

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

CALL TO ORDER

Chair Celeste Cantú called the meeting to order on November 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; Megan Blair, Gary Strawn, Yen Tu, and Stefanie Warren. Ms. Olson left the meeting at 9:12 a.m. and returned at 9:28 a.m. Ms. Warren left the meeting at approximately 11:30 a.m. Ms. Blair left the meeting at approximately 1:30 p.m. Chair Cantú left the meeting at 2:10 p.m., ceding the gavel to Mr. Strawn.

Board Member remote attendance:

Betty H. Olson, Ph.D., Vice Chair

Staff present:

David Gibson, Laurie Walsh, Chris Blank, Jody Ebsen, Mahsa Izadmehr, Roger Mitchell, Abby Pashina, Cailynn Smith, Wayne Chiu, Cynthia Gorham, Christina Arias, Jessica Taylor, Frank Melbourn, Brandon Bushnell, Joann Lim, Kate Buckley, Tony Felix, Chiara Clemente, Fisayo Osibodu, Jimmy Smith, Ben Neill, Michelle Santillan, Alan Monji, Mireille Lecourtois, Kimberly McMurray-Cathcart, Ariel Cutter, Nicholas White

Staff remote attendance:

Kelly Dorsey, Melissa Corona, Christopher Means, Carey Kowalski, Cleo Muñoz, Heidi Fletcher, James Chhor, Liz Nguyen, Erica Ryan, Amy Grove,

Others present on behalf of the San Diego Water Board

Nichole Morgan (remote), for the State Water Resources Control Board; Alex Sauerwein, State Water Board Office of Chief Counsel; Vinty Siev, Tino, Gamboa, Kevin Heinemann, DIT; Elise Hicks, California Reporting.

Public Attendance:

Present:

Michael Welch
Michael Welch Consultants

Grant Sharp
Orange County Public Works

Larry Newcomb
Jayhawk Consultants, LLC

Steve Jepsen
Clean Water SoCal

Jose Anthony Alcala, Shawn Rizzutto
*California Department of Transportation
(CalTrans)*

Amber Boone
*South Orange County Wastewater
Authority (SOCWA)*

Lilly Subet, Gillian Marks, Hillary
McMillan, Natalie Mladenov
San Diego State University (SDSU)

Orelia DeBaal, Heather Krish, Juan
Guerreiro, Kent Vian, Vicki Kalkirtz
City of San Diego

Rolfe Schottle, Mackenzie Tassiello
WSP – USA

John Quenzer
D-Max Engineering

Ken Schiff
*Southern California Coastal Water
Research Project (SCCWRP)*

Linda Turkatte, Joann Lee, Neil Searing
County of San Diego

Sara Berger, Rod Woods
Moulton Niguel Water District

Sarah Hutmacher, Rob Huitsel
San Diego River Park Foundation

Heather Buonomo
SCD – DETTQ

Patrick McDonough, Phillip Musegaas
San Diego Coastkeeper

Savannah Rhodes
Sespe Consulting

Lewis Clarke
Padre Dam

Emily Stein
City of Santee
Anthony Demler
Demler Brothers Egg Ranch

Remote attendance:

Gayle Wright
*Spokesperson, GNERC – Rancho Santa
Teresa Property Owners Association*

BOARD MEETING

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

PUBLIC FORUM

Gayle Wright, a resident of Ramona, and Anthony Demler, Owner-Operator of the Demler Brothers Egg Ranch, addressed the Board regarding the Demler Egg Ranch. Roger Mitchell, Supervising Engineering Geologist, Chief of the Site Restoration and Groundwater Protection Branch, responded to Ms. Wright’s question regarding evaporation tanks.

BOARD BUSINESS

Item 1 – Minutes of Board Meeting: October 9, 2024

Motion to adopt the October 9, 2024 minutes:

- Ms. Blair

Second:

- Ms. Warren

Aye:

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

Nay:

- None

Absent:

- Dr. Olson

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. No public testimony was allowed, and the Board took no formal action.*

Nichole Morgan (remote) was unable to join the meeting until later, but she provided a written update, which will be posted on our website.

Board Members did not provide any updates.

Mr. Gibson responded to Board Member questions and provided updates that were not in the written Executive Officer's Report.

Chair Cantú stated that Mr. Gibson's Transboundary Flow Update would be taken at the end of the meeting.

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 consent items calendar, it will only be voted on at this meeting if the Board accepts the staff recommendation for the agenda items. Otherwise, the item will be continued to a subsequent Board meeting to allow input by interested persons.*

Item 4 – Tentative Resolution: Consideration of a Resolution Approving the County of San Diego’s Local Agency Management Program for Regulating Onsite Wastewater Treatment Systems (Tentative Order No. R9-2024-0130). Written comments were due on October 3, 2024. *(Mahsa Izadmehr)*

Larry Newcomb of Jayhawk Consultants, expressed dissatisfaction with the Tentative Order, but he was supportive of the Board’s decision.

Motion to approve Tentative Resolution No. R9-2024-0130:

- Ms. Warren

Second:

- Mr. Strawn

Aye:

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

Nay:

- None

Absent:

- None

Abstain:

- None

Item 5 – Tentative Resolution: Consideration of a Resolution Accepting the Proposed 2025 Board Meeting Schedule (Tentative Resolution No. R9-2024-0172). *(David Gibson)*

Motion to approve Tentative Resolution No. R9-2024-0172:

- Ms. Warren

Second:

- Mr. Strawn

Aye:

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

Nay:

- None

Absent:

- None

Abstain:

- None

ACTION ITEMS

Item 6 – Tentative Resolution: A Resolution Accepting South Orange County Wastewater Authority’s Salt and Nutrient Management Plan for the San Juan Creek Groundwater Basin (Tentative Resolution No. R9-2024-0131). (*Brandon Bushnell*)

Dr. Olson recused herself from this item due to a conflict of interest and left the Zoom meeting during the item.

Brandon Bushnell gave the staff presentation and responded to Board Member comments. Amber Boone of SOCWA expressed support for the Tentative Resolution.

Motion to approve Tentative Resolution No. R9-2024-0131:

- Ms. Warren

Second:

- Mr. Strawn

Aye:

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

Nay:

- None

Absent:

- Dr. Olson

Abstain:

- None

Item 7 – Settlement Agreement: Settlement of Administrative Civil Liability (ACL) in the matter of City of Oceanside April 2020 Sanitary Sewer Overflows as alleged in ACL Complaint No. R9-2023-0015 (Tentative Stipulated Order No. R9-2024-0060). Written Comments were due on July 30, 2024. (*David Gibson, Alex Sauerwein*)

Kate Buckley gave the staff presentation and responded to Board Member questions.

Lindsay Leahy and Mabel Uyeda from the City of Oceanside gave a presentation and responded to Board Member questions.

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

Motion to approve Tentative Stipulated Order No. R9-2024-0060:

- Ms. Tu

Second:

- Mr. Strawn

Aye:

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

Nay:

- Ms. Blair

Absent:

- None

Abstain:

- None

Chair Cantú took the following item out of order:

Item 3 – Transboundary Flows

Mr. Gibson responded to Board Member questions and provided updates that did not appear in the written Report.

Patrick McDonough, San Diego Coastkeeper, asked questions about the transboundary flow issue, and Mr. Gibson responded.

Chair Cantú recessed for closed session at 10:57 a.m. Mr. Sauerwein stated that the Board Members would discuss Item No. 10k during closed session. Chair Cantú reconvened the public meeting at 11:34 a.m.

INFORMATIONAL ITEMS

Item 8 – Update on Population Surveys of Unhoused Individuals: Associated Water Quality Impacts and Management Efforts in the San Diego River. (*Jimmy Smith*)

Jimmy Smith gave the staff presentation and responded to Board Member questions.

The following speakers also gave presentations and responded to Board Member questions:

- Sara Hutmacher – Chief Operating Officer, San Diego River Park Foundation
- Dr. Hillary McMillan – SDSU, Professor of Geography
- City of San Diego:
 - Brianna Menke – Deputy Director, Stormwater Department
 - Erika Ferreira – Deputy Director, Open Space Division
 - Franklin Coopersmith – Deputy Director, Environmental Services Department
 - Renee Robertson – Director, Environmental Services Department
- Shawn Rizzutto – Division Chief for Maintenance, CalTrans

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

Nichole Morgan (remote) was able to join, and she provided updates on recent State Board actions and priorities and responded to Board Member questions and comments.

Item 9 – Lower San Diego River Investigative Order Update. *(Jimmy Smith)*

Mr. Smith gave the staff presentation and responded to Board Member questions.

Acting Chair Strawn called a brief recess at 2:45 p.m. and reconvened the meeting at 2:50 p.m.

The following speakers also gave presentations and responded to Board Member questions:

- Ken Schiff, SCCWRP
- Responsible parties...speaker cards coming
- Phillip Musegaas, SD Coastkeeper
- Patrick McDonough, SD Coastkeeper
- Rob Hutsel, San Diego River Park Foundation
- Dr. Natalie Mladenov, SDSU
- Dr. Matt Verbyla, SDSU
- Chiara Clemente, Senior Environmental Scientist, San Diego Regional Water Quality Control Board

Acting Chair Strawn requested public comments on the item; and the following stakeholder provided remarks:

- Steve Jepsen, Executive Director, Clean Water SoCal

There being no further business, Acting Chair Strawn adjourned the meeting at 4:12 p.m.

These Minutes were prepared by:

Signed by:

Christina A. Blank
Executive Assistant

David W. Gibson
Executive Officer

DRAFT