

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION
9174 Sky Park Court, Suite 100
San Diego, California

MINUTES OF MEETING
JUNE 19, 2013

At 11:00 a.m., Chairman Morales called to order the meeting of the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) at the Regional Water Quality Control Board, 9174, Sky Park Court, San Diego, California.

Item 1 – Roll Call and Introductions

Board Members present: Henry Abarbanel, Eric Anderson, Sharon Kalemkiarian, Tomas Morales, and Gary Strawn.

Staff Present: David Gibson, James Smith, Chris Witte, David Barker, Jeremy Haas, Julie Chan, John Odermatt, Amy Grove, Tyler Kirkendall, Roger Mitchell, Fisayo Osibodu, Tony Felix, Kelly Dorsey, Alan Monji, Carey Nagoda, Chiara Clemente, Jody Ebsen, Cynthia Gorham, Tom Alo, Darren Bradford, Wayne Chiu, Charles Cheng, Eric Rosenbaum, Lori Costa, Deborah Jayne, Barry Pulver, Mike Porter, John Anderson, Laurie Walsh, Carol Tamaki, Sue Pease, Kimberly McMurray-Cathcart.

Others present on behalf of the San Diego Water Board: State Water Resources Control Board – Catherine Hagan, Nathan Jacobsen. California Court Reporters – Johnell Gallivan.

Public Attendance:

Dan Jacobson
Len Yamamoto, CB&I
Jesse Gonzalez, Local Laborers #89
Aspen Chiu
Marten Paine, Senator Mimi Walters
Shirley Reynolds, Sea & Sage Audubon
Susan Sheakley, Sea & Sage Audubon
Patricia Colburn
Drew Irby, Trout Unlimited
Patrick Christman, USMC
Julia Chunn-Heer, Surfrider
Jim Moriarty, Surfrider
Giles D. Finlayson, Trestles
Jim Nielson
Pauline Faye, Surfrider
Brendan Nicholas
Paul Hernandez
Greg Cox

David Lowe, TCA
Kelly Richardson, Latham & Watkins
Roberto Jogmead, Local Laborers #89
Edward Basmadjian, Arcadis
Laura Colty Eisenberg, DMV
Damon Blume
Desiree Meunier
Rick Sandzimier
Doug Atkins, PGC
Michael Lindsey
Sid Vance, Surfrider
Paul Parizeau, Trestles
Roger Kube, Surfrider
Sylvere CM Valentin, Archaeologist
Julie Strobe
Christian Moy
Amy Jackson
Lavell Snortum

Ken Caldwell
Joe McCarthy
Guinevare Breeding
Morgan Embleton, San Diego Coastkeeper
Robert Thompson, Trestles
Amy Hanson, Trestles
Graham Hamilton, Surfrider
Todd Cardiff, Surfrider
Mark Prazak, Trestles
Lindsey Nielsen, Trestles
Jamie Pratt, Surfrider
David Perez, Orange County
Wendy Morris
Scott Thomas, Sea & Sage Audubon
Melanie Schlatterbeck
Patricia Martz, California Cultural Resource
Carey Strombotne
Mike Shutt
Brian Yoshioka, Long Beach
Saba Sadeghi, Surfrider
Lori Jones, Surfrider
Jerry Hughes
Howard Phippen, Friends of CA State Parks
Guy Barker
Melinda Guerrero, Surfrider
Sean Keany
Travis Newhouse, Surfrider
Pamela Sward
Tim Mensalvas
Jill Conger
Cybil Oechsle, Surfrider
Joe Hawkins
Susan Yates
Kathy Steindlbergen
Paloma Aguirre, WildCoast
Becky Mendoza, Surfrider
Matras Cape
Joel Siler
Rick Sharra
Maria Koenigshofer
Kelli Aspenlester
Nathan Darden
Nicole Gorton
Sean Benjamin
Eric Parker
John Iaia

Eva Lywick
Courtney Cole, Coastkeeper
Joe Solek, Surfing Australia
Susan Korzywicki, Trestles
Pete Somosyi, Surfrider
Caitlin Navor, Surfrider
Lyndee Prazak, Trestles
Dawn Arrowsmith, Trestles
Blake Nielsen, Trestles
Kenda Rauscher, Surfrider
Kathleen Cobb, San Onofre Foundation
Megan McLaurin, Surfrider
Claire Schlatterbeck, Hills for Everyone
Anna Begg
Jamie Begg
Emily Bates, Surf Channel
Denise Erkeneff, Surfrider
Penny Elia
P.J. Roustan, Perfect Foods Bar
Gisela Koestner
Taylor Ivison, FreeSurf
Jim Zittel
Elizabeth Wilks, Surfrider
Sydney Solberg-Finkle
Taylor Woodruff
Bryan Clark
Kyle Preish
Tyler Cash
Michelle Kremer, Surfrider
Lake Oechsle
Christina Bulskov
Andra Balos
Dan Steindlbergen
Ingrid Lindfors, Surfrider
Dylan Bennett
Bridget Seegers
Ian Sander
Ken Koenigshofer
Paolo Noppenberger
Hellen Bourne
Brent Darden
Richard Benjamin
Lily Benjamin
Carmen Griesemer, Surfrider
Evan Watkins
Eleanora Robbins, Actjachemen

Mitchell Johnson	Jack Walsh, WildCoast
Sterling Henken, WildCoast	Roderick Michener
Jesse Chapo	Fran Udall
Joel Van Noord	Brad Redman
Ruthanne Powell	Kevin Casilo
Cait Otis	Mark Kelly
Maddy Isbell	Mindy Campbell
Ian Riggs	Mike Wasiluk
Chris Abad	David Higdon
Travis Meek	Chris Lowery
Adrian Castro	Jenli Puma
Alex Nenl	Juan Arreol
Logan Smith	Vesle Winkler, Surfrider
Dan Murphy, Surfrider	Logan Barber, Surfrider
Brad Barber, Surfrider	Alison Hindley, Surfrider
Sunshine Johnson, Surfrider	Madron Kingman, Surfrider
Matt Hundlammer, Surfrider	Camden Faul, Surfrider
Delaney Faul, Surfrider	Grace Bologna, World Peace Diet
Bryan Berkley, Surfrider	Sean Staudenbauer, Surfrider
John Chis, Surfrider	Margaret E. Johannes, Surfrider
Melanie Glancy, Surfrider	Preston Moreno, Surfrider
Justin Crane, Surfrider	Anna Milke
Randall Iwai, Surfrider	Christa Groves
Chad Reese, Surfrider	Dino Palavicino, Surfrider
Anson Moreno, Surfrider	Andrew Grover, Surfrider
Ryan Hartegan, Surfrider	Bruce McDermott, Surfrider
Gardner Grady, San Diego Mountain Biking	Joshua Strifler
Rosina Lasdale	Erik Maki, Surfrider
Lori Hellar, Surfrider	Michael Novido, Surfrider
Wes Van De Vort, Surfrider	Jennifer Holevin, Surfrider
Richard Coon, Surfrider	Miriam Castaneda, WildCoast
Diane Castaneda, WildCoast	Amanda Reid, Surfrider
Bri La Tendresse, Surfrider	Lauren Books, Trestles
Abby Wallace, Surfrider	Chris Sears
Emily Burnham-Kidwell, Trestles	Kai Takayama
Mike Takayama	Patrick Moran, Surfrider
Andrew Valente, Surfrider	Pete Church, Surfrider
Justin Melason, Surfrider	Alis Gil, Surfrider
Kevin Aldor, Surfrider	Michaela Rios, Surfrider
Katey Rios, Surfrider	Scott McHatton, Surfrider
Kevin Murphy, Surfrider	Brian Murphy, Surfrider
Valerie Johnson, Surfrider	Israel Dedina, WildCoast
Steve Hadley	John Halder, WildCoast
Serge Dedina, WildCoast	Briana Cabral
Nick Haas	Jason Doolittle, Surfrider
Aaron Richter, Surfrider	Melisa Tellez

Anahi Tellez
Sarah Diaz Roth, Surfrider
Dolores Welty, Calif. Env. Land Project
Ilena Faircrest, Surfrider
Omid Nouripour, Surfrider
Jennifer Hirsch
Bob Tanner, San Clemente Business
Danielle Minh, Surfrider
Sue Wrzesinski
Megan Wood
Danielle Ethington
Dan Silver, Endangered Habitat League
Matthew Wright, FCS
David Brown
Chris Martin
Ely McLaughlin
Scott Harrison
Josan Feathers
T.M. Johnson, Local Laborers #89
Alfonso A. Sanchez, Local Laborers #89
José Expitio, Local Laborers #89
Ixtheehail Banuelos, Local Laborers #89
Ines Kozano, Local Laborers #89
Ignacio Ruiz, Local Laborers #89
Jesus Gonzalez, Local Laborers #89
Samuel Ruiz, Local Laborers #89
Orville Owens, Local Laborers #89
Romando Orguez, Local Laborers #89
Martin Aguirre, Local Laborers #89
Eufrosino Orizaga, Local Laborers #89
Rigoberto Pena, Local Laborers #89
Norma Hernandez, San Clemente Chamber
Kelly Finney, San Clemente Chamber
Doug Mangione, IBEW Local #441
Doug Clark, IUOE #12
Peggy Vance
Scott Packard, Packard Gov. Affairs
Avelino Sandoval, Local Laborers #89
Henry Nordbrok, Local Laborers #89
Desiree Meunier, Flatiron
Robert Ninteman, IUOE Local #12
George Heatherington, IUOE Local #12
Michael Bush, IUOE Local #12
Ciga Gomez, OSSI
Christine Cabori, Local Laborers #89
Bryan Starr, OCBC

Haley Haggerstone, Surfrider
Khosron Nouripour, Surfrider
Javid Nouripour, Surfrider
Andrew Freeman, USD
Joseph Aguirre
Erik Johnson
Samantha Farless
Mark Wood, M&M Logistic
David Ethington, San Onofre Fndn.
Michael Nielsen
Tyler Callaway, FCS
Kelci Antarfield
Ryan Farr
Jamie Schnieders
Cheryl Thomas
John Koenigshafer
Jason Oziel
Margie Martinez, Local Laborers #89
Joel Ramirez, Local Laborers #89
Cesar Montanoc, Local Laborers #89
Alfredo Trujillo, Local Laborers #89
Bemondo Conjul Local Laborers #89
Teodoro Rendon, Local Laborers #89
José Nogales, Local Laborers #89
Veotis Thomas, Local Laborers #89
Clarence Morton, Local Laborers #89
Bobby Pineda, Local Laborers #89
Enrique Enriquez, Local Laborers #89
Jose Luis Oliveres, Local Laborers #89
Lynn Wood, San Clemente Chamber
Arlen Flores, San Clemente Chamber
Chris Betancourt, Local Laborers #89
Jim Adams, Building Trades Council
Jeff Ruvalcava, Cement Masons #500
Donia Moore
Miguel Caseeto, Local Laborers #89
Morris Paxton, Jr., Local Laborers #89
José Anguiano, Local Laborers #89
Rick Grzeyk, IUOE Local #12
Dave Petrachek, IUOE Local #12
Brad Ward, IUOE Local #12
Rich Pinell, IUOE Local #12
Dylan Glasperik, NRDC
Roger Faybel
Jim Leach, OC Econ. Coalition
Veronica Yniguez, Sprvsr Pat Bates

April Josephson
Barbara Thomas, Keener Thomas
Jeff Bott, TCA
Ben Medina
Mike Burke
Brad Barber
Uno Walin
Trevor Olmstead
Nancy Tyner
Michael Takayama
Crystal Orth
Kaya Quidano
Ely McLaughlin
Adam Elesh
Marilyn Gibbs
Taylor Iverson

Brian Lochrie
Beyn Apodaco
Melinda Stone
Charles Kyle
Logan Barber
Matt Wilbur
Adon Bemstark
Michael Wilkes
Kaimana Takayama
Andres Quidano
Anthony Lewis
Griffen Elesh
Jack Steindiberger
Les Williamson
Mindy Campbell

Item 2 – Public Forum

There were no comments during the Public Forum.

Item 3 – Minutes of Board Meetings: April 10-11, 2013, May 8, 2013

Mr. Anderson moved to adopt the minutes, and Mr. Strawn seconded the motion. The minutes were approved by unanimous vote.

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. Morales reported that the WQCC this year will be held at the end of October, and he will report back when the dates are finalized.

Mr. Anderson, on behalf of the Board, issued congratulations to Jim Peugh for receiving the Lighthouse Lifetime Achievement Award.

Mr. Gibson reported on the Tijuana River Valley Binational conference that occurred May 15-17.

Mr. Morales presented staff member Tom Alo with an award for exemplary service.

Consent Calendar: Items 5 through 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 5 – Waste Discharge Requirements Addendum: Modification of Order No. 99-74, Waste Discharge Requirements for the Sycamore Landfill Inc., A Subsidiary of Republic Services Inc., Sycamore Landfill, San Diego County. (*Amy Grove*)

Amy Grove responded to Board member questions.

Item 6 – Rescission of Waste Discharge Requirements: Order No. 94-07, Hanson Aggregates Pacific Southwest Region, Otay Plant, San Diego County; and Order No. 93-82, Buena Sanitation District, Shadowridge Water Reclamation Plant, San Diego County (Tentative Order No. R9-2013-0056 rescinding Orders No. 94-07 and 93-82). (*Tyler Kirkendall*)

Item 7 – Revision of Waste Discharge Requirements for Order No. R9-2009-0007, The Garcia Residence, Onsite Wastewater Treatment System, San Diego County (Tentative Addendum No. 1 to Order No. R9-2009-0007). (*Tyler Kirkendall*)

A motion to adopt the Consent Calendar was made by Mr. Strawn and seconded by Mr. Anderson. The Consent Calendar was adopted by unanimous vote.

Mr. Morales recessed for lunch and Closed Session at 11:30 a.m., and the regular meeting reconvened at 1:00 p.m. Ms. Hagan stated that during the Closed Session, the Board would discuss Items a and g.

Remainder of the Agenda (Non-Consent Items):

Item 8 – Public Hearing: A Resolution Amending the Water Quality Control Plan for the San Diego Basin (9) (Basin Plan) to incorporate Total Maximum Daily Loads (TMDLs) for Toxic Pollutants in Sediment at the Mouths of Paleta, Chollas, and Switzer Creeks in San Diego Bay and Miscellaneous Changes to Chapter 5 to Update the Regional Board Resolutions List (Tentative Resolution No. R9-2013-0003). (*Lisa Honma*)

THIS ITEM WAS POSTPONED

Item 9 – Waste Discharge Requirements: Foothill/Eastern Transportation, Corridor Agency Tesoro (SR 241) Extension, Orange County (Tentative Order No. R9-2013-0007). (*Darren Bradford*)

Mr. Morales made opening remarks, and Board members gave disclosures about ex parte communications they had received. Mr. Morales then made procedural remarks and administered the oath.

Darren Bradford gave the staff presentation. The staff presentation was followed by the Save San Onofre Coalition's presentation, and then the Foothill/Eastern Transportation, Corridor Agency.

Mr. Morales called a recess at 2:46 p.m. and reconvened the meeting at 2:58 p.m.

The following people commented about the proposed Order:

- Dave Roberts, San Diego County Supervisor
- Pam Slater-Price, Former San Diego County Supervisor
- Alfred G. Cruz, Juaneno Band of Mission Indians
- Lesa Heebner, Solana Beach City Council
- Teresa Barth, Mayor, City of Encinitas
- Donna Frye, Former San Diego City Councilmember
- Sam Allevato, Mayor Pro-Tem, San Juan Capistrano
- Charles Puckeff, Mayor Pro-Tem, City of Tustin
- Lisa Bartlett, Mayor Pro-Tem, City of Dana Point
- Steve Lamatte, Asw. Diane Hanley, 73rd District
- Francine Herbag, Irvine City Council
- Lucille Kring, Anaheim Councilwoman
- Gary Felien, Oceanside City Council
- Rhonda Reardon, City of Mission Viejo
- Mark Schwing, Yorba Linda City Council
- Jeff Turner, President, AGC San Diego
- Heather Baez, OC Senator Mark Wyland
- Martin Paine, Senator Mimi Walters
- Vermica Yniguez, OC Supervisor Pat Bates, 5th District
- Esther Sanchez, Oceanside City Council

Mr. Morales called a recess at 4:41 p.m. and reconvened the meeting at 4:55 p.m.

- Penny Maynard, San Clemente Chamber of Commerce
- Brett Robertson, City of Rancho Santa Margarita, Tony Beal's Office
- Mark Bodenhamer, CEO, San Juan Capistrano Chamber of Commerce
- Wendy Bucknum, Southern Orange County Economic Coalition
- Sean Acuna, United Coalition Protect Panhe
- Leah Hemze, San Diego Regional Chamber of Commerce
- Drew Irby, Trout Unlimited
- Jim Moriarty, CEO, Surfrider Foundation
- Alan Walti, Surfrider Foundation South Bay Chapter
- Kristin Brinner, Communications, Beach Preservation, Surfrider San Diego
- Graham Hamilton, Surfrider Foundation
- Lindsey Jurca, Surfrider Foundation, West L.A., Educational Chair
- Pattie Mead, Surfrider Foundation
- Andrew Fish, Surfrider Foundation
- Mark West, Surfrider

- Jake Wyrick, Surfrider Foundation
- Julia Chunn-Heer, Surfrider San Diego
- Travis Newhouse, Surfrider Foundation
- Michael Lindsey, Surfrider
- Jack Eidt, Friends of Harbor Beaches and Parks
- Craig Cadwallader, Surfrider South Bay Chapter
- Dr. Patricia Martz, California Cultural Resources Preservation Alliance
- Roger Kube, Surfrider Foundation
- Shannon Quirk, Editor in Chief, Surf Channel Television Network
- Rick Sandzimier, Resident of Mission Viejo
- Don Skelton
- Paul Hernandez
- Dan Jacobson
- Devon Howard, Resident of Cardiff
- Steve Williams, Ocean Friendly Gardens, Surfrider Malibu
- Marty Benson
- Ryan Wiggins, Transform California
- Scott Harrison
- Valerie Johnson, Resident of Laguna Hills
- Dr. Bill Lochrie, Resident of Fullerton
- T.M. Johnson, Laborers Union #89
- Larry Smith, Lumhee Nation

The following people registered support for the Order, but did not speak:

- Margie Martinez, Local Laborers #89
- Joel Ramirez, Local Laborers #89
- Cesar Montanoc, Local Laborers #89
- Alfredo Trujillo, Local Laborers #89
- Bemondo Conjul Local Laborers #89
- Teodoro Rendon, Local Laborers #89
- José Nogales, Local Laborers #89
- Veotis Thomas, Local Laborers #89
- Clarence Morton, Local Laborers #89
- Bobby Pineda, Local Laborers #89
- Enrique Enriquez, Local Laborers #89
- Jose Luis Oliveres, Local Laborers #89
- Lynn Wood, San Clemente Chamber
- Arlen Flores, San Clemente Chamber
- Chris Betancourt, Local Laborers #89
- Jim Adams, Building Trades Council
- Jeff Ruvalcava, Cement Masons #500
- Donia Moore
- Miguel Caseeto, Local Laborers #89
- Alfonso A. Sanchez, Local Laborers #89
- José Expitio, Local Laborers #89
- Ixtheehail Banuelos, Local Laborers #89
- Ines Kozano, Local Laborers #89
- Ignacio Ruiz, Local Laborers #89
- Jesus Gonzalez, Local Laborers #89
- Samuel Ruiz, Local Laborers #89
- Orville Owens, Local Laborers #89
- Romando Orguez, Local Laborers #89
- Martin Aguirre, Local Laborers #89
- Eufrosino Orizaga, Local Laborers #89
- Rigoberto Pena, Local Laborers #89
- Norma Hernandez, San Clemente Chmbr
- Kelly Finney, San Clemente Chamber
- Doug Mangione, IBEW Local #441
- Doug Clark, IUOE #12
- Peggy Vance
- Scott Packard, Packard Gov. Affairs
- Avelino Sandoval, Local Laborers #89

- Morris Paxton, Jr., Local Laborers #89
- José Anguiano, Local Laborers #89
- Rick Grzeyk, IUOE Local #12
- Dave Petrachek, IUOE Local #12
- Brad Ward, IUOE Local #12
- Rich Pinell, IUOE Local #12
- Dylan Glasperik, NRDC
- Roger Faybel
- Jim Leach, OC Econ. Coalition
- Veronica Yniguez, Sprvsr Pat Bates
- Brian Lochrie
- Beyn Apodaco
- Melinda Stone
- Charles Kyle
- Melinda Stone
- Kelly Finney
- Jillian Miller, City of Rancho Santa Margarita
- Darren Blume, Saddle Back Cnstrctn
- Sam Sims, Jacobs Construction
- April Josephson
- Henry Nordbrok, Local Laborers #89
- Desiree Meunier, Flatiron
- Robert Ninteman, IUOE Local #12
- George Heatherington, IUOE Local #12
- Michael Bush, IUOE Local #12
- Ciga Gomez, OSSI
- Christine Cabori, Local Laborers #89
- Bryan Starr, OCBC
- April Josephson
- Barbara Thomas, Keener Thomas
- Jeff Bott, TCA
- Ben Medina
- Mike Burke
- Duane Cave, Laguna Niguel Chamber
- Tom Rath, SOCEC
- Beth Apodaca
- Juan Rangel, San Diego Economic Development Council
- MaryLynn Coffee
- Benjamin Mediuce
- Mike Conte

The following people registered opposition to the Order, but did not speak.

- Morgan Embleton, San Diego Coastkeeper
- Robert Thompson, Trestles
- Amy Hanson, Trestles
- Graham Hamilton, Surfrider
- Todd Cardiff, Surfrider
- Mark Prazak, Trestles
- Lindsey Nielsen, Trestles
- Jamie Pratt, Surfrider
- David Perez, Orange County
- Wendy Morris
- Scott Thomas, Sea & Sage Audubon
- Melanie Schlatterbeck
- Patricia Martz, California Cultural Resource
- Carey Strombotne
- Mike Shutt
- Brian Yoshioka, Long Beach
- Saba Sadeghi, Surfrider
- Lori Jones, Surfrider
- Jerry Hughes
- Howard Pippen, Friends of CA State Parks
- Joe Solek, Surfing Australia
- Susan Korzywicki, Trestles
- Pete Somosyi, Surfrider
- Caitlin Navor, Surfrider
- Lyndee Prazak, Trestles
- Dawn Arrowsmith, Trestles
- Blake Nielsen, Trestles
- Kenda Rauscher, Surfrider
- Kathleen Cobb, San Onofre Foundation
- Megan McLaurin, Surfrider
- Claire Schlatterbeck, Hills for Everyone
- Anna Begg
- Jamie Begg
- Emily Bates, Surf Channel
- Denise Erkeneff, Surfrider
- Penny Elia
- P.J. Roustan, Perfect Foods Bar
- Gisela Koestner
- Taylor Ivison, FreeSurf
- Jim Zittel

- Guy Barker
- Melinda Guerrero, Surfrider
- Sean Keany
- Travis Newhouse, Surfrider
- Pamela Sward
- Tim Mensalvas
- Jill Conger
- Cybil Oechsle, Surfrider
- Joe Hawkins
- Susan Yates
- Kathy Steindlbergen
- Paloma Aguirre, WildCoast
- Becky Mendoza, Surfrider
- Mattras Cape
- Joel Siler
- Rick Sharra
- Maria Koenigshofer
- Kelli Aspenlester
- Nathan Darden
- Nicole Gorton
- Sean Benjamin
- Eric Parker
- John Iaia
- Mitchell Johnson
- Sterling Henken, WildCoast
- Jesse Chapo
- Joel Van Noord
- Ruthanne Powell
- Cait Otis
- Maddy Isbell
- Ian Riggs
- Chris Abad
- Travis Meek
- Adrian Castro
- Alex Nenl
- Logan Smith
- Dan Murphy, Surfrider
- Brad Barber, Surfrider
- Sunshine Johnson, Surfrider
- Matt Hundlammer, Surfrider
- Delaney Faul, Surfrider
- Bryan Berkley, Surfrider
- John Chis, Surfrider
- Melanie Glancy, Surfrider
- Elizabeth Wilks, Surfrider
- Sydney Solberg-Finkle
- Taylor Woodruff
- Bryan Clark
- Kyle Preish
- Tyler Cash
- Michelle Kremer, Surfrider
- Lake Oechsle
- Christina Bulskov
- Andra Balos
- Dan Steindlbergen
- Ingrid Lindfors, Surfrider
- Dylan Bennett
- Bridget Seegers
- Ian Sander
- Ken Koenigshofer
- Paolo Noppenberger
- Hellen Bourne
- Brent Darden
- Richard Benjamin
- Lily Benjamin
- Carmen Griesemer, Surfrider
- Evan Watkins
- Eleanora Robbins, Actjachemen
- Jack Walsh, WildCoast
- Roderick Michener
- Fran Udall
- Brad Redman
- Kevin Casilo
- Mark Kelly
- Mindy Campbell
- Mike Wasiluk
- David Higdon
- Chris Lowery
- Jenli Puma
- Juan Arreol
- Vesle Winkler, Surfrider
- Logan Barber, Surfrider
- Alison Hindley, Surfrider
- Madron Kingman, Surfrider
- Camden Faul, Surfrider
- Grace Bologna, World Peace Diet
- Sean Staudenbauer, Surfrider
- Margaret E. Johannes, Surfrider

- Justin Crane, Surfrider
- Randall Iwai, Surfrider
- Chad Reese, Surfrider
- Anson Moreno, Surfrider
- Ryan Hartegan, Surfrider
- Gardner Grady, San Diego Mountain Biking
- Rosina Lasdale
- Lori Hellar, Surfrider
- Wes Van De Vort, Surfrider
- Richard Coon, Surfrider
- Diane Castaneda, WildCoast
- Bri La Tendresse, Surfrider
- Abby Wallace, Surfrider
- Emily Burnham-Kidwell, Trestles
- Mike Takayama
- Andrew Valente, Surfrider
- Justin Melaslon, Surfrider
- Kevin Aldor, Surfrider
- Katey Rios, Surfrider
- Kevin Murphy, Surfrider
- Valerie Johnson, Surfrider
- Steve Hadley
- Serge Dedina, WildCoast
- Nick Haas
- Aaron Richter, Surfrider
- Anahi Tellez
- Sarah Diaz Roth, Surfrider
- Dolores Welty, Calif. Env. Land Project
- Ilena Faircrest, Surfrider
- Omid Nouripour, Surfrider
- Jennifer Hirsch
- Bob Tanner, San Clemente Business
- Danielle Minh, Surfrider
- Sue Wrzesinski
- Megan Wood
- Danielle Ethington
- Dan Silver, Endangered Habitat League
- Matthew Wright, FCS
- David Brown
- Chris Martin
- Ely McLaughlin
- Scott Harrison
- Josan Feathers
- Courtney Cole, Coastkeeper
- Preston Moreno, Surfrider
- Anna Milke
- Christa Groves
- Dino Palavicino, Surfrider
- Andrew Grover, Surfrider
- Bruce McDermott, Surfrider
- Joshua Strifler
- Erik Maki, Surfrider
- Michael Novido, Surfrider
- Jennifer Holevin, Surfrider
- Miriam Castaneda, WildCoast
- Amanda Reid, Surfrider
- Lauren Books, Trestles
- Chris Sears
- Kai Takayama
- Patrick Moran, Surfrider
- Pete Church, Surfrider
- Alis Gil, Surfrider
- Michaela Rios, Surfrider
- Scott McHatton, Surfrider
- Brian Murphy, Surfrider
- Israel Dedina, WildCoast
- John Halder, WildCoast
- Briana Cabral
- Jason Doolittle, Surfrider
- Melisa Tellez
- Haley Haggerstone, Surfrider
- Khosron Nouripour, Surfrider
- Javid Nouripour, Surfrider
- Andrew Freeman, USD
- Joseph Aguirre
- Erik Johnson
- Samantha Farless
- Mark Wood, M&M Logistic
- David Ethington, San Onofre Fndn.
- Michael Nielsen
- Tyler Callaway, FCS
- Kelci Antarfield
- Ryan Farr
- Jamie Schnieders
- Cheryl Thomas
- John Koenigshafer
- Jason Oziel
- Jonas Nakas

- Charles Richmond
- John Holder, WildCoast
- Mark Babski
- Fred Mertz
- Ray Anderson
- Eva Lydick
- Mahgum Asgarian
- Scott Thomas, Sea and Sage Audubon
- Sharon Koch
- Tom Osborne
- Mark Rauscher
- Dan Soderberg, Neighborhood Historic Preservation Coalition
- Eleanora Robbins
- Vanh
- Kara Monaghan
- Andy Quijano
- Chad Nelson
- Patricia Colburn
- Alex Mintzer
- Catherine Stiefel
- Ginger Osborne
- Todd Cardiff

The Save San Onofre Coalition and F/ETCA presented rebuttal testimony and closing comments, staff made closing remarks, and Mr. Morales closed the public hearing.

Mr. Morales called a recess at 6:38 p.m. and reconvened the meeting at 6:46 p.m.

After Board deliberations, Dr. Abarbanel made a motion not to adopt the Tentative Order, Ms. Kalemkiarian seconded the motion, and the Order was denied by a 3-2 vote.

CLOSED SESSION

The Board may meet in closed session to consider personnel matters [Authority: Government Code Section 11126(a)]; to deliberate on a decision to be reached based upon evidence introduced in a hearing [Authority: Government Code Section 11126(c)(3)]; or to discuss matters in litigation, including discussion of initiated litigation, significant exposure to litigation, or decisions to initiate litigation [Authority: Government Code Section 11126(3)]. Litigation items that may be discussed are listed below by the type of item:

Civil Actions (Judicial and Administrative, other than Petitions for Review filed with the State Water Board)

- a. *People of the State of California Ex Rel. the Regional Water Quality Control Board, San Diego Region v. Edward Drusina, an individual in his capacity as Commissioner of the International Boundary and Water Commission, United States Section, et al., Complaint for Violations of the Clean Water Act and Related State Law Claims. United States District Court, Southern District of California, Case No. 01-CV-027BTM(JFS) (filed February 2001). (David Gibson)*
- b. *In re: Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2007-001, (NPDES No. CAS0108758) Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal*

- Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of San Diego, the Incorporated Cities of San Diego County, the San Diego Unified Port District, and the San Diego County Regional Airport Authority adopted on January 24, 2007. Test Claim filed by San Diego County, et al., with Commission on State Mandates, No. 07-TC-09 (filed June 2008). (Catherine George Hagan)*
- c. *California Regional Water Quality Control Board, San Diego Region v. Bill and Heidi Dickerson, Larry and Penelope Gunning and Perry & Papenhausen, Inc. Complaint for Damages for Breach of Contract and for Specific Performance. San Diego County Superior Court, Case No. 37-2010-00096011-CU-CO-CTL (filed July 2010). (Jeremy Haas)*
 - d. *State of California Department of Finance, State Water Resources Control Board, And California Regional Water Quality Control Board, San Diego Region v. Commission on State Mandates. Petition for Writ of Administrative Mandamus. Sacramento County Superior Court, Case No. 34-2010-80000604 (filed July 2010). (Catherine George Hagan)*
 - e. *In re: Citizens Development Corporation, Debtor and Debtor in Possession, Case No. 10-15142-LT11. United States Bankruptcy Court, Southern District of California. (San Diego Water Board Claim in Bankruptcy) (filed June 2011). (Catherine George Hagan)*
 - f. *Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, (NPDES No. CAS0108740) Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of Orange, the Incorporated Cities of the County of Orange, and the Orange County Flood Control District adopted on December 16, 2009. Test Claim filed by County of Orange, et al., with Commission on State Mandates, No. 10-TC-11 (filed June 2011). (Catherine George Hagan)*
 - g. *Test Claim on California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016 (NPDES No. CAS0108766) adopted November 10, 2010, County of Riverside, Riverside County Flood Control and Water Conservation District, and the Cities of Murrieta, Temecula and Wildomar, Co-Claimants, filed with Commission on State Mandates, No. 11-TC-03 (filed November 2011). (Catherine George Hagan)*

Petitions for Review Pending Before State Water Resources Control Board¹

- h.* Petitions of the National Fireworks Association and Fireworks & Stage FX America Inc., Coastal Environmental Rights Foundation, and San Diego Coastkeeper (General National Pollutant Discharge Elimination System (NPDES) Permit Order No. R9-2011-0022 (NPDES No. CAG999002) for Residual Firework Pollutant Waste Discharges to Waters of the United States in the San Diego Region from the Public Display of Fireworks), SWRCB/OCC Files A-2164(a)-(c), filed June and July 2011. (*Michelle Mata*)
- i.* Petition of Citizens Development Corporation (Water Code Section 13267 Investigative Order No. R9-2011-0033 dated September 14, 2011, Requiring Submission of Technical Reports Pertaining to Investigation of Lake San Marcos Nutrient Impairment, San Diego County), SWRCB/OCC File A-2185, filed October 2011. (*Laurie Walsh*)
- j.* Petition of City of San Diego (Time Schedule Order No. R9-2011-0052 dated September 14, 2011, for the Kinder Morgan Energy Partners, Mission Valley Terminal Remediation Dewatering Discharge to Murphy Canyon Creek, San Diego County), SWRCB/OCC File A-2186, filed October 2011. (*Ben Neill*)
- k.* Petition of Jack Eitzen (Administrative Assessment of Civil Liability Order Nos. R9-2011-0048 and R9-2011-0049 against Jack Eitzen for 38175 and 38155 Via Vista Grande, Murrieta, Riverside County), issued October 12, 2011), SWRCB/OCC File A-2193, filed November 2011. (*Rebecca Stewart*)
- l.* Petitions for Review of San Diego Bay Shipyard Sediment Cleanup and Abatement Order No. R9-2012-0024 for National Steel and Shipbuilding Company (NASSCO), BAE Systems, San Diego Ship Repair (BAE Systems), Campbell Industries, City of San Diego, San Diego Gas & Electric (SDG&E) and San Diego Unified Port District (Port District) issued March 14, 2012. Petitions for Review and Requests for Stay filed by NASSCO, BAE Systems and City of San Diego. Petitions for Review w/o requests for stay filed by SDG&E, Star & Crescent Boat Company and Port District. SWRCB/OCC File A-2205(a) – (e), filed April 2012. (*Frank Melbourn*)
- m.* Petition of NASSCO for Review of Resolution No. R9-2012-0025 (Certifying Final Environmental Impact Report for San Diego Bay Shipyard Sediment Cleanup and Abatement Order No. R9-2012-0024), adopted March 14, 2012, SWRCB/OCC File A-XXXX, filed April 2012. (*Frank Melbourn*)

¹ Petitions for review of San Diego Water Board actions or inactions filed with the State Water Board being held in abeyance by the State Water Board are not listed in the agenda. The titles of these matters are available at the San Diego Water Board. Please contact Catherine George Hagan at chagan@waterboards.ca.gov or 858-467-2958 for more information.

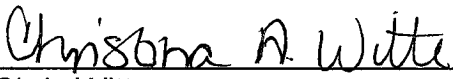
- n. Petition of South Laguna Civic Association for Review of Order No. R9-2012-0013, NPDES No. CA0107611, NPDES Permit Reissuance: South Orange County Waste Authority, Discharges to the Pacific Ocean via Aliso Creek Ocean Outfall, adopted April 11, 2012, SWRCB/OCC File A-2211, filed May 2012. (*Joann Lim*)
- o. Petition of City of San Diego for Review of Resolution No. R9-2012-0045, re NPDES Permit Notice of Enrollment Amendment for Kinder Morgan Energy Partners, June 13, 2012, SWRCB/OCC File A-XXXX, filed July 2012. (*Ben Neill*)
- p. Petition of Fallbrook Public Utility District for Review of Order No. R9-2012-0004, NPDES Permit and Waste Discharge Requirements for Fallbrook Public Utility District Wastewater Treatment Plant No. 1 for Discharge to the Pacific Ocean via the Oceanside Ocean Outfall, adopted August 8, 2012, SWRCB/OCC File A-2226, filed September 2012. (*Joann Lim*)

The closed session was held, and the Board discussed items *a* and *g*.

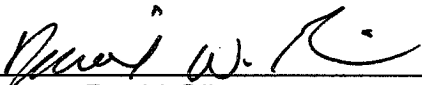
There being no further business, the meeting was adjourned at 7:15 p.m.

These minutes were prepared by:

Signed by:



Chris Witte
Executive Assistant



David Gibson
Executive Officer

