



**STATE WATER BOARD**  
**BOARD MEETING**  
Tuesday, October 5, 2010 – 9:00 a.m.  
Coastal Hearing Room – Second Floor  
Joe Serna Jr./Cal/EPA Building  
1001 I Street, Sacramento

### **DECLARATION OF A QUORUM**

Charles R. Hoppin, Chairman; Frances Spivy-Weber, Vice Chair; Arthur G. Baggett, Jr., Member; Tam M. Doduc, Member; Walter G. Pettit, Member

### **BOARD MEETING**

*Public comments on agenda items will be limited to 3 minutes or otherwise at the discretion of the Board Chair*

### **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.

### **BOARD BUSINESS**

1. The Board will consider adoption of the August 3 & 4, September 7, & September 21, 2010 Board Meeting minutes.
2. Board Member Report.

### **DIVISION OF ADMINISTRATIVE SERVICES**

**Please note that Items 3 & 4 will be moved to a subsequent Board Meeting if the 2010-2011 State budget is not signed by the Governor by 9:00 a.m. on Monday, October 4, 2010.**

3. Consideration of a proposed Resolution adopting emergency regulations revising the [core regulatory water quality fee schedules](#) contained in Title 23, Division 3, Chapter 9, Article 1, Sections 2200 and 2200.6 of the California Code of Regulations.
4. Consideration of a proposed Resolution adopting emergency regulations amending [water right and water quality certification fee schedules](#) in Title 23, Division 3, Chapter 5, Sections 1062, 1064, and 1066 and Chapter 28, Article 1, Section 3833.1 of the California Code of Regulations.

### **DIVISION OF WATER QUALITY**

5. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Sacramento River and the San Joaquin River Basins for the [Control of Selenium in the Lower San Joaquin River](#). *(Written comments were due on September 22, 2010 by 12 noon.)*
  - [Change Sheet #1](#)
6. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Francisco Bay Region to establish a Total Maximum Daily Load (TMDL) for sediment in the [Napa River](#) and an Implementation Plan to achieve the TMDL and related Habitat Enhancement Plan. *(Written comments were due on August 19, 2010 by 12 noon.)*

## **DIVISION OF WATER RIGHTS**

7. Consideration of issuance of a water quality certification for the relicensing of the [Oroville Facilities](#) in Butte County. (*Written comments are due on September 24, 2010 by 12 noon.*)
8. Consideration of a proposed Resolution delegating authority to the [Delta Watermaster](#).
9. Consideration of a proposed Resolution to extend abeyance of the [Klamath Hydroelectric Project](#) 401 Water Quality Certification application.

### **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 Woods Irrigation Company. A draft cease and desist order, issued to Woods Irrigation Company on December 28, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.
- The Board will meet in closed session to deliberate on a decision to be reached pertaining to Yong Pak and Sun Young. A proposed cease and desist order, issued to Yong Pak and Sun Young on December 14, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.
- The Board will meet in closed session to deliberate on a decision to be reached pertaining to Mark and Valla Dunkel. A proposed cease and desist order, issued to Mark and Valla Dunkel on December 14, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.
- The Board will meet in closed session to deliberate on a decision to be reached pertaining to Rudy Mussi, Toni Mussi and Lori C. Mussi Investment LP (Mussi et al.). A proposed cease and desist order, issued to Mussi et al. on December 14, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.

### **IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m., September 28, 2010, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m., September 30, 2010, 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, "**10/5/2010 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.