

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
February 7, 2024, 8:30 a.m.

Teleconference Site:
25652 Paseo De La Paz
San Juan Capistrano, CA 92675
(Members of the public may attend and participate in the meeting at both in-person locations.)

This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). 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

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. 2146

PRESENTATION/DISCUSSION ITEMS

1. PRESENTATION BY MET STAFF REGARDING THE DELTA CONVEYANCE PROJECT

Recommendation: Review and discuss the information presented.

2. LEGISLATIVE ACTIVITIES

- a. State Legislative Report (SDA)
- b. Legal and Regulatory Report (Ackerman)
- c. County Legislative Report (Whittingham)
- d. Metropolitan Legislative Matrix

Recommendation: Review and discuss the information presented.

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

Recommendation: Receive input and discuss the information presented.

INFORMATION ITEMS**4. METROPOLITAN'S PROPOSED SUPPLEMENTAL WATER MANAGEMENT (SWM) PROGRAM**

Recommendation: Receive and file this information.

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

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

Recommendation: Review and discuss the information presented.

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

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

Recommendation: Review and discuss the information presented.

ADJOURNMENT

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



DISCUSSION ITEM
February 7, 2024

TO: Board of Directors
FROM: Harvey De La Torre, General Manager

Staff Contact: Melissa Baum-Haley
Alex Heide

**SUBJECT: PRESENTATION BY MET STAFF REGARDING THE DELTA
CONVEYANCE PROJECT**

STAFF RECOMMENDATION

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

REPORT

MWDOC staff have invited Nina Hawk, Chief of Bay-Delta Resources/Group Manager, Bay-Delta Initiatives, from the Metropolitan Water District of Southern California, to provide an update on the Delta Conveyance Project (DCP).

The California Department of Water Resources (DWR) released the Final Environmental Impact Report (EIR) to the public, including public agencies that commented on the Draft EIR, in accordance with the California Environmental Quality Act (CEQA) on December 8, 2023. The Final EIR was certified on December 21, 2023, and DWR approved the proposed project. Responses to comments, as well as the Final EIR and accompanying informational resources, can be accessed at www.deltaconveyanceproject.com.

The DCP Final EIR included the following project refinements:

- Refinements to project description
 - Footprint & construction activities
 - Refinements to clarify operations

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

- Inclusion of Contra Costa Water District settlement
- Air Quality & GHG modeling

In addition, DWR released an updated planning timeline and analysis of State Water Project reliability beyond 2040. This is consistent with Metropolitan's Dec 2022 Draft EIR comment letter requesting additional analysis, and aligns with the September 2023 Metropolitan Board action on Representative Concentration Pathway 8.5.

Next steps in considerations for the Metropolitan Board will be:

- Updated cost estimate (Spring 2024)
- Statewide cost benefit analysis (Mid 2024)
- Consideration of additional funding (Late 2024)



To:	MWDOC Workshop
From:	Syrus Devers
Date:	February 7th, 2024
Re:	State Legislative Report

Legislature

A New Reality for Most Legislators–Deficits: Only a handful of sitting legislators were in office the last time California faced a severe deficit. Over the next several weeks, members of budget subcommittees will get their first taste of how their relationships with their colleagues will change in the face of a deficit. Personal values get tested during a deficit in a way that does not happen when there is plenty to go around.

A Break for Public Water Agencies?: Driven by historic droughts, water agencies were repeatedly lashed by legislation requiring conservation for the sake of conservation, as opposed to meaningful water savings. After consecutive years of rain that reminded the state about the risks from floods, and scathing reports from the Legislative Analyst’s Office (LAO) and the Public Policy Institute of California (PPIC) questioning the value and cost of conservation legislation, public water agencies may catch a break. They may even decide to push back.

There were no bills of significance to report on at the time this report was prepared, so no Bill Matrix yet, but with the bill introduction deadline of February 16th approaching, there will very likely be some bills to report on at the workshop.

Newsom’s Budget Performance

Back in December the Legislative Analyst’s Office (LAO) projected a \$68 billion “budget problem” (actual term used). Newsom’s budget revealed on January 10th indicated a \$38 billion budget problem. A few days later the LAO published what Newsom’s budget would look like if all the same definitions were used. When apples are compared to apples, Newsom’s budget revealed a \$58 billion budget problem. As for the \$10 billion difference, LAO said it was due to “optimistic but not unreasonable” assumptions about future revenues on the part of Newsom.

Newsom came up with a new way to avoid calling it a cut—a “reversion”--but he cut \$174.4 million from a \$348 million fund for groundwater and recycling programs. He also delayed \$100 million from that fund until next year, and he cut \$50 million from dam safety. As bad as that is, it is nowhere near as bad as the cuts to transportation and the Greenhouse Gas Reduction Fund: \$600 million and \$1.4 billion respectively.

Delta Conveyance

The previous report covered the environmental groups that sued the Department of Water Resources over the final EIR approval for the Delta Conveyance. Since then more parties have joined: the Counties of San Joaquin, Contra Costa, Yolo, and Solano, the Central Delta Water Agency, Contra Costa County Water Agency, and Local Agencies of the North Delta, all sued under CEQA and other laws. None of this was unexpected.

Legal and Regulatory

February 7, 2024

1. **Colorado Snowpack:** The Colorado snowpack is making a comeback. Last week's measurements shows that the current snowpack is 90% of the 30-year median. As important, the Colorado Headwaters River Basin is 96% of average. Another important factor in measuring snow is the water content. Thus far reports have shown that the water content is on in the higher range. It should also be noted that we are currently in the early period of the snow season for Colorado. This is a good sign for the upcoming water year. The peak time in Colorado's water year is April 7.
2. **Lahaina Runoff:** Everyone is following the potential environmental consequences of the Lahaina fire. Unfortunately, last week Lahaina had heavy rain incident which pushed up the importance of this study. A massive brown plume was noticed in the ocean around the Lahaina area. The runoff was created by water running from the surface and other underground sources including a network of lava tubes under the city. The amount of organic material which included arsenic, lead and other volatile compounds entered the ocean. The study will include the coral reefs and nearby ecosystems which impact overall health in the area. Similarly, as the outcomes after the Paradise fire, Lahaina is recognizing various types of natural and unnatural elements which can have a negative impact on the environment. Details of these studies will be forthcoming.
3. **Future of Rice:** Rice is one of the most important food products in the world. It accounts for approximately 20% of all the calories consumed by humans worldwide. As water becomes a more serious issue in the growing of rice, California farmers are looking for solutions. Lundberg Family Farms, which is on the itinerary of some of the MWD inspection tours, is spending considerable time and money, looking at various forms of rice. Their study thus far has examined thousands of varieties of rice. Rice in general is dependent on weather and water changes. In general rice is a high water user. However too much water can damage rice. Lundberg is conducting field test over many years to test various varieties of rice for their use of water and temperature tolerance. Flavor is also a consideration in selecting potential varieties. Their studies are bringing to the forefront high quality rice which will use less water and are less susceptible to temperature swings.
4. **Better Desal:** MIT engineers in conjunction Chinese researchers are continuing to build a better mousetrap when it comes to smaller desal units. We have previously reported on this effort, but it continues to improve overtime. Their latest system is totally passive and is powered by natural sunlight. It also uses a principle called "thermohaline" circulation of the ocean. This natural wave action in conjunction with heat from the sun causes the water to evaporate and leave salt behind. The resulting water is pure and drinkable, and the salt can be disposed of in an environmentally safe fashion. Their current system size is equivalent to a small suitcase. It can produce approximately 6 liters of drinking water per hour and can last several years without maintenance or replacement. These systems are suited for areas near the ocean which do not have an adequate infrastructure. The design of

this system causes the water to circulate naturally and produce drinking water. The immediate purpose of the system is to service out of the way communities, but the long-term intent is to make this process commercially viable for other areas.

5. **Delta Smelt Gone?:** The Department of Fish and Wildlife has reported for the sixth year in a row no delta smelt in the San Joaquin River delta. The report says the significant damage has been done to the Chinook salmon population in the area. This report comes at a time when various governmental programs for the last three or four years have reintroduced 10s of thousands of delta smelt raised in hatcheries into the area. Their report also covers the long fin smelt. Their population has also decreased and is nearing extinction. This decline has also impacted the population of striped bass and American shad.
6. **Ocean PFAS:** The University of New Hampshire has been studying marine snow. Plant like organisms exist on the surface of the ocean and extract carbon dioxide from the air during photosynthesis. As part of the food chain these organisms are eaten by plankton which in turn are eaten by larger species. Their droppings along with other dead organic plants and animals' sink to the sea floor as flakes that are called marine snow. This is part of the oceans contribution to removing carbon dioxide from the atmosphere and occurs naturally. The study has shown that degraded plastics are becoming involved in this cycle and are causing the marine snow to be contaminated with these forever plastics. As part of the ocean process, marine snow eventually recycles to the surface or is eaten by other species. The report found that these PFAS like materials are coming back into the environment and food chain.
7. **Water Treatment:** Water treatment in the United States and the world is becoming more complicated for various reasons. One of these reasons is the amount of drugs which end up in our water system which can be very toxic or dangerous to humans. One of these drugs, sertraline, is an antidepressant which is growing in worldwide use and considered a dangerous pollutant. Researchers in Brazil have discovered a material based on zinc oxide which when used with ultraviolet light break down this drug. The process is quite simple, inexpensive, and quick.
8. **Worldwide Water Loss:** Water loss throughout the globe is occurring everywhere. However, over the past 20 plus years 95% of that loss has occurred in the southern hemisphere. That area includes South America, Africa, and Australia which are the most impacted areas. In the northern hemisphere rainfall and evaporation levels generally are equal so the water loss is quite small. However, the southern hemisphere has much less land mass. Climate change is partly to blame but the El Nino oscillation in the ocean dramatically impacts the loss of water in the southern hemisphere. Human activity is also blamed as reservoirs account for 57% of the variation in global water existence. In the Middle East and Central Asia that percentage is 70%. Part of the challenge of some of these studies is the time frame for each study. Some of the studies cover 20 years while others cover 60 years. This can account for some of the differences in the calculations.
9. **Atmospheric River Study:** the state of California is stepping up its studies of atmospheric rivers. Their studies first began in 2015 and have been enhanced and expanded every year since then. The most important part of this study is to improve the Forecast Informed Reservoir Operations or FIRO which can help in the management of water. The enhanced data and analysis can help water managers determine how long water can be kept in a

particular reservoir and how soon it must be discharged. Since the studies began department estimates that there has been a 20% increase in water availability in the summer at various locations because of this information.

10. **Fish Extinction:** A study by the International Union for Conservation of Nature in Geneva as estimated that approximately 1/4 of all freshwater species are at risk of extinction in the near future. The basic reason for these conclusions is climate change and pollution. Falling water levels and rising sea levels also contributed. Their estimate based on approximately 15,000 existing species is that 3000 species are at serious risk. Major fish in the US is the Atlantic salmon.
11. **Snowflake Science:** The University of Utah is involved in a study of snowflakes. Snowflakes as you might have guessed are difficult to study because of their small size and short lifespan. To examine the individual snowflakes, they developed an instrument called the Differential Emissivity Imaging Disdrometer. This machine can measure the mass size and density of a snowflake. This information is particularly important in determining the length, magnitude, and severity of each storm. How the snowflake moves under different conditions of wind and temperature can be used to determine the severity of an individual storm. Scientists expect this development will help a lot in determining the magnitude of storms that impact us in the future.



February 7, 2024

TO: MWDOC Board of Directors

FROM: Peter Whittingham

SUBJECT: January 2024 Report

The month of January brought a variety of activities, announcements and events in Orange County. Following are a few of the more notable developments and issues of the month:

- Longtime Yorba Linda City Councilmember Gene Hernandez tendered his resignation from Council upon being appointed to the Yorba Linda Water District Board to serve the balance of former Board member Wayne Miller's term.
- Newport Beach City Councilmember Erik Weigand was unanimously appointed to represent District 7 on the Orange County Water District Board of Directors. Board member Weigand will complete the term of the late Kelly Rowe.
- The U.S. Army Corps of Engineers beach replenishment project in San Clemente was put on hold due the poor quality of material dredged from an offshore borrow pit in Oceanside caused maintenance problems for the contractor's equipment. San Clemente residents had also expressed concerns regarding the rocks, gravel and dark sand being pumped onto the popular beach. The Army Corps is now looking at bringing sand from a pit less than a mile offshore from Del Mar.
- The Huntington Beach City Council received a presentation from its Public Works Department on the findings of a recent water and wastewater services rates study. The City's rates were last adjusted in 2019. Financial consultants have been working with City staff members to evaluate data and technical analyses, and residents and business owners will receive an official Proposition 218 notification early this spring. The City Council currently plans to conduct a public hearing on water and wastewater rates at its meeting of Tuesday, April 16.
- The South Coast Water District Board approved the Water and Sewer Services Agreement with Dana Point Harbor Partners, developers of new hotel, restaurant, and retail offerings in the Harbor, which is owned by the County of Orange. A groundbreaking celebration will be held this morning, February 7. The first two phases of the landside construction (renovation of the boat slips has been ongoing for several

months) will include a 972 stall, state-of-the-art parking structure, surrounding landscaping and site work and extension of Golden Lantern Road into the revitalized parking structure and harbor.

- The nonpartisan Legislative Analyst's Office issued a report that was highly critical of the State Water Resources Control Board's water-use efficiency regulations, saying that many "...may be unrealistic for suppliers to achieve." The proposed rules include specific goals for 2025, 2030 and 2035; in Orange County, a number of water districts and cities have single-digit targets for 2035, while others are facing substantial mandates, including the cities of Tustin (29%), Brea (22%), Orange (21%) and Newport Beach (19%), as well as Trabuco Canyon (24%) and Laguna Beach County (22%) water district.

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

Sincerely,



Peter Whittingham

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Item No. 2d

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 400 B. Rubio (D – Baldwin Park) Sponsors: California State Association of Counties, League of California Cities	Chaptered Signed by Governor Chapter 201, Statutes of 2023	Local agency design-build projects: authorization. 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.	Support 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 allow Metropolitan to use design-build for future projects through January 1, 2031.
AB 460 Bauer-Kahan (D – Orinda)	Amended 5/18/23 Two-year bill Senate Natural Resources and Water Committee	State Water Resources Control Board: water rights and usage: interim relief: procedures. This bill grants the State Water Resources Control Board authority to issue an interim relief order to enforce the reasonable use doctrine, water rights, water quality standards, and other provisions of water law.	Oppose Based on 2023 Water Rights Principles, adopted April 2023	The stated intent of this bill is aimed at deterring unlawful diversions during a drought emergency with swift State Board action and stiff penalties for violations. This bill would give the State Board expansive new authority to assume control of the State Water Project, Metropolitan or its members’ use of imported or locally-sourced water, Metropolitan’s diversion and use of water on the Delta Islands, and a number of other projects and Metropolitan operations. This bill would give the Water Board the authority to assert such control with very short or no prior notice or an opportunity to be heard. The State Board also would not require the use of the California Evidence Code, meaning these expedited decisions could be made based on testimony that is hearsay or by people not qualified to testify as experts on scientific or technical issues in court.

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1337 Wicks (D - Oakland)	Amended 5/18/23 Two-year bill Senate Natural Resources and Water Committee	State Water Resources Control Board: water diversion curtailment. This bill would authorize SWRCB to adopt regulations for various water conservation purposes and implement these regulations through orders curtailing the diversion or use of water under any claim of right.	Oppose Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023	Regardless of whether there is a drought emergency, this bill would allow the State Board, by regulation, to permanently reduce permit rights (including SWP, Colorado River pre-1914 rights, or Delta Island license, pre-1914 or riparian right diversions) upon a finding that current diversions result in a waste or unreasonable use of water or that they harm public trust (fish and wildlife) resources. This would be a new broad power to the State Board that could permanently reallocate any water rights under any water year conditions without the protection or process of individual adjudications.
AB 1567 Garcia (D-Coachella)	Amended 5/26/2023 Two-year bill Senate Natural Resources and Water Committee	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024. 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.	Support, if amended Based on 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.
AB 1572 Friedman (D - Glendale) Co-sponsors: Metropolitan, Heal the Bay, National Resources Defense Council	Chaptered Signed by Governor Chapter 849, Statutes of 2023	Potable water: nonfunctional turf. 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.	Co-sponsor Based on April 2023 Board action	Based on input from the Board and member agencies, Metropolitan secured amendments to exclude multi-family residential buildings and protect the authority and local control of public water systems. Metropolitan is a co-sponsor of this measure.

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1573 Friedman (D - Glendale) Sponsor: Earth Advocacy and California Native Plant Society	Amended on 9/1/2023 Two Year Bill Senator Floor – Inactive File	Water conservation: landscape design: model ordinance. 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.	Support Based on 2023 Legislative Priorities and Principles, adopted December 2022	This measure is consistent with Metropolitan’s effort to reduce nonfunctional turf within its service area.
AB 1648 Bains (D - Bakersfield)	Amended 3/16/2023 Two Year Bill Assembly Water, Parks, and Wildlife Committee	Water: Colorado River Conservation 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.	Oppose Based on 2023 Legislative Priorities and Principles, adopted December 2022	This measure would impair 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.

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 122 Senate Committee on Budget and Fiscal Review	Chaptered Signed by the Governor Chapter 51, Statutes of 2023	Flood Flow Streamlining 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.	Seek Amendments Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 Based on, adopted April 2023	The no-permit authorization poses a significant concern to Metropolitan's State Water Project supplies. There is no protest process, 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.
SB 124 Senate Committee on Budget and Fiscal Review	Chaptered Signed by the Governor Chapter 53, Statutes of 2023	Green Financing Programs for Federal IRA Funding This measure contains various provisions to implement the 2023 State Budget Act, which includes authorizing the State Infrastructure and Economic Development Bank and the Department of Water Resources (DWR) to access and utilize federal funding in the Inflation Reduction Act to finance projects that reduce greenhouse emissions.	Support Based on 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.

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 146 Gonzalez (D-Long Beach)	Chaptered Signed by the Governor Chapter 58, Statutes of 2023	Public resources: infrastructure: contracting. This measure is part of the negotiated infrastructure trailer bill package and authorizes DWR to use the progressive design-build (PDB) 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.	Support 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.
SB 147 Ashby (D-Sacramento)	Chaptered Signed by the Governor Chapter 59, Statutes of 2023	Fully protected species: California Endangered Species Act: authorized take 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.	Support and Amend Based on 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.
SB 149 Caballero (D-Merced)	Chaptered Signed by the Governor Chapter 60, Statutes of 2023	California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining. 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.	Support and Amend Based on 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.

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 150 Durazo (D-Los Angeles)	Chapered Signed by the Governor Chapter 61, Statutes of 2023	Construction: workforce development: public contracts. 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.	Support Based on 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 consistent with Metropolitan's policy and practice and could benefit the district by helping build the next generation of the state's construction workforce.
SB 366 Caballero (D - Merced) Sponsors: California Municipal Utilities Association, California Council for Environmental and Economic Balance, California State Association of Counties	Amended 6/29/2023 Two-year bill Assembly Water, Parks, and Wildlife Committee	The California Water Plan: long-term supply targets. 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.	Support, if amended Based on 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 amendments that include, but are not limited to, ensuring the 2050 target reflects statewide, regional, and local planning efforts and clarifying that the CA Water Plan should not establish a separate plan for complying with the Delta Plan, but should be complimentary and focus on supporting the co-equal goals of the Delta.

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 659 Ashby (D – Sacramento) Sponsors: Sacramento Regional Water Authority	Chaptered Signed by the Governor Chapter 624, Statutes of 2023	California Water Supply Solutions Act of 2023. This bill would require DWR to develop a groundwater recharge plan by January 1, 2026, to create additional groundwater recharge capacity and include the plan as part of the 2028 update to the California Water Plan.	Support, if Amended Based on 2023 Legislative Priorities and Principles adopted December 2022.	This bill intends to elevate the importance of groundwater in the state’s planning efforts. Additional recharge capacities developed through implementation of this bill could potentially help in the successful implementation of projects such as Metropolitan’s Pure Water project, LADWP’s Operation Next project, and the Pure Water San Diego, potentially helping to maximize stormwater capture and increase sustainability of groundwater basins within Metropolitan’s service area.
SB 687 Eggman (D - Stockton)	Amended 5/2/2023 Two-year bill Senate Appropriations Committee – Suspense File	Water Quality Control Plan: Delta Conveyance Project. 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.	Oppose Based on 2023 Legislative Priorities and Principles, adopted December 2022	Metropolitan supports updating the Water Quality Control Plan to protect beneficial uses in the Delta. This bill would result in halting or delaying planning efforts on the Delta Conveyance Project and potentially prevent the project from operating if approved.

Metropolitan Water District of Southern California

State Legislation Matrix

January 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 706 Caballero (D-Merced) Sponsors: CA State Association of Counties; County of San Diego; Design Build Institute of America Western Pacific Chapter; League of California Cities	Chaptered Signed by the Governor Chapter 500, Statutes of 2023	Public contracts: progressive design-build: local agencies. This bill would provide additional authority, until January 1, 2023, for cities, counties, and special districts to use progressive design-build (PDB) 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.	Support Based on 2023 Legislative Priorities and Principles, adopted December 2022	Currently, PDB-eligible projects are limited to wastewater treatment facilities, park and recreational facilities, solid waste management facilities and water recycling facilities. This bill now authorizes cities, counties and special districts, including Metropolitan, to use PDB for public works projects. This supports Metropolitan's priority of ensuring reliable water supply deliveries throughout its service area.
SB 867 Allen (D-Santa Monica)	Amended 6/22/2023 Two-Year Bill Assembly Natural Resources Committee	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. 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.	Support, if amended Based on 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.



INFORMATION ITEM

February 7, 2024

TO: Board of Directors
FROM: Harvey De La Torre, General Manager

Staff Contact: Melissa Baum-Haley
Alex Heide

**SUBJECT: METROPOLITAN'S PROPOSED SUPPLEMENTAL WATER
MANAGEMENT (SWM) PROGRAM**

STAFF RECOMMENDATION

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

REPORT

Over the last six months, both MWDOC and OCWD participated in Metropolitan's Groundwater and Reservoir Management workshops. These workshops were in effort to develop programs in partnership with member agencies.

The goal was to help manage surplus supplies above Metropolitan's regional demands and storage capability. The result was a program to expand Metropolitan's robust Water Surplus and Drought Management (WSDM) portfolio to manage supplies beyond the range of options including the Cyclic Cost Offset Program.

The attached slides outline the proposed Supplemental Water Management (SWM) program what was developed though this cooperative process. Please note, the slides have been modified to reflect the current status of the program. The SWM proposal will be provided to the Metropolitan Board in February as an Information Item with anticipated action in March.

Attachment: Proposed Supplemental Water Management (SWM) Program PPT

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



Member Agency Groundwater/Reservoir Water
Management Workshop

Proposed Supplemental Water Management (SWM) Program

January 11, 2024

****MODIFIED TO REFLECT CURRENT STATUS****

1

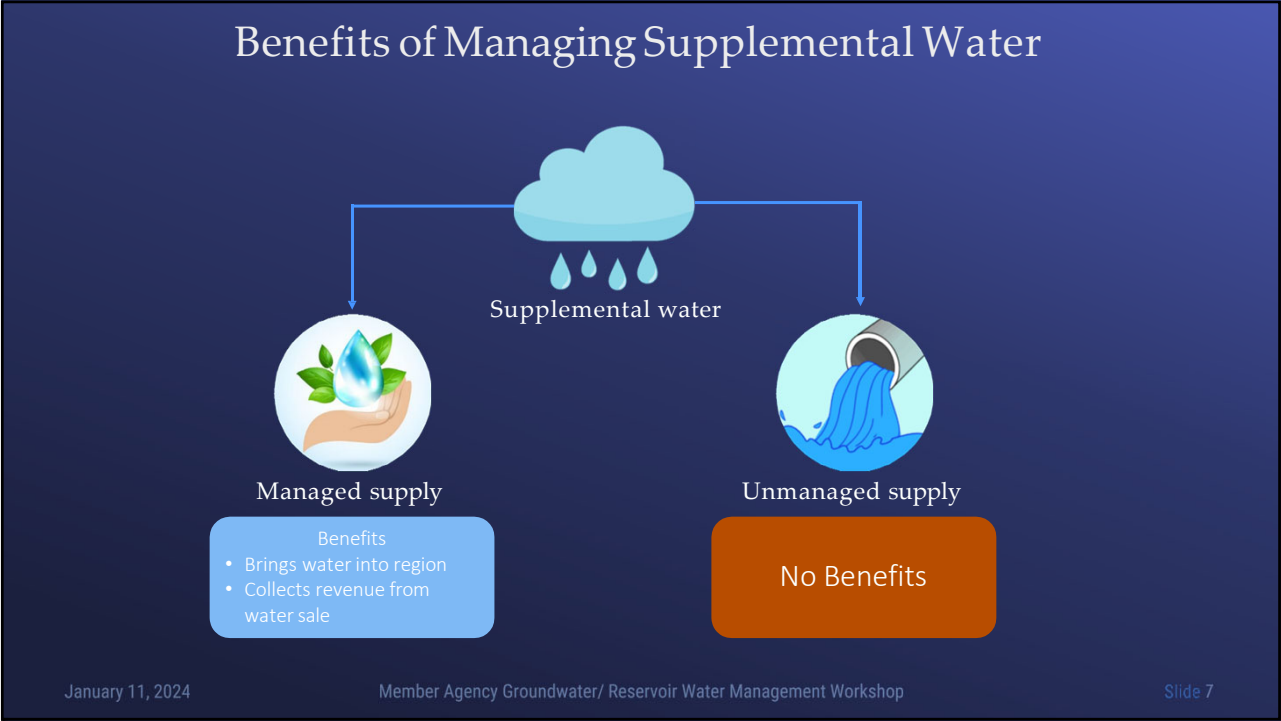
Groundwater/ Reservoir Management Workshop

What are we trying to achieve?

- Expand Metropolitan's robust WSDM portfolio to manage supplies
- Develop programs in partnership with member agencies to help manage surplus supplies above Metropolitan's regional demands and storage capability
- Help expand the range of options beyond CCOP

1

2



3



4

2

Program Highlights

Agreed upon concepts

- Conditions for initiating program
- Purchase timing (payment schedule)
- Program framework
- Willingness to pay amounts
- Distribution of available supplies

Outstanding concepts

- Extraordinary Supply option
- Consideration for agencies with treated connections only
- Other options for managing supplemental water

January 11, 2024

Member Agency Groundwater/ Reservoir Water Management Workshop

Slide 4

5

Proposed Framework

Puts into Storage

Compensation Amount:
\$100/AF for certified storage puts*

*Payment deferred if an agency certifies eligibility for Extraordinary Supply

**Level 1 Take:
MWD-Call**

Compensation Amount:
\$300/AF for certified storage recovery

**Level 2 Take:
Regional Shortage Allocation**

Compensation Amount:
\$500/AF for certified storage recovery.

Certified recovery is accounted for as a local supply in the WSAP.

+ Potential Locational Premium
\$50/AF for certified storage recovery

January 11, 2024

Member Agency Groundwater/ Reservoir Water Management Workshop

Slide 6

6

3

Consideration for Treated Connections Only

Potential Additional Regional Benefit

- Metropolitan may have an added benefit from delivering to MAs with treated connections only
- Member agencies with treated connections only incur additional costs for storage of direct deliveries
- Under certain circumstances, GM/staff may determine need to deliver to these connections to maximize water resource management
- Metropolitan would provide payments for those added costs to maximize direct deliveries at those connections

January 11, 2024

Member Agency Groundwater/ Reservoir Water Management Workshop

Slide 12

7

Other Options

- Allow participation in SWM by agencies without storage component
- Agency to increase demand on Metropolitan above baseline when SWM is activated
- No put or take payments made for deliveries not certified into storage
- Option to pay for water on a payment schedule

January 11, 2024

Member Agency Groundwater/ Reservoir Water Management Workshop

Slide 14

8

4



Item No. 5

DISCUSSION ITEM

February 7, 2024

TO: Board of Directors

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

Staff Contact: Melissa Baum-Haley
Alex Heide
Kevin Hostert

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

STAFF RECOMMENDATION

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

DETAILED REPORT

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

- a. MET's Finance and Rate Issues
- b. 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

Water Transactions for November 2023 (for water delivered in September 2023) totaled 108.8 thousand acre-feet (TAF), which was 33.5 TAF lower than the budget of 142.3 TAF and translates to \$105.5 million in receipts for November 2023, which was \$37.0 million lower than budget of \$142.5 million.

Year-to-date water transactions through November 2023 (for water delivered in May 2023 through September 2023) were 520.5 TAF, which was 178.7 TAF lower than the budget of 699.2 TAF. Year-to-date water receipts through November 2023 were \$528.2 million, which was \$187.9 million lower than the budget of \$716.1 million.

In November 2023, the 2023 Long-Range Finance Plan Needs Assessment report was presented to Metropolitan's Board. The Board agreed to concur with the report for planning purposes, and for the report was reviewed by the Board, again, in January 2024.

ISSUE BRIEF #B**SUBJECT: MET's Supply Condition Update****RECENT ACTIVITY**

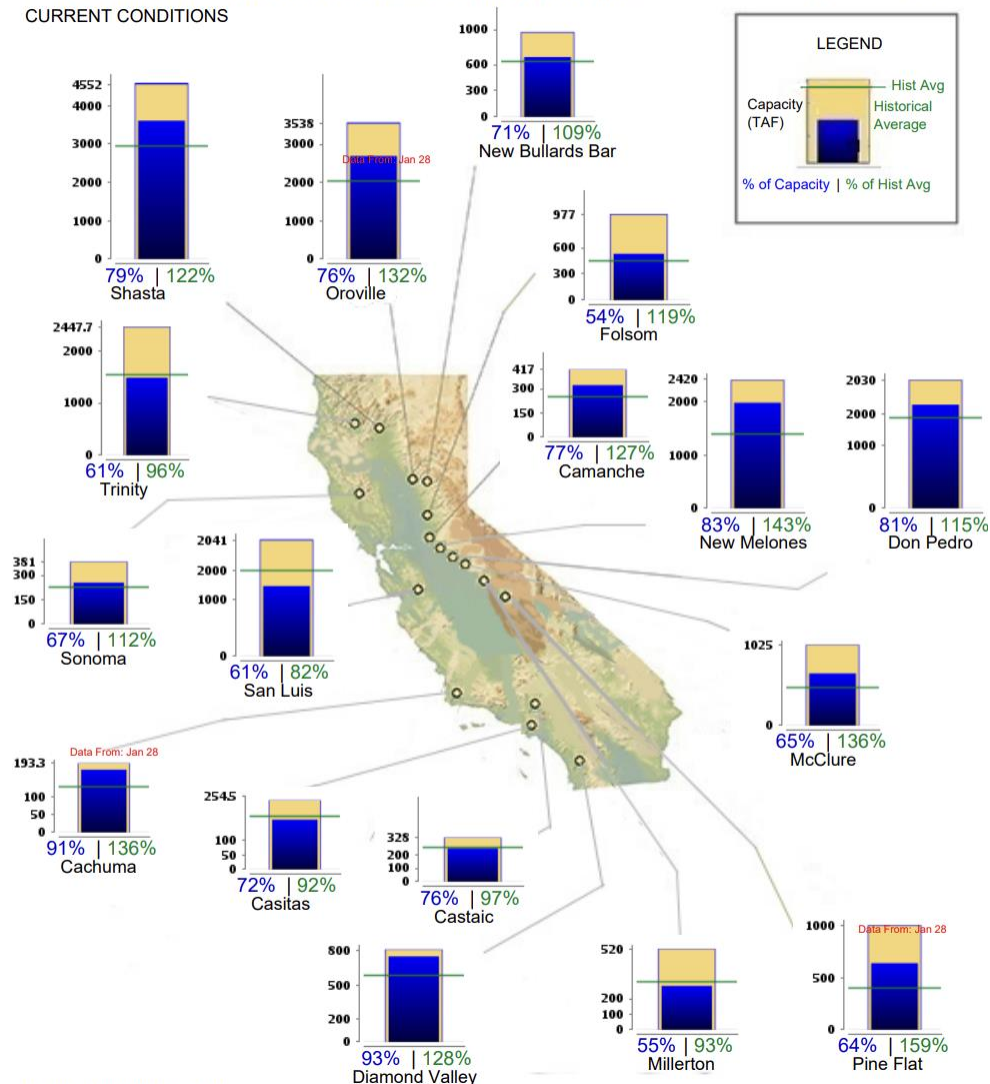
The 2023-24 Water Year (2023-24 WY) officially started on October 1, 2023. Thus far, Northern California accumulated precipitation (8-Station Index) reported **20.8. inches or 78% of normal** as of January 30th. The Northern Sierra Snow Water Equivalent was **10.7 inches on January 29th**, which is **61% of normal** for that day. The Department of Water Resources (DWR) has set the State Water Project (SWP) initial **"Table A" allocation for WY 2023-24 at 10%**.

The Upper Colorado River Basin accumulated precipitation is reporting **9.3 inches or 91% of normal as of January 22nd**. On the Colorado River system, snowpack is measured across four states in the Upper Colorado River Basin. The Upper Colorado River Basin Snow Water Equivalent was **8.5 inches as of January 30th**, which is **75% 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 1st, 2022**. As of January 2024, **there is a 100% chance of shortage continuing in Calendar Year (CY) 2024, a 93% chance in CY 2025 and a 77% chance in CY 2026. In addition, there is a 20% chance of a California shortage in 2026.**

As of January 29th Lake Oroville storage is at **76% of total capacity and 132% of normal**. As of January 29th San Luis Reservoir has a current volume of **61% of the reservoir's total capacity and is 82% of normal**.

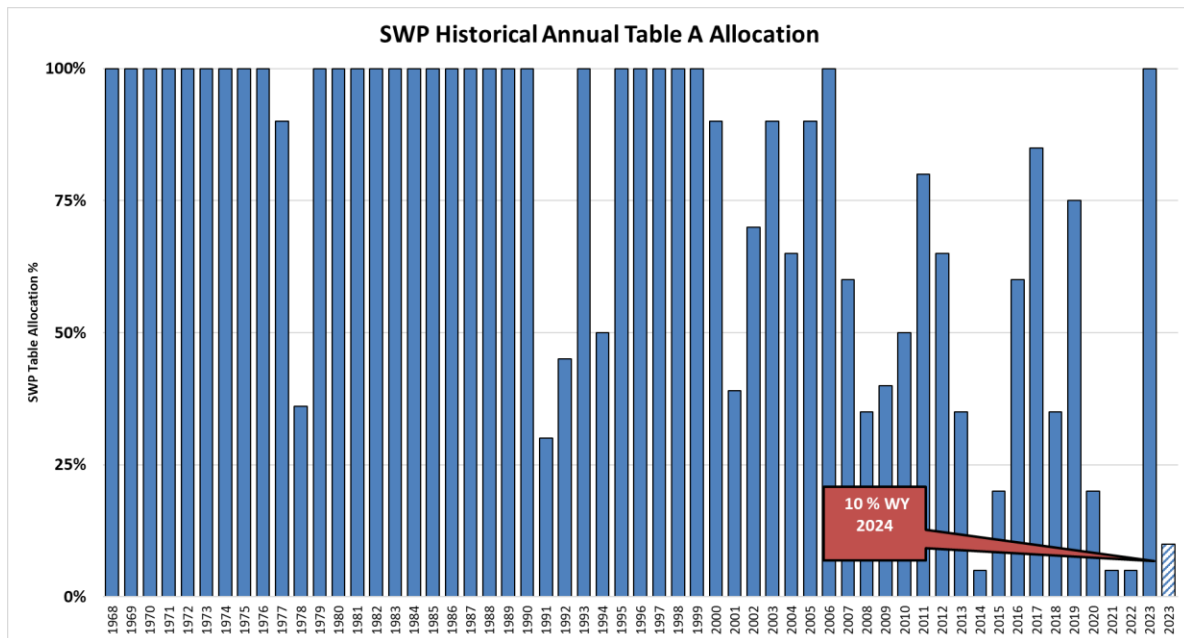
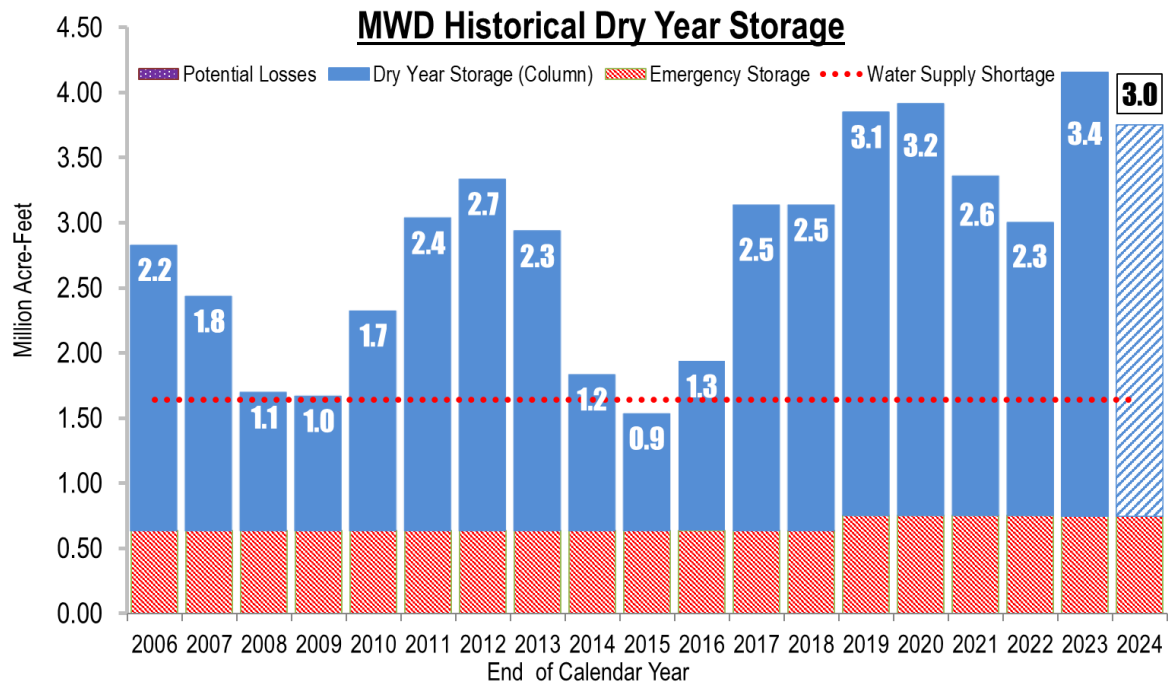
CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS CURRENT CONDITIONS

Midnight - January 29, 2024



With CY 2024 estimated total demands and losses of 1.548 million acre-feet (MAF) and with a 10% SWP Table A Allocation, Metropolitan is projecting that demands will exceed supplies levels in CY 2024. Based on this, estimated total dry-year storage for Metropolitan at the end of **CY 2024 will decrease to approximately 3.0 MAF.**

A projected dry-year storage supply of **3.0 MAF would be approximately 2.0 MAF from a typical level where Metropolitan's goes into Water Supply Allocations.** 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 MWD'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.**



2024 WSDM Storage Detail

	1/1/2024 Estimated Storage Levels ¹	CY 2024 Take Capacity ²	2024 Total Storage Capacity
WSDM Storage			
Colorado River Aqueduct Delivery System	1,544,000	147,000	1,657,000
Lake Mead ICS	1,544,000	147,000 ³	1,657,000
State Water Project System	994,000	593,000	1,889,000
MWD & DWCV Carryover	297,000	297,000	350,000 ⁴
MWD Articles 14(b) and 12(e)	0	0	N/A
Castaic and Perris DWR Flex Storage	219,000	219,000	219,000
Arvin Edison Storage Program	100,000	0	350,000
Semitropic Storage Program	199,000	45,000	350,000
Kern Delta Storage Program	123,000	32,000	250,000
Mojave Storage Program	19,000	0	330,000
AVEK High Desert Water Bank Program	37,000	0	40,000 ⁵
In-Region Supplies and WSDM Actions	1,018,000	633,000	1,246,000
Diamond Valley Lake	758,000	501,000	810,000
Lake Mathews and Lake Skinner	199,000	87,000	226,000
Conjunctive Use Programs (CUP) ⁶	61,000	45,000	210,000
Other Programs	593,000	64,000	1,181,000
Other Emergency Storage	381,000	0	381,000
DWCV Advanced Delivery Account	212,000	64,000	800,000
Total	4,149,000	1,437,000	5,973,000
Emergency	750,000	0	750,000
Total WSDM Storage (AF) ⁷	3,399,000	1,437,000	5,223,000

¹ Preliminary start of year balances, subject to DWR adjustments and USBR final accounting in May 2024.

² Take capacity assumed under a ten percent SWP Table A Allocation. Storage program losses included where applicable.

³ Take capacity will be based on planned maintenance activities and current CRA supply estimate.

⁴ Total storage capacity varies year-to-year based on prior year remaining balance added to current year contractual limits.

⁵ Reflects a portion of the AVEK High Desert Water Bank Program's total storage capacity. The total storage capacity will be reflected once the program is fully constructed. Anticipated to be fully operational by 2027.

⁶ 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.

⁷ Total WSDM Storage level subject to change based on accounting adjustments.

ISSUE BRIEF #C**SUBJECT: MET's Water Quality Update****RECENT ACTIVITY**

Water System Operations

Metropolitan member agency water deliveries were 110,100 acre-feet (AF) for December with an average of 3,550 AF per day, which was about 50 AF per day higher than in November. In addition, Metropolitan delivered 14,500 AF to Cyclic and Conjunctive Use Programs. Treated water deliveries were 10,800 AF lower than November for a total of 50,100 AF, or 46 percent of total deliveries for the month. The Colorado River Aqueduct (CRA) pumped a total of 54,000 AF in December. Metropolitan maintained a four-pump flow along the CRA for most of the month. State Water Project (SWP) imports averaged 3,400 AF per day, totaling about 106,900 AF for the month. The target SWP blend was around 80 percent for the Weymouth Plant, 35 percent for the Diemer Plant, and 60 percent for the Skinner Plant.

To support the Upper Feeder shutdown in September, the Weymouth plant's source water was temporarily switched to Silverwood Lake. The SWP target blend entering the Weymouth plant was increased to 100 percent before the shutdown and then decreased to zero percent on September 19 at the end of the shutdown. The SWP target blend entering the Diemer plant and Lake Skinner was zero percent in September.

Water continues to be managed according to Water Surplus and Drought Management (WSDM) principles and operational objectives with an emphasis to position SWP supplies to meet future demands in the SWP-dependent area. Metropolitan continues deliveries to Desert Water Agency and Coachella Valley Water District. With the higher SWP Allocation and low regional demands, Metropolitan is working to maximize its use of Table A supplies this year. Metropolitan staff is working with member agencies to manage supplies through the Cyclic and Cyclic Cost Offset Program. On December 1, the Department of Water Resources issued an initial 10 percent SWP Allocation. Metropolitan will shift operations in early January 2024 to preserve SWP supplies and use more Colorado River supplies in case the low SWP allocation continues through 2024.

Water Treatment and Distribution

In August, Metropolitan staff hosted a Partnership for Safe Water meeting and plant tour with operations staff from the City of Long Beach. The group took the time to discuss treatment plant optimization and operational strategies being used by both agencies to ensure reliable treatment plant operations to provide the highest quality water. The group also discussed operator certification requirements and strategies that could be used to aid staff in acquiring increased levels of certification.

Metropolitan staff completed pre-shutdown work at the Jensen Water Treatment Plant to prepare for the replacement of a surface wash valve. This work is required to address an actuator anomaly. Pre-shutdown work included installing temporary support and scaffolding,

cutting welded support, and installing anchoring to limit the shutdown duration and optimize plant production.

In December, the SWP target blend entering the Weymouth and Diemer plants were at 80 and 35 percent, respectively. Diemer plant blend was lowered to about 10 percent late in the month to manage trihalomethanes. The SWP target entering Lake Skinner was approximately 60 percent in December, and the SWP blend leaving the lake was 50 to 60 percent. Flow-weighted running annual averages for total dissolved solids from November 2022 through October 2023 for Metropolitan's treatment plants capable of receiving a blend of supplies from the SWP and the Colorado River Aqueduct were 417, 453, and 504 milligrams per liter (mg/L) for the Weymouth, Diemer, and Skinner plants, respectively. The long-running nitrification in the distribution system concluded in early December, with nitrite concentrations below action levels in most samples and all flushing operations discontinued.

Future Legislation and Regulation

On November 27, EPA released its second version of draft guidance on how to apply the "functional equivalency" test found in the Supreme Court's *County of Maui v. Hawaii Wildlife Fund* decision. Under the Maui decision, the Supreme Court set forth seven factors to help determine whether a NPDES permit is required when a point source pollutant discharged to groundwater has the same "functional equivalency" as a direct discharge to a navigable water. As with the previous version of the guidance, staff will provide comments supporting the functional equivalency tests as spelled out by the Supreme Court. Metropolitan submitted comments to EPA on the draft guidance on December 21.

On December 5, DDW released new Annual Reporting Requirements for Metropolitan's drinking water systems titled the "Clearinghouse Annual Inventory Report (CAIR)" for public comment. The new Order replaces both section 6 of the Electronic Annual Report (eAR) and the Drought and Conservation Reporting Order. Metropolitan submitted comments to the State Water Resources Control Board asking to remove Metropolitan's small water systems along the Colorado River Aqueduct from the drought reporting elements of the Order. The Order is set to go into effect on January 1, 2024.

On December 6, EPA published its proposed Lead and Copper Rule Improvements Rule. The proposed rule focuses on identifying and replacing lead service lines—including full lead-line replacement; lowering the lead action level from 0.015 to 0.010 micrograms per liter (µg/L); and improving public education and outreach materials to include renters and individuals with limited English proficiency. Metropolitan staff is reviewing the proposal and may engage by the February 5, 2024 comment deadline.

Metropolitan staff provided testimony strongly supporting the proposed resolution to adopt direct potable reuse (DPR) regulations during the December 19 meeting of the State Water Resources Control Board. Metropolitan's comments recognized the State Board for its significant milestone achieved to advance potable reuse development in the state through the new regulations. This comprehensive regulation is a result of several years of research and extensive stakeholder input, including from Metropolitan and will help provide a basis for Metropolitan's treatment approach for the Pure Water Southern California program. The State Board adopted the DPR regulations which now triggers review through the state's Office of

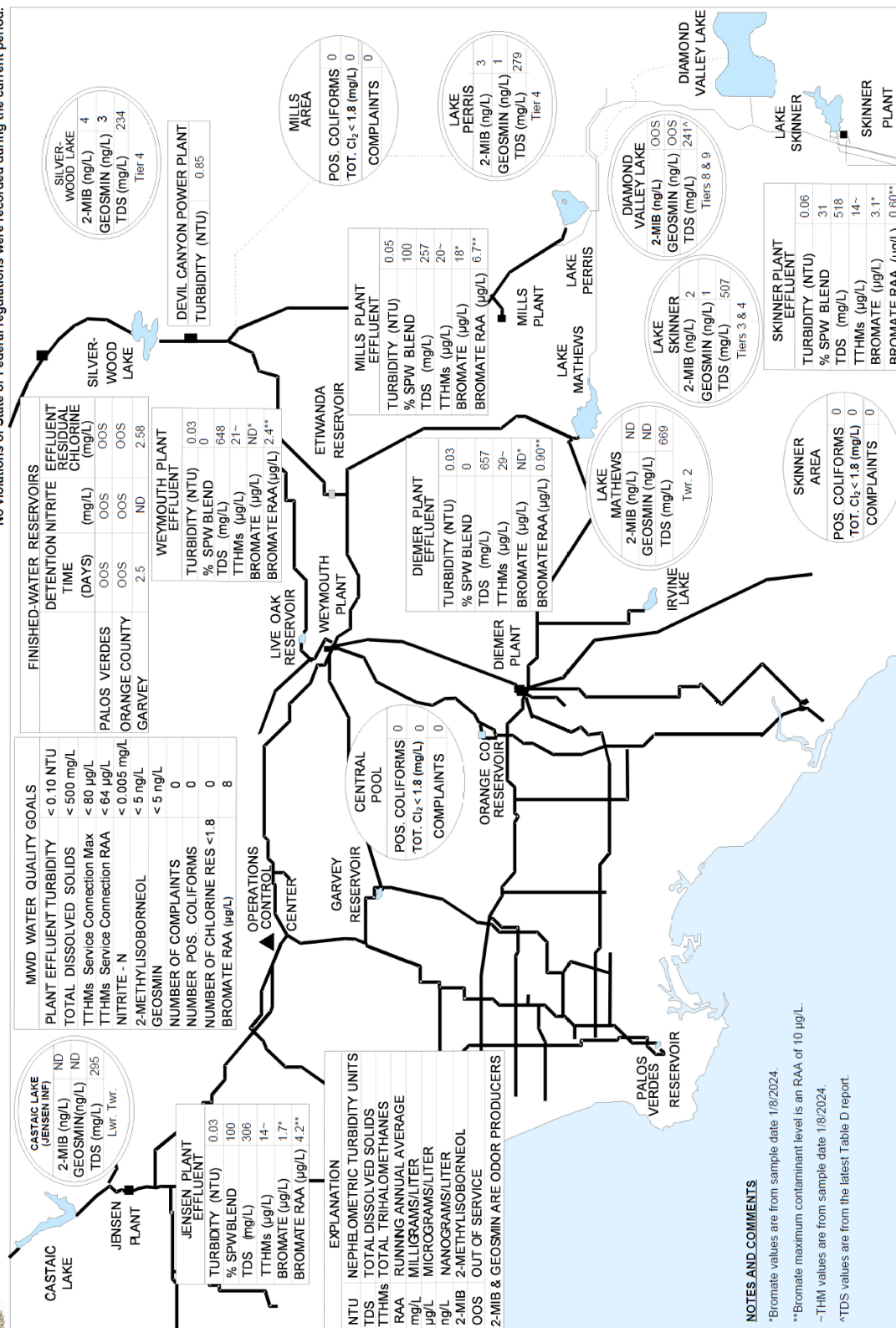
Administrative Law. The DPR regulations are anticipated to be formally published in the California Code of Regulations in coming months.

Generated On:1/24/2024 9:55:57 AM

Wednesday, January 24, 2024

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

No violations of State or Federal regulations were recorded during the current period.



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

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

The Metropolitan Water District of Southern California

Weekly Operations Plan for 1/25/2024 – 2/1/2024

For additional information, please contact James Bodnar at (213) 217-6099

1. **COLORADO RIVER AQUEDUCT:** The CRA is at a 4-pump flow.
2. **EAST BRANCH SPW:** Rialto Pipeline will average a flow between 100 and 200 AF/day. Santa Ana Valley Pipeline will be at 50 – 100 AF/day. Inland Feeder flow will be at 50 – 150 AF/day.
3. **WEST BRANCH SPW:** The flow from Castaic Lake will range between 300 and 400 AF/day. Flow to SCVWA (formerly CLWA) is currently at 45 AF/day.
4. **TERMINAL RESERVOIRS:**

Reservoir	Current Storage* (AF)	Percent of Capacity
Lake Mathews	163,200	90%
Lake Skinner	38,100	87%
DVL	754,200	93%

*as of 1/24/2024

5. **WATER QUALITY:**

Plant	Targeted Blend (% SPW)	TDS (mg/L)	TTHMs (µg/L)
	As of 1/24/2024	As of 1/24/2024	As of 1/8/2024
Weymouth	0	648	21
Diemer	0	657	29
Skinner	0	518	39
Jensen	100	306	14
Mills	100	257	19

6. **WATER DELIVERIES:** January deliveries are forecasted to be about 70 TAF. As of January 24, 2024, total system demands are about 2,800 AF/day, a decrease of about 100 AF/day from last week.
 7. **HYDROELECTRIC GENERATION:** As of January 24, 2024, the total daily average generation for the week was about 8.0 MW, with 3 of 15 hydroelectric plants in operation.
-

ISSUE BRIEF #D

SUBJECT: Colorado River Issues

RECENT ACTIVITY

Reclamation Executes California IRA System Conservation Agreements in Las Vegas

Following Metropolitan's November 14 and December 5 board approval of various agreements with its partners in California, on December 13, as part of the Colorado River Water Users Association's annual conference, the Commissioner of the Bureau of Reclamation Camille Touton signed several water conservation agreements with California water agencies and the Fort Yuma Quechan Indian Tribe (Quechan Tribe) to help meet the state's commitment to conserve 1.6 million acre-feet of water for Lake Mead's benefit through 2026. Metropolitan's General Manager and General Counsel signed conservation agreements with Imperial Irrigation District, Palo Verde Irrigation District (PVID), the Quechan Tribe, Coachella Valley Water District, and San Diego County Water Authority. These agreements will collectively leave about 250,000 acre-feet of water in Lake Mead this year. The agreements with PVID and the Quechan Tribe will leave additional water in Lake Mead through 2026. These agreements, along with Metropolitan's projected record amount of storing a projected 450,000 acre-feet of water in Lake Mead in 2023, have resulted in California's water use being at its lowest level since 1949. It is anticipated that additional agreements will be signed with Imperial Irrigation District in 2024 for conservation programs running through 2026. California's plan to conserve 1.6 million acre-feet of water is the equivalent of about 25 feet of elevation in Lake Mead.

ISSUE BRIEF #E

SUBJECT: Delta Conveyance Activities and State Water Project Issues

RECENT ACTIVITY

Delta Conveyance

The California Department of Water Resources (DWR) released the Final Environmental Impact Report (EIR) to the public, including public agencies that commented on the Draft EIR, in accordance with the California Environmental Quality Act (CEQA) on December 8, 2023. The Final EIR was certified on December 21, 2023, and DWR approved the proposed project. Responses to comments, as well as the Final EIR and accompanying informational resources, can be accessed at www.deltaconveyanceproject.com.

The U.S. Army Corps of Engineers (USACE), as part of its permitting review under the Clean Water Act and Rivers and Harbors Act, released a draft Environmental Impact Statement (EIS) to comply with the National Environmental Policy Act for a public review that ended on March 16, 2023. USACE is developing responses to the comments received.

Sites Reservoir

At the December 15 Joint Reservoir Committee and Sites Authority Board meeting, the Reservoir Committee and the Authority Board approved a contract with an outside consultant to provide wheeling rate development services. Delivering the benefits of the Sites Reservoir Project requires the shared use of the existing Glenn-Colusa Irrigation District Canal, Tehama-Colusa Canal, and the Lower Colusa Basin Drain System. Facility partner fish screens, pump stations, canals, regulating reservoirs, etc. will be needed to convey Sites water into and out of the Sites Reservoir as well as to divert from and release back into the Sacramento River. This use of these existing facilities owned by others requires Facilities Use Agreement(s), and the Sites Storage Partners will need to pay their share of cost for this service. The owners of these existing facilities would receive benefits from shared use as well under the assumption that Sites water flowing through their facilities allows fixed O&M and capital improvement costs to be spread over a larger rate base, thereby reducing the unit cost to the existing ratepayers.

Science Activities

Metropolitan science staff completed its review of the Bay-Delta Water Quality Control Plan Draft Staff Report and Substitute Environmental Document released by the California State Water Resources Control Board on September 28, 2023. Metropolitan will submit written comments to the State Water Board on the Draft Staff Report and Substitute Environmental Document before the January 19, 2024, deadline.

Dr. Shawn Acuña presented on contaminant performance metrics at the North American Society of Environmental Toxicology and Chemistry Annual Meeting and Fall 2023 Zoology Colloquium. The

presentation, Management for a Listed Species Using Contaminant Performance Metrics, summarized the use of contaminant performance metrics within a structured decision-making framework in the context of water projects and Delta smelt. Results from the work found that including contaminant performance metrics led to changes in management decisions.

Delta Island Activities

Metropolitan staff executed three consultant agreements for design, environmental planning, and public outreach for the proposed rice and wetlands projects on Webb Tract that, if approved, will be funded by a Delta Conservancy grant. The final consultant agreement for scientific studies is expected in early January 2024. The Webb Tract New Project Authorization package was approved by Engineering, and a new CIP project number was issued.

As part of the Pacific Flyway Shorebird Survey (PFSS), Metropolitan staff coordinated with U.S. Fish and Wildlife (USFWS) staff to conduct the annual shorebird count on Bouldin Island. The PFSS is a long-term monitoring program led by Point Blue Conservation Science, designed to guide the management and conservation of wintering shorebirds.

Three levee improvement projects wrapped up work for the 2023 season. These projects occurred on Bouldin and Bacon Islands. Approximately 8.5 miles of levee were improved. DWR provided funding for this project through the Delta Levees Special Flood Control Projects program. Additional work will be completed in 2024.

Metropolitan staff presented on the Levee Monitoring Pilot Study on Bouldin Island at the WaterStart Channels for Innovation Summit 2023. This pilot study is using innovative new technology to determine real-time changes in levee conditions.

**Summary Report for
The Metropolitan Water District of Southern California
Board Meeting
January 9, 2024**

CONSENT CALENDAR ITEMS - ACTION

Approved the following committee assignments. **(Agenda Item 7b)**

Ad Hoc Committee on Bay-Delta (New)

Jacque McMillan, Chair
Linda Ackerman, Vice Chair
Miguel Angel Luna
Russell Lefevre
Glen Peterson
Tana McCoy

Added Director Stephen Faessel as a member to the Subcommittee on Long-Term Regional Planning Processes and Business Modeling CAMP4W Task Force.

Authorized an agreement with the Center for Smart Infrastructure in an amount not to exceed \$2 million for startup costs and focused research. **(Agenda Item 7-1) [Item deferred at committee; not voted on at board]**

Authorized an increase of \$4,800,000 in change order authority for the contract to upgrade the domestic water treatment systems at the five Colorado River Aqueduct pumping plants. **(Agenda Item 7-2)**

(a) Authorized an agreement with Jacobs Engineering Group Inc. in an amount not to exceed \$3.425 million for design of security system improvements at three water treatment plants; and
(b) Authorized an agreement with Brown and Caldwell in an amount not to exceed \$2.26 million for design of security system improvements at one water treatment plant and several hydroelectric plants and pressure control structures. **(Agenda Item 7-3)**

Awarded a \$549,592.04 procurement contract to Caasi Flow Control for 20 plug valves. **(Agenda Item 7-4)**

Authorized an agreement with Applications Software Technology LLC in an amount not to exceed \$800,000 for the Oracle E-Business Suite Procurement Services Module Implementation. **(Agenda Item 7-5)**

Authorized agreements with: (1) Alvarez, LLC in an amount not to exceed \$1,923,940 to provide professional services and technical support; and (2) Cloudhouse Technologies Limited in an amount not to exceed \$801,900 for licenses for up to a period of three years, to migrate legacy applications to supported Windows servers for the Application Server Upgrade project. **(Agenda Item 7-6)**

Authorized the General Manager to authorize an increase of the contract authority to a not-to-exceed amount of \$8 million for skilled labor services under contract RFP-PR-381410.

(Agenda Item 7-7)

Approve amendments to the Metropolitan Water District Administrative Code Division VI, Chapters 2 and 5 to conform personnel regulations and the salary schedule for unrepresented employees to current law, practices, and regulations. **(LC Cancelled - Deferred Agenda Item 7-8)**

Authorized the General Manager to execute 47 license agreements to update the conditions and extend the term of existing secondary use agreements comprising Metropolitan fee-owned parcels in Los Angeles, Orange, Riverside, and San Bernardino counties. **(Agenda Item 7-9)**

Reviewed and considered the Final Environmental Impact Report certified by the city of Rancho Cucamonga and authorize the General Manager to grant a permanent easement to the city of Rancho Cucamonga for public road and trail purposes in the city of Rancho Cucamonga and identified Assessor Parcel Numbers 022-512- 301; 022-512-302; 022-512-303; 022-512-304. **(Agenda Item 7-10)**

Adopted the Legislative Priorities and Principles for 2024 with the revisions by staff and the committee members (Amended Motion as recommend by committee). **(Agenda Item 7-11)**

OTHER MATTERS AND REPORTS

Updated report on the list of certified assessed valuations for the fiscal year 2023/24 and tabulation of assessed valuations, percentage participation, and vote entitlement of member agencies as of January 9, 2024. **(Agenda Item 6G)**

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 - Final

February 13, 2024

2:30 PM

Tuesday, February 13, 2024 Meeting Schedule

08:30 a.m. L&C
10:00 a.m. EOP
12:00 p.m. Break
12:30 p.m. OWS
02:30 p.m. BOD

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. If you have technical difficulties with the live streaming page, 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=a1RTQWh6V3h3ckFhNmduUWpKR1c2Zz09>

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

1. Call to Order

- a. Invocation: Director Ardy Kassakhian, City of Glendale
- b. Pledge of Allegiance: Director Carl E. Douglas, City of Los Angeles

2. Roll Call

3. Determination of a Quorum

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

5. OTHER MATTERS AND REPORTS

- A. Report on Directors' Events Attended at Metropolitan's Expense [21-2972](#)
Attachments: [02132024 BOD 5A Report](#)
- B. Chair's Monthly Activity Report [21-2973](#)

- C. General Manager's summary of activities [21-2974](#)
- D. General Counsel's summary of activities [21-2975](#)
- E. General Auditor's summary of activities [21-2976](#)
- F. Ethics Officer's summary of activities [21-2977](#)

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

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Board of Directors Meeting for January 9, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) [21-2978](#)
- B. Approve Committee Assignments

7. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Authorize an increase of \$4.34 million to an agreement with Pure Technologies U.S. Inc. for a new not-to-exceed total amount of \$4.41 million to furnish and monitor an acoustic fiber optic prestressed concrete cylinder pipe monitoring system along the Foothill Feeder; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-2981](#)

Attachments: [02132024 EOT 7-1 B-L](#)

- 7-2 Award a \$7,842,856 contract to Power Engineering Construction Co. for the installation of a new floating wave attenuator at Diamond Valley Lake; the General Manager has determined that the project is exempt or otherwise not subject to CEQA (EOT) [21-2982](#)

Attachments: [02132024 EOT 7-2 B-L](#)

- 7-3 Authorize an agreement with Stantec Consulting Services Inc. in an amount not to exceed \$1 million for preliminary design to rehabilitate the solids removal systems at the Joseph Jensen and Henry J. Mills Water Treatment Plants; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-2983](#)

Attachments: [02132024 EOT 7-3 B-L](#)

- 7-4** Award a \$544,501 procurement contract to Electric Machinery Company – A WEG Group to furnish one brushless motor exciter system for Gene Pumping Plant Unit No. 1; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT) [21-2984](#)
- Attachments:** [02132024 EOT 7-4 B-L](#)
- 7-5** Award a \$2,375,700 contract to J.F. Shea Construction Inc. for construction of a hazardous waste handling and storage facility at the La Verne site; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-2985](#)
- Attachments:** [02132024 EOT 7-5 B-L](#)
- 7-6** Authorize amendments to two agreements for energy and transmission services with the Arizona Electric Power Cooperative, related to the termination and credits services provisions of those agreements; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA (EOT) [21-2991](#)
- Attachments:** [02132024 EOT 7-6 B-L](#)
- 7-7** Approve an adjustment to Metropolitan's Member Agency Administered Program to allow member agencies to use up to 50 percent of their allocated funds under the flexible, non-documented water savings category; agencies with allocations less than \$50,000 are able to use 100 percent of their Member Agency Administered Program allocation for flexible, non-documented water savings projects/programs; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) [21-2998](#)
- Attachments:** [02132024 OWS 7-7 B-L](#)
- 7-8** Authorize the General Manager to: (1) secure one-year water transfers and water exchanges with various water districts for up to \$50 million from Water Supply Program and State Water Project budgets for such supplies; (2) secure storage and conveyance agreements with the Department of Water Resources and various water districts to facilitate these transfers and exchanges; (3) grant final decision-making authority to the General Manager subject to the terms set forth in this letter; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) [21-3001](#)

- 7-9** PLACEHOLDER Human Resources Matter (LC) [21-3059](#)
- 7-10** Approve amendments to the Metropolitan Water District Administrative Code to modify the structure and duties of various committees; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LC) [21-3020](#)
- 7-11** Approve: (1) changes to the Metropolitan Water District 457(b) and 401(k) deferred compensation plans to establish an investment committee and adopt investment committee bylaws; and (2) amendments necessary to conform the plans and the Metropolitan Administrative Code to the proposed changes, current law, practices, and regulations; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (LC) [21-3021](#)
- 7-12** Review and consider the State of California, Department of Transportation's mitigated negative declaration; and authorize the General Manager to grant a permanent easement to the State of California, Department of Transportation for water pipeline purposes on Metropolitan fee-owned property in the County of Riverside, and identified as Assessor Parcel Numbers 713-021-024 and 713-021-02 (FAIRP) [21-3025](#)
- 7-13** Set a public hearing on March 12, 2024, regarding the proposed water rates and charges for calendar years 2025 and 2026 necessary to meet the revenue requirements for fiscal years 2024/25 and 2025/26; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (FAIRP) [21-3023](#)
- Attachments:** [02132024 FAIRP 7-13 B-L](#)
- 7-14** Approve Metropolitan's annual membership in the Center for Energy Advancement through Technological Innovation and annual dues payment of \$27,300 for the Transmission Planning and Operations interest group; the General Manager determined that the proposed action is exempt or otherwise not subject to CEQA (LRAC) [21-3035](#)

Attachments: [02132024 BOD 7-14 B-L](#)

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

8. OTHER BOARD ITEMS - ACTION

- 8-1** Authorize increase in change order authority for three contracts to conduct urgent rehabilitation of prestressed concrete cylinder pipe on the Allen-McColloch Pipeline: (1) a \$12 million increase for Contract 2002 with Northwest Pipe Company, (2) a \$10.5 million increase for Contract 2026 with J.F. Shea Construction Inc., and (3) a \$2 million increase for Contract 2088 with Structural Preservation Systems; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT) [21-2980](#)

Attachments: [02132024 EOT 8-1 B-L](#)

- 8-2** PLACEHOLDER Labor Negotiations [Closed & Open Session] (EOP) [21-3015](#)

9. BOARD INFORMATION ITEMS

- 9-1** Conservation Report [21-2979](#)

Attachments: [02132024 9-1 Report](#)

- 9-2** Strategy for Implementation of Drought Mitigation Actions in Response to the August 2022 Board Resolution (EOT) [21-2987](#)

- 9-3** Proposed Supplemental Water Management Program (OWS) [21-2999](#)

- 9-4** Proposed biennial budget, which includes the Capital Investment Plan and revenue requirements for fiscal years 2024/25 and 2025/26; proposed water rates and charges for calendar years 2025 and 2026 to meet revenue requirements for fiscal years 2024/25 and 2025/26; ten-year forecast; and Cost of Service Report (FAIRP) [21-3024](#)

- 9-5** Report on Activities from Washington, D.C. (LRAC) [21-3036](#)

- 9-6** Report on Activities from Sacramento (LRAC) [21-3037](#)

11. FOLLOW-UP ITEMS

NONE

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

NOTE: Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item, e.g. (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.