

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
NOVEMBER 6, 2012**

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

Vice Chair Frances Spivy-Weber called the meeting to order on November 6, 2012 at 9:03 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

BOARD MEMBERS PRESENT

Vice Chair Frances Spivy-Weber; Member Tam M. Doduc; Member Steven Moore; Member Felicia Marcus

BOARD MEMBERS ABSENT

Chairman Charlie Hoppin,

STAFF PRESENT

Tom Howard, Executive Director
Michael Lauffer, Chief Counsel
Phil Wyels, Office of Chief Counsel
Andy Sawyer, Office of Chief Counsel
Erin Mahaney, Office of Chief Counsel
Therese Barakatt, Office of Chief Counsel
Nathan Jacobsen, Office of Chief Counsel
Liz Haven, Division of Financial Assistance
Lisa Babcock, Division of Financial Assistance

Caren Trgovcich, Chief Deputy Director
Jonathan Bishop, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Rik Rasmussen, Division of Water Quality
Shahla Farahnak, Division of Water Quality
Kevin Graves, Division of Water Quality
Barbara Evoy, Division of Water Rights
Kathy Owen, Office of Information Management & Analysis
George Kostyrko, Office of Public Information

ANNOUNCEMENT

- *Evacuation information in case the fire alarm goes off during the meeting.*
- *The Board meeting is being webcasted and recorded.*

PRESENTATION OF SUSTAINED SUPERIOR & SUPERIOR ACCOMPLISHMENT AWARDS

- ❖ *Andy Sawyer, Assistant Chief Counsel & Barbara Evoy, Deputy Director with Division of Water Rights presented Erin Mahaney with the Sustained Superior Accomplishment Award.*
- ❖ *Barbara Evoy, Deputy Director with Division of Water Rights presented Angelina Munoz with the Sustained Superior Accomplishment Award.*
- ❖ *Kathy Owen, with the Office of Information Management and Analysis presented Rudy Artau & Cheryl Holden with the Superior Accomplishment Award.*

BOARD MEETING

Public comments on agenda items will be limited to 5 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 October 16, 2012 Board Meeting minutes.

Motion: Member Marcus moved to adopt the proposed minutes.

Seconded by: Member Doduc

MOTION CARRIED: ([October 16, 2012](#))

Aye: Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member Marcus

Nay: None

Absent: Chairman Hoppin

Abstain: None

2. Board Member Report.

None

UNCONTESTED ITEMS* (Items 3-6)

- *3. Consideration of a proposed Resolution to adopt the [2013 Clean Water State Revolving Fund Intended Use Plan](#). *(Written comments were due on October 24, 2012 by 12 noon.)*

- [Change Sheet #1](#)

Motion: Member Doduc moved to adopt the proposed Resolution with changes proposed in Change Sheet #1.

Seconded by: Member Moore

MOTION CARRIED: ([Resolution No. 2012-0059](#))

Aye: Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member Marcus

Nay: None

Absent: Chairman Hoppin

Abstain: None

- *4. Consideration of a proposed Resolution for authorization to enter into an Agreement with the [California Department of Public Health for Development of Uniform Water Recycling Criteria for Indirect Potable Water Reuse for Groundwater Recharge](#).

Motion: Member Doduc moved to adopt the proposed Resolution.

Seconded by: Member Moore

MOTION CARRIED: ([Resolution No. 2012-0060](#))

Aye: Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member Marcus

Nay: None

Absent: Chairman Hoppin

Abstain: None

DIVISION OF FINANCIAL ASSISTANCE / DIVISION OF WATER QUALITY

5. Consideration of a proposed Resolution [delegating authority to the Executive Director for certain Underground Storage Tank site closures](#).

- [Comment Letters](#)

Motion: Member Doduc moved to adopt the proposed Resolution with changes read into record by Chief Counsel Michael Lauffer.

Seconded by: Member Marcus

MOTION CARRIED: ([Resolution No. 2012-0061](#))

Aye: Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member Marcus

Nay: None

Absent: Chairman Hoppin

Abstain: None

Commenters

*Howard Whitney, Remediation Testing & Design
Mark Magargee, RPs & Consultants*

6. Consideration of a proposed Resolution [directing additional actions to improve the Underground Storage Tank Program](#)

- [Comment Letters](#)
- [Change Sheet #1](#)
- [Change Sheet #2](#)

Motion: Member Doduc moved to adopt the proposed Resolution with changes proposed in Change Sheets 1 & 2.

Seconded by: Member Moore

MOTION CARRIED: ([Resolution No. 2012-0062](#))

Aye: Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member Marcus

Nay: None

Absent: Chairman Hoppin

Abstain: None

Commenters

*Howard Whitney, Remediation Testing & Design
Mark Magargee, RPs & Consultants
Jay McKeeman California Independent Oil Marketers Association & California Service Station & Automotive Repair Association
David Arrieta, Western States Petroleum Association*

SANTA ANA REGIONAL WATER BOARD

7. Consideration of a proposed Resolution to amend the Water Quality Control Plan for the Santa Ana River Basin to revise [Recreational Standards for Inland Fresh Surface Waters in the Santa Ana Region](#). *(Written comments were due on October 1, 2012 by 12 noon.)*

This Item was removed from the agenda

ADJOURNMENT

The Board adjourned at 10:15 a.m.

CLOSED SESSION

Closed Session are not open to the Public

DIVISION OF WATER RIGHTS

The Board will meet in closed session to deliberate on a decision to be reached pertaining to a Draft Order Denying Reconsideration of State Water Board Order WR 2010-0026-EXEC. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

OFFICE OF CHIEF COUNSEL

The Board will meet in closed session to discuss the status of and receive legal advice concerning *GenOn Energy Inc., et al., v. State Water Resources Control Board, et al.*, Sacramento Superior Court, Case No. 34-2010-CV-80000701. (This closed session is authorized under Government Code section 11126, subdivision (e).)

The Board met on both of the above items.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on October 30, 2012, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on October 30, 2012, 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, "**11/6/12 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.