

**STATE WATER RESOURCES CONTROL BOARD**  
**BOARD MEETING MINUTES**  
**NOVEMBER 2, 2010**

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

**CALL TO ORDER**

Chair Hoppin called the meeting to order on November 2, 2010 at 9:03 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**

Chairman Charlie Hoppin, Vice Chair Frances Spivy-Weber; Member Arthur G. Baggett, Jr.; Member Tam M. Doduc;

**STAFF PRESENT**

|                                                      |                                                   |
|------------------------------------------------------|---------------------------------------------------|
| Tom Howard, Executive Director                       | Rik Rasmussen, Division of Water Quality          |
| Michael Lauffer, Chief Counsel                       | Liz Haven, Division of Water Quality              |
| Jeanine Townsend, Clerk to the Board                 | Phil Isorena, Division of Water Quality           |
| James Herink, Office of Chief Counsel                | Lisa Babcock, Division of Water Quality           |
| Phil Wyels, Office of Chief Counsel                  | Bruce Fujimoto, Division of Water Quality         |
| Andy Sawyer, Office of Chief Counsel                 | Sarah Ong, Division of Water Quality              |
| Nathan Jacobsen, Office of Chief Counsel             | Esteban Almanza, Division of Financial Assistance |
| Marleigh Woods, Office of Chief Counsel              | Patricia Leary, Division of Financial Assistance  |
| Jim Kassel, Division of Water Rights                 | James Maughan, Division of Financial Assistance   |
| Bob Rinker, Division of Water Rights                 | Leslie Laudon, Division of Financial Assistance   |
| Barbara Evoy, Division of Water Rights               | Bill Rukeyser, Office of Public Affairs           |
| Darrin Polhemus, Division of Administrative Services |                                                   |

**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 3 minutes or otherwise at the discretion of the Board 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 October 19, 2010 Board Meeting minutes.

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

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

**MOTION CARRIED:** ([October 19, 2010](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

2. Board Member Report.

None

**UNCONTESTED ITEMS\* (Items 3 & 4)**

- \*3. Consideration of a proposed Resolution to commit \$984,000 of Clean Beaches Initiative Proposition 13 or 50 grant program funds to continue the [Beach Safety Program](#).

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

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2010-0053](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

- \*4. Consideration of a proposed Resolution authorizing acceptance of a federal grant to continue oversight at the [Lawrence Livermore National Laboratory Site 300 Facility](#).

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

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2010-0054](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

**DIVISION OF WATER RIGHTS**

5. Consideration of a proposed Resolution adopting emergency regulations adding [electronic reporting](#) to Title 23, Division 3, of the California Code of Regulations.

- [Change Sheet #1](#)

**Motion:** Member Baggett moved to adopt the proposed Resolution with changes.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2010-0055](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

**Commenters**

*Brian Johnson, Trout Unlimited*

*Danny Merkley, California Farm Bureau*

*Erick Soderlund, Department of Water Resources*

*Kathy Mannion, Regional Council of Rural Counties*

## **BOARD HEARING**

**No final action will be taken at the Hearing on Items 6 & 7**

6. The State Water Board will hold a Public Hearing on the [Draft General National Pollutant Discharge Elimination System Permit for aquatic animal invasive species control](#). (Written comments are due on November 16, 2010 by 12 noon.) ([Staff Presentation](#))

### **No Action Taken**

#### **Commenters**

*Mark Rentz, Association of California Water Agencies*

*Mike Blankinship, Association of California Water Agencies*

7. The State Water Board will hold a Public Hearing on the [Draft General National Pollutant Discharge Elimination System Permit for spray applications for pest control](#). (Written comments are due on November 16, 2010 by 12 noon.) ([Staff Presentation](#))

**Comment Deadline was extended to December 16, 2010 by 12 noon.**

#### **Commenters**

*Michele Dias, Department of Food & Agriculture*

### **ADJOURNED**

The Board Meeting adjourned at 11:35 a.m.

## **CLOSED SESSION**

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

### **DIVISION OF WATER RIGHTS**

(These are authorized under Government Code section 11126, subdivision (c)(3).)

- The Board will meet in closed session to deliberate on a decision to be reached pertaining to Woods Irrigation Company. A draft cease and desist order, issued to Woods Irrigation Company on December 28, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.
- The Board will meet in closed session to deliberate on a decision to be reached pertaining to Yong Pak and Sun Young. A proposed cease and desist order, issued to Yong Pak and Sun Young on December 14, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.
- The Board will meet in closed session to deliberate on a decision to be reached pertaining to Mark and Valla Dunkel. A proposed cease and desist order, issued to Mark and Valla Dunkel on December 14, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.
- The Board will meet in closed session to deliberate on a decision to be reached pertaining to Rudy Mussi, Toni Mussi and Lori C. Mussi Investment LP (Mussi et al.). A proposed cease and desist order, issued to Mussi et al. on December 14, 2009, is the subject of an evidentiary hearing before hearing officers of the Board

**The Board did not meet in Closed Session on these Items.**