WORKSHOP MEETING OF THE BOARD OF DIRECTORS WITH MET DIRECTORS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY 18700 Ward Street, Board Room, Fountain Valley, California September 7, 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. 2130

PRESENTATION/DISCUSSION ITEMS

1. PRESENTATION BY METROPOLITAN STAFF (SHANTI ROSSET) 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.

INFORMATION ITEMS

- 5. **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.

6. METROPOLITAN (MET) BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS

- a. Summary regarding August 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 September 7, 2021

TO: Board of Directors

FROM: Robert Hunter, General Manager

Staff Contact: Melissa Baum-Haley

SUBJECT: PRESENTATION BY METROPOLITAN STAFF (SHANTI ROSSET)

REGARDING COLORADO RIVER BASIN CONDITIONS

STAFF RECOMMENDATION

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

REPORT

MWDOC staff have invited Shanti Rosset, Colorado River Resources Policy Manager from the Metropolitan Water District of Southern California to present an update on Colorado River conditions and Lake Mead operating conditions for 2023.

On August 16, the Bureau of Reclamation released the <u>Colorado River Basin August 2022</u> 24-Month Study (link), which sets the annual operations for Lake Powell and Lake Mead in 2023. The Bureau of Reclamation press release can be found at: https://www.usbr.gov/newsroom/#/news-release/4294. The press release from Adel Hagekhalil, general manager of Metropolitan Water District, on his statement on the Bureau of Reclamation's announcement can be found attached.

2023 Operations of Lake Mead

Lake Mead will operate in its first-ever Level 2a Shortage Condition in calendar year 2023 (Jan. 1, 2023, through Dec. 31, 2023). The August 24-Month Study projects Lake Mead's Jan. 1, 2023, operating determination elevation to be 1,047.61 feet, which is calculated by taking Lake Mead's projected end of calendar year 2022 physical elevation (1,040.78 feet) and adding the 480,000 acre-feet of water held back in Lake Powell to Lake Mead's capacity to maintain operational neutrality.

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

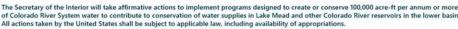
The projected elevation of 1,047.61 feet reflects a Level 2a Shortage Condition, within the DCP elevation band of 1,045 and 1,050 feet, with required shortage reductions and water savings contribution for the Lower Basin States and Mexico, pursuant to Minute 323, as follows:

- Arizona: 592,000 acre-feet, which is approximately 21% of the state's annual apportionment.
- Nevada: 25,000 acre-feet, which is 8% of the state's annual apportionment
- Mexico: 104,000 acre-feet, which is approximately 7% of the country's annual allotment.
- There is no required water savings contribution for California in 2023 under this operating condition.

As a reminder, in June 2022, Commissioner Touton testified before the <u>U.S. Senate</u> <u>Committee on Energy and Natural Resources (link)</u> and called on water users across the Basin States to and Tribes to develop a plan to conserve an additional 2-4 million acre-feet of water in 2023 by mid-August. With the August 16 announcement of the 24 – Month Study, the Commissioner provided additional time for the Basin States to come up with an approach to meet this goal. Water Users across the Basin also understand that if these negotiations are not successful, Reclamation will implement its own approach to stabilize Lake Mead and Lake Powell.

2007 Interim Guidelines, Minute 323, Lower Basin Drought Contingency Plan, and Binational Water Scarcity Contingency Plan Total Volumes (kaf)







MOU on Colorado River Conservation Actions

11

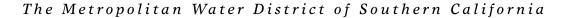
On August 24, Metropolitan joined with several other urban water agencies to sign a Memorandum of Understanding (MOU) to take actions that will further reduce demands in

the Colorado River Basin through continued water conservation and expanded efforts to reuse and recycle our water supplies.

The attached MOU was transmitted to Bureau of Reclamation Commissioner Touton with a commitment to provide additional information in the coming months about the steps each of the organizations will take to ensure the Colorado River and the communities it serves continue to thrive. Attached is the MOU and the letter to Commissioner Touton. Additionally, a press release was issued by <u>Denver Water (link)</u>.

ATTACHMENTS:

- (1) METROPOLITAN ISSUES STATEMENT ON COLORADO RIVER DISCUSSIONS TO REDUCE DEMANDS
- (2) MOU FOR MUNICIPAL CONSERVATION ACTIONS





NEWS RELEASE

P. O. Box 54153, Los Angeles, California 90054-0153 • (213) 217-6485 • www.mwdh2o.com

Contacts: Rebecca Kimitch, (213) 217-6450; (202) 821-5253, mobile; rkimitch@mwdh2o.com Maritza Fairfield, (213) 217-6853; (909) 816-7722, mobile; mfairfield@mwdh2o.com

Aug. 16, 2022

METROPOLITAN ISSUES STATEMENT ON COLORADO RIVER DISCUSSIONS TO REDUCE DEMANDS ON RIVER BY 2 TO 4 MILLION ACRE-FEET

Adel Hagekhalil, general manager of the Metropolitan Water District of Southern California, issues the following statement on the Bureau of Reclamation's announcement today on the Basin States' effort to develop a plan to reduce demands on the Colorado River by 2 to 4 million acre-feet:

"The dire situation on the Colorado River requires an unprecedented response. Reducing water demands by 2 to 4 million acre-feet as Commissioner Touton requested is challenging, but further declines in Lake Mead's elevation put all Lower Basin states in danger. We have worked earnestly with our colleagues in the basin to develop an aggressive but realistic plan to reduce demands. We're not there yet, but we are committed to working with our partners to develop a viable plan. We have no choice. Building on our history of partnerships, with federal funding and Reclamation's support, we will build reliability back into our Colorado River supplies with a workable and inclusive plan.

"We appreciate the Commissioner's support today in giving us a limited extension to meet the goal and to provide resources to help us implement a plan. We also understand that if we don't succeed, Reclamation will implement its own approach to stabilize Lake Mead and Lake Powell.

"As these discussions continue, we urgently call on everyone who relies on Colorado River water, including communities across Southern California, to prepare for reduced supplies from this source, permanently. This is not simply a drought that will end, allowing reservoir levels to recover on their own – this is a drying of the Colorado River Basin. We are all going to have to live with less. Working together, we know we can meet that challenge."

###

The Metropolitan Water District of Southern California is a state-established cooperative that, along with its 26 cities and retail suppliers, provides water for 19 million people in six counties. The district imports water from the Colorado River and Northern California to supplement local supplies, and helps its members to develop increased water conservation, recycling, storage and other resource-management programs.

Aurora Water Colorado Springs Utilities Denver Water Metropolitan Water District of Southern California Pueblo Water Southeastern Colorado Water Conservancy District Southern Nevada Water Authority

August 24, 2022

Commissioner Touton U.S. Bureau of Reclamation 1849 C St., NW Washington, DC 20240-0001

SUBJECT: MUNICIPAL CONSERVATION ACTIONS

Dear Commissioner Touton,

The Colorado River sustains hundreds of communities throughout the West, nourishing the lives and livelihoods of the millions of residents that rely on this essential water supply. Decades of drought, climate change and overuse have reduced the river's once-plentiful flows and upended the supply certainty that has allowed our communities to develop, grow and flourish. Like you, we recognize that achieving balance within the basin is an extraordinary and complex challenge that requires both swift and significant steps to protect the river and its many beneficiaries.

Answering this critical call to action requires individual and collective efforts to conserve the river's limited water supply and protect the vital environmental resources on which we depend. Innovation, action, adaptation, and a shared commitment to stewardship are fundamental steps in this journey and a responsibility we all share.

The signatories of this letter have either approved the enclosed Memorandum of Understanding or are in the process of seeking consideration and approval of the MOU or similar water conservation commitments by their appropriate governing bodies. The Southeastern Colorado Water Conservancy District in Colorado, as a wholesale provider of water to municipalities within its district, supports the commitments in the MOU through the separate letter enclosed.

Our organizations recognize our role in the effort to reduce demands in the Colorado River basin. We come together from across the basin to pledge our commitment to continued water conservation, to reducing our demands for water, and to expanding our efforts to reuse and recycle our water supplies. While we have significantly reduced demands since the onset of the drought, there is more we can and must accomplish.

Achieving the protection storage volumes needed to preserve water and hydropower operations within the Colorado River basin cannot be met by a singular country, basin, state, or water use sector. While municipal water use represents only a small fraction of total Colorado River water use, progress begins with one and then many until we are all moving in the same direction.

We recognize that there is much good we can do if we move toward the same goal and at the pace required. We also understand the consequences of inaction. To that end, we are developing prudent municipal water conservation actions that every community that relies on the Colorado River should be using. In the coming months we will describe the steps our

organizations will take now and codify our commitment to continued effort as we work to ensure our river and the communities it serves continue to thrive. We sincerely hope our commitment to action inspires other stakeholders that share the river to do the same.

Sincerely,

Aurora Water

Marshall Brown, General Manager

Denver Water

James S. Lochhead, Chief Executive Officer

Pueblo Water

Seth Clayton, Executive Director

Colorado Springs Utilities Aram Benyamin, Chief Executive Officer

Metropolitan Water District of Southern California

Adel Hagekhalil, General Manager

Southeastern Colorado Water Conservancy District

James W. Broderick, Executive Director

Southern Nevada Water Authority John J. Entsminger, General Manager

Memorandum of Understanding by and among Colorado River Basin Municipal and Public Water Providers August 24, 2022

Over the past two decades, the Colorado River basin has experienced the worst drought in the last 1,200 years, which has reduced storage levels in Lakes Powell and Mead to unprecedented and critical levels. Water users throughout the basin must reduce demands to bring supply and use back into balance.

For over 20 years, communities have adapted to persistent and intensifying drought and reduced water supplies by achieving significant efficiencies in water use through direct and indirect conservation programs, including improved technology for indoor water fixtures, changes to landscapes and watering practices, conservation-oriented rates and fees, reuse and recycling programs, marketing and education campaigns, and efficient land use and development policies. Yet, climate change and the resulting hydrological shifts we are experiencing require all water users in the basin to redouble our efforts to conserve our water resources.

Our customers have demonstrated their commitment to conserving our essential water resources by reducing per capita water use by the following amounts since 2000.

- Aurora Water 36%
- Denver Water 36%
- The Metropolitan Water District of Southern California 33%
- Pueblo Water 32%
- Southern Nevada Water Authority 39%

Together, since 2000 we have decreased annual water use by 1,153,000 acre-feet while also adding 3.7 million people to our communities.

Much of this savings has been achieved through indoor and outdoor water use efficiencies. Recognizing that a clean, reliable water supply is critical to our communities, we can and must do more to reduce water consumption and increase reuse and recycling within our service areas. We pledge to be part of the solution.

Specifically, we commit to take the following actions:¹

- 1. Continue and expand our programs to increase indoor and outdoor water use efficiency.
- 2. Introduce a program to reduce the quantity of non-functional turf grass by 30% through replacement with drought- and climate-resilient landscaping, while maintaining vital urban landscapes and tree canopies that benefit our communities, wildlife, and the environment.

¹ Water wholesalers, including The Metropolitan Water District of Southern California, do not have regulatory authority over the use of water by end users and may only commit to develop incentive programs and model ordinance language to provide assistance to their Member Agencies in support of the phase out of non-functional turf within their service areas to help achieve this goal.

- 3. Increase water reuse and recycling programs where feasible, contingent on the dependability and security of our existing Colorado River supplies essential to support these efforts.
- 4. Implement best practices and sharing lessons learned to help one another accelerate our efficiency strategies. Water providers will select from the following approaches those tactics best tailored to preserve thriving communities, environmental health, and strong economies:
 - a. Transforming our outdoor landscapes and urban environments in a manner that improves climate resilience and promotes an ethic of wise water use through mandatory watering schedules and compliance enforcement, incentivized turf removal, and limitations on new turf;
 - b. Increasing efficiency of indoor fixtures and appliances;
 - c. Employing best practices for industrial processes and commercial operations, including minimization of evaporative cooling;
 - d. Adopting conservation-oriented rate structures to incentivize efficiency;
 - e. Accelerating water loss control by prioritizing supply considerations in asset management programs and exploring water loss control regulations to minimize water loss:
 - f. Improving coordination between land use and water planning efforts through improved processes, best management practices, and additional regulations, where appropriate; and
 - g. Employing other strategies tailored to the unique needs of each community.
- 5. Collaborate with other water users in the Colorado River basin to bring the supply and use of the river into balance. A robust agricultural economy, healthy watersheds, opportunities to recreate, and vibrant communities are all vital to our western way of life. No one sector, nor one state, can achieve sufficient use reductions independently. For the sake of current and future generations, we all must work together to achieve a balance of supply and use and thereby preserve a functioning and healthy river system.

Aurora Water Marshall Brown, General Manager Denver Water
James S. Lochhead, Chief Executive Officer

The Metropolitan Water District of Southern California Adel Hagekhalil, General Manager

Pueblo Water Seth Clayton, Executive Director

Southern Nevada Water Authority John J. Entsminger, General Manager



To: Board of Directors, *Municipal Water District of Orange County*

From: Natural Resource Results

RE: Monthly Board Report – September 2022

Inflation Reduction Act

On July 27th, Senator Schumer (D-NY) and Senator Manchin (D-WV) announced that they had come to an agreement on a reconciliation bill – a special type of legislation that allows for a simple majority vote in the Senate – dubbed the Inflation Reduction Act of 2022. The agreement caught the nation by surprise, as most observers had thought that Senator Manchin's refusal to support a previous, much more expensive version of a reconciliation bill would leave Democrats empty handed but he continued to negotiate behind the scenes with Senator Schumer.

The bill passed both chambers and was signed by President Biden in mid-August. The Bureau of Reclamation (BOR) received funding for the following:

- \$550 million for a program to provide drinking water for disadvantaged communities
- \$25 million to put solar panels over canals
- \$4 billion for voluntary conservation projects, compensation for voluntary reductions in diversions or consumptive use and ecosystem restoration (these funds are prioritized for the Colorado River Basin)

Colorado River

On August 14th, the Bureau of Reclamation released the August 24 month study which projects water levels in the main reservoirs of the Basin over the next two years. This study determines how much water will be released from Lake Mead and Lake Powell, signifying the extent of water cuts in the lower basin and Mexico.

The lower basin must cut a combined 721,000 acre-feet of water in 2023 which is an addition to the 2-4 million acre-feet of water that Commissioner Touton called on the basin states to come up with back in June. Arizona will shoulder most of the burden of the 721,000 acre-feet of cuts and will see its allocation reduced by 21 percent.

If the additional conservation is not achieved, Lake Mead is projected to drop another twenty feet by summer of 2023 due to reduced releases from Powell.

Water Recycling Projects Selected

Last week, BOR announced \$310 million in infrastructure bill funding for water recycling projects in the western states, mainly in California. The selected projects will advance drought resilience and are expected to increase annual capacity by about 213,000 acre-feet of water, enough water to support more than 850,000 people a year.

Recipient	State	Title	Reclamation Funding
Big Bear Area Regional Wastewater Agency	CA	Replenish Big Bear Project	\$8,267,112
Carpinteria Valley Water District	CA	Carpinteria Advanced Purification Project	\$9,659,990
Coachella Valley Water District	CA	Water Reclamation Plant 10 (WRP-10) Non-Potable Water System	\$12,276,517
Eastern Municipal Water District	CA	Purified Water Replenishment Project	\$10,000,000
Irvine Ranch Water District	CA	Syphon Reservoir Improvement Project	\$12,245,625
Jurupa Community Services District	CA	Joint IEUA-JCSD Recycled Water Intertie Project	\$12,275,000
Las-Virgenes-Triunfo Joint Powers Authority	CA	Pure Water Project Las Virgenes-Triunfo	\$10,199,637
Monterey One Water	CA	Expand Pure Water Monterey Groundwater Replenishment Project	\$10,316,822
City of Morro Bay	CA	Water Reclamation Facility Project	\$9,310,095
City of Oceanside	CA	Pure Water Oceanside Program	\$9,941,533
Olivenhain Municipal Water District	CA	North San Diego Water Reuse Coalition Regional Recycled Water Program: 2020 Project	\$17,826,952
Padre Dam Municipal Water District	CA	East County Advanced Water Purification Program Phase 2	\$28,300,000
City of Palo Alto	CA	City of Palo Alto Advanced Water Purification System	\$12,867,875
City of Pismo Beach	CA	Central Coast Blue	\$14,124,000
Sacramento Regional County Sanitation District	CA	Harvest Water Program	\$24,115,808
City of San Buenaventura	CA	Ventura Water Pure Program	\$14,026,650
Santa Margarita Water District	CA	San Juan Watershed Project	\$7,928,615
Sonoma County Water Agency	CA	North Bay Reuse Program: Phase 2 Program	\$6,934,655

Soquel Creek Water District	CA	Pure Water Soquel: Groundwater Replenishment and Seawater Intrusion Prevention Project	\$20,925,000
Water Replenishment District of Southern California	CA	Groundwater Reliability Improvement Program Recycled Water Project	\$15,478,307
County of Maui	HI	Lahaina Water Recycling Project #3: West Maui Recycled Water Expansion	\$1,080,244
City of Nampa	ID	City of Nampa Recycled Water Program	\$3,000,000
El Paso Water Utilities Public Service Board	TX	Advanced Water Purification Facility	\$20,000,000
Weber Basin Water Conservancy District	UT	Tertiary Treatment Facility in Central Weber	\$14,300,000
City of Cheney	WA	Cheney Purple Pipe Project	\$5,445,750



To: Municipal Water District of Orange County

From: Syrus Devers, Best Best & Krieger

Date: September 7th, 2022 Re: Monthly Report

Legislative Report

The Legislature is 9 hours away from banging the gavel down on the 2021-22 biennial session as this report is being prepared. The midnight deadline on August 31st in even-numbered years is in the Constitution and is, therefore, not fungible.

Good news in the budget. The Legislature appropriated several categories of funds to promote recycling, including \$80 million earmarked for MWD. \$100 million was appropriated for recycling from the General Fund in support of the \$300 million over three years earmarked in last year's budget. Finally, \$210 million went to the SWRCB for competitive grants for portable reuse projects.

<u>Legislation</u>. Two bills of interest were in play in the last week of session.

SB 222 (Dodd) on state-funded Low Income Rate Assistance (LIRA) Programs was actively lobbied by ACWA, but final consensus was not reached and ACWA remained opposed. The sticking point was over how customers are enrolled in a LIRA Program. Dodd took ACWA's suggested language on the other substantive issues.

The other major bill was SB 1157 (Hertzberg) on indoor water use efficiency standards. Most of the lobbyists working against the bill had moved on to other battles after getting knocked down hard in the policy committee. Had the bill been brought up when it was first eligible (on 8/15), there is little doubt that it would have passed the Assembly and been safely back in the Senate by the final week. Instead, the sponsors got nervous and asked about further amendments. That had the same effect as putting blood in the water with sharks nearby. ACWA quickly pulled a large group of lobbyists together and every Assembly office was contacted over the next few days to ask for a "no" vote on the bill unless amendments were taken, with a particular focus on amendments related to recycling. Then word got around that Newsom was demanding that the most important item the opposition got in committee, a meaningful study of the fiscal impacts of lowering the standards, be pulled out due to the estimated costs. Opponents were quietly hoping Hertzberg would cave in and take the study out of the bill because



it would have put other large associations back to opposition, but he wisely refrained and left the study language alone.

As this report was being prepared, the bill is stalled in the Assembly with 34 votes; 41 needed to pass. Even at this late hour, Assm. Friedman could probably get the bill passed. BB&K staff knows of two AYE votes ready to go up, and there is no information on the position of six other Democrat members. Friedman and Hertzberg could likely get 5 of those members to vote AYE if they tried. BB&K will report on the final outcome at the workshop in the unlikely event that word did not get around before then.

ACKERMAN CONSULTING

Legal and Regulatory

September 7, 2022

- 1. Megaflood Coming: A recent UCLA study is predicting a major flood event in the next 50 to 75 years. They claim it would be on the scope of the Great Flood of 1862 which devastated the Southern California area. Using the drought conditions and global warming metrics, along with weather modeling and other climate models, they estimate some areas receiving more than 100 inches of rain in a short period of time. Also, snow fall would be cut in half bringing more rain events and less measured snow melt. They are calling this the Other Big One and estimate damages in the trillions of dollars.
- 2. Saltwater Intrusion: Saltwater intrusion is already having an impact on the Delta and surrounding areas. Vineyards near the Delta which traditionally use river water to irrigate are using groundwater instead due to the increased salinity. The City of Antioch is using less river water for the same reason. They are investing in desal and will develop the first inland desal plant in the state for treating brackish water. Fortunately, the Coastal Commission has no jurisdiction, and the treatment will be less costly than ocean desal since the salinity is lower. Dry winters means less fresh water through the Delta and more chance for ocean water to intrude. Sea level rise is also a factor. Last year, the state built a temporary barrier (112,000 tons of rock piled 30 feet high) near the pumps to slow down the salt water. They are considering building two more such barriers. Farmers are experiencing different impacts based on their crop selection, salt is bad for grapes but does not impact alfalfa as much. Efforts to construct small reservoirs to capture fresh water are also being proposed.
- 3. Rainwater Unsafe: Stockholm University has been measuring PFAS content in the atmosphere for a decade. As we reported before, PFAS in the stream, rivers and lakes eventually ends up the atmosphere through evaporation. The next step is returning the water to earth via rain with the PFAS included. Under current standards, their study concluded that practically all rainfall in the world would be considered unsafe to drink. Most of the industrialized world does not rely on rainwater for drinking. However, many parts of the world to use it for drinking, thus the caution.
- 4. **\$8,500 Per Acre Foot:** Indian Wells Valley Groundwater Authority (eastern Kern County) may pay \$8,582 per acre foot for water under a possible agreement. The Authority is severely over drafted in its groundwater basin and is being forced to take some action. The contract which would be ongoing is for 750-acre feet of water per year. The seller is Utica JLJ, LLC which purchased the Jackson Ranch. The water is coming from Dudley Ridge which sold last time in 2009 for \$5,500 per acre foot. The deal is contingent on building a 50-mile pipeline and state approval. The Authority is also seeking a court adjudication for the basin which could totally change all stakeholders position and claims.

- 5. **Toxic Smell in Clear Lake:** Blue-green algae (cyanobacteria) has been appearing In Clear Lake which is the second largest freshwater lake in the State. In low concentration, this is a minor concern. But when the concentration increases, it becomes a major health concern. Plus, it smells really bad. Lake County has already warned 500 folks on the Lake that use its water for drinking to stop and seek alternative supplies. Boiling the water or adding chemicals does not fix the problem. These algae can be harmful to human, animal, and plant life in the area. Locals are aware of the situation, but the area draws many tourists who will not be. While it might not kill us, it does produce rashes, diarrhea, vomiting, coughing, and wheezing. It does also push out plant life in and around the Lake.
- 6. Lake Tahoe Update: Tahoe has had the reputation of the worlds clearest large lake. That has come into question the last few years due to many factors. The most recent report has shown a drop in Mysis shrimp, a form of zooplankton, which will make the Lake clearer. The shrimp eats a crustacean call Daphnia which is responsible for eating the algae. The level of that algae determines the clarity of the Lake. The more Daphnia, the more food for the Kokanee salmon. Experts expect this condition to be temporary. The shrimp seem to cycle in and cycle out over time. The algae level also seem to coincide with the number of visitors to the Lake.
- 7. **Water Interaction:** Scientists, particularly chemists, have been studying the interaction of groups of water molecules for years. Emory University researchers think they have solved the puzzle. Hydrogen atom is the lightest of all. Its mechanical traits make it act like a particle and a wave. This makes groups of water molecules act differently when they encounter other biological systems. They have developed a software, q-AQUA, to help study water and its interaction with other components. This will become useful in studying water conditions in nature and water treatment.
- 8. **Mountain Water Unpredictable:** A study was recently completed of the Rocky Mountains. Timing and amount of rain and snow is going to be more unpredictable in the future. The projections all show less overall moisture and even where the amount will be the same, it will be more rain and less snow. Also, earlier snow melt is predicted. The estimate, using their models, is that total amount of water coming from the Rockies could drop of 80% by the end of the century. The report also emphasized the possible erratic nature of rain and snowfall in the future. They extend their prediction of this condition to the Canadian Arctic, eastern North American and Eastern Europe.
- 9. **Ancient Water:** Curtin University (Australia) has been studying water transfers in the earth going back 3.5 billion years. Geological evidence has shown that water was moved deep into Earth during its formative years. This water was locked into rock formations. No one seems to know how it originally got there. However, it was released at very high temperatures and usually through volcanic activity. This process produced the continents as we now know them. The heat was so great that it melted rocks and produced really hot water. Also, some of the oldest parts of the Earth contained the most gold deposits. Gold requires large amounts of water in its formative stages. That was another reason they believe there was a lot or water down there a long time ago.

- 10. **More PFAS Progress:** Everyone is trying to find a better mouse trap to battle PFAS. This one comes from Rice University. Actually, it is not a new process but variations of existing ones. Combining boron nitride and titanium dioxide produced a better trap as a catalyst. Then a variation of ultraviolet light in both time exposed and wavelength. The result was about 15 times better than existing methods of photocatalysts. Industrial folks are using this now in trial runs.
- 11. **Drought v Cows:** An average cow eats 20 pounds of food and 30 gallons of water each day. In California and the entire West, the drought is taking a toll on the cow population. Cow ranchers in California, New Mexico, and Colorado are selling off their herds at a high rate, higher than in the last decade. While this will mean cheaper meat prices in the short run, the future will only see increased prices due to low supply. It should be noted that the last time such a sell off occurred was during the drought of 2011.
- 12. Low Cost Filter: University of Texas experts are developing a better, cheaper and more effective water filter. Using seeds from the moringa tree and cotton balls, this method replaces the use of chemicals and is effective against viruses and bacteria. The seeds and cotton are not processed and can be used in their natural form. The cost is low, and the filtration rate is high. The secret is in the charges. Moringa seeds have positively charged proteins, cotton is negatively charged. This combination knocks out the virus and bacteria. Follow the science.

MWDOC Workshop

Bill Matrix - September 7th, 2022

A. Priority Support/Oppose

Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority	Notes 1
AB 1195	Author Garcia, Cristina D	Topic Limited Eligibility and Appointme nt Program: lists.	8/30/2022- Joint Rule 62(a), file notice suspended.	Location 8/25/2022- A. 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. Existing 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. Existing 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, as an alternative to receiving a combined list of eligible candidates, would require the department, upon request of an appointing power, to provide a list of eligibles that includes only the names and addresses of candidates, if any, on a LEAP referral list and the names and addresses of candidates, if any, on any applicable reemployment or State Restriction of Appointment list. The bill would authorize the appointing power to notify individuals listed of the opportunity to apply for a vacant position, to screen applications for candidates' eligibility,	Position Not relevant	A. Priority Support/ Oppose	Notes 1 This bill no longer relates to its original subject.
AB 1845	Calderon D	Metropolita n Water District of Southern California:	Assembly Rule 77(a) suspended. Senate	8/24/2022- A. ENROL LMENT	and to hire from among those eligible applicants whose names appear on the list. 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	Support	A. Priority Support/ Oppose	Support adopted on March 2nd
	1	alternative	amendmen		bill would define "design-build" to mean	H.		

		project delivery methods.	ts concurred in. To Engrossing and Enrolling. (Ayes 76. Noes 0.).		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.			
AB 1944	Lee D	Local government : open and public meetings.	7/5/2022-F ailed Deadline pursuant to Rule 61(b)(14). (Last location was S. GOV. & F. on 6/8/2022)	7/5/2022-S. DEAD	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, 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.	None	A. Priority Support/ Oppose	Amende d on 4/18/202 2
AB 2142	Gabriel D	Income taxes: exclusion: turf replacement water conservatio n program.	8/30/2022- Enrolled and presented to the Governor at 4 p.m.	8/30/2022- A. ENROL LED	The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. 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 both of these laws, 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	Support	A. Priority Support/ Oppose	Support adopted on March 2nd

					conservation program.			
AB 2278	<u>Kalra</u> D	Natural resources: biodiversity and conservatio n report.	8/25/2022- Assembly Rule 77(a) suspended. Senate amendmen ts concurred in. To Engrossing and Enrolling. (Ayes 73. Noes 0.).	8/25/2022- A. ENROL LMENT	By Executive Order No. N-82-20, Governor Gavin Newsom directed the Natural Resources Agency to combat the biodiversity and climate crises 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 Natural Resources Agency, in implementing actions to achieve the goal to conserve at least 30% of the state's lands and coastal waters by 2030 established by the executive order, to prioritize specified actions. The bill would require the Secretary of the Natural Resources Agency to prepare and submit, beginning on or before March 31, 2024, an annual report to the Legislature on the progress made during the prior calendar year toward achieving that goal, as provided.	Watch	A. Priority Support/ Oppose	Possible return of AB 3030
AB 2387	Garcia, Eduardo D	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Developme nt Bond Act of 2022.	Held under submissio n.	5/11/2022- A. APPR. SUSPENSE FILE	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	Not moving
AB 2449	Rubio, Blanca D	Open meetings: local agencies: teleconferen ces.	Assembly Rule 77(a) suspended.	8/25/2022- A. ENROL LMENT	Current law, 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 generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. 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 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		A. Priority Support/ Oppose	Support adopted on April 6th.

					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.			
AB 2451	Wood D	State Water Resources Control Board: drought planning.	8/12/2022- Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENS E FILE on 8/8/2022)	8/12/2022-S . DEAD	(1)Current law establishes within the Natural Resources Agency the State Water Resources Control Board and the California regional water quality control boards. Current law requires the work of the state board to be divided into at least 2 divisions, known as the Division of Water Rights and the Division of Water Quality. Current law requires the state 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 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.	Watch	A. Priority Support/ Oppose	
AB 2639	Quirk D	San Francisco Bay/Sacram ento-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)	A. DEAD	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.
SB 45	Portantino D	Short-lived climate pollutants: organic waste reduction goals: local jurisdiction	8/30/2022- Assembly amendmen ts concurred in. (Ayes 40. Noes 0.)	. ENROLL	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,	Watch	A. Priority Support/ Oppose	

		assistance.	Ordered to engrossing and enrolling.		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. Current law authorizes the department, if it determines that significant progress has not been made toward achieving the organic waste reduction goals established by the state board, to include incentives or additional requirements in its regulations to facilitate progress towards achieving the goals. This bill would require the department, in consultation with the state board, to assist local jurisdictions in complying with these provisions, including any regulations adopted by the department.			
SB 222	Dodd D	Water Rate Assistance Program.	8/30/2022- Assembly amendmen ts concurred in. (Ayes 31. Noes 8.) Ordered to engrossing and enrolling.	8/30/2022-S . ENROLL MENT	Would require the state board, to the extent feasible, cost effective, and permitted under the California Constitution, to identify and contract with one or more third-party providers. The bill would impose requirements on the state board in connection with the program, including, among others, within 270 days of the effective date, as defined, adopting guidelines in consultation with relevant agencies and an advisory group for implementation of the program and preparing a report to be posted on state board's internet website identifying how the fund has performed. The bill would require the guidelines to include minimum requirements for eligible systems, including the ability to confirm eligibility for enrollment through a request for self-certification of eligibility under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program.	Watch	A. Priority Support/ Oppose	Position adopted 2/3/2021
SB 230	Portantino D	State Water Resources Control Board: Constituent s of Emerging Concern in Drinking Water Program.	8/30/2022- Assembly amendmen ts concurred in. (Ayes 40. Noes 0.) Ordered to engrossing and enrolling.	. ENROLL	Would require the State Water Resources Control Board to build upon its existing work dealing with, and work to improve its knowledge of, constituents of emerging concern (CEC) in waters of the state and drinking water. The bill would require, as part of this work, the deputy director appointed by the state board, to work to improve the 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 deputy director to convene a Science Advisory Panel for CECs in drinking water with members that are experts in specified fields and would prescribe the duties of the panel. The bill would require the deputy director to post a report to the state board's internet website 3 years after the panel is	Support	A. Priority Support/ Oppose	Support position adopted April 7th.

					convened on the work conducted by the			
	Newman D	Public contracts: progressive design-buil d: local agencies.	8/23/2022- Enrolled and presented to the Governor at 12:30 p.m.	8/23/2022-S . ENROLL ED	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.
SB 1157	Hertzberg D	Urban water use objectives.	8/29/2022- Read third time. Refused passage. Motion to reconsider made by Assembly Member Friedman.	8/15/2022- A. THIRD READING	Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. 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 and the 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 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	amended	A. Priority Support/ Oppose	Oppose unless amended adopted on March 2nd

B. V	V atch				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.			
Measure	Author	Topic	Status	Location	Brief Summary	Position	Priority	Notes 1
AB 1001	Garcia, Cristina D	Environmen t: mitigation measures for air quality impacts: environmen tal justice.		7/5/2022-S. DEAD	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	
AB 1774	Seyarto R	California Environmen tal 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)	4/29/2022- A. DEAD	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 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		B. Watch	

					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.		
AB 1817		Product safety: textile articles: perfluoroalk yl and polyfluoroal kyl substances (PFAS).	in. To	8/30/2022- A. ENROL LMENT	Would prohibit, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any new, not previously owned, textile articles that contain regulated PFAS, except as specified, 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 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
AB 2108	Rivas, Robert D	Water policy: environmen tal justice: disadvantag ed and tribal communitie s.	8/30/2022-In Assembly. Concurren ce in Senate amendmen ts pending. Senate amendmen ts concurred in. To Engrossing and Enrolling.	8/30/2022- A. ENROL LMENT	Would, among other things, specify that the State Water Resources Control Board and each regional board need to begin outreach to identify issues of environmental justice as early as possible in planning, policy, and permitting processes. The bill would require the state board and each regional board to engage in equitable, culturally relevant community outreach to promote meaningful civic engagement from potentially impacted communities of proposed discharges of waste that may have disproportionate impacts on water quality in disadvantaged communities or tribal communities and ensure that outreach and engagement shall continue throughout the waste discharge planning, policy, and permitting processes. The bill would require the state board and each regional board, contingent upon an appropriation, to hire environmental justice and tribal community coordinator positions for specified purposes. The bill would require the state board, contingent upon a specific appropriation, to establish a community capacity-building stipend program to promote meaningful civic engagement by disadvantaged communities and tribal communities in the state board and regional board decision making processes, among other activities. The bill would require the state	Pag	B. Watch

					board and each regional board to make a finding, as specified, on potential environmental justice, tribal impact, and racial equity considerations when adopting water quality control plans or state policies for water quality control, and when issuing or reissuing waste discharge requirements or waivers of waste discharge requirements.		
AB 2247	Bloom D	Perfluoroal kyl and polyfluoroal kyl substances (PFAS) and PFAS products and product components: publicly accessible data collection interface.	Concurren ce in Senate amendmen ts pending.	8/30/2022- A. ENROL LMENT	Would require, as part of the hazardous waste control laws, the Department of Toxic Substances Control to contract with an existing multistate chemical data collection entity that is used by other states and jurisdictions to implement, by January 1, 2026, a publicly accessible data collection interface to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS. The bill would require, on or before July 1, 2026, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing intentionally added PFAS that, during the prior calendar year, 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 data collection interface. The bill would specify that the above requirements do not apply to certain products regulated by the United States Food and Drug Administration or products intended for certain animal uses that are regulated under certain federal laws.	Watch	B. Watch
AB 2313	Bloom D	Water: judges and adjudication s.	8/12/2022- Failed Deadline pursuant to Rule 61(b)(15). (Last location was APPR. SUSPENS E FILE on 8/2/2022)	8/12/2022-S . DEAD	Existing 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 authorize 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. The bill would require a court to prioritize assigning a judge with training or education under the program for actions relating to water, if certain conditions are met. This bill contains other related provisions and other existing laws.		B. Watch

Dalaine warning service providers: minimum operating standards. Service providers: minimum operating standards. Service providers Service provide and through 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, by regulations Specialized 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. AB 2605 Villapudu Water quality: Failed Deadline currification Pailed Pailed	
Match Dahle, Megan R Page 200 Dahle, Megan R Deadline Deadlin	eh

			-					
			Rule 61(b)(6). (Last location was A. W.,P. & W. on 3/17/2022)		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.			
AB 2742	<u>Friedman</u> D	Water meters: urban water suppliers.	5/6/2022-F ailed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/18/2022)	5/6/2022-A. DEAD	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.	Watch	B. Watch	
AB 2811	Bennett D	California Building Standards Commissio n: recycled water: nonpotable water systems.	4/29/2022- Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.S. & T.M. on 3/17/2022)	4/29/2022- A. DEAD	Would require, commencing January 1, 2024, all newly constructed nonresidential buildings be constructed with dual plumbing to allow the use of recycled 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.	Watch	B. Watch	
AB 2857	Bauer-Ka han D	Sustainable Groundwate r Managemen t Act: groundwate r sustainabilit y plans: domestic well impacts.	Deadline pursuant to Rule 61(b)(5). (Last	4/29/2022- A. DEAD	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	Watch	B. Watch	

					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.		
AB 2876	Bigelow R	Sustainable Groundwate r Managemen t Act.	ailed Deadline	5/6/2022-A. DEAD	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 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.	Watch	B. Watch
AB 2877	Garcia, Eduardo D	Safe and Affordable Drinking Water Fund: tribes.	8/30/2022-Read third time. Passed. Ordered to the Assembly. (Ayes 40. Noes 0.). In Assembly. Concurren ce in Senate amendmen ts pending.	8/30/2022- A. CONCU RRENCE	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. Current 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 any waiver of tribal sovereignty that is required by the state board for a tribe that is an eligible recipient to access funding from the fund shall be narrowly drafted to serve both	Watch	B. Watch

					the individual needs of the tribe and make the funding agreement enforceable. The bill would require the state board to include its designated tribal liaison, as defined, in all discussions with eligible recipients, except as specified. The bill would require the state board to consider the extent that funds for safe drinking water projects from the programs administered by the state board are distributed to eligible recipients to provide assistance to federally recognized California Native American tribes or specified nonfederally recognized Native American tribes and make diligent efforts to ensure the distribution of funds to those tribes.			
AB 2895	Arambula D	Water: permits and licenses: temporary changes: water or water rights transfers.	8/30/2022-In Assembly. Concurren ce in Senate amendmen ts pending. Senate amendmen ts concurred in. To Engrossing and Enrolling.	8/30/2022- A. ENROL LMENT	Current law authorizes a permittee or licensee to temporarily change the point of diversion, place of use, or purpose of use due to a transfer or exchange of water or water rights if the transfer would only involve the amount of water that would have been consumptively used or stored by the permittee or licensee in the absence of the proposed temporary change, would not injure any legal user of the water, and would not unreasonably affect fish, wildlife, or other instream beneficial uses. Current law authorizes a person entitled to the use of water to petition the board for a change to a water right for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation and authorizes the board to approve the petition only if certain requirements are met. Current law authorizes that petition to be submitted in accordance with specified requirements, including those regulating temporary changes due to a transfer or exchange of water rights. This bill would revise and recast the provisions regulating temporary changes due to a 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.	Watch	B. Watch	
AB 2919	Fong R	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)	4/29/2022- A. DEAD	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	

SB 480	Stern D	Metropolita n Water District of Southern California: rules: inappropriat e conduct.	Ordered to inactive file on request of Assembly	8/24/2022- A. INACTI VE FILE	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
SB 832	Dodd D	Water rights: measureme nt 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)	5/20/2022-S . DEAD	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
SB 890	Nielsen R	Department of Water Resources: Water Storage and Conveyance Fund: water storage and conveyance .	March 8 set for first hearing. Failed passage in committee. (Ayes 3.	2/9/2022-S. N.R. & W.	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 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.	Watch	B. Watch
SB 892	Hurtado D	Cybersecuri ty preparednes s: food and agriculture sector and water and	Assembly	8/29/2022-S . ENROLL MENT	Current law requires 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	Watch	B. Watch

SB 1059	Becker D	wastewater systems sector.	0.) Ordered to engrossing and enrolling.		sharing of best practices and security measures, and support certain cybersecurity assessments, audits, and accountability programs. Current 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 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. The bill would make related findings and declarations. Current law requires data brokers to	Watch	B.
	BCCKCI D	data brokers.	Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENS E FILE on 5/16/2022)	. DEAD	register with, and provide certain 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.	vv ateli	Watch
SB 1078	Allen D	Sea Level Rise Revolving Loan Pilot Program.	8/23/2022- Read third time and amended. Ordered to	8/15/2022- A. THIRD READING	Current law establishes in state government the Ocean Protection Council. Current law requires the council to, among other things, establish policies to coordinate the collection, evaluation,	Watch	B. Watch

SB 1197	Caballero D	Water	third reading. 5/20/2022- Failed	5/20/2022-S . DEAD	and sharing of scientific data related to coastal and ocean resources among agencies. Current law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing and administering various programs intended to preserve, protect, and restore the state's coastal areas. This bill would require the council, in consultation with the conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program, within 12 months of receiving specified requests from local jurisdictions to do so, 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 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. Current law declares that the protection of the public interest in the development of	Watch	B. Watch	
		and Drought Resiliency Act of 2022.	Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENS E FILE on 5/2/2022)		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 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.			
SB 1219	<u>Hurtado</u> D	21st century water laws and agencies: committee.	7/5/2022-F ailed Deadline pursuant to Rule 61(b)(14).	7/5/2022-A. DEAD	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	Watch	B. Watch	Possible priority bill, but unlikely to move.

SE	3 1476	Bradford D	Water replenishme nt districts: contracts.	(Last location was A. W.,P. & W. on 6/2/2022) 8/23/2022- Enrolled and presented to the Governor at 12:30 p.m.	8/23/2022-S . ENROLL ED	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 would revise and recast the provisions establishing the competitive bidding and related public notice procedures for water replenishment districts, including, among	Watch	B. Watch	
						the secretary, except as specified. This bill would revise and recast the provisions establishing the competitive bidding and related public notice procedures for water			

Total Measures: 39

Total Tracking Forms: 39

Item No. 2e

11opic	Bill Number	Status	Title – Summary	MWD Position	Effects on Metropolitan
Metropolitan-	SB 230	Amended	State Water Resources Control	CO-SPONSOR	Metropolitan and water agencies will
sponsored bills	Portantino (D)	6/22/2022	Board: Constituents of		benefit from State Water Board efforts
1	,		Emerging		to ensure CECs are addressed in a
	Sponsors:		Concern Program	Based on	methodical and science-based manner,
	1	Assembly)	October 2019	which will ultimately better protect
	Metropolitan and	Appropriations	Seeks to expand statewide	Board Action	public health. The bill would require
	the California	Committee –	knowledge of Constituents of		the State Water Board to build its
	Municipal	Suspense File	Emerging Concern (CECs) in		knowledge CECs in drinking water
	Utilities		drinking water sources and		and authorizes the Board to convene a
	Association		recommend CECs for further		Science Advisory Panel to review and
	(CMUA)	Hearing:	regulatory action.		provide information on CECs for
		August 11, 2022			further regulatory action. The State
					Water Board would be required to
					present a final report to the Legislature
					on the work of the Science Advisory
					Panel.
Metropolitan-	AB 1845	Amended	Metropolitan Water District of	SPONSOR	Metropolitan is limited to the
sponsored bills	Calderon (D)	6/16/2022	Southern California:		traditional Design-Bid-Build method
			alternative project delivery		for delivery of public works
	Sponsor:		methods		construction contracts which can be
					inefficient and inflexible for large,
	Metropolitan	Senate Third	Allows the Metropolitan Water		time-sensitive, and complex projects
		Reading	District of Southern California to		like Pure Water Southern California
			use alternative project delivery		and emergency drought mitigation
Pag			methods for the design and		projects. Alternative delivery methods
ge 3			construction of a Regional		such as Design-Build, Progressive
37 c			Recycling Water Program and a		Design-Build, and Construction
of 80			1		

Sponsor: Senate Author Appropriations Committee Committee Committee Held in State Water Board to modify Committee Committee Requirements Also, authorize the State Water diversion measurement, requirements Also, authorize the State Water Board to modify Committee Requirements to allow open State 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. SB 991 Amended Public contracts: progressive Newman (D) Sponsor: Based upon Board-adopted Priorities and Pri	Delta/State	SB 832	Amended	limited set of drought-related projects. Water rights: measurement of	SUPPORT	Manager/General Contractor have the potential to expedite construction of critical new water infrastructure projects and reduce their overall costs. for subcontractors and designers. Metropolitan supports metering and	
SB 991 Amended Public contracts: progressive SUPPORT design-build: local agencies	ter Project	Dodd (D) Sponsor: Author	A/6/2022 Senate Appropriations Committee – Suspense File Held in Committee	diversion 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	Based upon Board-adopted 2022 Legislative Priorities and Principles	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	
SB 991 Amended Public contracts: progressive SUPPORT (A) 6/20/2022 design-build: local agencies				requirements to allow open satellite data methods to estimate evapotranspiration if the board makes certain findings regarding use of water for irrigation.		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 abe abe 88	SB 991 Newman (D)	Amended 6/20/2022	Public contracts: progressive design-build: local agencies	SUPPORT	SB 991 would benefit water agencies, including Metropolitan, by providing the option to use the Progressive Design-Build delivery method, which	

allows for greater collaboration between the project owner and the contractor through the design and construction phase thereby reducing project costs, risk, and schedules.	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 participate through both audio and visual technology; and allow the public to address the Board in person or by teleconference. If there is a disruption to the call-in or streaming options, then no action can be taken by the board.	
Based on April 2022 Board Action	SUPPORT Based on April 2021 Board Action	
Authorize local water and wastewater agencies to each use the progressive design-build (PDB) project delivery method for up to 15 public works projects each in excess of \$5 million.	Open meetings: local agencies: teleconferences Amends the Ralph M. Brown Act to allow local agencies until January 1, 2026 to use teleconferencing during nonemergencies without noticing their teleconference locations and making them publicly accessible under certain conditions.	ĸ
Assembly Floor Consent Calendar	Amended 6/30/2022 Senate Third Reading	
Sponsors: Water Collaborative Delivery Association (formerly Design Build Council)	AB 2449 B. Rubio (D) Sponsor: Three Valleys Municipal Water District	
	Governance	39 of 80

Regulatory	AR 7313	Amended	Water: indoes and	SUPPORT	Metropolitan's interests in
D-f-					
Kelorm	Bloom (D)	0/30/7077	adjudications	Deged week	enforcement of water quality law and
				Based upon	water rights would be better served by
	Sponsor:		Would require the Judicial	Board-adopted	judges, court staff, and special masters
		Senate	Council on or before January 1,	2022 Legislative	who have received training in the
	Author	Appropriations	2025 to establish a program that	Priorities and	legal, scientific, and technical issues
		Committee –	provides training and education to	Principles	involving water quality, water rights
		Suspense File	judges in specified actions		and water transfers.
			relating to water quality,		
			groundwater, water transfers and		
		Hearing:	water rights. Allows parties to file		
		August 11, 2022	a notice for a water case to be		
			assigned to a judge who has been		
			through the training. Also		
			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.		
Regulatory	SB 1065	Amended	California Abandoned and	SUPPORT	SB 1065 will benefit water quality in
Reform	Eggman (D)	6/22/2022	Derelict Commercial Vessel		the Bay Delta as abandoned and
			Program		derelict vessels may cause sewage
Pa					contamination and leakage of fuels
ge 4	Sponsor:	Assembly	Establishes the California		and lubricants. Studies have shown
40 (Appropriations	Abandoned and Derelict		that abandoned and derelict vessels are
of 80			4		

Commercial Vescel Deversion		Agency to bring federal, state, and properties	prioritize and, upon appropriation, happens to be abandoned in any of the	fund the removal of abandoned waters surrounding Metropolitan's	and derelict commercial vessels Delta Islands.	from waters of the state.	Department of Water WATCH Portions of the California Aqueduct,	Resources: water conveyance the Priant Kern Canal and the Delta	systems: Canal Conveyance Based upon Mendota Canal have lost capacity due	Board adopted		Establishes the Canal Legislative DWR to support a 10-year program to	<u> </u>	Principles	appropriation provide up to \$785 Funds could be used to cover one-	in for the Department of third of the cost to restore the capacity		pay for subsidence repairs to the	Water Project and Central third the cost and local partners would	Valley Project water conveyance conveyance conveyance		bridge upgrades. 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
Committee			Hearing: prio	August 11, 2022 func		fron	Amended Dep	8/30/2021 Res	syst	Car	Assembly	Inactive Esta	Con	Fun	Two-year bill app	llim _	Wat	pay	Stat	Val	syst	and					
, of the	TOTAL TOTAL						SB 559	Hurtado (D)		Sponsors:		Friant Water	Authority,	San Luis & Delta	Mendota Water	Authority, and	State Water	Contractors									
							Water Bond	Infrastructure	Funding	,															Pa	ge ·	41

					Amendments are problematic causing the State Water Contractors and Metropolitan to withdraw support for the bill.
Water Conservation	AB 2142 Gabriel (D) Sponsor: Association of California Water Agencies California Water Efficiency Partnership WaterNow Alliance	Amended 4/6/2022 Senate Appropriations Committee – Suspense File Hearing: August 11, 2022	Income taxes: exclusion: turf replacement water conservation program. 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.	SUPPORT Based upon Board adopted 2022 Legislative Priorities and Principles	Metropolitan 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 Quality Page 42	AB 1817 Ting (D) Sponsors: Breast Cancer Prevention Partners,	Amended 6/30/2022 Senate Third Reading	Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl (PFAS). Prohibits as of January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in California any textile articles that contain "regulated	SUPPORT Based upon Board adopted 2022 Legislative Priorities and Principles	Metropolitan supports the removal or reduction of PFAS in manufactured products in order to protect source 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
of 80			9		

selling the product a certificate of compliance stating the textile product complies with the PFAS prohibition. The Senate Environmental Quality Committee amended the bill to exempt certain textiles or grant longer compliance periods to address concerns regarding the lack of an adequate PFAS substitute for some textiles.	ED ambiguous in ways that could be interpreted to authorize and require the State Board to reallocate water rights, including in the Bay-Delta watershed, to address injustices or inequities, jeopardizing the current and future Bay-Delta Water Quality Control Plan update processes and potentially diminishing State Water Project supplies. Metropolitan is seeking amendments to clarify the bill's focus on process and water quality under the State and Regional Boards' existing authority over water quality.
	AMENDED AMENDED
PFAS" as defined, and requires the manufacturer to use the least toxic alternative to regulated PFAS.	Water policy: environmental justice: disadvantaged and tribal communities. Requires that one of the five (5) Governor appointees to the State Water Resources Control Board (State Board) be qualified in the field of water supply and water quality relating to environmental justice or tribal communities and at least one of the seven (7) appointees to each Regional Board have specialized experience to represent environmental justice or tribal communities. Requires the State Board and each Regional Board to begin addressing issues of
	Amended 6/16/2022
Natural Resources Defense Council, and Clean Water Action	AB 2108 R. Rivas (D) Sponsor: California Coastkeeper Alliance
	Water Quality Page 43 of

		Metropolitan supports the removal or reduction of PFAS in manufactured	products to protect source water quality.	
	Based upon Board adopted 2022 Legislative Priorities and Principles	SUPPORT	Board adopted	
environmental justice and social equity as early as possible in project planning processes and when issuing waste discharge permits or updating state or regional water quality control plans or policies.	Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform. 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.	Cosmetic products: safety	Prohibits as of January 1, 2025 any person or entity from	8
	Amended 5/19/2022 Senate Appropriations Committee – Suspense File Hearing: August 11, 2022	Amended 6/13/2022		
	AB 2247 Bloom (D) Sponsors: Environmental Working Group, Clean Water Action, and California Association of Sanitation Agencies	AB 2771 Friedman (D)	Sponsors:	
	Water Quality	Water quality	ge 44 o	f 80

	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 process backed by data and stakeholder engagement. Metropolitan is working with CMUA and ACWA to seek amendments to ensure that the State Water Board follows a science-based approach and does not presuppose and outcome.	
2022 Legislative Priorities and Principles	OPPOSE UNLESS e UNLESS e AMENDED a d d Based upon n Board adopted c 2022 Legislative c Priorities and Principles s f f f d d	
manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains PFAS.	Public health goal: primary drinking water standard: manganese 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.	6
Senate Third Reading	Amended 6/23/2022 Assembly Appropriations Committee – Suspense File Hearing: August 11, 2022	
Environmental Working Group, Breast Cancer Prevention Partners, The California Public Research Group (CALPIRG)	Sponsor: Author	
	Water Quality	Page 45 of 80



ACTION ITEM September 7, 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 August 17, 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.

The Building Management Committee continues to review and discuss this item.

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



DISCUSSION ITEM

September 7, 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 June 2022 totaled 139.9 thousand acre-feet (TAF), which was 7.1 TAF lower than the budget of 147.0 TAF and translate to \$131.7 million in revenues for June 2022, which were \$23.2 million lower than budget of \$154.9 million.

Year-to-date water transactions through June 2022 were 1,645.8 TAF, which was 45.8 TAF higher than the budget of 1,600.0 TAF. Year-to-date water revenues through June 2022 were \$1,515.1 million, which were \$23.5 million higher than the budget of \$1,491.6 million.

As of June 30, 2022, Metropolitan's investment portfolio balance was \$1.54 billion.

In June 2022, Metropolitan staff prepared several bond disclosure documents, including some that were presented to the Board and Ad Hoc Committee, in preparation of bond transactions that would occur in July. In addition, Metropolitan presented their financial and other critical information to representatives of Moody's and Standard & Poor's to discuss Metropolitan's credit fundamentals and various bond transaction structures.

ISSUE BRIEF #B

SUBJECT: MET Integrated Resources Plan Update

RECENT ACTIVITY

In 2022, Metropolitan adopted the 2020 Integrated Water Resources Plan Needs Assessment. Although earlier studies also foreshadowed a reliability challenge, this latest IRP assessment directly incorporated scenario planning to address wide-ranging uncertainties and to pre-experience alternative and plausible futures through 2045. The IRP assessment included numerous findings that called for enhanced accessibility to core supplies and storage, and also new storage accessible to the SWP-dependent areas. Unfortunately, the challenging future projected by the IRP scenarios and the other studies arrived early.

Also in 2022, the Metropolitan Board approved the General Manager's strategic priorities for the current biennial budget period. One of the five priorities (Adapt) led with the goal of providing each member agency with an equivalent level of water supply reliability through adaptive implementation of the IRP findings.

Metropolitan continued implementation of the Emergency Water Conservation Program (EWCP) to address severely limited water supplies available to member agencies that need SWP system water. Since June 1, there has been a positive demand response across the SWP-dependent area. Overall, the affected Member Agencies continued to show reductions in purchases from Metropolitan compared with their historical levels, indicating consumer responsiveness with demand-cutting measures. Metropolitan continuously monitors performance to ensure that total SWP water usage stays within the available supplies. Through July, the total use of SWP supplies by those agencies is more than 35 percent below what was originally expected without emergency conservation.

Metropolitan staff worked with the SWP-dependent agencies to develop a Call-to-Action that was presented to the Board in August. Four projects to enhance near-term water supplies in response to the drought emergency are midway through design. The associated Metropolitan Resolution is attached.

With this Call-to-Action, the Metropolitan Board directs the General Manager to take on these actions through a One Water approach, with robust Board oversight through the implementation phase of the IRP. Four elements of action include:

- Upgrade water infrastructure to ensure equitable access to supply and storage assets.
- 2. Increase long-term water savings through water use efficiency and the transforming of non-functional turfgrass into a more appropriate Southern California landscape.

- 3. Advance development of local supplies for recycled water, groundwater recovery, stormwater capture, and desalination.
- 4. Align imported supply planning and actions for the full potential impacts of climate change, using the best available science. These actions include stabilizing those supplies through conveyance improvements, storage infrastructure and programs, water-loss prevention, and voluntary transfers.

ATTACHMENT: RESOLUTION AFFIRMING A CALL TO ACTION AND A

COMMITMENT TO REGIONAL RELIABILITY FOR ALL MEMBER

AGENCIES

RESOLUTION OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

RESOLUTION NO. 9318

AFFIRMING A CALL TO ACTION AND A COMMITMENT TO REGIONAL RELIABILITY FOR ALL MEMBER AGENCIES

1) WHEREAS, Metropolitan seeks to provide water supply reliability to its Member Agencies.

- a) Metropolitan's enabling legislation provides broad powers for "developing, storing, and distributing water for domestic and municipal purposes."
- b) The Board in 1931 established, "Neither surface nor subsurface storage shall be created to the advantage of any area within the limits of the District, or elsewhere, unless such storage is a necessary and economical part of the general engineering plans which may be accepted."
- c) The Board in 1991 established its current mission to "provide the service area with adequate supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way."
- d) The Board in 1996 adopted its first in a series of Integrated Water Resource Plans (IRPs) to identify infrastructure and supply programs to achieve 100 percent reliability.
- e) The Board in 2008 adopted a water supply allocation plan (WSAP) for use when regional shortages exist to manage shortage conditions felt across the entire service area.

2) WHEREAS, Metropolitan's infrastructure today cannot provide equivalent water supply reliability to all Member Agencies.

- a) Metropolitan's distribution system was designed decades ago to operate by gravity and to serve large portions of the service area from a single supply system.
- b) Past reliability efforts focused largely on increasing supply availability rather than connecting member agency demand to multiple imported sources
- c) Infrastructure constraints prevent the State Water Project (SWP)-dependent agencies from accessing sufficient amounts of supply from the Colorado River Aqueduct, or from storage in Diamond Valley Lake or Lake Mead
- d) Metropolitan's actions to operate existing infrastructure to distribute water across the service area, such as the rehabilitation of the Greg Avenue pumping plant, can only meet a small portion of SWP dependentarea needs.

3) WHEREAS, infrastructure constraints created substantial and disparate impacts between Member Agencies.

- a) Under the Emergency Water Conservation Program, six out of 26 member agencies, serving about one-third of Southern California's population, were required to severely constrain outdoor water use or comply with strict volumetric limits beginning on June 1, 2022.
- b) These affected member agencies must cut their use of Metropolitan's SWP supply by up to 73 percent, or face volumetric penalties of \$2,000 per acre-foot or a first-ever total ban on outdoor irrigation.

c) Meanwhile, other member agencies face lesser requirements under statewide regulation to implement demand reductions under Level 2 of their Water Shortage Contingency Plans, locally determined to achieve up to 20 percent water use reduction, and without volumetric penalties.

4) WHEREAS, Severe drought curtailed Metropolitan's State Water Project Supplies.

- a) Beginning in water year 2020 (October 1, 2019, to September 30, 2020), the watersheds supplying the California State Water Project (SWP) received below-average precipitation. The California Department of Water Resources (DWR) classified water years 2020 2022 as dry or critically dry.
- b) The three-year sequence of water years 2020 2022 (October 1, 2019, through September 30, 2022) is projected to be the driest on record in California for statewide precipitation. Precipitation in Northern California during the three months from January through March 2022 was the driest on record for that region.
- c) On March 18, 2022, DWR reduced the SWP Table A allocation for 2022 from 15 to only five percent of contract amounts. Table A allocations for 2020 and 2021 were 20 and five percent, respectively. The last three years marks the lowest three-year combined deliveries of allocated water in the history of the SWP.

5) WHEREAS, Metropolitan and its Member Agencies have taken specific actions to preserve SWP supplies.

- a) Metropolitan's member agencies have, where feasible, operated their systems to reduce dependency on Metropolitan's supply delivered through service connections fed from the SWP system.
- b) On August 17, 2021, by Minute Item 52481, Metropolitan's Board adopted a resolution declaring a "Condition 2 Water Supply Alert" to preserve Metropolitan's supply for the region.
- c) On November 9, 2021, by Minute Item 52581, Metropolitan's Board adopted a resolution recognizing the statewide drought emergency, declaring specified emergency conditions to exist within portions of its service area, and calling on member agencies to take various actions to preserve Metropolitan's supply from the SWP.
- d) On April 26, 2022, by Minute Item 52802, Metropolitan's Board adopted a resolution declaring a Water Shortage Emergency Condition and established an Emergency Water Conservation Program for member agencies within the SWP-Dependent Area.

6) WHEREAS, Metropolitan has sought additional water for the Human Health and Safety needs of the residents in the SWP-dependent areas.

- a) Supply and infrastructure capabilities within the SWP Dependent Area became insufficient in 2022 to meet basic human health and safety needs, as defined by State Water Resources Control Board regulations and based on 55 gallons per capita per day.
- b) Although DWR granted Metropolitan's request for additional supply for unmet Human Health and Safety water needs, this water comes under certain conditions: Metropolitan must impose mandatory conservation and must also repay any water borrowed for this purpose within five years.

7) AND WHEREAS, Metropolitan and the affected Member Agencies jointly agree on this problem statement:

a) Due to limited infrastructure, Metropolitan cannot provide the SWP-dependent member agencies equitable access to water supply and storage assets during severe droughts.

- 1) **NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of The Metropolitan Water District of Southern California hereby affirms the following:
 - a) Southern California's water reliability is in crisis because of record-breaking drought and insufficient pipeline connectivity for imported supplies and existing regional storage to serve all member agencies.
 - b) The disparity in water supply reliability between member agencies is unacceptable.
 - c) Serving any member agency from only one supply source creates a long-term and unacceptable risk.
- 2) **BE IT FURTHER RESOLVED** that the Board intends to provide equitable reliability across the service area through a balanced combination of infrastructure, storage, demand management, and water supply programs. These three policy statements affirm this intent:
 - a) All member agencies must receive equivalent water supply reliability through an interconnected and robust system of supplies, storage, and programs.
 - b) Metropolitan will reconfigure and expand (1) its existing portfolio to provide sufficient access to the integrated system of water sources, conveyance and distribution, storage, and (2) programs to achieve equivalent levels of reliability to all member agencies.
 - c) Metropolitan will eliminate disparate water supply reliability through a One Water integrated planning and implementation approach to manage finite water resources for long-term resilience and reliability, meeting both community and ecosystem needs.
- 3) **BE IT FURTHER RESOLVED** that the urgency of this inequity requires a Call to Action where the General Manager is directed to:
 - a) Identify a portfolio of projects and programs, in coordination with the member agencies, to address the problem statement in this resolution. The selected portfolio must include infrastructure improvements to deliver available water supplies to the SWP-dependent areas. The portfolio must also be balanced through new storage and supply programs and local supply development and management.
 - b) Bring a recommended portfolio and implementation plan for Board approval in February 2023.
 - c) Reprioritize CIP projects and spending plans as needed to expedite work on critical and time-sensitive elements to address the supply and infrastructure inequity. If available, use alternative project delivery methods to deliver the projects.
 - d) Provide quarterly reports on the status of the drought emergency projects.
- 4) **BE IT FURTHER RESOLVED** that the Board directs the General Manager to address these actions through a One Water approach with robust Board oversight through the implementation phase of the IRP. The cornerstone elements of the actions must include the following:
 - a) Upgrade water infrastructure to ensure equitable access to supply and storage assets.
 - b) Increase long-term water savings through water use efficiency and transformation of non-functional turfgrass into a more appropriate Southern California landscape.
 - c) Advance development of local supplies for recycled water, groundwater recovery, stormwater capture, and desalination.

- d) Align imported supply planning and actions for the full potential impacts of climate change, using the best available science. These actions include stabilizing those supplies through conveyance improvements, storage infrastructure and programs, water-loss prevention, and voluntary transfers.
- 5) **BE IT FURTHER RESOLVED** that the Board recognizes that the urgency of these improvements may appear to diminish when this present drought eases. The Board affirms that the General Manager must continue to pursue these infrastructure investments even if temporary relief is provided and the water supply conditions improve.
- 6) **BE IT FURTHER RESOLVED** that the General Manager is hereby directed to continue the actions and activities specified in Board Resolution 9313 (August 17, 2021), 9289 (November 9, 2021), and 9305 (April 26, 2002), except as expanded or limited herein.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held on Aug. 15, 2022.

Secretary of the Board of Directors of The Metropolitan Water District of Southern California

ISSUE BRIEF #C

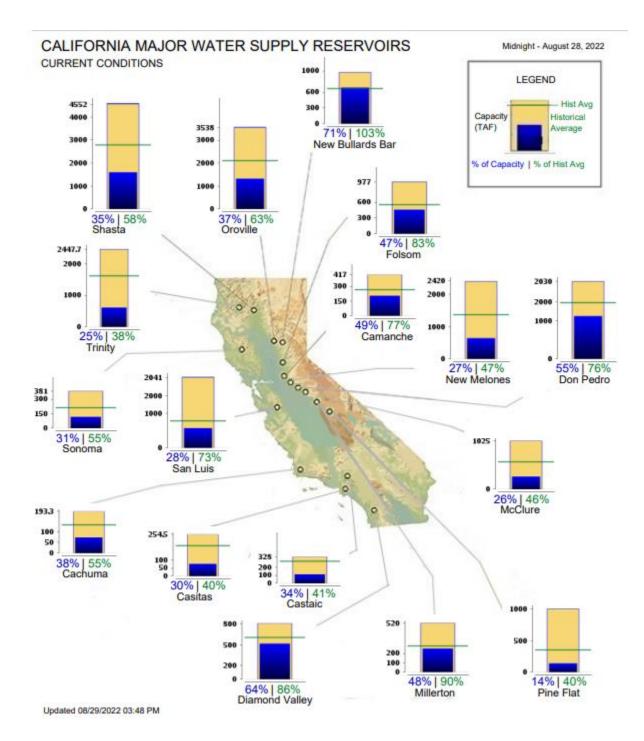
SUBJECT: MET's Supply Condition Update

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 41.4 inches or 84% of normal as of July 25th. 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. In additional, Metropolitan will receive 133,000 AF for Human Health and Safety Supply.

The Upper Colorado River Basin accumulated precipitation is reporting **27.9 inches or 102%** of normal as of August 22nd. 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 1st, 2022. There is and a 100% chance of shortage continuing in 2023.

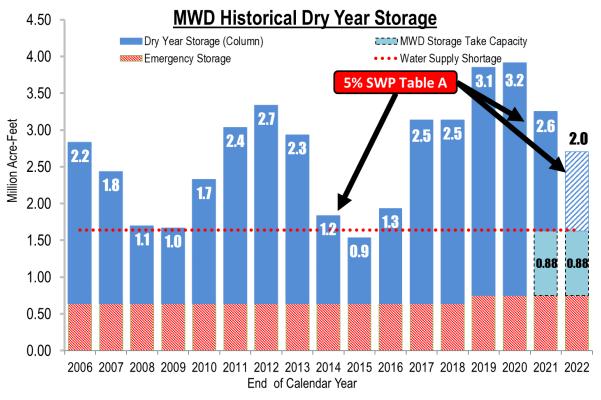
As of August 28th Lake Oroville storage is at **37% of total capacity and 63% of normal.** As of August 28th San Luis Reservoir has a current volume of **28% of the reservoir's total capacity and is 73% of normal.**

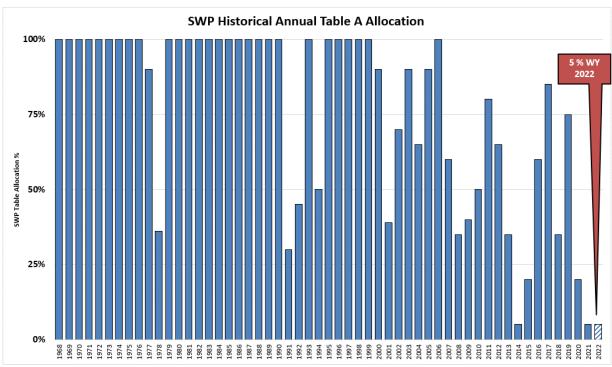


With early CY 2022 estimated total demands and losses of 1.732 million acre-feet (MAF) and with a 5% SWP Table A Allocation, Metropolitan is projecting that demands will exceed supply levels in Calendar Year (CY) 2022. Based on this, estimated total dry-year storage for Metropolitan at the end of **CY 2022 will go down to approximately 1.955 MAF.**

A projected dry-year storage supply of 1.955 MAF would still be about 0.955 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 - SEPTEMBER 7TH





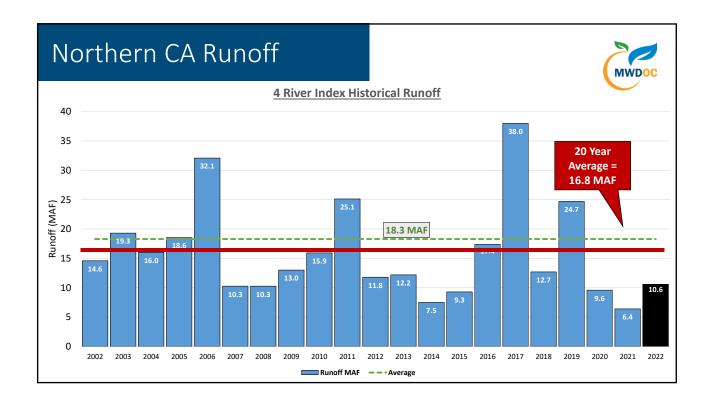


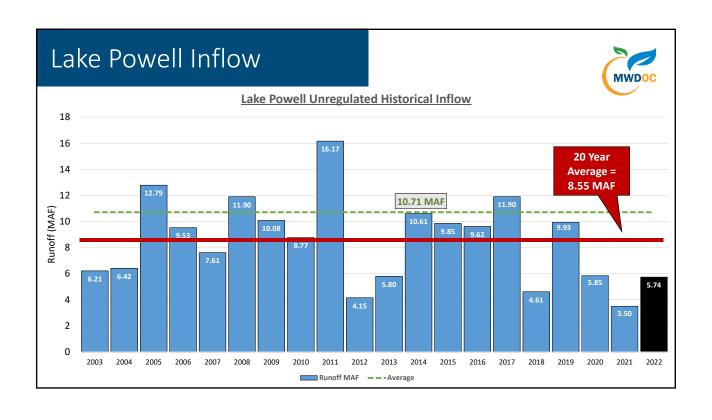


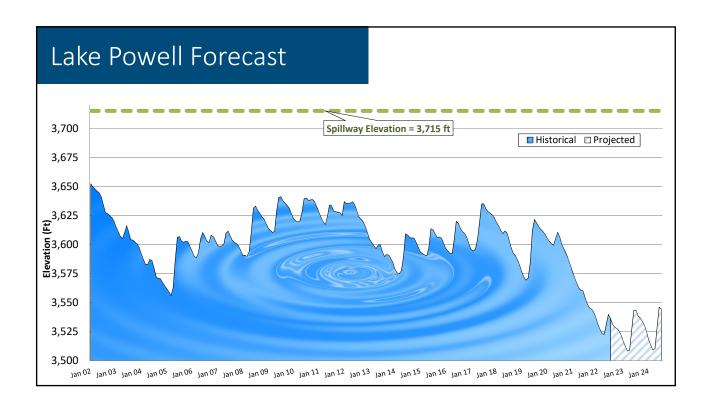
Water Supply Conditions
Kevin Hostert, Water Resources Analyst
Municipal Water District of Orange County
September 7th 2022

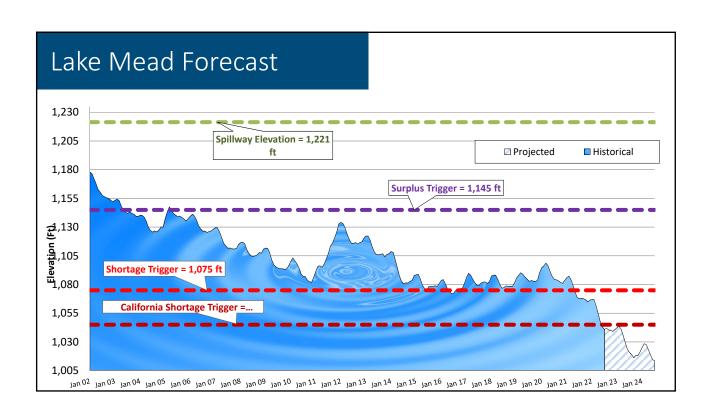


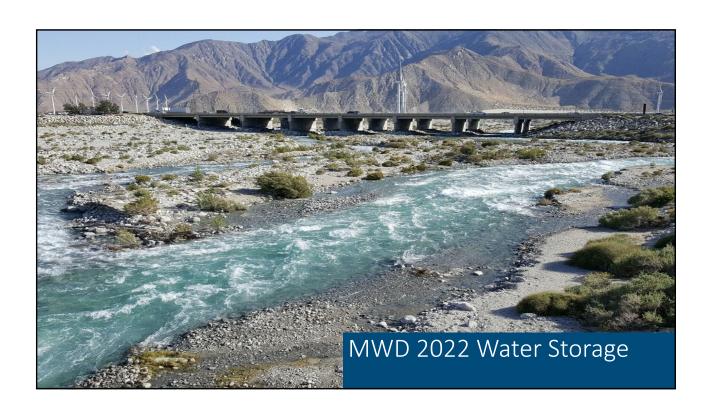


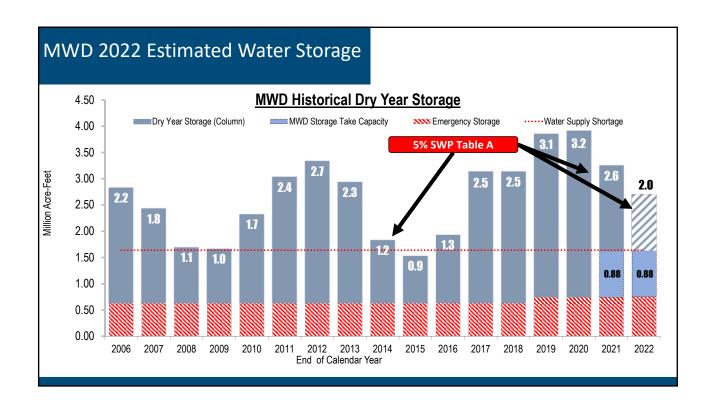




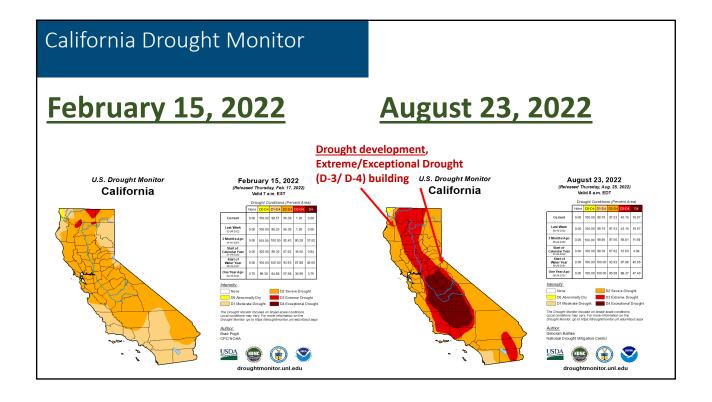






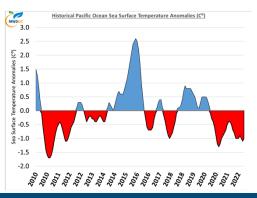


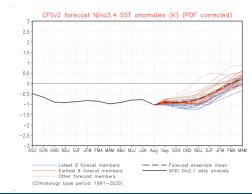




Winter 2022-23 Outlook, more La Niña???

- 1. La Niña conditions are currently present and have been since the Summer of 2020.
- 2. La Niña is the phenomena of below average sea surface temperatures in the equatorial Pacific Ocean.
- 3. While not every La Niña is the same, and it's only one driver of the atmospheric pattern, La Niña usually has an influence on precipitation from fall through early spring in the U.S. This is typically associated with below average rainfall and cool temperatures for much of California.
- 4. As of now, NOAA is forecasting a 60% of La Niña for the Winter of 2022-23.







ISSUE BRIEF #D

SUBJECT: MET's Water Quality Update

RECENT ACTIVITY

Water System Operations

Metropolitan released its <u>Annual Drinking Water Quality Report</u> in July. The report summarizes 2021 monitoring results which show that Metropolitan's water quality is equal to or better than what is required by regulations to safeguard public health. This year's report also highlights Metropolitan's continued focus on source water protection, the Partnership for Safe Water program, measures taken to comply with new laboratory accreditation regulations, and our proactive approach to emerging contaminants.

The report summarizes the results of required monitoring in calendar year 2021, showing that Metropolitan's water quality is equal to or better than what is required by regulations to safeguard public health. This year's report also highlights Metropolitan's continued focus on source water protection, the Partnership for Safe Water program, measures taken at the Water Quality Lab to comply with new laboratory accreditation regulations, and our proactive approach to emerging contaminants.

Water Treatment and Distribution

The State Water Project (SWP) target blend entering the Weymouth and Diemer plants and Lake Skinner was zero percent in July. A small amount of flow from Silverwood Lake was temporarily needed to supplement demand in the Weymouth and Jensen service areas, because of the Upper Feeder flow limitation to minimize a leak at the Santa Ana River bridge.

Flow-weighted running annual averages for total dissolved solids from April 2021 through March 2022 for Metropolitan's treatment plants capable of receiving a blend of supplies from the SWP and the Colorado River Aqueduct were 594, 590, and 582 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

During July, several meetings were held to discuss required functions, activities, specialized equipment, and space requirements in support of the Water Quality Laboratory seismic retrofit and building improvement capital project. The meetings focused on different user groups within the Water Quality Section and involved managers, project engineers, and the design consultants. The goal of this project is to ensure that Metropolitan has a seismically resilient, state-of-the-art laboratory to meet all regulatory compliance monitoring requirements, support treatment development and optimization, and provide applied research facilities to address emerging water quality issues.

Source Water Quality

On June 13, Metropolitan staff participated in the Department of Water Resources' quarterly Specific Project Committee meeting for the Municipal Water Quality Investigations (MWQI)

Program. A key highlight was an update on the completion of the State Water Project 2021 Watershed Sanitary Survey, which was submitted to the Division of Drinking Water in June 2022.

The Municipal Water Quality Investigations (MWQI) program provides water quality monitoring, forecasting, and reporting to support the effective and efficient use of the State Water Project as a municipal water supply. It conducts scientific studies, provides early warning of changing conditions in source water quality, and provides data and knowledge to support operational decision-making. Metropolitan is one of the State Water Contractors that voluntarily funds the MWQI program and will chair the Specific Project Committee for fiscal year 2022/23, as well as help to plan and coordinate the annual MWQI meeting in October 2022.

Water Quality Compliance, Worker Safety, and Environmental Protection.

Metropolitan complied with all water quality regulations and primary drinking water standards during June 2022.

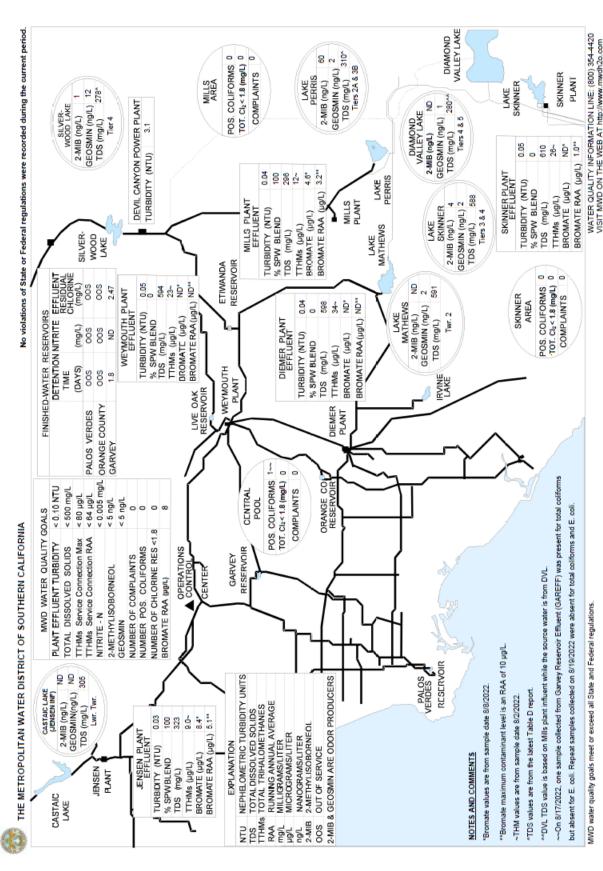
Capital Project Planning and Execution

During July, several meetings were held to discuss required functions, activities, specialized equipment, and space requirements in support of the Water Quality Laboratory seismic retrofit and building improvement capital project. The meetings focused on different user groups within the Water Quality Section and involved managers, project engineers, and the design consultants. The goal of this project is to ensure that Metropolitan has a seismically resilient, state-of-the-art laboratory to meet all regulatory compliance monitoring requirements, support treatment development and optimization, and provide applied research facilities to address emerging water quality issues.

Weekly Water Quality System Status

Wednesday, August 17, 2022

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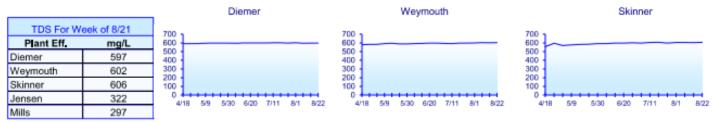


Water Quality Section Weekly TDS Report

For the week of 8/21/2022

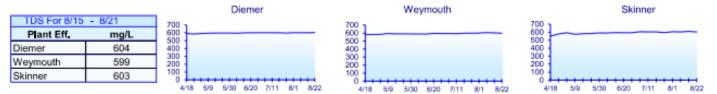
Percent SPW Nee	ded to Achie	ve TDS Goa	l of 500 mg/L	Estimated TDS for Rese	rvoirs	
Source Wat	er TDS		SPW Required	Reservoir (Effluent)	Date	mg/L
Plant	CRW	SPW	Percent	Lake Havasu (Table D)	5/11/22	588
Weymouth	592	282	30%	Lake Mathews (DFPI-LWRFDR)	8/22/22	592
Diemer	592	282	30%	Lake Skinner (Outlet Structure)	8/22/22	587
Skinner-Silverwood	586	282	28%	Castaic Lake (JFPI)	8/21/22	301
Skinner-Perris	586	310	31%	DVL (Mills Inf)	8/21/22	282
CRW for Diemer and Weymouth	is Lake Mathews	and San Jacinto	- West Portal for Skinner.	Lake Perris (Table D)	5/2/22	310
				DVL Outlet (Table D)	5/9/22	271

SUNDAY COMPOSITE ESTIMATED TDS FOR 04/17/22 - 08/21/22



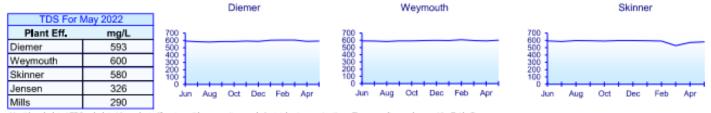
Sunday composite estimated TDS measured from plant effluent composite samples collected on Sunday and analyzed for hardness and electrical conductivity.

WEEKLY COMPOSITE ESTIMATED TDS FOR 04/17/22 - 08/21/22



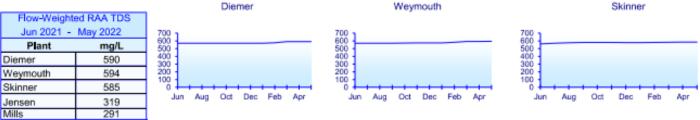
Weekly composite estimated TDS measured from plant effluent composite samples collected Monday through Sunday and analyzed for hardness and electrical conductivity.

MONTHLY COMPOSITE CALCULATED TDS FOR June 2021 - May 2022



Monthly calculated TDS calculated from plant effluent monthly composite sample for total anions and cations. These results are also used for Table D.

FLOW WEIGHTED RAA TDS FOR June 2021 - May 2022



Seasonal flow weighted RAA TDS calculated from plant effluent monthly composite sample for total anions and cations. Results are based on average monthly flows.

ISSUE BRIEF #E

SUBJECT: Colorado River Issues

RECENT ACTIVITY

Refer the on item *Presentation by Metropolitan Staff (Shanti Rosset) Regarding Colorado River Basin Conditions* for information in this issue.

ISSUE BRIEF #F

SUBJECT: Delta Conveyance Activities and State Water Project Issues

RECENT ACTIVITY

Delta Conveyance

On July 27, the California Department of Water Resources (DWR) released the public Draft Environmental Impact Report (EIR) under the California Environmental Quality Act (CEQA) for the Delta Conveyance Project (DCP) for public review and comment. Comments are due October 27, 2022.

DWR prepared the following fact sheets to help the public review and comment on the Draft EIR:

- Delta Conveyance Project Overview and Update
- What is the Draft Environmental Impact Report for the Delta Conveyance Project?
- Tips for Commenting on an EIR

These documents and other fact sheets and summary information, as well as the newly developed "Quick Questions Video Series" and "Deep Dive" videos, can be found on DWR's Delta Conveyance Project website: https://water.ca.gov/deltaconveyance.

The U.S. Army Corps of Engineers , 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 and is planning to release a draft EIS for public review later this year.

Joint Powers Authority

During the July 15 Special Board of Directors Meeting, the Delta Conveyance Design and Construction Authority (DCA) Board of Directors approved a resolution to extend virtual board and committee meetings pursuant to AB 361.

For fiscal years 2022-2024, the DCA Board appointed Director Sarah Palmer, representing Alameda County Flood Control Zone 7 Water District, as President of the Board of Directors (BOD), Director Martin Milobar, representing Kern County Water Agency, as Vice President of the BOD, and Director Gary Martin, representing Santa Clarita Valley Water Agency, as Secretary of the BOD. Since the DCA contracts with Metropolitan for Treasurer services, Katano Kasaine was reappointed as Treasurer of the BOD.

The regularly scheduled July 21 Delta Conveyance Finance Authority meeting was cancelled.

Sites Reservoir

In their July meetings, the Sites Project Authority Board (Authority Board) and the Sites Reservoir Committee (Reservoir Committee) authorized the Executive Director to submit the

Biological Assessment to the U.S. Bureau of Reclamation (Reclamation) for consultation under the federal Endangered Species Act covering construction and operations and submit the Operations Incidental Take Permit application to the California Department of Fish and Wildlife (CDFW) under the State Endangered Species Act.

The Reservoir Committee recommended, and the Authority Board adopted the CEQA Initial Study/Mitigated Negative Declaration and adopted the Mitigation, Monitoring and Reporting Program for the 2022-2024 Sites Reservoir Geologic, Geophysical, and Geotechnical Investigations Project. The Authority Board also approved this Project and authorized the Executive Director to file all related notices and pay all related fees.

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 July, the CAMT and CSAMP Policy Group meetings focused on the CAMT Monitoring Assessment Project, which is divided into three tasks: (1) understanding the approaches and recommendations of previous and ongoing reviews of long-term monitoring programs, (2) articulating the objectives of CSAMP members with respect to monitoring, and (3) developing a process for the next phase of monitoring reviews and an implementation plan for recommendations. The July meetings focused on task 2 and included discussion of shared objectives for monitoring, areas of disagreement on monitoring needs, and the potential role for CSAMP in addressing monitoring recommendations and supporting meaningful science-policy engagement on monitoring.

Metropolitan staff co-authored a scientific paper reporting on findings from a symposium that showcased practical applications of methods for detecting environmental DNA (eDNA) in the San Francisco Estuary to complement traditional monitoring and inform species management decisions in aquatic environments. The paper, "Environmental DNA Methods for Ecological Monitoring and Biodiversity Assessment in Estuaries" was published in the Estuaries and Coasts journal (Environmental DNA Methods for Ecological Monitoring and Biodiversity Assessment in Estuaries (springer.com)). The proceedings paper includes findings from Metropolitan supported studies to develop eDNA detection methods in the San Francisco Estuary and recommendations for improving communication between eDNA researchers and natural resource managers

Metropolitan staff also co-authored a scientific paper in the San Francisco Estuary and Watershed Science journal, titled "Considerations for the Development of a Juvenile Production Estimate for Central Valley Spring-Run Chinook Salmon" (Considerations for the Development of a Juvenile Production Estimate for Central Valley Spring-Run Chinook Salmon (escholarship.org)). The paper reports on the outcomes of a workshop for managers, scientists, and stakeholders to develop a juvenile production estimate (JPE) for spring run, defined here as an annual forecast of the number of juvenile Central Valley spring-run Chinook Salmon that enter the Delta from the Sacramento Valley. The paper summarizes spring-run biology, monitoring, and emergent methods for assessment, and the guiding concepts identified by workshop participants necessary to develop a JPE for spring-run Chinook Salmon. The development of a JPE will support spring-run management actions,

including evaluation of population status and management of water project operations issues such as entrainment of this species at water diversions.

Summary Report for The Metropolitan Water District of Southern California Adjourned Board Meeting August 16, 2022

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**)

Presented Commendatory Resolution honoring Ned Hyduke for his service and leadership during his term as General Manager at Palo Verde Irrigation District. (**Agenda Item 6C**)

Adopted resolution encouraging civility by public speakers at Metropolitan Board and Committee Meetings with amendments deleting sections 2 and 4. (**Agenda Item 6E**)

CONSENT CALENDAR ITEMS - ACTION

Adopted the Resolution Levying Ad Valorem Property Taxes for the Fiscal Year Commencing July 1, 2022 and ending June 30, 2023 for the Purposes of The Metropolitan Water District of Southern California (Attachment 1 of the Board letter), maintaining the tax rate at .0035 percent of assessed valuation, the same rate levied in FY 2021/22. Directed staff to transmit that resolution to the county auditors for the levy and collection of the ad valorem property tax. (Agenda Item 7-1)

Determined that there is a need to continue the emergency action of executing a no-bid contract for construction of pipe joint repairs on the Upper Feeder. (**Agenda Item 7-2 required four-fifths vote of the Board**)

Adopted the CEQA determination that the Calabasas Feeder and Sepulveda Feeder rehabilitation projects were previously addressed in the certified 2017 Prestressed Concrete Cylinder Pipe Rehabilitation Program Final Programmatic Environmental Impact Report, and: (a) Authorized an agreement with Pure Technologies U.S. Inc. in an amount not to exceed \$7 million to perform PCCP pipeline inspections; (b) Authorized an agreement with Brown and Caldwell in an amount not to exceed \$900,000 to provide preliminary design engineering services to rehabilitate PCCP portions of Calabasas Feeder; and (c) Authorized a \$6 million increase to an agreement with HDR Engineering, Inc. for a new not-to-exceed amount of \$12.5 million to rehabilitate PCCP and steel portions of the Sepulveda Feeder. (Agenda Item 7-3)

Authorized an agreement with HDR Engineering, Inc. for a not-to-exceed amount of \$1,300,000 for final design of the Inland Feeder/Foothill Pump Station Intertie. (**Agenda Item 7-4**)

Awarded a \$5,647,405 contract to Sojitz Machinery Corporation of America to furnish three 84- inch diameter butterfly valves to improve the water supply reliability of the Rialto Pipeline. (**Agenda Item 7-5**)

Authorized annual increases of \$200,000 to existing, five-year on-call agreements with RHA, LLC; Strategic Value Solutions, Inc.; and Value Management Strategies, Inc. for a new annual not-to-exceed total of \$440,000, for value engineering and technical engineering services. (**Agenda Item 7-6**)

Authorized a five-year reimbursable agreement with the California Department of Water Resources to provide services for the State Water Project operations and maintenance activities for an amount not to exceed \$3 million per year (\$15 million total). (Agenda Item 7-7)

Approved recommended ethics-related amendments to the Administrative Code. (Agenda Item 7-8)

Authorized granting a ten-year license agreement with three 5-year options to the County of Orange for telecommunications purposes. (**Agenda Item 7-9**)

Authorized granting a 30-year license agreement to the County of Los Angeles Parks and Recreation for a public park. (**Agenda Item 7-10**)

Approved Metropolitan's membership in the California Water Data Consortium and authorized payment of dues of \$20,000 per year on an ongoing basis. (**Agenda Item 7-11**)

By a two-thirds vote, authorized the General Manager to make payments of up to \$3.75 million to the State Water Contractors for FY 2022/23. (**Agenda Item 7-12**)

Adopted the Resolution shown in Attachment 1 of the Board letter committing to regional reliability for all member agencies. (**Agenda Item 7-13**)

Adopted the resolution to support Metropolitan's application for United States Bureau of Reclamation grant funding of \$5 million to provide supplemental funding for residential and commercial landscapes in the Turf Replacement Program: (a) Authorized the General Manager to accept grant funds, if awarded and (b) Authorized the General Manager to enter into a contract with United States Bureau of Reclamation for the grant funds, if awarded. (Agenda Item 7-14)

Expressed opposition, unless amended, to SB 1020 (Laird, D-Santa Cruz, Caballero, D-Salinas, Durazo, D-Los Angeles, and Atkins, D-San Diego): Clean Energy, Jobs, and Affordability Act of 2022. (**Agenda Item 7-15**)

Authorized an increase in the maximum amount payable under four contracts with Seyfarth Shaw LLP, for legal services in the amounts as listed on the agenda for a total amount of \$485,000 to a total amount not to exceed \$885,000. (Agenda Item 7-16) (Report heard in closed session at committee)

OTHER MATTERS AND REPORTS

Announced Members, Chairs and Vice Chairs of Committees for the remainder of the current term commencing August 16, 2022 through January 11, 2023. (Agenda Item 5Bi)

APPOINTMENTS

Committee	Vacancy	Appointment
Executive Committee	Vice Chairs	Director Jung and Director Ackerman
Engineering and Operations	Vice Chair	Director Blois
Finance & Insurance	Chair	Director Pressman
Legal & Claims	Vice Chair	Director Dennstedt
Operations, Personnel & Technology	Chair	Director Fellow
Operations, Personnel & Technology	Vice Chair	Director Morris
Real Property	Chair	Director Hawkins
Imported Water	Chair	Director Glen Peterson
Imported Water	Vice Chair	Director Erdman
Underserved Communities	Chair	Director Sutley
Underserved Communities	Vice Chair	Director Miller
Diversity, Equity & Inclusion	Chair	Director McCoy
Diversity, Equity & Inclusion	Vice Chair	Director Jung

NEW COMMITTEE MEMBERSHIP

Diversity, Equity & Inclusion	Imported Water	Underserved Communities
Director Abdo	Director Ackerman	Director Ackerman
Director Atwater	Director Atwater	Director Atwater
Director Erdman	Director Cordero	Director Camacho
Director Ortega	Director Dick	Director Cordero
Director Ramos	Director Faessel	Director Erdman
Director Tamaribuchi	Director Jung	Director Jung
Director Williams	Director McCoy	Director Ortega
	Director Morris	Director Quinn
	Director Pressman	Director Williams
	Director Quinn	
	Director Ramos	
	Director Record	
	Director Smith	

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

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

Month	Key Board Items		
September	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		
	Board Report on Initial Portfolio of Infrastructure and Supply Improvements to meet needs of Current SWP Dependent Areas		
	onsider Action on Updated Bay Delta Policies		
	Adopt Resolution directing Action to Reduce Irrigation of Non-functional Turf with Potable Water		
October	 Update on Delta Conveyance Public Draft EIR and Comments Seek Board Action to Declare 651 Acres of Property in Riverside, San Bernardino and San Diego Counties as Surplus Land and not necessary for Metropolitan's use and Authorize Staff to Dispose of the Properties 		
	Consider action to approve Project Labor Agreement Terms and Conditions and Authorize a Professional Services Agreement for PLA Administration		
	Nomination and Election for Board Chair for two-year term effective January 1, 2023		
November	 Nomination and Election for Board Secretary for two-year term effective January 1, 2023 		
December	Board Report of the Benefits of Various Project Portfolios for State Water Project Dependent Areas following IRP Testing		

The Metropolitan Water District of Southern California



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.

Board of Directors - Hidden

September 13, 2022

12:00 PM

Tuesday, September 13, 2022 Meeting Schedule

08:30 a.m. L&C 09:30 a.m. OP&T 10:30 a.m. RPA&M 12:00 p.m. BOD

Teleconference meetings will continue until further notice. Live streaming is available for all board and committee meetings on 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

- Invocation: Arnold O. Castellanos, Senior Designer, Engineering Services Group/Design Section/Systems Design Unit
- b. Pledge of Allegiance: TBD

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))

a. Member Agency Overview: TBD 21-1457

5. OTHER MATTERS AND REPORTS

A.	Report on Directors' Events Attended at Metropolitan's Expense	21-1458
B.	Chairwoman's Monthly Activity Report	21-1459
C.	General Manager's summary of activities	21-1460

Zoom Online

Board of Directors September 13, 2022

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F.

D. General Counsel's summary of activities
E. Interim General Auditor's summary of activities
21-1461
21-1462

** CONSENT CALENDAR ITEMS -- ACTION **

6. CONSENT CALENDAR OTHER ITEMS - ACTION

Ethics Officer's summary of activities

- A. Approval of the Minutes of the Bay-Delta Committee held January 25, 2022, the Special Board Meeting held August 9, 2022 and the Regular Meeting for August 16, 2022 (Copies have been submitted to each Director) (Any additions, corrections, or omissions)
- 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
- C. Approve Committee Assignments 21-1466

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Award a \$287,824 contract to Bishop, Inc. for replacement of the maintenance building roof at the Henry J. Mills Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO)
- 7-2 Authorize an increase of \$1,200,000 to an existing agreement with IBI Group, for a new not-to-exceed total of \$1,830,000 for design services, and an agreement with Fugro, in an amount not-to-exceed \$450,000 for geotechnical engineering services for the Weymouth Administration Building seismic upgrade project; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA (EO)
- 7-3 Determine that there is a need to continue the emergency action of executing a no-bid contract for the Upper Feeder 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)

21-1463

7-4	Authorize an increase of \$690,000 to an existing agreement with Carollo Engineers, Inc., for a new not-to-exceed amount of \$990,000, to serve as the owner's advisor for development of the Sepulveda Feeder Pump Stations project with the alternative delivery approach referred to as progressive design-build; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (This action is part of a series of projects that are being undertaken to improve the supply reliability for State Water Project dependent member agencies) (EO)	<u>21-1471</u>
7-5	Authorize two separate agreements with Calpine Energy Solutions, LLC and The Energy Authority, Inc. for the sale of renewable energy from the Phase I-II hydroelectric power plants; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EO)	21-1472
7-6	Adopt the Revision and Restatement of Bay-Delta Policy; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (IW)	<u>21-1473</u>
7-7	Adopt resolution designating Metropolitan's maximum contribution for medical benefits in order to comply with the current authorized Memoranda of Understanding; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OPT)	21-1474
7-8	Approve amendments to the Administrative Code to establish reporting requirements to the Board on personnel related settlements; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LC)	21-1475
7-9	Authorize granting a new ten-year license agreement to Valley-Wide Recreation and Park District for the continued operation of a trail on Metropolitan fee-owned property in the city of Hemet and county of Riverside California Assessor Parcel Numbers; 454-070-016; 454-140-029; 454-140-033; 454-140-035, -036, -037; 454-160-001; 454-160-010, -011, -012, -013, -014, -015, -016; 454-280-024; 454-280-029; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (RPAM)	21-1476

Board of Directors September 13, 2022

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7-10 Authorize the General Manager to grant a permanent easement for electrical equipment purposes to Southern California Edison on Metropolitan property in Riverside County; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA (RPAM)

21-1477

** END OF CONSENT CALENDAR ITEMS **

8. OTHER BOARD ITEMS - ACTION

NONE

9. **BOARD INFORMATION ITEMS**

9-1 Report on Conservation 21-1479

21-1481

10. OTHER MATTERS

10-1 Discussion of Department Head Evaluation Process Guidelines and Department Head Evaluation Presentation [Public employee's performance evaluations; General Manager, General Counsel, and Ethics Officer, to be heard in closed session pursuant to Gov. Code Section 54957]

FOLLOW-UP ITEMS 11.

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.