



California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Linda S. Adams,
Agency Secretary

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Arnold Schwarzenegger
Governor

Meeting Minutes

Los Angeles Regional Water Quality Control Board
March 1, 2007 Regular Board Meeting
The Metropolitan Water District of Southern California
700 North Alameda Street, Los Angeles, California

Item 1. Roll Call

The meeting was called to order by Chair Fran Diamond at 9:16 a.m.

Board Members Present: Chair Fran Diamond, Vice Chair Mary Ann Lutz , H. David Nahai, Maribel Marin, Leo Vander Lans, and Dick Richardson

Board Members Absent: Brad Mindlin

Staff Present: Jonathan Bishop, Deborah Smith, David Bacharowski, Ronji Harris, Alex Carlos, Stephen Cain, Blythe Ponek-Bacharowski, David Hung, Michael Levy, Jennifer Fordyce, Phil Wyels, Samuel Unger, Ejigu Solomon, Dixon Oriola, Larry Moore, Paula Rasmussen, Hugh Marley, Russ Colby, Ivar Ridgeway, Mazhar Ali, Cassandra Owens, Wendy Phillips

Individuals whose Names Appear on the Sign-In Sheet

Mr. Steve Maguin, L.A. County Sanitation District	Ms. Vicki Conway, L.A. County Sanitation District
Mr. Brian Louie, L.A. County Sanitation District	Ms. Ann Heil, L.A. County Sanitation District
Dr. Mark Gold, Heal the Bay	Ms. Kirsten James, Heal the Bay
Ms. Tracy Egoscue, Santa Monica Baykeeper	Mr. John Mundy, Las Virgenes MWD
Mr. John Bowman, Las Virgenes MWD	Ms. Heather Merenda, City of Santa Clarita
Mr. Steve Braband, Malibu Creek Preservation Co.	Mr. Gene Lucero, Latham & Watkins
Mr. Carlos Reyes, Las Virgenes MWD	Mr. Hu Yi, Los Angeles County DPW
Mr. Donald Lippman, Las Virgenes MWD	

Item 2. Award Presentation. The Award for Outstanding Achievement was presented to Mr. Russell Colby for his outstanding achievement and accomplishments in the Enforcement and Stormwater Program Section.

A Plaque was presented to Mr. Jerry Segundy, past State Board Member in appreciation for his service as the State Board and Los Angeles Regional Board Liaison.

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 3. Order of Agenda.

MOTION: To approve the order of agenda.

There were no changes to the order of the agenda.

First: Vice Chair Mary Ann Lutz
Second: Board Member Dick Richardson
Vote: Approved by unanimous vote.

Item 4. Approval of January 11, 2007 draft Meeting Minutes.

MOTION: To adopt the January 11, 2007 draft Meeting Minutes.

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

Item 5. Board Member Communications.

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

Item 6. 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 6.a. Board Checklist.

There was no discussion or questions regarding the Board Checklist.

Item 6.b. Report from State Board.

There was no Report from State Board.

Item 7. Public Forum.

Speakers:

- Mr. John Mundy, Las Virgenes Municipal Water District
- Mr. Joe Bowman, President, Las Virgenes Municipal Water District

Item 8. Uncontested Items Calendar.

MOTION: To deem non-controversial and approve Agenda Items 9, 10, 11, 12, 13

California Environmental Protection Agency



First: Vice Chair Mary Ann Lutz
Second: Board Member Maribel Marin
Vote: Approved by unanimous vote.

Item 14. Supplemental Environmental Project .

Staff Report.

Ms. Paula Rasmussen, Enforcement and Stormwater Chief

Public Comment.

- Ms. Heather Merenda, City of Santa Clarita

Board questions, discussion, and concerns:

- Asked for clarification that this project has a significant impact on the Santa Clara River?
- Asked confirmation for the start of the funding for this project.

MOTION: To approve tentative Supplemental Environmental Project as recommended by staff.

First: Board Member David Nahai
Second: Board Member Leo Vander Lans
Vote: Approved by unanimous vote

Item 15. Panel Hearing Recommendation – Complaint No. R4-2005-0045 for Mandatory Minimum Penalties in the amount of \$168,000 against County Sanitation Districts of Los Angeles County.

The Oath was rendered by the Board Chair.

Public Comment.

- Mr. Steve Maguin, Santa Clara Valley Sanitation District

Panel Chair, Leo Vander Lans presented the Panel's recommendation and findings to the full Board. The Panel recommends a fine of \$168,000, a reduction of the amount proposed in the original Complaint by the Executive Officer.

Staff Counsel Michael Levy stated that counsel is in support of the Hearing Panel recommendation.

MOTION: To approve the Panel Recommendation.

First: Chair Fran Diamond
Second: Board Member Maribel Marin
Vote: Approved by unanimous vote

Item 16. Information Item Update of the Status of five Malibu Time Schedule Orders.

Introduction. Ms. Wendy Phillips, Groundwater Permitting and Cleanup Section Chief

- Gave an update on the City of Malibu's wastewater strategy, dense development in the Malibu Civic Center Area, and hydro-geologic limitations and problems with the use of septic tanks

Staff Report. Ms. Toni Callaway, Regional Board staff.

- The three Malibu Country Mart facilities and the Malibu Creek Preservation Company collectively discharges between 30,000 and 60,000 gallons per day
- The Executive Officer has granted extensions to the facilities due to CEQA requirements and for financial hardships
- Because of Measure S the Regional Board suspended original TSO deadline for sites in the Malibu Civic Center area. Amended TSO's were adopted by the Regional Board on January 27, 2005 extended the compliance data to January 27, 2007. The TSO for Trancas WPCP was extended by the EO to March 29, 2007.
- Requests to extend the TSO deadline dates have been made by each of the dischargers as follows:
Malibu Creek Preservation Company to September 15, 2007 (approximately 7 ½ months)
Malibu Country Mart I, II, and III to June 2, 2008 (approximately 16-17 months)
Trancas WPCP to September 29, 2007 (approximately 6 months)

The conclusion of the presentation by the Assistant Executive Officer, David Bacharowski gave clarification on Measure 'S' as a funding source. Mr. Bacharowski presented options, and made a recommendation to the Board for short term and long term solution(s).

Public Comment.

- Mr. Steve Braband, Malibu Creek Preservation Company, and Bio-Solutions

The Board expressed concerns and gave direction to staff on this matter.

Chair Fran Diamond expressed that the Board wishes to dedicate this meeting in the Memory of the late Mr. Robert A. Sams.

The meeting was adjourned at approximately 12:06 p.m. Minutes adopted at the April 5, 2007 Board meeting.

Written and submitted by: _____