

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
Mission Viejo City Council Chambers
200 Civic Center
Mission Viejo, California

MINUTES OF MEETING
AUGUST 10, 2016

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 Mission Viejo City Council Chambers, 200 Civic Center, Mission Viejo, California.

Item 1 – Roll Call and Introductions:

Board Members present: Henry Abarbanel, Tomas Morales, Gary Strawn and Betty Olson. Eric Anderson arrived at 9:05 a.m.

Stefanie Warren was absent.

Staff Present: David Gibson, James Smith, Chris Blank, Rachel O'Donovan, Chiara Clemente, Frank Melbourn, Deborah Jayne, Fisayo Osibodu, Laurie Walsh, Erica Ryan, David Barker, Julie Chan, Jeremy Haas.

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

Public Attendance: Penny Elia, Sierra Club; Roger Butow, Clean Water Now!; Terry Thielen; Nick Buhbe, Citizens Development Corporation; Mo Lasaie, City of Oceanside; Barbara Bradley, Prince of Peace Abbey; Richard Boone, South Orange County Water Management Authority; Joe Ames, City of Mission Viejo; Nicole Stanfield, Santa Margarita Water District; Chuck Gibson, Santa Margarita Water District; Rick Ellison, Surfrider; James Wood, City of Carlsbad; Michael Welch; Amber Baylor, South Orange County Water Authority (SOCWA); Brennon Flahive, SOCWA; Wayne Rosenbaum, San Altos-Lemon Grove, LLC; Josh Rosenbaum, San Altos-Lemon Grove, LLC; Dan Ferons, Rancho Santa Margarita Water District; Jinger Wallace, Laguna Bluebelt Coalition; Michael Beanan, South Laguna Pacific Association.

Item 2 – Public Forum

Ms. Elia from the Sierra Club and Mr. Butow of Clean Water Now! spoke about San Juan Creek and notification practices of other agencies and responded to Board Member questions. Mr. Gibson responded to Ms. Elia's and Mr. Butow's concerns about San Juan Creek.

Mr. Thielen, a resident of Lake San Marcos and Mr. Buhbe of Citizens Development Corporation addressed the Board regarding Lake San Marcos. Dr. Abarbanel asked that an information item on the progress at Lake San Marcos be added to the October agenda.

Item 3 – Minutes of Board Meeting: June 22, 2016:

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

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.

Ms. Spivy-Weber provided an update on items pending at the State Board and responded to Board Member questions.

Mr. Gibson provided a verbal supplement to the written Executive Officer's Report and responded to Board Member questions.

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

Mr. Strawn requested an information item on the SCCWRP Flow Recovery Project once their report is available.

Chair Abarbanel called a recess at 10:03 a.m. and reconvened the meeting at 10:19 a.m.

Consent Calendar: Items 6 and 7 are considered non-controversial issues. (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 7 – Water Reclamation Requirements Reissuance: City of Poway, San Diego County (Tentative Order No. R9-2016-0017). (*Fisayo Osibodu*)

Item 6 was removed from the Consent Calendar, as the City of Oceanside requested a public hearing.

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

Remainder of the Agenda (Non-Consent Items)

Item 6 – WDR Rescission of Waste Discharge Requirements: An Order Rescinding Individual Waste Discharge Requirements for Prince of Peace Abbey (Order No. 86-24) in Oceanside and Vail Lake Recreational Vehicle Resort (Order No. 88-44) in Temecula, (Tentative Order No. R9-2016-0127). (*Fisayo Osibodu*)

A hearing was held to consider this item out of order at the request of the City of Oceanside.

Mr. Osibodu provided the staff presentation and responded to Board Member questions.

Mo Lasaie of the City of Oceanside provided the City's presentation and responded to Board Member questions.

Barbara Bradley, Wastewater Treatment Engineer for the Prince of Peace Abbey, addressed the Board and responded to Board Member questions.

Mr. Morales moved to approve Tentative Order No. R9-2016-0127, and Mr. Strawn seconded the motion. A roll call vote was taken, and Board Members Abarbanel, Anderson, Morales, Olson, and Strawn voted "aye." The motion passed.

Item 8 – Information Item: San Juan Basin Integrated Watershed Planning. (*Jeremy Haas*)

Dr. Olson disclosed her service on the Rancho Santa Margarita Water District Board prior to the start of this item.

Ms. Chan provided an overview of the item and introduced Dan Ferons, who gave the San Juan Basin Authority's presentation for this item.

Mr. Butow commented on this item.

Chair Abarbanel called a recess for lunch at 12:00 p.m. and reconvened the meeting at 12:43 p.m. There were no Closed Session Items.

Item 9 – Information Item: Update on the Water Quality Improvement Plans of the Orange County MS4 Copermittees. (*Laurie Walsh*)

Ms. Ryan provided the staff presentation.

Mr. Boone provided the South Orange County Water Management Agency's presentation and responded to Board Member questions.

The following stakeholders commented on this item:

- Roger Butow, Clean Water Now!
- Jinger Wallace, Laguna Bluebelt Coalition
- Michael Beanan, South Laguna Pacific Association

Item 10 – Administrative Assessment of Civil Liability: Consideration of Tentative Order No. R9-2016-0064 Assessing Administrative Civil Liability Against San Altos-Lemon Grove, LLC for violations of State Water Resources Control Board Order No. 2009-0009-DWQ, as amended. (*Beatrice Griffey*)

Chair Abarbanel turned the gavel over to Mr. Morales for this item.

Mr. Strawn stated that, although he was unable to attend the March 9 meeting, at which this item was heard, he has since been able to review the record in its entirety, and he is fully familiar with the case.

Mr. Melbourn gave the prosecution team's presentation.

Mr. Rosenbaum gave San Altos-Lemon Grove, LLC's presentation.

At 2:00 p.m., the Board adjourned to closed session pursuant to authority in Government code section 11126, subdivision (c)(3) to deliberate on evidence received in this proceeding. The public meeting was reconvened at 2:10 p.m.

Mr. Strawn moved to approve Tentative Order No. R9-2016-0064, as revised, and Dr. Abarbanel seconded the motion. A roll call vote was taken, and Board Members Abarbanel, Anderson, Morales, Olson, and Strawn voted "aye." The motion passed.

There being no further business, Chair Abarbanel adjourned the meeting at 2:12 p.m..

These minutes were prepared by:

Signed by:

Christina Blank
Executive Assistant

David Gibson
Executive Officer

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