

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
AUGUST 21-22, 2012**

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/.

CALL TO ORDER

Chairman Hoppin called the meeting to order on August 21, 2012 at 9:03 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 Tam M. Doduc; Member Steven Moore, Member Felicia Marcus

STAFF PRESENT

Tom Howard, Executive Director	Shahla Farahnak, Division of Water Quality
Michael Lauffer, Chief Counsel	Robert Solecki, Division of Water Quality
Caren Trgovcich, Chief Deputy Director	Vicky Whitney, Division of Water Quality
Jonathan Bishop, Chief Deputy Director	Debra Denton, Division of Water Quality
Jeanine Townsend, Clerk to the Board	Rik Rasmussen, Division of Water Quality
James Herink, Office of Chief Counsel	Brian Ogg, Division of Water Quality
Marleigh Wood, Office of Chief Counsel	Paul Hann, Division of Water Quality
Liz Haven, Division of Financial Assistance	Joanna Jensen, Division of Water Quality
Leslie Laudon, Division of Financial Assistance	Kevin Graves, Division of Water Quality
Gita Kaphai, Office of Public Participation	Maria de la Paz Carpio-Obeso, Division of Water Quality
Christine Sotelo, Office of Public Participation	Dominic Gregorio, Division of Water Quality
Karen Larsen, Office of Information Management & Analysis	Emily Siegel, Division of Water Quality
Eric Oppenheimer, Office of Research, Planning & Performance	Johanna Weston, Division of Water Quality
Rafael Maestu, Office of Research, Planning & Performance	George Kostyrko, Office of Public Affairs

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 5 minutes or otherwise at the discretion of the Board Chairman

PRESENTATION OF SUSTAINED SUPERIOR ACCOMPLISHMENT AWARDS

- ❖ *Liz Haven, Deputy Director of the Division of Financial Assistance presented the Sustained Superior Accomplishment Award to the Bond Fiscal Crisis Response Team: Wendy Westerman, Monica Torres, Pam Biggins, James Herink, Barbara Walton, Karen Stripling, Michele Morrow, Romana Wortell, Carolyn Saputo, Michele Stebbins, & Melissa Miller.*

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

James Simonelli, Water Coalition

BOARD BUSINESS

1. The Board will consider adoption of the July 17-18, 2012 and August 7-8, 2012 Board Meeting minutes.

No Action Taken – Deferred to future Board Meeting.

2. Board Member Report.

None

UNCONTESTED ITEMS* (Items 3 & 4)

- *3. Consideration of a proposed Order regarding adoption of new [Waste Discharge Requirements for Southern California Edison's Antelope Transmission Project Segment 3b](#). *(Written comments were due on August 17, 2012 by 12 noon.)*

- [Change Sheet #1](#)

Motion: Vice Chair Spivy-Weber moved to adopt the proposed Resolution with changes proposed in Change Sheet #1.

Seconded by: Member Marcus

MOTION CARRIED: ([Water Quality Order No. 2012-0007-DWQ](#))

Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member Marcus

Nay: None

Absent: None

Abstain: None

- *4. Consideration of a proposed Resolution approving non-regulatory amendments to administratively update the [Water Quality Control Plan for the Los Angeles Region to: \(1\) update Chapter 2 "Beneficial Uses" by incorporating previously adopted amendments, and updated surface and groundwater maps and corresponding beneficial use tables, and \(2\) add Chapter 7 "Total Maximum Daily Loads" \(TMDLs\) by incorporating previously adopted TMDLs](#). *(Written comments were due on July 12, 2012 by 12 noon.)*

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

Seconded by: Member Marcus

MOTION CARRIED: ([Resolution No. 2012-0041](#))

Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member Marcus

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEM

5. Staff presentation of a proposed workplan for assessing costs of compliance and follow-up actions related to the [April 2012 Resource Alignment Report](#).

No Action Taken

- ❖ *Eric Oppenheimer and Rafael Maestu both with the Office of Research, Planning & Performance made the presentation to the Board.*

Commenters

*Bobbi Larson, California Association of Sanitation Agencies
Lorien Fono, Bay Area Clean Water Agencies
Danny Merkley, California Farm Bureau Federation*

PUBLIC HEARING

No final action will be taken at the Hearing on Item 6

DIVISION OF WATER QUALITY

6. The State Water Board will hold a Public Hearing on the [Draft Policy for Toxicity Assessment and Control and Associated Substitute Environmental Document](#). (*Written comments were due on August 21, 2012 by 12 noon.*) ([Staff Presentation](#))

No Action Taken

Commenters

*Randal Friedman, U.S Department of Defense
Kirsten James, Heal the Bay
Tess Dunham, Somach, Simmons, & Dunn
Bobbi Larson, California Association of Sanitation Agencies
Nancy Woo, U.S. EPA, Region 9
Bryn Phillips, U.C. Davis
Craig Johns, California Resource Strategies
James Ervin, San Jose/Santa Clara Water Pollution Control Plant
Laura Pagano, San Francisco Public Utilities Commission
Jim Kelly, Bay Area Clean Water Agencies
Lorien Fono, Bay Area Clean Water Agencies
Shar Magilione, Napa Sanitation District
Monica Oakley, City of Palo Alto
Kevin Buchan, Western States Petroleum Association
Melissa Thorne, San Bernardino Municipal Water Department
Lysa Voight, Sacramento Regional County Sanitation District
Debbie Webster, Central Valley Clean Water Association
Danny Merkley, California Farm Bureau
Dan Jackson, East Bay Municipal Utility District
Tim Potter, Central Contra Costa Sanitary District
Beverly James, Novato Sanitary District*

INFORMATIONAL ITEMS

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

No Action Taken – This item was taken up after Item 5

8. Discussion of Board Member priorities and next steps concerning Strategic Plan.

No Action Taken

Wednesday, August 22, 2012

CALL TO ORDER

Chairman Hoppin called the meeting to order on August 22, 2012 at 9:04 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 Tam M. Doduc; Member Steven Moore, Member Felicia Marcus

BOARD WORKSHOPS

No final action will be taken at the Workshops on Item 9 & 10

Item 9 Workshop will begin at 9:00 a.m.

9. The State Water Board will hold a Public Workshop to provide information about proposed amendments to the [Water Quality Control Plan for Ocean Waters of California \(Ocean Plan\)](#) and the [Water Quality Control Plan for Enclosed Bays and Estuaries of California to address Desalination Facilities and Brine Disposal](#).

No Action Taken

Panelists

Steve Bay, Southern California Coastal Water Research Project ([Presentation](#))
Michael Foster, Moss Landing Marine Laboratories ([Presentation](#))
Bryn Phillips, U.C. Davis ([Presentation](#))
Richard Nagel, Cal Desal & West Basin Municipal Water District
Paul Shoenberger, Mesa Water
Angela Kelley, Natural Resources Defense Council ([Presentation \(1\)](#) [\(2\)](#) [\(3\)](#))
Sarah Sikich, Heal the Bay
Sean Bothwell, California Coastkeeper Alliance
Joe Geever, Surfrider Foundation

Commenters

Jack Monger, Industrial Environmental Association
Peter MacLaggan, Poseidon Resources ([Presentation](#))
Michael Welch, Poseidon Resources
Chris Garrett, Poseidon Resources
David Mayer, Poseidon Resources
Dan Cartamil, Poseidon Resources
Tom Luster, California Coastal Commission
Lesley Dobalian, San Diego County Water Authority
Gary Arant, Valley Center Municipal Water District
Patricia Chen, South Coast Water District
Betty Burnett, South Coast Water District
Leila Monroe, Natural Resources Defense Council
Warren Teitz, Metropolitan Water District of Southern California
David Bolland, Association of California Water Agencies

Item 10 Workshop will begin at 1:00 p.m.

10. The State Water Board will hold a Public Workshop to provide information about proposed amendments to the [Water Quality Control Plan for Ocean Waters of California \(Ocean Plan\) for designating State Water Quality Protection Areas to protect Marine Protected Areas, Model Monitoring, Vessel Waste Discharges, and non-substantive amendments.](#) (Written comments ([MMA Comments](#)) ([MPA Comments](#)) were due on August 31, 2012 by 12 noon.) ([Staff Presentation](#))

No Action Taken

Commenters

Brad Fowler, Cities of Dana Point & Laguna Beach and County of Orange

Phil Friess, Sanitation Districts of Los Angeles County

Sara Sikich, Heal the Bay

Sara Aminzadeh, California Coastkeeper Alliance

Joe Geever, Surfrider Foundation

Betty Burnett, South Orange County Wastewater Authority

ADJOURNMENT

The Board adjourned at 3:20 p.m.

CLOSED SESSION

Closed Session are not open to the Public

OFFICE OF CHIEF COUNSEL

The Board will meet in closed session to discuss the status of and receive legal advice concerning Young v. State Water Resources Control Board (Third District Court of Appeal, Case No. C068559). This closed session is authorized under Government Code section 11126, subdivision (e).

DIVISION OF WATER RIGHTS

~~The Board will meet in closed session to deliberate on a proposed order pertaining to Petitions for Reconsideration of State Water Board Order WR 2011-0005 regarding a Cease and Desist Order issued to Woods Irrigation Company for diversion from Middle River in San Joaquin County. This closed session is authorized under Government Code section 11126, subdivision (c)(3).~~

PERSONNEL

The Board will meet in closed session to discuss the appointment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another employee unless the employee requests a public hearing. (This closed session is authorized under Government Code section 11126, subdivision (a)(1).)

The Board did not meet in Closed Session on these items.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on August 16, 2012, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on August 16, 2012, 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, "**8/21-22/12 BOARD MEETING/HEARING/WORKSHOP (fill in bolded subject from appropriate item).**" If you have questions about the agenda, contact the Clerk to the Board at (916) 341-5600.

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: <http://www.calepa.ca.gov/Broadcast/>.

For a map to our building, visit: <http://www.calepa.ca.gov/EPABldg/location.htm>. For security purposes, all visitors are required to sign in and receive a badge prior to entering the building. Valid picture identification may be required due to the security level so please allow up to 15 minutes for this process. Individuals who require special accommodations are requested to contact the Office of Employee Assistance, at (916) 341-5881.