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## Los Angeles Regional Water Quality Control Board

### Meeting Minutes

#### In-person/Hybrid Meeting

Council Chambers  
City of Simi Valley  
2929 Tapo Canyon Road  
Simi Valley, California 93063

April 14, 2022

Chair Yee called the meeting to order at 9:12 a.m.

Chair Yee welcomed everyone to our first in-person/hybrid meeting after two years of virtual Zoom meetings.

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: One of the Spanish translators 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 at 2:10 p.m. (after announcing that she was voluntarily recusing herself from Item 11) and returned to the meeting at 2:30 p.m.

Staff Present: Renee Purdy, Jenny Newman, Hugh Marley, Helen Rowe, Amber Bolanos Gerardo Rabelo, Khalid Abdullah, Aurel Agarin, Tamarin Austin, Sophie Froelich, Jennifer Fordyce, LB Nye, Russ Colby, Pavlova Vitale, Nerissa Schrader, Yue Rong, Arthur Heath, Bronwyn Kelly, Adriana Vallejo, Celine Gallon, Valerie Carrillo, Jun Zhu, Anna Bellini, Thizar Williams, Jillian Ly, Rebecca Orr, Chrissy Humphreys, and Andrew Choi.

***Item 2 – Order of Agenda***

Renee Purdy, Executive Officer, recommended that the Executive Officer's Report be moved to immediately follow Item 2 and Items 10 and 13 be moved to the uncontested items calendar.

There were no objections on the recommendations.

***Item 5 – Executive Officer's Report***

See attached excerpt from April 14, 2022 Board Meeting transcript for the Executive Officer's Report, whereby the Executive Officer made a statement refuting false allegations that were made against Board member Muñoz in connection with donations made to her non-profit organization, Mujeres de la Tierra, by The Boeing Company.

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

MOTION: Board member Nahai made a motion to approve the March 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 one ex parte communication:

On April 13, 2022, he received a call from John Withers, inquiring whether the Spring Canyon item would be on the contested or uncontested calendar. Mr. Withers is a former Board member from another regional board. Board member Nahai wanted to let the Board know that the conversation occurred.

- 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 Méndez** reported on the following:

He met with several environmental organizations: Heal the Bay, LA Waterkeeper and NRDC to discuss general environmental priorities. The meeting was a general discussion that did not include any issues related to any pending matters.

**Board member Camacho** reported on the following:

On April 8, 2022, she participated as a moderator at the American Bar Association section on environmental energy and resources on a panel in San Francisco. The panel was titled the next generation of drought, and included representatives from the Department of Interior, the Leadership Council for Justice and Cascadia Law Group. The panel discussed senior water rights, integrated water planning and managed retreat in light of our new climate conditions.

**Chair Yee** reported on the following:

- On April 4, 2022, he participated in the monthly Water Boards Chairs' call. The upcoming Chairs meeting in Sacramento, scheduled for the end of May 2022, was discussed.
- On April 13, 2022, he participated in the Regional Oversight Committee meeting for the Safe Clean Water Program. The interim guidance guidelines that will be coming out in 2022 were discussed.

**Board member Muñoz** responded to Executive Officer Renee Purdy's statement during Item 5, the Executive Officer's Report. See attached excerpt of April 14, 2022 Board Meeting transcript for her response.

Also see attached excerpt of April 14, 2022 Board Meeting transcript for Chair Yee's response to those of Executive Officer Purdy and Board member Muñoz.

**Break 9:40 a.m. to 9:50 a.m.**

***Item 6 – Enforcement Report***

**Report by:** Russ Colby, Compliance and Enforcement, Section Manager

*Chair Yee opened the floor for any comments and questions.*

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

Responses to comments and questions were made by Renee Purdy and Russ Colby.

***Item 7 – Update from State Water Board Liaison Laurel Firestone***

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

- Statewide Emergency Drought
- Reissuance of Statewide Construction Stormwater General Permit
- Wastewater Systems Arrearages Payment Program

*Chair Yee opened the floor for any comments or questions.*

Vice Chair Stahl and Board members Muñoz, Christiansen and Nahai made comments and asked Ms. Firestone questions.

Responses to comments and questions were made by Ms. Firestone.

### ***Item 8 – Public Forum***

Legal counsel Sophie Froelich reminded the public that renewal of the NPDES permit for the SSFL site is a pending matter and that any comments regarding any issue in that proceeding would be an improper ex parte communication.

Jenny Newman noted that the Board continued the hearing on the renewal of the NPDES permit for the SSFL site, which began during the February 10, 2022, Board meeting.

#### ***Speakers:***

- Richard Watson, Richard Watson & Associates
- Margaret Clark, City of Rosemead
- Ray Tahir, TECS Environmental
- Adan Ortega
- Priscilla Rocco, Simi Valley Resident
- Daniel Hirsch, Committee to Bridge the Gap
- Jeni Knack, Parents Against SSFL
- Anne Cervantes
- Jeff Ruch, PEER
- Bonnie Klea
- Melissa Bumstead, Parents Against SSFL
- Mark Magaña, GreenLatinos

**Break 11:35 a.m. to 11:40 a.m.**

### ***Item 8 – Public Forum (cont.)***

#### ***Speakers:***

- William Preston
- Lynne Plambeck, Santa Clarita Organization for Planning and the Environment
- Lourdes Medina
- Richard Ybarra
- Reverend Mac Shorty, Los Angeles Area Pastors and Ministers Association
- Lydia Camarillo, President of Southwest Voter Registration Education Project

- Ruth Luevanos, Simi Valley Councilmember

Responses to some comments made by Public Forum speakers before and after the break were made by Executive Officer Renee Purdy, Assistant Executive Officer Hugh Marley, Legal counsel Sophie Froelich, and Legal counsel Jennifer Fordyce.

### ***Item 15 – Closed Session***

Legal counsel Sophie Froelich announced the Board was going into closed session to discuss Item 15(f). Government code, section 11126, subd. (e)(2)(A).

*(The Board went into closed session from 12:10 p.m. to 1:20 p.m.)*

Vice Chair Stahl made a statement regarding his support for Board member Muñoz.

### ***Items 10 and 13 – Uncontested Items***

Chair Yee identified the uncontested items as Agenda Items 10 and 13.

MOTION: Board member Méndez made a motion to approve the uncontested calendar items 10 and 13.

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

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

### ***Item 9 – Consideration of Tentative Waste Discharge Requirements and NPDES Permit for Urchinomics USA Inc. – Channel Islands Urchin Co. LLC, Port Hueneme, CA.***

*Chair Yee administered the oath.*

**Staff Presentation:** Bronwyn Kelly, Industrial Permitting Unit Supervisor

#### **Speakers:**

- Peter Struffenegger, Urchinomics USA, Inc.
- Zarinah Salahuddin, Heal the Bay

*The Chair opened the floor for any comments, questions and deliberation.*

Board members Nahai, Méndez, and Christiansen made comments and asked questions.

Responses to questions were made by Bronwyn Kelly, Renee Purdy, and Jenny Newman.

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

MOTION: Board member Christiansen made a motion for a “friendly amendment” to the motion on the floor. Board member Christiansen asked if the biodiversity plan could be wrapped into the climate change vulnerability assessment.

Board member Nahai accepted the “friendly amendment”.

Executive Officer Purdy clarified that the “friendly amendment” by Board member Christiansen was given as direction to staff to consider when reviewing the permittee’s climate change plan and that no revisions to the permit as proposed were needed. Board member Christiansen confirmed that clarification.

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 11 – Consideration of a Tentative Waste Discharge Requirements for the Spring Canyon Residential Development Project.***

*Chair Yee administered the oath.*

**Staff Presentation:** Celine Gallon, TMDL Unit Supervisor

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

**Speakers:**

- Lynne Plambeck, Santa Clarita Organization for Planning and the Environment

Responses to comments from Lynne Plambeck were made by Jenny Newman, Celine Gallon and LB Nye.

*The Chair opened the floor for any comments, questions and deliberation.*

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

Responses to the questions were made by Celine Gallon, Jenny Newman and LB Nye.

MOTION: Board member Nahai made a motion to approve Item 11.  
Seconded by: Vice Chair Stahl

The Executive Officer asked Board member Nahai if he would like to include removing a sentence as recommended by Lynne Plambeck as part of his motion. The sentence location is on page 11.008 of the Board member package. The sentence states “the lower portions of both streams are degraded to various degrees due to dumping offroad vehicle use and target shooting.” Ms. Purdy stated that this sentence would be deleted from the project description in the WDRs. Board member Nahai agreed with the proposed amendment.

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

Board member Muñoz returned to the meeting.

***Item 12 – Consideration of Extension of Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Agricultural Lands within the Los Angeles Region.***

*Chair Yee administered the oath.*

**Staff Presentation:** Jun Zhu, TMDL and Nonpoint Source Unit Supervisor, and Anna Bellini, Environmental Scientist

**Speakers:**

- Maureen McGuire and Jodi Switzer, Farm Bureau of Ventura County
- Benjamin Pitterle, Santa Barbara Channelkeeper

*The Chair opened the floor for any comments, questions and deliberation.*

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

Responses to questions were made by Jun Zhu, LB Nye, Jenny Newman and Maureen McGuire.

MOTION: Vice Chair Stahl made a motion to approve Item 12.  
Seconded by: Board member Christiansen

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

**Break 3:30 p.m. to 3: 40 p.m.**

***Item 14 – Information Item***

The Los Angeles Water Board Site Cleanup Program and Office of Chief Counsel provided an overview of State Water Resources Control Board Resolution No. 92-49, which establishes policies and procedures for investigation and cleanup and abatement of discharges.

**Staff Presentation:** Thizar Williams, Site Cleanup Program Unit III Supervisor

**Additional staff speakers:** Tamarin Austin, Jillian Ly, Rebecca Orr, and Chrissy Humphreys.

*Chair Yee opened the floor for any comments and questions.*

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

Responses to questions were made by Hugh Marley, Renee Purdy, Thizar Williams, Chrissy Humphreys and Tamarin Austin.

***Item 15 – Closed Session***

*Legal counsel Sophie Froelich announced the Board was going into closed session to discuss Item 15(v)(iii), consideration of evaluation of performance of the Executive Officer.*

*(The Board went into closed session from 5:15 p.m. to 6:18 p.m.)*

*The meeting adjourned at 6:26 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 Amber Bolanos, Acting Board Clerk on: July 11,2022***

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***Excerpts from April 14, 2022 Board meeting transcript*****Item 5, Executive Officer's Report:**

**Executive Officer Renee Purdy** - "As the Board is aware, prior to enduring the February 10th Board Meeting, false allegations of bribery and other allegations were made against Board Member Munoz in connection with donations to her nonprofit organization, Mujeres de La Tierra, by the Boeing Company, an NPDES Permittee. I want to clearly and unequivocally state that these allegations are false. At the Board meeting on February 10th given Board Member Munoz's strong statement earlier in the day refuting these false allegations and the fact that the Board continued that hearing on the Boeing Permit renewal to the following Thursday, I thought I would be permitted an opportunity the following Thursday to address those allegations that were made. Because that did not happen, I regret that this is coming well after the February 10th Board meeting. Since the February 10th meeting, we've received an inquiry from the Ventura County Star and also a Public Records Act Request from Public Employees for Environmental Responsibility, also known as PEER, which is the organization that made the allegations. I and the Office of Chief Counsel took these opportunities to again set the record straight that these allegations are false. Board Member Munoz did not participate in the renewal of the NPDES Permit for Boeing in 2015 and has not participated in any decisions by the Board related to Boeing since that time, including enforcement matters. This includes the June 2019 decision to grant Boeing relief from monetary penalties for violations of effluent limits that occurred due to the 2018 Woolsey Fire. The decision was made by Board Enforcement Staff who determined that an appropriate affirmative defense existed under the Water Code and, based on that, did not levy the full penalty. This is consistent with their prosecutorial discretion, and the Enforcement Staff had that authority. I was informed and supported that decision. Board Member Munoz and the other members were not involved in making that decision in any way. However, as is customary for matters that may result in high media interest, I informed both Board Member Munoz, who was Chair at that time, and then-Vice Chair Yee, of the decision after it was made and immediately before the letter was sent; I then informed the other Board Members. Further, I want to state that the Board's legal counsel has evaluated the donations made by Boeing to Mujeres de La Tierras and concluded that they did not disqualify Board Member Munoz from serving on the Board under applicable law. I have worked with Board Member Munoz for over a decade, including several years as Chair of this Board, and I have great respect for her and the work that she does for the communities in our Region. I also want to state in closing that I find the allegations that have been made against her unconscionable, and I finally want to note that I plan to make this same statement again at the time that the Board schedules a continuation of the Board's permit renewal hearing for the Boeing permit."

**Item 4, Board Member Communications:**

**Board Member Irma Muñoz** - "Well, good morning, everyone. My name is Irma Munoz, and I have served as a Board Member of the Los Angeles Regional Water Quality Control Board for 11 years. For three of those years, I served as Board Chair. I was originally appointed by Governor Brown and reappointed by Governor Newsom. After the February 2022 Water Board Meeting, I was informed that two members of the public accused me of bribery – accused me of bribery. That's a felony – of bribery. I'm

not sure if the folks who are – who made those statements are here this morning, but I want them to know that I have no ill will towards them. The record needs to be cleared up, however, with facts; and that's why I'm speaking this morning. I recused myself at the February 2022 meeting from the Boeing matter, and I left the meeting. And during the item, it was stated that in exchange for a donation to Mujeres de La Tierra, which is a nonprofit I founded and I currently work for that I waived enforcement fines – enforcement fines. You know, maybe I sound naïve, but I didn't even know we could waive fines, to tell you the truth, and was so surprised by all of this. The following morning, after I was informed of the bribery accusations, I called our legal counsel – who is here today. I believe she's sitting right over here – because I was so upset that whole evening that maybe I did and maybe I didn't because I couldn't remember. So, I asked her whether I had any involvement in the decision to waive the fines, as I didn't remember, as I said, and did I take any such actions. She said, "Thank God, no, you had nothing to do with this decision. If anything, it was me and Renee who made that decision." Those were her exact words, "You had nothing to do with the waiving of those fines." She also reminded me that when that decision was made that they informed me and then our Vice Chair, Larry Yee, of their actions. Both the Executive Officer and Board Counsel remained silent while I was publicly accused of bribery for something I did not do. They remained silent. They said nothing. This is very hard for me to know that that happened. I'm a Board member of 11 years in great standing, who has changed who we are through communities who don't even know we exist. I can only conclude that the silence left all – left all those present with the impression that I did waive those fines. This conclusion of mine was further supported when the Ventura Press printed a story about this issue just recently, obviously the false impressions that I'm guilty of bribery remains. The simple truth is that I did not waive those fines. And, as I said before, I didn't even know we had the authority or power to waive those fines. So, the question now I have is whose authority is it when one does waive fines. I also emailed the general counsel asking why both the EO and legal counsel remained silent in the face of false accusations against a Board member. I was there not to defend – I was not there to defend myself. In my opinion, the silence of staff could be construed as confirmation that I actually made the decision to waive the enforcement of fines. His answer to me was that during Board meetings which involve much to keep up with, they didn't believe it to be a priority. They didn't believe it to be a priority. What is more a priority than to speak the truth and clear the record, especially when a Board member is accused of a crime and not just a crime but a felony, bribery. The fact over the past 11 years, I don't even recall ever hearing a member of our public accuse a Board member of bribery or any other crime. I've also depended upon Board staff to present the truth and to provide factual accuracy during our meetings and deliberations on the critical matters we work on, factual information that is both timely and precise. And that here is the issue. Yes, statements were made later in writing and verbally, but they weren't done timely. When PEER sends the press release, nothing. When the statements were made by two individuals, no response. And then later, our EO stated that she knew in advance they were going to be making those statements, and she didn't have the decency or the courtesy or do her job to inform them that it was not true. And then they made those statements, and nothing, once again. After the hearing, the Executive Officer finally cleared the record with my Board colleagues several weeks later. That

should have been done that day, that night, the following day. So, I have no idea what you as my colleagues were thinking about me. My gosh, I thought I knew her. My gosh, how could she do – how could she think she’s going to get away with it? And I do – I’m very happy that weeks later you were informed about that. After the hearing, this is what she sent to the Board, as I said, several weeks later, and I quote: “Board Member Munoz did not participate in the renewal of the NPDES Permit for Boeing in 2015 and did not participate in any decisions by the Board related to Boeing since that time. One of the specific allegations made was that Board Member Munoz, while she was serving as Chair of the Board, participated in the making of a decision granting Boeing a waiver for monetary penalties for violations of effluent limits caused by the 2018 Woolsey Fire. This – that is not true. Then Chair Munoz was not involved in making that enforcement decision, nor was any other Board member. As is customary for matters that may result in high public or media interest, I informed both Board Member Munoz as Chair and then-Vice Chair Yee of this decision after it was made and immediately before the letter was sent. Finally, the Board’s legal counsel has evaluated the donations by Boeing and concluded they do not disqualify Board Member Munoz from serving on the Board under applicable law.” I feel that it’s imperative for me to make sure that our public, the folks who are here present, and the overall community understands the facts and this allegation of bribery charge does not go unanswered. It pains me that this was not cleared up by our staff at the moment that it happened, as I believe the public deserves to know the truth in response to their questions about a Board and the way – the way we do our work. Thank you so much for your attention and listening to me.”

**Chair Lawrence Yee** - “As Board Chair, I feel compelled to acknowledge both of these statements from our Executive Officer and our Board Member Irma Munoz by making a statement of my own. Thank you for your statements in a matter both serious and concerning. At stake here is the credibility and reputation of a person who has dedicated her life to exemplary (indiscernible) service. What took place between February 7th and February 10th regarding allegations of wrongdoing by Board Member Munoz is deeply regretful, injurious, and damaging not only to Ms. Munoz and her nonprofit organization, Mujeres de La Tierra, but also to this Regional Board. To discredit one member of this Board with untruths and false allegations in many ways taints and discredits us all. An old saying goes “Lie can travel halfway around the world before truth has even put on its shoes,” and especially in this day of social media and instantaneous information sharing. Two months have passed since these false allegations were made publicly at our February 10 Board meeting, and I’m sure Irma will tell you that it seems like two lifetimes ago. While behind the scenes, staff have been working to address this situation, little has been said publicly to refute the allegations with the exception of an article that appeared in the Ventura County Star Newspaper on March 27. Unfortunately, the damage has been done. But, moving forward, there are two things this Board needs to focus on. At every opportunity, number one, to set the record straight and, number two, to restore Irma Munoz's good name. For instance, yesterday, at the Regional Oversight Committee Meeting, I spoke out; and I set the record straight at that time. Board Member Munoz has served with distinction for 11 years. She has served two two-year terms as Board Chair. Working closely with the Executive Officer and Staff, she has led by example to shift the culture of the Water

Board from being somewhat insular to being one that is more open and engaged with the community. For example, she instituted listening sessions with various communities around the MS4 Program. She was instrumental in the passage of groundbreaking legislation, SB 205, which is now the model for reducing the number of industrial non-filers. She has also provided leadership for the development of our Board's racial equity initiative. These are just a few of her many contributions. Know that she has worked tirelessly to make water quality everyone's business and to bring heretofore unheard and underrepresented voices to our decision making table. Serving on this Board is no cakewalk, I can assure you. And we certainly don't do this for the money. We do it because this is the way we choose to serve and contribute to the health and wellbeing of the people, the communities, and the environment of this Region. We are appointed by the Governor to bring balance and perspective to the arena of water quality and to represent the public's interest. We are all deeply committed to environmental protection and maintaining the quality of our waters, one of our most precious resources; and, as this drought continues, we are all going to discover just how precious it is. This matter concerning Board Member Munoz is serious. It must be resolved. Truth and trust need to be restored. We will discuss this further in our closed session this afternoon, Board Members.”