



San Gabriel Valley Council of Governments

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

Tuesday, September 14, 2021, 10:00 AM

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

Livestream Link: <https://youtu.be/RwkIfUQk3BE>

Water Policy

Chair

Gloria Crudgington
City of Monrovia

Vice-Chair

Jennifer Stark
City of Claremont

MEMBERS

Claremont
Glendora
Monrovia
Rosemead
San Gabriel
Sierra Madre
South Pasadena

Water TAC

Chair

Alex Tachiki
City of Monrovia

Vice Chair

Tom Love
Upper San Gabriel Valley
Municipal Water District

MEMBERS

Alhambra
Bradbury
Covina
Duarte
Glendora
Monrovia
Pomona
Sierra Madre
LA County DPW
Upper San Gabriel Valley
MWD

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.sgvkog.org. Copies are available via email upon request (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 STATE OF EMERGENCY RESULTING FROM THE THREAT OF COVID-19:

On March 17, 2020, Governor Gavin Newsom issued Executive Order N-29-20 authorizing a local legislative body 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 State of Emergency resulting from the threat of the Novel Coronavirus (COVID-19).

To follow the new Order issued by the Governor 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 Technical Advisory Committee (TAC) meeting scheduled for September 14, 2021 at 10:00 a.m. will not be allowed. To allow for public participation, the Water Police 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: **X**. You may also access the meeting via the livestream link on the front of the agenda page.

Submission of Public Comments: For those wishing to make public comments on agenda and non-agenda items you may submit comments via email or by phone.

- Email: Please submit via email your public comment to Brienne Logasa at 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 part of the recorded meeting minutes. Public comment may be summarized in the interest of time, however the full text will be provided to all members of the Committee prior to the meeting.
- Zoom: Through Zoom, you may speak 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 a reasonable accommodation to participate in this meeting should contact Brienne Logasa at least 48 hours prior to the meeting at (626) 457-1800 or email 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 Committee/TAC Meeting Minutes (**Page 5**)
Recommended Action: Approve August 10, 2021 Water Committee/TAC meeting minutes.

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

6. Biotic Ligand Model for Zinc – Karen Cowan, Executive Director, California Stormwater Quality Association (CASQA) (**Page 8**)
Recommended Action: For information only.

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

7. Regional Phase I Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit (**Page 10**)
8. Safe Clean Water Program (**Page 12**)
9. Federal and State Budgets and Legislative Updates (**Page 14**)
10. Litigation Updates
11. E/WMP Updates
12. Water Supply Update
13. Water TAC Chair Report
14. Water Boards Update

CHAIR’S REPORT

ANNOUNCEMENTS

ADJOURN



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

Date: August 10, 2021
Time: 10:00 AM
Location: Zoom/YouTube teleconference meeting

PRELIMINARY BUSINESS

1. Call to Order: The meeting was called to order at 10:01 A.M.
2. Roll Call

Water Policy Committee Members Present

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

Water Policy Committee Members Absent

Rosemead
San Gabriel
Sierra Madre

Water TAC Members Present

D. Dolphin; Alhambra
K. Kearney; Bradbury
S. Costandi; Covina
A. Sweet; Glendora
R. Wang; LA County Public Works
A. Tachiki; Monrovia
J. Carver; Pomona
T. Love; USGVMWD
J. Santana; USGVMWD

Water TAC Members Absent

Sierra Madre
South Pasadena

Ex Officio Members Present

K. Gardner; Watermaster

Ex Officio Members Absent

LA County Sanitation Districts

Guests

D. Polyzos; Metropolitan Water District

SGVCOG Staff

S. Matthews
C. Sims
B. Logasa
S. Souza

3. Public Comment
There was no public comment.
4. Changes to Agenda Order.
No changes to agenda order.

CONSENT CALENDAR

5. Water Committee/TAC April Meeting Minutes

There was a motion to approve the Water Committee/TAC May meeting minutes.

(M/S: D. Mahmud/G. Boyer)

[MOTION PASSED]

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

PRESENTATIONS

6. Introductory Remarks from SGVCOG President Becky Shevlin

SGVCOG President Becky Shevlin shared that she is happy to be working with the Committee. B. Shevlin added that SGVCOG is to be proud of the work the Water Policy Committee is doing with the MS4 permit and the technical components therein. B. Shevlin was also impressed by the San Gabriel Valley’s representation in the MS4 discussions with the Regional Water Board.

7. Water Supply Update – Demetri Polyzos, Senior Engineer, Metropolitan Water District of Southern California; Tom Love, General Manager, Upper San Gabriel Valley Municipal Water District; Kelly Gardner, Assistant Executive Officer, Main San Gabriel Basin Watermaster

Demetri Polyzos, Senior Engineer at the Metropolitan Water District of Southern California, provided a presentation on this item. D. Polyzos shared information on California’s water supply conditions, the State’s drought actions, and MWD’s drought operations. In 2021, below average precipitation, below average snowmelt runoff, and above average spring temperatures region wide have led to drought conditions in California. In May, Governor Newsom declared a State of Emergency Proclamation for 50 counties within the Klamath River, Russian River, Sacramento-San Joaquin Delta, and Tulare Lake watersheds, representing approximately 40 million people. Currently, none of the six counties within MWD’s service area are under a drought emergency. However, there will be a gap between supply and demand, so MWD will be implementing a Water Surplus and Drought Management (WSDM) Plan to satisfy the 2021 supply-demand gap and preserve SWP carryover storage for 2022. The Committee members asked questions on the shortages and MWD programs.

UPDATE ITEMS

8. Regional Phase I Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit

S. Matthews, SGVCOG Management Analyst, provided information on this item. SGVCOG staff are currently developing an “MS4 101” document to provide an overview of the Permit, compliance updates, and an overarching resource guide on stormwater. This

will help inform and engage elected officials around the Permit and with the LA Regional Water Quality Control Board.

9. State Water Resources Control Board Order on Approval of Watershed Management Programs (WMPs) and an Enhanced Watershed Management Program (EWMP)
A. Tachiki provided information on this item. The Regional Water Board is working on outreach for its construction permit/training but clarified that the outreach doesn't necessarily affect cities as permittees.
10. Safe Clean Water Program
S. Matthews provided information on this item. The Scoring Committee met last week and elected a chair and vice chair. Each WASC is coordinating strategic outreach and engagement plans. SIPs will be approved later this summer. All plans are on the Safe Clean Water website.
11. Federal and State Budget and Legislative Updates
S. Matthews provided information on this item. The Whittier Dam Safety Project funding has been approved at the federal level and it is now awaiting approval from the President. This year's state budget includes \$5.1 billion for drought preparedness and response and a \$1.3 billion climate resilience package to prepare for extreme heat, sea level rise, and environmental justice priorities. The \$5.1 billion package addresses immediate, emergency needs and aims to build regional capacity to manage droughts and safeguard water supplies. The package also includes \$211.5 million over two years to protect communities from sea-level rise and flooding through coastal wetland restoration; \$140 million for flood risk and reductions efforts for 1.1 million people; and \$200 million for habitat restoration and multi-benefit projects.
12. Litigation Updates
There were no updates on this item.
13. E/WMP Updates
There were no updates on this item.
14. Water TAC Chair Report
A. Tachiki reported that the TAC convened one meeting since the last time the Water Policy Committee and TAC met to discuss the talking points for the upcoming MS4 workshops.
15. Water Boards Update
There were no updates on this item.

CHAIR'S REPORT

G. Crudginton thanked B. Shevlin for participating in the committee meeting.

ANNOUNCEMENTS

No announcements.

ADJOURN

Meeting adjourned at 11:21 A.M.

DATE: September 14, 2021
TO: Water Policy Committee/TAC
FROM: Marisa Creter, Executive Director
RE: **BIOTIC LIGAND MODEL FOR ZINC**

RECOMMENDED ACTION

For discussion.

BACKGROUND

The State Water Resources Control Board (State Board) and Los Angeles Regional Water Quality Control Board (Regional Board) establishes criteria (the ambient water quality criteria – AWQC) for water quality based on the latest scientific knowledge available on the impacts of pollutants on human health and the environment. Traditionally, the ambient water quality criteria (AWQC) for metals such as zinc and copper is determined based on the hardness of the water. Quantifying water quality and toxicity based on hardness alone can be limiting, as it requires an evaluation of a water effect ratio (WER), which does not account for many of the factors that can affect water toxicity. The water effect ratio (WER) is a way to account for the difference in toxicity of a metal in a laboratory environment versus water at a specific site.


In July, 2019, the Los Angeles Regional Water Quality Control Board began researching the feasibility of another method of determining AWQC: the biotic ligand model (BLM). Since then, the State Water Board and other agencies have begun to consider BLM as a more flexible alternative to hardness testing because it takes into account not only hardness but also water chemistry. The Tire Manufacturers Association has also encouraged the use of the BLM. BLM aligns with existing EPA Guidelines and leads to an improved capability to assess potential adverse effects of metals like zinc in our water systems.

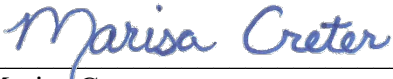
DISCUSSION

With the biotic ligand model being increasingly considered as a method to identify AWQC, there is a subsequent increased need to inform water agencies and cities about the BLM process and its use in the future.

At this meeting, Karen Cowan, Executive Director of the California Stormwater Quality Association, will present to the Water Policy Committee and TAC on the water quality principles established through BLM and steps cities can take to integrate this model going forward.

REPORT

Prepared by: 
Brianne Logasa
Management Analyst

Approved by: 
Marisa Creter
Executive Director

DATE: September 14, 2021

TO: Water Policy Committee/TAC

FROM: Marisa Creter, Executive Director

RE: **REGIONAL PHASE I MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT**

RECOMMENDED ACTION

For information only.

BACKGROUND

In December 2019, the Los Angeles Regional Water Quality Control Board (Regional Board) released the Working Proposal of the Regional Phase 1 Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit and in August 2020, released the Tentative Permit. For both the Working Proposal and the Tentative Permit, the Water Policy Committee and TAC developed comment letters that were submitted to the Regional Board.

On June 4, 2021, the Regional Board released the Revised Tentative Permit and a notice of public hearings for the issuance of the Permit, which took place on July 8, 9, 16, and 23. The Permit and an overview of all comments received can be found [here](#).

On August 9, 2021, the Regional Board released the final Permit. The memo from the Regional Board with instructions on how to access the Permit is in Attachment A.


DISCUSSION

With the release of the Revised Tentative Permit and announcement of public hearings, the Water Policy Committee and TAC worked to develop a strategy for developing comments and talking points and established four key areas of comments: fiscal resources, compliance attainment, compliance schedule, and monitoring and reporting. The SGVCOG engaged a consultant team led by Craftwater Engineering to develop the talking points to be used by elected officials and technical City staff and to provide technical support at the public hearings and conducted outreach to Committee members, Governing Board members, other elected officials, and City staff to request volunteers to provide public comments at the Regional Board hearings. At the July 8 hearing on the issuance of the Permit, 12 elected officials, including 10 from the San Gabriel Valley, provided coordinated policy statements. Regional Board members acknowledged the strong engagement of elected officials. At the July 16 hearing, staff of nine municipalities, including four from the San Gabriel Valley, provided coordinated technical comments.

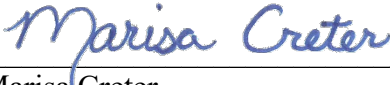
REPORT

On July 23, the Regional Board adopted a final Permit with changes from the Revised Tentative Permit. Some of those changes include requiring semi-annual report and posting reports on a website. While NGO commenters had strongly opposed deemed compliance pathways, these provisions remained in the Permit.

During the last meeting, the Water Policy Committee and TAC discussed ways Committee members and elected officials could stay engaged on stormwater issues, including tasking SGVCOG staff with creating a summary of the Permit and stormwater resource guide. The final document is meant to assist Water Policy Committee and TAC members' understanding of and engagement with stormwater principles and the Permit itself.

Prepared by: 

Brianne Logasa
Management Analyst

Approved by: 

Marisa Creter
Executive Director

DATE: September 14, 2021
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)

- Did not meet.

Scoring Committee

- Met on August 3, 2021 and voted to select Bruce Reznik from the LA Waterkeeper as Chair and TJ Moon from the LA County as Vice Chair. Also discussed a summary of Year 2 Stormwater Investment Plans, the status of Year 3 applications to the Infrastructure Program, and a Work Plan for Year 3 Scoring of Feasibility Studies and Projects.

Upper Los Angeles River (ULAR) WASC

- Did not meet.

Upper San Gabriel River (USGR) WASC

- Met on Thursday, August 26, 2021 and voted to select Alison Sweet from the City of Glendora as Chair and Miguel Luna from Urban Semillas as Vice Chair. The WASC discussed the Watershed Coordinator Draft Strategic Outreach and Engagement Plan, as well as reviewed Disadvantaged Community, Nature Based Solutions, and Partial Funding Interim Guidelines.

Rio Hondo WASC

- Met on Tuesday, August 17, 2021 and voted to select Tom Love from Upper San Gabriel Valley Municipal Water District as Chair and Kristen Ruffell from LA County Sanitation Districts and Thomas Wong from San Gabriel Valley Municipal Water District as Vice Chairs. The WASC also discussed the Watershed Coordinator Draft Strategic Outreach and Engagement Plan and reviewed WASC roles and responsibilities.

FY 21-22 REGIONAL PROGRAM STORMWATER INVESTMENT PLANS (SIPS)

Following approval by the ROC on June 29, final recommendations for all nine Watershed Areas are expected to be before the Board of Supervisors on September 15, 2021. Upon approval of the

SIPs, Transfer Agreements for the Infrastructure Program and Scientific Studies will be prepared and distributed to the recipients, and Technical Resources Program recipients will be contacted by the District.

FY 21-22 MUNICIPAL PROGRAM

Each municipality must submit a FY 21-22 Annual Plan to receive the annual portion of the Municipal Program revenue. These plans are being posted on the [Safe Clean Water Program webpage](#) for access by the public. The District currently intends to disburse the Municipal Program revenue by the end of August 2021; however, actual disbursements are dependent upon the conditions included in the Transfer Agreement.

ROUND 3 PROJECTS

The deadline for consideration in FY 22-23 was July 31, 2021. This call for regional projects solicited applications in three categories: Infrastructure Program, Technical Resources Program, and Scientific Studies Program. The Scoring Committee will begin scoring projects in fall 2021.

WATERSHED COORDINATORS

The District has onboarded all Watershed Coordinators who are currently developing the Strategic Outreach and Engagement Plans. Richard Watson and Associates was selected for the Rio Hondo WASC. Day One was selected for the USGR WASC. The ULAR WASC will have three Coordinators, two from the Council of Watershed Health and one from Environmental Outreach Strategies.

UPCOMING MEETINGS

- Regional Oversight Committee – TBD
- Scoring Committee – Tuesday, September 14, 2021, 9:00 am – 12:00 pm; Tuesday, October 5, 2021; 9:00 am – 12:00 pm
- Upper Los Angeles River WASC – Wednesday, October 6, 2021, 2:00 – 4:00 pm
- Upper San Gabriel River WASC – Every 4th Thursday of the Month, 1:00 – 3:00 pm
- Rio Hondo WASC – Every 3rd Tuesday of the Month, 1:00 – 3:00 pm

Prepared by:



Brianne Logasa
Management Analyst

Approved by:



Marisa Creter
Executive Director

DATE: September 14, 2021

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

2021-22 State Budget

On July 12, 2021, the Governor signed SB 129 (Skinner), which is the “Budget Bill Junior.” This follows previous action by the Governor on June 28 to approve the main budget bill AB 128 (Ting). These budget bills comprise the major provisions of the Fiscal Year 2021-22 State Budget for which the Governor and legislative leaders have so far agreed upon. These bills and accompanying budget “trailer bills” implement an unprecedented level of state economic stimulus to accelerate the state’s recovery from the pandemic. The \$262.6 billion spending plan is the largest budget ever adopted by the state and is fueled by a \$76 billion state surplus and \$27 billion in federal aid.

The so-called California Comeback plan includes the following:

- \$5.1 billion to address drought preparedness and response;
- \$1.3 billion climate resilience package to prepare for extreme heat, sea level rise, and environmental justice priorities;
- \$5.1 billion package to address immediate, emergency needs and aims to build regional capacity to manage droughts and safeguard water supplies;
- \$211.5 million over two years to protect communities from sea-level rise and flooding through coastal wetland restoration;
- \$140 million for flood risk and reductions efforts for 1.1 million people; and
- \$200 million for habitat restoration and multi-benefit projects.

2022 Appropriations Act – Whittier Narrows Dam Funding

On June 1, President Biden included more than \$219 million in the 2022 budget for the Whittier Narrows Dam Safety project. On July 31, the House passed the Minibus Appropriations Bill that includes the \$219 million in Army Corps funding to finish the project. This will now need to pass the Senate. Last year’s budget included approximately \$192.5 million for the project. At that time, the total cost was expected to be about \$385 million. Congressman Grace Napolitano, who has led the effort to make the Whittier Narrows Dam a top budget priority, sent a letter to the House Appropriations Subcommittee on Energy and Water Development requesting a \$219 million budget. That letter is included as Attachment A.

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:** Would reauthorize many federal water infrastructure funding programs and includes several new programs that will help communities address water infrastructure challenges. The reauthorizations and changes include the following:
 - The Clean Water State Revolving Fund (SRF), which would get \$14.65 billion over the next five years and allow a greater percentage of loans to be forgiven or other favorable loan terms.
 - The Water Infrastructure Finance and Innovation Act, which would get \$250 million over the next five years and require only one ratings agency opinion letter instead of two.
 - EPA Sewer Overflow & Stormwater Reuse Municipal Grant Program, which would get \$1.4 billion over the next five years.
 - The Alternative Source Water Pilot Program, which would get \$125 million over the next five years.

New programs include:

- The Rural and Low-Income Water Assistance Pilot Program, which would establish a new EPA program to provide 40 grants per year to utilities to assist low-income ratepayers.
 - The Wastewater Energy Efficiency Grant Pilot Program, which would get \$100 million over the next five years.
 - The Clean Water Infrastructure Resiliency and Sustainability Grant Program, which would get \$125 million over the next five years.
 - The Small Publicly Owned Treatment Works Efficiency Grant Program, which would be established with funding levels to be determined.
 - The Connection to Publicly Owned Treatment Works Grant Program, which would get \$200 million over the next five years.
 - The Water Infrastructure and Workforce Investment Grant Program, which would get \$25 million over the next five years.
 - The Stormwater Infrastructure Technology Program, which would get \$25 million to create five Stormwater Centers of Excellence and \$50 million for stormwater infrastructure planning/development and implementation grants.
 - PFAS treatment grants
- **Status:** Passed in the U.S. Senate on April 29 and sent to 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.

- **Status:** On June 30, read second time, amended, and re-referred to Committee on Natural Resources. On July 7, passed and re-referred to Committee on Appropriations. On August 19, placed on suspense file.
- **SGVCOG Position:** Watch

SB 45 (Portantino, Allen, Hurtado, and Stern) – Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022

- **Summary:** Would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program. This bill would provide for the submission of these provisions to the voters at the November 8, 2022, statewide general election.
- **Status:** Set for hearing May 20. On May 20, passed, read second time, and ordered to third reading. On June 1, ordered to inactive file on request of Senator Portantino. bills are 2-year bills at the request of the authors. The bill is now a two-year bill and will have to pass the Senate by January 31, 2022.
- **SGVCOG Position:** Watch

SB 230 (Portantino) – Constituents of Emerging Concern Program

- **Summary:** Would require the State Water Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program to assess the state of information and recommend areas for further study on the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene the Science Advisory Panel to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board 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:** March 22 set for first hearing canceled at the request of author. The bill is now a two-year bill and will have to pass the Senate by January 31, 2022.
- **SGVCOG Position:** Support

SB 273 (Hertzberg) – Water quality: municipal wastewater agencies

- **Summary:** Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provision.

- **Status:** On July 7, passed and on July 8, read second time and ordered to third reading. On August 19, ordered to the Senate and in Senate, concurrence in Assembly amendments pending. On August 22, ordered to special consent calendar.
- **SGVCOG Position:** Watch

SB 351 (Caballero) – Water Innovation Act of 2021

- **Summary:** Would create the Office of Water Innovation at the California Water Commission for the furtherance of new technologies and other innovative approaches in the water sector. Would require the office to take specified measures to advance innovation in the water sector and would make findings and declarations regarding the need for water innovation. Would create the Water Innovation Fund, with all moneys available, upon appropriation, to the department, the state board, or other state agencies for the furtherance of water innovation.
- **Status:** Set for hearing May 10. On May 10, placed on Appropriations suspense file. Set for hearing on May 20. On May 20, held in committee and under submission. Bill is dead.
- **SGVCOG Position:** Watch

SB 426 (Rubio) – Financial Capability Analysis

- **Summary:** Would require the State Water Resources Control Board (State Board) to develop Financial Capability Assessment (FCA) guidelines for cities and counties (permittees) seeking to comply with the Federal Clean Water Act (CWA). FCA guidelines would provide a uniform, equitable and transparent methodology for assessing the financial capability of communities to afford the cost of compliance with municipal separate storm sewer system (MS4) permits.
- **Status:** On June 1, ordered to inactive file on request of Senator Rubio. The bill is now a two-year bill and will have to pass the Senate by January 31, 2022.
- **SGVCOG Position:** Sponsor and support

AB 100 (Holden) – Drinking Water: Pipes and Fittings: Lead Content

- **Summary:** Would amend Sections 25214.4.3 and 116875 of the Health and Safety Code, relating to drinking water. This bill would additionally define “lead free,” with respect to endpoint devices, as defined, to mean that the devices do not leach more than one microgram of lead under certain tests and meeting a specified certification. would require the department, when evaluating an endpoint device’s compliance with the above-specified definition of “lead free” The bill would also establish, to base its evaluation upon specified documentation that demonstrates certification that the endpoint device does not leach more than one microgram of lead under certain tests.
- **Status:** On June 24, read second time, amended, and re-referred to Committee on Environmental Quality. On July 7, passed and re-referred to Committee on Appropriations with recommendation: To Consent Calendar. On August 23, referred to suspense file.
- **SGVCOG Position:** Watch

AB 377 (Rivas) – Water quality: impaired waters

- **Summary:** Would require all California surface waters to be fishable, swimmable, and drinkable by January 1, 2050. The bill would prohibit the state board and regional boards from authorizing an NPDES discharge, waste discharge requirement, or waiver of a waste discharge requirement that causes or contributes to an exceedance of a water quality standard, or from authorizing a best management practice permit term to authorize a discharge that causes or contributes to an exceedance of a water quality standard in receiving waters. The bill would prohibit, on or after January 1, 2030, a regional water quality control plan from including a schedule for implementation for achieving a water quality standard that was adopted as of January 1, 2021 and would prohibit a regional water quality control plan from including a schedule for implementation of a water quality standard that is adopted after January 1, 2021, unless specified conditions are met. The bill would prohibit an NPDES permit, waste discharge requirement, or waiver of a waste discharge requirement from being renewed, reissued, or modified to contain effluent limitations or conditions that are less stringent than those in the previous permit, requirement, or waiver. This bill would require, by January 1, 2030, the State Board and regional boards to develop an Impaired Waterways Enforcement Program to enforce all remaining water quality standard violations that are causing or contributing to an exceedance of a water quality standard.
- **Status:** On May 19, referred to Appropriations suspense file. On May 20, hearing postponed by Committee. The bill is now a two-year bill and will have to pass the Senate by January 31, 2022.
- **SGVCOG Position:** Oppose.

AB 652 (Friedman) – Product Safety: PFAS

- **Summary:** Would, on and after July 1, 2023, prohibit a person, including a manufacturer, from selling or distributing in commerce in the state any new, not previously owned, juvenile product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS) at a detectable level above an unspecified amount. Would establish requirements for manufacturers when replacing PFAS chemicals in juvenile products.
- **Status:** On June 23, read second time, amended, and re-referred to Committee on Environmental Quality. On July 12, amended and passed as amended. On July 13, read second time, amended, and ordered to third reading. On August 18, read third time and amended. Ordered to second reading. On August 19, read second time. Ordered to third reading.
- **SGVCOG Position:** Watch

AB 818 (Bloom) – Solid Waste: Premoistened Nonwoven Disposable Wipes

- **Summary:** Would require certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled clearly and conspicuously with the phrase “Do Not Flush” and a related symbol. The bill would prohibit a covered entity from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes. The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per day, up to a maximum of \$100,000 per violation, to be imposed on a covered entity who violates those

provisions. The bill would establish, until January 1, 2027, the California Consumer Education and Outreach Program, under which covered entities would be required to participate in a collection study conducted in collaboration with wastewater agencies for the purpose of gaining understanding of consumer behavior regarding the flushing of premoistened nonwoven disposable wipes and to conduct a comprehensive multimedia education and outreach program in the state.

- **Status:** On June 30, amended, passed, and re-referred to Committee on Appropriations with recommendation: To Consent Calendar. On July 1, read second time, amended, and re-referred to Committee on Appropriations. On July 15, ordered to second reading and ordered to Consent Calendar. On August 16, read second time. Ordered to Consent Calendar.
- **SGVCOG Position:** Support

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

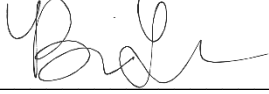
- **Summary:** Would create the Southern Los Angeles County Regional Water Agency as a regional water agency serving the drinking water needs of the cities, unincorporated areas, and residents in the communities overlying the Central Basin and West Coast Basin aquifers in southern Los Angeles County. 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:** On May 28, in Senate, read first time and sent to Committee on Rules for assignment. On June 9, referred to Committees on Environmental Quality, Governance and Finance, and Natural Resource. On June 17, hearing cancelled at request of author. Bill is dead.
- **SGVCOG Position:** Watch

AB 1200 (Ting) – Plant-based food packaging

- **Summary:** Would prohibit, beginning January 1, 2023, any person from distributing, selling, or offering for sale in the state any food packaging that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances or PFAS. Would require a manufacturer to use the least toxic alternative when replacing PFAS chemicals. The bill would define “food packaging,” in part, to mean a nondurable package, packaging component, or food service ware that is comprised, in substantial part, of paper, paperboard, or other materials originally derived from plant fibers.
- **Status:** On June 28, read second time, amended, and re-referred to Committee on Environmental Quality. On July 7, amended and passed as amended. On July 8, read second time, amended, and ordered to third reading. On August 23, read third time and amended. Ordered to second reading.
- **SGVCOG Position:** Watch

AB 1428 (Quirk) – Safe Drinking Water Act: Applicability

- **Summary:** Under existing law, a water district existence prior to May 18, 1994, that provides primarily agricultural services through a piped water system with only incidental residential or similar uses is not considered to be a public water system under specified conditions, including the system certifying that it is providing alternative water for residential or similar uses for drinking water and cooking to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulations. This bill would remove the provision authorizing those water districts to certify that they are providing alternative water for residential or similar uses to achieve the equivalent level of public health protection provided by the applicable primary drinking water regulations.
- **Status:** On July 9, approved by the Governor.
- **SGVCOG Position:** Watch

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