

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
JULY 7, 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 9:05 a.m. in the Coastal 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
Jonathan Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel
Betsy Jennings, Office of Chief Counsel
Andy Sawyer, Office of Chief Counsel
Anne Hartridge, Office of Chief Counsel
Sheila Vassey, Office of Chief Counsel
Tim Regan, Office of Chief Counsel
Erin Mahaney, Office of Chief Counsel
Curtis Yip, Division of Water Rights
Chris Carr, Division of Water Rights
Vicky Whitney, Division of Water Rights
Diane Riddle, Division of Water Rights
Anne Short, Division of Water Rights
Sam Harader, Division of Water Rights

Jeanine Townsend, Clerk to the Board
Darrin Polhemus, Division of Water Quality
James Giannopoulos, Division of Water Quality
Jim Fischer, Division of Water Quality
Lisa Babcock, Division of Water Quality
Liz Haven, Division of Water Quality
Ken Harris, Division of Water Quality
Jarrod Ramsey-Lewis, Division of Water Quality
Bill Rukeyser, Office of Public Affairs
Judie Panneton, Office of Public Affairs
Shahla Farahnak, Division of Financial Assistance
Erin Ragazzi, Division of Financial Assistance
Caren Trgovcich, Office of Research, Planning & Performance
Jerrold Bruns, Central Valley Regional Water 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 June 16, 2009 Board Meeting minutes.

Motion: Vice-Chair Spivy-Weber moved to adopt the June 16, 2009 Board meeting minutes.

Seconded by: Member Doduc

MOTION CARRIED: (06/16/09)

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

Nay: None

Absent: None

2. Board Member Report.

Nothing to Report

UNCONTESTED ITEMS (Items 3-7*)

- *3. Consideration of a proposed Resolution amending the approval of Cleanup and Abatement Account (CAA) Funds for the Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) related to [Perchlorate and Volatile Organic Compounds \(VOC\) in the Rialto area](#).

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0054](#))

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

Nay: None

Absent: None

- *4. Consideration of a proposed Resolution to adopt the [Petroleum Underground Storage Tank \(UST\) Emergency, Abandoned, and Recalcitrant \(EAR\) account Fiscal Year \(FY\) 2009-2010 Annual Site List \(ASL\)](#) and to authorize the Executive Director, or designee, to add eligible sites to the FY 2009-2010 ASL for the expenditure of Federal Economic Recovery Grant funds, to approve increased expenditures for sites on the ASL, and to issue letters of award or execute contracts and amendments for the expenditure of EAR account funds.

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0055](#))

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

Nay: None

Absent: None

- *5. Consideration of a proposed Resolution to repeal Orphan Site Cleanup Account regulations and adopt regulations implementing the new [Orphan Site Cleanup Fund](#).

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0056](#))

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

Nay: None

Absent: None

- *6. Consideration of a proposed Resolution for the adoption of a Statement of Overriding Considerations (SOC), adoption of the Air Quality Conformity Determination, and execution of the Clean Water State Revolving Fund (CWSRF) Preliminary Funding Commitment (PFC) for the [Los Angeles County Sanitation District No. 20 \(District\), Palmdale Water Reclamation Plant \(PWRP\) Stage V \(Project\)](#) – CWSRF Project Nos. C-06-4746-110; c-06-4746-120; C-06-4746-130; C-06-4746-140.

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0057](#))

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

Nay: None

Absent: None

- *7. Consideration of a proposed Resolution adopting a Statement of Overriding Considerations, and a Clean Water State Revolving Fund (CWSRF) Program Preliminary Funding Commitment (PFC) for the [Linda County Water District \(District\), Wastewater Treatment Plant \(WWTP\) Expansion Project \(Project\)](#), CWSRF Project No. 06-5098-110.

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0058](#))

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

Nay: None

Absent: None

OFFICE OF CHIEF COUNSEL

8. Consideration of a proposed Order remanding the permit to the Central Valley Water Board in the Matter of Own Motion Review of Waste Discharge Requirements and Master Reclamation Permit (Order No. R5-2007-0113 [NPDES No. CA0079243]) for [City of Lodi](#), Central Valley Region. (SWRCB/OCC File A-1886.) (*Written comments on a previous version were due on January 23, 2009 by 12 noon. Additional comments on the changes depicted on the June 12, 2009 version of the draft order are due on July 3, 2009 by 12 noon.*) ([Staff Presentation](#))

Motion: Member Doduc moved to adopt the proposed Order with changes proposed by staff.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Water Quality Order 2009-0005](#))

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

Nay: None

Absent: None

Commenters

Charlie Swimley, Somach, Simmons, & Dunn on behalf of City of Lodi

Debbie Webster, Central Valley Clean Water Association

Mona Shulman, Pacific Coast Producers

Pamela Creedon, Central Valley Regional Water Board

Ron Crites, Pacific Coast Producers

Richard McHenry, California Sportfishing Protection Alliance

Roberta Larson, Somach, Simmons, & Dunn on behalf of City of Lodi

Steve Schwabauer, City of Lodi

DIVISION OF WATER QUALITY

9. Consideration of the Adoption of General Waste Discharge Requirements for [Landscape Irrigation Uses of Municipal Recycled Water](#) (General Permit) and a proposed Resolution approving certification of a Mitigated Negative Declaration for the General Permit. (*Written comments on previous versions of the proposed General Permit were due on April 27, 2009 and May 13, 2009 (extended to May 26, 2009); additional written comments will be accepted only on the double-underlined, double-strikeout changes depicted on the June 18, 2009 version of the proposed General Permit.*) ([Staff Presentation](#))

- [Change Sheet #1](#)

Motion: Vice Chair Spivy-Weber moved to adopt the General Permit and proposed Resolution with additional changes proposed by staff.

Seconded by: Member Doduc

MOTION CARRIED: ([Water Quality Order 2009-0006-DWQ](#)) ([Resolution 2009-0059](#))

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

Nay: None

Absent: None

Commenters

Art O'Brien, City of Roseville

Dave Smith, WateReuse

David Bolland, Association of CA Water Agencies

Gus Dembegiotos, City of Los Angeles Bureau of Sanitation

Linda Sheehan, California Coastkeeper Alliance

MaryAnne Pawson, WateReuse ([WRAP Presentation](#))

BOARD HEARING

DIVISION OF WATER RIGHTS

10. 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.*) ([Staff Presentation](#))

- [Change Sheet #1](#)

Final action to be taken at a future board meeting

Commenters

Clifford Schulz, State Water Contractors

DeeAnne Gillick, County of San Joaquin

Gary Bobker, The Bay Institute

John Herrick, South Delta Water Agency

Jon Rubin, San Luis & Delta Mendota Water Authority

Ken Petrozzelli, San Joaquin River Group

Mike McGawan, Yolo County

Richard McHenry, California Sportfishing Protection Alliance

Stan Dean, Sacramento Regional County Sanitation District ([Presentation](#))

INFORMATIONAL ITEMS – BOARD MEETING

11. Update on the State Water Board's efforts to promote strategies to assist [small and/or disadvantaged communities with wastewater needs](#). ([Staff Presentation](#))

No Action Taken

Commenters

William Massey, General Public

12. Update on Bay-Delta Strategic Workplan. ([Staff Presentation](#))

No Action Taken

CLOSED SESSION

Closed Sessions are not open to the Public

WATER RIGHTS

The Board will meet in closed session to deliberate on adoption of an 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).

ADJOURNED

The Board Meeting adjourned at 2:35 p.m.