

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
September 4, 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. 2149

PRESENTATION/DISCUSSION ITEMS

1. UPDATE ON THE SITES RESERVOIR PROJECT

Recommendation: Review and discuss the information presented.

2. LEGISLATIVE ACTIVITIES

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

Recommendation: Review and discuss the information presented.

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

Recommendation: Receive input and discuss the information presented.

ACTION ITEMS

4. ISDOC CALL FOR NOMINATIONS (ADOPT RESOLUTION)

RES. NO. _____

Recommendation: The Planning & Operations Committee (on September 3, 2024) is scheduled to review and discuss whether a member of the MWDOC Board would like to be nominated as a candidate for the ISDOC Executive Committee. In the event a Director is interested, the Board will need to adopt a Resolution in support of that candidacy.

INFORMATION ITEMS

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

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

Recommendation: Review and discuss the information presented.

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

- a. Summary regarding August 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
September 4, 2024

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

SUBJECT: UPDATE ON THE SITES RESERVOIR PROJECT

STAFF RECOMMENDATION

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

SUMMARY

The Sites Project Authority is proposing a surface storage project, the Sites Reservoir Project. The Sites Reservoir Project would be a 1.5 million acre-foot off-stream surface storage reservoir, one of the state's largest reservoirs, and will add flexibility to California's water infrastructure. Operation of the proposed reservoir would be in cooperation with the operations of existing Central Valley Project (CVP) and State Water Project (SWP) system facilities. The Sites Reservoir Project will be a new drought management tool providing the state access to significantly more water during drier periods, in addition to providing ecosystem improvements, flood control benefits, and recreational purposes.

MWDOC staff has invited the Sites Project Authority Executive Director, Jerry Brown, to provide an update on the Sites Reservoir Project and respond to some frequently asked questions. Additionally, Metropolitan's Bay-Delta Initiatives group manager/chief of Bay-Delta resources, Nina Hawk, will be in attendance to answer any questions pertinent to Metropolitan's continued evaluation of this project.

DETAILED REPORT

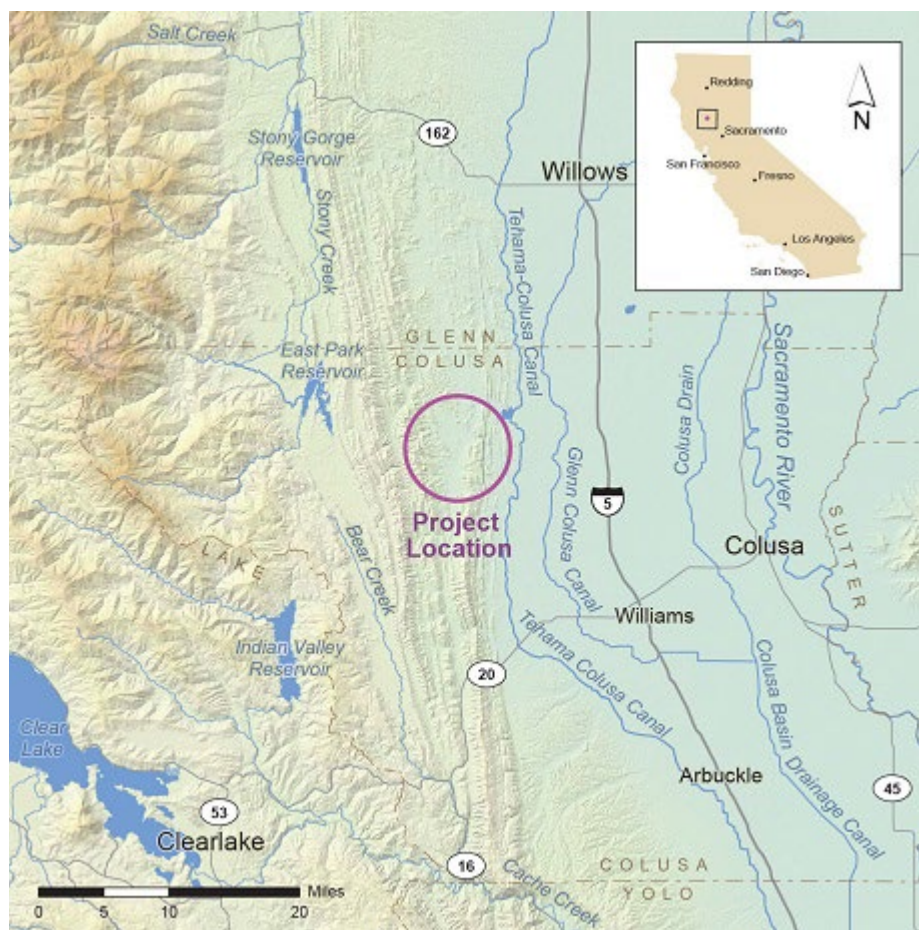
The Sites Reservoir Project, located 10 miles west of the town of Maxwell in rural Glenn and Colusa counties, is a proposed 1.5-million-acre foot off-stream storage facility that captures and stores stormwater flows from the Sacramento River for release in dry and critical years. As a rain-fed storage solution, Sites Reservoir will be able to capture water from these extreme storm events, which can be used by communities, farms, and the environment when

Budgeted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budgeted amount: N/A	Core: <input checked="" type="checkbox"/>	Choice: <input type="checkbox"/>
Action item amount:		Movement between funds: <input type="checkbox"/> Yes <input type="checkbox"/> No	

water is scarcer, and significantly improve the state's water management system in drier periods and restore much-needed flexibility and reliability that has been lost in the system.

The Sites Reservoir Project will be integrated with the SWP and CVP, improving the management of California's water supply during extremes such as flooding and drought. Unlike most current reservoirs, Sites Reservoir will not dam, nor impede a major river system and does not threaten fish migration or spawning.

When operated in conjunction with other Northern California reservoirs, such as Shasta, Oroville, and Folsom, that function as the backbone to both the CVP and the SWP, Sites Reservoir will greatly increase the flexibility, reliability, and resiliency of statewide water supply in drier years for environmental, agricultural, and urban uses. A portion of Sites Reservoir's annual water supplies will be provided for environmental flows to help improve conditions for Delta smelt; help preserve the cold-water pools in Shasta Lake later into the summer months to support salmon development, spawning, and rearing; and improve Pacific Flyway habitat for migratory birds and other native species.



Currently, 31 agencies are participating in the proposed project, including the state of California and USBR, with 23 agencies reserving water supply storage in the reservoir. Agencies reserving storage in the project include the Metropolitan Water District (Metropolitan) and Irvine Ranch Water District.

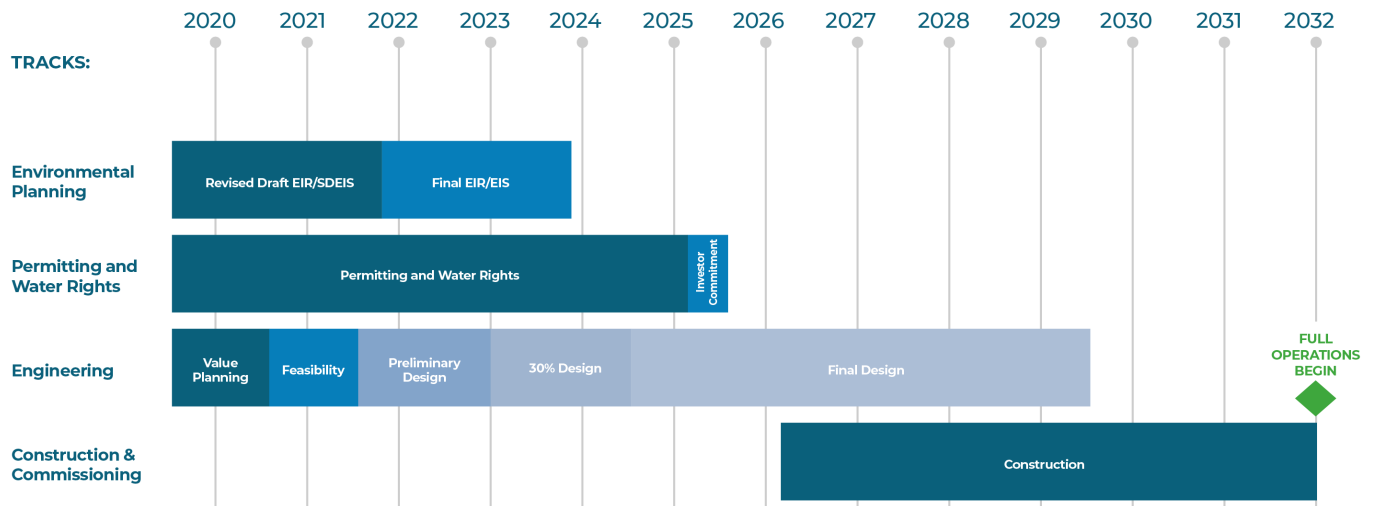
Project Benefits

Metropolitan has reserved 311,700 storage rights in the project. Water from the project provides several benefits to the Metropolitan service area, including Orange County. Benefits include increased reliability for the SWP-exclusive areas and water quality improvements by providing low salinity supplies to reduce salt impacts and recharge the region’s groundwater basins. In combination with Metropolitan’s existing Table A allocation, the ability for Metropolitan to pull dry-year supplies from Sites would provide an additional insurance policy during dry years when there are cuts and/or allocations.

Statewide benefits include building additional resiliency and flexibility into the SWP for adaptation to climate change. This is done through capturing flood flows during intense wet periods and storing the water for dry period use. Additionally, Sites will be one of California’s first reservoirs with dedicated ecosystem water and storage to enable more flexible and effective water management. Lastly, Sites will help facilitate the conveyance and distribution of Sacramento River water to help with the replenishment of California’s depleted groundwater basins.

Project Timeline

Construction is scheduled to begin in 2026. Sites Reservoir is anticipated to be operational at the end of 2032.



2023 Project Milestones

The milestones achieved in 2023 helped move the Sites Reservoir closer to final design and construction:

- Completed the water right application and advanced to the next phase of the application process.

- Federal funding committed to the Project reached \$439 million.
- The Sites Reservoir Project was certified under Senate Bill 149, which streamlines judicial review for selected infrastructure projects.
- The Sites Project Authority certified the Final Environmental Impact Report (Final EIR) and approved the Sites Reservoir Project.

Metropolitan Actions Related to Sites

Metropolitan plans to continue bringing both oral and written updates to the Board of Directors as the project progresses through the planning, permitting, and design phases. It is currently anticipated that the Metropolitan Board will take action on project participation in the late 2025 timeframe.

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:
Attachment 1: Sites Reservoir Presentation

Sites Reservoir Project Overview

MWDOC Board Meeting

September 4, 2024

By: Jerry Brown, Sites Authority Executive Director

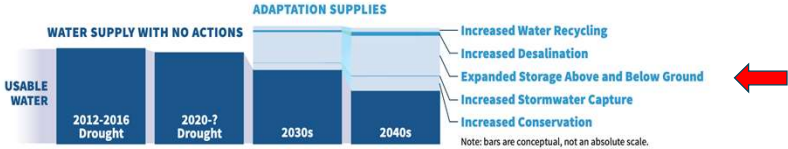


1

What Problem Does the Sites Project Help Solve?

Over the next 20 years, California could lose 10 percent¹ of its water supplies.

Our climate has changed, and the West continues to get hotter and drier. As it does, we will see on average less snowfall, more evaporation, and greater consumption of water by vegetation, soil, and the atmosphere itself.



USABLE WATER

WATER SUPPLY WITH NO ACTIONS

ADAPTATION SUPPLIES

- Increased Water Recycling
- Increased Desalination
- Expanded Storage Above and Below Ground
- Increased Stormwater Capture
- Increased Conservation

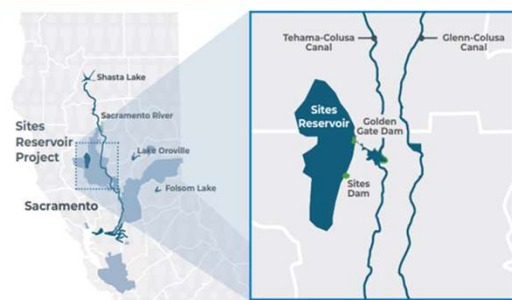
Note: bars are conceptual, not an absolute scale.

In previous droughts the ratio of precipitation to evaporation to runoff has been similar. However, as temperatures rise, evaporation increases, with the consequence of a fall in runoff. As average temperatures continue to increase, the increase in evaporation will continue, with a concurrent drop in runoff.

Excerpted from Aug 2022 "California's Water Supply Strategy, Adapting to a Hotter Drier Future"

2

Sites is a Climate Change Adaptation that Significantly Adds To California's Water Supply



Sites is 100% rain fed.
 Project performance range under climate change scenarios
 No Change ← → +15%

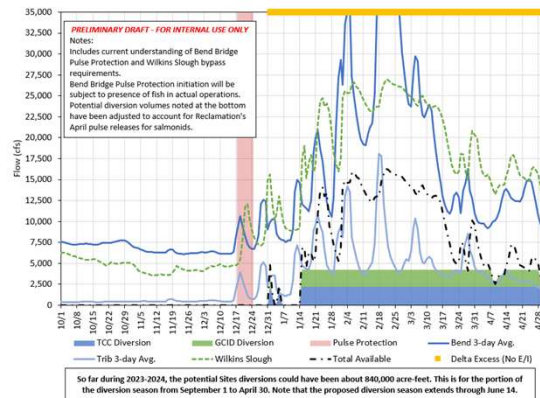
Blue shading represents participant service areas; does not account for State and Federal participation.

3

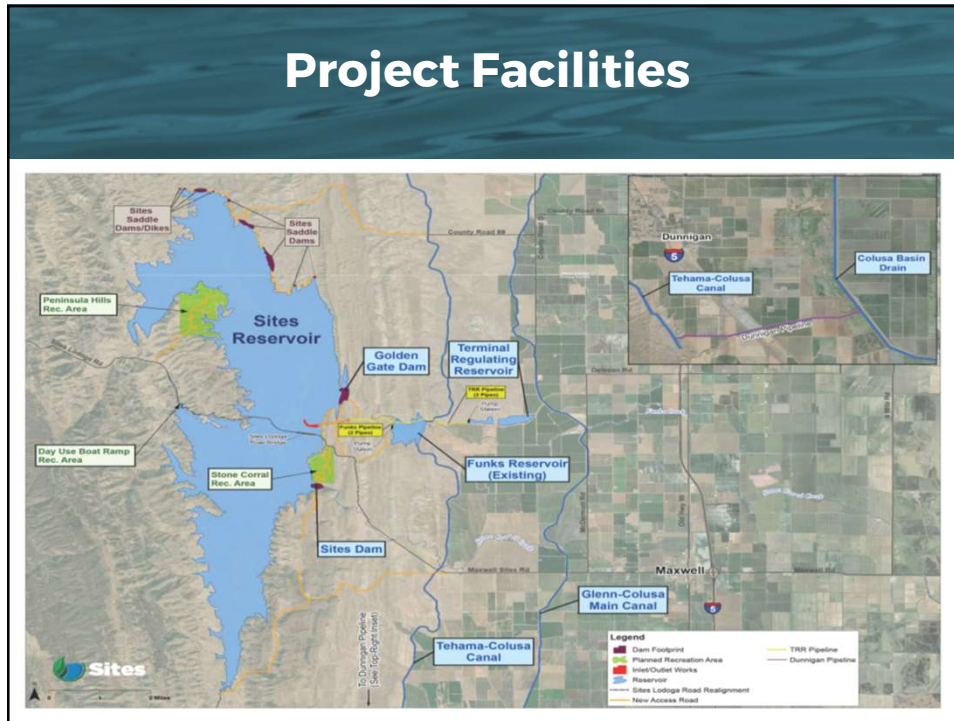
What if we had Sites today?

Year	Estimated Diversion
2023	700,000 AF
2024	840,000 AF
Estimated Total	1,540,000 AF (103% of capacity!!)

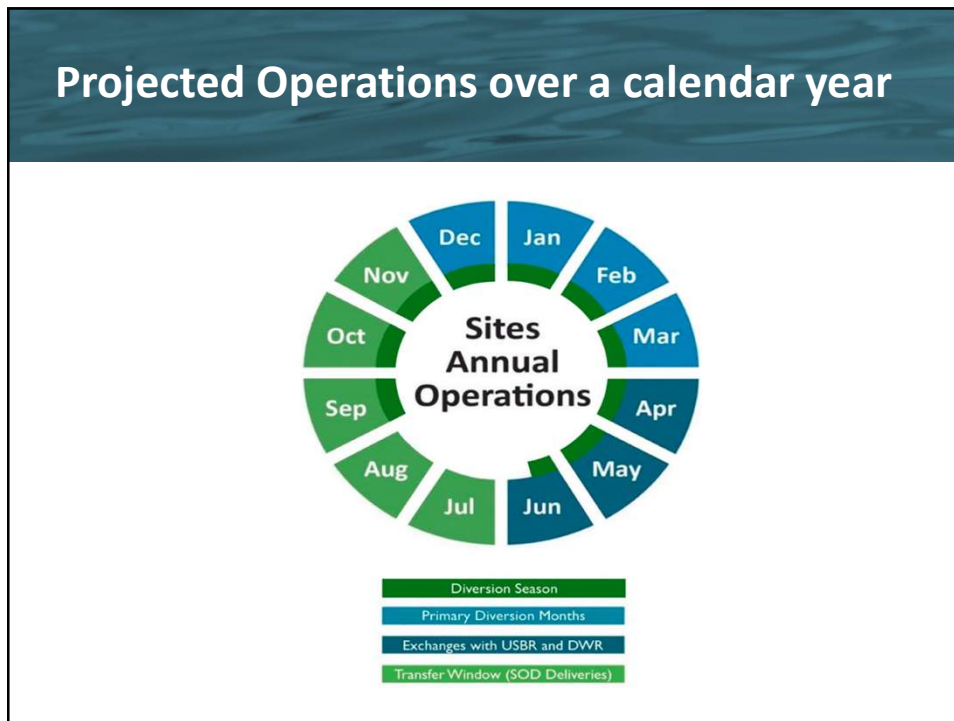
- The Reservoir would have been 100% filled within 2 years
- Confirms the Sites water availability analysis – there is sufficient water in the Sac River to fill the reservoir



4



5



6

Current Allocation of Active Sites Storage Space (planning level estimates, subject to change)

Participant Name	Amendment 3 Participation Level	Amendment 3 Storage Allocation	% Available Storage ^{1,2,3}
Antelope Valley-East Kern WA	500	3,117	0.2%
City of American Canyon	4,000	24,936	1.8%
Coachella Valley WD	10,000	62,340	4.4%
Colusa County	10,000	62,340	4.4%
Colusa County WD	9,256	57,702	4.1%
Cortina WD	450	2,805	0.2%
Davis WD	2,000	12,468	0.9%
Desert WA	6,500	40,521	2.9%
Dunnigan WD	2,972	18,527	1.3%
Glenn-Colusa ID	5,000	31,170	2.2%
Irvine Ranch WD	1,000	6,234	0.4%
LaGrande WD	1,000	6,234	0.4%
Metropolitan Water District of SC	50,000	311,700	22.1%
Reclamation District 108	4,000	24,936	1.8%
Rosedale-Rio Bravo WD	500	3,117	0.2%
San Bernardino Valley Municipal WD	21,400	133,408	9.5%
San Geronio Pass WA	14,000	87,276	6.2%
Santa Clara Valley WD	500	3,117	0.2%
Santa Clarita Valley WA	5,000	31,170	2.2%
Westside WD	5,375	33,508	2.4%
Wheeler Ridge - Maricopa WSD	3,050	19,014	1.3%
Zone 7 WA	10,000	62,340	4.4%
State of California - Total	n/a	244,000	17.3%
Reclamation	n/a	128,020	9.1%
Available Storage Total	166,503	1,410,000	100.0%

7

Interested Participants – current list alphabetical listing

Agency	Average Annual Water Supply requested (af)	Equivalent Storage Based Allocation Participation* * (af)
* Bureau of Reclamation	15,600	97,250
City of Fairfield	1,500	9,351
City of Napa	4,000	24,936
Dudley Ridge	1,500	9,351
Eastern Municipal Water District	1,600	9,974
Glenn County	1,000	6,234
La Cumbre Mutual Water Company	1,000	6,234
Madera County GSA	10,000	62,340
Palmdale Water District	2,000	12,468
Pacific Resources MWC	2,000	12,468
* Santa Clara Valley Water District	5,500	34,287
Western Municipal Water District	1,600	9,974
Westlands Water District	10,000	62,340
* Wheeler Ridge - Maricopa WSD	3,700	23,066
Woodland Davis Clean Water Agency	5,000	31,170
Total	66,000	411,444

* denotes existing Participants Unmet demand = 29% of total storage capacity

8

Priority System For Project Participants – How the Three Guarantees Work

- Each Storage Partner has sole decision making over the use of their space and water
- Example: With 2024 Sites Filling, MWD’s 311 TAF space would be full. They could:
 - Hold stored water for future dry years
 - Take water out of storage – moved as “Through Delta” non-project water in transfer window (~Jul-~Nov)
 - Buy water from another Participant
 - Transfer their water to another Participant or Non-Participant
- Other Considerations:
 - Modeling shows that “yield” improves with annual turnover
 - Storage Partners + waiting list = “Sites Family”
 - Potential partnering with State and Federal uses

9

Project Funding Sources *A Local, State, and Federal Partnership*

Project Investors

Participant Funding Sources

Project Investors

- State, \$ 875M
- Participants, \$ 2.9B
- Federal WIIN Act, \$ 1.185B

Participant Funding Sources

- WIFIA Loan, \$ 2.2B
- USDA Loan, \$ 450M
- Bonds/Cash, \$ 250M

**WIIN Act funding is based on 16% Reclamation Investment under Alternative 3 (Preferred Project) and is reported in future dollars.
[Federal Funds Appropriated to Date \\$514M](#)

10

General Comparison of Sites to Alternative Water Supply System Costs

TABLE 5-9. ALTERNATIVE WATER SUPPLY SYSTEM COSTS (\$/AF; \$2021)

	Supply Cost (\$/AF; \$2021)			Integration (\$/AF; \$2021)	Total Cost (\$/AF; \$2021)		
	Low	Medium	High		Low	Medium	High
Stormwater Capture							
Small (<1.5 TAF)	\$653	\$1,293	\$1,415	\$381	\$1,061	\$1,674	\$1,796
Large (6.5 TAF - 8.1 TAF)	\$259	\$272	\$286		\$626	\$653	\$667
Recycled Water - Non-Potable Reuse							
Small (< 9.7 TAF)	\$599	\$653	\$1,265	\$1,048	\$1,646	\$1,701	\$2,313
Recycled Water - Indirect Potable Reuse							
Small (< 9.7 TAF)	\$1,646	\$2,041	\$2,449	\$503	\$2,163	\$2,558	\$2,953
Large (> 9.7 TAF)	\$1,238	\$1,442	\$1,742		\$1,742	\$1,946	\$2,259
Brackish Water Desalination							
Small (< 16.2 TAF)	\$993	\$1,660	\$1,905	\$122	\$1,129	\$1,782	\$2,027
Large (> 9.73 TAF)	\$925	\$1,116	\$1,347		\$1,048	\$1,238	\$1,469
Seawater Desalination							
Small (< 16.2 TAF)	\$2,735	\$2,898	\$4,504	\$218	\$2,953	\$3,116	\$4,721
Large (> 9.73 TAF)	\$2,082	\$2,136	\$2,585		\$2,299	\$2,340	\$2,803

Source: Cooley H., The Cost of Alternative Urban Water Supply and Efficiency Options in California 2019. AF (acre feet) TAF (thousand acre-feet)

Sites Reservoir	\$850 (~230 TAF)	\$450*	\$1,300
------------------------	-----------------------------------	---------------	----------------

Supply costs are FOB out of the reservoir. Integration is estimated cost of transmission plus Through - Delta and other conveyance losses. Total cost is delivered through the state water project system to the Los Angeles region.

11

Environmental Planning & Permitting Update

- Environmental Impact Report
 - 2017 Draft Document
 - 2021 Revised Draft document
 - Released for public review in November 2021
 - Comment period closed in January 2022
 - 2023 Final document
 - Certified and approved Project - November 17, 2023
- Water Right Permit
 - Submitted application to State Board in May 2022
 - 15 formal protests received
 - Administrative Hearing Initiated August 19, 2024
 - Expected conclusion and SWRCB Final Decision July 2025

12

Governor's Certification of Sites (SB 149) has already had a huge positive impact on expediting

- Sites was the first project to be SB149 certified
- Certified by Governor on November 6
 - Found the project meets all of the criteria for certification
 - Requires that CEQA litigation be resolved, to the extent feasible, within 270 days
 - State agencies called upon to expedite permits and approvals associated with the project
- Final EIR approved on November 17
- Legislative Budget Committee Concurred on December 6

CEQA Lawsuit

- Filed Dec 19, 2023, Yolo County Superior Court
- Hearing occurred on May 3
- Judge's Decision June 3, 100% in Favor of Sites
- Appeal filed on June 14, 2024
- Appeal hearing scheduled for Sept 17
- Appeal decision expected before Oct 28
- Total days = 312



Water Rights Process

- State Board has set the water right hearing schedule
- All hearings and briefs conclude by Apr 2025
- SWRCB decision ~Jul 2025

13

13

Engineering Update

- **2021** – Completed the Feasibility Analysis
 - The California Water Commission Determined the Project is Feasible
- **2022-2025** – Conducting Field Studies
 - Survey Mapping & Geotechnical Investigations to Inform Preliminary Engineering Analysis and Design
 - Focus on Golden Gate Facilities
- **Mid 2024** – Complete 30% Design
 - Updated Project Cost Estimate in Progress
- **Early 2026** - Begin Construction



14

Real Estate

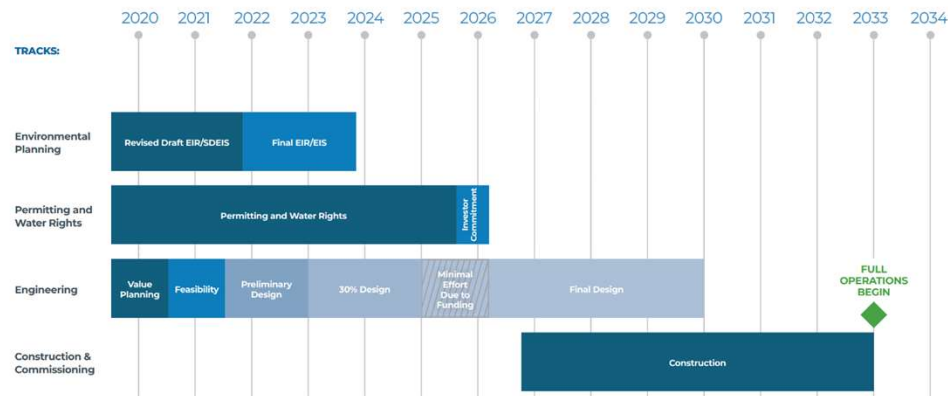
- Coordinating with landowners on project design. Frequently asked questions:
 - What land is needed?
 - When will land be acquired?
- Temporary Rights of Entry (TROE) and other agreements were secured for necessary technical field activities
- Early land acquisition is underway for key parcels



15

Construction is on the Horizon

Sites Reservoir Project Schedule



16

16

Frequently Asked Questions from South of Delta Participants

- What are the assurances that Sites water can get through the Delta, especially in dry years?
- What is being done to ensure this project remains affordable for ratepayers?
- What is being done to expedite the permitting of the project to avoid missing major milestones?
- Are there concerns that property acquisition will delay the project?
- What is being done to ensure 'locals' expectations for recreation and community benefits are met?

17

Questions



18



NATURAL RESOURCE
RESULTS

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

From: Natural Resource Results

RE: Monthly Board Report – September 2024

Congressional Overview

Both the House and Senate are out of session for the August recess with most members taking advantage of this by spending time at home given the upcoming election. When Congress returns on September 9th it will need to quickly address the lack of progress on FY25 appropriations. As a reminder, the Senate has not passed any of the twelve appropriations bills and the House has only passed a handful of the twelve. Because of this, Congress will likely need to pass a Continuing Resolution (CR) before the fiscal year ends on September 30th to provide short-term funding for the government. The CR will likely extend past the election, meaning appropriations work won't be taken up in earnest until the *Lame Duck*. Right now, there is limited risk of a government shutdown but that could change as things progress and red lines are drawn in the side by either party.

Neither the House nor the Senate have passed their respective versions of the FY25 Energy and Water Appropriations bill which provides funding to the Bureau of Reclamation. That said, the House version does include \$134 million for the WIIN Act storage account – the primary source of federal funding for Sites Reservoir. We continue to work to ensure that this funding gets included in the final appropriations package.

Aside from appropriations, there are only one or two must-pass bills for the remainder of this Congress which means that those bills will likely become vehicles for smaller pieces of legislation, including a potential water package. Conversations around a water package are still in the very early stages and may not bear fruit but the fact that Congress is at least interested is a welcomed sign.

Senate Energy and Water Appropriations

Just before the August recess, the Senate Appropriations Committee passed the Energy and Water appropriations bill which would fund the Bureau of Reclamation at a little more than \$1.8 billion, which amounts to a six percent increase above the current funding level. The bill includes \$50 million for DCP implementation, which is significantly more than the President's budget request. It also includes a one-year authorization extension for the Upper Colorado and San Juan River Basins recovery programs. The following was included in the report that accompanied the bill (these are directives to the agencies but don't carry the full weight of statute):

Colorado River Basin.—Despite improving hydrology, the Colorado River basin reservoirs remain low after multiple years of drought, which poses a severe risk for Tribes, farmers,

ranchers, cities, wildlife, and the local economies that rely on these water resources. Reclamation is encouraged to provide funding in future budget requests for activities that support water conservation, improve watershed scale planning, upgrade water infrastructure, protect land from erosion, and create long-term resiliency on changing landscapes.

Lower Colorado River.—Reclamation has worked to address excess flows of Colorado River water to Mexico, but there still remains excess flows beyond the Treaty requirements. Persistent drought and projected long-term water demands have heightened this concern. To help address future impacts on the Lower Colorado River Basin, the Committee directs Reclamation to explore methods for further reducing excess flows to Mexico and shall report to the Committee by no later than February 2025.



To:	MWDOC Workshop
From:	Syrus Devers
Date:	September 4th, 2024
Re:	State Legislative Report

Legislature

This report was prepared a few days before the final day of the legislative session, so it is a mini version of the end of session report coming in October. The 2023/24 session ends on Saturday, August 31st, and the expectation at this time is that there will be a Saturday session. Absent any unpleasant surprises, it looks like we will have a banner year.

But first, a few definitions to make the report easier to read (and write):

“Back on concurrence” means a bill has successfully made it back to the house of origin, but it was amended in the other house and requires a final confirmatory vote to approve the amendments. A concurrence vote is an up-or-down vote with no further amendments possible. If a bill was not amended after leaving the house of origin, and passes the floor of the other house, there is no further legislative action (i.e., no concurrence) and the bill goes directly to the Governor’s desk.

“Third reading” at this point in the cycle can only mean a bill is ready to be taken up on the floor of the opposing house. If the bill is passed, it either goes back to the house of origin for concurrence or to the Governor.

“Dead” now means no second chances. For a bill to be truly dead it must fail to meet a constitutional deadline, not just a legislative deadline. In the first year of the two-year session, a bill can die for failing to meet a legislative deadline, but it will be given another chance the following year. (Hence, “dead” but not “dead-dead”.) But there is no reprieve from the end-of-session deadline in even-numbered years. All bill numbers are erased and start over at “1”.

“Held on Suspense” means a bill is dead but there was no vote. The Appropriations Committee decided behind the scenes to kill the bill without leaving any fingerprints.

“To enrollment” means a bill is on the Governor’s desk awaiting final action.

“Chaptered” means a bill will become law at the appropriate time, which is January 1st unless it was an urgency measure, but it does not always mean a bill was signed by the Governor. Typically the Governor either signs or vetoes a bill, but California does not have a “pocket veto”. If the Governor does nothing, a bill will be chaptered on September 30th. If the Governor does sign the bill, it is chaptered at that time.

Syrus Devers Advocacy

With that, here are the current results for legislation active in the final 30 days:

SB 1255 (Durazo) - “Voluntary” low income rate assistance programs. This bill was covered in detail last month. Position: OPPOSE. Result: Held on Suspense. This was the last bill actively opposed by water districts.

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: To enrollment.

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: Back on Concurrence.

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 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: Back on Concurrence.

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: Third Reading.

SB 1390 (Caballero) - This bill was never brought to the Board for consideration, but staff took a support position based on the policy principles. 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: Third Reading.

There are several other bills of interest, but these are the ones recently acted upon. The end-of-session report will give a final accounting of every bill where a position was taken.

ACKERMAN CONSULTING

Legal and Regulatory

September 4, 2024

- Zanja Madre:** When people talk about the Los Angeles water system, they are usually referring to the LA aqueduct and the efforts of William Mulholland. However, LA's first water system was built in 1781 and was known of as Zanja Madre (mother ditch). The original settlers in Los Angeles were from New Spain which is modern Mexico. They founded the Pueblo near the Los Angeles River because they knew of the importance of water to civilization. They built the original crude dirt pipeline in under two months from the time they settled. Modern archaeologists have discovered that the original Zanja was greatly expanded by use of dams, channels, ditches, both above ground and underground. The original person in charge was known as the Zanjero or water overseer and he along with several deputies were in charge of maintaining and controlling the water system. That position was paid more than the mayor of Los Angeles and had a great deal more power. They even wore police badges and had authority to arrest people interfering with the system. Zanjias reached their peak in the 1880s when they had close to 7000 acres under irrigation within the city. By 1902 the Zanja system was made-up of four different areas connecting to the LA river and had over 52 miles of pipes and ditches. When William Mulholland was the Superintendent of the LA water department in 1903, he ordered the end of the Zanja system. He maintained that they needed a more reliable system for drinking water and had to prepare for the future. While the Zanja system served the city well, Mulholland took it to the next level.
- Hydropower Losses:** The University of Alabama recently completed a study of the hydropower losses in the US West from 2003 to 2023. As a result of the drought conditions which hit the entire West Coast of the United States, they estimated that the total loss to the hydropower industry was over \$28 billion. Approximately 1/2 of that entire loss was attributable to Oregon Washington and California which produce over half of the hydropower that is generated in the entire United States. California's loss alone was more than \$8.7 billion. Factored into this amount was the loss of sales to customers and the additional cost from producing alternative energy from fossil fuel powered generation plants. They compared their results to statistics from the rest of the United States during this time same time for hydropower generating facilities. Their conclusion was that the western states suffered more severe and more frequent drought conditions than any other parts of the United States. Washington and Oregon suffered greater percentage losses than California as a result of the total hydropower electricity produced by those states.
- Water In Mars:** NASA recently completed a report regarding the status of water on Mars. NASA has had a landing craft on Mars for several years to study this. They discovered that there is an immense body of water underneath the Martian crust down between 7 to 12 miles from the surface. They suggest that this water was originally on the surface of Mars billions of years ago but because of conditions in the universe the water was forced underground. They believe a lot of that water was probably evaporated into space. The amount of that

water they claim could produce a global ocean to a depth of one mile. Whether or not this water could be usable in the future it is still up for discussion. They also indicated additional discovery would be necessary to determine if any type of microbial life did or does exist on Mars. The Martian Lander did its work from 2018 through 2022 when it had to be shut down.

4. **More PFAS Discoveries:** Vienna University is studying the movement of microplastics in various mediums. Since these microplastics are in water land and various organisms how they move can be very important in determining how to treat them. The scientists discovered that there are various sizes and shapes of microplastics. Generally, they are elongated and have a curved form. How they move in various types of materials and how they are impacted by outside forces such as physical barriers, is proving to be important. They have been using a battery of six cameras placed in water conditions to examine the movement of these particles. being able to predict their movement can be important in determining how to remove them or treat them in various situations.
5. **Arrowhead Battle Continues:** The United States Forest Service has recently denied a permit application by Blue Triton Brands the successor in interest to the Arrowhead Water Company. As you recall various environmental groups and others have been trying to shut down the Arrowhead operation for years. This current action by the Forest Service is in response to a application for a new permit submitted by Arrowhead. The service has indicated that they must cease operations immediately. Arrowhead has already challenged the denial in court which means the litigation will continue. A recently developing claim is that of the San Manuel Band of Mission Indians claim that they have some rights to this water by reason of their purchase of certain property from Arrowhead. Water records indicate that Arrowhead took about 319-acre feet which is 104 million gallons of water from the area. The service has agreed to a temporary 30 day stay to help the Indian tribes claim for use for fire prevention. Stay tuned again.
6. **Groundwater Charges:** A recent study by the University of Chicago has indicated that California farmers are willing to pay money for groundwater under certain conditions. Farmers are forced to reduce the use of groundwater or to pay a fee for the water which they withdraw. This would definitely impact their crop choices and whether or not to fallow agricultural property. Decisions such as growing high value crops versus high water consuming crops could significantly impact the agricultural format of the valley. The study did not indicate how many of their respondents are currently suing the state of California to suspend the Sustainable Groundwater Management Act.
7. **Sicily Water Condition:** Sicily has been suffering from a severe drought for many years. However, if you are a tourist there or in the tourist business you would not have noticed much at all. Sicily does not have a lot of water or storage options. It relies on individual and communal cisterns and tankers to deliver water to the island and to the various communities. However, if you are a tourist in Sicily, you would not notice any difference as water is plentiful for all purposes. The island is dependent on Italian Navy tanker ships bringing in water on a regular basis from the mainland. For their individual folks, there is a fleet of tanker trucks to distribute to residential communities and hotels. The Italian government subsidizes the water to Sicily.

8. **Water Trust:** a recent poll conducted by the American Water Works Association indicates that people have a positive response to their water utilities. 70% of the respondents indicated that they have sufficient information about their water providers. That same percentage ranked water world ahead of local government, state governments, and other environmental groups. The poll was done of over 2000 adults in the entire United States. 72% what are users indicated they felt their home water was safe. Overall, the study showed that water world in the United States is doing a good job educating and taking care of their customers.
9. **Infrastructure Costs:** Professors from Yale University Columbia University and UC Berkeley recently issued an extensive white paper on procurement and infrastructure cost. While they selected highway improvements as their main subject matter their conclusions are meant to apply to many other infrastructure projects. Their study included surveys for all 50 states and the US Department of Transportation. The most glowing comparison was the cost of infrastructure in the United States versus other developed countries in the world. Our large project infrastructure cost on average three times the cost of other upper- and middle-income countries in the world. There is a general feeling that the quality of our projects in the United States is diminishing while the cost and time of each project is expanding. The two main causes they identified were the lack of skilled people in the various government level departments that handle these major projects. The other problem was the lack of competition. These projects both large and small are put out to bid. Part of the problem is the excessive red tape and regulation associated with complying with bid requirements and production criteria in various states particularly California.



September 4, 2024

TO: MWDOC Board of Directors

FROM: Peter Whittingham

SUBJECT: September 2024 Report

The month of August was marked by the close of the filing period for candidates running for election in November at all levels of government. Following is a few of the more notable developments and issues of the month:

- A number of elected officials representing MWDOC member agencies will not seek reelection in November. The list includes Board members Don Chadd (TCWD), Chuck Gibson (SMWD), and Karen McLaughlin (IRWD), and Councilmembers Jose Diaz and Steve Faessel (Anaheim), Councilmember Art Brown (Buena Park), Mayor Steve Jones and Councilmembers Kim Nguyen, Stephanie Klopfenstein and John O'Neill, with the latter two running for Mayor (Garden Grove), Councilmember Bruce Whitaker (Fullerton), Mayor Thomas Moore and Councilmember Shelly Sustarsic (Seal Beach), Councilmember Marshall Goodman (La Palma), Councilmember Chris Duncan (San Clemente), Mayor Will O'Neill and Councilman Brad Avery (Newport Beach), Councilmember Kimberly Ho (Westminster), and Councilmembers Letitia Clark and Becky Gomez (Tustin).
- The Tustin City Council approved funding of the rehabilitation of Lyttle Reservoir. Originally constructed in 1976, the reservoir is a partially buried, steel cylindrical tank that provides 150,000 gallons of emergency water storage in Zone 3 of the City's water system. The project scope includes bringing the structure into compliance with current safety and health codes, standards, and regulations.
- Seal Beach City Manager Jill Ingram announced her resignation from the City, effective October 31. Ingram has served as City Manager since 2011.
- The Office of Administrative Law (OAL) has approved the Direct Potable Reuse Regulations adopted by the State Water Board last December. The regulations, which many south County water districts have been waiting on to determine the viability of DPR to foster greater local reliability, become effective on October 1. While the construction and operational costs of DPR are still being analyzed,

experts believe it will cost less than Indirect Potable Reuse, which requires treatment, injection and filtration time.

- The Imperial Irrigation District's board is offering to pay farmers to skip some harvests in the next two years in order to keep roughly 700,000-acre-feet of water in the Colorado River's biggest reservoir, Lake Mead. The San Diego County Water Authority, which currently has a water surplus, is in discussions with Imperial Valley to sell back some of the water it purchases from the valley. The Water Authority generated \$20 million in savings last year from a similar swap with Imperial Valley and Metropolitan Water District.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Whittingham". The signature is fluid and cursive, with a large initial "P" and a long, sweeping tail.

Peter Whittingham

MWDOC Workshop

Bill Matrix - September, 2024

Prepared by SDA Government Relations

Priority: A. High

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

Status: 08/19/2024 - Read second time. Ordered to third reading.

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 08/15/2024 text)

Position	Priority
B. Watch	A. High

Notes - Amended to only address fines

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

Status: 08/26/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 40. Noes 0.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 28 pursuant to Assembly Rule 77.

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 08/20/2024 text)

Position	Priority
watch	A. High

Notes - Flagged by CSDA

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

Status: 08/20/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 29. Noes 9.). In Assembly. Ordered to Engrossing and Enrolling.

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 08/22/2024 text)

Position	Priority
----------	----------

support

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: 08/20/2024 - Read third time. Passed. Ordered to the Assembly. (Ayes 28. Noes 10.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 22 pursuant to Assembly Rule 77.

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 08/05/2024 text)

Position

Priority

support

A. High

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

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

Status: 08/26/2024 - Read third time. Passed. Ordered to the Senate. In Senate. Concurrence in Assembly amendments pending.

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 08/22/2024 text)

Position

Priority

support

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

Priority

watch

A. High

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

Status: 06/27/2024 - Read second time. Ordered to third reading.

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 06/17/2024 text)

Position	Priority
watch	A. High

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

Status: 06/24/2024 - June 24 set for first hearing canceled at the request of author.

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	Priority
watch	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: 08/26/2024 - Assembly amendments concurred in. (Ayes 33. Noes 6.) Ordered to engrossing and enrolling.

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 06/24/2024 text)

Position	Priority
watch	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	Priority
support	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

Priority

oppose

A. High

Notes - Oppose position adopted on 7/3

Priority: B. Watch

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

Status: 08/22/2024 - Senate amendments concurred in. To Engrossing and Enrolling.

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

Priority

watch

B. Watch

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

Status: 07/02/2024 - In committee: Set, first hearing. Held without recommendation.

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

Priority

watch

B. Watch

[AB 3121](#) ([Hart, D](#)) Urban retail water suppliers: informational order: written notice: conservation order: water use efficiency standards and water use reporting: dates.

Status: 06/27/2024 - From Consent Calendar. Ordered to third reading.

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. 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 provide that the date the board is authorized to issue informational orders

is on or after January 1, 2026, the date to issue a written notice is on or after January 1, 2027, and the date to issue a conservation order is on or after January 1, 2028, respectively. (Based on 06/12/2024 text)

Position	Priority
watch	B. Watch

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

Status: 08/22/2024 - Read third time and amended. Ordered to third reading.

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 08/22/2024 text)

Position	Priority
watch	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	Priority
watch	B. Watch

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

Status: 08/22/2024 - Read third time and amended. Ordered to third reading.

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 08/22/2024 text)

Position	Priority
watch	B. Watch

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

Status: 08/22/2024 - Read third time and amended. Ordered to third reading.

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 08/22/2024 text)

Position	Priority
watch	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	Priority
watch	B. Watch

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

Status: 08/22/2024 - Read third time and amended. Ordered to third reading.

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	Priority
support	B. Watch

Notes - SUPPORT based on Policy Principles

Total Measures: 20

Total Tracking Forms: 20

**Metropolitan Water District of Southern California
State Legislative Matrix
August 20, 2024 – Second Year of Legislative Session**

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	Chartered Signed by Governor Chapter 201, Statutes of 2023	Local agency design-build projects: authorization. This measure would extend the existing sunset date to January 1, 2031, for the use of design-build as a delivery method for public works contracts.	Support Based on October 2021 Board Action	Metropolitan’s current authority to use design- build under AB 1845 (Calderon, CH. 275, 2022) will sunset on January 1, 2028. The provisions of this bill allow Metropolitan to use design-build for future projects through January 1, 2031.
AB 460 Bauer- Kahan (D – Orinda)	Amended 6/12/2024 Two-year bill Senate Appropriations Committee	State Water Resources Control Board: water rights and usage: civil penalties. 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.	Support Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023	The bill now would provide for enhanced civil penalties for violations of any State Board regulation or curtailment order.

Metropolitan Water District of Southern California State Legislative Matrix

August 20, 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	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, Federal the Bay, National Resources Defense Council	Chaptered Signed by Governor Chapter 849, Statutes of 2023	Potable water: nonfunctional turf. This measure prohibits the use of potable water for the irrigation of non-functional turf located on commercial, industrial, institutional. This measure provides the State Water Resources Control Board with the authority to postpone compliance dates as prescribed.	Co-sponsor Based on April 2023 Board action	Based on input from the Board and member agencies, Metropolitan secured amendments to exclude multi-family residential buildings and protect the authority and local control of public water systems. Metropolitan is a co-sponsor of this measure.

Metropolitan Water District of Southern California State Legislative Matrix

August 20, 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	<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.</p>
AB 1581 A. Kalra (D – San Jose)	Amended 6/27/2024 Senate Appropriations Committee	<p>The Restoration Management Permit 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 is currently negotiating language that would limit the scope to only include voluntary restoration projects, or projects that go beyond required mitigation. Metropolitan is requesting 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

August 20, 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)	Amended 4/4/2024 Senate Floor	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

August 20, 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 7/1/2024</p> <p>Senate Appropriations Committee</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. It is designed to prevent harm to fish and wildlife from covered activities. 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 is 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

August 20, 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 6/20/2024 Senate Local Government Committee	<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

August 20, 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>Senate Appropriations Committee</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

August 20, 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

August 20, 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)	Chartered Signed by the Governor Chapter 58, Statutes of 2023	Public resources: infrastructure: contracting. This measure is part of the negotiated infrastructure trailer bill package and authorizes DWR to use the progressive design-build (PDB) project delivery method for up to eight public works projects that exceed \$25 million. The Delta conveyance facilities and seawater desalination are expressly prohibited under this measure.	Support Based on October 2021 Board Action	By utilizing PDB and awarding a project contract prior to the completion of all design work, DWR can potentially reduce overall costs and execute shorter project delivery schedules. This could lead to reduced costs for SWP-related projects resulting in cost savings being passed on to Metropolitan.
SB 147 Ashby (D-Sacramento)	Chartered Signed by the Governor Chapter 59, Statutes of 2023	Fully protected species: California Endangered Species Act: authorized take This measure is part of the negotiated infrastructure trailer bill package and authorizes the take of fully protected species for certain infrastructure projects if specified conditions are met. Eligible projects include the maintenance, repair and improvement of the State Water Project, as well as critical regional and local water infrastructure.	Support and Amend Based on 2023 Legislative Priorities and Principles, adopted December 2022	While this alternative may have benefits over current FPS regulations, the requirements are extensive and may make permit terms infeasible or cost prohibitive and could create other litigation risks for permittees.
SB 149 Caballero (D-Merced)	Chartered Signed by the Governor Chapter 60, Statutes of 2023	California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining. This measure is part of the negotiated infrastructure trailer bill package and makes various changes to CEQA. This bill provides clarification for what is considered as part of the administrative record, as well as allowing a public agency to deny a request to prepare the record of proceedings. This bill also provides for expedited judicial review for specified energy and transportation projects.	Support and Amend Based on 2023 Legislative Priorities and Principles, adopted December 2022	Administrative Records Streamlining: Overall, the provisions would be beneficial to Metropolitan as they could lower CEQA litigation costs and shorten litigation timelines. Expedited Judicial Review: The process for preparing the administrative record for any governor-certified infrastructure project must follow certain extensive and potentially costly specifications. While expedited judicial review is beneficial in concept, unless amended, the prerequisites may be infeasible or costly to implement.

Metropolitan Water District of Southern California State Legislative Matrix

August 20, 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 6/26/2024 Assembly Appropriations Committee	<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, if Amended</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 is seeking amendments that include, but are not limited to, ensuring the 2050 target reflects statewide, regional, and local planning efforts and clarifying that the CA Water Plan should not establish a separate plan for complying with the Delta Plan, but should be complimentary and focus on supporting the co-equal goals of the Delta.</p>

Metropolitan Water District of Southern California State Legislative Matrix

August 20, 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

August 20, 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

August 20, 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

August 20, 2024 – Second Year of Legislative Session

<p>SB 1072 S. Padilla (D – San Diego)</p>	<p>Amended 6/17/2024 Assembly Floor</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>
--	--	--	--	---

Metropolitan Water District of Southern California State Legislative Matrix

August 20, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 1147 A. Portantino (D – Glendale)	Amended 6/19/2024 Assembly Appropriations Committee	<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, if Amended</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> <p>Metropolitan is working with the author to further amend the bill to ensure consistent standards in microplastics testing and to remove the date certain timeline</p>

Metropolitan Water District of Southern California State Legislative Matrix

August 20, 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>

Metropolitan Water District of Southern California State Legislative Matrix

August 20, 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 6/26/2024 Assembly Appropriations Committee	<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>



ACTION ITEM
September 4, 2024

TO: Board of Directors

FROM: **Planning & Operations Committee**
(Directors Seckel, Yoo Schneider, Dick)

Harvey De La Torre, General Manager

Staff Contact: Heather Baez

SUBJECT: ISDOC CALL FOR NOMINATIONS (ADOPT RESOLUTION)

COMMITTEE RECOMMENDATION

The Planning & Operations Committee (on September 3, 2024) is scheduled to review and discuss whether a member of the MWDOC Board would like to be nominated as a candidate for the ISDOC Executive Committee. In the event a Director is interested, the Board will need to adopt a Resolution in support of that candidacy.

SUMMARY

The Independent Special Districts of Orange County (ISDOC) is holding its bi-annual officer elections via mail in September and October 2024. An official Notice of Election & Call for Candidates was recently distributed to all member districts. That notice along with an election timeline is attached for your reference.

Per the ISDOC Bylaws, officials who wish to seek election/appointment as an officer of ISDOC must first secure from their district an official endorsement in the form of a Board Resolution. Thus, if a MWDOC Director seeks to be a candidate for the ISDOC Executive Committee for 2025-26, the MWDOC Board must endorse a director’s candidacy through Resolution of the Board.

President McVicker currently serves as First Vice President of ISDOC and he has expressed an interest in serving as President.

As outlined in the attached election timeline, nominations for the ISDOC Executive Committee close on September 13 and all Board resolutions must be received at that time. Ballots will be sent out via mail and email on September 16, and must be returned no later than October 25.

Budgeted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budgeted amount: N/A	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	

ALIGNMENT WITH BOARD STRATEGIC PRIORITIES

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

BOARD OPTIONS

Option #1 (The Committee Recommendation)

- The Planning & Operations Committee (on September 3, 2024) is scheduled to review and discuss whether a member of the MWDOC Board would like to be nominated as a candidate for the ISDOC Executive Committee. In the event a Director is interested, the Board will need to adopt a Resolution in support of that candidacy.

Fiscal Impact: None

Option #2

- Take no action

Fiscal Impact: None

List of Attachments/Links:

- ISDOC Call for Nominations
- 2024 Election Timeline
- Draft Resolution



August 5, 2024

PLEASE DISSEMINATE TO ALL BOARD MEMBERS

This email shall serve as official notice and call for candidates for the positions of President, First Vice President, Second Vice President, Third Vice President, Secretary and Treasurer on the Executive Committee of the Independent Special Districts of Orange County (ISDOC).

Terms of office are for two years, commencing on January 1, 2025.

The election will be by mail ballot and new officers will be announced at the October 2024 Quarterly Meeting. Ballots will be mailed to all regular ISDOC members in good standing on **Monday, September 16, 2024, and are due by Friday, October 25, 2024.**

Nominations will close on Friday, September 13, 2024. Any Board Member/Trustee of a regular ISDOC member agency is eligible for nomination to any of the open positions. Individuals who wish to be considered for a position should submit a letter of interest for that position, together with a resolution from their Board authorizing their candidacy.

Responsibilities of the positions are as follows:

PRESIDENT: The President is the chief executive officer of ISDOC. He or she presides at all meetings of the Board of Directors and the Executive Committee, appoints all committees, and represents ISDOC as its official spokesperson.

FIRST VICE PRESIDENT: The First Vice President chairs the Program Committee. Duties include planning the Quarterly Luncheon program, inviting and coordinating with the invited speaker, and in the absence of the President, shall perform all duties of the President.

SECOND VICE PRESIDENT: The Second Vice President chairs the Membership Committee. Duties include maintaining a list of current regular and associate members, follow up with any outstanding membership dues as needed, and in the absence of the President and First Vice President, shall perform all duties of the President.

THIRD VICE PRESIDENT: The Third Vice President chairs the Legislative Committee. Duties include providing a legislative update, making legislative position recommendations to the Executive Committee, and in the absence of the President, First Vice President, and Second Vice President, shall perform all duties of the President.

SECRETARY: The Secretary is responsible for all correspondence and the dissemination of information to members. Duties include preparing and distributing agendas and minutes for the Executive Committee meeting and editing and publishing the quarterly newsletter. All official correspondence to the members will be approved in advance by the President or President's designee.

TREASURER: The Treasurer maintains the complete financial records and bank accounts in the name of the Organization, and pays all bills duly approved by the Executive Committee, with a report to be presented to the membership at the Organizations next membership meeting.

Meetings of the Executive Committee are held virtually on the first Tuesday of each month at 7:30 a.m. Please see ISDOC website for details. <https://isdoc.net>

If you are seeking nomination to a position on the Executive Committee, please send your letter/email of interest and a copy of your Board's authorizing resolution to Heather Baez at hbaez@mwdoc.com. All nomination requests must be received by **Friday, September 13, 2024.**

If you have any questions about the any of the positions or the election process, please contact either Heather Baez at hbaez@mwdoc.com or Tina Dubuque at tdubuque@mwdoc.com.

Mailing Address

P.O. Box 20895
Fountain Valley, CA 92728

Meeting Location

MWDOC/OCWD
18700 Ward Street
Fountain Valley, CA 92708

(714) 963-3058
(714) 964-5930 fax

<https://isdoc.net>

Executive Committee

President
Hon. Greg Mills
Serrano Water District

1st Vice President
Hon. Bob McVicker
Municipal Water District of Orange County

2nd Vice President
Hon. Paul Mesmer
Surfside Colony Community Services District

3rd Vice President
Hon. Scott Nelson
Placentia Library District

Secretary
Vacant

Treasurer
Hon. Sandra Jacobs
Santa Margarita Water District

Immediate Past President
Hon. Mark Monin
El Toro Water District

Staff Administration

Heather Baez
Municipal Water District of Orange County

Tina Dubuque
Municipal Water District of Orange County



Mailing Address

P.O. Box 20895
Fountain Valley, CA 92728

Meeting Location

MWDOC/OCWD
18700 Ward Street
Fountain Valley, CA 92708

(714) 963-3058
(714) 964-5930 fax

<https://isdoc.net>

Executive Committee

President

Hon. Greg Mills
Serrano Water District

1st Vice President

Hon. Bob McVicker
Municipal Water District of Orange County

2nd Vice President

Hon. Paul Mesmer
Surfside Colony Community Services District

3rd Vice President

Hon. Scott Nelson
Placentia Library District

Secretary

Vacant

Treasurer

Hon. Sandra Jacobs
Santa Margarita Water District

Immediate Past President

Hon. Mark Monin
El Toro Water District

Staff Administration

Heather Baez

Municipal Water District of Orange County

Tina Dubuque

Municipal Water District of Orange County

Independent Special Districts of Orange County

2024 Election Timeline

August 5, 2024	Call for nominations sent out for the 2025-2026 Executive Committee officer positions. We are seeking candidates for President, 1 st Vice President, 2 nd Vice President, 3 rd Vice President, Secretary, Treasurer, Programs, membership and legislation to the 1 st , 2 nd , 3 rd VP.
September 13, 2024	The Nomination period for Executive Committee officer positions closed. Nominations should include the following: <ol style="list-style-type: none"> 1. Board Resolution authorizing your candidacy; 2. Position for which you are running; 3. What you will bring to ISDOC, and; 4. Introductory about yourself.
September 16, 2024	Ballots sent out – Via US mail and email.
October 25, 2024	Ballots are due – Via US mail or email to Heather Baez: P.O. Box 20895 Fountain Valley, CA 92728 or hbaez@mwdoc.com
October 30, 2024	The names of officers elected announced at ISDOC quarterly meeting.
January 1, 2025	Executive Committee officers begin new term.

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
NOMINATING DIRECTOR _____
TO THE OFFICE OF _____
ON THE INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY
EXECUTIVE COMMITTEE

WHEREAS, Municipal Water District of Orange County (MWDOC) is a member district of the Independent Special Districts of Orange County (ISDOC); and

WHEREAS, the bylaws of ISDOC provide that in order for a nomination to be made to ISDOC's Executive Committee, the official must first secure from his/her district an official endorsement of candidacy in the form of a board resolution; and

WHEREAS, the MWDOC Board of Directors has nominated Director _____ to the office of _____ on the ISDOC Executive Committee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Municipal Water District of Orange County that Director _____ is hereby nominated to serve as _____ on the ISDOC Executive Committee for the 2025-2026 term.

BE IT FURTHER RESOLVED the District Secretary is hereby directed to transmit a certified copy of this resolution to ISDOC.

Said Resolution was adopted, on roll call, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I hereby certify the foregoing is a true and correct copy of Resolution No. _____ adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on September 4, 2024.

ATTEST:

Maribeth Goldsby
District Secretary



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

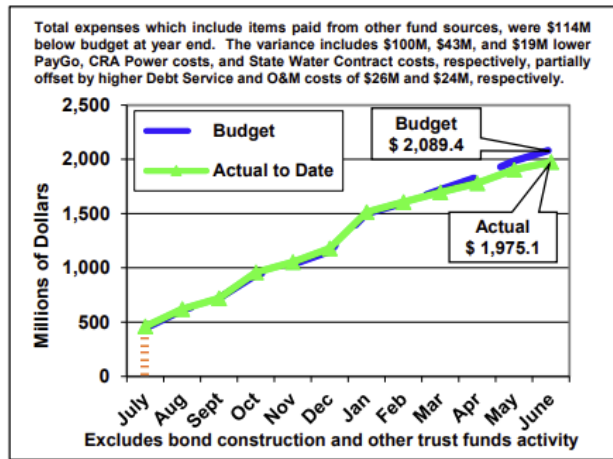
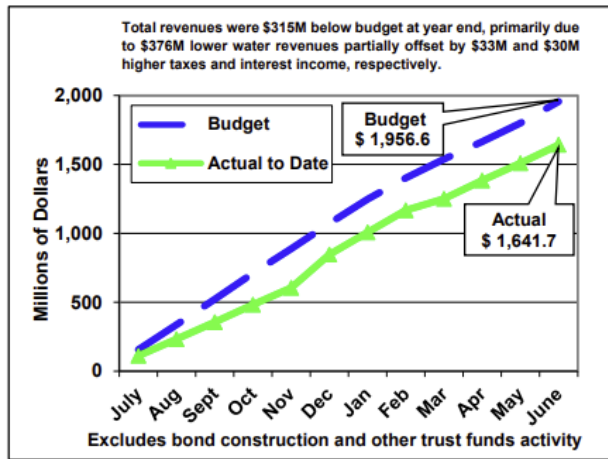
RECENT ACTIVITY

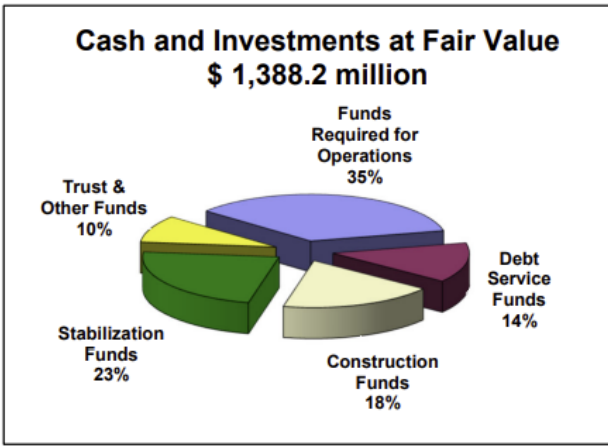
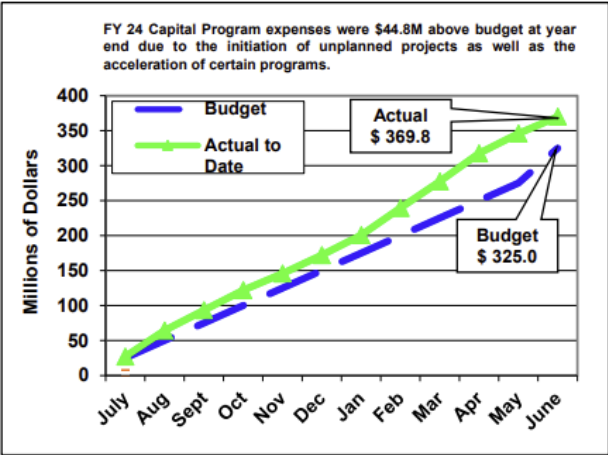
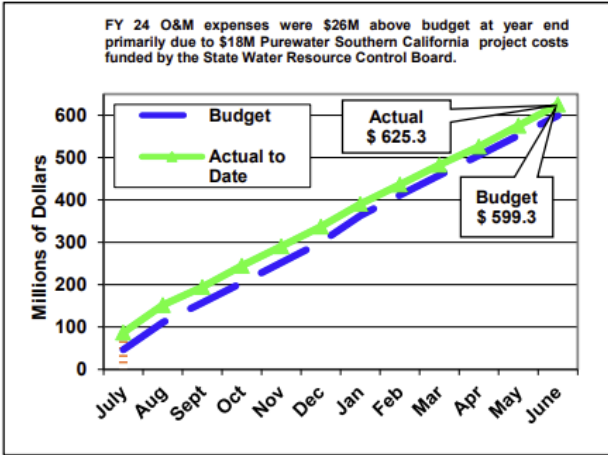
Water Transactions for September 2024 (for water delivered in July 2024) totaled 113.8 thousand acre-feet (TAF), which was 19.3 TAF lower than the budget of 133.1 TAF. FY24-25 Cash Water Transactions and Revenues Budget vs Actual are shown below.

Month		Acre-Feet (AF)		Variance		Revenue (\$)¹		Variance	
Delivered/ Billed In	To be Collected in	Budget	Actual	AF	%	Budget	Actual	AF	%
May	July	111,381	94,150	(17,231)	-15%	115,229,950	109,515,650	(5,714,300)	-5%
June	August	119,830	96,682	(23,148)	-19%	125,784,531	103,032,854	(22,751,677)	-18%
July	September	133,150	113,842	(19,308)	-15%	141,593,107	121,855,439	(19,737,668)	-14%
August	October	136,454			0%	145,228,729			0%
September	November	127,137			0%	133,654,533			0%
October	December	123,989			0%	128,484,039			0%
November	January	124,881			0%	125,600,359			0%
December	February	104,337			0%	103,142,117			0%
January	March	88,988			0%	94,892,283			0%
February	April	77,291			0%	81,729,932			0%
March	May	82,757			0%	87,971,710			0%
April	June	107,565			0%	116,249,283			0%
FY Total		1,337,760	304,674	(1,033,086)	-77%	1,399,560,573	334,403,943	(1,065,156,630)	-76%

¹ Reflects amount billed, not collected.

Metropolitan closed out its fiscal year in August, with preliminary financial results highlighted below.





Summary Financial Statistics

	Target	Year-End Actual
Fixed Charge Coverage	≥ 1.20 x	1.14
Revenue Bond Coverage (Aggregate)	> 2.00 x	1.14
Revenue Bond Debt / Equity Ratio	< 100.0%	52.1%

Senior Lien Revenue Bond Credit Ratings

	Target	Current
- Moody's Investors Service	Aa2	Aa1
- Fitch Ratings	AA	AA+
- Standard & Poor's	AA	AAA

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

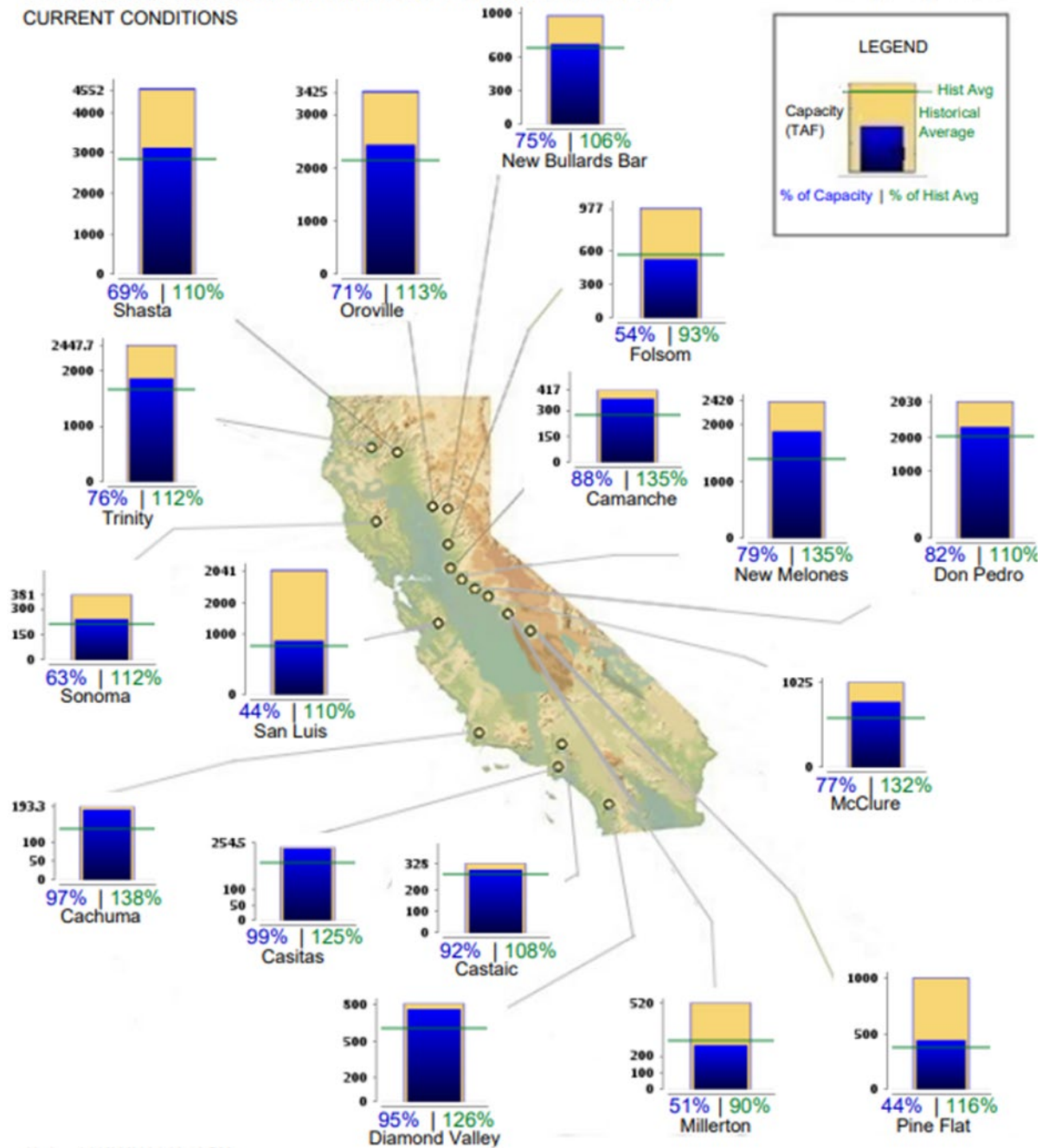
The 2023-24 Water Year (2023-24 WY) officially started on October 1, 2023. Thus far, Northern California accumulated precipitation (8-Station Index) reported **48.0 inches or 97% of normal** as of August 28th. The Northern Sierra Snow Water Equivalent peaked at **35.1 inches on April 2nd**, which is **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

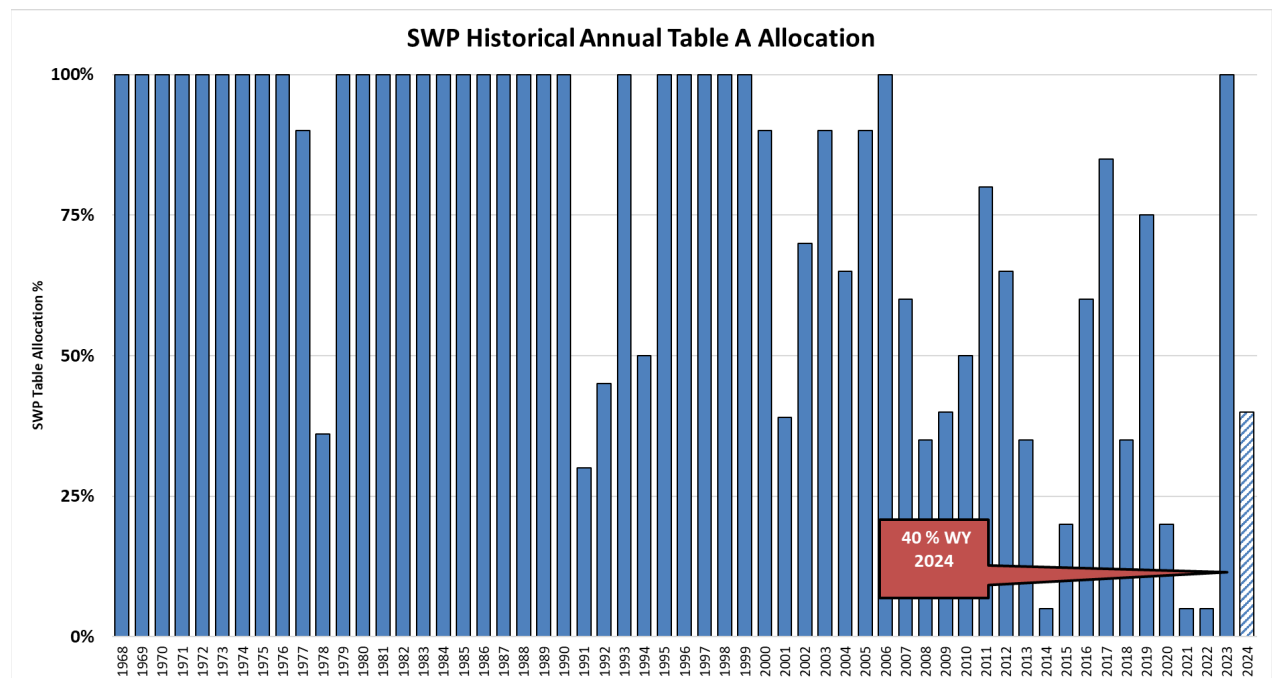
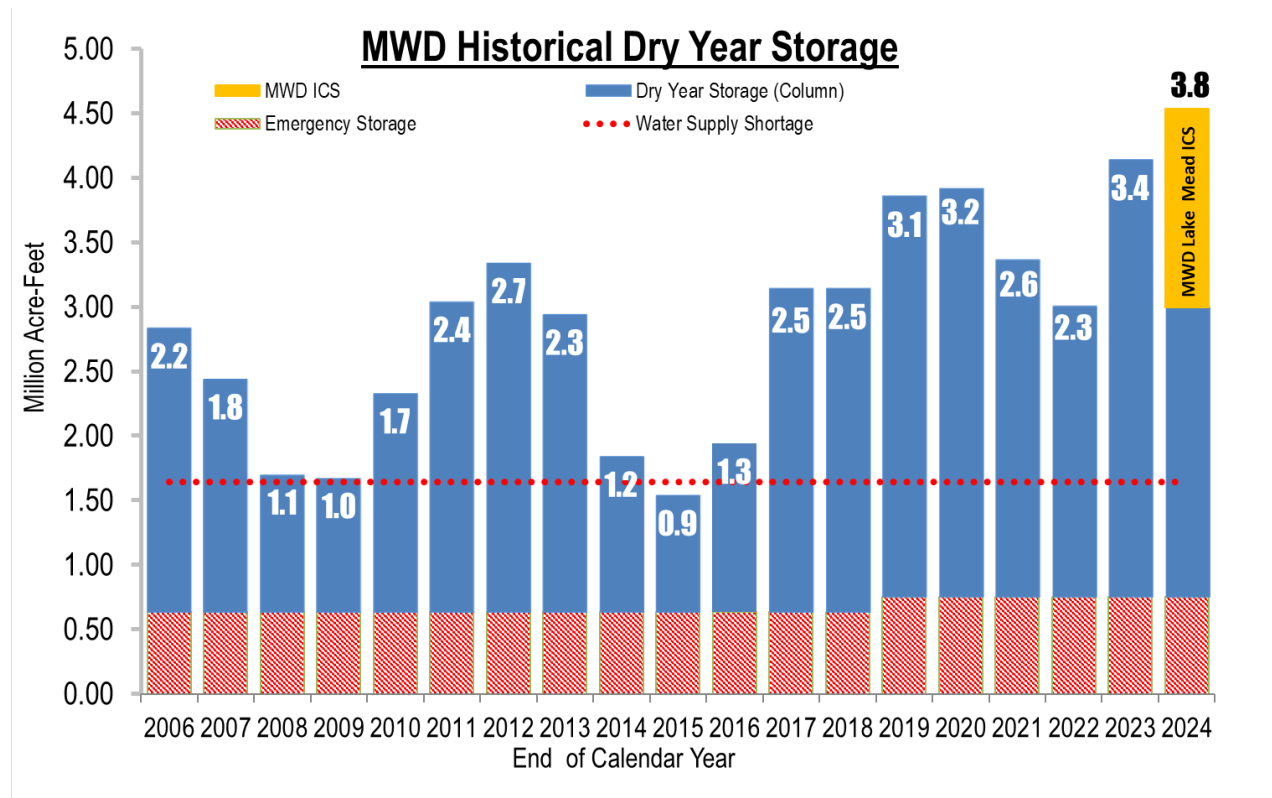
Midnight - August 21, 2024

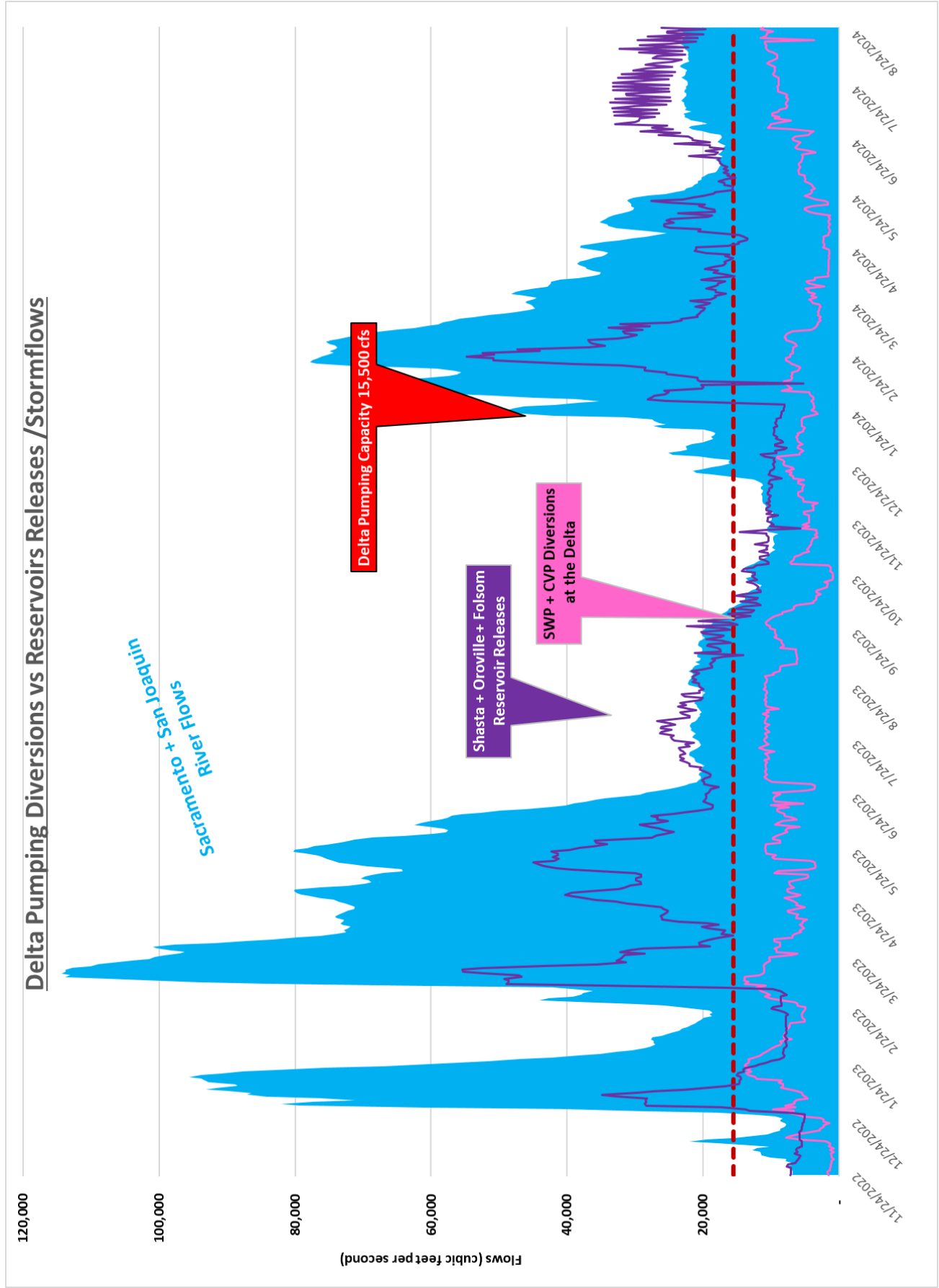


With Calendar Year (CY) 2024 estimated total demands and losses of 1.34 million acre-feet (MAF) and with a 40% SWP Table A Allocation, Metropolitan is projecting that supplies will exceed demand levels in CY 2024. Based on this, estimated total dry-year storage for Metropolitan at the end of **CY 2024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

A projected dry-year storage supply of **3.8 MAF would be approximately 2.7 MAF from a typical level where Metropolitan goes into Water Supply Allocations.** A large factor in maintaining a high water storage level is lower than expected water demands. We are seeing

regional water demands reaching a 40-year low. However, with a majority of MWD's water supplies stored in Lake Mead and with still a 5-year shortage projection at Lake Mead, there remains a lot of uncertainty to where supply balances will be in the future. 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.

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 fallowed in Palo Verde Valley for the following two years. This year, the call was for 100 percent of the lands to be fallowed 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
August 20, 2024**

CONSENT CALENDAR OTHER ITEMS - ACTION

Approved Commendatory Resolution for Director Judy Abdo representing City of Santa Monica. **(Agenda Item 6B)**

Approved Committee Assignments. **(Agenda Item 6C)**

Director Morris was appointed as a member of the Legislation and Communications Committee.

Director Gold was appointed as a member of the One Water and Stewardship Committee, Finance and Asset Management Committee, and Subcommittee on Long Term Regional Planning Processes and Business Modeling (CAMP4W Task Force).

Director Crawford was appointed as a member of the Engineering, Operations, and Technology Committee, Ad Hoc Committee on Bay-Delta Negotiations, and Subcommittee on Pure Water Southern California and Regional Conveyance.

CONSENT CALENDAR ITEMS – ACTION

Authorized on-call agreements with AECOM, RHA LLC, Strategic Value Solutions Inc., and Value Management Strategies Inc., in amounts not to exceed \$1.5 million each, for a maximum period of three years for value engineering and related technical services. **(Agenda Item 7-1)**

Authorized an agreement with Carollo Engineers Inc. for a not-to-exceed amount of \$1.3 million to perform owner’s advisor services for progressive design-build delivery of the Lake Mathews Pressure Control Structure and Electrical System Upgrades. **(Agenda Item 7-2)**

Authorized an increase of \$840,000 in change order authority for a new maximum change order authority of \$1,581,025 to an existing contract with Steve P. Rados for the installation of an isolation valve at the Wadsworth Pumping Plant Bypass Pipeline. **(Agenda Item 7-3)**

- a. Adopted the Mitigated Negative Declaration for the Inland Feeder-Foothill Pump Station Intertie Project and take related CEQA actions.
- b. Adopted a resolution to accept \$5 million in funding from the U.S. Bureau of Reclamation to support the Inland Feeder/San Bernardino Valley Municipal Water District Foothill Pump Station Intertie Project.
- c. Designated the Group Manager of Engineering Services to be the signatory to execute actions related to the funds.

- d. Appropriated \$5 million in funding from the U.S. Bureau of Reclamation for use on the Inland Feeder/San Bernardino Valley Municipal Water District Foothill Pump Station Intertie Project. **(Agenda Item 7-4)**

Amended an existing agreement with Procure America Inc. for a new annual maximum amount of \$340,000 per year for a new not-to-exceed amount of \$1.7 million over the term of the agreement for the audit of Metropolitan's telecommunications circuits. **(Agenda Item 7-5)**

Authorized a \$875,000 increase to an existing agreement with Computer Aid Incorporated to a new not-to-exceed amount of \$2,625,000 for staff augmentation support services for the operation and maintenance of the Metropolitan Cybersecurity Operations Center for an additional six months. **(Agenda Item 7-6)**

- a. Approved the draft of Appendix A (Attachment 1) attached to this board letter.
- b. Authorized the General Manager or other designee of the Ad Hoc Committee to finalize, with changes approved by the General Manager and General Counsel, Appendix A.
- c. Authorized distribution of Appendix A, finalized by the General Manager or other designee of the Ad Hoc Committee, in connection with the sale and/or remarketing of bonds. **Agenda Item 7-7)**

Reviewed and considered the Lead Agency's adopted Mitigation Negative Declaration and took related CEQA actions; and adopted resolution for the 115th Fringe Area Annexation to Eastern Municipal Water District and Metropolitan. **(Agenda Item 7-8)**

OTHER BOARD ITEMS - ACTION

Authorized the General Manager to enter into: (1) a forbearance agreement with Coachella Valley Water District, Imperial Irrigation District, Palo Verde Irrigation District, and the City of Needles to allow water conserved under the U.S. Bureau of Reclamation's conservation program to be added to Lake Mead; and (2) agreements with Imperial Irrigation District and San Diego County Water Authority under Reclamation's conservation program to add water conserved by Imperial Irrigation District to Lake Mead that would otherwise accrue to San Diego County Water Authority. **(Agenda Item 8-1)**

- a. Adopted the Twenty-Sixth Supplemental Resolution to the Master Bond Resolution authorizing the issuance of up to \$425 million of Water Revenue and Refunding Bonds, 2024 Series, and providing the terms and conditions for the sale and issuance of the Bonds; and
 - b. Approved approximately \$1.2 million for the payment of the costs of issuance of the Water Revenue Bonds to be paid from bond proceeds or Metropolitan funds. **(Agenda Item 8-2)**
-
- a. Adopted the resolution establishing the ad valorem property tax rate for fiscal year 2024/25 at 0.007 percent; and
 - b. Directed staff to transmit that resolution to the county auditor-controller, or equivalent, for the levy and collection of the ad valorem property tax. **(Agenda Item 8-3)**

Approved salary increase of 8.25 percent effective June 13, 2024, for Deven Upadhyay as Interim General Manager to reflect the added responsibilities and duties. **(Agenda Item 8-4)**

OTHER MATTERS - REPORT

Inducted Director Mark Gold from the City of Santa Monica

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>

Draft

September 9-10, 2024

Committee and Board

Meeting

Agenda Packet



The Metropolitan Water District of Southern California



Schedule of Meetings – September 2024

Monday, September 9

- 9:00 a.m. Engineering, Operations, and Technology Committee
- 11:15 a.m. Break
- 11:45 a.m. Legislation and Communications Committee
- 1:15 p.m. Legal and Claims Committee
- 2:15 p.m. One Water and Stewardship Committee

Tuesday, September 10

- 8:30 a.m. Ethics, Organization, and Personnel Committee
- 11:30 a.m. Break
- 12:00 p.m. Board of Directors Meeting

Tuesday, September 24

- 9:30 a.m. Subcommittee on Pure Water Southern California and Regional Conveyance
- 11:30 a.m. Break
- 12:00 p.m. Executive Committee
- 1:00 p.m. Equity, Inclusion, and Affordability Committee

Wednesday, September 25

- 9:30 a.m. Subcommittee on Long-Term Regional Planning Processes (CAMP4W Task Force)

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.

EOT Committee

D. Erdman, Chair
M. Camacho, Vice Chair
D. Alvarez
G. Bryant
J. Crawford
B. Dennstedt
S. Faessel
L. Fong-Sakai
R. Lefevre
J. McMillan
C. Miller
J. Morris
M. Petersen
K. Seckel
T. Smith

Engineering, Operations, and Technology Committee - Hidden

Meeting with Board of Directors *

September 9, 2024

9:00 a.m.

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: 862 4397 5848.

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](#).

**Monday, September 9, 2024
Meeting Schedule**

**09:00 a.m. EOT
11:15 a.m. Break
11:45 a.m. LEG
01:15 p.m. LEGAL
02:15 p.m. OWS**

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

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Engineering, Operations, and Technology Committee for August 19, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) **21-3727**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-1 Authorize an agreement with IDS Group Inc. in an amount not to exceed \$400,000, for design services to rehabilitate the heating, ventilation, and air conditioning system at Metropolitan Headquarters Building; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **[21-3721](#)**
- 7-2 Adopt the Mitigated Negative Declaration for the West Valley Feeder No. 1 Stage 3 Improvements Project and take related CEQA actions **[21-3724](#)**
- 7-3 Award a \$1,285,000 contract to Resource Environmental Incorporated for abatement and roof replacement of houses at four Colorado River Aqueduct Pumping Plant villages; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **[21-3725](#)**

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

4. OTHER BOARD ITEMS - ACTION

- 8-1 Authorize a \$40 million increase to an existing 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (This action is part of a series of projects that are being undertaken to improve the supply reliability for State Water Project dependent areas.) **[21-3722](#)**
- 8-2 Authorize an amended and restated agreement with the Los Angeles County Sanitation District for shared implementation of the advanced water purification facility for Pure Water Southern California; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA **[21-3723](#)**

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. Capital Investment Plan quarterly report for period ending June 2024 **21-3730**
- b. Quarterly Cybersecurity Update **21-3731**
[Conference with Metropolitan Director of Info Tech Services, Information Technology, Jacob Margolis, or designated agents on threats to public services or facilities; to be heard in closed session pursuant to Gov. Code Section 54957(a)]

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. Engineering Services activities **21-3728**
Information Technology activities
Water System Operations activities

8. SUBCOMMITTEE REPORTS AND DISCUSSION

- a. Discuss and provide direction to Subcommittee on Pure Water Southern California and Regional Conveyance **21-3729**

9. FOLLOW-UP ITEMS

NONE

10. FUTURE AGENDA ITEMS**11. ADJOURNMENT**

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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.

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.

LEG Committee

F. Jung, Chair
A. Kassakhian, Vice Chair
L. Ackerman
B. Dennstedt
A. Fellow
J. Garza
G. Gray
J. Lewitt
M. Luna
J. McMillan
J. Morris
T. Phan
B. Pressman
M. Ramos
T. Smith

Legislation and Communications Committee - Hidden

Meeting with Board of Directors *

September 9, 2024

11:45 a.m.

**Monday, September 9, 2024
Meeting Schedule**

**09:00 a.m. EOT
11:15 a.m. Break
11:45 a.m. LEG
01:15 p.m. LEGAL
02:15 p.m. OWS**

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: 873 4767 0235.

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: 876 9484 9772 or to join by computer [click here](#).

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

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the minutes of the Legislation and Communications Committee for August 19, 2024 (copies have been submitted to each Director, any additions, corrections, or omissions) **21-3761**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-6 Express support for Proposition 4, The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-3760](#)

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. Update on Water Conservation Advertising **21-3785**
- b. Report on Activities from Sacramento **21-3763**

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. External Affairs activities **21-3762**

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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.

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.

L&C Committee

M. Luna, Chair
J. Garza, Vice Chair
M. Camacho
G. Cordero
L. Dick
C. Douglas
A. Fellow
C. Kurtz
T. McCoy
C. Miller
M. Ramos
K. Seckel

Legal and Claims Committee - Hidden

Meeting with Board of Directors *

September 9, 2024

1:15 p.m.

**Monday, September 9, 2024
Meeting Schedule**

**09:00 a.m. EOT
11:15 a.m. Break
11:45 a.m. LEG
01:15 p.m. LEGAL
02:15 p.m. OWS**

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: 862 4397 5848.

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

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

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

2. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- A. General Counsel's report of monthly activities 21-3782

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

3. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Legal and Claims Committee for August 19, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) 21-3783

4. CONSENT CALENDAR ITEMS - ACTION

NONE

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

5. OTHER BOARD ITEMS - ACTION

- 8-3 Report on litigation in Darren A. Reese v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2204312; and authorize increase in the maximum amount payable under a contract for legal services with Seyfarth Shaw LLP in the amount of \$TBD for a total amount not to exceed \$TBD; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] [21-3787](#)

- 8-4 Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan’s CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize an increase in the maximum amount payable under contract with [CONSULTANT/LAW FIRM], for legal services by \$TBD to an amount not-to-exceed \$TBD; and authorize an increase in the maximum amount payable under contract with [CONSULTANT], for consulting services by \$TBD to an amount not-to-exceed \$TBD; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] [21-3805](#)

6. BOARD INFORMATION ITEMS

NONE

7. COMMITTEE ITEMS

- a. Report on litigation in San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., San Francisco County Superior Court Case Nos. CPF-10-510830, CPF-12-512466, CPF-14-514004, CPF-16-515282, CPF-16-515391, CGC-17-563350, and CPF-18-516389; the appeals of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901, A148266, A161144, and A162168, and California Supreme Court Case No. S243500; the petition for extraordinary writ in the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case No. A155310; the petition for extraordinary writ in the second 2016 action, Court of Appeal for the First Appellate District Case No. A154325 and California Supreme Court Case No. S251025; the Metropolitan Water District of Southern California v. San Diego County Water Authority cross-complaints in the 2014, 2016, and 2018 actions; and the appeals of the 2014, 2016, and 2018 actions, Court of Appeal for the First Appellate District Case No. A170156; including report on discussions regarding potential settlement of the 2014, 2016, and 2018 actions, including the cross-complaints and appeals, San Francisco County Superior Court Case Nos. CPF-14-514004, CPF-16-515282, and CPF-18-516389 and Court of Appeal for the First Appellate District Case No. A170156; [Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] **21-3784**

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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.

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.

OW&S Committee

T. Quinn, Chair
S. Faessel, Vice Chair
L. Ackerman
D. Alvarez
J. Armstrong
G. Cordero
D. De Jesus
D. Erdman
L. Fong-Sakai
M. Gold
S. Goldberg
C. Kurtz
R. Lefevre
J. Lewitt
C. Miller
B. Pressman
N. Sutley

One Water and Stewardship Committee - Hidden

Meeting with Board of Directors *

September 9, 2024

2:15 p.m.

**Monday, September 9, 2024
Meeting Schedule**

**09:00 a.m. EOT
11:15 a.m. Break
11:45 a.m. LEG
01:15 p.m. LEGAL
02:15 p.m. OWS**

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: 873 4767 0235.

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: 876 9484 9772 or to join by computer [click here](#).

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

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the One Water and Stewardship Committee for August 19, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) **21-3736**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-4 Authorize 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-3732](#)

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

- 9-2 Proposed Modifications to the Reverse Cyclic Program [21-3734](#)
- 9-3 Information on Approaches for Securing Dry-Year Water Transfers [21-3780](#)

6. COMMITTEE ITEMS

- a. Update on Webb Tract Rice Development and Wetland Restoration Projects **21-3742**
- b. Update on Conservation as a California Way of Life **21-3743**
- c. Update on Conservation **21-3744**
- d. Update On State Water Project Overview **21-3781**

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. Bay-Delta Resources activities **21-3737**
 Colorado River Resources activities
 Sustainability, Resilience and Innovation activities
 Water Resource Management activities

8. COMMITTEE REPORTS

- a. Report on the Delta Conveyance Design and Construction Authority Meeting **21-3738**
- b. Report on Delta Conveyance Finance Authority Meeting **21-3739**
- c. Report on the Bay-Delta Ad Hoc Meeting **21-3740**

9. SUBCOMMITTEE REPORTS AND DISCUSSION

- a. Discuss and provide direction to Subcommittee on Demand Management and Conservation Programs and Priorities **21-3741**

10. FOLLOW-UP ITEMS

NONE

11. FUTURE AGENDA ITEMS

12. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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.

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.

EO&P Committee

B. Pressman, Chair
T. Phan, Vice Chair
G. Bryant
M. Camacho
G. Cordero
C. Douglas
D. Erdman
S. Faessel
L. Fong-Sakai
F. Jung
A. Kassakhian
J. McMillan
M. Ramos
N. Sutley

Ethics, Organization, and Personnel Committee - Hidden

Meeting with Board of Directors *

September 10, 2024

8:30 a.m.

Tuesday, September 10,
2024

08:30 a.m. EOP
11:30 a.m. Break
12:00 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: 873 4767 0235.

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: 876 9484 9772 or to join by computer [click here](#).

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

* The Metropolitan Water District's meeting of this Committee is noticed as a joint committee meeting with the Board of Directors for the purpose of compliance with the Brown Act. Members of the Board who are not assigned to this Committee may participate as members of the Board, whether or not a quorum of the Board is present. In order to preserve the function of the committee as advisory to the Board, members of the Board who are not assigned to this Committee will not vote on matters before this Committee.

- 1. Opportunity for members of the public to address the committee on matters within the committee's jurisdiction (As required by Gov. Code Section 54954.3(a))**

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

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Ethics, Organization, and Personnel Committee for August 20, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) **21-3745**

3. CONSENT CALENDAR ITEMS - ACTION

- 7-5 Approve Employee Salary Schedule Pursuant to CalPERS Regulations [CEQA] [21-3748](#)

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

4. OTHER BOARD ITEMS - ACTION

NONE

5. BOARD INFORMATION ITEMS

NONE

6. COMMITTEE ITEMS

- a. PLACEHOLDER: Response to Public Comment **21-3803**

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. Ethics Officer's report on monthly activities **21-3746**
- b. Equal Employment Opportunity activities **21-3747**
Human Resources activities
Safety, Security, and Protection activities

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

NOTE: This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Committee agendas may be obtained on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

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.

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

September 10, 2024

12:00 PM

Tuesday, September 10, 2024 Meeting Schedule
08:30 a.m. EOP 11:30 a.m. Break 12:00 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: TBD
- b. Pledge of Allegiance: TBD

2. Roll Call

3. Determination of a Quorum

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

5. OTHER MATTERS AND REPORTS

- A. Report on Directors' Events Attended at Metropolitan's Expense 21-3713

- | | | |
|-----------|--|----------------|
| B. | Chair's Monthly Activity Report | 21-3714 |
| C. | Interim General Manager's summary of activities | 21-3715 |
| D. | General Counsel's summary of activities | 21-3716 |
| E. | General Auditor's summary of activities | 21-3717 |
| F. | Ethics Officer's summary of activities | 21-3718 |
| G. | Presentation of 5-year Service Pin to Director Tracy Quinn, City of Los Angeles | 21-3771 |
| H. | Presentation of Commendatory Resolution for Director Judy Abdo representing City of Santa Monica | 21-3786 |

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

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- | | | |
|-----------|---|----------------|
| A. | Approval of the Minutes of the Board of Directors Meeting for August 20, 2024 (Copies have been submitted to each Director, any additions, corrections, or omissions) | 21-3719 |
| B. | Approve Committee Assignments | |

7. CONSENT CALENDAR ITEMS - ACTION

- | | | |
|------------|--|--------------------------------|
| 7-1 | Authorize an agreement with IDS Group Inc. in an amount not to exceed \$400,000, for design services to rehabilitate the heating, ventilation, and air conditioning system at Metropolitan Headquarters Building; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) | <u>21-3721</u> |
| 7-2 | Adopt the Mitigated Negative Declaration for the West Valley Feeder No. 1 Stage 3 Improvements Project and take related CEQA actions (EOT) | <u>21-3724</u> |
| 7-3 | Award a \$1,285,000 contract to Resource Environmental Incorporated for abatement and roof replacement of houses at four Colorado River Aqueduct Pumping Plant villages; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EOT) | <u>21-3725</u> |

- 7-4** Authorize 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OWS) [21-3732](#)
- 7-5** Approve Employee Salary Schedule Pursuant to CalPERS Regulations [CEQA] (EOP) [21-3748](#)
- 7-6** Express support for Proposition 4, The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (Leg) [21-3760](#)

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

8. OTHER BOARD ITEMS - ACTION

- 8-1** Authorize a \$40 million increase to an existing 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; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (This action is part of a series of projects that are being undertaken to improve the supply reliability for State Water Project dependent areas.) (EOT) [21-3722](#)
- 8-2** Authorize an amended and restated agreement with the Los Angeles County Sanitation District for shared implementation of the advanced water purification facility for Pure Water Southern California; the General Manager has determined that the proposed actions are exempt or otherwise not subject to CEQA (EOT) [21-3723](#)
- 8-3** Report on litigation in Darren A. Reese v. Metropolitan Water District of Southern California, Riverside County Superior Court Case No. CVPS2204312; and authorize increase in the maximum amount payable under a contract for legal services with Seyfarth Shaw LLP in the amount of \$TBD for a total amount not to exceed \$TBD; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel – existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] (LC) [21-3787](#)

- 8-4** Report on Baker Electric, Inc. v. Metropolitan Water District of Southern California, et al., (Los Angeles Superior Court Case No. 21STCV15612) regarding Metropolitan's CRA 6.9 kV Power Cables Replacement Project, Contract No. 1915; authorize an increase in the maximum amount payable under contract with [CONSULTANT/LAW FIRM], for legal services by \$TBD to an amount not-to-exceed \$TBD; and authorize an increase in the maximum amount payable under contract with [CONSULTANT], for consulting services by \$TBD to an amount not-to-exceed \$TBD; the General Manager has determined the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(1)] (LC) [21-3805](#)

9. BOARD INFORMATION ITEMS

- 9-1** Conservation Report [21-3720](#)
- 9-2** Proposed Modifications to the Reverse Cyclic Program (OWS) [21-3734](#)
- 9-3** Information on Approaches for Securing Dry-Year Water Transfers (OWS) [21-3780](#)

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.