**

- Ms. Blair

16. Resolution in Support of the Unified Assessment and Strategic Monitoring Approach for San Diego Bay (Tentative Resolution No. R9-2021-0151). (*Wayne Chiu*)

This item was postponed.

*Chair Cantú called a brief recess at 2:08 p.m. and reconvened the meeting at 2:13 p.m.*

**INFORMATIONAL ITEM**

17. Update on the Clean Water Act Section 401 Program for Dredge and Fill Material Discharges to Waters of the State. (*Eric Becker*)

Eric gave the staff presentation and responded to Board Member questions and comments.

**BOARD BUSINESS:**

1. **Minutes of Board Meeting: September 8, 2021.**

Ms. Warren asked for a correction to indicate that she did not participate in the Pure Water Project portion of the August 20, 2021 meeting; she only took part in the discussion of border water quality issues.

**Motion to adopt the September 8, 2021 minutes:**

- Mr. Abarbanel

**Second:**

- Ms. Blair

**MOTION CARRIED:**

**Aye:**

- Mr. Abarbanel
- Mr. Anderson
- Ms. Blair
- Dr. Olson
- Mr. Strawn

- Ms. Warren
- Chair Cantú

**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.*

Nichole Morgan, the State Board liaison for the San Diego Region, was unable to attend the meeting.

Chair Cantú stated that she had met with the Ambassador to Mexico, Ken Salazar, and EPA Administrator Regan for dinner after a meeting involving the two officials to discuss ways to resolve binational water quality issues. She also announced that the Governor's long-time appointments secretary has been appointed to the PUC (?), and that the longest-serving Regional Board Member all time, and long-time Chair of the Central Valley Regional Water Board, Dr. Carl Longley, was not reappointed at the end of his tenure this year. Dr. Longley served on the Central Valley Board for more than 40 years.

Dave Gibson welcomed new staff members Cailynn Smith, Erin Schmidt, and Abby Pashina, and he stated we are continuing to recruit for several other positions. He also stated that he and several other Executive Officers had worked with the State Water Board on their Racial Equity Resolution, and that Board staff is planning to bring our Region's version of that Resolution to the Board in the Spring of 2022. In addition, he reported that the legislature appropriated \$20 million for the Tijuana River and the New River, possibly for binational projects, to address water quality issues there. He is working with State Board and CalEPA on a short list of projects to proffer to legislative protocol officers; the money has been allocated and will be authorized once the legislature decides which of the projects to pursue. Finally, Mr. Gibson announced that Chad Loflen is a co-author on a paper that will be published shortly, "Contaminant Concentrations and Risks Associated with Oysters in the Highly Urbanized San Diego Bay."

**BOARD MEMBER REQUESTS**

18. Future Agenda Items: Recommended Course of Action and Estimated Staff Hours to Address Actions from the September 2021 Board Meeting. In addition, Board Members may discuss items for possible inclusion on future agendas.  
*(Kelly Dorsey)*

Mr. Abarbanel requested that the Southern California Coastal Water Research Project (SCCWRP) provide an update to the Board, Board staff provide an update on the health of San Diego Bay, and staff provide an update on efforts regarding Lake San Marcos. Dr. Olson requested an update on the HF183 triennial review project.

**ADJOURNMENT**

There being no further business, Chair Cantú adjourned the meeting at 2:40 p.m.

These Minutes were prepared by:

Signed by:

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Christina A. Blank  
Executive Assistant

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David W. Gibson  
Executive Officer