



California Regional Water Quality Control Board

Los Angeles Region

Over 50 Years Serving Coastal Los Angeles and Ventura Counties

Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

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Gray Davis
Governor

Winston H. Hickox
Secretary for
Environmental
Protection

Notice of Public Meeting/Hearing

Over 50 Years Serving Coastal Los Angeles & Ventura Counties

Thursday, October 24, 2002
9:00 a.m.

457th Regular Board Meeting

Meeting Location:
City of Simi Valley
Council Chambers
2929 Tapo Canyon Road
Simi Valley, California

Items 9 and 10 will be heard before 1:00 p.m. Item 11 will not be heard before 1:30 p.m.

*Items removed from the consent calendar will be heard at the discretion of the Chair.

Agenda

Submittal of Written Material for Regional Board Consideration

To ensure that the Regional Board Members are given the opportunity to fully study and consider written material, it is necessary that 12 copies of any such material be provided to the Executive Officer not later than five (5) days before the meeting. This will allow distribution of the material to the Board Members and appropriate staff in advance of the meeting.

Item 9 is a penalty reconsideration which by court judgment and writ must be limited to a review of the documents and other materials contained in the administrative record of the prior hearing during which the penalty was imposed. Thus, no additional written materials or exhibits may be submitted for Item 9.

The parties to Item 11 must submit any written comments or exhibits to the Executive Officer no later than October 17, 2002. Comments for Item 10 were due October 7, 2002. Failure to comply with these requirements is grounds for the Board to refuse to admit the proposed written comment or exhibit into evidence. (CCR, title 23, section 648.4) The Regional Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Regional Board may refuse to admit it.

If you are reading a statement at the Board meeting, please provide the Executive Assistant with a copy at the meeting. The Board will endeavor to consider all matters listed on this agenda. However, time may not allow the Board to hear all matters listed. Matters not heard at this meeting may be carried over to the next Board meeting or to a future Board meeting. Parties will be notified in writing of the rescheduling of their item. Please contact the Regional Board staff to find out about rescheduled items.

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Material presented to the Board as part of testimony that is to be made part of the record must be left with the Board. This includes photographs, slides, charts, diagrams, etc. All Board files pertaining to the items on this Agenda are hereby made a part of the record submitted to the Regional Board by staff for its consideration prior to action on the related items.

The Board will recess for a 15-minute break at approximately 10:45 a.m., and recess for lunch at approximately 12:30 p.m. The meeting will reconvene at approximately 1:30 p.m.

Pledge of Allegiance.

1. Roll Call.
[Ronji Harris, 213/576-6612].....Board Members Present
2. Order of Agenda.....Board Direction
(The agenda items are numbered for identification purposes only and will not necessarily be considered in this order).
3. Approval of Minutes for September 26, 2002 Regular Meeting.
[Jenny Newman, 576-6808].....Board Action
4. Board Member Communications.
[Robert Sams, 576-6797].....Information/Discussion
 - 4.1 Ex Parte Disclosure. *(Board Members will identify any discussions they may have had requiring disclosure pursuant to Government Code section 11430.40).*
 - 4.2 Board Member Communication. *(The Board Members may discuss communications, correspondence, or other items of general interest relating to matters within the Board's jurisdiction.)*
5. Public Forum. *(Any person may address the Board regarding any matter within the Board's Jurisdiction. This need not be related to any item on the agenda. Remarks will be limited to three (3) minutes.)*
6. Uncontested Items Calendar.....Board Action
(Items marked with an asterisk are expected to be routine and noncontroversial. The Board will be asked to approve these items at one time without discussion. If any interested party, Board Member, or staff person requests that an item be removed from the calendar, it will be taken up in the regular agenda order.)

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WASTE DISCHARGE REQUIREMENTS

7. **Consideration of NPDES Requirements – Renewal, Rescission** *(After a public hearing, the Board will be asked to adopt or rescind the permits for the following facilities.)*

Renewal

- *7.1 Department of the Navy (Naval Base Ventura County), Port Hueneme
[Cassandra Owens, 576-6750].....CA0059447
- *7.2 Southern California Edison (Port Hueneme Fuel Oil Supply Facility), Port Hueneme
[Rosario Aston, 576-6653].....CA0057932

Rescission

- *7.3 The Jankovich Company (Formerly San Pedro Marine, Inc.), San Pedro
[Mazhar Ali, 576-6652].....CA0002798

8. **Consideration of Non-NPDES Requirements – Revision, Rescission** *(After a public hearing, the Board will be asked to adopt or rescind the requirements for the following facilities.)*

Revision

- *8.1 Port of Long Beach (Terminal Island Dredging Project), Long Beach
[Michael Lyons, 576-6718].....99-144
- *8.2 West Basin Municipal Water District (West Basin Water Recycling Facility), El Segundo
[Jau Ren Chen, 576-6656].....94-062

Rescission

- *8.3 Albert Winnikoff (Malibu Media Center), Malibu
[David Koo, 620-6155].....90-050
- *8.4 Limoneira Associates, Santa Paula
[David Koo, 620-6155].....66-066

CITY OF THOUSAND OAKS REMAND

- 9. Administrative Civil Liability (ACL) Complaint against the City of Thousand Oaks. *(The Board will reconsider the penalty assessment portion of its Decision on ACL Complaint No. 98-024 against the City of Thousand Oaks for a sewer line rupture on February 3, 1998, as required by the judgment and writ of mandate issued in the case of City of Thousand Oaks v. California Regional Water Quality Control Board and State Water Resources Control Board, Los Angeles County Superior Court case number BS067393. Following its reconsideration of the administrative record in this matter, the Board may take action to impose a new penalty assessment against the City of Thousand Oaks on the ACL Complaint. In so doing, the Board may meet in closed session to deliberate the penalty to be assessed pursuant to Government Code 11126 (c)(3)).*
[Russ Colby, 620-6373].....Board Action

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BASIN PLANNING

- 10. Consideration of a proposed Resolution amending the Water Quality Control Plan (Basin Plan) to incorporate a Total Maximum Daily Load to reduce nitrogen compound loading to Calleguas Creek, its tributaries, and Mugu Lagoon. *(After a public hearing, the Board will be asked to adopt the tentative Resolution to amend the Basin Plan).*
[Thanhloan Nguyen, 576-6690].....Board Action

- 11. Consideration of a proposed Resolution amending the Water Quality Control Plan (Basin Plan) to incorporate a Total Maximum Daily Load to reduce chloride loading to the Upper Santa Clara River. *(After a public hearing, the Board will be asked to adopt the tentative Resolution to amend the Basin Plan.)* [Elizabeth Erickson, 576-6683].....Board Action

ENFORCEMENT PANEL HEARING RECOMMENDATIONS

- *12. Hearing on Complaint No. R4-2002-0050 to assess penalties against Millennium Auto Wrecking for Administrative Civil Liability in the amount of \$6,530 for violation of California Water Code section 13383 by failing to maintain a Storm Water Pollution Prevention Plan on-site as required under General Permit No. CAS000001. *(A hearing was held before a Board member panel on August 22, 2002. The panel members will provide a report to the full Board and recommend a disposition on this matter. The full Board will consider the proposed disposition and make a final decision on this matter. In so doing, the Board may meet in closed session to deliberate pursuant to Government Code section 111239(c)(3)).* [Lala Kabadaian, 620-6370].....Board Action

- *13. Hearing on Complaint No. R4-2002-0115 to assess penalties against Hehr International, Inc. for Administrative Civil Liability in the amount of \$4,410 for violation of California Water Code section 13383 for failing to maintain a Storm Water Pollution Prevention Plan on-site as required under General Permit No. CAS000001. *(A hearing was held before a Board member panel on August 22, 2002. The panel members will provide a report to the full Board and recommend a disposition on this matter. The full Board will consider the proposed disposition and make a final decision on this matter. In so doing, the Board may meet in closed session to deliberate pursuant to Government Code Section 11123(c)(3)).* [Parvaneh Khayat, 620-6367].....Board Action

- *14. Hearing on Complaint No. R4-2002-0049 to assess penalties against Thomas Auto Wreckers for Administrative Civil Liability in the amount of \$6,530 for violation of California Water Code section 13383 for failing to maintain a Storm Water Pollution Prevention Plan on-site as required under General Permit No. CAS000001. *(A hearing was held before a Board member panel on August 22, 2002. The panel members will provide a report to the full Board and recommend a disposition on this matter. The full Board will consider the proposed disposition and make a final decision on this matter. In so doing, the Board may meet in closed session to deliberate pursuant to Government Code section 111239(c)(3)).* [Joyce Wang, 620-6369].....Board Action

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INFORMATION ITEMS (Please note that these items are for information only. There will be no voting or formal action taken by the Board on these items.)

15. Executive Officer's Report.....Information/Discussion
16. Closed Session.....By Board

The Board will conduct a closed session to consider the following litigation matters. (Authority: Government Code Section 11126(e))

- (a) *City of Los Angeles, City of Burbank v. Los Angeles Regional Water Quality Control Board, Los Angeles County Superior Court, Case Nos. BS 060957 and BS 060960;*
 - (b) *TMDL Lawsuit against Los Angeles Regional Water Quality Control Board; Cities of Arcadia, et. al Los Angeles Superior Court BC278558, City of Los Angeles BC270452, County of Los Angeles, BC 279597*
 - (c) *USEPA and Los Angeles Regional Water Quality Control Board v. City of Los Angeles, U.S. District Court for the Central District of California, Case No. 01-00191 FMC (Mcx);*
 - (d) *City of Thousand Oaks v. Los Angeles Regional Water Quality Control Board, Los Angeles County Superior Court Case No. BS 067393;*
 - (e) *Petitions to SWRCB No. A-1357 and A-1357 (a) Municipal Storm Water Permits for Ventura County, Order No. 00-108, NPDES Permit No. CAS004002;*
 - (f) *Petitions to SWRCB No. A-1448 and A-1448(a)-(f) Municipal Storm Water Permit for Los Angeles County, Order No. 01-182, [NPDES No. CAS004001];*
 - (g) *City of Los Angeles v. State Water Resources Control Board, and Los Angeles Regional Water Quality Control Board, Los Angeles County Superior Court Case No. BC270452;*
 - (h) *CEMEX, Inc. et al v. State Water Resources Control Board; and Los Angeles Regional Water Quality Control Board, Los Angeles County Superior Court Case No. BS072063;*
 - (i) *United Foods Incorporated, Pictsweet Mushroom Farms v. Los Angeles Regional Water Quality Control Board, Ventura County Superior Court Case No. CIV 212757;*
17. Adjournment of Current Meeting. The next Regular Meeting is scheduled for November 14, 2002 at City of Los Angeles, Board of Public Works Hearing Room, 200 N. Spring Street, Los Angeles, CA.

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A copy of the complete agenda package is available for examination at the Regional Board Office during regular working hours. Questions about specific items on the agenda should be directed to the staff person whose name is listed with the item.

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Pursuant to Water Code section 13320, any aggrieved person may file a petition to seek review by the State Water Resources Control Board (SWRCB) of most actions taken by the Regional Board. Such petition must be filed within 30 days of the action. Petitions must be sent to SWRCB, P.O. Box 100, 1001 'I' St., Sacramento, CA 95812.

Our web site address is www.swrcb.ca.gov/rwqcb4. The site can also be accessed through the State Water Resources Control Board's web site at www.swrcb.ca.gov, then clicking on "Regional Boards". Information currently available includes the Regional Board's meeting schedule, a list of the Regional Board members, a list of staff and phone numbers arranged by their work unit, a copy of the Underground Storage Tank database and information relevant to the UST program, linkage to the Santa Monica Bay Restoration Project's home page, and links to other governmental agencies. If you need further information, please contact Jack Price at 213/576-6669.

Individuals requiring special accommodations or language needs should contact Sonja Gettel at (213) 576-6801 or sgettel@rb4.swrcb.ca.gov at least ten working days prior to the meeting. TTY/TDD/Speech -to-Speech users may dial 7-1-1 for the California Relay service.

A listing of pending water quality certification applications currently on public notice pursuant to Section 401 of the Federal Clean Water Act may be obtained by calling Jason Lambert at 213/576-5733.

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