

Los Angeles Regional Water Quality Control Board Report

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As of today, the mandated three Fridays a month furloughs continue. There is a date that they will end, but the next hurdle is the new budget. In his new budget the Governor has requested State Agencies to reduce their payroll by 15%. The State Water Board and the Regions are working together to find a solution to the situation. There may be layoffs. The Los Angeles Region however, is in a pretty good shape. We have lost a few positions recently due to retirements and other reasons that have not been replaced as of yet. Hopefully, this will mean there will not be any layoffs from our Region.

Sad news to report from the Regional Board:

Our first order of business at this meeting was to offer a Resolution in honor of Stephen Cain (you may recall my last update noted his untimely death in December 2009). This marks the first Board Meeting without Stephen and it was very evident that we were missing a major component. The Resolution was presented to Stephen's partner Jim Muller and best friend Vicki Tamoush. As Vicki said, "What a beautiful, sad, beautiful, beautiful, sad experience."

Update on Underground Tank Storage (UGT) Program:

UST Chief Yue Rong presented the Board with an overview and update of the program. It is amazing how many storage tank cases our staff closes in a year. The Board commended the entire UGT staff for their exceptional work.

Update on Enforcement and SEP Policies:

Reed Sato from the State Board Office of Enforcement briefed our Board on the new enforcement policies. The Board had several questions and concerns. It was decided that we would invite Mr. Sato back to discuss portions of this new police piece by piece.

State Board Vice Chair, Fran Spivey-Weber:

Ms. Spivey-Weber updated the Board on many items at the state level. She reported on the Federal Stimulus Funds for 2009. There were 109 projects in the state. Our region received funding for 17 projects worth \$47 million. Most of these projects related to storm water. Some of the recipients were Hermosa Beach, Gateway Cities COG, City of LA and Santa Monica.

Item # 11 Waste Discharge Requirements for County of Los Angeles, Maintenance Clearing of Engineered Earth-bottom Flood Control:

The County of Los Angeles Flood Control District is seeking authorization for maintenance of the engineered earth-bottom channels in the reaches of Los Angeles River, San Gabriel River, Santa Clara River, Malibu Creek and Dominguez Channel. The maintenance is removal of primarily vegetation and some sediment to ensure sufficient flood water volume capacity and thereby reducing the potential for flooding in these watersheds during a storm event.

The Waste Discharge Requirements approved require the County to do the following:

Maintain one watershed per year during specific times of the year.

Submit a Work Plan, Best Management Practices, and Feasibility Study prior to commencement of the work.

Monitoring of water quality is required during studies, and before, during and after maintenance work.

A biologist must be available to them at all times during work to address endangered plants, animal species and ecosystem restoration.

Item #12 Consideration of a Report of Waste Discharge for Malibu La Paz Ranch, LLC.

La Paz Ranch is a commercial development planned in the Civic Center area of Malibu. The major issues are as follows:

1. The project proponent contends that they have worked diligently to meet the Regional Board's request for information in support of their application for Waste Discharge Requirements for the La Paz development project and that they have met the requirements. In addition, they contend that the Board's delay in responding to their application means that their application was "Approved" under the Permit Streamlining Act. By law this would give them the option of discharging waste according to their application until such time as the Board issued binding WDRs.
2. The Board staff contends that they have worked diligently with the applicant to help them meet the requirements but that the applicant has not yet provided the information necessary to prepare valid WDRs.
3. The La Paz project is located within the boundaries of the Septic Prohibition imposed by the Board on the Civic Center area.

Reports from staff were primarily focused on the legal aspect of the "Permit Streamlining Act" and why staff feels it does not apply here. Staff recommended that a Waste Discharge that prohibits discharge from the project site and allows staff and La Paz to continue working to submit a new Report of Waste Discharge for a new Waste Discharge Requirements that will be more appropriate for the project.

La Paz argued that they had already submitted the paperwork and therefore under the Permit Streamlining Act they already have an approved report and needed the Board to approve a Waste Discharge Requirement for their project. The presentation consisted of a detailed explanation of the wastewater treatment system they are planning on the site. The conceptual plans would result in close to a discharge free site that reuses virtually all wastewater and reduces water supply needs.

Following many Board questions regarding how we got to this uncomfortable place, and comments relating to the fact that the Board did not have all the facts they needed to approve a WDR as requested by La Paz, it was moved, seconded, and carried to approve the Board Staff's recommendation. The Board made clear statements that they expect the staff and La Paz to begin working together and return back to the board with a new proposal for WDRs and a recycling permit.

Future Board Agenda items:

Triennial Review

Santa Monica Bay Marina del Rey and Inner Cabrillo Beach Bacteria TMDL

Agricultural Waiver

The next LA Regional Water Quality Board Meeting will be held on March 4, 2010, at 9:00 am, at the Metropolitan Water District of Southern California.