

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
JUNE 16, 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 June 16, 2009 at 9:06 a.m. in the Coastal Hearing Room 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

STAFF PRESENT

Dorothy Rice, Executive Director
Jonathan Bishop, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Michael Lauffer, Chief Counsel
Alex Mayer, Office of Chief Counsel
Betsy Jennings, Office of Chief Counsel
Andy Sawyer, Office of Chief Counsel
Anne Hartridge, Office of Chief Counsel
James Herink, Office of Chief Counsel
David Rose, Office of Chief Counsel
Steven Blum, Office of Chief Counsel
Les Grober, Division of Water Rights
Vicky Whitney, Division of Water Rights

Darrin Polhemus, Division of Water Quality
Rik Rasmussen, Division of Water Quality
Bruce Fujimoto, Division of Water Quality
Jule Rizzardo, Division of Financial Assistance
Doug Wilson, Division of Financial Assistance
Leslie Laudon, Division of Financial Assistance
Christopher Stevens, Division of Financial Assistance
Barbara Evoy, Division of Financial Assistance
Allan Patton, Division of Financial Assistance
James Maughan, Division of Financial Assistance
Erin Ragazzi, Division of Financial Assistance
Reed Sato, Office of Enforcement
Mark Bradley, Office of Enforcement

ANNOUNCEMENT

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

PRESENTATION OF SUSTAINED SUPERIOR ACCOMPLISHMENT AWARDS

- ❖ *Mr. Reed Sato, Director of the Office of Enforcement presented the Sustained Superior Accomplishment Award to **Mr. Mark Bradley**.*
- ❖ *Mr. Allan Patton, Assistant Deputy Director with the Division of Financial Assistance presented the Sustained Superior Accomplishment Award to **Ms. Laura Beck**.*
- ❖ *Ms. Vicky Whitney, Deputy Director with the Division of Water Rights presented the Sustained Superior Accomplishment Award to **Mr. Kevin Long**.*

BOARD MEETING

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

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.

Commenters

Geoff Brosseau, California Stormwater Quality Association

BOARD BUSINESS

1. The Board will consider adoption of the June 2, 2009 Board Meeting minutes.

Motion: Member Doduc moved to adopt the June 2, 2009 Board meeting minutes.

Seconded by: Vice-Chair Spivy-Weber

MOTION CARRIED: ([06/02/09](#))

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

Nay: None

Absent: None

2. Board Member Report.

- *Member Doduc attended the Santa Ana Regional Water Board Meeting and she informed them on the progress of the Recycled Water Task Force and specifically the constituents of emerging concern Scientific Advisory Panel that has been formed. Santa Ana Water Board chairwoman Carole Beswick asked that the State Water Board make an effort to engage the Board of Pharmacy (or such entity) since they expressed an interest in terms of our constituents of emerging concern efforts and the role that pharmaceuticals might have in that effort.*
- *Member Doduc also attended the San Francisco Bay Regional Water Board Meeting and had a discussion on the Water Board's decision on the federal stimulus fund guidelines. Also, the San Francisco Bay Water Board is very interested in climate change adaptation and, in particular, they are very interested in pursuing regulatory measures that regional water boards can consider in terms of climate change adaptation issues.*

UNCONTESTED ITEMS (Items 3-7*)

- *3. Consideration of a proposed Resolution adopting a Statement of Overriding Considerations and Clean Water State Revolving Fund (CWSRF) Preliminary Funding Commitment (PFC) for the [City of Hughson](#) (City), Wastewater Treatment Plant (WWTP) Upgrade and Expansion (Project), CWSRF Project No. 5139-110.

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

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0047](#))

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

Nay: None

Absent: None

- *4. Consideration of a proposed Resolution to allocate \$600,000 from the Cleanup and Abatement Account (CAA) to the Central Coast Regional Water Quality Control Board (Central Coast Water Board) [to develop and implement hydromodification controls on municipal stormwater discharges in the region and state.](#)

Deferred to a future Board Meeting

Commenter

Darla Inglis, Low Impact Development Center

- *5. Consideration of a proposed Resolution to allocate \$120,000 from the Cleanup and Abatement Account (CAA) to the State Water Resources Control Board's (State Water Board) Division of Water Quality (DWQ) for assistance in [addressing statewide water quality impacts associated with hydromodification](#).

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

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0048](#))

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

Nay: None

Absent: None

- *6. Consideration of a proposed Resolution authorizing the Executive Director to execute an Interagency Agreement with the Department of Public Health to implement [Tulare Lake Basin and Salinas Valley nitrate pilot projects](#).

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

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0049](#))

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

Nay: None

Absent: None

- *7. Consideration of a proposed Resolution Adopting a Statement of Overriding Considerations, and execution of a Clean Water State Revolving Fund (CWSRF) Program Preliminary Funding Commitment (PFC) for the [City of Chico](#) (City) Water Pollution Control Plant (WPCP) Outfall Replacement Project (Project), CWSRF Project No. C-06-4997-120.

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

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0050](#))

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

Nay: None

Absent: None

DIVISION OF FINANCIAL ASSISTANCE

8. Consideration of a proposed Resolution to clarify implementation of [Federal Economic Recovery Legislation for the Clean Water State Revolving Fund](#) (CWSRF) Program. (*Written comments were due on June 10, 2009 by 12 noon.*)

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2009-0051](#))

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

Nay: None

Absent: None

Commenter

Carol Faul, City of Atwater
David Simpson, General Public
Debbie Davis, Environmental Justice Coalition for Water
Desi Alvarez, Gateway Region
Geoff Brosseau, California Stormwater Quality Association
Kristian Foy, City of Long Beach
Martha Guzman, California Rural Legal Assistance Foundation
Phil Bachand, Bachand & Associates

DIVISION OF WATER RIGHTS

9. Consideration of a proposed Order modifying the water quality certification for the Pacific Gas and Electric Company's (PG&E) [Spring Gap-Stanislaus hydroelectric project](#) in response to petitions for reconsideration submitted by PG&E and the Tuolumne Utilities District.

Motion: Member Doduc moved to adopt the proposed Order.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Water Rights Order 2009-0039](#))

Aye Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc

Nay: None

Absent: Member Baggett

Commenters

Allen Green, Friends of Pinecrest
John Buckley, Central Sierra Environmental Resource Center
Jesse Barton, Tuolumne Utilities District
Mark Krausse, Pacific Gas & Electric

DIVISION OF WATER QUALITY

10. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Los Angeles Region to revise the waste load allocations for the [Calleguas Creek Watershed](#) nitrogen compounds and related effects total maximum daily load (TMDL). (*Written comments were due on May 21, 2009 by 12 noon.*)

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

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0052](#))

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

Nay: None

Absent: None

11. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Diego Region to incorporate total maximum daily loads for indicator bacteria at [Baby Beach in Dana Point Harbor and Shelter Island Shoreline Park in San Diego Bay](#). (*Written comments were due on May 28, 2009 by 12 noon.*)

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

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0053](#))

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

Nay: None

Absent: None

OFFICE OF CHIEF COUNSEL

12. Consideration of a proposed Order in the Matter of the Petition of [County of Los Angeles and Los Angeles County Flood Control District](#), Waste Discharge Requirements Order No. R4-2006-0074 Issued by the California Regional Water Quality Control Board, Los Angeles Region (SWRCB/OCC File A-1780). (The State Water Resources Control Board will consider whether to adopt an order upholding the modification to waste discharge requirements.) *(Written comments were due on June 3, 2009 by 12 noon.)*

Commenters

Alexis Strauss, U.S. EPA

Howard Gest, County of Los Angeles & Los Angeles Floor Control District ([presentation](#))

Kirsten James, Heal the Bay & Natural Resources Defense Council

Tatianna Gaur, Santa Monica Baykeeper

Deferred to a future Board Meeting

BOARD HEARING

13. Consideration of a proposed Resolution to adopt non-substantive amendments to the [California Ocean Plan \(Ocean Plan\)](#). *(Written comments were due on June 1, 2009 by 12 noon.)*

Deferred to a future Board Meeting

BOARD MEETING - INFORMATIONAL ITEM

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

ADJOURNED

The Board Meeting adjourned at 12:45 p.m.