
Los Angeles Regional Water Quality Control Board

Meeting Minutes

Video and Teleconference Meeting Only

No Physical Location

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

February 11, 2020

Chair Muñoz called the meeting to order at 9:07 a.m.

Chair Muñoz 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. She provided instructions on how to join the Zoom meeting for those wishing to provide comments during the public forum or on an agenda item.

Chair Muñoz started the meeting by introducing and welcoming two newly appointed Board members.

David Nahai, a returning Board member. Board member Nahai served on the Los Regional Board for 10 years from 1997 to 2007.

Dr. Michael Méndez, the Board's newest Board member.

Item 1 – Roll Call

Board Members Present: Cynthia Guzmán, Michael Méndez, Irma Muñoz, David Nahai, James Stahl, Charles Stringer, and Lawrence Yee

Note: Board Member Méndez departed at 3:00 p.m. and returned at 4:05 p.m.

Staff Present: Renee Purdy, Jenny Newman, Hugh Marley, Helen Rowe, Gerardo Rabelo, Khalid Abdullah, Tamarin Austin, Sophie Froelich, Adriana Nuñez, Milasol Gaslan, LB Nye, Cris Morris, Russ Colby, Yue Rong, Arthur Heath, Susana Vargas, Megan Kung, Rebecca Christmann, Ann Chang, Naomi Rubin, Ching To, Kristie Kao, Jeong-Hee Lim, Lala Kabadaian, James Kang, Bizuayehu Ayele, Lydia Kim, Jun Zhu, and Jessica Pearson

Item 2 – Order of Agenda

The EO noted the reordering as follows: Items 1-4, Item 8 (public forum), Item 12, lunch break, Item 5, Item 7, Items 9-11, Item 13, Closed Session, and Item 6 (time permitting).

Item 3 – Approval of Draft Meeting Minutes for the December 10, 2020 Board meeting

MOTION: Board member Stahl made a motion to approve the December 10, 2020 draft meeting minutes.

Seconded by: Vice Chair Yee

Motion carried: Approved by roll call vote.

Cynthia Guzmán – Yea
Michael Méndez - Abstained
Irma Muñoz – Yea
David Nahai - Abstained
James Stahl – Yea
Charles Stringer – Yea
Lawrence Yee – Yea

Item 4 – Selection of 2021 Board Chair and Vice Chair

The Chair asked Board member Stahl, who was an appointed member of the Nominating Committee for the 2021 Board officers, to present the committee's recommendations for Chair and Vice Chair of the Board. Board member Stahl submitted to the Board for their consideration Lawrence Yee as Chair and Cynthia Guzmán as Vice Chair for the 2021 term.

Lawrence Yee and Cynthia Guzmán both accepted their nomination.

MOTION: Board member Stringer made a motion to approve the selection of 2021 Chair and Vice Chair.

Second by: Chair Muñoz

Motion carried: Approved by roll call vote.

Cynthia Guzmán – Yea
Michael Méndez - Yea
Irma Muñoz – Yea
David Nahai – Yea
James Stahl – Yea
Charles Stringer – Yea
Lawrence Yee – Yea

Item 8 – Public Forum**Speakers:**

- Terry Adams, SA Recycling
- Tim Simpson, GSI Environmental on behalf of SA Recycling
- Patrick Galvin, GSI Environmental on behalf of SA Recycling
- Chuck Carter, Channel Islands Neighborhood Council Marine Advisory Committee
- Ray Tahir, TECS Environmental

Item 12 – Consideration of Extension of Final Total Maximum Daily Load (TMDL) Implementation Deadlines for Certain TMDLs in the Los Angeles Region

Chair Yee read the opening statement for the proceeding.

Staff Presentation: Dr. LB Nye, Section Chief, Regional Programs Section

Speakers:

- Steven Zuckerman, Mayor, City of Rolling Hills Estates
- Douglas Krauss, City of Hermosa Beach
- Mark Johnson, City of Malibu
- Chris Minton, Larry Walker Associates, representing Malibu Creek Watershed EWMP Group
- Ewelina Mutkowska, County of Ventura
- Arne Anselm, Ventura Countywide Stormwater Quality Management Program
- Shahram Kharaghani, City of Los Angeles Sanitation & Environment
- Paul Alva, County of Los Angeles
- Ray Tahir, TECS Environmental
- Richard Watson, Richard Watson & Associates, On behalf of Los Cerritos Channel Watershed Group
- Sarah Wilfong, BizFed
- Cori Bell, NRDC
- Steve Fleischli, NRDC
- Luke Ginger, Heal the Bay
- Annelisa Moe, Heal the Bay
- Bruce Reznik, LA Waterkeeper
- Ulmira Loza, community member

Chair Yee presented the process for deliberation for Item 12, indicating that the Board would start with opening comments and questions from each Board member and then proceeded with a more in-depth discussion and deliberation for each TMDL by watershed. Once the Board reached a decision on the tentative resolution, Chair Yee stated that the Board would provide staff with direction on TMDLs for which extensions had not been proposed by staff, but which permittees had asked the Board to consider for future extensions.

The Board deliberated on the proposed extensions for the two TMDLs in Marina del Rey Harbor Watershed.

The Board continued the hearing while it broke for lunch and considered items 5, 9, 10, 11, and 13.

Following Item 13, the Board continued its deliberations, focusing on the proposed extensions for the three TMDLs in the Ballona Creek Watershed.

Due to time constraints, the Board chose to continue the item to the next Board meeting to allow for adequate time to deliberate on the proposed extensions for the four remaining TMDLs in the Santa Monica Bay Watershed and Malibu Creek Watershed. Chair Yee announced that the public comment period was closed, and that the hearing would be continued to the March 11, 2021 Board meeting. No final decision on the tentative resolution was reached.

Lunch Break – 1:50 p.m. to 2:20 p.m.

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.)

There were no ex parte disclosures reported.

- b. Board Member Reports

Board Member Muñoz reported that she spoke at an event for Stanford MBA students on environmental climate justice.

Board Member Stahl reported on February 1, 2021 he testified as an individual at the Central Santa Monica Bay Watershed Area Steering Committee of the Safe, Clean Water Program. He supported funding of the City of LA's Ballona Creek dry weather diversion, first flush treatment project.

Chair Yee reported on February 5, 2021, he and former Chair Muñoz attended a Zoom meeting of Los Angeles Water Board staff.

Item 7 – Update from State Water Board

Due to time constraints, the update by State Board Member Sean Maguire was postponed until the March Board meeting.

Item 9, 10 and 11 – Uncontested Items

The EO recommended moving Item 11 to the uncontested items calendar.

MOTION: Board member Stahl made a motion to approve uncontested calendar items 9, 10 and 11.

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

Cynthia Guzmán – Yea
Michael Méndez - Absent
Irma Muñoz – Yea
David Nahai - Yea
James Stahl – Yea
Charles Stringer – Yea
Lawrence Yee – Yea

Item 13 – Hearing to consider a tentative resolution authorizing referral to the California Attorney General for judicial enforcement against Rafiel Shahbazian, Mitchell Investors, LLC, Edward Waymire, and the former Waymire Drum Company for alleged violations of Los Angeles Water Board Cleanup and Abatement Order Number R4-2010-0095, under California Water Code sections 13304, 13340 and 13350 for imposition, assessment, and recovery of civil liability, injunctive and other appropriate relief.

The Chair administered the oath to all those testifying on Item 13.

Staff Presentation

- Russ Colby, Section Chief, Compliance and Enforcement Section
- Tamarin Austin, Attorney, Office of Chief Counsel

Speaker

- Andy Tsarukyan, Remedy Law Group, legal counsel for Mr. Shahbazian

MOTION: Board member Stahl made a motion to approve the referral to the California Attorney General.

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

Cynthia Guzmán – Yea
Michael Méndez - Absent
Irma Muñoz – Yea
David Nahai - Yea
James Stahl – Yea
Charles Stringer – Yea
Lawrence Yee – Yea

Legal counsel Tamarin Austin announced that the Board was going into closed session to discuss Items 14.i. and 14.m. on the agenda.

(The Board went into closed session at 3:00 p.m. and reconvened at 4:05 p.m.)

Item 6 – Executive Officer’s Report

Due to time constraints, there was no EO Report.

The meeting adjourned at 5:03 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, and she may provide an electronic copy of the transcript or audio, if available.)

Written and submitted by Helen Rowe, Board Clerk on March 15, 2021

Signature on File

Helen Rowe