LAS VIRGENES - TRIUNFO
JOINT POWERS AUTHORITY
MINUTES

5:00 PM August 5, 2013

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Chair McReynolds

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call

The meeting was called to order at 5:01 p.m. by Director McReynolds in the Rancho Las Virgenes Composting Facility Lunchroom. Clerk of the Board, Bodenhamer called the roll. Those answering present were Directors Caspary, McReynolds, Orkney, Peterson, Polan, Renger and Wall. Directors absent: Iceland, Steinhardt.

2. APPROVAL OF AGENDA

A Approval of agenda

On a motion by Director Charles Caspary, seconded by Director Janna Orkney, the Board of Directors voted 8-0 -2 to Approve the JPA Special Meeting of 8/5/2013 as presented.
AYES: Director(s) Caspary , McReynolds , Orkney , Paule , Peterson , Polan , Renger , Wall
ABSENT: Director(s) Iceland , Steinhardt

Arrived at the tank site: Directors Iceland at 5:02 and Director Steinhardt at 5:03.

3. PUBLIC COMMENTS

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

No speaker cards were received from the public.

4. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Third Digester Construction Site Tour

Administering Agent/General Manager Pedersen thought this would be a good opportunity for all to tour of the construction site of the Third Digester Project. The JPA Board of Directors convenened to the site tour.

Facilities & Operations Director Lippman introduced Inspector Barrow and Technical Services Manager Zhao, the team partners in charge of the construction process and went on to say that once they were up at the tanks, they will give an explanation about how big it's going to be and what the plans are in the future.

At the construction site, Mr. Lippman explained this was the start of the Third Digester and the

excavation was completed; the majority of the dirt was taken out and spread in the fields in order to save us money; a contractor did not have to be paid to haul it off the site; the remainder of the dirt is left for backfill of the digester; the two tanks are the existing digesters which are about 1.1 million gallons each in capacity; the majority of them are underground just like the new project is going to be partially underground.

Mr. Barrow gave an overview of the project saying they first had to excavate about 10,000 cubic yards of soil out and brought in structural backfill and compacted that and then formed and put rebar in the pad. The pad is about 2 feet thick with 2 mats of rebar. The bottom mat is 6" on each center with #7 rebar; above that is another mat that has #7 bars with 1 foot on center; they poured it in 2 pours that looked like a pie with 2 slices taken out; they poured opposite corners one day starting the pour about 7:00 am and finishing up around noon; it took about 24 cement trucks; after waiting a few days, they poured the other two sections; they placed burlap on top of the pour and flooded it with water so it could cure slowly which prevents cracking; after the pour, the cement has to sit for 14 days before a load like the wall framing and wall forms can be put on it; on Monday August 12th they will be able to start setting the walls; the two 20" pipes sticking out the side travel underneath the pad and poke up through the center; the 20" is for the the suction line for the recirculating pump; the 8" pipe is for the draw line that heads up to the dewatering building for the amendment;

A summary of JPA Board questions included: The original finished elevation of the slab was higher than it is now so was it over excavated (Barrow: they excavated down to what appeared to be bedrock; Fugro came in and notified it was not actually bedrock so they had to excavate another 10 feet and do additional soil nails; they drill the nails into slope 40' and solid grout with plates and washers and lock nuts). Will that area all be backfilled and what about wall forms? (Barrow: it will be backfilled so you won't see any of the shotcrete; the walls are going to be 22" thick and 34' high; wall forms are poured a section at a time) Since the project is on bedrock, seismically it should be fine? (Lippman: that is correct) What is the regular concrete psi rating and what is the difference? (Barrow: city mix for sidewalks is about 2500 psi and and the concrete for this project is about 4500 PSI and it is also a special mix design; this is a lot stronger; Geolabs is the soils services company during construction and they come out and draw cylinders and check the temperature and slump of the cement; at 7 days they break the cylinders and they have to come up to a certain strength; they break them all the way to 28 days to check the strength; when they did the shotcrete and grout on the walls that came up to strength in 7 days and at 28 days it was at 7200 psi) (Lippman: when construction is done, we will have a tank like to ones already there sticking up out of the ground but in addition to that, they will build a pump station that will include the recirculation pumps for the new digester as well as a new heating system; the conversion is being made from the steam heating system from heating water in a boiler, pumping the steam and injecting it into the digester to using a heat exchanger; with hot water on one side and sludge on the other, the heat from the hot water will transfer to the sludge as it is recirculated in and out of the digester; the gas that was being used will be used for the cogeneration with hopes to gain some savings in electrical costs) How will the water be heated? (Lippman: the waste heat from the cogen and if there is not enough waste heat, then a low heat boiler will be used to replace the high heat boiler currently being used) Are the current tanks as deep as the one being built? (Barrow: yes, they are going to match each other elevation wise because the new pump station will have recirculation pumps but the piping is going to tie into the existing pump station; the tanks will all tie together to be more efficient when doing maintenance) (Lippman: the original design for Rancho included 6 digesters and he believes the third one should be sufficient) Where are the generators and are they piston type generators? (Lippman: in the building down the hill and they are internal combustion engines) Do they need more fuel or more demand? (Lippman: they need more demand, the demand peaks when the centrifuges are running to dewater the sludge being pulled from the digesters, otherwise there is a steady base load) What about the heat exchanger? (Lippman: there will be a new heating system for all 3 digesters because the current system is starting to fail, rather than invest in replacing it or maintaining it, the plate and frame heat exchanger is a better way to go) When is the project going to be complete? (Barrow: we started May 1st, 2013 and its a 1 year contract; the contact is doing really well and is ahead of scheduled) (Lippman: pictures are being taken at the same time, same location each

day of the progress being made; those pictures are available on the web as a flip book) (Barrow: they have been working for 52 actual work days and there is a daily photo for each day) What about routing drainage from the storms? (Barrow: we have a catch basin and a cement head wall with a storm drain already installed) Will the tanks have to be rehabbed? (Lippman: not sure of how much rehab will be needed until the tanks can be taken out of service; once the new digester is stabilized it will allow the other tanks to come out of service to develop a rehab program)

The meeting was reconvened at 5:25 pm.

B Water Quality Permitting Overview

Administering Agent/General Manager Pedersen gave a brief overview of Water Quality Permitting and Director of Facilities & Operations Lippman presented.

Mr. Lippman referred all to his handout as a reference and backup to what he was speaking about in the presentation. The presentation was on Permitting on JPA facilities focused on Water Quality but not from legal point of view. Mr. Lippman stated Wayne Lemieux, Keith Lemieux and John Mathews could answer any legal questions. The regulations are the State's Porter-Cologne Act and the Federal Clean Water Act. In 1949 the state legislature passed the Drinking Water Pollution Control Act; the purpose was to manage sewer systems and industrial waste; in 1969 the legislature passed the Porter-Cologne Act which is the Water Quality Law; under the umbrella, you have the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCB) who manage the Porter-Cologne Act; we are in Region 4 of the Los Angeles Region; the SWRCB consists of five full time salaried members, each filling key positions and each member is appointed to a 4 year term by the governor; the RWQCB consists of 7 part time members, also assigned by the governor and serving a 4 year terms; information on the board members is included in the hand outs; the RWQCB has an extensive staff led by Samuel Unger, their Executive Officer and Deb Smith, their Chief Deputy; in 1972, Congress passed the Federal Water Pollution Control Act, also known as the Clean Water Act, regulated under the EPA; the Clean Water Act requires standards and surface water quality mandated sewage treatment regulations; individual states primarily enforce the Clean Water Act; LVMWD is under the State of California which enforces the Clean Water Act; California has the authority to administer and enforce discharge permit programs, pretreatment programs, however California does not have an approved biosolids program; the JPA service area is the EPA Region 9 which serves Arizona, California, Hawaii and Nevada, their main office is in San Francisco with a field office in Los Angeles; Jared Blumenfeld was appointed by President Obama in 2009 as the Region 9 Administrator; water quality and daily maximum loads are managed by Wetlands, Oceans and Watersheds in the Office of Water; when Pedersen and Lippman were in Washington DC, they met with one of the main executives in the office of Wetlands, Oceans and Watersheds; Region 9 is under the monitoring assessment and TMDL section, our local contact is Dr. Cindy Lin in the Los Angeles office; California does not have an approved Biosolids program so the compost plant is regulated by Cal-Recycle under the Cal-EPA, however the farm has a discharge permit from the RWQCB because the application of sludge or recycled water in the fields could impact ground water or surface waters; we are also regulated by the EPA under part 503 of the Clean Water Act; those are the 3 agencies that regulate the composting facility for water quality; National Pollutant Discharge Elimination System (NPDES) requires permits by the Clean Water Act; all facilities that discharge any pollutant from any source are required to have a discharge permit and to obtain an NPDES Permit (called discharge permit throughout the rest of the presentation); the SWRCB and RWQCB have many programs dealing with underground fuel tanks and water rights, but in the area of water quality, they formulate policies and plans, as an example, the SWRCB is working on a Biological objectives policy which Carlos Reyes will talk about later on in the evening; the RWQCB issues individual permits, general permits, manage the pretreatment program and deal with water quality issues; there is no set schedule for general permit renewals, but they are reviewed and revised; the general permit for dewatering was recently revised and the District had to re-enroll in it and some of the requirements changed, particularly due to the monitoring requirements; individual permits include WDR's, WRR's and NPDES WDR's; the WDR's are Waste Discharge Requirements which is the requirement for the farm; WRR is the Water

Reclamation Requirement required for the Recycled Water System; the difference between the WDR and WRR and the discharge permit is that they don't have set renewals schedule; the discharge permits have a set 5 year renewal schedule; the discharge process requires that you apply for renewal 6 months before the permit expires; the approval for renewal is based on plant performance, water quality standards and any new polices in place before the last permit renewal period; the draft permit is submitted for public review and revised based on the RWQCB's response to comments received from the public and depending on the complexity, the permit could be revised and sent out for review again and after approval, the permit becomes effective 50 days later which allows the EPA to also approve it and also allows the permittee to appeal from the Regional Board to the State Board; the JPA has appealed successfully in the past but you have to have a firm bases to appeal successfully; included in all of the permits are monitoring requirements (MRP's) which tells, what, where and when and how the sample, monitor and record; during the renewal process, the RWQCB takes a lot of time to make sure the MRP's are reasonable; in 2010 they wanted to provide an MRP that would cost an additional $250,000 per year in monitoring, we were able to negotiate a revision to the MRP where they left the 2005 monitoring requirements but required us to do the study for the proposed watershed monitoring plan; currently we are monitoring based on the 2005 permit; the discharge permit for Tapia expires on August 10, 2015 which means the application for renewal needs to be completed by February 10, 2015; there are several needs of enforcement with violations to permit conditions, such as missing reporting requirements or exceeding water quality limits which result in penalties of $25,000 per day or $10.00 - $25.00 per gallon per day depending on the violation; depending on the violation, rather than taking the penalty, the funds can be used for Supplemental Environmental Projects (SEP) which typically fund projects that benefit the watershed; during the 2005 permit renewal, a violation letter was received for exceeding water quality limits in the Malibu Creek when there was no discharge so the allegations were removed after explaining there was no discharge to the creek, however the misinformation was made public; Water Quality Standards are reviewed by the EPA and the EPA also develops Water Quality Standards that are incorporated in WDR's, WRR's and Discharge Permits;

A summary of JPA Board comments included: Is the State Board not required to follow the EPA? Since the new ruling, does it tie their hands (Lemieux: it will be discussed in closed session)

C Update on the U.S. EPA TMDL for Sedimentation and Nutrients to Address Benthic Community Impairments

Administering Agent/General Manager Pedersen stated he would like to provide an update to the JPA Board on the TMDL along with Director of Resource Conservation and Public Outreach Carlos Reyes and Resource Conservation Manager Dr. Randal Orton.

Mr. Reyes stated the presentation consists of 4 parts; background information related to the TMDL; Dr. Orton will cover any major technical issues and concerns; Mr. Lippman will cover the compliance cost estimates and then Mr. Pedersen will wrap up by going over the next steps; Heal the Bay report is the basis of the TMDL; we completed our review of their report with a 25 page document a couple of weeks ago; we copied our review to Federal, State and local levels as they will be interested in what we have to say, Shelly Luce with the Santa Monica Bay Restoration Commission and key staff with EPA; the comments will be published on the District's website as well; JPA comments included: why was it presented at the last minute; it seems as if it should have been presented weeks or months prior to a decision being made? (Administering Agent/General Manager Pedersen: The Heal the Bay report "Ecosystem on the brink" was never released to the public until 5 days before the TMDL was released; when we went back to Washington DC that was one of the comments made to the folks there and when we returned back there was an event planned by Heal The Bay to release their report, clearly intended to to get the report out before the regulation was adopted; it was 5 days before the March deadline to adopt the TMDL regulation) (Reyes: Randal reported that the Heal The Bay report was cited the TMDL about 24 times) we sent out comments to HTB, will there be a regulatory response, do they have to respond? (Administering Agent/General Manager Pedersen: they do not have to so they may not but the key thing is that the report was published without independent scientific peer review, i.e. reviewers were hand-

picked by Heal The Bay there were some mis-statements and omissions that were critical; it was important to correct those and correct the record but it is unlikely they will respond) Item number 2, the petition for challenging the MS4 (Municipal Separate Storm Sewer System) Permit; that permit governs the discharge from the County was issued in November of 2012, a month later and the NRDC appealed the permit; 37 cities in the county also filed administrative appeals claiming excessive costs; MS4 contains the provisions of the nutrient TMDL; the state board denied the 37 petitions. JPA question: what about Ventura County? (Reyes: this does not cover discharge in Ventura County, it only covers Los Angeles County) Item number 3, the Bio Objective Policy to be complete in April of 2014; it is under a technical level and policy level; there are separate groups working on in and the effort are spear headed by the SWRCB. Item number 4 is the WERF Study Applications; Randal will discuss further; JPA question: Nitrogen is a naturally occurring substance, how is it differentiated between inorganic and organic nitrogen? (Orton: Organic nitrogen refers to molecules with nitrogen atoms in them attached to carbon atoms, whereas inorganic nitrogen molecules have no carbon (e.g. nitrate, NO3, nitrite NO2). TOTAL nitrogen (TN) in a water quality test is the sum of both forms (i.e. organic + inorganic N). Unlike previous nitrogen limits based solely on nitrate N, the US EPA TMDL specifies allowable levels of nitrogen as TOTAL nitrogen, or TN; the organic nitrogen is hundreds of different kinds of molecules; Reyes: there was a request from the Water Environment Research Federation (WERF) so we applied for a couple of studies; we are requesting about $60,000 towards the cost of the studies; the first study involves the Geologic Impacts of Water Quality and the second study refers to Organic Nitrogen in Biogenic Marine Shale; item number 5, Santa Monica Bay Restoration Commission (SMBRC) update, the last few months the SMBRC has been working to update the plan; the plan is intended to be a conservation management plan, however, the plan appears to have elements that make the commission look like a regulatory agency; particularly in terms of TMDL implementation; staff has been working with Director Caspary to provide comments to the commission; he is working with other members of the governing board; they had planned to take up the plan this month but it is not published; sometime ago, Director Caspary wanted information as to what requirements are for treatment plants that discharge to Calleguas Creek; (Carlos showed a map with the outlines of the Calleguas Creek) the 5 plants are Hill Canyon, Camarillo, Moorpark, Simi Valley and Camrosa; the last permit registered to the treatment plant was in 2003 which is actually 2 permit cycles behind; the permit was based on the nutrient TMDL for Calleguas Creek Watershed that same year; the TMDL only has requirements for nitrogen, no phosphorus; the limits for nitrogen in that watershed was 9; JPA comments: They are 2 permit cycles behind? What does that mean? (Reyes: it means they are going by the conditions of the last permit that was issued to them; the last permit was in 1997) (Lippman: the permits we are talking about are the discharge permits and they are required to renew every 5 years; that doesn't mean the Regional Board renews them, they fall behind because there is so much work; prior to 2005, the Tapia permit had not been renewed since 1997; its most likely due to the lack of action on the Regional Board) JPA question regarding Hill Canyon TP requirements/Calleguas Creek Nutrient TMDL: Does this consent decree on TMDL impact the Calleguas Creek? (Reyes: the nutrient TMDL that was prepared for the Calleguas Creek was part of the consent decree) JPA question: what is the difference between the Malibu Creek Watershed and Calleguas that creates the biggest challenge given the larger watersheds? (Caspary: having walked around Calleguas Creek and various areas is that it has been channelized and harden banks by Federal Record Engineers so it's not a natural state; that may be the biggest reason why nothing is happening) (Miller: for many years they started their system looking at the creek and doing the study) (Adminstering Agent/General Manager Pedersen: its interesting because you would think the two would have similar characteristics, also no discharge prohibition) JPA question: does it only affect what comes out of the pipe? (Reyes: Yes) Reyes stated the TMDL did not set limits on phosphorus so the wastewater plants like Hill Canyon and Simi Valley do not have limits with phosphorus. JPA question: How is it the EPA is just getting back to saying it's too expensive? How is it that 10 years passed before that happened? (Lippman: the petitions were for the MS4 permit that was just approved in 2012, not the 2003 nutrient TMDL)

Dr. Orton gave a brief overview on the TMDL; the TMDL is intended to address Benthic Community Impairments; the concept is simple in theory, the benthic community is impaired due to bad habitat and bad water quality due to excessive algal growth; but in practice the EPA overlooked or dismissed many

other potential causes of impairment, focusing solely on nutrients.

JPA question: can you starve algae by limiting available nitrogen? (Dr. Orton: nitrogen has to be very low in order to starve it out; the mats will not go away even if all human nitrogen sources are eliminated, because there is still enough natural nitrogen in the creek to grow excessive levels of algae; that is actually on the next slide; there is a theory called the Law of the Limit, the growth of any population is limited by whatever nutrient is in shortest supply; if there's plenty of phosphorus in the creek, for example, but limited nitrogen, then whole idea is to start by reducing the nitrogen) For the purposes of the listing, Southern California – IBI (Index of Biological Integrity) on the map in red and orange shows as a fail so that was the problem perceived; the theory behind the TMDL is pretty simple, if poor water quality is fixed, the rest will follow; but that simple concept is, in practice, based on assumptions that do not hold true in Malibu Creek, specifically the assumption that excessive algal growth is due to human nutrient sources.

JPA question: Why don't we just suck up the algae? (Orton: in terms of quantity, we figured out how many additional tons of nitrogen it would take to get out of the treatment plant, from a treatment perspective, it's a very difficult thing; in terms of the actual mass of nutrients, you could probably achieve the same reduction in the creek by harvesting it; unless that sounds too crazy, in the Los Angeles River, LA County routinely scrapes algae out of their concrete storm channels; every time they did that, one truck load removed as much nutrients (bound up in the algae) as a whole year of nutrient reduction at Tapia as proposed by the TMDL. Heal the Bay did not measure organic nitrogen, they only measured non-organic nitrogen; water samples were taken from the Heal the Bay sites and we measured the organic nitrogen – it's high; tests were also taken in the parking area with Monterey conditioned rock; the TMDL will require impossibly lower TN levels; JPA comment included: if we are not discharging, then why does it matter? (Orton: if we are out of the creek, it doesn't matter, but it matters when we discharge to the creek except for fish flows; the EPA calls fish flows a de minimus discharge, even though the water may not meet the TMDL numbers; looking at the conceptual flow chart the TMDL has some major problems including flawed data, flawed methods, flawed nutrient targets, flawed "reference" streams; TMDL sets enforceable limits both for nutrients and bioassessment scores.

5. CONSENT CALENDAR

A Minutes: Regular Meeting of July 1, 2013. **Approve**

Director Paule: abstained from the vote as he was not at the previous meeting of July 1, 2013.

On a motion by Director Charles Caspary, seconded by Director Lee Renger, the Board of Directors voted 9-0 -1 to Approve the recommendation as presented.
AYES: Director(s) Caspary , Iceland , McReynolds , Orkney , Peterson , Polan , Renger , Steinhardt , Wall
ABSTAIN: Director(s) Paule

6. ACTION ITEMS

A Odor Control Scrubber Carbon Replacement: Authorization of Purchase Orders

Waive formal bidding requirements for replacement of granular activated carbon for the odor control scrubbers at the Tapia Water Reclamation Facility and LVMWD's two lift stations; and authorize the Administering Agent/General Manager to issue a purchase order in the amount of $45,933 to Prominent Systems, Inc., for the work.

Adminstering Agent/General Manager Pedersen spoke on the Odor Control Scrubber Carbon Replacement; the carbon media that removes the odors has to be periodically replaced periodically and regenerated; this will involve replacing the carbon scrubbers and primary scrubbers; he asked to waive the formal bidding for replacement of granular activated carbon for the odor control scrubbers at Tapia and the Lift Stations and requested issue a purchase order to the low bidder, Prominent Systems Inc., in the amount of $45,933; there were 4 bids received for the work;

A summary of JPA Board comments included: If bids were already received, why is a purchase order not being issued? (Pedersen: the bids were submitted in an informal bidding process and not through the formal bidding procedures) In regards to financial impact, last year we budgeted $62,000, how much will it vary from that amount? (Brett Dingman: the amount will be less than the previously budgeted amount)

On a motion by Director Lee Renger, seconded by Director Michael Paule, the Board of Directors voted 10-0 to Approve the recommendation as presented.
AYES: Director(s) Caspary , Iceland , McReynolds , Orkney , Paule , Peterson , Polan , Renger , Steinhardt , Wall

B Construction of Impressed Current Cathodic Protection System for Centrate Treatment and Storage Tanks - Rejection of Bids

Reject all bids for the Construction of Impressed Current Cathodic Protection System for Centrate Treatment and Storage Tanks Project and direct staff to bring the item back for a call for bids in May 2014.

Administering Agent/General Manager Pedersen discussed the rejection of bids for the Construction of Impressed Current Cathodic Protection Systems for Centrate Treatment Storage Tanks; the item was discussed and on the agenda for approval at a previous JPA meeting and it was requested to be removed at that time; the scope of the project is to upgrade the 2 centrate treatment tanks currently equipped with sacrificial anode cathodic protection systems; the project went out to bid and got an apparent low bidder; because of the dry year discharge to the creek for fish flows, if the tank is taken off line during that time, the centrate treatment system will not be as effective which will cause the discharge at Tapia to be higher than normal; a request was made to reject the bid and to direct staff to call for bids again in May 2014.

A summary of JPA questions included; Renger asked about the power supply? What if it's a dry summer next year also? (Pedersen: to continuously have a fish flow like this is very unusual; Lippman: the fish flow is not normally at the beginning of the prohibition period, normally lasts 6 weeks at the most; we need the centrate treatment active and effective) how long will the job take? (Lippman: 6 to 8 weeks) Could the work be scheduled to start at the beginning of the prohibition period? (Pedersen: yes)

On a motion by Director Barry Steinhardt, seconded by Director Leonard Polan, the Board of Directors voted 10-0 to Approve the recommendation as presented.
AYES: Director(s) Caspary , Iceland , McReynolds , Orkney , Paule , Peterson , Polan , Renger , Steinhardt , Wall

C Joint Powers Authority Fourth Quarter Financial Review

Receive and file.

Administering Agent/General Manager Pedersen spoke on the Joint Powers Authority Fourth Quarter Financial Review operating revenues coming in favorably under budget by 4% and with higher revenues and lower expenditures; there was an we increase in the wholesale recycled water rate; operating expenses and were under budget by 4% ($624,000) expected operating expenses were attributed to the cost of waste water treatment at Tapia; the other major component capital project expenditures were substantially under budget; expenditures are primarily driven by timing of the projects and large projects such as the Third Digester Project, this was a large capital budget over 13 million dollars and the actual expenditures were over 3.5 million; the Rancho Digester project at the fiscal year end was at 787,000, which was substantially under budget at the time;

A summary of JPA questions included: capital projects are in the next budget year? What about centrate injecting? (Lippman: Injection Centrate business unit includes the centrate facilities as well as

farm maintenance; Litton has about $250,000; What about the increase for sewers? (Lippman: a large maintenance expense was due to rehabilitating all of the creek crossings in the trunk sewer system; has the electrical been resolved yet? Lippman: we asked Edison to find the problem and they will not be back charging; what was the estimate that they were supposed to be charging? (Lippman: ½ million was supposed to be charged; the expenses are back up at Tapia to what they were before this happened); are the projects that were on hold last year moving forward? (Lippman: that will stay on hold until the results of the master plan; the Rancho material handling improvements are still on hold; the vulnerability assessments for the sanitation facilities were driven by EPA regulations unlike vulnerability assessments; they have not issued those regulations as of yet so until they do, the District will not move forward with the assessment; the ground water supplement recycled water study will wait for the master plan); what is the impact of the costs given the fact that SCE has to somehow absorb the cost of the shutdown in San Onofre? (Reinhardt: the money already exists in Edison's budget and the amounts are already anticipated) is there a back-up capacity? (Lippman: yes) (Pedersen: portions of the system will actually shut down) in case of an actual brown out, are there plans to shut down the vulnerable equipment, rather than loss of operations? (Lippman: yes)

On a motion by Director Lee Renger, seconded by Director Leonard Polan, the Board of Directors voted 10-0 to Approve the recommendation as presented.
AYES: Director(s) Caspary , Iceland , McReynolds , Orkney , Paule , Peterson , Polan , Renger , Steinhardt , Wall

7. BOARD COMMENTS

Director Renger reported he had co-hosted the August 3rd Malibu Creek Watershed/Wastewater Treatment System Tour.

Director Polan went to the City of Westlake Village last Wednesday night and the City Council said they would have an issue with 20% by 2020. It was well received.

Director Peterson reported the new SWRCB Board Member Dorene D'Adamo went on the tour of the Metropolitan Facilities.

Director Orkney reported Malibu Times had an article out on the EPA TMDL. The EPA spokesperson said the TMDL's aren't really a regulation and made it seem like it wasn't a big deal; they were receptive;

Director Paule attended the Bi-monthly meeting for Ventura County Special District; the last meeting in June talked about the TMDL's;

Director Paule was asked to do a short update at the next meeting; and requested that a more formal presentation from the JPA since there are a number of people including the park districts, special districts and associations so anything we can do to rally support from them, especially Ventura County;

Director Caspary thanked staff for their response to Watershed on the Brink; they are getting the right people's attention;

Director McReynolds – Also attended the tour and staff did an excellent job; so well done that others came over and told him they don't see why we have problems with the algae and what is being missed because its so obvious; and also thanked staff for the input on the agenda on the reclaimed water system in regards to who paid for what.

Director Polan spoke of the algae growing in the creek and the experimental planting of trees in by the shopping center to reduce the amount of algae. Has any thought been given to planting more trees, especially where the algae tends to grow down? (Administering Agent/General Manager Pedersen: there is a lot of merit to that and its something that should be considered going forward but its

probably not a JPA function to do that)

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager Pedersen reported on the Watershed Tour; still plans on hosting a tour for elected officials; reported on follow-up items.

9. FUTURE AGENDA ITEMS

None

10. INFORMATION ITEMS

A Renewal of Aluminum Sulfate Contract

11. PUBLIC COMMENTS

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA,** but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

No speaker cards were received from the public.

The meeting convened into breat at 7:10 pm.

12. CLOSED SESSION

The meeting reconvened into Closed Session at 7:15 pm.

A Conference with District Counsel - Potential Litigation (Government Code Section 54956.9):

1. One Case in the opinion of District Counsel, disclosure of the identity of the litigant would be prejudicial to the agency.

B Conference with District Counsel - Existing Litigation:

1. Heal the Bay, Inc. v. Lisa P. Jackson

C Conference with District Counsel - Existing Litigation (Government Code Section 54956.9(a)):

1. Las Virgenes Municipal Water District vs. Onsite Power Systems, Inc.

13. ADJOURNMENT

The meeting convened into Open Session at 7:37 pm. No reportable actions were taken during Closed Session.

Chair McReynolds delcared the meeting adjourned at 7:38 pm.

Michael McReynolds, Chair

ATTEST:

Charles Caspary, Vice Chair