

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING MINUTES  
AUGUST 16, 2011**

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/).

**CALL TO ORDER**

Chairman Hoppin called the meeting to order on August 16, 2011 at 9:04 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2<sup>nd</sup> Floor, Sacramento, California.

**BOARD MEMBERS PRESENT**

Chairman Charlie Hoppin, Vice Chair Frances Spivy-Weber; Member Tam M. Doduc

**STAFF PRESENT**

Caren Trgovcich, Chief Deputy Director	Jeanine Townsend, Clerk to the Board
Michael Lauffer, Chief Counsel	Russell Norman, Division of Water Quality
Lori, Okun, Office of Chief Counsel	Victor Lopez, Division of Water Quality
Stacy Gillespie, Office of Chief Counsel	Kevin Graves, Division of Water Quality
David Rose, Office of Chief Counsel	Paul Hann, Division of Water Quality
Anne Hartridge, Office of Chief Counsel	Rik Rasmussen, Division of Water Quality
Nathan Jacobsen, Office of Chief Counsel	Ken Harris, Division of Water Quality
Reed Sato, Office of Enforcement	Shahla Farahnak, Division of Water Quality
Jim Fisher, Office of Enforcement	Peter Martin, Division of Water Quality
Leslie Laudon, Division of Financial Assistance	Jennifer Watts, Division of Water Rights
Christopher Stevens, Division of Financial Assistance	Les Grober, Division of Water Rights
Jim Maughan, Division of Financial Assistance	Jim Kassel, Division of Water Rights
George Kostyrko, Office of Public Affairs	Erin Ragazzi, Division of Water Rights
Gita Kapahi, Office of Public Participation	Eric Oppenheimer, Office of Research, Planning & Performance
Craig Wilson, Office of Delta Watermaster	Rafael Maestu, Office of Research, Planning & Performance

**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 3 minutes or otherwise at the discretion of the Board 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.

**None**

**BOARD BUSINESS**

1. The Board will consider adoption of the July 19, 2011 Board Meeting minutes.

**Motion:** Member Doduc moved to adopt the minutes from the July 19, 2011 Board Meeting.

**Seconded by:** Vice Chair Spivy-Weber

**MOTION CARRIED:** ([July 19, 2011](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc

**Nay:** None

**Abstain:** None

**Absent:** None

2. Board Member Report.

**None**

**UNCONTESTED ITEMS\* (Items 3-7)**

- \*3. Consideration of a proposed Resolution finding that the [North-Of-the-Delta Offstream Storage Investigation Project](#) , proposed to be funded by the Department of Water Resources under the Safe, Clean, Reliable Water Supply Act (Proposition 204), will assist in the implementation of the 2006 Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary.

**Motion:** Chair Hoppin moved to adopt the proposed Resolution.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2011-0034](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc

**Nay:** None

**Abstain:** None

**Absent:** None

- \*4. Consideration of a proposed Resolution clarifying the [future senior debt requirements](#) in the Policy for Implementing the Clean Water State Revolving Fund for Construction of Wastewater Treatment Facilities as related to Principal Forgiveness financing.

**This Item was removed from Uncontested Items. No Action Taken – Deferred to Future Board Meeting**

- \*5. Consideration of a proposed Resolution approving amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins establishing site specific objectives for chloroform, chlorodibromomethane, and dichlorobromomethane, for [New Alamo and Ulatis Creeks, Solano County](#), and permit implementation provisions. (*Written comments were due on July 8, 2011 by 12 noon.*)

**This Item was removed from Uncontested Items.**

- [Response to Comments](#)

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

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2011-0036](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc

**Nay:** None

**Abstain:** None

**Absent:** None

**Commenters**

*Tony Pirondini, City of Vacaville*

- \*6 Consideration of a proposed Resolution to allocate \$447,729 from the Cleanup and Abatement Account to fund design and engineering for the [Airport District Septic to Sanitary Sewer Project](#).

**Motion:** Chair Hoppin moved to adopt the proposed Resolution.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2011-0035](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc

**Nay:** None

**Abstain:** None

**Absent:** None

**Commenters**

*Esmeralda Soria, CRLA Foundation*

*Hortencia Franco, General Public*

- \*7. Consideration of a proposed Resolution to allocate \$296,830 from the Cleanup and Abatement Account to fund design and engineering for the [Shackelford \(Parklawn Neighborhood\) Septic to Sanitary Sewer Project](#).

**Motion:** Chair Hoppin moved to adopt the proposed Resolution.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2011-0037](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc

**Nay:** None

**Abstain:** None

**Absent:** None

**Commenters**

*Esmeralda Soria, CRLA Foundation*

*Hortencia Franco, General Public*

**DIVISION OF WATER QUALITY**

- ~~8. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Los Angeles Region to incorporate a total maximum daily load for indicator bacteria in the [Santa Clara River Estuary and reaches 3, 5, 6 and 7](#). (Written comments were due on July 28, 2011 by 12 noon.)~~

**PULLED – DEFERRED TO A FUTURE BOARD MEETING**

9. Consideration of a draft Order granting petitions seeking [underground storage tank case closure](#). (Written comments were due on August 1, 2011 by 12 noon.)

- [Change Sheet #1](#)

**Motion:** Member Doduc moved to adopt the proposed Order with changes proposed by Staff in Change Sheet #1.

**Seconded by:** Vice Chair Spivy Weber

**MOTION CARRIED:** ([Water Quality Order 2011-0011](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc

**Nay:** None

**Abstain:** None

**Absent:** None

## **DIVISION OF WATER RIGHTS**

10. Consideration of a proposed Resolution to amend Resolution No. 2010-0024 regarding the [Section 401 Water Quality Certification Application for the Klamath Hydroelectric Project](#).

- [Comment Letters](#)

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

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2011-0038](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc

**Nay:** None

**Abstain:** None

**Absent:** None

### **Commenters**

*Alexandra Borack, Friends of the River*

*Hayley Hutt, Hoopa Tribe*

*Patrick Higgins, Resighini Rancheria*

*Robert Donlan, Pacificorp*

*Ronald Stork, Friends of the River*

## **INFORMATIONAL ITEMS**

11. Update by the [Office of Delta Watermaster](#) on water issues within the Delta. ([Staff Presentation](#))

### **No Action Taken**

12. Annual compliance update for the [Statewide Sanitary Sewer Overflow Reduction Program](#). ([Staff Presentation](#))

### **No Action Taken**

### **Commenters**

*Terri Mitchell, Sacramento Area Sewer District*

13. Water Boards' [2010 Annual Enforcement Report](#). ([Staff Presentation](#))

### **No Action Taken**

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

### **No Action Taken**

## **ADJOURNMENT**

The Board adjourned at 11:50 a.m.

## CLOSED SESSION

Closed Sessions are not open to the Public

### DIVISION OF WATER RIGHTS

(These are authorized under Government Code section 11126, subdivision (c)(3).)

- The Board will meet in closed session to deliberate on a decision to be reached 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.
- The Board will meet in closed session to deliberate on a decision to be reached pertaining to the matter of the threat of an unauthorized diversion of water pursuant to a claim of pre-1914 appropriative rights by Thomas Hill, Steven Gomes, and Millview County Water District. A proposed cease and desist order, issued to Thomas Hill, Steven Gomes, and Millview County Water District on April 10, 2009, is the subject of an evidentiary hearing before hearing officers of the Board

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

#### **IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on August 11, 2011, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on August 11, 2011, 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, "**8/16/2011 BOARD MEETING (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](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.