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## 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](#))*

February 10, 2022

Chair Yee called the meeting to order at 9:04 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: Leticia Reyna provided instructions on how to participate in the meeting in Spanish.

Chair Yee started the meeting by introducing and welcoming two newly appointed Board members Norma Camacho and Marissa Christiansen.

#### ***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 2:38 p.m. (after announcing that she was voluntarily recusing herself from Item 13)

**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, Céline Gallon, Valerie Zara, Bronwyn Kelly, Duong Trinh, Jun Zhu, and Kangshi Wang.

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LAWRENCE YEE, CHAIR | RENEE PURDY, EXECUTIVE OFFICER

***Item 2 – Order of Agenda***

The EO Renee Purdy recommended switching the order of the agenda. Items 14 and 15 would be moved before Item 13, and Item 13 would not begin before 12:30 p.m. Item 9 (Public Forum) would begin after Item 13 and Item 7 (Enforcement Report) is postponed until the March 10, 2022 Board meeting.

There were no objections on the recommendations

***Item 3 – Selection of 2022 Chair and Vice Chair***

The Chair asked the Nominating Committee, Board members Muñoz and Nahai for a report. Board member Muñoz reported the committee nominated James Stahl for Vice Chair and Lawrence Yee for Chair for the 2022 term. The Chair asked if there were any other nominations. There were no other nominations submitted to the Board.

Nominations approved and carried 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

Lawrence Yee and James Stahl accepted their nominations.

***Item 4 – Approval of Draft Meeting Minutes for the December 9, 2021 Meeting***

MOTION: Vice Chair Stahl made a motion to approve the December 9, 2021 draft meeting minutes.

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

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

**Item 5 – 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.)

**Vice Chair Stahl** reported on one ex parte communication.

- He watched the MSNBC documentary In the Dark of the Valley on the Santa Susana Field Laboratory site.

**Board member Camacho** reported on one ex parte communication.

- She also watched the MSNBC documentary In the Dark of the Valley on the Santa Susana Field Laboratory site.

**Board member Christiansen** reported on one ex parte communication.

- She did not watch the MSNBC documentary In the Dark of the Valley, but she read coverage of the documentary published by KCRW, and she mentioned that in the past, she had watched episodes of the reality TV show, Keeping up with the Kardashians, on which the Santa Susana Field Laboratory site was discussed.

**Chair Yee** reported on two ex parte communications.

- On January 3, 2022, he received two (2) emails from Ray Tahir. The emails enclosed tax forms for Mujeres de la Tierra, Board member Muñoz's non-profit organization. The email made allegations of impropriety about Ms. Muñoz's participation regarding Boeing matters.
  - Mr. Tahir also made allegations against former Board member Charles Stringer.
  - In the second email from Ray Tahir, he enclosed a consumer watchdog report titled "Inside Job" from 2014.
  - Chair Yee forwarded both emails to Renee Purdy and board legal counsel the same day he received the emails.
  - On January 7, 2022, Chair Yee responded to Mr. Tahir's email, informing Mr. Tahir that he received the emails and forwarded the emails and enclosures to Ms. Purdy.
  - Chair Yee mentioned that legal counsel responded to Mr. Tahir, noting that Ray Tahir's allegations are unfounded and untrue. Mr. Tahir's emails constituted prohibited, ex parte communications.
  - On January 29, 2022, Chair Yee was copied on an email from Mr. Tahir to legal counsel. Mr. Tahir asked questions and also disputed that his prior communications were prohibited ex parte communications.

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 Nahai** reported on the following:

- The Los Angeles Business Council will hold two (2) additional candidate debates at the Waldorf Astoria Hotel in Beverly Hills. On February 15, 2022, there will be a debate for Board of Supervisors candidates and on February 28, 2022, there will be a mayoral debate.

**Chair Yee** reported on the following:

- On January 14, 2022, and February 4, 2022, he participated in the Water Boards Chairs' calls.
- On January 27, 2022, he attended a governance workshop as a part of his role on the Los Angeles County Safe, Clean Water Program Regional Oversight Committee.

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

There was no oral report from Renee Purdy. She referred to the written EO Report posted on the Regional Water Board website.

### ***Item 7 – Enforcement Report*** [Postponed]

### ***Item 8 – Update from State Water Board Liaison*** [Laurel Firestone]

State Water Board Liaison Laurel Firestone welcomed Board members Camacho and Christiansen to the Regional Water Board. She thanked Chair Yee and newly elected Vice Chair Stahl for their service to the Regional Water Board and State of California.

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

- Water Loss Performance Standards Regulations
  - The regulations are being considered by the State Water Board to bring water losses to levels that are cost effective and feasible for each urban retail water supplier.
  - A State Water Board public hearing is being held today, February 10, 2022, to provide a detailed overview of the overall framework, timeline and proposed requirements. The comment period ends tomorrow, February 11, 2022.
  - Consideration for adoption of the final regulations expected in the 2nd quarter of 2022.
- Sanitary Sewer System Waste Discharge Requirements, general order reissuance
  - On February 23 and 24, 2022, State Water Board staff will host a workshop providing information regarding the proposed general order reissuance.
  - On March 15, 2022 State Water Board will host a board workshop to receive public comments. The public comment period ends on April 8, 2022.
- The California Water and Wastewater Arrearages Payment Program
  - The arrearages program for drinking water is closed.

- The payment status of all applications as of January 28, 2022, was posted. A total of 668 applications from drinking water providers with arrearages requesting payment. The total amount of requested funding was over \$302 million for over 500,000 individual accounts.
- On January 19, 2022, State Water Board adopted proposed amendments to the wastewater arrearages guidelines. The application period is open. All wastewater providers that charge for wastewater service are encouraged to apply in order receive payment for any accrued residential or commercial customer arrearages during the COVID-19 pandemic relief period.

**Item 9 – Public Forum** [Postponed until the March 10, 2022 Board Meeting]

**Items 10, 11 and 12 – Uncontested items**

Chair Yee identified the uncontested items as Agenda Items 10, 11, and 12.

MOTION: Vice Chair Stahl made a motion to approve the uncontested calendar items 10, 11 and 12.

Seconded by: Board member Nahai  
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 14 – Contested Item**

Consideration of a Tentative Waste Discharge Requirements for dredge and fill activities related to the Agua Dulce Residential Development Project.

*Chair Yee administrated the oath.*

*Legal Counsel Tamarin Austin made a statement regarding a comment concerning an alleged conflict of two of the Board members. Legal counsel evaluated the issue and found that there is no conflict that would require any recusal.*

**Staff Presentation:** Céline Gallon, Senior Environmental Scientist  
Staff members available for questions: Dr. LB Nye and Valerie Zara

**Break 10:05 a.m. to 10:10 a.m.**

**Speakers:**

- Braiden Chadwick, Mitchell Chadwick LLP, outside counsel for RTG Investment LLC (available for questions)
- Bonnie Rodgers, SCWA Environmental Consultants, project consultant for RTG

- Investment LLC (available for questions)
- Justine Turner
  - Susan Brunot-Turner (“Agua Dulce”)
  - Mike Aho
  - Lynne Plambeck, Santa Clarita Organization for Planning and the Environment
  - Anja Sondering
  - John Brunot
  - Stuart Souki
  - Priscilla Zarate (Pris Tisza)
  - Jacqueline Ayer, Save Our Rural Town
  - Marcy White
  - Marcy Calnan
  - Raya Shanazarian
  - Melanie Grijalva
  - Glen Winter

The Chair opened the floor for responses to questions.

- Response to CEQA related comments made by: Tamarin Austin, Legal Counsel

The Chair opened the floor for Board member questions and deliberations. Board members Muñoz, Camacho, Christiansen, Nahai and Vice Chair Stahl asked questions.

- Responses to questions made by:
  - Jenny Newman, AEO
  - Renee Purdy, EO
  - Valerie Zara
  - Braiden Chadwick, RTG Investment
  - Dr. LB Nye
  - Tamarin Austin, Legal Counsel
  - Sophie Froelich, Legal Counsel
  - Céline Gallon

### **Vote #1**

MOTION: Vice Chair Stahl made a motion to approve the staff recommendation and issue the WDRs as proposed. The motion was not seconded by a Board member.

MOTION: Board member Nahai made a motion to take a recess to discuss an amendment to the motion on the floor made by Vice Chair Stahl.

Seconded by: Board member Méndez  
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

***Board Recess 12:40 p.m. to 1:50 p.m.***

Renee Purdy explained the discussions held during the recess between Board members and staff were to craft language for the proposed amendment. There was no closed session or deliberations held during the recess.

A proposed amendment by Board member Nahai, to add language regarding financial assurance and to modify the frequency of reporting from annual to semi-annual was explained and stated by Tamarin Austin and Renee Purdy.

Remarks regarding the proposed amendment made by Board members Nahai and Méndez and Braiden Chadwick, RTG Investment.

***Vote #2***

To approve the motion on the floor from Vice Chair Stahl, as amended by Board member Nahai.

Motion carried: Approved by roll call vote.

Norma Camacho – Yea  
Marissa Christiansen - No  
Michael Méndez - Yea  
Irma Muñoz – Yea  
David Nahai - Yea  
James Stahl – Yea  
Lawrence Yee – Yea

***Item 15 – Basin Plan [Postponed until the March 10, 2022 Board meeting.]***

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.

***Item 16 – Closed Session***

*There was no closed session discussion.*

***Break 2:10 p.m. to 2:30 p.m.***

***Item 13 – Contested Item***

Consideration of tentative Waste Discharge Requirements for the Boeing Company Santa Susana Field Laboratory, Canoga Park, CA

Board member Muñoz made a statement and voluntarily recused herself from the proceedings on contested Item 13.

*Chair Yee read an opening statement then administered the oath.*

Opening remarks made by Renee Purdy, Executive Officer.

**Staff Presentation:** Dr. Jeong-Hee Lim, Section Manager, Water Regulatory Section

**Speakers:**

- Supervisor Linda Parks, Ventura County Board of Supervisors
- Ruth Luevanos, Councilmember, City of Simi Valley
- Steven Shestag and Allison Edgar, Senior Director, Environmental Sustainability, The Boeing Company (Permittee)
- Daniel Hirsch and Melissa Bumstead, on behalf of the following parties: Physicians for Social Responsibility-Los Angeles, committee to Bridge the Gap, PEER, Parents vs Santa Susana Field Lab, and Cleanup Rocketdyne Coalition

**Break 4:30 p.m. to 4:40 p.m.**

**Speakers (cont.):**

- Annelisa Moe, Tevin Schmitt and Ben Harris, on behalf of Heal the Bay, LA Waterkeeper, Surfrider and Wishtoyo Foundation
- John Luker, Santa Susana Mountain Park Association
- William Preston Bowling, Speaking as an Individual
- Ray Tahir, TECS Environmental
- Raul Avila, Division 1 Director, Calleguas Municipal Water District
- Cindi Gortner
- Tiffany Ruiz, SVUSD
- Luke Arnerich
- Marisa Lopez
- Christine Rowe
- Jeni Knack
- Ellie Gordon
- Denise Duffield
- Jason Potell
- Sarah Santitoro
- Janet Murphy
- Dawn Kowalski
- David Berman

Chair Yee stated the deliberations for Item 13 would be postponed until a subsequent meeting. Chair Yee offered Steve Shestag a 10-minute rebuttal. Mr. Shestag waived his time for the rebuttal. Chair Yee opened the floor for comments and questions from Board members.

Board members Camacho, Christiansen, Nahai, Méndez and Vice Chair Stahl made comments and asked questions. Board member Nahai requested whether additional data from recent rain events was available and whether staff could analyze it.

Renee Purdy responded to questions.



*Chair Yee closed the hearing and continued it until February 17, 2022. Chair Yee then adjourned the meeting.*

*The meeting adjourned at 5:58 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 on: March 10, 2022***

***Signature on File: Helen Rowe***