
Los Angeles Regional Water Quality Control Board

Meeting Minutes

Video and Teleconference Meeting Only

No Physical Meeting Location

(Authorized by Government Code section 11133
and Executive Order [N-1-22](#))

March 10, 2022

Chair Yee called the meeting to order at 9:02 a.m.

Chair Yee explained the process for participation in the virtual meeting, noting that for those who only want to listen or watch the meeting, the Board's customary webcast was available and that the Board has Spanish translation services available through the Zoom platform, for those who want to listen or participate in the meeting in Spanish. He provided instructions on how to join the Zoom meeting for those wishing to provide comments on an agenda item, and he announced that the meeting was being recorded.

Language Translation Instructions: Aldo Renteria provided instructions on how to participate in the meeting in Spanish.

Item 1 – Roll Call

Board Members Present: Norma Camacho, Marissa Christiansen, Michael Méndez, Irma Muñoz, David Nahai, James Stahl and Lawrence Yee

Note: Irma Muñoz departed early at 1:50 p.m. and Marissa Christiansen departed early at 4:27 p.m. (after announcing that she was voluntarily recusing herself from Item 11)

Staff Present: Renee Purdy, Jenny Newman, Hugh Marley, Helen Rowe, Gerardo Rabelo, Khalid Abdullah, Tamarin Austin, Sophie Froelich, Frances McChesney, LB Nye, Russ Colby, Yue Rong, Arthur Heath, Jeong-Hee Lim, Milasol Gaslan, Susana Lagudis, Stefani Daryanto, Adam Taing, Bronwyn Kelly, Arman Toumari, Jun Zhu and Kangshi Wang.

Item 2 – Order of Agenda

Items 1 – 8 were addressed in order followed by Item 12 Closed Session (part 1) then Items 10, 9, 11, and Closed Session (part 2).

Item 3 – Approval of Draft Meeting Minutes for the February 10, 2022, Meeting

MOTION: Board member Nahai made a motion to approve the February 10, 2022, draft meeting minutes.

Seconded by: Vice Chair Stahl

Motion carried: Approved by roll call vote.

Norma Camacho – Yea

Marissa Christiansen – Yea

Michael Méndez – Yea

Irma Muñoz – Yea

David Nahai – Yea

James Stahl – Yea

Lawrence Yee - Yea

Item 4 – Board Member Communications

- a. Ex Parte Disclosure (Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code section 11430.40.)

Board member Nahai reported on two ex parte communications.

- He received a telephone call from Ms. Christine Rowe. She was a speaker for Item 13 at the February 10, 2022, Board meeting regarding the renewal of The Boeing Company's NPDES Permit for discharges from the Santa Susana Field Laboratory. Board member Nahai knows Ms. Rowe from his prior association with LADWP. Ms. Rowe wanted to discuss the Boeing matter. Board member Nahai informed her that it is a pending matter, and therefore, they could not discuss it. Ms. Rowe agreed, and their conversation was immediately terminated. She did not attempt to engage him in a conversation regarding the Boeing permit. Board member Nahai thanked Ms. Rowe for her sensitivity to this matter.
- He received an email from the group Agua Dulce Town Council. He did not read the email. Board member Nahai forwarded the email to the Executive Officer, Renee Purdy.

Legal counsel Tamarin Austin made a statement clarifying that the Agua Dulce Town Council comments occurred after the adoption of a permit. There was no pending matter before the Board and therefore the comments were not ex parte communications.

Board member Camacho reported on the following:

- On February 15, 2022, she received an email from Ventura County Supervisor Linda Parks, which attached a copy of the comments made by Supervisor Parks at the February 10, 2022, meeting. Supervisor Parks informed Board member Camacho that her opening remarks made during the February 10, 2022, Board meeting were briefly cut off, and that she wanted to ensure that her acknowledgement of Board member Camacho's appointment to the Board was received. Board member Camacho thanked Supervisor Parks for her recognition.

- b. Board Member Reports (The Board Members may discuss communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction.)

Vice Chair Stahl reported on the following:

- On Thursday, February 17, 2022, he attended the Santa Monica Bay Restoration Commission Governing Board meeting. The workplan for the upcoming year was discussed. Additionally, information was provided on a report released on the July 11, 2021, spill at Hyperion.

Chair Yee reported on the following:

- On Monday, March 7, 2022, he participated in the monthly Water Boards Chairs' call. Karl Longley from the Central Valley Water Board will be honored and recognized for 30 years of service during a special event in April 2022.

Item 5 – Executive Officer's Report

The EO reported on the following items:

- *Groundwater and surface water nitrogen transport model for the Ventura River Watershed*
 - On March 2 and 4, 2022, a two-day technical webinar and training seminar was held on the transport model.
 - The State Water Board and Regional Water Board are soliciting comments on, and data related to, the groundwater and surface water model. The deadline for comments is April 1, 2022.
 - The Ventura River Watershed nitrogen transport companion model is scheduled for release in the Fall of 2022.
- *Update on Groundwater Cleanup and Water Recycling Projects*
 - On February 28, 2022, staff from the Site Cleanup Program and Groundwater Permitting Program participated in a meeting with the Division of Financial Assistance to provide information and input on how and where to direct funding for water projects identified in the Budget Act of 2021.
 - A meeting is schedule for the week of March 14, 2022, with the Site Cleanup Subaccount Program to discuss a potential list of sites and projects.
- *Update on Dominquez Channel Hydrogen Sulfide Odor*
 - A Notice of Violation was issued earlier this year, which identified violations related to the unauthorized discharge of waste and failure to apply for coverage under the State Water Board's General Permit for Storm Water Discharges from Industrial Activities. To date, the operator has still not applied for coverage.
 - Regional Water Board staff is closely monitoring and inspecting the facility to ensure that stormwater is not discharged to the storm drain or to Dominquez Channel. The facility was inspected during the week of March 7, 2022.

- Clean-up operations are underway, but not complete. The onsite storm drains remain blocked, any stormwater generated onsite is pumped into large on-site containers. The stormwater is tested prior to off-site disposal.
- The investigation is ongoing under the enforcement program.
- **Update on Carson Sanitary Sewer Overflow (SSO)**
 - On February 3, 2022, Hugh Marley, AEO issued a Notice of Violation to Los Angeles County Sanitation Districts (LACSD) for violations of terms and requirements of the State Water Board's General Waste Discharge Requirements for Sanitary Sewer Systems and the unauthorized discharge of untreated sewage to Dominguez Channel.
 - On February 4 and 11, 2022, LACSD submitted technical reports as required by their NPDES permit for the Joint Plant and as required by the Sanitary Sewer System Waste Discharge Requirements.
 - Staff is reviewing the technical reports.
- **Staff Presentation on Los Angeles Water Board staff oversight of the Statewide Sanitary Sewer System WDRs:** Russ Colby, Compliance and Enforcement Section Manager

Chair Yee opened the floor for any comments or questions.

Board member Méndez and Vice Chair Stahl made comments and asked questions. Responses to questions were made by Hugh Marley, AEO.

Item 6 – Update from State Water Board Liaison Laurel Firestone

The State Water Board Liaison provided an update of the following items:

- **Update on the New Sanitary Sewer Systems Waste Discharge Requirements General Order Reissuance.**
 - On March 15, 2022, the State Water Board will hold a public workshop. The public comment period on the current draft ends on April 8, 2022.
 - The proposed issues, changes or additional requirements under consideration are augmenting the existing system condition assessment requirements to observe for exfiltration and prioritize remediation accordingly, and address system resilience.
- **Update on Groundwater Cleanup and Water Recycling Programs**
 - On Tuesday, March 15, 2022, the State Water Board is considering adoption of amendments to the existing Intended Use Plan for \$650 million for drinking water and \$650 million for wastewater, and the guidelines specific to additional funding allocated this fiscal year.
- **Update on the Drinking Water and Wastewater Arrearages Payment Program**
 - In the first six (6) months of the program, 100% percent of eligible debt was paid. Payment amounts totaled over \$300 million.
 - Applications are open for wastewater system arrearages. Applications must be submitted by April 1, 2022.
- **Update on the New Safer Advisory Group**
 - On March 3, 2022, the State Water Board hosted a meeting for the group.

The meeting focused on the drinking water needs assessment and an expanded community outreach and engagement strategy, including funding for more grassroots communities' capacity for outreach and engagement.

- The needs assessment for 2022 includes estimated cost for resilience, and drought preparedness and expands the evaluation to all systems not just small systems.
- *CEQA Public Scoping Meeting*
 - On February 18, 2022, the State Water Board held a meeting for the proposed water quality control policy, supporting the development of site-specific water quality objectives for copper and zinc in freshwater bodies in California using the Biotic Ligand Model.
 - On March 7, 2022, the public comment period ended.
- *Board Workshop*
 - On March 16, 2022, the State Water Board will host a workshop discussing the current status of Sacramento River salmon species and Sacramento River temperature management considerations. The workshop will focus on hydrologic conditions, including operations of the Central Valley project, forecasting, and accounting; status of the Sacramento River Chinook Salmon; assessment of temperature-dependent modeling and results; and policy considerations including tribal issues, environmental justice, and other tradeoffs and considerations.
- *March 2022, Water Data Month*
 - The State Water Board is launching a 2022 College of Water informatics workshop series. Every day in the month of March, the series will highlight a different information visualization tool.

Chair Yee opened the floor for any comments or questions.

Board member Muñoz made comments and asked Ms. Firestone questions.

Break 9:55 a.m. to 10:00 a.m.

Item 7 – Public Forum

Speakers:

- Councilmember Steven Gama, City of Hueneme
- Councilmember Laura Hernandez, City of Hueneme
- Robert Ferrante, Chief Engineer and General Manager, LACSD

Chair Yee opened the floor for any comments and questions.

Board members Muñoz, Camacho and Méndez, and Vice Chair Stahl asked Robert Ferrante questions regarding his status update on the December 30, 2021, Carson sewage spill.

Legal counsel Sophie Froelich reminded Board members that the ongoing enforcement action is pending, and some questions asked of Robert Ferrante borders on investigatory questions that are within the realm of the prosecution team to investigate. She cautioned

Board members not to ask these types of questions. Ms. Froelich encouraged the Board to ask factual questions.

Response to questions from Board member Méndez were made by Renee Purdy, EO.

Chair Yee asked if it would be appropriate to hold a workshop after the investigations are over to collectively discuss what has been learned from the past emergencies. The EO agreed a workshop after the investigations are over would be a good idea.

Speakers (cont.)

- Laura Oergel, Surfrider Foundation Ventura County Chapter
- Bill Hickman, Surfrider Foundation
- Joan Tharp, Friends of Ormond Beach
- Tevin Schmitt, Wishtoyo Foundation
- Daniel Hulst, Ventura Land Trust
- Joy Kobayashi, Earth Alert
- Annelisa Moe, Heal the Bay

Chair Yee opened the floor for any comments and questions.

Board members Muñoz, Nahai, Camacho, and Christiansen and Chair Yee made comments and asked questions.

Responses to questions were made by Renee Purdy, Jenny Newman and Ivar Ridgeway.

Speakers (cont.)

- Ray Tahir, TECS Environmental
- Vanessa Hernandez, FGH Retail Services

Legal counsel Sophie Froelich addressed comments made by Mr. Ray Tahir regarding the Boeing Santa Susana Field Laboratory Permit, stating that this is a pending matter and was an improper ex parte communication.

Chair Yee concluded by apologizing for the cancellation of Public Forum at the February 10, 2022, Board meeting.

Item 8 – Consideration of a proposed Basin Plan amendment to incorporate three new beneficial use definitions - tribal tradition and culture (CUL), tribal subsistence fishing (T- SUB), and subsistence fishing (SUB).

Chair Yee administered the oath.

Item Introduction: Dr. LB Nye, Regional Programs Section Manager

Staff Presentation: Dr. Stefani Daryanto, Senior Environmental Scientist (Specialist)

Speakers:

- Matthew Teutimez, Gabrieleno Band of Mission Indians-Kizh Nation
- Gabriella Lassos, Sacred Places Institute for Indigenous People
- Benjamin Harris, Los Angeles Waterkeeper

Chair Yee opened the floor for any comments, questions and deliberation. At the conclusion of questions and deliberation, Chair Yee asked for a Motion and a Second, and then asked for a Roll Call vote.

Board members Nahai, Christiansen, Camacho, Méndez, Vice Chair Stahl and Chair Yee made comments and asked questions.

Responses to questions were made by Dr. LB Nye and Renee Purdy, EO.

MOTION: Vice Chair Stahl made a motion to approve Item 8.

Seconded by: Board member Muñoz

Motion carried: Approved by roll call vote.

Norma Camacho – Yea
Marissa Christiansen - Yea
Michael Méndez - Yea
Irma Muñoz – Yea
David Nahai - Yea
James Stahl – Yea
Lawrence Yee – Yea

Lunch Break 12:05 p.m. to 12:30 p.m.

Item 12 – Closed Session (part 1)

Legal counsel Tamarin Austin announced the Board was going into closed session to discuss Items 12(m), 12(q) and/or petitions to the State Water Board, pursuant to Government Code, section 11126, subd. (e)(2)(A) and 11126, subd. (e)(2)(C)(1).

(Board Members Yee, Stahl, Christiansen, Camacho, Mendez and Nahai went into closed session from 12:30 p.m. to 1:25 p.m.)

Item 10 – Information Item

Discussion of Cleanup and Abatement Order No. R4-2021-0038, pertaining to the Garfield Express site in the City of Lynwood (the City of Lynwood provided an update and thanked Board staff for their efforts.)

Speakers:

- Councilmember Maricela Santana, City of Lynwood
- City Manager Ernie Hernandez, City of Lynwood
- Councilmember Oscar Flores, City of Lynwood
- Matthew Johnson, Senior Deputy, Supervisor Janice Hahn, 4th District
- Adrian Landa, Field Representative, Office of Assembly Member Anthony Rendon, 63rd District
- Carl Middleton, Northgate Markets

Item 9 – Consideration of a proposed Basin Plan amendment to adopt the Total Maximum Daily Load for Indicator Bacteria in Los Cerritos Channel and Estuary, Alamitos Bay, and Colorado Lagoon, and to Suspend the Recreational Uses in Los Cerritos Channel during Unsafe Wet Weather Conditions

Chair Yee administered the oath.

Staff Presentation: Jun Zhu, Supervisor, Senior Environmental Scientist

Speakers:

- Vice Mayor Steve Croft, City of Lakewood
- Richard Watson & Associates/MS4 Permittees in Los Cerritos Channel Watershed Group
- Melissa You, City of Long Beach
- Ewelina Mutkowska, Ventura County Public Works Agency
- Christopher Wessel, Geosyntec Consultants (on behalf of Beach Cities WMG)
- Chris Minton, Larry Walker Associates (on behalf of Malibu Creek Watershed EWMP Group)
- Darin Seegmiller, City of Santa Clarita
- Annelisa Moe, Heal the Bay

Chair Yee opened the floor for any comments, questions and deliberation. At the conclusion of questions and deliberation, Chair Yee asked for a Motion and a Second, and then asked for a Roll Call vote.

Vice Chair Stahl, Board members Nahai, Camacho, Christiansen and Chair Yee made comments and asked questions.

Responses to questions were made by Jenny Newman, AEO, Dr. LB Nye, Jun Zhu and Renee Purdy, EO.

MOTION: Board member Nahai made a motion to approve Item 9.
Seconded by: Board member Christiansen

MOTION: Board member Camacho made a motion for a “friendly amendment” to the motion on the floor.
Seconded by: Board member Christiansen

Board Recess taken 3:50 p.m. to 4:10 p.m. to craft “friendly amendment” language to the motion on the floor from Board member Camacho.

A proposed amendment by Board member Camacho to add language to the resolution was explained and stated by Renee Purdy, EO.

Board member Camacho agreed with the proposed amendment language. She asked a question regarding the effective the date of the TMDL as it relates to scheduling a workshop.

Board member Nahai asked if the Board could direct the Executive Officer to hold the public workshop within six (6) months following the approval of Item 9. He also requested additional input to the resolution.

Board member Camacho agreed with the suggested changes from Board member Nahai

as satisfactory.

Motion carried: Approved by roll call vote

Norma Camacho – Yea
Marissa Christiansen - Yea
Michael Méndez - Yea
Irma Muñoz – Absent
David Nahai - Yea
James Stahl – Yea
Lawrence Yee – Yea

Item 11 – Information Item

Request from AES Redondo Beach, LLC for reconsideration of a Time Schedule Order for Redondo Beach Generating Station.

Board member Christiansen made a statement and voluntarily recused herself from the proceedings on contested Item 11.

Item Introduction: Renee Purdy, Executive Officer

Speakers:

- Lorraine Paskett, AES
- Michael Lyons, MBC Aquatic Sciences (consultant for AES)
- Weikko Wirta, AES
- Sean Silva, CREED LA
- Sam Nieto
- Ariel Whitson, Tree People
- Fermin Oliva
- Gus Torres, UA Local 250
- Albert Duarte Ironworkers Local 416
- Abel Cortinas, Smart Local 105
- Annelisa Moe, Heal the Bay
- Nick Ghirelli
- Michael Webb

Legal counsel Sophie Froelich addressed the Board members. She explained the process of what would take place if the Board decided to give Regional Water Board staff direction to move forward with a narrower TSO for the Redondo Beach Generating Station.

Chair Yee opened the floor for any comments and questions.

Vice Chair Stahl, Board members Nahai, Méndez, Camacho, and Chair Yee made comments, asked questions, and provided feedback.

Response to questions were made by Jonathan Bishop, Chief Deputy Director, State Water Board, and Renee Purdy, EO.

Item 12 - Closed Session (part 2)

Legal counsel Sophie Froelich announced the Board was going into closed session to discuss Item 12(m).

(Board Members Yee, Stahl, Christiansen, Camacho, Mendez and Nahai went into closed session from 5:51 p.m. to approximately 6:35 p.m.)

The meeting adjourned at 6:36 p.m. (For more detailed information on any matter at our meetings, you may contact Helen Rowe at (213) 576-6612 or email at: Helen.Rowe@waterboards.ca.gov, and she may provide an electronic copy of the transcript or audio, if available.)

Written and submitted by Helen Rowe, Board Clerk on: April 15, 2022

Signature on File: Helen Rowe