



STATE WATER RESOURCES CONTROL BOARD

BOARD MEETING MINUTES

WEDNESDAY, SEPTEMBER 6, 2023

THURSDAY, SEPTEMBER 7, 2023

SIERRA HEARING ROOM

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

The video of the Board Meeting is available to view on our website at: http://www.waterboards.ca.gov/board_info/video.shtml

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Wednesday, September 6, 2023 at 9:32 a.m. with both a physical meeting location and remote location.

BOARD MEMBERS PRESENT

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo; Member Sean Maguire; Member Laurel Firestone; Member Nichole Morgan

BOARD MEMBERS ABSENT

None

EXECUTIVE STAFF PRESENT

Eileen Sobeck, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Eric Oppenheimer, Chief Deputy Director
Courtney Tyler, Clerk to the Board
Emily McShane, Assistant Clerk to the Board
Marji Arjil, Administrative Assistant II (remotely)

ANNOUNCEMENTS

- *Instructions were given in regard to participating in the Remote Meeting.*
- *The Board meeting is being webcasted and recorded.*

BOARD MEETING

Public comments on agenda items will be limited to 5 minutes or otherwise at the discretion of the Board Chair

PUBLIC FORUM

(Approximately 30 minutes at the beginning of Board Meeting and any remaining speakers at the call of the Chair)

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

No Action Taken

Commenters

Sunny Wang, City of Santa Monica

Tien Tran, Community Water Center

Nataly Escobedo Garcia, Leadership Counsel for Justice and Accountability

Tod Hickman, General Public

BOARD BUSINESS

1. The Board will consider adoption of the August 15-16, 2023 Board Meeting minutes.

Motion: Board Member Maguire moved to adopt the August 15-16, 2023 Board Meeting minutes

Seconded by: Board Member Morgan

MOTION CARRIED ([September 6, 2023](#))

Aye: Chair Esquivel
Vice Chair D'Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

UNCONTESTED ITEM

2. Consideration of proposed changes to the Administrator Policy Handbook under the Safe and Affordable Fund for Equity and Resilience program.

Staff Presenting: Andrew Altevogt, Chad Fischer, Bryan Potter

- [Agenda Item](#)
- [Draft Resolution](#)

Motion: Board Member Firestone moved to adopt the proposed Resolution

Seconded by: Vice Chair D'Adamo

MOTION CARRIED ([Resolution No. 2023-0026](#))

Aye: Chair Esquivel
Vice Chair D'Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEMS

3. Current Hydrologic Conditions and Response.

(Staff Presentation) *Staff Presenting: James Nachbaur, Erik Ekdahl, Erin Ragazzi, Marielle Rhodeiro, Karina Herrera*

No Action Taken

Commenters

Nathaniel Kane, Environmental Law Foundation

Nick Joslin, Mount Shasta Bioregional Ecology Center

David Webb, Friends of the Shasta River

Jeff Eisenberg, Siskiyou County Farm Bureau

Cody Phillips, California Coastkeeper Alliance

Konrad Fisher, Water Climate Trust

Regina Chichizola, Save California Salmon

4. Wastewater Needs Assessment Informational Item.
(Staff Presentation) *Staff Presenting: Gregory Pierce (UCLA), Maureen Kerner (CSUS), Samuel Sandoval Solis (UC Davis), Stephanie Torres, Laurel Warddrip,*
 - [Agenda Item](#)

No Action Taken

Commenters

Jared Voskuhl, California Association of Sanitation Agencies

Erick Orellana, Community Water Center

Debbie Mackey, Central Valley Clean Water Association

Craig Johns, California Resource Strategies, Inc

DIVISION OF FINANCIAL ASSISTANCE

5. Consideration of a proposed Resolution to adopt the State Fiscal Year 2023-24 Clean Water State Revolving Fund (CWSRF) Intended Use Plan (IUP) with Supplemental IUP and Guidelines for Complementary Funding from the Budget Acts of 2021, 2022, and 2023 and Propositions 1 and 68.
(Staff Presentation) *Staff Presenting: Michael Downey, Christopher Stevens, Matt Wilson*
 - [Agenda Item](#)
 - [Draft Resolution](#)
 - [CWSRF IUP with Supplemental IUPs](#)
 - [Public Notice](#)
 - [Change Sheet #1](#)
 - Written Comments (were due by noon on June 23, 2023) Additional written comments regarding any subsequent changes may be submitted in accordance with the deadline specified in the “Important Information” section below.
 - [Response to Comments](#)

Motion: Board Member Firestone moved to adopt the proposed Resolution with Change Sheet #1 and additional changes to as read into the record by Michael Downey and Michael Lauffer

Seconded by: Board Member Morgan

MOTION CARRIED ([Resolution No. 2023-0027](#))

Aye: Chair Esquivel
Vice Chair D’Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

Commenters

Andrew Hall, Los Angeles County Sanitation District

Erin Sasse, Elsinore Valley Municipal Water District

Rosario Cortés, WaterReuse California
Joshua Cosgrove, City of Daly City
Dennise Burbank, Olivehurst Public Utility District
Bill Zenoni, City of Wheatland
Craig Johns, California Resource Strategies, Inc
Jared Voskuhl, California Association of Sanitation Agencies
Alexandra Gunnell, San Francisco Public Utilities Commission
Paul Eldredge, Union Sanitary District
Debbie Mackey, Central Valley Clean Water Association

ITEM 6 WILL BEGIN NO EARLIER THAN 1:00 P.M.

DIVISION OF WATER RIGHTS

6. Consideration of a proposed Resolution to approve the final Initial Biological Goals for Lower San Joaquin River Flow Objectives.

(Staff Presentation) *Staff Presenting: Stephen Louie, Erin Foresman, Daniel Worth, David Coupe, Tina Leahy*

- [Agenda Item](#)
- [Draft Resolution](#)
- [Public Notice](#)
- [Draft Final Initial Biological Goals Report](#) and [Data Appendices](#)

Motion: Board Member Morgan moved to adopt the proposed Resolution with Change Sheet #1 and additional changes to Resolved 2 & 3 as read into the record by Michael Lauffer

Seconded by: Vice Chair D'Adamo

MOTION CARRIED ([Resolution No. 2023-0028](#))

Aye: Chair Esquivel
Vice Chair D'Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

Commenters

William L Martin, Sierra Club California
Peter Drekmeier, Tuolumne River Trust
John Buckley, Central Sierra Environmental Resource Center
Julie Zimmerman, The Nature Conservancy
Jon Rosenfield, San Francisco Baykeeper
Brett Baker, Central Delta Water Agency
Cindy Meyer, San Luis and Delta-Mendota Water Authority
Tom Berliner, Duane Morris LLP for Merced Irrigation District
Michael Cooke, Turlock Irrigation District
Cintia Cortez, Restore the Delta
Ashley Overhouse, Defenders of Wildlife

INFORMATIONAL ITEMS

7. Board Member Reports.

No Action Taken.

For full details on each Board Member report, please review the video at [Board Videos | California State Water Resources Control Board](#). It begins at 6:13:30 on the video for the September 6, 2023 Board Meeting.

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

No Action Taken

The Board recessed at 4:50 p.m. until Thursday, September 7, 2023 at 9:30 a.m.

THURSDAY, SEPTEMBER 7, 2023

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Thursday, September 7, 2023 at 9:30 a.m. with both a physical meeting location and remote location.

BOARD MEMBERS PRESENT

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo; Member Sean Maguire; Member Laurel Firestone; Member Nichole Morgan (joined for Item 10 at 12:30 p.m.)

BOARD MEMBERS ABSENT

None

EXECUTIVE STAFF PRESENT

Eileen Sobeck, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Courtney Tyler, Clerk to the Board
Emily McShane, Assistant Clerk to the Board
Beba Maletic, Administrative Assistant II

ANNOUNCEMENTS

- *Instructions were given in regard to participating in the Remote Meeting.*

The Board meeting is being webcasted and recorded.

BOARD WORKSHOP

DIVISION OF WATER QUALITY

9. Public Workshop on a proposed Draft Policy to Standardize Cost Reporting in Municipal Stormwater Permits.

(Staff Presentation) *Staff Presenting: Amanda Magee, Nabiul Afrooz, Catherine Hagan*

- [Agenda Item](#)
- [Draft Policy](#)
- [Staff Report](#)
- [Revised Public Notice](#)
- Written Comments (due by noon on October 3, 2023)

No Action Taken

Commenters

Karen Cowan, California Stormwater Quality Association

Heidi Niggemeyer, City of Salinas

Sean McNeil, City of Santa Rosa with CASQA

Lisa Moretti, City of Sacramento on behalf of the Sacramento Stormwater Quality Partnership

*Bruce Hamamoto, Los Angeles County Public Works
Amanda Carr, County of Orange
Sean Bothwell, California Coastkeeper Alliance*

DIVISION OF DRINKING WATER

10. Administrative Procedure Act Public Hearing to receive public comments on the proposed regulations for direct potable reuse.

(Staff Presentation) *Staff Presenting: Randy Barnard*

- [Agenda Item](#)
- [Proposed Regulations](#)
- [Initial Statement of Reasons](#)
- [Revised Public Notice](#)
- Written Comments (due by noon on September 8, 2023)

No Action Taken

WaterReuse Panel:

*Dave Pedersen, Las Virgenes Municipal Water District
Rick Callender, Valley Water
David Pettijohn, Los Angeles Department of Water and Power
Deven Upadhyay, Metropolitan Water District of Southern California
Shane Trussell, Trussell Technologies, Inc*

Commenters

*Mark Gold, Natural Resources Defense Council
Sean Bothwell, California Coastkeeper Alliance
Sunny Wang, City of Santa Monica
Darlene Schanfald, General Public
Jim Stahl, Environmental Engineer
Jessica Cleaver, San Diego County Water Authority
David Larsen, Moulton Niguel Water District
Sharon Green, Los Angeles County Sanitation Districts
Heather Collins, Metropolitan Water District of Southern California
Stephen Pang, Association of California Water Agencies*

ADJOURNMENT

The Board adjourned at 2:53 p.m.

CLOSED SESSION

Closed Sessions are not open to the Public and may occur on either or both days

ADMINISTRATIVE HEARINGS OFFICE

The Board may meet in closed session to deliberate on the July 7, 2023 revised proposed order prepared by the Administrative Hearings Office (AHO) on the draft Cease and Desist Order issued by the Assistant Deputy Director for the Division of Water Rights Permitting and Enforcement Branch to BlueTriton Brands, Inc., and on BlueTriton's June 2 and June 26, 2023 requests to set aside the proposed order and June 2, 2023 motion to stay further action. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

The Board did meet in Closed Session on the above item on day 1.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. (Noon) on August 31, 2023 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on August 31, 2023 and will not be accepted after that time.**

Submittals are to be sent via e-mail to the Clerk to the Board at commentletters@waterboards.ca.gov. Please indicate in the subject line, **09/06-07/2023 BOARD MEETING – ITEM # (fill in bolded subject from appropriate item)**. If you have questions about the agenda, contact the Clerk to the Board at (916) 341-5600.

If you would like to request a copy of public comments submitted on an agenda item, please send a request to commentletters@waterboards.ca.gov, identifying the Board meeting date, and agenda item by name and number.

Agenda and items will be available electronically at:
http://www.waterboards.ca.gov/board_info/calendar/index.shtml

* Items on the uncontested items calendar may be removed at the request of any Board member or person. If an item is removed from the uncontested items calendar, it will only be voted on at this meeting if the Board accepts the staff recommendation for the agenda item. Otherwise, the item will be continued to a subsequent board meeting to allow input by interested persons.

Video broadcast of meetings will be available at: <https://video.calepa.ca.gov/>. An alternate live-stream broadcast will also be available at: <https://www.youtube.com/user/BoardWebSupport/>

LANGUAGE SERVICES

For oral interpretation, written translation, or sign language services, please call (916) 341-5254 or e-mail: opp-languageservices@Waterboards.ca.gov (at least 7 calendar days before the date of the Board meeting).

ACCESSIBILITY

Telecommunications device for the deaf (TDD) users may contact the California Relay Service at: (800) 735-2929 or voice line at (800) 735-2922.