

STATE WATER BOARD
BOARD MEETING MINUTES
July 19, 2006

Copies of the resolutions and water quality order can be obtained by calling (916) 341-5600 or downloading from our [website](#).

CALL TO ORDER

Tam M. Doduc, Chair called the meeting to order on July 19, 2006 at 10:10 a.m. in the Coastal Hearing Room, 1001 I Street, Sacramento, California.

BOARD MEMBERS PRESENT

Tam M. Doduc, Chair; Gerald D. Secundy, Vice Chair; Arthur G. Baggett, Jr., Member; Charlie Hoppin, Member; Gary Wolff, P.E., Ph.D., Member

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Celeste Cantú, Executive Director

Beth Jines, Deputy Director

Song Her, Clerk to the Board

Marleigh Wood, Office of Chief Counsel

Allan Patton, Division of Financial Assistance

Claudia Villacorta, Division of Financial Assistance

Glenda Marsh, Division of Water Quality

Kenneth Landau, Central Valley Water Board

Patrick Morris, Central Valley Water Board

Tom Howard, Deputy Director

Michael Lauffer, Chief Counsel

Steven Blum, Office of Chief Counsel

Vicky Whitney, Division of Water Rights

Christopher Stephens, Division of Financial Assistance

Greg Frantz, Division of Water Quality

Erin Mustain, Division of Water Quality

Janis Cooke, Central Valley Water Board

ANNOUNCEMENT

- Evacuation information in case the fire alarm goes off during the meeting.

PUBLIC FORUM

None

MINUTES

Motion: Member Baggett moved to adopt the June 21, 2006 Board minutes.

Seconded by: Vice Chair Secundy

MOTION CARRIED ([6/21/06](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin

Abstain: Member Wolff

For additional detail, an electronic recording of the meeting is available by upon request. Please contact commentletters@waterboards.ca.gov.

INFORMATIONAL ITEM

1. Board Member Report

- Report from Vice Chair Secundy:
 - Vice Chair Secundy reminded everyone about the six workshops in which he will be the officer in charge—July 21, 2006, here in Sacramento, first of the Numeric Limits workshops and July 28, 2006 in Downtown Los Angeles, second workshop on Numeric Limits; July 31, 2006, in Sacramento on 316(b) Once Through Cooling; August 1, 2006, in Santa Rosa for first of three workshops on (ASBS), August 8, 2006 in Los Angeles, and August 15, 2006 in Monterey. Information on times and dates are on the web.

2. Update from Chief Counsel Michael Lauffer on Ex Parte communications

Chief Counsel Michael Lauffer expressed that there are no real hurdles to releasing the Ex Parte Communications Question and Answer document other than the completion of graphics to the flow chart. He anticipates the document to be released and posted on the State Water Board's website at the beginning of next week or by end of this month.

Commenters

David Cory, San Joaquin River Exchange Contractors

3. Presentation by representative(s) of North Coast Water Rights Working Group

Member Baggett introduced and gave background for the North Coast Water Rights Working Group. Vicky Whitney added information about the background and a status update on AB 2121 then introduced Richard Roos-Collins and Anne Schneider, members of the North Coast Water Rights Working Group, who presented to the Board. ([Presentation](#))

ADMINISTRATIVE SERVICES

4. Consideration of adoption of the Revised Appendix to the Conflict of Interest Code. (The Board will consider whether to adopt a revised appendix to the State Water Board Conflict of Interest Code.)

Motion: Vice Chair Secundy moved to adopt the proposed resolution.

Seconded by: Member Wolff

MOTION CARRIED (Resolution [2006-0047](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenters

None

FINANCIAL ASSISTANCE

5. **Consideration of a resolution authorizing a State Revolving Fund Loan to the Conservation Fund for the Big River/Salmon Creek conservation forestry acquisition, SRF Loan No. C-06-6090-110**

Motion: Member Hoppin moved to adopt the proposed resolution with amendments.

Seconded by: Member Baggett

MOTION CARRIED (Resolution [2006-0048](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenter

Chris Kelly, Conservation Fund

6. **Consideration of a resolution approving the preliminary funding commitment for the City of Shasta Lake; Shasta Lake Reclaimed Water Utilization Feasibility Study; Water Recycling Funding Program; Project No. WRFP-3518-010**

Motion: Member Wolff moved to adopt the proposed resolution..

Seconded by: Chair Doduc

MOTION CARRIED (Resolution [2006-0049](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenters

None

7. **Consideration of a resolution adopting the Petroleum Underground Storage Tank Emergency, Abandoned, Recalcitrant Account fiscal year 2006-2007 annual site list; and, authorizing the Executive Director, or designee, to issue letters of award or execute contracts and amendments for the expenditure of EAR Account funds**

Motion: Member Hoppin moved to adopt the proposed resolution..

Seconded by: Vice Chair Secundy

MOTION CARRIED (Resolution [2006-0050](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenters

None

WATER QUALITY

8. **Consideration of a resolution setting aside the adoption of State Water Resources Control Board Resolution No. 2002-0038, adopted by the State Board on February 19, 2001, establishing no trash as the total maximum daily load of trash allowed to be discharged into the Los Angeles River as required by the San Diego County Superior Court, Case No. GIC 803631**

Motion: Member Baggett moved to adopt the proposed resolution..

Seconded by: Vice Chair Secundy

MOTION CARRIED (Resolution [2006-0051](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenters

None

9. **Consideration of a resolution authorizing the Executive Director or designee to apply for, accept, and/or amend a federal Clean Water Act section 205(j) grant**

Motion: Chair Doduc moved to adopt the proposed resolution.

Seconded by: Member Wolff

MOTION CARRIED (Resolution [2006-0052](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenters

None

10. **Consideration of a resolution approving an amendment to the Water Quality Control Plan (Basin Plan) for the Los Angeles Region to revise the early life stage implementation provision of the inland surface water ammonia objectives for freshwaters**

Motion: Chair Doduc moved to adopt the proposed resolution.

Seconded by: Member Wolff

MOTION CARRIED (Resolution [2006-0053](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenters

None

11. **PUBLIC HEARING –and Consideration of Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for discharges from utility vaults and underground structures to surface waters (Utility Vault Permit) ([Presentation](#))**
(Written comments were due by 5 p.m. on June 9, 2006)

Motion: Vice Chair Secundy moved to adopt the proposed order with amendments.

Seconded by: Member Wolff

MOTION CARRIED (Water Quality Order [2006-0008-DWQ](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Hoppin
Member Wolff

Absent: Member Baggett

Commenters

Ron Miller, San Diego Gas & Electric Company
Hazem Gabr, Southern California Edison
Masood Choudhury, Verizon California, Inc.
Karen Wong, Southern California Gas Company

12. **Consideration of a resolution approving an amendment to the Water Quality Control Plan for the Central Valley Region incorporating a plan for control of mercury in Cache Creek, Bear Creek, Sulphur Creek, and Harley Gulch ([Presentation](#))**
(Written comments are due by 5 p.m. on July 10, 2006)

Motion: Member Wolff moved to adopt the proposed resolution with amendments.

Seconded by: Member Baggett

MOTION CARRIED (Resolution [2006-0054](#))

Aye: Board Chair Doduc
Vice Chair Secundy
Member Baggett
Member Hoppin
Member Wolff

Commenters

Kenneth Landau, Central Valley Water Board
Dan Ray, Department of Water Resources
Diane Fleck, U.S. EPA

CLOSED SESSION

The Board retired to closed session as authorized under Government code section 11126, subdivisions (e)(2)(A) and (e)(2)(B) to discuss ongoing and threatened litigation resulting from a cease and desist order issued in Order WR 2006-0006. Current cases are: *United States v. State Water Resources Control Board, San Luis & Delta-Mendota Water Authority and Westlands Water District v. State Water Resources Control Board*, and *State Water Contractors v. State Water Resources Control Board* (all Superior Ct., Sacramento County, 2006, Nos. 06CS00862, 06CS00863, and 06CS00864), and *United States v. State Water Resources Control Board* (U.S. Dist. Ct., Eastern Dist., 2006, No. 2:06-CV-01318-WBS-PAN (JKM))

ADJOURNED

The Board meeting adjourned at 2:00 p.m.

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