

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING MINUTES  
JANUARY 10, 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 January 10, 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

**STAFF PRESENT**

Tom Howard, Executive Director	Jonathan Bishop, Chief Deputy Director
Michael Lauffer, Chief Counsel	Jeanine Townsend, Clerk to the Board
Andy Sawyer, Office of Chief Counsel	Vicky Whitney, Division of Water Quality
Phil Wyels, Office of Chief Counsel	John Borkovich, Division of Water Quality
Emel Wadhvani, Office of Chief Counsel	Dominic Gregorio, Division of Water Quality
Bethany Pane, Office of Chief Counsel	Shahla Farahnak, Division of Water Quality
Lori Brock, Office of Chief Counsel	Ken Harris, Division of Water Quality
Anne Hartridge, Office of Chief Counsel	Larry Lindsay, Division of Water Rights
Steven Blum, Office of Chief Counsel	Barbara Evoy, Division of Water Rights
Tom Vandenberg, Office of Chief Counsel	Jim Kassell, Division of Water Rights
Marianna Aue, Office of Chief Counsel	Ernie Mona, Division of Water Rights
Jule Rizzardo, Division of Financial Assistance	Jose Angel, Colorado River Basin Regional Water Board
Liz Haven, Division of Financial Assistance	Robert Perdue, Colorado River Basin Regional
Jim Maughan, Division of Financial Assistance	Tim Moran, Office of Public Affairs
Patricia Leary, Division of Financial Assistance	Kathie Smith, Office of Public Affairs
	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 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 December 5-6, 2011 Board Meeting minutes.

**Motion:** Vice Chair Spivy-Weber moved to adopt the December 5-6, 2011 Board Meeting minutes.

**Seconded by:** Chairman Hoppin

**MOTION CARRIED:** ([December 5-6, 2011](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

2. Board Member Report.

**None**

**UNCONTESTED ITEMS\* (Items 3-5)**

- \*3. Consideration of a proposed Resolution authorizing the Executive Director or designee to enter into contracts to continue to implement the [Groundwater Ambient Monitoring and Assessment Program](#).

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

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

**MOTION CARRIED:** ([Resolution 2012-0001](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

- \*4. Consideration of a proposed Resolution adopting a Clean Water State Revolving Fund Program Preliminary Funding Commitment for the [City of Rio Dell's Wastewater Treatment Plant Upgrade and Disposal Project](#).

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

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

**MOTION CARRIED:** ([Resolution 2012-0002](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

- \*5. Consideration of a proposed Resolution to commit \$305,090 from Proposition 50 Coastal Nonpoint Source Pollution Control Grant Funds for a [Predictive Beach Water Quality Modeling Project](#).

- [Comment Letters](#)

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

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

**MOTION CARRIED:** ([Resolution 2012-0003](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

### **COLORADO RIVER BASIN REGIONAL WATER BOARD**

6. Consideration of a proposed Resolution disapproving an amendment to the Water Quality Control Plan for the Colorado River Basin Region to establish a conditional prohibition and implementation plan for agricultural wastewater discharges originating within the [Palo Verde Valley and the Palo Verde Mesa](#).  
(Written comments were due on September 1, 2011 by 12 noon.)

- [Change Sheet #1](#)

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

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Resolution 2012-0004](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

#### **Commenters**

*Danny Merkley, California Farm Bureau Federation*

*Gail Delihant, Western Growers*

*Linsey Dale, Imperial County Farm Bureau*

**DIVISION OF WATER RIGHTS**

7. Consideration of a proposed Order pertaining to petitions for reconsideration of State Water Resources Control Board Order WR 2011-0016 regarding a cease and desist order issued to [Millview County Water District](#) for diversion from the Russian River in Mendocino County. (*Written comments are due on January 6, 2012 by 12 noon.*)

- [Comment Letters](#)
- [Change Sheet #1](#)

**Motion:** Vice Chair Spivy-Weber moved to adopt the proposed Order with changes proposed in Change Sheet #1 and changes read into record by Mr. Ernie Mona.

**Seconded by:** Member Doduc

**MOTION CARRIED:** ([Water Rights Order 2012-0001](#))

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

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

*Alan Lily, Sonoma County Water Agency*

*David Rose, State Water Board Division of Water Rights – Prosecution Team*

**INFORMATIONAL ITEM**

8. Discussion of Board Member priorities and next steps concerning Strategic Plan.

**No Action Taken**

**ADJOURNMENT**

The Board adjourned at 4:40 p.m.

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

**DIVISION OF WATER RIGHTS**

(These following closed sessions are authorized under Government Code section 11126, subdivision (c)(3).)

- The Board will meet in closed session to deliberate on a proposed decision pertaining to the Alleged Waste and Unreasonable Use of Water by Hidden Lakes Estates Homeowners Association in Placer County

**The Board met in Closed Session on this Item.**

- 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 2011-0016 regarding a Cease and Desist Order issued to Thomas Hill, Steven Gomes and Millview County Water District for unauthorized diversion from the Russian River in Mendocino 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 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.**

**OFFICE OF CHIEF COUNSEL**

The Board will meet in closed session to discuss the status of and receive legal advice concerning *California Building Industry Association, et al., v. State Water Resources Control Board*, Sacramento Superior Court, Case No. 34-2009-80000338. (This closed session is authorized under Government Code section 11126, subdivision (e).)

**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 January 3, 2012, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on January 5, 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, "**1/10/2012 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.