



San Gabriel Valley Council of Governments
AGENDA AND NOTICE OF THE JOINT MEETING OF THE WATER
POLICY COMMITTEE & WATER TECHNICAL ADVISORY
COMMITTEE (TAC)

Tuesday, December 10, 2019, 10:00 AM

Upper San Gabriel Valley Municipal Water District Office
602 E. Huntington Drive, Suite B; Monrovia, CA 91016

Water Policy
Chair

Diana Mahmud
City of South Pasadena

Vice-Chair

Judy Nelson
City of Glendora

MEMBERS

Claremont
Glendora
Monrovia
Rosemead
Sierra Madre
South Pasadena
LA County District 1

Water TAC

Chair
Tom Love
Upper San Gabriel Valley
Municipal Water District

Vice Chair

Alex Tachiki
City of Monrovia

MEMBERS

Alhambra
Arcadia
Bradbury
Covina
Duarte
Monrovia
Pomona
Sierra Madre
LA County DPW
San Gabriel Valley MWD
Upper San Gabriel Valley
MWD

EX-OFFICIO

LA County Sanitation
Districts
SG Basin Watermaster

Thank you for participating in today's meeting. The Water Committee encourages public participation and invites you to share your views on agenda items.

MEETINGS: *Regular Meetings of the Water Committee are held on the second Tuesday of each month at 10:00 AM at the Upper San Gabriel Valley Municipal Water District Offices (602 E. Huntington Drive, Suite B Monrovia, CA 91016).* The agenda packet is available at the San Gabriel Valley Council of Government's (SGVCOG) Office, 1000 South Fremont Avenue, Suite 10210, Alhambra, CA, and on the website, www.sgvkog.org. Copies are available via email upon request (sgv@sgvcog.org). Documents distributed to a majority of the Committee after the posting will be available for review in the SGVCOG office and on the SGVCOG website. Your attendance at this public meeting may result in the recording of your voice.

PUBLIC PARTICIPATION: Your participation is welcomed and invited at all Water Committee and Water TAC meetings. Time is reserved at each regular meeting for those who wish to address the Committee. SGVCOG requests that persons addressing the Committee refrain from making personal, slanderous, profane or disruptive remarks.

TO ADDRESS THE COMMITTEE: At a regular meeting, the public may comment on any matter within the jurisdiction of the Committee during the public comment period and may also comment on any agenda item at the time it is discussed. At a special meeting, the public may only comment on items that are on the agenda. Members of the public wishing to speak are asked to complete a comment card or simply rise to be recognized when the Chair asks for public comments to speak. We ask that members of the public state their name for the record and keep their remarks brief. If several persons wish to address the Committee on a single item, the Chair may impose a time limit on individual remarks at the beginning of discussion. **The Water Committee and Water TAC may not discuss or vote on items not on the agenda.**

AGENDA ITEMS: The Agenda contains the regular order of business of the Water Committee and the Water TAC. Items on the Agenda have generally been reviewed and investigated by the staff in advance of the meeting so that the Committee/TAC can be fully informed about a matter before making its decision.

CONSENT CALENDAR: Items listed on the Consent Calendar are considered to be routine and will be acted upon by one motion. There will be no separate discussion on these items unless a Committee member or citizen so requests. In this event, the item will be removed from the Consent Calendar and considered after the Consent Calendar. If you would like an item on the Consent Calendar discussed, simply tell Staff or a member of the Committee.



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the SGVCOG office at (626) 457-1800. Notification 48 hours prior to the meeting will enable the SGVCOG to make reasonable arrangement to ensure accessibility to this meeting.



PRELIMINARY BUSINESS

1. Call to Order
2. Roll Call
3. Public Comment (*If necessary, the Chair may place reasonable time limits on all comments*).
4. Changes to Agenda Order: Identify emergency items arising after agenda posting and requiring action prior to next regular meeting.

CONSENT CALENDAR (*It is anticipated that the Water Committee/TAC may act on the following matters*)

5. Water Committee/TAC Meeting Minutes – Page 1
Recommended Action: Approve Water Committee/TAC meeting minutes.

PRESENTATIONS

6. SB 205 (Hertzberg) Implementation — Hugh Marley, Assistant Executive Officer, Los Angeles Regional Water Quality Control Board – Page 5
Recommended Action: For information only.

DISCUSSION ITEMS

7. 2020 Legislative Priorities – Page 7
Recommended Action: Recommend proposed 2020 Legislative Priorities to the Governing Board for approval.

UPDATE ITEMS

8. Legislative Updates – Page 9
Recommended Action: For information only.
9. Litigation Update – Page 13
Recommended Action: For information only
10. Safe Clean Water Updates – Page 25
 - a. Overall Updates
 - b. Rio Hondo WASC
 - c. Upper Los Angeles River WASC
 - d. Upper San Gabriel River WASC*Recommended Action: For information only.*
11. E/WMP Updates
Recommended Action: For information only.
12. Water TAC Chair Report
Recommended Action: For information only.
13. Water Supply Update
Recommended Action: For information only.
14. Water Boards Update – Page 27
Recommended Action: For information only.

CHAIR'S REPORT

ANNOUNCEMENTS

15. San Gabriel Valley Water Forum – Page 35
Recommended Action: For information only.

ADJOURN



**SGVCOG Joint Water Policy Committee/TAC Special Meeting
Unapproved Minutes**

Date: October 8, 2019
Time: 10:00 AM
Location: Monrovia Community Center, Senior Game Room
119 W. Palm Ave; Monrovia, CA 91016

PRELIMINARY BUSINESS

1. Call to Order: The meeting was called to order at 10:07 A.M.
2. Roll Call

Water Policy Committee Members Present

J. Stark; Claremont
G. Boyer, J. Nelson; Glendora
G. Crudgington; Monrovia
M. Clark; Rosemead
J. Capoccia; Sierra Madre
D. Mahmud; South Pasadena

Water TAC Members Present

R. Wang; LACPW
J. Carlson, Sierra Madre

Ex Officio Members Present

A. Jimenez; Ana R., SG Watermaster

SGVCOG Staff

N. Kaur
C. Sims

Water Policy Committee Members Absent

LA County District #1

Water TAC Members Absent

Alhambra
Arcadia
Bradbury
Covina
Duarte
Monrovia
Pomona
USGVMWD

Ex Officio Members Absent

LACSD

3. Public Comment.

Daniel Lee, from the U.S. Census, provided a public comment on the 2020 Census. The Census is currently reaching out to elected officials to support the data gathering for the population count completed every 10 years. He reminded the group that the Census is important because \$675 billion is at stake for the next 10 years and, if there's an undercount, it can be problematic for that funding. He indicated that the Census has presentations, is looking to partner with local agencies, and has materials available in 12 languages. He indicated that he would like to give presentations at the Governing Board and other committees.

4. Changes to Agenda Order.
There were no changes to the agenda order.

CONSENT CALENDAR

5. Water Committee/TAC Meeting Minutes
There was a motion to approve the consent calendar. (M/S: J. Nelson/M. Clark).

[MOTION PASSED]

AYES:	Claremont, Glendora, Monrovia, Rosemead, Sierra Madre, South Pasadena, LA County District #1, Alhambra, , Pomona, LACPW, USGVMWD
NOES:	
ABSTAIN:	
ABSENT:	Arcadia, Bradbury, Covina, Duarte

PRESENTATIONS

6. Water Contaminant Litigation — Ken Sansone, SL Environmental Law Group
K. Sansone presented on water contaminant litigation around PFAS and other manmade groundwater contaminants. SL Environmental Law Group is a national practice representing municipalities, agencies, and the State for contaminants. He discussed who should pay to clean-up contaminants by discussing the legal liability for defective products – and how it’s determined if a product is defective – and how contamination costs can be recovered by manufacturers. He also discussed the statute of limitations. The Committee discussed the statute of limitations and how to work with private water companies to address contaminants.

DISCUSSION ITEMS

UPDATE ITEMS

7. Safe Clean Water Program
Chair Mahmud discussed the Committee’s previously-submitted comments on the supplemental documents for the Safe Clean Water Program and which comments were and were not accepted. She discussed the schedule for upcoming Watershed Area Steering Committee meetings.
8. Legislative Updates
The Committee discussed the following pieces of legislation:
 - SB 205: This Bill requires that cities confirm that businesses that are classified under certain NCAIS codes have a valid industrial stormwater permit prior to awarding a business license. There was concern from the cities about how to implement the legislation, given that the business codes hadn’t been updated for many years.
 - AB 1093: This Bill would’ve required the State Water Resources Control Board to utilize definitive financial capability assessment guidelines in developing stormwater permits. The Bill was vetoed by Governor Newsom. The Committee discussed how to coordinate with the SGVCOG’s lobbyist to continue to determine the best approach for this legislation.
 - AB 755: This Bill would assessed a fee on tire purchases to be used for stormwater mitigation. The Bill is now a two-year bill because it didn’t have enough votes and

was pulled. There was discussion on how to move the Bill forward by collaborating with NGOs.

- AB 1204: This Bill would require that primary drinking water standards that are more stringent than the federal drinking water standards not take effect for 3 years after they're adopted. There was discussion on the impacts of immediate reporting and implementation of drinking water standards.
- HR 1497: This Bill would provide funding for stormwater. The Committee discussed Congresswoman Napolitano's comments in the San Gabriel Valley Tribune on the Bill.

9. Litigation Update

There was discussion on the Court's ruling in the Duarte and Gardena cases and what the rulings meant.

10. E/WMP Updates

There was discussion on feasibility studies. There was discussion on the issues that the Upper LA River Watershed Area Group was facing in implementing the load reduction strategies for the Rio Hondo drainage area.

11. Water TAC Chair Report

There was no update on the Water TAC because neither the Chair or Vice Chair were in attendance.

12. Water Supply Update

The San Gabriel Watermaster reported on the region's imported water deliveries and reported that the Key Well was at 210.8.

13. Water Boards Update

There was no update on this item.

CHAIR'S REPORT

There was no report from the Chair.

ANNOUNCEMENTS

The Chair announced that there would be no meeting in November and the Committee may go dark in December as well.

ADJOURN

The meeting was adjourned at 11:45 AM.

DATE: December 10, 2019

TO: Water Committee/Water TAC

FROM: Marisa Creter, Executive Director

RE: **SB 205 (HERTZBERG) IMPLEMENTATION**

RECOMMENDED ACTION

For information only.

BACKGROUND

In October 2019, Governor Newsom signed SB 205 (Hertzberg). SB 205 requires that an applicant from a business operation in a regulated industry must demonstrate enrollment with the NPDES permit program when applying for a business license. The applicant must demonstrate enrollment with the NPDES permit program by providing specified information – for example the business’s Standard Industrial Classification (SIC) code – under penalty of perjury. This requirement would apply to all business license applications and renewals submitted on or after January 1, 2020. The Bill also permits cities and counties to develop a provisional procedure for business license renewals that provide businesses with 3 months to comply with these provisions.

In addition, SB 205 requires that the city or county determine the applicability of the SIC code and, if applicable, confirm that the information submitted by the business corresponds to the business that had requested the business license. This information would need to be transmitted to the State Water Resources Control Board (SWRCB) upon request. The SWRCB would also be responsible for posting a list of applicable SIICs on its website by April 1, 2020.

The State Water Resources Control Board has completed a frequently asked questions (FAQs) document that provides clarity on implementation of the Bill (Attachment A).

Hugh Marley, Assistant Executive Officer at the Los Angeles Regional Water Quality Control Board (LARWQCB) will present on SB 205 at the meeting. Irma Munoz, Chair of the LARWQCB, is also expected to attend.

REPORT

Prepared by:



Caitlin Sims
Principal Management Analyst

Approved by:



Marisa Creter
Executive Director

DATE: December 10, 2019

TO: Water Committee/Water TAC

FROM: Marisa Creter, Executive Director

RE: **2020 LEGISLATIVE PRIORITIES**

RECOMMENDED ACTION

Recommend proposed 2020 Legislative Priorities to the Governing Board for approval.

BACKGROUND

The SGVCOG Governing Board annually adopts a comprehensive legislative platform consistent with the Strategic Plan and in furtherance of the interests of the region and our member agencies. The platform helps guide and inform the legislative, policy, and programmatic actions and positions taken by the SGVCOG over the course of the calendar year. The staff-proposed water legislative priorities for 2020 are found below.


2020 WATER LEGISLATIVE PRIORITIES

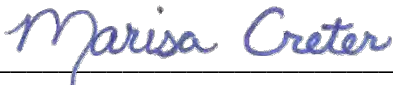
State:

- Continue to advocate and/or pursue legislative solutions for adopting financial capability assessment guidelines in the issuance of MS4 permits that provide an economic analysis of the costs and benefits of water quality improvements.
- Continue to advocate for the establishment of reasonable timelines for compliance with new drinking water standards.
- Advocate for water rights assignment to MS4 agencies for new infiltrated water
- Advocate for any needed legislative solutions for innovative projects that allow cities to implement MS4 Permit projects.
- Advocate for funding sources that provide on-going funding for the implementation of stormwater projects.
- Pursue legislative fixes that address the challenges that cities face in implementing SB 205 (Hertzberg), including updating the Standard Industrial Classification (SIC) codes.

Local:

- Advocate for Measure W funding for cities' MS4 projects.
- Advocate for reasonable financial analysis to be incorporated into 2019 NPDES MS4 Permit that allows cities to comply with the Permit without facing a significant unfunded burden.

Prepared by: 
Caitlin Sims
Principal Management Analyst

Approved by: 
Marisa Creter
Executive Director

DATE: December 10, 2019

TO: Water Policy Committee/ Water TAC

FROM: Marisa Creter, Executive Director

RE: LEGISLATIVE UPDATES

RECOMMENDED ACTION

For information only.

BACKGROUND

In October, the 2019 Legislative Session ended. Below is an overview of legislation that the Water Committee and Water TAC have taken positions on or are currently tracking:

AB 1093 (Rubio) - Municipal Separate Storm Sewer Systems: Financial Capability Analysis

- **Summary:** This bill would require the State Water Resources Control Board, by July 1, 2020, to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions.
- **Status:** Vetoed by Governor Newsom.
- **SGVCOG Position:** Support (Sponsor)

AB 755 (Holden) - California Tire Fee: Stormwater Permit Compliance Fund

- **Summary:** This bill would increase the California tire fee by \$1.50. The bill would also create the Stormwater Permit Compliance Fund, to be managed by the State Water Resources Control Board Division of Financial Assistance. The fees collected would be deposited in that fund. The bill would continuously appropriate moneys in the fund for competitive grants for projects and programs for municipal storm sewer system permit compliance requirements that would prevent or remediate zinc pollutants caused by tires.
- **Status:** This is a 2-year bill. It must pass the Assembly by January 2020 in order to advance.
- **SGVCOG Position:** Support (Sponsor)

AB 1204 (Rubio) - Primary Drinking Water Standards: Implementation Date

- **Summary:** This bill would require that any adopted primary drinking water standards that are more stringent than a federal primary drinking water standard (including those not regulated by federal standards) take effect 3 years after the State Board adopts or amends the primary drinking water standard. The bill would authorize the State Board to delay the effective date by no more than an additional 2 years, as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.
- **Status:** This is a two-year bill. It must pass the Assembly by January 2020 to advance.
- **SGVCOG Position:** Support

SB 205 (Hertzberg) - Business Licenses: Stormwater Discharge Compliance.

- **Summary:** This Bill requires that an applicant from a business operation in a regulated industry must demonstrate enrollment with the NPDES permit program when applying for a business license. The applicant must demonstrate enrollment with the NPDES permit program by providing specified information – for example the business’s Standard Industrial Classification (SIC) code – under penalty of perjury. This requirement would apply to all business license applications and renewals submitted on or after January 1, 2020. The Bill also permits cities and counties to develop a provisional procedure for business license renewals that provide businesses with 3 months to comply with these provisions. The Bill also requires that the city or county determine the applicability of the SIC code and, if applicable, confirm that the information submitted by the business corresponds to the business that had requested the business license and submit to the State Water Resources Control Board (SWRCB) upon request. The SWRCB would also be responsible for posting a list of applicable SICs on its website by April 1, 2020.
- **Status:** This bill was signed by Governor Newsom.
- **SGVCOG Position:** Oppose unless amended

SB 414 (Caballero) - Small System Water Authority Act of 2019

- **Summary:** This Bill would enact the Small System Water Authority Act of 2019 and require the State Water Resources Control Board to order the consolidation of certain small water systems that are not in compliance with specified clean drinking water standards through the formation of a small system water authority. This bill would merge these non-compliant water systems into a larger and more robust public water system that can take advantage of improved economies of scale, streamlined managerial functions, and enhanced financial capacity. The bill includes a framework for the formation of a small water system authority; the internal organization of an authority; requirements for how authority elections would be handled; the powers and purposes related to water, property, contracts, and disputes; and the financial provisions that require the State Water Resources Control Board (SWRCB) to support specified costs.
- **Status:** This is a two-year bill. It must pass the Senate by January 31, 2020, in order to advance.
- **SGVCOG Position:** Support

SB 669 (Caballero) - Water Quality: Safe Drinking Water Fund

- **Summary:** This bill would create the Safe Drinking Water Fund. The Fund would be established in the State Treasury and would provide that moneys in the Fund are continuously appropriated to the State Water Resources Control Board. This bill would require the State Board to administer the Fund to assist community water systems in disadvantaged communities that are chronically noncompliant relative to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs to comply with those standards.
- **Status:** This is two-year bill. It must pass the Senate by January 31, 2020, in order to advance.
- **SGVCOG Position:** Support

HR 1497: Water Quality Protection and Job Creation Act

- **Summary:** This bill authorizes approximately \$23.5 billion in direct infrastructure investment over the next five years to address wastewater infrastructure and local water quality challenges.
- **Status:** On March 6, HR 1497 was referred to the House Subcommittee on Water Resources and Environment. As of June 25, HR 1497 has 45 cosponsors.
- **SGVCOG Position:** Support

Prepared by: _____


Caitlin Sims
Principal Management Analyst

Approved by: _____


Marisa Creter
Executive Director

REPORT

DATE: December 10, 2019

TO: Water Committee/Water TAC

FROM: Marisa Creter, Executive Director

RE: **LITIGATION UPDATE**

RECOMMENDED ACTION


For information only.


BACKGROUND

At the November Governing Board meeting, Travis Van Ligten, an Associate at Rutan and Tucker representing the City of Duarte in their lawsuit – Cities of Duarte and Huntington Park v. State Water Resources Control Board; California Regional Water Quality Control Board. The Cities challenged the following within the 2012 MS4 Permit:

- Numeric effluent limitations (“NELs”);
- Non-stormwater “zero” NEL;
- Monitoring provisions to assess compliance with NELs; and
- Provision of the Permit imposing joint and several liability on joint dischargers.

The presentation from that meeting, which provides an overview of the case and the current status of the case, is attached (Attachment A).

Prepared by: 
Caitlin Sims
Principal Management Analyst

Approved by: 
Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – 11/21/19 Governing Board Presentation

**THE CITIES OF DUARTE AND HUNTINGTON
PARK,**

vs.

**STATE WATER RESOURCES CONTROL
BOARD; THE CALIFORNIA REGIONAL
WATER QUALITY CONTROL BOARD, LOS
ANGELES REGION, and DOES 1 through 100,
inclusive**

Travis Van Ligten

City of Duarte

City Attorney's Office

Rutan & Tucker, LLP

Timeline

- 2012 – Regional Board adopts NPDES Permit for MS4 operators in LA County, Duarte and other parties file a petition to the State Board
- 2015 – State Board issues its order, approving the Regional Board’s approval of the Permit
- Summer of 2015 – Duarte files lawsuit challenging State Board’s and Regional Board’s actions
- Early 2016 – case is transferred to Civil Complex Division of the Orange County Superior Court
- November, 2017 – first three days of trial
- March – April, 2018 – final six days of trial (for a total of nine days)
- December 31, 2018 – Trial Court issues its Tentative Decision
- April 19, 2019 – Final Decision
- September 24, 2019 – Final Judgment and Writ Issued

The Lawsuit & Decision

- Through its lawsuit, Duarte argued that the Boards unlawfully imposed the following terms in the 2012 MS4 Permit by failing to adopt those terms in compliance with federal law. The challenged terms consist of the following:
 - Numeric effluent limitations (“NELs”);
 - Non-stormwater “zero” NEL;
 - The monitoring provisions included to assess compliance with those NELs; and a
 - Provision of the Permit imposing joint and several liability on joint dischargers.

The Lawsuit & Decision

- Duarte argued:
 - The challenged NELs were more stringent than federal law required, because federal law specifically did not require the imposition of such terms on MS4 operators.
 - Since they were not required by federal law, the Boards were required to comply with State law in adopting those terms, and specifically, consider the ***dischargers' cost of complying*** with the 2012 Permit's NELs and NEL-related terms, and to also consider whether such terms were "***reasonably achievable.***"
 - Duarte further argued that the Boards failed to comply with these requirement, because the Boards made to make the requisite findings, and because the evidence would not support such necessary findiings.
- The Trial Court agreed.

The Decision & The Remedy

- On April 19, 2019, the Trial Court issued its Final Amended Ruling, finding in favor of Duarte.
- Having found in favor of Duarte, the Trial Court then asked Duarte to prepare a Judgment and Writ.
- The final form of the Judgment and Writ was vehemently contested, with Duarte, the Boards, Gardena, and RPIs submitting over two dozen pleadings, and attending multiple hearings on the issue

The Judgment and Writ

- The appropriate form of the final judgment and writ was a hotly contested issue.
- Ironically, the Boards advocated for the invalidation of the 2012 Permit:

19 2. A writ of administrative mandamus shall issue under seal of this Court, remanding the
20 matter to Respondents and commanding Respondents to set aside the National Pollutant
21 Discharge Elimination System Permit for Municipal Separate Storm Sewer System (MS4)
22 Discharges within the Coastal Watersheds of Los Angeles County, except those discharges
23 originating from the City of Long Beach MS4, Order No. R4-2012-0175, NPDES No.
24 CAS004001, as amended on June 16, 2015 by State Board Order WQ 2015-0075.

- Conversely, Duarte argued for the preservation of those elements of the Permit that were unchallenged, and invalidation of the NELs only.

The Judgment and Writ

- In the Court's Minute Order, on September 24, 2019, the Trial Court agreed with Duarte as follows:

California Code of Civil Procedure § 1094.5(f), gives courts the power to "enter judgment either commanding respondent to set aside the order or decision, or denying the writ." Duarte in its supplemental briefing and in oral argument argued, and the Court agrees, that the Court is not restricted to either setting aside the permit in its entirety or denying the writ but that it also has the power to set aside the specific permit terms challenged, leaving the rest of the permit intact unless respondents opt to do otherwise. See *Bank of America vs. State Water Board* (1974) 42 Cal. App. 3rd 198, 214-215; also see *City of Burbank vs. State Board* (2005) 35 Cal. 4th 613 (endorsing by implication the trial court's order setting aside the "Time Schedule Orders ... the Contested Effluent Limits ... and provisions specifying manner of compliance...").

Accordingly, pursuant to § 1094.5, the Court orders Respondents to vacate each and every one of the provisions in the Permit pertaining in any way to any and all Numeric Effluent Limits, and to reconsider the Permit in light of: (1) the Court's April 19, 2019 Amended Ruling on Petitions for Writ of Mandate, and (2) this September 24, 2019 Order clarifying the scope of relief available.

- As such, the Trial Court, expressly found that Duarte was entitled to the relief it requested.

The Judgment and Writ

- In light of the Court's Minute Order, on September 24, 2019, the Court also issued the Judgment and Writ, both of which include similar requirements.

IT IS ORDERED that:

1. A peremptory writ of administrative mandamus shall issue under the seal of this Court, remanding the matter to Respondents and directing Respondents to:
 - a. Set aside each and every one of the provisions in the Permit pertaining in any way to any and all Numeric Effluent Limits, and to reconsider the Permit in light of the Court's April 19, 2019 Amended Ruling, and its September 24, 2019 Order re scope of relief;
 - b. File with this Court a return demonstrating compliance with ¶ 1(a) of this Judgment. The return shall be served and filed within 90 days from the date of this Judgment.

Going Forward

- The Boards have already filed their Notice of Appeal, so we must assume that the appeal will go forward.
- The Boards have filed a writ of supersedeas asking the Court of Appeal for relief from this automatic stay, and the Court of Appeal has granted the Boards temporary relief pending the parties' briefing on the matter.
- Participate in the permitting process to make your concerns heard.
- State reimbursement issues.

Questions?

DATE: December 10, 2019

TO: Water Committee/Water TAC

FROM: Marisa Creter, Executive Director

RE: **SAFE CLEAN WATER UPDATES**

RECOMMENDED ACTION

For information only.

BACKGROUND

Updates for the implementation of the Safe Clean Water Program can be found below.

Regional Oversight Committee

The Regional Oversight Committee (ROC) held its first meeting on October 28, 2019. The ROC is made up of representatives from public agencies and non-governmental organizations (NGOs) and is responsible for ensuring that the goals of the Safe Clean Water Program are being met. The Committee will review Watershed Area Steering Committees' Stormwater Investment Plans and progress and expenditure reports and also provides general program oversight. At the meeting, the ROC elected its co-chairs – Barbara Romero from the City of Los Angeles and Shelley Luce from Heal the Bay – and its vice-chair – Lauren Ahkiam from LAANE. The ROC also discussed the roles and responsibilities of the different committees – including the Scoring Committee and the Watershed Area Steering Committees (WASCs). SGVCOG staff will continue to attend these meetings and provide updates to the Water Policy Committee and TAC.

Call for Projects

The Regional Call for Projects for the Program for fiscal years 2020-21 and 2021-22 is currently open. The deadline for projects for consideration for the FY 2020-2021 Stormwater Investment Plans is **December 15, 2019**. Eligible applicants can submit projects for the multi-benefit infrastructure program, technical resources program, and the scientific studies program. Each Watershed Area Steering Committee (WASC) will review the proposed projects in order to develop its FY 2020-21 Stormwater Investment Plan (SIP). The recommended projects will also be reviewed by a Scoring Committee and the ROC, for eventual recommendation to the Board of Supervisors. The deadline for projects for consideration for the FY 2021-2022 Stormwater Investment Plans is **July 31, 2020**.

Watershed Area Steering Committees

The first meetings of the WASCs were also held in late October and early November. The San Gabriel Valley is covered by and cities' and agencies' representatives serve on WASCs for 3 Watershed Areas: the Rio Hondo, Upper Los Angeles River, and the Upper San Gabriel River. Representatives from these WASCs will have the opportunity to provide updates at the meeting.

REPORT

Prepared by: CS

Caitlin Sims
Principal Management Analyst

Approved by: Marisa Creter

Marisa Creter
Executive Director

REPORT

DATE: December 10, 2019
TO: Water Committee/Water TAC
FROM: Marisa Creter, Executive Director
RE: **WATER BOARDS UPDATE**

RECOMMENDED ACTION

For information only.

BACKGROUND

On November 14, 2019, the Los Angeles Regional Water Quality Control Board (LARWQCB) held its meeting in the City of Monrovia. The meeting featured a presentation by Paul Alva, Assistant Deputy Director for Los Angeles County Public Works, on some of the County's MS4 projects. That presentation is attached for your reference.

Prepared by: _____



Caitlin Sims
Principal Management Analyst

Approved by: _____



Marisa Creter
Executive Director

ATTACHMENTS

Attachment A – 11/14/19 LARWQCB Presentation



Unincorporated Los Angeles County Los Angeles County Flood Control District

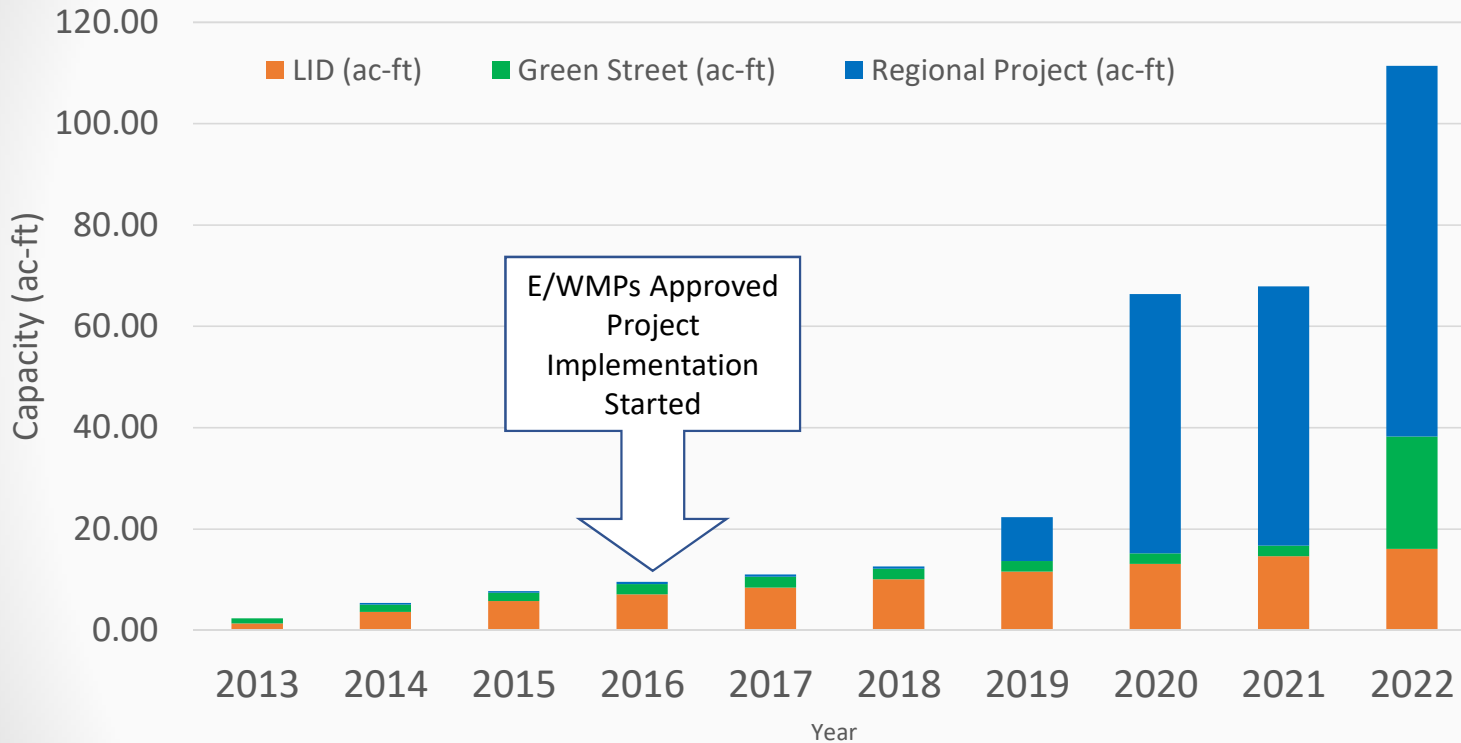
November 14, 2019

County Projects Under Construction

Project Name	Category	Construction Costs	Above Ground Amenities	Construction End Date
Ladera Park Stormwater Improvements Project	Infiltration Wells & Irrigation Reuse	\$5.9M	Drought-tolerant demonstration garden, bio-swale, educational signage, walking path, shade structure	January 2020
Franklin D. Roosevelt Park Regional Stormwater Capture Project	Infiltration Wells & Gallery	\$9.7M	New vegetation and landscaping, educational garden, new trees, decomposed granite walking path	April 2020
Gates Canyon Stormwater Improvements Project	Infiltration Wells & Irrigation Reuse	\$8.9M	Median bio-swale, educational signage, ADA Compliant Restroom	January 2020
Carriage Crest Park Stormwater and Runoff Capture Project	Diversion to Sanitary Sewer	\$15.6M	New trees/shrubs, restoration of existing baseball diamonds and outfield	June 2020
Earvin "Magic" Johnson Park: Compton Creek Stormwater Capture and Reuse Project	Irrigation Reuse	\$28.8M	New vegetation and landscaping, bio-swales/bio-infiltration areas, new trees, splash pad	Summer 2020
East Los Angeles Sustainable Median	Infiltration Wells	\$26 M	New vegetation and landscaping, educational garden, new trees, decomposed granite walking path, exercise stations	Spring 2022



Constructed Capacity Timeline



Highlights:

- 2019
 - Ladera Park
 - Gates Canyon Park
- 2020
 - Roosevelt Park
 - Carriage Crest
- 2022
 - East LA Median
 - Green Street Master Plan

Rio Hondo WMP - Economic Analysis

Rio Hondo WMP Capital Costs (\$ Million)	Expected Revenue Generation (\$ Million/Year)				Years to Milestone Based on Expected Revenue Generation
	Measure W (Municipal Funds)	Measure W (Regional Funds)	Additional Funds (i.e., grants)	Total	
\$ 121.74	\$ 1.59	\$ 2.48	\$ 0.25	\$ 4.32	28.2 Years

Ballona Creek EWMP - Economic Analysis

Ballona Creek EWMP Capital Costs (\$ Million/Year)	Expected Revenue Generation (\$ Million/Year)				Years to Milestone Based on Expected Revenue Generation ¹
	Measure W (Municipal Funds)	Measure W (Regional Funds)	Additional Funds (i.e., tax, grants)	Total	
\$ 2,723.64	\$ 9.76	\$ 11.58	\$ 2.41	\$ 23.75	114.7 Years

MS4 Permit Path Forward



**SAFE
CLEAN
WATER
PROGRAM**

- Continue the efforts of the 2012 MS4 Permit
- Reflect and Incorporate Safe Clean Water Program in new MS4 Permit
- Need to give Safe Clean Water Program an opportunity to succeed
 - Projects take 5 years to implement
 - Dedicated funding is not available until 2020
 - Several TMDLs expire within next few years
 - Economic analysis shows that it is infeasible to comply this quickly

MS4 Permit Path Forward

- Extend 2021 Final TMDL Deadlines
 1. Ballona Creek Metals/Toxics TMDL
 2. Ballona Creek Wet Weather Bacteria TMDL
 3. Santa Monica Bay Wet Weather Bacteria TMDL
 4. Marina del Rey Harbor Wet Weather Bacteria TMDL
 5. Marina del Rey Harbor Toxics TMDL
 6. Malibu Creek Wet Weather Bacteria TMDL
 7. Malibu Creek Nutrients TMDL



2020
**SAN GABRIEL VALLEY
WATER FORUM**

SAVE THE DATE

THURSDAY, APRIL 16, 2020
Hilton Los Angeles/San Gabriel
225 W. Valley Blvd., San Gabriel CA
8:00 a.m. to 1:30 p.m.

Presented by:

