

Los Angeles Regional Water Quality Control Board

Meeting Minutes

Los Angeles Water Board Meeting
August 7, 2012
The City of Santa Clarita
Council Chambers
23920 Valencia Boulevard, Suite300
Santa Clarita, California

The meeting was called to Order by Chair Maria Mehranian at 10:00 am.

Item 1.

Tour of Newhall Land and Farming Company’s Proposed Resource Management and Development Plan (RMDP) site: The Regional Board members and staff participated in a tour of Newhall Land and Farming Company’s Proposed RMDP site. There was a quorum present during the tour, and no action or voting took place during the tour. In addition, to comply with State law regarding ex parte communications, individual conversations with Regional Board members were not allowed during the tour or the hearing.

Item 2. Roll Call.

Board Members Present: Fran Diamond, Madelyn Glickfeld, Mary Ann Lutz, Maria Mehranian, Irma Muñoz, Charles Stringer, and Lawrence Yee

Board Members Absent: Maria Camacho

Staff Present: Samuel Unger, Deborah Smith, Ronji Moffett, Frances McChesney, Nicole Johnson, Alex Carlos, Renee Purdy, Dr. LB Nye, Valerie Carrillo Zara,

Individuals whose Names Appear on the Sign-In Sheet and/or Speaker Cards

Ms. Ann Heil, L.A. County Sanitation District	Ms. Ileene Anderson, Center for Biological Diversity
Ms. Susie Santilena, Heal the Bay	Ms. Lily Verdone, the Nature Conservancy
Mr. Jason Weiner, Wishtoyo Foundation’s Ventura	Ms. Lynn Planbeck
Mr. Ron Lynne, SCOPE	

Item 3. Order of Agenda.

There were no changes to the Order of Agenda.

Item 4. Board Member Communications.

There were no communications that constituted disclosure.

Item 5. Clean Water Act Section 401 Certification/Waste Discharge Requirements. There was a continuation of Hearing for consideration of tentative Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements (WDRs) for the Newhall Land and Farming Company (Proposed Resource Management and Development Plan, Santa Clarita, Los Angeles County; File No. 11-168). Regional Board staff and representatives of Newhall Land and Farming Company provided information in response to Regional Board member questions and issues raised at the hearing on June 7, 2012.

Mr. Sam Unger, Executive Officer provided a brief overview of the project at the Board's directive to solicit Board comments and key concerns, and to address and provide a response to the Board's questions and concerns raised during the June 7, 2012 hearing. Mr. Unger indicated that the U.S. Army Corps of Engineers issued the dredge EIR/Fill. There was also discussion on USEPA, U.S. Fish and Wildlife, L.A. County, and the Regional Board's roll with the development of this project. Mr. Unger clarified that staff has met with NGOs, and the Conservancy to discuss mitigation requirements.

Ms. Deborah Smith, Chief deputy Executive Officer discussed the staff activity with this project, and the background on the Regional Board's roll in issuing Water Quality Certifications. In addition, clarification was made on the benefits of packaging the 401 Certification within the Waste Discharge Requirements (WDRs). She expressed the authority the Board has to enforce with the WDRs.

Dr. L.B. Nye, Regional Programs Unit Chief made, but was not limited to the following points in her presentation:

- Overview of project mitigation
- Newhall Land was able to identify the land which it would be able to mitigate
- There is no requirement for Flood Plain mitigation, however due to the size of this project Newhall is required to provide a Flood Plain Mitigation Plan for protection.
- Discussed flood plain impacts, and impacts to water quality
- Discussed the permanent and temporary impacts
- Hydromodification include impervious areas, flood plain, and tributary areas
- Discussed chloride, and chloride exceedances
- The WDR includes a number of conditions to address water quality, effluent limits and monitoring

Ms. Tracy Egoscue, Counsel for Newhall Land and Farming Company gave an update on the progress of the project since the June 7, 2012 hearing. She indicated that Newhall has had numerous meetings with California Coastal Conservancy, and Friends of the Santa Clara River, and there are no adverse impacts to flood plains due to development. She stated that Newhall Land Development will comply with all water quality standards.

Mr. Mark Dillon, Consultant, representing Newhall, provided an overview of the Board's hydro modification concerns. Mr. Dillon addressed concerns on the modeling, and expressed that compliance is insured in the proposed Order through performance, monitoring, and compliance with water quality standards.

The Board went into Closed Session at 11:30 am. Reconvened at 12:38

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Mr. Mark Krebs, PACE discussed the EIS/EIR Analysis conclusions regarding downstream impacts. He stated that the Santa Clara River is not susceptible to hydromodification due to its size and sandy bed.

Ms. Lisa Austin, representing Newhall Land indicated that Newhall will be held to the same hydromod standards as the Ventura MS4 permit, and is equivalent to the Ventura MS4 standard.

Mr. Mark Krebs concluded his presentation by addressing the modeling flow rate concerns of the Board.

Public Comment.

Mr. Ron Lipp, and Ms. Heather Wylie representing SCOPE gave a joint presentation. They made but were not limited to the following points during their presentation:

- Discussed permanent impacts
- Urged the Board to send staff with an Economic Expert to review data by Newhall consultants
- Asked to include in the permit, total avoidance in flood plain area, or to put homes in a different area than the flood plain
- Indicated that U.S. Army Corps need to do a “Risk and Uncertainty Analysis”, which will show long-term affects

Ms. Susie Santilena, Heal the Bay indicated that she has a fundamental disagreement that the flood plain will have no impacts. She stated that the environmental community was not involved in the process of the agreement between Newhall and the California Coastal Conservancy. She believes stormwater recycling and re-use need to be looked at.

(For more detailed information on any matter at our meetings, you may contact Ronji Moffett at (213) 576-6612 or rmoffett@waterboards.ca.gov and she may provide an electronic copy of the transcript or audio.)

The meeting was adjourned at 5:43 p.m.

Written and submitted by: _____, then finalized on
Ronji R. Moffett