

WORKSHOP MEETING OF THE  
BOARD OF DIRECTORS WITH MET DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
18700 Ward Street, Board Room, Fountain Valley, California  
July 6, 2022, 8:30 a.m.

**Due to the current state of emergency related to the spread of COVID-19 and pursuant to Government Code Section 54953(e), MWDOC will be holding this Board and Committee meeting 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>

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

## AGENDA

---

### PLEDGE OF ALLEGIANCE

### 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. 2127**

### PRESENTATION/DISCUSSION ITEMS

#### **1. PRESENTATION BY METROPOLITAN STAFF (BILL HASENCAMP) REGARDING COLORADO RIVER BASIN CONDITIONS**

*Recommendation: Review and discuss the information presented.*

**2. LEGISLATIVE ACTIVITIES**

- a. Federal Legislative Report (NRR)
- b. State Legislative Report (BBK)
- c. Legal and Regulatory Report (Ackerman)
- d. MWDOC Legislative Matrix
- e. Metropolitan Legislative Matrix

*Recommendation: Review and discuss the information presented.*

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

*Recommendation: Receive input and discuss the information presented.*

**ACTION ITEMS**

**4. APPROVE CONTINUATION OF REMOTE MEETINGS PURSUANT TO AB 361 AND MAKE REQUIRED FINDINGS**

*Recommendation: Vote to continue virtual meetings pursuant to AB 361 for an additional 30 days based on the findings that (1) it has reconsidered the circumstances of the state of emergency for COVID-19, and (2) state and local officials continue to impose or recommend measures to promote social distancing.*

**5. CSDA BOARD OF DIRECTORS, SOUTHERN NETWORK, SEAT B – ELECTION**

*Recommendation: Review and discuss the candidates running for the CSDA Board of Directors, Southern Network, Seat B; and authorize President Yoo Schneider, or her designee, to cast the District's ballot*

**INFORMATION ITEMS**

**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 Finance and Rate Issues
- b. MET's Integrated Resources Plan Update
- c. MET's Water Supply Condition Update
- d. Water Quality Update
- e. Colorado River Issues
- f. Delta Conveyance Activities and State Water Project Issues

*Recommendation: Review and discuss the information presented.*

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

- a. Summary regarding June MET Board Meeting
- b. MET 4-Month Outlook on Upcoming Issues
- c. 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.



**DISCUSSION ITEM**

July 6, 2022

**TO:** Board of Directors

**FROM:** Robert Hunter, General Manager

Staff Contact: Melissa Baum-Haley

**SUBJECT: PRESENTATION BY METROPOLITAN STAFF (BILL HASENCAMP)  
REGARDING COLORADO RIVER BASIN CONDITIONS**

**STAFF RECOMMENDATION**

---

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

**REPORT**

---

MWD OC staff have invited Bill Hasencamp, Manager of Colorado River Resources from the Metropolitan Water District of Southern California to present on Colorado River conditions and planning as the Interim Guidelines expiration nears.

With the conclusion of the 2007 Interim Guidelines, significant operating rules will expire in 2026, including the Drought Contingency Plan (DCP), various state implementation agreements, and Treaty Minute 323 with Mexico. And since 2007, Metropolitan has funded extensive conservation of Colorado River water in California. The Intentionally Created Surplus (ICS) has benefited reservoir elevations and provides a source of supply that can be taken in years like this. In particular, Metropolitan's ICS has allowed Lake Mead to serve as a vital storage space.

Colorado River reservoirs, such as Lake Mead, are being impacted by a number of risk factors, for example:

- Declining snowpack – the current 30 year average is 11% lower
- Reduced run-off efficiency – the 2021 snowpack which was approximately 89% of average only yielded 32% of average runoff

<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>			



- Lower reservoir elevations – Both Lake Powell and Lake Mead are at their lowest level since filled
- Potential for reduced water delivery – and the the potential for ICS take to be impacted

With the elevations at both Lake Powell and Lake Mead at risk of declining to critical reservoir elevations, a number of protective actions are being implemented. In order to keep Lake Powell above critical elevations, 500 TAF of water will be released from Flaming Gorge Reservoir, above Lake Powell. Additionally, 480 TAF will be left in Lake Powell by reducing annual release volumes from 7.48 MAF to 7.0 MAF. Further, the Lower Basin States and the U.S. Bureau of Reclamation entered into a Memorandum of Understanding to add or retain 500 TAF of water in Lake Mead in both 2022 and 2023 in an effort known as the “500+ Plan”. Metropolitan entered into this 500+ Plan for California.

On June 14, U.S Bureau of Reclamation Commissioner Camille Touton provided testimony before the Senate Committee on Energy and Natural Resources on the severity of the Colorado River drought and need for short- and long-term drought solutions across the West.

In the coming months, discussion are likely to intensify. Given the forecasted declines in Lake Powell and Lake Mead, it is clear that DCP Contributions and Shortage cuts may not be not enough and further reductions will be needed before 2026.



**To:** Board of Directors, *Municipal Water District of Orange County*  
**From:** Natural Resource Results  
**RE:** Monthly Board Report – July 2022

---

### **Senate Energy and Natural Resources Committee Drought Hearing**

On June 14th, the Senate Energy and Natural Resources held a full committee hearing “to examine short- and long-term solutions to extreme drought in the Western U.S.” Witnesses included the following:

- Camille Touton, Commissioner, Bureau of Reclamation
- John Entsminger, General Manager, Southern Nevada Water Authority
- Maurice Hall, Vice President for Climate Resilient Water Systems, Environmental Defense Fund
- Patrick O’Toole, President, Family Farm Alliance
- Charlie Stern, Specialist in Natural Resource Policy, Congressional Research Service

The big headline coming out of the hearing was a statement from Commissioner Touton that Reclamation must find a way to conserve somewhere between 2 MAF – 4 MAF to protect critical levels in Lake Powell and Lake Mead in 2023. Reclamation plans to have a plan by mid-August and at that time will also determine whether to declare a shortage under the Drought Response Operations Agreement.

The hearing can be viewed [here](#).

### **WEROC**

More progress on WEROC – Senator Feinstein and Senator Padilla are supportive of our efforts to secure federal funding for the WEROC EOC. Both Senators sent a letter to the Senate Appropriations committee requesting Congressionally Directed Spending (earmarks) for our project. At this time, the Senate Appropriations Committee has not released text of appropriations bills so we will have to wait a little bit longer so see how we fared in the final bill.

### **FY23 Appropriations**

The House has kicked off its FY23 appropriations process, unveiling the text of most of the 12 appropriations bills, including the Energy and Water bill which funds the Bureau of Reclamation.

Overall, the bill provides \$1.891 billion, an increase of \$476.7 million above the budget request including:

- \$75 million for WaterSMART Grants
- \$33 million for CALFED
- \$50 million for the Drought Contingency Plan (DCP)
- \$134 million for the WIIN Act Storage Account (used to fund Sites Reservoir)
- \$34 million for Drought Response under the WaterSMART Program
- \$12 million for WIIN Act desal projects

The bill itself includes language preventing the use of federal funds raising Shasta Dam.



To: Municipal Water District of Orange County  
From: Syrus Devers, Best Best & Krieger  
Date: July 6th, 2022  
Re: Monthly Report

### **Legislative Report**

The bills for the 2021-22 legislative session are now dead, “cooked,” or close enough to allow a bit more time to work out a final details as policy committees wrapped up their work the last week of June. Until the end of session on August 31<sup>st</sup>, committee staff will analyze amendments made in the Appropriations Committees, or amendments made in the other house when a bill comes back to the house of origin for a concurrence vote. There is always the potential for a “gut and amend” which triggers a hearing in a policy committee, but the recent requirement for a bill to be in print three days before final legislative action has diminished the practice. The legislative Summer Recess begins July 1<sup>st</sup> and ends August 1<sup>st</sup>.

SB 1157 (Hertzberg) is in print as amended in the Assembly Water, Parks, and Wildlife Committee. The water industry side did score two wins in getting a requirement for a study that leaves no room for equivocation. The SWRCB and DWR must assess and “quantify” the “economic benefits and impacts” of meeting the indoor residential use standards, which is what was lacking in last year’s study. Wastewater system are also specifically called out. The other significant win was the inclusion of impacts to recycling projects, and a requirement that SWRCB “shall consider” variances to “accommodate unique challenges related to indoor water use....” While it is not a requirement to grant variances, it is a requirement to consider specific variances, which is a step up from current law. Whether or not this can be called a “win” is subjective.

Technically, June 15<sup>th</sup> was the deadline to pass the Budget out of the Legislature, and pass a Budget Bill they did, but it was a mere formality in order to let the state keep paying bills and for legislators to keep getting paid. The real budget came out over the weekend (25<sup>th</sup>/26<sup>th</sup>) and set a spending record. Of interest to the water community is the \$21 billion in funding for drought, climate and energy, but there were few details. Many water industry lobbyists did work hard on funding for dam safety and they were rewarded with \$100 million in the Budget Bill, but all other details will have to wait for Budget Trailer Bills. Several Budget Trailer Bills did get worked out, but not the ones in which the water community is most interested; however, there is still time. The Governor and the legislative leaders can keep working until the recess starts. If no further Budget Trailer Bills come out we will have to wait until August.



### **Administrative Report**

Three years ago Governor Newsom derailed the twin tunnels under the Delta championed by former Governor Jerry Brown. Newsom started the process over by announcing support for a single tunnel, but no one was certain if he would seriously pursue the project. Opinions may differ on how long it took, but it appears that Newsome does intend to press forward. At a recent presentation to the Delta Independent Science Board, DWR Dir. Karla Nemeth stated that the Delta Conveyance has taken on new significance due to climate change, and detailed many improvements to the current process as compared to the previous administration. All indications are that a Draft EIR will be published this summer. Tony Meyers, Dir. Delta Conveyance Office, indicated a realistic timeline of six to eight years to break ground. Ironically, that is a couple of years beyond Newsom's maximum time in office—right about where the twin tunnels were when he took office.

Note: With the Draft EIR for the Delta Conveyance due out soon, MWDOC and BB&K staff have taken the opportunity to start a new round of meetings to inform or remind members of the importance of the project to water reliability here in Orange County. The first set of meetings took place in Sacramento with Assm. Sharon Quirk-Silva, and Senators Dave Min and Josh Newman. Others will follow as the legislative schedule allows. District meetings during the legislative recess will be set up for members who were not available to meet.

# ACKERMAN CONSULTING

## Legal and Regulatory

July 6, 2022

1. **Prop 26 Ruling:** A Ventura water district, United Water Conservation District, just lost a case which could impact many water districts in the State. The District had established a rate structure that charge nonagricultural user 3 to 5 times more than agricultural. The District was sued by the City of San Buenaventura claiming that the differential was not warranted and as therefore a tax and not a fee. There was no showing regarding the relationship between the City burdens or benefits compared to the District. To avoid the tax ruling, it must be shown that the charges to not exceed the reasonable costs of the government activity. This Court of Appeals decision will be appealed to the Supreme Court I predict.
2. **Buying Water Rights:** A Senate proposal is being considered which would allocate \$1.5 to purchase senior water rights in California. The idea is being considered because we have an almost \$100 billion surplus this year. This is being offered as part of the budget plan for this year. The package would allow this newly found water to be used to protect fish and other environmentally based programs. This program would be voluntary, and they believe could be successful. Many other water districts are purchasing water rights while other farmers are considering fallowing their land.
3. **UN Water Ideas:** The UN is suggesting some unconventional water sources which they claim could help billions of folks worldwide. Some of these ideas are existing and others may be less discussed. They include the following: cloud seeding, fog collection, iceberg collection, expanded use of wastewater reuse, desalination, mining aquifers near shallow depths of continental shelves. Brackish water found in deep land aquifers, recycling ship ballast water (10 billion tons per year). They did not price out these alternatives or determine the regulatory feasibility.
4. **PPIC Strategies:** PPIC has been doing a lot a work in water world of late. One of their latest works gave four proposals for managing the watershed in California. First, track water uses better. Coordinating environmental action with reservoir conditions and making common sense decisions. Second, have standardized rules for surviving droughts and not rely on emergency declarations each time. Maintain flexibility and tailor plans to the area. Third, simplify and modernized environmental regulations for State and Federal levels. CEQA, Endangered Species, water quality and dozens of other laws make it more costly and difficult to do anything. Fourth and finally, have more storage available for the wet years. Above and below ground storage is a must.
5. **Exchange Contracts:** If you are a framer in the Central Valley whether you rely on water from the Federal system, or the State system can determine your future in the business. In the 1930s, the US Bureau of Reclamation started to build dams and reservoirs in the Central Valley. The intent was to help farmer by creating large storage facilities. It also redirected San Joaquin River water from the wetter north to the drier south side of the Valley.

Reclamation had to make a deal with some farmers whose River water was being diverted. The deal, exchange contracts, gave these farmers a make up amount of water from the Sacramento River. If the Sacramento River supply ever was inadequate, they still could claim water from the San Joaquin. For most of a century, this agreement was merely a possibility. That ended in 2014 and our major drought began. The exchange contractors make their claim for water and per contract Reclamation had to deliver. This was to the detriment of many other farmers like Friant irrigation districts and the City of Fresno. Suit was filed and is still proceeding into its seventh year. Entering our current major drought, the situation is more dire. The west side of the Valley is doing great while the east side is hurting. Groundwater help cut farmers for a while until legislation was passed which restricted that. No compromise is in sight, but the court battle may be closing soon.

6. **Water From Air:** The University of Texas has come up with another method of extracting water from the air. This low-cost gel can produce water at reasonable high rate and is designed to help areas off the grid in poorer areas. Renewable cellulose and a common ingredient, konjac gum, creates this open pore structure which can capture water with the usual cost of energy. The reaction and production methods are easy and doable in your own backyard. This first study was funded by the US military to aid soldiers in remote areas, but it now seen as having much broader application.
7. **Measuring Aquifer Compaction:** The United States Geological Survey (USGS) uses an extensometer to accurately measure the compaction and expansion of the aquifers in the Central Valley. 35 such instruments have been monitoring the Valley since the 1950s. While historically they were used all the time, they fell out of use for a while when water imports reduced the need for pumping. Lately, as we all know, pumping has been increased dramatically which brought us increased regulation and compactions. Also, the extensometer use has increased. While satellite imaging is also used in the process, the data from this instrument is hard and accurate.
8. **Tracing Algae Origins:** Algae blooms are becoming more common and more dangerous around the US and world. Knowing where the algae come from can help identify water pollution sources. It turns out that measuring the concentration of chlorophyll can help age the algae and give us clues where the algae came from. Chlorophyll sensors have been developed by Stroud Water Research Center that can be used in real time and help determine if the algae is just being moved by snow or rain fall or if it is coming from leaky tank or fertilizer runoff. This sensor can tell is the algae is just floating along or has a definite source connection. Even when algae blooms die, they can cause conditions of oxygen deprivation that can kill fish and plant life and potentially humans. Early detection can lead to early correction.
9. **PFAS Not Forever:** While these new compounds have the reputation as “forever chemical”, the nickname may be overrated. More studies are showing ways to break down the bad guys in different manners. UC Riverside has found another way. By adding iodide to treatment reactors that us UV light and sulfites can destroy 90% plus of the PFAS in a few hours. This process is cheap, uses less chemicals and fast. The forever chemicals may not forever after all.
10. **Bees Are Fish:** A State Appellate Court recently determined that under California’s Endangered Species Act bees can qualify as fish. Farmers argues that insects are not included in categories of wildlife entitled to legal protection. The Court notices that shrimp, crayfish, and snails have been given prior protection under the Act.

Their legal gymnastics were quite interesting. They went beyond existing name categories and usual and ordinary meanings to look at terms of art and liberal construction. Also, they wanted to give the greatest protection to environment. This one should be exciting for our California Supreme Court.

11. **Water Wheel Trash Collector:** Newport Beach will be the first city on the West coast to employ a low tech, self-driving system to clean up the bay. Even the Costal Commission liked it. The system is permanently stationed on a small barge (70 square feet) located four miles upstream from mouth of Newport Bay. It is powered by a water wheel driven by the river current. When the current is down, it can run using its own solar power. It has a large boom which can extend across the channel to collect trash headed to Upper Newport Bay. Its collection record should be close to 100%. The project cost is around \$2.6 million with grant money coming from California Protection Council, OCTA and the City of Newport Beach. It should be in operation next year.
12. **Pacheco Dam Lawsuit:** The very large \$2.5 billion project in Santa Clara County to build a new reservoir has been challenged in court. The environmental studies have been done. These studies require testing and examination of impact to plants, wildlife, and archaeological sites. The lawsuit challenges the law was violated because they did not consider the potential environmental damages as a result of the testing methods. The geological work will take from 8 to 17 months and require over 200 borings, 50 test pits and trucks and heavy equipment including helicopters to complete the study. This could delay the project up to a year or more. CEQA strikes again.



## Bill Matrix – June 29, 2022

Prepared by Best Best & Krieger

### A. Priority Support/Oppose

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
<a href="#">AB 1195</a>	<a href="#">Garcia, Cristina D</a>	Limited Eligibility and Appointment Program: lists.	5/25/2022- Re-referred to Com. on L., P.E. & R.	Current law specifically grants the Department of Human Resources the powers, duties, and authority necessary to operate the state civil service system in accordance with Article VII of the California Constitution, the Government Code, the merit principle, and applicable rules duly adopted by the State Personnel Board. Current law creates the Limited Examination and Appointment Program (LEAP), which the Department of Human Resources administers, to provide an alternative to the traditional civil service examination and appointment process to facilitate the hiring of persons with disabilities. Current law requires the Department of Human Resources, when an appointing power seeks to fill a vacant position by using an employment list, to provide the appointing power with a certified list of the names and addresses of all eligible candidates, as specified. Current law requires the department to provide a single certified list of eligible candidates if more than one employment list or LEAP referral list exists, and the department is required to combine the names and addresses of all eligible candidates. This bill would, notwithstanding those provisions, require the department to, upon request of the appointing power, provide the appointing power a LEAP referral list without combining that list with a parallel list and would authorize the appointing power to select and hire any individual from that a referral list to fill any vacancy.	Oppose unless amended	A. Priority Support/ Oppose	Position adopted May 5th.  This bill no longer relates to water and will be dropped from the Matrix.
<a href="#">AB 1845</a>	<a href="#">Calderon D</a>	Metropolitan Water District of Southern California: alternative project delivery methods.	6/20/2022- In committee: Set, first hearing. Hearing canceled at the request of author.	Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define “design-build” to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district to use a specified design-build procedure to assign contracts for the design and construction of a project, as defined.	Support	A. Priority Support/ Oppose	Support adopted on March 2nd

<a href="#">AB 1944</a>	<a href="#">Lee</a> D	Local government: open and public meetings.	6/22/2022- In committee: Set, first hearing. Hearing canceled at the request of author. In committee: Hearing postponed by committee.	The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely.	Out for Analysis	A. Priority Support/ Oppose	Amended on 4/18/2022.  See, AB 2449 (Rubio)
<a href="#">AB 2142</a>	<a href="#">Gabriel</a> D	Income taxes: exclusion: turf replacement water conservation program.	6/27/2022- In committee: Referred to suspense file.	Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under the Personal Income Tax Law and the Corporation Tax Law, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program.	Support	A. Priority Support/ Oppose	Support adopted on March 2nd
<a href="#">AB 2278</a>	<a href="#">Kalra</a> D	Natural resources: biodiversity and conservation report.	6/28/2022- From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 1.)	Under current law, by Executive Order No. N-82-20, Governor Gavin Newsom directed the Natural Resources Agency to combat the biodiversity and climate crisis by, among other things, establishing the California Biodiversity Collaborative and conserving at least 30% of the state's lands and coastal waters by 2030. This bill would require the Secretary of the Natural Resources Agency to prepare and submit, beginning on or before January 1, 2024, an annual report to the Legislature on the progress toward achieving the directives	Watch	A. Priority Support/ Oppose	Possible return of AB 3030

			(June 28).	of the executive order.			
<a href="#">AB 2387</a>	<a href="#">Garcia, Eduardo</a> D	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.	5/19/2022- In committee: Held under submission.	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.	Watch	A. Priority Support/ Oppose	
<a href="#">AB 2449</a>	<a href="#">Rubio, Blanca</a> D	Open meetings: local agencies: teleconferences.	6/23/2022- From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on JUD.	The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body. The bill would define terms for purposes of these teleconferencing provisions.	Support	A. Priority Support/ Oppose	Support adopted on April 6th.
<a href="#">AB 2451</a>	<a href="#">Wood</a> D	State Water Resources Control Board: drought planning.	6/23/2022- Read second time and amended. Re-referred to Com. on APPR.	Existing law requires the State Water Resources Control Board to formulate and adopt state policy for water quality control. This bill would create a Drought Section within the state board, as specified. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage	Watch	A. Priority Support/ Oppose	

				for drought preparedness and climate resiliency. The bill would require that the principles and guidelines provide for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow for public comment and hearing, as provided. The bill would require the state board to adopt those principles and guidelines no later than March 31, 2024.			
<a href="#">AB 2639</a>	<a href="#">Quirk D</a>	San Francisco Bay/Sacramento-San Joaquin Delta Estuary: water quality control plan: water right permits.	5/27/2022-Failed Deadline pursuant to Rule 61(b)(11). (Last location was A. THIRD READING on 5/19/2022)	Would require the State Water Resources Control Board, on or before December 31, 2023, to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as specified, and to implement the amendments to the plan adopted by the state board pursuant to Resolution No. 2018-0059 on December 12, 2018. The bill would prohibit the state board, on or after January 1, 2024, from approving a new water right permit that would result in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until and unless the state board has taken those actions.	Oppose unless amended	A. Priority Support/ Oppose	Position adopted May 2nd. Dead bill.
<a href="#">SB 45</a>	<a href="#">Portantino D</a>	Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.	6/8/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 9. Noes 0.) (June 6). Re-referred to Com. on APPR.	Current law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals established by the state board for 2020 and 2025, as provided. Current law requires the department, no later than July 1, 2020, and in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving these organic waste reduction goals. This bill would require the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.		A. Priority Support/ Oppose	Bond intended for the Nov. '22 ballot.
<a href="#">SB 230</a>	<a href="#">Portantino D</a>	State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program.	6/28/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.)	The State Water Resources Control Board's duties include, but are not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable and safe supply of drinking water, enforcing the federal Safe Drinking Water Act, and adopting and enforcing regulations. This bill would require the state board to build upon its existing work dealing with, and work to	Support	A. Priority Support/ Oppose	Support position adopted April 7th.

			(June 28). Re-referred to Com. on APPR.	improve its knowledge of, constituents of emerging concern (CEC) in water and, as part of this work, to improve its knowledge of CECs in drinking water by assessing the state of information, as specified. The bill would authorize the state board to establish, maintain, and direct a dedicated program called the Constituents of Emerging Concern in Drinking Water Program. The bill would authorize the state board to convene a Science Advisory Panel to review and provide recommendations to the state board on CECs for further action, among other duties. The bill would require the state board to provide a report to the Legislature 3 years after the panel is convened on the work conducted by the panel.			
<a href="#">SB 991</a>	<a href="#">Newman</a> D	Public contracts: progressive design-build: local agencies.	6/20/2022- Read second time and amended. Re-referred to Com. on APPR.	Would, until January 1, 2029, authorize local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project, similar to the progressive design-build process authorized for use by the Director of General Services. The bill would require a local agency that uses the progressive design-build process to submit, no later than January 1, 2028, to the appropriate policy and fiscal committees of the Legislature a report on the use of the progressive design-build process containing specified information, including a description of the projects awarded using the progressive design-build process. The bill would require the design-build entity and its general partners or joint venture members to verify specified information under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program.	Support	A. Priority Support/ Oppose	Support adopted on April 6th.
<a href="#">SB 1157</a>	<a href="#">Hertzberg</a> D	Urban water use objectives.	6/16/2022- Read second time and amended. Re-referred to Com. on APPR.	Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Current law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the Department of Water Resources and the State Water Resources Control Board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. Current law requires the board, in coordination with the department, to adopt by regulation	Oppose unless amended	A. Priority Support/ Oppose	Oppose unless amended adopted on March 2nd

variances recommended by the department and guidelines and methodologies pertaining to the calculation of an urban retail water supplier's urban water use objective recommended by the department. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use. The bill would instead require that from January 1, 2025, to January 1, 2030, the standard for indoor residential water use be 47 gallons per capita daily and beginning January 1, 2030, the standard be 42 gallons per capita daily.

## B. Watch

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
<a href="#">AB 1001</a>	<a href="#">Garcia, Cristina D</a>	Environment: mitigation measures for air quality impacts: environmental justice.	6/14/2022- In committee: Set, second hearing. Hearing canceled at the request of author.	The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air quality of a disadvantaged community, to include measures for avoiding, minimizing, or otherwise mitigating for the adverse effects on that community. The bill would require mitigation measures to include measures conducted at the project site that avoid or minimize to less than significant the adverse effects on the air quality of a disadvantaged community or measures conducted in the affected disadvantaged community that directly mitigate those effects.	Watch	B. Watch	
<a href="#">AB 1774</a>	<a href="#">Seyarto R</a>	California Environmental Quality Act: water conveyance or storage projects: judicial review.	4/29/2022- Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 2/10/2022)	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that	Watch	B. Watch	



				effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for water conveyance or storage projects, as defined, or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects.			
<a href="#">AB 1817</a>	<a href="#">Ting D</a>	Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS).	6/13/2022- In committee: Set, first hearing. Hearing canceled at the request of author.	Would prohibit, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any textile articles that contain regulated perfluoroalkyl and polyfluoroalkyl substances or PFAS, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in textile articles to comply with these provisions. The bill would require a manufacturer of a textile article that contains regulated PFAS to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.		B. Watch	
<a href="#">AB 2108</a>	<a href="#">Rivas, Robert D</a>	Water policy: environmental justice: disadvantaged and tribal communities.	6/28/2022- From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (June 28). Re-referred to Com. on APPR.	Would require that one of the persons appointed by the Governor to the State Water Resources Control Board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities and not be the same member as the member appointed who is qualified in the field of water supply and water quality relating to irrigated agriculture. The bill would also require that at least one person appointed to each regional board have specialized experience relating to disadvantaged or tribal communities, except as provided. The bill would prohibit, in making those appointments, preference to be given on the basis of ethnicity or national origin.	Watch	B. Watch	
<a href="#">AB 2247</a>	<a href="#">Bloom D</a>	Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products	6/22/2022- From committee: Do pass and re-refer to	Would require, as part of the hazardous waste control laws, the Department of Toxic Substances Control to work with the Interstate Chemicals Clearinghouse to establish, on or before January 1, 2025, a publicly accessible reporting platform to	Watch	B. Watch	

		and product components: publicly accessible reporting platform.	Com. on APPR. (Ayes 5. Noes 2.) (June 22). Re-referred to Com. on APPR.	collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS, as defined, being sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state. The bill would require, on or before July 1, 2025, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing intentionally added PFAS that is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state to register the PFAS or the product or product component containing intentionally added PFAS, and specified other information, on the publicly accessible reporting platform.			
<a href="#">AB 2313</a>	<a href="#">Bloom D</a>	Water: judges and adjudications.	6/1/2022-Referred to Com. on JUD.	Current law authorizes the Judicial Council to conduct institutes and seminars for the purpose of orienting judges to new judicial assignments, keeping them informed concerning new developments in the law, and promoting uniformity in judicial procedure, as specified. This bill would require the Judicial Council, on or before January 1, 2025, to establish a program that provides training and education to judges in specified actions relating to water, as defined. The bill would provide that the program may be funded by an appropriation from the General Fund in the annual Budget Act or another statute, or by using existing funds for judicial training.	Watch	B. Watch	
<a href="#">AB 2477</a>	<a href="#">Rodriguez D</a>	Emergency alert and warning service providers: minimum operating standards.	6/28/2022-VOTE: Do pass, but first be re-referred to the Committee on [Appropriations] with the recommendation: To Consent Calendar (PASS)	Current law, on or before July 1, 2022, requires the Office of Emergency Services (OES), in consultation with specified entities, to develop voluntary guidelines for alerting and warning the public of an emergency, and requires the OES to provide each city, county, and city and county with a copy of the guidelines. Current law authorizes the OES to impose conditions upon application for voluntary grant funding that it administers requiring operation of alert and warning activities consistent with the guidelines. Current law also requires the OES, within 6 months of making the statewide guidelines available and at least annually thereafter and through its California Specialized Training Institute, to develop an alert and warning training, as specified. This bill, on or before July 1, 2024, would require the OES, by regulation, to adopt minimum operating standards for private sector companies that provide alert and warning services to local entities.	Watch	B. Watch	
<a href="#">AB 2605</a>	<a href="#">Villapudua D</a>	Water quality: state certification.	4/29/2022-Failed Deadline	The State Water Resources Control Board and the California regional water quality control boards prescribe waste discharge	Watch	B. Watch	



			<p>pursuant to Rule 61(b)(5). (Last location was E.S. &amp; T.M. on 3/10/2022)</p>	<p>requirements in accordance with the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act. Under federal law, any applicant seeking a federal license or permit for an activity that may result in any discharge into the navigable waters of the United States is required to first seek a state water quality certification, as specified. The Porter-Cologne Water Quality Control Act authorizes the state board to certify or provide a statement to a federal agency, as required pursuant to federal law, that there is reasonable assurance that an activity of any person subject to the jurisdiction of the state board will not reduce water quality below applicable standards. The federal act provides that if a state fails or refuses to act on a request for this certification within a reasonable period of time, which shall not exceed one year after receipt of the request, then the state certification requirements are waived with respect to the federal application. This bill would authorize the state board to delegate its authority regarding the above-described issuance of a certificate or statement to the regional boards. The bill would require a project proponent, as defined, to request a prefilming meeting with the state board, as specified.</p>			
<a href="#">AB 2740</a>	<a href="#">Dahle, Megan</a> R	Water resources: desalination.	<p>5/6/2022-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. W.,P. &amp; W. on 3/17/2022)</p>	<p>Current law requires the Department of Water Resources, not later than July 1, 2004, to report to the Legislature, on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Current law requires the department to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise the department in carrying out these duties and in making recommendations to the Legislature. This bill would repeal these provisions.</p>	Watch	B. Watch	
<a href="#">AB 2742</a>	<a href="#">Friedman</a> D	Water meters: urban water suppliers.	<p>5/6/2022-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/18/2022)</p>	<p>The Water Measurement Law generally requires the installation of a water meter as a condition of new water service on and after January 1, 1992. The law, with certain exceptions, requires an urban water supplier to install water meters on all municipal and industrial service connections that are located in its service area on or before January 1, 2025. This bill would delay that requirement for an urban water supplier to install the water meters to on or before January 1, 2030.</p>	Watch	B. Watch	
<a href="#">AB 2811</a>	<a href="#">Bennett</a> D	California Building Standards Commission:	<p>4/29/2022-Failed Deadline pursuant to</p>	<p>Would require, commencing January 1, 2024, all newly constructed nonresidential buildings be constructed with dual plumbing to allow the use of recycled</p>	Watch	B. Watch	

		recycled water: nonpotable water systems.	Rule 61(b)(5). (Last location was E.S. & T.M. on 3/17/2022)	water for all applicable nonpotable water demands, as defined, if that building is located within an existing or planned recycled water service area, as specified.			
<a href="#">AB 2857</a>	<a href="#">Bauer-Kahan D</a>	Sustainable Groundwater Management Act: groundwater sustainability plans: domestic well impacts.	4/29/2022-Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P. & W. on 3/24/2022)	The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act prescribes that a groundwater sustainability plan contain certain information, including, where appropriate and in collaboration with the appropriate local agencies, control of saline water intrusion, wellhead protection areas and recharge areas, a well abandonment and well destruction program, well construction policies, and impacts on groundwater dependent ecosystems. This bill would additionally require that a groundwater sustainability plan include measures to mitigate adverse impacts on domestic wells, as defined, including, but not limited to, compensating an owner of a domestic well or a user of water from a domestic well for increased energy costs associated with deeper groundwater pumping and increased costs to households associated with the delivery of water from an existing water supply system or alternative water supply. The bill would prohibit a mitigation measure from subjecting an owner of a domestic well or a user of water from a domestic well to an unreasonable financial burden or expense.	Watch	B. Watch	
<a href="#">AB 2876</a>	<a href="#">Bigelow R</a>	Sustainable Groundwater Management Act.	5/6/2022-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/18/2022)	The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated	Watch	B. Watch	

				groundwater sustainability plans by January 31, 2022, except as specified. The act requires all relevant state agencies to consider the policies of the act, and any adopted groundwater sustainability plans, when revising or adopting policies, regulations, or criteria, or when issuing orders or determinations, where pertinent. This bill would make nonsubstantive changes to the latter provision.			
<a href="#">AB 2877</a>	<a href="#">Garcia, Eduardo</a> D	Safe and Affordable Drinking Water Fund: tribes.	6/1/2022- Referred to Com. on E.Q.	Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law continuously appropriates to the State Water Resources Control Board moneys deposited in the fund for the development, implementation, and sustainability of long-term drinking water solutions, among other things. Existing law requires the state board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible recipients. Current law includes within the list of “eligible recipients,” public agencies, nonprofit organizations, public utilities, mutual water companies, federally recognized California Native American tribes, specified nonfederally recognized Native American tribes, administrators, groundwater sustainability agencies, community water systems, and technical assistance providers. This bill would specify that a limited waiver of tribal sovereignty is not required for a tribe that is an eligible recipient to access funding from the fund. The bill would require the state board to work with tribes that are eligible recipients to remove any barriers for those tribes to access funding, as specified.	Watch	B. Watch	
<a href="#">AB 2895</a>	<a href="#">Arambula</a> D	Water: permits and licenses: temporary changes: water or water rights transfers.	6/23/2022- Read second time and amended. Re-referred to Com. on APPR.	Current law prescribes the process for a permittee or licensee to petition the State Water Resources Control Board for a temporary change due to a transfer or exchange of water rights, and imposes on the board related notice, decision, and hearing requirements. Under that process, a petitioner is required to publish notice of a petition in a newspaper, as specified. Current law requires a petition to contain specified information and requires a petitioner to provide a copy of the petition to the Department of Fish and Wildlife, the board of supervisors of the county or counties in which the petitioner currently stores or uses the water subject to the petition, and the board of supervisors of the county or counties to which the water is proposed to be transferred. This bill would revise and recast the provisions regulating temporary changes due to a	Watch	B. Watch	

				transfer or exchange of water rights, including, among other revisions, specifying that those provisions apply to a person who proposes a temporary change for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation. The bill would eliminate the requirement that a petitioner publish notice of a petition in a newspaper.			
<a href="#">AB 2919</a>	<a href="#">Fong R</a>	Dams: release of water: fish populations.	4/29/2022- Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P. & W. on 3/24/2022)	Current law requires the owner of a dam to allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. This bill would provide that, notwithstanding any other law, the release of water from a dam shall only be regulated based on actual fish populations and not based on approximate fish populations.	Watch	B. Watch	
<a href="#">SB 480</a>	<a href="#">Stern D</a>	Metropolitan Water District of Southern California: rules: inappropriate conduct.	6/13/2022- From inactive file. Ordered to third reading.	The Metropolitan Water District Act provides for the creation of metropolitan water districts and specifies the powers and purposes of a district. The act requires the Metropolitan Water District of Southern California to establish and operate an Office of Ethics and adopt rules relating to internal disclosure, lobbying, conflicts of interest, contracts, campaign contributions, and ethics for application to its board members, officers, and employees. This bill would require the Metropolitan Water District of Southern California to adopt rules relating to inappropriate conduct, as defined, by board members, officers, and employees.	Watch	B. Watch	
<a href="#">SB 832</a>	<a href="#">Dodd D</a>	Water rights: measurement of diversion.	5/20/2022- Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENS E FILE on 4/25/2022)	Current law defines various terms applicable to the Water Code. This bill would define “water year,” unless otherwise specified, to mean the 12-month period beginning October 1 and ending September 30.	Watch	B. Watch	
<a href="#">SB 890</a>	<a href="#">Nielsen R</a>	Department of Water Resources: Water Storage and Conveyance Fund: water storage and conveyance.	3/8/2022- March 8 set for first hearing. Failed passage in committee. (Ayes 3. Noes 6.)	Would establish the Water Storage and Conveyance Fund in the State Treasury to be administered by the Department of Water Resources. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair and reservoir storage costs, including environmental planning, permitting, design, and construction and all necessary road and bridge upgrades required to accommodate capacity	Watch	B. Watch	

				improvements. The bill would require the department to expend from the fund, upon appropriation by the Legislature, specified monetary amounts to complete funding for the construction of the Sites Reservoir, and to restore the capacity of 4 specified water conveyance systems, as prescribed, with 2 of those 4 expenditures being in the form of a grant to the Friant Water Authority and to the San Luis and Delta-Mendota Water Authority. This bill would make these provisions inoperative on July 1, 2030, and would repeal it as of January 1, 2031.			
<a href="#">SB 892</a>	<a href="#">Hurtado</a> D	Cybersecurity preparedness: food and agriculture sector and water and wastewater systems sector.	6/28/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 27). Re-referred to Com. on APPR.	Current law requires the California Cybersecurity Integration Center (Cal-CSIC) to provide warnings of cyberattacks to government agencies and nongovernmental partners, coordinate information sharing among these entities, assess risks to critical infrastructure information networks, enable cross-sector coordination and sharing of best practices and security measures, and support certain cybersecurity assessments, audits, and accountability programs. Existing law also requires Cal-CSIC to develop a statewide cybersecurity strategy to improve how cyber threats are identified, understood, and shared in order to reduce threats to California government, businesses, and consumers, and to strengthen cyber emergency preparedness and response and expand cybersecurity awareness and public education. This bill would require the Office of Emergency Services (Cal OES) to develop, propose, and adopt optional reporting guidelines applicable to companies and cooperatives in the food and agriculture industry and entities in the water and wastewater systems industry if they identify a significant and verified cyber threat or active cyberattack. The bill would require a report of cyberattack or cyber threat submitted pursuant to guidelines developed pursuant to these provisions to be confidential and would prohibit disclosure as a public record. The bill would require Cal OES to direct Cal-CSIC to prepare, and Cal OES to submit to the Legislature on or before January 1, 2024, a strategic, multiyear outreach plan to assist the food and agriculture sector and the water and wastewater sector in their efforts to improve cybersecurity and an evaluation of options for providing grants or alternative forms of funding to, and potential voluntary actions that do not require funding and that assist, those sectors in their efforts to improve cybersecurity preparedness.	Watch	B. Watch	
<a href="#">SB 1059</a>	<a href="#">Becker</a> D	Privacy: data brokers.	5/20/2022-Failed	Current law requires data brokers to register with, and provide certain	Watch	B. Watch	

			Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 5/16/2022)	information to, the Attorney General. Current law defines a data broker as a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship, subject to specified exceptions. Current law subjects data brokers that fail to register to injunction and liability for civil penalties, fees, and costs in an action brought by the Attorney General, with any recovery to be deposited in the Consumer Privacy Fund, as specified. Current law imposes a \$100 civil penalty for each day a data broker fails to register. This bill would include in the definition of data broker a business that knowingly collects and shares, as defined, certain personal information to third parties. The bill would transfer all authority and responsibilities under the provisions relating to data broker registration from the Attorney General to the CCPA, including by requiring data brokers to annually register with the CPPA on or before January 31. However, the bill would authorize the Attorney General to also bring an action against a data broker that fails to register.			
<a href="#">SB 1078</a>	<a href="#">Allen D</a>	Sea Level Rise Revolving Loan Pilot Program.	6/21/2022- From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (June 20). Re-referred to Com. on APPR.	Would require the Ocean Protection Council, in consultation with the State Coastal Conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program for purposes of providing low-interest loans to local jurisdictions, as defined, for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property, as defined, located in specified communities, including low-income communities, as provided. The bill would require the council, before January 1, 2024, in consultation with other state planning and coastal management agencies, as provided, to adopt guidelines and eligibility criteria for the program. The bill would authorize specified local jurisdictions to apply for, and be awarded, a low-interest loan under the program from the conservancy, in consultation with the council, if the local jurisdiction develops and submits to the conservancy a vulnerable coastal property plan and completes all other requirements imposed by the council. The bill would require the conservancy, in consultation with the council, to review the plans to determine whether they meet the required criteria and guidelines for vulnerable coastal properties to be eligible for participation in the program.	Watch	B. Watch	
<a href="#">SB 1197</a>	<a href="#">Caballero D</a>	Water Innovation and Drought Resiliency Act of 2022.	5/20/2022- Failed Deadline pursuant to Rule	Current law declares that the protection of the public interest in the development of the water resources of the state is of vital concern to the people of the state and that the state shall determine in what way the	Watch	B. Watch	



			61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 5/2/2022)	water of the state, both surface and underground, should be developed for the greatest public benefit. Current law creates the Office of Planning and Research to serve the Governor as staff for long-range planning and research and as a comprehensive state planning agency. This bill, the Water Innovation and Drought Resiliency Act of 2022, would create the Initiative to Advance Water Innovation and Drought Resiliency at the office for the furtherance of new technologies and other innovative approaches in the water sector. The bill would require the office, as part of the initiative, to take specified measures on or before December 31, 2024, to advance innovation in the water sector and ensure a drought-resilient economy.			
<a href="#">SB 1219</a>	<a href="#">Hurtado D</a>	21st century water laws and agencies: committee.	6/9/2022-June 14 set for first hearing canceled at the request of author.	Would require the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection to convene a committee to develop and submit, on or before December 31, 2024, to the Governor and to the Legislature a strategic vision, proposed statutes, and recommendations for a modern 21st century set of water laws and regulations and state and local water agencies for the state, as provided. The committee would consist of 5 specified heads of state agencies, 2 members appointed by the Senate Committee on Rules, and 2 members appointed by the Speaker of the Assembly. The bill would require the Governor or the committee to appoint a "blue ribbon" citizen commission or taskforce, a stakeholder advisory committee, and any other group that the Governor or the committee deems necessary or desirable to assist in carrying out these provisions. The bill would require all relevant state agencies, at the request of the committee, to make available staff and resources to assist in the preparation of the strategic vision and proposed statutes.	Watch	B. Watch	Possible priority bill, but unlikely to move.
<a href="#">SB 1476</a>	<a href="#">Bradford D</a>	Water replenishment districts: contracts.	6/20/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.	The Water Replenishment District Act provides for the formation of water replenishment districts with prescribed powers for the purposes of replenishing the groundwater supplies within the district. The act requires a district to advertise for bids before making any contract totaling \$25,000 or more within any 12-month period and, when work is to be done, to give notice calling for bids by publication, as prescribed. The act requires contracts and other documents executed by a district that require or authorize the district to expend \$10,000 or more to be authorized by the board of directors and signed by the president and the secretary, except as specified. This bill	Watch	B. Watch	

				would revise and recast the provisions establishing the competitive bidding and related public notice procedures for water replenishment districts, including, among other revisions, only until January 1, 2028, deleting the requirement that a district advertise for bids before making any contract totaling \$25,000 or more within any 12-month period, and instead requiring a district expenditure for the erection, construction, alteration, repair, or improvement of a public structure or building of \$25,000 or more be let by contract by formal bidding procedure. The bill would also require, only until January 1, 2028, a district to adopt policies and procedures governing contracts for professional services, materials, supplies, and equipment.			
--	--	--	--	--	--	--	--

**Total Measures: 38**

**Total Tracking Forms: 38**



**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Item No. 2e

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
Metropolitan-sponsored bills	<b>SB 230</b> <b>Portantino (D)</b>  Sponsors:  Metropolitan and the California Municipal Utilities Association (CMUA)	Amended 6/6/2022  Assembly Environmental Safety and Toxic Materials Committee  Hearing: June 14, 2022	<b>State Water Resources Control Board: Constituents of Emerging Concern Program</b>  Seeks to create a statewide program to identify and evaluate Constituents of Emerging Concern (CECs) in drinking water sources.	<b>CO-SPONSOR</b>  Based on October 2019 Board Action	Metropolitan and CMUA are co-sponsoring legislation in response to growing public concern about CECs in drinking water. The bill would establish a five-year CEC Drinking Water Program at the State Water Resources Control Board. The program would set up a consistent and science-based approach for assessing the public health and drinking water consequences of CECs, with the intent to improve knowledge and future regulatory determinations. The bill excludes PFAS from the program of review and requires the State Water Board to present a final report to the Legislature. The recent amendments add two additional experts in public health to the Science Advisory Panel to be appointed by the Senate and the Assembly.
Metropolitan-sponsored bills	<b>AB 1845</b> <b>Calderon (D)</b>  Sponsor:  Metropolitan	Amended 4/4/2022  Senate Governance and Finance Committee	<b>Metropolitan Water District of Southern California: alternative project delivery methods</b>  Allows the Metropolitan Water District of Southern California to use alternative project delivery methods for the design and construction of a Regional Recycling Water Program and a limited set of drought-related projects.	<b>SPONSOR</b>	Metropolitan is limited to the traditional Design-Bid-Build method for delivery of public works construction contracts which can be inefficient and inflexible for large, time-sensitive, and complex projects like its Regional Recycled Water Program and emergency drought mitigation projects. The bill would amend the Public Contracting Code to permit Metropolitan to use Design-Build, Progressive Design-Build, and Construction Manager/General

**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
Delta/State Water Project	<b>SB 832 Dodd (D)</b>  Sponsor:  Author	Amended 4/6/2022  Senate Appropriations Committee Suspense File  Held in Committee	<b>Water rights: measurement of diversion</b>  Clarifies existing law that a person diverting 10 acre-feet or more of water per year under a registration is subject to existing water diversion measurement, recording, and reporting requirements. Also, authorize the State Water Board to modify water diversion measurement requirements to allow open satellite data methods to estimate evapotranspiration if the board makes certain findings regarding use of water for irrigation.	<b>SUPPORT</b>  Based upon Board-adopted 2022 Legislative Priorities and Principles	Contractor. These methods have the potential to expedite construction of critical new water infrastructure projects and reduce their overall costs.  Metropolitan supports metering and reporting of diversions to prevent unlawful diversion of State Water Project supplies in the Delta and other locations that may lead to additional regulatory burdens. Metropolitan is installing meters on its Delta Islands to comply with existing statutory requirements. While OpenET would be a useful tool for water management and could be used as an indicator of unlawful diversions in the Delta, it is a new methodology for California. The bill requires the State Water Board to conduct a five-year study to determine the adequacy of evapotranspiration methods as a substitute for conventional metering methods to comply with State Water Board reporting requirements.
Design-Build	<b>SB 991 Newman (D)</b>  Sponsors:	Amended 6/6/2022  Assembly Local Government Committee	<b>Public contracts: progressive design-build: local agencies</b>  Authorize local water and wastewater agencies to use the progressive design-build (PDB)	<b>SUPPORT</b>  Based on April 2022 Board Action	SB 991 could benefit water agencies, including Metropolitan, by providing the option to use progressive design-build, which allows for greater collaboration between the project owner and the contractor through the design and construction phase thereby reducing

**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
	Water Collaborative Delivery Association (formerly Design Build Council)	Hearing: June 15, 2022	project delivery method for public works projects in excess of \$5 million.		project costs, risk, and schedules. The June 6 amendments clarify the process for amending a contract between the owner and the design build entity, and specifies that if the design build entity is replaced, the design professionals working for the design build entity have sole responsibility for the any errors and omissions in the design.
Governance	<b>AB 2449</b> <b>B. Rubio (D)</b>  Sponsor:  Three Valleys Municipal Water District	Amended 5/23/2022  Senate Rules	<b>Open meetings: local agencies: teleconferences</b>  Amends the Ralph M. Brown Act to allow a local agency to voluntarily use teleconferencing for public meetings during non-emergencies. Requires a quorum of the members meet in person at a noticed location that is open to the public and within the agency's jurisdiction. The bill prescribes requirements for this exception related to notice, agendas, means and manner of access, and procedures for disruptions. Requires procedures for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.	<b>SUPPORT</b>  Based on April 2021 Board Action	Metropolitan currently hosts teleconferencing public meetings in accordance with Executive Order, N-29- 20. AB 2449 allows the option to hold teleconferenced meetings into the future after the COVID-19 public health emergency is over and the Executive Order is lifted as long as a quorum of the Board's directors participate in person, give notice and post agendas as prescribed, ensure that directors attending meeting by teleconference participate through both audio and visual technology, and allow the public to address the Board in person or by teleconference. Waives the requirement to post an agenda at each teleconferenced location based on prescribed requirements . If there is a disruption to the call-in or streaming options, then no action can be taken by the board.

**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
Regulatory Reform	AB 2313 Bloom (D)  Sponsor: Author	Amended 4/27/2022  Senate Judiciary Committee	Requires a quorum of the legislative body present at the location noticed on the agenda, an audio and video live-feed of the remote member of the legislative body during the meeting.  <b>Water: judges and adjudications</b>  Would require the Judicial Council on or before January 1, 2025 to establish a program that provides training and education to judges in specified actions relating to water quality, groundwater, water transfers and water rights. Requires the Judicial Council to identify independent and nonpartisan experts in water issues who will be available to any judge adjudicating a water dispute and authorizes judges to appoint special masters in water cases to investigate technical and legal issues among other duties.	<b>SUPPORT</b>  Based upon Board-adopted 2022 Legislative Priorities and Principles	Metropolitan's interests in enforcement of water quality law and water rights would be better served by judges, court staff, and special masters who have received training in the legal, scientific and technical issues involving water quality, water rights and water transfers.
Regulatory Reform	SB 1065 Eggman (D)  Sponsor: Author	Amended 4/28/2022  Assembly Natural Resources Committee	<b>California Abandoned and Derelict Commercial Vessel Program</b>  Establishes the California Abandoned and Derelict	<b>SUPPORT</b>	SB 1065 will benefit water quality in the Bay Delta as abandoned and derelict vessels may cause sewage contamination and leakage of fuels and lubricants. Studies have shown that abandoned and derelict vessels are one of the stressors to the Delta and its species.

**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
		Assembly Judiciary Committee	Commercial Vessel Program within the Natural Resources Agency to bring federal, state, and local agencies together to identify, prioritize, and, upon appropriation fund the removal of abandoned and derelict commercial vessels from waters of the state.		SB 1065 would also provide protection to Metropolitan properties in the Delta in the event any vessel happens to be abandoned in any of the waters surrounding Metropolitan's Delta Islands.
Water Bond Infrastructure Funding	<b>SB 559 Hurtado (D)</b> Sponsors: Friant Water Authority, San Luis & Delta Mendota Water Authority, and State Water Contractors	Amended 8/30/2021  Assembly Inactive  Two-year bill	<b>Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund</b>  Establishes the Canal Conveyance Capacity Restoration Fund that would upon appropriation provide up to \$785 million in funding for the Department of Water Resources (DWR) to help pay for subsidence repairs to the State Water Project and Central Valley Project water conveyance systems and for necessary road and bridge upgrades.	<b>WATCH</b>  Based upon Board adopted 2021 State Legislative Priorities and Principles	Portions of the California Aqueduct, the Friant Kern Canal and the Delta Mendota Canal have lost capacity due to subsidence. The Fund would upon appropriation provide funding to DWR to support a 10-year program to restore the capacity of the canals and ensure a more secure water supply. Funds could be used to cover one-third of the cost to restore the capacity of the canals. A federal companion bill is envisioned that would provide one-third the cost and local partners would contribute the remaining one-third of the cost. The creation of the Fund is contingent upon all the following: an appropriation of funds; an agreement is executed to provide for local cost share; and the provision of adequate cost share as determined by the DWR Director. The August 8 Assembly Amendments are problematic causing the State Water

**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
Water Conservation	<b>AB 2142</b> <b>Gabriel (D)</b>  Sponsor: Association of California Water Agencies  California Water Efficiency Partnership  WaterNow Alliance	Amended 4/6/2022  Senate Governance and Finance Committee	<b>Income taxes: exclusion: turf replacement water conservation program.</b>  Would provide an exclusion from gross income for any amount received as a rebate, voucher or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program during the taxable years of January 1, 2022 through January 1, 2027.	<b>SUPPORT</b>  Based upon Board adopted 2022 Legislative Priorities and Principles	Contractors and Metropolitan to withdraw support for the bill.  Metropolitan previously supported the Making Conservation a Way of Life legislation and is working hard to promote indoor and outdoor conservation. Conservation rebates are key to success. California law previously exempted turf rebates from taxable income, but those provisions were allowed to sunset in December 2019. This bill would reinstate an important tax exemption for turf replacement rebates from gross income in California, aligning it with certain other permanently exempt efficiency rebates.
Water Governance and Funding	<b>AB 1195</b> <b>C. Garcia (D)</b>  Sponsor:  Author	Gut and Amend 5/18/2022  Senate Rules Committee  DROP	<b>Limited Eligibility and Appointment Program: lists.</b>  Allows the California Department of Human Resources to provide a Limited Eligibility and Appointment referral list with the names of eligible candidates to an appointing agency without having to combine the list with other existing lists.	<b>OPPOSE UNLESS AMENDED</b>  Based upon May 2021 Board Action	The bill as introduced sought to address the needs of public water systems in Southern Los Angeles County struggling to provide safe and affordable retail water. The bill was gut and amended on May 18 and no longer has any effect on Metropolitan.
Water Quality	<b>AB 1817</b> <b>Ting (D)</b>  Sponsors:	Amended 5/9/2022	<b>Product safety: textile articles; perfluoroalkyl and polyfluoroalkyl (PFAS).</b>	<b>SUPPORT</b>  Based upon Board adopted 2022	Metropolitan supports the removal or reduction of PFAS in manufactured products in order to protect source

**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
	Breast Cancer Prevention Partners, Natural Resources Defense Council, and Clean Water Action	Senate Environmental Quality Committee  Hearing: 6/16/2022	Prohibits as of January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in California any textile articles that contain “regulated PFAS” as defined, and requires the manufacturer to use the least toxic alternative to regulated PFAS.	Legislative Priorities and Principles	water quality. The May 9 amendments excludes from the PFAS prohibition certain textiles, e.g. personal protective equipment, and requires a manufacturer of textiles that contains PFAS to provide a person selling the product a certificate of compliance stating the textile product complies with the PFAS prohibition.
Water Quality	<b>AB 2247 Bloom (D)</b>  Sponsors:  Environmental Working Group, Clean Water Action, and California Association of Sanitation Agencies	Amended 5/19/2022  Senate Rules	<b>Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform.</b>  Requires the Department of Toxic Substances Control to develop a publicly accessible reporting platform to collect information about PFAS and products containing intentionally added PFAS by January 1, 2025. By July 1, 2025, manufactures will be required to register the PFAS or product containing intentionally added PFAS on the reporting platform.	<b>SUPPORT</b>  Based upon Board adopted 2022 Legislative Priorities and Principles	Metropolitan supports the removal or reduction of PFAS in manufactured products to protect source water quality. The May 19 amendments reflect Metropolitan’s efforts to work with the sponsors to change the term “regulated PFAS” to “intentionally added PFAS”.
Water quality	<b>AB 2771 Friedman (D)</b>	Amended 4/18/2022	<b>Cosmetic products: safety</b>	<b>SUPPORT</b>	Metropolitan supports the removal or reduction of PFAS in manufactured

**Metropolitan Water District of Southern California**  
**State Legislative Matrix**  
**June 13, 2022 – Second Year of Legislative Session**

Topic	Bill Number Author	Status	Title – Summary	MWD Position	Effects on Metropolitan
	Sponsors:  Environmental Working Group, Breast Cancer Prevention Partners, The California Public Research Group (CALPIRG)	Senate Rules	Prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains PFAS.	Based upon Board adopted 2022 Legislative Priorities and Principles	products to protect source water quality.
Water Quality	<b>SB 1124</b> <b>Archuleta (D)</b>  Sponsor:  Author	Amended 5/19/2022  Assembly Environmental Safety and Toxic Materials Committee	<b>Public health goal: primary drinking water standard: manganese</b>  Requires, on or before July 1, 2023, the Office of Environmental Health Hazard Assessment (OEHHA) to prepare a public health goal for manganese. Requires the state board, after OEHHA publishes a public health goal for manganese, to adopt a primary drinking water standard.	<b>OPPOSE UNLESS AMENDED</b>  Based upon Board adopted 2022 Legislative Priorities and Principles	SB 1124, as introduced, sought to ensure safe and reliable water in the Central Basin. The bill was amended in the Senate to require the State Water Board develop a primary drinking water standard for manganese. There is currently a secondary drinking water standard for manganese of 0.05-mg/L to address aesthetics (discoloration) issues, not health concerns. Metropolitan supports efforts to ensure all communities have a safe and reliable water supply by setting drinking water standards through the normal regulatory process. The bill circumvents that process and could compromise a rigorous scientific



**Metropolitan Water District of Southern California  
State Legislative Matrix  
June 13, 2022 – Second Year of Legislative Session**

<b>Topic</b>	<b>Bill Number Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
					process backed by data and stakeholder engagement.



**ACTION ITEM**

July 6, 2022

**TO: Board of Directors**

**FROM: Joe Byrne, General Counsel**

**SUBJECT: APPROVE CONTINUATION OF REMOTE MEETINGS PURSUANT TO AB 361 AND MAKE REQUIRED FINDINGS**

**STAFF RECOMMENDATION**

---

That the Board of Directors vote to continue virtual meetings pursuant to AB 361 for an additional 30 days based on the findings that (1) it has reconsidered the circumstances of the state of emergency for COVID-19, and (2) state and local officials continue to impose or recommend measures to promote social distancing.

**COMMITTEE RECOMMENDATION**

---

This item was not presented to a Committee.

**SUMMARY**

---

At the October 4, 2021 Board meeting, pursuant to AB 361, the Board of Directors adopted Resolution No. 2115 and authorized the Board to continue to have remote meetings based upon the continued state of emergency for COVID-19 and the finding that state and local officials have imposed or recommended measures to promote social distancing. At the past several meetings, including the June 15, 2022 Board meeting, the Board voted to continue such remote meetings for additional 30 day periods. As previously indicated, if the Board wishes to continue to hold remote meetings pursuant to AB 361, and assuming a state of emergency still is in place, it must make similar findings within every 30 days.

At the time this report was prepared, there is a continued state of emergency for COVID-19 and state and local officials continue to recommend measures to promote social distancing. This item is on the Agenda for the Board to consider whether to continue remote meetings pursuant to AB 361 for an additional 30 days and to make the appropriate findings.

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):			



**ACTION ITEM**

July 6, 2022

**TO: Board of Directors**

**FROM: Robert Hunter, General Manager**

Staff Contact: Heather Baez

**SUBJECT: CSDA BOARD OF DIRECTORS, SOUTHERN NETWORK, SEAT B – ELECTION**

**STAFF RECOMMENDATION**

---

Staff recommends that the Board of Directors:

- Review and discuss the candidates running for the CSDA Board of Directors, Southern Network, Seat B
- Authorize President Yoo Schneider, or her designee, to cast the District's ballot

**COMMITTEE RECOMMENDATION**

---

Committee recommends (To be determined at Committee Meeting)

**SUMMARY**

---

CSDA is governed by an 18-member Board of Directors elected by mail ballots. The Board consists of three directors from each of the six networks (Northern, Sierra, Bay Area, Central, Coastal & Southern) throughout California. The Board meets bimonthly in Sacramento to guide the Association's legislative and member benefit programs.

Each CSDA member in good standing is entitled to vote for one director to represent its network. This year, CSDA will be using a web-based online voting system. Electronic ballots were emailed on June 2, 2022. All votes must be received through the system no later than 5:00 p.m. July 8, 2022.

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

There are nine candidates seeking election to fill Seat B on the CSDA Board of Directors, Southern Network, which includes Imperial, Los Angeles, Orange, Riverside, San Bernardino and San Diego Counties. Seat B is for a three-year term, ending in 2025. Incumbent Don Bartz, General Manager at Phelan Pinon Hills Community Service District is seeking reelection.

The following candidates are running for Seat B:

- Don Bartz  
General Manager, Phelan Pinon Hills Community Service District
- Ken Endter  
Director, Fallbrook Public Utility District
- Beverli Marshall  
General Manager, Valley Sanitation District

## BOARD OPTIONS

---

### Option #1

- Review and discuss the candidates running for the CSDA Board of Directors, Southern Network, Seat B; additionally, authorize President Yoo Schneider or her designee to cast the District's ballot.

**Fiscal Impact:** None

**Business Analysis:** MWDOC has been a CSDA member in good standing for many years. Participating in the election process not only keeps our agency engaged in the organization, but helps ensure that CSDA continues with strong leadership on their Board of Directors with qualified representatives leading the organization.

### Option #2

- Take no action

**Fiscal Impact:** None

**Business Analysis:** Not participating in CSDA's election leaves the decision making to others. If the district does not vote on behalf of our interests, no one else will.

## ATTACHED:

- Statement and information sheet for each candidate



**California Special  
Districts Association**  
*Districts Stronger Together*

## 2022 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

**Name:** Don Bartz

**District/Company:** Phelan Pinon Hills Community Services District

**Title:** General Manager

**Elected/Appointed/Staff:** Staff

**Length of Service with District:** 14 years

- 1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):**

I currently hold the CSDM designation through CSDA and I was appointed to my position on the CSDA Board in 2020. I attend most CSDA conferences and events.

- 2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):**

ACWA, AWWA, CPRA, CalRural Water

Institute for Local Government

- 3. List local government involvement (such as LAFCo, Association of Governments, etc.):**

LAFCo, ASBCSD (local chapter of CSDA) High Desert Mountain Water Association

- 4. List civic organization involvement:**

I serve as a commissioner on the Hesperia Planning Commission

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 31, 2022 will not be included with the ballot.**

# DON BARTZ

GENERAL MANAGER



---

## CANDIDATE STATEMENT

---

It is an honor to be considered for election to CSDA's Seat B - Southern Network to continue my service as a member of the Board of Directors. I have been active with CSDA for over 20 years during my time as General Manager for three different Southern Network agencies. I hold the Certified Special District Manager designation through CSDA and I understand just how valuable membership in CSDA is for special districts. Special districts often do not have a voice with our legislators and CSDA advocates for us. Most recently, when special districts were completely overlooked in regard to state and federal COVID-19 funds, CSDA worked with our legislators to provide COVID-19 funding for special districts.

I have been the General Manager of the Phelan Pinon Hills Community Services District ("District") since it formed 14 years ago. Our District has utilized CSDA's education and legislative programs to educate both District directors and staff in order to establish sound governance and best practices for our authorized services. I have served on CSDA's Professional Development and Membership Committees and recommend all special districts join CSDA to strengthen our coalition and bring recognition to our unique districts.

Because my District provides water, parks and recreation, solid waste, and street lighting services, I will bring a variety of experience and understanding of the needs of special districts in our region. As a regular attendee of CSDA conferences and workshops, I am willing to attend meetings and conferences. As a regular panelist on CSDA's, "So You Want to be a General Manager," workshop, I understand the role CSDA plays in helping general managers manage special districts and how CSDA is essential in training the next generation of managerial staff.

I currently serve as CSDA's representative for the Institute of Local Government and I also serve as an appointed planning commissioner for the City of Hesperia. I understand the land use and other hurdles special districts face when developing projects. I will utilize my legislative relationships for the benefit of CSDA members to advocate for special districts and to ensure we have a voice in the legislature and are considered for funding and grants. I would be honored to receive your agency's vote.

---

## CONTACT INFORMATION

---



**California Special  
Districts Association**  
*Districts Stronger Together*

## 2022 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Ken Endter

District/Company: Fallbrook Public Utility District

Title: Director

Elected/Appointed/Staff: Elected

Length of Service with District: 4 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Workshops and events

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

ACWA workshops and events

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

4. List civic organization involvement:

San Diego County Emergency Preparedness, Supervisor District #14

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 31, 2022 will not be included with the ballot.**



## 2022 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Beverli A. Marshall

District/Company: Valley Sanitary District

Title: General Manager

Elected/Appointed/Staff: Staff

Length of Service with District: 2.5 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

I am currently on the Professional Development and Membership Services committees. I have served on various committees over the past 10 years.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

I am a member of CSMFO, CASA, CWEA, CalPELRA, and Cal-ICMA. I am also a member of NACWA, AWWA, ICMA, WEF, and WateReuse.

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

I serve on the Advisory Board of the UCSB Professional & Continuing Education Women in Leadership Executive

Program and am Chairman for the Water Sector Management Committee for the Desert Region Apprenticeship Program.

4. List civic organization involvement:

I am President of Indio Sunrise Rotary club, Parliamentarian of the Woman's Club of Indio, a member of the

Daughters of the American Revolution, and my application is being processed for the Mayflower Society.

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after March 31, 2022 will not be included with the ballot.**



# Beverli A. Marshall

General Manager  
Valley Sanitary District

Candidate - Southern Network (Seat B)



## ABOUT ME

I have worked in public agencies for over 20 years and, for the past 13 years, served in management positions at special districts. I am an outspoken advocate for the critical work that districts do for their communities every day.

## EDUCATION



Doctoral Candidate - 2022

Business Administration

MPA - 1996

Public Administration

Bachelor of Arts - 1994

Sociology

## CSDA

Professional Development, Legislative, Elections & Bylaws, Fiscal, and Membership Services committees

## Mt. View Sanitary District

Board Member

## CSRMA

Board Member

## Indio Sunrise Rotary Club

Board President

## Woman's Club of Indio

Board Parliamentarian



## BOARD EXPERIENCE

## VOLUNTEER



## AWWA

Workforce Strategies Committee

## CWEA

DEI Task Force

## CSMFO

Budget Award Review

## SDLF

Certified Special District Manager

## SDLF

Special District Governance

## ICMA

Credentialed Manager



## CERTIFICATION

## VOTE



If elected, I will serve the Southern Network ethically, responsibly, and enthusiastically. Remember - ballots will be sent out electronically before June 2 and are due July 8.



**DISCUSSION ITEM**

July 6, 2022

**TO: Board of Directors**

**FROM: Robert Hunter,  
General Manager**

Staff Contact: Melissa Baum-Haley

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

**STAFF RECOMMENDATION**

---

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

**DETAILED REPORT**

---

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

- a. MET's Finance and Rate Issues
- b. MET's Integrated Resources Plan Update
- c. Water Supply Condition Update
- d. Water Quality Update
- e. Colorado River Issues
- f. Delta Conveyance Activities and State Water Project Issues

**ISSUE BRIEF #A**

**SUBJECT: MET Finance and Rate Issues**

**RECENT ACTIVITY**

---

**Current Update**

Water Transactions for April 2022 totaled 133.5 thousand acre-feet (TAF), which was 1.7 TAF lower than the budget of 135.2 TAF and translates to \$126.4 million in revenues for April 2022, which were \$0.2 million lower than the budget of \$126.6 million.

Year-to-date water transactions through April 2022 were 1,364.6 TAF, which was 50.0 TAF higher than the budget of 1,314.6 TAF. Year-to-date water revenues through April 2022 were \$1,244.5 million, which were \$39.2 million higher than the budget of \$1,205.3 million.

As of April 30, 2022, Metropolitan's investment portfolio balance was \$1.43 billion.

In efforts to update capital financing plans and work with rating agencies and investors to communicate financial needs and capabilities, ensure cost-effective access to capital markets, and maintain long-term bond ratings of AA or better, Metropolitan's Chief Financial Officer and Debt Management team worked with Fitch Ratings credit analysts on the bond rating surveillance process. Coordinated provision of requested financial information and answers to topical questions of interest. Reviewed results to Fitch's FAST model. Conducted several conference calls with Metropolitan staff to further clarify answers and respond to follow-up questions by the lead and supporting credit analysts.

## **ISSUE BRIEF #B**

**SUBJECT: MET Integrated Resources Plan Update**

### **RECENT ACTIVITY**

---

The 2020 IRP Regional Needs Assessment was adopted unanimously by the Board on April 12, 2022. As the first component of the 2020 IRP's development, the Regional Needs Assessment analyzed potential gaps between the expected supplies and the forecasted demands across four IRP scenarios. It presents key technical findings in five broad categories and examines the effectiveness of generalized portfolio categories. The Regional Needs Assessment will frame and guide the establishment of more specific targets to maintain water reliability through 2045 and inform the Board on resource investment decisions. Completion of this report concludes the 2020 IRP Regional Needs Assessment phase.

In the forthcoming One Water Implementation phase, portfolios of appropriate actions and investments will be advanced by identifying policies, programs, and projects which provide regional solutions to the IRP Regional Needs Assessment findings. A comprehensive adaptive management strategy will be developed in the One Water Implementation phase to guide these specific actions.

Concurrently, Metropolitan seeks to meet the following objectives with respect to ongoing water resource management:

- Manage existing and develop new regional water management programs to maintain water supply reliability in the face of increasing water supply volatility.
- Participate in Federal, State and Local Water-Energy Nexus processes to support Metropolitan Energy Sustainability and Climate Action Plans.
- Implement Regional Conservation Program.
- Collaborate with member agencies, water agencies and associations, and provide leadership for policy development, advocacy, outreach and education.
- Explore opportunities to leverage Metropolitan's SWP and Colorado River supplies and storage assets.

## ISSUE BRIEF #C

**SUBJECT: MET's Supply Condition Update**

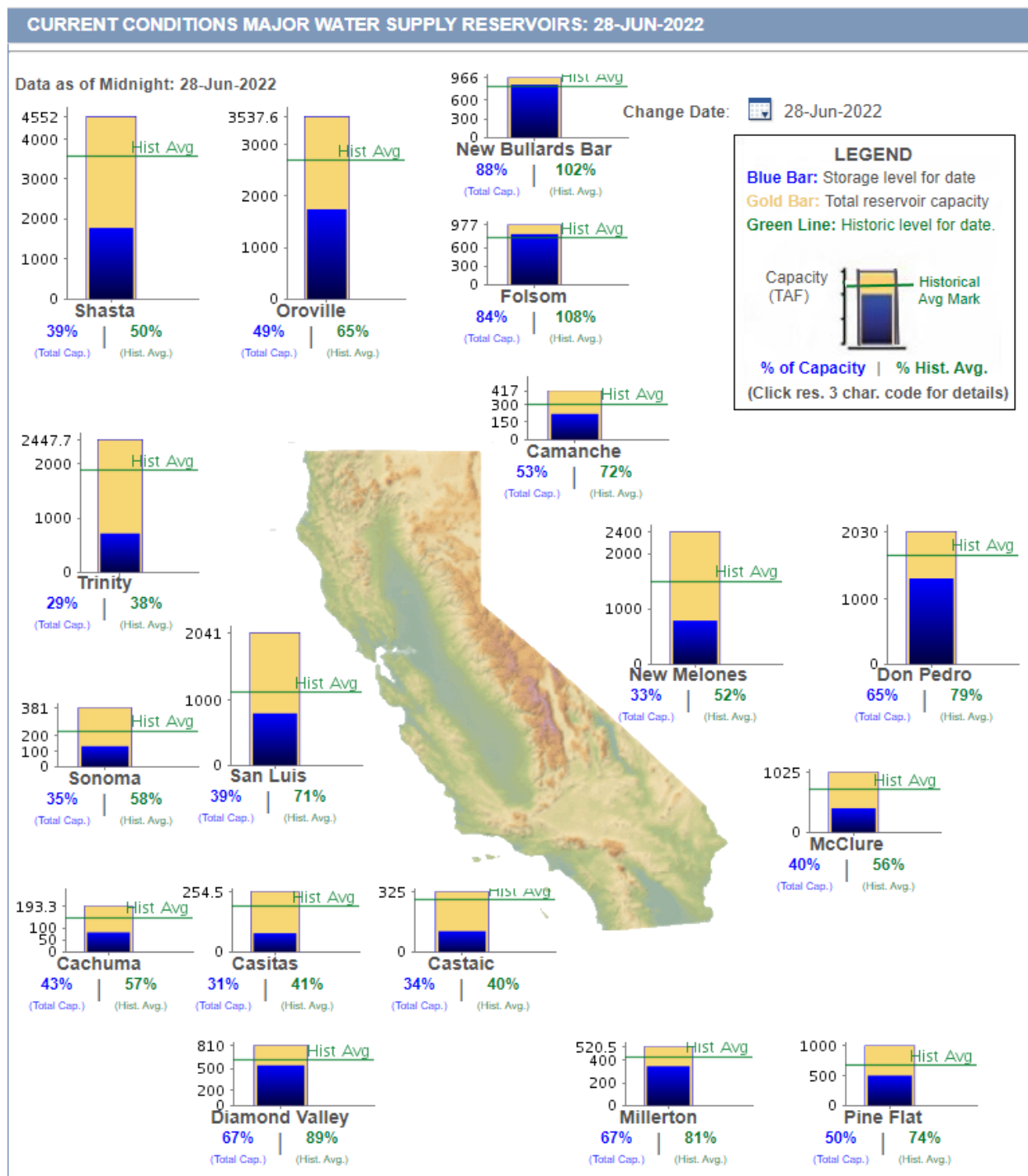
### **RECENT ACTIVITY**

---

The 2021-22 Water Year (2021-22 WY) officially started on October 1, 2021. Thus far, Northern California accumulated precipitation (8-Station Index) reported **41.2 inches or 84% of normal** as of June 29th. For 2021-22 WY, the Northern Sierra Snow Water Equivalent was at **7.7 inches on April 1st**, which is **27% of normal** for that day. Due to historical low precipitation/snowfall from January to March 2022, the Department of Water Resources (DWR) has decreased the State Water Project (SWP) **"Table A" allocation to 5%**. This allocation provides Metropolitan with approximately **95,575 AF in SWP deliveries this water year**. DWR's SWP Allocation considers several factors including existing storage in SWP, conservation reservoirs, SWP operational regulatory constraints, and the 2022 contractor demands.

The Upper Colorado River Basin accumulated precipitation is reporting **22.3 inches or 95% of normal as of June 27th**. On the Colorado River system, snowpack is measured across four states in the Upper Colorado River Basin. The Upper Colorado River Basin Snow Water Equivalent was reporting **17.2 inches as of April 15th**, which is **86% of normal** for that day. Due to the below average precipitation/snowfall in 2020-21 WY, the United States Bureau of Reclamation **declared a shortage at Lake Mead starting January 1<sup>st</sup>, 2022**. There is and a 100% chance of shortage continuing in 2023.

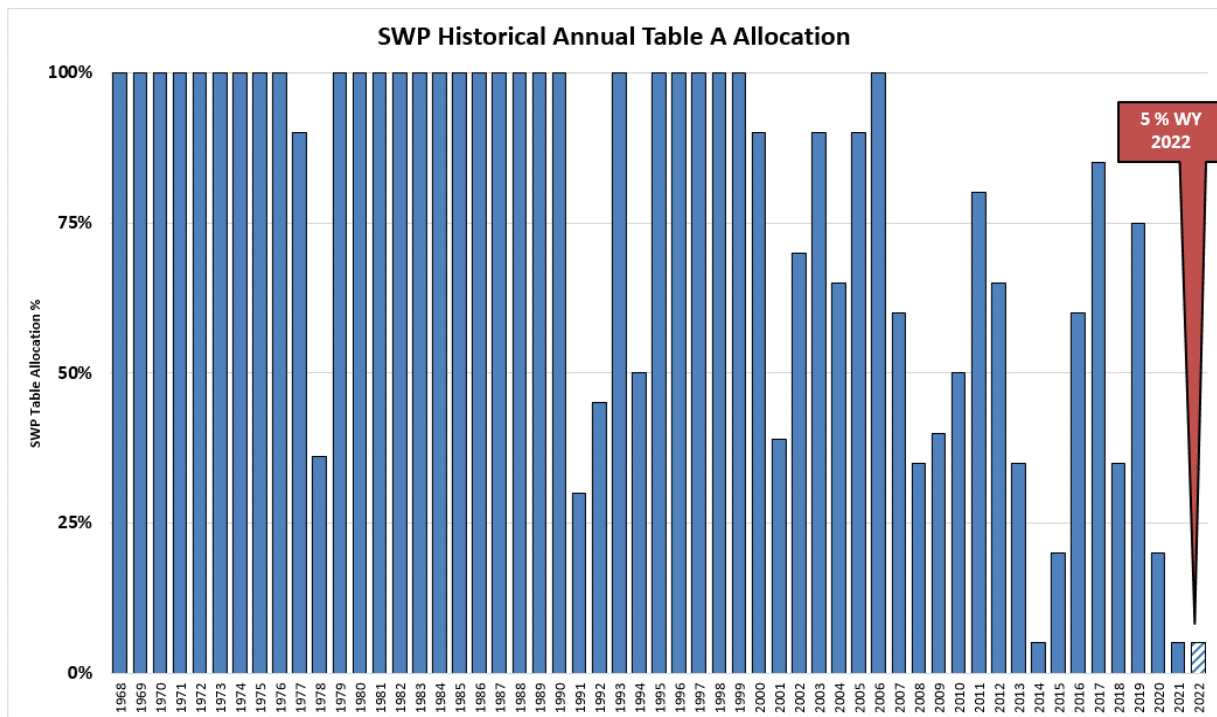
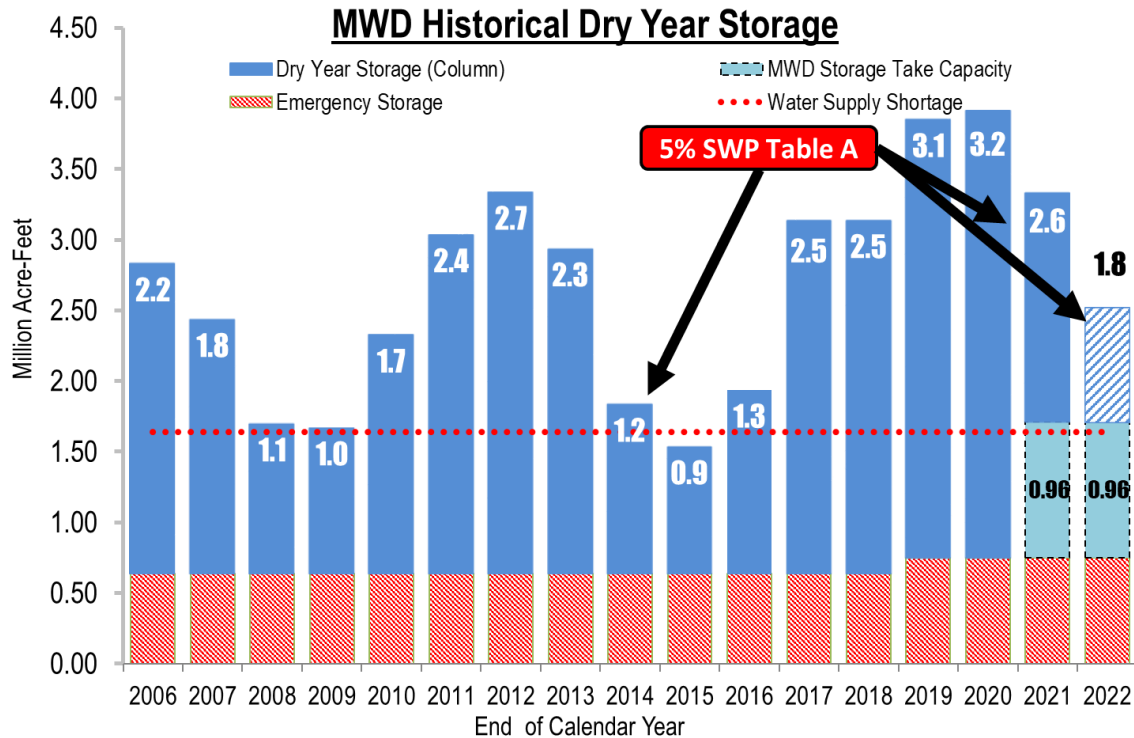
As of June 28th Lake Oroville storage is at **49% of total capacity and 65% of normal**. As of June 28th San Luis Reservoir has a current volume of **39% of the reservoir's total capacity and is 71% of normal**.



With early CY 2022 estimated total demands and losses of 1.824 million acre-feet (MAF) and with a 5% SWP Table A Allocation, Metropolitan is projecting that demands will exceed supply levels in Calendar Year (CY) 2022. Based on this, estimated total dry-year storage for Metropolitan at the end of **CY 2022 will go down to approximately 1.783 MAF.**

A projected dry-year storage supply of **1.752 MAF would still be about 0.752 MAF above where MWD has historically declared a water supply allocation.** A large factor in

maintaining a high water storage level are lower than expected water demands. We are seeing regional water demands reaching a 38-year low.



Attachment: Water Supply Conditions PowerPoint





## Water Supply Conditions

Kevin Hostert, Water Resources Analyst  
Municipal Water District of Orange County

July 7th 2022



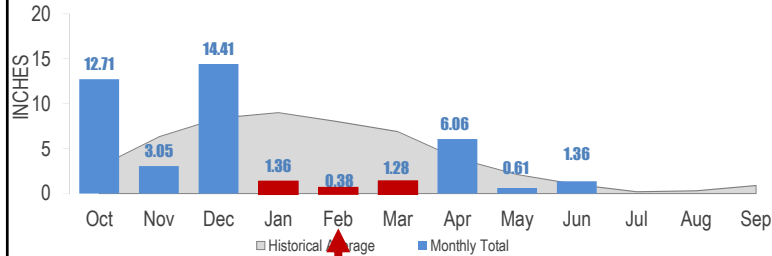
## Regional Weather and Water Supply Conditions

Insight to regional weather conditions that affect California's water supply

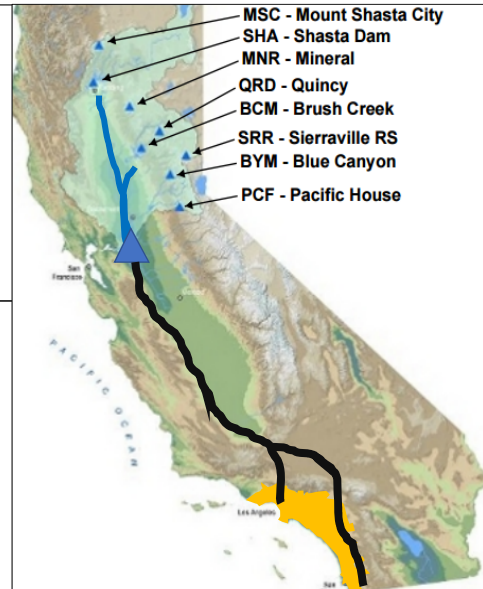
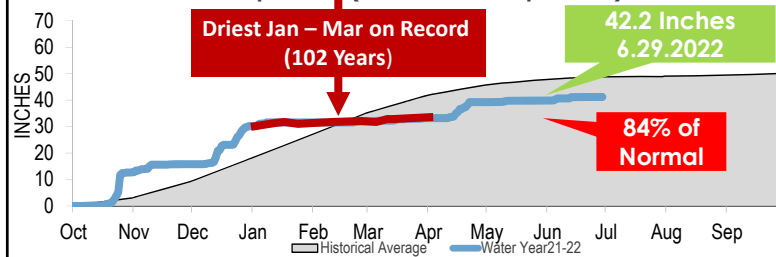


## Northern California Accumulated Precipitation WY 2022

### Monthly Precipitation (8 Station Precip Index)

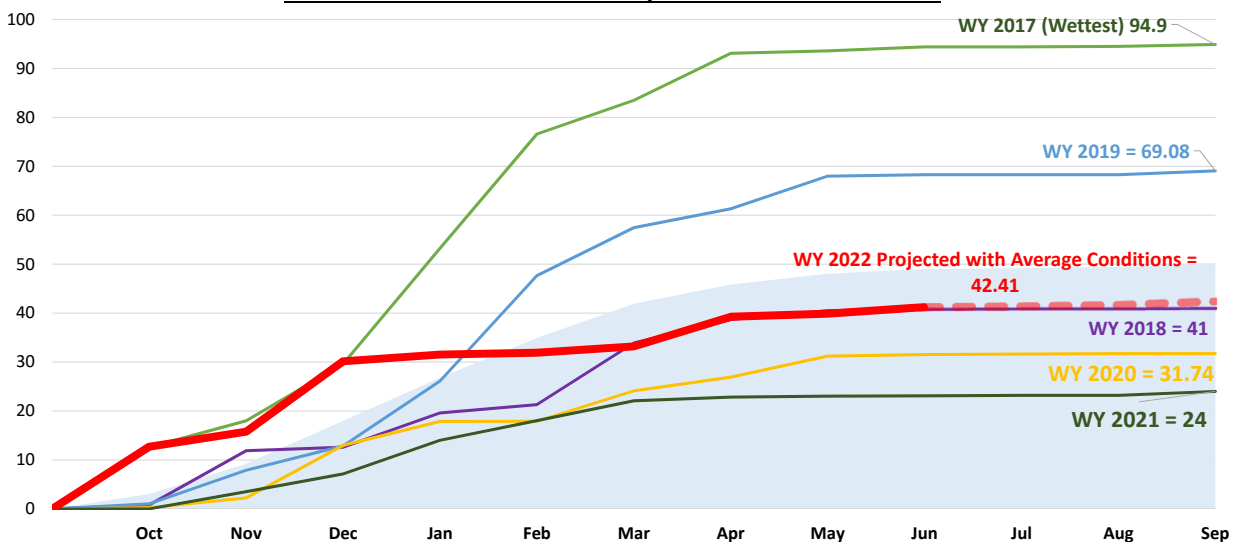


### Accumulated Precipitation (8-Station Precip Index)



## Northern California Accumulated Precipitation Compared to Last 5 Water Years

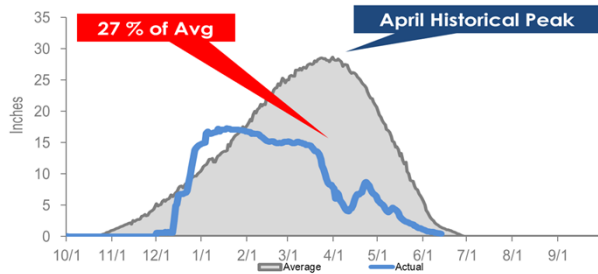
### 8 Station Index all Time Month by Month Cumulative Totals



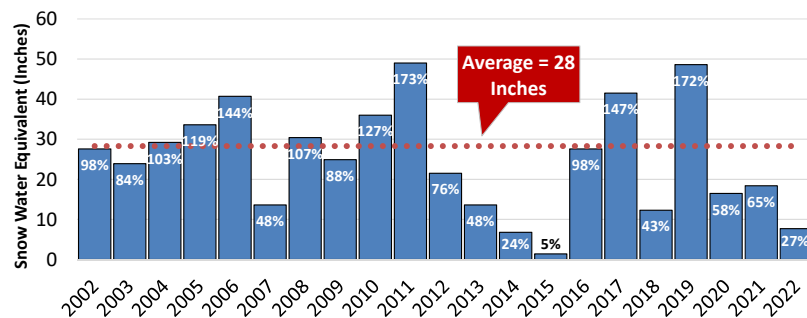
## Snow Water Equivalent Northern California



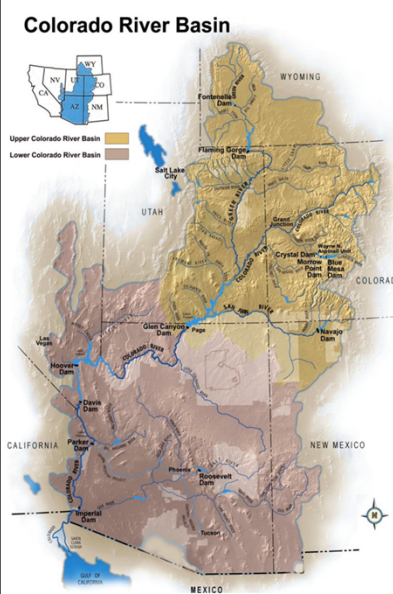
### Northern Sierra Snowpack Water Equivalent



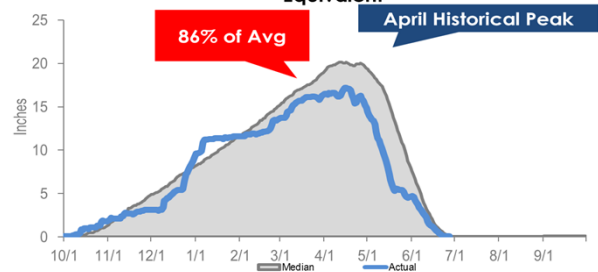
### Historical Northern California April 1st Peak Snow Water Equivalent



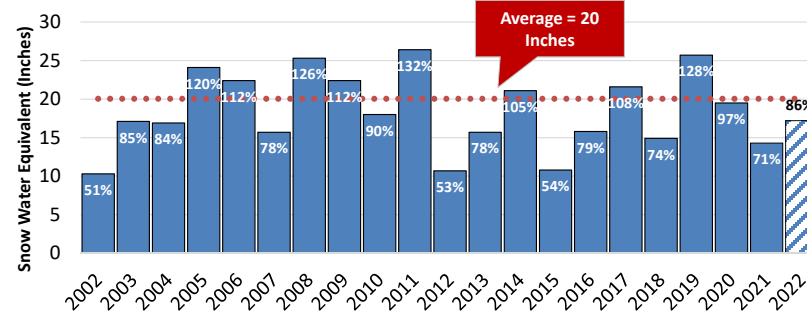
## Snow Water Equivalent Upper Colorado River Basin



### Colorado River Basin Snowpack Water Equivalent



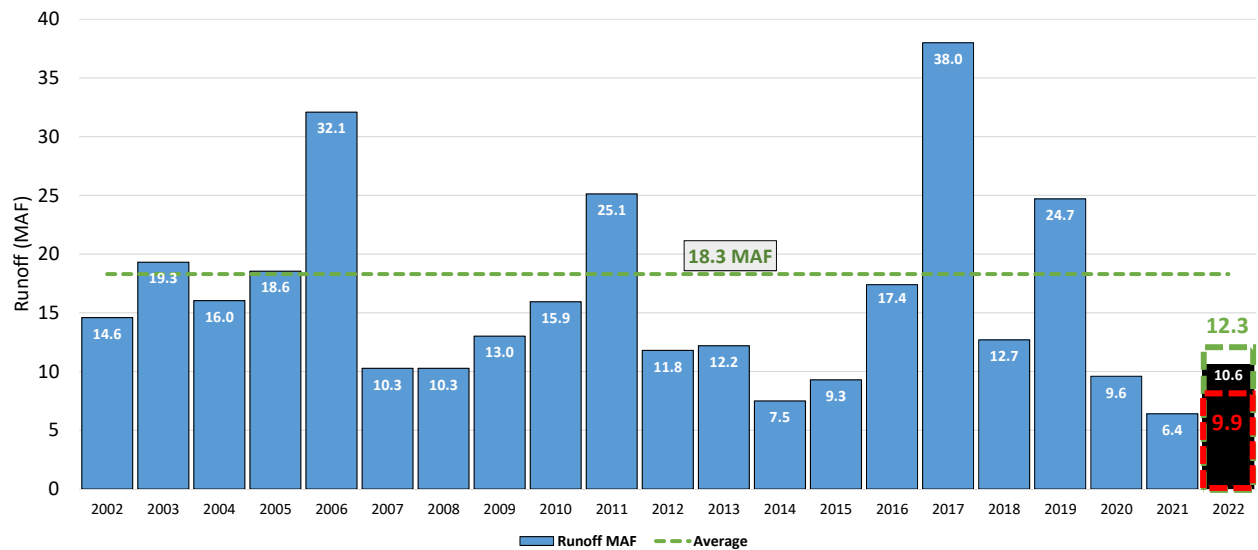
### Historical Colorado Basin April 15th Peak Snow Water Equivalent



# Northern CA Runoff

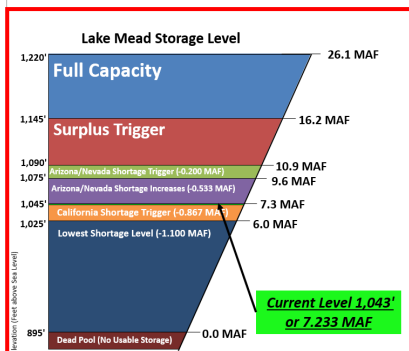
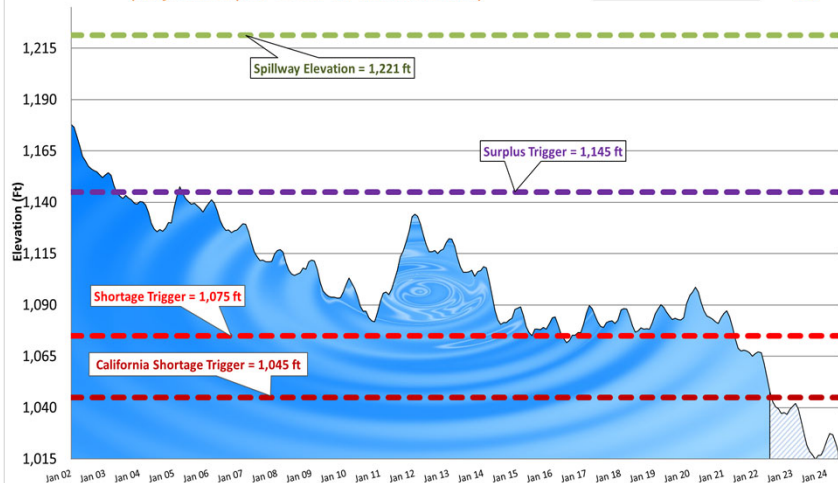


4 River Index Historical Runoff



# Lake Mead Forecast

Lake Mead Levels: Historical and Projected projection per USBR 24-Month Study

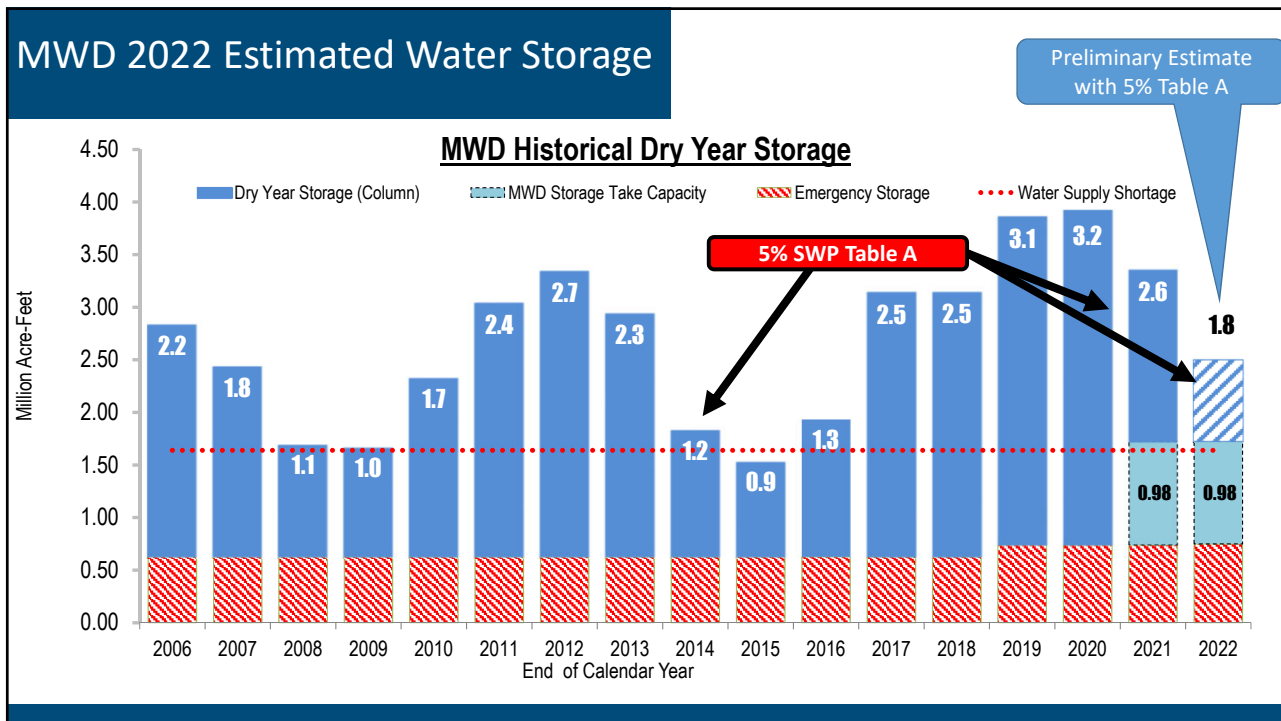


Lake Mead Surplus/Shortage Outlook

	2022	2023	2024	2025	2026
Surplus	0%	0%	0%	0%	0%
Shortage	100%	100%	93%	100%	87%
Metropolitan DCP*		3%	70%	66%	56%
		180 TAF	272 TAF	290 TAF	299 TAF

Likelihood based on results from the May 2022 CRMMS in Ensemble Mode/CRSS model run. Includes DCP Contributions. Only includes 500+ Plan items implemented to date.

\* Chance of required DCP contribution by Metropolitan. Volume is average contribution when needed.







## Regional Drought Conditions

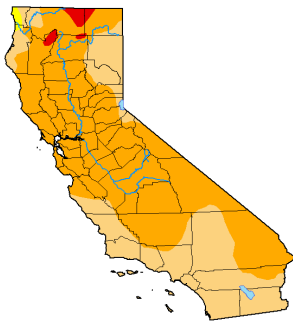
Insight to regional drought conditions that affect California's water supply

### California Drought Monitor

## February 15, 2022

## June 21, 2022

U.S. Drought Monitor  
California



February 15, 2022  
(Released Thursday, Feb. 17, 2022)  
Valid 7 a.m. EST

	None	D0	D1	D2	D3	D4	D5
Current	0.00	100.00	99.57	99.39	1.39	0.00	0.00
Last Week	0.00	100.00	99.25	99.39	1.39	0.00	0.00
3 Months Ago	0.00	100.00	100.00	92.42	85.28	37.52	0.00
Start of Calendar Year	0.00	100.00	99.30	97.52	16.60	0.84	0.00
Start of Water Year	0.00	100.00	100.00	93.93	87.88	45.65	0.00
One Year Ago	0.70	99.30	84.88	57.58	30.99	3.75	0.00

Intensity:  
None  
D0 Abnormally Dry  
D1 Moderate Drought  
D2 Severe Drought  
D3 Extreme Drought  
D4 Exceptional Drought  
D5

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/about.aspx>.

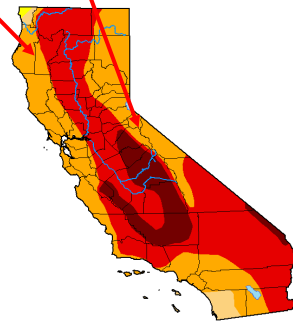
Author:  
Brad Plugh  
CPC/NCEP



[droughtmonitor.unl.edu](https://droughtmonitor.unl.edu)

**Drought development,  
Extreme/Exceptional Drought  
(D-3/ D-4) building**

U.S. Drought Monitor  
California



June 21, 2022  
(Released Thursday, Jun. 23, 2022)  
Valid 8 a.m. EDT

	None	D0	D1	D2	D3	D4	D5
Current	0.00	100.00	99.79	97.48	99.81	11.59	0.00
Last Week	0.00	100.00	99.79	97.48	99.81	11.59	0.00
3 Months Ago	0.00	100.00	100.00	93.65	37.69	0.00	0.00
Start of Calendar Year	0.00	100.00	99.30	97.52	16.60	0.84	0.00
Start of Water Year	0.00	100.00	100.00	93.93	87.88	45.65	0.00
One Year Ago	0.00	100.00	100.00	94.73	95.44	33.32	0.00

Intensity:  
None  
D0 Abnormally Dry  
D1 Moderate Drought  
D2 Severe Drought  
D3 Extreme Drought  
D4 Exceptional Drought  
D5

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/about.aspx>.

Author:  
Adam Hartman  
NOAA/NWS/NCEP/CPC



[droughtmonitor.unl.edu](https://droughtmonitor.unl.edu)



## **ISSUE BRIEF #D**

**SUBJECT: MET's Water Quality Update**

### **RECENT ACTIVITY**

---

Metropolitan complied with all water quality regulations and primary drinking water standards during April 2022. This month, the National Safety Council performed an onsite Safety Management System Assessment at Gene pumping plant and the La Verne facility. The program assessment included reviewing facility activities and interviewing employees to assist Metropolitan in prioritizing safety program activities and identifying areas in need of improvement.

Metropolitan staff attended the 2022 Advanced Clean Transportation Expo in Long Beach that showcased clean fuel, vehicle, and infrastructure technologies. Over 250 exhibitors were present with over 75 clean fuel vehicles. Metropolitan staff test drove the newest electric and hydrogen vehicles and trucks. The information obtained is vital to Metropolitan's efforts to successfully transition to a zero-emission fleet as required by regulations and Metropolitan's Climate Action Plan goals to reach carbon neutrality by 2045.

### **Water Treatment and Distribution**

The State Water Project target blend entering the Weymouth and Diemer plants and Lake Skinner was zero percent in April 2022. Because of a scheduled Lake Skinner outlet tower outage, the Skinner plant was on the lake bypass and received 100 percent Colorado River water for 10 days beginning on April 19.

Flow-weighted running annual averages for total dissolved solids from March 2021 through February 2022 for Metropolitan's treatment plants capable of receiving a blend of supplies from the State Water Project and the Colorado River Aqueduct were 583, 576, and 579 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

Metropolitan staff installed and tested two new backflow devices on the La Verne backup water supply at the Weymouth plant. The new backflow devices are made of stainless steel and replace the aging steel devices, which are susceptible to corrosion. The La Verne backup water supply provides water to the chlorine ejectors and other chemical injection systems if there is an interruption of the plant's domestic water system. After installation, Metropolitan staff certified the devices for operation.

### **Source Water Quality**

On April 28, Metropolitan staff toured the Topock Chromium-6 Groundwater Remediation Project site and reviewed project activities with Pacific Gas and Electric (PG&E) staff. PG&E began construction in October 2018 and has completed the first phase consisting of remediation well installation along the National Trails Highway and the carbon amendment feed system. PG&E reported positive results with the establishment of the bioremediation

treatment zone. The second phase of construction is expected to be completed in 2025 and will include installing additional monitoring wells and upland wells to flush the plume towards the treatment zone. Metropolitan will continue to monitor construction progress on the groundwater remediation and long-term soil remedy development to ensure continued protection of Colorado River supplies.

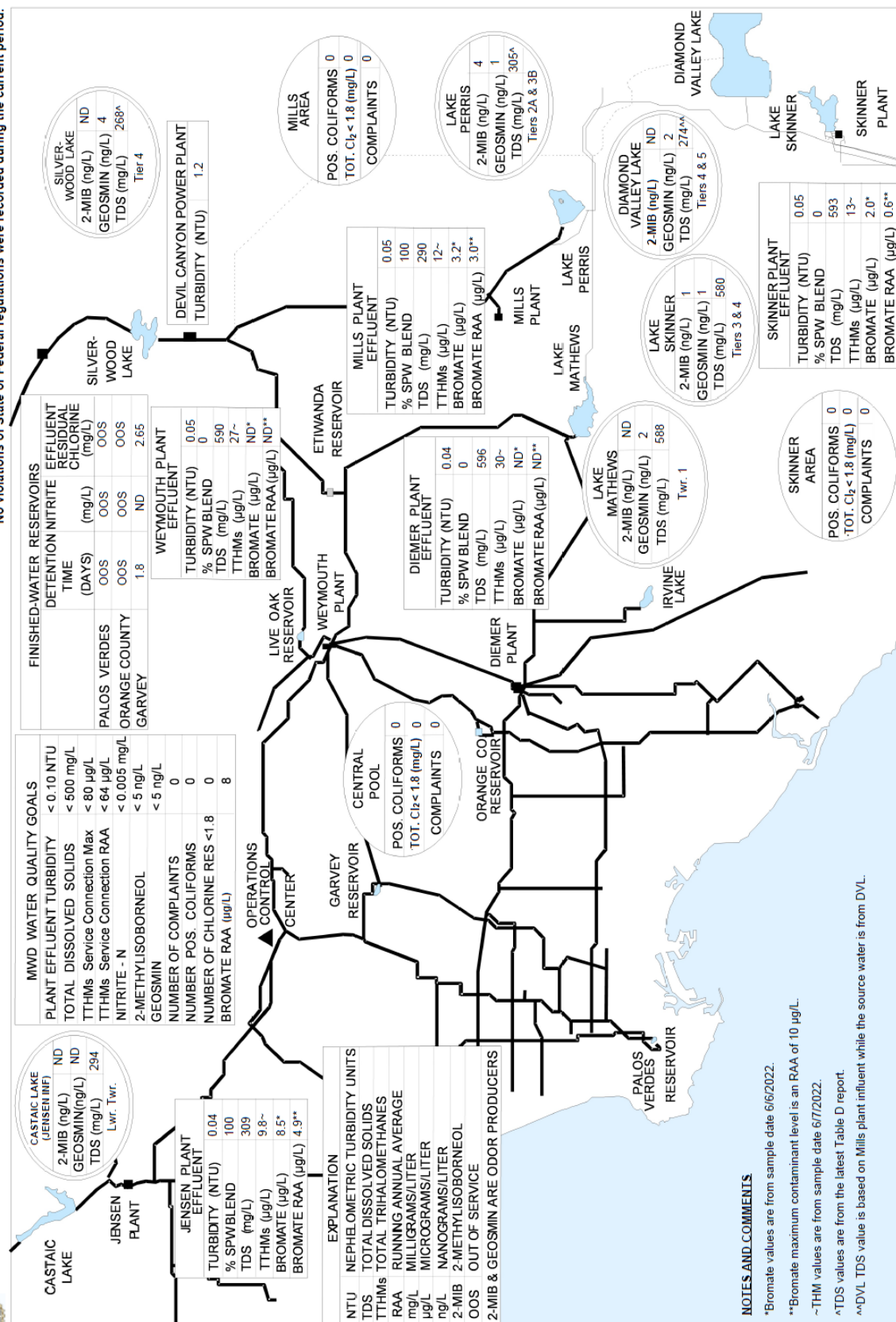
On May 5, Metropolitan staff attended a Clean Colorado River Sustainability Coalition meeting in Needles, California. Metropolitan is a member of this coalition, which is composed of key stakeholders in the Lower Colorado River Basin focused on protecting water quality in the river. Along with touring PG&E's Topock Chromium-6 Groundwater Remediation Project site, the coalition discussed a Lake Havasu mapping project and water quality conditions in Lake Mead.



Wednesday, June 22, 2022

Generated On:6/22/2022 11:47:42 AM

## THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA



WATER QUALITY INFORMATION LINE: (800) 354-4420  
VISIT MWD ON THE WEB AT <http://www.mwdh2o.com>

MWD water quality goals meet or exceed all State and Federal regulations.

**ISSUE BRIEF #E****SUBJECT: Colorado River Issues****RECENT ACTIVITY**

---

**Reclamation to Restart Salinity Control Well in Paradox Valley**

In April of 2019, following a magnitude 4.5 earthquake, the Bureau of Reclamation (Reclamation) ceased operation of the largest salinity control project in the Colorado River Basin. Constructed in the 1990s, the Paradox Valley Brine Injection Well has been capturing about 110,000 tons of salt annually from natural sources and injecting it into a deep aquifer that has no hydrologic connection with the Colorado River or its tributaries. Metropolitan and many of its member agencies sent letters to Reclamation urging them to see if they can operate the well at a safe capacity while exploring longer-term options to control salt from the Paradox Valley. At the May Colorado River Salinity Control Forum, Reclamation told the Forum that it plans to begin a test and operate the well at two-thirds of its capacity for six-months. Reclamation will monitor the seismicity of the region and be prepared to end the test if conditions warrant. Following the six-month test, Reclamation will review data collected during the test and determine whether a longer-term operation at a safe level can be conducted. During the meeting, the Forum visited a local mine where potash is extracted. The owners of the mine are interested in obtaining salt, as they would use the salt to replace the potash as it's mined to reduce the risk of land subsidence. Reclamation and the Forum agreed to explore this potential partnership to see whether there is a longer-term solution to salt control in the Paradox Valley that doesn't include deep well injections. While these actions were good news to the Forum, Reclamation also stated that because of the current drought and the Paradox well being turned off for more than three years, the salinity in the Colorado River near Lake Havasu is expected to rise over the next few years.

## **ISSUE BRIEF #F**

**SUBJECT: Delta Conveyance Activities and State Water Project Issues**

### **RECENT ACTIVITY**

---

#### **Delta Emergency Preparedness**

The California Department of Water Resources (DWR) completed an After-Action Report for a Tabletop Exercise conducted in 2021, which analyzed the restoration of freshwater export operations from the Delta after multiple levee failures resulting from a major earthquake in the region that would curtail export operations. The exercise evaluated the effectiveness of the Delta Flood Emergency Management Plan (DFEMP) completed by DWR in 2018, which is designed to guide the restoration of freshwater conveyance and export operations following such an event. The After-Action Report concludes that the DFEMP is the appropriate tool for restoring water project operations under these types of emergency conditions and that related DWR emergency operations procedures should continue to be modified to support the DFEMP. Findings from the After-Action Report will be incorporated into a revised DFEMP to be published in 2023.

#### **Delta Conveyance**

DWR is continuing to develop a public Draft Environmental Impact Report (EIR) under the California Environmental Quality Act for the Delta Conveyance Project (DCP). The U.S. Army Corps of Engineers (USACE), as part of its permitting review under the Clean Water Act and Rivers and Harbors Act, is preparing an Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act. DWR and USACE are planning to release draft environmental documents for public review in summer 2022.

#### **Joint Powers Authority**

The Delta Conveyance Design and Construction Authority (DCA) Board of Directors met on May 19. The DCA proposed draft budget for fiscal year (FY) 2022/23 was presented for discussion. The planned technical work for next FY focuses on support for DWR on permitting activities and engineering aspects of the DCP, continued implementation of the geotechnical program to better understand conditions across the Delta, and consideration of a range of engineering concepts and procurement and contracting strategies. The final budget for FY 2022/23 will be presented for board approval at the June meeting.

The Delta Conveyance Finance Authority Board of Directors also met on May 19 and considered a proposed budget for FY 2022/23.

#### **Sites Reservoir**

At their May meetings, the Sites Project Authority Board and the Sites Reservoir Committee amended the Sites Project Authority Real Estate and Land Management Policy creating additional flexibility in establishing the price and terms of purchase option agreements. They

also approved issuing a sole-source contract with the University of California Santa Cruz to perform modeling services using the Winter-Run Chinook Salmon Lifecycle Model for evaluating the proposed project and operations.

### **Science Activities**

Metropolitan staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). In May, CAMT received briefings on the status and findings of science studies, including the U.S. Bureau of Reclamation's Directed Outflow Program, which is a collaborative study to improve ecological understanding of Delta smelt, and the California Department of Fish and Wildlife Six Agency Monitoring Design Review report. CAMT also continued discussions on the CAMT monitoring assessment effort.

Metropolitan staff continued collaboration with non-government environmental organizations and public water agencies on Phase 2 of the CSAMP Salmon Recovery Initiative, which is focused on soliciting actions planned to aid in salmon recovery. In May, the project team conducted planning for outreach workshops that will be held in June. The June workshops will invite interested parties to a series of "story telling" workshops in which participants will share their values related to salmon recovery and develop those values into objectives that will be included in the decision-making process of selecting actions to recover salmon.

### **Regulatory Activities**

Metropolitan staff continued to participate in the collaborative groups called for in the 2019 Biological Opinions for the State Water Project and Central Valley Project, and in the 2020 Incidental Take Permit for long-term operation of the SWP, to address science needs and inform management and operation of the water projects. In May, Metropolitan staff continued collaboration with state and federal agencies to develop a monitoring program for steelhead populations within the San Joaquin Basin. Efforts in May focused on developing a list of directed science studies that are needed to develop an estimate of juvenile steelhead production.

**Summary Report for  
The Metropolitan Water District of Southern California  
Board Meeting  
June 14, 2022**

**CONSENT CALENDAR ITEMS - ACTION**

Authorized the General Manager to enter into a five-year agreement with Electric & Gas Industries Association to administer Metropolitan's consumer incentive programs, to be paid from funds the Board authorized for Metropolitan's consumer incentive programs, in accordance with a cost schedule that will not exceed the proposal in Attachment 1 of the board letter.

**(Agenda Item 7-1)**

Approved the job description for the General Auditor, and approved the hiring process described in the Board letter. **(Agenda Item 7-2)**

Approved up to \$1.954 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, and reserve funds to allow for the purchase of a \$5 million limit cyber liability policy with a cost up to \$200,000 if it becomes available. **(Agenda Item 7-3)**

Approved the Statement of Investment Policy for FY 2022/23, and delegate authority to the Treasurer to invest Metropolitan's funds for FY 2022/23. **(Agenda Item 7-4)**

Authorized agreements with Power-Tech Engineers, Inc., HDR, Inc., Mangan, Inc., and Burns & McDonnell Engineering Company, Inc., in an amount not-to-exceed total of \$750,000 each per year for a period of three years, to assess and mitigate arc flash risks for Metropolitan's facilities. **(Agenda Item 7-5)**

Adopted the CEQA determination that the proposed project was previously addressed in the certified 2022 Final PEIR, Findings, SOC, and MMRP, and that no further environmental analysis or documentation is required; and (a) Awarded a \$6,176,521 contract to Siemens Industry, Inc. to construct Battery Energy Storage System facilities at the Weymouth plant. (b) Authorized an increase of \$300,000 to agreement with Stantec Inc. for a new not-to-exceed total of \$1,750,000, to provide technical support. **(Agenda Item 7-6)**

Awarded a \$2,257,897 contract to Leed Electric, Inc. for replacement of ozone power supply units at the Jensen plant. **(Agenda Item 7-7)**

Legislative Placeholder on SB 480 (Stern): Metropolitan Water 21-1198 District of Southern California: rules: inappropriate conduct. **(Agenda Item 7-8 WITHDRAWN)**

Authorized the General Manager to increase contract 184454-02 with Johnson Service Group by \$22,000 to an amount not to exceed \$271,000. **(Agenda Item 7-9)**

Amended Section 1106 and Section 6226 of the Metropolitan Water District Administrative Code regarding Holidays and Annual Leave to ensure benefits parity by adding Juneteenth and an across-the-board standard for payments of excess accumulated annual leave. **(Agenda Item 7-10)**

Reviewed and considered the Bureau of Land Management's Final Environmental Impact Statement certified to satisfy CEQA and take related CEQA actions; and authorized the General Manager to grant a permanent transmission line easement to Delaney Colorado River Transmission, LLC.

**(Agenda Item 7-11)**

Reviewed and considered the Lead Agency's adopted 2019 Mitigated Negative Declaration and take related CEQA actions, and adopted a resolution for the Calleguas Annexation No. 104 concurrently to Calleguas Municipal Water District and Metropolitan. **(Agenda Item 7-12)**

Adopted resolution for Calleguas Annexation No. 106 concurrently to Calleguas and Metropolitan. **(Agenda Item 7-13)**

By a two-thirds vote, authorized the General Manager to make payment of up to \$871,680 for support of the Colorado River Board and Six Agency Committee for FY 2022/23.

**(Agenda Item 7-14)**

#### **CONSENT CALENDAR OTHER ITEMS – ACTION**

Adopted resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of Metropolitan's legislative bodies for a period of 30 days.

**(Agenda Item 6B)**

Authorized preparation of Commendatory Resolution for Gerald C. Riss for his service and leadership during his term as General Auditor of The Metropolitan Water District of Southern California. **(Agenda Item 6C)**

Appointed Director Miller to the One Water (Conservation and Local Resources) Committee.

**(Agenda Item 6D)**

#### **OTHER MATTERS**

Board directed the Executive Committee to place an item on the agenda of the regular board meeting in July to waive confidentiality of the final four Shaw Group reports.

**(Agenda Item 12 - Future Agenda Items)**

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

All current month materials, and materials after July 1, 2021 are available on the public website here: <https://mwdh2o.legistar.com/Calendar.aspx>

This database contains archives from the year 1928 to June 30, 2021:

<https://bda.mwdh2o.com/Pages/Default.aspx>

# Upcoming Board Items

Item No. 7b

ANTICIPATED KEY ITEMS OF FOCUS – NOT AN EXHAUSTIVE LIST  
SCHEDULE SUBJECT TO CHANGE

Month	Key Board Items
<b>August</b>	<ul style="list-style-type: none"><li>• Review Draft Updated Bay Delta Policies in Board Information Letter</li><li>• Oral Report Briefing on Metropolitan Delta Island Activities</li><li>• Authorize an increase to agreement with Roesling Nakamura Terada Architects for final design and architectural services in support of the District Housing and Property Improvement Program</li><li>• Report on list of certified assessed valuations for FY 2022/23</li><li>• Adopt resolution establishing the tax rate for FY 2022/23</li></ul>
<b>September</b>	<ul style="list-style-type: none"><li>• Oral Report on the Surplus Plan</li><li>• Approve Project Labor Agreement terms and conditions and authorize a professional services agreement for PLA administration</li><li>• Consider Action on Updated Bay Delta Policies</li><li>• Report on 500+ Plan Implementation</li></ul>
<b>October</b>	<ul style="list-style-type: none"><li>• Update on Delta Conveyance Public Draft EIR and Comments</li></ul>

# The Metropolitan Water District of Southern California

# Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

## Regular Board of Directors Meeting - Hidden

**July 12, 2022**

**3:00 PM**

### Tuesday, July 12, 2022 Meeting Schedule

09:30 am - E&O  
10:30 am - RP&AM  
11:00 am - OP&T  
12:00 pm - L&C  
12:30 pm - Break  
1:00 pm - C&L  
1:30 pm - WP&S  
3:00 pm - BOD

Teleconference meetings will continue until further notice. Live streaming is available for all board and committee meetings on [mwdh2o.com](http://mwdh2o.com) ([Click Here](#))

A listen only phone line is also available at 1-877-853-5257; enter meeting ID: 831 5177 2466. 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 (833) 548-0276 and enter meeting ID: 815 2066 4276.

---

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

---

## 1. Call to Order

- a. Invocation: TBD
- b. Pledge of Allegiance: Director Stephen J. Faessel, City of Anaheim

## 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 Gov. Code § 54954.3(a))

## 5. OTHER MATTERS AND REPORTS

- |   |         |
|---|---------|
| A. Report on Directors' Events Attended at Metropolitan's Expense | 21-1286 |
| B. Chairwoman's Monthly Activity Report                           | 21-1287 |
| C. General Manager's summary of activities                        | 21-1288 |



- |    |   |         |
|----|---|---------|
| D. | General Counsel's summary of activities   | 21-1289 |
| E. | Interim General Auditor's summary of activities   | 21-1290 |
| F. | Ethics Officer's summary of activities  | 21-1291 |
| G. | Presentation of Commendatory Resolution honoring Gerald C. Riss for his service and leadership during his term as General Auditor of The Metropolitan Water District of Southern California | 21-1295 |

**\*\* CONSENT CALENDAR ITEMS -- ACTION \*\***

**6. CONSENT CALENDAR OTHER ITEMS - ACTION**

- |    |  |         |
|----|--|---------|
| A. | Approval of the Minutes of the Regular Meeting for June 14, 2022 (Copies have been submitted to each Director) (Any additions, corrections, or omissions)  | 21-1292 |
| B. | Adopt resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of Metropolitan's legislative bodies for a period of 30 days; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA | 21-1294 |
| C. | Approve Committee Assignments  | 21-1293 |

**7. CONSENT CALENDAR ITEMS - ACTION**

- |     |   |         |
|-----|---|---------|
| 7-1 | Amend the Capital Investment Plan for fiscal years 2022/2023 and 2023/2024 to include replacement of an expansion joint on the Upper Feeder at the Santa Ana River Bridge; and determine that there is a need to continue the emergency action of executing a no bid contract for the expansion joint replacement (Requires four-fifths vote of the Board); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) | 21-1296 |
| 7-2 | Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2015 Final EIR and related CEQA documents; and award \$25,972,700 contract to Mladen Buntich Construction Company, Inc. for Stage 3 lining rehabilitation of the Etiwanda Pipeline (EO)  | 21-1297 |

- 7-3** Authorize an agreement with Jacobs Engineering Group, Inc., in an amount not to exceed \$700,000 to perform final design of security upgrades at the Joseph Jensen Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **21-1298**
- 7-4** Review and consider the Jurupa Community Services District's approved Final Initial Study/Mitigated Negative Declarations and four Addenda and take related CEQA actions; Authorize the General Manager to enter into a Local Resources Program Agreement with Western Municipal Water District and Jurupa Community Services District for the JCSD Recycled Water Program for up to 500 AFY of recycled water for irrigation use and groundwater recharge in the JCSD service area (OWC) **21-1299**
- 7-5** Express support, if amended, for AB 2108 (Rivas, D-Hollister): Water policy: environmental justice: disadvantaged and tribal communities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (CL) **21-1326**
- 7-6** Report on litigation in San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., San Francisco County Superior Court Case Nos. CPF-10-510830, CPF-12-512466, CPF-14-514004, CPF-16-515282, CPF-16-515391, CGC-17-563350, and CPF-18-516389; the appeals of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901, A148266, A161144, and A162168, and California Supreme Court Case No. S243500; the petition for extraordinary writ in the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case No. A155310; the petition for extraordinary writ in the second 2016 action, Court of Appeal for the First Appellate District Case No. A154325 and California Supreme Court Case No. S251025; and the Metropolitan Water District of Southern California v. San Diego County Water Authority cross-complaints in the 2014, 2016, and 2018 actions; and authorize increase in maximum amount payable under contract for legal services with Manatt, Phelps & Phillips, LLP, in the amount of \$1,500,000 for a total amount not to exceed \$4,400,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)] (LC) **21-1315**

**\*\* END OF CONSENT CALENDAR ITEMS \*\***

**8. OTHER BOARD ITEMS - ACTION**

NONE

**9. BOARD INFORMATION ITEMS**

9-1 Report on Conservation

21-1300

**10. OTHER MATTERS**

NONE

**11. FOLLOW-UP ITEMS**

NONE

**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 parenthesis at the end of the description of the agenda item e.g. (E&O, BF&I). Committee agendas may be obtained from the Executive Secretary.

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 Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.