



SGVCOG Joint Water Policy Committee/TAC Meeting

Approved Minutes

Date: September 8, 2020
Time: 10:00 AM
Location: Zoom/YouTube teleconference meeting

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

J. Stark; Claremont
G. Boyer; Glendora
G. Crudgington; Monrovia
M. Clark; Rosemead
D. Mahmud; South Pasadena

Water Policy Committee Members Absent

LA County District #1
Sierra Madre

Water TAC Members Present

L. Waters; Alhambra
S. Costandi, S. Gallant; Covina
Y. Paez; Duarte
R. Wang; LA County Public Works
A. Tachiki; Monrovia
J. Carver; Pomona
T. Love, P. Cortez; USGVMWD

Water TAC Members Absent

Arcadia
Bradbury
Glendora
Sierra Madre
SGVMWD

Ex Officio Members Present

S. Green; LA County Sanitation Districts
K. Gardner, L. Augino; SG Basin Watermaster

Ex Officio Members Absent

Guests
J. Nelson; Former Committee Member
L. O'Brien; City of La Verne
M. Rich; Wood PLC Presenter

SGVCOG Staff

S. Matthews
C. Sims

3. Public Comment

D. Mahmud announced that one public comment was emailed to the Committee members prior to the meeting. That public comment, from R. Tahir, is as follows:

Just as a heads-up I will be proposing the following comments to the Regional Board in re: the issuance of the next Regional Board MS4:

- *Eliminate compliance with TMDLs not on the 303(d) list. The current MS4 permit requires municipal permittees to comply with TMDLs even though they are not on*

the 303(d) list for Los Angeles County. This includes every city in the San Gabriel Valley. Eliminating these TMDLs would significantly reduce the compliance cost burden on them.

- *Eliminate compliance with the bacteria TMDL for those municipal permittees that drain to engineered channels during storm events. The Los Angeles and other Regional Boards are required to exempt such permittees from compliance (includes all San Gabriel Valley cities) pursuant to state law (California Code of Regulations 3939.5). However, the current MS4 Permit limits the high flow suspension to 10 exceedance days. But the high-flow suspension regulation mentions nothing about exceedance days. The elimination of bacteria TMDL compliance will also further reduce compliance costs for all San Gabriel Valley cities and others in Los Angeles County.*
- *Eliminate compliance schedules, including those for TMDLs, in MS4 Permits. State policy, state law, and federal law do not require compliance schedules in MS4 permits. In fact, state law prohibits them. Only general NPDES permits require compliance schedules. This is because compliance schedules are a requirement under Clean Water Act Section 301. It is an undisputed fact that MS4 permits are not subject to CWA Section 301. This has been affirmed, ironically, by the Regional Board.*
- *Eliminate compliance with watershed management programs (WMPs). Although the proposed permit eliminates enhanced watershed management programs, WMPs are still required as determinants of TMDL compliance. However, WMPs are not authorized as compliance determinants under federal stormwater regulations; only stormwater management programs are, governed by an iterative process, which reduce pollutants to the maximum extent practicable (per 402(p)(3)(B)(iii)). Eliminating compliance with WMPs would further significantly reduce MS4 compliance costs to a significant extent.*
- *Eliminate compliance with wet weather water quality standards (includes TMDLs) because according to State Board Order 2001-15, there is no such thing in federal law or state law as a wet weather water quality standard. Water quality standards are dry weather (ambient) standards. This would also further reduce MS4 compliance costs.*
- *Eliminate, among other things, compliance with reasonable assurance analyses, pollutants in non-stormwater discharges, monitoring (sampling and analysis in the receiving water) are not required because they are not federally authorized. This would also further reduce MS4 compliance costs.*

4. Changes to Agenda Order.

No changes to agenda order.

CONSENT CALENDAR

5. Water Committee/TAC July Meeting Minutes

There was a motion to approve the consent calendar with modification and clarification on the H.R. 2 vote.

(M/S: M. Clark/G. Boyer)

[MOTION PASSED]

AYES:	Committee – Claremont; Glendora; Monrovia; Rosemead; South Pasadena
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	TAC – Covina; Duarte; Monrovia; Pomona; LA County Public Works; USGVMWD
NOES:	
ABSTAIN:	
ABSENT:	Committee – LA County District 1; Sierra Madre TAC – Alhambra; Arcadia; Bradbury; Glendora; Sierra Madre

ACTION ITEM

6. Election of Chair and Vice Chair of Water Policy Committee

Water Policy Committee Chair asked for nominations and noted that Water TAC elections will take place in October.

There was a motion to elect Gloria Crudgington as Chair and Diana Mahmud as Vice Chair of the Water Policy Committee.

(M/S: D. Mahmud /J. Stark)

[MOTION PASSED]

AYES:	Claremont; Glendora; Monrovia; Rosemead; South Pasadena
NOES:	
ABSTAIN:	
ABSENT:	Sierra Madre; LA County District 1

PRESENTATIONS

7. Upper Los Angeles River and Rio Hondo Watershed Area Fire Effects Study

M. Rich of Wood PLC provided a presentation on a scientific study that will be submitted by the SGVCOG on behalf of the Upper Los Angeles River (ULAR) Watershed Management Group for the upcoming Fiscal Year 2021-22 Safe, Clean Water Program call for projects. The proposed fire effects study will collect and analyze water quality data for three years and develop models for the fate and transport of fire-related contaminants in the ULAR watershed. This research will be used to promote scientifically sound regulations and develop strategies for addressing metals and nutrients in the ULAR. There were clarification questions on which metal pollutants are influenced by the increased occurrence of fires, to which the presenters responded that zinc and copper are the metals we see most influenced.

DISCUSSION ITEMS

8. 2020 Municipal Separate Storm Sewer System (MS4) Draft Permit

D. Mahmud first reviewed the second proposed State Board order on WMPs and EWMPs under the Los Angeles MS4 Order and reviewed key concerns with the adaptive management process and that more metrics are needed to qualify for safe harbor. She noted that the State Board released a redline version with the changes between the draft and second orders, and noted the Board will hold a public workshop on October 6 to hear public comments.

S. Matthews reviewed some of the changes between the Working Proposal and Draft MS4 Permit. Changes to the Draft Permit include those related to employee training and the annual report deadline. The Draft Permit no longer requires Permittees to train employees

in targeted positions (whose interactions, jobs, and activities affect storm water quality), but rather Permittees must ensure that employees are trained. The “Working Proposal” includes an annual report submittal deadline of October 15 which was opposed by many Permittees. These reports are now due annually on December 15. A. Tachiki noted that the Regional Board will not be releasing a redline version and that most of our concerns addressed in the comment letter on the Working Proposal still stand.

UPDATE ITEMS

9. Safe Clean Water Program

S. Matthews provided an update on the program SIPs, which were all advanced to the Board of Supervisors by the ROC. The Board of Supervisors is expected to approve all SIPs on September 29, 2020. The Scoring Committee has met to discuss changes to the feasibility study guidelines and scoring criteria. A. Tachiki provided an update on the feedback provided on the scoring criteria. G. Crudgington and A. Tachiki are working with the environmental NGOs and other stakeholders to improve the SCW Program scoring criteria and implementation.

10. Legislative Updates

D. Mahmud announced that SB 1044 which bans the use of PFAS in firefighting passed. S. Matthews provided an update on the appropriations bill with Whittier Narrows dam funding which has passed the House but has stalled in the Senate. The decision on the full FY21 funding that this Whittier Narrows money is a part of will be delayed, likely until after the presidential election. It is likely after that point that it will be signed into law.

11. Litigation Update

No updates.

12. E/WMP Updates

No updates.

13. Water TAC Chair Report

T. Love thanked the TAC members for their participation in WASC deliberations.

14. Water Supply Update

T. Love announced that we ended last year with record amount in storage, speaks to water storage efforts over the last decade. He described how the recent hot weather increases evapotranspiration and irrigation and water demands have increased over last month. Per capita water demand in the San Gabriel Valley has dropped 20% since 2012. K. Gardner announced that there has been 194,000 AF of production from basin, 5,000 more than last year. This can be attributed to heat or more frequent hand washing. The key well is down half a foot from prior week due to heat and firefighting.

15. Water Boards Update

CHAIR'S REPORT

ANNOUNCEMENTS

ADJOURN

Meeting adjourned at 11:37 A.M.