



**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING MINUTES  
TUESDAY, APRIL 18, 2023**

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/](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](http://www.waterboards.ca.gov/board_info/video.shtml)

**CALL TO ORDER**

Chair Joaquin Esquivel called the meeting to order on Tuesday, April 18, 2023 at 9:33 a.m. with both a physical meeting location and remote location.

**BOARD MEMBERS PRESENT**

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo (arrived at 9:40 a.m.); Member Sean Maguire (remote); Member Nichole Morgan

**BOARD MEMBERS ABSENT**

Member Laurel Firestone

**EXECUTIVE STAFF PRESENT**

Eileen Sobeck, Executive Director  
Michael Lauffer, Chief Counsel  
Jonathan Bishop, Chief Deputy Director  
Courtney Tyler, Clerk to the Board  
Marji Arjil, 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 MEETING**

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

**PRESENTATION OF SUPERIOR ACCOMPLISHMENT AWARDS**

- *Deputy Director Karen Mogus, with the Division of Water Quality, presented a Superior Accomplish Award to Kevin Porzio and Bryan Moore for their contributions to the Cannabis Cultivation Program.*

## **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**

*Erick Orellana, Community Water Center*

*Sandra Spargo, General Public*

## **BOARD BUSINESS**

1. The Board will consider adoption of the April 4, 2023 Board Meeting minutes.

**Motion:** Board Member Morgan moved to adopt the proposed minutes.

**Seconded by:** Vice Chair D'Adamo

**MOTION CARRIED:** ([April 18, 2023](#))

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

**Nay:** None

**Absent:** Member Firestone

**Abstain:** None

## **UNCONTESTED ITEMS\***

2. Consideration of a proposed Resolution authorizing the Deputy Director of the Division of Financial Assistance and Deputy Director's designee to execute and amend funding agreements for water recycling research and development.

*Staff Presenting: Laura McLellan, Claire Waggoner, Anthony Austin, Christopher Stevens, Annalisa Kihara, Karen Mogus*

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

**Motion:** Vice Chair D’Adamo moved to adopt the proposed Resolution.

**Seconded by:** Board Member Morgan

**MOTION CARRIED:** ([Resolution No. 2023-0009](#))

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

**Nay:** None

**Absent:** Member Firestone

**Abstain:** None

3. Consideration of a proposed Resolution to authorize the Deputy Director of the Division of Financial Assistance and Deputy Director’s designee to execute and amend grant agreements administering an allocation from the Budget Act of 2022 for Deep Water Intake Location Desalination Study.

*Staff Presenting: Laura McLellan, Claire Waggoner, Anthony Austin, Christopher Stevens, Annalisa Kihara, Karen Mogus*

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

**Motion:** Vice Chair D’Adamo moved to adopt the proposed Resolution.

**Seconded by:** Board Member Morgan

**MOTION CARRIED:** ([Resolution No. 2023-0010](#))

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

**Nay:** None

**Absent:** Member Firestone

**Abstain:** None

### **INFORMATIONAL ITEM**

4. Current Hydrologic Conditions and Response.

*Staff Presenting: Jessica Bean*

**No Action Taken**

### **Commenters**

*Kjia Rivers, Community Water Center*

## **ADMINISTRATIVE HEARINGS OFFICE**

5. Consideration of a proposed Order prepared by the Administrative Hearings Office (AHO) on the petition for reconsideration by the City of Stockton of State Water Board [Order WR 2022-0176](#), which denied and, in the alternative, canceled Stockton's water right Application 30531B.

*Staff Presenting: Nicole Kuenzi, Andy Sawyer*

- [Agenda Item](#)
- [Proposed Order](#)
- [Notice of Petition for Reconsideration](#)

**Motion:** Vice Chair D'Adamo moved to adopt the proposed Resolution with the spelling correction on page 13 of the proposed Order.

**Seconded by:** Board Member Morgan

**MOTION CARRIED:** ([Order No. WR 2023-0016](#))

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

**Nay:** None

**Absent:** Member Firestone

**Abstain:** None

### **Commenters**

*Carissa Beecham, Kronick Moskovitz Tiedemann & Girard on behalf of San Luis & Delta-Mendota Water Authority*

## **DIVISION OF FINANCIAL ASSISTANCE**

6. Consideration of a proposed Resolution to adopt Comprehensive Project and Fundable Project Lists for the Site Cleanup Subaccount Program (SCAP) and delegate authority to the Deputy Director of the Division of Financial Assistance to amend the lists, approve expenditures and project funding, execute grant agreements, contracts, and amendments, refer actions to the Attorney General, and to perform other necessary actions.

*Staff Presenting: Joe Karkoski, Ben Heningburg, Cheryl Prowell, Craig Sanchez, Julie Osborn*

- [Agenda Item](#)
- [Draft Resolution](#)
- [Change Sheet #1](#)

**Motion:** Board Member Morgan moved to adopt the proposed Resolution with Change Sheet #1 and new Resolved #6 and #15 as read into the record by Michael Lauffer.

**Seconded by:** Vice Chair D'Adamo

**MOTION CARRIED:** ([Resolution No. 2023-0011](#))

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

**Nay:** None

**Absent:** Member Firestone

**Abstain:** None

### **Commenters**

*Edward Firestone, Attorney at Law on behalf of multiple clients*

*Earl James, EKI Environment & Water*

*Chris Mathys, General Public*

*Karen Gruebel, EKI Environment & Water, Inc,*

*Suzanne Varco, Varco & Rosenbaum Environmental Law Group*

*Chris Callegari, General Public*

*John Capobianco, General Public*

*Mark Nadim, General Public*

*Sally Chang, General Public*

*Greg McIver, RMD/Citadel*

*Dave Reinsma, Trinity Source Group, Inc*

*Russ Sturm, Central Assembly of Richmond*

*Wyatt Ptak, Central Assembly of Richmond*

### **OFFICE OF ENFORCEMENT**

7. Public hearing to consider proposed amendments to the Water Quality Enforcement Policy.

*Staff Presenting: David Boyers, Catherine Hawe, Bryan Elder*

- [Agenda Item](#)
- Written Comments (due by noon on April 28, 2023)

### **No Action Taken**

### **Commenters**

*Benjamin Harris, Los Angeles Waterkeeper*

*Michelle Chester, Central Valley Clean Water Association*

*Erick Orellana, Community Water Center*

*Cody Phillips, California Coastkeeper Alliance*

*Jared Voskuhl, California Association of Sanitation Agencies*

## **DIVISION OF WATER QUALITY**

8. Consideration of adoption of a proposed Resolution and Amendments to the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems and Conditional Waiver Renewal.

*Staff Presenting: Stephanie Torres, Laurel Warddrip, Gheed Abdul Sattar, Tim Regan, Patrick Pulupa, Adam Laputz, Scott Couch*

- [Agenda Item](#)
- [Draft Resolution](#)
- [Draft OWTS Policy](#)
- [Draft OWTS Policy Staff Report](#)
- Written Comments (due by 12 noon on November 1, 2022)
- [Response to Comments](#)

**Motion:** Board Member Morgan moved to adopt the proposed Resolution with new Resolved #5.

**Seconded by:** Vice Chair D'Adamo

**MOTION CARRIED:** ([Resolution No. 2023-0012](#))

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

**Nay:** None

**Absent:** Member Firestone

**Abstain:** None

### **Commenters**

*Bob Gore, The Gualco Group*

*David Lentz, Infiltrator Water Technologies*

*Cody Phillips, California Coastkeeper Alliance*

## **INFORMATIONAL ITEM**

9. Board Member Reports.

For full details on each Board Member report, please review the video at [Board Videos | California State Water Resources Control Board](#). It begins at 5:30:45 on the video for the April 18, 2023 Board Meeting

## **ADJOURNMENT**

The Board adjourned at 3:11p.m.

## **CLOSED SESSION**

Closed Sessions are not open to the Public

### **ADMINISTRATIVE HEARINGS OFFICE**

The Board may meet in closed session to deliberate on the proposed order prepared by the Administrative Hearings Office (AHO) on the petition for reconsideration by the City of Stockton of State Water Board Order WR 2022-0176, which denied and, in the alternative, canceled Stockton's water right Application 30531B. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

**The Board did not meet in Closed Session on the above Item.**

### **IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. (Noon) on April 13, 2023 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on April 13, 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](mailto:commentletters@waterboards.ca.gov). Please indicate in the subject line, **04/18/2023 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](mailto: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](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/>

Individuals who require special accommodations are requested to contact the Clerk to the Board, (916) 341-5600.