



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
July 8, 2010 Board Meeting
County of Ventura Government Center
Hearing Room
300 South Victoria Avenue
Ventura, California

The meeting was called to order by Chair Mary Ann Lutz at 9:10 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, and Jeanette Lombardo

Board Members Absent: None.

Staff Present: Sam Unger, Deborah Smith, Ken Harris, Ronji Moffett, Jennifer Fordyce, Jeff Ogata, Jack Price, Paula Rasmussen, David Hung, Renee Purdy, Ginachi Amah, Jenny Newman, LB Nye, Elizabeth Erickson, Man Voong, Rebecca Chou, Ivar Ridgeway, Ejigu Solomon, Yangie Chu, Rebecca Veiga-Nascimento

Individuals whose Names Appear on the Sign-In Sheet

Ms. Jan Smith, Greater Conejo Valley Chamber	Ms. Chris Rowe, Rep. Self
Ms. Kirsten James, Heal the Bay	Ms. Ann Heil, L.A. County Sanitation District
Mr. Joseph King, Sespe Consulting	Mr. Douglas Capring, Area Housing Authority
Ms. Jill Lederer, Greater Conejo Valley Chamber	Dr. Mark Gold, Heal the Bay
Mr. Wayne Fishback, Representing self	Mr. Jim Thorsen, City of Malibu
Ms. Susie Santilena, Heal the Bay	Mr. Greg Kelly, Diamond West, Inc.
Mr. Mohammad Fatemi, City of Thousand Oaks	Ms. Lisa Austin, Geosyntec Consultants
Mr. Mark Grey, CICWQ	Ms. Tess Dunham, Somach Simmons & Dunn
Mr. Bob Bailey, CEDC	Mr. John Matthews, CEDC
Mr. Peter Weiner, The Boeing Company	Mr. Gian Villarreal, RBF Consultants
Mr. Thomas Gallagher, The Boeing Company	Mr. Bert Rapp, City of Fillmore
Mr. Arne Anselm, Ventura County Watershed Protection	Ms. Heather Merenda, City of Santa Clarita

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

Mr. Mark Pumford, City of Oxnard	Mr. Mark Subbotin, Newhall Land
Mr. Rick Jones, Harland Group	Ms. Jacqy Gamble, Las Virgenes MWD
Mr. Craig Behm, Jackson De Marco	Mr. Peter Thams, Rep. self
Mr. Fred Cunningham, Stantec	Ms. Lori Bruce, Lennar Homes, Santa Clarita
Mr. Bill O'Brien, City of Ojai	Mr. Howard Gest, Berhenn & Gest
Ms. Liz Crosson, Santa Monica Baykeeper	Mr. Vaikko Allen, Contech
Ms. Susie Santilena, Heal the Bay	Mr. Mike Merewether,
Mr. Jim Taylor, City of Thousand Oaks	Mr. Pio Lombardo, Lombardo Associates
Mr. Dale Zurawski Farm Bureau	Ms. Lucia McGovern, City of Camarillo
Mr. Craig Kahara, AMS Craig LLC	Mr. Tamar Stein, Cox Castle Nicholson LLP
Mr. Nat Cox, CA Parks & Recreation	Ms. Cindy Lin, USEPA
Mr. John Kemmerer, USEPA	Mr. Scott Uhles, RBF Consulting
Ms. Holly Schroeder, BIA	Mr. Noah Garrison, NRDC
Mr. Daniel Lee, Malcolm Pirnie	Ms. Anita Kuhlman, City of Commerce
Mr. Dan Hardy, Housing Authority, Ventura	Mr. Nick Neilson, Oxnard Harbor District
Mr. James Welsh, Heritage Valley Parks, Fillmore	Mr. Kevin Gieschen, City of Simi Valley
Mr. Mitchel Kahn, Nelson Connie Kahn & Sepulveda LLP	Mr. Henry Grahmlich, Calleguas Municipal Water District
Mr. Kevin Cayne, LWA	Mr. Ken Susilo, Geosyntec
Ms. Jean Rountree, Beacon Foundation	Ms. Rachel Morris, VC Cool Org
Mr. Frank Wu, L.A. County Flood Control District	Mr. Chuck Cohen, Alston
Ms. Barbara Macli-Ortiz	Mr. Mati Waiya, Wishtoyo Foundation, Ventura County Coastkeeper
Ms. Valerie Triliad Develop	Mr. Trevor Smith, Sierra Club
Ms. Carol Lindberg	Mr. Youn Sim, L.A. County Flood Control District
Ms. Sarah McCarthy, McCarthy Companies	Mr. Doug Nelson, Mainstreet Architects
Mr. Paul Crabtree, Crabtree Group Inc.	Mr. Bob Orlando, URS Corp – Santa Barbara
Ms. Leslie Purcen	Ms. Patty Pagaling, Pesticide Free Ojai Valley

Item 2. Order of Agenda.

Item 11, WDR for Magic Mountain LLC (Six Flags) is postponed.

Item 3. Approval of draft meeting Minutes for June 3, 2010

MOTION: To Continue the June 3, 2010 draft Meeting Minutes, because a variety of Amended Motions were omitted from the draft Meeting Minutes.

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

Item 4. Board Member Communications.

There were no communications reported by the Board that constitute disclosure for this item.

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Item 5. Executive Officers Report

Vice Chair Madelyn Glickfeld directed the IEO to bring a regular report on the Kast Site monthly.

Report and Addendum Report was given to the Board. The Report was 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. Update from State Board. (There was no Report from State Board)

Item 6. Public Forum.

- Ms. Chris Rowe, Representing self
- Ventura County Supervisor Kathy Long
- Dr. Mark Gold, Heal the Bay

Approval of Uncontested Calendar.

Interim Executive Officer Sam Unger announced the Consent items as follows: Item 8.

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

First: Board Member Jeanette Lombardo

Second: Board Member Maria Mehranian

Vote: Approved by unanimous vote.

Item 7. Termination of Waste Discharge Requirements for The Boeing Company (Santa Susana Field Lab (SSFL)) for Remediation of Volatile Organic Compounds at Land Treatment Unit.

(Staff Report was waived.)

Public Comment:

- Ms. Chris Rowe, Representing self (*No longer have objections to Boeing: Cesium is being held up.*)

Vice Chair Madelyn Glickfeld requested an update from Department of Toxic Substances Control on the removal of the waste at the site.

MOTION: To adopt the termination of Waste Discharge Requirements for Order R4-2010-0112 for The Boeing Company SSFL

First: Board Member Madelyn Glickfeld

Second: Board Member Jeanette Lombardo

Vote: Approved by unanimous vote

Item 9. Consideration of a proposed amendment to the Basin Plan to update the bacteria objectives for freshwaters designated for water contact recreation.

Staff Report. Ms. Ginachi Amah, Remedial programs unit made the staff presentation. (*Ms. Amah made but was not limited to the following points*):

- Gave background on the bacteria objectives
- Discussed the impact of the proposed action
- E-coli becomes a sole bacterial of indicator for Rec 1
- Discussed the comments received and the responses to comments
- One commenter requested the proposed amendment be revised

Public Comment.

- Dr. Mark Gold, Heal the Bay (in support)
- Ms. Ann Heil, L.A. County Sanitation District (in support)
- Mr. Howard Gest, Representing County of Los Angeles

Board comments and concerns:

- Is there a reason the indicator could not apply to Rec 2 in addition to Rec 1? Would Staff support the concept?
- Is there a reason the EPA or we have decided not to include the Rec 2?
- What is the reasoning for having a different standard?
- What would be the reason for having a different standard for Rec 2, than Rec 1?
- To recommend delegation to the EO to make a decision in as timely as possible to eliminate that duplicate measure and rely only on E. coli

MOTION: To approve staff recommendation, and add Rec 2.

First: Board member Steve Blois

Second: Board member Maria Mehranian

Ms. Ginachi amah, Regional Board staff and project manager pointed out that the fecal coliform objective for criteria is a forming objective that protects Rec 2, and therefore, we do not have a replacement where we could take out the fecal coliform objective. She indicated that it is not duplicative, but the only objective that we have for Rec 2.

AMENDED MOTION: By Board Member Steve Blois, to replace the Rec 2, then put E.coli in place of the fecal coliform.

First: Board Member Steve Blois

Second: Board Member Maria Mehranian

Vote: Approved by unanimous vote

Senior Staff Counsel Jeff Ogata told Board member Blois that this Rec 2 was not agendized, and that no one has had opportunity to comment on this matter, therefore, we would not be able to approve Rec 2 today. Secondly, he indicated that, as staff pointed out, there is no scientific basis for this right now, and there is no evidence that corresponds to appropriate findings to support the Motion for Rec 2.

Board Member Blois indicated that he wanted to withdraw his first motion, and make a new motion, to adopt staff's recommendation as presented and additionally to direct staff to bring Rec 2 redetermination back to the Board as soon as possible to be congruent with Rec 1, and in addition be sure that in any reissuance of permits and any testing of existing permits, that we do everything possible to make sure that there are no duplicative testing efforts.

First: Board member Steve Blois

Second: Board member Maria Mehranian

Vote: Approved by unanimous vote

Item 10. Consideration of proposed Basin Plan Amendment to incorporate a Total Maximum Daily Load (TMDL) for indicator Bacteria in the Santa Clara River Estuary and Reaches 3, 5, 6, and 7.

Staff Report. Ms. Jenny Newman, Unit Chief Remedial Programs gave the staff presentation for this item. *(In her presentation, she made, but was not limited to the following points.)*

- Compliance based on allowable exceedance days
- Some dischargers are concerned there are not enough sources and more data is needed
- Staff has revised to consider reconsideration on pages 10-16 and 10-17 (change sheet)
- In addition, added paragraph after first paragraph and before Table 6.2 in section 6.5 to explain how the interim LAs and MS4 WLAs are calculated

Comments from Elected Officials:

- Mayor Laurene Weste, City of Santa Clarita (opposed) *(believe the river should be a Rec 2, and need additional time)*
- Council Member Gayle Washburn, City of Fillmore (opposed) *(asked to consider excluding Rec3 and consider the economic impact on the community.)*

Public Comment.

- Ms. Ann Heil, Los Angeles County Sanitation District of Los Angeles County (in support of Change Sheet)
- Mr. James Welsh, P.E., representing Heritage Valley Parks – Fillmore (opposed) *(requested postponement for Reach 3, due to hardship of the City of Fillmore)*
- Ms. Kirsten James, Heal the Bay (in support)
- Mr. Howard Gest, Rep. County of Los Angeles (in support)
- Mr. Gerhardt Hubner, Ventura County Watershed Protection District (in support)
- Mr. Jason Weiner, Wishtoyo Foundation's Ventura Coastkeeper Program (opposed)
- Dr. Cindy Lin, USEPA (in support)

Board questions and concerns:

- Not comfortable with timeframe and would like to move the timeframe back (referred to page 10-288)
- Asked Mr. Burt Rapp: Do you believe that the timeframe and costs are reasonable?
- Is there physically anyone in the river?
- Asked clarification on the term "outfall monitoring"

MOTION: To approve staff recommendation with Change Sheet

First: Vice Chair Madelyn Glickfeld

Second: Chair Mary Ann Lutz

AMENDED MOTION: To insert flow inception, and 11 year dry weather and 17 for wet-weather (page 10-23, 8 replaced by 11, and on page 10-24, 14 to be replaced by 17)

SECOND AMENDED MOTION: Add #4 to note that interim limits do not become effective until after the 4 year compliance.

First: Chair Jeanette Lombardo

Second: Board Member Maria Mehranian

Vote: Approved. There was a Roll call Vote, of 5 to 1. Board member Madelyn Glickfeld opposed.

An AMENDMENT TO THE FIRST MOTION: To insert an amendment to remove the joint and several language and go back to the original language.

Board Member Steve Blois made this motion, and indicated that this makes sense because it sends the message to the municipalities that we're looking for them to figure out a plan before we want to hold them liable, and stated that we can work collaboratively to figure this all out. (He indicated that his motion would apply to language on page 10-18 under "MS4 Permittees."

Staff Counsel Jeff Ogata stated that it's a difficult issue to do joint and several liability. With respect to the law, we believe that the Clean Water Act does allow us to have joint and several liability. He indicated that the MS4 system can be based upon system-wide discharges, not just jurisdiction, and at the point where the permittees decide to do it that way, then they take on the responsibility for being responsible for all those co-mingled discharges.

Board Member Blois Amended his amendment to add the following language to page 10-18:

On page 10-18, at the end of the sentence, after the word "dischargers" that period changes to a comma, and then insert the language, "unless the dischargers demonstrate that their discharge did not cause or contribute to the exceedances".

First: Board member Steve Blois

Second: Board member Maria Mehranian

Vote: Roll Call vote, was approved unanimously

The Chair went back to the original Motion for a second and vote. Vice Chair Glickfeld requested add to findings for the Resolution Finding 22, page 10-6 to read, "The time schedule for this TMDL recognizes the unique economic conditions at the time of the TMDL adoption."

Motion: To approve staff recommendation with change sheet and change to findings.

First: Vice Chair Madelyn Glickfeld

Second: Chair Mary Ann Lutz

Vote: roll call vote, approved unanimously.

Item 12. Consideration of tentative Waste Discharge Requirements/Water Recycling Requirements prohibiting discharge except through irrigation at agronomic rates for Malibu La Paz, Malibu and termination of WDR Order No. R4-2010-0022.

Staff presentation. Ms. Elizabeth Erickson, Regional Board staff. (*Ms. Erickson made but was not limited to the following point in her presentation*):

- La Paz process flow
- Talked about the project history
- Discussed the irrigation plan and additional requirements for groundwater protection
- More than 7 feet of irrigation to subsurface

Mr. Don Schmitz, Representing La Paz:

- There is a good depth of groundwater
- Discussed the effluent production
- System has a recirculating treatment system
- Has UR disinfection as a redundancy backup system
- Outdoor and indoor reuse
- Annual water savings 6,900,000 gallons per year
- La Paz effluent treated to Title 22 Standards
- La Paz no discharge system is 100% water reuse, will not raise ground water levels

Public Comment.

- Dr. Mark Gold, Heal the Bay
- Ms. Liz Crosson, Santa Monica Baykeeper

Board Comments.

- Asked staff if it is agreed that La Paz's plan for use of the water is adequate?
- Is there a possibility they will truck more than they should? What do we do if they truck in excess than they should?
- When is the anticipated completion of this project?
- If La Paz were to get approved today, do you anticipate the same problems as Malibu Lumber?
- Is it feasible to reuse 14,000 gpd?
- Does staff believe that scientifically the plan for reusing that water is adequate?
- What happens if the discharger cannot reuse the water and they've got the recycling permit and WDR?
- When do you expect there will be a salt and nutrient plan in place?
- How will this system be maintained?

Staff Counsel Jeff Ogata read proposed changes or amendments as follows:

- Page 12-32, paragraph 31, to read "The discharger shall provide monthly reports of offsite trucking", and leave the word "correlate". "The Executive Officer may review these reports and make a determination if the volume removed constitutes a material change from the ROWD, and if so, reopen the permit".

- Then add, “When trucking for the entire discharge exceeds 20 days per year, the discharger shall submit a plan with the Executive Officer for storage treatment for reuse off site.
- Then add, “Every Effort shall be taken to minimize trucking by retreating the off-spec effluent”.
- On page 12-33, number J1 will read, “Sewer Connection: Effluent from system upset, which cannot be stored or used for irrigation must be discharged to a centralized facility when constructed by the City of Malibu. La Paz is in the on-site wastewater disposal prohibition area, and is subject to the waste management plan amendment if it is in effect.”
- Page 12-34, K to read, “This Order takes effect upon adoption. Startup shall not occur prior to the review and approval by the Executive Officer, ensuring that there’s an adequate plan for irrigation and water balance.”

MOTION: To approve staff recommendation with the changes and amendments stated by Staff Counsel Jeff Ogata.

First: Vice Chair Madelyn Glickfeld

Second: Board Member Steve Blois

Vote: Approved by a unanimous Roll Call vote.

Item. 13. Reconsideration of Ventura County MS4 Storm Water Permit – Discharge of Storm Water (Wet Weather) and Non-Storm Water (Dry Weather) from the Municipal Separate Storm Sewer Systems within the Ventura County Watershed Protection District, County of Ventura and the Unincorporated Cities therein; NPDES Permit No. CAS004002.

Staff Report. Ms. Renee Purdy, Chief Regional Programs section. (*In her presentation, Ms. Purdy made but was not limited to the following points.*)

- Discussed the recent history of the permit
- Discussed the new development and redevelopment criteria
- Talked about the focus of the 2009 adopted permit requirements
- There were 33 comment letters received
- Three was comment received for onsite retention, and staff disagrees that onsite retention is contrary to low impact
- Discussed the benefits of on-site retention
- Issues surrounding 30 percent EIA Cap
- Feasibility if based on limited scope study
- Staff proposed to convert the 30 percent EIA cap
- Staff proposes additional off-site mitigation for 30 percent impervious cover
- Staff recommends retaining 5 percent EIA requirement

Interested Parties.

Ventura County Supervisor Kathy Long, indicated that she is in support of the permit.

Mr. Gerhardt Hubner, Ventura County Watershed Protection (in support) stated the following:

- *Discussions and themes for the permit*
- *Discussed program achievement, and that all program elements have been improved upon*
- *Conducted BMP Construction Training and submitted and developed a Youth Outreach Plan*
- *Developed new brochures that will be displayed in stores and in Spanish*

- *Expanded Monitoring Program*
- *Ventura Storm Water monitoring costs are over \$4 million per year*

Dr. Mark Gold, Heal the Bay and Mr. Noah Garrison, National Resources Defense Council (NRDC) gave a joint presentation, made but was not limited to the following points:

- *Storm Water pollution is the largest pollution in the region*
- *New Development/Redevelopment performance criteria*
- *Permittee/NGO agreement*
- *Language inadvertently omitted*
- *Expressed that he believes this permit is weaker than the permit already approved*
- *Waters in the State are impaired; storm water is the main reason for impairment*
- *Consensus on superiority of LID practices*
- *Would not like to see the permit altered further*
- *Discussed volume-based retention requirements*
- *The permit has flood control reduction benefits*
- *LID is the most cost effective way to reduce bacteria*

Ms. Holy Schroeder, Construction Industry Coalition and Water Quality (CICWQ), Dr. Mark Grey, and Andrew Henderson, Representing Building Industry Association (BIA) gave a joint presentation.

- *Discussed LID and Conventional Stormwater Treatment options*
- *Do not believe the remand leading us here today was substantive*
- *Believe the Cap needs to be removed*

Those that were in support of Staff Recommendation:

- Mr. Trevor Smith, Sierra Club Conservation Club (Los Padres)
- Mr. William O'Brien, City of Ojai
- Mr. John Kemmerer, USEPA

Those Who were in support of BIA changes:

- Mr. Brandon Huffman, Chambers of Commerce Alliance (Ventura and Santa Barbara Counties)
- Mr. Scott Uhles, RBF Consulting
- Mr. Craig Beam, Esq.
- Ms. Dawn Dyer, Dyer Sheehan Group
- Mr. Bob bailey, Cabrillo Economic Development Corp
- Mr. Michael Lewis, Construction Industry Coalition on Water Quality
- Ms. Nancy Lindholm, Oxnard Chamber of Commerce
- Mr. Dan Hardy, City of Ventura Housing Authority
- Mr. Dale Hodges, Ojai Valley
- Ms. Diane Underhill, Ventura Citizens for Hillside Preservation
- Mr. Mark Sellers, Thousand Oaks Boulevard Property Association
- Ms. Carol Lindberg, Ventura Citizens for Hillside Preservation
- Ms. Barbara Macri-Ortiz, Rep. Low Income Clients and Affordable Housing Development
- Ms. Rachel Morris, VCCool
- Mr. Jim Welsh, Rep. Heritage Valley Parks, - Fillmore, L.P.
- Ms. Valerie Draeger, Rep. Jobs in Ventura County

- Ms. Leslie Purcell, Rep. self
- Mr. Ryan Minniear, California Apartment Association

Those In Support of 2009 Permit:

- Mr. Jason Weiner, Wishtoyo Foundation's Ventura Coastkeeper (*Expressed that he is in support of the 2009 permit, and opposed to the BIA changes*)
- Ms. Patty Pagaling, City of Ojai Valley
- Mr. Mati Waiya, Wishtoyo - Chumash Native Americal

Neither Position:

Mr. Ron Bottorff, Friends of the Santa Clara River, *indicated that he supports the comments made by Heal the Bay, and NRDC*)

Board questions, concerns and comments:

- Asked representatives of Cities in Ventura if they believe they will be able to meet low-income housing developments with the LID?
- Believe bio-filtration can help get the job done
- Do not relish closing the door on BMP, and bio-filtration can make a difference in water quality
- Impressed with collaboration between the county, the cities, EPA, and the NGOs.

Senior Staff Counsel Jennifer Fordyce stated that she had comments in regards to concerns raised by Gerhardt Hubner during the Ventura County presentation about non-substantive changes referred to regarding the TMDL's mantra recording. There are a number of simple typo corrections to some of the monitoring changes the Interim EO can actually change.

Ms. Renee Purdy, Chief of Regional Programs section note the changes as follows:

- Section 5-B-1 that reads, "Compliance with the waste load allocations is to be determined through receiving water monitoring conducted in accordance with the Santa Clara River" and it says "Nitrogen TMDL monitoring programs", but should say "Chloride TMDL monitoring programs" instead. (replace nitrogen with the word chloride)
- The second is Section 7-A, Table 12, the limit for 44DD in Arroyo Simi should be 14, but it's currently listed at 140. (14 replaces the 140)
- In Section 8-A-2, Table 14, that table title says "Mask Base Waste Load allocations for Copper, Nickel, and Selenium", and it should say "Interim Mask Base Waste Load allocations for Mercury".
- In Section 9-A-2 currently says "The waste load allocations are to be achieved no later than January 26, 2010". That should read "The Winter dry weather". Inserted, it would read ""Winder dry weather waste load allocations are to be achieved no later than January 24, 2012 (not January 24, 2026).
- The last change is Section 12-C , and it currently reads, "The monitoring program is to be submitted within six months ", but it actually should be "one year".

Chair MaryAnn Lutz instructed the Interim EO to make the typo corrections.

MOTION: Asks that we continue the sustainability that this effort of this permit is embracing, and made a Motion to adopt the Ventura Stormwater permit , with the changes as proposed by staff.

First: Board member Fran Diamond
Second: Vice Chair Madelyn Glickfeld

MOTION: To adopt the permit, adding BIA suggestive language to staff change sheet, and approve staff recommendation with change sheet.

Board Member Steve Blois stated that he supported the Motion by Board member Diamond, but wanted to add the BIA language because it would allow additional flexibility. He indicated that this is not an amendment to the motion by Board member Diamond, but that he was commenting on her motion.

Board Member Maria Mehranian suggested adding language in to Board Member Blois' motion offering biofiltration as an addition to the tool box considering it a possible on-site mitigation measure specifically for compact high density development designated to low income housing,. (to the change sheet)

There was much discussion by the Board on these issues. After much discussion, Board member made an amended motion to add to the Motion by Board Member Fran Diamond to add language to the Change Sheet the following:

- At paragraph 2, (after paragraph 1) to read, "The project must take all feasible measures to further reduce the on-site protective impervious area including utilizing properly engineered and maintained biofiltration systems. Any project unable to reduce the percentage of effective impervious areas to no more than 5 percent utilizing on-site biofiltration must comply with sub part 4.E.3.2.C(3)."
- The other addition is in paragraph 3, adding after the evapotranspired and/or biofilter.

On Page 13-71, Staff Counsel Jennifer Fordyce clarified that Renee Purdy would read the replacement of E.I.A.'s adjusted changes.

Section 1-B determines how EIA limitation is met. If on-site retention is determined to be technically infeasible through the method that we have later in paragraph two, then you can either use on-site biofiltration system that achieves the same stormwater volume and pollutant load reduction as would have been achieved by an on-site retention system. This satisfies the E.I.A. limitation.

Board member Fran Diamond indicated that the changes were confusing, and made a motion again to accept the staff recommendation with the change sheet.

Board Member Maria Mehranian made another motion to accept staff recommendation with the change sheet, and to include the biofiltration as a measure.

Vice Chair Glickfeld indicated that she supports Board Member diamond's recommendations.

Board member Jeanette Lombardo indicated that she is in agreement with Board Member Steve Blois and believes she can support the new language, and she believes that biofiltration needs to be in the change sheet language.

Chair Lutz asked for a Roll Call vote on the first Motion proposed by Board member Fran Diamond.

MOTION: To accept the staff recommendation and the change sheet correcting the typographical errors.

Board Member Steve Blois made a motion to vote on the unfriendly amendment the motion by Board Member Diamond, who did not accept his motion. However, his motion was seconded by Board member Jeanette Lombardo to vote the new language into the change sheet with staff recommended changes.

Chair Lutz asked for a Roll Call vote:

Mr. Blois – Yes
Ms. Diamond – No
Ms. Glickfeld – No
Ms. Lombardo – Yes
Ms. Lutz – Yes
Ms. Mehranian – Yes

The vote is 4 to 2 in favor of the Amendment made by Board Member Steve Blois, and seconded by Board Member Jeanette Lombardo

Motion to vote on staff's recommended language changes, to be inserted into the primary motion of the permit as amended. Chair Lutz asked for a Roll Call vote:

Mr. Blois – Aye
Ms. Diamond – Yes
Ms. Glickfeld – No
Ms. Lombardo – Yes
Ms. Lutz – Yes
Ms. Mehranian – Yes

The motion carried by a 5 to 1 vote.

The Board meeting was adjourned at 10:54 pm Draft Minutes may be approved, rescinded or modified at the September 2, 2010 Regional Board meeting

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