



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams,
Agency Secretary

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Arnold Schwarzenegger
Governor

Draft Meeting Minutes

Los Angeles Regional Water Quality Control Board
July 16, 2009 Board Meeting
City of Simi Valley
2929 Tapo Canyon Road
Simi Valley, California

The meeting was called to order by Chair Mary Ann Lutz at 9:13 a.m.

Pledge of Allegiance.

Item 1. Roll Call

Board Members Present: Chair Mary Ann Lutz, Vice Chair Madelyn Glickfeld, Steve Blois, Fran Diamond, Maria Mehranian

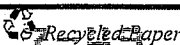
Board Members Absent: Maribel Marin, and Dick Richardson.

Staff Present: Tracy Egoscue, Deborah Smith, Samuel Unger, Ronji Harris, Stephen Cain, Jennifer Fordyce, Jeff Ogata, Wendy Phillips, Paula Rasmussen, David Hung, Cassandra Owens, Mazhar Ali, Rebecca Viega-Nacimiento, Jenny Newman, Man Voong, Rod Nelson, Enrique Casas, Wen Yang, Thomas Siebels, Alex Carlos, L.B. Nye

Individuals whose Names Appear on the Sign-In Sheet

Ms. Jennifer Vaccola, City of Malibu	Mr. Mark Pumford, City of Oxnard
Ms. Kirsten James, Heal the Bay	Dr. Mark Gold, Heal the Bay
Ms. Susie Santilena, Heal the Bay	Mr. Dennis Mak, Newhall Land
Ms. Mary Wiesbrock, Save Open Space	Ms. Kristen Ruffell, L.A. County Sanitation District
Mr. Ray Tremblay, L.A. County Sanitation District	Mr. Phil Markle, L.A. County Sanitation District
Mr. Richard Watson, Richard Watson & Assoc.	Mr. Ken Hoffman, L.A. County Sanitation District
Mr. Gerry Greene, City of Downey	Ms. Margaret Harris, MWH
Mr. Jim Thorsen, City of Malibu	Mr. Alvin Cruz, L.A. County DPW
Mr. Shokoufe Marashi, City of Los Angeles BOS	Ms. Hillary Moyle, LASGP
Ms. Ann Heil, L.A. County Sanitation District	Mr. Wayde Hunter, NVC/GHNNC
Mr. John Schousna, Nursery Growers Association	Mr. Gus Dembegiotes, City of Los Angeles BOS
Ms. Barbara Johnson, Resident	Mr. Jim Hensley, League of United American Citizens
Mr. Trevor Smith, Sierra Club, Los Padres Chapter	Mr. Aron Miller, Rep. Senator Fran Pavley

California Environmental Protection Agency



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

	Ms. Marie Mason, Resident Simi Hills
Mr. Zack Moran, PWE Ms. Holly Huff, Resident	Mr. Daniel Shelley, L.A. County Solid Waste Mgmt.
Mr. Tai Tseng, Long Beach Water Department	Mr. Joe Bellomo, City of Westlake Village
Ms. Tatiana Gaur, Santa Monica Baykeeper	Mr. Charles Caspara, Las Virgenes MWD
Mr. Omid Mankoo, Representing self	Mr. Jason Weiner, Wishtoyo/Ventura Coastkeeper
Mr. Peter Kozelka, UAEPA Region IX	Ms. Ashli Desai, Latham Watkins Associates
Ms. Ann Heil, L.A. County Sanitation District	Mr. Randel Orton, Las Virgenes MWD/Triunfo
Mr. Edward Belder, LA/SG Watershed Council	Ms. Kathy Knight, Sierra Club
Ms. Patricia McPherson, Grassroots Coalition	Mr. Dan Lohen, Topanga Resident
Mr. John Davis, Resident Los Angeles	Mr. Rafael Garcia, Sylmar Resident
Ms. Amy Hinkley, Santa Monica Baykeeper.	Mr. William Bowling, ACMELA.org
Ms. Christina Walsh, ACMELA.org	Mr. Ricardo Moreno, County of Ventura
Mr. Craig George, City of Malibu	Mr. Oliver Cramer, Santa Clarita Resident

Item 2. Order of Agenda.

- *Item 12, Azusa Landfill item is being continued to the September 3, 2009 Board meeting.*

Item 3. Approval of draft meeting Minutes for May 7 - 8, 2009, June 4, 2009, and June 5, 2009 meetings.

MOTION: To approve draft meeting Minutes for May 7 - 8, 2009, June 4, 2009, and June 5, 2009 Board meetings.

First: Board Member Fran Diamond
 Second: Board Member Madelyn Glickfeld
 Vote: Approved by unanimous vote.

Item 4. Board Member Communications.

There was no communication reported that constitutes disclosure for this item.

Item 5.a Executive Officers Report

Report and Addendum Report was given to the Board. No verbal report was given at this meeting. The Report was posted on the Board's website:
www.swrcb.ca.gov/~rwqcb4/html/eo_reports/eo_reports.html

Item 5.b Board Checklist.

There was no discussion or questions regarding the Board Checklist.

Item 5.c Report from State Board.

State Board Vice Chair and Liaison Fran Spivy-Weber acknowledged the 40 years anniversary of the Porter Cologne. The 15% furlough order from the Governor was also mentioned, and the absence of a 2009/10 budget for the State of California.

She informed the Board that the State Board has released the 'Once Through Cooling' Policy, and that it is out for public review.

Ms. Spivy-Weber also stated that the Landscape Irrigation permit was adopted at the early July 2009 State Board meeting. She reminded the Board members of the October 26 -27, WQCC meeting and urged them to attend, stating that the topics discussed will include the State budget, sustainability, and other issues.

Item 6. Public Forum.

- Mr. John Davis, Los Angeles resident (*Requested enforcement on CAO 98-125 for the Playa Phase I Commercial Land Co., LLC, Playa Capital Company, LLC*)
- Patricia Mc Pherson, Grassroots Coalition (*Expressed concerns that she believes the EIR issues have not been addressed*)
- ~~Mr. Trevor Smith, Sierra Club (*Concerns with poor water quality and leakage near Playa Vista*)~~
- Ms. Kathy McKnight (*Asked for the Board's support until dewatering is clarified at the Playa Vista site*)
- Mr. Craig George, City of Malibu (*Responding to concerns about the treatment system at La Paz in Malibu, he indicated that the system is capable of producing title 22 effluent. He has concern about the violations, but there have been a lot of successes with the system, and the City is working with La Paz to get everything into compliance.*)
- Ms. Jennifer Piccola, City of Malibu (*Introduced resources the City is using for enforcement*)
- Mr. Jim Thorsen, City of Malibu (*Indicated that various efforts and monies have been spent to treat water in Malibu and other achievements by the City.*)
- Dr. Mark Gold, Heal the Bay (*Talked about Water Effects Ratios (WERS)*)
- Mr. Sharam Kharaghiani, City of Los Angeles Bureau of Sanitation (*Talked about the Crest Mission, and current focus. He talked about the draft Strategy of the City for the TMDL development, and the Stakeholder involvement.*)
- Mr. Aron Miller, Representing Senator Fran Pavley (*Re: The Boeing Santa Susana field Lab, he read a letter into the record from Sen. Fran Pavley*)
- Mr. Dan Hirsch, Community for Bridging the Gap (*He stated that he believes and urged the Board to re-open the Boeing permit from the May 7, 2009 hearing.*)

- Ms. Marie Mason, Simi Hills resident (*Urged the Board to re-open the Boeing permit*)
- Ms. Barbara Johnson, Simi Hills resident (*Urged the Board to reconsider the Boeing permit*)
- Ms. Holly Huff, Simi Hills resident (*Urged the Board to revisit the Boeing permit*)
- Ms. Christina Walsh, Rocketdyne.org (*Asked the Board to revisit the Boeing permit at a subsequent meeting*)
- Mr. William Bowling, ACEMELA (*Asked the Board to revisit the Boeing permit*)
- Dr. Gerry Greene, City of Downey (*Discussed the new developments with the City's Discovery Park project*)
- Ms. Tatiana Gaur, Santa Monica Baykeeper (*Expressed concern that Malibu Lumber is falling short of its goals, and asked the Board to pay close attention to forthcoming permit applications.*)

Vice Chair Madelyn Glickfeld directed the Executive Officer Tracy Egoscue to explain the Playa Vista issues in the next meeting's Executive Officer Report.

Uncontested Items Calendar:

Executive Officer Tracy Egoscue announced the Consent items as follows: 7, 8, 9, 10, 11, 12, 13, and 19 (since there were no cards for item 19).

MOTION: To deem non-controversial and approve Agenda Item(s): 7, and 8

First: Vice Chair Madelyn Glickfeld

Second: Board Member Maria Mehranian

Vote: Approved by unanimous vote.

Item 9. West Basin Municipal Water District (Temporary Ocean Water Desalination Demonstration Project)

The Staff Report was waived.

Board questions.

- How will you determine the impacts to fish and other fisheries, and how will you be able to measure impacts on increased settleable solids?
- Asked clarification on the water intake?
- What will be used as the baseline of comparison once the reports of impacts on fisheries and settleable solids are received?
- When measuring the fish or other fishery impacts and settleable solid impacts on the habitat, what are you going to use as a comparison to tell us whether or not this is an improvement over a standard desal project? Or a power plant?

Public Comment.

- Dr. Mark Gold, Heal the Bay (*Indicated that he is not opposing the project because of West Basin's exemplary record, however, he expressed that he is not in support of the project either.*)

MOTION: To adopt the permit as recommended by staff.

First: Board Vice Chair Madelyn Glickfeld
Second: Board Member Fran Diamond
Vote: Approved by unanimous vote.

Item 10. Long Beach Water Department (Long Beach Prototype Seawater Desalination Research Facility).

The Staff Report was waived.

Questions by the Board:

- Will this facility heat the water?
- Concerns if there will be more heat.

MOTION: To adopt the permit as recommended by staff.

~~First: Vice Chair Madelyn Glickfeld~~
Second: Board Member Fran Diamond
Vote: Approve by unanimous vote.

Item 11. County Sanitation Districts of Los Angeles County (Calabasas Landfill)

Staff Report was waived, however Mr. Enrique Casas, the Project Manager and Board staff did indicate that a couple of changes were made to the order responding to comments received.

Questions by the Board:

- *What is anticipated to be seen in a Technical Plan in 90 days?*

Public comment.

- Ms. Mary Wiesbrack, Save Open Space (*Thanked the Board for continually monitoring ground water.*)

MOTION: To approve staff recommendation with changes as proposed by staff.

First: Board Member Fran Diamond
Second: Board Vice Chair Madelyn Glickfeld
Vote: Approved by unanimous vote.

Item 13. Consideration of the proposed revision to the list of impaired water bodies developed pursuant to Section 303(d) of the Federal Clean Water Act.

Staff Report. Ms. L.B. Nye, Unit Chief (*During her presentation, Ms. Nye made but was not limited to the following points.*):

- Talked about the regulatory background
- Recent developments
- City of Los Angeles believes there is a need to develop standards of prior listing cycles

- Most comments received were potentially regarding new standards
- Requests change to page 13-110 Appendix E (Category of Impaired Waterbodies); page 13-164 303(d) list; page 13-176, 13-178, 13-182, 13-198 (Appendix H), page 13-154 (Appendix F)

Public comment.

- Ms. Kirsten James, Heal the Bay (*requested year-round monitoring and strongly support the Invasive Species listing, in particular the New Zealand Mudsail, benthic monitoring*)
- Dr. Mark Gold, Heal the Bay (*Concerns about bacteria; Asked staff to use the 30-day rolling geometric mean; Recommend the assurance the TMDL will cover Compton Creek or clarify the Tributary Rule*)
- Dr. Gerry Greene (opposed as written)
- Mr. Richard Watson, Rep. Coalition for Practical Regulation (opposed as written)
- Mr. Ray Tromblay, L.A. County Sanitation District (in support)
- Mr. Alvin Cruz, L.A. County Department of Public Works (opposed)
- Mr. Dennis Mak, Newhall Land (opposed as written)
- Mr. Gus Dembegiotes, City of Los Angeles, Bureau of Sanitation (opposed as written)
- Ms. Tatiana Gaur, Santa Monica Baykeeper (opposed as written)
- Mr. Alex Farassati, City of Calabasas (opposed)
- Mr. Jason Weiner (Ventura Coastkeeper (Wishtoyo) (opposed as written)
- Mr. Randal Orton, Las Virgenes MWD (opposed to benthic listing)
- Ms. Ashli Desai, Rep. Parties Implementing TMDLs in CCW (*in support, but concern for the trash listing*)
- Mr. Peter Koselka, USEPA (in support)
- Mr. Dan Phiffer, City of Ventura (opposed)

Board concerns, questions, and comments.

- Is the database on the web, and is there an automatic submission for data?
- Does EPA provide funding?
- Asked clarification that the LA River TMDL covers Compton Creek?
- Asked clarification on 305(b)

MOTION: To adopt the 303(d) list as recommended by staff with proposed amendments.

- Requests change to page 13-110 Appendix E (Category of Impaired Waterbodies); page 13-164 303(d) list; page 13-176, 13-178, 13-182, 13-198 (Appendix H), page 13-154 (Appendix F)

First: Board Member Maria Mehranian

Second: Board Vice Chair Madelyn Glickfeld

Vote: Approved by unanimous vote

Break at 3:59; reconvened at 4:09.

Information Items.

Item 14. Revision of Monitoring and reporting Program for Browning Ferris Industries of California, Inc's Sunshine Canyon City/County Landfill.

Staff Report by Mr. Wen Yang, Regional Board Staff. Mr. Yang's report focused on ground water conditions at the site.

Public Comment.

- Mr. Wayne Hunter, NVC/GHNNC (*Has concerns as to whether the systems is capable of early detection, and if this is the best system available?*)

Item 15. Progress Report on the Los Angeles region conditional Waiver for Irrigated Lands.

Staff Report by Ms. Rebecca Veiga-Nacimiento. (*The presentation included but was not limited to the following points.*)

- Overview of the Conditional Waiver Program
- Pollutants generated from the Ag Program
- Requirements for agriculture dischargers
- Monitoring and BMPs
- 85,000 acres are enrolled in the program
- BMP implementation
- Water quality Management Plans
- There have been enforcement actions that resulted in settlements and some are now in settlement discussions

Public comment.

- Mr. John Shoustra, Nursery Growers Association
- Mr. John Krist, Farm Bureau of Ventura County

The meeting was adjourned at 4:58 pm. The Draft Minutes may be approved, rescinded or modified at the September 3, 2009 Board meeting.

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

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