



SGVCOG Joint Water Policy Committee/TAC Approved Minutes

Date: May 17, 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 10:01 AM.
2. Roll Call

Water Policy Committee Members Present

S. Pedroza, Claremont
N. Lyons, Diamond Bar
J. Nelson, Glendora
G. Crudginton, Monrovia
M. Clark, Rosemead
J. Capoccia, Sierra Madre
D. Mahmud, South Pasadena

Water Policy Committee Members Absent

Water TAC Members Present

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

Water TAC Members Absent

Ex Officio Members Present

S. Green, LA County Sanitation District
R. Serna, K Gardner, SG Basin Watermaster

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

K. Kearney, Bradbury
E. Vizcarra, LACDPW
M. Lutz

SGVCOG Staff

P. Hawkey
E. Wolf

3. Public Comment. R. Tahir gave a presentation focused on his belief that some cities may be miss-assigned to the Upper LA River EWMP. The crux of the argument has to do with the proposed delisting of metals from the 2016 303(d) list, which will likely lower EWMP compliance costs considerably. Furthermore, Tahir believes some permittees are assigned to the wrong reach within a river. He believes the delisting triggers reconsideration of

assignment to watersheds and reaches.

CONSENT CALENDAR

4. Water Committee/TAC Meeting Minutes – 4/19/2017

There was a motion to approve the minutes. (M/S: J Nelson/G. Crudgington).

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

PRESENTATION

ACTION ITEMS

5. AB 1669 (Friedman)

D. Mahmud discussed AB 1669 and AB 968 together. The Friedman bill gives the SWRCB authority to set long-term urban water use standards, whereas the Rubio bill leaves the authority in the hands of a stakeholder working group under the control of the DWR. AB 968 also allows for regional differences such as climate and population.

D. Mahmud brought to the committee's attention the fact that Governor Brown's Budget Trailer Bill includes language that is almost exactly the same as AB 1669. California budget enactment procedures require the budget to be adopted by June 15th. Members of the committee discussed the COG taking a position opposing this portion of the budget trailer bill.

6. AB 968 (Rubio)

One concern that was brought up was that 968 does not consider recycled water in the calculation of urban water use. D. Mahmud was concerned that by giving recycled water an exclusion, there is no incentive to promote the use of recycled water. For this reason, Mahmud motioned a "support if amended" position, and suggested working with the author to include recycled water in the calculation of urban water use. K. Gardner pointed out that if recycled water is included in the calculation, the demand for recycled water will go down and the cost of those projects will be relatively more expensive, meaning some of them will not be economically viable and may not be built. After discussion, Mahmud's motion was not seconded. S. Pedroza motioned that the Governing Board support AB 968 as is, with language in the resolution that makes it clear that the COG supports conservation of all water, from whatever source, including recycled water.

There was a motion to support AB 968 with inclusion of language in the resolution as proposed by S. Pedroza. (M/S: S. Pedroza/M. Clark).

AYES:	Claremont, Diamond Bar, Glendora, Monrovia, Rosemead, Sierra Madre, South Pasadena,
NOES:	
ABSTAIN:	
ABSENT:	

7. EPA WOTUS Rulemaking Submission

D. Mahmud reviewed the history of WOTUS legal challenges and the consolidation of those cases at the 6th Circuit Court of Appeals. She discussed the EPA’s informal call for comment in their process of revising the WOTUS definition per President Trump’s February 2017 Executive Order. Mahmud asked the committee for guidance on what issues to submitted to the EPA’s informal call for comments. The committee agreed on the following list:

- What constitutes a water/storm event for purposes of WOTUS? How frequently does it have to occur? How much water must be involved? What regulation applies if all (or most of) that water is controlled through the flood control system’s engineering procedures?
- Create an exemption for engineered channels, built for the express purpose of flood control.
- Create an exemption for spreading grounds.
- Create an exemption for stormwater conveyance when that conveyance is for the purpose of moving stormwater to a site more advantageous for capture and infiltration.
- Define where WOTUS application begins and ends when considering stormwater conveyance; that point is theoretically somewhere between the curb and the ocean.

There was a motion to recommend that the Governing Board submit informal comments to the EPA covering the topic areas listed. (M/S: G. Crudgington/M. Clark).

AYES:	Claremont, Diamond Bar, Glendora, Monrovia, Rosemead, Sierra Madre, South Pasadena,
NOES:	
ABSTAIN:	
ABSENT:	

DISCUSSION ITEMS

INFORMATION ITEMS

8. Legislative Updates

- State Legislation

E. Wolf reviewed changes to AB 1180 (Holden). Assembly Leadership does not want to move the bill out of the Appropriations Committee over concerns about raising fees. Assembly Member Holden’s staff contacted the COG to get our concurrence with gutting and amending the bill. In its new form, the bill would direct the Department of Toxic Substances Control to adopt regulations for tires containing zinc. The committee discussed the Governing Board taking a support position for the revised version of AB 1180 should the revised bill make it out of committee.

- Federal Legislation

There was no discussion of this item.

9. Regulatory Updates

- Report on Waste Discharge/MS4 Permit update.

In response to R. Tahir’s presentation regarding the proper assignment of permittees to EWMPs, D. Mahmud discussed the impact on ROWD and permit updates due this year. She asked LACDPW to consider taking the lead in reviewing the proper formation of

the Upper LA River EWMP. P. Alva stated that the County is already the lead in the Upper San Gabriel and Marina Del Rey EWMPs, and they will look into the formation and leadership of the Upper LA River EWMP.

- [Regional Board 303\(d\) list workshop](#)

G. Crudginton reported on the Regional Board's 303(d) list workshop. She thanked the Sanitation District and County Public Works for their thorough comment letters. Crudginton noted that Regional Board officers were dissatisfied with the work of their staff, especially the many mistakes that were pointed out by stakeholders at the workshop. Dr. Amenu, County Public Works, noted that on the positive side, the Board did agree to update their database to include some of the information County provided to them; and they agreed that concrete channels should be treated differently when considering biological impairments. Unfortunately, the Regional Board was not swayed to reconsider how it applies variations in temperature or toxicity.

The Regional Board directed their staff to continue working on the list to address discrepancies but it was clear that due to SWRCB imposed time limits, the list would be forwarded to the State Water Board as is, and that any additional concerns of permittees would have to be addressed when the State Board opens its comment period.

10. Water Boards Update

- State Board: STORMS Seminar Series: Municipal Finance of Stormwater Projects

o Video: <https://youtu.be/iGjbpVqzjUU>

o Slides: <https://www.waterboards.ca.gov/STORMS>

There was no discussion on this item.

- Regional Board: May 4 meeting

Board Chairwoman, Irma Munoz, has been expanding her "listening campaign" to include businesses. The Board discussed its difficulty in monitoring industrial permittees due to limited staff and stated that they may rely on cities to help with that function.

11. LA County Water Resilience Update

J. Nelson and D. Mahmud attended the last meeting where the Director of LACDPW, Marc Pestrella, gave a presentation and updated members. The meeting covered:

Education. The County will initiate a public education campaign.

Stormwater Capture. Pestrella stated that the County will construct and operate stormwater capture and infiltration facilities.

Polling. Polling shows that residents believe cities are already complying with stormwater regulations and therefore, they must have enough money.

Nelson and Mahmud advocated that any fee or tax increase must include a local return component.

12. Water Supply Update

- Upper District Update

M. Gouveia provided handouts showing the status of water/snow pack throughout the state.

- Watermaster Update

K. Gardner discussed the Water Resource Development Fee, approved by the Watermaster Board of Directors last month. The additional fee will increase retail water suppliers' rates by increments over the next five years in order to pay for imported water to replenish the Main San Gabriel Basin. She stated that there is currently testing being conducted to determine if invasive quagga mussels are in our local water supplies. Gardner stated that despite the record amount of rainfall this winter and spring, the Key Well peaked in February and has declined since then. This

is due to the fact that the ground was so dry that it soaked up much of the rainfall; rainfall never made it through to the aquifer.

13. Litigation Update
There was no discussion of this item.
14. Stormwater Outreach Updates
 - EPA/Regional Board/LACDPW meeting
 - Supervisor BargerThere was no discussion of these item.
15. E/WMP Updates
There was no discussion of this item.

EXECUTIVE DIRECTOR'S COMMENTS

CHAIR'S REPORT

ANNOUNCEMENTS

The next Water Policy/TAC meeting will be on June 21st.

The next LA Water Board meeting will be on June 1st.

ADJOURN

The meeting adjourned at 12:10 P.M.