



SGVCOG Joint Water Policy Committee/TAC Approved Minutes

Date: January 17, 2018
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

S. Pedroza, Claremont
J. Nelson, Glendora
G. Crudgington, Monrovia
M. Clark, Rosemead
J. Capoccia, Sierra Madre
D. Mahmud, South Pasadena
M. Spence, West Covina

Water Policy Committee Members Absent

Diamond Bar

Water TAC Members Present

D. Dolphin, Alhambra
V. Hevener, Arcadia
B. Lathrop, Bradbury
J. Carlson, Sierra Madre
J. Shimmin, South Pasadena
G. Osmena, LACDPW
R. Tock, F. Delach, P. Cortez USGVMWD

Water TAC Members Absent

Covina
SGVMWD

Ex Officio Members Present

S. Green, LACSD
K. Gardner, R. Serna, Watermaster

Ex Officio Members Absent

Guests

M. Lyons, ASM Holden
J. Carver, M. Cansino, Pomona
B. Jensen, SGVEP
W. La, SGMRC
F. MacIntosh, Public
W. Chang Hwang, Public
C. Gonzalez, Public
L. Sou, Public

B. Pence, Rep Napolitano
R. Tahir, TECs
L. Fletes, ASM Rubio
R. Bryden, LACFCD
Judi Neal, Public
S. Lazares, Public
D. Young, Public
G. Geleno, Public

SGVCOG Staff

E. Wolf

3. Public Comment. Members of the public spoke in opposition to LA County's potential stormwater funding measure. Due to the number of speakers and the full agenda, the Chair

limited public comment to one minute per speaker.

- S. Lazares was against any new taxes and stated that it is harder and harder to make ends meet.
- J. Neal, a retiree from San Dimas, said that she was on a fixed income and that she is against any new taxes.
- D. Young asked how much it will cost to deal with stormwater and that he is against any new water fees. He proposed using existing money, cutting staff, or cutting the current budget to fund stormwater.
- F. MacIntosh expressed his concerned with any new water fees and recommended diverting money from high speed rail toward paying for stormwater. He stated his opinion that stormwater is a higher priority than high speed rail.
- C. Gonzalez asked how much stormwater projects will cost. She stated that no one can even answer that and that public officials should be honest with the public about the cost rather than being concerned with how to *sell* the proposed tax to the public.
- G. Geleno stated that taxes have “exploded” yet public officials talk about how to *sell* a new tax to the public. He said that at the same time the County is considering a new stormwater funding fee, the State provides funding for lawyers for illegal aliens.
- W. Chang Hwang stated his opposition to more taxes and of public officials “stealing” people’s money.
- L. Sou was opposed to a new tax. She made a point of stating that she is a foreigner in the US legally. She stated that families are barely making it but money is being “tossed at” illegal aliens.

CONSENT CALENDAR

4. Water Committee/TAC Meeting Minutes – 12/20/2017
There was a motion to approve the minutes. (M/S: J. Capoccia/G. Crudgington).

[MOTION PASSED]

AYES:	Claremont, Monrovia, Sierra Madre, South Pasadena, West Covina, Alhambra, Arcadia, Bradbury, LACDPW, USGVMWD
NOES:	
ABSTAIN:	Glendora, Rosemead
ABSENT:	Diamond Bar, SGVMWD

PRESENTATION

ACTION ITEMS

DISCUSSION ITEMS

5. SGVCOG position statement on Safe, Clean Water Program Elements
 Staff began with a presentation reviewing the Safe, Clean Water Program Framework Elements, the Program Purpose, and Program Outcomes. The Regional, Municipal, and Flood Control District funding allocation, along with allowable project types, was also covered. Finally, staff discussed the County’s intention to form four subcommittees in order to go more deeply into the program elements that are more complex. Those subgroups are Program Selection Criteria; Governance; Credits, Rebates, and Exemptions; and Equity, Ongoing Stakeholder Involvement, and Disadvantaged Communities.

The Chair then led the committee in a review of the SGVCOG's overarching position statement on Safe, Clean Water. The starting point for discussion was the statement that the Water Policy Committee ended upon at its December meeting. Members raised points or offered edits as follows:

Regional Funding

- Regarding how regional funding could be spent, M. Clark advocated for centralized projects over decentralized. M. Spence was concerned that without a concrete definition of multibenefit, project funding would be too open ended.
- B. Jensen wondered how funding would flow to the subregion; would that be based on COGs or EWMPs. That has yet to be worked out by the Governance subcommittee but it was noted that, unlike other COGs, the SGVCOG is in a good position to be able to accept and manage stormwater funding.

Project Selection

- There was discussion about whether projects will be specifically named in the ballot measure. At this time, it is believed that the ballot measure will include named projects as well as a statement of general funding criteria upon which projects and programs may be based.

Governance

- D. Mahmud defined "strong governance" to mean that cities have a weighted vote when it comes to choosing projects. She proposed a change to our position statement, to the extent that our position on Governance include a statement that the adjudicating body be made up of "a majority of MS4 permittees." This recommendation was accepted.

Local Return. The committee did not have any comments or changes to the previously approved statement.

Basin Plan

- D. Mahmud proposed that the SGVCOG's position include supporting the use of money allocated to the FCD for an update of the LA Basin Plan since it has not received comprehensive review since before stormwater discharges were made subject to it.
- W. La pointed out that if the Basin Plan were to be revised it could end up being more restrictive, not less.

General Comments

- M. Spence stated an opinion that the problem is the way the MS4 permit is structured and that an effort should be made to look into that before considering a tax to pay for projects associated with complying with the permit. To this end, he recommended that if the permit is found to be in violation of the law, or is somehow otherwise significantly modified, the SGVCOG position should be that the tax is repealed. No other members supported including this statement in our position.
- J. Capoccia pointed out that just because the Water Committee and the SGVCOG are discussing how the ballot measure should be structured and advocating for our position, that does not mean that the SGVCOG must support a potential ballot measure. But that it is nonetheless important to take a position on Program Elements while we have the opportunity to shape the ballot measure.

The committee recommended that the Governing Board approve the following position statement:

Regional Funding. Due to the already high cost of stormwater permit requirements, the vast majority of revenue from the Safe, Clean Water program should go to design, construction, and ongoing operations and maintenance of capital projects, especially those identified in approved stormwater permits, not programs.

Project Funding Priority. Funding priority should be given to those projects that cost-effectively address water supply and water quality concerns.

Governance. Disbursement of Regional Funds should be approved by a strong governance structure comprised primarily of MS4 permittees with responsibility for selecting projects according to defined criteria and overseeing how taxpayer money is spent.

Local Return. Cities should have maximum flexibility and independence in spending local return money.

Basin Plan. The Basin Plan establishes the foundation for water quality standards which are then incorporated into MS4 permits. Since the Plan has not received comprehensive review since before stormwater discharges were made subject to it, we support use of the of funds allocated to the Flood Control District to fund the cost of studies to update the Basin Plan.

INFORMATION ITEMS

- 6.** 2018 Stormwater Legislative and Regulatory Priorities for 2018
The Chair recommended that the Legislative Priorities be amended to include revision of the Basin Plan. Members agreed and recommended that the Governing Board approve the addition of the Basin Plan.
- 7.** Legislative Updates: SB 633, SB 589, H.R. 465/235
S. Green gave an update on H.R. 465/2355. There has been no reconciliation of these two bills.
E. Wolf updated the committee on SB 589. Assemblymember Rubio has agreed to take over this legislation from Sen Hernandez. Her staff is researching how the bill will make the transition from the Senate to the Assembly and which committee it will likely go through.
- 8.** Regulatory Updates. There were no updates.
- 9.** Water Boards Update: Thank You letter to Chair Munoz. Staff presented the draft letter to the committee for information.
- 10.** LA County Water Update. Discussion of this item was combined with Item 5, above.
- 11.** Water Supply Update. R. Bryden provided an update on water supply. So far, LA County has only received 11% of its annual precipitation.
- 12.** Litigation Update
 - Gardena and Duarte cases. R. Tahir updated this item. The next hearing is on Feb 13 – 15, at which time the judge will hear arguments from the State and Regional Boards. An opinion will be released within 30 – 60 days.
 - D. Mahmud discussed an Appeals Court decision in an unfunded mandates case brought by San Diego. The court determined that all of the provisions of the city's

MS4 permit are unfunded mandates, not required by EPA, but rather at the discretion of the State Water Board.

- NRDC vs. City of Pasadena. E. Wolf presented the facts of the lawsuit brought by NRDC against Pasadena, namely that the city failed to implement new water efficiency standards for landscaping. He offered to distribute copies of the Model Water Efficient Landscape Ordinance which is the subject of NRDC's lawsuit.

13. Stormwater Outreach Updates. There was no discussion of this item.

14. E/WMP Updates. There was no discussion of this item.

- RH/SGR
- East SGV
- ULAR

EXECUTIVE DIRECTOR'S COMMENTS

CHAIR'S REPORT

ANNOUNCEMENTS

ADJOURN

The meeting adjourned at 12:05 p.m.