

WORKSHOP MEETING OF THE  
BOARD OF DIRECTORS WITH MET DIRECTORS  
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
18700 Ward Street, Conference Room 101, Fountain Valley, California  
August 2, 2023, 8:30 a.m.

**This meeting will be held in person. As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.**

**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**

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### **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. 2143**

### **PRESENTATION/DISCUSSION ITEMS**

#### **1. PRESENTATION BY METROPOLITAN STAFF ON THE UTILIZATION OF THE NEEDS ASSESSMENT PLANNING TOOL IN CAMP4W**

*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. County Legislative Report (Whittingham)
- e. MWDOC Legislative Matrix
- f. Metropolitan Legislative Matrix

*Recommendation: Review and discuss the information presented.*

## **INFORMATION ITEMS**

### **3. 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 Water Supply Condition Update
- c. Water Quality Update
- d. Colorado River Issues
- e. Delta Conveyance Activities and State Water Project Issues

*Recommendation: Review and discuss the information presented.*

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

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

*Recommendation: Review and discuss the information presented.*

## **ADJOURNMENT**

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





**DISCUSSION ITEM**

August 2, 2023

**TO:** Board of Directors

**FROM:** Harvey De La Torre, Interim General Manager

Staff Contact: Melissa Baum-Haley

**SUBJECT: PRESENTATION BY METROPOLITAN STAFF ON THE UTILIZATION OF THE NEEDS ASSESSMENT PLANNING TOOL IN CAMP4W**

**STAFF RECOMMENDATION**

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

**REPORT**

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On April 12, 2023, the Metropolitan Board adopted the 2020 Integrated Water Resources Plan (IRP) Needs Assessment. This IRP process incorporated scenario planning to address a wide range of uncertainties. The IRP scenarios are plausible futures, and not predictions. The IRP Needs Assessment suggests that the development of new supplies and storage would eliminate the frequency and magnitude of shortages under conditions of strong demographic and economic growth and rapid climate change in a world of increasing regulatory constraints.

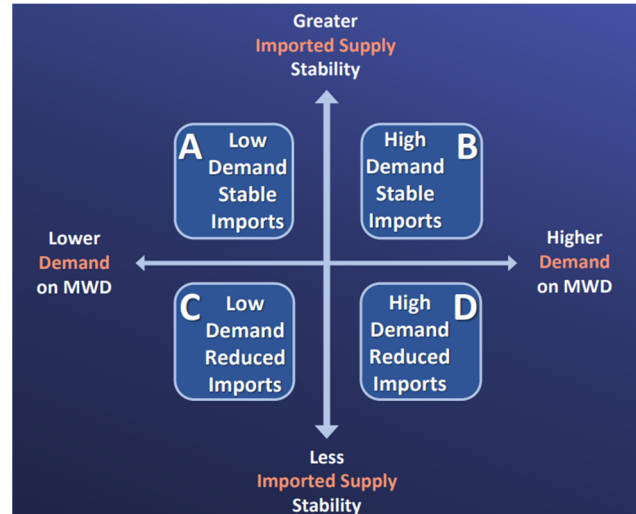
Each scenario has a range of potential shortages which can be addressed through interventions undertaken by Metropolitan. A portfolio of interventions can be in the form of programs, projects, and actions to provide water supply and storage solutions. The interventions are intended to increase reliability and each comes with different costs and benefits. Through the Climate Adaptation Master Plan for Water (CAMP4W) process, evaluative criteria will be developed to test potential interventions.

The IPR Needs Assessment identified resource development needs for additional core supply development at zero acre-feet in Scenario A, on the low end, to as much as 650 TAF in Scenario D, on the high end. The extent of core supply needed in each scenario is variable depending on the corresponding development of flexible supplies and storage. Results from the Needs Assessment showed that in Scenario C, the development of 100 TAF of new core

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



supply would eliminate net shortages all together without the need to develop additional flexible or storage supplies.



On June 27, Metropolitan staff provided an in-depth review of the IRP Needs Assessment as part of its CAMP4W Workshop. Last month MWDOC staff provided a general overview of this Workshop. To follow up on questions regarding detailed assumptions and integration of the IRP Needs Assessment into the CAMP4W process, MWDOC staff has invited Brandon Goshi, Metropolitan's Manager of Water Policy and Strategy, to provide an update.

While the IRP Needs Assessment quantified how much may be needed by supply category, to what extent and exactly how to achieve it are implementation decisions. The CAMP4W process should identify specific potential programs and implementation approaches to fill these needs. As the CAMP4W process will also be used to determine cost impact and affordability implications, the Metropolitan Business Model could be examined to address any identified affordability issues.

Therefore, in the next step of the CAMP4W process, Metropolitan staff have suggested to utilize Scenario D (High Demands with Reduced Imports) for the most inclusive portfolio planning, then use the Evaluative Criteria for implementation at Scenario C (Low Demands with Reduced Imports) to test the potential interventions. As noted previously, since each intervention has an impact on costs and affordability, Metropolitan will then benchmark the costs associated with Scenario C against the associated rate impacts that could be realized for the portfolios of interventions for Scenarios A (Low Demand & Stable Imports) and B (High Demand and Reduced Imports).

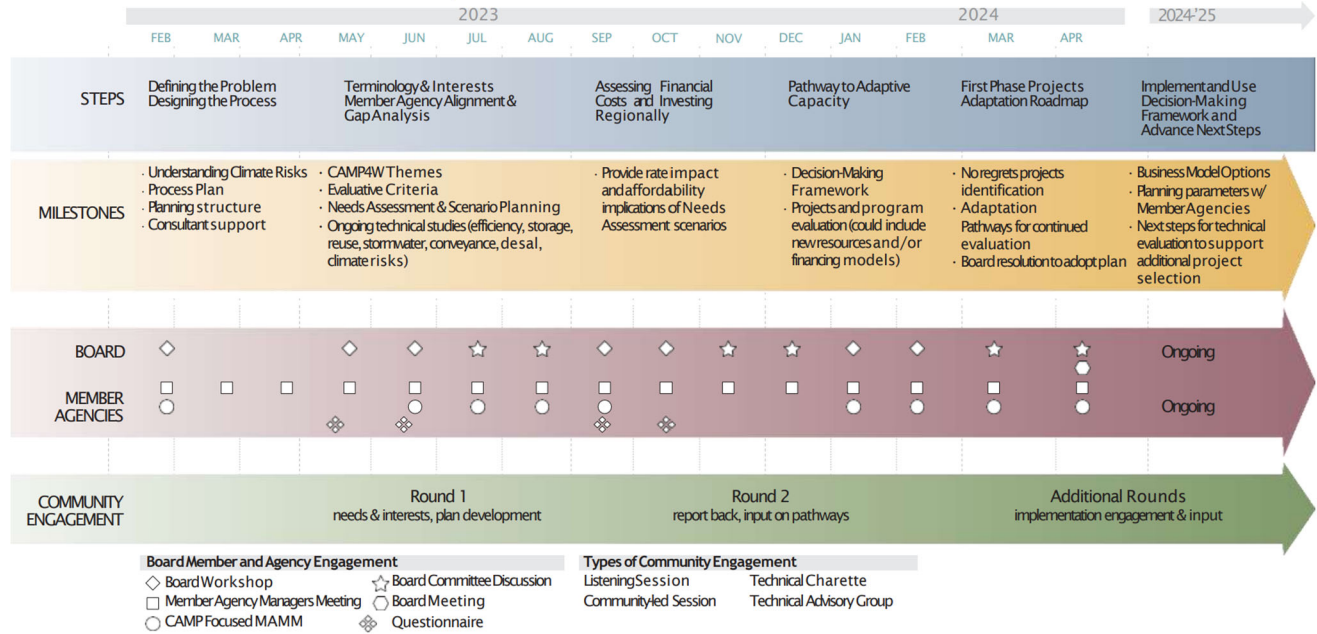
#### **Attachments:**

Attachment A - [Member Agency Alignment and Gap Analysis PowerPoint](#)

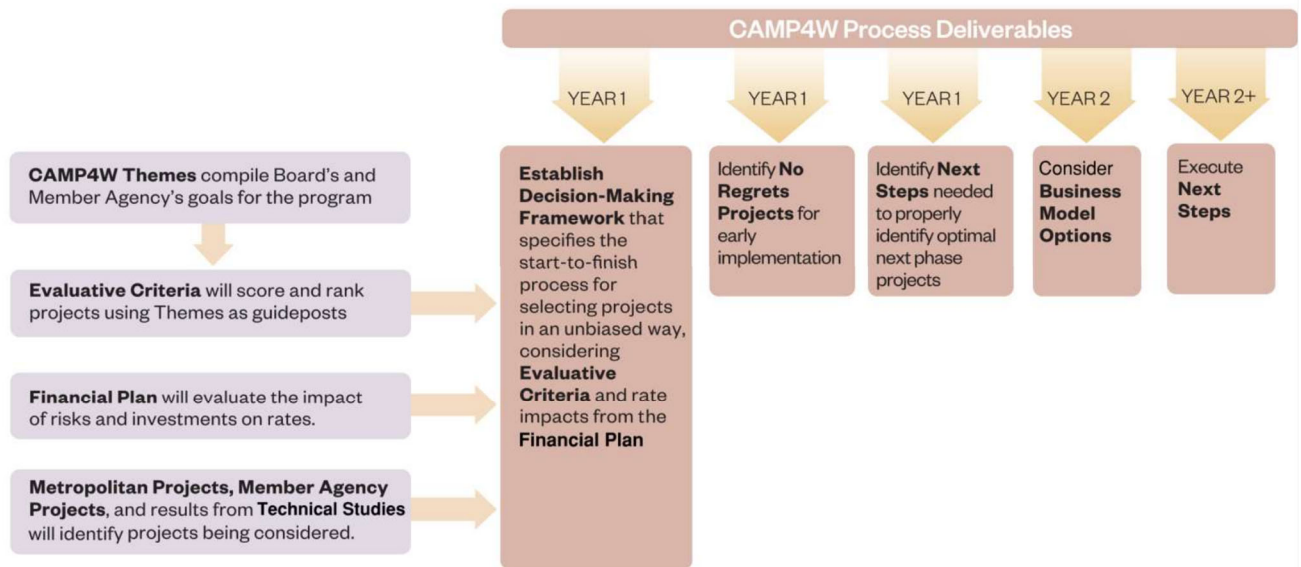
Attachment B - [IRP Needs Assessment](#)



## Climate Adaptation Master Plan for Water: Timeline & Framework



## CAMP4W Process Flow







## NATURAL RESOURCE RESULTS

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

**From:** Natural Resource Results

**RE:** Monthly Board Report – July 2023

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### Appropriations

On July 20<sup>th</sup>, the Senate Appropriations Committee marked up its Energy & Water Development bill, sending it to the full Senate. Unlike their House counterparts, Senate Appropriators wrote the bills to the spending levels agreed to in the debt limit deal. This will surely lead to a continuing resolution, and potentially a government shutdown, as House Republicans are entrenched in their position on lower spending levels. Some items of note from the Senate Energy & Water bill include the following:

- \$48.5 million for the CVPIA Restoration Fund (House = Same)
- \$10.5 for the WaterSMART Aquatic Ecosystem Restoration Program (House = \$0)
- \$54.1million for WaterSMART Grants (House = \$13.6 million)
- \$8 million for WaterSMART Cooperative Watershed Management (House = \$2.25 million)
- \$50 million for the Drought Contingency Plan (House = Same)
- \$19.5 million for Salinity Control Title I (House = Same)
- \$6 million for Salinity Control Title II (House = Same)
- \$30 million for WaterSMART Drought Response (House = \$24 million)
- \$2 million for Salton Sea Research (House = Same)
- \$12 million for Desal and Water Purification (House = Same)
- \$134 million for the WIIN Act Storage Account (House = Same)
- \$33 million for CALFED (House = Same)

Below are some relevant excerpts from the report that accompanies the Energy & Water Bill:

*Drought Resiliency. – The Committee remains intently focused on the need for improving drought resiliency as well as finding opportunities for agencies to combine water supply benefits with other mission priorities. The impacts of the current severe drought in the west demonstrate there is more work to be done. The Committee continues to invest in the drought resiliency programs authorized in the WIIN Act and believes a solution to these chronic droughts is a combination of additional storage, substantial investments in desalination and recycling, improved conveyance, and increased efficiencies in the uses of water both for agriculture and potable purposes. As the West has consistently been the fastest growing part of the country, it is incumbent on Reclamation to lead the way in increasing the water that is available from year to year and to incentivize more efficient use of the water that is available.*



*B.F. Sisk Dam.—The Committee is aware of seismic issues at B.F. Sisk Dam and supports Reclamation’s safety of dams modification project to remediate this reservoir. Reclamation is directed to work collaboratively with the State of California to finalize a cost share agreement for the project that accounts for the State of California’s in-kind contributions (including contributions elsewhere in the State) and credits; and to work to ensure the B.F. Sisk Dam Safety of Dams Modification project can move forward as expeditiously as possible.*

*Colorado River Basin Collaboration.—The Committee understands growing water-thrifty crops in the Colorado River Basin could, if voluntarily planted by Basin farmers, help keep agricultural lands in production and support rural economies while adjusting to diminishing water supplies from the Colorado River. The Committee directs Reclamation to provide a briefing within 30 days of enactment of this act on the ability to partner with the U.S. Department of Agriculture to fund research and provide technical support for this effort. The briefing should identify existing authorities that could be used and recommend additional authorities that would be required.*

*Drought Contingency Plans.—The Committee commends Reclamation, the Department of the Interior, and the seven Colorado River Basin States for completing drought contingency plans to conserve water and reduce risks from ongoing drought for the Upper and Lower Colorado River basins. The completion of these plans marks a major milestone in protecting a critical water source in the western United States. The Committee encourages Reclamation to provide sufficient funding for activities that support these plans.*

*Salton Sea.—The Committee supports the Memorandum of Understanding signed between the Department of the Interior and the California Natural Resources Agency to support management activities at the Salton Sea. The Committee is pleased Reclamation recently committed funding from the Inflation Reduction Act to assist with Salton Sea mitigation. It is critical that Reclamation continues to fund research and development projects to support current and future efforts to reduce the likelihood of severe health and environmental impacts. The Committee encourages Reclamation to include adequate funding for the Salton Sea in future budget requests and reminds Reclamation additional work is eligible for additional funding recommended in this account.*

*WaterSMART Program: Open Evapotranspiration System.—The Committee is intrigued by the evapotranspiration in the Central Valley and California Delta to help measure how much water is consumed by crops and other plants. Reclamation is encouraged to utilize the Open Evapotranspiration system designed to provide real-time and historical evapotranspiration information, primarily on irrigated crop lands. Reclamation is directed to provide to the Committee not later than 90 days after enactment of this act a briefing on the potential application of this system to Reclamation missions.*

## **STREAM Act**

MWDOC’s letter of support for Senator Feinstein’s STREAM Act was transmitted to her office shortly after last month’s board meeting. On July 20<sup>th</sup>, the Senate Energy and Natural Resources (ENR) Committee held a legislative hearing on several western water bills, including the



STREAM Act. The only witness in the hearing was Commissioner Touton. During her testimony, Commissioner Touton stated that the Bureau of Reclamation supports the intent of the STREAM Act but wants to work with the Committee to ensure that new authorities authorized by the bill can be integrated with existing laws.

During the hearing, Commissioner Touton also spoke briefly about Phase 2 funding for the Upper Basin from the Inflation Reduction Act. She stated that Reclamation expects to release an RFP later this summer in the Upper Basin and award funds later in the year. As a reminder, Phase 2 projects could fall into the following three general categories:

1. System conservation and efficiency projects that achieve verifiable, multi-year reductions in use of or demand for water supplies.
2. Demonstration projects to spur advances in water conservation and efficiency using innovative techniques.
3. Ecosystem and habitat restoration projects to address issues directly caused by drought.

### **Delta Conveyance Project**

During the House Appropriations Committee markup of their Energy & Water bill, Congressman Harder (D-CA) offered an amendment that prohibited the use of funds from the bill for the Army Corps of Engineers to issue a 404 permit under the Clean Water Act for the Delta Conveyance Project. Due to a lack of support for the amendment, the Congressman withdrew it, effectively putting the issue to bed.



# Syrus Devers Advocacy

(Awesome logo and letterhead to follow)

To:	Municipal Water District of Orange County
From:	Syrus Devers
Date:	July 26th, 2023
Re:	State Legislative Report

## Legislative Report

This report will be brief due to the summer recess that began on July 14th. The Legislature returns on August 14th. This report summarizes the major events of the two weeks that followed the June Workshop.

### The water rights bills:

The two main water rights bills, AB 460 (Bauer-Kahan), and AB 1337 (Wicks), are dead, and it is uncertain that the authors will continue to have an interest in water policy. Both are rumored to be significant figures in the new team of Assembly Speaker Robert Rivas<sup>1</sup>.

The last bill standing of the water rights bill package, SB 389 (Allen), has been almost entirely rewritten and now balances the needs of the state to validate uncertain water rights with the burdens placed on the holder of the water right. The bill allows the SWRCB to investigate a water right by issuing an informational order demanding evidence of a valid water right from a diverter, but must also provide the diverter a written explanation that demonstrates the need for the information sought, and identify all evidence that supports requiring the information. ACWA moved to a WATCH position at its last legislative meeting.

### Other legislation:

AB 755 (Papan): This bill would have required retail water agencies to estimate (or guess) the incremental cost savings to all ratepayers if the largest users of water were more efficient, and then publish that finding in a rate case. A group of lobbyists targeted this bill for opposition in the Senate after it flew under the radar in the Assembly. Thanks to some persistent work by Christine Compton at IRWD, a fight in the Senate policy committee was avoided when the author accepted amendments that removed the worst parts of the bill. The bill now only requires that the marginal costs and average volume of water delivered to the highest water users be included in the next cost-of-service analysis.

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<sup>1</sup> As mentioned in last month's oral report, but not written, Assembly Member Robert Rivas from Salinas took over as Speaker from Anthony Rendon on June 30th.



# Syrus Devers Advocacy

(Awesome logo and letterhead to follow)

Unfortunately, it is not all good news because legislation supported by the water community failed to meet the policy committees deadline. The major loss was SB 366 (Caballero), which aspired to rewrite

the California Water Plan and set ambitious goals for developing new water storage. The bill was pulled by the author after proposed committee amendments would have removed the most significant portions of the bill. SB 366 is now a true two-year bill in that the author intends to keep working on it over the interim recess.

## Bond bills:

The main work over the legislative recess concerns the various bond bills. Water industry lobbyists are working to increase funding for infrastructure improvements and new supplies. The holdup is that Governor Newsom has yet to say how large each bond bill can be. A total of all proposed bonds, including education, housing, mental health, and resources/climate change, comes to approximately \$100 billion. Newsom had previously estimated that the state's total bond capacity is about \$26 billion. Clearly, no one will get everything they want. The two resources bond bills are SB 867 (Allen) and AB 1567 (E. Garcia).



# ACKERMAN CONSULTING

## Legal and Regulatory

August 2, 2023

1. **Glacier Melt:** The University of Arizona has been studying glacier melt using super radar devices that can examine glaciers from their top surface down to bedrock. Their main subject was Malaspina Glacier in Alaska. Malaspina is the largest piedmont glacier in the world. A piedmont glacier is one that results from glacier movement from the mountains into a plains area. It is relatively flat which make it more susceptible to melting. The measurements show that it is 30% smaller than original estimates. Also, two thirds of the glacier is below sea level and it has no release area to the ocean. However, as it continues to melt it is anticipated that it will reach the ocean. If all the above sea level ice in Malaspina melt (590 cubic kilometers), it would raise sea level worldwide 1.4 millimeters. One millimeter is .0033 feet. Alaska's glaciers hold about 1% of the world's ice but contribute about 6% to the glacier melt due to its location.
2. **PFAS Diversions:** The natural flow of water in the US has been changing for many years. This is primarily due to agriculture and the need for drinking water. A study in Colorado has shown that the flow of PFAS to the ocean has been slowed because of these diversions. Every time a water source is changed, there is more opportunity for PFAS to enter the water stream. This can result in more detections in downstream areas including heretofore clean mountain areas. The goal of this study is to quantify how much of this pollution is caused by agriculture and urban uses and how best to control it.
3. **Bad Swimming Pools:** Uppsala University in Sweden is blaming swimming pools and large landscaping for water shortages throughout the world. They studied 80 major metropolitan areas around the world (such as Moscow, Miami, and Melbourne) and concluded that rich people were the cause of many water shortages around the world. They do admit that these conclusions may be general, and that domestic water use is a small fraction of overall water use. They did acknowledge other usage like agriculture but did not consider the environmental allocation in places such as California. Their main model was the Cape Town experience in South Africa.
4. **Midwest Drought:** "America's Breadbasket" has been hurting this year. The Midwest is suffering through a drought like what it experienced in 2012 and 1988. This area usually has plenty of water and has more trouble with floods than droughts. But this year has been different. While it is still early to really panic, the lack of water has impacted major crops like corn and soybean. Rain activity has picked up somewhat after this article was published but there is still room for concern. This is the fourth year in a row of drought conditions. Experts have not blamed this on climate change but just the normal Mother Nature which flows from weather events occurring in the world. Major rivers in the Midwest are at record lows and 60



% of the Midwest is classified as moderate by the US Drought Monitor. The browning of grasses normally used to feed livestock is also having its impact and farmers are having to buy feed for their livestock.

5. **Mead and Powell Up:** While last year's projections for Mead were bleak, our recent rain and snow has changed that. Dead pool discussions have changed to estimates of increase for 2024. The current projection is a high point in Mead of 1070 in February 2024. This is based on agreements that have been signed and our recent rain fall. We are still not out of the woods, but the picture is much better. Lake Powell is up 45 feet, still short 100 feet of capacity. The Powell inflow estimate is 144% of average.
6. **PFAS Filters:** Sandia National Laboratory in New Mexico is looking at another PFAS solution. PFAS chemicals have an extraordinarily strong bond which makes them difficult to breakdown. An alternative method is developing filtering techniques which can separate the plastic from the water. Sandia is working on materials which will attach to the PFAS and then be filtered out. The benefit of this system is it can be used on a small scale, like in a house, or large scale in a water treatment plant. How to dispose of product of the filtration is also an issue. It should be nontoxic and easily disposed of. That is the next part of their study. The key to the concept is finding a material that is easy to work with as compared to current systems using granulated activated carbon or ion exchange.
7. **Sponge Lead Removal:** Northwestern University is working on a sponge that can remove lead from water. Engineers coated a sponge with a very thin layer of nanoparticles such as manganese-doped goethite. This product is cheap, very available, and nontoxic to humans. The nanoparticles have high surface areas and are good for absorption and reusable. They are also easily cleaned and have a high reuse rate (90%). This is truly cutting-edge stuff and the studies are very optimistic.
8. **Arizona Mining Groundwater:** A story is developing in Arizona regarding a deal the State made with a local mining company. Arizona passed a groundwater bill in 1980 which gave mining companies the ability to use as much groundwater as it needed for free. Arizona has a water problem currently with the Colorado river supply making the groundwater system more important. A plan to construct a large mining operation near Phoenix is presently being considered. In addition to the water concerns, it will be built on sacred land of the San Carlos Apache Tribe. The Federal legislation passed in 2014 by Senator John McCain would allow the federal government to trade 2400 acres of Tonto National Forest (which included the sacred sight) for private land owned by Resolution Copper within 60 days from approval of an EIR regardless of the impacts of the environmental or cultural issues. The value of the groundwater being transferred is over \$400 million. The Trump administration approved the EIR just before the President left office. The Biden administration reversed the order. The Tribe is trying to overturn all prior action. The Governor of Arizona and its two Senators Krysten Sinema and Mark Kelly have taken no position. This should be an interesting debate to follow.
9. **Lake Tahoe and PFAS:** Tahoe is considered one of the most pristine bodies of water in the world. However, according to a study done by the University of Nevada, it has the third highest concentration of PFAS of 38 lakes in 23 countries around the world. This is somewhat unusual since the watershed for Lake Tahoe is very small which should mean very good water quality. The study suggests that the culprit is the large surface area



of the Lake and the plastic content of the atmosphere. Other studies have shown the impact of plastic rain, the atmosphere absorbing plastics and then moving them around the world in the air. The other reasons may be the 15 million visitors that Tahoe attracts every year and the resultant travel on local roads which kicks up PFAS. The area has increased restrictions of trash and other plastic pollution.

10. **More PFAS Removal:** Just about every month we report on someone else coming up with a potential cure for PFAS. I am convinced with the brain power going into this subject it will be resolved sooner rather than later. This one is from the University of Illinois. This method uses metal containing polymers (metallocenes) and voltage. These metallocenes in conjunction with cobaltocene can remove PFAS from water to an extremely high rate. The voltage causes them to “switch” their electrical state and release the PFAS molecules. The method is much better with cobalt than iron. While this process is truly Greek to me, it seems to work, and they are next going to expand the process.



August 2, 2023

TO: MWDOC Board of Directors

FROM: Peter Whittingham

SUBJECT: July, 2023 Report

Despite many agencies going dark for the month of July, there continued to be significant activity this month throughout Orange County, with a number of noteworthy events in the region. A few of the more notable developments and issues of July are as follows:

- The Newport Beach City Council approved a contract for the construction of the Newport Bay Trash Wheel, which will span the width of San Diego Creek and funnel trash toward a stationary barge, which will be mounted onto a 17-foot water wheel. According to City staff, the Wheel will divert more than 300 cubic yards of trash and debris from entering Newport Bay during heavy storm seasons. Funding for the project, which was approved by the Coastal Commission in 2022, will come from the state, Orange County Transportation Authority Measure M funds, the Ocean Protection Council and the city's environmental liability fund fees program.
- A recent US Geological Survey found PFAS in south Orange County. Water samples collected from faucets in the City of San Juan Capistrano and the Irvine Ranch Water District tested positive for PFAS above the limit proposed by the U.S. Environmental Protection Agency. Researchers estimate that at least one form of PFAS could be found in roughly 45 percent of tap water samples nationwide.
- Santa Margarita Water District held public hearings on the San Juan Capistrano Prop 218 rate setting process and after lengthy public testimony, the SMWD Board extended the public hearings to facilitate ongoing dialogue regarding the proposed rate adjustments, as well as whether to proceed with funding of financial assistance programs for those San Juan Capistrano customers facing the greatest potential increases. The SMWD Board will reconvene on August 2 to consider whether to approve portions of the current proposed rate study or authorize a new rate study to be conducted over the next 9-12 months.
- The Trabuco Canyon Water District Board adopted rate increases for new water, wastewater and recycled water. The new rates have been applied to bills since July 1, and will increase incrementally over the next five years for water, with the



average single-family bill increasing from the current average of \$133.38 per month to \$287.80 per month. New wastewater charges of \$551.04 per year will begin to appear on property tax bills starting in 2024 and will increase incrementally each year to reach its final assessment of \$930.36 per year starting in 2028. The increased rates will add \$24 million in revenue to be used specifically for updating aging infrastructure, including sewage stations and dams and repairing water storage.

- Moulton Niguel Water District's Board approved a \$163.5 million budget for the 2023-2024 fiscal year that includes more than \$57.4 million in water and wastewater infrastructure investments. The District plans to spend more than \$460 million over the next ten years on the construction, maintenance, and upgrading of its capital infrastructure assets.
- The San Diego County Local Agency Formation Commission, or SD-LAFCO, voted 5-3 to authorize the Fallbrook Public Utility District and the Rainbow Municipal Water District to separate from the San Diego County Water Authority. The districts plan to join Eastern Municipal Water District, which serves southern Riverside County, a move they say will enable them to buy water at lower rates. Voters in the two districts must ratify the commission's decision; if approved, the two districts would each pay the San Diego County Water Authority \$5 million per year for five years to offset losses from the transition.

It is a pleasure to work with you and to represent the Municipal Water District of Orange County.

Sincerely,



Peter Whittingham



## Bill Matrix – July 26<sup>th</sup>, 2023

*Prepared by Syrus Devers Advocacy*

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### A. Priority Support/Oppose

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#### [AB 334](#)

**(Rubio, Blanca D) Public contracts: conflicts of interest.**

**Status:** 7/6/2023-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (July 6). Re-referred to Com. on APPR.

**Calendar:** 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Current law prohibits members of the Legislature and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Current law authorizes the Fair Political Practices Commission to commence an administrative or civil action against persons who violate this prohibition, as prescribed, and includes provisions for the collection of penalties after the time for judicial review of a commission order or decision has lapsed, or if all means of judicial review of the order or decision have been exhausted. Current law identifies certain remote interests in contracts that are not subject to this prohibition and other situations in which an official is not deemed to be financially interested in a contract. Existing law makes a willful violation of this prohibition a crime. This bill would establish that an independent contractor, who meets specified requirements, is not an officer for purposes of being subject to the prohibition on being financially interested in a contract.

Position	Priority
Support	A. Priority Support/Oppose

**Notes 1:** Support position adopted June 7th

#### [AB 460](#)

**(Bauer-Kahan D) State Water Resources Control Board: water rights and usage: interim relief: procedures.**

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

**Summary:** Current law authorizes the State Water Resources Control Board to investigate all streams, stream systems, lakes, or other bodies of water, take testimony relating to the rights to water or the use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. Current law requires the board to take appropriate actions to prevent waste or the unreasonable use of water. This bill would authorize the board, in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant.

Position	Priority
Opposition	A. Priority Support/Oppose

#### [AB 557](#)

**(Hart D) Open meetings: local agencies: teleconferences.**

**Status:** 6/29/2023-Read second time. Ordered to third reading.



**Summary:** 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 providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect. Specifically, the bill would extend indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (2) has previously made that determination.

Position	Priority
Support	A. Priority Support/Oppose

**Notes 1:** Support adopted April 5th

#### [AB 735](#)

##### **(Berman D) Workforce development: utility careers.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

**Summary:** Would establish the High Road Utility Careers (HRUC) program, to be administered by the California Workforce Development Board, to connect existing resources with individuals interested in careers in the utility sector and ensure a continued reliable workforce for California utilities. The bill would require the board to administer the HRUC program through partnerships with statewide water, wastewater, and energy utility associations and to coordinate the program with existing and future programs and initiatives administered by the board, including high road training partnerships, in order to align interested individuals with available resources. The bill would require the HRUC program, upon appropriation by the Legislature, to dedicate funding and resources toward accomplishing specified goals, including connecting workers to high-quality jobs or entry-level work with defined routes to advancement and increasing skills and opportunities while expanding pipelines for low-income populations.

Position	Priority
Support	A. Priority Support/Oppose

**Notes 1:** Support adopted April 5th

#### [AB 755](#)

##### **(Papan D) Water: public entity: water usage demand analysis.**

**Status:** 7/13/2023-Read second time and amended. Re-referred to Com. on APPR.

**Calendar:** 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Current law authorizes a public entity that supplies water at retail or wholesale within its service area to adopt, in accordance with specified procedures, and enforce a water conservation program. This bill would provide that a public entity, as defined, should conduct a water usage demand analysis, as defined, prior to completing, or as part of, a cost-of-service analysis conducted to set fees and charges for water service that are consistent with applicable law. The bill would require a public entity to identify, within the water usage demand analysis, the marginal cost of water service incurred by the public entity as a result of high water users, as defined, and the average annual volume of water delivered to high water users. The bill would also require the marginal cost and the average annual volume of water delivered to high water users to be made publicly available by posting the information in the public entity's cost-of-service analysis.

Position	Priority
Opposition	A. Priority Support/Oppose

**Notes 1:** Oppose position adopted May 3rd. Amended in the Senate and may be considered for a WATCH position.

#### [AB 838](#)

##### **(Connolly D) California Water Affordability and Infrastructure Transparency Act of 2023.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The act prohibits a person from operating a public



water system unless the person first submits an application to the state board and receives a permit to operate the system, as specified. The act requires a public water system to submit a technical report to the state board as a part of the permit application or when otherwise required by the state board, as specified, and to submit the report in the form and format and at intervals specified by the state board. This bill would require, beginning January 1, 2025, and thereafter at intervals determined by the state board, public water systems to provide specified information and data related to customer water bills and efforts to replace aging infrastructure to the state board.

Position	Priority
Opposition	A. Priority Support/Oppose

**AB 1337**

**(Wicks D) State Water Resources Control Board: water diversion curtailment.**

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

**Summary:** Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.

Position	Priority
Opposition	A. Priority Support/Oppose

**Notes 1:** Oppose adopted April 5th

**AB 1572**

**(Friedman D) Potable water: nonfunctional turf.**

**Status:** 7/10/2023-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** (1)Current law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water. This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.

Position	Priority
Oppose unless amended	A. Priority Support/Oppose

**Notes 1:** OUA adopted April 5th

**AB 1594**

**(Garcia D) Medium- and heavy-duty zero-emission vehicles: public agency utilities.**

**Status:** 7/13/2023-Read second time and amended. Re-referred to Com. on APPR.

**Calendar:** 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Current law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality, and establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles to authorize public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks, as specified. The bill would define a public agency utility to include a local publicly owned electric utility, a community water system, and a wastewater treatment provider, as specified.

Position	Priority
Support	A. Priority Support/Oppose

**Notes 1:** Support adopted May 3rd

**SB 23**

**(Caballero D) Water supply and flood risk reduction projects: expedited permitting.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2023)(May be acted upon Jan 2024)

**Summary:** Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially



changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to submit to the department the certified or adopted environmental review document, as applicable, for the activity in the notification. The bill would require the department, under prescribed circumstances, to take certain actions within specified timelines, or within a mutually agreed-to extension of time.

Position	Priority
Support	A. Priority Support/Oppose

**Notes 1:** Support position approved on 3/1/2023

#### **SB 366**

##### **(Caballero D) The California Water Plan: long-term supply targets.**

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/8/2023)(May be acted upon Jan 2024)

**Summary:** Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.” Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state’s water needs and meeting specified long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses.

Position	Priority
Support	A. Priority Support/Oppose

#### **SB 389**

##### **(Allen D) State Water Resources Control Board: investigation of water right.**

**Status:** 7/11/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (July 11). Re-referred to Com. on APPR.

**Summary:** Current law authorizes the State Water Resources Control Board to investigate bodies of water, to take testimony in regard to the rights to water or the use of water, and to ascertain whether or not water is appropriated lawfully, as provided. Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would instead authorize the board to investigate and ascertain whether or not a water right is valid. The bill would authorize the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, to a water right holder or claimant, diverter, or user to provide the information related to a diversion and use of water, as specified. The bill would authorize a diversion or use of water ascertained to be unauthorized pursuant to this provision to be enforced as a trespass.

Position	Priority
Opposition	A. Priority Support/Oppose

**Notes 1:** Oppose adopted April 5th. Amended in the Assembly. ACWA is now WATCH.

#### **SB 687**

##### **(Eggman D) Water Quality Control Plan: Delta Conveyance Project.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2023)(May be acted upon Jan 2024)

**Summary:** Would require the State Water Resources Control Board to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as provided, before the board may consider a change in point diversion or any other water rights permit or order for the Delta Conveyance Project. The bill would also, if, after completing the update of the plan and in compliance with existing law, the board approves a change in point of diversion or any other water rights permit or order associated with the Delta Conveyance Project, prohibit the operation of the Delta Conveyance Project unless and until the updated plan is fully implemented. The bill would specify that these provisions do not constitute an authorization for or approval of funding for the Delta Conveyance Project or any other project that includes isolated Delta conveyance facilities, and do not reduce any statutory or other regulatory



conditions or permit requirements for Delta conveyance projects.

Position	Priority
Opposition	A. Priority
	Support/Oppose

**Notes 1:** Oppose adopted per Policy Principles.

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## B. Watch

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### AB 30

**(Ward D) Atmospheric rivers: research: reservoir operations.**

**Status:** 7/13/2023-Read third time. Passed. Ordered to the Assembly. (Ayes 37. Noes 0.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 11 pursuant to Assembly Rule 77.

**Summary:** Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources. Current law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

Position	Priority
Watch	B. Watch

### AB 62

**(Mathis R) Statewide water storage: expansion.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

**Summary:** 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. This bill would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would require the Department of Water Resources, in consultation with the state board, to take reasonable actions to promote or assist efforts to achieve the statewide goal, as provided. The bill would require the department, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the state board, to prepare and submit a report to the Legislature on the progress made to achieve the statewide goal.

Position	Priority
Watch	B. Watch

### AB 66

**(Mathis R) Natural Resources Agency: water storage projects: permit approval.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

**Summary:** Current law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Current law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to take all reasonable steps to approve the necessary permits for specified projects that meet certain employment conditions within 180 days from receiving a complete permit application.

Position	Priority
	B. Watch



**AB 249****(Holden D) Water: schoolsites: lead testing: conservation.**

**Status:** 7/13/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (July 12). Re-referred to Com. on APPR.

**Summary:** Would require a community water system that serves a schoolsite, as defined, to test for lead in the potable water system outlets of the schoolsite before January 1, 2027, except for potable water system outlets in buildings that were either constructed after January 1, 2010, or modernized after January 1, 2010, and all faucets and other end point devices used for providing potable water were replaced as part of the modernization. The bill would require the community water system to report its findings to the applicable schoolsite or local educational agency and to the state board. The bill would require the local educational agency or schoolsite, if the lead level exceeds a specified level at a schoolsite, to notify the parents and guardians of the pupils who attend the schoolsite, take immediate steps to make inoperable and shut down from use all potable water system outlets where the excess lead levels may exist, and work to ensure that a lead-free source of drinking water is provided for pupils, as specified. The bill would require a community water system to test a potable water system outlet that replaces an outlet that is found to have excess levels of lead. The bill would require a community water system to prepare a sampling plan for each schoolsite where lead sampling is required under these provisions, as specified. The bill would require the schoolsite, local education agency, and state board to make the results of schoolsite lead sampling publicly available by posting the results on its internet website. The bill would require a schoolsite and a local educational agency, if an internet website is not maintained, to provide the results upon request. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

Position	Priority
Watch	B. Watch

**AB 277****(Rodriguez D) Extreme Weather Forecast and Threat Intelligence Integration Center.**

**Status:** 7/11/2023-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (July 11). Re-referred to Com. on APPR.

**Calendar:** 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program within the department to, upon appropriation of special fund moneys, research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection in the state, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would establish the State-Federal Flood Operations Center within the Department of Water Resources and would authorize the department to administer the center in the department's divisions, offices, or programs. The bill would provide that the purpose of the center is to function as the focal point for gathering, analyzing, and disseminating flood and water-related information to stakeholders and would authorize the center to take specified actions for that purpose, including to function during emergency situations to enable the department to centrally coordinate statewide emergency responses.

Position	Priority
Watch	B. Watch

**AB 305****(Villapudua D) California Flood Protection Bond Act of 2024.**

**Status:** 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

**Summary:** Would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.

Position	Priority
Watch	B. Watch

**AB 338****(Aguiar-Curry D) Public works: definition.**

**Status:** 7/12/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 0.) (July 12). Re-referred to Com. on APPR.

**Calendar:** 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public



works a misdemeanor. This bill would, commencing January 1, 2025, expand the definition of “public works” to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified. The bill would limit those provisions to work that falls within an apprenticeship occupation in the building and construction trades for which an apprenticeship program has been approved and to contracts in excess of \$100,000. The bill would delay the application of those provisions until January 1, 2026, for nonprofits.

Position	Priority
Watch	B. Watch

**AB 340**      **(Fong, Vince R) California Environmental Quality Act: grounds for noncompliance.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/9/2023)(May be acted upon Jan 2024)

**Summary:** The California Environmental Quality Act (CEQA) prohibits an action or proceeding from being brought in a court to challenge the approval of a project by a public agency unless the alleged grounds for noncompliance are presented to the public agency orally or in writing by a person during the public comment period provided by CEQA or before the close of the public hearing on the project before the issuance of the notice of determination. This bill would require the alleged grounds for noncompliance with CEQA presented to the public agency in writing be presented at least 10 days before the public hearing on the project before the issuance of the notice of determination. The bill would prohibit the inclusion of written comments presented to the public agency after that time period in the record of proceedings and would prohibit those documents from serving as basis on which an action or proceeding may be brought.

Position	Priority
Watch	B. Watch

**AB 676**      **(Bennett D) Water: general state policy.**

**Status:** 7/12/2023-Read second time and amended. Ordered to third reading.

**Summary:** Would specify that the use of water for domestic purposes includes water use for human consumption, cooking, sanitary purposes, care of household livestock, animals, and gardens, fire suppression and other safety purposes, and any other purpose determined to be a domestic purpose by a court, as specified.

Position	Priority
Watch	B. Watch

**AB 1072**      **(Wicks D) Water conservation and efficiency: low-income residential customers.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2023)(May be acted upon Jan 2024)

**Summary:** Would declare the policy of the state that all residents have access to water conservation and efficiency programs. The bill would also set forth related findings including that reaching the state’s environmental justice goals and commitments requires designing climate adaptation programs so that all households may participate.

Position	Priority
Watch	B. Watch

**AB 1205**      **(Bauer-Kahan D) Water rights: sale, transfer, or lease: agricultural lands.**

**Status:** 7/13/2023-Read second time and amended. Ordered to third reading.

**Summary:** Current law declares that, because of the conditions prevailing in this state, the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of the water is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. This bill would require the State Water Resources Control Board to, on or before January 1, 2027, conduct a study and report to the Legislature and appropriate policy committees on the existence of speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water right or groundwater right previously put to beneficial use on agricultural lands, as specified. The bill would repeal this provision on January 1, 2031.

Position	Priority
Watch	B. Watch

**AB 1567**      **(Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.**

**Status:** 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme



Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Position	Priority
Watch	B. Watch

#### [AB 1573](#)

##### **(Friedman D) Water conservation: landscape design: model ordinance.**

**Status:** 7/10/2023-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** The Water Conservation in Landscaping Act provides for a Model Water Efficient Landscape Ordinance that is adopted and updated at least every 3 years by the Department of Water Resources, unless the department makes a specified finding. This bill would require the updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboreta open to the public, from the model ordinance. The bill would require the updated model ordinance to include provisions that require that all new or renovated nonresidential areas install plants that meet specified criteria, and that prohibit the inclusion of nonfunctional turf in nonresidential landscape projects after January 1, 2026. The bill would make other clarifying changes to the updated model ordinance. The bill would require the department, no later than July 1, 2024, to convene a working group composed of a broad range of stakeholders with expertise in horticulture and native plants, as specified, to develop a strategic plan with measurable milestones to, by January 1, 2035, reach a target that all new and renovated nonresidential areas install in the project footprint not less than 75% native plants.

Position	Priority
Watch	B. Watch

#### [AB 1637](#)

##### **(Irwin D) Local government: internet websites and email addresses.**

**Status:** 7/10/2023-In committee: Referred to APPR. suspense file.

**Summary:** Would, no later than January 1, 2029, require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a “.gov” or “.ca.gov” domain. This bill, no later than January 1, 2029, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a “.gov” domain name or a “.ca.gov” domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

Position	Priority
Watch	B. Watch

**Notes 1:** No longer applies to special districts

#### [AB 1648](#)

##### **(Bains D) Water: Colorado River conservation.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W., P. & W. on 3/16/2023)(May be acted upon Jan 2024)

**Summary:** Would prohibit the Metropolitan Water District of Southern California and the Department of Water and Power of the City of Los Angeles from achieving a reduction in, or conservation of, Colorado River water consumption required by an agreement with specified entities through increased water deliveries or imports from other regions of California, including the San Joaquin Valley and the Sacramento-San Joaquin Delta. The bill would require the Colorado River Board of California, the Department of Water Resources, and the State Water Resources Control Board to use their existing authority to enforce these provisions. The bill would specify that these provisions apply retroactively to January 1, 2023, and apply to any agreement entered into on or after that date.

Position	Priority
Watch	B. Watch

#### [ACA 2](#)

##### **(Alanis R) Public resources: Water and Wildfire Resiliency Act of 2023.**

**Status:** 4/20/2023-Referred to Coms. on W., P., & W. and NAT. RES.

**Summary:** Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that 50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as



specified.

Position	Priority
Out for Analysis	B. Watch

**SB 3**

**(Dodd D) Discontinuation of residential water service: public water system.**

**Status:** 6/21/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (June 20). Re-referred to Com. on APPR.

**Summary:** Current law authorizes the State Water Resources Control Board to provide for the deposit into the Safe and Affordable Drinking Water Fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would require the board to, upon appropriation by the Legislature, expend moneys to provide training statewide to community water systems with between 15 and 200 service connections to meet compliance with the Water Shutoff Protection Act.

Position	Priority
Out for Analysis	B. Watch

**SB 48**

**(Becker D) Building Energy Savings Act.**

**Status:** 7/11/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (July 10). Re-referred to Com. on APPR.

**Summary:** Current law requires each utility to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete calendar months, and to deliver or otherwise provide that aggregated energy usage data for each covered building, as defined, to the owner, as specified. Current law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to adopt regulations providing for the delivery to the Energy Commission and public disclosure of benchmarking of energy use for covered buildings, and specifies that this requirement does not require the owner of a building with 16 or fewer residential utility accounts to collect or deliver energy usage information to the Energy Commission. This bill would additionally specify that the requirement does not require the owner of a building with less than 50,000 square feet of gross floor space to collect or deliver energy usage information to the Energy Commission.

Position	Priority
Watch	B. Watch

**SB 57**

**(Gonzalez D) Utilities: disconnection of residential service.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E. U., & C. on 3/22/2023)(May be acted upon Jan 2024)

**Summary:** Would require an electrical corporation, local publicly owned electric utility, gas corporation, local publicly owned gas utility, water corporation, or local agency that owns a public water system to postpone the disconnection of a customer's residential service for nonpayment of a delinquent account when the temperature will be 32 degrees Fahrenheit or cooler, or 95 degrees Fahrenheit or warmer, within the utility's service area during the 24 hours after that service disconnection would occur, as specified. The bill would require each of those utilities to notify its residential ratepayers of that requirement and to create an online reporting system available through its internet website, if it has one, that enables its residential ratepayers to report when their utility service has been disconnected in violation of that requirement, as specified. The bill would require the PUC to establish a citation program to impose a penalty on an electrical corporation or gas corporation that violates that requirement, and require each local publicly owned electric utility and local publicly owned gas utility to annually report to the State Energy Resources Conservation and Development Commission the number of residential service connections it disconnected for nonpayment of a delinquent account. The bill would authorize the State Water Resources Control Board to enforce the requirement that a water corporation and local agency that owns a public water system postpone a disconnection of a customer's residential service, as specified.

Position	Priority
Watch	B. Watch

**SB 66**

**(Hurtado D) Water Quality, Supply, and Infrastructure Improvement Act of 2014: Drinking Water Capital Reserve Fund: administration.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/29/2023)(May be acted upon Jan 2024)

**Summary:** The Water Quality, Supply, and Infrastructure Improvement Act of 2014 bond act provides that the sum of \$260,000,000 is to be available for grants and loans for public water system infrastructure improvements and related actions to meet safe drinking water standards, ensure affordable drinking water, or both, as specified. Current law requires the State Water Resources Control Board to deposit up to \$2,500,000 of the \$260,000,000 into the Drinking Water Capital Reserve Fund, to be available upon appropriation by the Legislature. Current law requires the state board



to administer the Drinking Water Capital Reserve Fund for the purpose of serving as matching funds for disadvantaged communities and requires the state board to develop criteria to implement this provision. This bill would require the state board to provide an analysis of the criteria to implement that provision to the Senate Committee on Natural Resources and Water and Assembly Committee on Water, Parks, and Wildlife on January 1, 2025, and every 2 years thereafter.

Position	Priority
Watch	B. Watch

#### [SB 69](#)

**(Cortese D) California Environmental Quality Act: local agencies: filing of notices of determination or exemption.**

**Status:** 7/12/2023-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** The California Environmental Quality Act (CEQA) requires a local agency that approves or determines to carry out a project subject to CEQA to file a notice of determination with the county clerk of each county in which the project will be located, as provided. CEQA authorizes a local agency that determines that a project is not subject to CEQA to file a notice of exemption with the county clerk of each county in which the project will be located, as provided. CEQA requires the county clerk to make the notice available for public inspection and post the notice within 24 hours of receipt in the office or on the internet website of the county clerk, as specified. CEQA requires an action or proceeding challenging an act or decision of a public agency, including a local agency, on the grounds of noncompliance with CEQA to be commenced within certain time periods, as specified. This bill would require a local agency to file a notice of determination with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would authorize a local agency to file a notice of exemption with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would require the notice, including any subsequent or amended notice, to be posted both in the office and on the internet website of the county clerk and by the Office of Planning and Research on the State Clearinghouse internet website within 24 hours of receipt. The bill would specify that the posting of the notice by the Office of Planning and Research would not affect the applicable time periods to challenge an act or decision of a local agency, as described above.

Position	Priority
Watch	B. Watch

#### [SB 231](#)

**(Hurtado D) Department of Water Resources: water supply forecasting.**

**Status:** 7/12/2023-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** Would require the Department of Water Resources, on or before December 31, 2025, to establish a formal process for annually evaluating and improving the accuracy of its water supply forecasts, adopt a new water supply forecasting model that better addresses the effects of climate change, and implement a formal policy and procedures for documenting its operational plans for the state's water supply and its rationale for its operating procedures. The bill would require the department, by December 1, 2024, to prepare, and submit to the Legislature, a report on its progress toward meeting these requirements.

Position	Priority
Watch	B. Watch

#### [SB 272](#)

**(Laird D) Sea level rise: planning and adaptation.**

**Status:** 6/20/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 1.) (June 19). Re-referred to Com. on APPR.

**Summary:** Current law creates within the Ocean Protection Council the California Sea Level Rise State and Regional Support Collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, planning, and, where feasible, the mitigation of the adverse environmental, social, and economic effects of sea level rise within the coastal zone, as provided. This bill would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034, as provided. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for sea level rise planning and adaptation on or before January 1, 2029, to be prioritized for sea level rise funding, upon appropriation by the Legislature, for the implementation of projects in the local government's approved sea level rise adaptation plan.

Position	Priority
Watch	B. Watch



**SB 315****(Hurtado D) Groundwater: groundwater sustainability agencies: probationary basins.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2023)(May be acted upon Jan 2024)

**Summary:** The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate specified basins as probationary basins if certain conditions are met, including, but not limited to, that the Department of Water Resources, in consultation with the board, determines that a groundwater sustainability plan is inadequate or that the groundwater sustainability program is not being implemented in a manner that will likely achieve the sustainability goal. Current law requires the board, if it designates a basin as a probationary basin pursuant to specified conditions, to identify the specific deficiencies and potential remedies. Current law authorizes the board to request the department, within 90 days of the designation, to provide technical recommendations to local agencies to remedy the deficiencies and to develop an interim plan for the probationary basin one year after the designation, as specified. This bill would require any groundwater sustainability agency that hires a third-party consulting firm to ensure that the integrity of the science being used to develop a groundwater sustainability plan is protected and the data is not sold. The bill would delete the authorizations for the board to request technical recommendations from the department. The bill would additionally place various requirements on the board in working with a groundwater sustainability agency, including, among other things, requiring the board to provide clear benchmarks and guidance for groundwater sustainability agencies to improve their groundwater management plans.

Position	Priority
Watch	B. Watch

**SB 865****(Laird D) Municipal water districts: automatic exclusion of cities.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/1/2023)(May be acted upon Jan 2024)

**Summary:** Current law authorizes a governing body of a municipal water district to adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, if the territory is annexed prior to the effective date of the formation of the municipal water district. Current law requires the Secretary of State to issue a certificate reciting the passage of the ordinance and the exclusion of the area from the municipal water district within 10 days of receiving a certified copy of the ordinance. This bill would extend the number of days the Secretary of State has to issue a certificate to 14 days.

Position	Priority
Watch	B. Watch

**SB 867****(Allen D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.**

**Status:** 7/6/2023-July 10 hearing postponed by committee.

**Summary:** Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Position	Priority
Watch	B. Watch

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## C. Spot Bill

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**AB 422****(Alanis R) Natural Resources Agency: statewide water storage: tracking.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 2/9/2023)(May be acted upon Jan 2024)

**Summary:** Would require the Natural Resources Agency, on or before June 1, 2024, to post on its publicly available



internet website information tracking the progress to increase statewide water storage, and to keep that information updated.

Position  
Watch

Priority  
C. Spot Bill

**Total Measures: 40**

**Total Tracking Forms: 40**



Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>AB 400</b> <b>B. Rubio (D – Baldwin Park)</b>  Sponsors: California State Association of Counties, League of California Cities	Amended 6/13/2023  Senate Appropriations Committee	<b>Local agency design-build projects: authorization.</b>  This measure would extend the existing sunset date to January 1, 2031, for the use of design-build as a delivery method for public works contracts.	<b>Support</b>  Based on October 2021 Board Action	Metropolitan’s current authority to use design-build under AB 1845 (Calderon, CH. 275, 2022) will sunset on January 1, 2028. The provisions of this bill would allow Metropolitan to use design-build for future projects through January 1, 2031.
<b>AB 1567</b> <b>Garcia (D-Coachella)</b>	Amended 5/26/2023  Senate Appropriations Committee	<b>Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.</b>  This measure would authorize a \$15.995 billion general obligation bond for the March 5, 2024, ballot to fund a broad range of resource-based programs that will assist California to improve its climate resiliency. . .	<b>Support, if amended</b>  Based upon June 2023 Board Action	This measure is consistent with Metropolitan’s current policy priorities and supports the objectives of Metropolitan’s Climate Adaptation Master Plan.  Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought and conservation projects.
<b>AB 1572</b> <b>Friedman (D - Glendale)</b>  Co-Sponsors: Metropolitan, Heal the Bay, National Resources Defense Council	Amended 6/19/2023  Senate Appropriations Committee	<b>Potable water: nonfunctional turf.</b>  This measure prohibits the use of potable water for the irrigation of non-functional turf located on commercial, industrial, institutional. This measure provides the State Water Resources Control Board with the authority to postpone compliance dates as prescribed.	<b>Co-Sponsor</b>  Based upon April 2023 Board action	Based on input from the Board and member agencies, Metropolitan sought amendments to exclude multi-family residential buildings and protect the authority and local control of public water systems. The June 19 version reflects these amendments and Metropolitan is now a “Co-Sponsor” of this measure.



Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1573 Friedman (D - Glendale)  Sponsor: Earth Advocacy	Amended on 6/19/2023  Senate Appropriations Committee	<b>Water conservation: landscape design: model ordinance.</b>  This measure would update the model water efficient landscape ordinance for new or renovated nonresidential areas to require at least 25% local native plants beginning January 1, 2026. This measure would also prohibit the use of nonfunctional turf in nonresidential landscape projects after January 1, 2026.	<b>Support</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	This measure is consistent with Metropolitan's effort to reduce nonfunctional turf within its service area. Metropolitan staff initially identified implementation challenges but were able to work with the author's office to bring Metropolitan to a support position.  Metropolitan's requested amendments included: (1) removal of the .3 plant factor, (2) a phased approach implementation of native plant requirement, and (3) require water efficient irrigation methods. The current version of the bill reflects these requested changes.
AB 1648 Bains (D - Bakersfield)	Amended 3/16/2023  Two Year Bill	<b>Water: Colorado River Conservation</b>  This measure would specifically prohibit Metropolitan and LADWP to offset federally required reductions on Colorado River resources with increased water deliveries from other regions of California, including the Delta, retroactively as of January 1, 2023.	<b>Oppose</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	This measure affects Metropolitan's flexibility with its entire water portfolio, including the Integrated Water Resources Plan and the Annual Operating Plan. Metropolitan's reliability and its ability to meet demands would also be impaired by restrictions on partnerships with its State Water Project and Colorado River Basin stakeholders.
SB 122 Senate Committee on Budget and Fiscal Review	Amended 6/26/2023  Enrolled	<b>Flood Flow Streamlining</b>  Provisions in this trailer bill provide that diversion of flood flows for groundwater recharge do not require an appropriate water right if specified conditions regarding the diversion are met. These provisions exempt from the California Environmental Quality Act (CEQA) specified actions related to the implementation of Colorado River water conservation agreements with the US Bureau of Reclamation.	<b>Seek Amendments</b>  Based upon 2023 Water Rights Principles, adopted April 2023	The no-permit authorization poses a significant concern to Metropolitan's State Water Project supplies. There is no process for protesting, no requirement that diverters avoid harm to other legal water users with water rights senior to the flood flow diverter, and no protection of SWP and CVP rights to divert "excess flows" when they exist in the system up to the full capacity of the projects. Metropolitan will work with the administration to address these issues as the program is implemented.



Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 124</b> <b>Senate Committee</b> <b>on Budget and</b> <b>Fiscal Review</b>	Amended 6/26/2023  Enrolled	<b>Green Financing Programs for Federal IRA Funding</b>  This measure contains various provisions to implement the 2023 State Budget Act, which includes authorizing the State Infrastructure and Economic Development Bank and DWR to access and utilize federal funding in the Inflation Reduction Act to finance projects that reduce greenhouse emissions.	<b>Support</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	For the State Water Project, DWR's direct investment in qualifying projects could lower its capital costs, which would ultimately be passed on to Metropolitan and other SWP contractors.
<b>SB 146</b> <b>Gonzalez (D-Long Beach)</b>	Amended 6/26/2023  Enrolled	<b>Public resources: infrastructure: contracting.</b>  This measure is part of the negotiated infrastructure trailer bill package and authorizes DWR to use the progressive design-build project delivery method for up to eight public works projects that exceed \$25 million. The Delta conveyance facilities and seawater desalination are expressly prohibited under this measure.	<b>Support</b>  Based on October 2021 Board Action	By utilizing PDB and awarding a project contract prior to the completion of all design work, DWR can potentially reduce overall costs and execute shorter project delivery schedules. This could lead to reduced costs for SWP-related projects-resulting in cost savings being passed on to Metropolitan.
<b>SB 147</b> <b>Ashby (D-Sacramento)</b>	Amended 6/26/2023  Enrolled	<b>Fully protected species: California Endangered Species Act: authorized take</b>  This measure is part of the negotiated infrastructure trailer bill package and authorizes the take of fully protected species for certain infrastructure projects if specified conditions are met. Eligible projects include the maintenance, repair and improvement of the State Water Project, as well as critical regional and local water infrastructure.	<b>Support and Amended</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	While this alternative may have benefits over current FPS regulations, the requirements are extensive and may make permit terms infeasible or cost prohibitive and could create other litigation risks for permittees. Combined, these aspects make it unlikely Metropolitan would seek to use this method.



Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 149</b> <b>Caballero (D-</b> <b>Merced)</b>	Amended 6/28/2023  Enrolled	<b>California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.</b>  This measure is part of the negotiated infrastructure trailer bill package and makes various changes to CEQA. This bill provides clarification for what is considered as part of the administrative record, as well as allowing a public agency to deny a request to prepare the record of proceedings. This bill also provides for expedited judicial review for specified energy and transportation projects.	<b>Support and Amend</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	Administrative Records Streamlining: Overall, the provisions would be beneficial to Metropolitan as they could lower CEQA litigation costs and shorten litigation timelines.  Expedited Judicial Review: The process for preparing the administrative record for any governor-certified infrastructure project must follow certain extensive and potentially costly specifications. While expedited judicial review is beneficial in concept, unless amended, the prerequisites may be infeasible or costly to implement.
<b>SB 150</b> <b>Durazo (D-Los</b> <b>Angeles)</b>	Amended 6/26/2023  Enrolled	<b>Construction: workforce development: public contracts.</b>  This measure is part of the negotiated infrastructure trailer bill package and focuses on strengthening the state's workforce and community benefits with infrastructure investments through California's share of federal funds.	<b>Support</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	This bill is intended to help develop procurement models to enhance the state's training and access pipeline for jobs while ensuring community benefits on infrastructure and manufacturing investments.  This bill is aligned with Metropolitan's values and would benefit the district by building the next generation of the state's construction workforce.



<b>Bill Number Author</b>	<b>Amended Date Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>SB 366 Caballero (D - Merced)</b>  Sponsors: California Municipal Utilities Association, California Council for Environmental and Economic Balance, California State Association of Counties	Amended 6/29/2023  Assembly Water, Parks, and Wildlife Committee: 7/11/2023 hearing date	<b>The California Water Plan: long-term supply targets.</b> This measure would revise the California Water Plan to require the DWR to update the California Water Plan by December 31, 2028, and every five years after, to include a long-term water supply target for 2050 and discussion on the development of specified water supply sources to meet demand.	<b>Support, if amended</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	The intent of this bill is to help modernize California's water management practices and provide long-term reliable supplies in response to the current climate challenges. Metropolitan is seeking clarifying amendments to ensure the 2050 target reflects statewide, regional, and local planning efforts.  Recent amendments related to the Delta environment are not consistent with the purpose of the California Water Plan.
<b>SB 659 Ashby (D – Sacramento)</b>  Sponsors: Sacramento Regional Water Authority	Amended 5/18/2023  Assembly Water, Parks, and Wildlife Committee 7/11/2023 hearing date	<b>California Water Supply Solutions Act of 2023.</b>  This bill would require DWR to develop a groundwater recharge plan by January 1, 2026, to create additional groundwater recharge capacity.	<b>Support, if Amended</b>  Based upon 2023 Legislative Priorities and Principles adopted December 2022.	This bill will further elevate the importance of groundwater in the state's planning efforts.  Metropolitan is requesting amendments to add clarifying language to the definition of stormwater capture and merge this plan into the development of the California Water Plan to remove duplication of effort and ensure more comprehensive planning.
<b>SB 687 Eggman (D - Stockton)</b>	Amended 5/2/2023  Two-year bill	<b>Water Quality Control Plan: Delta Conveyance Project.</b>  This measure will require the State Water Resources Control Board to adopt a final update of the Bay-Delta Water Quality Control Plan before the Board considers a change in the point of diversion or any other water rights permit or order for the Delta Conveyance Project.	<b>Oppose</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	Metropolitan supports updating the Water Quality Control Plan to protect beneficial uses in the Delta. However, this bill would result in halting or delaying planning efforts on the Delta Conveyance Project and potentially prevent the project from operating if approved.



Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 867</b> <b>Allen (D-Santa Monica)</b>	Amended 6/22/2023  Assembly Natural Resources Committee: 7/11/2023 hearing date	<b>Drought, Flood and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.</b>  This measure would authorize a \$15.5 billion general obligation bond for a range of resource-based programs that will improve California's climate resiliency. If approved, this measure would be on the March 5, 2024 statewide ballot.	<b>Support, if amended</b>  Based upon June 2023 Board Action	This measure is consistent with Metropolitan's current policy priorities and supports the objectives of Metropolitan's Climate Adaptation Master Plan.  Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought, and conservation projects.
<b>SB 706</b> <b>Caballero (D-Merced)</b>  Sponsors: CA State Association of Counties; County of San Diego; Design Build Institute of America Western Pacific Chapter; League of California Cities	Amended 6/28/23  Assembly Appropriations Committee	<b>Public contracts: progressive design-build: local agencies.</b>  This bill would provide additional authority, until January 1, 2023, for cities, counties, and special districts to use progressive design-build authority for up to 10 public works projects that are in excess of \$5 million. In addition, any local agency that uses this authorized progressive-design build process must submit a report to the Legislature.	<b>Support</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	Currently, progressive design-build eligible projects are limited to wastewater treatment facilities, park and recreational facilities, solid waste management facilities and water recycling facilities. However, this bill will now authorize Metropolitan to address other physical structures and needs to further support Metropolitan's operations for reliable water supply deliveries throughout its service area.





**DISCUSSION ITEM**

August 2, 2023

**TO: Board of Directors**

**FROM: Harvey De La Torre,  
Interim General Manager**

Staff Contact: Melissa Baum-Haley

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

**STAFF RECOMMENDATION**

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

**DETAILED REPORT**

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

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



**ISSUE BRIEF #A****SUBJECT: MET Finance and Rate Issues****RECENT ACTIVITY**

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Water Transactions for May 2023 (for water delivered in March 2023) totaled 61.5 thousand acre-feet (TAF), which was 37.2 TAF lower than the budget of 98.7 TAF and translate to \$59.5 million in receipts for May 2023, which was \$33.8 million lower than the budget of \$93.3 million.

Year-to-date water transactions through May 2023 (for water delivered in May 2022 through March 2023) totaled 1,310.4 TAF, which was 160.2 TAF lower than the budget of 1,470.6 TAF. Year-to-date water receipts through May 2023 were \$1,247.5 million, which was \$139.9 million lower than the budget of \$1,387.4 million.

On June 21, 2023, Metropolitan issued \$258,410,000, Water Revenue and Refunding Bonds, 2023 Series A. The bond pricing, held on June 6, 2023, was a tremendous success. Bond orders from 49 institutional investors totaled \$874 million, or 3.3 times the amount of bonds sold. Bond proceeds will be used to fund a portion of Metropolitan's Capital Investment Plan and to refund a short-term note that was issued to prepay approximately \$35 million of subordinate lien revenue bonds.



## ISSUE BRIEF #B

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

### **RECENT ACTIVITY**

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The 2022-23 Water Year (2022-23 WY) officially started on October 1, 2022. Thus far, Northern California accumulated precipitation (8-Station Index) reported **64.1. inches or 131% of normal** as of July 25th. The Northern Sierra Snow Water Equivalent peaked at **59.1 inches on April 9<sup>th</sup>**, which is **215% of normal** for that day. Due to barrage of atmospheric rivers in January and March, the Department of Water Resources (DWR) has increased the State Water Project (SWP) **"Table A" allocation to 100%**. This allocation provides Metropolitan with approximately **1,911,500 AF in SWP deliveries this water year**. In Addition, Article 21 supplies (approximately 148,000 AF) were made to SWP contractors on March 24<sup>th</sup> 2023. DWR's SWP Allocation considers several factors including existing storage in SWP, conservation reservoirs, SWP operational regulatory constraints, and the 2023 contractor demands. In additional, Metropolitan received **134,000 AF for Human Health and Safety Supply in CY 2022**.

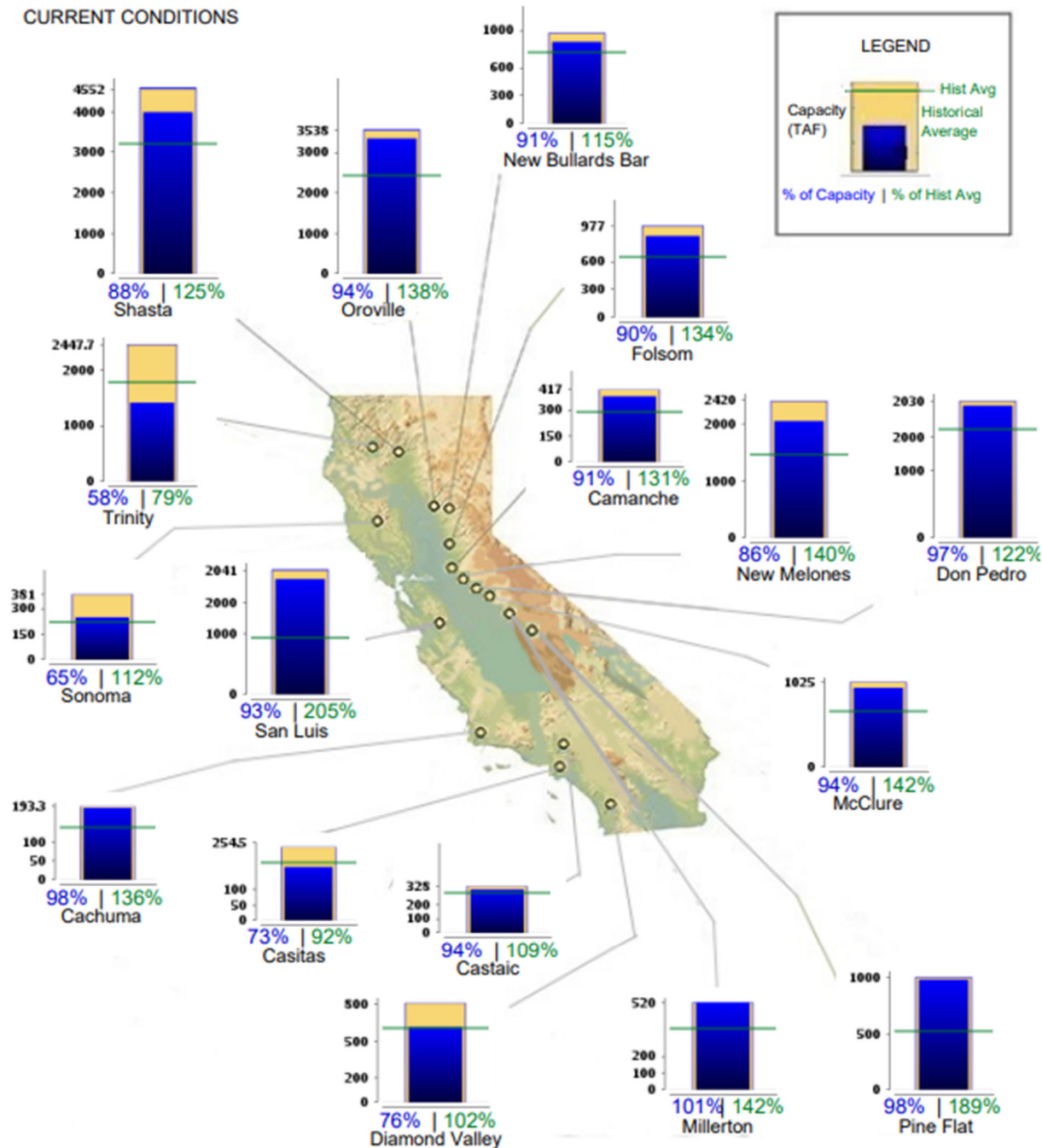
The Upper Colorado River Basin accumulated precipitation is reporting **29.0 inches or 121% of normal as of July 24<sup>th</sup>**. On the Colorado River system, snowpack is measured across four states in the Upper Colorado River Basin. The Upper Colorado River Basin Snow Water Equivalent peaked **26.2 inches as of April 10<sup>th</sup>**, which is **131% of normal** for that day. Due to the below average inflows into Lake Powell over the past several years, the United States Bureau of Reclamation **declared a shortage at Lake Mead that has been ongoing since January 1<sup>st</sup>, 2022**. As of July, **there is a 93% chance of shortage continuing in CY 2024 and a 3% chance that Metropolitan will see a 180,000 AF reduction in Colorado River water supplies in CY 2025.**

As of July 24<sup>th</sup> Lake Oroville storage is at **94% of total capacity and 138% of normal**. As of July 24<sup>th</sup> San Luis Reservoir has a current volume of **93% of the reservoir's total capacity and is 205% of normal**.



## CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS CURRENT CONDITIONS

Midnight - July 24, 2023



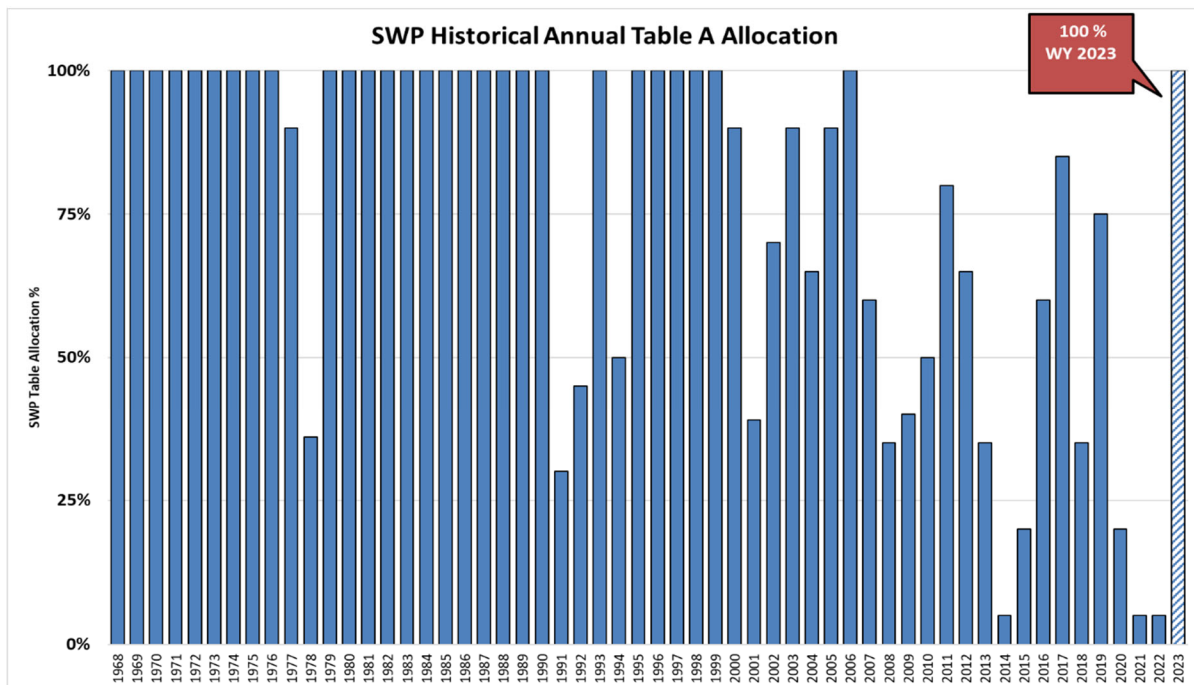
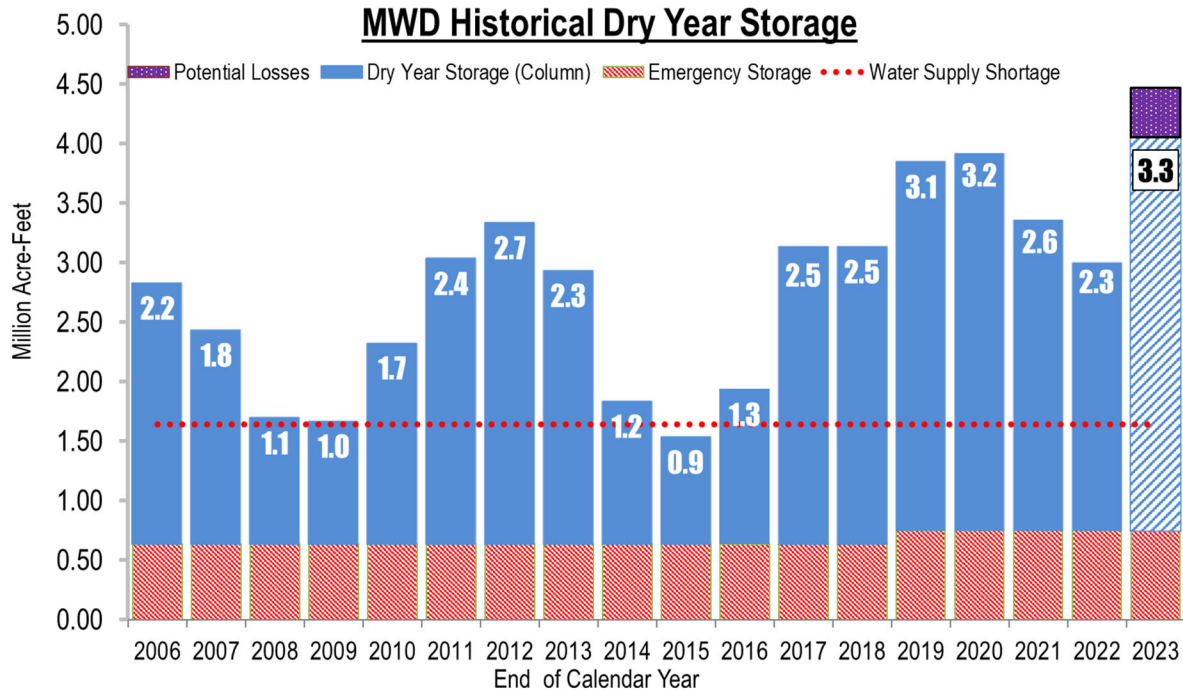
Updated 07/25/2023 12:48 PM

With CY 2023 estimated total demands and losses of 1.56 million acre-feet (MAF) and with a 100% SWP Table A Allocation, Metropolitan is projecting that supplies will exceed demands levels in CY 2023. Based on this, estimated total dry-year storage for Metropolitan at the end of **CY 2023 will increase to approximately 3.3 MAF.**

A projected dry-year storage supply of **3.3 MAF would be the highest level in Metropolitan History.** Unfortunately, due to the 100% SWP Table A Allocation, there is potential that Metropolitan will not be able to store approximately 420 TAF. A large



factor in maintaining a high water storage level are lower than expected water demands. We are seeing regional water demands reaching a 40-year low. **However, with a majority of Metropolitan's water supplies stored in Lake Mead and with still a 5-year shortage projection at Lake Mead, there remains a lot of uncertainty to where supply balances will be in the future.**





### 2023 WSDM Storage Detail

	1/1/2023 Estimated Storage Levels	CY 2023 Put Capacity <sup>1</sup>	2023 Total Storage Capacity
<b>WSDM Storage</b>			
Colorado River Aqueduct Delivery System	1,128,000	400,000	1,657,000
Lake Mead ICS	1,128,000 <sup>2</sup>	400,000	1,657,000
State Water Project System	502,000	621,000	1,897,000
MWD SWP Carryover <sup>3</sup>	39,000	297,000	350,000
DWCV SWP Carryover <sup>3</sup>			
MWD Articles 14(b) and 12(e)	0	0	N/A
Castaic and Perris DWR Flex Storage	3,000	216,000	219,000
Arvin Edison Storage Program	119,000	0 <sup>4</sup>	350,000
Semitropic Storage Program	158,000	32,000	350,000
Kern Delta Storage Program	137,000	45,000	250,000
Mojave Storage Program	19,000	10,000	330,000
AVEK Storage Program	27,000	3,000	30,000
AVEK High Desert Water Bank Program	0	18,000 <sup>5</sup>	18,000 <sup>6</sup>
<b>In-Region Supplies and WSDM Actions</b>	<b>698,000</b>	<b>392,000</b>	<b>1,246,000</b>
Diamond Valley Lake	494,000	316,000	810,000
Lake Mathews and Lake Skinner	194,000	32,000	226,000
Conjunctive Use Programs (CUP) <sup>7</sup>	10,000	44,000	210,000
<b>Other Programs</b>	<b>662,000</b>	<b>171,000</b>	<b>1,181,000</b>
Other Emergency Storage	381,000	0	381,000
DWCV Advanced Delivery Account	281,000	171,000	800,000
<b>Total</b>	<b>2,990,000</b>	<b>1,584,000</b>	<b>5,981,000</b>
Emergency	750,000	0	750,000
<b>Total WSDM Storage (AF) <sup>8</sup></b>	<b>2,240,000</b>	<b>1,584,000</b>	<b>5,231,000</b>

<sup>1</sup> Put capacity assumed under a 100 percent SWP Table A Allocation. Storage program losses included where applicable.

<sup>2</sup> Reflects USBR's final accounting for 2022, released May 2023. This amount is net of the water Metropolitan stored for IID in Lake Mead in an ICS sub-account.

<sup>3</sup> Total storage capacity varies year to year based on prior year remaining balance added to current year contractual limits.

<sup>4</sup> Puts are limited due to water quality considerations.

<sup>5</sup> Includes the early recharge in the High Desert Water Bank Program expected to commence in the summer.

<sup>6</sup> Represents a portion of the total storage capacity. Total storage capacity is 280,000 AF once the program is fully constructed. Anticipated to be fully operational by the end of 2025.

<sup>7</sup> Total of all CUP programs including IEUA/TVMWD (Chino Basin); Long Beach (Central Basin); Long Beach (Lakewood); Foothill (Raymond and Monk Hill); MWDOC (Orange County Basin); Three Valleys (Live Oak); Three Valleys (Upper Claremont); and Western.

<sup>8</sup> Total WSDM Storage level subject to change based on accounting adjustments.

### Attachment: Water Supply PowerPoint



## **ISSUE BRIEF #C**

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

### **RECENT ACTIVITY**

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#### **Water System Operations**

Metropolitan member agency water deliveries were 86,000 acre-feet (AF) for June with an average of 2,900 AF per day, which was about equal to daily deliveries in May. Treated water deliveries increased by 1,000 AF from May for a total of 49,700 AF, or 58 percent of total deliveries for the month. The Colorado River Aqueduct (CRA) pumped a total of 69,000 AF in June. State Water Project (SWP) imports averaged 3,900 AF per day, totaling about 116,400 AF for the month. The target SWP blend decreased from 80 to 60 percent for Weymouth and Diemer plants and increased from 20 to 40 percent for the Skinner plant by the end of the month.

#### **Water Treatment and Distribution**

The target blend entering the Weymouth and Diemer plants was lowered from 80 percent to 60 and 65 percent, respectively, in mid-June to accommodate deliveries to USG-3 from the East Branch SWP. The Mills plant continued to receive a blend of water from Silverwood Lake and Lake Perris in June because of low alkalinity in the East Branch SWP. The SWP target entering Lake Skinner fluctuated to accommodate multiple operational needs and to maximize the delivery of water from the SWP. The SWP blend leaving the lake continued to increase and is expected to reach up to 75 percent over the next few weeks. Chemical dosages were adjusted at Weymouth, Diemer, Mills, and Skinner plants to ensure that water quality objectives continue to be achieved following the blend changes.

Flow-weighted running annual averages for total dissolved solids from May 2022 through April 2023 for Metropolitan's treatment plants capable of receiving a blend of supplies from the SWP and the Colorado River Aqueduct were 568, 580, and 620 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

#### **Future Legislation and Regulation**

On May 30, Metropolitan staff submitted a comment letter to the Environmental Protection Agency (EPA) on its proposed National Primary Drinking Water Regulation (NPDWR) for six PFAS. The rule proposes to set individual maximum contaminant levels (MCLs) for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) at 4.0 parts per trillion (or ng/L) and regulates the remaining four compounds (perfluorononanoic acid [PFNA], hexafluoropropylene oxide dimer acid [HFPO-DA, commonly known as GenX Chemicals], perfluorohexane sulfonic acid [PFHxS], and perfluorobutane sulfonic acid [PFBS]) as a mixture. While staff supports regulating PFOA and PFOS in drinking water, staff commented that regulating the remaining PFAS is premature as these compounds did not follow the full regulatory process and may have unintended economic impacts. Metropolitan staff will continue to monitor and engage in EPA's efforts to control PFAS in the environment.



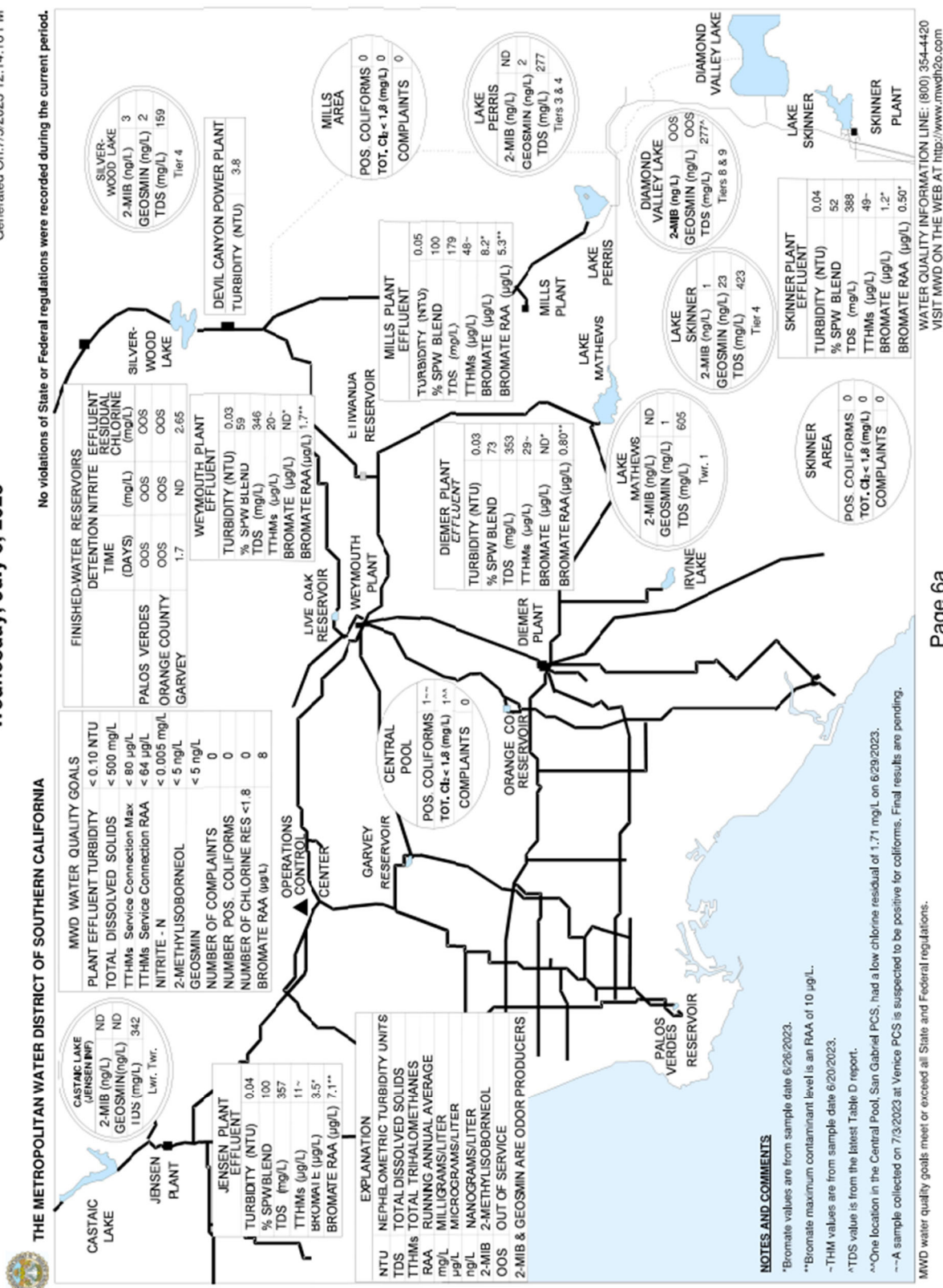
On June 6, Metropolitan staff provided oral testimony to the State Water Resources Control Board regarding the Division of Drinking Water's (DDW's) Drought and Conservation Reporting Order. Staff reiterated that providing volumetric flow and lake elevation data for our main water system, as well as three of our five housing villages, does not provide meaningful information about Metropolitan's drought readiness. Staff participated in DDW's workshop on July 13 to discuss ways to simplify the reporting requirements and potentially exclude our small systems from the need to report.



## Weekly Water Quality System Status

Wednesday, July 5, 2023

Generated On:7/5/2023 12:14:16 PM





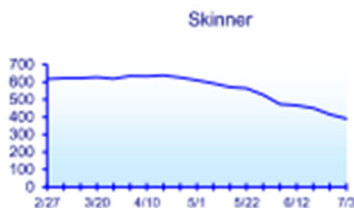
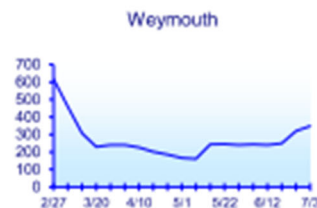
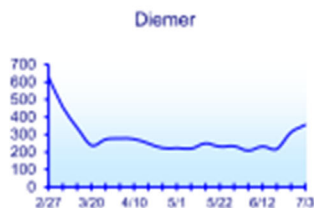
# Water Quality Section Weekly TDS Report

For the week of 7/2/2023

Percent SPW Needed to Achieve TDS Goal of 500 mg/L				Estimated TDS for Reservoirs		
Source Water TDS		SPW Required		Reservoir (Effluent)	Date	mg/L
Plant	CRW	SPW	Percent			
Weymouth	605	159	24%	Lake Havasu (Table D)	4/12/23	640
Diemer	605	159	24%	Lake Mathews (DFPI-LWRFR)	7/3/23	605
Skinner-Silverwood	643	159	30%	Lake Skinner (Outlet Structure)	7/3/23	423
Skinner-Perris	643	277	39%	Castaic Lake (JFP)	7/2/23	342
CRW for Diemer and Weymouth is Lake Mathews and San Jacinto - West Portal for Skinner.				Silverwood (Mills Int)	7/3/23	159
				Lake Perris	7/3/23	277
				DVL Outlet (Table D)	4/10/23	277

## SUNDAY COMPOSITE ESTIMATED TDS FOR 02/26/23 - 07/02/23

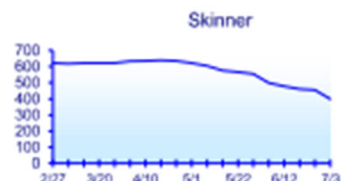
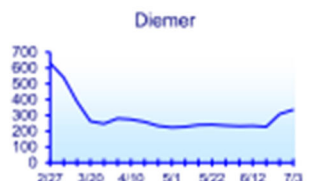
TDS For Week of 7/2	
Plant Eff.	mg/L
Diemer	355
Weymouth	348
Skinner	390
Jensen	357
Mills	179



Sunday composite estimated TDS measured from plant effluent composite samples collected on Sunday and analyzed for hardness and electrical conductivity. \*Collected on Monday 7/3/2023

## WEEKLY COMPOSITE ESTIMATED TDS FOR 02/26/23 - 07/02/23

TDS For 6/26 - 7/2	
Plant Eff.	mg/L
Diemer	335
Weymouth	329
Skinner	399



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 May 2022 - April 2023

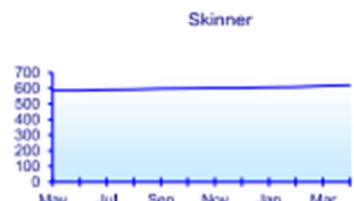
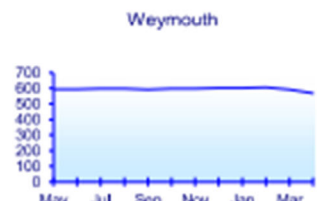
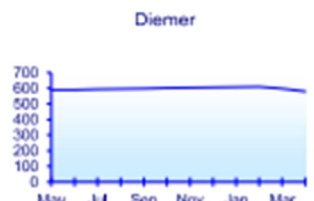
TDS For Apr 2023	
Plant Eff.	mg/L
Diemer	252
Weymouth	210
Skinner	638
Jensen	364
Mills	208



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 May 2022 - April 2023

Flow-Weighted RAA TDS May 2022 - Apr 2023	
Plant	mg/L
Diemer	580
Weymouth	568
Skinner	620
Jensen	336
Mills	292



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 #D**

**SUBJECT: Colorado River Issues**

### **RECENT ACTIVITY**

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#### **Reclamation Begins Post-2026 NEPA Process**

In December 2007, the Bureau of Reclamation (Reclamation) adopted a Record of Decision implementing the Colorado River Interim Guidelines, which included surplus and shortage criteria, Lake Powell, and Lake Mead operations, and established the Intentionally Created Surplus (ICS) program. The Guidelines expire on December 31, 2025. Because the operating conditions for 2026 will have already been approved by that date, the 2007 Interim Guidelines essentially are in effect through 2026. These Guidelines were derived from a consensus-based agreement among the Basin States, which followed a statement by then Secretary of the Interior Gale Norton in 2005 to develop such a plan or risk having the federal government develop its own plan. The consensus-based guidelines were followed by other consensus-based agreements, including new minutes to the Mexican-American water treaty and the 2019 Drought Contingency Plan.

On June 16, Reclamation initiated the process for developing the next set of Guidelines. They laid out a schedule in which a Draft Environmental Impact Statement (EIS) would be prepared by the end of 2024, followed by a Final EIS and Record of Decision in time for the 2027 operating year. The initial step is to solicit scoping comments for the National Environmental Planning Act (NEPA) process. Reclamation has requested input on the scope, strategies, and other issues that should be considered in the development of the EIS. The Colorado River Basin States have committed to work together to develop a seven-state scoping comment letter. Metropolitan will also be submitting scoping comments and will be working with our partners to encourage them to also submit scoping comments. Comments are due August 15, 2023.



## **ISSUE BRIEF #E**

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

### **RECENT ACTIVITY**

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#### **Delta Conveyance**

The California Department of Water Resources (DWR) is continuing efforts to organize and develop responses to the comments received on the Delta Conveyance Project (DCP) draft Environmental Impact Report (EIR), as required under the California Environmental Quality Act (CEQA). DWR received more than 700 unique comment letters with over 6,000 individual comments. The Final EIR is expected at the end of 2023, which will include responses to all substantive comments on the Draft EIR and, where appropriate, edits to the Draft EIR responsive to comments received.

The U.S. Army Corps of Engineers (USACE) draft Environmental Impact Statement (EIS) comment period closed on March 16, 2023. The DCP draft EIS is required under National Environmental Protection Act. The USACE is also starting the initial organization of the comments received on the DCP draft EIS.

DWR's field activities under the Initial Study/Mitigated Negative Declaration for Soil Investigations in the Delta are planned to resume in early May 2023. These activities include data collection, soil samples, and surveys to better understand the region's geology to support the evaluation of potential activities, including the proposed DCP. DWR will update its public information website to provide information on the soil investigations to interested members of the public.

(<https://water.ca.gov/Programs/State-Water-Project/Delta-Conveyance/Environmental-Planning>)

#### **Sites Reservoir**

At the June 16 Joint Sites Reservoir Committee and Authority board meeting, the Reservoir Committee and Authority Board authorized the Executive Director to enter into a new Memorandum of Agreement with the U.S. Bureau of Reclamation that includes activities necessary to move the Sites Reservoir Project forward into construction. These preconstruction activities include continued planning and engineering, including geotechnical investigations, design, environmental permitting, and the water rights process.

Funding the Sites Reservoir Project beyond the planning phase and into detailed design, construction, and operation will require developing a Sites Reservoir Benefits and Obligations Contract (Contract). The Contract will also serve as the long-term commitment of the Sites Authority to provide the Participant with its capacity interest in the Sites Reservoir water storage system. Executing this Contract will be expected following the receipt of a water rights decision and securing critical permits.



The Reservoir Committee and Authority Board authorized Sites Reservoir staff to proceed with negotiation of the Contract (Draft 1) with the participants. The Reservoir Committee and Authority Board also approved two contracts for geotechnical monitoring as-needed services with the Cachil Dehe Band of Wintun along with geotechnical monitoring as-needed services and an ethnographic study with the Paskenta Band of Nomlaki Indians.

Sites Reservoir Authority staff also presented information on the Principles for the Storage, Delivery and Sale of Sites Reservoir Project Water (Storage Principles). The Storage Principles describe a framework for procedures related to Sites Reservoir Project water that includes system losses, available storage, and allocation. The available storage in Sites Reservoir is calculated to be 1.41 million acre-feet, which includes recent refinements and a 60 thousand acre-feet dead pool that is unavailable stored water in the wholesale electrical energy market, which has the potential to be more cost-effective than going through Pacific Gas & Electric.

### **Science Activities**

Metropolitan staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP) with state and federal agencies, water agencies, and the NGO environmental community. Key progress this month focused on the Delta Smelt Structured Decision Making (SDM) Project. Metropolitan staff is participating in a multi-stakeholder technical work group to develop and evaluate management action portfolios that may improve the population trajectory of Delta smelt in the next 5–10 years. In June, the results of the first round of Delta smelt SDM evaluations were presented to the CSAMP Policy Group. The results suggest that actions that include reducing predation and increasing prey availability would have the greatest chance of meeting the objectives. These actions include turbidity management, habitat restoration, aquatic weed control, and flow. The next phase of the SDM project will include additional refinement and evaluation of management action portfolios.

In June, Metropolitan staff attended a Decision Analysis: Elicitation and Facilitation training at the U.S. Department of Interior's National Conservation Training Center in West Virginia. The training is designed for structured decision-making practitioners to develop skills as decision analysts, particularly in the facilitation of the decision-making process and elicitation techniques. The course provided staff with the opportunity to gain access to specialized training in decision analysis and network with experts in this field and will provide benefits as staff participates in collaborative science processes.

### **Ecosystem Restoration**

Metropolitan staff attended the Delta Plan Interagency Implementation Committee Restoration Subcommittee meeting where the California Department of Fish and Wildlife (CDFW) gave a presentation on the Cutting the Green Tape Initiative designed to increase the pace and scale of environmental restoration projects and discussed the potential implications for Delta projects. Metropolitan staff also attended a Southern Yolo Bypass tour with representatives from Yolo County that included a visit to the Lookout Slough Project, which is a multi-benefit project to restore 3,400 acres of tidal wetland.





## Water Supply Conditions

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

August 2<sup>nd</sup> 2023

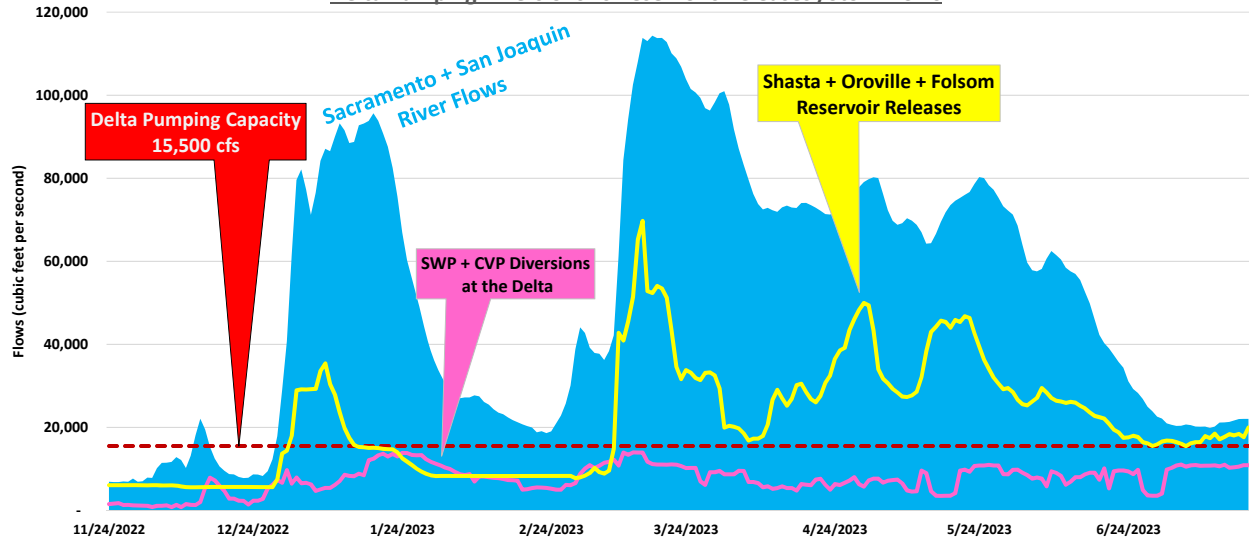




# Delta Operations



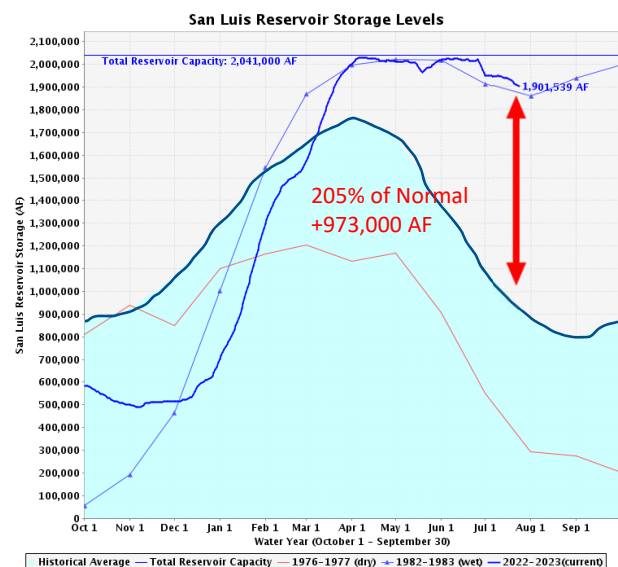
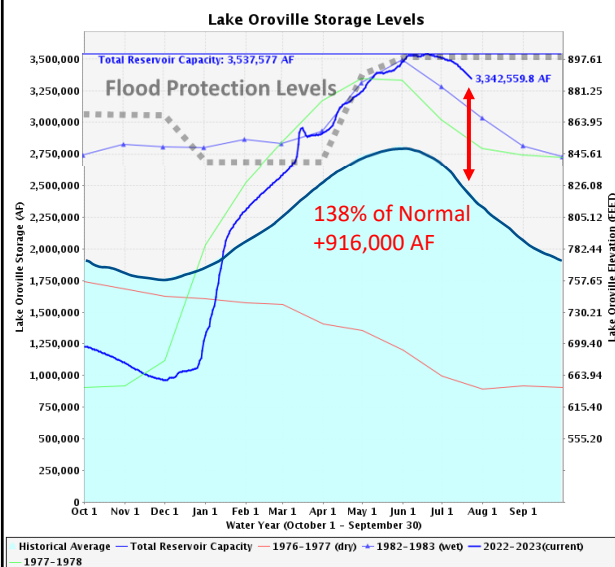
Delta Pumping Diversions vs Reservoirs Releases / Stormflows



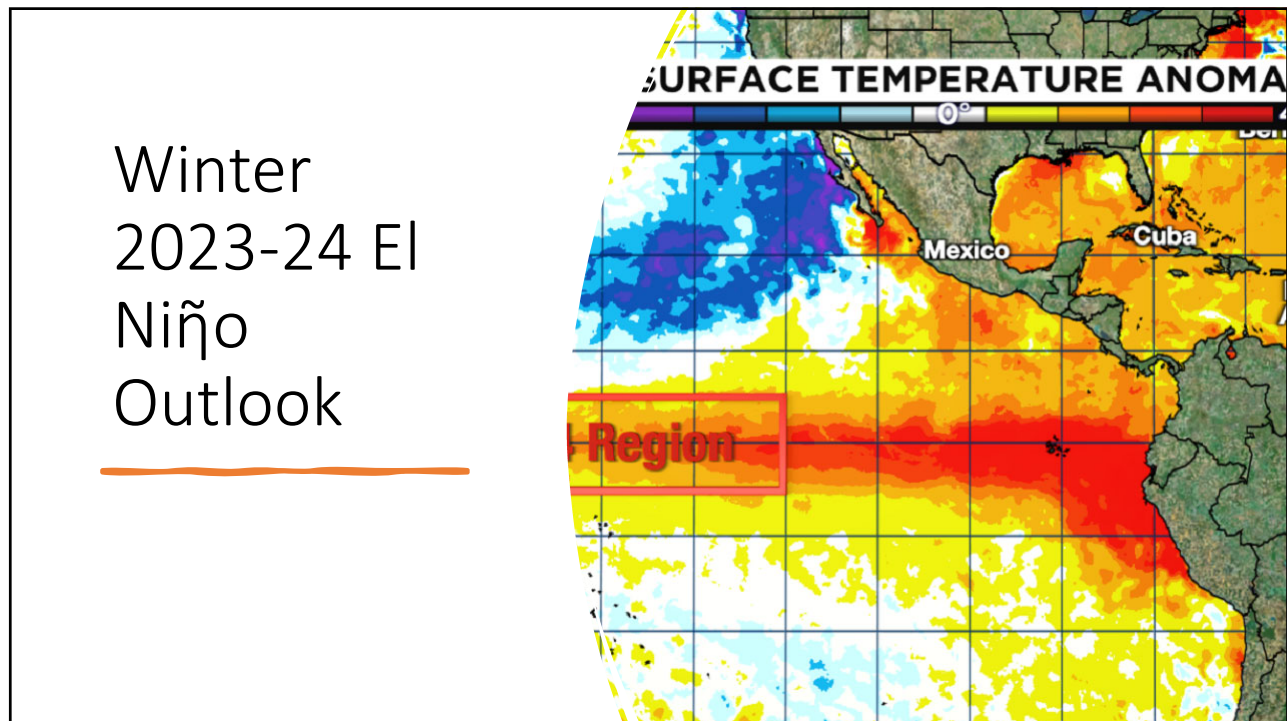
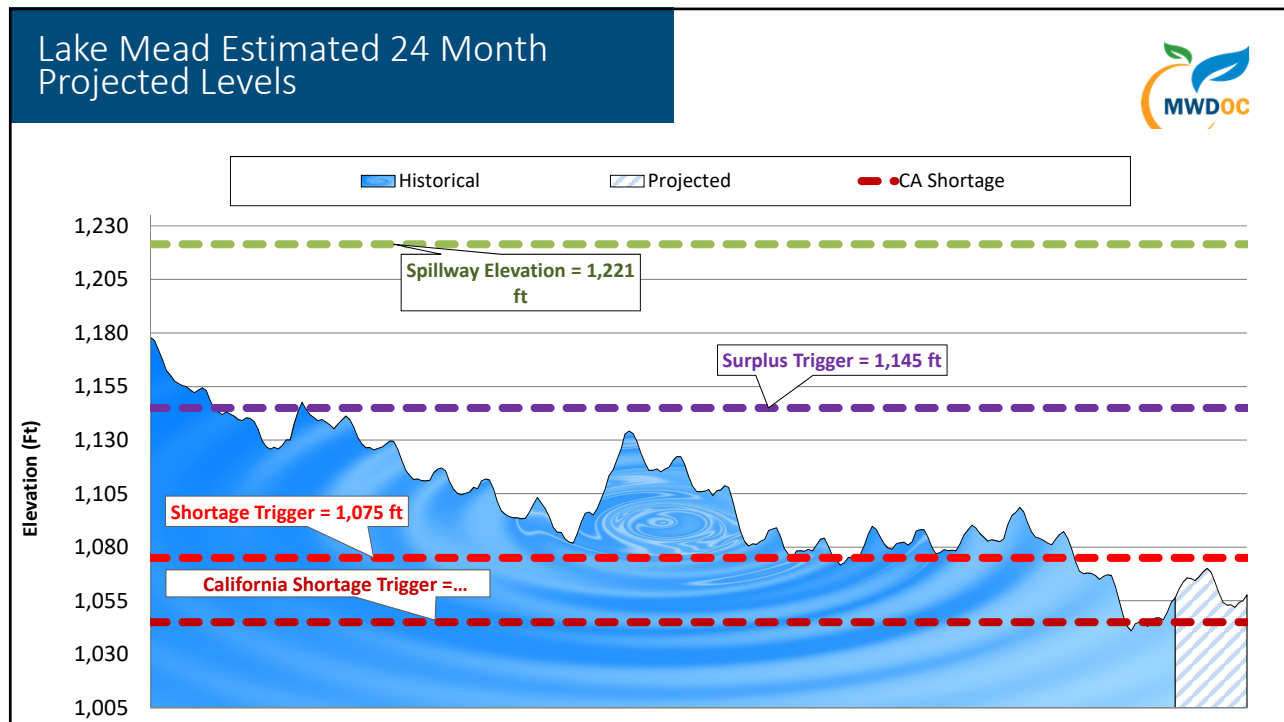
## Lake Oroville Storage and San Luis Storage



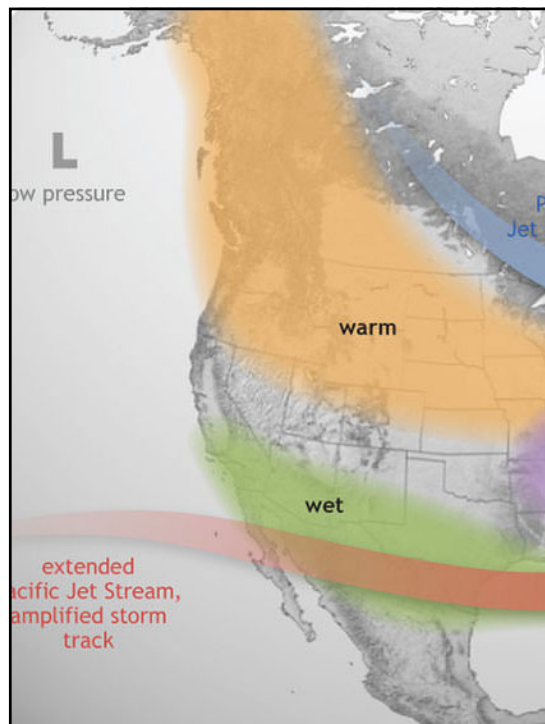
*\*Anticipate a Favorable INITIAL TABLE A%\**











## El Niño



\*During El Niño, trade winds weaken in the Eastern Equatorial Region of the Pacific Ocean. Warm water is pushed back east, toward the west coast of the Americas.

\*El Niño means Little Boy in Spanish. South American fishermen first noticed periods of unusually warm water in the Pacific Ocean in the 1600s. The full name they used was El Niño de Navidad, because El Niño typically peaks around December.

\*El Niño can affect our weather significantly.

## El Niño in California

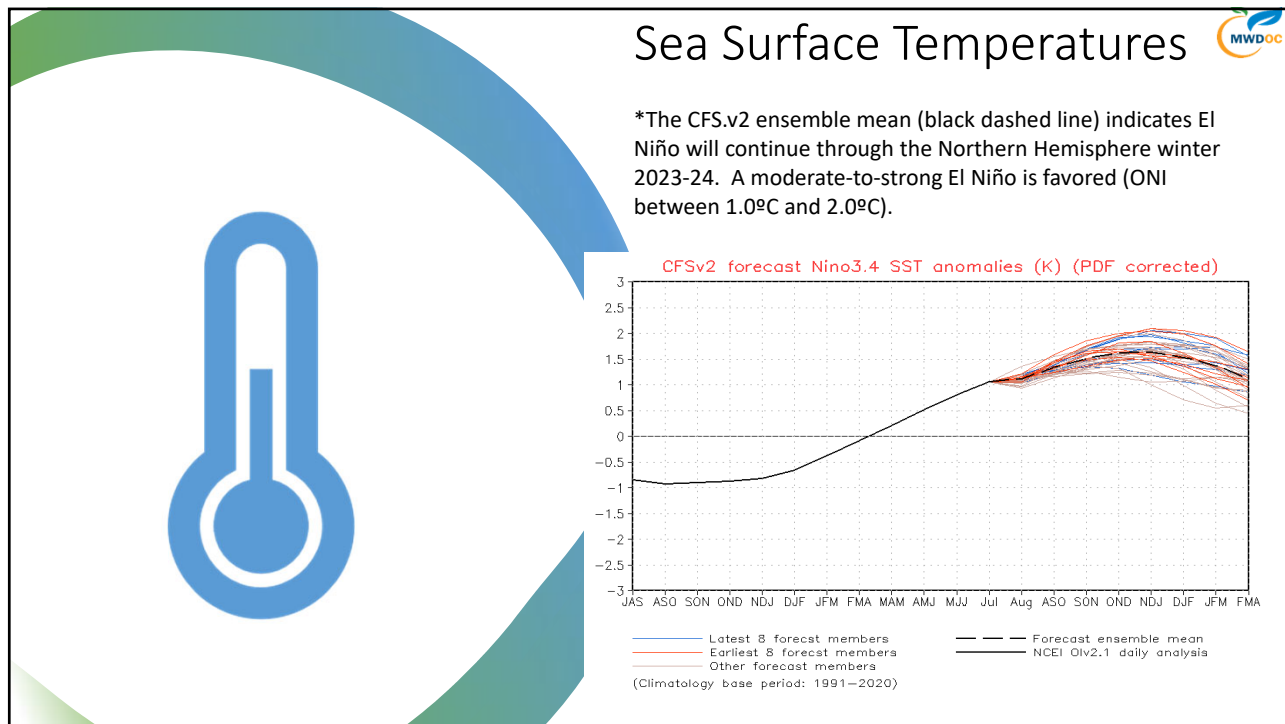


San Clemente Pier 3.1.1983

\*Over California and the Southwest, the relationship between El Niño and above-average precipitation is weaker, and it depends significantly on the strength of the El Niño. The stronger the episode (i.e., the larger the sea surface temperature departures across the central equatorial Pacific are), the more reliable the signal in this region has been.

\*For instance, during the two strongest events in the past 70 years (1982/83 and 1997/98), much-above-median rainfall amounts fell across the entire state of California. In the winter of 2015-16 A Strong El Niño was present but only resulted in average precipitation.







**Summary Report for  
The Metropolitan Water District of Southern California  
Board Meeting  
July 11, 2023**

**OTHER MATTERS AND REPORTS**

Induction of new Director Gary E. Bryant of Foothill Municipal Water District.  
**(Agenda Item 6G)**

Induction of new Director Carl Douglas of the City of Los Angeles.

Presented 5-year Service Pin to Director Tim M. Smith, San Diego County Water Authority.  
**(Agenda Item 6H)**

**CONSENT CALENDAR OTHER ITEMS – ACTION**

Approved Commendatory Resolution for Director Richard Atwater representing Foothill Municipal Water District. **(Agenda Item 7B)**

Approved Committee Assignments. **(Agenda Item 7C)**

Equity, Inclusion, and Affordability Committee (EIA)  
Removed Director Pressman

Engineering, Operations, and Technology Committee (EOT)  
Removed Vice Chair Director M. Petersen  
Added Director Camacho – Vice Chair

One Water and Stewardship Committee (OWS)  
Added Director Pressman

Board and Executive Committee (Exec)  
Added Director Sutley as Board Vice Chair for Climate Action

As well as added the following new Ad Hoc Committee:

Ad Hoc Committee on Policy Impacts of Third-Party Changes to Member Agency Boundaries (PITPCMAB)  
Director Miller – Chair  
Director Armstrong – Vice Chair  
Director Erdman – Member  
Director McMillan – Member  
Director McCoy – Member



Director Smith, Chair of Finance, Audit, Insurance, and Real Property Committee, announced the following appointments:

Subcommittee on Long-Term Regional Planning Processes and Business Modeling (LTRPPBM)

Director M. Petersen – Chair

Director Seckel – Vice Chair

**CONSENT CALENDAR ITEMS - ACTION**

Authorized an increase of \$950,000 in change order authority for the contract with W.A. Chester LLC to terminate 6.9 kV power cables at all five CRA pumping plants. **(Agenda Item 7-1)**

Authorized an increase of \$2 million to an existing agreement with Jacobs Engineering Group Inc., for a new not-to-exceed amount of \$2.65 million for final design of the first stage of security upgrades at all five CRA pumping plants and the Camino Electrical Switching Station. **(Agenda Item 7-2)**

Awarded a \$452,886 contract to Best Contracting Services Inc. to replace the roofs of the administration and warehouse buildings at the Lake Mathews site. **(Agenda Item 7-3)**

Awarded a \$349,527.80 procurement contract to TechnoFlo for 50 flow meters to comply with surface water diversion regulations on Metropolitan's Delta Island properties. **(Agenda Item 7-4)**

Adopted Ordinance No. 152, determining that the interests of Metropolitan require the use of revenue bonds in the aggregate principal amount of \$500 million to finance a portion of Metropolitan's capital expenditures and waive the full reading of Ordinance No. 152 (two-thirds vote of the Board required). **(Agenda Item 7-5)**

Reviewed and considered the Lead Agency's adopted Mitigated Negative Declaration and take related CEQA actions, and adopted resolution for 114th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan. **(Agenda Item 7-6)**

Awarded a \$359,725 contract to Mesa Energy Systems Inc. for the repair of heating, ventilation, and air conditioning chiller #2 located at the Metropolitan Headquarters Building. **(Agenda Item 7-7)**

Approved General Auditor's Business Plan for fiscal year 2023/24. **(Agenda Item 7-8)**

**OTHER BOARD ITEMS - ACTION**

Awarded a \$3,740,792 contract to M.S. Construction Management Group Inc. to replace a portion of the existing fire sprinkler system's piping and network components at Metropolitan's Headquarters Building. **(Agenda Item 8-1)**



Approved amendment of the Metropolitan Water District Administrative Code to delete the requirement that matters may not be placed on consent if a roll call is required and increase the cost of items that may be placed on the Consent Calendar from \$2 million to \$10 million.  
**(Agenda Item 8-2)**

Awarded a \$16,490,000 contract to J. F. Shea Construction Inc. for furnishing and installation of pre-engineered storage buildings at the Hinds, Eagle Mountain, and Iron Mountain pumping plants. **(Agenda Item 8-3)**

**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>



# The Metropolitan Water District of Southern California

## Agenda

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

### Board of Directors - Hidden

**August 15, 2023**

**1:00 PM**

Tuesday, August 15, 2023 Meeting Schedule
08:30 a.m. FAIRP
10:30 a.m. EOP
12:30 p.m. Break
01:00 p.m. BOD
02:15 p.m. Audits

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. A listen-only phone line is available at 1-877-853-5257; enter meeting ID: 891 1613 4145. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 815 2066 4276 or click <https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmDsUWpKR1c2Zz09>

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

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### 1. Call to Order

- a. Invocation: TBD
- b. Pledge of Allegiance: TBD

### 2. Roll Call

### 3. Determination of a Quorum

### 4. COMMUNITY REFLECTIONS

- a. TBD 21-2353

### 5. 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))

### 6. OTHER MATTERS AND REPORTS

- A. Report on Directors' Events Attended at Metropolitan's Expense 21-2354
- B. Chair's Monthly Activity Report 21-2355



- C. General Manager's summary of activities 21-2356
- D. General Auditor's summary of activities 21-2357
- E. General Auditor's summary of activities 21-2358
- F. Ethics Officer's summary of activities 21-2359
- G. Report on list of certified assessed valuations for fiscal year 2023/24 and tabulation of assessed valuations, percentage participation, and vote entitlement of member agencies as of August 15, 2023 (FAIRP) 21-2566
- H. Presentation of Commendatory Resolution for Director Richard Atwater representing Foothill Municipal Water District 21-2545
- I. Presentation of 20-year Service Pin to Director Larry D. Dick, Municipal Water District of Orange County 21-2573

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

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

- A. Approval of the Minutes of the Board of the Directors Meeting for July 11, 2023 (Copies have been submitted to each Director, any additions, corrections, or omissions) 21-2360
- B. Approve Commendatory Resolution for Director Heather Repenning representing the City of Los Angeles 21-2544
- C. Approve Committee Assignments

**8. CONSENT CALENDAR ITEMS - ACTION**

- 7-1 Award a \$TBD contract to TBD for urgent relining of three pipe segments on the Sepulveda Feeder; and authorize an increase of: 1) \$280,000 to an agreement with HDR Engineering, Inc., for a new not-to-exceed amount of \$TBD and 2) \$240,000 to an agreement with Los Angeles Community College District for a new not-to-exceed amount of \$TBD; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT) 21-2546



- 7-2** Authorize an agreement with Nth Generation Computing, Inc. in an amount not to exceed \$367,448 for the Datacenter Backup Infrastructure Upgrade; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) **21-2549**
- 7-3** Authorize an agreement with Computer Aid Incorporated in an amount not to exceed \$1,750,000 to provide staff augmentation support services for the operation and maintenance of the Metropolitan Cybersecurity Operations Center for a period of up to one year; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Consultation with Metropolitan Director of Info Tech Services, Information Technology, Jacob Margolis, or designated agents on threats to public services or facilities; may be heard in closed session pursuant to Gov. Code Section 54957(a)] (EOT) **21-2550**
- 7-4** Authorize an agreement with General Networks Corporation in an amount not to exceed \$6.6 million for implementation of a cloud-based Enterprise Content Management (ECM) System (ECM Phase II); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) **21-2551**
- 7-5** Authorize amendments to the Cyclic Cost-Offset Program terms; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) **21-2555**
- 7-6** Authorize implementation of a tree rebate modification to the Turf Replacement Program; the General Manager has determined that these actions are exempt or otherwise not subject to CEQA (OWS) **21-2557**
- 7-7** Approve proposed amendment to Administrative Code section 6471 to increase the amount of the Ethics Officer's authority to obtain professional services for external investigations from \$100,000 to \$250,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOP) **21-2563**
- 7-8** Approve the nomination and renaming of Metropolitan's Pure Water Southern California Demonstration Plant as the Representative Grace F. Napolitano Pure Water Southern California Innovation Center; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **21-2572**

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



## 9. OTHER BOARD ITEMS - ACTION

- |     |  |         |
|-----|--|---------|
| 8-1 | Adopt Resolution establishing the Ad Valorem tax rate for fiscal year 2023/24; the General Manager has determined that the proposed action is either exempt or otherwise not subject to CEQA (FAIRP)   | 21-2565 |
| 8-2 | Review and consider the Antelope Valley-East Kern Water Agency's approved amended Mitigated Negative Declaration, authorize up to \$80 million for additional project costs and authorize the General Manager to amend the term of the High Desert Water Bank Program agreement with the Antelope Valley East Kern Water Agency [MISSING CEQA] (OWS) | 21-2558 |

## 10. BOARD INFORMATION ITEMS

- |     |   |         |
|-----|---|---------|
| 9-1 | Conservation Program Board Report             | 21-2361 |
| 9-2 | Phase 1 Draft Long-Range Finance Plan (FAIRP) | 21-2567 |

## 11. OTHER MATTERS

NONE	21-2362
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## 12. FOLLOW-UP ITEMS

NONE	21-2363
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## 13. FUTURE AGENDA ITEMS

## 14. 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. (EOT). Board agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>

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

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