



STATE WATER RESOURCES CONTROL BOARD

BOARD MEETING MINUTES

TUESDAY, MARCH 7, 2023

WEDNESDAY, MARCH 8, 2023

COASTAL 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 Tuesday, March 7, 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; Member; 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, Acting Clerk to the Board
Meredith Thompson, Staff Services Manager I

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

Tien Tran, Community Water Center

Manny Solis, I B E W (comments related to Item 2)

BOARD BUSINESS

1. The Board will consider adoption of the February 22, 2023 Board Meeting minutes.

Motion: Board Member Morgan moved to adopt the February 22, 2023 minutes

Seconded by: Board Member Maguire

MOTION CARRIED ([March 7, 2023](#))

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

Nay: None

Absent: None

Abstain: Member Firestone

DIVISION OF WATER QUALITY

2. Public Hearing on the Proposed Amendment to the Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling to Extend the Compliance Dates for Alamitos, Huntington Beach, Ormond Beach, and Scattergood Generating Stations. ([Staff Presentation](#))

Staff Presenting: Jonathan Dolan, Katherine Walsh, Rebecca Fitzgerald, Catherine Hagan, Phil Crader

- [Agenda Item](#)
- [Draft Amendment](#)
- [Draft Staff Report](#)
- Written Comments (due by noon on March 17, 2023)

No Action Taken

Commenters

Matt Botill, California Air Resources Board

Eric Watts, GenOn Energy

Annelisa Ehret Moe, Heal the Bay

Alexander Nguyen, City of Oxnard

Mark Miller, AES Corporation

Jill Zamek, San Luis Obispo Mothers for Peace

Katie Mills, TreePeople

Benjamin Harris, Los Angeles Waterkeeper

Joseph Geever, Los Cerritos Wetlands Land Trust
Zach Strasters, CREED LA
Samuel Nieto, General Public
Paul Moreno, Ironworkers 433
Desiree Valencia, General Public
Carlos Valtierra, Anchor Church
Omar Galindo, UA Plumbers 78
John Newton, East Bay Community Energy Authority (EBCE)
Dwight Scott, SMART Local 105
Martin Marrufo, IBEW Local 18
Sean Bothwell, California Coastkeeper Alliance
Gus Torres, UA Local 250

ITEM 3 WILL NOT BEGIN BEFORE 1:00 P.M.

INFORMATIONAL ITEM

3. Update on the Clear Lake hitch emergency. ([Staff Presentation](#))
Staff Presenting: Erik Ekdahl, Jessica Bean, Valerie Zimmer, Amanda Pearson, Anu Krishnaswamy, Andy Sawyer, Patrick Pulupa, Ron Montez, Sr. (Big Valley Band of Pomo Indians), Felipe La Luz (CDFW), Wade Crowfoot (CNRA), Christine Birdsong (CDFA), Will Weiss (Bella Vista Farming), Rebecca Harper (Lake County Farm Bureau), Luis Santana (Robinson Rancheria of Pomo Indians), Sarah Ryan (Big Valley Band of Pomo Indians)
 - [Agenda Item](#)

No Action Taken

Commenters

Collin Chandler, California Farm Bureau Federation
Noelle Cremers, Wine Institute (also speaking on behalf of Carolyn Wasem and Susanne Zechiel)
Joseph Weber, Big Valley Housing Chairman
Broc Zoller, Lake County Farmer since 1982; Lake County Agricultural Pest Control Adviser since 1972
Fred Briones, Big Valley Rancheria
Alicia Castellanos, Big Valley Rancheria
Marlon Jack, Big Valley Rancheria

The Board recessed at 4:50 p.m. until Wednesday, March 8, 2023 at 9:30 a.m.

WEDNESDAY, MARCH 8, 2023

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Wednesday, March 8, 2023 at 9:45 a.m. with both a physical meeting location and remote location.

BOARD MEMBERS PRESENT

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo; Member; 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, Acting Clerk to the Board
Meredith Thompson, Staff Services Manager I

ANNOUNCEMENTS

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

UNCONTESTED ITEM*

4. Consideration of proposed minor changes to the Administrator Policy Handbook to award funds to an administrator on behalf of a designated water system under the Safe and Affordable Fund for Equity and Resilience (SAFER) program.
Staff Presenting: Bryan Potter, Darrin Polhemus
 - [Agenda Item](#)
 - [Draft Resolution](#)
 - [Administrator Policy Handbook 2023-01 Revision](#)

Motion: Board Member Morgan moved to adopt the proposed Resolution

Seconded by: Vice Chair D'Adamo

MOTION CARRIED ([Resolution 2023-0005](#))

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

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEMS

5. Drought Update and Current Hydrologic Conditions. ([Staff Presentation](#))
Staff Presenting: Jessica Bean, Christina Raynard

No Action Taken

6. Update on monthly water production and conservation data reported by urban retail water suppliers. ([Staff Presentation](#)) *Staff Presenting: Marielle Rhodeiro, Charlotte Ely, David Rose*

No Action Taken

DIVISION OF FINANCIAL ASSISTANCE

7. Consideration of a resolution to adopt the Guidelines for the Expedited Drinking Water Grant Funding Program (Guidelines). ([Staff Presentation](#))
Staff Presenting: Meghan Tosney, Pete Stamas, Jean Fung
- [Agenda Item](#)
 - [Draft Resolution](#)
 - Guidelines ([Strikethrough](#) | [PDF](#))
 - Written Comments (due by noon on February 10, 2023)
 - [Response to Comments](#)
 - [Change Sheet #1](#)

Motion: Board Member Firestone moved to adopt the proposed Resolution with Change Sheet #1

Seconded by: Board Member Morgan

MOTION CARRIED ([Resolution 2023-0006](#))

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

Nay: None

Absent: None

Abstain: None

Commenters

Erick Orellana, Community Water Center

ADMINISTRATIVE HEARINGS OFFICE

8. Consideration of proposed order prepared by the Administrative Hearings Office (AHO) on the Administrative Civil Liability Complaint issued by the Assistant Deputy Director for the Division of Water Rights Permitting and Enforcement Branch to Stephen David Griset for failure to submit online diversion curtailment forms for Water Right IDs SG005923 and SG005924. ([Staff Presentation](#))
Staff Presenting: Alan Lilly, Andy Sawyer

- [Agenda Item](#)
- [Proposed Order](#)
- [Change Sheet #1](#)
- [Change Sheet #2](#)

Motion: Board Member Firestone moved to adopt the proposed Order with Change Sheets #1 & #2

Seconded by: Board Member Morgan

MOTION CARRIED ([Order WR 2023-0009](#))

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

Nay: None

Absent: None

Abstain: None

Commenters

John Do, ACLU of Northern California

Julé Rizzardo, State Water Resources Control Board- Division of Water Rights

Prosecution Team

DIVISION OF DRINKING WATER

9. Consideration of a resolution adopting the proposed prioritization of drinking water regulations development for Calendar Year 2023. ([Staff Presentation](#))
Staff Presenting: Melissa Hall, Darrin Polhemus, Randy Barnard, Matthew Carr, Andy Sawyer

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

Motion: Board Member Maguire moved to adopt the proposed Resolution

Seconded by: Board Member Morgan

MOTION CARRIED ([Resolution 2023-0007](#))

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

Nay: None

Absent: Chair Esquivel

Abstain: None

INFORMATIONAL ITEMS

10. 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 6:11:49 on the video for the March 8, 2023 Board Meeting.

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

No Action Taken

ADJOURNMENT

The Board adjourned at 3:49 p.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 Administrative Civil Liability Complaint issued by the Assistant Deputy Director for the Division of Water Rights Permitting and Enforcement Branch to Stephen David Griset for failure to submit online diversion curtailment forms for Water Right IDs SG005923 and SG005924. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

The Board met in Closed Session on the above Item.

The Board may meet in closed session to deliberate on the proposed order being 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. 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 March 2, 2023 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on March 2, 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, **03/07-08/2023 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:
https://www.waterboards.ca.gov/board_info/calendar/index.html

* 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 at (916) 341-5600.