CALL TO ORDER
Chair Hoppin called the meeting to order on November 16, 2010 at 9:03 a.m. in the Coastal Hearing Room at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd 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
Jonathan Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel
Jeanine Townsend, Clerk to the Board
Sarah Olinger, Office of Chief Counsel
Phil Wyels, Office of Chief Counsel
Nathan Jacobsen, Office of Chief Counsel
Marleigh Woods, Office of Chief Counsel
Jennifer Fordyce, Office of Chief Counsel
Bill Rukeyser, Office of Public Affairs
Jim Kassel, Division of Water Rights
Barbara Evoy, Division of Water Rights
James Maughan, Division of Financial Assistance
Rik Rasmussen, Division of Water Quality
Liz Haven, Division of Water Quality
Dominic Gregorio, Division of Water Quality
Lisa Babcock, Division of Water Quality
Bruce Fujimoto, Division of Water Quality
Sarah Ong, Division of Water Quality
Nick Martorano, Division of Water Quality
Greg Gearhart, Division of Water Quality
Annalisa Kihara, Division of Water Quality
Paul Hann, Division of Water Quality
Brian Ogg, Division of Water Quality
Deb Smith, Los Angeles Regional Water Board
Eric Wu, Los Angeles Regional Water Board

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 November 2, 2010 Board Meeting minutes.

No Action Taken – Deferred to a future Board Meeting.

2. Board Member Report.

No Action Taken
3. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the Los Angeles Region to incorporate a Total Maximum Daily Load for Organochlorine Pesticides, Polychlorinated Biphenyls, Sediment Toxicity, Polycyclic Aromatic Hydrocarbons, and Metals for Colorado Lagoon. (Written comments were due on October 20, 2010 by 12 noon.) (Staff Presentation)

Motion: Member Doduc moved to adopt the proposed Resolution.
Seconded by: Member Baggett
MOTION CARRIED: (Resolution 2010-0056)
Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Baggett
Member Doduc
Nay: None
Abstain: None
Absent: None

Commenters
David Smith, U.S. EPA
Howard Gest, Los Angeles County Flood Control District (Presentation)
Susie Santilena, Heal the Bay

4. Consideration of a proposed Resolution to provide staff with direction regarding Marine Protected Areas and State Water Quality Protection Areas.

Motion: Vice Chair Spivy-Weber moved to adopt the proposed Resolution with changes proposed by staff and Board Member Baggett.
Seconded by: Member Baggett
MOTION CARRIED: (Resolution 2010-0057)
Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Baggett
Nay: Member Doduc
Abstain: None
Absent: None

Commenters
Brennon Flahive, South Orange County Wastewater Authority
Paul Hobi, Ocean Conservancy
Steve Maguin, Sanitation Districts of Los Angeles County
Susie Santilena, Heal the Bay

5. Consideration of proposed amendments to State Water Board Order No. 2009-009-DWQ (the Construction General Permit, or CGP) for the limited purpose of modifying the definitions of “Legally Responsible Person” and “Approved Signatory.” (Written comments are due on November 5, 2010 by 12 noon.)

- Change Sheet #1

Motion: Member Baggett moved to adopt the proposed amendments with changes proposed by staff in Change Sheet #1.
Seconded by: Vice Chair Spivy-Weber
MOTION CARRIED: (Water Quality Order 2010-0014)
Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Baggett
Member Doduc
Nay: None
Abstain: None
Absent: None
Commenters
Bob Lucas, California Council for Environmental & Economic Balance
Geoff Brosseau, California Stormwater Quality Association
Pete Ghelfi, Sacramento Area Flood Control Agency
Randall Friedman, U.S. Navy
Robert Scharf, U.S. Army Corp of Engineers
Tamara Rasberry, Sempra Energy Utilities

DIVISION OF WATER RIGHTS

6. Consideration of a proposed Order denying reconsideration of Division Order denying petitions for extension of time and change under a permit held by Langtry Farms LLC and Guenoc Winery, Inc. on Butcherknife Creek and Bucksnort Creek in Lake County.
Postponed to a future Board Meeting

OFFICE OF CHIEF COUNSEL

7. Consideration of the adoption of amendments to California Code of Regulations, title 23, division 3, chapter 27 (commencing with section 3720) relating to the implementation of the California Environmental Quality Act of 1970. (Written comments were due on February 17, 2010 and September 8, 2010 by 12 noon. The written comment period is now closed.)

Motion: Member Baggett moved to adopt the proposed amendments.
Seconded by: Member Doduc
MOTION CARRIED: (Resolution 2010-0058)

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

Nay:
None

Abstain:
None

Absent:
None

INFORMATIONAL ITEM

8. Executive Director's Report.

BOARD WORKSHOP
No final action will be taken at the Workshop on Items 9 & 10

DIVISION OF WATER QUALITY

9. The State Water Board will hold a Workshop on the Draft Policy for Toxicity Assessment and Control for the State Implementation Plan. (Written comments are due on November 22, 2010 by 12 noon.) (Staff Presentation)

No Action Taken

- Dr. Debra Denton with U.S. EPA and Dr. Jerry Diamond with Tetra Tech were also present for the workshop. (Presentation)
- Comment Deadline was extended to January 21, 2011 by 12 noon.

Commenters
Ann Heil, California Association of Sanitation Agencies & Tri-Tac (Presentation)
Dale Ihrke, San Jose/Santa Clara Water Pollution Control
Dan Jackson, East Bay Municipal Utility District
David Arrieta, Western States Petroleum Association
David Smith, U.S. EPA
Debbie Webster, Central Valley Clean Water Association
Delia McGrath, Sacramento Stormwater Quality Partnership
Commenters (cont’d)
Doug Culbert, City of Ferndale/North Coast Operators
Erik Lust, City of Arcata
Gail Chesler, Tri-Tac
Geoff Brosseau, California Stormwater Quality Association
James Scanlin, Clean Water Program (Alameda)
John Pastore, Southern California Alliance of POTWs
Julie Guerra, Bear Valley Water District
Kristen Wardlaw, Yucaipa Valley Water District POTW
Lysa Voight, Sacramento Regional County Sanitation District
Margaret Orr, Central Contra Costa Sanitary District (Presentation)
Melissa Thorme, Downey Brand (Presentation)
Michael Bryan, RBI
Monica Oakley, Napa Sanitation District
Phil Markle, Sanitation Districts of Los Angeles County
Scott Joslyn, Nevada County Sanitation District
Stacey Aldstadt, San Bernardino Municipal Water District
Susan Paulsen, Flow Science Inc. (Cities of Signal Hill and Downey)
Susie Santilena, Heal the Bay
Thomas Grovhoug, Larry Walker Associates (CASA & Tri-TAC)
Tim Moore, Risk Sciences
Vickie Caulfield, El Dorado Irrigation District

DIVISION OF WATER RIGHTS

10. The State Water Board will hold a Workshop to receive public comments on a staff report containing a prioritized list and estimate of costs for instream flow studies on California rivers and streams developed pursuant to the Delta Reform Act. (Written comments are due on November 10, 2010 by 12 noon.)

No Action Taken

Commenters
Erick Soderlund, State Water Resources Control Board
Leo Wintermintz, The Nature Conservancy
Mark Rentz, Association of California Water Agencies

ADJOURNED
The Board Meeting adjourned at 4:15 p.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.