



SGVCOG Joint Water Policy Committee/TAC Approved Minutes

Date: March 15, 2017
 Time: 10:00 AM
 Location: Upper San Gabriel Valley Municipal Water District
 602 E. Huntington Drive, Monrovia, CA

PRELIMINARY BUSINESS

1. Call to Order: The meeting was called to order at 10:02 AM.
2. Roll Call

Water Policy Committee Members Present

J. Nelson, Glendora
 G. Crudgington, Monrovia
 J. Capoccia, Sierra Madre
 D. Mahmud, South Pasadena

Water Policy Committee Members Absent

Claremont
 Diamond Bar
 Rosemead

Water TAC Members Present

D. Dolphin, Alhambra
 V. Hevener, P. Crammer, Arcadia
 A. Tachiki, Monrovia
 J. Carlson, Sierra Madre
 P. Alva, M. Adhami, LACDPW
 S. Chapman, M. Gouveia, USGVMWD

Water TAC Members Absent

Covina

Ex Officio Members Present

R. Serna, K Gardner, SG Basin Watermaster
 L. Miller, LACSD

Ex Officio Members Absent

Foothill Municipal Water District

Guests

J. Carver, M. Cansino, Pomona
 R. Tahir, TECS Environmental
 B. Pence, Congresswoman Napolitano
 Dr. G. Amenu, J. Hoo, LACDPW
 B. Inman, Bradbury

W. La, SGMRC
 M. Lyons, Assembly Member Holden
 A. Jung, Assemblymember Chen
 L. Mustafa, Claremont
 J. Shimmin, South Pasadena

SGVCOG Staff

E. Wolf

3. Public Comment. There were no public comments.

CONSENT CALENDAR

4. Water Committee/TAC Meeting Minutes – 2/15/2017
There was a motion to approve the minutes. (M/S: J. Nelson/G. Crudgington).

AYES:	Glendora, Monrovia, Sierra Madre, South Pasadena, Alhambra, Arcadia, Monrovia, Sierra Madre, LACDPW, USGVMWD
NOES:	
ABSTAIN:	
ABSENT:	Claremont, Diamond Bar, Rosemead, Foothill Municipal Water District, Covina

PRESENTATIONS

ACTION ITEMS

5. SB 589 (Hernandez): Adds Financial Capabilities Assessment to Porter-Cologne. D. Mahmud reviewed the substance of the bill. J. Nelson urged members to have their cities support this and all the SGVCOG’s legislative agenda.
There was a motion to recommend that the Governing Board support SB 589. (M/S: J. Nelson/J. Capoccia).

AYES:	Glendora, Monrovia, Sierra Madre, South Pasadena, Alhambra, Arcadia, Monrovia, Sierra Madre, LACDPW, USGVMWD
NOES:	
ABSTAIN:	
ABSENT:	Claremont, Diamond Bar, Rosemead, Foothill Municipal Water District, Covina

6. SB 541 (Allen): Requires the Dept. of Education, State Architect and Office of School Public Construction to consult and recommend best water capture design standards for all new, reconstructed, or altered public schools. D. Mahmud introduced and explained this bill.
There was a motion to recommend that the Governing Board support SB 541. (M/S: J. Nelson/G. Crudgington).

AYES:	Glendora, Monrovia, Sierra Madre, South Pasadena, Alhambra, Arcadia, Monrovia, Sierra Madre, LACDPW, USGVMWD
NOES:	
ABSTAIN:	
ABSENT:	Claremont, Diamond Bar, Rosemead, Foothill Municipal Water District, Covina

7. AB 1180 (Holden): Increase tire fee and deposit the money in the Stormwater Permit Compliance Fund. D. Mahmud introduced this bill noting that when we visited Sacramento we heard that this may be a difficult bill to pass due to opposition to raising fees. M. Lyons informed the group that the bill would go to the Appropriations committee because it does involve fee changes. He explained that it will require a two-thirds vote and urged members to help generate bipartisan support, as well as support at the city council level. J. Nelson stated that the COG is also seeking support from Contract Cities and the League.
There was a motion to recommend that the Governing Board support AB 1180. (M/S: G. Crudgington/J. Nelson).

AYES:	Glendora, Monrovia, Sierra Madre, South Pasadena, Alhambra, Arcadia, Monrovia, Sierra Madre, LACDPW, USGVMWD
NOES:	
ABSTAIN:	
ABSENT:	Claremont, Diamond Bar, Rosemead, Foothill Municipal Water District, Covina

DISCUSSION ITEMS

8. SB 231 (Hertzberg)
Due to the absence of some of the members, discussion and/or action was postponed until the April meeting.

INFORMATION ITEMS

9. Water Boards Update

D. Mahmud reviewed appointments and openings at the State and Regional Boards. E. Wolf reviewed the State Board's response to the EPA regarding the Unfunded Mandates case. He also informed the committee about the State Board's Climate Change resolution with its heavy reliance on stormwater capture, and how that could work to the advantage of SGV permittees.

10. Stormwater Outreach Updates

Sacramento. D. Mahmud reviewed the Sacramento legislative trip, with a brief overview of our adopted and proposed legislation. She discussed spot bill SB 633, and how that bill is emerging to address the use of existing infrastructure to convey stormwater to more favorable sites for infiltration. She discussed the tension between designated beneficial uses and the WOTUS status of receiving waters on the one hand, and their use as conveyance on the other. Encouragingly, SB 633 has been reviewed by legal counsel for the State Board and will have the help of the Assembly Speaker's water policy advisor working with the office of Legislative Counsel to get introduced. P. Alva stated that county has been circulating the draft legislation for internal review and wants to work with us.

Washington, D.C. E. Wolf discussed the ACE/COG Washington trip, highlighting the meetings with Rep Brownley and the EPA.

Elected Officials Stormwater Funding Group. D. Mahmud discussed the help this group has been in drafting legislative language. She noted that the group includes representation from throughout the county enabling us to reach a broad audience with our legislative proposals. The group is considering adopting the SGVCOG Stormwater Policy.

Meeting with environmental groups. Senator Hernandez' office set up a meeting with environmental groups (NRDC, Heal the Bay, TreePeople, others) to review our proposed legislation and ask for their support. D. Mahmud attended the meeting. She encouraged elected officials to reach out to these groups.

11. Proposed Revisions to the Clean Water Act Section 303(d) List

Dr. Amenu, LACDPW, gave a presentation on the 303(d) listing. He called attention to the 40 waterbody-pollutants that have been delisted in SGV waterways and the 200 additions, bringing to 700 the total combinations that we must mitigate against. He stated that LA County has the most listings of any county in the U.S., driven by our high number of TMDLs. Amenu concluded with a list of concerns that will be part of the county response to the Regional Board. Those include:

- Listings for which there is no established standard
- Listings for which data is unreliable
- Listings for which different labs disagree on the interpretation of the data
- The continued listing of legacy pollutants that have been banned for many years
- The continued listing of pollutants for which the county has previously provided countering evidence—some of it from the EPA—with no action taken on that evidence

R. Tahir recommended other areas the county should look into as they prepare their response. The county's draft response will be ready by March 28th and will be circulated to committee members by request.

12. Legislative Updates

D. Mahmud gave an overview of HR 1261 (Thornberry). This bill would limit the application of WOTUS to water bodies that are navigable *in fact*.

13. Litigation Update

Gardena/Duarte Cases. J. Nelson and R. Tahir updated the Gardena and Duarte cases. The next hearing is on August 28 at the OC Superior Court, at which the cases will be heard separately. The judge is allowing reintroduction of earlier discussion due to the subsequent conclusion of the state supreme court unfunded mandates case. Attorneys for the City of Gardena will be contacting all cities and distributing a questionnaire that will among other things, ask cities to report how much they have spent on compliance with MS4 permits.

Glendale Water Rates case. E. Wolf reviewed the judgement in a case involving violations of Proposition 218 voting requirements. The city of Glendale must repay ratepayers \$57 million.

14. Regulatory Updates

Report on Waste Discharge/MS4 Permit update. R. Tahir recommended that cities use the ROWD process to renegotiate or exit their E/WMPs. He believes cities that are part of the litigation may be putting their legal case in jeopardy if they "voluntarily" join an E/WMP. P. Alva volunteered to update the group on the county's approach to ROWD at the April meeting.

15. E/WMP Updates

16. Water Supply Update

S. Chapman updated the group on actions to repair the Oroville dam. He stated that there is a report of invasive mussels in our watershed. More study is being conducted.

17. Recent communications re MWD

S. Chapman reviewed the long running dispute between San Diego water suppliers and the Municipal Water District over MWD rates, resulting in a pending legal case. Recently, San Diego water suppliers have sent letters to SGV cities urging support for their legal case. Chapman noted that if SD prevails and their rates go down, all other MWD participating agencies will see offsetting rate increases. He stated that if cities have questions about the rates or this case, USGVMWD is available to help answer them.

CHAIR'S REPORT

ANNOUNCEMENTS

- March 9, [Urban Greening Grant Program](#), Lynwood Civic Center
- April 3, [Stormwater Finance Forum](#). Sponsored by USEPA Region 9. The forum will be held at LACDPW, Alhambra.
- April 6, LARWQCB meeting

ADJOURN

The meeting adjourned at 12:11 P.M.