



STATE WATER BOARD
BOARD MEETING
Tuesday, March 17, 2009 - 10:00 a.m.
Coastal Hearing Room – Second Floor
Joe Serna Jr./Cal/EPA Building
1001 I Street, Sacramento

DECLARATION OF A QUORUM

Charlie Hoppin, Chair; Frances Spivy-Weber, Vice Chair; Arthur G. Baggett, Jr., Member;
Tam M. Doduc, Member

BOARD MEETING

Public comments on agenda items will be limited to 3 minutes or otherwise at the discretion of the Board Chair

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.

BOARD BUSINESS

1. The Board will consider adoption of the January 6, 2009 & February 3 & 17, 2009 Board Meeting minutes.
2. Board Member Report.

UNCONTESTED ITEMS (Items 3-11*)

- *3. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Lahontan Region (Basin Plan) to revise standards for surface waters of the [Antelope Hydrologic Unit](#). *(Written comments were due on February 20, 2009 by 12 noon)*
- *4. Consideration of a proposed Resolution to authorize the Executive Director to apply for and accept [federal economic recovery grants](#) and any amendments to the grants and execute cooperative agreements with the United States Environmental Protection Agency (U.S. EPA), Region 9 and/or the California Department of Toxic Substances Control (DTSC).
- *5. Consideration of a proposed Resolution for the Adoption of a Statement of Overriding Considerations, Placement on the Water Recycling Funding Program (WRFP) Competitive Projects List, and Execution of the Clean Water State Revolving Fund (CWSRF) and WRFP Preliminary Funding Commitments (PFC) for the [Inland Empire Utilities Agency \(Agency\)](#), Northeast Project Area Package 1 (Project) – CWSRF Project No. 5176-110; WRFP Project No. 3834-030.
- *6. Consideration of a proposed Resolution Authorizing the Deputy Director of the Division of Financial Assistance (Division), or Designee, Authority to Grant Extensions of the [Notice-to-Proceed \(NTP\) with Construction Dates for Multiple Small Community Wastewater Grant \(SCWG\) Program Projects](#).
- *7. Consideration of a proposed Resolution to allocate \$200,000 from the Cleanup and Abatement Account (CAA) to the San Diego Water Quality Control Board (San Diego Water Board) for the [removal of marine debris from A-8 Anchorage, San Diego Bay](#), San Diego.

- *8. Consideration of a proposed Resolution to allocate \$1.2 million from the Cleanup and Abatement Account (CAA) to the Central Valley Regional Water Quality Control Board (Central Valley Water Board) in support of the Development of a [Salinity and Nutrient Management Plan for the Central Valley](#).
- *9. Consideration of a proposed Resolution adopting a [Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Plan](#) for approval of two Water Right Applications, Petitions for Change and Extension of Time for four Water Right Permits, and Petition to Change a Water Right License for McEvoy Ranch in the Petaluma River Watershed in Marin County.
- *10. Consideration of four proposed Orders approving petitions for extension of time and change in purpose of use, place of use, and points of diversion and re-diversion for water right permits held by [McEvoy Ranch](#) in the Petaluma River watershed in Marin County.
- *11. Consideration of a proposed Resolution authorizing the Executive Director or Designee to increase, negotiate, execute, and renew as necessary, the [Foundation for California Community Colleges \(FCCC\) Student Assistant Contract](#).

DIVISION OF FINANCIAL ASSISTANCE

- 12. Consideration of a proposed Resolution to amend the Policy for implementing the [Clean Water State Revolving Fund \(CWSRF\) for construction of wastewater treatment facilities \(Policy\)](#). (*Written comments were due on March 4, 2009 by 12 noon*)
 - [Change Sheet #1 \(3/12/09\)](#)
- 13. Consideration of a proposed Resolution to implement [federal economic recovery legislation for the Clean Water State Revolving Fund \(CWSRF\) Program](#).
 - [Change Sheet #1 \(3/11/09\)](#)

DIVISION OF FINANCIAL ASSISTANCE & DIVISION OF WATER RIGHTS

- 14. Consideration of a proposed Resolution to allocate \$2 million from the Cleanup and Abatement Account (CAA) to the State Water Resources Control Board (State Water Board) in support of California Environmental Quality Act compliance for the [Klamath Hydroelectric Project Section 401 Water Quality Certification](#).

DIVISION OF WATER QUALITY

- 15. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Lahontan Region (Basin Plan) to establish a Total Maximum daily Load (TMDL) for sediment in the [Middle Truckee River Watershed](#). (*Written comments were due on February 13, 2009 by 12 noon*)
- 16. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Los Angeles Region to incorporate a total maximum daily load (TMDL) for trash in the [Malibu Creek Watershed](#). (*Written comments were due on February 13, 2009 by 12 noon*)
- 17. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Diego Region to incorporate implementation provisions for [indicator bacteria water quality objectives](#) to account for loading from natural uncontrollable sources within the context of a total maximum daily load (TMDL). (*Written comments were due on February 13, 2009*)

by 12 noon)

DIVISION OF WATER RIGHTS

18. Consideration of a proposed Decision approving a petition for partial assignment of a State filed application and petition for change submitted by [Lake Alpine Water Company](#) and County of Alpine for diversion from Bear Creek in Alpine County. (*Written comments were due on February 18, 2009 by 12 noon*)
 - [Revised Draft Decision \(03/10/09\)](#)

OFFICE OF CHIEF COUNSEL

19. Own Motion Review of Waste Discharge Requirements and Master Reclamation Permit (Order No. R5-2007-0113 [NPDES No. CA0079243]) for [City of Lodi](#), Central Valley Region. (**SWRCB/OCC File A-1886**). The State Water Board will consider an Order remanding the permit to the Central Valley Water Board. (*Written comments were due on January 23, 2009 by 12 noon. Additional written comments on only the changes to the draft order are due on March 13, 2009 by 12 noon.*)

INFORMATIONAL ITEM

20. Executive Director's Report

CLOSED SESSION

Closed Sessions are not open to the Public

WATER RIGHTS

The Board will meet in closed session to deliberate on a proposed decision following a hearing on Lake Alpine Water Company's and the County of Alpine's petition for partial assignment of State Filed Application (SFA) 5648(7), petition to change SFA 5648 and Application 31523. This closed session is authorized under Government Code section 11126(c)(3).

OFFICE OF CHIEF COUNSEL

RIALTO PERCHLORATE

The Board will meet in closed session to discuss ongoing litigation in *Goodrich Corp. v. California State Water Resources Control Bd., et al.* (Los Angeles Superior Court No. BS110389). (This is authorized under Government Code section 11126, subdivision (e)(2)(A).)

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m., March 11, 2009, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m., March 13, 2009, 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, "**3/17/09 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.