

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
DECEMBER 1, 2009

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

Chairman Charlie Hoppin called the meeting to order on December 1, 2009 at 9:10 a.m. in the Bryon Sher Auditorium at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

BOARD MEMBERS PRESENT

Chairman Charlie Hoppin; Vice Chair Frances Spivy-Weber; Member Arthur G. Baggett, Jr.; Member Tam M. Doduc; Member Walter G. Pettit

STAFF PRESENT

Dorothy Rice, Executive Director
Michael Lauffer, Chief Counsel
Anne Hartridge, Office of Chief Counsel
Nathan Jacobsen, Office of Chief Counsel
Marleigh Wood, Office of Chief Counsel
James Maughan, Division of Financial Assistance
Erin Ragazzi, Division of Financial Assistance
Andrew Lawrence, Division of Financial Assistance
Bill Rukeyser, Office of Public Affairs

Tom Howard, Chief Deputy Director
Jonathan Bishop, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Darrin Polhemus, Division of Water Quality
Dominic Gregorio, Division of Water Quality
Kevin Graves, Division of Water Quality
Bruce Fujimoto, Division of Water Quality
Gita Kapahi, Office of Public Participation
Val Connor, Office of Information Management & Analysis

ANNOUNCEMENT

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

BOARD MEETING

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

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the State Water Board's jurisdiction provided the matter is not on the agenda, or pending before the State Water Resources Control Board or any California Regional Water Quality Control Board.

None

BOARD BUSINESS

1. The Board will consider adoption of the November 17, 2009 Board Meeting minutes.

Motion: Vice Chair Spivy-Weber moved to adopt the proposed minutes of the November 17, 2009 Board Meeting.

Seconded by: Member Doduc

MOTION CARRIED: ([November 17, 2009](#))

Aye
Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Member Baggett
Member Pettit

Nay: None

Abstain: None

Absent: None

2. Board Member Report

None

UNCONTESTED ITEM (Item 3*)

- *3. Consideration of a proposed Resolution authorizing the Executive Director to sign a [Memorandum of Agreement](#) with the Central Valley Regional Water Quality Control Board and the Central Valley Salinity Coalition.

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2009-0085](#))

Aye Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Member Baggett
Member Pettit

Nay: None

Abstain: None

Absent: None

DIVISION OF FINANCIAL ASSISTANCE

4. Consideration of a proposed Resolution adopting a Clean Water State Revolving Fund (CWSRF) Program Preliminary Funding Commitment (PFC) for the [City of Williams \(City\)](#), Wastewater Treatment Plant (WWTP) Improvement Project (Project), CWSRF Project No. C-06-4049-110.

Motion: Chair Hoppin moved to adopt the proposed Resolution.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0086](#))

Aye Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Member Baggett
Member Pettit

Nay: None

Abstain: None

Absent: None

Commenters

Patricia Ash, City of Williams

DIVISION OF WATER QUALITY

5. Consideration of a proposed Order granting the Petition of [Mass Transit Properties, LLC](#) for review of denial of petroleum underground storage tank site closure, 295 North Olive Street, Ventura, California. (*Written comments were due on November 18, 2009 by 12 noon.*)

Motion: Vice Chair Spivy-Weber moved to adopt the proposed Order.

Seconded by: Member Baggett

MOTION CARRIED: ([Water Quality Order 2009-0016](#))

Aye Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Member Baggett
Member Pettit

Nay: None

Abstain: None

Absent: None

Commenters

Zach Moran, Mass Transit Properties

DIVISION OF WATER RIGHTS

6. Consideration of a proposed Order on reconsideration of Division of Water Rights dismissal of a [Camp Pendleton](#) protest to City of Santa Cruz petitions for change in its water rights on San Lorenzo River and Newell Creek in Santa Cruz County.

Motion: Member Doduc moved to adopt the proposed Order.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Water Rights Order 2009-0061](#))

Aye Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Member Baggett
Member Pettit

Nay: None

Abstain: None

Absent: None

- ~~7. Consideration of a proposed Resolution authorizing the Executive Director to execute a [Memorandum of Understanding](#) between the State Water Board and the Federal Energy Regulatory Commission for the preparation of environmental documents.~~

PULLED – DEFERRED TO A FUTURE BOARD MEETING

BOARD WORKSHOP

No final Board action will be taken at the Workshop on Item 8

DIVISION OF WATER QUALITY

8. Workshop on a proposed "[Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling](#)" and associated Certified Regulatory Program Environmental Analysis. (*Written comments were due on September 30, 2009 by 12:00 noon.*) ([Staff Presentation](#))

No Action Taken

Commenters

Angela Kelley, California Coastkeeper Alliance

Audra Hartmann, Dynegy

Bob Lucas, California Council for Environmental & Economic Balance

Dennis Peters, California Independent System Operator

Francisco Estrada, Assemblymember Mary Salas

Joe Dillon, National Marine Fisheries Services

Joe Geever, Surfrider Foundation

Katherine Rubin, Los Angeles Department of Water & Power

Laura Hunter, Environmental Health Coalition

Mark Gold, Heal the Bay

Mark Krausse, Pacific Gas & Electric ([Presentation](#))

Michael Jaske, California Energy Commission

Mike Hertell, Southern California Edison

Noah Long, Natural Resource Defense Council

Paul Singarella, Southern California Edison

Ron Donlan, RRI Energy

Rory Cox, Pacific Environment

Sarah Sikich, Heal the Bay

Steve Fleischli, Santa Monica Baykeeper ([Presentation](#))

Susan Damron, Los Angeles Department of Water & Power

Tom Ford, Santa Monica Baykeeper

CLOSED SESSION

Closed Sessions are not open to the Public

OFFICE OF CHIEF COUNSEL

The Board will meet in closed session to consider whether, based on existing facts and circumstances, to initiate litigation against the California Commission on State Mandates concerning test claims 03-TC-04, 03-TC-19, 03-TC-20, and 03-TC-21 (pertaining to municipal storm water permit requirements in Los Angeles County). (This closed session is authorized under Government Code section 11126, subdivision (e)(2)(C).)

The Board met in Closed Session.

ADJOURNED

The Board Meeting adjourned at 3:05 p.m.