

**STATE WATER RESOURCES CONTROL BOARD**  
**BOARD MEETING MINUTES**  
February 5, 2008

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

**CALL TO ORDER**

Chair Tam Doduc called the meeting to order on February 5, 2008 at 10:02 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**

Tam Doduc, Chair; Gary Wolff, P.E., Ph.D., Vice Chair; Member; Arthur G. Baggett, Jr., Member; Charlie Hoppin, Member; Frances Spivy-Weber, Member

**STAFF PRESENT**

Dorothy Rice, Executive Director  
Nancy Aquino, Executive Office  
Jonathan Bishop, Chief Deputy Director  
Michael Lauffer, Chief Counsel  
Sheila Vassey, Office of Chief Counsel  
James Herink, Office of Chief Counsel  
Erin Mahaney, Office of Chief Counsel  
Ted Cobb, Office of Chief Counsel  
Andy Sawyer, Office of Chief Counsel  
Bill Rukeyser, Office of Public Affairs  
Kathie Smith, Office of Public Affairs  
Vicky Whitney, Division of Water Rights  
Les Grober, Division of Water Rights  
Diane Riddle, Division of Water Rights  
Jim Kassel, Division of Water Rights

Tom Howard, Chief Deputy Director  
Jeanine Townsend, Clerk of the Board  
Jim Maughan, Division of Financial Assistance  
Barbara Evoy, Division of Financial Assistance  
Gita Kapahi, Office of Public Participation  
Mark Bradley, Office of Enforcement  
Reed Sato, Office of Enforcement  
Chris Beegan, Division of Water Quality  
Dominic Gregorio, Division of Water Quality  
Darrin Polhemus, Division of Water Quality  
Bruce Fujimoto, Division of Water Quality  
Liz Haven, Division of Water Quality  
Rik Rasmussen, Division of Water Quality  
Rob Egel, Office of Legislative Affairs

**ANNOUNCEMENT**

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

**PUBLIC FORUM**

None

**BOARD BUSINESS**

1. The Board will consider adoption of the January 15, 2008 board meeting minutes.

**Motion:** Vice Chair Wolff moved to adopt the January 15, 2008 board meeting minutes.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([01/15/08](#))

**Aye:** Board Chair Doduc  
Vice Chair Wolff  
Member Spivy-Weber  
Member Hoppin

**Absent:** Member Baggett

2. Board Member Report

- ❖ *Vice Chair Wolff thanked the Governor for his reappointment to his Board position.*
- ❖ *Vice Chair Wolff also mentioned the Stormwater Management DVD - Turning Runoff into a Resource done by the Water Education Foundation. He stated that it was extremely well done and a good introduction to Stormwater Management.*
- ❖ *Member Spivy-Weber attended the Bay-Delta Blue-Ribbon Task Force Meeting last week where Vicky Whitney, Deputy Director of Division of Water Rights gave an amazing presentation about water rights in the Bay-Delta. She stated that this presentation should be shown to Legislature and the Governor's Office.*
- ❖ *Member Hoppin mentioned that it was very clear to him while reviewing his ballot yesterday, that there was one missing component maybe several, but there was nothing mentioned on water infrastructure or water issues that need to be addressed.*
- ❖ *Chair Doduc thanked all the SWRCB staff for all their hard work in 2007.*
- ❖ *Chair Doduc mentioned the Strategic Planning Workshop scheduled for tomorrow*
- ❖ *Chair Doduc thanked Vice-Chair Wolff and all the Regional Board Chairs for a productive meeting yesterday discussing the Water Boards infrastructure and their governance and how we might improve our operations.*

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

- \*3 Consideration of a Resolution adopting a statement of overriding considerations regarding the [Integrated Regional Water Management Program's Martin Slough Interceptor Project](#).

**Motion:** Member Spivy-Weber moved to adopt the proposed resolution.

**Seconded by:** Vice-Chair Wolff

**MOTION CARRIED** ([Resolution 2008-0006](#))

**Aye:** Board Chair Doduc  
Vice Chair Wolff  
Member Spivy-Weber  
Member Hoppin

**Absent:** Member Baggett

- \*4. Consideration of a Resolution on the [State Revolving Fund \(SRF\)](#) Loan Program Loan Service Rate for State Fiscal Year 2007-08.

**Motion:** Member Spivy-Weber moved to adopt the proposed resolution.

**Seconded by:** Vice-Chair Wolff

**MOTION CARRIED** ([Resolution 2008-0007](#))

**Aye:** Board Chair Doduc  
Vice Chair Wolff  
Member Spivy-Weber  
Member Hoppin

**Absent:** Member Baggett

- \*5 Consideration of a Resolution on extension of the preliminary State Revolving Fund (SRF) Loan and Small Communities Wastewater (SCW) Grant commitment expiration dates for the Nevada County Sanitation District No. 1 (District), [Cascade Shores Wastewater Treatment Plant Project \(Project\)](#).

**Motion:** Member Spivy-Weber moved to adopt the proposed resolution.

**Seconded by:** Vice-Chair Wolff

**MOTION CARRIED** ([Resolution 2008-0008](#))

**Aye:** Board Chair Doduc  
Vice Chair Wolff  
Member Spivy-Weber  
Member Hoppin

**Absent:** Member Baggett

## **OFFICE OF ENFORCEMENT**

6. Consideration and discussion of the California Water Code Section [13385 Enforcement Report](#).  
[\(Staff Presentation\)](#)

**No Action Taken**

### **Commenters**

Ken Greenberg, U.S. EPA  
Linda Sheehan, California Coastkeeper Alliance

## **WATER QUALITY**

7. Consideration of a Resolution to adopt a Water Quality Control Plan for [Enclosed Bays and Estuaries - Part 1 Sediment Quality](#). (Written comments were due on November 30, 2007 [\(Staff Presentation\)](#) by 12 p.m.)

**No Action Taken – Vote was deferred to the February 19, 2008 Board Meeting**

### **Commenters**

David Montagne, General Public  
David Sunding, General Public  
Dr. Susan Paulsen, General Public  
Elaine Darby, Latham & Watkins  
Elidia Dostal, Latham & Watkins for NASSCO  
Gabriel Solmer, San Diego Coastkeeper  
Geoff Brosseau, CASQA  
Jennifer Kovecses, San Francisco Baykeeper  
Kevin Bachan, Western States Petroleum Association  
Kirsten James, Heal the Bay  
Lisa Haney, Los Angeles Sanitation Districts  
Patti Krebs, IEA  
Paul Singarella, California Chamber  
Thomas Grovhog, TriTac/CASA/BACWA/CVCWA

## **INFORMATIONAL ITEMS**

8. Update on Bay-Delta issues, including development of a strategic workplan that prioritizes and describes the scope of Bay-Delta activities. ([Staff Presentation](#))

### **No Action Taken**

#### **Commenters**

Jon Rubin, San Luis Delta –Mendota Water Authority  
Tim O’Laughlin, SJRGA

- ❖ **Vice Chair Wolff & Member Baggett requested a briefing on the schedules.**
- ❖ **Member Baggett would like to have Delta Vision come to a Board Meeting and do a presentation.**
- ❖ **Vice Chair Wolff would like to have a draft workplan for the public to comment on by April so it can be adopted in June.**
- ❖ **Member Baggett stated that the public should have at least 60 days for public comment.**
- ❖ **Member Baggett suggested that a Board Meeting should have an informational item on VAMP.**
- ❖ **Member Hoppin stated before the final workplan is completed that the critical stakeholders are contacted for their comments and input.**

## **CLOSED SESSION ITEMS**

Closed Sessions are not open to the public

## **PERSONNEL**

The Board will meet in closed session to discuss the appointment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another employee unless the employee requests a public hearing. (This closed session is authorized under Government Code section 11126, subd. (a)(1).)

## **WATER RIGHTS (These are authorized under Government Code section 11126(c)(3). These items will be scheduled for consideration at a future meeting. Interested parties will be notified of the exact times, dates and locations.)**

- The Board will meet in closed session to deliberate on a proposed order following a hearing on Yuba County Water Agency’s petition to modify flow-related conditions imposed on its water right permits in Decision 1644 and petition for long-term transfer of water, both related to the lower Yuba River Accord.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding a draft Cease and Desist Order and Administrative Civil Liability Complaint against the Vineyard Club, Inc., for an alleged unauthorized diversion from Oak Flat Creek, tributary to Gill Creek thence Russian River in Sonoma County.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding a draft Cease and Desist Order and Administrative Civil Liability Complaint against North San Joaquin Water Conservation District regarding alleged violation of the District’s water right permit authorizing diversion of water from the Mokelumne River in San Joaquin County.
- The Board will meet in closed session to deliberate on a proposed order following a hearing regarding North San Joaquin Water Conservation District’s petition to extend the time schedule to develop the project, which is set forth as permit conditions in the District’s water right permit that authorizes diversion of water from the Mokelumne River in San Joaquin County.

## **ADJOURNED**

The Board Meeting adjourned at 3:13 p.m.