

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING MINUTES  
FEBRUARY 4, 2014**

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/](http://www.waterboards.ca.gov/board_decisions/adopted_orders/).

**CALL TO ORDER**

Chair Felicia Marcus called the meeting to order on February 4 at 9:05 a.m. at the California Environmental Protection Agency Headquarters, 1001 I Street, 2<sup>nd</sup> Floor, Sacramento, California.

**BOARD MEMBERS PRESENT**

Chair Felicia Marcus; Vice Chair Frances Spivy-Weber; Member Tam M. Doduc; Member Steven Moore; Member Dorene D'Adamo

**EXECUTIVE STAFF PRESENT**

Tom Howard, Executive Director  
Caren Trgovcich, Chief Deputy Director  
Jonathan Bishop, Chief Deputy Director  
Jeanine Townsend, Clerk to the Board  
Michael Lauffer, Chief Counsel  
Andy Sawyer, Assistant Chief Counsel

**ANNOUNCEMENT**

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

**BOARD MEETING**

***Public comments on agenda items will be limited to 5 minutes or otherwise at the discretion of the Chair***

**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.

**None**

**BOARD BUSINESS**

1. The Board will consider adoption of the January 21-22, 2014, Board Meeting minutes.

**Motion:** Member Moore moved to adopt the proposed minutes.

**Seconded by:** Vice Chair Spivy-Weber

**MOTION CARRIED:** ([January 21-22, 2014](#))

**Aye:** Chair Marcus  
Vice Chair Spivy-Weber  
Member Doduc  
Member Moore  
Member D'Adamo

**Nay:** None

**Absent:** None

**Abstain:** None

2. Board Member Report.

Board Member Moore

- *Toured the South San Francisco Bay Salt Pond Restoration in San Jose and the Bear Island Restoration in Redwood City along with San Francisco Bay Regional Water Board's Chair Terry Young and Executive Officer Bruce Wolfe, and the Refuge Manager of the San Francisco Bay Wildlife Refuge.*
- *Spoke at a Dedication Ceremony in Santa Barbara for a Stormwater Infiltration Project at four of the city's parks using permeable pavement as a low impact development technique.*
- *Attended the North Coast Regional Water Board Meeting where they gave the Executive Officer's Water Quality Stewardship Award to Gualala Watershed Council for their work promoting restoration and attaining TMDL load allocations for sediment in the Gualala River Watershed.*
- *Spoke at the Bay Area Clean Water Agencies Annual Meeting about the Governor's proposed Drinking Water Reorganization.*

Board Member Doduc

- *Last week a group from the California Council for Environmental and Economic Balance through their Water Quality Task Force met and brought up recommendations to the California Environmental Dialogue that would include a broader group of representations to focus on issues of stormwater and managing stormwater as a resource that would achieve multi-benefits both in terms of water quality and long term water supply sustainability.*

Board Member D'Adamo

- *She and Tam, along with staff, visited with John Herrick on a South Delta Tour.*
- *Attended a Santa Ana Regional Water Board Workshop. The main focus was to revise the salt management plan for the Santa Ana region specifically and to incorporate our Onsite Wastewater Treatment System policy and to update and revise the Nitrogen TDS Assimilative Capacity and Wastewater Reclamation.*
- *Attended the last of the California Department of Food and Agriculture's stakeholder meetings in Modesto.*

Vice Chair Spivy-Weber

- *Attended the Colorado River Basin's Board Meeting which emphasized a report from the Department of Water Resources on Integrated Regional Water Management.*
- *Los Angeles Regional Water Board had a planning meeting day where they received reports on activities that staff are doing.*
- *Informed staff that the Board Chairs have a conference call once a month where they all check in and all Board Members get together at least once a year to make sure that they are all aware of what is happening regionally and statewide.*

Chair Marcus

- *Clean Water Action plan has been finalized and posted.*
- *Mark Cowin, Director of the Department of Water Resources (DWR), announced a Zero Allocation for the State Water Project while Tom Howard granted a Temporary Urgency Change Order in response to a petition from DWR in the project with concurrence by the state and federal fish agencies to adjust implantation of our water quality standards in response to the drought.*
- *Attended a Symposium between Australia and United States to see what Australian's went through during their drought. They're an instructive model since they experienced a drought for so long.*
- *She and Gary Bardini (Department of Water Resources) spoke at a High Tech Business Conference to educate people on California water.*

**UNCONTESTED ITEMS\* (3-4)**

- \*3. Consideration of a proposed Resolution [authorizing the Executive Director or Designee to apply for, accept, and/or amend a federal Clean Water Act section 205\(j\) grant.](#)

**Motion:** Member Doduc moved to adopt the proposed Resolution.

**Seconded by:** Member D'Adamo

**MOTION CARRIED:** ([Resolution No. 2014-0006](#))

**Aye:** Chair Marcus  
Vice Chair Spivy-Weber  
Member Doduc  
Member Moore  
Member D'Adamo

**Nay:** None

**Absent:** None

**Abstain:** None

- \*4. Consideration of a proposed Resolution to [amend and add funds to an existing contract between the State Water Board and ICF Jones & Stokes supporting the review and update of the Bay-Delta Water Quality Control Plan.](#) (*Staff Presenting: Larry Lindsay, Diane Riddle & Erin Mahaney*)

**This Item was moved from the Uncontested Items.**

**Motion:** Member D'Adamo moved to adopt the proposed Resolution.

**Seconded by:** Member Moore

**MOTION CARRIED:** ([Resolution No. 2014-0007](#))

**Aye:** Chair Marcus  
Vice Chair Spivy-Weber  
Member Doduc  
Member Moore  
Member D'Adamo

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Tim O'Laughlin, San Joaquin Tributaries Authority*

*Bob Wright, Friends of the Rive, Environmental Water Caucus*

**CENTRAL COAST REGIONAL WATER BOARD**

5. Consideration of a proposed Resolution approving an [amendment to the Water Quality Control Plan for the Central Coastal Basin to adopt total maximum daily loads for nitrogen compounds and orthophosphate in the lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed.](#) (*Written comments were due on October 14, 2013 by 12 noon.*) (*Staff Presentation*)  
(*Staff Presenting: Christopher Rose, Pete Osmolovsky, Larry Harlan & Jessica Jahr*)

- [Response to Comments](#)

**Motion:** Vice Chair Spivy-Weber moved to adopt the proposed Resolution.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution No. 2014-0008](#))

**Aye:** Chair Marcus  
Vice Chair Spivy-Weber  
Member Doduc  
Member Moore  
Member D'Adamo

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Gail Delihant, Western Growers Association*  
*Danny Merkley, California Farm Bureau*

6. Consideration of a proposed Resolution approving an [amendment to the Water Quality Control Plan for the Central Coastal Basin to adopt total maximum daily loads for nitrogen compounds and orthophosphate in the lower Santa Maria River watershed and tributaries to Oso Flaco Lake.](#) (*Written comments were due on October 14, 2013 by 12 noon.*) (*Staff Presentation*)  
(*Staff Presenting: Christopher Rose, Pete Osmolovsky, Larry Harlan & Jessica Jahr*)

- [Response to Comments](#)

**Motion:** Vice-Chair Spivy-Weber moved to adopt the proposed Resolution.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution No. 2014-0009](#))

**Aye:** Chair Marcus  
Vice Chair Spivy-Weber  
Member Doduc  
Member Moore  
Member D'Adamo

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Gail Delihant, Western Growers Association*  
*Steve Kahn, City of Santa Maria*

## OFFICE OF CHIEF COUNSEL

7. Consideration of a proposed Order regarding [Petitions of \(a\) California Department of Transportation \(Department\); and, \(b\) MCM Construction, Inc. \(MCM\) \(Administrative Civil Liability Order No. R1-2012-0034 In the Matter of California Department of Transportation, Confusion Hill Bypass Project\), North Coast Regional Water Quality Control Board \(North Coast Water Board\) \(SWRCB/OCC FILES A-2208 \(a\) and \(b\).\)](#) The State Water Board will consider adoption of a revised draft order amending Order No. R1-2012-0034. (*Written comments were due on January 7, 2014 by 12 noon.*)

**This Item was moved to Uncontested Items.**

**Motion:** Member Doduc moved to adopt the proposed Order.

**Seconded by:** Member D'Adamo

**MOTION CARRIED:** ([Water Quality Order No. 2014-0015](#))

**Aye:** Chair Marcus  
Vice Chair Spivy-Weber  
Member Doduc  
Member Moore  
Member D'Adamo

**Nay:** None

**Absent:** None

**Abstain:** None

## ADJOURNMENT

The Board adjourned at 11:12 a.m.

## CLOSED SESSION

**Closed Session is not open to the Public**

## DIVISION OF WATER RIGHTS

The Board will meet in closed session to deliberate on a draft order on Permits 11308 and 11310 (Applications 11331 and 11332) of the United States Bureau of Reclamation for the Cachuma Project considering whether and how to modify 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).

**No Closed Session**

### **IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on January 30, 2014, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on January 30, 2014 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, "**2/4/14 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](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 Clerk to the Board, (916) 341-5600.