



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams,
Agency Secretary

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Arnold Schwarzenegger
Governor

Meeting Minutes

Los Angeles Regional Water Quality Control Board
September 3, 2009 Board Meeting
Metropolitan Water District
of Southern California
700 North Alameda Street
Los Angeles, California

The meeting was called to order by Chair Mary Ann Lutz at 9:12 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, Maribel Marin, and Dick Richardson

Board Members Absent: None.

Staff Present: Tracy Egoscue, Deborah Smith, Samuel Unger, Michael Levy, Ronji Harris, Jack Price, Jeff Ogata, Paula Rasmussen, David Hung, Cassandra Owens, Renee Purdy, Valerie Carrillo, Jenny Newman, Doug Cross, Wendy Phillips, Rod Nelson, Rebecca Christmann, L.B. Nye

Individuals whose Names Appear on the Sign-In Sheet

Ms. Karen Cowan, Larry Walker & Associates	Ms. Holly Saffold, ExxonMobil
Ms. Kirsten James, Heal the Bay	Dr. Mark Gold, Heal the Bay
Mr. Steven Perkins, ERM	Ms. Barbara Munoz, City of Signal Hill
Ms. Margaret Milman-Barris, MWH	Mr. Malcolm Pitt, Metro Ports
Ms. Susan Salinas, Teleflex, Inc.	Mr. Lewis MacAdam, Friends of the L.A. River
Mr. Richard Watson, Richard Watson & Assoc.	Mr. Gus Dembegiotes, City of Los Angeles BOS
Mr. Chris Miazon, Larry walker Associates	Mr. Diego Cadena, L.A. County DPW
Mr. Ken Hoffman, LA County Sanitation District	Ms. Shelley Luce, SMBRC
Mr. John Heintz, Latham & Watkins	Ms. Phyllis Stark, Todd Engineers
Ms. Hillary Mogler, LASOP	Ms. Marty Stevenson, Kinnetic Laboratories, Inc.
Mr. Craig George, City of Malibu	

Item 2. Order of Agenda.

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 13, to be moved to be heard immediately following the Consent Items Calendar, for speakers only. (There was no Staff presentation or voting that took place for this matter.)*

Item 3. Approval of draft meeting Minutes for July 16, 2009 meeting.

MOTION: To approve draft meeting Minutes for July 16, 2009 Board meeting.

First: Board Member Steve Blois
Second: Board Member Maria Mehranian
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 talked about State Budget issues and the cut of one third of unfilled vacancies. She also indicated that all State Board retired annuitants were relieved from their duties due to these cutbacks.

Ms. Spivy-Weber stated that the State Board will meet and vote on the Once through Cooling Draft Policy at the December 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.

- Ms. Kira Redmond, Santa Barbara ChannelKeeper
- Mr. Richard Watson, Rep. Coalition for Practical Regulation
- Mr. Craig George, City of Malibu
- Ms. Barbara Munoz, City of Signal Hill, Public Works
- Ms. Hillary Moglen, LA Stormwater Quality Partnership
- Dr. Mark Gold, Heal the Bay

Uncontested Items Calendar.

Executive Officer Tracy Egoscue announced the Consent items as follows: 7, 8, 9, 10, 11, and 12

Members asked that Item 12 be excluded from the vote for Consent because there were some questions that needed clarification prior to being voted on.

MOTION: To deem non-controversial and approve Agenda Item(s): 7, 8, 9, 10, and 11.

First: Vice Chair Madelyn Glickfeld

Second: Board Member Steve Blois

Vote: Approved by unanimous vote.

**This matter was delegated to the Executive Officer's authority, and the staff presentation waived. Public comment was allowed, and there were questions and concerns expressed by the Board, however, no voting took place for this matter.*

Item 13. Clean Water Act Section 401 Water Quality Certification, County of Los Angeles, Maintenance Clearing of Engineered earth-bottom Control Channels.

Executive Officer Tracy Egoscue briefed the board on this matter indicating under the Clean Water Act, the Board must act within 12 months after the certification or the application is deemed complete, and therefore, in July of this year (2009), the Regional Board waived the right to act on this 401.

Ms. Egoscue stated that the County is able to clear channels during the wet season as they have done for the past six years. She also clarified there are additional requirements that have been proposed by Regional Board staff, and staff has certified the application from Los Angeles County flood Control District as complete, and she proposes bringing back a Waste Discharge Requirement to the Board for further clearing in subsequent years.

Board Member Comments, and questions:

- Pleased with the feasibility studies and the requirements that were added amending the original certification
- Expressed concern about Los Angeles River and Compton Creek, Reaches 24 and 25
- Asked Mr. Mark Pestrella for the County's assurances for protecting the L.A. River and Compton Creek, and to alleviate the concerns posed by stakeholders that the lands will be dredged and bulldozed
- Asked the County to include Friends of the L.A. River and other Stakeholders in the public process
- Asked the County for clarification as to what the County has done in other areas to make sure that there's some very smart stormwater work and the provision of green space for renewing urban areas?
- Believe that the Staff Report left out important information

Mr. Mark Pestrella, Los Angeles County Department of Public Works

- Compton Creek is not designed to handle a hundred year flood
- Compton Creek has 60 year flood protection
- The County wants to continue to be stewards of the L.A. River

- The County is looking forward to cooperating with the Board and moving forward both in the water quality arena, flood protection arena, water conservation arena, and also the environmental arena

Public Comment.

- Mr. James Alamillo, Heal the Bay
- Dr. Mark Gold, Heal the Bay
- Ms. Lynn Plamback, Santa Clarita Org. for Planning & the Environment (SCOPE)
- Mr. Lewis MacAdams, Friends of the Los Angeles River

Executive officer Tracy Egoscue made clarification that she would forego the opportunity to talk about the limitations of the 401 program, in particular how it fits into the confines of the Clean Water Act, and expressed optimism that once we are under the State Law with the WDR, issues will be alleviated.

Item 12: Azusa Land Reclamation Company Landfill

The staff presentation was waived for this item.

Board concerns, questions, and discussion:

- Where are the tanks?
- Is the unlined part operational?
- Why hasn't the discharger provided the Regional Board with a Corrective Action Plan and cost estimate?
- Asked for clarification on semi-solid waste and solid waste.
- Asked for clarification of compliance.

MOTION: To adopt the permit as recommended by staff.

First: Board Member Fran Diamond

Second: Board Member Maribel Marin

Vote: Approved by unanimous vote.

INFORMATION

Item 14. Development of Water-Effect ratios (WERs) to Modify Water Quality Objectives to Reflect Site-Specific Conditions in the Los Angeles Region.

Staff Report. Ms. Renee Purdy, Basin Plan Coordinator (*Ms. Purdy made, but was not limited to the following points in her presentation.*)

- Gave background history on WERs
- Talked about factors affecting metal toxicity
- The WERs that have been adopted to date, and future WERs for future consideration
- Discussed copper limits for POTWs at Tillman, Burbank and Glendale plants
- Noted the stakeholder concerns are the need to set minimum number of sample requirements in the region, preventing degradation of existing water quality, and addressing variability

Public Comment.

- Mr. Richard Watson, Coalition for Practical Regulation
- Ms. Kirsten James, Heal the Bay
- Mr. Gus Dembegiotes, City of Los Angeles, Bureau of Sanitation
- Dr. Susan Paulsen, Coalition for Practical Regulation

Board discussion.

- Believe that there is a whole premise behind WERs
- Concerns that staff get involved early in the process and not wait until the discharger is before the Board
- Asked clarification as to whether there is the need for minimum number of samples to be set?
- An interest in seeing each watershed or water body monitored separately

The Board went into closed session at 1:30, and returned at 3:20 p.m at which time, the meeting was adjourned at 3:30 pm. The Draft Minutes may be approved, rescinded or modified at the October 1, 2009 Board meeting.

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

