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## Los Angeles Regional Water Quality Control Board

### Meeting Minutes

Video and Teleconference Meeting Only

No Physical Location

*Authorized by and in Furtherance of Executive Orders  
N-29-20 and N-33-20*

September 10, 2020

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

Chair Muñoz 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. She provided instructions on how to join the Zoom meeting for those wishing to provide comments during the public forum or on an agenda item.

#### ***Item 1 – Roll Call***

Board Members Present: Cynthia Guzmán, Irma Muñoz, James Stahl, Charles Stringer and Lawrence Yee

Note: Board Member Charles Stringer arrived at 11:28 a.m.

Staff Present: Renee Purdy, Jenny Newman, Hugh Marley, Helen Rowe, Gerardo Rabelo, Khalid Abdullah, Tamarin Austin, Sophie Froelich, Adriana Nuñez, Milasol Gaslan, LB Nye, Cris Morris, Russ Colby, Rebecca Christmann, Erum Razzak, Alireza Rahmani, Alex Carlos, Angineh Shahnazarian, Susana Vargas, Alexander Prescott, Guangyu Wang, Celine Gallon, Megan Kung, Jun Zhu, Eric Gillman, Jeong-Hee Lim, Wen Yang and Ivar Ridgeway

#### ***Item 2 – Order of Agenda***

The EO noted that due to some time constraints, Item 7 (the State Water Board liaison report) will precede Item 6 (the EO Report), and Item 12 (the Conditional Waiver of Waste Discharge Requirements for Nonpoint Source Discharges of Trash) will be heard before Item 11 (the item on the tentative Regional MS4 Permit). Noting that Item 11 would likely begin immediately following the lunch break.

***Item 3 – Approval of Draft Meeting Minutes for the July 2 and 9, 2020 Board meeting***

MOTION: Board member Stahl made a motion to approve the July 2, 2020 draft meeting minutes

Seconded by: Vice Chair Yee

Motion carried: Approved by roll call vote.

Cynthia Guzmán – Yea  
Irma Muñoz – Yea  
James Stahl – Yea  
Charles Stringer – Absent  
Lawrence Yee – Yea

MOTION: Board member Guzmán made a motion to approve the July 9, 2020 draft meeting minutes

Seconded by: Vice Chair Yee

Motion carried: Approved by roll call vote.

Cynthia Guzmán – Yea  
Irma Muñoz – Yea  
James Stahl – Yea  
Charles Stringer – Absent  
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 Stahl*** reported on July 23 and September 8, 2020 he received emails from Ray Tahir, TECS Environmental. Board member Stahl did not respond to the emails. The emails were forwarded to Board staff.

***Vice Chair Yee*** reported on August 3, 2020 he received a letter from Ray Tahir, TECS Environmental dated July 29, 2020. The letter discussed Mr. Tahir's position that the MS4 permittees are not required to strictly comply with the TMDLs and are not subject to the State's compliance schedule policy.

On August 6, 2020 Vice Chair Yee received an unsigned email from the email address [tranceparenssee@protonmail.com](mailto:tranceparenssee@protonmail.com). The email concerned an argument that the MS4 tentative permit incorrectly

applied CWA section 301 to the permittees and that certain TMDLs are invalid and incorrectly applied to MS4 permittees. The author of the email requested time to speak to at the Board meeting.

On September 3, 2020 Vice Chair Yee received an email and letter from Mr. Ray Tahir with substantive and procedural questions regarding the current and tentative MS4 permits. The letter was not a comment letter on the tentative Regional MS4 permit but does concern the pending MS4 Item.

Vice Chair Yee did not respond to any of the emails or letters he received. The correspondences were forwarded to Board staff and added to the record for the pending MS4 permit.

**Board member Guzmán** reported that on September 3, 2020 she received the email and letter from Ray Tahir, TECS Environmental. The email contained substantive and procedural questions regarding the current and tentative MS4 permits. She did not respond to the email or letter. She did not forward correspondence to Board staff but made note that Renee Purdy and other Board staff were copied on the email and letter from Mr. Tahir and the correspondence were made part of the record for the pending MS4 permit.

**Board Chair Muñoz** reported she also received the emails and letters from Mr. Ray Tahir. She did not respond to the correspondence, but forwarded them to Board staff. She also informed Mr. Tahir that is inappropriate for Board members to read the letters and encouraged Mr. Tahir to send the letters directly to Board staff members.

- 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.)

**Board member Stahl** reported on May 21, June 18, and July 20, 2020 he participated in meetings of the Measure W Central Santa Monica Bay Watershed Area Steering Committee and the Regional Oversight Committee. He appeared in his personal capacity supporting funding of the Ballona Creek Treatment Facilities project.

On August 6, 2020 Board member Stahl, Renee Purdy and Board staff members participated in a webinar sponsored by the Southern California Water Coalition. The webinar was titled Stormwater Matters. The panelists included: Mark Pestrella, Director of LA County Department of Public Works, Dave Petersen, General Manager, Las Virgenes Municipal Water District, Robert Ferrante, General Manager,

Sanitation Districts of LA County, and Enrique Zaldivar, Director and General Manager, Los Angeles Sanitation and Environment.

On August 18, 2020 Board member Stahl participated in an Urban Water Institute sponsored webinar titled An Informative Discussion with Felicia Marcus and Pat Mulroy. The webinar focused on Water in the West Past and Future.

**Vice Chair Yee** reported on July 28, 2020 he observed the public meeting regarding the Skypark Commercial Properties investigation and cleanup.

On August 6, 2020 Vice Chair Yee attended the webinar sponsored by the Southern Water Coalition titled Stormwater Matters.

**Board Chair Muñoz** reported she attended the Measure W Regional Oversight Committee meeting. She represents the Water Board as a non-voting member. Chair Muñoz mentioned Jenny Newman, Assistant Executive Officer, presented Board staff insights and opinions regarding proposed projects and the extent to which they are addressing water quality standards to the Regional Oversight Committee.

Board Chair Muñoz reported she participated the Water Board's monthly Board Chairs' call hosted by State Water Board Chair Joaquin Esquivel. Chair Muñoz mentioned the WQCC that is scheduled for the latter part of October. She encouraged members of the public to listen to the meeting, which will be conducted on Zoom.

Chair Muñoz announced that her nonprofit organization is starting a program to teach monolingual Spanish speaking members in the community how to participate in meetings using Zoom. The Spanish lessons will start at the end of September with 30 women. These women received tablets and will be able to communicate with each other and participate in public meetings, including the Los Angeles Water Board's, utilizing the Zoom platform.

***Item 5 - Appointment of a Board Member to the Governing Board of the Santa Monica Bay Restoration Commission (SMBRC).***

The Chair read a statement regarding the Santa Monica Bay Restoration Commission before the Board members voted on the appointment. Chair Muñoz reminded the Board that James Stahl expressed interest in serving on the Commission's Governing Board.

MOTION: Board member Guzmán made a motion to approve the appointment of Board Member James Stahl to serve on the Governing Board of the Santa Monica Bay Restoration Commission

Seconded by Board Chair Muñoz.

Motion carried: Approved by roll call vote.

Cynthia Guzmán – Yea  
Irma Muñoz – Yea  
Charles Stringer – Absent  
Lawrence Yee – Yea

### ***Item 6 - Executive Officer's Report***

The EO reported on the following items:

- The reappointment of Board Chair Muñoz and Board member Guzmán to the Los Angeles Water Board
- Update on the Water Board's process to conduct virtual inspections at NPDES permitted facilities, spearheaded by the Enforcement I Unit, to ensure compliance with Water Board requirements during the COVID-19 pandemic and the ensuing local and state stay-at-home orders
- Leadership of staff member Lala Kabadaian of the Enforcement I Unit in helping to develop and deliver inter-agency staff training on handling environmental complaints.
- Board staff upcoming participation in two (2) Science Advisory Panels
  1. Constituents of Emerging Concern in Aquatic Ecosystems
  2. Toxicity Stakeholder Advisory Panel
- Update on United Technologies Corporation or UTC Canoga Avenue Facility site investigation and cleanup.
- Update on Skypark Commercial Properties site investigation and cleanup.
- Update on Channel Islands Harbor water quality
- Wastewater sampling for SARS CoV-2 (*The EO's report was accompanied by a special report by Mr. Robert Ferrante, General Manager of the LA County Sanitation Districts.*)

### ***Item 7 Update from State Water Board Liaison Sean Maguire***

State Water Board Member Sean Maguire reported on the following items:

- The WQCC meeting in October
- State Water Board staff member Adriana Renteria, Director of the Office

Public Participation is a member of the Racial Equity Framework Steering Committee. Adriana or another staff member will join the Los Angeles Water Board meeting in November to provide information on what the State and Regional Water Boards are doing to address structural racism.

- Update on State Water Board's response to COVID-19
- Update on the budget and annual fee schedule
- Update on Executive Order N-42-20 prohibiting the shutoff of residential water during COVID-19.
- The State Water Board's action to amend the Once-Through Cooling Policy
- Finalization of the Water Resilience Portfolio

### ***Item 8 – Public Forum***

Speakers:

- Rocco Belmonte, Channel Islands Neighborhood Council
- Robert Chatenever, Channel Islands Neighborhood Council
- Chuck Carter Channel Islands Neighborhood Council
- Adam Smith, City of Oxnard

### ***Item 9 and 10 Uncontested Items***

*The Chair stated the uncontested items calendar as Items 9 and 10.*

MOTION: Board member Stahl made a motion to approve uncontested calendar items 9 and 10.

Seconded by Board member Guzmán

Motion carried: Approved by roll call vote.

Cynthia Guzmán – Yea  
Irma Muñoz – Yea  
James Stahl – Yea  
Charles Stringer – Absent  
Lawrence Yee – Yea

***Item 11 Public comments from permittees and stakeholders on the draft tentative Regional Municipal Separate Storm Sewer System (MS4) permit for the Los Angeles and Ventura Counties.***

Renee Purdy, Executive Officer and Jenny Newman, Assistant Executive Officer provided a staff presentation.

Speakers:

- Margaret Clark, City of Rosemead
- Gloria Crudgington, City of Monrovia
- Paul Alva, County of Los Angeles
- Arne Anselm, On behalf of Ventura County Permittees
- Richard Watson, On behalf of Permittees in the Los Cerritos Channel Watershed
- Travis Van Ligten, Counsel for the City of Duarte
- Glen Kau, City of Norwalk
- Ray Tahir, TECS Environmental
- Annelisa Moe, Heal the Bay
- Shahram Kharaghani, City of Los Angeles

***Item 12 Consideration of a tentative Conditional Waiver of Waste Discharge Requirements for Discharges of Trash from Nonpoint Sources in Waterbodies Subject to Total Maximum Daily Loads for Trash or Debris.***

The Chair administered the oath for this item on the conditional waiver for nonpoint source discharges of trash.

Dr. Jun Zhu, Senior Environmental Scientist provided a staff presentation.

Speakers:

- Ewelina Mutkowska, County of Ventura
- Annelisa Moe, Heal the Bay

MOTION: Board member Stahl made a motion to approve Item 12.

Seconded by Board member Stringer  
Motion carried: Approved by roll call vote.

Cynthia Guzmán – Yea  
Irma Muñoz – Yea

James Stahl – Yea  
Charles Stringer – Yea  
Lawrence Yee – Yea

Legal counsel Sophie Froelich announced the Board was going into closed session to discuss Items 13.b., 13.c., 13.d., 13.l., 13.m., 13.n., 13.o., 13.p., 13.q., 13.r., 13.s., and 13.t. on the agenda.

*(The Board went into closed session at 12:30 p.m. and reconvened at 1:30 p.m.)*

*The meeting adjourned at 4:02 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](mailto: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, then finalized on: 10/09/20*

Helen Rowe (Signature on File)