

STATE WATER BOARD
BOARD MEETING MINUTES
February 15, 2006

Copies of the resolutions and water rights order can be obtained by calling (916) 341-5602 or downloading from our [website](#).

CALL TO ORDER

Tam M. Doduc, Chair called the meeting to order on February 15, 2006 at 10:09 a.m. in the Coastal Hearing Room, 1001 I Street, Sacramento, California.

BOARD MEMBERS PRESENT

Tam M. Doduc, Richard Katz, and Gerald D. Secundy

BOARD MEMBERS ABSENT

Arthur G. Baggett, Jr.

STAFF PRESENT

Celeste Cantú, Executive Director
Tom Howard, Deputy Director
Liz Kanter, Office of Public Affairs
Chris Davis, Office of Public Affairs
Barbara Leidigh, Office of Chief Counsel
Steven Blum, Office of Chief Counsel
Therese Barakatt, Office of Chief Counsel
Ted Cobb, Office of Chief Counsel
Debbie Matulis, Office of Chief Counsel
Roni Dickerson, Office of Chief Counsel
David Boyers, Office of Chief Counsel
Sheila Vassey, Office of Chief Counsel
Joanne Cox, Division of Water Quality
Ken Harris, Division of Water Quality
Danny Merkley, Division of Water Quality
Bruce Fujimoto, Division of Water Quality
Dominic Gregorio, Division of Water Quality

Beth Jines, Acting Deputy Director
Michael Lauffer, Chief Counsel
Song Her, Clerk to the Board
Carmencita Sannebeck, Asst. Clerk to the Board
Sharon Norton, Division of Water Rights
Maria Bozionelos, Division of Water Rights
Chris Whittington, Division of Water Rights
Dale Oliver, Division of Water Rights
Vicky Whitney, Division of Water Rights
Jeanice Tipps, Division of Water Rights
Lewis Moeller, Division of Water Rights
Leslie Laudon, Division of Financial Assistance
Kelly Valin, Division of Financial Assistance
Karyn Gardner, Division of Financial Assistance
Sandy Brady, Division of Financial Assistance
Shahla Farahnak, Division of Financial Assistance

(Chair Doduc introduced the new Clerk to the Board, Song Her)

PUBLIC FORUM

Tim O’Laughlin addressed the board to follow up on Salinity issues.

MINUTES

February 1, 2006 Board meeting minutes will be considered on the next Board meeting.

Motion: Member Katz moved to adopt the January 13, 2006 minutes.

Seconded by: Vice Chair Secundy

MOTION CARRIED

Aye: Board Chair Doduc
Vice Chair Secundy
Member Katz

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STATE WATER BOARD
BOARD MEETING MINUTES
February 15, 2006

Absent: Member Baggett

CUSTOMER SERVICE AWARDS

- Barbara Evoy, DFA, honored the Replacement of Underground Storage Tank (RUST) Program Team: Kelly Valin, Karyn Gardner, Sandy Brady, and Therese Barakatt.

In 2004, the RUST Program was transferred to the State Water Board (Board) after the Elimination of the California Technology, Trade and Commerce Energy. Each of the nominees has played a key role in the success of the RUST program.

- Victoria Whitney, DWR, honored Water Rights Staffer: Dale Oliver and Pat Meroney (absent) were honored for their work in revising the *Water Rights Regulations* booklets used extensively by engineers and Water Rights staffers.
- Nominated by the Office of Public Affairs, Victoria Whitney honored the Graphics Team. Maria Bozionelos, Chris Whittington, Sharon Norton, and Dale Oliver were honored for their work in consistently completing assignments with little or no advance notice and working tirelessly on deadline with patience. The staff completes about 300 projects annually.

INFORMATIONAL ITEM

- 1. Report by Bruce Wolfe, San Francisco Bay Regional Water Quality Control Board Executive Officer, on regional board activities, presented a power point [presentation](#).**
- 2. Report by Celeste Cantú, State Water Board Executive Director, on the status of the implementation of the agricultural waiver memorandum of understanding:**

Ms. Cantú addressed the Board about an MOU signed on June 29, 2005, for a Pilot Program among the State Water Resources Control Board, the Central Valley Regional Water Quality Control Board (Central Valley Water Board), the Agricultural Commissioners of Butte and Glenn Counties, and the Department of Pesticide Regulation (DPR) relating to the Central Valley Water Board's Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Lands. The MOU has been progressing smoothly given that it is still in the initial stages, including the development of contract language for the two contracts between the counties and the Central Valley Water Board.

The Central Valley Water Board staff and the two County Agricultural Commissioners have worked through the details and recently signed the two contracts. These efforts demonstrate the working relationship is off to a very good start with good communication and clear understanding between the parties.

Some of the specific issues the Central Valley Water Board staff and the two County Agricultural Commissioners have discussed and resolved include:

1. One staff person at the Central Valley Water Board and in each county identified as a liaison or point of contact to facilitate clear communication and efficiencies.
2. Entry onto private property for Conditional Agricultural Waiver monitoring purposes will provide an opportunity to address and clarify expectations when problems are observed,

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STATE WATER BOARD
BOARD MEETING MINUTES
February 15, 2006

with a clear understanding and consensus that the priority is to promote compliance through information sharing, but that there is an enforcement component.

The contracts provide for program support equal to a half PY in each county for the Irrigated Lands Program by providing inspections of watershed monitoring locations, assisting in identifying sources of water quality exceedances, providing information on watershed activities, and conducting/coordinating public education and outreach programs concerning Irrigated Lands Program, its requirements, and management practices to protect water quality. The contracts describe the above in detail through five specific tasks to be performed and a schedule for their completion.

TASK 1: The counties will provide information and inspect and investigate sites for the Irrigated Lands Program as authorized by the Central Valley Water Board.

- a. Maps currently available from the counties delineating natural water bodies and constructed agricultural drains and canals are examples of information that will be provided. While addressing such issues as “what constitutes an agricultural drain for mapping purposes,” the Glenn County Agricultural Commissioner has demonstrated to Central Valley Water Board staff its County-wide GIS Permitting Program.
- b. As authorized by the Central Valley Water Board Contract Manager, the counties will perform five pesticide application inspections each year (in addition to inspections conducted for DPR) based on water quality issues identified by the Central Valley Water Board, Coalition Groups/Individual Dischargers, or the Ag. Commissioner.
- c. As authorized by the Central Valley Water Board Contract Manager, perform investigations to identify sources of water quality exceedances.

TASK 2: Inspect, assess, and document management practices used in agricultural operations to protect water quality.

- a. Inspect a minimum of five sites to identify management practices that protect water quality and determine their effectiveness.
- b. Identify, evaluate, and document management practices that are specific and appropriate to activities and operations within a watershed.
- c. Take part in the development of integrated management practices to protect water quality.

TASK 3: Assist the Central Valley Water Board in evaluating sample monitoring points for agricultural wastewater discharges within the county.

- a. Provide a list of pesticides being used in the county and inform the Central Valley Water Board when new pesticides are used.

TASK 4: Coordinate and conduct outreach to growers on management practices that protect water quality.

STATE WATER BOARD
BOARD MEETING MINUTES
February 15, 2006

- a. Participate in outreach programs to assist Irrigated Lands Program participants in complying with management practices to protect water quality.
- b. Evaluate outreach efforts and help Central Valley Water Board staff design outreach programs on management practices to protect water quality.

TASK 5: Assist Central Valley Water Board staff by providing information and input that will further the implementation of the Irrigated Lands Program.

- a. Coordinate with other agencies associated with agricultural operations on management practices that protect water quality.

3. Board Member Report

(The Board will not hear the report from Vice-Chair Secundy.)

FINANCIAL ASSISTANCE

4. Consideration of a resolution adopting language to clarify the term “coastal” for the Coastal Nonpoint Source Pollution Control Program in the 2005-06 Consolidated Grants Program Guidelines

Motion: Member Katz moved to adopt the proposed resolution.

Seconded by: Vice-Chair Secundy

MOTION CARRIED ([Resolution 2006-0012](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Katz

Absent: Member Baggett

Commenters

None

WATER QUALITY

5. Consideration of a resolution approving an exception to the California Ocean Plan for the University of Southern California Wrigley Marine Science Center discharge into the northwest Santa Catalina Island Area of Special Biological Significance

Motion: Member Katz moved to adopt the proposed resolution.

Seconded by: Vice-Chair Secundy

MOTION CARRIED ([Resolution 2006-0013](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Katz

Absent: Member Baggett

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STATE WATER BOARD
BOARD MEETING MINUTES
February 15, 2006

Commenters

None

WATER RIGHTS

6. Consideration of a proposed order following a hearing on draft cease and desist orders against the United States Bureau of Reclamation (USBR) and the California Department of Water Resources (DWR) and reconsideration of the Division Chief's approval of a water quality response plan for joint use of USBR's and DWR's points of diversion in the southern Sacramento-San Joaquin Delta

(Chief Counsel Michael Lauffer recused himself from this matter. Staff Counsel Barbara Leidigh took the lead as the Board's attorney for the matter.)

Victoria Whitney, Division of Water Rights: Ms. Whitney presented this item to the Board and said since this is the third time this item went before the Board, she will not go into a lot of background. Ms. Whitney made her comments available after the commenters addressed the Board.

Only for this agenda item a panel discussion between the Board and commenters was done.

Motion: Member Katz moved to adopt the proposed resolution.

Seconded by: Vice-Chair Secundy

MOTION CARRIED ([Water Rights Order 2006-0006](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Katz

Absent: Member Baggett

Commenters

Bill Jennings, California Sportfishing Protection Alliance
DeeAnne Gillick, San Joaquin County
Erin Mahaney, Division of Water Rights Prosecution
John Herrick, South Delta Water Agency
Tim O'laughlin, representing San Joaquin River Group Authority
Ron Milligan, United States Bureau of Reclamation
Jerry Johns, Division of Water Rights
Cathy Crothers, Division of Water Rights
Cliff Schulz, State Water Contractors
Jon Rubin, San Luis & Delta-Mendota Water Authority

ADJOURNED

The Board meeting adjourned at 12:10 pm