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/.

CALL TO ORDER
Chairman Hoppin called the meeting to order on October 18, 2011 at 9:10 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 Tam M. Doduc

STAFF PRESENT
Tom Howard, Executive Director
Caren Trgovcich, Chief Deputy Director
Michael Lauffer, Chief Counsel
Jeanine Townsend, Clerk to the Board
Phil Wyels, Office of Chief Counsel
Stacy Gillespie, Office of Chief Counsel
Marleigh Wood, Office of Chief Counsel
Steven Blum, Office of Chief Counsel
Andy Sawyer, Office of Chief Counsel
George Kostyrko, Office of Public Affairs
Liz Haven, Division of Financial Assistance
Larry Lindsay, Division of Water Rights
Les Grober, Division of Water Rights
Barbara Evoy, Division of Water Rights
Jim Kassell, Division of Water Rights
Ernie Mona, Division of Water Rights
Jule Rizzato, Division of Water Quality
Bruce Fujimoto, Division of Water Quality
Nirmal Sandhar, Division of Water Quality
Vicky Whitney, Division of Water Quality
Paul Hann, Division of Water Quality
Dominic Gregorio, Division of Water Quality
Shahla Farahnak, Division of Water Quality
Connie Anderson, Division of Water Quality
Ken Harris, Division of Water Quality
Chris Beegan, Division of Water Quality
Mark Fong, Division of Water Quality
Rafael Maestu, Office of Research, Planning & Performance
Eric Oppenheimer, Office of Research, Planning & Performance
Miles Burnett, Division of Administrative Services
David Ceccarelli, 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 Chairman

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 August 16 and September 19-20, and October 4, 2011 Board Meeting minutes.

   Motion: Member Doduc moved to adopt the minutes from the August 16, September 19-20 and October 4, 2011 Board Member
   Seconded by: Vice Chair Spivy-Weber
   Aye: Chairman Hoppin
        Vice Chair Spivy-Weber
        Member Doduc
   Nay: None
   Abstain: None
   Absent: None

2. Board Member Report.

   None

ADOPTION HEARING – ITEM 3

DIVISION OF WATER QUALITY

3. Consideration of a proposed Resolution approving an exception to the California Ocean Plan for the Telonicher Marine Laboratory discharge into the Trinidad Head Area of Special Biological Significance, including Special Protections to protect beneficial uses, and adopting a mitigated negative declaration. (Written comments are due on October 10, 2011 by 12 noon.) (Staff Presentation for Items 3-6)

   - Change Sheet #1

   Motion: Member Doduc moved to adopt the proposed Resolution and the Mitigated Negative Declaration with changes proposed by staff in Change Sheet #1.
   Seconded by: Vice Chair Spivy-Weber
   MOTION CARRIED: (Resolution 2011-0049)
   Aye: Chairman Hoppin
        Vice Chair Spivy-Weber
        Member Doduc
   Nay: None
   Abstain: None

Commenters
David Hankin, Humboldt State University-Marine Lab (Presentation)
4. Consideration of a proposed Resolution approving an exception to the California Ocean Plan for the Hopkins Marine Station discharge into the Pacific Grove Area of Special Biological Significance, including Special Protections to protect beneficial uses, and adopting a mitigated negative declaration. (Written comments were due on March 14, 2011 by 12 noon.)

Motion: Member Doduc moved to adopt the proposed Resolution and the Mitigated Negative Declaration.
Seconded by: Chair Hoppin
MOTION CARRIED: (Resolution 2011-0050)
Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Nay: None
Abstain: None

Commenters
Craig Barney, Stanford University
Karen Nardi, Stanford University
Sarah Hardgrove, City of Pacific Grove

5. Consideration of a proposed Resolution approving an exception to the California Ocean Plan for the Monterey Bay Aquarium discharge into the Pacific Grove Area of Special Biological Significance, including Special Protections to protect beneficial uses, and adopting a mitigated negative declaration. (Written comments were due on March 14, 2011 by 12 noon.)

Motion: Vice Chair Spivy-Weber moved to adopt the proposed Resolution and the Mitigated Negative Declaration.
Seconded by: Member Doduc
MOTION CARRIED: (Resolution 2011-0051)
Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Nay: None
Abstain: None

Commenters
Captain Aaron Cudnohufsky, U.S. Navy-NAVAIR
Carmelita Garcia, City of Pacific Grove
Chuck Della Sala, City of Monterey
David Pohl, City of Newport Beach (Presentation)
Gary Hildebrand, County of Los Angeles and Los Angeles County Flood Control District
Geoff Brosseau, California Stormwater Quality Association
Heidi Niggemeyer, General Public
Jim Thorsen, City of Malibu

No Action Taken – Deferred to a Future Board Meeting
- Change Sheet #1
- Change Sheet #2

Commenters
Captain Aaron Cudnohufsky, U.S. Navy-NAVAIR
Carmelita Garcia, City of Pacific Grove
Chuck Della Sala, City of Monterey
David Pohl, City of Newport Beach (Presentation)
Gary Hildebrand, County of Los Angeles and Los Angeles County Flood Control District
Geoff Brosseau, California Stormwater Quality Association
Heidi Niggemeyer, General Public
Jim Thorsen, City of Malibu
Commenters (cont’d)
Lauren Langer, City of Malibu
Liz Crosson, Santa Monica Baykeeper
Michael Quigley California Alliance for Jobs
Michelle Mehta, Natural Resource Defense Council
Robert Phillips, Monterey Bay Aquarium
Rolf Schottle, University of California San Diego & Scripps Institute Oceanography
Sara Aminzadeh, California Coastkeeper Alliance
Sarah Hardgrave, City of Pacific Grove
Scott McGowen, Caltrans
Thomas Quattlebaum, Pebble Beach Company
Terri Fashing, County of Marin
Tom Harty, County of Monterey
Tom Reeves, City of Monterey
Tricia Wotan, City of Monterey

7. 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 indicator bacteria in the Los Angeles River Watershed. (Written comments were due on June 20, 2011 by 12 noon.)
PULLED – DEFERRED TO A FUTURE BOARD MEETING

OFFICE OF RESEARCH, PLANNING & PERFORMANCE

8. Consideration of a proposed Resolution approving the workplan to assess and align priorities, resources, and performance targets.

Motion: Member Doduc moved to adopt the proposed Resolution with changes to the workplan to include irrigated runoff and stormwater in Phase 1, and engage stakeholders early.
Seconded by: Vice Chair Spivy-Weber
MOTION CARRIED: (Resolution 2011-0052)
Aye: Chairman Hoppin
Vice Chair Spivy-Weber
Member Doduc
Nay: None
Abstain: None

Commenters
Bruce Houdesheldt, Sacramento Valley Water Quality Coalitions
Geoff Brosseau, California Stormwater Quality Association
Kari Fisher, California Farm Bureau Federation
The following Item 9 will not commence before 1:00 p.m.

DIVISION OF WATER RIGHTS

9. Consideration of a proposed Cease and Desist Order pertaining to the threat of an unauthorized diversion and use of water from the Russian River in Mendocino County by Thomas Hill, Steven Gomes, and Millview County Water District. (Written comments were due on October 3, 2011 by 12 noon.

- Change Sheet #1

Motion: Member Doduc moved to adopt the proposed Order with changes proposed by Staff in Change Sheet #1, changes and footnotes that were read into the record at the Board Meeting.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: (Water Rights Order 2011-0016)

Aye: Chairman Hoppin

Vice Chair Spivy-Weber

Member Doduc

Nay: None

Abstain: None

Commenters

Christopher Neary, Millview County Water District
David Rose, State Water Resources Control Board
Pam Jeane, Sonoma County Water Agency
Robert Donlan, Ellison, Schneider & Harris
Ryan Bezerra, Sonoma County Water Agency

INFORMATIONAL ITEM

10. Executive Director's Report.

ADJOURNMENT

The Board adjourned at 5:05 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 Petitions for Reconsideration of State Water Board Order WR 2011-0005 regarding a Cease and Desist Order issued to Woods Irrigation Company for diversion from Middle River in San Joaquin County.

The Board did not meet in Closed Session on this Item.

- The Board will meet in closed session to deliberate on a decision to be reached pertaining to the matter of the threat of an unauthorized diversion of water pursuant to a claim of pre-1914 appropriative rights by Thomas Hill, Steven Gomes, and Millview County Water District. A proposed cease and desist order, issued to Thomas Hill, Steven Gomes, and Millview County Water District on April 10, 2009, is the subject of an evidentiary hearing before hearing officers of the Board.

The Board met in Closed Session on this Item.

IMPORTANT INFORMATION!!
Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on October 11, 2011, and will not be accepted after that time.

Submittal of electronic Powerpoint presentations must be received by 12:00 p.m. on October 13, 2011, 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, “10/18/2011 BOARD MEETING (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: http://www.calepa.ca.gov/Broadcast/.

For a map to our building, visit: http://www.calepa.ca.gov/EPABldg/location.htm. 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 Office of Employee Assistance, at (916) 341-5881.