

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING MINUTES  
AUGUST 7-8, 2012**

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**

Chairman Hoppin called the meeting to order on August 7, 2012 at 9:05 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 Tam M. Doduc; Member Steven Moore; Member Felicia Marcus

**STAFF PRESENT**

Jonathan Bishop, Chief Deputy Director	Jenny Chen, Division of Water Quality
Michael Lauffer, Chief Counsel	Jaime Favila, Division of Water Quality
Caren Trgovcich, Chief Deputy Director	Vicky Whitney, Division of Water Quality
Jeanine Townsend, Clerk to the Board	Bruce Fujimoto, Division of Water Quality
Phil Wyels, Office of Chief Counsel	Paul Hann, Division of Water Quality
Anne Hartridge, Office of Chief Counsel	Rik Rasmussen, Division of Water Quality
Marleigh Wood, Office of Chief Counsel	Walt Shannon, Division of Water Quality
Andy Sawyer, Office of Chief Counsel	Ali Dunn, Division of Water Quality
Steven Blum, Office of Chief Counsel	Amy Kronson, Division of Water Quality
Emel Wadhvani, Office of Chief Counsel	Phil Isorena, Division of Water Quality
Liz Haven, Division of Financial Assistance	Jim Kassel, Division of Water Rights
Christopher Stevens, Division of Financial Assistance	Barbara Evoy, Division of Water Rights
Christine Gordon, Division of Financial Assistance	Michael Buckman, Division of Water Rights
Christine Sotelo, Office of Public Participation	Diane Riddle, Division of Water Rights
Gita Kaphai, Office of Public Participation	Ernie Mona, Division of Water Rights
George Kostyrko, 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 5 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 July 17-18, 2012 Board Meeting minutes.

**No Action Taken – Deferred to future Board Meeting**

2. Board Member Report.

**None**

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

- \*3. Consideration of a proposed Resolution to approve Clean Water State Revolving Fund Program planning financing for [Planada Community Services District](#) for the Wastewater Treatment Plant Expansion Project.

**Motion:** Vice Chair Spivy-Weber moved to adopt the proposed Resolution.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2012-0040](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

**DIVISION OF WATER RIGHTS**

4. Consideration of a proposed Order 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. ([Written comments](#) are due on July 31, 2012 by 12 noon.)

- [Change Sheet #1](#)

**Motion:** Vice Chair Spivy-Weber moved to adopt the proposed Order with changes proposed in Change Sheet #1.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Water Rights Order No. 2012-0012](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Katharine , RDC Farms, Ron & Janet DeCarlo, Eddie Vierra Farms,LLC, Dianne Young,  
Schmidt Family Revocable Trust  
DeeAnne Gillick, San Joaquin County  
Valerie Kincaid, Modesto Irrigation District  
Rebecca Akroyd, San Luis Delta-Mendota Water Authority  
John Herrick, Woods  
Dean Ruiz, CDWA& SDWA*

**PUBLIC HEARINGS**

**No final action will be taken at the Hearings on Items 5 & 6**

**DIVISION OF FINANCIAL ASSISTANCE**

5. The State Water Board will hold a Public Hearing on the proposed amendments to California Code of Regulations, Title 23, Division 3, Chapter 26 (commencing with Section 3670) relating to the [Wastewater Treatment Plant Classification, Operator Certification, and Contract Operator Registration Program](#) (Operator Certification Program). ([Written comments](#) are due on July 30, 2012 by 5:00 p.m.)

**No Action Taken**

**Commenters**

*Hugh Logan, General Public  
Christopher Dobson, California Water Environment Association  
Roberta Larson, California Association of Sanitation Agencies*

**DIVISION OF WATER QUALITY**

6. The State Water Board will hold a Public Hearing to receive oral comments on the [Statewide General National Pollutant Discharge Elimination System Permit for Residual Pesticide Discharges to waters of the United States from Algae and Aquatic Weed Control Applications](#). ([Written comments](#) are due on August 21, 2012 by 12 noon.) ([Staff Presentation](#))

**No Action Taken**

**Commenters**

*David Bolland, Association of California Water Agencies  
Michael Blankinship, Blankinship & Associates  
Jim Atherstone, South San Joaquin Irrigation District*

**INFORMATIONAL ITEM**

7. Presentation by the WaterKeepers Alliance on inclusion of impairments due to low flow in the 2012 Integrated Report.

**No Action Taken**

- [Comment Letters](#)

**Commenters**

*Linda Sheehan, Earth Law Center  
Erica Terence, Klamath River Keeper  
Craig Tucker, Karuk Tribe  
Bill Jennings, California Sportfishing Protection Alliance  
Sara Aminzadeh, California Coastkeeper Alliance*

Item 8 will not be heard before 1:00 p.m.

**PUBLIC HEARING**

No final action will be taken at the Hearing on Item 8

**DIVISION OF WATER QUALITY**

8. The State Water Board will hold a Public Hearing on the second revised draft [Tentative Order for the California Department of Transportation Municipal Separate Storm Sewer System Permit](#). ([Written comments were due on June 26, 2012 by 12 noon.](#)) ([Staff Presentation](#))

**No Action Taken**

**Commenters**

*Kirsten James, Heal the Bay*

*Ray Tahir, Consultant ([Presentation](#))*

*Michael Quigley, California Alliance for Jobs*

*Scott McGowen, Caltrans*

*Scott Taylor, California Stormwater Quality Association*

*Bob Lucas, California Council for Environmental & Economic Balance*

*Peter DeMarco, San Francisco BayKeeper*

*Jason Flanders, San Francisco BayKeeper*

*Sean Bothwell, California Coastkeeper Alliance*

*Katharine Wagner, Downey Brand LLP*

Wednesday, August 8, 2012

**CALL TO ORDER**

Chairman Hoppin called the meeting to order on August 8, 2012 at 9:05 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 Tam M. Doduc; Member Steven Moore; Member Felicia Marcus

**ANNOUNCEMENT**

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

**PUBLIC HEARING**

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

**DIVISION OF WATER QUALITY**

9. The State Water Board will hold a Public Hearing on the Revised Draft Tentative Order for the [General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems](#). (*Written comments* were due on July 23, 2012 by 12 noon.) ([Staff Presentation](#))

**No Action Taken**

**Commenters**

*Geoff Brosseau, California Stormwater Quality Association*  
*Shawn Hagerty, Statewide Stormwater Coalition ([Presentation](#))*  
*Noah Garrison, Natural Resources Defense Council ([Presentation](#))*  
*Kirsten James, Heal the Bay*  
*Staci Heaton, Regional Council of Rural Counties*  
*Randal Friedman, U.S. Navy*  
*Kelye McKinney, City of Roseville*  
*Sean Bigley, City of Roseville*  
*Eric Steger, County of Marin*  
*Terri Fashing, Marin County*  
*Virginia Porter, Russian River Watershed Association*  
*Pam Gibbs, Los Angeles County Office of Education*  
*Ian Padilla, Coalition for Adequate Housing*  
*Debra Lutske, San Francisco Public Utilities Commission*  
*Wendy Atkins, City of Sonoma*  
*Sean Bothwell, California Coastkeeper Alliance*  
*Stephanie Reyna-Hiestand, City of Tracy*  
*Tricia Wotan, City of Monterey*  
*Kathleen, Thomasberg, Monterey County Water Resources Agency*  
*Heaven Moore, City of Sana Rosa*  
*Kenney Glaspie, California State Parks*  
*Jamison Crosby Napa Countywide Stormwater Pollution Prevention Program*  
*Paul Herzog, Surfrider Foundation*  
*Bryan Hofmann, American Rivers*  
*Rebecca Winer, California Stormwater Quality Association*

**ADJOURNMENT**

The Board adjourned at 12:30 p.m.

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

**DIVISION OF WATER RIGHTS**

- The Board will meet in closed session to deliberate on a decision to be reached pertaining to the July 2010 hearing concerning the United States Bureau of Reclamation's water right Applications 31487 and 31488 and petitions to change License 3723 (Application 5169) of Washoe County Water Conservation District, License 4196 (Application 9247) of Truckee Meadows Water Authority, and Permit 11605 (Application 15673) and License 10180 (Application 18006) of the United States Bureau of Reclamation in the Truckee River Watershed in Sierra and Nevada Counties. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

**The Board met in Closed Session on the above item.**

- The Board will meet in closed session to deliberate on a proposed order 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. This closed session is authorized under Government Code section 11126, subdivision (c)(3).

**The Board did not meet in Closed Session on the above item.**

**OFFICE OF CHIEF COUNSEL**

The Board will meet in closed session to discuss the status of and receive legal advice concerning *Young v. State Water Resources Control Board* (Third District Court of Appeal, Case No. C068559). This closed session is authorized under Government Code section 11126, subdivision (e).

**The Board did not meet in Closed Session on the above item.**

**IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on July 31, 2012, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on July 31, 2012, 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](mailto:commentletters@waterboards.ca.gov). Please indicate in the subject line, "**8/7-8/2012 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](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.