



STATE WATER BOARD
BOARD MEETING & HEARING
Tuesday, November 17, 2009 – 9:00 a.m.
Coastal Hearing Room – Second Floor
Joe Serna Jr./Cal/EPA Building
1001 I Street, Sacramento

***** PLEASE NOTE 9:00 A.M. START TIME FOR BOARD MEETING *****

DECLARATION OF A QUORUM

Charles M. Hoppin, Chairman; Frances Spivy-Weber, Vice Chair; Arthur G. Baggett, Jr., Member; Tam M. Doduc, Member; Walter G. Pettit, Member

BOARD MEETING

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

PRESENTATION OF SUPERIOR ACCOMPLISHMENT AWARD

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 October 20, 2009 Board Meeting minutes.
2. Board Member Report.

UNCONTESTED ITEMS (Item 3-5*)

- *3. Consideration of a proposed Resolution to allocate \$849,103 from the Cleanup and Abatement Account (CAA) to the San Francisco Bay Regional Water Quality Control Board (San Francisco Bay Water Board) in support of the [Aramburu Island Restoration Project \(Project\)](#).
- *4. Consideration of a proposed Resolution finding that the [Department of Water Resources' Safe, Clean, Reliable Water Supply Act \(Prop 204\) funded projects](#) will assist in the implementation of the 2006 Water Quality Control Plan for the San Francisco/Sacramento-San Joaquin Delta Estuary.
- *5. Consideration of a proposed Resolution authorizing the Executive Director to execute a contract to support the Central Valley Regional Water Quality Control Board's development of an environmental impact report (EIR) for the regulation of [manure digesters and co-digestion facilities](#).

DIVISION OF FINANCIAL ASSISTANCE

6. Consideration of a proposed Resolution directing additional actions to improve administration of the [Underground Storage Tank \(UST\) Cleanup Fund and UST Cleanup Programs](#).

DIVISION OF WATER QUALITY

7. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) to establish new water quality objectives, Total Maximum Daily Loads (TMDLs) and Implementation Plan, and to vacate an existing water quality objective, for mercury in the [Guadalupe River Watershed](#). *(Written comments were due on October 19, 2009 by 12 noon.)*

OFFICE OF CHIEF COUNSEL

8. Consideration of a proposed Order regarding the Petition of California Sportfishing Protection Alliance, Waste Discharge Requirements Order No. R5-2008-0104 [NPDES Order No. CA0085286] for the [Soper Company, Spanish Mine, Nevada County](#), issued by the California Regional Water Quality Control Board, Central Valley Region. (SWRCB/OCC File A-1948.) The State Water Board will hear comments and consider issuing an order remanding the waste discharge requirements. *(Written comments on only the changes made in the revised order dated November 3, 2009 were due on October 27, 2009 by 12 noon.)*

OFFICE OF ENFORCEMENT

9. Consideration of adoption of the proposed statewide [Water Quality Enforcement Policy](#). *(Written comments were due on September 21, 2009 by 12 noon.)*

INFORMATIONAL ITEM

10. Executive Director's Report.

BOARD HEARING

The State Water Board may take final action at the conclusion of this hearing or may defer final action to a subsequent, publicly noticed board meeting

11. Consideration of a proposed Resolution to adopt a regulation that provides an interim variance for [underground storage of biodiesel blends](#) up to 20 percent biodiesel (B20). *(Written comments were due on October 29, 2009 by 12 noon, except for written comments that are limited to the second modification to the text of the regulation, which are due on November 16, 2009 by 9:00 a.m.)*

CLOSED SESSION

Closed Sessions are not open to the Public

DIVISION OF WATER RIGHTS

The Board will meet in closed session to deliberate on a proposed order following a hearing concerning modification of Cease and Desist Order WR 2006-0006 against the Department of Water Resources and the United States Bureau of Reclamation in Connection with the water right permits and license for the State Water Project and Central Valley Project. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

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, subdivision (a)(1).)

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m., November 10, 2009, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m., November 12, 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, "**11/17/09 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.