

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
AUGUST 4, 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.

CALL TO ORDER

Chairman Charlie Hoppin called the meeting to order on July 7, 2009 at 9:04 a.m. in the Sierra Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd 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
Michael Lauffer, Chief Counsel
Betsy Jennings, Office of Chief Counsel
Andy Sawyer, Office of Chief Counsel
Sheila Vassey, Office of Chief Counsel
Tim Regan, Office of Chief Counsel
Erin Mahaney, Office of Chief Counsel
Alex Mayer, Office of Chief Counsel
Nathan Jacobsen, Office of Chief Counsel
Steve Blum, Office of Chief Counsel
Matt Bullock, Office of Chief Counsel/Attorney
General's Office
Jennifer Watts, Division of Water Rights
Vicky Whitney, Division of Water Rights
Diane Riddle, Division of Water Rights
Sam Harader, Division of Water Rights
Les Grober, Division of Water Rights
Camilla Williams, Division of Water Rights

Jonathan Bishop, Chief Deputy Director
Tom Howard, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Darrin Polhemus, Division of Water Quality
James Giannopoulos, Division of Water Quality
Bruce Fujimoto, Division of Water Quality
Peter Martin, Division of Water Quality
Liz Haven, Division of Water Quality
Gaylon Lee, Division of Water Quality
Bill Rukeyser, Office of Public Affairs
Gita Kapahi, Office of Public Participation

Jim Maughan, Division of Financial Assistance
Allan Patton, Division of Financial Assistance
Naomi Feger, San Francisco Regional Board
Farhad Ghodrati, San Francisco Regional Board
Mark Albert, North Coast Regional Board

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.

None

BOARD BUSINESS

1. The Board will consider adoption of the July 7, 2009 Board Meeting minutes.

Motion: Vice-Chair Spivy-Weber moved to adopt the July 7, 2009 Board meeting minutes.

Seconded by: Member Baggett

MOTION CARRIED: ([07/07/09](#))

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

Nay: None

Absent: None

2. Board Member Report.

Nothing to Report

UNCONTESTED ITEM (Item 3-4*)

- *3. Consideration of a proposed Resolution approving the final report of the [Colorado River Salinity Control Forum](#) titled "2008 review – Water Quality Standards for Salinity - Colorado River System."

Motion: Member Baggett moved to adopt the proposed Resolution.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2009-0060](#))

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

Nay: None

Absent: None

- *4. Consideration of a proposed Resolution authorizing the Executive Director or designee to enter into contracts to implement the [Groundwater Ambient Monitoring and Assessment \(GAMA\) Program](#).

Motion: Member Baggett moved to adopt the proposed Resolution.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2009-0061](#))

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

Nay: None

Absent: None

DIVISION OF FINANCIAL ASSISTANCE – Continued from June 16, 2009 Board Meeting

5. Consideration of a Resolution to allocate \$600,000 from the Cleanup and Abatement Account (CAA) to the Central Coast Regional Water Quality Control Board (Central Coast Water Board) in support of work on [specific hydromodification methodology](#) tasks that will benefit the Regional Board and the State Water Resources Control Board (State Water Board) and Municipalities.

Motion: Member Doduc moved to adopt the proposed Resolution with changes proposed by staff in [Change Sheet #1](#).

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2009-0062](#))

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

Nay: None

Absent: None

Commenters

Geoff Brosseau, California Stormwater Quality Association

DIVISION OF WATER QUALITY

6. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) to establish a Total Maximum Daily Load (TMDL) and Implementation Plan for [Pathogens in Richardson Bay](#). (*Written comments were due on May 28, 2009 by 12 noon.*) ([Staff Presentation](#))

Motion: Member Baggett moved to adopt the proposed Resolution.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2009-0063](#))

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

Nay: None

Absent: None

7. Consideration of a proposed Resolution directing staff to develop a statewide approach addressing [forest activities](#) on National Forest System lands, including timber harvesting, grazing, off-road vehicle recreation, and fire suppression.

Motion: Member Doduc moved to adopt the proposed Resolution with changes proposed by staff in [Change Sheet #1](#).

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0064](#))

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

Nay: None

Absent: None

Commenters

Beth Pendleton, U.S. Forest Service

Daniel Myers, Redwood Chapter Sierra Club

Don McEnhill, Russian Riverkeeper

Natalynne DeLapp, Environmental Protection Information Center

DIVISION OF WATER RIGHTS

8. Consideration of a proposed Order that partially grants reconsideration of the water quality certification for re-operation of [Pyramid Dam on Piru Creek](#) in Los Angeles and Ventura Counties.

Motion: Member Baggett moved to adopt the proposed Order.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Water Quality Order 2009-0007](#))

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

Nay: None

Absent: None

Commenters

Nica Knite, California Trout

Erick Soderlund, Department of Water Resources

Steve Evans, Friends of the River

9. Consideration of a proposed Resolution adopting a staff report on the [Periodic Review of the 2006 Bay Delta Water Quality Control Plan](#). (*Written comments were due on June 15, 2009 by 12 noon.*)

- [Change Sheet #2](#) (includes changes from Change Sheet #1)
- [Draft Resolution showing changes from July 7, 2009 version in redline](#)

Motion: Member Doduc moved to adopt the proposed Resolution with changes proposed by staff in Change Sheet #2.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0065](#))

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

Nay: None

Absent: None

Commenters

Clifford Schulz, State Water Contractor

*Jon Rubin, Diepenbrock*Harrison*

OFFICE OF CHIEF COUNSEL– Continued from June 16, 2009 Board Meeting

10. Consideration of a proposed Order in the Matter of the Petition of [County of Los Angeles and Los Angeles County Flood Control District](#), Waste Discharge Requirements Order No. R4-2006-0074 Issued by the California Regional Water Quality Control Board, Los Angeles Region (SWRCB/OCC File A-1780). (The State Water Resources Control Board will consider whether to adopt an order upholding the modification to waste discharge requirements.) *(Written comments were due on June 3, 2009 by 12 noon.)* **Additional comments on the changes depicted on the July 22, 2009 version of the draft order are due on July 31, 2009 by 12 noon.**

Motion: Member Doduc moved to adopt the proposed Order.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Water Quality Order 2009-0008](#))

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

Nay: None

Absent: None

Commenters

Howard Gest, Burhenn & Gest, LLP

Kirsten James, Heal the Bay

Michael Levy, Los Angeles Regional Water Board

Renee Purdy, Los Angeles Regional Water Board

Tatiana Gaur, Santa Monica Baykeeper

Gary Grimm, Bay Area Stormwater Management Agencies Association

Tim Carlstedt, County of Orange

CLOSED SESSIONS

Closed Sessions are not open to the Public

WATER RIGHTS

The Board will meet in closed session to deliberate on a proposed order pertaining to the California American Water Company. A proposed cease and desist order, issued to California American Water on January 15, 2008, was the subject of a seven-day evidentiary hearing that ended August 8, 2008. (This closed session is authorized under Government Code section 11126, subdivision (e). This item will be scheduled for consideration during the open session of a future meeting. Interested parties will be notified of the exact time, date, and location.)

No Closed Session occurred on the above item.

PERSONNEL

The Board will meet in closed session to discuss the appointment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another employee unless the employee requests a public hearing. (This closed session is authorized under Government Code section 11126, subdivision (a)(1).)

ADJOURNED

The Board Meeting adjourned at 11:47 a.m.