

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
FEBRUARY 7-8, 2017**

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/.

The video of the Board Meeting is available to view on our website at:
http://www.waterboards.ca.gov/board_info/video.shtml

**REVISED
Item 5: Changed To Hearing Only – No Action Will Be Taken
Item 9 Only: Comment Deadline Extended to February 6, 2017 by 12 noon**

CALL TO ORDER

Chair Felicia Marcus called the meeting to order on February 7, 2017 at 9:08 a.m. at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Coastal Hearing Room, Sacramento, California.

BOARD MEMBERS PRESENT

Chair Felicia Marcus; Vice Chair Frances Spivy-Weber; Member Tam Doduc; Member Steven Moore; Member Dorene D'Adamo

EXECUTIVE STAFF PRESENT

Tom Howard, Executive Director
Michael Lauffer, Chief Counsel
Eric Oppenheimer, Chief Deputy Director
Jonathan Bishop, Chief Deputy Director
Jeanine Townsend, Clerk to the Board

ANNOUNCEMENTS

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

PUBLIC FORUM

Any member of the public may address and ask questions of the Board relating to any matter within the State Water Resources Control Board's jurisdiction provided the matter is not on the agenda, or pending before the State Water Board or any California Regional Water Quality Control Board.

No Action Taken

Commenters

Tom Ladwehr, General Public (UST Cleanup Fund reimbursements)

BOARD BUSINESS

1. The Board will consider adoption of the January 3-4, 2017 & January 18, 2017 Board Meeting minutes. Both minutes were adopted on February 8, 2017.

Motion: Member D'Adamo moved to adopt the proposed minutes.

Seconded by: Member Doduc

MOTION CARRIED: (January 3-4, 2017)

Aye: Vice-Chair Spivy-Weber
Member Doduc
Member Moore (was absent on January 4, 2017))
Member D'Adamo

Nay: None

Absent: None

Abstain: Chair Marcus

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

Seconded by: Member Moore

MOTION CARRIED: (January 18, 2017)

Aye: Chair Marcus
Vice-Chair Spivy-Weber
Member Doduc
Member D'Adamo
Member Moore

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEMS

2. California's ongoing drought emergency.

No Action Taken

➤ *The following individuals made their presentation to the Board:*

- *Diane Riddle, Division of Water Rights ([Presentation](#))*
- *Daman Badayl, Division of Financial Assistance*

3. Presentation by Lotus Communications on water conservation campaign.

No Action Taken

➤ *George Kostyrko, Director, and Miryam Barajas both with Office of Public Affairs introduced the following individuals who made their [presentation](#) to the Board:*

- *Howard Kalmenson, Lotus Communications President and CEO*
- *John Paley, Lotus Communications VP Corporate and community relations;*
- *Shan Fazeli, Lotus Communications*
- *Jorge Esquilin, Vive 92.1. General Manager*

DIVISION OF FINANCIAL ASSISTANCE

4. Consideration of a proposed Resolution for the [approval, authorization and direction of the execution of certain documents and authorizing and directing certain actions for the benefit of and with respect to the administration and funding of the Clean Water State Revolving Fund and in connection with the issuance by the California Infrastructure and Economic Development Bank if up to \\$450,000,000 aggregate principal amount of its bonds.](#)

Motion: Member Doduc moved to adopt the proposed Resolution

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([Resolution No. 2017-0003](#))

Aye: Chair Marcus
Vice-Chair Spivy-Weber
Member Doduc
Member Moore
Member D'Adamo

Nay: None

Absent: None

Abstain: None

Item 5 will be conducted as a Hearing only
The Board will not take final action until a future board meeting

OFFICE OF ENFORCEMENT

5. Consideration of [proposed amendments to the statewide Water Quality Enforcement Policy](#). (*Written comments were due on December 28, 2016 by 12 noon.*) (*Staff Presentation*)
Staff Presenting: Cris Carrigan, Matt Bufflebean, Melissa Hall & Naomi Kaplowitz

No Action Taken

- [Response to Comments](#)

Commenters

Jack Hawks, California Water Association

Francois Rodigari, San Jose Water Company

Adam Link, California Association of Sanitation Agencies

Debbie Webster, Central Valley Clean Water Association

Rebecca Franklin, Association of CA Water Agencies

Sara Aminzadeh, California Coastkeeper Alliance

Zach Walton, California Water Service Co.

Lorien Fono, Bay Area Clean Water Agencies

Ann Heil, La County Sanitation Districts

Chandra Johannesson, East Bay Municipal Utilities District

Colin Bailey, Environmental Justice Coalition for Water

Lesley Dobalian, San Diego County Water Authority

Dawn Koepke, State of California Auto Dismantlers Association & California Council for Environmental & Economic Balance

Nicole Ganquist, Downey Brand LLP

Steve Jepsen, Southern California Alliance of Publicly Owned Treatment Works

Geoff Brosseau, California Stormwater Quality Association

Andria Ventura, Clean Water Action

Sue Meyer, Nossaman for Clean Water Action

PUBLIC HEARING – ITEM 6

DIVISION OF WATER QUALITY

6. The State Water Board will hold a [Public Hearing on Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California – Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions](#). (Written comments are due on February 17, 2017 by 12 noon.)
Staff Presenting: Rik Rasmussen, Phil Crader & Stacey Gillespie ([Staff Presentation](#))

No Action Taken

Commenters

Patrick Lewis, San Joaquin Tributaries Authority
Alan Lilly, Northern California Water Association
Adam Link, California Association of Sanitation Agencies
Lynne Saxton, Karuk Tribe/ General Public
Debbie Webster, Central Valley Clean Water Association
Lorien Fono, Bay Area Clean Water Agencies
Jack Hawks, California Water Association
Rebecca Franklin, Association of CA Water Agencies
Miles Hogan, Association of CA Water Agencies
Fiona Sanchez, Association of CA Water Agencies
Mary Lynn Coffee, Association of CA Water Agencies
Sue Meyer, Association of CA Water Agencies
Adam Harper, California Construction & Industrial Metals Association
Lesley Dobalian, San Diego County Water Authority
Sherri Norris, California Indian Environmental Alliance
Marissa Herro, The Pit River Tribe
Dawn Koepke, California Council for Environmental & Economic Balance
April Popaditch, Elem Indian Colony
Karola Kennedy, Elem Indian Colony
Aimee Jackson Penn, Habematolel Pomo of Upper Lake
Linda Rosas, Habematolel Pomo of Upper Lake
Ron Montez, Big Valley Rancheria
Sarah Ryan, Big Valley Rancheria
Paula Britton, Round Valley Indian Tribes
Dan Lucas, Big Valley Rancheria
Ruben Ballente, Big Valley Rancheria
Brandi Brown, General Public
Steve Jepsen, Southern California Alliance of Publicly Owned Treatment Works
Tom Grovhoug, Central Valley Clean Water Association ([Presentation](#))
Andria Ventura, Clean Water Action
Fraser Shilling, U.C. Davis ([Presentation](#))
Craig Johns, Partnership for Sound Science in Environmental Policy
Alexander Nguyen, APA Family Support Services ([Presentation](#))
Sarah Ryan, San Luis Rey Bank of Mission Indians
Geoff Brosseau, California Stormwater Quality Association

INFORMATIONAL ITEM

7. Board Member Report.

No Action Taken – This Item was heard on February 8, 2017

Board Member Tam Doduc

- *On January 31, 2017, attended the final meeting of the expert panel review of the ELAP program in Costa Mesa, California.*

Board Member Frances Spivy-Weber

- *On January 19, 2017, attended the Santa Ana Regional Board Meeting in Brawley, California.*
- *On January 27, 2107, attended the Air Resources Board's Proposed Scoping Plan Board Hearing in Sacramento, California.*

Board Member DeeDee D'Adamo

- *On January 23, 2017, spoke at Blue Diamond Almond Growers' Leadership Program in Sacramento, California.*
- *On January 27, 2017, attended the Central Coast Regional Board meeting in Santa Barbara, California and gave a drought update.*
- *On February 1, 2017, spoke at a luncheon before the South Valley Water Association in Sacramento, California.*
- *On February 3, 2017, attended and gave an update at the Santa Ana Regional Board Meeting in Loma Linda, California.*
- *On February 8, 2017, spoke at the 15th Annual Colusa Farm Show breakfast in Colusa, California.*

Board Member Steven Moore

- *On January 27, 2017, spoke on a panel at the Bay Area Clean Water Agencies Annual Membership Meeting in Oakland, California.*
- *On February 2, 2017, attended the North Coast Regional Board Meeting in Santa Rosa, California.*
- *Met with the City of East Palo Alto regarding their concerns for drinking water reliability in East Palo Alto.*

RECESSED

The Board recessed at 4:56 p.m.

WEDNESDAY, FEBRUARY 8, 2017

CALL TO ORDER

Chair Felicia Marcus called the meeting to order on February 8, 2017 at 9:04 a.m. at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Coastal Hearing Room, Sacramento, California.

BOARD MEMBERS PRESENT

Chair Felicia Marcus; Vice Chair Frances Spivy-Weber; Member Tam Doduc; Member Steven Moore; Member Dorene D'Adamo

EXECUTIVE STAFF PRESENT

Tom Howard, Executive Director
Michael Lauffer, Chief Counsel
Eric Oppenheimer, Chief Deputy Director
Jeanine Townsend, Clerk to the Board

PUBLIC WORKSHOP – ITEM 8

OFFICE OF RESEARCH, PLANNING & PERFORMANCE

8. The State Water Board will hold a [Public Workshop on the Affordable, Safe Drinking Water Initiative](#).
(Written comments are on an on-going basis, until otherwise noticed.) *Staff Presenting: Max Gomberg*

No Action Taken

List of Panels/Presentations

Commenters

Virginia Gurrola, General Public
Ruth Martinez, General Public
Simona Magana, General Public
Isabel Solorio, General Public
Evlalia Carbajar, General Public
Danielle Roberts, General Public
Ray Cano, General Public
Jack Hawks, California Water Association
Kevin Truong, California Public Utilities Commission
Kyle Jones, Sierra Club California
Paul Boyer, Self Help Enterprises
Martha Davis, General Public
Hector Gutierrez, California Food Policy Advocates
Jennifer Clary, Clean Water Action
Dr. Salvador Sandoval, General Public
Gabriela Alvarado, General Public
Aracely Contreras, General Public
Sandra Garcia, General Public
Bartolo & Celedino Chavez, General Public
Tomas Garcia, General Public
Christobal Chavez, General Public
Ruben Becerro, General Public
Jesus Montes, General Public
Ernst Teran, General Public
Dennis Cuevas-Romero, American Heart Association
Arleen Novotney, Association of Community and Energy Services
Conner Everts, Southern California Watershed Alliance

Item 9 will not be heard before 1:00 p.m.

9. Consideration of a proposed Resolution [amending and readopting drought-related emergency regulations for urban water conservation to implement Executive Order B-29-15, B-36-15 and B-37-16.](#) (*Written comments are due on February 6, 2017 by 12 noon.*) (*Staff Presentation*) (*Staff Presentation*)
Staff Presenting: Max Gomberg, Erik Ekdahl, David Rose & Lily Weaver)

Motion: Vice Chair Spivy-Weber moved to adopt the proposed Resolution with language read into the record by Chief Counsel Michael Lauffer and Counsel David Rose

Seconded by: Member Doduc

MOTION CARRIED: ([Resolution No. 2017-0004](#))

Aye: Chair Marcus
Vice-Chair Spivy-Weber
Member Doduc
Member Moore
Member D'Adamo

Nay: None

Absent: None

Abstain: None

Commenters

Charles Caspary, Las Virgenes Municipal Water District
Paul Helliker, Humboldt Bay Municipal Water District ([Presentation](#))
Fiona Sanchez, Irvine Ranch Water District
Kathy Besser, Inland Empire Utilities Agency
Brian Poulsen, El Dorado Irrigation District
Joe Berg, Municipal Water District of Orange County
Paul Jones, Eastern Municipal Water District
Joone Lopez, Moulten Niguel Water District
Frank Loge, UC Davis
Rena Hinchey, Laguna Beach Water District
Joel Metzger, Calaveras County Water District
Greg Bundesen, Sacramento Suburban Water District
Nicholas Schneider, Mojave Water Agency
Gary Arant, Valley Center MWD
Liz Crosson, Office of LA Mayor Eric Garcetti
Conner Everts, Southern California H2Oshed Alliance
Jeff Stephenson, San Diego County Water Authority
Amy Talbot, Regional Water Authority
Chris DeGabriele, North Marin Water District
David Bolland, Association of CA Water Agencies
Patrick Porgans, Planetary Solutionaries ([Presentation](#))
Tracy Quinn, Natural Resources Defense Council
Sean Bothwell, California Coastkeeper Alliance
Kelsey Hinton, General Public
Tim Worley, California-Nevada Section, AWWA

ADJOURNMENT

The Board adjourned at 4:26 p.m.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. on February 2, 2017, and will not be accepted after that time.**

Submittal of electronic Powerpoint presentations **must be received by 12:00 p.m. on February 2, 2017, 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, **2/7-8/17 BOARD MEETING/HEARING/WORKSHOP – ITEM # (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: <https://video.calepa.ca.gov/>

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 Clerk to the Board, (916) 341-5600.