

**STATE WATER RESOURCES CONTROL BOARD**  
**BOARD MEETING MINUTES**  
**OCTOBER 19, 2010**

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/](http://www.waterboards.ca.gov/board_decisions/adopted_orders/).

**CALL TO ORDER**

Chair Hoppin called the meeting to order on October 19, 2010 at 9:02 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	Caren Trgovcich, Chief Deputy Director
Michael Lauffer, Chief Counsel	Jonathan Bishop, Chief Deputy Director
Jeanine Townsend, Clerk to the Board	Vicky Whitney, Division of Water Quality
James Herink, Office of Chief Counsel	Phil Isorena, Division of Water Quality
Phil Wyels, Office of Chief Counsel	Trinh Pham, Division of Water Quality
Andy Sawyer, Office of Chief Counsel	Esteban Almanza, Division of Financial Assistance
Erin Mahaney, Office of Chief Counsel	Leslie Laudon, Division of Financial Assistance
Lori Brock, Office of Chief Counsel	Bob Trommer, Division of Financial Assistance
Marleigh Woods, Office of Chief Counsel	John Russell, Division of Financial Assistance
Darrin Polhemus, Division of Administrative Services	Rob Egel, Office of Legislative Affairs
David Ceccarelli, Division of Administrative Services	Jarma Bennett, Office of Information Management and Analysis
Miles Burnett, Division of Administrative Services	Bill Rukeyser, Office of Public Affairs

**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 5, 2010 Board Meeting minutes.

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

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

**MOTION CARRIED:** ([October 5, 2010](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

2. Board Member Report.

None

### **UNCONTESTED ITEM\* (Item 3)**

- \*3. Consideration of a proposed Resolution approving additional funds to [San Mateo Resource Conservation District's Pillar Point Harbor Source Identification Project](#).

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

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Resolution 2010-0050](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

### **DIVISION OF ADMINISTRATIVE SERVICES**

~~Please note that Items 4 & 5 will be moved to a subsequent Board Meeting if the 2010-2011 State budget is not signed by the Governor by 9:00 a.m. on Monday, October 18, 2010.~~

~~Items 4 & 5 were originally published with the agenda for the October 5, 2010 Board Meeting. Due to recent adjustments to the proposed 2010-2011 State Budget, the staff reports and fee schedules for these items are being amended and will be linked to the agenda by Tuesday, October 12 at 5:00 pm.~~

~~For Items 4 & 5 the comment deadline has been extended to October 18, 2010 by 12 noon,~~

4. Consideration of a proposed Resolution adopting emergency regulations revising the [core regulatory water quality fee schedules](#) contained in Title 23, Division 3, Chapter 9, Article 1, Sections 2200, 2200.3, 2200.4, 2200.5 AND 2200.6 of the California Code of Regulations.

**Motion:** Member Doduc moved to adopt the proposed Resolution with changes proposed by staff in [Change Sheet #1](#).

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Resolution 2010-0051](#))

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

**Nay:** None

**Abstain:** Chairman Hoppin

**Absent:** None

#### **Commenters**

*Chuck Helget, Republic Services*

*Chuck White, Waste Management*

*David Arrieta, Western States Petroleum*

*Geoff Brosseau, California Stormwater Quality Association ([Presentation](#))*

*Jesus Arredondo, Dynegy*

*Julie Gill, AES Southland*

*Larry Sweetser, Rural Counties – Environmental Services Joint Powers Authority*

*Roberta Larson, California Association of Sanitation Agencies*

*Scott Sadler, RRI*

*Sean Beatty, Mirant California, LLC.*

5. Consideration of a proposed Resolution adopting [emergency regulations amending water rights fee schedules](#) in Title 23, Division 3, Chapter 5 (commencing with Section 1061) of the California Code of Regulations.

**Motion:** Vice Chair Spivy-Weber moved to adopt the proposed Resolution with changes proposed by staff in [Change Sheet #1 & #2](#).

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Resolution 2010-0052](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

### **DIVISION OF FINANCIAL ASSISTANCE**

6. Consideration of a proposed Order directing [Underground Storage Tank Case Closures](#) Pursuant to Health and Safety Code Section 25299.39.2: Various Locations in California.  
(Written comments were due on September 17, 2010 by 12 noon.)

- Sacramento Valley Crane Service, Inc., Fund Claim No. 14560, Sacramento Crane Co., 7037 Power Inn Road, Sacramento, CA 95829
- Navtej Riar, Fund Claim No. 13224, Northgate Liquor & Food, 3016 Northgate Blvd., Sacramento, CA 95833
- Sam Arman, Fund Claim No. 14002, Silver Gas and Food, 4625 El Camino Avenue, Sacramento, CA 95828
- John Ralich, Fund Claim No. 10943, Pac Tel Cellular (Former Shell Station), 8897 Greenback Lane, Orangevale, CA 95662
- River Delta Unified School District, Fund Claim No. 11469, Walnut Grove Elementary School, 14181 Grove Street, Walnut Grove, CA 95690
- Olympian JV, Fund Claim No. 15460, Former Olympian Fueling Station, 2732 Citrus Road, Rancho Cordova, CA 94070
- Geremia Pools, Inc., Fund Claim No. 15879, Geremia Pools, 3264 Ramona Street, Sacramento, Ca 95819

**Motion:** Member Doduc moved to adopt the proposed Order.

**Seconded by:** Member Baggett

**MOTION CARRIED:** ([Water Quality Order 2010-0013](#))

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

**Nay:** None

**Abstain:** None

**Absent:** None

### **Commenters**

Barry Marcus, Sacramento County Local Oversight Program ([Presentation](#))

Gowri Kowtha, Stratus Environmental, Inc.

### **INFORMATIONAL ITEMS**

7. Update on a program to voluntarily provide automated email notification to dischargers when required self-monitoring reports are due, in order to avoid the submission of late reports and the resultant [mandatory minimum penalties \(MMPs\)](#). ([Staff Presentation](#))

**No Action Taken**

8. [Executive Director's Report.](#)

**No Action Taken**

**PUBLIC HEARING**

**No final action will be taken at the Public Hearing on Item 9**

9. The State Water Board will hold a Public Hearing on the [Draft Statewide General National Pollutant Discharge Elimination System \(NPDES\) permit for vector control pesticide applications.](#) (*Written comments are due on November 2, 2010 by 12 noon.*) ([Staff Presentation](#))

**No Action Taken**

**Commenters**

*Gary Goodman, Mosquito & Vector Control Association of California*

*Jerry Davis, Mosquito & Vector Control Association of California*

*Mark Rentz, Association of California Water Agencies*

**ADJOURNED**

The Board Meeting adjourned at 1:56 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 met in Closed Session on these Items.**