

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
May 5, 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 April 21, 2009 at 10:09 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
Tom Howard, Chief Deputy Director
Jonathan Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel
Ted Cobb, Office of Chief Counsel
Lori Brock, Office of Chief Counsel
Bill Rukeyser, Office of Public Affairs

Jeanine Townsend, Clerk to the Board
Darrin Polhemus, Division of Water Quality
James Giannopoulos, Division of Water Quality
Laura Fisher, Division of Water Quality
Barbara Evoy, Division of Financial Assistance
Miles Burnett, Division of Administrative Services

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 March 17 & April 7 & 21, 2009 Board Meeting minutes.

Motion: Vice Chair Spivy-Weber moved to adopt the March 17, April 7 & 21, 2009 Board Meeting minutes.

Seconded by: Member Baggett

MOTION CARRIED: ([March 17, 2009](#)) ([April 7, 2009](#)) ([April 21, 2009](#))

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

Nay: None

Absent: None

Abstain: None

2. Board Member Report.

Nothing to Report

UNCONTESTED ITEM (Item 3*)

- *3. Consideration of a proposed Resolution authorizing the Executive Director to apply for, accept, and/or amend a federal Clean Water Act section [319\(h\) grant](#) and authorizing execution and amendment of contracts for support of the nonpoint source program.

Motion: Chairman Hoppin moved to adopt the proposed Resolution.

Seconded by: Member Doduc

MOTION CARRIED: ([Resolution 2009-0038](#))

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

Nay: None

Absent: None

Abstain: None

DIVISION OF WATER QUALITY

4. Consideration of a proposed Resolution to adopt emergency regulations to provide an interim variance for underground storage tank systems storing certain [biodiesel blends](#) from third-party material compatibility testing and approval requirements.

Motion: Chairman Hoppin moved to adopt the proposed Resolution with revisions from [Change Sheet #1](#) and additional changes proposed by Staff.

Seconded by: Member Baggett

MOTION CARRIED: ([Resolution 2009-0039](#))

Aye Chairman Hoppin
Vice Chair Spivy-Weber
Member Baggett

Nay: Member Doduc

Absent: None

Abstain: None

Commenters

Blair Springer, City of Stockton

Celia Dubose, California Biodiesel Alliance

David Arrieta, Western States Petroleum Association

Eric Bowen, California Biodiesel Alliance

Justin Malan, California Conference of Directors of Environmental Health

Randal Friedman, U.S. Navy

Randall von Wedel, General Public

To be held in Conference Room 230

5. 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 11:50 a.m.

CLOSED SESSION

Closed Sessions are not open to the Public

OFFICE OF CHIEF COUNSEL

The Board will meet in closed session to discuss the status of and receive legal advice concerning *AES Southland, LLC et al., v. State Water Resources Control Board*, Los Angeles County Superior Court Case No. BS117747. This closed session is authorized under Government Code section 11126, subdivision (e).

The Board met in closed session concerning the above item.

WATER RIGHTS

The Board will meet in closed session to deliberate on a proposed order following a hearing on the California Department of Water Resources and United States Bureau of Reclamation's petition to consolidate portions of the authorized places of use in various counties in California. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

The Board met in closed session concerning the above item.