

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
SEPTEMBER 20, 2018**

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

Board Chair Felicia Marcus called the meeting to order on September 20, 2018 at 9:34 a.m. California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Coastal Hearing Room, Sacramento, California

BOARD MEMBERS PRESENT

Chair Felicia Marcus; Vice Chair Steven Moore; Member Tam Doduc; Member E. Joaquin Esquivel

BOARD MEMBERS ABSENT

Member Dorene D'Adamo

EXECUTIVE STAFF PRESENT

Eileen Sobeck, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Courtney Tyler, Assistant to Clerk to the Board

ANNOUNCEMENTS

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

**SECOND REVISED
ITEM 6: POSTPONED TO OCTOBER 16-17, 2018 BOARD MEETING
ITEM 2: CORRECTED COMMENT DEADLINE DATE**

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 AWARD

- *Erik Ekdahl and Jule Rizzardo from the Division of Water Rights presented the award to Janelle Heinzler*

PUBLIC FORUM

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

BOARD BUSINESS

1. The Board will consider adoption of the September 4, 2018 Board Meeting minutes.

Motion: Vice Chair Moore moved to adopt the proposed minutes.

Seconded by: Member Esquivel

MOTION CARRIED: ([September 4, 2018](#))

Aye: Chair Marcus
Vice Chair Moore
Member Esquivel

Nay: None

Absent: Member D'Adamo

Abstain: Member Doduc

UNCONTESTED ITEMS* (Items 2-3)

- *2. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Santa Ana River Basin to incorporate Total Maximum Daily Loads for Selenium in Freshwater: Newport Bay Watershed, Orange County, California

- [Agenda Item](#)
- [Draft Resolution](#)
- [Written Comments](#) (due on September 37, 2018 by 12 noon)
 - [Response to Comments](#)

Motion: Vice Chair Moore moved to adopt the proposed Resolution.

Seconded by: Member Esquivel

MOTION CARRIED: ([Resolution No. 2018-0041](#))

Aye: Chair Marcus
Vice Chair Moore
Member Doduc
Member Esquivel

Nay: None

Absent: Member D'Adamo

Abstain: None

- *3. Consideration of a proposed Resolution adopting the 2019 Nonpoint Source Grant Program Guidelines, authorizing staff to solicit and recommend projects, and authorizing the Executive Director or designee to award and execute finance agreements for the 2019 Nonpoint Source Grant Program.

- [Agenda Item](#)
- [Draft Resolution](#)
 - [Draft Guidelines](#)
- [Change Sheet #1](#)

Motion: Vice Chair Moore moved to adopt the proposed Resolution with changes in Change Sheet #1.

Seconded by: Member Esquivel

MOTION CARRIED: ([Resolution No. 2018-0042](#))

Aye: Chair Marcus
Vice Chair Moore
Member Doduc
Member Esquivel

Nay: None

Absent: Member D'Adamo

Abstain: None

DIVISION OF ADMINISTRATIVE SERVICES

4. Consideration of a proposed Resolution adopting an emergency regulation amending Water Rights Fee Schedules in Title 23, Sections 1062, 1063, 1064, 1066, and 1068 of the California Code of Regulations. *Staff Presenting: John Russell, David Ceccarelli, Amanda Montgomery & David Rose* ([Staff Presentation](#))

- [Agenda Item](#)
- [Draft Resolution](#)
 - [FY 18/19 Fee Schedule](#)
- [Written Comments](#)

Motion: Vice Chair Moore moved to adopt the proposed Resolution with changes in [Change Sheet #1](#) and [Change Sheet #2](#)

Seconded by: Member Esquivel

MOTION CARRIED: ([Resolution No. 2018-0043](#))

Aye: Chair Marcus
Vice Chair Moore
Member Doduc
Member Esquivel

Nay: None

Absent: Member D’Adamo

Abstain: None

Commenters

Bob Gore, Kings River, Fresno, Trinitas Farming
Daniel O’Hanlon, Westlands Water District
Danny Merkley, CA Farm Bureau
Kirk Wilbur, CA Cattlemen’s Association

5. Consideration of a proposed Resolution adopting emergency regulations revising the Core Water Quality Regulatory Fee Schedules contained in Title 23, Division 3, Chapter 9, Article 1, Sections 2200, 2200.4, 2200.6 and 2200.8 of the California Code of Regulations. ([Staff Presentation](#))
Staff Presenting: John Russell, Glenn Osterhage & David Ceccarelli

- [Agenda Item](#)
- [Draft Resolution](#)
 - [FY 18/19 Fee Schedule](#)
- [Written Comments](#)
- [Change Sheet #1](#)

Motion: Member Esquivel moved to adopt the proposed Resolution with changes in Change Sheet #1

Seconded by: Member Doduc

MOTION CARRIED: ([Resolution No. 2018-0044](#))

Aye: Chair Marcus
Vice Chair Moore
Member Doduc
Member Esquivel

Nay: None

Absent: Member D’Adamo

Abstain: None

Commenters

Joy Lewis, California Strawberry Commission
Bob Gore, Fresno, Winegrape Growers
Bruce Houdesheldt, Sacramento Valley Water Quality Coalition
J.P. Cativiela, Dairy Cares Coalition
Paul Sousa, Western United Dairyman

INFORMATIONAL ITEM

6. Update regarding the status of Phase 1 of the Salton Sea Management Program.

- [Agenda Item](#)
- [Order WR 2017-0134](#)

POSTPONED TILL OCTOBER 16-17, 2018 BOARD MEETING

DIVISION OF FINANCIAL ASSISTANCE

7. Consideration of a proposed Resolution approving Water Recycling Funding Program and Clean Water State Revolving Fund financing to Kern-Tulare Water District for the Oil Field Water Reuse Project (Project); Project No. 8097-110. *Staff Presenting: Mike Downey & Julia Nick* ([Staff Presentation](#))

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

Motion: Member Esquivel moved to adopt the proposed Resolution.

Seconded by: Member Doduc

MOTION CARRIED: ([Resolution No. 2018-0045](#))

Aye: Vice Chair Moore
Member Doduc
Member Esquivel

Nay: None

Absent: Chair Marcus
Member D'Adamo

Abstain: None

Commenters

Steve Dalke, Kern-Tulare Water District

Mike Garabedian, Friends of the North Fork

Bob Gore, CA Independent Petroleum Association

INFORMATIONAL ITEMS

8. Board Member Report.

Member Esquivel

- *Participated in the National Governor's Associations Water Policy Learning Network Conference as part of the Global Climate Summit.*
- *Attended the Water Pavilion.*
- *Attended a drinking water facility ribbon cutting ceremony in Fresno.*

Vice-Chair Moore

- *Participated in the Global Climate Summit with Secretary Karen Ross and Undersecretary Jenny Lester Moffitt from the California Department of Food and Agriculture.*
- *Visited with Sonoma Water.*
- *Participated on a panel with Pacific Institute about water reuse on onsite systems.*

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

No Action Taken

CLOSED SESSION
Closed Sessions are not open to the Public

OFFICE OF CHIEF COUNSEL

The Board may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the joint Petition filed by the California Department of Water Resources and the U.S. Bureau of Reclamation to add three new points of diversion and/or points of rediversion of water to specified water right permits for the State Water Project and the Central Valley Project associated with the California WaterFix Project. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

The Board did not meet in Closed Session on the above Item.

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).)

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. on September 13, 2018 and will not be accepted after that time.**

Submittal of electronic Powerpoint presentations **must be received by 12:00 p.m. on September 13, 2018 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, **09/20/18 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.

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: <https://video.calepa.ca.gov/>

For a map to our building, visit: <http://www.calepa.ca.gov/headquarters-sacramento/location/>. 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 Clerk to the Board, (916) 341-5600.