



Los Angeles Regional Water Quality Control Board

June 30, 2022

Jeff Ruch
Pacific PEER Director
Public Employees for Environmental Responsibility
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VIA EMAIL ONLY

RE: June 8, 2022 Letter to James Stahl, Acting Chair, Los Angeles Regional Water Quality Control Board

Dear Mr. Ruch,

This letter responds to your June 8, 2022 letter (June 8 Letter) to James Stahl, the Acting Chair of the Los Angeles Regional Water Quality Control Board (Los Angeles Water Board or board) in which you request his recusal from the board's upcoming decision on the tentative resolution approving the proposed Memorandum of Understanding (MOU) between the board and The Boeing Company (Boeing).¹ Relatedly, we are also taking this opportunity to respond to misstatements and false allegations about current and former board members in the June 8 Letter as well as Public Employees for Environmental Responsibility's (PEER) press releases dated June 8, 2022 titled, "Newsom Muscling Boeing Sweetheart Deal Through" and "Opposition Mounts to Newsom-Boeing Sweetheart Deal" (June 8 Press Releases). The Los Angeles Water Board takes its roles and responsibilities to protect water quality at the Santa Susana Field Laboratory (SSFL) site very seriously and ensures all decisions about SSFL are and will remain untainted by any actual or perceived conflicts of interest. Our responses, below, are provided with the intent to give you information that we hope will address your concerns.

¹ The full title of the tentative resolution is, "Resolution Approving the MOU between the Los Angeles Water Board and Boeing Establishing the Processes, Methodologies, and Standards for Assessing Stormwater Discharges and Applicable Requirements Following Boeing's Soil Cleanup at the Former Santa Susana Field Laboratory Site (SSFL) and Authorizing the Executive Officer to Sign the MOU on Behalf of the Los Angeles Water Board."

JAMES STAHL, ACTING CHAIR | RENEE PURDY, EXECUTIVE OFFICER

First, regarding your request for Mr. Stahl's recusal, you contend he has past ties to Boeing based on his prior employment at MWH. In your June 8 Press Release, you refer to Mr. Stahl as "a former Boeing Consultant." Mr. Stahl has no past ties to Boeing and was never a consultant for Boeing. Prior to its acquisition by Stantec in 2016, MWH was a global consulting firm that employed thousands of individuals and a few hundred executives. While at MWH, Mr. Stahl was one of many vice presidents, but Boeing was not a client of his and he did not work on any Boeing matters. Further, Mr. Stahl did not supervise anyone's work on projects involving Boeing during his tenure at the firm from 2007-2015. Mr. Stahl was not involved in the Standardized Risk Assessment Methodology (SRAM) in any way. Finally, Mr. Stahl never received any income from Boeing during his tenure there, nor does he receive any income from Boeing now. We want to also note that Mr. Stahl has not done any work for Boeing or worked on any Boeing matters prior to or after his tenure at MWH.

Considering the above, Mr. Stahl does not have an actual or perceived conflict of interest, nor is he biased, such that he would be prevented from participating in the board's decision on the Tentative Resolution Approving the Proposed MOU.

To support your request for Mr. Stahl's recusal, you also suggest that Lawrence Yee, a former member and Chair of the Los Angeles Water Board, was abruptly removed from the board to ensure that the board approves the MOU. Mr. Yee was not removed from the board. He resigned. His departure had nothing to do with manipulating board leadership or membership.

Your letter also seems to imply that Mr. Stahl was involved in Mr. Yee's departure, but he had no hand in Mr. Yee's resignation. It is standard protocol for the vice chair to assume the position of acting chair in the chair's absence or departure from the board. With Mr. Yee's resignation, Mr. Stahl, as the elected vice chair, has become the acting chair until the Los Angeles Water Board elects a new chair.

You end your letter with a reiteration of recent accusations that you made against Board Member Irma Muñoz, and to older allegations against a former member of the Los Angeles Water Board, Charles Stringer, by other groups that PEER is associated with, such as Committee to Bridge the Gap.

Many of the allegations against Board Member Muñoz and Mr. Stringer over the years are based on a fundamental misunderstanding of what gives rise to an actual conflict of interest, financial or otherwise, and what a board member must report on their Statement of Economic Interests, also known as a Form 700. Form 700 provides necessary information to the public about an official's personal financial interests to ensure that officials are making decisions in the best interest of the public and not enhancing their personal finances. The Political Reform Act and Fair Political Practices Commission (FPPC) regulations dictate what is a financial interest and what is required to be disclosed on a Form 700.

First, with respect to Member Muñoz, as I explained in my April 11, 2022 letter to you, and as she and others have explained publicly, she has voluntarily recused herself from every Boeing decision that has come before the board since 2015, including closed session matters. Her recusal includes the mediation between Boeing, CalEPA, DTSC and the Los Angeles Water Board and the resulting comprehensive framework for cleanup by Boeing at the SSFL site, inclusive of the Proposed MOU that is part of the comprehensive framework. All of the accusations that PEER has brought against Board Member Muñoz are false, and they have been publicly refuted on numerous occasions. (See, e.g., statements made by Executive Officer Renee Purdy, former Board Chair Yee, and Member Muñoz, available at: https://www.waterboards.ca.gov/losangeles/santa_susana/.)

Second, with respect to former Board Member Charles Stringer, he was not a lobbyist for Boeing while he was a member of the board; a 2014 letter from the Fair Political Practices Commission (FPPC) rejected this claim (https://www.fppc.ca.gov/content/dam/fppc/documents/enf_letter/11-24-14/ENF006.pdf). Further, he never had a financial conflict of interest with respect to work that Renewable Resources Group (RRG), the company where he is employed, previously performed for Boeing. Mr. Stringer had no economic interest in Boeing that required reporting on his Form 700 because Mr. Stringer did not have any ownership interest in RRG and did not receive any income from Boeing. Mr. Stringer was simply an employee of RRG. Nonetheless, Mr. Stringer voluntarily recused himself from all matters related to Boeing from the time of his appointment through the end of his tenure on the board in November 2021 to avoid any appearance of conflict, including in closed session meetings of the board. These allegations against Mr. Stringer were refuted repeatedly over the many years that Mr. Stringer served on the Los Angeles Water Board.

In conclusion, in response to your request for Mr. Stahl's recusal, there is no need for him to recuse himself from the board's upcoming decision on the Tentative Resolution Approving the MOU. Regarding the false allegations against board members, it is disappointing that PEER is reiterating false allegations that have been previously refuted and promoting new inaccuracies and false allegations, now against Mr. Stahl. Questions and potential concerns regarding the MOU are anticipated and voicing them is part of the public process. But these kinds of unfair, baseless attacks on board members themselves do not advance the public process. I respectfully request that if you have questions or concerns about any board member, you contact me.

Sincerely,

Sophie Froelich
Attorney IV
Office of Chief Counsel, State Water Resources Control Board

cc: Los Angeles Water Board Members

Renee Purdy, Executive Officer, Los Angeles Water Board

Jennifer Fordyce, Assistant Chief Counsel, State Water Resources Control Board