

SANTA MONICA BAY RESTORATION COMMISSION
MINUTES OF THE MEETING OF THE GOVERNING BOARD

April 24, 2014

Del Rey Yacht Club

Welcome and Introductions

At 9:40 a.m. Chair Micheál O'Leary called the meeting to order. Introductions followed.

1. Public Comment

Walter Lamb from the Ballona Wetlands Land Trust spoke about an email request for a work group, asked the GB to move in an ecologically-based direction in Ballona, even if not all groups agree, and said the public sees the process as off-track and the public takes a back seat. John Davis said the Foundation deposits money that should go to a treasury account. Davis also said Shelley Luce failed at her fiduciary duties and that staff failed to file forms 700. Kathy Knight from the Ballona Ecosystem Education Project spoke about having a better interaction between agencies and the public with local ecosystems, and spoke about a situation at Mariners Village where developers were to cut trees that blue herons need, and she couldn't contact agencies at the table to save the trees. Patricia McPherson from the Grassroots Coalition and Sierra Club circulated a document and spoke about a complaint to the Coastal Commission regarding illegal drains in the Ballona Wetlands, and spoke about an investigation. She asked members to ask Fish and Wildlife to work on an agreement with the Coastal Commission. Joseph Young from the Sierra Club asked GB members to form governance committees to address concerns of the SMBRC.

Francis McChesney, SWRCB legal counsel, addressed public comments regarding funding and the legal structure to provide staff to the SMBRC. McChesney said that while the statute, the law that created the Commission, allows the State Legislature to appropriate funds for the SMBRC, which would go into a special account, no such funds have ever been appropriated and that the Commission has never have funds of its own for staff or other expenses. Furthermore, McChesney explained that the federal Clean Water Act provides that the U.S. EPA may give grants to non-profit organizations, such as the Foundation, to implement the Bay Restoration Plan (BRP) and to provide staff to the Commission to implement the national estuaries program.

The Commission members took time to recognize the work of Shelley Luce and to wish her well. A proclamation was presented by Louise Rishoff to Luce, signed by Senators Fran Pavley, Ted Lieu, and Assembly members Richard Bloom, Steven Bradford, and Al Muratsuchi. Jennifer Zivkovic and Andrea Kune also extended congratulations to Luce on behalf of Senator Ted Lieu and Assembly member Richard Bloom, respectively. Micheal O'Leary also presented a gift on behalf of the SMBRC.

2. Informational Items

a) Order of Agenda

The order of agenda was not changed.

b) Reports from the Chair and Executive Committee (EC)

No report.

c) Report from the Technical Advisory Committee (TAC)

Richard Ambrose reported that the TAC has been working on the State of the Bay report and that the focus has been on assessments of conditions of the different habitats. Ambrose said for the next report a series of workshops with experts in each area is planned, for each type of habitat. Ambrose also reported on activities of the MRAC and reported progress on a white paper on the values of coastal wetlands and especially the connectivity between higher habitats and wetlands.

d) Reports from the Executive Director (ED) and Staff

On her last report, Luce thanked the staff, the engaged and supportive stakeholders, and the SMBRC members, for helping protect and restore the bay.

Public Comment

John Davis expressed relief of Luce's departure and accused the staff of fraud.

GB members, including Fran Diamond, Laurie Newman, Susan Nissman, Ron Smith, and Enrique Zaldivar all thanked Luce for all her science-based hard work during the past nine years to improve the watershed, coast, and environment. Thanks were also delivered on behalf of various other elected officials, including the offices of Supervisor Zev Yaroslovsky, Mayor Garcetti, and Councilmember Mike Bonin.

3. Governing Board Business Items

a) Consideration of Approval of the February 20, 2014 Meeting Minutes

Public Comment

John Davis complained about the minutes not being signed and not being recorded in audio. Frances McChesney said the approval of the minutes by the GB members constitutes acknowledgement of the creation of the minutes.

The minutes were approved with no changes (M: Caspary, S: Murphy)

b) Presentation and Summary of Input from the Watershed Advisory Council (WAC) Meeting (10 min.)

Guangyu Wang made a presentation on the feedback received from the WAC meeting in March, which focused on the State of the Bay report and the annual SMBRC Work Plan. Wang spoke about feedback for the State of the Bay Report, which included a display of graphics on the report, more use of quantitative data, and priority listing and reporting on TMDLs and LIDs with implementation status and impacts. Other feedback, Wang mentioned, was given on wetlands, riparian and terrestrial species, as well as getting pre- and post-restoration data on the Malibu Lagoon project, data on how MPAs are working, and climate change.

With regards to the annual Work Plan, members gave feedback asking to do more TMDL and LID work, but also to have more participation in the MS4 process. Wang reported members advocated for the restoration of the Oxford basin, to manage invasive species, to manage sedimentation, monitor beach ecology and intertidal habitats, among other priorities. Wang said members provided positive feedback on the kelp restoration efforts and that there were quite a few recommendations regarding local fish contamination. With regards to public education and outreach, feedback was given to bring more people to the wetlands and educate them. Interesting ideas were provided, among them a PIE funding request to cities with projects to comply with storm water permit. With respect to monitoring and research, Wang mentioned the idea of comprehensive monitoring. Other ideas included bringing more NGOs to participate. The summary of comments on the State of the Bay report and annual Work Plan is available upon request.

Jim Knight clarified the feedback he provided on water resources and quality improvement, and said municipalities need help in complying with TMDLs. He spoke about an infeasible issue at Rancho Palos Verdes with regard to storm water standards being higher than drinking water standards. Robert Godfrey gave a report on the bay and said the fauna are healthy, and said that claims of food chain and recreational activities being endangered by copper in the water are a huge stretch of the facts, and said questionable science and faulty economic analysis is used to justify a proposed TMDL ban on copper and dredging of the marina. Wang said feedback is appreciated on this to continue working on the plan with feedback from the board. John Sibert recommended having priority lists for the GB and identify who is responsible for working on the issues. Susan Nissman added that in addition to priorities, we should have an implementation plan, and clarified the role of the SMBRC.

Public Comment

Knight asked that the WAC have more power and meet more than once a year. Lamb said the WAC is implemented in one way and not in the way it was intended and said a work group would address that, with more consensus and deliberation than mere comments. Davis distributed bylaws of the the now-defunct Bay Watershed Council and said the GB is not authorized to alter the governance of the national estuary program. McPherson said they asked for committees to be formed within the WAC, McPherson also asked for a photographer, Jonathan Coffin, of Fish and Wildlife to be a monitor for the Ballona Wetlands.

c) Presentation and Update on the IRWMP Process (25 min.)

Russ Bryden from Los Angeles County presented an overview of the Integrated Regional Water Management Plan (IRWMP). Bryden said IRWMP is trying to fill a leading role in water management and planning for the next 30 years, and said it is about changing the paradigm and thinking in "one-water" and thinking about converting problems into opportunities. Examples include turning a problem from flooding to storm water capture, from pollution in waterways to treatment of water and creation open space in habitats, from home water waste to save and re-use, etc. He also spoke about the challenges, including unsustainable supply with the importation of water to meet demand, intense urbanization, ground water contamination, surface water quality, degradation of water in rivers and channels, etc. Bryden also spoke about the problematic organizational water structure to deal with our water, with hundreds of water retailers and five-hundred entities trying to manager our water, and the role that IRWMP plays.

Bryden said the IRWMP includes a comprehensive capital improvement program for the next 30 years with projects needed to meet IRWMP goals, and said the plan has collaboration opportunities. He said the State of California is serious about the IRWMP, committing impressive funding of at least \$900 million with Prop 84 available for integrated projects. He said our region has received \$75 million so far and spoke about 35 individual projects that have been already funded with Prop 50 funds and other projects funded by Prop 84. Bryden spoke about a third round of funding for urgency draught projects, and asked members to consider joining forces on projects that align with their priorities, especially with an expedited drought busting project funding, for which a round of grant applications is in process. Bryden also spoke about the contributions of SMBRC and Shelley Luce on the Greater L.A. Region IRWMP, particularly on open space issues.

SMBRC members discussed specifics of the IRWMP and its projects.

Public Comment

McPherson spoke about drains at Ballona and mentioned the non-existence of hydrology studies and no de-watering studies. Davis spoke about salt water intrusion in the Ballona wetlands. With regards to IRWMP, Washburn commended Bryden on the presentation and asked that the focus be expanded and deal with energy and atmosphere using the same IRWMP model.

d) Member Comment

Kune spoke about legislation AB 1699 by Assembly member Bloom to ban plastic microbeads and asked for letters of support and thanked agencies for their support. Nissman announced the adoption of the Santa Monica Mountains Local Coastal Program and commended the collaborative effort of many agencies. Sikich announced a forum to discuss a climate change and vulnerability assessment done by the City of LA and USCC Grant event on April 30th at Westminster Elementary School.

e) Announcement of Next Meeting Date

The next Governing Board meeting is scheduled for June 19, 2014 at 9:30 am.

Adjournment

Meeting adjourned at 11:35 a.m.

Attendance

Voting Members of the Governing Board:

Dayna Bochco, California Coastal Commission
Charles Caspary, Las Virgenes Municipal Water District
Liz Crosson, Los Angeles Waterkeeper
Fran Diamond, California Regional Water Quality Control Board, Los Angeles
Suzanne Goode, California Department of Parks and Recreation
Robert Godfrey, At-Large Member (Marina Del Rey Anglers)
Grace Hyde, Los Angeles Sanitation Districts
John Kelly, LA County Department of Beaches & Harbors
Jim Knight, South Bay Cities (City of Rancho Palos Verdes)
Dan Murphy, LA County Fire Department, Lifeguard Division
Susan Nissman (alternate to Zev Yaroslavsky), LA County Board of Supervisors (Supervisor, 3rd District)
Micheál O'Leary, SMBRC Chair, Ballona Creek Watershed Cities (Culver City)
Marvin Sachse, Brash Industries
John Sibert, Malibu Watershed Cities (City of Malibu)
Sarah Sikich, Public Member/Environmental, Heal the Bay
Rorie Skei, Santa Monica Mountains Conservancy
Ron Smith, At-Large Member, West Basin MWD
Clark Stevens, At-Large Member BWC (SM Mountains RCD)
Enrique Zaldivar, Los Angeles City Public Works, Bureau of Sanitation

Non-Voting Members of the Governing Board:

Richard Ambrose, Technical Advisory Committee, Chair
Andrea Kune, Assemblymember Richard Bloom, 50th District
Laurie Newman, The Bay Foundation, President
Louise Rishoff, State Senator Fran Pavley, 27th District
Jennifer Zivkovic, State Senator Ted Lieu, 28th District

Commission Staff:

Julie Du Brow
Tom Ford
Shelley Luce
Scott Valor
Marcelo Villagomez
Guangyu Wang

Other Attendees, including other Watershed Advisory Council Members:

Willie Brien, Westside COG
Russ Bryden, Los Angeles County
Mike D'Annuncci, Hazen & Saenger
John Davis
Kathy Knight, Ballona Eco system Education Project
Francis McChesney, SWRCB
TJ Moon, LA County
Tim Pershing, Asm. District 50
Patricia McPherson, Grassroots Coalition, Sierra Club
Mike Tripp, DBH
Wing Tam, LA City Department of Public Works
Joe Young, Sierra Club