



STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING MINUTES
TUESDAY, FEBRUARY 3-4, 2026
COASTAL HEARING ROOM

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/.

The video of the Board Meeting is available to view on our website at: http://www.waterboards.ca.gov/board_info/video.shtml

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Tuesday, February 3, 2026 at 9:01 a.m. with both a physical meeting location and remote location.

BOARD MEMBERS PRESENT

Chair E. Joaquin Esquivel; Vice Chair Dorene D'Adamo; Member Sean Maguire; Member Laurel Firestone; Member Nichole Morgan (joined virtually at 9:11 a.m.)

BOARD MEMBERS ABSENT

None

EXECUTIVE STAFF PRESENT

Eric Oppenheimer, Executive Director
Michael Lauffer, Chief Counsel
Karen Mogus, Chief Deputy Director
Erik Ekdahl, Chief Deputy Director
Courtney Tyler, Clerk to the Board
Marji Arjil, Assistant Clerk to the Board
Susan Reyes, AGPA

ANNOUNCEMENTS

- Instructions were given in regard to participating in the Remote Meeting.
- The Board meeting is being webcasted and recorded.

TUESDAY, FEBRUARY 3, 2026

BOARD MEETING

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

PUBLIC FORUM

***(Approximately 30 minutes at the beginning of Board Meeting and any remaining
speakers at the call of the Chair)***

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

No Action Taken

Commenters

None

BOARD BUSINESS

1. The Board will consider adoption of the January 21, 2026 Board Meeting minutes.

Motion: Board Member Firestone moved to adopt the January 21, 2026 Board Meeting minutes

Seconded by: Board Member Maguire

MOTION CARRIED (February 3, 2026)

Aye: Chair Esquivel
Member Maguire
Member Firestone

Nay: None

Absent: Vice Chair D'Adamo
Member Morgan

Abstain: None

UNCONTESTED ITEM

2. Consideration of a proposed Resolution to authorize the Executive Director or designee to execute Interagency Agreement with the Department of Toxic Substances Control for oversight of the Department of Defense and State Memorandum of Agreement Program facilities during the Fiscal Years 2026-28 for an amount not to exceed \$10.5 million per year.

Staff Presenting: Steve McMasters, Julie Johnson, Phil Wyels

- [Agenda Item](#)
- [Draft Resolution](#)

Motion: Board Member Maguire moved to adopt the proposed Resolution

Seconded by: Board Member Firestone

MOTION CARRIED (Resolution No. 2026-0004)

Aye: Chair Esquivel
Member Maguire
Member Firestone

Nay: None

Absent: Vice Chair D'Adamo
Member Morgan

Abstain: None

Commenters

None

INFORMATIONAL ITEMS

3. Current Hydrologic Conditions and Response.

Staff Presenting: Erik Ekdahl

No Action Taken

Commenters

None

4. Office of Operator Certification Program updates.

Staff Presenting: Keisha Kelley, Josh Ziese, Julie Osborn

- [Agenda Item](#)

No Action Taken

Commenters

None

DIVISION OF WATER RIGHTS

5. Consideration of a proposed Order granting a request by Barbara R. Banke for a case-by-case exception to the Policy for Maintaining Instream Flows in Northern California Coastal Streams and accepting water right applications A033106 and A033107.

Staff Presenting: Katy Lee, Taylor Kunkel, JC Conneely, Amanda Montgomery, Will Scharffenberger

- [Agenda Item](#)
- [Proposed Order](#)
- [Change Sheet #1](#)

Motion: Board Member Maguire moved to adopt the proposed Order with Change Sheet #1

Seconded by: Board Member Firestone

MOTION CARRIED (Order WR 2026-0002)

Aye: Chair Esquivel
Vice Chair D'Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

Commenters

None

6. Consideration of a proposed Order granting a request by Flocchini Estate, LLC for a case-by-case exception to the Policy for Maintaining Instream Flows in Northern California Coastal Streams and accepting water right application A032424.

Staff Presenting: Katy Lee, Taylor Kunkel, JC Conneely, Amanda Montgomery, Will Scharffenberger

- [Agenda Item](#)
- [Proposed Order](#)
- [Change Sheet #1](#)

Motion: Vice Chair D'Adamo moved to adopt the proposed Order with Change Sheet #1

Seconded by: Board Member Maguire

MOTION CARRIED (Order WR 2026-0003)

Aye: Chair Esquivel
Vice Chair D'Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

Commenters

None

ITEM 7 WILL NOT BEGIN BEFORE 12:00 P.M.

DIVISION OF WATER QUALITY

7. Consideration of a proposed Resolution to adopt the Clean Water Act Section 303(d) List of Impaired Waters portion of the 2026 California Integrated Report.
Staff Presenting: Lilli Rodriguez, Ana Maria Saenz, Rebecca Fitzgerald, Madi Boynton, Phil Wyels, Phil Crader, Nick Martorano, Mary Bartholomew, Shanta Keeling, Jennifer LaBay, Daniel Sussman, Daniel McClure, Rosalyn Fleming, Emma McCorkle, Carey Kowalski, Chad Loflen
- [Public Notice](#)
 - [Agenda Item](#)
 - [Draft Resolution](#)
 - [Supplemental Documents](#)
 - Written Comments were due by noon on April 2, 2025

Motion: Board Member Firestone moved to adopt the proposed Resolution

Seconded by: Board Member Maguire

MOTION CARRIED (Resolution No. 2026-0005)

Aye: Chair Esquivel
Vice Chair D'Adamo
Member Maguire
Member Firestone
Member Morgan

Nay: None

Absent: None

Abstain: None

Commenters

*Marty Farrell, California Coastkeeper Alliance
Tess Dunham, Kahn, Soares & Conway
Robin Yamada, Los Angeles Department of Water and Power
Karen Cowan, California Stormwater Quality Association
Jared Voskuhl, California Association of Sanitation Agencies
Debbie Mackey, Central Valley Clean Water Association*

INFORMATIONAL ITEMS

8. Discussion on yearly Board Priorities.
Staff Presenting: Eric Oppenheimer, Erik Ekdahl, Karen Mogus

No Action Taken – Item was heard after Item 6, prior to Item 7.

Commenters

Karen Cowan, California Stormwater Quality Association

9. Board Member Reports.

For full details on each Board Member report, please review the video at [Board Videos | California State Water Resources Control Board](#). It begins at 5:09:30 on the video for the February 3, 2026 Board Meeting.

No Action Taken

Commenters

None

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

No Action Taken

Commenters

None

The Board recessed at 2:11 p.m. on Tuesday, February 3, until 9:00 a.m. for Closed Session on Wednesday, February 4.

ADJOURNMENT

The Board adjourned on February 4, 2026 at 10:40 a.m.

CLOSED SESSION

Closed Sessions are not open to the Public.

Closed Session may be held on Tuesday, February 3, Wednesday, February 4, or both days. No open meeting agenda items will be heard on Wednesday, February 4.

ADMINISTRATIVE HEARINGS OFFICE/ DIVISION OF WATER RIGHTS

The Board may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the water right change petition filed by the California Department of Water Resources to add two new points of diversion and redirection to water right permits 16478, 16479, 16481, and 16482 (Applications 5630, 14443, 14445A, and 17512, respectively) for the State Water Project associated with the Delta Conveyance Project. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

The Board met in Closed Session on the above item on February 4.

The Board may meet in closed session to deliberate on procedural or substantive decisions to be reached in the proceeding to consider the petition for partial assignment of state-filed Application 25517, accompanying water right Application 25517X01, and petitions for release from priority of state-filed Applications 25513, 25514, 25517 (unassigned portion), 22235, 23780, and 23781 in favor of water right Application 25517X01 filed by the Sites Project Authority. (This closed session is authorized under Government Code section 11126, subdivision (c)(3).)

The Board met in Closed Session on the above item on February 4.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. (Noon) on January 29, 2026 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on January 29, 2026 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, **02/03/2026 BOARD MEETING – ITEM # (fill in bolded subject from appropriate item).**

If you have questions about the agenda, or if you do not have internet access and need a telephone number to participate in the meeting, please contact the Clerk to the Board at (916) 341-5600 prior to the date of the meeting.

If you would like to request a copy of public comments submitted on an agenda item, please send a request to commentletters@waterboards.ca.gov, identifying the Board meeting date, and agenda item by name and number.

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: <https://video.calepa.ca.gov/>.
An alternate live-stream broadcast will also be available at:
<https://www.youtube.com/user/BoardWebSupport/>

LANGUAGE SERVICES

This meeting will be offered in English. To request translation of written documents, interpretation services in another language, or sign language services, please use one of the following options at least seven (7) calendar days before the meeting, if possible:

- Submit a [Language Services Request](#) online
- Contact the Office of Public Engagement, Equity, and Tribal Affairs (OPEETA) at: 916-341-5254 or at: LanguageServices@waterboards.ca.gov

ACCESSIBILITY AND REASONABLE ACCOMMODATIONS

The State Water Board is committed to making its meetings accessible consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) and swiftly resolving requests for reasonable modifications or accommodations.

Telecommunications device for the deaf (TDD) users may contact the California Relay Service at: (800) 735-2929 or voice line at (800) 735-2922. In addition, persons requiring reasonable modification or accommodation for disabilities should promptly (preferably at least 7 days before the meeting) email contact@waterboards.ca.gov to initiate a request for reasonable modification or accommodation.