



# STATE WATER RESOURCES CONTROL BOARD BOARD MEETING MINUTES

TUESDAY, SEPTEMBER 17, 2024  
WEDNESDAY, SEPTEMBER 18, 2024  
COASTAL HEARING ROOM

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/](http://www.waterboards.ca.gov/board_decisions/adopted_orders/).

The video of the Board Meeting is available to view on our website at: [http://www.waterboards.ca.gov/board\\_info/video.shtml](http://www.waterboards.ca.gov/board_info/video.shtml)

## **CALL TO ORDER**

Chair Joaquin Esquivel called the meeting to order on Tuesday, September 17, 2024 at 9:02 a.m. with both a physical meeting location and remote location.

## **BOARD MEMBERS PRESENT**

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo (arrived at 9:03 a.m.); Member Sean Maguire; Member Laurel Firestone; Member Nichole Morgan

## **BOARD MEMBERS ABSENT**

None

## **EXECUTIVE STAFF PRESENT**

Eric Oppenheimer, Executive Director  
Andy Sawyer, Assistant Chief Counsel  
Jonathan Bishop, Chief Deputy Director  
Karen Mogus, Chief Deputy Director  
Courtney Tyler, Clerk to the Board  
Marji Arjil, Assistant Clerk to the Board  
Elizabeth Carrillo, AGPA

## **ANNOUNCEMENTS**

- Instructions were given in regard to participating in the Remote Meeting.
- The Board meeting is being webcasted and recorded.

# **TUESDAY, SEPTEMBER 17, 2024**

## **BOARD MEETING**

***Public comments on agenda items will be limited to 5 minutes  
or otherwise at the discretion of the Board Chair***

### **PUBLIC FORUM**

***(Approximately 30 minutes at the beginning of Board Meeting and any remaining  
speakers at the call of the Chair)***

Any member of the public may address and ask questions of the Board relating to any matter within the State Water Resources Control Board's jurisdiction provided the matter is not on the agenda or pending before the State Water Board or any California Regional Water Quality Control Board.

### **No Action Taken**

#### **Commenters**

*Mary Wood, General Public*

*Derek Yurosek, Kern Subbasin Coordination Committee*

*Jim Haussener, California Marine Affairs & Navigation Conference*

### **BOARD BUSINESS**

1. The Board will consider adoption of the August 20, 2024 and September 4, 2024 Board Meeting minutes.

**Motion:** Board Member Morgan moved to adopt the August 20, 2024 and September 4, 2024 Board Meeting minutes

**Seconded by:** Board Member Firestone

**MOTION CARRIED** ([September 17, 2024](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

## **BOARD HEARING**

### **OFFICE OF SUSTAINABLE GROUNDWATER MANAGEMENT**

2. Consideration of a proposed Resolution to designate the Tule groundwater subbasin as probationary under the Sustainable Groundwater Management Act.

*Staff Presenting: Sam Boland-Brien, Natalie Stork, Anthony Wohletz, John Hurley, Amanda Pearson, Ben Brezing (DWR), Andy Sawyer*

- [Public Notice](#)
- [Agenda Item](#)
- [Draft Resolution](#)
- [Final Staff Report Executive Summary](#)
- [Final Staff Report](#)
- [Change Sheet #1](#)

**Motion:** Vice Chair D'Adamo moved to adopt the proposed Resolution with Change Sheet #1 and new Resolved #10 as read into the record by Amanda Pearson

**Seconded by:** Board Member Firestone

**MOTION CARRIED** ([Resolution No. 2024-0030](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

#### **Panel: Tule Subbasin Groundwater Sustainability Agencies (GSAs)**

*David De Groot, Tule Subbasin GSA*

*Don Tucker, Eastern Tule GSA*

*Tom Harder, Thomas Harder & Company Groundwater Consulting*

*Eric Quinley, Delano Earlimart Irrigation District GSA*

*Abhishek Singh, Delano Earlimart Irrigation District GSA*

*Trey Driscoll, Delano Earlimart Irrigation District GSA*

*Vanessa Yap, Kern Tulare Water District GSA*

*Deanna Jackson, Tri-County Water Authority GSA*

*Eric Limas, Lower Tule River Irrigation District & Pixley Irrigation District GSAs*

*Rogelio Caudillo, Eastern Tule GSA*

*Aubrey Mauritson, Eastern Tule GSA*

#### **Panel: Community**

*Tien Tran, Community Water Center*

*Nataly Escobedo Garcia, Leadership Counsel for Justice and Accountability*

*Edie Rae Sanchez, AGUA Coalition*

*Lucina Hidalgo, AGUA Coalition*

*Christina Velazquez, Pixley Residents for Environmental Justice*  
*Beverly Whitfield, Pixley Residents for Environmental Justice*  
*Miguel Trujillo, Pixley Residents for Environmental Justice*  
*Tien Tran on behalf of Juan Vargas, Community Water Center/ AGUA Coalition*

**Panel: Friant Water Authority**

*Jason Phillips, Friant Water Authority*  
*Jeevan Muhar, Arvin-Edison Water Storage District*

**Panel: Porterville, Saucelito, and Terra Bella Irrigation Districts**

*Dennis Keller, Keller & Wegley Consulting Engineers*  
*Peter Kiel, outside counsel for Irrigation Districts*

**Panel: City of Porterville**

*Michael Knight, City of Porterville*

**Commenters**

*David McCray, US Department of the Interior, Bureau of Reclamation*  
*Angela Islas, Central California Environmental Justice Network*  
*Sherry Hunter, Allensworth Progressive Association*  
*Mac Glackin, Clean Water Action*  
*Ngodoo Atume, General Public*  
*Jennifer Spaletta, Stoel Rives LLP*  
*Ryan Bezerra, Angiola Water District*  
*Tien Tran on behalf of Miguel Rojas-Flores, Community Water Center*  
*Diego Paniagua, Richgrove Community Services District*  
*Tekoah Kadara, Allensworth Progressive Association*  
*Alex Peltzer, Peltzer & Richardson*  
*Seth Merritt, E.W. Merritt Farms*  
*Jim Morehead, Farmer*  
*Justin Morehead, Farmer*  
*Rosanai Paniagua, Richgrove Community Services District*  
*Nataly Escobedo Garcia, Leadership Counsel for Justice and Accountability*  
*Tien Tran, Community Water Center*  
*Akashdeep Singh, Union of Concerned Scientists*  
*Nick Sahota, General Public*  
*Denise England, County of Tulare Board of Supervisors*  
*Tricia Stever Blattler, Tulare County Farm Bureau*  
*Vincent Sola, Vincent Sola Partnership*  
*Andrew Hart, Kern-Tulare Water District*  
*Jasmine Ramirez, Self-help enterprises*  
*Alex Biering, California Farm Bureau*  
*Paul Greidanus, Farmer in Lower Tule Irrigation District*  
*Mike Faria, Lower Tule River Irrigation District Farmer/Community member*  
*Amy Kronson on behalf of Frank Fernandes, Tule Basin Land Trust President and partner in Legacy Ranches*

*Lauren Chew on behalf of Ruth Martinez La Asociación de Gente Unida por el Agua*  
*Lauren Chew, Community Water Center*  
*Fred Briones, Tribal*  
*Maricela Mares-Alatorre, Community Water Center*  
*Sean Geivet, General Public*

**The Board recessed at 6:37 p.m. until Wednesday, September 18, 2024 at 9:00 a.m.**

## **WEDNESDAY, SEPTEMBER 18, 2024**

### **CALL TO ORDER**

Chair Joaquin Esquivel called the meeting to order on Wednesday, September 18, 2024 at 9:10 a.m. with both a physical meeting location and remote location.

### **BOARD MEMBERS PRESENT**

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo; Member Sean Maguire; Member Laurel Firestone; Member Nichole Morgan

### **BOARD MEMBERS ABSENT**

None

### **EXECUTIVE STAFF PRESENT**

Eric Oppenheimer, Executive Director  
Andy Sawyer, Assistant Chief Counsel  
Philip Wyels, Assistant Chief Counsel  
Jonathan Bishop, Chief Deputy Director  
Karen Mogus, Chief Deputy Director  
Courtney Tyler, Clerk to the Board  
Marji Arjil, Assistant Clerk to the Board  
Elizabeth Carrillo, AGPA

### **ANNOUNCEMENTS**

- Instructions were given in regard to participating in the Remote Meeting.
- The Board meeting is being webcasted and recorded.

## **BOARD MEETING**

### **UNCONTESTED ITEM**

3. Consideration of a proposed Resolution authorizing the Executive Director or designee to enter into contracts with the United States Bureau of Reclamation under which the State Water Board will be reimbursed for administering the water rights of the Bureau of Reclamation.

*Staff Presenting: Robert LaCasse, Tiffany Ruiz, David Rose, Andy Sawyer*

- [Agenda Item](#)
- [Draft Resolution](#)

**Motion:** Board Member Maguire moved to adopt the proposed Resolution

**Seconded by:** Board Member Morgan

**MOTION CARRIED** ([Resolution No. 2024-0031](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

### **INFORMATIONAL ITEM**

4. Current Hydrologic Conditions and Response.

*Staff Presenting: Jessica Bean, Eloise Berryman, Erin Ragazzi, Andy Sawyer*

### **No Action Taken**

### **Commenters**

*None*

### **DIVISION OF WATER RIGHTS**

5. Consideration of proposed Order setting aside Water Quality Certification for the Yuba River Development Project.

*Staff Presenting: Stephanie Postal, Erin Ragazzi, Andy Sawyer*

- [Public Notice](#)
- [Agenda Item](#)
- [Draft Order](#)
- Written Comments were due by noon on August 9, 2024

**Motion:** Board Member Morgan moved to adopt the proposed Order

**Seconded by:** Vice Chair D'Adamo

**MOTION CARRIED** ([Order WQ 2024-0083](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

### **Commenters**

*Gary Bobker, Friends of the River*

*Willie Whittlesey, Yuba Water Agency*

*Aaron Zettler-Mann, South Yuba River Citizens League*

### **DIVISION OF ADMINISTRATIVE SERVICES**

6. Consideration of a proposed Resolution adopting an emergency regulation amending Water Rights Fee Schedules in Title 23, Sections 1042, 1044, 1062, 1063, 1064, 1066, 1068 and 3833 of the California Code of Regulations.

*Staff Presenting: David Ceccarelli, John Russell, Cassandra White, Amanda Montgomery, David Rose*

- [Agenda Item](#)
- [Draft Resolution](#)
- [Proposed Regulation Text](#)

**Motion:** Vice Chair D'Adamo moved to adopt the proposed Resolution with changes to the Regulation as read into the record by David Rose

**Seconded by:** Board Member Morgan

**MOTION CARRIED** ([Resolution No. 2024-0032](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

### **Commenters**

*Bob Gore, Gualco Group*

*Alex Biering, California Farm Bureau*

*Michael Miiller, California Association of Winegrape Growers*

*Noelle Cremers, Wine Institute*

*Jacob DeFant, Agricultural Council of California*

7. Consideration of a proposed Resolution adopting emergency regulations revising the Core Water Quality Regulatory Fee Schedules contained in Title 23, Division 3, Chapter 9, Article 1, Sections 2200, 2200.6, 2200.7 and 2200.8 of the California Code of Regulations.

*Staff Presenting: David Ceccarelli, John Russell, Cassandra White, Serena Liu*

- [Agenda Item](#)
- [Draft Resolution](#)
- [Proposed Regulation Text](#)



**Motion:** Board Member Maguire moved to adopt the proposed Resolution

**Seconded by:** Board Member Morgan

**MOTION CARRIED** ([Resolution No. 2024-0033](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Bob Gore, Gualco Group*

*Rosario Cortés, WateReuse California*

*Spencer Saks, California Association of Sanitation Agencies*

*Margaret Bornyasz, Riverside County Flood Control and Water Conservation District*

*Ellen Wehr, Water Foundation*

*Jean-Pierre Cativiela, Dairy Cares*

*Jacob DeFant, Agricultural Council of California*

8. Consideration of a proposed Resolution adopting emergency regulations amending the Environmental Laboratory Accreditation Program fee regulations in title 22, California Code of Regulations section 64802.25.

*Staff Presenting: David Ceccarelli, John Russell, Cassandra White, Kim Niemeyer*

- [Agenda Item](#)
- [Draft Resolution](#)
- [Proposed Regulation Text](#)

**Motion:** Board Member Firestone moved to adopt the proposed Resolution

**Seconded by:** Board Member Maguire

**MOTION CARRIED** ([Resolution No. 2024-0034](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Spencer Saks, California Association of Sanitation Agencies*

9. Consideration of a proposed Resolution adopting emergency regulations amending Drinking Water Fee Schedules in title 22, section 64305 of the California Code of Regulations.

*Staff Presenting: David Ceccarelli, John Russell, Cassandra White, Nicole Di Camillo*

- [Agenda Item](#)
- [Draft Resolution](#)
- [Proposed Regulation Text](#)

**Motion:** Vice Chair D'Adamo moved to adopt the proposed Resolution

**Seconded by:** Board Member Firestone

**MOTION CARRIED** ([Resolution No. 2024-0035](#))

**Aye:** Chair Esquivel  
Vice Chair D'Adamo  
Member Maguire  
Member Firestone  
Member Morgan

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Bob Gore, Gualco Group*

**INFORMATIONAL ITEMS**

10. Board Member Reports.

For full details on each Board Member report, please review the video at [Board Videos | California State Water Resources Control Board](#). It begins at 5:48:06 on the video for the September 18, 2024 Board Meeting.

11. [Executive Director's Report](#).

**No Action Taken**

**Commenters**

*None*

**ADJOURNMENT**

The Board adjourned at 2:23 p.m.

## **CLOSED SESSION**

Closed Sessions are not open to the Public

### **ADMINISTRATIVE HEARINGS OFFICE/ DIVISION OF WATER RIGHTS**

The Board may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the petition for partial assignment of state-filed Application 25517, accompanying water right Application 25517X01, and petitions for release from priority of state-filed Applications 25513, 25514, 25517 (unassigned portion), 22235, 23780, and 23781 in favor of water right Application 25517X01 filed by the Sites Project Authority. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

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

The Board may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the water right change petition filed by the California Department of Water Resources to add two new points of diversion and rediversion to water right permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively) for the State Water Project associated with the Delta Conveyance Project. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

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

### **ADMINISTRATIVE HEARINGS OFFICE**

The Board will meet in closed session to deliberate on a draft order in the Matter of Alleged Waste, Unreasonable Use, Unreasonable Method of Use, and Unreasonable Method of Diversion of Water by Douglas and Heidi Cole and Marble Mountain Ranch. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

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

### **OFFICE OF CHIEF COUNSEL**

The Board will meet in closed session to discuss the status of and receive legal advice concerning a complaint filed against the Board pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000(d) *et seq.*, and the United States Environmental Protection Agency's nondiscrimination regulation, at 40 C.F.R. Part 7, pertaining to the Board's water quality standards setting in the San Francisco Bay/Sacramento-San Joaquin Delta watershed (EPA File No. 01RNO-23-R9). (This closed session is authorized under Government Code section 11126, subdivision (e).)

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

## **IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. (Noon) on September 12, 2024 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on September 12, 2024 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](mailto:commentletters@waterboards.ca.gov). Please indicate in the subject line, **09/17-18/2024 BOARD MEETING – ITEM # (fill in bolded subject from appropriate item).**

If you have questions about the agenda, or if you do not have internet access and need a telephone number to participate in the meeting, please contact the Clerk to the Board at (916) 341-5600 prior to the date of the meeting.

If you would like to request a copy of public comments submitted on an agenda item, please send a request to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov), identifying the Board meeting date, and agenda item by name and number.

Agenda and items will be available electronically at:  
[http://www.waterboards.ca.gov/board\\_info/calendar/index.shtml](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: <https://video.calepa.ca.gov/>.  
An alternate live-stream broadcast will also be available at:  
<https://www.youtube.com/user/BoardWebSupport/>

## **LANGUAGE SERVICES**

For oral interpretation, written translation, or sign language services, please call (916) 341-5254 or e-mail: [opp-languageservices@waterboards.ca.gov](mailto:opp-languageservices@waterboards.ca.gov) (at least 7 calendar days before the date of the Board meeting).

## **ACCESSIBILITY AND REASONABLE ACCOMMODATIONS**

The State Water Board is committed to making its meetings accessible consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and swiftly resolving requests for reasonable modifications or accommodations. Telecommunications device for the deaf (TDD) users may contact the California Relay

Service at: (800) 735-2929 or voice line at (800) 735-2922. In addition, persons requiring reasonable modification or accommodation for disabilities should promptly (preferably at least 7 days before the meeting) contact the Clerk at [board.clerk@waterboards.ca.gov](mailto:board.clerk@waterboards.ca.gov) to initiate a request for reasonable modification or accommodation.