

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
APRIL 5-6, 2011**

Copies of the resolutions and water quality/water rights orders can be obtained by calling (916) 341-5600 or downloading from our website at http://www.waterboards.ca.gov/board_decisions/adopted_orders/.

CALL TO ORDER

Chairman Hoppin called the meeting to order on April 5, 2011 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 Tam M. Doduc

STAFF PRESENT

Tom Howard, Executive Director	Jonathan Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel	Jeanine Townsend, Clerk to the Board
Steven Blum, Office of Chief Counsel	Vicky Whitney, Division of Water Quality
Tim Regan, Office of Chief Counsel	Liz Haven, Division of Water Quality
Nathan Jacobsen, Office of Chief Counsel	Paul Hann, Division of Water Quality
Alex Mayer, Office of Chief Counsel	Phil Isorena, Division of Water Quality
Sarah Olinger, Office of Chief Counsel (4/6)	Peter Martin, Division of Water Quality
Shahla Farahnak, Division of Financial Assistance	Dominic Gregorio, Division of Water Quality (4/6)
Jim Maughan, Division of Financial Assistance	Richard Looker, San Francisco Bay Regional Water Board
Esteban Almanza, Division of Financial Assistance	Naomi Ferger San Francisco Bay Regional Water Board
Barbara Evoy, Division of Water Rights	Pamela Creedon, Central Valley Regional Water Board
Gita Kapahi, Office of Public Participation	Clay Rodgers, Central Valley Regional Water Board
Sam Unger, Los Angeles Regional Water Board	Karen Larsen, Office of Information, Management & Analysis

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 Board 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 15, 2011 Board Meeting minutes.

Motion: Member Doduc moved to adopt the minutes from the March 15, 2011 Board Meeting.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([March 15, 2011](#))

Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc

Nay: None

Abstain: None

Absent: None

2. Board Member Report.

None

UNCONTESTED ITEMS (Items 3-5)

All Uncontested Items were moved to Contested

- *3. Consideration of a proposed Resolution to allocate an additional \$3.3 million from the Cleanup and Abatement Account to fund the [Colorado Lagoon Restoration Project](#).

No Action Taken – Deferred to May 3, 2011 or subsequent Board Meeting

Commenters

Dave Pirazzi, Friends of Colorado Lagoon

Eric Lopez, City of Long Beach ([Presentation](#))

Ray Thorn, Friends of Colorado Lagoon

Samuel Unger, Los Angeles Regional Water Board

- *4. Consideration of a proposed Resolution to allocate \$500,000 from the Cleanup and Abatement Account to fund the [Pesticide Permits Toxicity Impacts Project](#).

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

Seconded by: Chairman Hoppin

MOTION CARRIED: ([Resolution 2011-0014](#))

Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc

Nay: None

Abstain: None

Absent: None

Commenters

Garry Goodman, Mosquito & Vector Control Association of California

- *5. Consideration of a proposed Resolution authorizing the Executive Director or designee to negotiate, execute, and amend, as necessary, a contract to evaluate and refine bioanalytical screening techniques for [constituents of emerging concern in recycled water](#).

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2011-0015](#))

Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc

Nay: None

Abstain: None

Absent: None

DIVISION OF WATER QUALITY

6. Consideration of a proposed Resolution approving amendments to the Water Quality Control Plan for the [San Francisco Bay Region to establish Bacteria Objectives](#) for waters designated for contact recreation in marine and estuarine waters of the San Francisco Bay Region. (*Written comments were due on March 3, 2011 by 12 noon.*) ([Staff Presentation](#))

- [Change Sheet #1](#)

Motion: Vice Chair Spivy-Weber moved to adopt the proposed Resolution with changes proposed by Staff in Change Sheet #1.

Seconded by: Member Doduc

MOTION CARRIED: ([Resolution 2011-0016](#))

Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc

Nay: None

Abstain: None

Absent: None

INFORMATIONAL ITEMS

7. Regulatory Program for [large dairies](#) in the Central Valley Region to protect groundwater quality. ([Staff Presentation](#))

No Action Taken

Commenters

Denise Mullinax, California Dairy Quality Assurance Program

J.P. Cativiela, Dairy Cares Coalition

Paul Martin, Western United Dairymen

8. Discussion of Board Member priorities and next steps concerning Strategic Plan.

No Action Taken

Wednesday, April 6, 2011

CALL TO ORDER

Chairman Hoppin resumed the meeting on April 6, 2011 at 9:10 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

DIVISION OF WATER QUALITY

9. Consideration of a proposed Resolution to adopt amendments to the Water Quality Control Plan for [Enclosed Bays and Estuaries of California, Part 1, Sediment Quality](#). *(Written comments were due on March 15, 2011 by 12 noon.)*

- [Change Sheet #1](#)

Motion: Member Doduc moved to adopt the proposed Resolution with changes proposed by staff in Change Sheet #1 & [Change Sheet #2](#).

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution 2011-0017](#))

Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc

Nay: None

Abstain: None

Absent: None

ADJOURNED

The Board Meeting adjourned at 9:45 a.m.

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 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.
- The Board will meet in closed session to deliberate on a decision to be reached regarding petitions for reconsideration received by the Board concerning Order WR 2011-0005, which is a cease and desist order issued by the Board to Woods Irrigation Company on February 1, 2011.

The Board did not meet in Closed Session on the above items.

OFFICE OF CHIEF COUNSEL

The Board will meet in closed session to discuss the status of and receive legal advice concerning *Monterey Peninsula Water Management District v. State Water Resources Control Board, et al.*, Santa Clara County Superior Court Case No. 110CV163328 and *California-American Water Company v. State Water Resources Control Board*, Monterey Superior Court Case No. M102097. (This closed session is authorized under Government Code section 11126, subdivision (e).)

The Board met in Closed Session on this item.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on March 29, 2011, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on March 29, 2011, 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. Please indicate in the subject line, "**4/5/2011 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

* 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.