



SGVCOG Joint Water Policy Committee/TAC Approved Minutes

Date: February 21, 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 A.M.
2. Roll Call

Water Policy Committee Members Present

N. Lyons, Diamond Bar
J. Nelson, Glendora
G. Crudgington, Monrovia
M. Clark, Rosemead
D. Mahmud, South Pasadena
M. Spence, West Covina

Water Policy Committee Members Absent

Claremont
Sierra Madre

Water TAC Members Present

D. Dolphin, Alhambra
V. Hevener, P. Cranmer, Arcadia
K. Kearney, Bradbury
S. Costandi, Covina
A. Tachiki, Monrovia
J. Carlson, Sierra Madre
A. Lasso, G. LACDPW
E. Reyes, SGVMWD
T. Love, P. Cortez, T. Fellow USGVMWD

Water TAC Members Absent

Ex Officio Members Present

R. Chang, LACSD
K. Gardner, R. Serna, Watermaster

Ex Officio Members Absent

Guests

M. Lyons, ASM Holden
R. Bryden, LACFCD
B. Huff, Huff Strategies
W. La, SGMRC

G. Jaquez, MNS Engineers
R. Tahir, TECs
L. Fletes, ASM Rubio

SGVCOG Staff

E. Wolf

3. Public Comment. None

CONSENT CALENDAR

4. Water Committee/TAC Meeting Minutes – 1/17/2018
There was a motion to approve the minutes. (M/S: G. Crudgington/D. Dolphin).

[MOTION PASSED]

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

PRESENTATION

ACTION ITEMS

DISCUSSION ITEMS

5. Safe, Clean Water Program Elements

E. Wolf provided a synopsis of the discussion at the four subcommittees (Governance, Project Selection, Disadvantaged Communities, and Rebates/Incentives) that met in early February. Members then discussed our SGVCOG position on these topics.

- Governance. The following comments were offered:

- J. Nelson indicated that this subcommittee is dominated by water agency and IRWMP representatives and is tending toward the IRWMP as the model for governance. She advocated for governance at the COG level.

- K. Gardner believes the IRWMP is the best model. She described the current IRWMP makeup as two-tiered, with projects first being vetted at the subregional level, before final approval by the Leadership Council. The LC makeup includes representatives from groundwater, Sanitation, Open Space, Environmental, LA County, and COGs. Gardner thought that governance at the COG level would require too much of a learning curve for local elected officials. The SGVCOG has a mature Water Policy Committee that could handle oversight, but that is not the case with other COGs. The IRWMP on the other hand, already exists but would require modifying its membership to ensure adequate local government representation.

- R. Bryden offered clarification on the IRWMP process. He stated that projects are first vetted at the subregional watershed level (there are five subregions), before going to the Leadership Council for final determination based on merit, but also considering equitable distribution of funds back to the five subregions.

- D. Mahmud was concerned that as presently structured, IRWMPs are dominated by water supply concerns and do not include due respect for water quality concerns. Permittees must have a stronger voice.

- A. Fellow offered his opinion that governance at the COG level, with access to outside technical expertise as needed, is the best model.

- D. Mahmud offered ideas on how tax revenue should be proportioned. Discussion ensued on the merits of return based on population, versus watershed acreage, versus based on current MS4 liability. Mahmud thought geographic area is best. There was consensus by the group for supporting subregional governance with tax return based on geographical proportion.

- Project Selection. The following comments were offered:

- Working from a strawman scoring criteria put together by the County, D. Mahmud recommended that the scoring include more tiers in order to show greater granularity on a project's value.
- There was consensus that projects currently approved as part of watershed plans should be weighted higher. At the same time, there was agreement that project selection should allow for consideration of newly proposed projects.
- D. Mahmud was concerned that if capture of "new water" is a scoring criterion, SGV will not receive credit for the 95% of stormwater that is already being captured by the Flood Control District. This will make our projects less competitive. She recommended that the SGVCOG advocate for "grandfathering" in our projects if the tax framework includes a requirement that projects produce "new water."
- Rebates. The following comments were given:
 - D. Mahmud described her understanding of the NGO position on rebates/incentives. These groups are advocating that a large portion of the tax revenue go toward residential education and onsite retrofits, such as permeable pavers and water conservation measures.
 - G. Crudginton stated that NGOs initially wanted up to 50% of the tax to be returned to residents for these types of programs. They are now proposing a 5% hardline return.
 - M. Spence and N. Lyons stated a belief that it is not equitable to tax all for the benefit of only a few.
 - It was also noted that administering a rebate/incentive program could be very expensive and eat up a lot of the tax money.

6. Change the date for Water Policy/TAC meetings

Because the Water Policy/TAC meetings are often the day prior to Governing Board meetings, not leaving enough time for staff to prepare items for the Board, staff recommended that the date and time of the Water Policy/TAC meetings be changed to the second Tuesday of the month, at 10:00 a.m. Members concurred with this recommendation.

INFORMATION ITEMS

- 7. Legislative Updates: SB 633, Basin Plan, AB 2538(SB 589), H.R. 465/235**
 E. Wolf provided updates on these bills. Sen Portantino intends to introduce the SB 633 language into a budget trailer. SB 1133 (Portantino), is the Basin Plan bill, although it currently only includes spot language. Sen Portantino is also sponsoring, SB 1422, a bill aimed at eliminating plastic micro-pellets used in many commercial products, that can end up in urban runoff. AB 2538 (Rubio), is the spot bill that will include Financial Capability Assessment. This is the language that is coming over from Sen Hernandez' office; formerly SB 589.
- 8. Regulatory Updates:**
- State Audit
 The results of the state audit are due out by the end of February.
- 9. E/WMP Updates**
- RH/SGR
 J. Carlson updated the group on the Peck Lake park project and asked that a recommendation that the Governing Board support the project be added to the March

Water Policy/TAC agenda. G. Crudgington stated that the watershed group has scheduled a meeting with environmental groups to discuss the project and ask for their support.

- East SGV
- ULAR

D. Dolphin updated the group on the progress of getting the ULAR CIMP MOA signed.

E. Wolf described another potential MOA between the SGVCOG and members of the ULAR for contract management and Request for Proposal for design of load reduction strategies on the Rio Hondo River.

10. Water Boards Update

- Election of New Chair

Madelyn Glickfeld has been appointed the new chair of the LA Water Board.

R. Tahir announced that the 303(d) list was approved by the State Board and is awaiting approval by the EPA.

- Regulation Prohibiting Wasteful Water Use

The State Water Board considered this item at its Feb 20th meeting but took no action.

The proposed regulation is opposed by ACWA on the grounds that it infringes on local control. The State Board has opened a public comment period.

11. Water Supply Update

K. Gardner gave an update on the status of the Main San Gabriel Basin. The level of the basin has risen slightly due to imported water and releases from the canyon.

- Upper District Surcharge on Water Augmentation Fee

T. Love clarified that due to decreased water sales to member agencies relative to those estimated in its budget, the surcharge is not a windfall, it just makes up for the routine water sales that did not occur last fiscal year. The annual surcharge helps finance Upper District's overhead and administrative costs. Releases to the Basin should not be viewed as a windfall; rather, this is somewhat routine and have no bearing on the annual surcharge. Upper District reassesses the surcharge each year, so there may be opportunity in the future to change the amount.

- Cal Water Fix

T. Love reported on actions by MWD. They are considering whether to shoulder the full cost of one (or two) tunnels. They believe that the currently approved environmental documents cover either case and there is no need to redo environmental work.

12. Litigation Update

- Gardena and Duarte cases

R. Tahir reported that the Duarte hearing has been set for March 26th. The Gardena case will be heard on April 2nd.

- San Diego Unfunded Mandates

D. Mahmud believes that the State Supreme Court is unlikely to accept an appeal of the lower court's decision.

- WOTUS

The U.S. Supreme Court rejected the 6th Circuit Court's claim that all cases should be consolidated at that court. This decision sends the multiple cases back to the various appeals courts throughout the county, opening up the possibility of inconsistent and overlapping rulings. Anticipating this possibility, the Trump EPA proactively pushed off for two years, the date for implementing the 2015 Obama Clean Water Rule.

13. Stormwater Outreach Updates

There was no outreach to report.

EXECUTIVE DIRECTOR'S COMMENTS

CHAIR'S REPORT

ANNOUNCEMENTS

ADJOURN

The meeting adjourned at 12:05 p.m.