

STATE WATER RESOURCES CONTROL BOARD

BOARD MEETING MINUTES

November 18, 2008

Copies of the resolutions and water quality orders can be obtained by calling (916) 341-5600 or downloading from our website at http://www.waterboards.ca.gov/board_decisions/adopted_orders/index.shtml.

CALL TO ORDER

Board Chair Tam Doduc called the meeting to order on November 18, 2008 at 10:13 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

BOARD MEMBERS PRESENT

Board Chair Tam Doduc; Vice-Chair Gary Wolff, P.E.; Member Arthur G. Baggett, Jr.; Member Charlie Hoppin
Member Frances Spivy-Weber

STAFF PRESENT

Tom Howard, Chief Deputy Director
Michael Lauffer, Chief Counsel
Jeanine Townsend, Clerk to the Board
James Herink, Office of Chief Counsel
Sheila Vassey, Office of Chief Counsel
Erin Mahaney, Office of Chief Counsel
Andy Sawyer, Office of Chief Counsel
Nathan Jacobsen, Office of Chief Counsel
Anne Hartridge, Office of Chief Counsel
Karen O'Haire, Office of Chief Counsel
Betsy Jennings, Office of Chief Counsel
Bill Rukeyser, Office of Public Affairs

Les Grober, Division of Water Rights
Diane Riddle, Division of Water Rights
Vicky Whitney, Division of Water Rights
Kathy Mrowka, Division of Water Rights
Liz Haven, Division of Water Quality
Darrin Polhemus, Division of Water Quality
Phil Isorena, Division of Water Quality
Carl Henriet, Division of Water Quality
Barbara Evoy, Division of Financial Assistance
Leslie Laudon, Division of Financial Assistance
Christopher Stevens, Division of Financial Assistance
Karen Larsen, Central Valley Regional Board

ANNOUNCEMENT

- *Evacuation information in case the fire alarm goes off during the meeting.*
- *The Board meeting is being webcasted and recorded.*

PUBLIC FORUM

None

BOARD BUSINESS

1. The Board will consider adoption of the November 4, 2008 Board Meeting minutes.

Motion: Member Spivy-Weber moved to adopt November 4, 2008 Board Meeting minutes.

Seconded by: Chair Doduc

MOTION CARRIED (11/04/08)

Aye
Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

2. Board Member Report.

Nothing to Report

UNCONTESTED ITEMS (Items 3-6*)

- *3. Consideration of a proposed Resolution approving projects, and authorizing issuance of grants for the 2008 CalFed Water Quality Grant Program (WQGP).

Motion: Board Chair Doduc moved to adopt the proposed Resolution.

Seconded by: Member Hoppin

MOTION CARRIED ([Resolution 2008-0082](#))

Aye Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

- *4. Consideration of a proposed Resolution to allocate an additional \$2.5 million from the Cleanup and Abatement Account (CAA) to the Lahontan Regional Water Quality Control Board (Lahontan Regional Water Board) to complete improvements at Leviathan Mine Project.

Motion: Board Chair Doduc moved to adopt the proposed Resolution.

Seconded by: Member Hoppin

MOTION CARRIED ([Resolution 2008-0083](#))

Aye Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

- *5. Consideration of a proposed Order approving petition for extension of time and change in place in of use for a water right permit owned by Knaggs Farming Company, L.P. - Colusa Basin Drainage Canal in Yolo County. ([Staff Change #1](#))

Motion: Board Chair Doduc moved to adopt the proposed Order with changes recommended by Staff in Staff Change #1.

Seconded by: Member Hoppin

MOTION CARRIED ([Water Rights Order 2008-0042](#))

Aye Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

- *6. Consideration of a proposed Order approving an extension of time for a water right permit owned by [Hershey Land Company](#) - Colusa Basin Drainage Canal and Sacramento River in Yolo County.

Motion: Board Chair Doduc moved to adopt the proposed Order.

Seconded by: Member Hoppin

MOTION CARRIED ([Water Rights Order 2008-0043](#))

Aye Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

DIVISION OF FINANCIAL ASSISTANCE

7. Consideration of a proposed Resolution addressing the security of [Clean Water State Revolving Fund \(CWSRF\) Financing Agreements](#). ([Staff Change #1](#))

Motion: Member Spivy-Weber moved to adopt the proposed Resolution with changes recommended by Staff in Staff Change #1.

Seconded by: Member Baggett

MOTION CARRIED ([Resolution 2008-0084](#))

Aye Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

Commenters

Craig Johns, Eastern Municipal Water District

Dave Bruns, Los Angeles County Sanitation Districts

Joan Phillipe, City of Colfax

8. Consideration of a proposed Resolution approving a Clean Water State Revolving Fund (CWSRF) finance commitment to the Antioch (City) Development Agency (Agency) for construction of the [Markley Creek Remediation Project](#); CWSRF Project No. C-06-5172-110.

Motion: Board Chair Doduc moved to adopt the proposed Resolution.

Seconded by: Member Hoppin

MOTION CARRIED ([Resolution 2008-0085](#))

Aye Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

DIVISION OF WATER QUALITY

9. Consideration of a proposed Resolution authorizing acceptance of a federal grant to continue regulatory oversight at the [Stanford Linear Accelerator Center](#).

Motion: Board Chair Doduc moved to adopt the proposed Resolution.

Seconded by: Member Hoppin

MOTION CARRIED ([Resolution 2008-0086](#))

Aye Board Chair Doduc
Vice Chair Wolff
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: None

Absent: None

Abstain: None

DIVISION OF WATER RIGHTS

10. Consideration of whether to proceed with the informational fact-finding proceeding described in the Water Boards' [Bay-Delta Strategic Workplan](#).

Motion: Member Spivy-Weber made a motion not to proceed with the evidentiary hearings, but to include specific factual issues during the periodic review.

Seconded by: Member Baggett

MOTION CARRIED (4-1)

Aye Board Chair Doduc
Member Baggett
Member Hoppin
Member Spivy-Weber

Nay: Vice Chair Wolff

Absent: None

Abstain: None

Commenters

Amy Aufdemberge, U.S. Department of Interior

Arthur Godwin, San Joaquin River Group

Bill Jennings, California Sportfishing Protection Alliance

Cliff Schulz, Kern County Water Agency & State Water Contractors

Craig Johns, Sacramento Regional County Sanitation District

David Aladjem, Downey Brand

Debbie Webster, Central Valley Clean Water Association

DeeAnne Gillick, San Joaquin County

Elizabeth Ewens, San Francisco Public Utilities Commission

Erick Soderlund, Department of Water Resources

John Herrick, South Delta Water Agency

Karna Harrigfeld, Stockton East Water District

Valerie Kincaid, San Luis & Delta-Mendota Water Authority and Westlands Water District

OFFICE OF CHIEF COUNSEL

11. Petition of California Sportfishing Protection Alliance for review of Waste Discharge Requirements Order No. R5-2007-0134 issued to the [City of Yuba City Wastewater Treatment Plant](#), Sutter County, by the Central Valley Regional Water Quality Control Board (SWRCB/OCC File A-1895). The State Water Resources Control Board will consider issuing an order remanding the Waste Discharge Requirements. (*Written comments were due on November 5, 2008 by 12 noon.*) ([Staff Change #1](#)) ([Staff presentation](#)) ([City of Yuba City presentation](#))

Motion: Member Spivy Weber moved to adopt the proposed Order with changes recommended by Staff in Staff Change #1 and further revisions read into the record.

Seconded by: Member Baggett

MOTION CARRIED ([Water Quality Order 2008-0010](#))

Aye Vice Chair Wolff
Member Baggett
Member Spivy-Weber

Nay: None

Absent: Board Chair Doduc
Member Hoppin

Abstain: None

Commenters

Bill Jennings, California Sportfishing Protection Alliance
Debbie Webster, Central Valley Clean Water Association
Kenneth Landau, Central Valley Regional Water Board
Peter McGaw, City of Yuba City
William Lewis, City of Yuba City

INFORMATIONAL ITEM

12. Update on the Bay-Delta Strategic Workplan.

➤ **Diane Riddle and Les Grober both with Division of Water Rights, Erin Mahaney, Office of Chief Counsel and Karen Larsen, Central Valley Regional Board made the presentation to the Board.**

No Action Taken

13. [Executive Director's Report](#).

No Action Taken

To be held in Conference Room 230

14. Consideration of State Water Board priorities and member assignments for the upcoming year.
(No Action will be taken on this Item)

This Item was continued to a future Board Meeting.

ADJOURNED

The Board Meeting adjourned at 2:44 p.m.