

State Water Resources Control Board  
Ex Parte Communication Disclosure Regarding Pending Order

Pending Order

Draft Order WQ re: Waste Discharge Requirements General Order R5-2012-0116

Name, title, contact information of person completing form

Tess Dunham, Shareholder, Somach Simmons & Dunn, (916) 446-7979,  
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Date, time, location of meeting

January 3, 2018 – CAL EPA Building

Type of Communication

Oral communication occurred.

Participants

Board Member Tam Doduc  
Board Member Steve Moore  
Darrin Polhemus  
Phil Wyels  
Emel Wadwhani  
Parry Klassen  
Tess Dunham

Name of person(s) who initiated the communication

Tess Dunham

Describe Communication

Discussion regarding draft ESJ Order. Issues discussed included concerns with the Surface Water language of the draft order. Discussed the Request for Supplemental Evidence submitted by the East San Joaquin Water Quality Coalition, and the review of the Coalition's surface water monitoring program by Exponent. Also discussed the status of development of joint language between the EJ representatives and Ag Coalition representatives for proposed Groundwater Protection Target Language. State Board staff directed EJ representatives to develop and bring language forward by Monday, January 8 if we wanted it considered by staff for possible inclusion in the next revised version of the Draft Order.

Also discussed ESJ's concerns with the grower anonymous language as currently presented in the Draft Order. ESJ identified additional policy arguments that support why maintaining grower anonymity is appropriate. The group discussed the hearing date of January 23 and Board desire to keep the date the same and not push back consideration of adoption of the Draft Order.