



California Regional Water Quality Control Board

Los Angeles Region



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

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Agency Secretary

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Arnold Schwarzenegger
Governor

Revised Meeting Minutes

Los Angeles Regional Water Quality Control Board
January 19, 2006 Regular Board Meeting
City of Simi Valley Council Chambers
2929 Tapo Canyon Road, Simi Valley, California

Item 1. Roll Call

The meeting was called to order by Chair Susan Cloke at 9:14 a.m.

Board Members Present: Susan Cloke (Chair), Fran Diamond, Bonny Herman, Mary Ann Lutz, Maribel Marin, H. David Nahai, F.W. 'Dick' Richardson

Board Members Absent: Brad Mindlin, Leo Vander Lans

Staff Present: Jonathan Bishop, David Bacharowski, Deborah Smith, Ronji Harris, Michael Levy, Melinda Becker, Blythe Ponck-Bacharowski, Thomas Siebels, Samuel Unger, Renee DeShazo, Deborah Neiter, Paula Rasmussen, Hugh Marley, Robert Sams, Stephen Cain, Laura Gallardo, David Hung, Cassandra Owens, Don Tsai, Kristie Chung

Individuals who's Names Appear on the Sign-In Sheet

Mr. Steve Shestag, The Boeing Company, Canoga Park	Ms. Donna Diamond, The Boeing Company, Seal Beach
Ms. Heather Hoecherl, Heal the Bay	Dr. Mary McDaniel, McDaniel Lambert, Inc.
Mr. Eddie Huh, Rep. Beverly Hot Spring	Mr. George Bounds, Resident Westlake Village
Ms. Elizabeth Crawford, Physicians for Social Responsibility	Dr. Daniel Weisman, West Hills Neighborhood Council
Mr. Philip Fries, L.A. County Sanitation District	Dr. Susan Paulsen, Flow Science
Ms. Ann Heil, L.A. County Sanitation Districts	Ms. Uzi Daniel, West Basin MWD
Mr. Robert Stockdale, Shell Oil	Ms. Bonnie Klea, Resident West Hills
Mr. Dave Einhorn, Resident West Hills	Ms. Shelley Luce, Santa Monica Bay Commission
Mr. Hoover Ng, Water Replenishment District	Ms. Christina Walsh, Resident West Hills
Mr. Dan Hirsch, Committee to Bridge the Gap	Mr. Kris Flaig, City of Los Angeles
Mr. Sam McDermott, Wood Smith, Henning & Berman LLP	Ms. Laura Plotkin, Representing Senator Sheila Kuehl's Office
Ms. Joelle Warren-Lane, Heal the Bay	Mr. Peter Massey, Tree People
Ms. Elize Bounds, Resident Westlake Village	Ms. Dorr Raskin, Rocketdyne Cleanup Committee
Ms. Florence Raskin, Rocketdyne Cleanup Comm.	Mr. Chris Imhoff, Tree People

California Environmental Protection Agency



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Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Ms. Jessica Hall, Santa Monica Bay Commission	Mr. Gene Lucero, Latham & Watkins
Ms. Sharon Rubalcava, Weston, Benshoof LLP, Rep. The Boeing Company	Mr. George Bounds, Resident Westlake Village

Item 2. Award Presentation.

Chair Susan Cloke presented the Chairs Award to Samuel Unger, of the Los Angeles Regional Board's TMDL 2 Unit.

Item 3. Election of Officers

MOTION: By Chair Susan Cloke to nominate Board Member H. David Nahai was nominated as Chair, and Board Member Fran Diamond was nominated as Vice Chair for the year 2006.

First: Board Member Mary Ann Lutz
Second: Board Member Maribel Marin
Vote: Approved unanimously by vote

**The gavel was turned over to Mr. H. David Nahai, Board Chair 2006.*

Item 4. Order of Agenda.

The Executive Officer, Jonathan Bishop, recommended that Agenda Items 12 be continued to a future meeting.

MOTION: To approve order of agenda.

First: Vice Chair Fran Diamond
Second: Board Mary Ann Lutz
Vote: Approved unanimously by vote

Item 5. Approval of December 1, 2005 draft Meeting Minutes.

MOTION: To approve Draft meeting Minutes for December 1, 2005.

First: Board Member Fran Diamond
Second: Board Member Dick Richardson
Vote: Approved unanimously by vote

Item 6. Board Member Communications.

Board Member Mary Ann Lutz attended a meeting with the keynote speaker Mr. Wayne Natri of U.S. Environmental Protection Agency pertaining to issues that affect our city.



Board Chair Susan Cloke attended a site visit at Mandeville Canyon, but did not participate in any discussion.

Item 7. Executive Officers Report

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

**State Board Member Jerry Secundy gave an update on the various recent actions that have been taken by the State Board, and mentioned various forthcoming meetings and conferences pertaining to environmental matters.*

Item 8. Public Forum.

Ms. Ann Heil, Los Angeles County Sanitation Districts
Dr. Daniel Weisman, West Hills Neighborhood Council
Mr. Gerhardt Hubner, Ventura County Watershed Protection District
Ms. Heather Hoecherl, Heal the Bay

Item 9. Uncontested Items Calendar.

MOTION: To deem non-controversial and approve Agenda Items 10, 11, 13

First: Board Member Mary Ann Lutz
Second: Board Member Fran Diamond
Vote: Approved by unanimous vote

Item 14. The Boeing Santa Susana Field Laboratory.

Staff Report:

Mr. Jonathan Bishop, Executive Officer.

- Analysis used to come up with interim limits
- The various tier analysis
- Outfalls that will be affected by the analysis
- The revised tentative amendment includes new monitoring requirements
- Comments received and responses to comments by staff
- Three elements of the Cease and Desist Order

Public Comment:

Supervisor Linda Parks, Ventura County
Ms. Laura Plotkin, Representing State Senator Sheila Kuehl
Mr. Steve Shestag, The Boeing Company
Ms. Sharon Rubalcasa, Representing the Boeing Company



Closed Session: 12:35

Reconvened: 1:55 (*Board Member Bonny Herman left the meeting following lunch at approximately 2:10 p.m.*)

Public Comment:

- Mr. Dan Hirsch, Representing Committee to Bridge the Gap (in opposition)
- Mr. Jonathan Parfrey, Physicians for Social Responsibility (in opposition)
- Dr. Susan Paulsen, Representing the Boeing Company
- Ms. Donna Diamond, The Boeing Company
- Ms. Christina Walsh, Cleanup Rocketdyne Organization (in opposition)
- Dr. Daniel Weisman, West Hills Neighborhood Council (in opposition)
- Ms. Holly Huff, Resident (in opposition)
- Ms. Marie Mason, Resident (in opposition)
- Mr. George Bounds, Resident Westlake Village (in support of)
- Ms. Barbara Johnson, Resident (in opposition)
- Ms. Heather Hoecherl, Heal the Bay (in opposition)
- Ms. Elizabeth Crawford, Physicians for Social Responsibility (in opposition)
- Mr. John Farrow, Committee to Bridge the Gap
- Ms. Sue Boecker, Save Open Space (in opposition)

Board questions/comments:

- The Board asked for clarification as to whether or not we are lowering our limits in the permit
- Directed staff to track Boeing on the Checklist to monitor activities
- Discussion of whether or not Boeing would be willing to agree to independent testing by Southern California Coastal Water Research Project (SCCWRP)
- What are the benefits if any of not adopting a Cease and Desist Order (CDO) today
- What activities will be taking place to address this situation (cleanup)
- Are the requirements put forth today more stringent than in previous Orders?
- Asked for clarification on the rescission of the Cease and Desist Order
- Discussion about the restoration and repair of trust and confidence in Boeing by the community

MOTION: To adopt the Waste Discharge Permit Requirements without the Cease and Desist Order, and to adopt the proposed change sheet with Total Maximum Daily Loads (TMDLs) to bring back before the Board for consideration at the March 9, 2006 Board meeting.

First: Chair David Nahai

Second: Board Vice Chair Fran Diamond

Votes on Item 14.1 for the Waste Discharge Requirements were approved unanimously.



MOTION: To approve current Cease and Desist Order with two changes as follows: May 1, 2006 deadline and fines of \$10,000 per day, and per violation.

First: Board Member Mary Ann Lutz
Second: Board Member Susan Cloke

A voice vote was requested by Board Member Lutz.

Votes on Item 14.2 for the Cease and Desist Order were 3 yes votes and 3 no votes and therefore the Cease and Desist Order was not approved; five yes votes were required to approve the CDO.

Item 15. West Basin Municipal Water District, West Basin Water Recycling Plant.

Staff Report: Ms. Blythe Ponak-Bacharowski

Public Comment:

Mr. Richard Nagel, West Basin Municipal Water District

Ms. Ann Heil, Los Angeles County Sanitation District (Concerns about chemicals requested a provision incorporated into the permit)

MOTION: To approve the permit with removal of interim limits.

First: Board Member Susan Cloke
Second: Board Member Mary Ann Lutz
Vote: Approved unanimously by vote.

Item 16. Panel Hearing Recommendation to assess penalties in the amount of \$70,780 against Genesis Real Estate Group.

Staff Report:

Ms. Paula Rasmussen, Chief

Ms. Rasmussen indicated that the complainant has agreed to the fine with quarterly payments.

MOTION: To approve the Hearing Panel recommendation of Administrative Civil Liability fines totaling \$70,780.

First: Vice Chair Fran Diamond
Second: Chair H. David Nahai,
Vote: Approved unanimously by vote.

*(Items 17 and 18 will be continued to the next meeting).

The meeting was adjourned in memory of Ms. Ellen Stern Harris, a past Board Member, Conservationist, and mother of the California Coastal Conservation Act of 1972, and a member of the first Coastal Commission.



The meeting was adjourned also in memory of Mr. Raul Mercado, a 20-year old resident of the City of Monrovia who was killed in action in Iraq in December 2005.

Minutes adopted at the March 9, 2006 meeting. Written and submitted

by: _____

