



STATE WATER RESOURCES CONTROL BOARD

BOARD MEETING MINUTES

WEDNESDAY, JANUARY 18, 2023

THURSDAY, JANUARY 19, 2023

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/.

The video of the Board Meeting is available to view on our website at: http://www.waterboards.ca.gov/board_info/video.shtml

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Wednesday, January 18, 2023 at 9:51 a.m. with both a physical meeting location and remote location.

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

Member Nichole Morgan

EXECUTIVE STAFF PRESENT

Eileen Sobeck, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Eric Oppenheimer, Chief Deputy Director
Courtney Tyler, Acting Clerk to the Board
Marji Arjil, Assistant Clerk to the Board
Meredith Thompson, SSMI

ANNOUNCEMENTS

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

BOARD MEETING

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

PRESENTATION OF SUSTAINED SUPERIOR ACCOMPLISHMENT AWARDS

- *Assistant Deputy Director Meghan Tosney, with the Division of Financial Assistance, presented a Sustained Superior Accomplish Award to Lucio Orellana and Peter Stamas.*

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

Chris Shutes, California Sportfishing Protection Alliance

Gary Bobker, The Bay Institute

Sejal Choksi-Chugh, Baykeeper (and former Deltakeeper program)

Barbara Barrigan-Parrilla, Restore the Delta

John Herrick, South Delta Water Agency

Michael B, Jackson, California Sportfishing Protection Alliance

James Comstock, Comstock Ranch LLC

Nick Joslin, Friends of the Shasta River

Regina Chichizola, Save California Salmon

David Webb, Friends of the Shasta River

BOARD BUSINESS

1. The Board will consider adoption of the January 4, 2023 Board Meeting minutes.

Motion: Vice Chair D'Adamo moved to adopt the January 4, 2023 minutes

Seconded by: Board Member Firestone

MOTION CARRIED ([January 4, 2023](#))

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

Nay: None

Absent: Member Morgan

Abstain: None

UNCONTESTED ITEM (ITEM 2)

2. Consideration of a proposed Resolution to delegate authority to the Executive Director, the Chief Deputy Director or the Deputy Director of the Division of Administrative Services to execute certain contracts and amendments for the Clean Water State Revolving Fund, the Drinking Water State Revolving Fund and the Public Water System Supervision grant.

Staff Presenting: Eric Lau, Heather Bell, Denise Walker

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

Motion: Board Member Firestone moved to adopt the proposed Resolution

Seconded by: Vice Chair D'Adamo

MOTION CARRIED ([Resolution 2023-0002](#))

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

Nay: None

Absent: Member Morgan

Abstain: None

INFORMATIONAL ITEMS

3. Update on monthly water production and conservation data reported by urban retail water suppliers.

(Staff Presentation) Staff Presenting: Marielle Rhodeiro, Charlotte Ely, Erik Ekdahl, Bill McDonnell (MWD Presentation), Joseph Berg (MWDOC Presentation), Andy Sawyer

No Action Taken

4. [Racial Equity Action Plan](#).

(Staff Presentation) Staff Presenting: Celia Pazos, Adriana Renteria, Nefretiri Cooley, Lucia Neri, Darrin Polhemus, Joe Karkoski, Karen Mogus, Erik Ekdahl, Kyle Mossman, Yvonne West, Greg Gearheart, Ana Melendez, James Nachbaur, David Rose, Andy Sawyer

- [Agenda Item](#)
- [Strikethrough](#) (Redline comparison between Sept. 2022 and Jan. 2023 action plan versions)

No Action Taken

Commenters

Sean Bothwell, California Coastkeeper Alliance

Erick Orellana, Community Water Center

Cintia Cortez, Restore the Delta

Regina Chichizola, Save California Salmon

Kasil Willie, Save California Salmon

Yuan Liu, General Public

Jennifer Capitolo, California Water Association

OFFICE OF CHIEF COUNSEL

5. Consideration of a proposed Resolution to Amend the State Water Board's Conflict of Interest Code.

(Staff Presentation) Staff Presenting: Amy Kauba, Kim Niemeyer, Andy Sawyer

- [Agenda Item](#)
- [Draft Resolution](#)
- [Draft Conflict of Interest Code](#)

- Written Comments (due by December 15, 2022)
- [Response to Comments](#)
- [Revised Notice of Intent](#)

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

Seconded by: Board Member Firestone

MOTION CARRIED ([Resolution 2023-0003](#))

Aye: Chair Esquivel
Vice Chair D’Adamo
Member Maguire
Member Firestone

Nay: None

Absent: Member Morgan

Abstain: None

Commenters

*Jesse Rodriguez, Professional Engineers in California Government (PECG) and
California Association of Professional Scientists (CAPS)*

INFORMATIONAL ITEMS

6. Discussion on yearly Strategic Work Plan and Board Priorities.
*Staff Presenting: Nefretiri Cooley, Eileen Sobeck, Jonathan Bishop,
Eric Oppenheimer*
 - [Agenda Item](#)
 - [Draft State Water Board Strategic 2023 Workplan](#)

No Action Taken

Commenters

*Erick Orellana, Community Water Center
Regina Chichizola, Save California Salmon
Sean Bothwell, California Coastkeeper Alliance
Jared Voskuhl, California Association of Sanitation Agencies*

7. Board Member Reports.

For full details on each Board Member report, please review the video at [State Water Resources Control Board Meeting - January 18-19, 2023 - YouTube](#). It begins at 7:59:31 on the video for the January 18, 2023 Board Meeting.

No Action Taken

The Board recessed at 5:34 p.m. until Thursday, January 19, 2023 at 9:30 a.m.

THURSDAY, JANUARY 19, 2023

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Thursday, January 19, 2023 at 9:32 a.m. with both a physical meeting location and remote location

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

Member Nichole Morgan

EXECUTIVE STAFF PRESENT

Eileen Sobeck, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Eric Oppenheimer, Chief Deputy Director
Courtney Tyler, Acting Clerk to the Board
Marji Arjil, Assistant Clerk to the Board
Beba Maletic, Administrative Assistant II

ANNOUNCEMENTS

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INFORMATIONAL ITEM

8. Upcoming Actions to Update and Implement the Water Quality Control Plan for the San Francisco Bay/Sacramento- San Joaquin Delta.
(Staff Presentation) Staff Presenting: Diane Riddle, Erin Foresman, Tina Leahy, Chuck Bonham (CDFW), Erik Loboschefsky (DWR)
 - [Agenda Item](#)

No Action Taken

Commenters

David Guy, Northern California Water Association
Thaddeus Bettner, Glenn Colusa Irrigation District (grouped with NCWA)
Michelle Banonis, Regional Water Authority
Tina Yin, US EPA Region 9
Valerie Kincaid, San Joaquin Tributaries Authority
James Lynch, HDR, Inc., representing Merced Irrigation District
Barry Nelson, Golden State Salmon Association
Heinrich Albert, General Public
John McManus, Golden State Salmon Association
Michael Cooke, Turlock Irrigation District
Kasil Willie, Save California Salmon

Barbara Barrigan-Parrilla, Restore the Delta
Gary Bobker, The Bay Institute
Regina Chichizola, Save California Salmon
Valentina Dimas, Save California Salmon
Peter Drekmeier, Tuolumne River Trust
Justin Fredrickson, California Farm Bureau
Danielle Frank, Save California Salmon
Kate Droz, General Public

BOARD WORKSHOP - WILL NOT BEGIN BEFORE 10:00 a.m.

DIVISION OF WATER RIGHTS

9. Draft Scientific Basis Report Supplement in Support of Proposed Voluntary Agreements for the Sacramento River, Delta, and Tributaries Update to the San Francisco Bay/Sacramento-San Joaquin Delta Water Quality Control Plan.
(Staff Presentation) Staff Presenting: Diane Riddle, Matt Holland, Tina Leahy, Samantha Olson, Bjarni Serup (CDFW), Louise Conrad (DWR), Erik Loboschefsky (DWR), Brooke Jacobs (CDFW)
- [Agenda Item](#)
 - Written Comments (due by February 8, 2023)

No Action Taken

Panel 1 (Presentation)

Gary Bobker, The Bay Institute
Jon Rosenfield, San Francisco Baykeeper

Panel 2 (Presentation)

Julie Zimmerman, The Nature Conservancy
Barry Nelson, Golden State Salmon Association

Panel 3 (Presentation)

Spencer Fern, Restore the Delta
Ashley Overhouse, Defenders of Wildlife
Gary Bobker, The Bay Institute

Commenters

Malissa Tayaba, Vice-Chair of Shingle Springs Band of Miwok Indians
Jennifer Pierre, State Water Contractors
Gloria Alonso Cruz, Restore the Delta
Cintia Cortez, Restore the Delta
Sara Medina, Restore the Delta
Artie Valencia, Restore the Delta
Barbara Barrigan-Parrilla, Restore the Delta
Tim Stroshane, Restore the Delta
Haley Flanagan, Restore the Delta
Ben King, Pacific Gold Agriculture, LLC
Heinrich Albert, General Public
Chris Shutes, California Sportfishing Protection Alliance
Erin Woolley, Sierra Club California
Araceli Moreno, Save California Salmon

MacKenzie Owens, Restore the Delta
Sam Little, Restore the Delta
Mark Raftery, Stanford University Environmental Law Clinic
James Lynch, HDR, Inc., representing Merced Irrigation District
Regina Chichizola, Save California Salmon
Deirdre Des Jardins, California Water Research
Justin Fredrickson, California Farm Bureau
Matt Holmes, Little Manila Rising
Kasil Willie, Save California Salmon
Peter Drekmeier, Tuolumne River Trust

ADJOURNMENT

The Board adjourned at 5:12 p.m.

CLOSED SESSION

Closed Sessions are not open to the Public

PERSONNEL

The Board will meet in closed session to discuss the appointment, evaluation of performance, or dismissal of public employee, or to hear complaints or charges brought against that employee by another employee unless the employee requests a public hearing. (This closed session is authorized by Government Code section 11126, subdivision (a)(1).)

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 January 12, 2023 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on January 12, 2023 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, **01/18-19/2023 BOARD MEETING – ITEM # (fill in bolded subject from appropriate item)**. If you have questions about the agenda, contact the Clerk to the Board at (916) 341-5600.

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, identifying the Board meeting date, and agenda item by name and number.

Agenda and items will be available electronically at:
https://www.waterboards.ca.gov/board_info/calendar/index.html

* 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/>

Individuals who require special accommodations are requested to contact the Clerk to the Board at (916) 341-5600.