
Los Angeles Regional Water Quality Control Board

Meeting Minutes

Video and Teleconference Meeting Only

No Physical Location

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

April 16, 2020

Chair Irma Muñoz called the meeting to order at 9:08 a.m. and provided some introductory comments. She noted that it was a big day for the Board as the meeting was the first “virtual,” remote meeting of the Los Angeles Water Quality Control Board in response to the COVID-19 emergency and the Governor’s and Mayor Garcetti’s stay-at-home orders. She noted that she, along with the rest of the Board members and most Board staff, was conducting this meeting from her home to comply with the stay-at-home orders, including direction regarding large gatherings and social distancing. Chair Muñoz introduced the other Board Members, executive board staff, and legal counsel.

Chair Muñoz explained the process for participation in the meeting, noting that for those who only want to listen or watch the meeting, the Board’s customary webcast was available. She also provided instructions on how to join the Zoom meeting for those wishing to provide comments during public forum or on an agenda item.

After concluding her introductory comments, she called for the first Item, Roll Call.

Item 1 – Roll Call

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

Staff Present: Renee Purdy, Jenny Newman, Hugh Marley, Helen Rowe, Tamarin Austin, Sophie Froelich, Adriana Nuñez, Yue Rong, Russ Colby, Arthur Heath, Emily Duncan, Jeong-Hee Lim, Danielle Robinson, Thomas Siebels, Augustine Anijelo, Gensen Kai, Peter Raftery, Milasol Gaslan, Eric Wu, Steven Webb, LB Nye and Cris Morris

Item 2 – Order of Agenda

Chair Muñoz stated Items 15 and 16 would be postponed to a future Board meeting and there would be no Closed Session today. She asked the EO if she had a recommendation for Item 18.

The EO recommended that Item 18 be moved to the consent calendar if there were no objections from the Board members. The Chair asked if there were any objections.

Board Member Stahl stated he did not have any objections to moving Item 18 to the consent calendar. Board Member Stahl congratulated the City of Los Angeles on its proposal regarding the monitoring of PFAS as a constituent of emerging concern. Board Member Stahl asked the EO if, in her comments at upcoming Board meetings, she could provide a report from wastewater agencies regarding their work in monitoring and detection of SARS-CoV-2 in wastewater. Board Member Stahl stated that it, too, is a constituent of emerging concern. Board Member Stahl mentioned he shared some papers with the EO and would like the EO to share the information with the Board members. He expressed there is a lot going on at the wastewater treatment plants. He also emphasized that their systems are very protective of public health and it would be good for public to understand this.

Item 3 – Approval of Revised Draft Meeting Minutes for February 13, 2020 Board meeting

MOTION: Board Member Guzmán made a motion to approve the revised draft meeting minutes.

Seconded by: Vice Chair Lawrence Yee
Motion carried; approved unanimously by roll call vote.

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

Item 4 - Board Member Communications

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

Board Member Stahl reported on an ex parte communication. On March 24th, he received an email with attached documents from the public regarding the pending MS4 permit. Board Member Stahl stated he encourages members of the public to send in their comments on the MS4 permit, emphasizing that it is an important part of the Board's deliberations to hear from the public. He further stated that he forwarded the ex parte communication to the Board staff so it could be made part of the public record.

- 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 that on March 6th, he attended a field meeting of the Congressional Subcommittee on Water Resources and the Environment, chaired by Congresswoman Grace Napolitano. The meeting, held in Baldwin Park, centered on a

discussion of Southern California water infrastructure projects, including Whittier Narrows Dam. There was a tour of the Ports of Los Angeles and Long Beach, but he did not go on the tour.

Chair Muñoz reported she received a copy of a letter sent to the Regional Water Board from some stakeholders concerned about the UTC Canoga Park site. She read the letter and discussed it with the Executive Officer.

Item 5 – Executive Officer’s Report

The EO Renee Purdy reported the regularly scheduled March Board meeting was cancelled in order to allow time to establish a remote meeting platform to conduct Board meetings during the COVID-19 emergency.

The EO provided the following updates:

- 1) Regarding the COVID-19 emergency, she reported that the emergency and related state and local stay-at-home orders have necessitated that the Los Angeles Regional Board pivot to ensure that we are protecting staff, their families and our communities by adhering to the safer-at-home guidelines, while still continuing our operations to protect local water resources, public health and the environment. She reported that, within a few days of the Governor’s order, the Board transitioned the entire staff of about 150 people to emergency telework arrangements in which they are now teleworking full-time except for a small contingent that is coming into the office to perform essential functions that support continued operations and must be carried out in the office.

She also reported that the Los Angeles Regional Board has received a number of requests for relief from the regulated community due to the COVID-19 crisis as have other regional boards. The number of requests varies across the state; some regional boards have as few as six (6), while the Los Angeles Regional Board has received ninety-three (93). She noted that the Water Board has formed a statewide work group of executive level managers led by State Board Deputy Director Jonathan Bishop, which has been discussing these requests for relief and developing recommendations that can be applied by all regional boards. She stated that the decision to approve or deny a request is largely driven by the impact that delay or suspension of a requirement would have on public health and/or the environment. Hugh Marley and Jenny Newman, the Region’s two AEOs, have been key contributors to the statewide group. The requests for relief and the responses are being tracked by the State Board and CalEPA.

The EO also discussed a “wastewater surveillance” study underway by Stanford researchers and others to explore the correlation between concentrations of the 2019 novel coronavirus in wastewater to the number of COVID-19 cases in a community and plans for a call among local wastewater agencies and the Los Angeles Regional Board to discuss participation in this study and others.

- 2) The EO reported on several activities related to water resiliency:
 - a) She first reported on a quarterly coordination call on climate change actions held in March. The call included representatives from the State Board and other

- regional boards, including the Los Angeles Regional Board. Topics included implementation of the Safe and Affordable Drinking Water Fund and tentative plans to send out a statewide questionnaire to wastewater treatment facilities regarding their actions to address climate change and ensure climate resilience at their facilities.
- b) She also reported that Board staff participated in the third independent science advisory workshop held by the National Water Research Institute on April 9th. The purpose of this series of workshops is to investigate the feasibility of using membrane bioreactor or MBR technology for groundwater replenishment reuse projects (GRRPs). This technology is being evaluated for use, in particular, at the Regional Recycled Water facility located in Carson, which is currently under development and is designed to supply up to 150 MGD of advanced treated wastewater to the region. The next workshop is scheduled to occur in the fall of 2020.
 - c) Next, she reported that, on February 26th, AEO Jenny Newman helped facilitate the third of four stakeholder working group meetings for the LA River Flows Project. Because of the COVID-19 emergency, this meeting was conducted as a webinar. The purpose of this Project is to evaluate the cumulative impacts of potential flow reductions in the LA River caused by an increase in wastewater recycling at the Burbank and LA-Glendale wastewater treatment plants. The LA River Flows Project is assessing the flows necessary to sustain beneficial uses in the river in order to determine how much wastewater can be recycled. The SCCWRP team updated the group on the habitat modeling, the management scenario analysis and the model sensitivity analysis. The final stakeholder working group meeting is expected after model scenarios are completed in late 2020.
 - d) Finally, she noted that the application period for Proposition 68 grants closed in January 2020. The State Board is administering \$74 million in grants for treatment and remediation activities that prevent or reduce the contamination of groundwater that serves as a source of drinking water. The San Gabriel Basin Water Quality Authority submitted applications for approximately \$20 million to fund O&M of wellhead treatment systems in the San Gabriel Basin. Relatedly, Board staff is continuing to work with the City of Lynwood through a Proposition 1 Technical Assistance grant to investigate sources of groundwater contamination that are impacting Lynwood's water supply wells. Monthly meetings are held to discuss implementation of the Proposition 1 Technical Assistance grant.

- 3) The EO also reported on several other items as follows:
- a) On March 5th, the technical stakeholder group meeting of the LA River Watershed Monitoring Program was held. As background, the Los Angeles River Watershed Monitoring Program was formed in 2007 as a collaborative monitoring effort, that was required by the Regional Water Board, to standardize and improve coordination and the cost effectiveness of various monitoring efforts in the Los Angeles River watershed. Topics discussed during the meeting included program updates on the field sampling sites for the upcoming spring and summer seasons and the installation of water quality beacons along the Elysian Valley portion of the LA river near a popular kayaking location. The beacons are solar powered lights (green, yellow [caution], red [closed]) that provide a clear indication if it is safe to recreate at that part of the LA River based on bacterial levels.
 - b) Update on Statewide PFAS Investigation. The early phases of this investigation are underway at high-risk locations including large airports, municipal solid waste landfills, and chrome plating facilities along with public water supply wells that are near some of these high-risk locations. The next phase will focus on sampling of municipal wastewater. Board staff have reviewed and provided input to the State Board on the statewide order that will be sent to POTWs. It is anticipated that this order will be issued in the summer with a requirement that sampling begin later this year. The State Board and the Regional Board will evaluate the data collected to make informed decisions about implementing appropriate regulatory action in anticipation of emerging regulatory standards for PFAS.
 - c) Updates on Site Cleanup Cases. The EO first provided an update on the UTC Canoga Avenue facility, located adjacent to the Westfield Topanga Mall. The soil cleanup via soil excavation has been completed at the site. UTC has submitted a report to the Board related to the completion of the soil cleanup. However, contaminated soil vapor remains due to the shallow groundwater contamination. Groundwater remediation and monitoring is on-going and will continue for some time. There will be another meeting to address the community's concerns and she stated that staff are currently developing solutions to allow public meetings to proceed with opportunities for remote participation.

The EO also provided an update on the cleanup at the Carousel Tract in Carson. The cleanup of 147 properties is complete, representing 52% of the homes in the neighborhood. Work at the properties in Cluster 14 is nearing completion and work in Cluster 15 is beginning. The cleanup activities for the remaining 138 homes are scheduled to be completed by 2023. On March 17th, Shell notified the Regional Board that cleanup activity was temporarily suspended in response to the COVID-19 emergency. The Regional Board immediately responded by asking Shell to evaluate cleanup activities that could be performed safely consistent with the local state and federal COVID-19 guidelines. On April 2nd, Shell notified the Board that they intended to restart work on April 6th, once they put in place COVID-19 protocols.

Following her report, Board Member Stahl requested an agenda item on the pending MS4 permit at the next Board meeting to discuss the permissive integration of the wastewater system and the stormwater system, making a linkage to the efficacy of wastewater treatment processes in addressing the 2019 novel coronavirus.

Item 6 – Update by State Water Board Liaison Sean Maguire

State Water Board liaison Sean Maguire provided information on how the State Water Board is working throughout the COVID-19 crisis. He spoke about Governor Newsom's Executive Order N-42-20, prohibiting drinking water shut-offs during the COVID-19 emergency and requiring water systems to restore service to residences that were shut off after the Governor's declaration of a state of emergency. He referenced the COVID-19 Water Shutoff Report website (<https://watershutoff.covid19.ca.gov/>), which provides information on how to report water service interruptions. He expressed that the State Water Board is concerned with both the short-term and long-term repercussions from the COVID-19 emergency.

He also mentioned a few non-COVID-19 related activities and timelines, including the availability of funds under the Safe and Affordable Drinking Water (SADW) Fund that was established with the passage of SB 200 last year. The SADW Fund provides \$130 million per year for communities with water systems that are not meeting drinking water standards. Efforts are moving forward to put in place a policy with eligibility guidelines and a fund expenditure plan by the end of this fiscal year as well as how to best identify at-risk communities and systems.

He also noted that the regulatory proposal to lower the perchlorate laboratory detection limit for reporting purposes is available for public comment. Comments are due by May 1st and the adoption hearing is currently scheduled for June 16th. One of the limitations to re-evaluating the drinking water standard, which is 6 parts per billion (ppb), has been the laboratory detection limit for reporting, which is currently 4 ppb. He next discussed efforts to re-establish a state drinking water standard (MCL) for hexavalent chromium after it was invalidated by the Superior Court due to a failure to properly consider the economic feasibility of complying with the MCL. The State Water Board has developed a white paper on the different consideration for doing an economic feasibility analysis and, on April 28th, there will be a webinar style workshop on the economic feasibility white paper. He also mentioned work on microplastics in response to Senate Bill 1422, which requires adoption of a definition of microplastics and a standard methodology for monitoring the presence of microplastics in drinking water. He noted that he anticipates that this effort will also inform monitoring for microplastics in wastewater and the environment. He noted that the proposed definition is available for public comment.

Finally, he discussed the draft vapor intrusion guidance that has been in development for some years by the Water Board, CalEPA and the Department of Toxic Substances Control for use in site cleanup cases where there is risk of vapor intrusion from volatile organic compounds like TCE that find their way up from the groundwater and soil into

homes and building structures. The guidance is available, and comments are due April 30th.

Item 7 – Public Forum

Speaker:

- Mr. Ray Tahir, TECS Environmental

Items 8-12, 14 and 18 – Uncontested Items

Item 13 was postponed to the June Board meeting because staff identified a typographical error in the tentative permit and time was needed to make the correction and provide another opportunity for the Discharger and stakeholders to comment on the revised tentative permit.

Chair Muñoz noted that in all cases the adoption dates for the remaining uncontested items shall be changed from April 9, 2020, the originally scheduled date of the April Board meeting, to April 16, 2020.

MOTION: Board Member Stahl made a motion to approve Items 8-12, 14 and 18 with the change to the adoption dates as proposed by Chair Muñoz.

Seconded by: Board Member Stringer

Motion carried; approved unanimously by roll call vote.

Cynthia Guzmán – Yea

Irma Muñoz – Yea

James Stahl – Yea

Charles Stringer – Yea

Lawrence Yee – Yea

Item 17 – Update on the status of actions by The Kissel Company, Inc. and the Paradise Cove Land Company, LLC, to achieve compliance with the Cease and Desist Order for Paradise Cove Mobile Home Park and Beach Café, Malibu, Order No. R4-2016-0311-A2, File No. 01-083.

Dr. Eric Wu, Unit Chief of Groundwater Permitting, provided an introductory staff presentation.

Speakers:

- Steve Dahlberg, The Kissel Company, Inc.
- Barbara Bradley, Advanced Onsite Wastewater
- Bonnie Blue, Planning Director, City of Malibu

Chair Muñoz asked how long the Board had been working on this issue. Dr. Wu responded that the Board issued the WDRs along with the CDO in 2016, starting the

process for upgrading the onsite wastewater treatment systems at the Mobile Home Park and Beach Café. He also mentioned the extensions to the schedule for the system upgrades and compliance with the WDRs and CDO in 2018 and 2019 due to unforeseen circumstances. Board Member Stahl asked about the status of the restaurant given the COVID-19 emergency. Mr. Dahlberg confirmed that the Beach Café has been closed during the COVID-19 emergency. Board Member Stahl also asked for confirmation that the system is ready to be started up, and that the system would provide increased water quality protection over what is being provided now. Dr. Wu responded affirmatively, except for the electricity hookup. Board Member Stahl expressed his desire for the Discharger to work with the City of Malibu, and for the City of Malibu to give priority to this, from the point of view of the final approvals, for the protection of water quality. Chair Muñoz asked for an update from the Discharger a year from now. Board Member Stahl and Vice Chair Yee echoed the request and added that the sooner the update could be provided, the better.

The Chair announced the May 14th meeting will also be conducted remotely consistent with the stay-at-home orders. The Chair asked for a moment of silence in memory of Theresa Rodgers who passed away on April 1st. Theresa was an invaluable staff member of the Regional Water Board for the last 30+ years. The meeting was adjourned in her memory. The meeting adjourned at 11:11 a.m.

(For more detailed information on any matter at our meetings, you may contact Helen Rowe a (213) 576-6612 or email at Helen.Rowe@waterboards.ca.gov and she may provide an electronic copy of the transcripts or audio, if available.)

Written and submitted by Helen Rowe, then finalized on: 05/19/2020