

**STATE WATER BOARD**  
**BOARD MEETING MINUTES**  
July 17, 2007

Copies of the resolutions and water quality order can be obtained by calling (916) 341-5600 or downloading from our [website](#).

**CALL TO ORDER**

Tam M. Doduc, Chair called the meeting to order on July 17, 2007 at 10:06 a.m. in the Coastal Hearing Room, 1001 I Street, Sacramento, California.

**BOARD MEMBERS PRESENT**

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

**BOARD MEMBERS ABSENT**

None

**STAFF PRESENT**

Dorothy Rice, Executive Director	Jonathan S. Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel	Song Her, Clerk to the Board
Darrin Polhemus, Division of Water Quality	Jeanine Townsend, Executive Assistant
Christopher Stevens, Division of Financial Assistance	Allan Patton, Division of Financial Assistance
Liz Haven, Division of Water Quality	James Maughan, Division of Financial Assistance
Gita Kapahi, Division of Water Rights	Les Grober, Division of Water Rights
Anne Hartridge, Office of Chief Counsel	Vicky Whitney, Division of Water Rights
Joanne Cox, Division of Water Quality	Ted Cobb, Office of Chief Counsel
Erin Mahaney, Office of Chief Counsel	Yuri Won, Office of Chief Counsel
Dyan Whyte, San Francisco Water Board	Erin Ragazzi, Division of Financial Assistance
James Herink, Office of Chief Counsel	

**ANNOUNCEMENT**

- Evacuation information in case the fire alarm goes off during the meeting

**PUBLIC FORUM**

**Commenters**

Jan Misquez, self

(Ms. Misquez began to speak on the Rialto-Area Perchlorate Contamination and the State Water Board's pending adjudicative proceeding, but was immediately cut off by the Chair and Chief Counsel who indicated that the prohibition on ex parte communications prevented communications concerning any issue in the proceeding.)

Dan Gildor, Environmental Law Foundation

Regina Chichizola, Klamath Riverkeeper

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**BOARD BUSINESS**

1. The Board will consider adoption of the June 19, 2007 board meeting minutes

**Motion:** Member Spivy-Weber moved to adopt the June 19, 2007 board meeting minutes.

**Seconded by:** Board Chair Doduc

**MOTION CARRIED** ([6/19/07](#))

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

**INFORMATIONAL ITEM**

2. Board Member Report  
*-Vice Chair announced his voluntary withdrawal as the hearing officer for the Stay Hearing for Chevron and Board Chair Doduc will assume the roll of hearing officer.*

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

3. Consideration of a resolution approving the Petroleum Underground Storage Tank Cleanup Fund Emergency Abandoned, Recalcitrant (EAR) Account [Fiscal Year 2007-2008 annual site list](#) and authorizing the Executive Director, or designee, to issue letters of award or execute contracts and amendments for the expenditure of EAR Account funds

**Motion:** Member Spivy-Weber moved to adopt the proposed resolution.

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2007-0040](#))

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

4. Consideration of authorization to allocate \$200,000 from the Cleanup and Abatement Account (CAA) for the [Environmental Circuit Prosecutor's Project](#) to prosecute environmental crimes involving the discharge of pollutants to water

*Item 4 was moved out of the uncontested items and into the regular agenda items category.*

**Motion:** Member Baggett moved to adopt the proposed resolution.

**Seconded by:** Vice Chair Wolff

**MOTION CARRIED** ([Resolution 2007-0041](#))

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

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**Commenters:**

Michael Testerman, CA District Attorney's Association

5. Consideration of a resolution authorizing execution of contracts to implement the [Groundwater Ambient Monitoring and Assessment Program](#)

**Motion:** Member Spivy-Weber moved to adopt the proposed resolution.

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2007-0042](#))

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

6. Consideration of a resolution authorizing acceptance of a federal grant to continue contaminant source investigation activities in the [San Gabriel Valley](#)

**Motion:** Member Spivy-Weber moved to adopt the proposed resolution.

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2007-0043](#))

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

**Commenters:**

None

**FINANCIAL ASSISTANCE**

7. Consideration of a resolution for an amendment to the [policy for implementing the State Revolving Fund \(SRF\)](#) for construction of wastewater treatment facilities

**Motion:** Member Hoppin moved to waive penalties for the six affected parties.

**Seconded by:** Member Baggett

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

**Motion:** Vice Chair Wolff moved to adopt the proposed resolution with recommended changes.

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2007-0044](#))

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

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**Commenters:**

Barbara Hawkins, City of Alameda  
Dave Bruns, LACSE/Tri-TAC  
Michele Pla, Bay Area Clean Water Agencies  
Patrick Sweetland, City of Daly City  
Rudolf Ohlemutz, Vallejo Sanitation and Flood Control District

**WATER QUALITY**

8. Consideration of a resolution approving an amendment to the Water Quality Control Plan for the San Francisco Bay Region to establish mercury fish tissue objectives, vacate a mercury water quality objective, and establish a Total Maximum Daily Load (TMDL) for [mercury in San Francisco Bay](#)

**Motion:** Vice Chair Wolff moved to adopt the proposed resolution with changes.

**Seconded by:** Board Chair Doduc

**MOTION CARRIED** ([Resolution 2007-0045](#))

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

**Commenters:**

Alexis Strauss, U. S. Environmental Protection Agency  
Andria Ventura, Clean Water Action  
Bob Lucas, CCEEB  
Bruce Wolfe, San Francisco Regional Board  
Craig Johns, Partnership for Sound Science in Environmental Policy  
John Muller, San Francisco Regional Board  
Kevin Buchan, WSPA  
Michele Pla, Bay Area Clean Water Agencies  
Sejal Choksi, San Francisco Baykeeper

**FINANCIAL ASSISTANCE**

9. Consideration of a resolution approving a preliminary Small Community Wastewater Grant (SCWG) commitment to the County of Sonoma, Permit, and Resource Management Department for the construction of the [Monte Rio Wastewater Project](#); SCWG Project No. SCG-636

**Motion:** Member Hoppin moved to adopt the proposed resolution.

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2007-0046](#))

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

**Commenters:**

None

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10. Consideration of a resolution to authorize State Revolving Fund (SRF) Loan funding for the [City of St. Helena](#); St. Helena-Napa River Flood Protection and Estuary Restoration Project; SRF Loan No. C-06-6093-110

**Motion:** Member Hoppin moved to adopt the proposed resolution with changes.

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2007-0047](#))

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

**Commenters:**

Anthony Matthews, Assemblymember Evans Office  
Brad Onorato, U.S. Congressman Mike Thompson Office  
Eric Sklar, City of St. Helena  
Grace Kistner, Self  
Jean M. Phillips, Self  
Joanne Otteson, Self  
John Milliken, Self  
Pat Dell, Self  
Sampson Bowes, Self

**INFORMATIONAL ITEMS**

11. Report by Deborah Smith, Interim Executive Officer, Los Angeles Water Board  
This item was continued to a future board meeting.
12. [Update](#) on fishery, water quality and water right issues in the San Francisco Bay-Delta Estuary

**Commenters:**

B.J Miller, San Luis & Delta Mendota Water Authority  
John Hewitt, CA Farm Bureau

13. Executive Director [Report](#)

**ADJOURNED**

The Board Meeting adjourned at 4:20 p.m.