



STATE WATER RESOURCES CONTROL BOARD

BOARD MEETING MINUTES

TUESDAY, FEBRUARY 4, 2025

COASTAL HEARING ROOM

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

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Tuesday, February 4, 2025 at 9:06 a.m. with both a physical meeting location and remote location.

BOARD MEMBERS PRESENT

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo (virtually, left the meeting at 12:22 p.m.); Member Sean Maguire; Member Laurel Firestone; Member Nichole Morgan (virtually)

BOARD MEMBERS ABSENT

None

EXECUTIVE STAFF PRESENT

Eric Oppenheimer, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Karen Mogus, Chief Deputy Director
Courtney Tyler, Clerk to the Board
Marji Arjil, Assistant Clerk to the Board
Susan Reyes, AGPA

ANNOUNCEMENTS

- Instructions were given in regard to participating in the Remote Meeting.
- The Board meeting is being webcasted and recorded.

TUESDAY, FEBRUARY 4, 2025

BOARD MEETING

***Public comments on agenda items will be limited to 5 minutes
or otherwise at the discretion of the Board Chair***

PRESENTATION OF SUSTAINED SUPERIOR ACCOMPLISHMENT AWARD

- *Greg Gearheart, with the Division of Information Management and Analysis (OIMA) presented a Sustained Superior Accomplishment Award to Bev Anderson-Abbs.*

PUBLIC FORUM

(Approximately 30 minutes at the beginning of Board Meeting and any remaining speakers at the call of the Chair)

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

Regina Chichizola, Save California Salmon

BOARD BUSINESS

1. The Board will consider adoption of the January 22, 2025 Board Meeting minutes.

Motion: Board Member Firestone moved to adopt the January 22, 2025 Board Meeting minutes

Seconded by: Board Member Maguire

MOTION CARRIED (February 4, 2025)

Aye: Chair Esquivel
Vice Chair D'Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEMS

2. Current Hydrologic Conditions and Response.
Staff Presenting: Jessica Bean

No Action Taken

Commenters

None

3. Office of Enforcement – 2024 Enforcement Program Highlights.

Staff Presenting: Yvonne West

- [Agenda Item](#)

No Action Taken

Commenters

Angelina Cook, California Sportfishing Protection Alliance

ADMINISTRATIVE HEARINGS OFFICE

4. Consideration and potential adoption of a proposed Order in the Matter of Alleged Waste, Unreasonable Use, Unreasonable Method of Use, and Unreasonable Method of Diversion of Water by Douglas and Heidi Cole and Marble Mountain Ranch.

Staff Presenting: Sam Bivins

- [Agenda Item](#)
- [Proposed Order](#)
- [Change Sheet #1](#)

Motion: Board Member Maguire moved to adopt the proposed Resolution with Change Sheet #1

Seconded by: Board Member Firestone

MOTION CARRIED ([Order WR 2025-0002](#))

Aye: Chair Esquivel
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: Vice Chair D'Adamo

Abstain: None

Commenters

Ken Petruzzelli, Prosecution Team (Division of Water Rights Enforcement Section and Office of Enforcement)

Barbara A. Brenner, White Brenner LLP, Attorney for Douglas and Heidi Cole/Marble Mountain Ranch

Konrad Fisher, Old Man River Lodge

Nathaniel Kane, Environmental Law Foundation

Margaret Tauzer, former NMFS hydrologist

Angelina Cook, California Sportfishing Protection Alliance

Matt Thomas, Stream and Civil Engineering

Regina Chichizola, General Public

Kasil Willie, Save California Salmon

INFORMATIONAL ITEMS

5. Board Member Reports.

For full details on each Board Member report, please review the video at [Board Videos | California State Water Resources Control Board](#). It begins at 4:20:34 on the video for the February 4, 2025 Board Meeting.

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

No Action Taken

Commenters

None

ADJOURNMENT

The Board adjourned at 4:20 p.m.

CLOSED SESSION

Closed Sessions are not open to the Public

ADMINISTRATIVE HEARINGS OFFICE/ DIVISION OF WATER RIGHTS

The Board may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the water right change petition filed by the California Department of Water Resources to add two new points of diversion and redirection to water right permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively) for the State Water Project associated with the Delta Conveyance Project. (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 may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the petition for partial assignment of state-filed Application 25517, accompanying water right Application 25517X01, and petitions for release from priority of state-filed Applications 25513, 25514, 25517 (unassigned portion), 22235, 23780, and 23781 in favor of water right Application 25517X01 filed by the Sites Project Authority. (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.

ADMINISTRATIVE HEARINGS OFFICE

The Board will meet in closed session to deliberate on a proposed order in the Matter of Alleged Waste, Unreasonable Use, Unreasonable Method of Use, and Unreasonable Method of Diversion of Water by Douglas and Heidi Cole and Marble Mountain Ranch. (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 a complaint filed against the Board pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000(d) *et seq.*, and the United States Environmental Protection Agency's nondiscrimination regulation, at 40 C.F.R. Part 7, pertaining to the Board's water quality standards setting in the San Francisco Bay/Sacramento-San Joaquin Delta watershed (EPA File No. 01RNO-23-R9). (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. (Noon) on January 30, 2025 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on January 30, 2025 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, **02/04/2025 BOARD MEETING – ITEM # (fill in bolded subject from appropriate item).**

If you have questions about the agenda, or if you do not have internet access and need a telephone number to participate in the meeting, please contact the Clerk to the Board at (916) 341-5600 prior to the date of the meeting.

If you would like to request a copy of public comments submitted on an agenda item, please send a request to commentletters@waterboards.ca.gov, identifying the Board meeting date, and agenda item by name and number.

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/>.
An alternate live-stream broadcast will also be available at:
<https://www.youtube.com/user/BoardWebSupport/>

LANGUAGE SERVICES

For oral interpretation, written translation, or sign language services, please call (916) 341-5254 or e-mail: opp-languageservices@waterboards.ca.gov (at least 7 calendar days before the date of the Board meeting).

ACCESSIBILITY AND REASONABLE ACCOMMODATIONS

The State Water Board is committed to making its meetings accessible consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and swiftly resolving requests for reasonable modifications or accommodations. Telecommunications device for the deaf (TDD) users may contact the California Relay Service at: (800) 735-2929 or voice line at (800) 735-2922. In addition, persons requiring reasonable modification or accommodation for disabilities should promptly (preferably at least 7 days before the meeting) contact the Clerk at

board.clerk@waterboards.ca.gov to initiate a request for reasonable modification or accommodation.