

**STATE WATER RESOURCES CONTROL BOARD**  
**BOARD MEETING MINUTES**  
February 17, 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**

Board Chair Tam Doduc called the meeting to order on February 17, 2009 at 10:15 a.m. in the Byron Sher Auditorium at the California Environmental Protection Agency Headquarters, 1001 I Street, 2<sup>nd</sup> Floor, Sacramento, California.

**BOARD MEMBERS PRESENT**

Board Chair Tam Doduc; Member Arthur G. Baggett, Jr.; Member Charlie Hoppin; Member Frances Spivy-Weber

**STAFF PRESENT**

Dorothy Rice, Executive Director	Patricia Fernandez, Division of Water Rights
Jonathan Bishop, Chief Deputy Director	Les Grober, Division of Water Rights
Tom Howard, Chief Deputy Director	Jim Kassel, Division of Water Rights
Michael Lauffer, Chief Counsel	Jean McCue, Division of Water Rights
Jeanine Townsend, Clerk to the Board	Jennifer Watts, Division of Water Rights
James Herink, Office of Chief Counsel	Gordon Innes, Division of Water Quality
Andy Sawyer, Office of Chief Counsel	Darrin Polhemus, Division of Water Quality
Dana Heinrich, Office of Chief Counsel	Bill Rukeyser, Office of Public Affairs
Marianna Aue, Office of Chief Counsel	Gita Kapahi, Office of Public Participation
Barbara Evoy, Division of Financial Assistance	Shala Farahnak, Division of Financial Assistance
Leslie Laudon, Division of Financial Assistance	Erin Ragazzi, Division of Financial Assistance
Jim Maughan, Division of Financial Assistance	

**ANNOUNCEMENT**

- *Evacuation information in case the fire alarm goes off during the meeting.*
- *The Board meeting is being webcasted and recorded.*

**BOARD BUSINESS**

1. The Board will take a vote on the selection of the new Vice-Chair.

**Motion:** Member Hoppin moved to appoint Member Spivy-Weber as Vice-Chair of the State Water Resources Control Board.

**Seconded by:** Member Baggett

**MOTION CARRIED:**

**Aye**                    Board Chair Doduc  
                             Member Baggett  
                             Member Hoppin  
                             Member Spivy-Weber

**Nay:**                    None

**Absent:**                None

**Abstain:**              None

2. The Board will consider adoption of the January 6 & February 3, 2009 Board Meeting minutes.

**Deferred to a future Board Meeting**

3. Board Member Report.

**Nothing to Report**

**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

**UNCONTESTED ITEMS (Items 4-6)**

- \*4. Consideration of a proposed Resolution for [Operator Certification and Training Advisory Committee](#) (Advisory Committee) appointments.

**Motion:** Member Baggett moved to adopt the proposed Resolution.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED:** ([Resolution 2009-0014](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** None

**Abstain:** None

- \*5. Consideration of a proposed Resolution to authorize the Executive Director to apply for and accept the [Federal Economic Recovery Grant](#) and any amendments to the Grant, add projects to Project Priority List (PPL), and approve amended Intended Use Plan (IUP).

**Motion:** Member Baggett moved to adopt the proposed Resolution.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED:** ([Resolution 2009-0015](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** None

**Abstain:** None

- \*6. Consideration of a proposed Resolution authorizing the Executive Director or designee to apply for, accept, and/or amend a [federal Clean Water Act section 205\(j\) grant](#).

**Motion:** Member Baggett moved to adopt the proposed Resolution.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED:** ([Resolution 2009-0016](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** None

**Abstain:** None

## **DIVISION OF WATER RIGHTS**

7. Consideration of a proposed Order denying a petition for reconsideration of State Water Board Order WR 2008-0045, which revoked the water right permits for the [Auburn Dam Project](#) of the United States Bureau of Reclamation, in Placer and El Dorado Counties. (*Written comments are due by February 10, 2009 by 12 noon.*)

**Motion:** Member Spivy-Weber moved to adopt the proposed Order.

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Water Rights Order 2009-0011](#))

**Aye**  
Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** None

**Abstain:** None

### **Commenters**

*Ronald Stork, Friends of the River*

8. Consideration of a proposed Order denying petitions for reconsideration of Order WR 2008-0029-EXEC, which approved a temporary urgency change in permit conditions regarding the use of [Joint Points of Diversion and the Yuba transfer](#). (*Written comments were due on January 29, 2009 by 12 noon.*)

**Motion:** Member Baggett moved to adopt the proposed Order.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED:** ([Water Rights Order 2009-0012](#))

**Aye**  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** None

**Abstain:** Board Chair Doduc

### **Commenters**

*John Herrick, South Delta Water Agency*

*Jon Rubin, San Luis & Delta Mendota Water Agencies*

## **DIVISION OF FINANCIAL ASSISTANCE**

9. Consideration of a proposed Resolution adopting the [Proposition 84 Storm Water Grant Program Guidelines](#) (Guidelines). (*Written comments are due on February 11, 2009 by 12 noon*)

**Motion:** Chair Doduc moved to adopt the proposed Resolution with amended changes from [Errata Sheet #1](#).

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED:** ([Resolution 2009-0017](#))

**Aye**  
Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** None

**Abstain:** None

### **Commenters**

*Geoff Brosseau, California Stormwater Quality Association*

*Linda Sheehan, California Coastkeeper Alliance*

## **INFORMATIONAL ITEMS**

10. Report on status of negotiations regarding the future of the Klamath Hydroelectric Project.

### **No Action Taken**

- *Jennifer Watts with the Division of Water Rights made the [presentation](#) to the Board.*

#### **Commenters**

*Alexandra Borack, Friends of the River  
Annelia Norris, People of the Klamath River  
Chuck Bonham, Trout Unlimited ([Presentation](#))  
Chook- Chook Hillman, General Public  
Clifford Lyle Marshall, Hoopa Valley Tribe  
Cory Scott, Pacific Corp/American Rivers  
Erica Terence, Klamath Riverkeeper  
Frankie Myers, People of the Klamath River  
Georgiana Myers, Klamath River Keeper  
Greg King, Northcoast Environmental Center  
Lauren Alvarado, General Public  
Louisa McCorey, Hoopa Valley Tribe  
Mike Chrisman, Resources Agency  
Regina Cinchizols, General Public  
Richard McCovey, People of the Klamath River  
Robert Franklin, Hoopa Valley Tribe  
Shannon Flarity, General Public  
S. Craig Thompson, Karuk Tribe  
Tom Schlosser, Hoopa Valley Tribe  
Troy Fletcher, Yurok Tribe*

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

### **No Action Taken**

## **ADJOURNED**

The Board Meeting adjourned at 1:10 p.m.

### **CLOSED SESSION**

Closed Sessions are not open to the Public

## **WATER RIGHTS**

The Board will meet in closed session to deliberate on a proposed Order denying a petition for reconsideration of State Water Board Order WR 2008-0045, which revoked the water right permits for the Auburn Dam Project of the United States Bureau of Reclamation, in Placer and El Dorado Counties. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

### **No closed session held**