



STATE WATER RESOURCES CONTROL BOARD BOARD MEETING MINUTES

TUESDAY, APRIL 16, 2024
WEDNESDAY, APRIL 17, 2024
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, April 16, 2024 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

BOARD MEMBERS ABSENT

None

EXECUTIVE STAFF PRESENT

Eric Oppenheimer, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Karen Mogus, Chief Deputy Director
Courtney Tyler, Clerk to the Board
Marji Arjil, Administrative Assistant II
Beba Maletic, Administrative Assistant II

ANNOUNCEMENTS

- Instructions were given in regard to participating in the Remote 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 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

Doug Verboon, Kings County

Nicole Dorfman, REACT Alliance

Andrea Lueker, REACT Alliance

Cody Phillips, California Coastkeeper Alliance

Mandy Davis, REACT Alliance

Mary E Wood, General Public

Thomas Marihart, General Public

BOARD BUSINESS

1. The Board will consider adoption of the March 19-20, 2024 Board Meeting minutes.

Motion: Vice Chair D'Adamo moved to adopt the March 19-20, 2024 Board Meeting minutes

Seconded by: Board Member Maguire

MOTION CARRIED ([April 16, 2024](#))

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

Nay: None

Absent: None

Abstain: None

BOARD HEARING - ITEM 2 WILL NOT BEGIN BEFORE 9:30 A.M.

OFFICE OF RESEARCH, PLANNING, AND PERFORMANCE

2. Consideration of a proposed Resolution to designate the Tulare Lake groundwater subbasin as probationary under the Sustainable Groundwater Management Act.

Staff Presenting: James Nachbaur, Natalie Stork, Caroline Hackett, Sarah Sugar, Amanda Pearson, Andy Sawyer, Ben Brezing (DWR)

- [Public Notice](#)
- [Agenda Item](#)
- [Draft Resolution](#)
- [Final Staff Report Executive Summary](#)
- [Final Staff Report](#)
- Written Comments were due by noon on December 11, 2023

Motion: Vice Chair D'Adamo moved to adopt the proposed Resolution with the changes shown on the screen and read into the record by Michael Lauffer

Seconded by: Board Member Firestone

MOTION CARRIED ([Resolution No. 2024-0012](#))

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

Nay: None

Absent: None

Abstain: None

Panel 1: Tule Lake Subbasin Groundwater Sustainability Agencies (GSA)

Amer Hussain, Geosyntec Consultants
Dennis Mills, Mid-Kings River GSA
Jared Hutchings, Southwest Kings GSA
Deanna Jackson, Tri-County Water Authority
Jeof Wyrick, El Rico GSA

Panel 2: Lower Tule River and Pixley Irrigation Districts (IDs)

Jennifer Spaletta, Lower Tule River and Pixley IDs
Eric Limas, Lower Tule River and Pixley IDs
Alex Pletzer, Lower Tule River and Pixley IDs

Panel 3: Department of Water Resources, State Water Project Analysis Office

John Yarbrough, Department of Water Resources

Panel 4: Doug & Julie Freitas Farms

Doug Freitas, Doug & Julie Freitas Farms

Commenters

Matthew Tuttle, Assemblyman Mathis' office
Doug Verboon, Kings County
Greg Gatzka, City of Corcoran
Jane Dolan, Central Valley Flood Protection Board
Fred Briones, Big Valley of Pomo Indians
Julie Freitas on behalf of Carolyn Freitas, General Public
Keith Freitas, Tend the Garden, Inc. 501 (c) 3 California Non-Profit

Bill Miguel, Lower Kings River Association
Josh Freitas, General Public
Aaron Freitas, General Public
Cody Phillips, California Coastkeeper Alliance
Nataly Escobedo Garcia, Leadership Counsel for Justice and Accountability
Antonio Solorio, Westlands Water District
Angela Islas, Central California Environmental Justice Network
Derek Yurosek, Arvin GSA on behalf of Kern Subbasin
Mac Glackin, Clean Water Action
Alex Biering, California Farm Bureau
Lynne McBride, California Dairy Campaign
Tom Pires, Tom Pires Farm
Wesley Harmon, Big River Drilling LLC
Rachel Glauser, Delta View Water Association
Joaquin Contente, General Public
Jacqueline Lowe, General Public
Blake Wilbur, Mid-Kaweah GSA - Grower
Aaron Fukuda, Mid-Kaweah GSA
Emmanuel Cortes, General Public
Dusty Ference, Kings County Farm Bureau
Julie Margaret Martella, General Public
Helen Sullivan, General Public
Soren Nelson, Association of California Water Agencies
Brian Medeiros, General Public
Thomas Marihart, General Public
Tien Tran, Community Water Center
Akashdeep Singh, Union of Concerned Scientists
Jasmine Ramirez, Self-Help Enterprises
Bill Wint, General Public
George Kostyrko, General Public
Dino Giacomazzi, General Public
Johnny Gailey, Delta View Water Association
Ryan Bezerra, BKS Law Firm on behalf of Angiola Water District
Garrett Gilcrease, General Public
Lauren Evangelo, General Public
Steve Jackson, Next Gen Water
David Stanfield, Summerfield Farms
Josh Bettencourt, Bettencourt Farms

The Board recessed at 6:35 p.m. until Wednesday, April 17, 2024 at 9:00 a.m.

WEDNESDAY, APRIL 17, 2024

CALL TO ORDER

Chair Joaquin Esquivel called the meeting to order on Wednesday, April 17, 2024 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

BOARD MEMBERS ABSENT

None

EXECUTIVE STAFF PRESENT

Eric Oppenheimer, Executive Director
Michael Lauffer, Chief Counsel
Jonathan Bishop, Chief Deputy Director
Karen Mogus, Chief Deputy Director
Courtney Tyler, Clerk to the Board
Marji Arjil, Administrative Assistant II
Beba Maletic, Administrative Assistant II (virtual)

ANNOUNCEMENTS

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

BOARD MEETING

PRESENTATION OF SUSTAINED AND SUPERIOR ACCOMPLISHMENT AWARDS

- *Amy Kronson, with the Office of Public Participation, presented a Superior Accomplishment Award to Caroline Pradeau Fonseca and a Sustained Superior Accomplishment Award to Vanessa Soto.*

UNCONTESTED ITEM

3. Consideration of a proposed Resolution approving an amendment to the Water Quality Control Plan for the San Francisco Bay Basin to correct errors in freshwater metal water quality objectives, to clarify the basis to establish dilution credits for non-priority pollutants, and to allow establishment of alternative cyanide dilution credits and mercury concentration triggers for wastewater treatment operations.

Staff Presenting: Tong Yin, Setenay Frucht, Xavier Fernandez, Teresita Sablan

- [Notice of Adoption](#)
- [Revised Notice of Public Comment](#)
- [Agenda Item](#)
- [Draft Resolution](#)

- Written Comments were due by noon on February 12, 2024

Motion: Board Member Maguire moved to adopt the proposed Resolution

Seconded by: Board Member Firestone

MOTION CARRIED ([Resolution No. 2024-0013](#))

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

Nay: None

Absent: None

Abstain: None

Commenters

None

INFORMATIONAL ITEM

4. Current Hydrologic Conditions and Response.
Staff Presenting: Jessica Bean

No Action Taken

Commenters

None

DIVISION OF WATER QUALITY

5. Consideration of adoption of a proposed Resolution to revise the Interim Mitigation Calculation for the Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling.

Staff Presenting: Jonathan Dolan, Kat Faick, Rebecca Fitzgerald, Catherine Hagan, Jenn Eckerle (Ocean Protection Council), Kaitlyn Kalua (Ocean Protection Council), Mary Small (State Coastal Conservancy)

- [Notice of Adoption](#)
- [Agenda Item](#)
- [Draft Resolution](#)
- [Final Staff Report](#)
- Written Comments were due by noon on October 30, 2023
- [Response to Comments](#)

Motion: Board Member Firestone moved to adopt the proposed Resolution

Seconded by: Board Member Maguire

MOTION CARRIED ([Resolution No. 2024-0014](#))

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

Nay: None

Absent: None

Abstain: None

Commenters

Sheri Hafer, General Public

Lauren Marshall, California Coastkeeper Alliance

Gene Nelson, Ph.D., Californians for Green Nuclear Power, Inc.

Dr. Mark Gold, Natural Resources Defense Council

DIVISION OF DRINKING WATER

6. Consideration of a proposed Resolution adopting a Maximum Contaminant Level (MCL) for Hexavalent Chromium and certifying final Environmental Impact Report.

Staff Presenting: Bethany Robinson, Melissa Hall, Darrin Polhemus, Kim Niemeyer, Andy Sawyer

- [Agenda Item](#)
- [Draft Resolution](#)
 - [Attachment 1](#): CEQA Findings and Statement of Overriding Considerations
 - [Attachment 2](#): Proposed Regulation text
- [Final Environmental Impact Report \(EIR\)](#)
 - [Appendix A](#) – Revised Draft EIR Appendix A (Proposed Regulations)
 - [Appendix B](#) – Notice of Preparation Comment Letters
 - [Appendix C](#) – Revised Draft EIR Appendix C (CEQA Analysis using SDWIS and GIS Data)
 - [Appendix D](#) – Existing Treatment System Information
 - [Appendix E](#) – Alternative MCL Source Maps
 - [Appendix F](#) – Comment Letters and Public Meeting Transcript
- Written Comments were due by noon on March 4, 2024
- [Draft Responsive Summary](#)

Motion: Board Member Maguire moved to adopt the proposed Resolution with Change Sheet #1 as read into the record by Kim Niemeyer

Seconded by: Board Member Morgan

MOTION CARRIED ([Resolution No. 2024-0015](#))

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

Nay: None

Absent: None

Abstain: None

Commenters

Dr. Frank Figueroa, City of Coachella

Castulo Estrada, City of Coachella/Coachella Valley Water District

Robert Chacanaca, Community Water Center

Ana Maria Perez, Community Water Center

Silverio Perez, Community Water Center

Saul Reyes, Community Partner with Community Water Center

Kala Babu, Community Water Center

Andrea Abergel, California Municipal Utilities Association

Joanne Le, Coachella Valley Water District

Nick Blair, Association of California Water Agencies

Angela Islas, Central California Environmental Justice Network

Nataly Escobedo Garcia, Leadership Counsel for Justice and Accountability

Mayra Hernandez, Community Water Center

Sherri McCarthy, American Chemistry Council

Andria Ventura, Clean Water Action

Roberto Ramirez, Community Partner with Community Water Center

Michelle Chester, Central Valley Clean Water Association

Debbie Mackey, Central Valley Clean Water Association

Tim Worley, Community Water Systems Alliance

Matthew Shragge, 29 Palms Water District

Katie Little, California League of Food Producers

Susan Allen, California Association of Mutual Water Companies

Sarah Johnson, Joshua Basin Water District

Jared Voskuhl, California Association of Sanitation Agencies

INFORMATIONAL ITEMS

7. Board Member Reports.

No Action Taken

For full details on each Board Member report, please review the video at [Board Videos | California State Water Resources Control Board](#). It begins at 5:21:30 on the video for the April 17, 2024 Board Meeting.

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

No Action Taken

ADJOURNMENT

The Board adjourned at 4:45 p.m.

CLOSED SESSION

Closed Sessions are not open to the Public

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 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.

IMPORTANT INFORMATION!!

Unless otherwise specified, submittal of written comments **must be received by 12:00 p.m. (Noon) on April 11, 2024 and will not be accepted after that time.**

Submittal of electronic PowerPoint presentations **must be received by 12:00 p.m. (Noon) on April 11, 2024 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, **04/16-17/2024 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

For oral interpretation, written translation, or sign language services, please call (916) 341-5254 or e-mail: opp-languageservices@waterboards.ca.gov (at least 7 calendar days before the date of the Board meeting).

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) contact the Clerk at board.clerk@waterboards.ca.gov to initiate a request for reasonable modification or accommodation.