

**CalDesal Regulatory Committee Meeting Notes**

**Wednesday, September 23, 2020**

**2:00-3:00 p.m.**

**Members present:**

Hannah Ake, Metropolitan Water District of Southern California

Gilad Cohen, IDE Technologies

Jeremy Crutchfield, San Diego County Water Authority

Tim Hogan, TWB-ERC

Eric Miller, Miller Marine Science

Joe Monaco, Dudek

Mak Shatilla, Michael Baker

Rich Svindland, CalAm

**Guests:** Wendy Ridderbusch, Executive Director

Chair Kevin Thomas was unable to participate due to a client meeting conflict. Wendy Ridderbusch informed the committee that the time of the last three committee meetings of the quarter: October, November, and December, would be moved back to accommodate Chair Kevin Thomas’ schedule. Wendy chaired the meeting in his absence and called the meeting to order at 2:04 p.m.

**Agenda**

* **Joint CUWA & California WateReuse project update** – Wendy shared that CalDesal was approached to participate via a $5,000 donation along with policy input and editing duties to produce a study and powerpoint slidedeck. The Executive Committee will be voting whether to approve this collaboration this month. It will be an opportunity for CalDesal to partner with these other statewide organizations on areas of agreement with similar goals. Wendy reminded the committee that CalDesal hopes to leverage this collaboration and policy exposure to similar organizations for future opportunities. She pointed out that she would work with these other groups and give input from CalDesal’s Regulatory Committee on any draft documents.
* **State Water Resources Control Board Tweet** – The State Water Board staff sent out a tweet in September, *“Did you know that the State Water Board has more than 200 scientists, engineers, and geologists working to protect California’s coastal waters? This includes addressing issues like trash, desalination as part of a recently revised Ocean Plan. Read it here: (embedded link)”* Phil Rosentrater saw this and was frustrated with the inference that desal is akin to the problem of trash in the oceans – problems that these scientists are working on.

Wendy reported that she had a long and productive conversation with the Director of Communications George Kostyrko. He was not aware of the tweet. He concluded that it was inadvertently offensive. He committed to talking with the junior staffer who posted it to explain why it was not appropriate. Finally, he went in and removed the tweet in question himself.

Wendy received good information from George that will help shape CalDesal’s efforts at proactively approaching the State Water Board members and staff regarding any future Ocean Plan Amendment process. She will request that CalDesal be included as a good-faith stakeholder as discussions occur behind the scenes prior to any formal regulatory activity.

**Gilad** pointed out that we could utilize this as an opportunity to better engage and educate these regulatory folks to help CalDesal and the larger desal industry.

**Recent Regulatory Activity:**

**Relevant Project Regulatory Permitting Updates**:

* **Monterey Project** – He reported that CalAm withdrew their application. The risk of receiving a denial was looking greater and the California Coastal Commission’s staff was written if a denial was received the Cemex intake site would be lost forever. They would have been unable to even modify the project. This was too big of a risk. Under the permit streamlining act, they would have had to decide by September. Rich noted that CalAm does plan to refile in short order. The project is not dead, it is not done. CalAm is still fighting to move this project ahead.

Wendy asked how CalAm was planning to deal with this emphasis on environmental justice and social justice that has emerged regarding the project moving forward? Rich noted that they will reach back out to the City of Marina and educate them about the benefits they would receive from this project like a percentage of the property taxes that CalAm pays as a regulated utility. CalAm is also willing to do a franchise agreement with Marina since they have facilities in their area. They are also willing to talk about ways in which they could improve wildlife habitat, coastal access, etc. CalAm made a prior pitch to them about owning a portion of the wells, a train in the plant, etc.

Rich noted that CalAm reached a settlement in 2013 with Surfrider, Sierra Club, Planning and Conservation League, Landwatch of Monterey County, and other agencies. The challenge is that these organizations have abandoned the settlement. Slant wells at Cemex was agreed upon as option #1. The test well at Cemex works. The challenge is that the parties have abandoned the positions that they took back in 2013. They are going to say that changing circumstances have precipitated their changing positions. CalAm has spent $100 million on this so far. They need more time to educate the Commissioners about their project.

* **Carlsbad** **Lagoon** **Dredge**– Jeremy reported that SDCWA is trying to obtain a permit to perform their first dredging of the lagoon where Carlsbad receives its feedwater. There is a certain window, November through April, that this dredging needs to occur within. The California Coastal Commission approached SDCWA and said that they would not be able to place this item onto the agenda until December due to Covid-19 backlogged agendas.

Waiting until a December hearing would force a truncated timeline and reduce the amount of sand that could be dredged. The City of Carlsbad has weighed in to help the Water Authority get a corrective action with respect to this dredging event. This could be a large operational impact on the Carlsbad plant and the lagoon dredge cycle. This is an example of regulatory challenges that CalDesal members are up against.

**CalDesal Updates:**

* Virtual Townhall on Friday, October 16th from 3:00-4:30 p.m. It is free to members and associates
* Annual CalDesal Conference in February 2021 now moving to Virtual Format
* 2021-22 Strategic Plan will be released in 2020

2020 Meeting Dates: 10/28, 11/18, and 12/16

Next Regulatory Committee Meeting: **October 28, 2020 at 3:00 p.m. (new time)**

**Wendy Ridderbusch adjourned the meeting at 2:46 p.m.**