

**STATE WATER RESOURCES CONTROL BOARD**  
**BOARD MEETING MINUTES**  
May 20, 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/board\\_decisions/adopted\\_orders/](http://www.waterboards.ca.gov/board_decisions/adopted_orders/)

**CALL TO ORDER**

Chair Tam Doduc called the meeting to order on May 20, 2008 at 10:02 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2<sup>nd</sup> Floor, Sacramento, California.

**BOARD MEMBERS PRESENT**

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

**STAFF PRESENT**

Tom Howard, Chief Deputy Director	Vicky Whitney, Division of Water Rights
Jonathan Bishop, Chief Deputy Director	Ernie Mona, Division of Water Rights
Jeanine Townsend, Clerk of the Board	Les Grover, Division of Water Rights
Andy Sawyer, Office of Chief Counsel	Diane Riddle, Division of Water Rights
James Herink, Office of Chief Counsel	Larry Lindsay, Division of Water Rights
Betsy Jennings, Office of Chief Counsel	Leslie Laudon, Division of Financial Assistance
Steven Blum, Office of Chief Counsel	Barbara Evoy, Division of Financial Assistance
Marianna Aue, Office of Chief Counsel	James Maughan, Division of Financial Assistance
Karen O'Haire, Office Chief Counsel	Erin Ragazzi, Division of Financial Assistance
Michael Levy, Office of Chief Counsel	Liz Haven, Division of Water Quality
Caren Trgovcich, Office of Research, Planning & Performance	Nick Martorano, Division of Water Quality
Bob Languell, Office of Research, Planning & Performance	

**ANNOUNCEMENT**

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

**PRESENTATION OF SUPERIOR ACCOMPLISHMENT AWARD**

- ❖ *Ms. Barbara Evoy, Division Chief with the Division of Financial Assistance presented this award to Ms. Erin Ragazzi.*

**PUBLIC FORUM**

None

**BOARD BUSINESS**

1. The Board will consider adoption of the May 6, 2008 board meeting minutes.

**Motion:** Member Spivy-Weber moved to adopt the May 6, 2008 board meeting minutes.

**Seconded by:** Member Baggett

**MOTION CARRIED** ([05/06/08](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

2. Board Member Report

- ❖ *Vice Chair Wolff attended the Construction Permit workshop along with other Board Members and at the end of workshop he asked the audience a couple of questions to respond to when they appear before the Board at the Board Workshop on June 4 and/or include in their written comments that are due by June 11. The three questions are:*
  1. *The permit attempts to balance the need for simplicity and transparency with the need to sensitively address widely different physical conditions across sites. In what parts of the draft permit to you think complexity is most and least valuable?*
  2. *Our scientific understanding of when and where a management practice is best is limited. Self monitoring for compliance will not necessarily increase our understanding due to variations between practitioners and for other reasons. Are you interested in creating a scientifically valid database on management practice performance via rigorous third party “random” monitoring in lieu of self-monitoring and at least partially paid for by permittees?*
  3. *Ignoring the numbers and how they are calculated, do you think that the tiered compliance structure of the permit is a desirable or undesirable feature? By tiered structure we mean action levels “backstopped” by higher numeric effluent limits that are intended to simplify enforcement against egregious violations.*
- ❖ *Chair Doduc attended the second Once-Through Cooling Policy workshop and one question that came up was the role of the Interagency Task Force.*
  - *Chief Deputy Director gave an update on the most recent Task Force Meeting.*

**UNCONTESTED ITEMS (Items 3-6)\***

- 3 Consideration of a Resolution approving projects, and adoption of the recommended funding list, and authorization to issue grants for the [2007 Agricultural Water Quality Grant Program \(AWQGP\)](#).

**Motion:** Member Baggett moved to adopt the Resolution.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED** ([Resolution 2008-0031](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Jennifer Harrison, Ecology Action*

- \*4. Consideration of a Resolution to revise the Clean Beaches Initiative (CBI) Grant Program [Recommended Project List \(RPL\)](#).

**Motion:** Member Baggett moved to adopt the Resolution.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED** ([Resolution 2008-0032](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

- \*5. Consideration of a Resolution approving an amendment to the Water Quality Control Plan for the Los Angeles Region to establish a Total Maximum Daily Load (TMDL) for boron, chloride, sulfate, and total dissolved solids (TDS) (these constituents are commonly referred to as salts) in the [Calleguas Creek watershed](#).  
(Written comments were due by 12 p.m. on May 8, 2008.)

**Motion:** Member Baggett moved to adopt the Resolution.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED** ([Resolution 2008-0033](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

- \*6. Consideration of a Proposed Order approving the [City of Riverside's](#) wastewater change petition following a hearing concerning water rights on the Santa Ana River. ([Errata Sheet – 5/16/08](#))

**Motion:** Member Baggett moved to adopt the Proposed Order with proposed changes from Errata Sheet.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED** ([WR 2008-0024](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

Gary Nolf, City of Riverside

**DIVISION OF WATER QUALITY**

7. Consideration of a Resolution approving an amendment to the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) to establish a Total Maximum Daily Load (TMDL) for sediment and related habitat enhancement goals in [Napa River Watershed](#).  
(Written comments were due by 12 p.m. on May 8, 2008.)

**PULLED**

## DIVISION OF WATER RIGHTS

8. Consideration of a Proposed Order regarding petitions for reconsideration of State Water Board Order WR 2008-0014 related to the [Lower Yuba River Accord](#). (*Written comments were due by 12 p.m. on May 16, 2008.*)

**Motion:** Member Baggett moved to adopt the Proposed Order.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([WR 2008-0025](#)) ([Corrected WR 2008-0014](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

### Commenters

*Alan Lilly, Yuba County Water Agency*

## INFORMATIONAL ITEMS

9. Status Report on [Climate Change](#) Activities.

❖ **Vice-Chair Wolff asked that the Division of Financial Assistance provide some support to the Office of Research, Planning and Performance as the Urban Water Reuse areas are explored**

10. Update on Bay-Delta Strategic Workplan.

❖ *Diane Riddle, Division of Water Rights stated that they have developed an internal Draft Strategic Workplan that is currently being revised and anticipate that it will be ready to mail out for public comment in the beginning of June and will bring it before the Board at the July 15<sup>th</sup> Board Meeting. Following that Board Meeting, the Regional Water Boards (Region 2 & 5) will consider it for adoption.*

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

❖ **Vice Chair Wolff requested to have in one place of the report, the key deadlines associated with all the monitoring efforts that are going on.**

## ADJOURNED

The Board Meeting adjourned at 10:45 a.m.

## **CLOSED SESSION ITEMS**

*Closed Sessions are not open to the public*

### **RIALTO PERCHLORATE**

The Board will meet in closed session to discuss ongoing litigation in Goodrich Corp. v. California State Water Resources Control Bd., et al. (Los Angeles Superior Court No. BS110389). (This closed session is authorized under Government Code section 11126, subdivision (e)(2)(A).)

### **No Action Taken**

### **WATER RIGHTS**

- The Board will meet in closed session to deliberate on a proposed order on petitions for reconsideration of water right order 2008-0014 related to the Lower Yuba River Accord. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)
- The Board will meet in closed session to deliberate on a proposed order following a hearing on the City of Riverside's Wastewater Change Petition WW-0045 and water right Application 031372 on the Santa Ana River in Riverside County. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

### **No Discussion**

#### **IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m., May 14, 2008, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m., May 16, 2008, 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, "**5/20/08 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/2008.html](http://www.waterboards.ca.gov/board_info/calendar/2008.html) .

\* 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.