

**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
CALIFORNIA REGIONAL WATER QUALITY BOARD
LOS ANGELES REGION**

477TH REGULAR BOARD MEETING

Minutes

Board Meeting Date Thursday, September 2, 2004
Meeting Location The Metropolitan Water District, Board Room
700 North Alameda Street
Los Angeles, CA

Call to Order

Chair Diamond called the meeting to order at 9:20am

Roll Call

Members Present: Susan Cloke (Vice Chair), Francine Diamond (Chair),
Keith McDonald, David Nahai and Timothy Shaheen
Members Absent: Julie Buckner-Levy and Bradley Mindlin

Order of Agenda

Motion: Item 16 continued; Items 17 and 18 converted into a workshop; and Item
19 to follow Item 20.
First: Cloke
Second: McDonald
Support: Cloke, Diamond, McDonald, Nahai and Shaheen
Oppose: None
Abstain: None

Approval of Minutes

Approval of the minutes to be postponed until the October meeting

Board Member Communications

Diamond: August 6th: Represented the Board at US/EPA press advisory
announcing the SSO settlement agreement. Also represented Board at City of Los
Angeles press conference and reception for SSO settlement agreement. August
23rd: Attended Cal/EPA conference on brownfields held in Sacramento.

Executive Officer's Report

Report given by Jonathan Bishop, Executive Officer, and posted on the Board's
website: <http://www.swrcb.ca.gov/~rwqcb4/html/meetings/past.html>.

Chair acknowledged Terrance Romaro and Jarred Lee, both MWD staff assigned to provide technical assistance during Board meetings held at 700 North Alameda Street.

Public Forum

Lee Rennacker, Ojai Valley Resident. Noted difficulty with obtaining necessary approvals to install a septic system employing technology not specifically recognized by either the Board or Ventura County; Requested the Board to include this technology in the pending General Waste Discharge Requirements for Residential Onsite Wastewater Treatment Systems, Ventura County (Item 19).

Dave Burhenn, County of Los Angeles. Reported that a draft MOU for regulation of on-site wastewater treatment systems between the Board and County of Los Angeles had been negotiated; that County staff was recommending that the Board of Supervisors approve said MOU; and that the Board of Supervisors may vote on the proposed MOU during its September 14th or 21st meeting. It was noted that the existing waiver of WDRs for unincorporated Los Angeles County would expire on or around September 19th.

Uncontested Action Items Calendar

Motion: That the following agenda items be called uncontested items and approved: 8, 9, 10, 11, 12, 13, 14 and 15.

First: Cloke

Second: Nahai

Support: Cloke, Diamond, McDonald, Nahai and Shaheen

Oppose: None

Abstain: None

Cloke requested that future staff reports include a summary of any consideration given to stormwater management alternatives.

Information Items

Item 20. Update On Site Assessment, Cleanup And Redevelopment Activities At The Price Pfister Site, 13500 Paxton Street, Pacoima, CA

Staff Report: Dr. Arthur Heath, assisted by Mohammed Zaidi.

Public Comment

- Henry Casas, representing Assemblymember Cindy Montanez
- Jane Williams, Executive Director, California Communities Against Toxics
- Lucia Torres, representing Pacoima Beautiful
- Oridio Hernandez, representing Pacoima Beautiful
- Elisette Romero Martinez, representing Pacoima Beautiful

Board Discussion Topics

- Status of RAP; impact of RAP's approval on modifying existing cleanup goals; need to balance rapid mitigation of brownfields with transparent decision-making and public disclosure and scrutiny; previous community

outreach activities; format and content of pending outreach activities; local availability of technical and other site-related documents; number and depth of groundwater monitoring wells; identification of Spanish-speaking staff member who could answer questions from the community; impact of area properties with contamination on the Price Pfister site and remediation activities; direction of groundwater flow; proximity of homes to the site; the impact of dust from the site on these homes; presence of children during demolition activities; current land-use designation; need to consider surrounding land-use and activities when developing and implementing cleanup goals and strategies.

Mitigated Negative Declaration/Waste Discharge Requirements

Item 19. Consideration Of A Tentative Resolution Approving A California Environmental Quality Act (CEQA) Initial Study And Adopting A Tentative Mitigated Negative Declaration And General Waste Discharge Requirement For Residential Onsite Wastewater Treatment Systems.

Public Hearing Opened and Oath Administered

Staff Report: Paula Rasmussen, assisted by Jennifer Newman

Public Comment

- Eric Alderete, representing Cities of Agoura Hills, Monrovia and Rancho Palos Verdes
- Dr. Mark Gold, Executive Director, Heal the Bay
- Mr. Lee Rennacker, Ojai Valley resident

Board Discussion Topics

- Definition of “brackish water;” validity and applicability of WDRs and CEQA document to Cities of Agoura Hills, Monrovia and Rancho Palos Verdes; meaning and intent of provision #16 in the WDR; date when existing waiver will expire; consequences of waiver expiring without an approved MOU; jurisdiction of Board and County if waiver expires without an approved MOU; approval of MOU based on content and ability to meet water quality standards and not on ability to influence the negotiation process with other entities; and availability of financial assistance

Motion: To approve staff’s recommendations, with the changes set forth in the change sheet dated August 31, 2004, and with the additional changes 1) the insertion of the word “aquatic” before the first use of the word “significant” on Page 12A, Section 5, Subsection C; and 2) the replacement of “prohibit, restrict or control” with “impose more stringent controls on” on Page 10A, Section 16.

First: Nahai

Second: Cloke

Support: Cloke, Diamond, McDonald, Nahai and Shaheen

Oppose: None

Abstain: None

Closed Session

Board entered into closed session, as authorized by the Government Code.

Basin Planning/Total Maximum Daily Loads (TMDLs)

Item 17. Consideration Of A Proposed Resolution Amending The Water Quality Control Plan (Basin Plan), Los Angeles Region, To Incorporate A Total Maximum Daily Load To Reduce Metals In Ballona Creek And Ballona Creek Estuary.

Chair announced that the discussion would constitute a workshop and that the Board would take formal action on this item during its October 2004 meeting.

Workshop opened and oath administered

Staff Report: Melinda Becker, assisted by Rebecca Christmann and Jennifer Newman

Public Comment

- Terry Fleming, Environmental Science, representing US/EPA
- Carry Inciong, representing County of Los Angeles, Department of Public Works
- Dave Burhenn, representing County of Los Angeles, Department of Public Works
- Dr. Susan Paulson, Flow Science, representing County of Los Angeles, Department of Public Works
- Clayton Yoshida, representing City of Los Angeles
- Dr. Gerry Green, representing Coalition for Practical Regulation
- Richard Montevideo, representing Coalition for Practical Regulation
- Dr. Mark Gold, Executive Director, Heal the Bay
- Tim Piasky, representing the Construction Industry Coalition on Water Quality
- Patti Krebs, representing the Industrial Environmental Association
- Angie Bera, BeachKeeper Program Director, Santa Monica BayKeeper
- Brian Wall, representing the Western States Petroleum Association

Item 18. Consideration Of A Proposed Resolution Amending The Water Quality Control Plan (Basin Plan), Los Angeles Region, To Incorporate A Total Maximum Daily Load For Metals In The Los Angeles River And Tributaries.

Chair announced that the discussion would constitute a workshop and that the Board would take formal action on this item during its October 2004 meeting.

Workshop opened and oath administered

Staff report, Melinda Becker, assisted by Rebecca Christmann and
Jennifer Newman

Public Comment

- Dave Burhenn, representing County of Los Angeles, Department of Public Works
- Carrie Inciong, representing County of Los Angeles, Department of Public Works
- Shahrovzeh Saneie, representing City of Los Angeles, Bureau of Sanitation
- Sharon Green, representing Sanitation Districts of Los Angeles County
- Rodney Anderson, representing City of Burbank, Department of Public Works
- Eric Alderete, representing City of Monrovia
- Richard Watson, representing the Coalition for Practical Regulation
- Dr. Gerald Green, representing the Coalition for Practical Regulation
- Richard Montevideo, representing Coalition for Practical Regulation
- Ed Schroder, representing EAC
- Dr. Mark Gold, Executive Director, Heal the Bay
- Karen Wong, representing Southern California Gas Company

Board Discussion Topics

Chair asks Board members to indicate general concerns based on public comments

- Atmospheric deposition; source controls; and the contribution of construction site stormwater runoff.

Adjournment

The Chair adjourned the meeting at 4:25pm.