



Los Angeles Regional Water Quality Control Board

Meeting Minutes

Los Regional Water Quality Control Board
 April 5, 2012
 Metropolitan Water District of Southern California
 700 North Alameda Street
 Los Angeles, California

The meeting was called to Order by Maria Mehranian at 9:17 am.

Item 1. Roll Call.

Board Members Present: Maria Camacho, Fran Diamond, Madelyn Glickfeld, Mary Ann Lutz, Maria Mehranian, Irma Muñoz, and Lawrence Yee

Board Members Absent: Charles Stringer

Staff Present: Sam Unger, Deborah Smith, Paula Rasmussen, Ronji Moffett, Jennifer Fordyce, Alex Carlos, Frances McChesney, David Hung, Renee Purdy, Cassandra Owens, Hugh Marley, Michael Lyons, Rosario Aston, Brandi Outwin-Beals, Russ Colby, Dr. Yue Rong, Dr. Arthur Heath, Rebecca Christmann, Mazhar Ali, Dixon Oriola, Ivar Ridgeway, Nicholas Martorano, Dr. L.B. Nye

Individuals whose Names Appear on the Sign-In Sheet and/or Speaker Cards

Ms. Kirsten James, Heal the Bay	Ms. Kathleen McGovern, Consultant
Ms. Susie Santilena, Heal the Bay	Mr. Matt Carpenter, Newhall Land
Ms. Liz Crosson, Santa Monica Baykeeper	Ms. Ann Heil, L.A. County Sanitation District
Ms. Holly Schroeder, Building Industry Association	Mr. Shannon Bishop, Los Angeles County Sanitation District
Mr. Frank Wu, L.A. County DPW	Mr. Fredy Bonilla, City of Cerritos
Ms. Heather Maloney, City of Monrovia	Ms. Latoya Cyrus, Consultant
Mr. Tony Lewis, Los Angeles County Fire Dept.	Mr. Mike Shay, City of Redondo Beach
Mr. Richard Watson, Richard Watson Associates	Ms. Janna Masi, City of Commerce
Mr. Jim Ciampa, Consultant	Mr. Jim Frawley, San Marino Fire Department
Mr. Cody Howing, RKA Consulting Group	Ms. Heather Merenda, City of Santa Clarita
Mr. Dennis Luppens, City of Santa Clarita	Mr. Stephen Mejia, Member of the public
Ms. Donna Yamini, DSY Eastern Properties, LLC	Mr. Harold Williams, Member of the public
Ms. Tha Yin, Member of the public	Ms. Tatiana Gaur, Santa Monica Baykeeper
Mr. Lee Huang, City of Los Angeles	Mr. Baylor Gibson, Environmental Consultant
Mr. Mark Pumford, City of Oxnard	Mr. Steve Zacks, Lehigh Hanson
Mr. Neill Brower, Rep. G & M Oil	Mr. Tony Goff, Calleguas Municipal Water District
Mr. Rene Juarez, Member of the public	Ms. Hannah Koo, L.A. County Public Works

MARIA MEHRANIAN, CHAIR | SAM UNGER, EXECUTIVE OFFICER

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Mr. Joe Bellomo, Cities of Agoura Hills and Westlake Village Ms. Julie Carver, City of Pomona Ms. Meg McWade, City of Pomona Ms. Vivian Castro, City of Covina Mr. Mike Solomon, United Water Conservation District and Ventura County Mr. Ray Tahir, Consultant Mr. Noah Garrison, NRDC Mr. David Kimbrough, ACWA/CWA Ms. Katherine Rubin, L.A County DWP Ms. Marty Adams, L.A. County DWP Mr. James Parsegian, Office of the State Fire Marshall Mr. Shahram Kharaghani, City of Los Angeles - Sanitation	Ms. Ashli Desai, Latham Watkins Associates Mr. Vaikko Allen, Contech Mr. John Dettle, Torrance and L.A. Permit Group Ms. Nicole Solano, City of Covina Mr. David McNeill, Baldwin Hills Conservancy Mr. Damon Nagami, NRDC Ms. Lark Galloway-Gilliam, Rep. CHC Mr. Michael Blum, Malibu Surfing Association Mr. Mark Grey, Construction Industry Coalition WQ Mr. Gary Hildebrand, L.A. County Flood Control Mr. Jason Wen, City of Downey Mr. Bart Koch, Metropolitan Water District Mr. Andy Bill, Fire Protection Mr. Kevin Smith, Rep. L.A. Area Fire Chiefs
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Item 2. Order of Agenda.

There were no changes to the Order of Agenda.

Item 3. Approval of draft meeting Minutes for the March 1, 2012 Board meeting.

MOTION: To approve the draft meeting Minutes for March 1, 2012 meeting.

- First: Board Member Laurence Yee
- Second: Board Member Maria Camacho
- Vote: Approved by unanimous vote

Item 4. Board Member Communications.

There were no communications that constituted disclosure.

Item 5a. Executive Officer's Report. *(Presented by Executive Officer, Samuel Unger.)*

Report and Addendum Report was given to the Board. The Report was posted on the Board's website: <http://www.waterboards.ca.gov/losangeles>

Item 5b. Enforcement Report.

There was no oral report presented during this meeting.

Item 6. Update from State Board. This Report was made by liaison and State Board member Fran Spivy-Weber. Ms. Weber made but was not limited to the following comments:

- Briefly discussed the Steinberg Bill that would create Board reorganization from a nine member Board to a seven member Board, and would eliminate the Board in Imperial.
- There will be a Water Quality Coordinating Committee meeting (WQCC) in November 2012, but no date has been set yet for this 2-day meeting. During this meeting the focus will be on Statewide Groundwater Policy, and the board's feedback is desired.

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- State Board will conduct a UST Low threat Policy hearing in May 2012
- There is no anticipation that there will be a late budget this year
- State Board held a staff Workshop on the latest Septics Policy. State Board will hold a hearing for this on June 19, 2012. The finalizing will not take place until early 2013. The City of Los Angeles has concerns with issues in the Policy.

Item 7. Public Forum Speakers.

- Mr. Mike Solomon, United Water Conservation District
- Ms. Hannah Koo, LA County Department of Public Works
- Mr. Bruce Hamamoto, LA County Department of Public Works
- Mr. David McNeill, Baldwin Hills Conservancy
- Mr. Damon Nagami, NRDC
- Ms. Lark Galloway-Gilliam, CHC

Approval of Uncontested Calendar.

Executive Officer Sam Unger announced the Consent items as follows: Items 8, 9, 10, 11, 12, 13, 14, 15, 17.1 and 17.2

MOTION: To deem non-controversial and approve Agenda Item(s): Items 8, 9, 10, 11, 12, 13, 14, 15, 17.1 and 17.2.

First: Board Member Mary Ann Lutz
Second: Board Member Lawrence Yee
Vote: Approved by unanimous vote

Item 18. Consideration of tentative Cease and Desist Order (CDO) requiring City of Avalon to cease and desist alleged discharges of waste in violation of requirements in Regional Board Order No; R4-2008-0028 and State Water Board Order No. 2006-0003-WQ.

Staff Report by Mr. Russ Colby, Enforcement Unit. *(Mr. Colby made, but was not limited to the following points in his presentation.)*

- Avalon is home to 3,800 residents
- The beach is often posted safe for swimming
- Discussed the SSO history
- Highlighted the requirements in the CDO
- Heal the Bay expressed support but requested accelerated sampling

Mr. Charlie Wagner, Representing City of Avalon. *(Mr. Wagner made, but was not limited to the following points during his presentation.)*

- The City has worked on a series of public improvements
- The City is currently spending \$5.8 million on public improvements
- On Tuesday April 3, 2012, the City Council authorized another \$450,000 to spend to come into compliance with the Order
- The six sanitary sewer overflows did not happen at Avalon beach
- The City has invited Heal the Bay to see the work and improvements, and Heal the Bay has accepted the invitation.

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Public Comment:

- Ms. Kirsten James, Heal the Bay (in support, but asked that the “geometric mean” is added as a “rolling geometric mean”.
- Ms. Tatiana Gaur, Santa Monica Baykeeper (Concerns and prefers that regional board staff will use another reference beach for bacterial TMDL)

Board Comments:

- Asked staff to go back and use another reference beach
- Asked that the CDO include a reopener
- What happens if the groundwater stays polluted for a longer period of time?
- Would like to make the studies mandatory and not voluntary
- What is staff's position on 3-day testing rather than daily testing?

MOTION: To adopt the Cease and Desist Order with the following changes:

- Include a reopener
- Include mandatory Ground Water Studies
- Incorporate the rolling geometric mean as a standard
- Revise Paragraph 31 to change sampling from every day to every 3 days

First: Board Member Madelyn Glickfeld

Second: Board Member Maria Camacho

Vote: Approved by unanimous vote

Closed session break was taken at 12:55 pm. The meeting reconvened at 2:10 pm

Due to time constraints, Item 19, the informational overview by the Signal Hill, on the City's illicit connection/illicit discharge program...was continued to a future meeting.

Item 16. Consideration of tentative Resolution adopting the Petroleum Underground Storage Tank Fund, Emergency, Abandoned, and Recalcitrant (EAR) Account Fiscal Year 2012-2013, Annual Priority List for Los Angeles Region.

Staff Report. Dr. Yue Rong gave the staff presentation. *(Dr. Rong made, but was not limited to the following points during his presentation.)*

- Clarified that the Cleanup fund is a reimbursement account that does not require pay-back
- Discussed the EAR nomination process
- Discussed the next steps
- Regional Board staff will oversee the field-work
- Gave clarification of the purpose of this year's nominations
- Gave an overview of the public comments and staff's responses

Comment from Mr. Steve Linder, representing USEPA, Region IX, UST Program. *(Mr. Linder made, but was not limited to the following remarks)*

- Gave clarification of 500 leaking UST sites that had been dedicated some of the federal funding
- The majority of tanks in these areas were over 15 years old
- The area is economically disadvantaged
- There was some difficulty getting the sites approved in advance for the year

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Public comment.

- Mr. Rene Juarez (daughter translated for him), Business owner
- Mr. Neill Brower, Representing G & M Oil, and Mr. George Pearson
- Ms. Donna Yamini, Esq. and Mr. Elias Donay
- Mr. Steve Zacks, Representing Mr. Lehigh Hanson
- Mr. Tha Yin, Representing self

MOTION: To approve the tentative Resolution adopting the Petroleum Underground Storage Tank Fund.

First: Board Member Fran Diamond

Second: Board Member Mary Ann Lutz

Vote: Approved by unanimous vote

Item 20. The Regional Board conducted a Workshop on the issuance of a new Los Angeles County Municipal Separate Storm Sewer System (MS4) NPDES Permit. Staff made presentations on provisions related to Non-stormwater discharges through the MS4 and Minimum Control Measures (MCMs) as was previously outlined in the staff working proposal. Permittees and interested persons were given the opportunity to make oral comments that were subject to time limits. A joint presentation was given by Ms. Renee Purdy, Chief, and Ivar Ridgeway, Unit Chief, which covered the background, the permit structure, and three working proposals. No action or voting took place during this workshop. The following individuals and representatives made comments during the workshop:

Commenters:

- Mr. Shahram Kharaghani, City of Los Angeles Bureau of Sanitation (non-stormwater discharges)
- Mr. James Parsegian, Office of the State Dire Marshall (non-stormwater discharges)
- Mr. Kevin Smith, fire Chief, El Segundo Fire Department) (non-stormwater discharges)
- Mr. Andy Bill, Representing 24/7 Fire Protection (non-stormwater discharges)
- Mr. Ray Tahir, TEC Environmental Consultants (non-stormwater discharges)
- Mr. Bart Koch, Metropolitan Water District (non-stormwater discharges)
- Mr. Marty Adams, Los Angeles Department of Water and Power (non-stormwater discharges)
- Mr. Jason Wen, City of Downey (non-stormwater discharges)
- Mr. Gary Hildebrand, L.A. County Flood Control District (non-stormwater discharges)
- Mr. David Kimbrough, Pasadena Water and Power (non-stormwater discharges)
- Ms. Tatiana Gaur, Santa Monica BayKeeper (non-stormwater discharges)
- LA Permit Group (Heather Maloney, Joe Bellomo, John Dettle) (non-stormwater discharges)
- Mr. Michael Blum, Malibu Surfing
- Ms. Holly Schroeder, Building Industry Association (MCMs)
- Mr. Noah Garrison, National Resources Defense Council (MCMs)
- Ms. Kirsten James, Heal the Bay (MCMs)
- Ms. Tatiana Gaur, Santa Monica Baykeeper (MCMs)
- Mr. Richard Watson, City of Signal Hills (MCMs)
- Mr. Mark Grey, Construction Industry Coalition on Water Quality (MCMs)
- Mr. Ray Tahir, TEC Consultants (MCMs)
- Mr. Frank Wu, County of Los Angeles DPW (MCMs)
- L.A. Permit Group (Heather Maloney, Joe Bellomo, John Dettle) (MCMs)

(Board Member Mary Ann Lutz recused herself, and left the meeting prior to the start of the MS4 workshop item.)

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(For more detailed information on any matter at our meetings, you may contact Ronji Moffett at (213) 576-6612 or rmoffett@waterboards.ca.gov and she may provide an electronic copy of the transcript or audio.)

The meeting was adjourned at 6:37 p.m.

Written and submitted by:  then finalized on

Ronji R. Moffett

5/04/12