

**STATE WATER RESOURCES CONTROL BOARD**  
**BOARD MEETING MINUTES**  
September 16, 2008

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

**CALL TO ORDER**

Board Chair Tam Doduc called the meeting to order on September 16, 2008 at 10:03 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**

Board Chair Tam Doduc; Member Arthur G. Baggett, Jr.; Member Charlie Hoppin; Member Frances Spivy-Weber

**BOARD MEMBER ABSENT**

Vice-Chair Gary Wolff, P.E.

**STAFF PRESENT**

Dorothy Rice, Executive Director  
Tom Howard, Chief Deputy Director  
Jonathan Bishop, Chief Deputy Director  
Michael Lauffer, Chief Counsel  
Betsy Jennings, Office of Chief Counsel  
Anne Hartridge, Office of Chief Counsel  
James Herink, Office of Chief Counsel  
Sheila Vassey, Office of Chief Counsel  
Dominic Gregorio, Division of Water Quality  
Liz Haven, Division of Water Quality  
Darrin Polhemus, Division of Water Quality  
Chris Beegan, Division of Water Quality  
Diana Fong, Division of Information Technology  
Ken Harris, Office of Information Management & Analysis

Jeanine Townsend, Clerk to the Board  
Erin Ragazzi, Division of Financial Assistance  
Danielle Siebal, Division of Financial Assistance  
Shahla Farahnak, Division of Financial Assistance  
Christopher Stevens, Division of Financial Assistance  
Laura Peters, Division of Financial Assistance  
Barbara Evoy, Division of Financial Assistance  
Bill Rukeyser, Office of Public Affairs  
Judy Panneton, Office of Public Affairs  
Kathy Davis, Office of Public Affairs  
Gita Kapahi, Office of Public Participation  
Nancy Cook, Office of Public Participation  
Esteban Almanza, Division of Administrative Services

**ANNOUNCEMENT**

- *Evacuation information in case the fire alarm goes off during the meeting.*
- *The Board meeting is being webcasted and recorded.*
- *Executive Director Dorothy Rice introduced Ms. Diane Fong, Deputy Director of Division of Information Technology.*

**PUBLIC FORUM**

None

**BOARD BUSINESS**

1. The Board will consider adoption of the September 2, 2008 Board Meeting minutes.

**Motion:** Member Baggett moved to adopt the minutes from the September 2, 2008 Board Meeting.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED** ([09/02/08](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

2. Board Member Report.

- ❖ Member Spivy-Weber attended the first public meeting of the 20x2020 State Agency Working Group. It was very well attended by all State Agency and public.
- ❖ Member Baggett attended the Truckee River Operating Agreement signing ceremony on behalf of the Board.

**UNCONTESTED ITEMS (Item 3-8\*)**

- \*3. Consideration of a proposed Resolution on the 2008/2009 Clean Water State Revolving Fund (CWSRF) [Intended Use Plan \(IUP\)](#) and 2009 Federal Capitalization Grant. (Written comments were due on September 11, 2008 by 12:00 noon)

**Motion:** Chair Doduc moved to adopt the Resolution.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([Resolution 2008-0064](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

- \*4. Consideration of a proposed Resolution adopting the [Clean Beaches Initiative \(CBI\) Grant Program Guidelines](#) (Guidelines). (Written comments were due on August 29, 2008 by 5:00 p.m.)

- [Changes made to the Draft CBI Guidelines](#) - September 5, 2008
- [Revised Draft CBI Guidelines with changes](#) - September 5, 2008

**Motion:** Chair Doduc moved to adopt the Resolution.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([Resolution 2008-0065](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

- \*5. Consideration of a proposed Resolution adopting a statement of overriding considerations regarding the [East Contra Costa County Integrated Regional Water Management](#) (IRWM) Implementation Grant Alternative Intake Project (Component 4).

**Motion:** Chair Doduc moved to adopt the Resolution.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([Resolution 2008-0066](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

- \*6. Consideration of a proposed Resolution to allocate an additional \$329,000 from the Cleanup and Abatement Account Funds (CAA) to the North Coast Regional Water Quality Control Board (Regional Water Board) to complete the development and implementation of an Erosion Control Plan (ECP) for the [Dreifuss Site](#), Mendocino County.

**Motion:** Chair Doduc moved to adopt the Resolution.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([Resolution 2008-0067](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

- \*7. Consideration of a proposed Resolution requesting an addition to the 2005 Water Recycling Funding Program (WRFP) Competitive Project List (CPL) and approving a Preliminary Funding Commitment (PFC) for the [Upper San Gabriel Valley](#) Municipal Water District (District) Pipeline and Pump Station Project Phase IIB (Project).

**Motion:** Chair Doduc moved to adopt the Resolution.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([Resolution 2008-0068](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

- \*8. Consideration of a proposed Resolution for the execution of the State Revolving Fund (SRF) and Water Recycling Funding Program (WRFP) standard agreements for the [Lake Arrowhead Community Services District](#) (District), Recycled Water Phase I Project (Project) – SRF Project No. C-06-4352-110 – WRFP Project No. 3608-030. ([Errata Sheet #1 - 9/12/08](#))

**Motion:** Chair Doduc moved to adopt the Resolution.

**Seconded by:** Member Hoppin

**MOTION CARRIED** ([Resolution 2008-0069](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

**BOARD HEARING – ITEM 9**

**DIVISION OF WATER QUALITY**

9. Consideration of a proposed resolution to adopt a Water Quality Control Plan for [Enclosed Bays and Estuaries - Part 1 Sediment Quality](#). (Written comments were due on September 5, 2008 by 12:00 noon)

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

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2008-0070](#))

**Aye** Board Chair Doduc  
Member Baggett  
Member Hoppin  
Member Spivy-Weber

**Nay:** None

**Absent:** Vice Chair Wolff

**Abstain:** None

**Commenters**

*David Arrieta, Western States Petroleum*

*Donovan Bodishbaugh, NASSCO*

*Eric Katz, Latham & Watkins, LLP*

**BOARD BUSINESS**

**INFORMATIONAL ITEM**

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

**DIVISION OF FINANCIAL ASSISTANCE**

11. Consideration of a proposed Resolution to withhold Clean Water State Revolving Fund (CWSRF) and Small Community Wastewater Grant (SCWG) funding for the [City Of Colfax](#) (City) Wastewater Treatment Plant Improvement Project (Project); CWSRF Project No. C-06-4470-110 and SCWG Program Project No. SCG-921

**NO ACTION TAKEN**

**Motion:** Member Baggett moved to revise the Resolution and allow the disbursement of funds and, if the City of Colfax's proposed Prop. 218 assessment fails, immediately cease any further disbursement of funds under the SRF agreement with the City and schedule the item for the next Board meeting.

**Seconded by:** Member Spivy-Weber

**MOTION CARRIED: Motion Failed**

**Aye** Member Baggett  
Member Spivy-Weber

**Nay:** Board Chair Doduc

Member Hoppin

**Absent:** Vice Chair Wolff

**Abstain:** None

**Motion:** Chair Doduc moved to revise the Resolution to authorize the Deputy Director of the Division of Financial Assistance to disburse up to 50% of the outstanding amount of the SRF loan and grant after consulting with City of Colfax and bring the item back to the board after the City of Colfax's proposed Prop 218 assessment vote has been taken. If the Prop 218 assessment passes, the motion would authorize the disbursement of the remaining funds without bringing the item back to the Board.

**Seconded by:** Member Hoppin

**MOTION CARRIED: Motion Failed**

**Aye** Board Chair Doduc  
Member Hoppin

**Nay:** Member Baggett

Member Spivy-Weber

**Absent:** Vice Chair Wolff

**Abstain:** None

**Commenters**

- Daniel Cooper, Environmental Law Foundation*
- Donna Barkle, General Public*
- Jack Harbour, Ecologic Engineering*
- Joan Phillipe, City of Colfax*
- Ken Delfino, City of Colfax*
- Melissa Thorme, City of Colfax*
- Pamela Creedon, Central Valley Regional Water Board*
- Steve Munn, C.W. Roen Construction Company*
- Tim Hardy, General Public*
- Tom Leland, City of Colfax*

12. Consideration of a proposed Resolution to amend the Policy for Implementing the [Clean Water State Revolving Fund \(CWSRF\)](#) for Construction of Wastewater Treatment Facilities. (*Written comments were due on August 21, 2008 by 12:00 noon*)

**Motion:** Chair Doduc moved to adopt the Resolution with changes by Tri-Tac, CASA & SWRCB Staff

**Seconded by:** Member Baggett

**MOTION CARRIED** ([Resolution 2008-0071](#))

**Aye**                    Board Chair Doduc  
                           Member Baggett  
                           Member Hoppin  
                           Member Spivy-Weber

**Nay:**                    None

**Absent:**                Vice Chair Wolff

**Abstain:**              None

**Commenters**

- Barbara Byrne, Planning & Conservation League*
- Dave Bruns, Tri-Tac, CASA & LACSD*
- Jennifer Clary, Clean Water Action*
- John Wankum, City of Delano*
- Stephen Allmer, C.W. Roen Construction Company*

**ADJOURNED**

The Board Meeting adjourned at 12:50 p.m.

**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).)

**NO ACTION TAKEN**