



# San Gabriel Valley Council of Governments

## AGENDA AND NOTICE OF THE MEETING OF THE WATER POLICY COMMITTEE & WATER TECHNICAL ADVISORY COMMITTEE (TAC)

Tuesday, May 10, 2022, 10:00 AM

Zoom Link: <https://us06web.zoom.us/j/89388464599>

Livestream Link: <https://youtu.be/BB5MNeq8qvA>

### Water Policy Chair

Gloria Crudgington  
City of Monrovia

### Vice-Chair

Jennifer Stark  
City of Claremont

### MEMBERS

Claremont  
Glendora  
Monrovia  
Rosemead  
South Pasadena  
TVMWD  
USGVMWD

### Water TAC Chair

Alex Tachiki  
City of Monrovia

### Vice Chair

Tom Love  
Upper San Gabriel  
Valley Municipal  
Water District

### MEMBERS

Alhambra  
Bradbury  
Covina  
Glendora  
Monrovia  
Pomona  
Sierra Madre  
LA County DPW  
TVMWD  
SGVMWD  
USGVMWD

### 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.sgvcog.org](http://www.sgvcog.org). Copies are available via email upon request ([sgv@sgvcog.org](mailto: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.



**MEETING MODIFICATIONS DUE TO THE STATE AND LOCAL EMERGENCY RESULTING FROM THE THREAT OF COVID-19:**

AB 361 (Rivas), signed by California Governor Gavin Newsom on September 16, 2021, authorizes local agencies to hold public meetings via teleconferencing and allows for members of the public to observe and address the meeting telephonically or electronically to promote social distancing due to the state and local emergency resulting from the threat of the Novel Coronavirus (COVID-19).

To follow the new provisions in AB 361 and ensure the safety of Committee Members and staff for the purpose of limiting the risk of COVID-19, in-person public participation at the Water Policy Committee and TAC meeting scheduled for May 10, 2022 will not be allowed. To allow for public participation, the Water Policy Committee and TAC will conduct its meeting through Zoom Video Communications. To participate in the meeting, download Zoom on any phone or computer device and copy and paste the following link into your browser to access the live meeting: <https://us06web.zoom.us/j/89388464599>. You may also access the meeting via the livestream link on the front of the agenda page.

Instructions for Public Comments: For those wishing to make public comments on agenda and non-agenda items, but within the SGVCOG's subject matter jurisdiction, you may submit written comments via email or provide a verbal comment by participating through Zoom.

- Written Comments (Email): If you wish to submit written public comments to be distributed to the committee members prior to or during the meeting, please submit these materials via email to Brianne Logasa at [blogasa@sgvcog.org](mailto:blogasa@sgvcog.org) at least 1 hour prior to the scheduled meeting time. Please indicate in the Subject Line of the email "FOR PUBLIC COMMENT." Emailed public comments will be read into the record and will be part of the recorded meeting minutes. Written public comments may include, but are not limited to letters, reports, and presentations. While there is no page or word count limit for written comments, the time for reading written public comments into the record will be limited to three minutes, which is the same time allotted for verbal comments.
- Verbal Comments (Zoom): Through Zoom, you may provide a verbal comment by using the web interface "Raise Hand" feature. Wait to be called upon by staff, and then you may provide verbal comments for up to 3 minutes. Public comment is taken at the beginning of the meeting for items not on the agenda. Public comment is also accepted at the beginning of each agenda item.

Any member of the public requiring reasonable accommodation to participate in this meeting should contact Brianne Logasa at least 48 hours prior to the meeting at (626) 457-1800 or at [blogasa@sgvcog.org](mailto:blogasa@sgvcog.org).

## **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 Policy Committee/TAC Special Meeting Minutes – 4/5/2022 **(Page 5)**  
*Recommended Action: Approve*
6. Water Policy Committee/TAC Meeting Minutes – 4/12/2022 **(Page 7)**  
*Recommended Action: Approve*
7. Adoption of Resolution 22-06-WC Enabling the Water Policy Committee and Water Technical Advisory Committee (TAC) to Continue Holding Meetings via Teleconferencing **(Page 10)**  
*Recommended Action: Adopt Resolution 22-06-WC making specified findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.*

## **ACTION ITEMS**

8. AB 1845 (Calderon) – Metropolitan Water District of Southern California: Alternative Project Delivery Methods **(Page 13)**  
*Recommended Action: Recommend Governing Board support AB 1845 (Calderon).*
9. AB 2163 (Rubio) – San Gabriel Basin Water Quality Authority Act **(Page 14)**  
*Recommended Action: Recommend Governing Board support AB 2163 (Rubio).*

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

10. Peck Road Water Conservation Park – Paul Cranmer, Public Works Services Director, City of Arcadia **(Page 16)**

## **DISCUSSION ITEMS** *(It is anticipated that the Water Committee/Water TAC may act on the following matters)*

11. City of Monrovia Financial Capability Assessment Evaluation Findings – Brianna Datti and Pauline Nguyen, Craftwater Engineering; and Alex Tachiki, City of Monrovia **(Page 18)**

## **UPDATE ITEMS** *(It is anticipated that the Water Committee/TAC may act on the following matters)*

12. Regional Phase I Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit Implementation
13. Safe Clean Water Program **(Page 21)**
14. Federal and State Budget and Legislative Updates **(Page 23)**
15. Water Supply Update

- 16. Water TAC Chair Report**
- 17. Water Boards Update**

**CHAIR'S REPORT**

**ANNOUNCEMENTS**

**ADJOURN**



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

Date: April 5, 2022  
Time: 10:00 A.M.  
Location: Zoom/YouTube teleconference meeting

**PRELIMINARY BUSINESS**

1. Call to Order: G. Crudginton called the meeting to order at 10:01 A.M.
2. Roll Call

**Water Policy Committee Members Present**

J. Stark; Claremont  
G. Boyer; Glendora  
G. Crudginton; Monrovia  
M. Clark; Rosemead  
J. Santana; USGVMWD

**Water Policy Committee Members Absent**

D. Mahmud; South Pasadena  
C. Goytia; TVMWD

**Water TAC Members Present**

D. Dolphin; Alhambra  
S. Costandi; Covina  
A. Tachiki; Monrovia  
T. Gerber; South Pasadena  
J. Carver; Pomona  
J. Carlson; Sierra Madre  
E. Reyes; SGVMWD  
T. Love; USGVMWD  
R. Wang, C. Lee; LA County Public Works

**Water TAC Members Absent**

K. Kearney; Bradbury  
A. Sweet; Glendora

**Ex Officio Members Present**

**Ex Officio Members Absent**

S. Green; LA County Sanitation Districts  
L. Augino; Watermaster

**Guests**

R. Tahir; Member of the Public

**SGVCOG Staff**

B. Logasa

3. Public Comment
  - R. Tahir provided feedback on Upper Los Angeles River Watershed Management Group (ULAR WMG) Load Reduction Strategy. R. Tahir's full written public comment can be found by [clicking here](#).

4. Changes to Agenda Order.  
No changes to agenda order.

#### **CONSENT CALENDAR**

5. Adoption of Resolution 22-04-WC Enabling the Water Policy Committee and Water Technical Advisory Committee (TAC) to Continue Holding Meetings via Teleconferencing

**There was a motion to approve the Consent Calendar items.**  
**(M/S: A. Tachiki /J. Carver)**

**[MOTION PASSED]**

<b>AYES:</b>	Committee – Claremont; Glendora; Monrovia; Rosemead; USGVMWD TAC – Alhambra; Bradbury; Covina; Glendora; Monrovia; Pomona; Sierra Madre; LA County Public Works; TVMWD; USGVMWD
<b>NOES:</b>	
<b>ABSTAIN:</b>	
<b>NO VOTE GIVEN:</b>	
<b>ABSENT:</b>	Committee – South Pasadena; TVMWD TAC – Bradbury; Glendora

#### **CHAIR'S REPORT**

There was no report on this item.

#### **ANNOUNCEMENTS**

There were no announcements.

#### **ADJOURN**

G. Crudginton adjourned the meeting at 10:11 A.M.



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

Date: April 12, 2022  
Time: 10:00 AM  
Location: Zoom/YouTube teleconference meeting

**PRELIMINARY BUSINESS**

1. Call to Order: G. Crudgington called the meeting to order at 10:02 A.M.
2. Roll Call

**Water Policy Committee Members Present**

J. Stark; Claremont  
G. Boyer; Glendora  
G. Crudgington; Monrovia  
M. Clark; Rosemead  
D. Mahmud; South Pasadena  
C. Goytia; TVMWD  
J. Santana; USGVMWD

**Water Policy Committee Members Absent**

**Water TAC Members Present**

D. Dolphin; Alhambra  
S. Costandi; Covina  
A. Sweet; Glendora  
A. Tachiki; Monrovia  
A. Ortega; Pomona  
A. Tesfaye; South Pasadena  
M. Litchfield; TVMWD  
T. Love/P. Cortez; USGVMWD  
R. Wang, C. Lee; LA County Public Works

**Water TAC Members Absent**

Bradbury  
Sierra Madre  
SGVMWD

**Ex Officio Members Present**

L. Augino/K. Gardner; Watermaster  
S. Green; LA County Sanitation Districts

**Ex Officio Members Absent**

**Guests**

J. Millet; SCWP Rio Hondo WASC  
A. Sanchez; Member of the Public  
C. Griffin; Office of Assemblymember Rubio  
M. Chen; O Strategies Group  
R. Tahir; Member of the Public  
D. Ready; Council for Watershed Health  
D. Petschauer; City of Los Angeles - LASAN  
N. Aguirre; TVMWD

### **SGVCOG Staff**

K. Ward  
B. Logasa  
T. Egan

3. Public Comment
  - J. Millett, Rio Hondo WASC Watershed Coordinator provided written public comment regarding outreach efforts of the Safe Clean Water Program. [Click here](#) to review her full comment.
4. Changes to Agenda Order.  
No changes to agenda order.

### **CONSENT CALENDAR**

5. Water Policy Committee/TAC Meeting Minutes – 3/8/2022
6. Adoption of Resolution 22-05-WC Enabling the Water Policy Committee and Water Technical Advisory Committee (TAC) to Continue Holding Meetings via Teleconferencing

**There was a motion to approve the Consent Calendar items.**  
**(M/S: J. Stark/D. Mahmud)**

**[MOTION PASSED]**

<b>AYES:</b>	Committee – Claremont; Glendora; Monrovia; Rosemead; South Pasadena, TVMWD TAC – Alhambra; Bradbury; Covina; Glendora; Monrovia; Pomona; Sierra Madre; LA County Public Works; TVMWD; USGVMWD
<b>NOES:</b>	
<b>ABSTAIN:</b>	TAC – SGVMWD
<b>NO VOTE GIVEN:</b>	Committee – Rosemead TAC – Monrovia
<b>ABSENT:</b>	TAC – Bradbury; Sierra Madre; SGVMWD

### **PRESENTATION**

7. Three Valleys Municipal Water District Overview  
Matthew Litchfield, TVMWD General Manager, provided a presentation on this item. TVMWD serves eastern cities in the San Gabriel Valley, including Pomona, Glendora, San Dimas, Diamond Bar, Industry, Claremont, La Verne, and Walnut. TVMWD has a service area of 133 square miles with a population of 525,000.

### **DISCUSSION ITEMS**

8. Proposed 2022 Clean Water Act Financial Capability Assessment (FCA) Guidance  
Brienne Logasa, SGVCOG Management Analyst, provided information on this item. On February 22, 2022, the Environmental Protection Agency released Proposed 2022 Clean Water Act Financial Capability Assessment Guidance. The comment period for these proposed FCA updates is 60 days from its release date, with comments due on April 25, 2022. While the FCA guidelines do not apply to California, the SGVCOG has long

advocated for legislation that would require the State Board to establish financial capability assessment (FCA) guidelines for California. As such, the SGVCOG has continued to monitor the EPA's FCA guidelines process and plans on submitting a comment letter to the EPA addressing regional concerns to the proposed guidance.

#### **UPDATE ITEMS**

9. Regional Phase I Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit  
D. Dolphin, Water TAC member, provided information on this item. Given the new MS4 Permit, all cities are currently working on their biannual reports.
10. Safe Clean Water Program  
B. Logasa, SGVCOG Management Analyst, provided information on this item. All WASCs are currently finalizing their FY 22-23 stormwater investment plans. The Regional Oversight Committee is scheduled to meet Wednesday, April 13 at 1:00pm to discuss the 2022 interim guidance.
11. Federal and State Budget and Legislative Updates  
B. Logasa, SGVCOG Management Analyst, provided information on this item. The Omnibus Appropriations bill that was passed by the House on March 9, 2022, included \$219,591,000 for the Whittier Narrows Dam Safety Project. This is equal to the remaining of the funding necessary to complete the project, based on the Army Corps of Engineers current project budget. The bill passed the Senate on March 10, 2022, and was signed by the President on March 15, 2022.
12. Water Supply Update  
T. Love, Upper San Gabriel Valley Municipal Water District General Manager, provided an update on this item. State Water Project allocation is currently at 5% in March, which is a reduction from the 15% allocation provided in late January. Mandatory water use restrictions will likely go into effect for State Water Project supplies, proposed by Metropolitan Water District of Southern California.
13. Water TAC Chair Report  
There were no updates on this item.
14. Water Boards Update  
There were no updates on this item.

#### **CHAIR'S REPORT**

There was no report on this item.

#### **ANNOUNCEMENTS**

- D. Mahmud announced that Water Education for Latino Leaders (WELL) is hosting a conference on Saturday, June 11<sup>th</sup>.
- D. Dolphin announced that the City of Alhambra is hosting an Eco-Fair on May 1<sup>st</sup> in conjunction with 626 Golden Streets event.
- P. Cortez announced that committee members should have received an invitation to Upper District's Water 101 event taking place on Thursday, April 14<sup>th</sup> at 10:00am in conjunction with Watermaster.

#### **ADJOURN**

G. Crudgington adjourned the meeting at 12:00 P.M.

# REPORT

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DATE: May 10, 2021

TO: Water Policy Committee & TAC

FROM: Marisa Creter, Executive Director

**RE: ADOPT RESOLUTION 22-06-WC MAKING SPECIFIED FINDINGS TO  
ENABLE THE WATER POLICY COMMITTEE AND TAC TO CONTINUE  
TO HOLD MEETINGS VIA TELECONFERENCING**

## **RECOMMENDED ACTION**

Adopt Resolution 22-06-WC making certain findings that the existence of a local and state of emergency in California caused by the ongoing COVID-19 pandemic continues to directly impact the ability of the SGVCOG to hold public meetings safely in person thereby necessitating an ability to continue holding meetings via teleconferencing.

## **BACKGROUND**

Introduced by Assemblymember Robert Rivas (D-Hollister) on February 1, 2021, AB 361 codifies portions of Governor Gavin Newsom's existing Ralph M. Brown Act exemptions pertaining to teleconferencing if a local agency issues an emergency finding, and reissues it every 30 days, that it is unsafe to meet in person. Specifically, the Brown Act exemptions include requirements to provide a public teleconference location, to maintain a member quorum within the agency's jurisdiction and to provide for public comment at each teleconference location, such as a private residence. The legislation expires in December 2024. On September 16, 2021, California Governor Gavin Newsom signed AB 361 into law, effective immediately.

A local agency wishing to rely on the provisions of AB 361 must meet one of the following criteria:

1. The local agency holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
2. The local holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. The local agency holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California due to the threat of COVID-19 and shortly thereafter issued Executive Order N-29-20 suspending certain Brown Act provisions relating to teleconferencing as public meetings began to be held online.<sup>1</sup> However, this Executive Order expired on September 30, 2021, despite the State of Emergency remaining in place.

The threat that COVID-19 has presented continues to directly impact the ability of the SGVCOG to conduct Governing Board/committee meetings safely in person. Updated guidelines issued by

## REPORT

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the Centers for Disease Control and Los Angeles Department of Public Health in July and August 2021 advise governmental entities to refrain from conducting indoor meetings and consider moving operations outdoors, where feasible, to prevent transmission. SGVCOG staff finds it has been unable to find a suitable outdoor space with the requisite audio/visual capabilities at which the monthly Committee meetings can be held safely. Similarly, an indoor space with sufficient capacity to accommodate safe social distance practices among members, staff, and the public could not be identified

In order to continue to conduct meetings in a safe manner and to prevent unnecessary COVID-19 exposure to members, staff and the public, staff is recommending that Water Policy Committee and TAC adopt Resolution 22-06-WC making certain findings in order to be able to continue teleconferencing for its meetings.

Prepared by:  \_\_\_\_\_

Approved by:  \_\_\_\_\_  
Marisa Creter  
Executive Director

### **ATTACHMENTS**

[Attachment A – Resolution 22-06-WC](#)

# REPORT

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DATE: May 10, 2022

TO: Water Policy Committee & TAC

FROM: Marisa Creter, Executive Director

RE: **AB 1845 (CALDERON) – METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA: ALTERNATIVE PROJECT DELIVERY METHODS**

## **RECOMMENDED ACTION**

Recommend Governing Board support AB 1845 (Calderon).

## **BACKGROUND**

The Metropolitan Water District of Southern California (MWD) is currently limited to the Design-Bid-Build method of procurement for the Regional Recycled Water Project and their other drought infrastructure projects.

This bill would authorize the Metropolitan Water District of Southern California (MWD) to use the “progressive design-build procurement process” for regional recycled water projects or other water infrastructure projects under specified conditions. The bill would define “progressive design-build” to mean a project delivery process in which both the design and construction of a project are procured from a single design-build entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. The bill would require a progressive design-build contract be awarded on a best value or qualifications basis or to the lowest responsible bidder. The bill would require the district, if using this process, to prepare and issue a request for qualifications in order to select a design-build entity based on certain factors.

Additionally, this bill would authorize the MWD to utilize the Construction Manager/General Contractor (CM/GC) method for regional recycled water projects or other water infrastructure projects under specified conditions. The bill would define the CM/GC method generally as a project delivery method in which a construction manager is procured to provide preconstruction services during the design phase of the project and construction services during the construction phase of the project, whereby construction services may be entered into at the same time as the contract for preconstruction services or at a later time. The bill would require a CM/GC method contract be awarded on a best value or qualifications basis or to the lowest responsible bidder. The bill would specify the procedure for CM/GC projects, including, among other things, requiring the district to select a construction manager through a request for qualifications, as prescribed.

## **DISCUSSION**

MWD and other proponents of AB 1845 (Calderon) assert that the Regional Recycled Water Project could be completed up to three years faster if they are authorized to use the Design-Build, Progressive Design-Build, and CM/GC methods, as AB 1845 would permit. They assert that the traditional Design-Bid-Build method is inefficient and inflexible for large water infrastructure projects. The bill would amend the Public Contracting Code to permit MWD to use Design-Build,

Progressive Design- Build, and Construction Manager/General Contractor. These methods have the potential to expedite construction of critical new water infrastructure projects and reduce their overall costs.

Other supporters of the bill include—but are not limited to—the following:

- Azusa Chamber of Commerce
- El Monte/South El Monte Chamber of Commerce
- Glendora Chamber of Commerce
- Los Angeles County Sanitation District
- Pasadena Water and Power
- San Gabriel Valley Legislative Coalition of Chambers
- Three Valleys Municipal Water District

As of April 22, 2022, there were no opponents listed on file with the State Assembly.

Prepared by:



Brianne Logasa  
Management Analyst

Approved by:



Marisa Creter  
Executive Director

## **ATTACHMENTS**

[Attachment A – AB 1845 \(Calderon\) Text](#)

# REPORT

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DATE: May 10, 2022  
TO: Water Policy Committee & TAC  
FROM: Marisa Creter, Executive Director  
RE: **AB 2163 (RUBIO) – SAN GABRIEL BASIN WATER QUALITY  
AUTHORITY ACT**

## **RECOMMENDED ACTION**

Recommend Governing Board support AB 2163 (Rubio).

## **BACKGROUND**

The San Gabriel Basin Water Quality Authority (WQA) was established by the State Legislature (SB 1679) on February 11, 1993 to manage and coordinate contamination cleanup with local, state, and federal agencies and to develop, finance, and implement groundwater treatment programs in the San Gabriel Basin. The San Gabriel Basin is the primary source of drinking water for more than 1 million people in Alhambra, Irwindale, La Puente, Rosemead, Azusa, Baldwin Park, City of Industry, El Monte, South El Monte, West Covina and other areas of the San Gabriel Valley. Cleanup so far has cost about \$500 million, which came from public funds and the parties responsible for the contamination. WQA-sponsored projects represent more than half of the total contaminants removed from the Basin.

This bill would extend the sunset date of the existing law that established the WQA from July 1, 2030, to July 1, 2050. This bill would thereby permit the Authority to carry out its various duties under the act until 2050.

## **DISCUSSION**

The WQA was established to tackle the public health and safety water quality crisis gripping the San Gabriel Valley (home of the nation's largest Superfund site), by working to secure funding for treatment. It's proponents, such as the San Gabriel Valley Water Association, believes that the success of the WQA has been well established, but there is still more work to be done for decades to come. The extension provided by AB 2163 (Rubio) would take the sunset date from 2030 to 2050, thus allowing the Authority to continue its vital role in the remediation of harmful contaminants from a natural resource that provides 90% of local drinking water for generations.

As of April 29, 2022, there were no opponents listed on file with the State Assembly.

Prepared by:



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Brianne Logasa  
Management Analyst

# REPORT

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Approved by:



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Marisa Creter  
Executive Director

## **ATTACHMENTS**

[Attachment A – AB 2163 \(Rubio\) Text](#)

DATE: May 10, 2022

TO: Water Policy Committee & TAC

FROM: Marisa Creter, Executive Director

RE: **PECK PARK ROAD WATER CONSERVATION PARK**

## **RECOMMENDED ACTION**

For information only.

## **BACKGROUND**

At its January 2022 meeting, the Water Committee requested presentations and resources on per- and polyfluoroalkyl substances treatment in the region. Per- and polyfluoroalkyl substances (PFAS) are a large family of human-made chemicals that contain carbon, fluorine, and other elements. These chemicals have been in use since the 1940s and are found in a variety of products including firefighting foams, household products such as non-stick cookware, food packaging, and stain and water repellants. The two most widely studied PFAS chemicals are perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS); these chemicals were voluntarily phased out of production in the United States. However, as many as 3,000 other PFAS chemicals are still used in a wide variety of applications. Nicknamed “forever chemicals,” these chemicals are persistent and resist degradation, meaning they accumulate in the environment and in your body over time.

PFAS can be treated and removed from local water supply systems using methods like carbon filtration, ion exchange, and reverse osmosis. These treatment methods require expensive infrastructure, techniques, and maintenance, making it difficult for local and regional bodies and water providers to pursue.

## **DISCUSSION**

Peck Road Water Conservation Park is one water treatment plant tackling PFAS in the San Gabriel Valley. Peck Road Water Conservation Park is a 180-acre former alluvial pebble quarry located in the City of Arcadia in the Rio Hondo Watershed. The County of Los Angeles and the cities of Monrovia, Irwindale, Arcadia, and El Monte comprise the drainage around the lake.

The site is vitally important for water resource management, playing a pivotal role in stormwater and municipal water supply management. Peck Road Water Conservation Park has a number of lakes that are fed by Sawpit Wash, Arcadia Wash, and surrounding storm drains. These lakes at the park are integral to LA County’s flood control system during storm events and are managed by the Los Angeles County Flood Control District to mitigate flooding. In addition, the sides of the lakes are used as groundwater recharge basins and are also important for active transportation, access to outdoor recreation opportunities, habitat protection.

## REPORT

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At this Water Policy Committee/TAC meeting, Paul Cranmer, Public Works Services Director for the City of Arcadia, will provide an overview of Peck Park Road Water Conservation Park's water treatment processes and programs.

Prepared by:



Brianne Logasa  
Management Analyst

Approved by:



Marisa Creter  
Executive Director

DATE: May 10, 2022

TO: Water Policy Committee & TAC

FROM: Marisa Creter, Executive Director

RE: **CITY OF MONROVIA FCA EVALUATION FINDINGS**

## **RECOMMENDED ACTION**

For information only.

## **BACKGROUND**

The U.S. Environmental Protection Agency (EPA) adopted Financial Capability Assessment (FCA) guidelines in 1997 (with an updated Framework in 2014) to assess community water quality compliance costs and the burden on individual households and permittee agencies in meeting Clean Water Act (CWA) standards. The intent was to ensure there were cost-effective compliance pathways by establishing a process to assist regulators and permittees in prioritizing water quality improvements and schedules for compliance that also carefully considered communities' financial capabilities. On February 22, 2022, the EPA released Proposed 2022 Clean Water Act Financial Capability Assessment Guidance.

Although the federal FCA process has long been in place, California is not subject to federal FCA guidelines because the State's Porter-Cologne Water Quality Control Act (1969) delegates this authority to the California State Water Resources Control Board (State Board). The SGVCOG has long advocated for legislation that would require the State Board to establish FCA guidelines for California. As such, the SGVCOG has continued to monitor the EPA's FCA guidelines process. For example, the SGVCOG provided comments on the 2022 guidance (Attachment A), which were due on April 25, 2022.

## **DISCUSSION**

As indicated above, the updated FCA guidance is used to aid in assessing a community's financial capability as a part of negotiating implementation schedules under both permits and enforcement agreements. It is intended to standardize what EPA plans to consider when determining a community's financial capability to implement control measures needed to meet CWA obligations. Unlike the 1997 Guidance, the Proposed 2022 FCA Guidance provides two methodologies for cities to select from to calculate financial capability. The first, "Alternative 1," uses the existing 1997 FCA methodology with expanded consideration of lowest quintile income and poverty in the service area. The second, "Alternative 2," is more complex and requires cities to utilize a dynamic financial and rate model that looks at the impacts of rate increases over time on utility customers. The intention behind utilizing either alternative is to support cities in understanding their funding need to implement the MS4 permit, as well as their capacity to adhere to the MS4 final compliance deadline.

The proposed FCA guidance aims to be effective for every state; however, California stands out from other states in terms of several variables including median income, income distribution, size,

and water regulation and costs. To evaluate how the alternatives would be applied to a small- to mid-sized city in California, the City of Monrovia completed a study to identify how the guidance would apply to a similar city and assess whether it could be an effective tool for a small- to mid-sized city in California.

This evaluation used City of Monrovia as a case study and applied the two FCA models outlined in the guidance using Monrovia's data and financials. Preliminary results for each alternative assessment model are as follows:

- **Alternative 1:** The City's overall impact is considered **low**, indicating that the EPA would not likely to grant the City an extension of its compliance schedules.
- **Alternative 2:** Since this alternative utilizes a more complex financial modeling tool (which considers direct implementation costs and the City's current cashflows), it would found that without any additional funds beyond the City's existing revenues and anticipated funds through the Safe Clean Water Program (Measure W), final MS4 compliance deadlines would need to be extended by approximately 13 years to 2041 to avoid significant incurred debt.

The final conclusion asserts that if the City of Monrovia were to apply Alternative 2, they would have substantial justification for extending the City's compliance schedules by at least five years based on reasonable funding scenarios if the City pursues grants and low-interest loans.

These results will help SGVCOG and its member cities strategize how to best advocate for FCA guidance at the state level. SGVCOG has previously supported the expansion of the FCA, or similar, guidance to the State. The bills would have required the state board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the costs of implementation. These bills were vetoed twice, once by Governor Brown and once by Governor Newsom. Most recently, in February 2021, Senator Rubio introduced similar legislation – SB 426, Municipal separate storm sewer systems: financial capability analysis – which would require the State Board, by July 1, 2022, 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. SGVCOG Governing Board sponsored and supported this bill. However, the bill died on file on February 1, 2022. The SGVCOG continues to work with local legislators to evaluate the most effective approach to apply FCA guidance to the State.

At this Water Policy Committee/TAC meeting, Brianna Datti and Pauline Nguyen of Craftwater Engineering, as well as Alex Tachiki from the City of Monrovia, will provide an overview of the City of Monrovia evaluation of the 2022 Proposed FCA Guidance and share the results and findings from the analysis.

Prepared by:



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Brianne Logasa  
Management Analyst

Approved by:



Marisa Creter  
Executive Director

## **ATTACHMENTS**

Attachment A – [Proposed 2022 FCA Comment Letter](#)

Attachment B – [Proposed 2022 Clean Water Act Financial Capability Assessment Guidance](#)

DATE: May 10, 2022

TO: Water Policy Committee/TAC

FROM: Marisa Creter, Executive Director

RE: **SAFE CLEAN WATER PROGRAM**

## **RECOMMENDED ACTION**

For information only.

## **COMMITTEE AND WATERSHED AREA STEERING COMMITTEE (WASC) UPDATES**

The following activities have happened since the last Water Committee/TAC meeting.

### **Regional Oversight Committee (ROC)**

- Met on Wednesday, April 13, 2022 and discussed the 2022 Interim Guidance and Public Review Comments.

### **Scoring Committee**

- Did not meet.

### **Rio Hondo WASC**

- Met on Tuesday, April 19, 2022 and voted to approve the Rio Hondo Project Prioritization and Selection Discussion for populating the Fiscal Year 2022-23 Stormwater Investment Plan.

### **Upper Los Angeles River (ULAR) WASC**


- Met on Thursday, April 21, 2022 and voted to approve the ULAR Project Prioritization and Selection Discussion for populating the Fiscal Year 2022-23 Stormwater Investment Plan.


### **Upper San Gabriel River (USGR) WASC**

- Met on Thursday, March 24, 2022 and voted to approve the USGR Project Prioritization and Selection Discussion for populating the Fiscal Year 2022-23 Stormwater Investment Plan.

## **UPCOMING MEETINGS**

- Regional Oversight Committee – TBD
- Scoring Committee – TBD
- Rio Hondo WASC – Every 3rd Tuesday of the Month, 1:00 – 3:00 pm
- Upper Los Angeles River WASC – TBD
- Upper San Gabriel River WASC – Every 4th Thursday of the Month, 1:00 – 3:00 pm

Prepared by:   
\_\_\_\_\_  
Brianne Logasa  
Management Analyst

Approved by:   
\_\_\_\_\_  
Marisa Creter  
Executive Director

## **ATTACHMENTS**

[Attachment A – Approved 21-22 SIPs projects by WASC](#)

[Attachment B – Unapproved 21-22 SIPs projects by WASC](#)

DATE: May 10, 2022

TO: Water Policy Committee/TAC

FROM: Marisa Creter, Executive Director

RE: **FEDERAL AND STATE BUDGET AND LEGISLATIVE UPDATES**

## **RECOMMENDED ACTION**

For information only.

## **BUDGET UPDATES**

### **2022-23 State Budget**

The Governor has proposed as part of the 2022-23 draft January budget an additional \$750 million one-time General Fund commitment for a variety of activities to respond to current drought conditions and build the state's resilience for future dry years. This amount includes:

- \$180 million for water conservation programs
- \$250 million to set aside as unspecified "contingency" funding for the Administration to propose specific allocations for future drought responses later in the budget process
- \$145 million to address communities experiencing water supply shortages
- \$175 million for various other drought-related activities.

These funds are in addition to the \$880 million General Fund support for proposed water and drought-related activities in 2022-23 consistent with the 2021-22 budget agreement that included a total of \$4.6 billion across three years. SGVCOG staff is continuing to monitor the Governor's budget proposal and will update the Committee on the Governor's revised budget, which is expected to be released later this month.

### **Biden Infrastructure Bill**

The infrastructure bill is the single-largest investment in U.S. water infrastructure in the nation's history. While the overall infrastructure bill provides a total of \$7,420,806,000 to infrastructure projects (\$609,441,000 to California), it will invest more than \$50 billion specifically for water infrastructure programs.

- \$20+ billion for safe drinking water.
- \$15 billion in dedicated funding to replace lead pipes.
- \$12+ billion to ensure clean water for communities.
- \$1.8 billion to protect regional waters.
- \$135 million for additional water improvements.

SGVCOG staff is continuing to monitor this funding and determine how funding for these programs will be distributed and available to cities.

## **LEGISLATIVE UPDATES**

Below is an overview of federal and state legislation that the Water Committee and Water TAC are currently tracking.

### **S. 914 – Safe Drinking Water and Wastewater Infrastructure Act of 2021**

- **Summary:** As previously reported, S. 914 reauthorizes and creates programs to support drinking water and wastewater infrastructure projects, including the Drinking Water State Revolving Loan Funds, the Clean Water State Revolving Loan Funds, the Water Infrastructure Finance and Innovation Act program, the EPA Sewer Overflow & Stormwater Reuse Municipal Grant Program and the Alternative Source Water Pilot Program. New programs include the Stormwater Infrastructure Technology Program and PFAS treatment grants.
- **Status:** Passed in the U.S. Senate on April 29 but not yet acted upon in the U.S House.

### **SB 37 (Cortese) – Contaminated Sites: The Dominic Cortese “Cortese List” Act of 2021**

- **Summary:** Would require the State Water Resources Control Board, instead of the State Department of Health Care Services, to compile and update a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers. The Department of Finance on June 30, filed on behalf of the Administration an “oppose” letter because SB 37 could increase costs to clean-up contaminated sites in California.
- **Status:** Passed the Senate on June 1, 39-0; Assembly Environmental Safety & Toxic Materials Committee on June 16, 6-3; Assembly Natural Resources Committee on July 5, 7-1; and, Assembly Appropriations Committee on August 26, 12-4. At the request of the author, SB 37 was moved to the Assembly Inactive File.
- **SGVCOG Position:** Watch

### **SB 230 (Portantino) – Constituents of Emerging Concern Program**

- **Summary:** Would require the State Water Board to establish, maintain, and direct a new program to assess and recommend further study on constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The state board would convene the Science Advisory Panel to review and provide recommendations on CEC for further action, among other duties. The state board would be required to provide an annual report to the Legislature on the ongoing work conducted by the panel. The bill would authorize the State Board, upon appropriation by the Legislature, to provide financial assistance to certain public water systems upon a showing that the costs of testing drinking water in compliance with CEC monitoring requirements based on the recommendations of the panel would impose a financial hardship.
- **Status:** Passed the Senate Environmental Quality Committee on March 15, 7-0, and at the request of the Senate Appropriations Committee. SB passed the Senate Floor on January 26, 2022 and was read for the first time in the Assembly.
- **SGVCOG Position:** Support

### **SB 1219 (Hurtado) - 21st century water laws and agencies: committee**

- **Summary:** Would require the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection to convene a committee to develop and submit, on or before December 31, 2024, to the Governor and to the Legislature a strategic vision, proposed statutes, and recommendations for a modern 21st century set of water laws and regulations and state and local water agencies for the state, as provided. The bill would also require the Governor or the committee to appoint a “blue ribbon” citizen commission or taskforce, a stakeholder advisory committee and any other group that the Governor or the committee deems necessary or desirable to assist in carrying out these provisions. The bill would require all relevant state agencies, at the request of the committee, to make available staff and resources to assist in the preparation of the strategic vision and proposed statutes. The bill would authorize the committee, its members, and state agencies represented on the committee to contract for consultants to assist in the preparation of the strategic vision and proposed statutes, as specified, and would exempt those contracts from certain public contracting requirements.
- **Status:** Introduced to the Senate on February 17, 2022. Passed in the Committee on Natural Resources and Water and referred back to the committee on Environmental Quality on April 5, 2022. Senate hearing for this bill is scheduled for April 27, 2022.
- **SGVCOG Position:** No position currently taken.

### **AB 1195 (Garcia) – Southern Los Angeles County Regional Water Agency**

- **Summary:** Would create the Southern Los Angeles County Regional Water Agency as a regional water agency serving the drinking water needs of the cities, unincorporated areas, and residents in the communities overlying the Central Basin and West Coast Basin aquifers in southern Los Angeles County. The bill would require the agency to serve the region as the leader in interagency collaboration on water resource issues and to be governed by a 5-member board of locally elected officials in the agency’s jurisdiction, each appointed by a specified state or local entity. The bill would authorize the agency to serve the water needs of its region through specified activities, including, among others, operating public water systems or other water infrastructure and integrating other water systems in the region into its operations, as prescribed. The bill would authorize the agency to finance its operations through specified means, including, among others, collecting water rates, charges, fees, or established parcel charges previously charged by a water system for which the agency has assumed control.
- **Status:** Passed the Assembly on May 27, 2021, 56-19. AB 1195 was initially triple referred to three Senate policy committees. The Senate Rules Committee then rescinded one of the policy committee referrals and therefore AB 1195 is awaiting hearings before the Senate Environment Quality and Governance & Finance Committees. AB 1195 must pass the Senate policy committees no later than July 1, 2022.
- **SGVCOG Position:** Watch

### **AB 1845 (Calderon) – Metropolitan Water District of Southern California: Alternative Project Delivery Methods**

- **Summary:** Would allow the Metropolitan Water District of Southern California to use alternative project delivery methods for the design and construction of a Regional Recycling Water Program and a limited set of drought-related projects. The bill would amend the Public Contracting Code to permit Metropolitan to use Design-Build,

Progressive Design Build, and Construction Manager/General Contractor. These methods have the potential to expedite construction of critical new water infrastructure projects and reduce their overall costs.

- **Status:** Introduced to the Assembly on February 8, 2022. Passed the Assembly Local Government Committee on March 23, 2022 and Assembly Water, Parks & Wildlife Committee on April 26, 2022. Next it will go to Assembly Appropriation Committee.

**SGVCOG Position:** The Water Committee is considering a recommendation to the Governing Board supporting this bill.

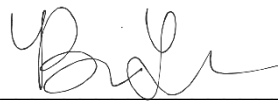
### **AB 2163 (Rubio) – San Gabriel Basin Water Quality Authority Act**

- **Summary:** The existing law that established the San Gabriel Basin Water Quality Authority will sunset on July 1, 2030. This bill would extend the existing law to July 1, 2050, thereby permitting the Authority to carry out its various duties under the act until 2050.
- **Status:** Introduced in the Assembly on February 15, 2022. Passed The Assembly Environmental Safety & Toxics Material Committee on March 22, 2022 and Assembly Appropriations Committee on April 25, 2022. Next it will go to the Assembly Floor.
- **SGVCOG Position:** No position currently taken.

### **AB 2387 (E. Garcia & Mullin) – Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022**

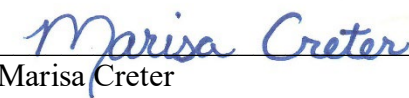
- **Summary:** This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.
- **Status:** Introduced in the Assembly on February 17, 2022. Passed Assembly Water, Parks & Wildlife Committee on April 4, 2022 and Assembly Natural Resources Committee on April 25, 2022. Next it will go to the Assembly Appropriations Committee.
- **SGVCOG Position:** The Water Committee is considering a recommendation to the Governing Board supporting this bill.

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