



**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING**

**Tuesday, September 17, 2019 – 9:00 a.m.\*  
Wednesday, September 18, 2019 – 9:00 a.m.\***

**\*Please note meeting time change**

**Coastal Hearing Room – Second Floor  
Joe Serna Jr. - CalEPA Building  
1001 I Street, Sacramento**

**REVISED**

**Item 7 – Written Comment deadline change**

**DECLARATION OF A QUORUM**

E. Joaquin Esquivel, Chair; Dorene D'Adamo, Vice Chair; Tam M. Doduc, Member;  
Sean Maguire, Member; Laurel Firestone, Member

**BOARD MEETING**

***Public comments on agenda items will be limited to 5 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 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.

**BOARD BUSINESS**

1. The Board will consider adoption of the August 20-21, 2019 Board Meeting minutes.

**UNCONTESTED ITEMS\* (ITEM 2-4)**

- \*2. Consideration of a proposed Resolution to increase contract authority for contract 3174165 with ICF Jones & Stokes, Inc. in support of Bay-Delta planning efforts.
  - [Agenda Item](#)
  - [Draft Resolution](#)
- \*3. Consideration of a proposed Resolution to commit up to a total of \$2 million and extend the term of Contract No. 15-098-300 (Russian River Surface Water-Groundwater and Management Modeling Contract) between the State Water Resources Control Board and the United States Geological Survey.
  - [Agenda Item](#)
  - [Draft Resolution](#)

- \*4. Consideration of a proposed Resolution to adopting the 2020 Nonpoint Source Grant Program Guidelines, to authorizing staff to solicit and recommend projects, and authorizing the Executive Director or designee to award and execute finance agreements for the 2020 Nonpoint Source Grant Program.
- [Agenda Item](#)
  - [Draft Resolution](#)
  - [Draft \(9/6/19\) 2020 Nonpoint Source Grant Program Guidelines](#)

## **SAN DIEGO REGIONAL WATER BOARD**

5. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Diego Basin to incorporate site-specific water effect ratios into water quality objectives for toxic pollutants and total maximum daily loads for copper and zinc in Chollas Creek.
- [Agenda Item](#)
  - [Draft Resolution](#)
  - [Written Comments](#) (due on January 18, 2019 by 12 noon)
    - [Response to Comments](#) (on January 18, 2019 deadline)
  - [Written Comments](#) (due on October 18, 2017 by 12 noon)
    - [Response to Comments](#) (on October 18, 2017 deadline)

## **DIVISION OF DRINKING WATER**

6. Consideration of a Proposed Resolution to Adopt the Drinking Water System Administrator Policy Handbook.
- [Agenda Item](#)
  - [Draft Resolution](#)
  - [Draft Administrator Policy Handbook](#)
    - [Change Sheet #1 – Strikethrough/Underline Version](#)
    - [Change Sheet #1 – Clean Version](#)
    - [Change Sheet #2](#)
  - Written Comments (due on September 4, 2019 by 12 noon.)

**Items 7-10 will not be heard before 11:00 a.m.**

## **DIVISION OF WATER RIGHTS**

7. Consideration of a proposed Resolution certifying the final environmental impact report for the Cachuma project regarding consideration of amendments to the United States Bureau of Reclamation's water right Permits 11308 and 11310 (Applications 11331 and 11332) to protect public trust values and downstream water rights on the Santa Ynez River below Bradbury Dam (Cachuma Reservoir).
- [Agenda Item](#)
  - [Draft Resolution](#)
  - [Written Comments](#) (~~due on May 29, 2019 by 12 noon.~~) **due on September 16, 2019 by 12 noon.**
  - [Change Sheet #1](#)

8. Consideration of a proposed Order amending the United States Bureau of Reclamation's water right Permits 11308 and 11310 (Applications 11331 and 11332) for the Cachuma project to protect public trust values and downstream water rights and act on a petition to change the place and purpose of use of those permits.
  - [Agenda Item](#)
  - [Draft Order - Clean Version – September 6, 2019](#)
  - [Draft Order – Comparison Version from March 27, 2019](#)
  - [Written Comments](#) (due on May 29, 2019 by 12 noon.)
  - [Change Sheet #1](#)
  
9. Consideration of a proposed Order issuing a Cease and Desist Order and imposing Administrative Civil Liability against G. Scott Fahey and Sugar Pine Spring Water, LP for the alleged unauthorized diversion of water from four springs in Tuolumne County, which are Deadwood Spring and three unnamed springs (aka Sugar Pine Spring, Marco Spring, and Polo Spring) that are tributary to unnamed streams, thence respectively to Basin Creek, Cottonwood Creek, Hull Creek, and Hull Creek, thence the North Fork of the Tuolumne River (Deadwood Spring only) and the Clavey River, thence the Tuolumne River.
  - [Agenda Item](#)
  - [Draft Order – Clean Version – September 6, 2019](#)
  - [Draft Order – Comparison Version from March 28, 2019](#)
  - [Written Comments](#) (due on March 11, 2019 by 12 noon.)
  
10. Consideration of Petition by Madera Irrigation District for a Statutory Adjudication of Water Rights in the Fresno River Watershed.
  - [Agenda Item](#)
    - [Fact Sheet](#)
  - [Draft Resolution](#)
    - [Petition from Madera Irrigation District](#)
  - Written Comments (due on August 16, 2019 by 12 noon.)

## **WEDNESDAY SEPTEMBER 18, 2019**

### **DIVISION OF ADMINISTRATIVE SERVICES**

11. 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, 2200.6 and 2200.7 of the California Code of Regulations.
  - [Agenda Item](#)
    - [Attachment 1: WDPF Budget Cost Drivers](#)
  - [Draft Resolution](#)
    - [Annual Fee Schedule](#)
  - [Change Sheet #1](#)

12. Consideration of a proposed Resolution adopting an emergency regulation amending Drinking Water Fee Schedules in Title 22, Section 64305 of the California Code of Regulations.

- [Agenda Item](#)
  - [Attachment 1: Safe Drinking Water Account Fund Condition](#)
  - [Attachment 2: Public Water System Fee Schedule Changes](#)
- [Draft Resolution](#)
- [Proposed Regulation Text](#)

13. Consideration of a proposed Resolution adopting an emergency regulation amending Water Rights Fee Schedules in Title 23, Sections 1062, 1063, 1064, 1065, 1066, 1068 and 3833.1 of the California Code of Regulations.

- [Agenda Item](#)
  - [Attachment 1: FY 2019-20 Water Rights Fund Condition](#)
- [Draft Resolution](#)
- [Proposed Regulation Text](#)

### **INFORMATIONAL ITEMS**

14. Board Member Report.

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

**\* \* FRIDAY, SEPTEMBER 20, 2019**

8:30 a.m. Lahontan Regional Water Board, 2501 Lake Tahoe Blvd  
So. Lake Tahoe, CA 96150

## **CLOSED SESSION**

### **Closed Sessions are not open to the Public**

#### **DIVISION OF WATER RIGHTS**

- The Board may meet in closed session to deliberate on a proposed Order issuing a Cease and Desist Order and imposing Administrative Civil Liability against G. Scott Fahey and Sugar Pine Spring Water, LP for the alleged unauthorized diversion of water from four springs in Tuolumne County, which are Deadwood Spring and three unnamed springs (aka Sugar Pine Spring, Marco Spring, and Polo Spring) that are tributary to unnamed streams, thence respectively to Basin Creek, Cottonwood Creek, Hull Creek, and Hull Creek, thence the North Fork of the Tuolumne River (Deadwood Spring only) and the Clavey River, thence the Tuolumne River. This closed session is authorized under Government Code section 11126, subdivision (c)(3).
- The Board may meet in closed session to deliberate on a proposed order on the United States Bureau of Reclamation's water right Permits 11308 and 11310 (Applications 11331 and 11332) for the Cachuma Project considering amendments to the permits to: 1) protect public trust values and downstream water rights, and 2) act on petitions to change the place and purpose of use of those permits. (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. on September 12, 2019 and will not be accepted after that time.**

Submittal of electronic Powerpoint presentations **must be received by 12:00 p.m. on September 12, 2019 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](mailto:commentletters@waterboards.ca.gov). Please indicate in the subject line, **09/17-18/19 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.

If you would like to request a copy of public comments submitted on an agenda item, please send a request to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov), identifying the Board meeting date, and agenda item by name and number.

Agenda and items will be available electronically at:  
[http://www.waterboards.ca.gov/board\\_info/calendar/index.shtml](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.

\*\* On September 20, 2019, at 8:30 a.m. the State Water Board Members, Lahontan Water Board members, and staff of both boards will be attending an informational tour of Leviathan Mine. No Board business items will be discussed. The tour is open to the public and will commence at the Lahontan Water Board offices at 2501 Lake Tahoe Blvd, So. Lake Tahoe, CA. Members of the public may follow along but will be responsible for their own transportation. Because of safety issues, members of the public should contact Katrina Fleshman at (530) 542-5414 by September 18, 2019, to make a reservation. [A draft itinerary of the tour route is attached.](#)