Meeting Minutes

Los Angeles Regional Water Quality Control Board
April 5, 2007 Regular Board Meeting
City of Burbank Council Chambers
275 E. Olive Avenue, Burbank, California

Item 1. Roll Call

The meeting was called to order by Chair Fran Diamond at 9:09 a.m.

Board Members Present: Chair Fran Diamond, Vice Chair Mary Ann Lutz, H. David Nahai (arrived at 11:00 am), Maribel Marin, Brad Mindlin, Leo Vander Lans, and Dick Richardson

Board Members Absent: None

Staff Present: Jonathan Bishop, Deborah Smith, David Bacharowski, Ronji Harris, Jack Price, Stephen Cain, Blythe Ponek-Bacharowski, David Hung, Michael Levy, Jennifer Fordyce, Xavier Swamikannu, Samuel Unger, Ejigu Solomon, Dan Radulescu, Carlos Urrunaga, Tracy Woods, Paula Rasmussen, Ivar Ridgeway, Wendy Phillips, Wen Yang, Rodney Nelson, Alex Alimohammadi,

Individuals whose Names Appear on the Sign-In Sheet

<table>
<thead>
<tr>
<th>Name and Title</th>
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<tbody>
<tr>
<td>Mr. Peter Anderson, Center for Competitive Waste</td>
<td>Ms. Mary Edwards, Resident</td>
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<td>Ms. Jan Chatten Brown</td>
<td>Ms. Tess Dunham, Resident</td>
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<td>Mr. Ralph Kroy, Resident</td>
<td>Ms. Kirsten James, Heal the Bay</td>
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<td>Mr. Wayne Allen, Resident</td>
<td>Mr. Gerald McGowan, City of Los Angeles</td>
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<td>Mr. Curtis Cash, City of Los Angeles</td>
<td>Mr. Steve Summartin, Resident</td>
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<td>Mr. Jim Taylor, City of Thousand Oaks</td>
<td>Mr. Jay Spurgin, City of Thousand Oaks</td>
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<td>Ms. JoAnne Kelly, City of Thousand Oaks</td>
<td>Mr. David McKinzu, Sierra Residential</td>
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<td>Mr. Larry Forester, City of Signal Hill</td>
<td>Ms. Lisa Austin, GeoSyntec</td>
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<td>Ms. Julie Millet, RWA Planning</td>
<td>Ms. Dorothy Alsentsa, NRDC</td>
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<td>Ms. Crystal Murray, Landscape Development</td>
<td>Mr. Matthew Haines, Landscape Development Inc.</td>
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<td>Ms. Julie Limbean, Landscape Development Inc.</td>
<td>Mr. Chuck Heffernan, K.B. Homes</td>
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<td>Mr. Codey Harpole, Newhall Land</td>
<td>Mr. Matt Yeager, San Bernardino Co. SW Program</td>
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<td>Ms. Carrie Mattingly, City of Port Hueneme</td>
<td>Mr. Lee Huang, City of Los Angeles</td>
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<td>Mr. James Kim, City of Los Angeles</td>
<td>Ms. Jane Nelson, RTF &amp; Associates</td>
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<td>Mr. Mike Flake, Brown &amp; Caldwell</td>
<td>Mr. Michael Kolbenschlag, AEI-CASL Consulting</td>
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<td>Mr. Bill Rosica, California Water Service Co.</td>
<td>Mr. Keith Jones, Caltrans</td>
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<td>Mr. Scott McGowen, Caltrans</td>
<td>Mr. Sean Patrick, Richmond American Homes</td>
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<tr>
<td>Ms. Mary Lynn K. Coffee, Nossaman, Guthner, Knox &amp; Elliott</td>
<td>Mr. Mark Grey, CICWQ/BIA-SC</td>
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<td>Mr. Andrew Henderson, BIA/SC</td>
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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.
Item 2. Order of Agenda.

MOTION:  To approve the order of agenda.

Item 13 is continued to the next meeting.

First:  Vice Chair Mary Ann Lutz
Second:  Board Member Dick Richardson
Vote:  Approved by unanimous vote.
Item 3. Approval of March 1, 2007 draft Meeting Minutes.

MOTION: To adopt the March 1, 2007 draft Meeting Minutes.

First: Board Member Brad Mindlin
Second: Board Member Leo Vander Lans
Vote: Approved by unanimous vote

Item 4. Board Member Communications.

There were no communications reported that constitute the Ex Parte Communications disclosures.

However, Board member Maribel Marin reported that she attended the City of Los Angeles’ Quarterly Environmental meeting and there was discussion about ongoing studies and projects related to soil and groundwater cleanup.

Chair Fran Diamond indicated that she and Vice Chair Mary Ann Lutz attended the Strategic Planning meeting at State Board, and that there are plans to hold a Strategic Planning Workshop next month.

Item 5. Executive Officers Report

Report given by Jonathan Bishop, Executive Officer, and posted on the Board’s website: www.swrcb.ca.gov/~rwqcb4/html/eo_reports/eo_reports.html.

Item 5.a. Board Checklist.

There was no discussion or questions regarding the Board Checklist.

Item 5.b. Report from State Board.


Speakers:
- Mr. Jim Thorson, Representing City of Malibu
- Mr. Craig George, Representing City of Malibu
- Ms. Becky Bendickson, Resident Granada Hills

These City of Malibu representatives talked about the ongoing efforts in Malibu with outreach efforts to Home Owner Associations in Malibu, and the reason for the delay with the Environmental Impact Report (EIR) for both the Malibu Country Mart facilities, and the Paradise Cove Mobile Home Park.
Questions and Concerns of the Board:

*The Board expressed its concern for the City’s delay in providing Paradise Cove Mobile Home Park and the Malibu Country Mart facilities with the permit and the Environmental Impact Report (EIR). The Board urged the City to work diligently and where possible, to do its part to assist with the processing of the permit and the EIR in order to move forward expeditiously with ongoing projects for these sites.*

Item 7. Uncontested Items Calendar.

**MOTION:** To deem non-controversial and approve Agenda Items 8, 9, and 10

First: Board Member Brad Mindlin  
Second: Board Member Dick Richardson  
Vote: Approved by unanimous vote.


Introduction to Report.

Ms. Wendy Phillips, Groundwater Permitting and Cleanup Section Chief

- BFI accepts 600 tons of waste per day
- BFI does not accept waste that is imported from other counties
- The tentative permit will replace a permit from 1991
- BFI is regulated through the Integrated Waste Management Board’s Solid Waste facilities permit and the Stormwater permit for industrial waste activities

Staff Report.

Mr. Rod Nelson, Land Disposal Unit Chief; and Mr. Wen Yang, Land Disposal Unit Staff

- Phase 1 through 4 of the landfill will soon be filled to its capacity
- This permit proposes a 42-acre land expansion
- Discussed the proposed new permit and compared them to the old permit
- There is no change in the Monitoring and Reporting Program for the proposed permit
- Gave clarification on the existing Corrective Action program
- The community has concerns about health issues
- Talked about the Potential Assurance fund

Public Comment.

- Mr. Dave Edwards, Browning Ferris Industries, Inc. (in support)
- Ms. Jan Chatten Brown, North Valley Coalition (opposed)
- Mr. Peter Andersen, Competitive Waste Organization (opposed)
- Ms. Carly Katonya, Representing Supervisor Yvonne Burke (in support)
- Mr. Joe Mello, State Water Resources Control Board (in support)
- Mr. Brendan Huffman, VICA (in support)
- Ms. Nancy Hoffman, Greater San Fernando Valley Chamber of Commerce (in support)
- Mr. Wayde Hunter, President North Valley Coalition (opposed)
- Ms. Mary Edwards, Resident (opposed)
Board questions, discussion, and concerns:

- What assurances are there for the liners in case of a catastrophic event?
- Clarification that the proposed extensions are not down gradient for the landfill
- Ask for clarification that the Board will have the opportunity to determine if the cover is correct
- Clarification on the Board’s authority for financial assurances

Ms. Jennifer Fordyce and Mr. Michael Levy, Staff Counsels gave clarification on financial mechanisms that are allowed in Title 27, as pertaining to financial assurances.

MOTION: To approve the Waste Discharge Requirements with the following changes:

- Agenda Page No. 12-29, Requirement No. L-12, replaces “Executive Officer” with the Regional Board and now reads:

  12. Within 30 days of the adoption of the Order, the Discharger shall submit a proposal to the Regional Board in accordance with 27 CCR section 22222, for assurance of financial responsibility in an amount appropriate for initiating and completing corrective action for all known or reasonably foreseeable releases from the Landfill. Upon approval by the Regional Board, The Executive Officer shall forward the proposal to the CIWMB. The Regional Board shall reconsider the amount after the promulgation of the regulations by the CIWMB, as required by Public Resources Code sections 43050 and 43501.

- Agenda Page 12-30, Requirement No. M.1 has been changed to read:

  1. Regional Board staff shall convene a workgroup that includes other State, County and local regulatory agencies, the Discharger, and concerned groups and citizens to evaluate the seismic stability properties of the proposed final cover system, or any alternative final cover system proposed under Sections 20080(b) and 21090(a) of 27 CCR for the County Extension Landfill. After consideration of comments offered by the workgroup, the Discharger shall submit a conceptual final cover design for the County Extension Landfill for the Regional Board to approve. The Regional Board will revise these requirements within two years from the date of this Order if the design of a conceptual final cover system is not approved before such date. In the interim, no landfill construction shall be conducted within the proposed Phases VI and VII areas of the Landfill (Figure 3).

- Agenda Page 12-49, II, Required Monitoring and Inspections, has been changed to read:

  The Discharger shall conduct the following monitoring and inspections at the Landfill. Unless otherwise indicated, all monitoring data and inspection results shall be reported to the Regional Board as outlined in Section I of this M&RP.

California Environmental Protection Agency

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First: Board Member David Nahai  
Second: Board Member Dick Richardson  
Vote: Approved by unanimous vote  

Item. 11. Workshop to solicit comments on the tentative Municipal Separate Storm Sewer System Discharge Permit for the County of Ventura.  

Joint Staff Report by Xavier Swamikannu, Tracy Woods, Ivar Ridgeway, Dan Radulescu, Ejigu Solomon, and Carlos Urrunaga; the reports included but were not limited to the following:  

- MS4 Permit background information  
- Discussion on illicit connection and public input and participation  
- Discussion about the Industrial and Commercial Stormwater Programs  
- Discussion on the land development program  
- Discussion on the development of the construction program for the permit  
- The draft permits incorporates TMDL Standards  
- How Best Management Practices are established  
- Highlighted the proposed changes to the program  

An Oath was rendered by the Board Chair.  

Interested Parties/Public Comment.  
- Supervisor Kathy Long, County of Ventura  
- Mr. Gerhardt Hubner, County of Ventura Watershed Protection Division  
- Ms. Vicki Musgrove, County of Ventura  
- Councilmember Bryan Brennan  
- Ms. Holly Schroeder, Building Industry Association  
- Dr. Mark Grey, Building Industry Association  
- Councilmember Larry Forester, City of Signal Hill  
- Mr. Richard Watson, Consultant to CPR Cities  
- Dr. Gerald Green, Representing CPR Cities  
- Ms. Lisa Rath, City of Lakewood  
- Mr. Ray Tahir, TEC Environmental  
- Ms. Kirsten James, Heal the Bay  
- Ms. Dorothy Alsenta, NRDC  
- Mr. Geoff Brosseau, California Stormwater Quality Association (CASQA)  
- Ms. Carrie Bluth, California Coastal Commission  
- Mr. Arnie Anselm, County of Ventura  
- Mr. John Bejan, City of Moorpark  
- Ms. Teri Davis, City of Moorpark  
- Mr. Mark Pumford, City of Oxnard  
- Ms. Carrie Mattingly, Port Hueneme Utilities Director  
- Mr. Burt Rapp, City of Fillmore
Ms. Anita Kuhlman, City of Camarillo
Mr. Jay Spurgin, City of Thousand Oaks
Mr. Vaikko Allen, Contech Stormwater Solutions
Mr. Matthew Breiner, John Laing Homes
Mr. Matthew Holly, City of Fillmore Resident
Mr. Rurik Nye, President of Nye & Nelson Inc.
Mr. Marvin Sachse, Brash Industries
Mr. Andrew Henderson, BIA Southern California

Board discussion, concerns and direction:
- Clarification on Wasteload Allocations (WLAs)
- Consideration and inclusion of Economic considerations
- Atmospheric deposition issues need to be clarified
- Expansive soils issues need more studies
- Concerns about integration of TMDLs in the Stormwater permit
- Look at Fillmore and see whether trash excluders in that city would have deleterious effects
- The Board would like a better understanding of maximum action levels (MALs)
- The Board requested that the August meeting and stormwater workshop be held in Ventura County

The meeting was adjourned at approximately 6:15 p.m. Minutes adopted at the May 3, 2007 Board meeting.

Written and submitted by: ______________________ on
Ronji R. Harris