



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

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

Meeting Minutes

Los Angeles Regional Water Quality Control Board
508th Board Meeting/Workshop
City of Ventura Council Chambers
501 Poli Street
Ventura, California
September 20, 2007,

Item 1. Roll Call

The meeting was called to order by Chair Fran Diamond at 9:12 a.m.

Board Members Present: Chair Fran Diamond, Vice Chair Mary Ann Lutz, Maribel Marin, Leo Vander Lans, and F.W. 'Dick' Richardson

Board Members Absent: H. David Nahai, Brad Mindlin

Staff Present: Deborah Smith, Ronji Harris, Jack Price, Michael Levy, Jennifer Fordyce, Stephen Cain, Jenny Newman, Xavier Swamikannu, Tracy Woods, Carlos Urrunaga, Ejigu Solomon, Ivar Ridgeway

Individuals whose Names Appear on the Sign-In Sheet

Ms. Teri Davis, City of Moorpark	Ms. Kirsten James, Heal the Bay
Mr. Shaun Krues, City of Moorpark	Mr. David Beckman, NRDC
Ms. Lucy McGovern, Camarillo Sanitary District	Mr. Mike Sanell, City of Simi Valley
Ms. Carolyn Casaran, West Coast Environmental and Engineering	Mr. Gerry Greene, City of Downey Mr. Richard Watson, Richard Watson & Assoc.
Ms. Anita Kuhlman, City of Camarillo	Ms. Carrie Mattingly, City of Port Hueneme
Mr. Arne Anselm, Ventura County Watershed Div.	Mr. Tony Morelli, AGC California
Mr. Kevin Coyne, County of Ventura Public Works	Mr. Kevin Gieschein, City of Simi Valley Mr. Bill O'Brien, City of Ojai
Mr. Joe Deakin, City of Simi Valley	Mr. Rex Laird, Farm Bureau
Ms. Casey Beyer, John Liaing Homes	Ms. Anna Grimes, RBF Consulting
Ms. Kyleen Junier, RBF Consulting	Mr. Dabin Johnson, RBF Consulting
Mr. Mack Walker, Larry Walker Associates	Mr. Kevin Clerici, Ventura County Star
Mr. David Rosenthal, Stormwater Maintenance Company	Ms. MaryLynn Coffee, Nossaman, Guther et al Mr. Tim Nanson, City of Simi Valley
Mr. Ron Calkins, City of Ventura	Ms. Susanne Cooper, Jenson Design
Ms. Angie Tam, Charles Abbott Associates	Ms. Tracy Duffey, California Coastal Commission
Mr. Paul Tantet, Ventura County Public Works	Mr. Yugal Lall, City of Moorpark
Mr. Jim Taylor, City of Thousand Oaks	Ms. Sharon Nelson, Sun Cal Companies
Ms. Marilyn Miller, County Harbor Department	Mr. Damon Wing, Ventura County Board of Sup.

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.

Mr. Brian Brennan, City of Ventura Mr. Larry Whitney, City of Simi Valley	Mr. John Dickerson, United Water Conservation District
Mr. Joe Taylor, Ventura Chamber of Commerce	Mr. Tim Casey, Geolass Westlake Village
Mr. Mark Pumford, City of Oxnard	Ms. Anna Lautin, RBF Consulting
Mr. Andy Henderson, Building Industry Association, Southern California	Ms. Isabella Gamble, DTR Engineering Mr. Bruce Feng, City of Camarillo
Mr. Tom Ristan, City of Fillmore	Mr. Ron Coons, Ventura County PWA

Item 2. Order of Agenda.

MOTION: To approve the Order of agenda.

- First: Board Member Leo Vander Lans
- Second: Board Member Dick Richardson
- Vote: Approved by unanimous vote.

Item 3. Board Member Communications.

There was no communication reported by the Board.

Item 4. Public Forum

There were no speakers for the Public Forum.

Item 5. Ventura Countywide Municipal (MS4) Stormwater Permit

Chair Fran Diamond gave comments on the Order of today's proceedings.

Ms. Ronji Harris, Executive Assistant read an Opening Statement, then the Chair opened the Workshop/Hearing.

Introductory Remarks/Overview Policy Statements

- Staff Presentation by Ms. Tracy Woods, Stormwater Permitting Unit. *Following are some of the points that Ms. Woods made in her presentation:*
 - *Discussed General LID Principles*
 - *A total of 19 meetings were held which included Stakeholder groups, City of Ventura and Environmental groups.*
 - *The second draft for the permit was released on August 28, 2007.*

Senior Staff Counsel Michael Levy, presented legal background and talked about the status of the TMDLs. Mr. Levy, in his presentation distinguished between the first draft permit and the second draft permit.

Public Comment.

- Council member Brian Brennan, City of Ventura
- Mr. Gerhardt Hubner, City of Ventura
- Supervisor Kathy Long, County of Ventura
- Assembly member Cameron Smyth 38th District
- Ms. Rondi Gutherie, Representing Assembly member Audra Strickland
- Supervisor Linda Parks, County of Ventura
- Supervisor Steve Bennett, Ventura County District 1
- Ms. Jacqui Irwin, Mayor Pro Tem, City of Thousand Oaks
- Mayor Jan McDonald, City of Camarillo
- Council member John Zaragoza, City of Oxnard
- Mayor Paul Miller, City of Simi Valley
- Mr. Murray Rosenthal, City of Port Hueneme
- Mr. Jere Kersnar, City of Ojai
- Ms. Patti Walker, Council member City of Fillmore
- Mr. Rick Cole, City Manager, City of Ventura
- Mr. David Beckman, National Resource Defense Council (NRDC)

Combined Commenter Concerns.

- *Belief that pH revision contains TMDL language that contradict what has been included in previous TMDLs*
- *The new program would create a large rate increase*
- *Concerns that significant costs would be passed down to the taxpayers*
- *Asked for more practical time lines*
- *Some major areas of concern remain in the permit*
- *Asked the Board to give consideration to alternative options of beneficial uses and water quality standards*
- *Asked the Board to consider a Cost Benefit Analysis*
- *Cities do not have the funds to implement the new program requirements*
- *Asked to Board to direct staff to work collaboratively with Stakeholders*
- *Stated that the program is 2 years overdue, and the permit language should be modified so that it is not conflicting with TMDLs*

2. Municipal Action Levels (MALs) Quantifiable Maximum Extent Practicable (MEP)

- Staff presentation by Mr. Ivar Ridgeway, Stormwater Permitting Unit. *Following are some of the points that Mr. Ridgeway made in his presentation:*
 - *The MALs are technology-based*
 - *The MALs were recalculated in the second draft*
 - *Discussed the revised MALs in comparison to CTR values*

Public Comment.

- Ms. Vicki Musgrove, City of Ventura
- Ms. Kirsten James, Heal the Bay
- Mr. Geoff Brosseau, California Stormwater Quality Association (CASQA)

- Mr. Mark Grey, Building Industry Association (BIA)
- Dr. Gerry Greene, City of Downey
- Mr. Richard Watson, City of Signal Hill

Combined Commenter Concerns:

- *Concern that the MALs are flawed*
- *Recommend the use of performance data based on the 50 percentile performance*
- *Cities are not usually providers or contributors of nitrite/nitrate*
- *Believe the MALs should be technically sound and relevant*
- *MALs are contrary to the Blue Ribbon Panel*
- *Believe the MALs should be based on technically sound local data*

Board Concerns and Comments:

- *Asked for clarification as to why the TMDLs are not fully supported?*
- *Has staff performed a Cost Benefit Analysis?*
- *Asked for current status of the Blue Ribbon Committee Panel?*
- *Why does the permit have lower levels than the TMDL?*
- *Is there clarity as to where the levels should be?*
- *Does staff concur that values need to be evaluated?*

Staff Response: Dr. Xavier Swamikannu, Stormwater Permitting Unit Chief responded to concerns expressed by the Board. Some of his responses are as follows:

- *The MALs give the Board a threshold to judge*
- *Staff does an analysis based on technology; The benefits over the long run, outweigh the costs*
- *In response to the need for value evaluation, the challenge is that we have very limited local data.*

4. Total Maximum Daily Loads (TMDLs).

- Staff presentation by Ms. Tracy Woods, Stormwater Permitting unit. *Following are some of the points that Ms. Woods made in her presentation:*

- *Municipal storm water discharges are considered a point source and have been assigned a WLA for certain pollutants*
- *This Order incorporates MS4 WLAs that have been adopted by the Regional Water Board and have been adopted by the Regional Water Board and have been approved by the Office of Administrative Law and the U.S. EPA*
- *The MS4 Permittees are required to comply with the TMDL WLAs during the time specified in the TMDL*

Public Comment.

- Mr. Mark Pumford, City of Oxnard
- Mr. Don Kendall, Calleguas Municipal Water District



- Mr. Rex Laird, Farm Bureau/VCAILG
- Ms. Lucie McGovern, Camarillo Sanitary District
- Ms. Carolyn Casavan, West Coast Environmental and Engineering

Combined Commenter Concerns:

- *TMDL monitoring and implementation included in the Draft Order are inconsistent with the intent of the TMDL(s).*
- *Limit on discharges from an MS4 during dry weather is impractical*
- *Do not believe that TMDLs should be integrated into the permit*
- *There are funding concerns based on the implementation of the TMDLs in the permit.*

Board Concerns and Comments:

- *Questions regarding clarity of the TMDL implementation into the permit*

The Board went into Closed Session beginning at 12:45 p.m. and reconvened at 1:50 p.m.

5. Low Impact Development (LID)/Hydromodification/Grading Restrictions.

- Staff presentation by Dr. Xavier Swamikannu, Stormwater Permitting Unit Chief. *Following are some of the points that Dr. Swamikannu made in his presentation.*

- *Talked about the revisions to the permit*
- *Talked about the three criteria for grading restrictions*

Public Comment.

- Ms. Tracy Duffey, California Coastal Commission
- Mr. Kevin Gieschen, City of Simi Valley
- Mr. Susan Zaleski, University of Southern California Sea Grant Program
- Mr. Mark Gray, BIA
- Mr. Richard Watson, City of Signal Hill
- Mr. Gerry Greene, City of Downey
- Ms. Marilyn Covy, BIA

Combined Commenter Concerns:

- *Have concerns regarding page 51 of the permit, section E-111*
- *Concerns regarding the Implementation Issue*
- *Concerns of flood control management*
- *Current needs of hydrologic control measures*
- *Concerns with issue 5 and issue 6 in the permit which pertain to planning and development construction, and implementation*
- *Encouragement of water quality master planning*

Board Concerns and Comments:

- *Suggested that staff clarify the language so that it is clear and not misunderstood*
- *Asked clarification that the 6 month band is reasonable?*
- *Believe that some language could be incorporated into the permit that would allow flexibility*

6. Monitoring.

- Staff presentation given by Ms. Tracy Woods, Stormwater Permitting Unit. *Following are some of the points that Ms. Woods made in her presentation:*

- *The primary objectives of the Monitoring Program are assessing the chemical, physical, and biological impacts of storm water discharges on receiving waters resulting from urban storm water discharges*
- *Assessing the overall health and evaluating long-term trends in receiving water quality*
- *Assessing compliance with effluent limitations and water quality objectives*
- *Characterization of the quality of storm water discharges*
- *Identifying sources of pollutants*
- *Measuring and improving the effectiveness of measures implemented under this Order*

Public Comment.

- Mr. Arne Anselm, Ventura County Watershed Protection District
- Ms. Kirsten James, Heal the Bay
- Dr. Gerry Greene, City of Downey

Combined Commenter Concerns:

- *Believe that staff need to make modifications to this program*
- *Asked that "major outfall" is defined for clarification in the permit*
- *Asked that the permit include tributary and bioassessment monitoring*
- *Asked staff to integrate the permit with TMDL and avoid redundancy*
- *Do not believe that the Stormwater Program is supported by draft Monitoring Requirements*

Board Concerns and Comments:

- Questions concerning integrating of the Monitoring Program

7. Other Issues.

- Staff presentation given by Mr. Carlos Urrunaga, Stormwater Permitting Unit. *Following are some of the points made by Mr. Urrunaga in his presentation:*

- *Gave an overview of the Public Agency Requirements of the draft Permit and other revisions made based upon comments received*
- *Discussed Uniform Cost Reporting*
- *Discussed Phase I versus Phase II Programs*
- *Discussed BMP substitution*
- *Talked about Trash Exclusion*

Public Comment.

- Mr. Shaun Kraes, Representing Permittees
- Ms. Anita Kuhlman, Ventura County Stormwater Program
- Mr. Fred Camarillo, City of Port Hueneme
- Mr. Paul Tantet, Ventura County Public Works



- Mr. Burt Rapp, City of Fillmore
- Mr. Chris Hooke, Ventura County Public Works Agency
- Mr. Richard Watson, City of Signal Hill
- Dr. Gerry Greene, City of Downey

Combined Commenter Concerns:

- *Do not believe the trash excluders are a “one size fits all” excluder*
- *Believe that public outreach is working*
- *Summary of events in Ventura County involving public outreach and Coastal Cleanup day*
- *Believe that the permit should be more defined*
- *Urged the Board to direct staff to work more closely with entities to work on reasonable and feasible goals*
- *Asked for clarification in the permit identifying urban communities.*
- *Urged the Board to look at the issue of design storm*
- *Believe that additional time will allow the smaller cities to spend less*

Board Concerns and Comments:

- *Encouraged by the progress that has been made thus far and is confident that together we will be able to achieve a permit and compliance that everyone is comfortable with*
- *Believe there is a need for more collaboration efforts and better communication*
- *Hopeful that we will find a more cost effective way to get to a solution*
- *We need to move towards compliance and BMPs*
- *Encourages everyone in the process to keep moving forward*
- *Concerns that trash exclusions are not being done*
- *Concerns that we are still talking about trash excluders after so many years*

The meeting was adjourned at 4:40 p.m.

Minutes adopted at the November 1, 2007 Board meeting.

Written and submitted by: _____ on
Ronji R. Harris

