

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
NOVEMBER 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/.

CALL TO ORDER

Chair Felicia Marcus called the meeting to order on November 5, 2013 at 9:05 a.m. at the California Environmental Protection Agency Headquarters, 1001 I Street, 2nd Floor, Sacramento, California.

BOARD MEMBERS PRESENT

Chair Felicia Marcus; Vice Chair Frances Spivy-Weber; Member Tam M. Doduc; Member Steven Moore; Member Dorene D'Adamo

STAFF PRESENT

Tom Howard, Executive Director
Michael Lauffer, Chief Counsel
Andy Sawyer, Office of Chief Counsel
Nathan Jacobsen, Office of Chief Counsel
Ben Heningburg, Division of Water Quality
Shahla Farahnak, Division of Water Quality
Kevin Graves, Division of Water Quality
Rob Egel, Office of Legislative Affairs
Kyle Harris, Office of Legislative Affairs

Caren Trgovcich, Chief Deputy Director
Jonathan Bishop, Chief Deputy Director
Jeanine Townsend, Clerk to the Board
Courtney Davis, Executive Office
George Kostyrko, Office of Public Affairs
Liz Haven, Division of Financial Assistance
Barbara Evoy, Division of Water Rights
Jim Kassel, Division of Water Rights

ANNOUNCEMENT

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

BOARD MEETING

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

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 October 22, 2013, Board Meeting minutes.

Motion: Member Moore moved to adopt the proposed minutes.

Seconded by: Vice Chair Spivy-Weber

MOTION CARRIED: ([October 22, 2013](#))

Aye: Chair Marcus
Vice Chair Spivy-Weber
Member Moore
Member D'Adamo

Nay: None

Absent: None

Abstain: Member Doduc

2. Board Member Report.

Board Member Moore

- *Was on a panel regarding plastic debris at the Environmental Law Conference at Yosemite.*
- *Attended the State of the Estuary Conference where he was a moderator for the Scaling Up to Sustainable Watershed Management panel. Chair Marcus also attended.*

Board Member Doduc

- *Previously attended the Central Valley Regional Water Board's meeting for a Mandatory Minimum Penalty (MMP) hearing. Cris Carrigan has since put together a very promising proposal for recommendations to streamline MMP processes.*
- *Attended the Water Quality Coordinating Committee (WQCC) meeting and challenges staff to think about how we can redirect some of our resources since it was clear from the meeting that public participation and outreach is a high priority concern.*

Vice Chair Spivy-Weber

- *Participated in the Chair's call where the issue of follow-up and integrating climate into some aspects of regional board work was discussed.*
- *Along with Chair Marcus went to the California Foundation for Environment and Energy in the Southern California Desert.*

Board Member D'Adamo:

- *Requested that regions not only share their accomplishments but highlight their challenges to determine if any regions can work together on similar issues.*
- *Attended the California Department of Food and Agriculture's (CDFA) annual Fertilizer Research and Education Program (FREP) Conference which focused on nutrient management issues.*
- *Went to an Association of Clean Water Agencies (ACWA) meeting with Member Moore, Tom Howard and Caren Trgovcich last week to discuss the Groundwater Concept Paper.*
- *Attended the Santa Ana Regional Water Board Meeting.*
- *Participated in a tour that the South Orange County Water District put together which focused on purple pipe extensions, new facilities for recycled water projects, and urban runoff capture and infiltration systems.*

Chair Marcus

- *Toured the Tijuana River Valley, International Wastewater Treatment Plant, and the Tijuana Estuary.*
- *Was Keynote speaker and trainer for the Environmental Justice groups at the Environmental Justice Leadership Summit in Imperial.*
- *Spoke at the California ISO (CalISO) Stakeholder Forum.*
- *Noted that the Administration released a Draft Water Action Plan which provides a set of priorities for the State over the next five years.*

DIVISION OF WATER QUALITY

3. Consideration of a proposed Order on [James Salvatore's petition for closure of its underground storage tank \(UST\) case pursuant to Health and Safety Code section 25296.40 at the site located at 10439 Prospect Avenue, Santee, California](#). The Board will also consider modifying the test established in Order WQ 2002-0021 (*Mohammadian*), a test for determining when it is appropriate to relieve a party from responsibility when two or more releases have commingled at a site. (*Written comments were due on September 13, 2013 by 12 noon.*)

- [Change Sheet #1](#)

Motion: Member Doduc moved to adopt the proposed Order with changes in Change Sheet #1.

Seconded by: Member D'Adamo

MOTION CARRIED: ([Water Quality Order No. 2013-0109](#))

Aye: Chair Marcus
Vice Chair Spivy-Weber
Member Doduc
Member Moore
Member D'Adamo

Nay: None

Absent: None

Abstain: None

INFORMATIONAL ITEM

4. Discussion of Board Members' priorities and organizational issues.

No Action Taken

ADJOURNMENT

The Board adjourned at 12:05 p.m.

IMPORTANT INFORMATION!!

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

Submittal of **electronic Powerpoint presentations** must be received by 12:00 p.m. on October 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. Please indicate in the subject line, "**11/5/13 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

* 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 Clerk to the Board, (916) 341-5600.