

WORKSHOP MEETING OF THE  
BOARD OF DIRECTORS WITH MET DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
18700 Ward Street, Fountain Valley, California  
July 1, 2020, 8:30 a.m.

**Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:**

**Computer Audio:** You can join the Zoom meeting by clicking on the following link:  
<https://zoom.us/j/8828665300>

<b>Telephone Audio:</b>	<b>(669) 900 9128 fees may apply</b>
	<b>(877) 853 5247 Toll-free</b>
<b>Webinar ID:</b>	<b>882 866 5300#</b>

## AGENDA

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### ROLL CALL

### PUBLIC PARTICIPATION/COMMENTS

At this time members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

### ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize item(s), which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present or, if less than two-thirds of the Board members are present, a unanimous vote.)

### ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at <http://www.mwdoc.com>.

### NEXT RESOLUTION NO. 2099

### ACTION ITEM

#### 1. DETERMINE WHETHER TO APPOINT A NEW MWDOC DIRECTOR FOR DIVISION 1 OR KEEP IT VACANT UNTIL THE NOVEMBER ELECTION

*Recommendation: (1) Opt to appoint a replacement Director to fill the Division 1 vacancy through the November 3, 2020 election and establish a process for appointing a Director; or (2) Opt to not appoint a replacement Director for Division 1 and call for the Division 1 vacancy to be placed on November 3, 2020 ballot.*

**2. REVISIONS TO STANDING COMMITTEE AND ASSOCIATION AND COMMISSION APPOINTMENTS FOR 2020**

*Recommendation: (1) Ratify the appointment of Director Larry Dick to the Public Affairs & Legislation Committee; and (2) ratify the changes to the Special, Association and Commission appointments for 2020*

**PRESENTATION/DISCUSSION ITEMS**

**3. INPUT OR QUESTIONS ON MET ISSUES FROM THE MEMBER AGENCIES/MET DIRECTOR REPORTS REGARDING MET COMMITTEE PARTICIPATION**

*Recommendation: Receive input and discuss the information.*

**4. STATUS OF DELTA CONVEYANCE ACTIVITIES AND LITIGATION**

*Recommendation: Review and discuss the information presented.*

**INFORMATION ITEMS**

**5. METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA INTEGRATED RESOURCES PLAN (IRP) ORAL UPDATE**

*Recommendation: Receive and file the information presented.*

**6. MET ITEMS CRITICAL TO ORANGE COUNTY** (The following items are for informational purposes only – a write up on each item is included in the packet. Discussion is not necessary unless requested by a Director)

- a. MET's Water Supply Conditions
- b. MET's Finance and Rate Issues
- c. Colorado River Issues
- d. Bay Delta/State Water Project Issues
- e. MET's Ocean Desalination Policy and Potential Participation in the Doheny and Huntington Beach Ocean (Poseidon) Desalination Projects
- f. South County Projects

*Recommendation: Review and discuss the information presented.*

**7. METROPOLITAN (MET) BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS**

- a. Summary regarding June MET Board Meeting
- b. Review items of significance for MET Board and Committee Agendas

*Recommendation: Review and discuss the information presented.*

## **ADJOURNMENT**

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Maribeth Goldsby, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at P.O. Box 20895, Fountain Valley, CA 92728. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodations should make the request with adequate time before the meeting for the District to provide the requested accommodations.



**ACTION ITEM**

July 1, 2020

**TO:** Board of Directors

**FROM:** Sat Tamaribuchi, President

**SUBJECT: DETERMINE WHETHER TO APPOINT A NEW MWDOC DIRECTOR FOR DIVISION 1 OR KEEP IT VACANT UNTIL THE NOVEMBER ELECTION**

**RECOMMENDATION**

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It is recommended that the Board discuss whether to:

- (1) Opt to appoint a replacement Director to fill the Division 1 vacancy through the November 3, 2020 election and establish a process for appointing a Director; or
- (2) Opt to not appoint a replacement Director for Division 1 and call for the Division 1 vacancy to be placed on November 3, 2020 ballot.

**SUMMARY**

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Director Brett Barbre submitted his resignation as Director of MWDOC's Division 1, effective June 17, 2020. Pursuant to Government Code Section 1780, the Board has 60 days (from the effective date of the resignation) to make an appointment or call an election to fill the vacancy (August 16, 2020). The following is an excerpt from the Administrative Code outlining the provisions of Government Code Section 1780:

**"Vacancy in Office of Director** - If a vacancy occurs in the office of Director, the remaining Directors shall, within 60 days, appoint a qualified person residing in the division in which the vacancy occurs to hold the office until the next District general election which is 130 days or more after the occurrence of the vacancy or call a special election to be held in the division affected as provided for by law.

If the Board of Directors fails to fill a vacancy or call an election within 60 days, the Board of Supervisors may fill the vacancy or call an election to fill the vacancy. If the Board of Supervisors fails to fill the vacancy or call an election within 90 days of the office becoming vacant, the District shall call an election on the next available election date that is 130 or more days after the vacancy occurs.

Budgeted (Y/N): N/A	Budgeted amount: N/A	Core <u>  X  </u>	Choice <u>  </u>
Action item amount:		Line item:	
Fiscal Impact (explain if unbudgeted):			

Persons appointed to fill a vacancy shall hold office until the next District general election and thereafter until the person elected at such election to fill the vacancy has been qualified. Persons elected to fill a vacancy shall hold office for the unexpired balance of the term of office.”

Due to the timing of the vacancy (more than 130 days prior to the general election), the Division 1 seat will be placed on the November 2020 general election ballot.

The Board may appoint a replacement director to fill the term through the November election, or may not appoint someone and call for the Division 1 vacancy to be placed on November 3, 2020 ballot.

## **BOARD OPTIONS**

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### **Option #1**

- Opt to appoint a replacement Director to fill the Division 1 vacancy through the November 3, 2020 election and establish a process for appointing a Director

**Fiscal Impact:** \$13,097 (maximum compensation w/o benefits)

### **Option #2**

- Opt to not appoint a replacement Director for Division 1 and call for the Division 1 vacancy to be placed on November 3, 2020 ballot.

**Fiscal Impact:** \$0



**ACTION ITEM**

July 1, 2020

**TO:** Board of Directors

**FROM:** Sat Tamaribuchi, President

**SUBJECT:** REVISIONS TO STANDING COMMITTEE AND ASSOCIATION AND COMMISSION APPOINTMENTS FOR 2020

**PRESIDENT'S RECOMMENDATION**

It is recommended that the Board of Directors:

1. Ratify the appointment of Director Larry Dick to the Public Affairs & Legislation Committee; and
2. Ratify the changes to the Special, Association and Commission appointments for 2020

**SUMMARY**

As a result of Director Barbre's resignation, it is necessary to appointment replacements to the Public Affairs & Legislation Committee, as well as various Associations and Commissions. In addition, it should be noted that subsequent to the June 17, 2020 Board meeting, legal counsel determined that while non-MWDOC Board members may participate on Ad Hoc Committees, an official appointment to such a Committee may result in the Committee becoming a Brown Act body. As a result, the MET Director Selection Committee will be comprised of MWDOC Directors Finnegan and Dick (Chair). MET Directors Ackerman and McKenney may provide input to the committee if requested but will not be official members of the committee.

President Tamaribuchi's recommended changes are outlined below.

<b>Public Affairs &amp; Legislation Committee</b>	M. Yoo Schneider, Chair B. McVicker <b>L. Dick</b>	
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<b>MET Director Selection Committee (Ad Hoc Committee)</b>	<b>J. Finnegan</b> <b>L. Dick, Chair</b>	
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<b>Budgeted (Y/N):</b> N/A	Budgeted amount:	Core ____	Choice ____
<b>Action item amount:</b>	Line item:		
<b>Fiscal Impact (explain if unbudgeted):</b>			

<b>Santiago Aqueduct Commission</b>	Rep: J. Thomas  Alt: <del>K. Seckel</del> <b>C. Busslinger</b>	
<b>Association of California Cities; Orange County</b> <i>Staff Support: H. Baez</i>	Rep: L. Dick  Alt: <del>B. Barbre</del> <b>S. Tamaribuchi</b>	
<b>NWRA Municipal Caucus</b>  <i>Staff Support: H. Baez</i>	Rep: L. Ackerman  Alt: <del>B. Barbre</del> <b>M. Yoo Schneider</b>	
<b>ACWA Federal Affairs Committee</b>  <i>Staff Support: H. Baez</i>	Rep: L. Ackerman  Alt: <del>B. Barbre</del> <b>M. Yoo Schneider</b>	
<b>Orange County Business Council</b> <i>www.ocbc.org</i> <b>Advocacy &amp; Government Affairs</b>  <i>Staff Support: H. Baez</i>  <b>Infrastructure</b>  <i>Staff Support: H. Baez/R. Hunter</i>	Reps: <del>B. Barbre</del> <b>L. Dick</b> <b>M. Yoo Schneider</b>  Reps: <del>S. Tamaribuchi</del> <b>L. Dick</b> <b>B. McVicker</b>	8/7, 9/4, 10/2, 11/6, 2020 at 9:30 am (normally the first Friday of each month)  7/14, 8/11, 2020; 7:30 am (the balance of meeting dates have not been set; normally the second Tuesday)
<del><b>California Council for Environmental and Economic Balance/California Environmental Dialogue (CCEEB/CED)</b></del>  <del><i>Staff Support: R. Hunter</i></del>	Rep: <del>S. Tamaribuchi</del>  Alt: <del>M. Yoo Schneider</del>	



**DISCUSSION ITEM**

July 1, 2020

**TO: Board of Directors**

**FROM: Robert Hunter,  
General Manager**

Staff Contact: Melissa Baum-Haley

**SUBJECT: STATUS OF DELTA CONVEYANCE ACTIVITIES AND LITIGATION**

**STAFF RECOMMENDATION**

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Staff recommends the Board of Directors review and discuss the information presented.

**REPORT**

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To discuss the current status of Delta Conveyance activities and litigation, MWDOC has invited Roger Patterson of Metropolitan and Joe Byrne of Best Best and Krieger to provide an update. Mr. Patterson is the assistant general manager for Metropolitan overseeing Metropolitan's strategic water initiatives for the Colorado River and Sacramento-San Joaquin Bay Delta (Delta). Mr. Byrne is a partner in the Los Angeles office of Best Best & Krieger LLP and a member of the firm's Environmental Law & Natural Resources, Special Districts and Business practice groups. He also serves as general counsel for the State Water Contractors and to MWDOC as well as Santa Clarita Valley Water Agency, Lake Arrowhead Community Services District, the Rowland Water District, and the Upper Los Angeles River Area Watermaster.

**Legal Matters**

Following President Trump's February signing of the [Record of Decision](#) for the Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project, the State immediately filed a lawsuit on them to in effect, block the State Water Project's operating permit.

Brief chronology of the lawsuits:

- On February 20, California Attorney General Xavier Becerra, the California Natural Resources Agency, and the California Environmental Protection Agency filed a

<b>Budgeted (Y/N): N/A</b>	Budgeted amount: None	Core _X_	Choice __
<b>Action item amount: N/A</b>	Line item:		
<b>Fiscal Impact (explain if unbudgeted):</b>			



lawsuit against the Trump Administration for failing to protect endangered fish species from federal water export operations.

- On March 3, the State Water Contractors filed a motion to intervene as a defendant in a lawsuit filed by the Natural Resources Defense Council, Defenders of Wildlife, along with a handful of other environmental nonprofits.
- On March 31, the Department of Fish and Wildlife released the Incidental Take Permit, the operating rules for CESA compliance for the State Water Project.
- On April 14, the Metropolitan Board voted to file a lawsuit against the State.
- On April 21, Attorney General Xavier Becerra filed for a preliminary injunction over federal water exports from the Delta. The [preliminary injunction](#) granted in the lawsuit against the U.S. Bureau of Reclamation (Reclamation) and the new biological opinions is set to expire on May 31st.
- On April 29, the State Water Contractors filed a lawsuit against the State, and four environmental groups also sued the state.
- On May 20, the Center for Biological Diversity, Restore the Delta, and the Planning and Conservation League sued Reclamation over the permanent federal water contracts to water users supplied by the Central Valley Project.

Additional information can be found in the attachment: Metropolitan's Office of the General Counsel Bay-Delta and SWP Litigation Monthly Activity Report.

### **Delta Conveyance**

The Department of Water Resources (DWR) continues to advance the Delta Conveyance Project, which is being planned to maintain reliability of the State's water system in decades to come. On June 18, DWR submitted a (revised) Department of the Army permit application pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act (Section 404 permit application) to the U.S. Army Corps of Engineers (USACE) to request authorization for the proposed Delta Conveyance Project activities in waters of the United States.

Separately, DWR has initiated USACE (and the Central Valley Flood Protection Board) review of the Delta Conveyance Project under Section 14 of the Rivers and Harbor Act, Title 33 United States Code Section 408, as an activity that may affect the Federal-State flood control system. DWR is currently submitting its Section 404 permit application for the Delta Conveyance Project in order to formally engage USACE in early coordination with DWR's California Environmental Quality Act (CEQA) process regarding environmental review under USACE's process for compliance with the National Environmental Policy Act (NEPA), as well as Clean Water Act and Rivers and Harbors Act. The USACE permit process will not be concluded until NEPA and all other relevant environmental compliance efforts are complete.

Upon receipt of the Section 404 permit application, USACE is expected to coordinate with other federal agencies to identify the appropriate lead agency under NEPA. The appropriate federal lead agency will then issue a Notice of Intent (NOI) announcing the preparation of an Environmental Impact Statement (EIS), which will begin a comment period during which agencies and members of the public have an opportunity to comment on the contents of the

permit application and scope and content of the EIS. More information about the federal scoping process will be available at that time of issuance of the NOI.

For more information, see the attachment: Delta Conveyance Project USACE Section 404 Permit Application: Questions & Answers

### **Joint Powers Authorities**

The Delta Conveyance Design and Construction Authority (DCA) is continuing to develop engineering and design information to help inform the environmental review process. This includes the presentation of data to the DCA's Stakeholder Engagement Committee (SEC) to generate input and ideas that can help avoid or minimize potential local effects of the project.

To comply with public health recommendations regarding public meetings and social distancing efforts, the DCA regularly scheduled meeting on May 21, was held online via conference line and video. An informational presentation on the Draft DCA Budget for fiscal year 2020/21 was provided to the DCA Board, and the DCA Board considered Amendment #2 to the Joint Exercise Powers Agreement to clarify administrative provisions. The Delta Conveyance Finance Authority also met on May 21 and considered approval of the fiscal year 2020/21 proposed budget. The May 27 Stakeholder Engagement Committee meeting focused on an update regarding the DWR's scoping activities and a presentation by the DCA regarding proposed traffic impacts.

The DCA will also be reaching out to various members of the Delta community to ensure DCA's technical staff are utilizing current and relevant data and information in their work. For example, the DCA is currently reaching out to local school districts to inquire about primary school bus routes and general transportation and safety concerns in relation to potential construction related construction traffic. They will also be reaching out to county health and safety service providers, such as fire districts, hospitals and county offices of emergency services, to coordinate on health, safety and emergency response in relation to construction activities.

### **Science Activities**

Metropolitan staff continued to participate in forums to ensure good science and collaboration. In April, the State Water Contractors (SWC) Board approved contracts for new science studies addressing SWC science objectives. The new studies include: (1) longfin smelt modeling study addressing the relationship between coastal conditions and the presence of longfin smelt; (2) nutrient study to evaluate phytoplankton response to changing nutrient conditions in the Bay-Delta; and (3) support for two Sea Grant Delta Science Fellows evaluating how tidal wetlands support pelagic food webs and the effects of aquatic weed invasion of restored tidal marsh habitats. In May, Metropolitan staff also participated in collaborative Delta science forums to provide input to work plans and developing studies, including the Interagency Ecological Program Stakeholder work group, the Delta Independent Science Board, the Delta Regional Monitoring Program, and the U.S. Fish and Wildlife Service Delta Smelt Life Cycle Model workshop.

Metropolitan staff organized a meeting between the California Public Utilities Commission (CPUC) and the Centerville Schoolhouse Workgroup to discuss the sale of the DeSabra-

Centerville Hydroelectric Facility. The hydroelectric facility currently brings cold water from the West Branch of the Feather River to Butte Creek to support spawning spring-run Chinook salmon, and there are questions regarding how these benefits will be maintained under new ownership. At the meeting, a request was made for the CPUC to set up a meeting between these groups and Pacific Gas & Electric (PG&E) to discuss the sale and how fisheries protections for spring-run salmon will be maintained with transfer to a new owner. The request was granted and the CPUC is working with PG&E to set up this meeting. Metropolitan staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). The May 13 CSAMP Policy Group meeting included presentations and discussion of recent studies addressing longfin smelt distribution and abundance, and contaminant effects on Delta smelt. The Policy Group also reviewed progress for CSAMP activities and discussed priorities moving forward. The May 19 CAMT meeting included status updates on Salmon Subcommittee activities, including development of a Coordinated Salmon Science Plan, needs to better understand salmon use of restored habitats in the Delta, and consideration of salmon entrainment issues.

Metropolitan staff is participating in the CAMT Salmon Subcommittee effort focused on developing a study to better understand the mechanisms influencing salmonid entrainment and the consequences of entrainment on salmonid populations. Observed salvage of juvenile salmonids at the South Delta export facilities continues to be a key metric guiding the timing and magnitude of allowable diversions. While this is important for monitoring the level of salvage relative to permitted take, it is unknown what percentage of the population are entrained at the export facilities and if the magnitude of this take is large or small. The subcommittee is developing a list of potential study questions that could be implemented, which will be shared with CSAMP/CAMT for input and guidance on which questions are most important to answer.

**Attachment: (1) Metropolitan's Office of the General Counsel Bay-Delta and SWP  
Litigation Monthly Activity Report**  
**(2) Delta Conveyance Project USACE Section 404 Permit Application:  
Questions & Answers**



Bay-Delta and SWP Litigation	
Subject	Status
<b>SWP-CVP 2019 BiOp Cases</b> <i>Pacific Coast Fed'n of Fishermen's Ass'ns, et al. v. Ross, et al. (PCFFA)</i> <i>Calif. Natural Resources Agency, et al. v. Ross, et al. (CNRA)</i> Federal District Court, Eastern Dist. of California, Fresno Division (Judge Drozd)	<ul style="list-style-type: none"> <li>SWC intervened in both PCFFA and CNRA cases</li> <li>PCFFA's application for TRO denied April 7, 2020</li> <li>Both PCFFA and CNRA have moved for preliminary injunctions seeking to order the CVP to operate to the 2008/2009 BiOps</li> <li>On May 11, 2020, the court granted, in part, the motions for preliminary injunction, requiring the Central Valley Project to operate to the San Joaquin River "inflow-to-export ratio" in the 2009 biological opinion through May 31, 2020</li> <li>The Court has requested additional information regarding CVP Shasta operations before it will rule on the remaining aspects of PCFFA's motion</li> </ul>
<b>CESA Incidental Take Permit Cases</b> <i>Metropolitan Water Dist. &amp; Mojave Water Agency v. Calif. Dept. of Fish &amp; Wildlife, et al. (CESA/CEQA/Breach of Contract)</i> Fresno County Superior Ct. (Judge Jeffrey Hamilton) <i>State Water Contractors &amp; Kern County Water Agency v. Calif. Dept. of Fish &amp; Wildlife, et al. (CESA/CEQA)</i> Fresno County Superior Ct. (Judge Jeffrey Hamilton) <i>Tehama-Colusa Canal Auth., et al. v. Calif. Dept. of Water Resources (CEQA)</i> Fresno County Superior Ct. (Judge Jeffrey Hamilton) <i>San Bernardino Valley Municipal Water Dist. v. Calif. Dept. of Water Resources, et al. (CEQA/CESA/Breach of Contract/Takings)</i> Fresno County Superior Ct. (Judge TBA) <i>Sierra Club, et al. v. Calif. Dept. of Water Resources (CEQA, Delta Reform Act, Public Trust)</i> San Francisco County Superior Ct. (Judge TBA)	<ul style="list-style-type: none"> <li>Metropolitan, SWC, and Tehama-Colusa Canal Authority filed on April 28, 2020 in Fresno</li> <li>North Coast Rivers Alliance, Institute for Fisheries Research, Pacific Coast Federation of Fishermen's Associations, San Francisco Crab Boat Owners Association, and Winnemem Wintu Tribe filed on April 28, 2020 in San Francisco</li> <li>Sierra Club, Center for Biological Diversity, Planning &amp; Conservation League, and Restore the Delta on April 29, 2020 in San Francisco</li> <li>Only Metropolitan and SWC allege CESA violations</li> <li>Only Metropolitan and Mojave have alleged breach of SWP contract and the implied covenant of good faith and fair dealing against DWR, naming California Natural Resources Agency as a real party in interest in those causes of action</li> <li>July 17, 2020 - First Case Management Conference in <i>North Coast Rivers Alliance, et al. v. DWR</i></li> <li>Sept. 9, 2020 – First Case Management Conference in <i>Metropolitan v. CDFW</i></li> <li>Sept. 13, 2020 – First Case Management Conference in <i>Tehama-Colusa Canal Auth. v. DWR</i></li> <li>Sept. 16, 2020 – First Case Management Conference in <i>SWC v. CDFW</i></li> </ul>



<p><i>North Coast Rivers Alliance, et al. v. Calif. Dept. of Water Resources</i> (CEQA, Delta Reform Act, Public Trust) San Francisco County Superior Ct. (Judge Cynthia Lee)</p> <p><i>Central Delta Water Agency, et. al. v. Calif. Dept. of Water Resources</i> (CEQA, Delta Reform Act, Public Trust, Delta Protection Acts/Area of Origin) Sacramento County Superior Ct. (Judge James Arguelles)</p>	
<p align="center"><b>CDWR Environmental Impact Cases</b> <b>Sacramento Superior Ct. Case No. JCCP 4942</b> <b>(20 Coordinated Cases – 1 Validation; 17 CEQA; 2 CESA) (Judge Culhane)</b></p>	
Subject	Status
<p><b>Validation Action</b> <i>DWR v. All Persons Interested</i></p> <p><b>CEQA</b> 17 cases</p> <p><b>CESA/Incidental Take Permit</b> 2 cases</p>	<ul style="list-style-type: none"> <li>Cases dismissed after DWR rescinded project approval, bond resolutions, decertified the EIR, and CDFW rescinded the CESA incidental take permit</li> <li>January 10, 2020 – Nine motions for attorneys' fees and costs denied in their entirety</li> <li>Parties have appealed attorneys' fees and costs rulings</li> </ul>
<p><b>Breach of Contract</b> <i>City of Antioch v. DWR</i> Sacramento County Superior Ct. (Judge De Alba)</p>	<ul style="list-style-type: none"> <li>Settlement reached to buy out the 1968 settlement agreement for \$27 million</li> <li>Antioch City Council approved</li> <li>DWR awaiting Governor's approval</li> </ul>
<p><b>COA Addendum/ No-Harm Agreement</b> <i>North Coast Rivers Alliance v. DWR</i> Sacramento County Superior Ct. (Judge Gevercer)</p>	<ul style="list-style-type: none"> <li>Plaintiffs allege violations of CEQA, Delta Reform Act &amp; public trust doctrine</li> <li>Deadline to prepare administrative record extended to July 25, 2020</li> <li>USBR Statement of Non-Waiver of Sovereign Immunity filed Sept. 2019</li> <li>Westlands Water District and North Delta Water Agency granted leave to intervene</li> <li>Metropolitan &amp; SWC Monitoring</li> </ul>
<p><b>Delta Plan Amendments and Program EIR</b> 4 Consolidated Cases Sacramento County Superior Ct. (Judge Earl)</p> <p><i>North Coast Rivers Alliance, et al. v. Delta Stewardship Council</i> (lead case)</p>	<ul style="list-style-type: none"> <li>Cases challenge, among other things, the Delta Plan Updates recommending dual conveyance as the best means to update the SWP Delta conveyance infrastructure to further the coequal goals</li> <li>Allegations relating to "Delta pool" water rights theory and public trust doctrine raise concerns for SWP and CVP water supplies</li> </ul>

Date of Report: June 2, 2020





<p><i>Central Delta Water Agency, et al. v. Delta Stewardship Council</i></p> <p><i>Friends of the River, et al. v. Delta Stewardship Council</i></p> <p><i>California Water Impact Network, et al. v. Delta Stewardship Council</i></p>	<ul style="list-style-type: none"> <li>• Cases consolidated for pre-trial and trial under <i>North Coast Rivers Alliance, et al. v. Delta Stewardship Council</i></li> <li>• Time to prepare the administrative record extended to May 22, 2020, but likely extended to June 15, 2020 by court emergency order</li> <li>• Answers or motions to dismiss due 30 days after administrative record is lodged</li> <li>• SWC granted leave to intervene</li> <li>• Metropolitan supporting SWC</li> </ul>
Subject	Status
<p><b>SWP Contract Extension Validation Action</b></p> <p>Sacramento County Superior Ct. (No judge assigned yet)</p> <p><i>DWR v. All Persons Interested in the Matter, etc.</i></p>	<ul style="list-style-type: none"> <li>• DWR seeks a judgment that the Contract Extension amendments to the State Water Contracts are lawful</li> <li>• Metropolitan and 7 other SWCs filed answers in support of validity to become parties</li> <li>• Four answers filed in opposition denying validity on multiple grounds raised in affirmative defenses</li> <li>• Case deemed related to the two CEQA cases, below and assigned to Judge Culhane</li> </ul>
<p><b>SWP Contract Extension CEQA Cases</b></p> <p>Sacramento County Superior Ct. (Judge Culhane)</p> <p><i>North Coast Rivers Alliance, et al. v. DWR</i></p> <p><i>Planning &amp; Conservation League, et al. v. DWR</i></p>	<ul style="list-style-type: none"> <li>• Petitions for writ of mandate alleging CEQA and Delta Reform Act violations filed on January 8 &amp; 10, 2019</li> <li>• Metropolitan preparing unopposed motions to intervene</li> <li>• Deemed related to DWR's Contract Extension Validation Action and assigned to Judge Culhane</li> <li>• Parties stipulated to DWR preparing the administrative record by Feb. 28, 2020, after which a meet-and-confer process began that may last up to 5 months</li> <li>• Answers due 30 days after administrative record is received</li> </ul>

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**Delta Conveyance Project USACE Section 404 Permit Application:**  
**Questions & Answers**

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**1. Why is DWR submitting the 404 application now?**

While a Section 404 permit is clearly required for certain proposed Delta Conveyance Project activities within navigable waters/waters of the U.S. prior to construction, applications can be submitted at various stages of project development. The Department of Water Resources (DWR) is submitting its application for the Delta Conveyance Project now to engage the U.S. Army Corps of Engineers (USACE) in environmental review under the National Environmental Policy Act (NEPA), in coordination with DWR's preparation of the Environmental Impact Report (EIR) for the Delta Conveyance Project in compliance with the California Environmental Quality Act (CEQA). However, USACE would not make a final permit decision until DWR has approved a final project and USACE has completed review of the proposed project under NEPA. In addition, the USACE permit decision is contingent on completing other compliance components of Section 404 as well as Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act. The USACE permit decision must also be supported by the State Water Resources Control Board issuance of water quality certification under Section 401 of the Clean Water Act (CWA). The USACE Section 404 permit decision also requires coordination with review under USACE's Section 408 program.

**2. Why does DWR's 404 permit application identify different project details - a single proposed alignment and two intake locations - when the Notice of Preparation (NOP) identified two possible alignments and three intake locations for the proposed project?**

The Section 404 permit application identifies only one alignment and two intake locations to comply with USACE permit application requirements that stipulate presentation of a single complete proposal. Therefore, identifying only one of the two alignment options and two intake locations for the proposed Delta Conveyance Project is done for the sole purpose of having a complete application consistent with USACE's requirements. However, it is important to note that the identification of a single corridor and two intakes within the proposed project in the Section 404 permit application is preliminary and should not be construed as a decision by DWR regarding its preferred project. Rather, DWR will need to identify and fully evaluate both of these corridors and all three intake locations, as well as a range of alternatives in sufficient detail in compliance with CEQA, and make a final determination regarding the alternative it approves at the close of that process once a sufficient record has been prepared. The CEQA process is at the beginning stages and both corridors and all three intake locations, as well as other potential alternatives, will be fully analyzed in the EIR in compliance with CEQA, as well as meeting the

requirements of other relevant environmental laws and regulations including Section 404 of the CWA and the Endangered Species Act.

**3. Why is there more detail in the project description for the proposed Delta Conveyance Project Section 404 permit application than what was included in the NOP?**

The timing of preparation of the NOP required presentation of the information developed on the proposed Delta Conveyance Project as of December 2019. As Delta Conveyance Project planning work continues on several fronts, including the Delta Conveyance Design and Construction Authority (DCA) Stakeholder Engagement Committee (SEC), further details have become available since development and publication of the NOP. The DCA is conducting engineering and design activities to support environmental planning for the Delta Conveyance Project and preparation of the EIR under CEQA. Their ongoing work, including with the SEC, has resulted in additional project description details, some of which are reflected in the Section 404 permit application and will be considered in future planning documents. All relevant materials are presented at their monthly board and/or SEC meetings and can be found [here](#).

**4. Will USACE notify nearby landowners about public participation opportunities related to the Section 404 permit application and NEPA?**

As a public noticing requirement under USACE's Section 404 permit application process, USACE will notify nearby landowners, including those specifically contiguous to the project site, about the availability of information related to the Section 404 permit application as well as the NEPA environmental review process.

**5. How come the impacted wetland acreage in the Delta Conveyance Project Section 404 permit application is higher than it was for WaterFix?**

Although the Delta Conveyance Project planning process is a fresh start, it does have the benefit of utilizing previous applicable work as well as new information and data provided by the DCA to help in project evaluation and decision making. Comparing the WaterFix Section 404 permit application acreage totals for impacted wetlands to what is included in this application is not a direct comparison because additional details have been developed by the engineering team related to access improvements and logistics (to bring materials to and from construction sites). Additionally, the impacted acreage total is an estimate based on preliminary design of the proposed project and will likely decrease as DWR works with USACE to reduce impacts to wetlands during the Section 404 permit review and NEPA processes.





**INFORMATION ITEM**

July 1, 2020

**TO: Board of Directors**  
**FROM: Robert Hunter, General Manager**

Staff Contact: Harvey De La Torre  
Melissa Baum-Haley

**SUBJECT: METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
INTEGRATED RESOURCES PLAN (IRP) ORAL UPDATE**

**STAFF RECOMMENDATION**

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Staff recommends the Board of Directors receive and file this information.

**REPORT**

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To support the policy development and technical analysis in the 2020 IRP, Metropolitan is employing a Decision Support Planning Method called Scenario Planning. In Scenario Planning, important and uncertain Drivers of Change are identified and used to envision multiple plausible alternative futures. Planning over these multiple alternative futures helps to explore a much wider range of needs and impacts than traditional single-path deterministic planning can do.

The Scenario Planning process for the 2020 IRP will involve four key steps:

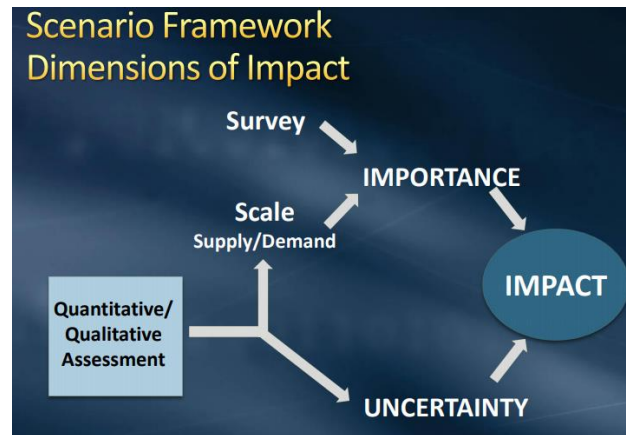
1. Identifying **Drivers of Change** that will affect the future
2. Constructing **Scenarios** that reflect alternative plausible outcomes of the future
3. Developing the **Resource Mixes** that combine resource and policy approaches to addressing the future scenarios
4. Developing an **Adaptive Management** Strategy

At the June 23 IRP Special Committee Meeting, Metropolitan staff continued the discussion on the 2020 IRP process, highlighting the work that has been done on the establishment of the Drivers of Change and the initial construction of the scenario through the building of a framework based on the key Drivers.

<b>Budgeted (Y/N):</b> N/A	Budgeted amount: None	Core <u>X</u>	Choice <u>  </u>
<b>Action item amount:</b> N/A		Line item:	
<b>Fiscal Impact (explain if unbudgeted):</b>			

Gathering input on the important Drivers of Change was conducted through an inclusive process involving the Metropolitan Board's IRP Special Committee, the Member Agency technical staff, regional stakeholder workshops, and surveys of driver importance.

The construction of the scenarios begins with the identification of a scenario framework. This framework will assist in addressing range of plausible futures. The scenario framework will also consider both qualitative and quantitative assessments of the Drivers and their impact and uncertainty.



Additionally, at the June 23 IRP Special Committee Meeting, Metropolitan staff presented a retrospective review of the 2015 IRP. The retrospective review provided a data summary of the 2015 IRP forecasts versus actuals over the last five years for total demand on Metropolitan, retail demand, local supplies, imported supplies, and key demographic factors.

As the goal of the IRP is reliability, the review also provided an assessment of current reliability, whereby the measure of reliability is the available water supply to satisfy demand on Metropolitan. Based on the retrospective review of the 2015 IRP, the assessment of reliability concluded that Metropolitan is currently reliable with ample supply available to meet demands. The 2020 IRP approach will provide the ability to take a wider range of uncertainties into account, driven by what Metropolitan has seen over the last five years and what is forecasted for the coming 25 years.

A review retrospective report is expected to follow and will be provided in our write up for next month's IRP update.



**DISCUSSION ITEM**

July 1, 2020

**TO: Board of Directors**

**FROM: Robert Hunter,  
General Manager**

Staff Contact: Karl Seckel  
Harvey De La Torre  
Melissa Baum-Haley

**SUBJECT: METROPOLITAN WATER DISTRICT (MET) ITEMS CRITICAL TO  
ORANGE COUNTY**

**STAFF RECOMMENDATION**

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Staff recommends the Board of Directors to review and discuss this information.

**DETAILED REPORT**

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This report provides a brief update on the current status of the following key MET issues that may affect Orange County:

- a) MET's Water Supply Conditions
- b) MET's Finance and Rate Issues
- c) Colorado River Issues
- d) Bay Delta/State Water Project Issues
- e) MET's Ocean Desalination Policy and Potential Participation in the Doheny and Huntington Beach Ocean (Poseidon) Desalination Projects
- f) South Orange County Projects

## ISSUE BRIEF # A

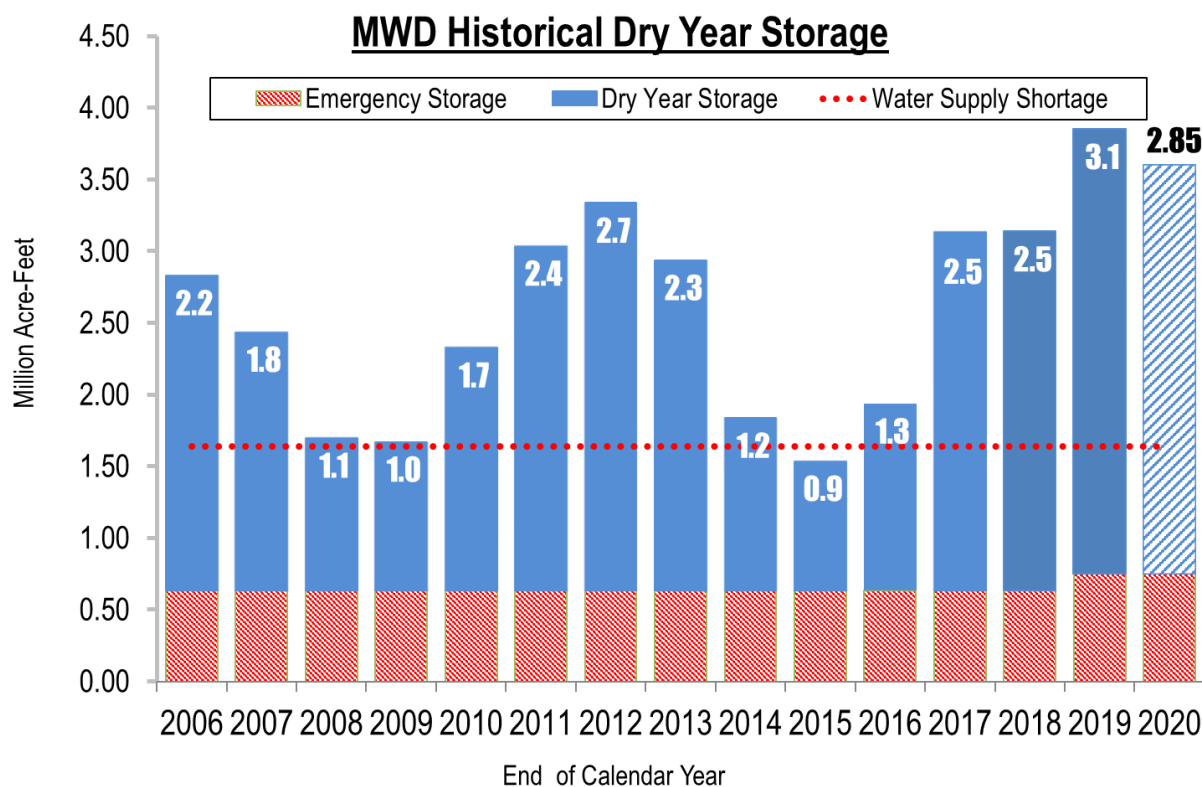
**SUBJECT: MET's Water Supply Conditions**

### **RECENT ACTIVITY**

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With estimated total demands and losses of 1.63 million acre-feet (MAF) and with a 20% SWP Table A Allocation, Metropolitan is projecting that demands will exceed supply levels in Calendar Year (CY) 2020. Based on this, estimated total dry-year storage for Metropolitan at the end of ***CY 2020 will go down to approximately 2.85 MAF.***

A projected dry-year storage supply of ***2.85 MAF will be the second highest amount for Metropolitan.*** A large factor in the increase in water storage is because ***water demands regionally have been at approximately 36-year lows.***



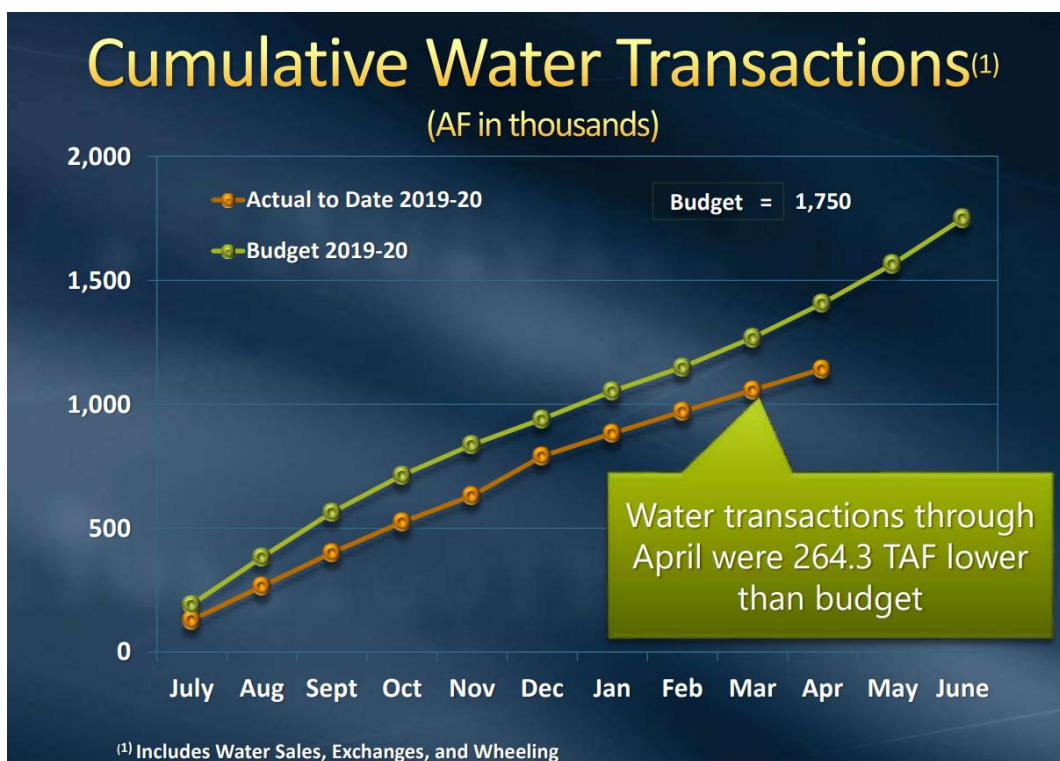
## ISSUE BRIEF # B

**SUBJECT: MET's Finance and Rate Issues**

### **RECENT ACTIVITY**

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Through April 30, 2020 water transactions were 264.3 TAF lower than budget, and 49.2 TAF lower than prior year actual. The primary reasons for the variation was due to a reductions in both treated and untreated transactions. Through April, this has resulted in water revenue reduction of \$255.6 million less than budget, and \$13.6 less than prior years actual.



## **ISSUE BRIEF # C**

**SUBJECT: Colorado River Issues**

### **RECENT ACTIVITY**

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#### **Lake Powell Pipeline Project Environmental Impact Statement**

On June 8, 2020, Reclamation released the Notice of Availability of the draft Environmental Impact Statement/draft Resource Management Plan Amendment for the Lake Powell Pipeline Project (LPP). Reclamation is seeking public comment on the draft EIS/draft RMPA during a 90-day public comment period that will close at 11:59 pm MDT on September 6, 2020.

Colorado River Board of California (CRB) staff previously submitted scoping comments on January 10, 2020, in a letter to Reclamation for the LPP project proposed by the Utah Board of Water Resources (UBWR). The proposed LPP is a 140-mile, 69-inch-diameter water delivery pipeline that begins at Lake Powell, located in the upper basin of the Colorado River, and ends at Sand Hollow Reservoir near St. George, Utah, located in the lower basin of the Colorado River. The UBWR proposes building the LPP in order to convey additional water supplies to Washington County in extreme southwestern Utah to meet future water demands, diversify the regional water supply portfolio, and for water supply reliability enhancement.

CRB staff currently believe that Congressional authorization will be required to implement the LPP. CRB staff will work with the Californian agencies to develop comment responses regarding the draft EIS.

Additional information about the LPP is available here:

<https://www.usbr.gov/uc/DocLibrary/EnvironmentalImpactStatements/LakePowellPipeline/index.html>

#### **Colorado River Basin Salinity Control Program**

##### ***Status of the Paradox Valley Environmental Impact Statement***

Reclamation released the Administrative Draft of the Final EIS on April 17, 2020, for a 30-day review by the cooperating agencies. At the request of the Basin States cooperating agencies, Reclamation granted additional comment extensions to June 22, 2020. As the cooperating agency for California, the Board will coordinate consensus comments with cooperating agencies from the other basin states. The Final EIS is scheduled for release in mid-August 2020, with a Record of Decision in late September 2020.

### ***Suspension of Brine Injection at Paradox Valley***

On April 21, 2020, Reclamation resumed operation of brine-water injection operations at PVU for a six-month test. However, on May 29, 2020, Reclamation suspended operations of the PVU six-month injection test, while it seeks an outside contractor's review of their test procedures and protocols. As far as the CRB has been informed, there have not been any issues associated with operation of the restarted brine well such as increased earthquake activity or problems with well borehole pressures. CRB staff are hopeful this is a temporary setback in restarting the existing brine injection well.

When restarted, the six-month test will be conducted at a 32% reduced injection rate, while Reclamation closely monitors the injection pressure and seismic response near the well. If any abnormal responses are observed, the well will be shut down for evaluation. Based on the data collected during the test, a decision will be made to determine future operations for the well. The injection rate will be reduced by 32% from the rate prior to the March 2019 earthquake, which was 168 gallons per minute (gpm). The new rate will be 115 gpm, potentially disposing of 65,000 tons per year (if operation continues beyond the six-month test).

### ***Colorado River Basin Salinity Control Forum and Advisory Council Meetings***

The Colorado River Basin Salinity Control Forum (Forum), Work Group, and Advisory Council held webinar meetings on June 1-3, 2020. The focus of the Forum and Work Group meetings were approval by the Forum of the public draft 2020 Triennial Review, Water Quality Standards for Salinity in the Colorado River System. The Federal Water Pollution Control Act requires that at least once every three years the Basin States review water quality standards relating to the salinity of the Colorado River. The states collectively initiated this review under direction of the Forum. During the meeting, the Forum approved the public draft 2020 Review, which will be sent to the Basin States governors and the state's water quality agencies for public comment prior to final approval by the Forum and inclusion within the individual state water quality standards.

The Forum approved formation of a finance subcommittee to renew and reinvigorate efforts to strengthen the Lower Colorado Basin Development Fund (LCBDF). The LCBDF uses hydropower revenue from Hoover, Davis, and Parker dams to support the lower basin state's cost share responsibilities for salinity control projects in the Basin. Due to reduced hydropower generation in recent years there has been a deficit between the revenue raised and the expected future Basin States cost share obligation. A few options under consideration are seeking Congressional authorization to allow the State of Arizona to contribute to salinity control programs through the LCBDF for the first time, and to increase the existing upper basin cost share percentage above 15 percent. The lower basin is currently responsible for 85% of the Basin State's cost share obligation.

The Advisory Council serves as a Federal Advisory Committee and provides advice and recommendations to the Secretaries of the Departments of the Interior and Agriculture, and the Administrator of the Environmental Protection Agency on Salinity Control Programs in the Colorado River Basin. The Advisory Council recommended approval of two research

projects by the U.S. Geological Survey as part of the Basin State's Studies, Investigations, and Research program. The first study will evaluate long-term salinity transport trends within lower basin tributaries to the Colorado River. The second study will evaluate the impacts of high intensity storm events, like monsoonal rains, on salinity transport. Board staff has recommended including the Colorado River below Parker Dam as one potential study area to further investigate salinity spikes observed by Board agencies in 2019. The studies are expected to be completed within two years.



**ISSUE BRIEF # D**

**SUBJECT: Bay Delta/State Water Project Issues**

**RECENT ACTIVITY**

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*For information specifically relating to the Delta Conveyance Project (f.k.a. the California WaterFix) please, refer to the associated Board Item – Delta Conveyance Project Activities and Litigation.*

## **ISSUE BRIEF # E**

**SUBJECT: MET's Ocean Desalination Policy and Potential Participation in the Doheny and Huntington Beach Ocean (Poseidon) Desalination Projects**

### **RECENT ACTIVITY**

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#### **Doheny Desal**

The details of this have been moved to briefing Issue F as it pertains only to South Orange County.

#### **Poseidon Huntington Beach**

The Santa Ana Regional Water Quality Control Board (SARWQCB) continues to work with Poseidon on renewal of the National Pollutant Discharge Elimination System (NPDES) Permit for the proposed HB Desalination Project.

The renewal of the NPDES permit for the proposed desalination facility requires a California Water Code section 13142.5(b) determination in accordance with the State's Ocean Plan (a.k.a. the Desalination Amendment). To make a consistency determination with the Desalination Amendment, the Regional Board is required to analyze the project using a two-step process:

1. Analyze separately as independent considerations, a range of feasible alternatives for the best available alternative to minimize intake and mortality of all forms of marine life:
  - a. Site
  - b. Design
  - c. Technology
  - d. Mitigation Measures
2. Then consider all four factors collectively and determine the best combination of feasible alternatives.

Regional Board staff reviewed hundreds of documents and input from both an independent reviewer and a neutral 3rd party reviewer to develop Tentative Order R8-2020-0005.

The key areas required by the Ocean Plan on which the Santa Ana Water Board is required to make a determination, includes:

- Facility onshore location;
- Intake considerations including subsurface and surface intake systems;
- **Identified need for the desalinated water;**
- Concentrated brine discharge considerations;
- Calculation of the marine life impacts; and

- Determination of the best feasible mitigation project available.

In evaluating the proposed project, Santa Ana Regional Board staff interpreted “the identified need for the desalinated water” as whether or not the project is included in local area water planning documents, rather than a reliability need as analyzed in the OC Water Reliability Study. The Regional Board staff referenced several water planning documents; Municipal Water District of Orange County’s (MWDOC) 2015 Urban Water Management Plan (UWMP), the OC Water Reliability Study, OCWD’s Long Term Facilities Plan, and other OCWD planning documents in their evaluation of Identified Need.

On December 6, 2019, SARWQCB, Regional Board staff conducted a workshop in Huntington Beach that was heavily attended with a considerable range of views expressed at the meeting. Several of the SARWQCB members were somewhat confused about the evaluation of Identified Need for the project (inclusion in local water planning documents vs. an identified reliability need for the project) and requested staff to help them understand the issue better.

On May 15, 2020, SARWQB held a second workshop, which focused on the identified need for the desalinated water and marine life mitigation requirements. Karl Seckel presented to the Regional Board on a number of topics including: MWDOC’s role in Orange County, alternative definitions of “need” for a water supply project and the role of water agencies, Urban Water Management Plans, non-mandated planning documents, and what was and was NOT in the 2018 OC Water Reliability Study.

Assuming success, Poseidon would then seek its final permits from the California Coastal Commission (CCC). The CCC has committed to reviewing the permit within 90 days of the SARWQCB NPDES permit issuance.

## **ISSUE BRIEF # F**

**SUBJECT: South Orange County Projects**

### **RECENT ACTIVITY**

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#### **Doheny Desal Project**

South Coast Water District (SCWD) continues working on the project:

- SCWD submitted their NPDES permit application on March 13, 2020. SCWD anticipates approval of the NPDES permit in the Fall 2020. The next step would be the Coastal Commission with a permit anticipated in Feb 2021.
- Work is progressing on the Financial Analysis for a 2 mgd and 5 mgd scenario. A workshop is currently being planned for mid-July.
- Work is also progressing on an Alternative Energy Study for the project. A draft report for SCWD staff review was expected in May 2020.

SCWD staff is now also proposing to evaluate alternative project options that meet reliability benefits for SCWD similar to the Doheny Desalination Project, along with reducing overall life-cycle costs in light of the uncertain economic situation moving forward due to the COVID-19 pandemic.

The Doheny Desalination Project is currently sized at a capacity of up to 5 MGD, which exceeds SCWD's average potable water demand expected during emergency situations. SCWD has only received interest from SMWD for about 1 mgd of supply from Doheny. This leaves South Coast with potential capacity for others in a 5 MGD facility. Based on this, along with regional financial hardships caused by the COVID-19 pandemic and potential economic recession, SCWD believes that it is necessary to consider alternative, and potentially lower cost project options, to utilize and potentially expand existing assets as a means to meet their reliability needs.

This new study will review design parameters and existing conditions at SCWD's existing Groundwater Recovery Facility (GRF), to obtain a comprehensive understanding of actual production capacity of the GRF and current limitations and reliability concerns. A range of additional water production volumes needed to maintain emergency reliability for SCWD will be developed. Current estimates are that 1.2 to 2.2 mgd of additional reliability will be needed for SCWD based on a GRF production volume of 0.8 mgd.

#### **SMWD Trampas Canyon Recycled Water Reservoir**

Trampas Canyon Reservoir and Dam (Trampas Reservoir) is a seasonal recycled water storage reservoir, with a total capacity of 5,000 AF, of which 2,500 AF is available to meet Santa Margarita Water District's projected base recycled water demands, and 2,500 AF to meet future water supply needs. When completed, the Trampas Reservoir will allow SMWD to store recycled water in the winter and draw on that water during the peak summer months.

The construction of the Trampas Canyon Recycled Water Seasonal Storage Reservoir consists of three main components:

1. Trampas Canyon Dam (Dam)
2. Conveyance facilities to transport recycled water into and out of the Reservoir (Pipelines)
3. Trampas Canyon Pump Station (Pump Station)

The construction of the facilities is being completed in three phases:

1. Preconstruction/Site Preparation for the Dam and Pump Station Construction
  - a. Project Status - Complete
2. Dam and Pipelines
  - a. Project Status – The Main Dam embankment fill is now completed, and the primary construction focus has shifted to the West Saddle Dam. Construction work on the spillway structure has begun and should be complete by the end of August. This phase of the work will be substantial complete on September 22, 2020.
3. Pump Station
  - a. Project Status - The pump station construction began in January and will continue through September and is 35% complete.

The project is currently projected to be substantially complete by late-September 2020.

### **San Juan Watershed Project**

Santa Margarita WD continues to focus on diversifying its water supply portfolio for south Orange County residents, businesses, schools, and visitors. On June 21, 2019, the San Juan Watershed Environmental Impact Report (EIR) was approved.

The original project had three Phases; Phase 1 was three rubber dams recovering about 700 AFY; Phase 2 added up to 8 more rubber dams with the introduction of recycled water into the creek to improve replenishment of the basin for up to 6,120 AFY, and Phase 3 added more recycled water topping out at approximately 9,480 AFY. Under this arrangement, most or all of the production and treatment involved the existing San Juan Groundwater Desalter with expansions scheduled along the way to increase production over 5 mgd. Fish passage and regulatory hurdles to satisfy subsurface travel time requirements are presenting some difficulties.

SMWD is working with the Ranch on the next phase of development within SMWD and have access to riparian groundwater from the Ranch. Furthermore, they have discovered that the local geology has high vertical percolation rates and sufficient groundwater basin travel time to potentially allow percolation of treated recycled water. SMWD is of the opinion that groundwater production and treatment of the groundwater can be initiated in a relatively short time-frame while permitting for percolation augmentation using recycled water from the nearby Trampas reservoir can be added as permitting allows. They believe the new project area may be able to ultimately produce 4,000 to 5,000 AF per year; they

believe the original project will continue to be developed for production out of the wells and treatment provided by San Juan Capistrano as the two agencies merge. Ultimate production out of the basin could exceed 10,000 AF per year if all goes well.

### **South Orange County Emergency Service Program**

MWDOC, IRWD, and Dudek have completed the study to determine if the existing IRWD South Orange County Interconnection capacity for providing emergency water to South Orange County can be expanded and/or extended beyond its current time horizon of 2030.

Dudek participated in the November 6, 2019 workshop to re-engage with the SOC agencies on this project. Support from the agencies was expressed to take a small next step to install Variable Frequency Drives at a pump station within IRWD which would be paid for by SOC to help move water from the IRWD system to SOC in an emergency. The Variable Frequency Drives will provide more flexibility to the IRWD operations staff to allow additional water to be sent to SOC while meeting all of the IRWD needs.

### **Strand Ranch Project**

MWDOC and IRWD are continuing to exchange ideas on how to implement the program to capture the benefits that can be provided by the development of “extraordinary supplies” from the Strand Ranch Project. Staff from MWDOC and IRWD are continuing to discuss methods of quantifying the benefits of the program.

### **Other Information on South County Projects**

#### **Accelerated AMP Shutdown in Early 2021 to Replace PCCP Sections**

In 2016, MET initiated a Prestressed Concrete Cylinder Pipe (PCCP) rehabilitation program to install 26 miles of steel liner throughout the MET system to address structural issues associated with prestressed steel wire failures in PCCP. As part of the program, MET monitors PCCP for wire breaks on a regular basis.

MWDOC staff was notified that a recent internal inspection of the AMP which included an electromagnetic surveys of the pipeline revealed two pipe segments with increased wire breaks within the PCCP portion South of OC-70. Metropolitan Engineering considers this section of the pipeline high-risk which will require relining. The minimum relining length needed would be approximately 1,000 feet, which would require a minimum 1-month shutdown only South of OC-70. A longer shutdown duration would allow Metropolitan to reline approximately 3,300 feet, which would reduce the number of shutdowns needed for future relining of the entire PCCP portion of the AMP and would reduce the overall construction and shutdown costs. MET had originally scheduled the AMP PCCP relining to begin in about 5 years, but based on the survey, the relining of this initial section has been accelerated.

MWDOC staff coordinated a meeting with all AMP participants on May 13, 2020 to discuss the options for the proposed shutdown.

MET's engineering group considers three segments of pipe within a 1,000 linear foot reach downstream of OC-70 as increased risk due to the segments having 20 or more wire breaks. MET does not recommend that repairs to these segments wait until Fall 2021 and is looking to schedule the shutdown in early 2021.

Staff will continue working with affected agencies and will keep both the Board and the AMP Participants informed as more information becomes available.

If any agencies would like to have updates included herein on any projects within your service area, please email the updates to Karl Seckel at [kseckel@mwdoc.com](mailto:kseckel@mwdoc.com).

**Summary Report for  
The Metropolitan Water District of Southern California  
Board Meeting  
June 9, 2020**

**COMMITTEE ASSIGNMENTS**

Appointed Director Kassakhian to Legal and Claims Committee and Real Property and Asset Management Committee. **(Agenda Item 5F)**

**ENGINEERING AND OPERATIONS COMMITTEE**

Authorized increase in change order authority of \$4 million for the Second Lower Feeder Reach 2 Rehabilitation contract for an aggregate change order authority not to exceed \$6,663,659. **(Agenda Item 8-1)**

Authorized a \$3 million increase, to an amount not-to-exceed \$41.1 million, for an existing 5- year agreement with Securitas to provide security guard services through December 31, 2020. **(Agenda Item 8-2)**

**CONSENT CALENDAR**

In other actions, the Board:

Approved Commendatory Resolution for Director Vartan Gharpetian representing the City of Glendale. **(Agenda Item 7-1)**

Approved Metropolitan's Statement of Investment Policy for fiscal year 2020/21, and delegated authority to the Treasurer to invest Metropolitan's funds for fiscal year 2020/21. **(Agenda Item 7-2)**

Adopted the resolution authorizing the reimbursement of capital expenditures from bond proceeds for FYs 2020/21 and 2021/22 and other capital expenditures relating to Metropolitan's water delivery system as contained in Attachment 1 of the Board letter. **(Agenda Item 7-3)**

Approved up to \$1.363 million to purchase insurance coverage for Metropolitan's Property and Casualty Insurance Program to renew or replace all the expiring excess liability and specialty insurance policies. **(Agenda Item 7-4)**

Adopted the CEQA determination that the proposed action has been previously addressed in the certified 2016 Final Program EIR and related CEQA documents, and awarded a \$429,295 contract to Pride Construction Engineering Services to construct erosion-control features at six sites in Orange County Operating region. **(Agenda Item 7-5)**



Authorized a professional services agreement with Flairsoft Limited not-to-exceed \$825,000 for a cloud-based solution to manage Real Property business transactions.

**(Agenda Item 7-6)**

Authorized the General Manager to execute the Six Agency Committee amendment to extend the current cost-sharing formula through June 30, 2025; and, by a two-thirds vote, authorized the General Manager to make payment of up to \$736,000 for support of the Colorado River Board and Six Agency Committee for FY 2020/21. **(Agenda Item 7-7)**

Authorized Metropolitan's General Manager to exercise his discretion to waive Metropolitan Water District's Administrative Code section 2121(c), to place matters either involving amounts greater than \$2 million, or requiring a roll call vote on the consent calendar for the duration of Governor Newsom's March 4, 2020 Proclamation of a State of Emergency.

**(Agenda Item 7-8)**

Expressed support and seek amendments to AB 3256 (E. Garcia, D-Coachella) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020. **(Agenda Item 7-9)**

Watch and engage as needed to protect Metropolitan's interests on SB 625 (Bradford, D-Gardena); Central Basin Municipal Water District: Receivership. **(Agenda Item 7-10)**

## **OTHER MATTERS**

Presented 5-year Service Pin to Director Stephen J. Faessel, representing the City of Anaheim. **(Agenda Item 5C)**

Presented 5-year Service Pin to Director Donald D. Galleano, representing Western Municipal Water District. **(Agenda Item 5D)**

Inducted new Director Ardashes "Ardy" Kassakhian from the City of Glendale. **(Agenda Item 5E)**

## **THIS INFORMATION SHOULD NOT BE CONSIDERED THE OFFICIAL MINUTES OF THE MEETING.**

Board letters related to the items in this summary are generally posted in the Board Letter Archive approximately one week after the board meeting. In order to view them and their attachments, please copy and paste the following into your browser:

<http://mwdh2o.com/WhoWeAre/Board/Board-Meeting/Pages/search.aspx>

All current month materials, before they are moved to the Board Letter Archive, are available on the public website here: <http://mwdh2o.com/WhoWeAre/archived-board-meetings>



**DRAFT**

**Regular Board Meeting**

**July 14, 2020**

**12:00 p.m.**

**Item No. 7b**

Tuesday, July 14, 2020 Meeting Schedule	
8:30 AM	WP&S
9:30 AM	E&O
11:00 AM	OP&T
12:00 PM	Board

Live streaming is available for all board and committee meetings on our [mwdh2o.com](http://mwdh2o.com) website  
([Click to Access Board Meetings Page](#))

**Public Comment Via Teleconference Only:** Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via teleconference only. To participate call (404) 400-0335 and use Code: 9601962.

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MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

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**1. Call to Order**

- (a) Invocation: Tania Asef, Associate Environmental Specialist,  
Environmental Planning Section, Chief Administrative  
Office
- (b) Pledge of Allegiance: Director Richard Atwater,  
Foothill Municipal Water District

**2. Roll Call**

**3. Determination of a Quorum**

- 4. Opportunity for members of the public to address the Board on matters within the Board's jurisdiction. (As required by Government Code Section 54954.3(a))

**5. OTHER MATTERS AND REPORTS**

- A. Report on Directors' events attended at Metropolitan expense for month of June 2020
- B. Chairwoman's Monthly Activity Report

- C. General Manager's summary of activities for the month of June 2020
- D. General Counsel's summary of activities for the month of June 2020
- E. General Auditor's summary of activities for the month of June 2020
- F. Ethics Officer's summary of activities for the month of June 2020
- G. Presentation of Commendatory Resolution for Director Vartan Gharpetian representing the City of Glendale

<b>CONSENT CALENDAR ITEMS — ACTION</b>
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**6. CONSENT CALENDAR OTHER ITEMS – ACTION**

- A. Approval of the Minutes of the Meeting for June 9, 2020  
(Copies have been submitted to each Director)  
Any additions, corrections, or omissions
- B. Approve committee assignments
- C. Approve Commendatory Resolution for Director Brett R. Barbre representing Municipal Water District of Orange County
- D. Adopt motion to adjourn the August Board Meeting to August 18, 2020, to establish tax rate. (Committees to meet on August 17 and 18, 2020)

**7. CONSENT CALENDAR ITEMS — ACTION**

- 7-1 Approve Executive Search Firm and Recruitment Process for General Manager Recruitment. (Special OP&T)

- 7-2** Authorize an agreement with AVI-SPL, Inc. in an amount not-to-exceed \$3.75 million for the procurement and deployment of upgraded audiovisual (AV) technology systems at Metropolitan's Headquarters Building for the Boardroom Technology Upgrade Project; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. (OP&T)
- 7-3** Review and consider Addendum No. 1 to the 2015 Mitigated Negative Declaration, and award a \$3,270,000 contract to Kiewit Infrastructure West Co to reline pipe and replace pipefittings at the Lake Perris Control Facility and on the Lakeview Pipeline. (E&O)
- 7-4** Award a \$5,410,000 contract to J.F. Shea Construction, Inc. to reline a portion of the Lake Perris Bypass Pipeline; the proposed action is in furtherance of a project that was previously determined to be exempt or otherwise not subject to CEQA. (E&O)
- 7-5** Authorize an amendment to a professional services agreement with Systems Integrated, LLC, for up to six years in an amount not to exceed \$362,000 annually, to provide support and maintenance of Metropolitan's existing Supervisory Control and Data Acquisition system; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. (E&O)
- 7-6** Review and consider the Lead Agency's adopted Negative Declaration and Addendum and take related CEQA actions, and adopt resolution for 111th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan
- 7-7** Review and consider the Padre Dam Municipal Water District's approved Mitigated Negative Declaration for the East County Advanced Water Purification Project and take related CEQA actions, and authorize the General Manager to enter into a Local Resources Program Agreement with San Diego County Water Authority and the East County Advanced Water Purification Program Joint Powers Authority. (WP&S)
- 7-8** Review and consider the City of Escondido's approved Mitigated Negative Declaration for the Escondido Membrane Filtration Reverse Osmosis Facility Project and take related CEQA actions, and authorize the General Manager to enter into a Local Resources Program Agreement with San Diego County Water Authority and the City of Escondido for the Project. (WP&S)

- 7-9** Authorize payments, by a two-thirds vote, of up to \$3.97 million for participation in the State Water Contractors for fiscal year 2020/21; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (WP&S) **[Two-Thirds vote required at Board]**

<b>END OF CONSENT CALENDAR ITEMS</b>
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**8. OTHER BOARD ITEMS – ACTION**

None

**9. BOARD INFORMATION ITEMS**

- 9-1** Update on Conservation Program
- 9-2** Communications and Legislation Committee Report

**10. OTHER BOARD ITEMS**

- 10-1** Update on Upcoming Department Head Performance Evaluations Process

**11. FOLLOW-UP ITEMS**

**12. FUTURE AGENDA ITEMS**

**13. ADJOURNMENT**

**NOTE:** Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parentheses at the end of the description of the agenda item e.g., (E&O, F&I). Committee agendas may be obtained from the Board Executive Secretary.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <http://www.mwdh2o.com>.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.