

# STATE WATER RESOURCES CONTROL BOARD

## BOARD MEETING MINUTES

April 21, 2009

Copies of the resolutions and water quality orders can be obtained by calling (916) 341-5600 or downloading from our website at [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/index.shtml](http://www.waterboards.ca.gov/board_decisions/adopted_orders/index.shtml).

### **CALL TO ORDER**

Chairman Charlie Hoppin called the meeting to order on April 21, 2009 at 10:02 a.m. in the Sierra 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 Arthur G. Baggett, Jr.; Member Tam M. Doduc

### **STAFF PRESENT**

Dorothy Rice, Executive Director  
Tom Howard, Chief Deputy Director  
Jonathan Bishop, Chief Deputy Director  
Jeanine Townsend, Clerk to the Board  
Michael Lauffer, Chief Counsel  
Ted Cobb, Office of Chief Counsel  
Betsy Jennings, Office of Chief Counsel  
Steven Blum, Office of Chief Counsel  
James Herink, Office of Chief Counsel  
Caren Trgovcich, Office of Research, Planning & Performance  
Rafaell Maestu, Office of Research, Planning & Performance

Bill Rukeyser, Office of Public Affairs  
Darrin Polhemus, Division of Water Quality  
James Giannopoulos, Division of Water Quality  
Renan Jauregui, Division of Water Quality  
Liz Haven, Division of Water Quality  
Barbara Evoy, Division of Financial Assistance  
James Maughan, Division of Financial Assistance  
Leslie Laudon, Division of Financial Assistance  
Jule Rizzardo, Division of Financial Assistance  
Taryn Stokell, Office of Enforcement  
Reed Sato, Office of Enforcement

### **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 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.

#### **Commenters**

*John Williams, General Public*

*Ramond Cernota, General Public*

### **BOARD BUSINESS**

1. The Board will consider adoption of the March 17 & April 7, 2009 Board Meeting minutes.

**Deferred to a future Board Meeting**

2. Board Member Report.

- *Member Doduc attended the San Francisco Bay Regional Board Meeting on April 8, 2009. They discussed the Economic Stimulus package and Guidelines that the State Water Board adopted last month. They shared some concerns about the Guidelines that were adopted but look forward to working with our staff to ensure that the Guidelines are implemented. They are also interested in making sure that innovative projects for trash reductions are somehow captured.*

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

- \*3. Consideration of a proposed Resolution authorizing continued funding for regulatory oversight of cleanup at [Department of Navy](#) facilities.

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

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Resolution 2009-0033](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

- \*4. Consideration of a proposed Resolution approving projects, and authorizing issuance of grants for the 2008-2009 [319\(h\) Nonpoint Source \(NPS\)](#) grant program.

**This Item was moved from Uncontested to Contested**

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

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2009-0034](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

.....

..... **Commenters**

..... *Jose Angel, Colorado River Basin Regional Water Board*

..... *Linsey Dale, Imperial County Farm Bureau ([Presentation](#))*

..... *Steve Charlton, Imperial Irrigation District*

- \*5. Consideration of a proposed Resolution to approve \$200,000 in grant funding from the Cleanup and Abatement Account (CAA) to the [City of Live Oak \(City\)](#) for the Arsenic Remediation Project (Project) and \$450,255.37 to the Home Garden Community Services District (District) for the Arsenic Removal Project (Project).

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

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Resolution 2009-0035](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

- \*6. Consideration of a proposed Resolution to delegate authority (1) to approve certain grants for Underground Storage Tank (UST) response action or corrective action, (2) to approve grant agreements and amendments to disburse federal economic recovery grant funds and (3) to issue Letters of Award or execute contracts and amendments for the expenditure of [federal economic recovery grant funds](#).

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

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Resolution 2009-0036](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

- \*7. Consideration of a proposed Resolution authorizing the Executive Director to accept funds into the Cleanup and Abatement Account (CAA) and to set aside and approve these funds for a [Supplemental Environmental Project \(SEP\)](#).

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

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Resolution 2009-0037](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

#### **BOARD WORKSHOP**

***No board action will be taken on any workshop item***

8. The State Board will hold a workshop session to solicit public comments on a proposed Order remanding a permit to the Central Valley Water Board in the Matter of Own Motion Review of Waste Discharge Requirements (Order R5-2007-0037 [NPDES No. CA0079154]) for the [City of Tracy](#), Central Valley Region. SWRCB/OCC File A-1846(A) and A-1846(B). (*Written comments were due on March 4, 2009 by 12 noon.*) ([Staff Presentation](#))

#### **No Action Taken**

##### **Commenters**

*Debbie Webster, Central Valley Clean Water Association*

*Joel Krein, Leprino Foods Company*

*Jonathan Marz, Diepenbrock Harrison on behalf of Westlands Water Districts*

*Ken Landau, Central Valley Regional Water Board ([Presentation](#))*

*Melissa Thorme, Downey Brand on behalf of City of Tracy*

*Michael Maciel, City of Tracy*

*Pamela Creedon, Central Valley Regional Water Board*

*Richard McHenry, California Sportfishing Protection Alliance*

*Steven Bayley, City of Tracy*

*Tess Dunham, Somach, Simmons & Dunn on behalf of City of Stockton*

*William Lewis, City of Yuba City*

## **INFORMATIONAL ITEMS**

9. Update on the Implementation of the Statewide Initiative on MMP Enforcement.

- Taryn Stokell and Reed Sato with the Office of Enforcement made the [presentation](#) to the Board.

### **Commenters**

*Tess Dunham, Sommach, Simmons & Dunn for California Association for Sanitation Agencies*

*Mark Rentz, Association of California Water Agencies*

10. Update on the [draft Annual Enforcement Report, Fiscal Year 2007-2008](#).

- [Revised Draft Annual Enforcement Report, Fiscal Year 2007-2008 with track changes](#)
- Caren Trgovcich and Rafael Maestu of the Office of Research, Planning & Performance and Reed Sato of the Office of Enforcement made the [presentation](#) to the Board.

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

### ***To be held in Conference Room 230***

12. Consideration of State Water Board procedures, priorities, management and member assignments.  
(No Action will be taken on this Item)

### **Deferred to a future Board Meeting**

## **ADJOURNED**

The Board Meeting adjourned at 3:10 p.m.