

STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
February 19, 2008

Copies of the resolutions and water quality order can be obtained by calling (916) 341-5600 or downloading from our web site at <http://www.waterboards.ca.gov/resdec/index.html#resdec>.

CALL TO ORDER

Chair Tam Doduc called the meeting to order on February 19, 2008 at 10:04 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

BOARD MEMBERS PRESENT

Tam Doduc, Chair; Gary Wolff, P.E., Ph.D., Vice Chair; Member; Arthur G. Baggett, Jr., Member; Charlie Hoppin, Member; Frances Spivy-Weber, Member

STAFF PRESENT

Dorothy Rice, Executive Director	Jeanine Townsend, Clerk of the Board
Tom Howard, Chief Deputy Director	Claudia Villacorta, Division of Financial Assistance
Jonathan Bishop, Chief Deputy Director	Erin Ragazzi, Division of Financial Assistance
Michael Lauffer, Chief Counsel	Barbara Evoy, Division of Financial Assistance
Sheila Vassey, Office of Chief Counsel	Gita Kapahi, Office of Public Participation
James Herink, Office of Chief Counsel	Mark Bradley, Office of Enforcement
Ted Cobb, Office of Chief Counsel	Reed Sato, Office of Enforcement
Andy Sawyer, Office of Chief Counsel	Ann Crum, Office of Enforcement
Steven Blum, Office of Chief Counsel	James Giannopoulos, Division of Water Quality
Alex Mayer, Office of Chief Counsel	Mitchell Goode, Division of Water Quality
Bill Rukeyser, Office of Public Affairs	Chris Beegan, Division of Water Quality
Kathie Smith, Office of Public Affairs	Dominic Gregorio, Division of Water Quality
Les Grober, Division of Water Rights	Darrin Polhemus, Division of Water Quality
Bob Languell, Office of Research, Planning & Performance	Bruce Fujimoto, Division of Water Quality
Caren Trgovcich, Office of Research, Planning & Performance	Liz Haven, Division of Water Quality
Gerald Horner, Office of Research, Planning & Performance	Rik Rasmussen, Division of Water Quality
Bob Anderson, North Coast Regional Water Board	Joanna Jensen, Division of Water Quality
Danny McClure, Central Valley Regional Water Board	Nirmal Sandhar, Division of Water Quality
Paul Hann, Central Valley Regional Water Board	Jerry Bruns, Central Valley Regional Water Board

ANNOUNCEMENT

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

PUBLIC FORUM

Commenters

David Aladjem, San Bernardino Valley Municipal Water District

- ❖ **Chair Doduc asked for Caren Trgovcich to meet with Mr. Aladjem to discuss components on the Strategic Plan**

BOARD BUSINESS

1. The Board will consider adoption of the February 5, 2008 board meeting minutes.

No Action Taken – Deferred to March 18, 2008 Board Meeting

2. Board Member Report

No Action Taken

UNCONTESTED ITEMS (Items 3 & 4)*

- *3 Consideration of a Resolution authorizing the Executive Director to amend contract providing environmental consulting services associated with establishing regulations for [onsite wastewater treatment systems](#).

Motion: Member Baggett moved to adopt the proposed resolution.

Seconded by: Member Spivy-Weber

MOTION CARRIED ([Resolution 2008-0009](#))

Aye: Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin
Member Baggett

- *4. Consideration of a Resolution for authorization to enter into an Agreement with the [California Department of Public Health](#) for two expert advisory panels and a Risk Assessment Report.

Motion: Member Baggett moved to adopt the proposed resolution.

Seconded by: Member Spivy-Weber

MOTION CARRIED ([Resolution 2008-0010](#))

Aye: Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin
Member Baggett

CLIMATE CHANGE

5. Consideration and discussion of Water Board [Climate Change](#) Activities.

Motion: Member Spivy-Weber moved to adopt the proposed resolution as amended.

Seconded by: Chair Doduc

MOTION CARRIED ([Resolution 2008-0011](#))

Aye: Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin
Member Baggett

Commenters

Cat Kuhlman, U.S. EPA

Martha David, Inland Empire Utilities Agency

Matt Vandersluis, Planning Conservation League

Michele Pla, Bay Area Clean Water Agencies

Nick Lapis, Californians Against Waste

Randy Poole, Sonoma County Water Agency

- ❖ **Member Baggett recommended updating the Sustainability Development Resolution (2005-0006) to incorporate Climate Change language. Chair Doduc concurred with the recommendation. She recommended that staff bring the updated resolution in at the April 15, 2008 Board Meeting.**
- ❖ **Chair Doduc proposed to direct staff to bring back to the Board at the May 6, 2008 Board Meeting, an updated draft resolution as well as updates on where Wet-Cat (the climate action team for water issues) is with respect to the measures under consideration and the seven measures being evaluated by the Water Board.**
- ❖ **Vice-Chair suggested that the Board Members meet in a special session to discuss the Strategic Plan.**

FINANCIAL ASSISTANCE & WATER QUALITY

6. Consideration of a Resolution appointing the Assembly Bill (AB) 739 [Storm Water Management Task Force](#).

Motion: Vice-Chair Wolff moved to adopt the proposed resolution with revisions.

Seconded by: Member Spivy-Weber

MOTION CARRIED ([Resolution 2008-0012](#))

Aye: Board Chair Doduc
Vice Chair Wolff
Member Spivy-Weber
Member Hoppin

Absent: Member Baggett

WATER QUALITY

7. Consideration of a Resolution approving an amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (Basin Plan) for the control of [diazinon and chlorpyrifos](#) runoff into the Sacramento and Feather Rivers. (Written comments were due on January 16, 2008 by 12 p.m.) ([Staff Presentation](#))

Motion: Member Spivy-Weber moved to adopt the proposed resolution.

Seconded by: Member Baggett

MOTION CARRIED ([Resolution 2008-0013](#))

Aye: Board Chair Doduc
Member Spivy-Weber
Member Hoppin
Member Baggett

Absent: Vice-Chair Wolff

Commenters

Debra Denton, U.S. EPA

Mark Rentz, Department of Pesticide Regulation

8. Consideration of a Resolution to adopt a Water Quality Control Plan for [Enclosed Bays and Estuaries – Part 1 Sediment Quality](#). (Written comments were due on November 30, 2007 by 12 p.m. This item was continued from the February 5, 2008 meeting.) ([Staff Presentation](#))

Motion: Chair Doduc moved to adopt the proposed resolution with changes.

Seconded by: Member Spivy-Weber

MOTION CARRIED ([Resolution 2008-0014](#))

Aye: Board Chair Doduc
Member Spivy-Weber
Member Hoppin
Member Baggett

Nay: Vice-Chair Wolff

Commenters

Debbie Webster, Central Valley Clean Water Association

Jen Kovacs, San Francisco Baykeeper

Kevin Buchan, Western States Petroleum Association

Michele Pla, Bay Area Clean Water Agencies

Paul Singarella, California Chamber

Tom Grovhoug, CASA/Tri-TAC

INFORMATIONAL ITEM

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

No Action Taken – Report was not heard. Will be posted to the website.

BOARD WORKSHOP

OFFICE OF ENFORCEMENT

The following workshop will not occur before 1:00 p.m.

10. The State Water Board will hold a workshop session to receive comments on the [Draft Water Quality Enforcement Policy](#) (Written comments are due on February 7, 2008 by 12 p.m.) ([Staff Presentation](#))

No Action Taken

Commenters

Al Brizard, General Public
Amy Miller, U.S. EPA
Craig Johns, Partnership for Sound Science in Environmental Policy
Craig Wilson, CARES
Debbie Webster, Central Valley Clean Water Association
John Pastore, Southern California Alliance of POTWs
Kathy Mannion, Regional Council of Rural Counties
Kyle Ericson, City of Folsom
Linda Sheehan, California Coastkeeper
Matt Bogoshian, California Environmental Protection Agency
Michele Pla, Bay Area Clean Water Agencies
Rita Sudman, Water Education Foundation
Sharon Green, Sanitation Districts of LA County
Tess Dunham, California Farm Bureau Federation

- ❖ **Chair Doduc asked Chief Deputy Director Bishop and Mr. Sato to work with the Regional Boards on the Policy.**
- ❖ **Chair Doduc encouraged the staff to explore the idea of allocating money from the Cleanup and Abatement account for educational programs (EEI).**
- ❖ **Chair Doduc suggested to Mr. Soto to convene another stakeholder meeting before April.**

CLOSED SESSION ITEMS

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 a 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 under Government Code section 11126, subd. (a)(1).)

WATER RIGHTS (These are authorized under Government Code section 11126(c)(3). These items will be scheduled for consideration at a future meeting. Interested parties will be notified of the exact times, dates and locations.)

- The Board will meet in closed session to deliberate on a proposed order following a hearing on Yuba County Water Agency's petition to modify flow-related conditions imposed on its water right permits in Decision 1644 and petition for long-term transfer of water, both related to the lower Yuba River Accord.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding a draft Cease and Desist Order and Administrative Civil Liability Complaint against the Vineyard Club, Inc., for an alleged unauthorized diversion from Oak Flat Creek, tributary to Gill Creek thence Russian River in Sonoma County.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding a draft Cease and Desist Order and Administrative Civil Liability Complaint against North San Joaquin Water Conservation District regarding alleged violation of the District's water right permit authorizing diversion of water from the Mokelumne River in San Joaquin County.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding North San Joaquin Water Conservation District's petition to extend the time schedule to develop the project, which is set forth as permit conditions in the District's water right permit that authorizes diversion of water from the Mokelumne River in San Joaquin County.

ADJOURNED

The Board Meeting adjourned at 5:03 p.m.