

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
October 2, 2024, 8:30 a.m.

Teleconference Sites:
25652 Paseo De La Paz, San Juan Capistrano, CA 92675
17420 Walnut Street, Fountain Valley, CA 92708

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. 2150

PRESENTATION/DISCUSSION ITEMS

1. UPDATE BY NATURAL RESOURCE RESULTS (NRR)

Recommendation: Discuss and file the information presented.

2. LEGISLATIVE ACTIVITIES

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

Recommendation: Review and discuss the information presented.

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

Recommendation: Receive input and discuss the information presented.

INFORMATION ITEMS

4. 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.

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

- a. Summary regarding September 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

October 2, 2024

TO: Board of Directors
FROM: Harvey De La Torre, General Manager
Staff Contact: Heather Baez

SUBJECT: UPDATE BY NATURAL RESOURCE RESULTS (NRR)

STAFF RECOMMENDATION

It is recommended that the Board of Directors discuss and file this information.

SUMMARY

Natural Resource Results (NRR) is a Washington, DC, lobbying and government affairs firm. Founded in 2007, NRR works with clients to accomplish measured results that benefit the economy, the community, and the environment.

MWDOC entered into a professional services contract with NRR to provide federal legislative advocacy services in January 2021. MWDOC staff has invited NRR to attend (in person) the October meeting to provide the Board with a recap of their lobbying approach and the key federal priorities addressed in 2024.

NRR has a five-member team with experience working with the federal government lobbying and government affairs consulting dedicated to principled advocacy and consulting. NRR key staff that cover MWDOC issues include Sara Tucker and Garrett Durst.

Ms. Tucker joined Natural Resource Results in September 2014 after serving as a Senior Professional Staff Member on the Senate Energy and Natural Resources Committee. Her portfolio included public lands and water issues, and she was the lead staff for the Water and Power Subcommittee. Ms. Tucker was responsible for covering the Bureau of Reclamation’s budget, policies, and programs. She also staffed the National Parks Subcommittee.

Mr. Durst joined Natural Resource Results as a Senior Associate after serving as Deputy Chief of Staff and Legislative Director for Congressman Garamendi. He has a strong

Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Budgeted amount: None	Core: <input checked="" type="checkbox"/>	Choice: <input type="checkbox"/>
Action item amount: N/A		Movement between funds: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

background in the complexities surrounding California water policy. Among other achievements, he was intimately involved in developing and enacting legislation that significantly enhanced how the federal government addresses water operations in California and other Western states. Prior to moving to Washington, DC, he worked at his family's farm in California's Sacramento Valley. This first-hand experience uniquely positioned him to address the challenges facing California's agricultural producers effectively.

NRR focuses on coalition building and provides strategic guidance and lobbying to achieve the client's near- and long-term objectives. They work to bring organizations and other clients together on issues to realize similar goals. They are proactively identifying and sourcing opportunities to build strategic relationships that benefit MWDOC and its member agencies.

ALIGNMENT WITH BOARD STRATEGIC PRIORITIES

- | | |
|---|--|
| <input type="checkbox"/> Clarifying MWDOC's mission and role; defining functions and actions. | <input checked="" type="checkbox"/> Work with member agencies to develop water supply and demand objectives. |
| <input checked="" type="checkbox"/> Balance support for Metropolitan's regional mission and Orange County values and interests. | <input checked="" type="checkbox"/> Solicit input and feedback from member agencies. |
| <input checked="" type="checkbox"/> Strengthen communications and coordination of messaging. | <input type="checkbox"/> Invest in workforce development and succession planning. |

List of Attachments/Links:
NRR Monthly Report for October

NATURAL RESOURCE RESULTS

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

From: Natural Resource Results

RE: Monthly Board Report – October 2024

Appropriations

The House and Senate both passed a Continuing Resolution (CR) that funds the government through December 20th, heading off a potential government shutdown but punting some challenging issues into the Lame Duck session of Congress. Congress does not come back into session until after the election and will have a short period of time to wrap up legislative business for the year.

Water Legislation

Because Congress adjourned early after passing a CR, the Senate Energy and Natural Resources Committee was forced to cancel a markup that included a number of water bills. However, we still expect that those bills will be in the mix for a year-end legislative package. Bills of note include:

- [S. 5012](#), to establish an interest-bearing account for the non-Federal contributions to the Lower Colorado River Multi-Species Conservation Program (Padilla); and
- [S. 4576](#), to amend the Energy and Water Development and Related Agencies Appropriations Act, 2015, to reauthorize the Colorado River System conservation pilot program (Hickenlooper/Barrasso).

Special Districts

Progress continues on legislation to clarify that special districts are eligible for federal grant funding. H.R. 7525 has already passed the House and just last week was reported favorably out of the Senate Committee on Homeland Security and Government Affairs. Next step is to get the bill through the full Senate during the lame duck.

Colorado River

Both the House and the Senate included language in the Energy and Water Appropriation reports addressing excess flows to Mexico. The language seeks to fix a need for better management of water deliveries coming from Lake Mead because there are times when excess flows go to Mexico. Some believe additional infrastructure is needed to fix the problem.

It has been reported that the Bureau of Reclamation will likely release chapters of the draft EIS for the post 2026 guidelines before the end of this year. These chapters will look at the various alternatives submitted as well as the Federal proposed alternative and how they compare when modeled by the technical team at the agency. This will likely be in a matrix form and will only be released to the states and tribes and not the public. There will not be a comment period this year. In the first half of 2025, we expect to see BOR release a draft EIS for post 2026 to the public. The goal is still to reach consensus among the 7 Basin States.



To:	MWDOC Workshop
From:	Syrus Devers
Date:	October 2nd, 2024
Re:	End of Session Report - State Legislative Report

End of Session Report

This year began with hand wringing. The water industry had been through two rough years and was due for a win, and we got it. A typical year starts with a list of 40 to 45 tracked bills, about a third of which begin as spot bills. (Bills that state an intent but contain no substantive language.) This year began with 58 tracked bills. Worse, about half were spot bills, which produces anxiety in water lobbyists because we have to assume the worst.

As this report is being prepared, there are still two bills supported by water lobbyists on the Governor's desk awaiting action, but we have already won enough to celebrate. The top priority is always to stop the bad bills, thereby preventing things from getting any worse than they already are. No opposed bills made it to the Governor's desk, while four supported bills made it through, two which have already been signed: SB 1072 and AB 1827. (See below) This report was prepared five days before the final deadline for the Governor to act on a bill. SDA will give a final tally of the legislative session during oral presentation, but water lobbyists are already taking a victory lap.

Update on bills active during End of Session: These are the bills that were still pending when the September report was prepared.

AB 1827 (Papan) - The purpose of this bill is to validate the use of tiered rates under Prop 218. Although the bill had a fairly easy vote in committee, there was late concern about the vote on Third Reading and SDA was asked to help lobby.

Position: SUPPORT. Result: Signed into law.

AB 2257 (Wilson) - Creates a requirement to exhaust administrative remedies before bringing a Prop 218 action against a special district. (ACWA sponsored.)

Position: SUPPORT. Result: Governor's desk awaiting action.

SB 366 (Caballero): This is the industry sponsored bill that began with the financial support of dozens of water agencies last year. The final bill is a far cry from the original purpose, which was to lay out a financial pathway to fund California's future water supply requirements. The bill requires interim water

Syrus Devers Advocacy

supply goals for 2050, and requires regulatory agencies to consult with stakeholders, among other provisions. SDA took on a number of lobbying assignments throughout the process.

Position: SUPPORT. Result: Governor's desk awaiting action.

SB 1072 (Padilla) - This bill is one of the three dealing with Prop 218 reform. This bill allows for Prop 218 fines to be paid through future rate reductions instead of lump sums, the goal being to give public agencies greater financial predictability.

Position: SUPPORT. Result: Signed into law.

SB 1390 (Caballero) - This bill affirms and codifies the actions taken by the state to move emergency flood flows into storage without having to jump through all the hoops imposed by overlapping water rights. It includes a compromise among State Water Contractors that respects junior rights while allowing flood flows that cannot be utilized to be expeditiously diverted to storage. Late opposition arose from Central Valley water districts that prefer the *status quo*. SDA was asked to engage and rally client support. Given this agency's reliance on the State Water Project being utilized to the maximum extent possible, adopting a support position was an easy call.

Position: SUPPORT. Result: Dead. Note: This bill was an unfortunate victim of "hostage taking" on the last night of session. It was held in the Assembly for reasons unrelated to policy.

Actively lobbied bills in 2024: These are all the other bills SDA was tasked with actively supporting or opposing in 2024.

AB 1573 (Friedman): This bill concerned native plant use in new construction. MWDOC did not take a position on the bill in print, but did oppose proposed amendments that would have modified the effective dates of last year's AB 1572 (Friedman) prohibiting non-functional turf, which MWDOC did oppose. The effort was successful and the bill died.

AB 1820 (Schiavo): Limitations on fees for new housing developments. Special district lobbyists successfully sought amendments to limit the bill to cities and counties.

AB 2409 (Papan): The bill would have required a permitting accountability transparency internet website (dashboard). MWDOC lobbied in favor but the bill never made it out of the house of origin.

SB 937 (Weiner): The most significant of the bills intended to limit development fees on new construction. MWDOC adopted an "oppose unless amended," but removed opposition once water agencies were removed from the bill.

SB 1210 (Skinner): Another of several bills to limit or prohibit development fees on new construction. MWDOC did adopt an "oppose unless amended", but that was moved to "watch" once special districts were removed from the bill.

Syrus Devers Advocacy

SB 1218 (Newman): support for emergency water supplies. This bill was sponsored by IRWD and supported by MWDOC, but the bill died on the infamous Suspense File. (This was a bummer.)

SB 1255 (Durazo): The “voluntary” LIRA program bill. This bill was covered extensively in previous reports and defeating it was one of the year’s major victories.

Watched bills: Once a year SDA invites the Board Members to scan the bills on the “Watch” list that were not brought to the attention of the Board. Some bills are in the watch section after opposition was removed. In this case, there will be a note recording when and why that happened. For all the others, staff did not elevate them to a priority for one of several reasons, one of which was waiting to see if there was any possibility of the bill moving before committing resources. Whatever the reason, there is always a chance that SDA mislabeled a bill that should have been a priority. If that happened, please let us know so that we can continue to improve.

Administrative Report

The Department of Water Resources published a report back in July that for reasons unknown received no publicity. The bi-annual State Water Project Delivery Capability Report for 2024 disclosed an alarming reduction in the projected reliability of the State Water Project (SWP) in the event of an extended drought. To paraphrase, the SWP is projected to be about half as reliable as it was estimated to be as recently as 2021.

Governor Newsom is taking credit for a recent legal victory in the CEQA lawsuit against Sites Reservoir. Last year, Newsom pushed through Trailer Bill language to limit CEQA appeals on major infrastructure projects to 270 days. It received some criticism at the time because the deadline only applied “if feasible.” Nonetheless, the Sites Reservoir CEQA appeal lawsuit was denied in 256 days.

ACKERMAN CONSULTING

Legal and Regulatory

October 2, 2024

- 1. Great Salt Lake Update:** We have previously reported on the decline in water in the Great Salt Lake. The lake is getting somewhat of a reprieve from Utah Lake and other contributors. Around 10,000-acre feet of water will be sent to the Salt Lake via the Jordan River in the next few weeks. The Jordan River connects the Great Salt Lake and Utah Lake. The majority of the water is coming from Utah Lake as a result the heavy 2023 snowpack in Utah. Just under half of the water is being sent to the Salt Lake from other water users and the Church of Jesus Christ of Latter-Day Saints. The latter contribution is result of voluntary agreements with the parties. The Great Salt Lake will need over a half a million additional acre feet every year to achieve its goal elevation of 4198 feet in the future. Utah water world is happy to see at least this small start.
- 2. More Underground Storage Needed:** The University of California at Riverside has released a new study regarding agricultural water needs. Their solution for handling the agricultural demands is an increased emphasis on replenishing the underground aquifers in the region. They assert that additional resources should be made available in the Central Valley and coastal plains to enhance recharge in the depleted aquifers. They recommend additional recharge basins, more convenient structures to redistribute water in the impacted areas, spraying water on land and more cost-efficient ways to infuse water underground. They also recommend voluntary water markets and the extended use of enhanced treatment of wastewater. Their goal is to have a sustainable model for agriculture in California in the future.
- 3. More PFAS Solutions:** ETH Zurich institute is studying new ways to break down forever chemicals. Their current study tries to make it easier to break down the carbon fluoride bond in PFAS. Generally, it requires much energy to break these bonds. They have come up with a new method involving piezocatalysis to accelerate this process. Piezo refers to the electric charge generated during the mechanical processes. They have developed nanomaterials that are piezoelectric and can accomplish this mission. Thus far their success rate of degrading PFAS molecules is above 90%. While this process is not yet commercially feasible that is their next challenge. This method is less expensive and easier on the environment than other alternatives.
- 4. SGMA Challenged:** The Sustainable Groundwater Management Act is again being challenged in court. The Kings County Farm Bureau has sued the State Water Resources Control Board and received an injunction against them enforcing costly orders on the water boards involved. The courts rationale was that the water board's process was not transparent and had been negotiated in secret. The process did not allow for any appeal of decisions and the board failed to consider other solutions offered by the plaintiff. Other water boards who are on probation or being threatened by the State will likely see this as a positive outcome for their issues. The next hearing for this matter is set for January of 2025.

5. **Garbage Patch Cleanup:** A nonprofit group known as Ocean Cleanup has put forth an offer to clean up the great Pacific garbage patch. This mess in the ocean which is twice the size of Texas has been the object of discussion for many years. This group has said that they can clean up the patch in 10 years for a price of \$7.5 billion. Their plan is to capture plastic and garbage in various rivers around the world before it makes its way to the sea and cleaning up the accumulation existing. In the past this group has removed over 1,000,000 lbs. of trash from the ocean. Their rationale is that the cost to the world is over 2 1/2 trillion dollars. So far, they have not come up with anyone to give them a contract.
6. **More Rain in Cities?:** A study from the University of Texas examined rainfall in major cities throughout the world. Of the over 1000 cities which they examined more than 60% of those receive more rainfall than their surrounding areas. The most significant was Houston TX which received 5 inches more rain per year than its surrounding rural areas. This creates problems for water management and flash flood episodes. Some of the cities studied actually received less rain than their surrounding areas. Typically, they are situated in valleys or lowlands where the weather patterns were controlled by the mountains. An example of one of those cities is Seattle. Their studies showed that buildings had the greatest influence on the weather patterns. The high buildings slowed down winds and changed weather conditions which influence rainfall. Typically, the cities with more rainfall also had warmer temperatures.
7. **Colorado River Law Changes:** The University of Virginia has been studying the Colorado River and the impact of laws on the current shortage on the river, in particular, a regulation called the “free river condition”. This regulation states that if the river has sufficient water for everyone’s needs, that anyone whether or not they have existing water rights could take as much water from the river that they want. This has been discussed in various articles regarding loopholes in water rights in Colorado. During the year of 2017 as a result of free river conditions water utility users diverted approximately 90,000-acre feet more than their water rights allowed. While this amount is not large, they believe that any changes to increase the available amount of water for the basin would help the negotiations for all the states.
8. **Better Water Treatment:** The key to better water treatment worldwide is better membranes and filtration methods. The key to this process is economical methods, reduce maintenance, and have better anti fouling features. A recent study from the University of Sharjah in the United Arab Republic has come up with a natural element which could achieve many of these goals. The use of manganese nanoparticles is having excellent results in test studies. Thus far, it has shown to be economical, easy to maintain, and has very excellent biofouling characteristics. This makes it an excellent candidate for water treatment plants everywhere and could also be used in desalinization plants. Its current effectiveness rate is over 95% and its reuse factor exceeds 88%.
9. **Moon Water Rover:** NASA has just cancelled a 1/2-billion-dollar water rover designed for exploration on the moon. Nicknamed the Viper, this machine is practically ready to go to the moon to explore the possibility of water or other minerals on the moon. The cancellation was due to budgetary concerns. They are now trying to find alternate vendors to finish the job. The mission of Viper is very important for future moon exploration and potential lunar settlement. This device has the capability of collecting and analyzing samples and drilling holes in

the moon surface. Members of Congress are weighing in to support the program. They have the power to reverse the NASA decision. I suggest they call Elon Musk.

10. **Drone Warning:** New York City has added a complement of drones to warn residents of emergencies and other extreme weather conditions. The current drone teams are assigned to neighborhoods prone to flooding and use a loudspeaker system on the drone to warn of impending weather. The drones are being used in addition to other forms of warning including social media, text alerts, and community-based systems. The drones are also used to monitor large gatherings and to look for sharks on the beaches.
11. **Artificial Turf On The Run:** Artificial grass first came on the scene in the 1960s. It was advertised as the cheaper substitute for grass and a water saver. It's primary and most public exposure has been in athletic fields. There are presently over 12,000 artificial turf fields in America with over 1000 being added each year. However now that trend is getting significant pushback. The New Jersey Institute of Technology has examined the safety risk and has found many. The artificial turf generally operates at a much higher temperature than the surrounding area. It can also cause burns, dehydration, and heat related ailments. The chemicals used in the turf also leach into the surrounding area and people coming in contact with it. It is also heavy with PFAS. The turf cannot be recycled and is now considered a hardscape as opposed to historical landscape designation. California has limited watering of non-functional synthetic grass and many states including New York have put moratoriums or limitations on its use. The City of Los Angeles is considering an outright ban. The New Jersey Institute is making the case for the use of real grass in many of the areas where artificial turf has dominated. They are now saying it may be worth the additional cost in water and the benefits of real grass.



WHITTINGHAM
PUBLIC AFFAIRS ADVISORS

October 2, 2024

TO: MWDOC Board of Directors

FROM: Peter Whittingham

SUBJECT: October 2024 Report

The month of September was marked by a week-long heat wave and three wildfires that stretched resources at dozens of agencies. Following is a few of the more notable developments and issues of the month:

- The City of Newport Beach approved a Memorandum of Understanding with the Laguna Beach County Water District (LBCWD) to explore the viability of a new water well. Newport Beach identified the need for a new well within its 2019 Water Master Plan and has subsequently been seeking potential sites in the City of Fountain Valley. LBCWD has located and purchased a vacant property on Bushard Street in Fountain Valley that could serve as a new water well site for both Newport Beach and Laguna Beach, which already share several pipeline and groundwater agreements.
- The Seal Beach City Council approved an agreement for sharing consultant costs with MWDOC for completion of the Orange County Water and Wastewater Multi-Jurisdictional Hazard Mitigation Plan and America Water Infrastructure Act of 2018 Projects.
- Cadiz Inc., which has been working for more than two decades to deliver water from the Fenner Valley in San Bernardino to a number of water districts in the region, including Santa Margarita Water District, announced it has acquired additional idled pipelines to facilitate its potential delivery to the California Aqueduct. Cadiz announced last month that it had secured a water supply agreement with Cucamonga Valley Water District (CVWD) for up to 5,000 acre-feet of water annually.
- The Orange County Board of Supervisors received a presentation of its Preliminary Climate Action Plan, which provides a base document for the continuation of development of the final Climate Action Plan and a status update on progress made during the last six months. The report includes input received during seven forums held throughout the County, from the formal public review and comment period, the stakeholders and from internal departments. Measures

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contained within the document will be further evaluated to determine specific emission reductions and cost-effectiveness and the document will also go through a full evaluation under the California Environmental Quality Act (CEQA) with the goal of reducing the cost and time associated with the process on a project-by-project basis.

- National Public Radio (NPR) profiled the Yorba Linda Water District and its PFAS treatment plant, noting it is the largest of its kind. The NPR report quoted Board members and Todd Colvin, chief water system operator for the district. Every gallon of water pumped from the district's wells now passes through a few of the 22 tanks at the site for treatment before going to the homes and businesses of the 80,000 residents YLWD serves.
- The Orange County Board of Supervisors voted unanimously to censure First District Supervisor Andrew Do amid federal investigation into the County's allocation of several million dollars to a non-profit organization that has failed to provide an accounting of expenditure of the funds and at which the Supervisor's daughter was employed.

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

Sincerely,



Peter Whittingham

MWDOC Workshop

Prepared by SDA Government Relations

September, 2024

NOTE: Several bills have ~~striketrough~~ lines in the “position” and “priority” lines. This is a function of the bill tracking program. It shows which bills were removed from the Bill Matrix earlier in the year but still tracked.

Priority: A. High

[AB 460](#) ([Bauer-Kahan, D](#)) **State Water Resources Control Board: water rights and usage: civil penalties.**

Status: 09/22/2024 - Chaptered by Secretary of State - Chapter 342, Statutes of 2024

Summary: 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 require the State Water Resources Control Board to adjust for inflation, by January 1 of each year, beginning in 2026, the amounts of civil and administrative liabilities or penalties imposed by the board or in water right actions brought at the request of the board, as specified. (Based on 09/22/2024 text)

Position: B. Watch

Priority: A. High

Notes - Amended to only address fines

[AB 1337](#) ([Wicks, D](#)) **State Water Resources Control Board: water diversion curtailment.**

Status: 07/02/2024 - Failed Deadline pursuant to Rule 61(b)(13). (Last location was N.R. & W. on 6/7/2023)

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. (Based on 05/18/2023 text)

Position: ~~watch~~

Priority: A. High

[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: 08/31/2024 - Failed Deadline pursuant to Rule 61(b)(17). (Last location was N.R. & W. on 5/22/2024)

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. (Based on 05/26/2023 text)

Position: ~~watch~~

Priority: A. High

[AB 1573](#) ([Friedman, D](#)) **Water conservation: landscape design: model ordinance.**

Status: 08/31/2024 - Failed Deadline pursuant to Rule 61(b)(17). (Last location was INACTIVE FILE on 9/7/2023)

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. Current law requires a local agency to adopt the model ordinance or to adopt a water efficient landscape

ordinance that is at least as effective in conserving water as the updated model ordinance, except as specified. Current law specifies the provisions of the updated model ordinance, as provided. Current law includes a related statement of legislative findings and declarations. 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 a culturally specific project, as defined, 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 arboretums open to the public, from the model ordinance. The bill would require the updated model ordinance to include provisions that, among other changes, prohibit the use of traditional overhead sprinklers on all new and rehabilitated landscapes and require that new and rehabilitated landscapes use only water efficient irrigation devices. (Based on 09/01/2023 text)

Position: watch

Priority: A. High

[AB 1820](#) (Schiavo, D) Housing development projects: applications: fees and exactions.

Status: 09/22/2024 - Chaptered by Secretary of State - Chapter 358, Statutes of 2024

Summary: Current law requires a city or county to deem an applicant for a housing development project to have submitted a preliminary application upon providing specified information about the proposed project to the city or county from which approval for the project is being sought. Current law requires a housing development project be subject only to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted. This bill would authorize a development proponent that submits a preliminary application for a housing development project to request a preliminary fee and exaction estimate, as defined, and would require a city, county, or city and county to provide the estimate within 30 business days of the submission of the preliminary application. For development fees imposed by an agency other than a city, county, or city and county, the bill would require the development proponent to request the fee schedule from the agency that imposes the fee and would require the agency that imposes the fee to provide the fee schedule to the development proponent without delay. (Based on 09/22/2024 text)

Position: watch

Priority: A. High

Notes - Flagged by CSDA

[AB 1827](#) (Papan, D) Local government: fees and charges: water: higher consumptive water parcels.

Status: 09/22/2024 - Chaptered by Secretary of State - Chapter 359, Statutes of 2024

Summary: The California Constitution specifies various requirements with respect to the levying of assessments and property-related fees and charges by a local agency, including requiring that the local agency provide public notice and a majority protest procedure in the case of assessments and submit property-related fees and charges for approval by property owners subject to the fee or charge or the electorate residing in the affected area following a public hearing. Current law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with these requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation under certain circumstances. Current law defines, among other terms, the term "water" for these purposes to mean any system of public improvements intended to provide for the production, storage, supply, treatment, or distribution of water from any source. This bill would provide that the fees or charges for property-related water service imposed or increased, as specified, may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels. (Based on 09/22/2024 text)

Position: support

Priority: A. High

Notes - Support position adopted on May 1st

[AB 2257](#) (Wilson, D) Local government: property-related water and sewer fees and assessments: remedies.

Status: 09/05/2024 - Enrolled and presented to the Governor at 4 p.m.

Summary: The California Constitution specifies various requirements with respect to the levying of assessments and property-related fees and charges by a local agency, including notice, hearing, and protest procedures, depending on the character of the assessment, fee, or charge. Current law, known as the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with these requirements. This bill would prohibit, if a local agency complies with specified procedures, a person or entity from bringing a judicial action or proceeding alleging noncompliance with the constitutional provisions for any new, increased, or extended fee or assessment, as defined, unless that person or entity has timely submitted to the local agency a written objection to that fee or assessment

that specifies the grounds for alleging noncompliance, as specified. This bill would provide that local agency responses to the timely submitted written objections shall go to the weight of the evidence supporting the agency's compliance with the substantive limitations on fees and assessments imposed by the constitutional provisions. The bill would also prohibit an independent cause of action as to the adequacy of the local agency's responses. (Based on 08/29/2024 text)

Position: support

Priority: A. High

Notes - ACWA sponsored. Support position adopted May 1st.

[AB 2409](#) ([Papan, D](#)) Office of Planning and Research: permitting accountability transparency dashboard.

Status: 05/16/2024 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/1/2024)

Summary: Would require the Office of Planning and Research, on or before January 1, 2026, to create and maintain, as specified, a permitting accountability transparency internet website (dashboard). The bill would require the dashboard to include a display for each permit to be issued by specified state agencies for all covered projects. The bill would define various terms for these purposes. The bill would also require the dashboard to include, but not be limited to, information for each permit to be issued by a state agency that is required for the completion of the project, including, among other requirements, the permit application submission date. The bill would require each state agency with a responsibility for issuing a permit for a covered project to provide information in the appropriate time and manner as determined by the office. The bill would also make related findings and declarations. (Based on 04/11/2024 text)

Position: support

Priority: A. High

Notes - CMUA sponsored bill. Support position adopted on March 6th.

[AB 3219](#) ([Sanchez, R](#)) Advanced Clean Fleets Regulation: local governments.

Status: 05/02/2024 - Failed Deadline pursuant to Rule 61(b)(6). (Last location was TRANS. on 3/11/2024)

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would provide that the requirements of the Advanced Clean Fleets Regulation do not apply to the purchase by a local government of vehicles with a gross vehicle weight rating greater than 8,500 pounds if the price of the zero-emission version of a vehicle is more than an unspecified percentage of the price of a comparable internal combustion engine version of that vehicle. (Based on 03/11/2024 text)

Position: watch

Priority: A. High

Notes - Possible support

[SB 366](#) ([Caballero, D](#)) The California Water Plan: long-term supply targets.

Status: 09/09/2024 - Enrolled and presented to the Governor at 3 p.m.

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 expand the membership of the advisory committee to include tribes, labor, and environmental justice interests. The bill would require the department, as part of the 2033 update to the plan, to update the interim planning target for 2050, as provided. The bill would require the target to consider the identified and future water needs for all beneficial uses and ensure safe drinking water for all Californians, among other things. (Based on 09/03/2024 text)

Position: support

Priority: A. High

Notes - CMUA sponsored bill from 2023

SB 867 (Allen, D) Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.

Status: 07/03/2024 - Chaptered by Secretary of State - Chapter 83, Statutes of 2024

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$10,000,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs. (Based on 07/03/2024 text)

Position: watch

Priority: A. High

SB 1072 (Padilla, D) Local government: Proposition 218: remedies.

Status: 09/20/2024 - Chaptered by Secretary of State - Chapter 323, Statutes of 2024

Summary: The California Constitution sets forth various requirements for the imposition of local taxes. The California Constitution excludes from classification as a tax assessments and property-related fees imposed in accordance with provisions of the California Constitution that establish requirements for those assessments and property-related fees. Under these requirements, an assessment is prohibited from being imposed on any parcel if it exceeds the reasonable cost of the proportional special benefit conferred on that parcel, and a fee or charge imposed on any parcel or person as an incident of property ownership is prohibited from exceeding the proportional cost of the service attributable to the parcel. The Proposition 218 Omnibus Implementation Act prescribes specific procedures and parameters for local compliance with the requirements of the California Constitution for assessments and property-related fees. This bill would require a local agency, if a court determines that a fee or charge for a property-related service, as specified, violates the above-described provisions of the California Constitution relating to fees and charges, to credit the amount of the fee or charge attributable to the violation against the amount of the revenues required to provide the property-related service, unless a refund is explicitly provided for by statute. (Based on 09/20/2024 text)

Position: watch

Priority: A. High

SB 1164 (Newman, D) Property taxation: new construction exclusion: accessory dwelling units.

Status: 08/31/2024 - Failed Deadline pursuant to Rule 61(b)(17). (Last location was REV. & TAX on 6/3/2024)

Summary: The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, "full cash value" is defined as the assessor's valuation of real property as shown on the 1975-76 tax bill under "full cash value" or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. This bill would exclude from classification as "newly constructed" and "new construction" the construction of an accessory dwelling unit, as defined, if construction on the unit is completed on or after January 1, 2025, and before January 1, 2030, until one of specified events occurs. The bill would require the property owner to, among other things, notify the assessor that the property owner intends to claim the exclusion for an accessory dwelling unit and submit an affidavit stating that the owner shall make a good faith effort to ensure the unit will be used as residential housing for the duration the owner receives the exclusion. (Based on 05/16/2024 text)

Position: watch

Priority: A. High

Notes - Brought up on 4/3. Keep watch position pending feedback from agencies.

SB 1210 (Skinner, D) New housing construction: electrical, gas, sewer, and water service: service connection information.

Status: 09/03/2024 - Enrolled and presented to the Governor at 3 p.m.

Summary: Current law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations, gas corporations, sewer system corporations, and water corporations, while local publicly owned utilities, including municipal utility districts, public utility districts, and irrigation districts, are under the direction of their governing boards. This bill would, for new housing construction, require the above-described utilities, on or before January 1, 2026, to publicly post on their internet websites (1) the schedule of estimated fees for typical service connections for each housing development type, including, but not limited to, accessory dwelling unit, mixed-use, multifamily, and single-family developments, except as specified, and (2) the estimated timeframes for completing typical service connections needed for each housing development type, as specified. The bill would exempt from its provisions a utility with fewer than 4,000 service connections that does not establish or maintain an internet website due to a hardship and would authorize the utility to establish that a hardship exists by annually adopting a resolution that includes detailed findings, as provided. (Based on 08/28/2024 text)

Position: watch

Priority: A. High

Notes - OUA adopted on 4/3. Amendments removed impacts to special districts. Moved to "watch."

SB 1218 (Newman, D) Water: emergency water supplies.

Status: 08/15/2024 - Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Summary: The Urban Water Management Planning Act requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. The act requires an urban water management plan to include a water shortage contingency plan, as provided. This bill would declare that it is the established policy of the state to encourage, but not mandate, the development of emergency water supplies, and to support their use during times of drought or unplanned service or supply disruption, as provided. (Based on 06/18/2024 text)

Position: support

Priority: A. High

Notes - IRWD sponsored. Support position adopted on March 6th.

SB 1255 (Durazo, D) Public water systems: needs analysis: water rate assistance program.

Status: 08/15/2024 - Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Summary: Current law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Current law requires the state board to annually adopt a fund expenditure plan, as provided, and requires expenditures from the fund to be consistent with the fund expenditure plan. Current law requires the state board to base the fund expenditure plan on data and analysis drawn from a specified drinking water needs assessment. This bill would require the state board to update a needs analysis of the state's public water systems to include an assessment, as specified, of the funds necessary to provide a 20% bill credit for low-income households served by community water systems with fewer than 3,300 service connections and for community water systems with fewer than 3,300 service connections to meet a specified affordability threshold on or before July 1, 2026, and on or before July 1 of every 3 years thereafter. (Based on 06/19/2024 text)

Position: oppose

Priority: A. High

Notes - Oppose position adopted on 7/3

SB 1390 (Caballero, D) Groundwater recharge: floodflows: diversion.

Status: 09/01/2024 - Failed Deadline pursuant to Rule 61(b)(17). (Last location was THIRD READING on 8/31/2024)

Summary: Current law declares that all water within the state is the property of the people of the state, but the right to the use of the water may be acquired by appropriation in the manner provided by law. Current law requires the appropriation to be for some useful or beneficial purpose. Current law provides, however, that the diversion of floodflows for groundwater recharge does not require an appropriative water right if certain conditions are met, including that a local or regional agency that has adopted a local plan of flood control or has considered flood risks as part of its most recently adopted general plan has given notice, as provided, of imminent risk of flooding and inundation of lands, roads, or structures. Current law defines "floodflow" for these purposes, to include circumstances in which flows would inundate ordinarily dry areas in the bed of a terminal lake to a depth that floods dairies and other ongoing agricultural activities, or areas with substantial residential, commercial, or industrial development. Current law defines "imminent" for these purposes to mean a high degree of confidence that a condition will begin in the immediate future. Current law also requires the person or entity making the diversion for groundwater recharge purposes to file with the State Water Resources Control Board and any applicable groundwater sustainability agency for the basin, a notice containing specified information no later than 48 hours after initially commencing diversion of floodflows for groundwater recharge, a preliminary report no later than 14 days after initially commencing that diversion, and a final report no later than 15 days after the diversions cease. These requirements apply to diversions commenced before January 1, 2029. This bill would, among other things, expand the conditions that are required to be met for the diversion of floodwaters for groundwater recharge that do not require an appropriative water right. The bill would expand the definition of "floodflow" to include flows that are projected by the local or regional agency to inundate ordinarily dry areas in the bed of a terminal lake, as described above. The bill would revise the definition of "imminent" to mean a high degree of confidence that a condition will begin or is projected to begin within the next 72 hours. (Based on 08/22/2024 text)

Position: support

Priority: A. High

Notes - SUPPORT based on Policy Principles

Priority: B. Watch

[AB 2579](#) (Quirk-Silva, D) Inspections: exterior elevated elements.

Status: 08/28/2024 - Enrolled and presented to the Governor at 4 p.m.

Summary: Current law provides authority for an enforcement agency to enter and inspect any buildings or premises whenever necessary to secure compliance with or prevent a violation of the building standards published in the California Building Standards Code and other rules and regulations that the enforcement agency has the power to enforce. Current law requires an inspection, by January 1, 2025, and by January 1 every 6 years thereafter, of exterior elevated elements and associated waterproofing elements, as defined, including decks and balconies, for buildings with 3 or more multifamily dwelling units, as specified. Current law that provides that, if the property was inspected within 3 years prior to January 1, 2019, as specified, no new inspection is required until January 1, 2025. This bill would extend the deadline for initial inspection until January 1, 2026. (Based on 08/26/2024 text)

Position: watch

Priority: B. Watch

[AB 2626](#) (Dixon, R) Advanced Clean Fleets regulations: local governments.

Status: 04/25/2024 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/4/2024)

Summary: Current law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025. (Based on 02/14/2024 text)

Position: B. Watch

Priority: B. Watch

Notes - Possible support

[AB 2661](#) (Soria, D) Electricity: Westlands Water District.

Status: 09/13/2024 - Enrolled and presented to the Governor at 4 p.m.

Summary: Would authorize the Westlands Water District to provide, generate, and deliver solar photovoltaic or hydroelectric electricity and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for generating and delivering that electricity. The bill would require the district to use the electricity for the district's own purposes, and the bill would authorize the district to sell surplus electricity to a public or private entity engaged in the distribution or sale of electricity. The bill would also authorize the district to construct, operate, and maintain energy storage systems and electric transmission lines, and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for the operation of the energy storage system and electric transmission lines, within the boundaries of the district, as specified. The bill would require the district to report the amount of income, and the purposes for expenditure of that income, from these electricity facilities in a specified report. The bill would require the district to establish a community benefits agreement plan for a specified electrical infrastructure development plan and related transmission and other electrical projects, as provided. This bill would make legislative findings and declarations as to the necessity of a special statute for the Westlands Water District. (Based on 09/05/2024 text)

Position: watch

Priority: B. Watch

[AB 2911](#) (McKinnor, D) Campaign contributions: agency officers.

Status: 08/31/2024 - Failed Deadline pursuant to Rule 61(b)(17). (Last location was E. & C.A. on 5/29/2024)

Summary: The Political Reform Act of 1974 prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than \$250 from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, if the officer knows or has reason to know that the participant has a financial interest, as defined. Current law permits an officer who violates this prohibition to cure the violation by returning the contribution, or portion of the contribution in excess of \$250, within 14 days of accepting, soliciting, or directing the

contribution, as specified. Current law also prohibits a party or party's agent from making a contribution of more than \$250 to any officer of an agency while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered by the agency in that proceeding. This bill would raise the threshold for contributions regulated by these provisions to \$1,500, as specified. (Based on 04/16/2024 text)

Position: watch

Priority: B. Watch

AB 2933 (Low, D) Multiunit residential structures and mixed-use residential and commercial structures: water conservation.

Status: 05/16/2024 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/8/2024)

Summary: Current law establishes the Building Standards Administration Special Revolving Fund, and makes the moneys in the fund available, upon appropriation, to state entities to carry out various related provisions, as specified. Current law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission, and the department to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupant and the public governing the erection, construction, enlargement, conversion, alteration, repair, moving, removal, demolition, occupancy, use, height, court, area, sanitation, ventilation, and maintenance of all hotels, motels, lodging houses, apartment houses, and dwellings, and buildings and structures accessory thereto, as specified. Current law authorizes those standards to include voluntary best practice and mandatory requirements related to environmentally preferable water using devices and measures. Current law requires the department and the commission to research, develop, and propose building standards to reduce potable water use in new residential and nonresidential buildings, including consideration of requiring installation of water reuse systems and consideration of requiring preplumbing of buildings to allow future use of recycled water, onsite treated graywater, or other alternative water sources. This bill would enact the California Multiunit Residential Structure and Mixed-Use Residential and Commercial Structure Water Conservation Act. The bill would state findings and declarations of the Legislature relating to wasted water due to plumbing leaks. The bill would require the department to investigate whether additional water conservation and efficiency measures are warranted for existing and new multifamily residential construction and mixed use commercial structures, including, but not limited to, point-of-use systems, as defined. The bill would authorize the department, if it determines that changes to the California Green Building Standards are warranted, to develop voluntary or mandatory proposals to be submitted to the commission for consideration. (Based on 04/18/2024 text)

Position: B. Watch

Priority: B. Watch

Notes: ~~Possible support. Update building standards to conserve water.~~

AB 2947 (Lackey, R) Water: turfgrass conversion.

Status: 05/16/2024 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/1/2024)

Summary: Would prohibit the Department of Water Resources, when it allocates funding for turf replacement programs, from excluding urban water suppliers' turfgrass conversion rebate programs if the rebate program requires the recipient of a rebate to achieve a net water savings and to use the most efficient turfgrass irrigation equipment, as provided. The bill would require an urban water supplier that offers a turfgrass conversion rebate program using funds awarded by the department after January 1, 2025, to report annually to the department on the number of turfgrass conversions that are funded through the program and the estimated water savings from the program until the funds are exhausted. (Based on 04/08/2024 text)

Position: watch

Priority: B. Watch

AB 3121 (Petrie-Norris, D) Public utilities: incentive programs.

Status: 08/31/2024 - Failed Deadline pursuant to Rule 61(b)(17). (Last location was E. U., & C. on 8/29/2024)

Summary: Current law establishes the Multifamily Affordable Housing Solar Roofs Program. Current law requires the Public Utilities Commission (PUC), as part of the program, to authorize the award of monetary incentives for qualifying solar energy systems, as defined, that are installed on multifamily residential properties of at least 5 rental housing units that are operated to provide deed-restricted low-income residential housing, as defined, and that meet one or more specified requirements, as provided. Current law requires the PUC to annually authorize the allocation of \$100,000,000 or 66.67% of available funds, whichever is less, beginning with the fiscal year commencing July 1, 2016, and ending with the fiscal year ending June 30, 2020, to the program from certain greenhouse gas allowance revenues received by electrical corporations and set aside for clean energy and energy efficiency projects, as provided. Current law requires the PUC to continue authorizing the allocation of these funds through June 30, 2026, if the PUC determines that revenues are available after 2020 and that there is adequate interest and participation in the program. Current law requires the PUC to evaluate the program every 3 years and requires the PUC to make necessary adjustments to the program to ensure that the goals of the program are being met, as specified. Current law authorizes the PUC to credit uncommitted funds back to ratepayers if the

PUC, upon review, finds that there is insufficient participation in the program. This bill would require the PUC to credit no more than 1/2 of the program funds that are unencumbered as of January 1, 2025, back to the residential retail customers of electrical corporations, as specified. (Based on 08/28/2024 text)

Position: watch

Priority: B. Watch

SB 903 (Skinner, D) Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.

Status: 05/16/2024 - Failed Deadline pursuant to Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/29/2024)

Summary: Would, beginning January 1, 2032, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined, unless the Department of Toxic Substances Control has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used. The bill would specify the criteria and procedures for determining whether the use of PFAS in a product is a currently unavoidable use, for renewing that determination, and for revoking that determination. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition. The bill would impose an administrative penalty for a violation of the prohibition, as specified. The bill would establish the PFAS Penalty Account and require all administrative penalties received to be deposited into that account and, upon appropriation by the Legislature, to be used for the administration and enforcement of these provisions, as specified. (Based on 04/11/2024 text)

Position: watch

Priority: B. Watch

SB 937 (Wiener, D) Development projects: fees and charges.

Status: 09/19/2024 - Chaptered by Secretary of State - Chapter 290, Statutes of 2024

Summary: The Mitigation Fee Act regulates fees for development projects, fees for specific purposes, including water and sewer connection fees, and fees for solar energy systems, among others. The act, among other things, requires local agencies to comply with various conditions when imposing fees, extractions, or charges as a condition of approval of a proposed development or development project. The act prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first, except for utility service fees, which the local agency is authorized to collect at the time an application for utility service is received. The act exempts specified units in a residential development proposed by a nonprofit housing developer if the housing development meets certain conditions. This bill would limit the utility service fees exception described above to utility service fees related to connections, and cap those fees at the costs incurred by the utility provider resulting from the connection activities. (Based on 09/19/2024 text)

Position: watch

Priority: B. Watch

Notes - OUA position adopted on 4/3. Amendments removed opposed provisions. Move to "watch."

SB 1110 (Ashby, D) Water reports: urban retail water suppliers: informational order: conservation order.

Status: 08/15/2024 - Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Summary: Current law authorizes the State Water Resources Control Board, on and after January 1, 2024, to issue informational orders pertaining to water production, water use, and water conservation to an urban retail water supplier that does not meet its urban water use objective, as provided. Current law authorizes the board, on and after January 1, 2025, to issue a written notice to an urban retail water supplier that does not meet its urban water use objective. Current law authorizes the board, on and after January 1, 2026, to issue a conservation order to an urban retail water supplier that does not meet its urban water use objective. This bill would instead authorize the board to issue the informational orders on and after January 1, 2026, the written notice on and after January 1, 2027, and the conservation order on and after January 1, 2028. (Based on 06/26/2024 text)

Position: watch

Priority: B. Watch

SB 1121 (Grove, R) Recycled water: onsite treated nonpotable water systems: local jurisdiction permitting.

Status: 05/02/2024 - Failed Deadline pursuant to Rule 61(b)(6). (Last location was E.Q. on 2/21/2024)

Summary: Current law requires the State Water Resources Control Board, in consultation with the California Building Standards Commission and the Department of Housing and Community Development, to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water, and requires a local jurisdiction that elects

to establish a program for onsite treated nonpotable water systems to establish design criteria, permitting, cross-connection control, and enforcement procedures, as provided. This bill would require those local jurisdictions to ensure their permitting procedures require the approval of a permit for an onsite treated nonpotable water system within 60 days from the date the permit application is submitted if the application demonstrates that the project meets or exceeds the state board's water quality standards for the onsite treatment and reuse of nonpotable water for nonpotable uses in multifamily residential, commercial, and mixed-use buildings. (Based on 02/13/2024 text)

Position: watch

Priority: B. Watch

SB 1181 (Glazer, D) Campaign contributions: agency officers.

Status: 09/12/2024 - Enrolled and presented to the Governor at 3 p.m.

Summary: The Political Reform Act of 1974 prohibits certain contributions of more than \$250 to an officer of an agency by any party, participant, or party or participant's agent in a proceeding while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, as specified. The act requires disclosure on the record of the proceeding, as specified, of certain contributions of more than \$250 within the preceding 12 months to an officer from a party or participant, or party's agent. This bill would exempt a city attorney or county counsel providing legal advice to the agency who does not have the authority to make a final decision in the proceeding from the definition of "officer" for purposes of these provisions. (Based on 09/06/2024 text)

Position: watch

Priority: B. Watch

SB 1185 (Niello, R) Water conservation: water use objectives.

Status: 04/25/2024 - Failed Deadline pursuant to Rule 61(b)(5). (Last location was N.R. & W. on 4/3/2024)

Summary: Existing law requires all water suppliers to increase the efficient use of water. Existing law establishes various water use objectives and restrictions, including urban water use objectives. Existing law requires the State Water Resources Control Board, in coordination with the Department of Water Resources, to adopt long-term standards for the efficient use of water, including standards for, among other things, a volume for water loss, and requires the board, when adopting the standards, to consider policies relating to urban water use objectives and proposed efficiency standards' effects on local wastewater management, developed and natural parklands, and urban tree health. This bill would delete the requirement that the board adopt standards, for purposes of urban water use objectives, for water loss and would instead require the board to consider the policies relating to urban water use objectives and proposed efficiency standards' effects on water loss. The bill would also set forth standards, policies, and procedures relating to water use objectives, generally, including, among other things, a prohibition against any water use objective established by the board that causes a reduction of more than 20% when compared to a water supplier's actual water use in 2023 or that exceeds a water use standard recommended by the department. (Based on 03/18/2024 text)

Priority: B. Watch

SB 1243 (Dodd, D) Campaign contributions: agency officers.

Status: 09/12/2024 - Enrolled and presented to the Governor at 3 p.m.

Summary: The Political Reform Act of 1974 prohibits certain contributions of more than \$250 to an officer of an agency by any party, participant, or party or participant's agent in a proceeding while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding, as specified. The act requires disclosure on the record of the proceeding, as specified, of certain contributions of more than \$250 within the preceding 12 months to an officer from a party or participant, or party's agent. The act disqualifies an officer from participating in a decision in a proceeding if the officer has willfully or knowingly received a contribution of more than \$250 from a party or a party's agent, or a participant or a participant's agent, as specified. The act allows an officer to cure certain violations of these provisions by returning a contribution, or the portion of the contribution of in excess of \$250, within 14 days of accepting, soliciting, or receiving the contribution, whichever comes latest. This bill would raise the threshold for contributions regulated by these provisions to \$500, as specified. The bill would extend the period during which an officer may cure a violation to within 30 days of accepting, soliciting, or directing the contribution, whichever is latest. The bill would specify that a person is not a "participant" for the purposes of these provisions if their financial interest in a decision results solely from an increase or decrease in membership dues. (Based on 09/06/2024 text)

Position: watch

Priority: B. Watch

SB 1330 (Archuleta, D) Urban retail water supplier: water use.

Status: 08/15/2024 - Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Summary: Current law requires an urban retail water supplier to calculate its urban water use objective no later than January 1, 2024, and by January 1 every year thereafter, and to be composed of the sum of specified data, including aggregate residential water use. Current law requires each urban retail water supplier's water use objective to be composed of the sum of specified aggregate estimates, including efficient outdoor irrigation of landscape areas with dedicated irrigation meters or equivalent technology in connection with water used by commercial water users, industrial water users, institutional water users, and large landscape water users (CII). Current law requires an urban retail water supplier to submit reports to the Department of Water Resources, as provided, by the same dates. This bill would require the department to, no later than January 1, 2035, conduct necessary studies and investigations regarding the efficiency performance of newly constructed residential landscapes and landscape areas with dedicated irrigation meters in connection with CII water use, as specified. (Based on 06/26/2024 text)

Position: watch

Priority: B. Watch

Metropolitan Water District of Southern California
State Legislative Matrix
October 8, 2024 – Second Year of Legislative Session

Item No. 2e

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	<p>Local agency design-build projects: authorization.</p> <p>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.</p>	<p>Support</p> <p>Based on October 2021 Board Action</p>	<p>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.</p>
AB 460 Bauer-Kahan (D – Orinda)	Chaptered Signed by Governor, Chapter 342, Statutes of 2024	<p>State Water Resources Control Board: water rights and usage: civil penalties.</p> <p>This bill would require the State Water Resources Control Board to adjust for inflation, by January 1 of each year, beginning in 2025, the amounts of civil and administrative liabilities or penalties imposed by the board in water right actions, as specified.</p>	<p>Support</p> <p>Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023</p>	<p>The bill now will provide for enhanced civil penalties for violations of any State Board regulation or curtailment order.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 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 Dead	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 Dead	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, Imperial Valley, 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 Legislative Matrix

October 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 9/1/2023 Two Year Bill Senate Floor – Inactive File Dead	<p>Water conservation: landscape design: model ordinance.</p> <p>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.</p>	<p>Support</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>This measure is consistent with Metropolitan’s effort to reduce nonfunctional turf within its service area Metropolitan staff further solicited input from member agencies and worked with the author’s office to develop amendments for an alternative NFT proposal, consistent with existing legislative policy principles, which was not adopted due to time constraints with end of session.</p>
AB 1581 A. Kalra (D – San Jose)	Amended 8/23/2024 Pending Governor’s Signature	<p>Conservation: Restoration Management Permit Act and California State Safe Harbor Agreement Program Act</p> <p>This bill would authorize the California Department of Fish and Wildlife to (1) issue a restoration management permit to authorize the take, possession, import, or export of any species or subspecies of fish, wildlife, or plants in association with a management or propagation project that, among other things, has the primary purpose of restoring native fish, wildlife, plants, or their habitat and (2) authorize any impacts to fish and wildlife resources as a result of activities otherwise subject to the Lake and Streambed Alteration Program, as provided. The bill would exempt these management or restoration projects from various legal requirements, including, among others, the above-described prohibitions regarding the take or possession of fully protected fish, as specified.</p>	<p>Support, if Amended</p>	<p>This bill proposes a one-stop-shop permitting process that would maximize its benefit to the environment by including environmental mitigation. The author’s office negotiated language that would limit the scope to only include voluntary restoration projects, or projects that go beyond required mitigation. Metropolitan requested amendments that would allow projects undertaken as mitigation for regulatory compliance to be a “qualifying restoration project” under this proposed streamlining authority.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 1648 Bains (D - Bakersfield)	Amended 3/16/2023 Dead	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.
AB 1827 D. Papan (D – San Mateo)	Chaptered Signed by Governor, Chapter 359, Statutes of 2024	Local government: fees and charges: The Legislature passed the Proposition 218 Omnibus Implementation Act in 1997 to provide guidance for implementation of the new constitutional provisions. AB 1827 (Papan) proposes to add Government Code section 53750.6 to the Act to clarify that the costs that may be recovered through retail water service fees may include the incrementally higher costs of water service due to (1) the higher water usage demand of parcels, (2) the maximum potential water use of parcels, or (3) projected peak water usage.	Support Based on 2024 Legislative Priorities and Principles, adopted January 2024.	Metropolitan’s wholesale water service rates to its co-op members are not subject to Proposition 218 and therefore, the bill does not have an effect on Metropolitan. It will, however, provide clearer guidance for its member agencies that provide retail water service and any retail water service provider within Metropolitan service area.

Metropolitan Water District of Southern California State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>AB 2060 E. Soria (D – Fresno)</p>	<p>Amended 8/15/2024</p> <p>Senate Inactive File</p> <p>Dead</p>	<p>Lake and streambed alteration agreements: exemptions.</p> <p>This bill would exempt qualifying temporary permit diversions of water from streams at or near flood stage to groundwater storage from the requirements of Fish & Game Code section 1602. Section 1602 requires anyone proposing to substantially alter the bed, banks or natural flows of a stream, river or lake to notify the California Department of Fish and Wildlife (CDFW). If CDFW determines the proposed activity may have a significant adverse impact on fish or wildlife, it will require a Lake or Stream Alteration Agreement (LSAA) that functions as a permit for the activity, and which always requires mitigation, monitoring and reporting to CDFW. AB 2060 would exempt qualifying diversions from this requirement. The only “mitigation” required to qualify is installation of basic fish screens, with no requirement that they meet any standards, including those adopted by CDFW and the federal fish services.</p>	<p>Support if Amended</p> <p>Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 and 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>This bill was amended to ensure the temporary permit authorization is consistent with existing law on diversion authorizations for current water rights holders. Metropolitan was seeking additional amendments to ensure the inclusion of fish screens on all intakes, not just “temporary pump” intakes, and that the screens minimize both entrainment <i>and</i> impingement.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 2257 L. Wilson (D – Suisun City)	Amended 8/5/2024 Pending Governor's Signature	<p>Local government: property-related water and sewer fees and assessments: remedies.</p> <p>AB 2257 establishes a process for objections to be submitted by any party objecting to the proposed fee or assessment, notice to the public of the requirements, and prerequisites for suing an agency on the basis of the validity of the fee or assessment. The bill requires exhaustion of the administrative procedures provided therein before a plaintiff may file suit and it limits the administrative record that may be reviewed in that litigation to evidence presented to or available to the agency prior to the adoption of the fee or assessment.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>Metropolitan does not currently collect any fee or assessment on properties within its service area that is subject to Article XIII D. It does, however, have the authority to do so. Should it decide to adopt such a fee or assessment, it would be required to follow these proposed additional procedural requirements. Any litigation challenging such a fee or assessment would also be subject to the administrative remedy exhaustion and evidence limitation provided for by AB2257.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>AB 2610 E. Garcia (D – Coachella)</p>	<p>Amended 4/10/2024</p> <p>Dead</p>	<p>Protected species: authorized take: Salton Sea Management Program: System Conservation Implementation Agreement.</p> <p>Current law authorizes the Department of Fish and Wildlife, if certain conditions are fulfilled, to authorize the take of species, including fully protected species, resulting from impacts attributable to implementation of the Quantification Settlement Agreement on specified lands and bodies of water, including the Salton Sea. This bill would additionally authorize the department, if certain conditions are fulfilled, to authorize the take of species resulting from impacts attributable to the implementation of the Salton Sea Management Program or implementation of any System Conservation Implementation Agreement between the United States Bureau of Reclamation and the Imperial Irrigation District to implement the Lower Colorado River Basin System Conservation and Efficiency Program, as provided, on the specified lands and bodies of water.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>This bill will help to advance conservation agreements and collective conservation goals related to reducing reliance of the Colorado River in order to account for changes in climate and low water supplies by allowing IID to advance their short-term conservation goals between 2024 – 2026.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 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	Chartered 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	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	Chartered 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 Legislative Matrix

October 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	<p>Public resources: infrastructure: contracting.</p> <p>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.</p> <p>Fully protected species: California Endangered Species Act: authorized take</p> <p>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.</p>	<p>Support</p> <p>Based on October 2021 Board Action</p>	<p>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.</p>
SB 147 Ashby (D-Sacramento)	Chaptered Signed by the Governor Chapter 59, Statutes of 2023	<p>California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.</p> <p>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.</p>	<p>Support and Amend</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>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.</p>
SB 149 Caballero (D-Merced)	Chaptered Signed by the Governor Chapter 60, Statutes of 2023	<p>California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.</p> <p>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.</p>	<p>Support and Amend</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>Administrative Records Streamlining: Overall, the provisions would be beneficial to Metropolitan as they could lower CEQA litigation costs and shorten litigation timelines.</p> <p>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.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 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)	Chartered Signed by the Governor Chapter 61, Statutes of 2023	<p>Construction: workforce development: public contracts.</p> <p>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.</p>	<p>Support</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>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.</p> <p>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.</p>
SB 366 Caballero (D - Merced) Sponsors: California Municipal Utilities Association, California Council for Environmental and Economic Balance, California State Association of Counties	Amended 8/22/2024 Pending Governor’s Signature	<p>The California Water Plan: long-term supply targets.</p> <p>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.</p>	<p>Support</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>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.</p> <p>Metropolitan has taken a support position following the adoption of several amendments to address concerns, including the removal of language that would require the CWP to make recommendations for the Delta Reform Act and inclusion of language to ensure that the CWP does not impose on local and regional planning efforts.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 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	Chartered 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 Dead	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 Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>SB 706 Caballero (D-Merced)</p> <p>Sponsors: CA State Association of Counties; County of San Diego; Design Build Institute of America Western Pacific Chapter; League of California Cities</p>	<p>Chartered</p> <p>Signed by the Governor Chapter 500, Statutes of 2023</p>	<p>Public contracts: progressive design-build: local agencies.</p> <p>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.</p>	<p>Support</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>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.</p>
<p>SB 867 Allen (D-Santa Monica)</p>	<p>Chartered</p> <p>Signed by the Governor, Chapter 83, Statutes of 2024</p>	<p>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.</p> <p>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.</p>	<p>Support, if Amended</p> <p>Based on June 2023 Board Action</p>	<p>This measure is consistent with Metropolitan’s current policy priorities and supports the objectives of Metropolitan’s Climate Adaptation Master Plan.</p> <p>Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought, and conservation projects.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 903 N. Skinner (D – Berkeley)	Amended 4/11/2024 Dead	<p>Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.</p> <p>Starting January 1, 2025, certain substances called perfluoroalkyl and polyfluoroalkyl substances (PFAS) will be prohibited in new textiles, cosmetics, food packaging, and juvenile products in the state. This means that manufacturers and sellers cannot add PFAS to these products. A new bill, starting January 1, 2032, will also require the Department of Toxic Substances Control to determine if using PFAS in a product is necessary and unavoidable before it can be offered for sale. The department will keep a list of these determinations on its website and use any penalties collected for administering and enforcing these laws. By January 1, 2027, the department will adopt regulations to carry out this bill, including setting an application fee and creating an appeal process for penalties and decisions made under this law. A PFAS Oversight Fund will be created from the application fees to cover the department's expenses for administering this act, with funds allocated by the legislature.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>From a source water protection standpoint, the bill creates provisions to reduce PFAS contamination and enhance protection of water quality and public health. By limiting PFAS in consumer products, the bill indirectly aims to reduce PFAS contamination in water sources, potentially decreasing treatment costs and complexity for water providers. The bill encourages the development and adoption of PFAS alternatives, potentially impacting the types of materials and products used within the water industry and by consumers, promoting safer water handling and packaging materials.</p>

Metropolitan Water District of Southern California

State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

<p>SB 1072 S. Padilla (D – San Diego)</p>	<p>Chartered</p> <p>Signed by Governor, Chapter 323, Statutes of 2024</p>	<p>Local government: Proposition 218: remedies.</p> <p>The California Constitution has rules for imposing taxes at a local level. It excludes certain fees and assessments if they meet certain criteria, such as not exceeding the benefit given to a property or the cost of the service provided. There is also a law known as the Proposition 218 Omnibus Implementation Act that outlines how local agencies must comply with these requirements. This bill, if passed, would require local agencies to correct any fees or charges for property-related services that violate these constitutional provisions and credit the amount of the violation against the revenues needed for the service. This bill supports the purposes and intent of Proposition 218 and the Omnibus Implementation Act.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>Metropolitan does not currently collect any revenue from any property related fees or assessments subject to Articles XIII C or D. However, Metropolitan does have statutory authority to collect such fees. If Metropolitan were to adopt such a fee or assessment in the future, the revenues from those fees or assessment would be subject to the limitation added by SB 1072.</p>
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Metropolitan Water District of Southern California State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>SB 1147 A. Portantino (D – Glendale)</p>	<p>Amended 8/22/2024</p> <p>Pending Governor’s Signature</p>	<p>Drinking water: bottled water: microplastics levels.</p> <p>SB 1147, introduced on February 14, 2024, would add Section 116376.2 to the Health and Safety Code and would require the Office of Environmental Health Hazard Assessment (OEHHA) to study the health impacts of microplastics in drinking water, including bottled water, to evaluate and identify safe and unsafe levels of microplastics, and develop and deliver to the State Water Resources Control Board (State Board) public health standards and goals for safe microplastics levels in drinking water, including bottled water, by January 1, 2026. The bill would also require OEHHA to develop and deliver to the State Board definitions for the terms “safe level of microplastics” and “unsafe level of microplastics” by January 1, 2026.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>As originally proposed, this bill would circumvent the existing statutory and regulatory process by mandating a new process without ensuring a well-established scientific foundation, which is critical for developing, standardizing, and validating microplastics analytical methods and procedures. Amendments were adopted to address concerns about the appropriate bifurcation of responsibilities between the State Board and OEHHA for studying and setting standards for microplastics.</p>

Metropolitan Water District of Southern California State Legislative Matrix

October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>SB 1169 H. Stern (D – Los Angeles)</p>	<p>Chapered</p> <p>Signed by the Governor, Chapter 77, Statutes of 2024</p>	<p>Los Angeles County Flood Control District: finances.</p> <p>This law, known as the Los Angeles County Flood Control Act, sets up a district responsible for managing and preserving flood and wastewaters in the county. It permits the district to borrow money from certain sources to fund flood control work and repay the loan within 20 years with a maximum interest rate of 4.25% annually. The district must also collect enough taxes from property owners each year to cover the loan payments. Currently, the district is limited to borrowing a maximum of \$4.5 million and issuing bonds up to the same amount. This proposed bill would extend the loan repayment period to 35 years with a maximum interest rate of 5.5% annually. It would also remove the borrowing and bond limits for the district. The bill justifies these changes by stating the need for a special law for the Los Angeles County Flood Control District.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>Support for this bill will help with Los Angeles County's flood control program and is consistent with the Board's policy to support development of local resources and conservation efforts.</p>

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October 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 1390 A. Caballero (D – Merced)	Amended 8/22/2024 Dead	<p>Groundwater recharge: floodflows: diversion.</p> <p>Under current law, all water in the state belongs to the people, but individuals can gain the right to use it through a legal process. This process requires the water to be used for a purpose that is helpful or beneficial. However, if certain conditions are met, using floodwater for groundwater recharge does not require a specific legal right. These conditions include receiving notice from a local or regional agency that there is a risk of flooding, and filing a report with the State Water Resources Control Board once the diversion is finished. This applies to diversions that began before January 1, 2029. This bill would extend these requirements to diversions that began before June 1, 2032. It would also add additional conditions that must be met for the diversion to be allowed, such as the local agency declaring that the diversion is in line with specific plans or emergency operations plans. The diversion must also stop within 90 days unless it is renewed, and the final report must include information about the methods used to predict and prevent flooding. Finally, the diversion must not harm any prior water rights holders in the area.</p>	<p>Support</p> <p>Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 and 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>SB 1390 has been amended to clarify which agencies may make the declaration that flood flow conditions exist and when they are required to declare they no longer exist. The amendments include language to protect Metropolitan’s SWP supplies, which also supports our operations to maintain water quality standards in the Delta.</p>



DISCUSSION ITEM
September 4, 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

Metropolitan Finance

There was no Metropolitan Finance and Insurance Committee meeting in the month of September, therefore there is no update available.

Metropolitan Business Model Update

On July 22, 2024, Board leadership [provided direction](#) to Metropolitan's Member Agency General Managers to form an ad hoc working group to review and refine Metropolitan's Business Model. Direction was provided to the working group to develop a series of proposals on Business Model refinements that the Task Force could consider.

On August 19, 2024, the ad hoc working group developed a framework for collaboration, which was formalized through [a letter](#) that was sent to Board leadership and signed by all 26 member agency general managers. The framework included two retreats of the ad hoc working group, which would culminate in proposed refinements to the business model that the Task Force could then consider.

The first workshop of the ad hoc working group has been scheduled for early October. Metropolitan has hired a professional facilitator, Ken Kirby, to help assist the process.

Future updates on the Business Model will be brought forward to the MWDOC Directors and MWDOC Member Agencies as appropriate.

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

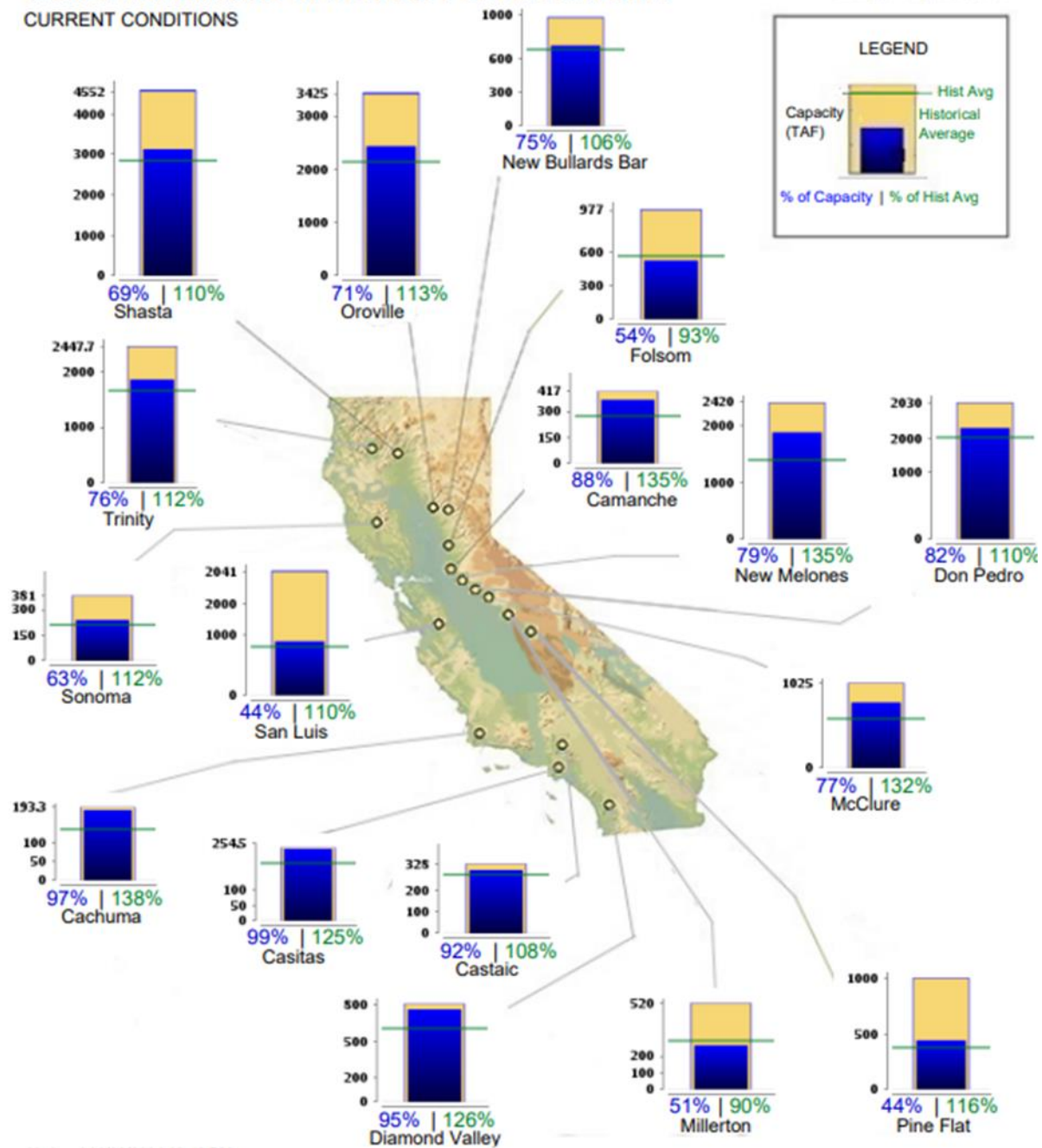
The 2023-24 Water Year (2023-24 WY) officially started on October 1, 2023. Thus far, Northern California accumulated precipitation (8-Station Index) reported **48.0 inches or 97% of normal** as of August 28th. The Northern Sierra Snow Water Equivalent peaked at **35.1 inches on April 2nd**, which is **124% of normal** for that day. The Department of Water Resources (DWR) has set the State Water Project (SWP) **"Table A" allocation for WY 2023-24 at 40%**.

The Upper Colorado River Basin accumulated precipitation is reporting **28.4 inches or 105% of normal as of August 26th**. 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 at **17.2 inches as of April 9th**, which is **86% 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 June 2024, **there is a 100% chance of shortage continuing in CY 2025, a 80% chance in CY 2026 and a 70% chance in CY 2027. In addition, there is a 3% chance of a California shortage in 2027.**

As of August 27th Lake Oroville storage is at **69% of total capacity and 112% of normal**. As of August 27th San Luis Reservoir has a current volume of **45% of the reservoir's total capacity and is 115% of normal**.

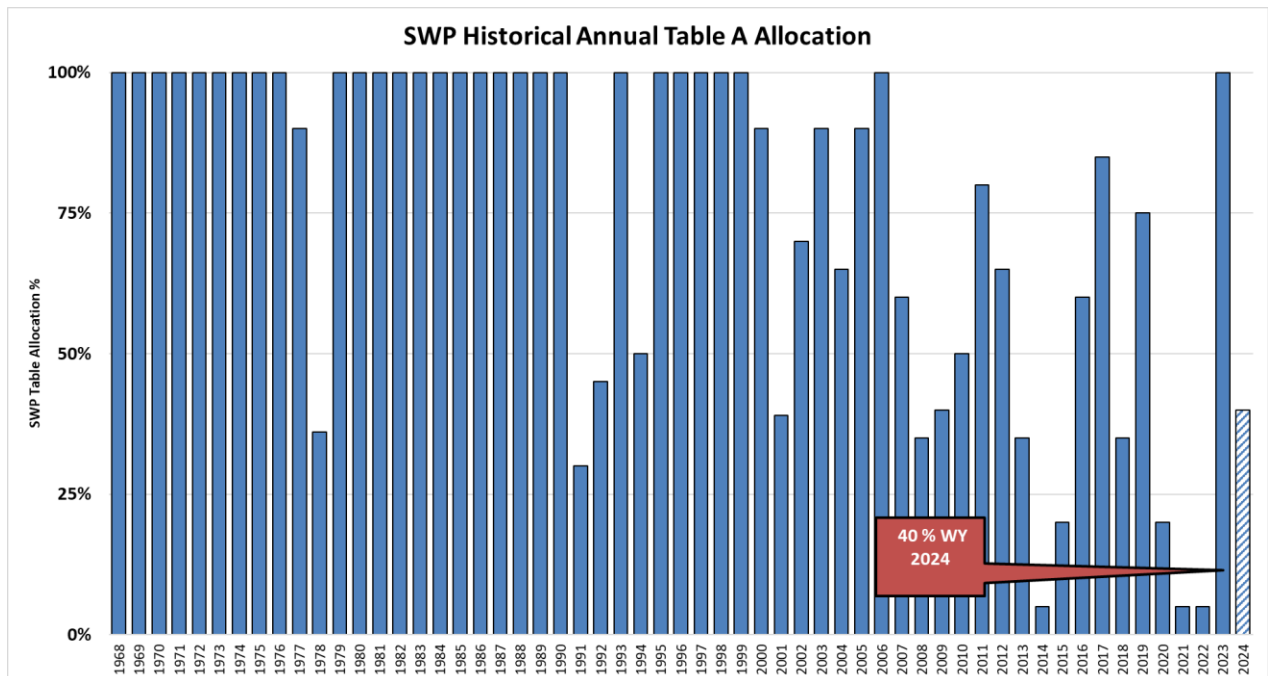
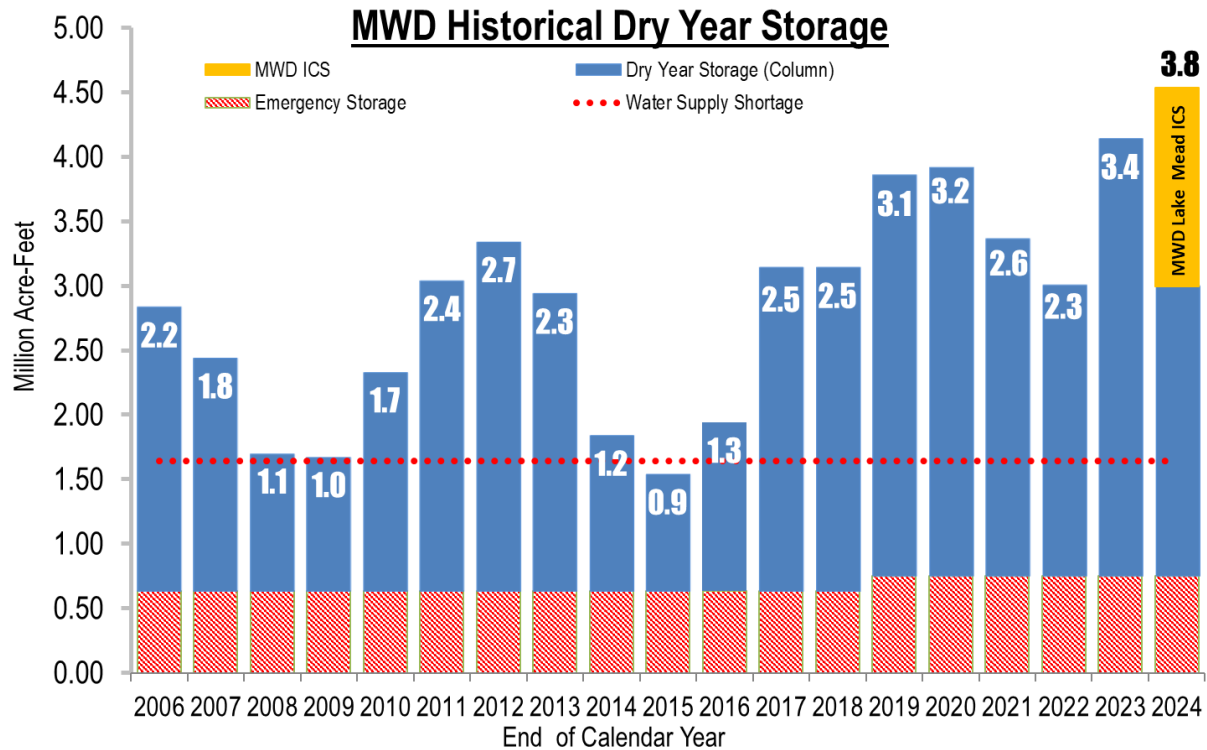
CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS
CURRENT CONDITIONS

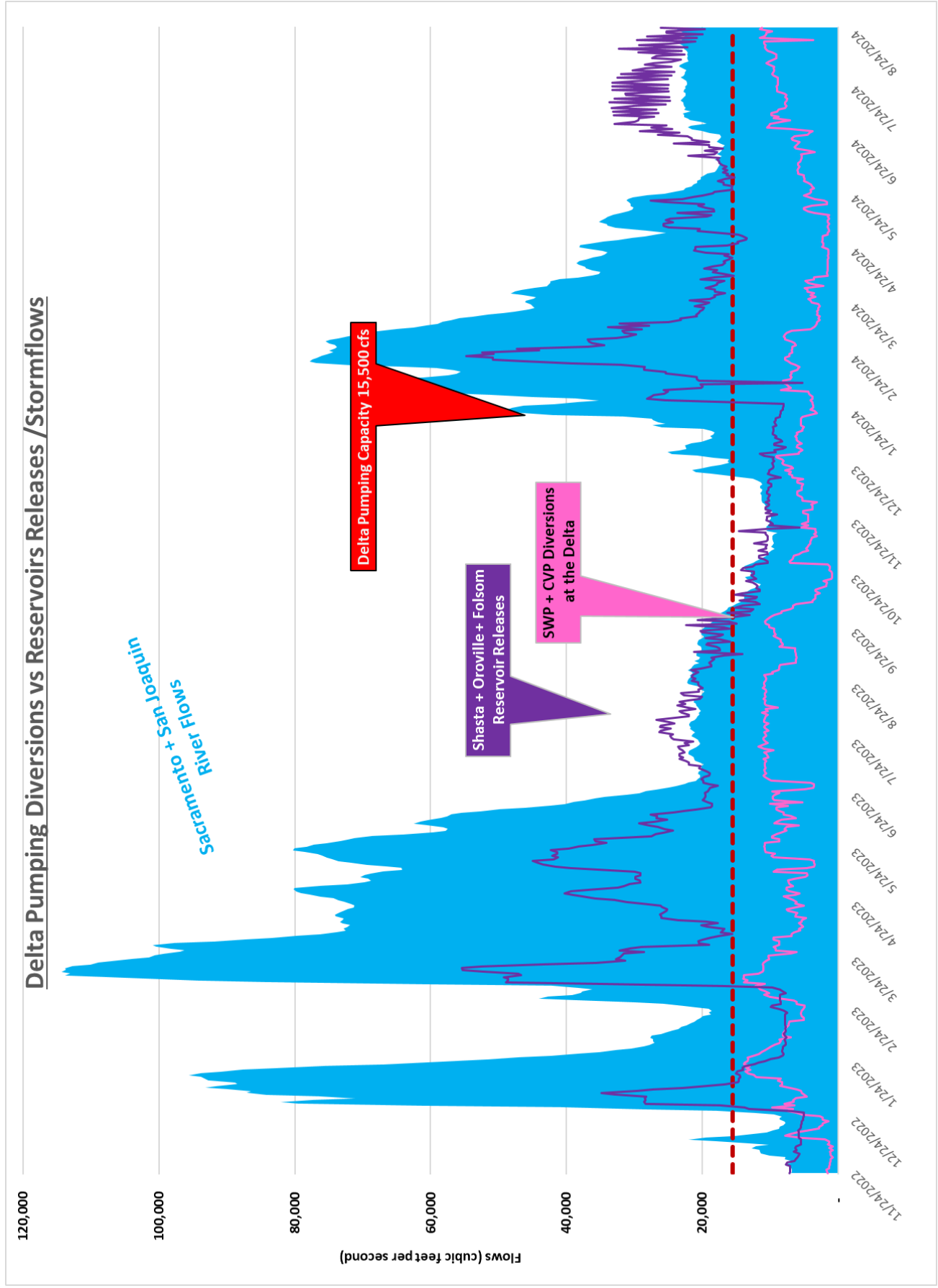
Midnight - August 21, 2024



With Calendar Year (CY) 2024 estimated total demands and losses of 1.34 million acre-feet (MAF) and with a 40% SWP Table A Allocation, Metropolitan is projecting that supplies will exceed demand levels in CY 2024. Based on this, estimated total dry-year storage for Metropolitan at the end of **CY 2024 will increase to approximately 3.8 MAF**. The projected dry-year storage supply of **3.8 MAF is approximately 2.7 MAF more storage than when Metropolitan typically 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**

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. In addition, Colorado River Basin States have been meeting for months to negotiate new post 2026 operations at Glen Canyon Dam at Lake Powell and Hoover Dam at Lake Mead.





2024 WSDM Storage Detail

	1/1/2024 Estimated Storage Levels	CY 2024 Put Capacity ¹	2024 Total Storage Capacity
WSDM Storage			
Colorado River Aqueduct Delivery System	1,544,000	78,000	1,657,000
Lake Mead ICS	1,544,000 ²	78,000	1,657,000
State Water Project System	1,033,000	295,000	2,131,000
MWD & DWCV Carryover	297,000	149,000	350,000 ³
MWD Articles 14(b) and 12(e)	28,000 ⁴	0	N/A
Castaic and Perris DWR Flex Storage	219,000	0	219,000
Arvin Edison Storage Program	100,000	0 ⁵	350,000
Semitropic Storage Program	190,000	59,000	350,000
Kern Delta Storage Program	141,000	48,000	250,000
Mojave Storage Program	19,000	0	330,000
AVEK Storage Program	27,000	0	30,000
AVEK High Desert Water Bank Program	11,000	40,000	252,000 ⁶
In-Region Supplies and WSDM Actions	1,016,000	106,000	1,246,000
Diamond Valley Lake	753,000	57,000	810,000
Lake Mathews and Lake Skinner	207,000	19,000	226,000
Conjunctive Use Programs (CUP) ⁷	56,000	30,000	210,000
Other Programs	586,000	269,000	1,181,000
Other Emergency Storage	381,000	0	381,000
DWCV Advanced Delivery Account	205,000	269,000	800,000
Total	4,180,000	747,000	6,215,000
Emergency	750,000	0	750,000
Total WSDM Storage (AF) ⁸	3,430,000	747,000	5,465,000

¹ Put capacity assumed under a 40 percent SWP Table A Allocation. Storage program losses included where applicable.

² Reflects USBR's final accounting for 2023, released May 2024. This amount is net of the water Metropolitan stored for IID in Lake Mead in an ICS sub-account.

³ Total storage capacity varies year-to-year potentially increasing as the contractual annual storage limit combines with the remaining balance from the previous year. Metropolitan may opt to exceed the 350 TAF storage capacity as shown to enhance drought protection for the service area, however there is a potential risk that Metropolitan's stored water be converted to SWP contractor water if San Luis Reservoir approaches full capacity.

⁴ Approved carryover supplies under Articles 14 (b) and 12 (e) of the State Water Project Contract for delivery in 2024.

⁵ Puts are limited due to water quality considerations.

⁶ Reflects 90 percent of the AVEK High Desert Water Bank Program's total storage capacity that has been constructed. The total storage capacity for the AVEK High Desert Water Bank is 280 TAF. Full recharge and recovery operation anticipated by 2027.

⁷ 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.

⁸ Total WSDM Storage level subject to change based on accounting adjustments. Total may not sum due to rounding.

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

Water System Operations

Metropolitan member agency water deliveries were 136,300 acre-feet (AF) for July with an average of 4,400 AF per day, which was about 1,000 AF per day higher than in June. Metropolitan continued delivering water to the Cyclic and Conjunctive Use Programs. Treated water deliveries were 17,800 AF higher than in June for a total of 76,300 AF, or 56 percent of total deliveries for the month. The Colorado River Aqueduct (CRA) pumped a total of 99,000 AF in July. State Water Project (SWP) imports averaged 2,900 AF per day, totaling about 88,900 AF for the month. The target SWP blend is 25 percent for Weymouth, Diemer, and Skinner plants.

Metropolitan expects to have sufficient SWP and Colorado River supplies to meet demands in 2024. Water continues to be managed according to Water Surplus and Drought Management (WSDM) principles and operational objectives with an emphasis on positioning SWP supplies to meet future demands in the SWP-dependent areas. Metropolitan continued maximizing deliveries to Desert Water Agency and Coachella Valley Water District. Metropolitan is also continuing to minimize the use of Table A supplies this year to improve SWP carryover for next year for drought reliability.

Water Treatment and Distribution

The SWP target blend entering the Weymouth and Diemer plants and Lake Skinner remained at 25 percent in July. The blend leaving Lake Skinner has gradually increased over the past few weeks and now matches the blend entering the lake.

Flow-weighted running annual averages for total dissolved solids from May 2023 through April 2024 for Metropolitan's treatment plants capable of receiving a blend of supplies from the SWP and the CRA were 397, 478, and 463 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

Metropolitan staff replaced existing end-of-life reduced voltage starters for Lake Skinner Outlet Tower chlorine pumps. The new soft starters gradually increase pump speed, ensuring a controlled build-up of system pressure to meet operational needs. This mitigates the risk of water hammer, a phenomenon that can cause pipe ruptures and leaks because of sudden pressurization. The chlorine pumps are used four times per year for quagga mussel control in the Lake Skinner Outlet Tower and associated Lake Skinner Outlet Conduit.

With the southern portion of the Allen-McColloch Pipeline shut down for maintenance, the OC-88 pump station is projected to experience higher flows than usual. Because of this, a temporary power source is necessary to allow two chiller units to function at full capacity so they can provide the required cooling water for additional pumps. Metropolitan staff used a nearby motor control center to supply temporary power for the additional chiller units.

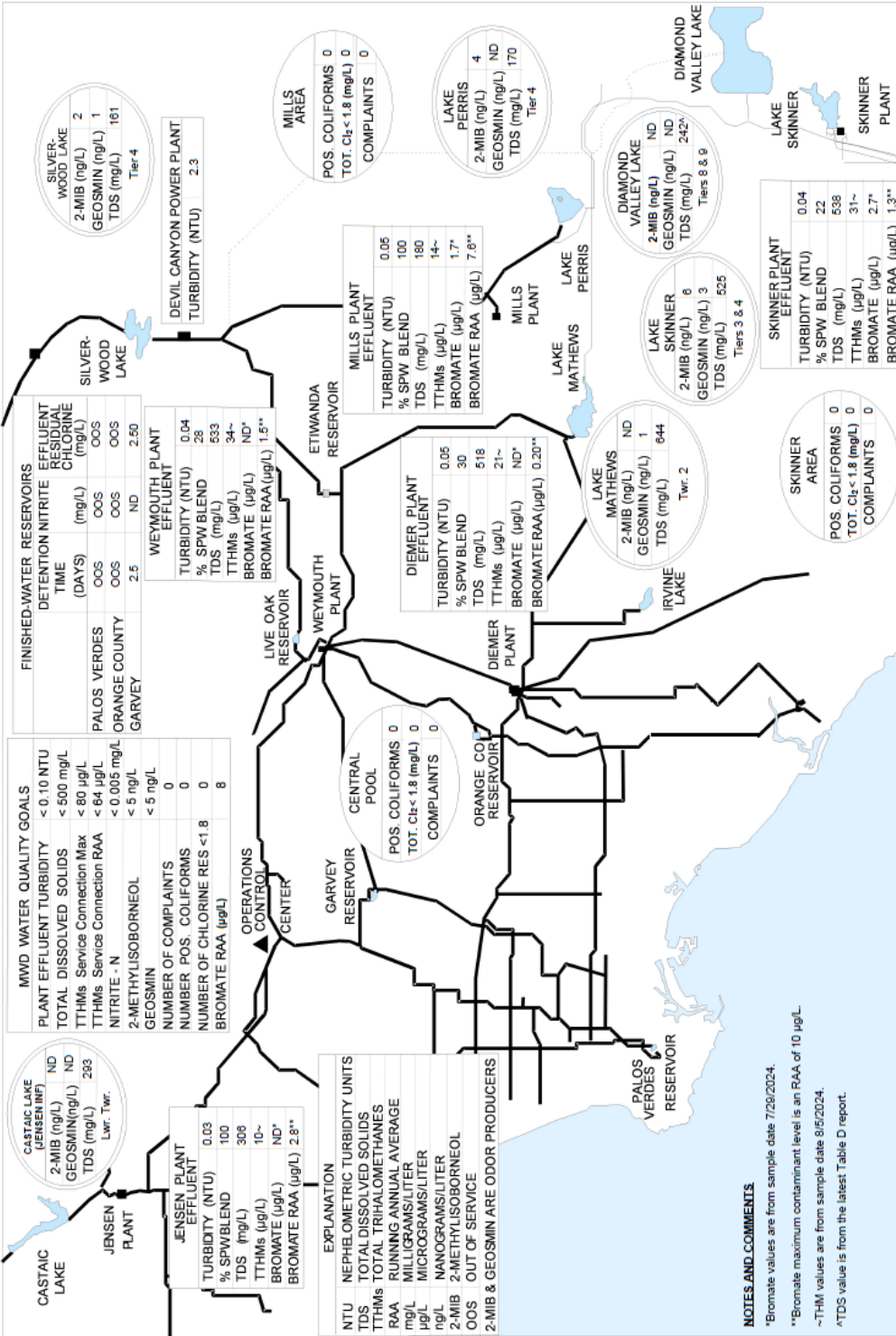
Weekly Water Quality System Status

Wednesday, August 21, 2024

Generated On: 8/21/2024 9:30:21 AM

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

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



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

The Metropolitan Water District of Southern California

Weekly Operations Plan for 8/22/2024 – 8/29/2024

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

1. **COLORADO RIVER AQUEDUCT:** The CRA is at a 7-pump flow.
2. **EAST BRANCH SPW:** Rialto Pipeline will average a flow of 1,275 AF/day. Santa Ana Valley Pipeline will average a flow of 250 AF/day. Inland Feeder will average a flow of 1,240 AF/day.
3. **WEST BRANCH SPW:** The flow from Castaic Lake will be at 620 AF/day. Flow to SCVWA (formerly CLWA) is currently at 100 AF/day.
4. **TERMINAL RESERVOIRS:**

Reservoir	Current Storage* (AF)	Percent of Capacity
Lake Mathews	107,100	59%
Lake Skinner	37,800	86%
DVL	766,200	95%

*as of 8/21/2024

5. **WATER QUALITY:**

Plant	Targeted Blend (% SPW)	TDS (mg/L)	TTHMs (µg/L)
	As of 8/21/2024	As of 8/21/2024	As of 7/22/2024
Weymouth	25	533	30
Diemer	25	518	27
Skinner	25	538	22
Jensen	100	306	12
Mills	100	180	19

6. **WATER DELIVERIES:** August deliveries are forecasted to be about 144 TAF. As of August 21, 2024, total system demands are about 6,150 AF/day, a decrease of about 150 AF/day from last week.
7. **HYDROELECTRIC GENERATION:** As of August 21, 2024, the total daily average generation for the week was about 13.5 MW, with 6 of 15 hydroelectric plants in operation.

ISSUE BRIEF #D

SUBJECT: Colorado River Issues

RECENT ACTIVITY

U.S. Bureau of Reclamation 2025 Annual Operating Plan Consultation

The U.S. Bureau of Reclamation (Reclamation) held the second of three annual consultation meetings regarding its Annual Operating Plan for Colorado River Reservoirs (AOP) for 2025. Each year Reclamation prepares an AOP that reports on operations of Colorado River Reservoirs during the past year, and projects operations and releases for the current year based on current and projected reservoir elevations and hydrologic conditions throughout the basin. The AOP provides Metropolitan with significant operational information regarding projected releases from Lake Powell to Lake Mead and whether the Lower Division States (California, Arizona, and Nevada) will be at normal, surplus, or shortage conditions. Metropolitan uses information in the AOP to plan diversions, Intentionally Created Surplus (ICS) creation and/or delivery, interstate banking determinations, and Drought Contingency Plan Contributions.

Reclamation's draft AOP states that the annual release from Lake Powell is forecast to be 7.48 million acre-feet. The Lower Basin is forecast to be in shortage condition, requiring Nevada, Arizona, and Mexico to take shortages and make Drought Contingency Plan (DCP) contributions. California is not forecast to be required to make DCP contributions in 2025. ICS may be created and delivered, and reservoir protection conservation as provided in the Lower Basin Plan will be implemented consistent with the Supplemental Environmental Impact Statement Record of Decision.

Metropolitan Issues Annual Following Call for Palo Verde Program

By July 31 of each year, Metropolitan is required to make an annual following call for the amount of land it wishes to be followed in Palo Verde Valley for the following two years. This year, the call was for 100 percent of the lands to be followed from 2025-2026. However, rather than the water being made available to Metropolitan, the water will be added to Lake Mead as system water, per the terms of the System Conservation Agreement executed by Reclamation, Palo Verde Irrigation District (PVID), and Metropolitan. Reclamation is funding the entire cost of the program and will be receiving 117,000 acre-feet per year through 2026. Part of Reclamation's funding will be set aside to fund community improvement projects in the city of Blythe and the surrounding area. A committee of three directors, each from PVID and Metropolitan, will be meeting to determine the process for selecting projects to be funded by the nearly \$7.5 million that was established through an agreement signed by PVID and Metropolitan.

ISSUE BRIEF #E

SUBJECT: Delta Conveyance Activities and State Water Project Issues

RECENT ACTIVITY

Sites Reservoir

At the July 19 Joint Reservoir Committee and Sites Authority Board meeting, the Reservoir Committee and the Authority Board approved a new asset management policy to establish guidelines for the effective and efficient management of assets owned and operated by the Sites Project Authority in compliance with relevant contractual and regulatory requirements and industry best practices.

Science Activities

Metropolitan staff published a paper with researchers at Southern Illinois University and UC Davis on contaminants in the Sacramento Deep Water Ship Channel. The paper, titled “A Baseline Assessment of Contamination in the Sacramento Deep Water Ship Channel” was published in Environmental Pollution. Contaminants of concern were detected in the sediment, water column, and fish prey suggesting multiple hazard routes for toxicity.

Metropolitan staff helped to plan and implement a workshop on cyanobacteria, that forms toxic blooms in the Sacramento-San Joaquin Delta with the Delta Science Program, UC Davis, Restore the Delta, and Little Manila Rising. Restore the Delta and the Delta Science Program were the lead organizers. The one-day workshop provided information, materials, and online resources for the communities in the Sacramento-San Joaquin Delta on the cyanobacteria blooms and their potential hazard risks to the communities and wildlife. The workshop received positive feedback. Additional workshops are being planned.

Delta Island Activities

Metropolitan staff held the first public meeting for the Webb Tract Wetland Restoration and Rice Conversion projects. The meeting was attended by over thirty interested parties. Two levee improvement projects continue to progress on Bouldin Island and Bacon Island. Staff attended the inaugural Wetlands Preservation Foundation and Restore the Delta’s Rice Field Day.

Metropolitan Bay Delta Conservation Plan/California WaterFix and California EcoRestore/Delta Conveyance Project (BDCP/CWF-CER/DCP) Expenditure

The following is a summary of Metropolitan’s cumulative BDCP/CWF-CER/DCP expenditures updated for the quarter ending June 2024. This report includes the total

internal costs related to the BDCP, the CWF-CER, and the subsequent DCP efforts with the state administration.

Total (July 2005 – June 2024)

BDCP/CWF-CER/DCP Internal MWD	Total Costs (19.00 yrs.)
Labor & Benefits ⁽¹⁾	\$ 38.55M
Professional Services	\$ 7.20M
Travel	\$ 1.80M
<u>Other ⁽²⁾</u>	<u>\$ 0.21M</u>
SUBTOTAL	\$ 47.76M
<u>Administrative Overhead</u>	<u>\$ 14.02M</u>
TOTAL	\$ 61.78M

⁽¹⁾ Labor costs include salary, leave and non-leave benefits

⁽²⁾ Other includes charges for materials and supplies, trainings & seminars, conferences & meetings, reprographics, and other incidental expenses

**Summary Report for
The Metropolitan Water District of Southern California
Board Meeting
September 10, 2024**

CONSENT CALENDAR OTHER ITEMS - ACTION

Appointed Director Lewitt to the Ethics, Operations, and Personnel Committee.

Appointed Directors Garza and Armstrong to the Ad Hoc Committee for the Department Heads Evaluation Process (DHEP). **(Agenda Item 6B)**

CONSENT CALENDAR ITEMS – ACTION

Authorized an agreement with IDS Group Inc. in an amount not to exceed \$400,000 for preliminary design to rehabilitate the HVAC system at Metropolitan Headquarters Building. **(Agenda Item 7-1)**

Adopted the Mitigated Negative Declaration for the West Valley Feeder No. 1 Stage 3 Improvements Project and take related CEQA actions. **(Agenda Item 7-2)**

Awarded a \$1,285,000 contract to Resource Environmental Incorporated for abatement and roof replacement on houses at four Colorado River Aqueduct Pumping Plant villages. **(Agenda Item 7-3)**

Authorized the General Manager to enter into agreements with the Plumas Community Protection I Forest Resilience Bond LLC, North Feather I Forest Resilience Bond LLC, and Upper Butte Creek I Forest Resilience Bond LLC to establish watershed partnerships and forest health pilot investigations in the Northern Sierra Nevada, each agreement is not to exceed \$200,000 per year for a maximum of two years. **(Agenda Item 7-4)**

Approved the attached salary schedule, as noted in the board letter. **(Agenda Item 7-5)**

Expressed support for Proposition 4, The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. **(Agenda Item 7-6)**

OTHER BOARD ITEMS - ACTION

Authorized a \$40 million increase to an existing design-build services agreement with J.F. Shea Construction Inc. to purchase long-lead equipment for the Sepulveda Feeder Pump Stations Project for a new not-to-exceed amount of \$50.4 million. **(Agenda Item 8-1)**

Authorized an amended and restated agreement with County Sanitation District No. 2 of Los Angeles County for shared implementation of Pure Water Southern California. (**Agenda Item 8-2**)

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

October 8, 2024

1:30 PM

Tuesday, October 8, 2024 Meeting Schedule
08:30 a.m. EOP 10:30 a.m. FAM 12:30 p.m. Break 01:30 p.m. BOD

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. Written public comments received by 5:00 p.m. the business days before the meeting is scheduled will be posted under the Submitted Items and Responses tab available here: <https://mwdh2o.legistar.com/Legislation.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 to join by computer [click here](#).

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

1. Call to Order

- a. Invocation: Secretary of the Board Lois Fong-Sakai, San Diego County Water Authority
- b. Pledge of Allegiance: Vice Chair of the Board Nancy Sutley, 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 | 21-3839 |
| B. | Chair's Monthly Activity Report | 21-3842 |
| C. | Interim General Manager's summary of activities | 21-3840 |
| D. | General Counsel's summary of activities | 21-3841 |
| E. | General Auditor's summary of activities | 21-3843 |
| F. | Ethics Officer's summary of activities | 21-3844 |
| G. | Report from Executive Committee on nominations for Board Chair | 21-3897 |

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

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- | | | |
|-----------|--|--------------------------------|
| A. | Approval of the Minutes of the Special Joint Meeting of the Executive Committee and Board of Directors for August 27, 2024 and the Board of Directors Meeting for September 10, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) | 21-3845 |
| B. | Approve Committee Assignments | 21-3846 |
| C. | Nomination and Election for Board Chair for two-year term effective January 1, 2025 | 21-3898 |

7. CONSENT CALENDAR ITEMS - ACTION

- | | | |
|------------|---|----------------|
| 7-1 | Award a \$589,957 procurement contract to Vogt Valves for one sleeve valve to be installed at the Red Mountain Pressure Control Structure in the Skinner service area; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) | 21-3859 |
| 7-2 | Award a \$1,833,650 construction contract to Power Engineering Construction Company for San Diego Canal Concrete Liner Rehabilitation; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT) | 21-3860 |

- | | | |
|------------|--|----------------|
| 7-3 | Award a \$448,000 contract to Heed Engineering to provide construction materials to support the construction of the helicopter hydrant facility at the Robert B. Diemer Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) | 21-3862 |
| 7-4 | Authorize the General manager to enter into Reverse Cyclic agreements with participating agencies to defer deliveries of purchased supplies under various water supply conditions; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) | 21-3864 |
| 7-5 | Authorize resolutions to support two applications selected to receive United States Department of the Interior, Bureau of Reclamation WaterSMART: Water and Energy Efficiency Grant Program funding for FY24 totaling \$2 million; and authorize the General Manager to accept this funding and enter contracts with the United States Department of the Interior, Bureau of Reclamation; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) | 21-3865 |
| 7-6 | Authorize the General Manager to enter into an exchange agreement with Inland Empire Utilities Agency to assist in the implementation of the Chino Basin Program; Review and consider the Final Environmental Impact Report certified by the Lead Agency for the Program (OWS) | 21-3866 |
| 7-7 | Authorize proposed agreements with Western Canal Water District and Richvale Irrigation District for water transfer options and first rights of refusal during 2025 through 2027 [MISSING CEQA] (OWS) | 21-3873 |
| 7-8 | Authorize the Ethics Officer to designate which Metropolitan officials are required to take AB 1234 state ethics training; [MISSING CEQA] (EOP) | 21-3867 |
| 7-9 | Adopt resolution authorizing the reimbursement of capital expenditures from bond proceeds 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 (FAM) | 21-3868 |

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

8. OTHER BOARD ITEMS - ACTION

- 8-1** Authorize on-call agreements with Black & Veatch Corporation, Burns & McDonnell Western Enterprises Inc., HDR Inc., and Stantec Consulting Services Inc., in amounts not to exceed \$3 million each, for a maximum of three years, for engineering services to support zero-emission vehicle infrastructure upgrades at Metropolitan facilities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) **21-3861**
- 8-2** Authorize debt financing, in an amount not to exceed \$35 million over the next two years, for vehicle purchases to support the regulatory mandated transition of Metropolitan's fleet to zero-emission vehicles and support progress towards the goals of Metropolitan's Climate Action Plan; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT) **21-3863**
- 8-3** Authorize the General Manager to acquire 0.33 acres of property located in Los Angeles County in the city of La Verne from Charles J. Arballo and Margaret R. Arballo, as Trustees of The Arballo Family Trust, dated December 9, 1991, as amended; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with real property negotiator; property identified as Los Angeles County Assessor's Parcel No. 8381-005-002; agency negotiator: Seyou Oh; under negotiation: price and terms; to be heard in closed session pursuant to Gov. Code Section 54956.8] (FAM) **21-3869**
- 8-4** [PLACEHOLDER] LEGAL Seyfarth Contract (LC) **21-3889**
- 8-5** Approve the nomination and naming of the Joseph Jensen Water Treatment Plant Ozone Facility in honor of former Metropolitan Director Ina S. Roth (FNA) **21-3890**
- 8-6** Approve the nomination and naming of Metropolitan's Water Quality Laboratory in honor of former Metropolitan Water Quality Manager and Director of Water Quality, Dr. Michael J. McGuire (FNA) **21-3899**

9. BOARD INFORMATION ITEMS

- 9-1** Report on Conservation Program **21-3871**
- 9-2** Compliance with Fund Requirements and Bond Indenture Provisions (FAM) **21-3870**

10. OTHER MATTERS

NONE

11. FOLLOW-UP ITEMS

NONE

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

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