

SANTA MONICA BAY RESTORATION COMMISSION

MINUTES OF THE MEETING  
OF  
THE GOVERNING BOARD

February 19th, 2009  
Del Rey Yacht Club

**1. Welcome and Introductions**

At 9:47 AM, Chair Richard Bloom called the meeting to order. Introductions followed.

**2. Approval of the December 18th, 2008 Meeting Minutes**

Richard Bloom asked for approval of the minutes. Wing Tam noted an amendment of the roster for last Governing Board meeting. Meeting minutes approved with amendments (Motion: Gold, second: Ford) without objection.

**3. Order of Agenda**

Combine Agenda Items 4 (Chair and Executive Committee reports) & 6 (Report from the Executive Director and Staff). Remove Agenda Item 5, no report from the Technical Advisory Committee (TAC). Agenda changes approved without objection.

**4. Reports from the Chair and Executive Committee & Reports from the Executive Director and Staff**

Executive Director Shelley Luce briefly discussed the Prop 84 proposal reviews and the timeline for the suggested projects. Approval is placed on hold due to the freezing of bond monies. When bond monies become available, the Governing Board would be able to consider approval of the proposed projects at the next appropriate Governing Board meeting. The first round of review was completed at the last Executive Committee meeting, and the next round of review will take place at the Executive Committee meeting in March, 2009.

Luce also announced the arrival and distribution of the 2008 Bay Report, available in limited supply.

Government Affairs Director Scott Valor distributed the Governing Board member and Public sign in sheet and asked for any changes to contact information.

**7. Election to fill Governing Board Vacancy: Malibu Creek Watershed Cities position**

Valor announced the self nomination of John Sibert to fill the Governing Board vacancy. The Las Virgenes Council of Governments sent a letter of support for his nomination. Election of Sibert to Governing Board approved unanimously. (Motion by Spivy-Weber, second by Maguin) Sibert gave a brief description of his career and accomplishments.

**8. Consideration of Appointment of Dr. Ranier Hoenicke to the Technical Advisory Committee**

Consideration of Dr. Rainer Hoenicke be appointed to the Technical Advisory Committee. Luce and Gold discussed his career and accomplishments. Election of Hoenicke to Technical Advisory Committee approved unanimously. (Motion: Washburn, second: Zaldivar)

**9. Presentation and Consideration of Support for Assembly Bill 139 (Brownley) re: LA County Flood Control District authority to assess a property-related fee for flood control and stormwater-related projects**

Susan Nissman and Hector Bordas from the Office of Supervisor Zev Yaroslavsky, 3rd District, County of Los Angeles and the LA County Department of Public Works proposed support by the SMBRC Governing Board for Assembly Bill 139. A vote to support legislation will be discussed at the next Governing Board meeting on April 16<sup>th</sup>, 2009.

Bordas discussed the legislation that would allow a ballot proposal to be placed before local voters to establish a fee that would, in essence, create flexibility for stormwater treatment processes. An advisory committee has been established and discussion of a community taskforce to propose guidelines and recommendations has been proposed. Objective is to have the bill ready for voters for the May 2010 ballot. Proposed fee is \$54/year.

Several suggestions and comments were made by the Governing Board Members. Wan, Orton, and Sibert have concerns about the language of the bill being too broad and lacking specificity. Zaldivar discussed the City of LA proposing a similar raise in fees over the next 10 years and perhaps working together to spend revenue for all cities inside the watershed. Fay encouraged an onsite runoff incentive program which would empower voters to reduce stormwater runoff directly. Gold and Washburn discussed the importance of providing direction to assembly members, learning from the mistakes of Proposition O, getting the public behind the idea, and specifying regulations in septic tank cities.

The Governing Board agreed to discuss further at the Governing Board meeting on April 16<sup>th</sup>, 2009, taking no action at this time.

#### **10. Presentation on the Marine Life Protection Area Process in Southern California**

Luce introduced SMBRC Marine Specialist Lia Protopapadakis representing SMBRC on the Regional Stakeholder group, and Richard Ambrose, Science Advisory Committee member and Technical Advisory Committee Chair.

Protopapadakis presented on MLPA initiatives, the Marine Restoration Act and how SMBRC was involved in helping with data collection. She discussed goals of the SMBRC Bay Plan and the MLPA process.

Ambrose discussed how the fishing industry affects Marine Life. By establishing an MLPA, populations will become more reproductively productive, larger species will not be removed by fisherman, and thus healthier ecosystems will be established. The Stakeholder group will determine alternative boundaries, and the Science Advisory Committee will determine if those selected boundaries are meeting the goals of the Bay Plan and MLPA. The Technical Advisory Committee and the Science Advisory Committee will create a list of size and spacing guidelines for the proposed MLPA, and the species that are likely to benefit from creating these areas. Consideration of how to include water quality parameters have also been discussed and will likely be included in the process. Lastly, Ambrose discussed inappropriate sites for MLPA's including; Power plant inlets, wastewater outfalls, large storm drain outlets. Wan provided comment on problems desalination plants create for MLPA.

Protopapadakis noted the website [www.dfg.ca.gov/mlpa](http://www.dfg.ca.gov/mlpa) if Governing Board members would like to be more involved. Ford commented on the success of MLPA and made himself available to anyone interested in learning more information.

#### **11. Presentation on Palos Verdes Shelf Contamination Risk Reduction and Cleanup Options**

Luce discussed DDT contamination on the Palos Verdes Shelf. SMBRC Assistant Director Guangyu Wang, introduced Mike Montgomery and Carmen White of the Environmental Protection Agency, Region 9, to present on the Risk Reduction research and cleanup options.

Montgomery presented the Draft Feasibility Study Briefing. He discussed the history and timeline of the EPA's involvement in sediment deposits. White presented detailed data to reduce immediate exposure and protect human health. The EPA will recommend an interim Record of Decision (ROD) because uncertainties preclude recommendation of a final remedy at this time. The ROD is scheduled for the Summer 2009.

#### **12. Public Comment**

Marcia Hanscom noted supports for LA County's efforts with Assembly Bill 139.

Fran Spivy-Weber announced that the stimulus package is available and the Regional Water Quality Control Board will vote on March 17<sup>th</sup>, 2009 on how the final rules will apply to allocation of funds.

### **13. Announcement of next Governing Meeting**

The next Governing Board meeting will be held on April 16th, 2009.

The Governing Board meeting for the Santa Monica Bay Restoration Foundation will follow promptly after this meeting at 12:00 pm.

### **14. Adjournment**

The Governing Board meeting was adjourned at 11:50 am.

#### **Attendance:**

##### *Voting Members of the Governing Board:*

Richard Bloom, SMBRC Chair, At-Large Member BWC ( City of Santa Monica, Mayor)

Alex Fay, Councilmember, LA City Council District 11 (for Bill Rosendahl)

Tom Ford, Public Member (Environmental/Public Interest), Santa Monica Baykeeper

Mike Gin, South Bay Cities (City of Redondo Beach, Mayor)

Mark Gold, Public Member (Environmental/Public Interest), Heal the Bay

Steve Maguin, LA County Sanitation District

Susan Nissman, Office of Supervisor Zev Yaroslavsky, 3rd District, County of Los Angeles

Mehaul O'Leary, Ballona Creek Watershed Cities, City of Culver City

Mark Pestrella, LA County Department of Public Works (for Gail Farber)

Marvin H. Sachse, Public Member (Business/Economic Interest), Brash Industries

John Sibert, Malibu Watershed Cities (City of Malibu)

Fran Spivy-Weber, California Environmental Protection Agency (for Linda Adams)

Sara Wan, California Coastal Commission

Dennis Washburn, At-Large Member BWC (City of Calabasas, City Council Member)

Enrique Zaldivar, LA City Department of Public Works

##### *Non-Voting Members of the Governing Board:*

Richard Ambrose, Technical Advisory Committee, Chair

Joe Edmiston, Santa Monica Mountains Conservancy

Daniel Murphy, LA County Fire Department, Lifeguard Division

Randal Orton, Las Virgenes Municipal Water District

Louise Rishoff, State Assembly member, 41<sup>st</sup> District (for Julia Brownley)

Joe Edmiston, Santa Monica Mountains Conservancy

##### *Commission Staff:*

Karina Johnston

Michelle Kearney

Shelley Luce

Lia Protopapidakis

Jack Topel

Scott Valor

Guangyu Wang

Sarah Woodard

##### *Other Attendees, including other Bay Watershed Council Members:*

Hector Bordas, LA County Department of Public Works

Barbara Cameron, City of Malibu

Steve Finton, Public

Phillip Friess, LA County Sanitation District

Joe Gully, LA County Sanitation District

Marcia Hanson, Sierra Club & Ballona Institute

Greg Jaquez, LA County Department of Public Works

Greg Kelly, Diamond West Inc.  
Dean Kubani, City of Santa Monica  
Ana Lyra, Public  
Kathleen McGowan, Rolling Hills Estate  
Mike Montgomery, US Environmental Protection Agency  
Chris Sellers, Department of Beaches and Harbors  
Sarah Abramson-Sikich, Public Member (Environmental/Public Interest), Heal the Bay  
Rorie Skei, Santa Monica Mountains Conservancy  
Wing Tam, LA City Department of Public Works  
Pamela Ulich, Malibu Creek Watershed Cities (City of Malibu)  
Carmen White, US Environmental Protection Agency