

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
FEBRUARY 6-7, 2018**

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/.

The video of the Board Meeting is available to view on our website at:
http://www.waterboards.ca.gov/board_info/video.shtml

CALL TO ORDER

Chair Marcus called the meeting to order on February 6, 2018 at 9:33 a.m. California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Coastal Hearing Room, Sacramento, California

BOARD MEMBERS PRESENT

Chair Felicia Marcus; Vice Chair Steven Moore; Member Dorene D'Adamo; Member Tam Doduc
Member E. Joaquin Esquivel

EXECUTIVE STAFF PRESENT

Eileen Sobeck, Executive Director
Andrew Sawyer, Assistant Chief Counsel
Jonathan Bishop, Chief Deputy Director
Eric Oppenheimer, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Courtney Tyler, Executive Office

ANNOUNCEMENTS

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

**REVISED
ITEM 10 – PULLED**

BOARD MEETING

Public comments on agenda items will be limited to 5 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 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.

No Action Taken

BOARD BUSINESS

1. The Board will consider adoption of the January 9, 2018 Board Meeting minutes.

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

Seconded by: Member Esquivel

MOTION CARRIED: ([January 9, 2018](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Esquivel

Nay: None

Absent: None

Abstain: Member Doduc

UNCONTESTED ITEMS* (ITEMS 2-6)

- *2. Consideration of a proposed Resolution [for the approval, authorization and direction of the execution of certain documents and authorizing and directing certain actions for the benefit of and with respect to the administration and funding of the Clean Water State Revolving Fund and in connection with the issuance by the California Infrastructure and Economic Development Bank of up to \\$475 million aggregate principal amount of its bonds.](#)

Motion: Member Esquivel moved to adopt the proposed Resolution.

Seconded by: Vice Chair Moore

MOTION CARRIED: ([Resolution No. 2018-0003](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Doduc
Member Esquivel

Nay: None

Absent: None

Abstain: None

- *3. Consideration of a proposed Resolution [to amend the Water Quality Control Plan for the Santa Ana Region to revise the Water Quality Objective for Nitrate as Nitrogen in the Chino-South Groundwater Management Zone.](#) (*Written comments were due on January 9, 2018 – None received*)

Motion: Member Esquivel moved to adopt the proposed Resolution.

Seconded by: Vice Chair Moore

MOTION CARRIED: ([Resolution No. 2018-0004](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Doduc
Member Esquivel

Nay: None

Absent: None

Abstain: None

- *4. Consideration of a proposed Resolution [approving amendments to reformat the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins and the Water Quality Control Plan for the Tulare Lake Basin.](#) (*Written comments were due on December 20, 2017 by 12 noon – None received*).

Motion: Member Esquivel moved to adopt the proposed Resolution.

Seconded by: Vice Chair Moore

MOTION CARRIED: ([Resolution No. 2018-0005](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Doduc
Member Esquivel

Nay: None

Absent: None

Abstain: None

- *5. Consideration of a proposed Resolution [authorizing the Deputy Director of the Division of Water Quality or Designee to execute Grant Agreements with the Water Environment & Reuse Foundation or its successor for Recycled Water Research.](#)

Motion: Member Esquivel moved to adopt the proposed Resolution.

Seconded by: Vice Chair Moore

MOTION CARRIED: ([Resolution No. 2018-0006](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Doduc
Member Esquivel

Nay: None

Absent: None

Abstain: None

- *6. Consideration of a proposed Resolution [approving an amendment to the Water Quality Control Plan for the Santa Ana River Basin to revise the Compliance Schedule for the Fecal Coliform Total Maximum Daily Load for Shellfish Harvesting in Newport Bay; revise the Shellfish Harvesting Beneficial Use Definition; add Antidegradation Targets for Non-Contact Water Recreation Only Waters; add Certain Waters to Tables 3-1 and 4-1 and designate Beneficial Uses for those and other Select Waters; add a TMDL Specific Chapter to the Basin Plan and include an Introductory Narrative to this Chapter, and revise subsequent Chapter Numbering; and add Fecal Indicator Bacteria Footnotes to Chapters 4 and 5. \(*Written comments were due on January 9, 2018*\)](#)

- [Response to Comments](#)

Motion: Member Esquivel moved to adopt the proposed Resolution.

Seconded by: Vice Chair Moore

MOTION CARRIED: ([Resolution No. 2018-0007](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Doduc
Member Esquivel

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEMS

7. Current Hydrologic Conditions. *Staff Presenting: Vadim Demchuk* ([Staff Presentation](#))

No Action Taken

8. Update on Urban Water Conservation. *Staff Presenting: Kathy Frevert* ([Staff Presentation](#))

No Action Taken

DIVISION OF DRINKING WATER

9. Consideration of a proposed Resolution [to amend the Health and Safety Code to add Permanent Point-of-Use / Point-of-Entry Water Treatment Device Regulations](#). (Written comments are due on February 2, 2018 by 12 noon.) *Staff Presenting: Melissa Hall, Darrin Polhemus, Mark Barston, Eugene Leung, David Rice* ([Staff Presentation](#))

- [Previous Comments and Response to Comments](#)

Motion: Vice Chair Moore moved to adopt the proposed Resolution.

Seconded by: Member Esquivel

MOTION CARRIED: ([Resolution No. 2018-0008](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Doduc
Member Esquivel

Nay: None

Absent: None

Abstain: None

DIVISION OF WATER QUALITY

- ~~10. Consideration of a proposed Resolution [establishing Part 3 to the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Bacteria Provisions and a Water Quality Standards Variance Policy; and the amendment to the Water Quality Control Plan for Ocean Waters of California—Bacteria Provisions and a Water Quality Standards Variance Policy](#). (Written comments were due on August 16, 2017 by 12 noon.)~~

PULLED – DEFERRED TO FUTURE BOARD MEETING

INFORMATIONAL ITEMS

11. [Presentation of Fiscal Year 2016/17 Annual Performance Report](#).
Staff Presenting: Beverley Anderson-Abbs, Rafael Maestu, Greg Gearheart, Robert Anderson, Susan Kelly ([Staff Presentation](#))

No Action Taken

12. Board Member Report.

Vice-Chair Moore

- *Attended a groundbreaking ceremony with Chief Deputy Director, Jonathan Bishop, for a Prop 1 funded North Hollywood West groundwater cleanup project.*
- *Was on a panel at the Bay Area Clean Water Agency's annual meeting.*
- *Toured the San Mateo Water Quality Control Plant.*
- *Spoke to the California Municipal Utilities Association.*

Board Member D'Adamo

- *Met with growers in Central Coast Region.*
- *Met with Mayor of Fresno and city officials regarding safe drinking water issues.*
- *Met with Madera County Farm Bureau regarding safe drinking water issues.*
- *Participated in an Ag Reuse Workshop on recycled water.*
- *Been attending meetings as part of the University of California's California Institute of Water Resources Strategic Planning Commission.*

Board Member Esquivel

- *Participated on a Salton Sea panel at the Southern California Energy Water Conference.*
- *Working with the National Governor's Association's Water Policy Learning Network.*

Board Member Doduc

- *Attended the Central Valley Regional Water Quality Control Board's Workshop on CV Salts.*

Chair Marcus

- *Attended a groundbreaking ceremony at the San Francisco Public Utilities Commission for recycled water.*
- *Spent time with the Data Collaborative.*

The Board recessed at 2:30 p.m. after Closed Session.

WEDNESDAY, FEBRUARY 7, 2018 – 10:00 a.m.

CALL TO ORDER

Chair Marcus called the meeting to order on February 7, 2018 at 10:05 a.m. California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Coastal Hearing Room, Sacramento, California

BOARD MEMBERS PRESENT

Chair Felicia Marcus; Vice Chair Steven Moore; Member Dorene D'Adamo; Member Tam Doduc
Member E. Joaquin Esquivel

EXECUTIVE STAFF PRESENT

Eileen Sobeck, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Eric Oppenheimer, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Courtney Tyler, Executive Office

BOARD MEETING

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OFFICE OF CHIEF COUNSEL

13. Consideration of adoption of a proposed Order [on Own Motion review of Central Valley Regional Water Quality Control Board Order No. R5-2012-0116, Waste Discharge Requirements General Order for Growers within the Eastern San Joaquin River Watershed that are members of a third-party Group \(SWRCB/OCC Files A-2239\(a\)-\(c\)\)](#). (*Written comments were due on December 22, 2017 by 12 noon.*)
Staff Presenting: Emel Wadhvani, Phil Wyels, & Darrin Polhemus (Staff Presentation)

- [Eastern San Joaquin River Watershed Agricultural Order SWRCB/OCC Files A-2239\(a\)-\(c\) Program Page](#)
- [Change Sheet #1](#)
- [List of Speaker Panels/Presentations](#)

Motion: Member D'Adamo moved to adopt the proposed Order with changes in Change Sheet [#1](#), [#2](#) & [#3](#) and changes read into the record by Counsel Phil Wyels.

Seconded by: Vice Chair Moore

MOTION CARRIED: ([Water Quality Order No. 2018-0002](#))

Aye: Chair Marcus
Vice Chair Moore
Member D'Adamo
Member Doduc
Member Esquivel

Nay: None

Absent: None

Abstain: None

Commenters

Adam Barsanti, CA Assn. of Pest Control Advisers

Tim Johnson, CA Rice Commission

Eric Larson, San Diego Region Irrigated Lands Group

Kari Fisher, CA Farm Bureau

Jane Sooby, California Certified Organic Growers

Bruce Houdesheldt, Northern CA Water Assn

Bill Thomas, Kings River/ Tulare Lake Basin

Chris Valadez, CA Fresh Fruit Assn.

Chris McGlothlin, CA Cotton Ginners & Growers/Western Ag. Processors Assoc.

Christopher Rose, Central Coast Regional Water Board

James Green, San Luis Obispo County Farm Bureau

Commenters (cont'd)

Kay Mercer, Central Coast Farmers

Gail Delihant, Western Growers

Sandra Shubert, General Public

Donald Ikemiya, Kaweah Basin Water Quality Association

Casey Creamer, Kings River Water Quality Coalition

ADJOURNMENT

The Board adjourned at 6:30 p.m.

CLOSED SESSION

Closed Sessions are not open to the Public

OFFICE OF CHIEF COUNSEL

The Board may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the joint Petition filed by the California Department of Water Resources and the U.S. Bureau of Reclamation to add three new points of diversion and/or points of redirection of water to specified water right permits for the State Water Project and the Central Valley Project associated with the California WaterFix Project. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

PERSONNEL

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

The Board met in Closed Session on both Items listed above.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. on February 1, 2018, and will not be accepted after that time.**

Submittal of electronic Powerpoint presentations **must be received by 12:00 p.m. on February 1, 2018, 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, **02/6-7/18 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.

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/>

For a map to our building, visit: <http://www.calepa.ca.gov/headquarters-sacramento/location/>. 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.