

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING MINUTES  
FEBRUARY 5, 2013**

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/](http://www.waterboards.ca.gov/board_decisions/adopted_orders/).

**CALL TO ORDER**

Chairman Charles Hoppin called the meeting to order on February 5, 2013 at 9:02 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**

Chairman Charles Hoppin; Vice Chair Frances Spivy-Weber; Member Tam M. Doduc; Member Steven Moore; Member Felicia Marcus

**STAFF PRESENT**

Tom Howard, Executive Director  
Michael Lauffer, Chief Counsel  
Erin Mahaney, Office of Chief Counsel  
Andy Sawyer, Office of Chief Counsel  
Emel Wadhvani, Office of Chief Counsel  
Michael Buckman, Division of Water Rights  
Barbara Evoy, Division of Water Rights  
Jean McCue, Division of Water Rights  
George Kostyrko, Office of Public Information  
Rob Egel, Office of Legislative Affairs  
Jim Maughan, Division of Financial Assistance

Caren Trgovcich, Chief Deputy Director  
Jeanine Townsend, Clerk to the Board  
Jonathan Bishop, Chief Deputy Director  
Vicky Whitney, Division of Water Quality  
Ali Dunn, Division of Water Quality  
Eric Berntsen, Division of Water Quality  
Rik Rasmussen, Division of Water Quality  
Christine Sotelo, Office of Public Participation  
Marie Hoffman, Office of Public Participation  
Gita Kapahi, Office of Public Participation

**ANNOUNCEMENT**

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

**PRESENTATION OF SUSTAINED SUPERIOR & SUPERIOR ACCOMPLISHMENT AWARDS**

- ❖ *Barbara Evoy, Deputy Director with the Division of Water Rights and Gita Kapahi, Director with the Office of Public Participation presented the Sustained Superior Accomplishment Award to Dale Oliver.*

**BOARD MEETING**

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

**PUBLIC FORUM**

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

**None**

## **BOARD BUSINESS**

1. The Board will consider adoption of the January 22, 2013 Board Meeting minutes.

**Motion:** Member Doduc moved to adopt the proposed minutes.

**Seconded by:** Vice Chair Spivy-Weber

**MOTION CARRIED:** ([January 22, 2013](#))

**Aye:** Vice Chair Spivy-Weber  
Member Doduc  
Member Moore

**Nay:** None

**Absent:** None

**Abstain:** Chairman Hoppin  
Member Marcus

2. Board Member Report.

❖ *Board Member Doduc attended the Central Valley Regional Water Board Meeting and heard a presentation from the Delta Regional Monitoring Program. One question that was brought up concerned the State Water Board efforts on the Toxicity Policy and Biological Objectives and how that will integrate and be incorporated into the Delta Regional Workplan. Also, they had a workshop on waste discharge requirements for individual growers from the Irrigated Lands Program and only one individual attended.*

❖ *Vice Chair Spivy-Weber participated on a panel at the Bay Area Clean Water Agencies annual meeting with San Francisco Regional Water Board in discussion regarding nitrate issues with wastewater plants and new technology.*

❖ *Chairman Hoppin announced that he will be retiring within the next couple of months.*

**Item #4 was considered before #3.**

## **DIVISION OF WATER QUALITY**

3. Consideration of adoption of the revised draft [National Pollutant Discharge Elimination System Permit for the discharge of storm water from Phase II small municipal separate storm sewer systems](#). (*Written comments were due on December 17, 2012 by 12 noon.*) ([Staff Presentation](#))

**Motion:** Member Doduc moved to adopt the proposed Order with changes proposed in [Change Sheet #1](#), changes proposed by staff that were read into the record, and changes proposed by Board Member Doduc. In addition, Member Doduc's motion included a direction for staff to report back annually on the Regional Water Boards' progress on assessment criteria and report back within two months on the State Water Board staff's timeline to consider Receiving Water Limitations provisions in municipal storm water permits.

**Seconded by:** Member Marcus

**MOTION CARRIED:** ([Water Quality Order No. 2013-0001-DWQ](#))

**Aye:** Chairman Hoppin  
Vice Chair Spivy-Weber  
Member Doduc  
Member Moore  
Member Marcus

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

- Geoff Brosseau, California Stormwater Quality Association
- Noah Garrison, Natural Resources Defense Council ([Presentation](#))
- Teri Fashing, Marin County Stormwater Pollution Prevention Program
- Melissa Thorme, City of Tracy, Port of Stockton, & County of San Joaquin
- Steve Wagner, City of Goleta
- John Tinger, U.S. EPA
- Sean Bothwell, California Coastkeeper Alliance
- Wendy Atkins, City of Sonoma
- Debra Lutske, San Francisco Public Utilities Commission
- Bob Lucas, California Council for Environmental & Economic Balance
- Dominic Roques, Central Coast Regional Water Board
- Jason Holley, City of Napa
- Eva Butler, Sacramento Splash & G.O. Network
- Kelye McKinney, City of Roseville

**DIVISION OF WATER RIGHTS**

- 4. Consideration of a draft Order Denying Reconsideration of State Water Board Decision 1651, adopted on October 16, 2012, which conditionally [approved The United States Bureau of Reclamation's Water Right Applications 31487 and 31488 and Petitions to Change License 3723 \(Application 5169\) of Washoe County Water Conservation District, License 4196 \(Application 9247\) of Truckee Meadows Water Authority, and Permit 11605 \(Application 15673\) and License 10180 \(Application 18006\) of The United States Bureau of Reclamation in the Truckee River Watershed in Sierra and Nevada Counties.](#) (*Written comments were due on January 23, 2013 by 12 noon.*)

**Motion:** Member Doduc moved to adopt the proposed Order with changes read into the record by staff.

**Seconded by:** Chairman Hoppin

**MOTION CARRIED:** ([Water Rights Order No. 2013-0009](#))

**Aye:** Chairman Hoppin  
 Vice Chair Spivy-Weber  
 Member Doduc  
 Member Moore  
 Member Marcus

**Nay:** None

**Absent:** None

**Abstain:** None

**Commenters**

- Gordon Depaoli, Truckee Meadows Water Authority

**ADJOURNMENT**

The Board adjourned at 2:00 p.m.

## **CLOSED SESSION**

Closed Session is not open to the Public

### **DIVISION OF WATER RIGHTS**

The Board will meet in closed session to deliberate on a decision to be reached pertaining to a petition for reconsideration of State Water Board Decision 1651. Decision 1651 was adopted on October 16, 2012, and conditionally approved the United States Bureau of Reclamation's water right Applications 31487 and 31488 and petitions to change License 3723 (Application 5169) of Washoe County Water Conservation District, License 4196 (Application 9247) of Truckee Meadows Water Authority, and Permit 11605 (Application 15673) and License 10180 (Application 18006) of the United States Bureau of Reclamation in the Truckee River Watershed in Sierra and Nevada Counties. This closed session is authorized under Government Code section 11126, subdivision ( c )(3).

**The Board did not meet in Closed Session on this Item.**

#### **IMPORTANT INFORMATION!!**

Unless otherwise specified, submittal of written comments must be received by 12:00 p.m. on January 31, 2013, and will not be accepted after that time.

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on January 31, 2013 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](mailto:commentletters@waterboards.ca.gov). Please indicate in the subject line, "**2/5/13 BOARD MEETING (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](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: <http://www.calepa.ca.gov/Broadcast/>.

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 Office of Employee Assistance, at (916) 341-5881.