

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING/WORKSHOP**



**Tuesday, September 19, 2023 – 9:30 a.m.
Wednesday, September 20, 2023 – 9:30 a.m.
Coastal Hearing Room – Second Floor
Joe Serna Jr. - CalEPA Building
1001 I Street, Sacramento
And via Video and Teleconference
(For Public Commenters)**

REVISED- ITEM 6 HAS BEEN POSTPONED

Video and Teleconference Options: This meeting will occur with both a physical meeting location and an option for the public to participate from a remote location.

- *For those who only wish to watch the meeting, the webcast remains available at either <https://www.youtube.com/user/BoardWebSupport/> or <https://video.calepa.ca.gov/> (closed captioning available) and should be used UNLESS you intend to comment.*
- *For members of the public who wish to comment on an agenda item or are presenting to the Board, additional information about participating telephonically or via the remote meeting solution is available here: https://www.waterboards.ca.gov/board_info/remote_meeting/*

DECLARATION OF A QUORUM

E. Joaquin Esquivel, Chair; Dorene D’Adamo, Vice Chair; Sean Maguire, Member; Laurel Firestone, Member; Nichole Morgan, 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

(Approximately 30 minutes at the beginning of Board Meeting and any remaining speakers at the call of the Chair)

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 September 6-7, 2023 Board Meeting minutes.

UNCONTESTED ITEMS

2. Consideration of a proposed Resolution authorizing the Executive Director, or designee, to execute and amend contracts related to the California Water Action Plan and the California Water Resilience Portfolio, up to budgeted amounts and durations in accordance with state contracting laws, regulations, policies, and procedures.
 - [Agenda Item](#)
 - [Draft Resolution](#)
3. Consideration of a proposed Resolution to allocate up to an additional \$3,200,000 from the Cleanup and Abatement Account for the Leviathan Mine Emergency Acid Mine Drainage Treatment and Pit Slope Stabilization Projects.
 - [Agenda Item](#)
 - [Draft Resolution](#)
4. Consideration of a proposed Resolution regarding groundwater support services authorizing the Executive Director or designee to allow an amendment to a contract to increase spending authority for services provided to the State Water Resources Control Board to support state intervention work pursuant to the Sustainable Groundwater Management Act.
 - [Agenda Item](#)
 - [Draft Resolution](#)

INFORMATIONAL ITEMS

5. Current Hydrologic Conditions and Response.
- ~~6. Water Supply Strategy Implementation Update.~~
 - ~~• [Agenda Item](#)~~

POSTPONED

ADMINISTRATIVE HEARINGS OFFICE

7. Consideration of July 7, 2023 revised proposed order prepared by the Administrative Hearings Office (AHO) on the draft Cease and Desist Order issued by the Assistant Deputy Director for the Division of Water Rights Permitting and Enforcement Branch to BlueTriton Brands, Inc., BlueTriton's June 2 and June 26, 2023 requests to set aside proposed order, June 2, 2023 motion to stay further action, and August 11, 2023 motion to disregard and strike the amended proposed order.
 - [Agenda Item](#)
 - [Revised Proposed Order](#)
 - [2023-07-07 Proposed Order Figs. 1-8 \(BlueTriton Brands, Inc.\)](#)
 - [2023-07-07 Proposed Order Figs. 9-16 and Table 1 \(BlueTriton Brands, Inc.\)](#)
 - Written Comments (due by August 11, 2023)
 - [Change Sheet #1](#)

FEE ITEMS WILL BEGIN NO EARLIER THAN 1:30 P.M.

DIVISION OF ADMINISTRATIVE SERVICES

8. Consideration of a proposed Resolution adopting emergency regulations amending the Environmental Laboratory Accreditation Program fee regulations in title 22, California Code of Regulations section 64802.25.
 - [Agenda Item \(Attachment 1 | Attachment 2\)](#)
 - [Draft Resolution](#)
 - [Regulation Text](#)
9. 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, 2200.1, 2200.6 and 2200.7 of the California Code of Regulations.
 - [Agenda Item \(Attachment 1\)](#)
 - [Draft Resolution](#)
 - [Regulation Text](#)
 - [Change Sheet #1](#)
10. Consideration of a proposed Resolution adopting an Emergency Regulation amending Water Rights Fee Schedules in Title 23, Sections 1030, 1042, 1044, 1062, 1063, 1064 and 1066 of the California Code of Regulations.
 - [Agenda Item](#)
 - [Draft Resolution](#)
 - [Regulation Text](#)

11. Consideration of a proposed Resolution adopting emergency regulations amending Drinking Water Fee Schedules in title 22, section 64305 of the California Code of Regulations.

- [Agenda Item \(Attachment 1 | Attachment 2\)](#)
- [Draft Resolution](#)
- [Regulation Text](#)

INFORMATIONAL ITEM

12. Board Member Reports.

CLOSED SESSION

Closed Sessions are not open to the Public

ADMINISTRATIVE HEARINGS OFFICE

The Board may meet in closed session to deliberate on the July 7, 2023 revised proposed order prepared by the Administrative Hearings Office (AHO) on the draft Cease and Desist Order issued by the Assistant Deputy Director for the Division of Water Rights Permitting and Enforcement Branch to BlueTriton Brands, Inc., and on BlueTriton's June 2 and June 26, 2023 requests to set aside proposed order, June 2, 2023 motion to stay further action, and August 11, 2023 motion to disregard and strike the amended proposed order. This closed session is authorized under Government Code section 11126, subdivision ©(3).

PERSONNEL

The Board will meet in closed session to discuss the appointment, evaluation of performance, or dismissal of 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 by Government Code section 11126, subdivision (a)(1).)

WEDNESDAY, SEPTEMBER 20, 2023

ITEM 13 WILL BEGIN AT 12:00 P.M. (NOON)

OFFICE OF CHIEF COUNSEL

13. Consideration of a proposed Order on Own Motion Review of General Waste Discharge Requirements for dischargers from Irrigated Lands Order No. R3-2021-0040, issued by the California Regional Water Quality Control Board, Central Coast Region (SWRCB/OCC File A-2751(a)-(b)). The State Water Resources Control Board will consider issuing an Order remanding the General Waste Discharge Requirements.

- [Agenda Item](#)
- [Proposed Order](#) ([Transmittal Letter](#) | [Extension Letter](#))
- [Revised Proposed Order](#) ([Transmittal Letter](#))
- Written Comments (due by noon on August 11, 2023)

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. (Noon) on September 14, 2023 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on September 14, 2023 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, **09/19-20/2023 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, 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

* 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/>. An alternate live-stream broadcast will also be available at: <https://www.youtube.com/user/BoardWebSupport/>

LANGUAGE SERVICES

For oral interpretation, written translation, or sign language services, please call (916) 341-5254 or e-mail: opp-languageservices@Waterboards.ca.gov (at least 7 calendar days before the date of the Board meeting).

ACCESSIBILITY

Telecommunications device for the deaf (TDD) users may contact the California Relay Service at: (800) 735-2929 or voice line at (800) 735-2922.