

I hereby certify that the following agenda was posted at least 72 hours prior to the time of the meeting so noticed below at 24251 Los Alisos Boulevard, Lake Forest, California.



DENNIS P. CAFFERTY, Secretary of the El Toro Water District and the Board of Directors thereof



AGENDA
EL TORO WATER DISTRICT
REGULAR MEETING OF THE
BOARD OF DIRECTORS
AND
PUBLIC HEARING

August 27, 2020

7:30 a.m.

This Meeting is being conducted in accordance with Governor Newsom's Executive Order N-29-20 (Paragraph 3) and the conditions specified therein which waive certain provisions of the Brown Act.

In an effort to protect public health and prevent the spread of COVID-19 (Coronavirus), and in accordance with the Governor's Executive Order N-29-20, **there will be no public location for attending in person.**

The Order allows all Board Members to participate telephonically in the Meeting from remote locations. As such, Directors Monin, Gaskins, Vergara, Freshley and Havens will be participating telephonically.

Members of the public who wish to comment on any item within the jurisdiction of the District or on any item on the agenda, may observe and address the Meeting by joining at this link: <https://us02web.zoom.us/j/84087757425>. (Meeting ID: 840 8775 7425).

Members of the public who wish only to listen to the telephonic meeting may dial in at the following numbers (669) 900-6833 or (346) 248-7799 with the same Meeting ID noted above. Please be advised the Meeting is being recorded.

CALL MEETING TO ORDER – President Monin

PLEDGE OF ALLEGIANCE – President Monin

ORAL COMMUNICATIONS/PUBLIC COMMENTS

Members of the public may address the Board at this time or they may reserve this opportunity with regard to an item on the agenda, until said item is discussed by the Board. Comments on other items will be heard at the time set aside for “COMMENTS REGARDING NON-AGENDA ITEMS.” The public may identify themselves when called on and limit their comments to three minutes.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize items 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 of those members present.)

1. ETWD’S Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1 (Reference Material Included)

Staff will review and comment on the necessity and process to replace the District's Waste Discharge Pretreatment and Source Control Program Ordinance 2015-2 with Pretreatment Ordinance No. 2020-1.

OPEN PUBLIC HEARING

2. Public Hearing Regarding Adoption of ETWD’s Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1 (Reference Material Included)

At this time the Board will conduct a Public Hearing to receive and consider public comments regarding adoption of ETWD’s Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1.

PUBLIC COMMENT

The Public will be invited to comment on ETWD’s Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1.

CLOSE PUBLIC HEARING

The Board President will close the Public Hearing at this time.

REGULAR SESSION

3. **Resolution No. 20-8-1 Adopting ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1** (Reference Material Included)

The Board will review Resolution No. 20-8-1 and consider taking action on same.

Recommended Action: The Board will consider adopting Resolution No. 20-8-1 which resolution adopts ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1 effective August 27, 2020.

RESOLUTION NO. 20-8-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING ETWD'S WASTE DISCHARGE
PRETREATMENT AND SOURCE CONTROL
PROGRAM ORDINANCE NO. 2020-1
WHICH REPLACES EL TORO WATER DISTRICT'S
PRETREATMENT ORDINANCE NO. 2015-2
IN IT'S ENTIRETY

4. **CONSENT CALENDAR**

(All matters under the Consent Calendar will be approved by one motion unless a Board member or a member of the public requests separate action or discussion on a specific item)

- a. Consider approving the minutes of the July 23, 2020 Board meeting (Minutes Included)

Recommended Action: The Board will be requested to approve the subject minutes.

APPROVAL OF ITEMS REMOVED FROM TODAY'S CONSENT CALENDAR

The Board will discuss items removed from today's Consent Calendar requiring further discussion.

Recommended Action: The Board will be requested to approve the items removed from today's Consent Calendar.

5. **Director Reports for Meetings Attended** (Oral Report)

GENERAL MANAGER ACTION ITEMS

6. **COVID-19 Update** (Reference Material Included)

Staff will provide an update on the status of the District response to the COVID-19 pandemic. Staff will provide a further update on the utilization of the Emergency Administrative Leave originally authorized at the March 23, 2020 Board Meeting and extended at the April 23, 2020, May 28, 2020, June 25, 2020, and July 23 Board Meetings. The Employee Handbook, as amended, authorizes 160 hours per employee and requires Board approval for extensions of Emergency Administrative Leave.

Recommended Action: Staff recommends the Board of Directors grant the General Manager discretion to extend the use of Emergency Administrative Leave, as necessary up to 160 hours per employee, until the September 24, 2020 meeting of the Board of Directors.

7. **Resolution No. 20-8-2 Biennial Review of Conflict of Interest Code** (Reference Material Included)

The Political Reform Act (“Act”), Government Code Section 81000 et seq., requires that the District review its Conflict of Interest Code every even numbered year to determine if there is a need to amend the Code, the Designated Positions, and/or the Designated Categories.

Staff has reviewed the current Conflict of Interest Code and recommends amendments by adopting Resolution No. 20-8-2.

Recommended Action: Staff recommends that the Board of Directors 1) approve and adopt Resolution No. 20-8-2, and 2) authorize the Recording Secretary to disclose to the County Board of Supervisors Office using e-Disclosure that the District’s Conflict of Interest will be amended in 2020.

RESOLUTION NO. 20-8-2
OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING A NINTH AMENDED
CONFLICT OF INTEREST CODE

8. **Resolution No. 20-8-3 Nominating Director Monin on the ISDOC Executive Committee** (Reference Material Included)

Staff will review and comment on the 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). Resolution No. 20-8-3 nominates Director Monin to hold the following position: President on the ISDOC Executive Committee. Nominations are due on or before September 11, 2020.

Recommended Action: Staff recommends that the Board of Directors adopt Resolution No. 20-8-3, which nominates Director Monin to hold the following position: President on the ISDOC Executive Committee. Staff further recommends that the Board of Directors direct the District's General Manager/Secretary to forward Director Monin's "Letter of Interest" and said Resolution to Heather Baez at MWDOC.

RESOLUTION NO. 20-8-3
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
NOMINATING DIRECTOR MONIN
TO THE FOLLOWING POSITION:
PRESIDENT ON THE ISDOC EXECUTIVE COMMITTEE

GENERAL MANAGER INFORMATION ITEMS

9. General Manager's Monthly Report (Report Included)

Staff will review and comment on the General Manager's Monthly Report.

10. Legislative Reports (Reference Materials Included)

Staff and General Counsel will review and comment on the Legislative reports.

11. Public Education and Outreach & Water Conservation Reports
(Reference Material Included)

12. SOCWA Reports (Reference Material Included)

- a. SOCWA Finance Committee Meeting – August 4, 2020
- b. SOCWA Board Meeting – August 6, 2020
- c. SOCWA Managers Meeting – August 11, 2020
- d. SOCWA Engineering Committee Meeting – August 13, 2020
- e. SOCWA Finance Committee Meeting – August 25, 2020

13. Municipal Water District Of Orange County (MWDOC) Report
(Reference Material Included)

- a. MWDOC Planning & Operations – August 3, 2020
- b. MWDOC/MET Directors Workshop – August 5, 2020
- c. MWDOC Public Affairs & Legislation – August 10, 2020
- d. MWDOC Special Board Meeting – August 10, 2020
- e. MWDOC Administration & Finance Committee – August 12, 2020
- f. MWDOC Special Board Meeting – August 14, 2020

- g. MWDOC Board Meeting – August 19, 2020
- h. MWDOC Managers Meeting – August 20, 2020

14. Local Agency Formation Commission (LAFCO) Report

- a. Report on the August 12, 2020 meeting.

15. South Orange County Watershed Management Area (SOCWMA) Management and/or Executive Committee Report

- a. Report on the August 6, 2020 Executive Committee meeting.

16. ISDOC Meetings (Reference Material Included)

- a. Report on the August 4, 2020 ISDOC Executive Committee meeting.

17. WACO Meetings (Reference Material Included)

- a. Report on the August 7, 2020 WACO Meeting
- b. Report on the August 18, 2020 WACO Planning Committee meeting

18. City Coordination Efforts

- a. Report on the August 26, 2020 City of Lake Forest Quarterly Utility Coordination Meeting.

COMMITTEE AND GENERAL INFORMATION

19. Dates to Remember for August/September 2020 (Reference Material Included)

COMMENTS REGARDING NON-AGENDA ITEMS

ATTORNEY REPORT

CLOSED SESSION

At this time the Board will go into Closed Session as follows:

1. At this time, the Board will go into Closed Session pursuant to Government Code Section 54956.9 (d) (1) to consult with legal counsel and staff on a matter of pending litigation. *El Toro Water District v. Rossmoor Sanitation, Inc et al and Does 1through 50 inclusive- Orange County Superior Court- Case No. 30-2020-01152257-CU-OR—CJC.*
2. At this time, the Board will go into Closed Session pursuant to Government Code Section 54956.9 (d) (1) to consult with legal counsel and staff on a matter of pending litigation. [Class Action] *Kessner et al. v. City of Santa Clara, et al. (Santa Clara County Superior Court - Case No. 20 CV 364054).*

3. At this time the Board will go into Closed Session pursuant to Government Code Section 54956.9 (d) (1) to consult with legal counsel and staff on a matter of pending litigation. *The People of the State of California, acting by and through the Department of Transportation. Plaintiff, vs. Laguna Hills Investment Company, L.P., a Delaware Limited Liability Company, et al., inclusive of El Toro Water District and Does 1 through 20, inclusive. Defendants- Orange County Superior Court- Case No. 30-2020-01140132-CU-EI-CXC.*

REGULAR SESSION

REPORT ON CLOSED SESSION (Legal Counsel)

Mr. Granito will provide an oral report on the Closed Session.

ADJOURNMENT TO 7:30 a.m., Thursday, September 24, 2020

The agenda material for this meeting is available to the public at the District's Administrative Office, which is located at 24251 Los Alisos Blvd., Lake Forest, Ca. 92630. If any additional material related to an open session agenda item is distributed to all or a majority of the board of directors after this agenda is posted, such material will be made available for immediate public inspection at the same location.

Request for Disability-Related Modifications or Accommodations

If you require any disability-related accommodation, including auxiliary aids or services, in order to participate in this public meeting, please telephone the District's Recording Secretary, Polly Welsch at (949) 837-7050, extension 225 at least forty-eight (48) hours prior to said meeting. If you prefer, your request may be submitted in writing to El Toro Water District, P.O. Box 4000, Laguna Hills, California 92654, Attention: Polly Welsch.



STAFF REPORT

TO: BOARD OF DIRECTORS

MEETING DATE: August 27, 2020

FROM: Dennis Cafferty, General Manager

SUBJECT: ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1

SOCWA member agencies operate their individual Waste Discharge Pretreatment and Source Control Programs under the umbrella of SOCWA's Pretreatment Program and SOCWA's National Pollutant Discharge Elimination System (NPDES) Permit. The Regional Water Quality Control Board periodically performs Pretreatment Compliance Audits (PCAs) in conformance with NPDES requirements. In December of 2018, the California Regional Water Quality Control Board, San Diego Region, conducted a PCA on the SOCWA industrial pretreatment program with a report issued in November of 2019. The report requires certain updates to the Pretreatment Ordinance of SOCWA as well as the Pretreatment Ordinances of the SOCWA member agencies.

The PCA required updates to the District's Pretreatment Ordinance include the following:

- Addition of a term regarding "Indirect Discharge"
- Amendment of terms regarding "National Pretreatment Standards" and "Slug Discharge"
- Addition of references to the Enforcement Response Plan
- Modification of language regarding Self Monitoring and Reporting to be more consistent with Federal Regulations

The District is further amending the Pretreatment Ordinance to add a definition of terms for "Dry Weather Nuisance Flow" and "Non-Stormwater Discharge" and modify the term for "Stormwater" to maintain consistency with the SOCWA Pretreatment Ordinance. Staff also performed a review of the existing Pretreatment Ordinance and made certain other updates to make the Ordinance consistent with current practice and terminology.

The revisions to the Pretreatment Ordinance are necessary to maintain the Pretreatment Program in compliance with federal and State regulations. The redline document identifying the proposed changes to the El Toro Water District Pretreatment Ordinance is attached.

EL TORO WATER DISTRICT
WASTE DISCHARGE PRETREATMENT
AND
SOURCE CONTROL PROGRAM

An Ordinance of
Regulations for the Discharge of
Wastewater to Sewerage Facilities of the
El Toro Water District Service Area

ORDINANCE
~~2015-2~~2020-1

Prepared by the
Operations Department
El Toro Water District
and
Industrial Waste Division
South Orange County Wastewater Authority

~~2015~~2020

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THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT DOES ORDAIN AS FOLLOWS:

**ARTICLE 1
GENERAL PROVISIONS**

101 INTRODUCTION

- A. The El Toro Water District ("ETWD") was organized in September, 1960 by authority of the California Water District Law (Section 34000 of the Water Code of the State of California). The ETWD is governed by a seven-five member Board of Directors (Board) elected from the qualified voters in the service area. The ETWD provides water distribution and wastewater collection and treatment services to residential and commercial establishments in portions of the cities of Aliso Viejo, Laguna Hills, ~~Laguna Woods~~, Lake Forest and Mission Viejo and all of the City of Laguna Woods. Water is imported to the ETWD through the Allen McColloch pipeline and wastewater is treated at the ETWD's ~~Wastewater Reclamation~~ Water Recycling Plant. ~~The ETWD is involved in two wastewater irrigation programs delivers tertiary treated recycled water to landscape irrigation customers in its service area;~~ unused wastewater is discharged to the ocean via the South Orange County Wastewater Authority's (SOCWA) Aliso Creek Ocean Outfall.
- B. SOCWA is governed by its own Board of Directors with each director representing a member agency (MA). MAs join together in various project committees to construct and operate joint sewerage facilities. The SOCWA Ocean Outfalls are the key facilities in the SOCWA system. Treated wastewater is discharged to the outfalls from SOCWA and the ETWD's wastewater treatment plants.
- C. SOCWA is the lead agency responsible for the implementation of the provisions contained in this ordinance. The ETWD, a MA of SOCWA may opt to administer and enforce these provisions under SOCWA's oversight, or may contract with SOCWA to have these services provided directly to the ETWD. An interagency agreement has been adopted between the ETWD and SOCWA that defines each agency's duties and responsibilities. This interagency agreement is on file at the ETWD and SOCWA offices.

102 OBJECTIVES

- A. The objectives of this ordinance are to:
 - 1. Ensure compliance with various regulatory agencies and the National Pollutant Discharge Elimination System (NPDES) Requirements.
 - 2. Prevent the introduction of pollutants that may cause interference of sewerage facility operations.
 - 3. Identify the goals, objectives and procedures for complying with federal pretreatment standards.
 - 4. Prevent biosolids contamination.
 - 5. Promote the opportunity to recycle and reclaim wastewaters or biosolids from sewerage facilities.
 - 6. Encourage waste minimization and material substitution by users.
 - 7. Protect sewerage facility employees and the general public who may be affected by wastewater, biosolids and chemical hazards.
 - 8. Encourage the reuse, recycling and reduction of water, wastewater or solids that are discharged to sewerage facilities.
 - 9. Minimize the discharge of volatile organic compounds that could individually or collectively contribute to a decrease in the quality of air emission from sewerage facilities.
 - 10. Establish an effective monitoring program for the control of user discharges to sewerage facilities.
 - 11. Establish an enforcement response plan (ERP) to help ensure consistent application of the provisions of this Ordinance.
 - 12. Equitably distribute costs.

102 OBJECTIVES (cont)

13. Prevent the introduction of pollutants into sewerage facilities that may pass through a sewerage facility, inadequately treated, into the receiving waters, or otherwise be incompatible with sewerage facilities.
14. Incorporate the necessary laws and regulations in order to implement and enforce federal, State of California (State), ETWD and SOCWA standards.
15. Seek to identify users that discharge or have the potential to discharge toxic pollutants, non-compatible or excessive amounts of compatible wastes to sewerage facilities.

103 PURPOSE

A. The purpose of this ordinance is to:

1. Provide for the maximum public benefit from the use of ETWD sewerage facilities. This is accomplished by regulating the use of sewerage facilities and wastewater discharges by providing equitable distribution of costs in compliance with applicable state and federal regulations and by providing procedures that will allow the ETWD to comply with requirements placed upon it by other regulatory agencies. Any revenues derived from the application of this ordinance may be used to recover the cost of providing services by the ETWD which includes but are not limited to administration, monitoring, and enforcement.
2. Comply with federal and state regulations which allow the ETWD to meet applicable standards for the final effluent and ocean outfall quality. This ordinance establishes quality and quantity limitations on all wastewater discharges whether or not the discharges adversely affect ETWD's sewerage facilities, processes, ocean outfall effluent quality, or inhibit ETWD's ability to meet its specific discharge limitations. It is the intent of this ordinance to improve the quality of wastewater being received for treatment and to encourage water conservation by all users connected to a sewerage facility. It is the ETWD's intent to discourage the increase in quantity (mass emission) of waste constituents being discharged. This ordinance also imposes pretreatment requirements on the degree of waste authorized to be discharged to the ETWD's sewerage facilities; provides for the issuance of wastewater discharge permits or other controlling mechanism to impose additional case-by-case requirements, as appropriate, and establishes fees and other penalties for noncompliance and/or violation of this ordinance.

104 POLICY

A. The policy of this ordinance is to be:

1. Interpreted in accordance with the definitions set forth in Article 2. The provisions of this ordinance shall apply to the discharge of all wastes carried to ETWD sewerage facilities, and have been liberally construed so as to effectuate the environmental purposes, objectives, and other provisions set forth herein.
2. Committed to wastewater ~~reclamation~~-recycling and reuse in order to provide an alternate source of water supply. The adoption of programs for ~~reclamation~~-recycling through secondary and tertiary wastewater treatment processes may necessitate more stringent quality requirements on wastewater discharges. In the event that more stringent quality requirements are necessary, this ordinance may be amended to reflect those changes.
3. Committed to the beneficial use of biosolids. The implementation of programs to land apply or provide for the marketing and distribution of biosolids may necessitate more stringent quality requirements on waste water discharges. In the event that more stringent quality requirements are necessary, this ordinance may be amended to reflect these changes.
4. Committed to compliance with all applicable state and federal laws including the Clean Water Act in 33 United States Code 1251 et seq. and the general pretreatment regulations described in 40 CFR 403.

105 APPLICABILITY

This ordinance may apply to users within the ETWD service area and to users outside the ETWD service area who, by wastewater discharge permit or other controlling mechanism, make use of ETWD sewerage facilities.

106 AVAILABILITY OF SEWERAGE FACILITIES

If capacity in a sewerage facility as a whole is not available, ETWD may restrict discharge of existing users until sufficient capacity can be made available. The ETWD may refuse immediate service to new users where their proposed quality or quantity of wastewater is unacceptable to the available sewerage facilities.

107 NOTICE TO EMPLOYEES

- A. The ETWD may provide one (1) copy of this ordinance to each user that has received a wastewater discharge permit, upon request.
- B. Users who are issued a wastewater discharge permit may make available to their employees, copies of this ordinance.
- C. Users who are issued a wastewater discharge permit may make copies of it, so as to make it available to all personnel at all times.
- D. A notice may be permanently posted in prominent places advising employees to call the ETWD in the event of an uncontrolled spill or discharge as soon as possible and to submit a report as indicated in section 803 or 804 of this ordinance. The notice shall provide for necessary instruction and information, including but not limited to:
 - 1. ETWD phone numbers.
 - 2. SOCWA phone numbers.
 - 3. Recording the time of the incident.
 - 4. Name and location of user.
 - 5. Type, concentration and volume of the discharge.
 - 6. Corrective action taken.
 - 7. Name of person reporting the incident.

ARTICLE 2
DEFINITIONS AND ABBREVIATIONS

201 DEFINITIONS CONTAINED IN PUBLICATION

- A. Unless otherwise defined herein, terms related to water quality shall be defined in the same manner as in the latest edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association (APHA), The American Water Works Association (AWWA), and the Water Environment Federation (WEF).
- B. The testing procedure for waste constituents and characteristics shall be as described in 40 CFR 136.

202 DEFINITION OF TERMS

- A. Words used in this ordinance in the singular may include the plural and the plural singular. Use of masculine shall mean feminine and the use of feminine shall mean masculine.
- B. The definitions in this ordinance are not intended to narrow the scope of definitions set forth in federal or state regulations. Unless the context specifically indicates otherwise the following terms, or pronouns used in their place, shall be interpreted as follows:
 - 1. Act or "the Act". The Federal Water Pollution Control Act also known as the Clean Water Act (CWA) as well as any amendments, guidelines, limitation or standards promulgated by the EPA pursuant to the Act, (33 USC 1251 et seq).
 - 2. Approval Authority. Refers to the US Environmental Protection Agency (EPA), the California State Water Resources Control Board (SWRCB), or the local California Regional Water Quality Control Board (RWQCB).
 - 3. Baseline Monitoring Report (BMR). A required report for all industrial users subject to a categorical pretreatment standard. A BMR provides information that documents an industrial user's compliance status with all applicable pretreatment standards.
 - 4. Batch Dump. The discharge of pollutants or compatible wastes in a manner or method that is not approved or is prohibited by the ETWD.
 - 5. Best Available Technology (BAT). A level of technology that is based on the very best (state of the art) control and treatment measures that have been developed or are capable of being developed for a particular industrial category.
 - 6. Best Management Practices (BMPs). A set of schedules of activities, prohibitions of practices, maintenance procedures, operating procedures and other management practices used to control a user or a group of similar users' discharge to sewerage facilities. BMPs may include, but are not limited to treatment requirements, operating procedures, and practices to control plant site runoff, spillage of leaks, sludge or waste disposal, or drainage from raw materials storage.
 - 7. Best Practicable Technology (BPT). A level of technology represented by the average of the best existing wastewater treatment performance levels within an industrial category.
 - 8. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter in wastewater using appropriate testing procedure and expressed as a concentration (e.g. mg/L).
 - 9. Biodegradable. A material that can be decomposed by a biological process.
 - 10. Biohazardous Waste. area material that is likely to transmit etiologic agents that cause, or significantly contribute to the cause of, increased morbidity or mortality of human beings as set forth by the State Medical Waste Management Act.

202 DEFINITION OF TERMS (cont)

11. Board. The Board of Directors of the El Toro Water District (ETWD).
12. Building Sewer. The entire length of private sewage service lateral extending from the building or structure that is connected to a sewerage facility.
13. By-Pass. Any intentional diversion of waste streams around any portion of a user's pretreatment equipment.
14. Categorical Industrial User (CIU). A user subject to a federal categorical pretreatment standard or categorical standard
15. Chain of Custody. A document used to ensure the integrity of a sample, which includes a record of each person involved in the possession of a sample, securing the sample, and final disposal of the sample.
16. Chemical Oxygen Demand (COD). The quantity of oxygen required to oxidize all compounds, both organic and inorganic, in wastewater using the appropriate testing procedure and expressed as a concentration (e.g. mg/L).
17. Class I User. Any user determined by the ETWD that meets the criteria of significant industrial user (SIU) as described in 40 CFR 403.
18. Class II User. Any user determined by the ETWD that is not a SIU and may discharge pollutants or non-compatible wastes which may impact sewerage facilities.
19. Class III User. Any user determined by the ETWD that is not a SIU and may discharge conventional pollutants or compatible wastes, which may impact sewerage facilities.
20. Class IV User. Any user determined by ETWD that may discharge or is proposing to discharge special wastewater that may contain toxic or conventional pollutants, or non-compatible or compatible wastes which may impact sewerage facilities.
21. Code of Federal Regulations (CFR). The code of the Federal Government of the United States of America, which contains all of the federal regulations including environmental regulations.
22. Company Authorized Representative (CAR). An individual designated by the user, who is responsible for signing all submittals to the ETWD and who meets the criteria as described in 40 CFR 403.
23. Compatible Waste. Waste that does not contain toxic pollutants or non-compatible wastes. This may include a combination of, but not limited to, conventional pollutants or other wastes that sewerage facilities are designed to accept and/or remove. Compatible wastes are non-compatible when discharged in quantities that have an adverse effect on sewerage facilities or NPDES Permit, or when discharged in qualities or quantities violating any National Pretreatment Standard or other discharge requirement or as determined by the ETWD.
24. Composite Sample. A collection of individual samples obtained at intervals based on an increment of either flow or time. The resulting mixture, a composite sample, forms a representative sample of the wastestream discharged during the sample period.
25. Control Authority (CA). The El Toro Water District (ETWD) and/or the South Orange County Wastewater Authority (SOCWA).
26. Conventional Pollutants. Those pollutants which are designated pursuant to section 304(a)(4) of the Act which include, biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform, pH, and oil and grease.
27. Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

202 DEFINITION OF TERMS (cont)

28. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
29. Discharger. Any entity which discharges or causes a discharge of wastewater that is directly or indirectly discharged to sewerage facilities. May be interchangeable with indirect discharger, industrial user, permittee, person or user.
30. Discharge Requirements. The requirements of federal, state or local public agencies having jurisdiction over the effluent discharged sewerage facilities or the environment.
31. Disposal. A controlled release to sewerage facilities or to the environment.
32. Dry Weather Nuisance Flow (nuisance flow) – Any water or other discharge which finds its way to storm drains from urban areas, composed primarily of runoff from lawn or landscape watering, washing of vehicles, hosing down of paved areas, storm drain infiltration, natural groundwater from sub-drain systems and a variety of other sources associated with urban activity. This nuisance flow may be high in bacteriological contamination, oil and grease and may have high organic and inorganic mineral content. Nuisance flow does not include stormwater, as defined, unless stormwater is captured, treated, controlled (thereby becoming a non-stormwater, nuisance flow) and discharged to the sewer during dry weather. Nuisance flows may come in contact with people or the environment in undesirable ways. Nuisance flow is a component of urban runoff.
332. Effluent. Usually water or wastewater discharged partially or completely treated or untreated from an industrial user or treatment plant, or part thereof.
343. El Toro Water District (ETWD). The agency that is responsible for the adoption of this ordinance and is a MA of SOCWA.
354. Enforcement. A series of progressively more stringent actions used to seek compliance with federal, state or local laws, regulations, limitations and this ordinance, guided by the Enforcement Response Plan, adopted by ETWD Resolution 10-12-2. Any enforcement may include monetary fees, fines or penalties.
365. Environmental Protection Agency (EPA). The U. S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
376. Existing Source. Any source of discharge that is not a “New Source”.
387. Fee. Any amount assessed to a discharger for the use of any portion of a sewerage facility which shall include, but not be limited to, connection fees, monthly sewer service, wastewater discharge permit, excess capacity fee, industrial wastewater treatment, laboratory testing, industrial inspection, and monitoring fees.
398. Flow Monitoring Equipment. Equipment and/or structures provided at the user's sole expense to measure, totalize, record and/or sample incoming water to the user's site or the wastewater discharged to sewerage facilities.
3940. General Manager. The individual duly designated by the Board of the ETWD to administer this ordinance.
419. Grab Sample. A sample collected from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes..
424. Grease. Includes, but is not limited to fats, oils and grease (FOG), waxes and other non-volatile materials as determined by the appropriate testing procedures.
432. Groundwater. Water that is beneath the surface of the earth.
443. Hazardous Waste. Any waste that is potentially damaging to of the environment or a person's health due to toxicity, ignitability, corrosivity, chemical reactivity or other reasons.

202 DEFINITION OF TERMS (cont)

45. Indirect Discharge or Discharge. The introduction of Pollutants into a POTW from any non-domestic source regulated under section 307(b), (c), or (d) of the Act.
464. Industrial User. Any site that discharges industrial wastewater to sewerage facilities. May be interchangeable with discharger, indirect discharger, permittee or user.
475. Industrial Wastewater. All liquid-carried wastes or wastewater of the community, excluding domestic wastewater, and may include all wastewater from any producing, manufacturing, processing, agricultural, or other operation or location..
486. Inspector. A person authorized by the General Manager to inspect and/or monitor any industrial user's discharge or anticipated discharge to any sewerage facility.
497. Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts any sewerage facilities, any treatment processes or operations or any sludge processes, use or disposal and therefore, is a cause of violation of the ETWD's or SOCWA's NPDES permits (including an increase in the magnitude or duration of a violation) or prevents lawful biosolids or treated effluent use or disposal.
5048. Interjurisdictional Agreements (Also referred to as Interagency Agreements). An agreement between SOCWA and any individual or combination of MA's or other local sewerage agency that defines the authority and responsibility to implement the Waste Discharge Pretreatment and Source Control Program and to enforce the regulations contained in this ordinance within the individual and/or combination of MAs, or any other local sewerage agency's service area.
5149. Local Limits. A set of specific discharge limits developed and enforced by the ETWD and/or SOCWA upon a user's site in order to implement the general and specific discharge prohibitions as described in 40 CFR 403.
520. Local Sewering Agency. Any public agency or private company responsible for the collection, treatment or disposal of wastewater to sewerage facilities that are duly authorized under the laws of the State to construct and/or maintain sewerage facilities.
534. Lower Explosive Limit (LEL). The point where an explosive gas in an area of atmosphere that is at a sufficient concentration as to result in an explosion if a sufficient ignition source is present.
542. Mass Emission Rate. The weight of material discharged to sewerage facilities during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combinations of constituents.
553. May. Permissive or discretionary.
564. Member Agency (MA). Any one, combination, or all of the individual districts or cities which are members of SOCWA. They are: City of Laguna Beach (CLB), City of San Clemente (CSC), City of San Juan Capistrano (CSJC), El Toro Water District (ETWD), Emerald Bay Service District (EBSD), Irvine Ranch Water District (IRWD), Moulton Niguel Water District (MNWD), Santa Margarita Water District, (SMWD), South Coast Water District, (SCWD) and the Trabuco Canyon Water District (TCWD).
575. Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during the month.
586. National Pollutant Discharge Elimination System (NPDES) Permit. The document issued for the control of discharges to surface waters of the United States as detailed in Section 402 of the Act.
597. National Pretreatment Standards. Includes the following terms established pursuant to 40 CFR 403.5 and 40 CFR 403.6: "Prohibited Discharges", "General Prohibitions", "Specific Prohibitions", "Local Limits", "Categorical Standards", "Categorical Pretreatment Standards", "Pretreatment Standards" and "Standards". These terms apply to any pollutant discharge regulations that are promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act that limits and/or prohibits the wastewater discharged by users into a sewerage facility.
6058. New Source. Those sources that are new as defined by 40 CFR 403.

202 DEFINITION OF TERMS (cont)

- ~~5961.~~ Non-Compatible Waste. Waste that contains toxic or non-compatible pollutants that may pass-through or cause interference if discharged to sewerage facilities.
620. Non-industrial Wastewater Discharge (NIWD) Form. A form issued users that are considered to have wastewater of no concern discharging to sewerage facilities. This form may contain BMP's.
- ~~63.~~ Non-Stormwater Discharge. Discharges that do not immediately originate from precipitation events unless precipitation is captured and discharged after a rain event. Including but not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.
644. Normal Working Day. Any period of time during which production or operation is taking place or any period which discharge to sewerage facilities is occurring..
652. North America Industry Classification System (NAICS). An industry classification system that groups establishments into industries based on the activities which they are primarily engaged.
663. Nuisance. Anything which may be injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
674. Ordinance. The document entitled "An Ordinance of Regulations for the Discharge of Wastewater to Sewerage Facilities of the El Toro Water District Service Area" containing ETWD's requirements, conditions and limitations for discharging to sewerage facilities, as may be amended and modified.
685. Pass Through. A discharge from a user which exits sewerage facilities into waters of the United States in quantities or concentrations which, alone or in conjunction with any discharge from other sources, is a cause of a violation of any requirement of ETWD's or SOCWA's NPDES Permits, including an increase in the magnitude or duration of a violation.
696. Permittee. A discharger who has received a permit to discharge wastewater into the ETWD's sewerage facilities subject to the requirements and conditions established by the ETWD. May be interchangeable with discharger, indirect discharger, industrial user, person or user.
670. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, tenant, lessee, renter, governmental entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state and local government entities. May be interchangeable with discharger, indirect discharger, industrial user, permittee or user.
7168. Pesticides. Those compounds classified as such under Federal or State law or regulations including, but not limited to, DDT (dichlorodiphenyltrichloroethane, both isomers), DDE (dichlorodiphenylethylene), DDD (dichlorodiphenyldichloroethane), Aldrin, Benzene Hexachloride (alpha, beta and gamma isomers), Chlordane, Endrin, Endrin aldehyde, TCDD (2,3,7,8-tetrachlorodibenzo-p-dioxin), Toxaphene, Alpha-endosulfan, Beta-endosulfan, Endosulfan sulfate, Heptachlor, Heptachlor epoxide, Dieldrin Demeton, Guthion, Malathion, Methoxychlor, Merex and Parathion.
- ~~7269.~~ pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.
730. Pollutant. Any substance, constituent, compound or characteristic of wastewaters on which a discharge limitation may be imposed either by the ETWD, SOCWA, or the regulatory agencies empowered to regulate the ETWD and SOCWA.
744. Polychlorinated Biphenyls (PCBs). Those compounds classified as such under Federal and State law or regulations including, but not limited to Aroclors 1016, 1221, 1228, 1232, 1242, 1248, 1254, 1260 and 1262.
752. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into sewerage facilities. This reduction, elimination or alteration of pollutants can be obtained by physical, chemical, or biological process, by process changes or other means except as described by 40 CFR 403.

202 DEFINITION OF TERMS (cont)

763. Pretreatment Equipment. Any equipment, structures or devices used for the treatment or flow limitation of industrial wastewater prior to discharge to sewerage facilities.
774. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a national pretreatment standard.
785. Prohibited Discharges. Any prohibitions against the discharge of certain substances; these prohibitions appear in Article 5.
796. Public Agency. The State and any city, county, district, agency, other local authority or public body of or within this state.
8077. Rainwater. Water resulting from precipitation which directly falls upon any surface.
8178. Regulatory Agencies. Those Agencies having jurisdiction over the operation of the ETWD, including, but not limited to, the following:
- a. United States Environmental Protection Agency (EPA).
 - b. State Water Resources Control Board (SWRCB).
 - c. Regional Water Quality Control Board (RWQCB).
 - d. South Coast Air Quality Management District (SCAQMD).
 - e. ~~Department of Health Services (DOHS).~~
 - f. California Environmental Protection Agency (Cal-EPA).
7982. Representative Sample Point. A location set forth in the user's wastewater discharge permit or other control mechanism from which wastewater can be collected that is as nearly identical in content and consistency as possible to that of the entire flow of wastewater being sampled. For categorical users, this point shall be at the end of each regulated process, and for all other users shall be determined on a case-by-case basis.
830. Resource Conservation and Recovery Act (RCRA). The RCRA Act of 1976 (42 U.S.A. 6901, et seq.) to implement the conservation and recovery of used or spent resources and as amended.
844. Routine Sampling. Any sampling conducted by the ETWD to verify compliance of a user's discharge to sewerage facilities. Sampling may consist of either grab or composite samples or a combination of both.
852. Sampling Equipment. Equipment or structure provided at the user's sole expense for the ETWD or the user to measure and record wastewater constituents, collection of samples or provide access to plug or terminate the discharge.
863. Scum. Any layer of matter or combination of air and matter that forms on or rises to the surface of a liquid or body of water.
874. Sewage. Wastewater.
885. Sewerage Facilities. Any and all systems used for collecting, conveying, pumping, reclamation, recycling, reuse, storage, transportation, treatment or disposal of sewage, industrial waste of a liquid nature, wastewater, sludge or biosolids that is owned and/or operated by the ETWD, SOCWA or other public agency which is tributary to systems operated by the ETWD or SOCWA. This definition includes, but is not limited to, publicly owned treatment works (POTW's) as defined by Section 212 of the Act (33 U.S.C. Section 1292), public sewers, trunk lines, sewer mains, wet wells, treatments plants and ocean outfalls which are owned by the ETWD or SOCWA.
896. Shall. Mandatory.

202 DEFINITION OF TERMS (cont)

~~9087~~. Significant Industrial User (SIU). A user as defined by 40 CFR 403, except as provided in paragraphs c and d of this definition, which includes the following:

- a. An industrial users subject to categorical pretreatment standards; or
- b. An industrial user that: discharges an average of twenty-five (25,000) gallons per day or more of process wastewater to the ETWD or SOCWA (excluding sanitary, noncontact cooling water, and boiler blowdown wastewater); contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of ETWD's or SOCWA's sewerage facilities; or is designated as such by the ETWD on the basis that the industrial user has a reasonable potential for adversely affecting the ETWD's or SOCWA's operation or for violating any pretreatment standard or requirement.
- c. The ETWD may determine that an industrial user subject to categorical pretreatment standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - i. The industrial user, prior to ETWD's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - ii. The industrial user annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and
 - iii. The industrial user never discharges any untreated concentrated wastewater.
- d. Upon a finding that an industrial user meeting the criteria in paragraph b above of this definition has no reasonable potential for adversely affecting ETWD's operation or for violating any pretreatment standard or requirement, ETWD may at any time, on its own initiative or in response to a petition received from a industrial user, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user should not be considered a significant industrial user.

~~8891~~. Significant Non-Compliance. A violation by a SIU (or any IU which violates paragraphs c, d or h of this definition) as described in 40CFR 403.8(f)(2)(viii)(A-H) which meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as described in 40 CFR 403.3(l);
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equals or exceeds the product of the numeric pretreatment standards or requirement including instantaneous limits, as described in 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a pretreatment standard or requirement as defined in 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that ETWD determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of ETWD or SOCWA personnel or the general public;
- d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the ETWD's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge;

202 **DEFINITION OF TERMS (cont)**

- e. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit, other control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- f. Failure to provide within forty-five (45) days after the due date, required reports, including, but not limited to baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules;
- g. Failure to accurately report noncompliance;
- h. Any other violation or group of violations, which may include a violation of Best Management Practices, which ETWD determines will adversely affect the operation or implementation of the local pretreatment program.

~~899~~ **992. Sludge.** Any solid, semi-solid or liquid decant, subnate, or supernate from an industrial manufacturing process, utility service or pretreatment equipment.

930. Slug Discharge. Any discharge, of a non-routine, episodic nature, that may exceed the standards and prohibitions contained in Article 5 of this ordinance and significantly exceeds the usual industrial flow or pollutants loading, either mass concentration, including but not limited to an accidental spill, or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the regulations, local limits or permit conditions associated with sewerage facilities.

944. Solvent. Any substance that is used to dissolve another substance in it.

952. South Orange County Wastewater Authority. The Joint Powers Agency (JPA) which is formed by the participating MAs. The MAs individually and/or collectively use SOCWA's sewerage facilities. SOCWA is the holder of the NPDES permits, which states the pretreatment and waste discharge requirements for the sewerage facilities.

963. Spent Solutions. Any concentrated industrial wastewater.

974. Spill Containment. Any protection equipment provided and installed at the user's sole expense to prohibit the discharge of non-compatible wastes to sewerage facilities.

985. Standard Methods. Procedures described in the current edition of Standard Methods for the Examination of Water and Wastewater, as published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

996. Stormwater. Any flow occurring during or immediately following any form of natural precipitation, including snowmelt, which runs off, or travels over the ground surface to a drainage area or channel or drains uncontrolled to a municipal storm drain system for disposal in a river, stream, lake or creek and ultimately to the Pacific Ocean.

~~97~~ **100. Street Drainage.** Water resulting from surface runoff generated by rainwater, stormwater or other sources.

~~98~~ **101. Subsurface Drainage.** A method of draining that is situated under the ground (e.g., leachate control system).

~~99~~ **102. Surface Runoff.** Runoff other than that which is caused by rainfall, stormwater, or street drainage (e.g., car wash runoff, washdown runoff) originating from a user.

1030. Total Organic Carbon (TOC). The measure of total organic carbon in domestic or other wastewater as determined by the appropriate testing procedure.

1044. Total Suspended Solids. Any insoluble material contained as a component of wastewater and capable of separation from the liquid portion by laboratory filtration as determined by the appropriate testing procedures and expressed in terms of milligrams per liter (mg/L).

202 DEFINITION OF TERMS (cont)

- 1052 Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic by the EPA under the provisions of Section 307(a) of the Act or other acts or that can harm human health, aquatic life or the biological treatment processes.
1063. Unpolluted Water. Water to which no constituent has been added either intentionally or accidentally.
1074. Upset. Any upset that meets the criteria as described in 40 CFR 403.
1085. User. Any person or entity which discharges or causes a discharge of wastewater to a sewerage facility, as defined by EPA regulations. May be interchangeable with discharger, indirect discharger, industrial user, permittee or person.
1096. Volatile. Natural (plant or animal origin) or synthetic substances that is capable of being evaporated or changed to vapor at relatively low temperatures.
1107. Waste. Sewage and any other waste substances, liquid, solid, gaseous or radioactive.
11108. Waste Manifest. A receipt which is retained by the generator of hazardous wastes as required by the State or the United States Government pursuant to RCRA or the California Hazardous Materials Act or that receipt which is retained by the generator for recyclable wastes or liquid non-hazardous wastes as required by the ETWD.
11209. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing, and institutions, whether treated or untreated, which are discharged or permitted to enter sewerage facilities..
1139. Wastewater Constituents and Characteristics. The individual chemical, physical, bacteriological, radiological, volume, flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.
1144. Wastewater Discharge (WD) Permit . The form of authorization from the ETWD issued to an industrial user for the discharge of wastewater. This wastewater discharge permit sets forth the limits and conditions under which the industrial user shall be able to discharge wastewater into sewerage facilities.

203 ABBREVIATION

A. The following abbreviations shall have the designated meanings:

1. "BAT" Best Available Technology
2. "BMP" Best Management Practice
3. "BMR" Baseline Monitoring Report
4. "BOD" Biochemical Oxygen Demand
5. "BPT" Best Practicable Technology
6. "CA" Control Authority
7. "CAR" Company Authorized Representative
8. "CFR" Code of Federal Regulation
9. "CIU" Categorical Industrial Use
10. "COD" Chemical Oxygen Demand
11. "CWF" Combined Wastestream Formula
12. "DO" Dissolved Oxygen
13. "ETWD" El Toro Water District
14. "EPA" Environmental Protection Agency
15. "ERP" Enforcement Response Plan
16. "FOG" Fats, Oils and Grease
17. "FROG" Fats, Roots, Oil and Grease
18. "gpd" Gallons per Day
19. "gpm" Gallons per Minute
20. "IU" Industrial User
21. "lb/day" Pounds Per Day
22. "JPA" Joint Powers Authority
23. "LEL" Lower Explosive Limit
24. "MA" Member Agency
25. "MGD" Million Gallons Per Day
26. "MSDS" Material Safety Data Sheet
27. "NAICS" North America Industry Classification System
28. "NPDES" National Pollutant Discharge Elimination System
29. "NSCIU" Non-Significant Categorical Industrial User
30. "O&G" Oil and Grease
31. "PCBs" Polychlorinated Biphenyls
32. "POTW" Publicly Owned Treatment Works
33. "PSES" Pretreatment Standards for Existing Sources
34. "PSNS" Pretreatment Standards for New Sources
35. "RCRA" Resource Conservation and Recovery Act
36. "RWQCB" Regional Water Quality Control Board
37. "SOCWA" South Orange County Wastewater Authority
38. "SIU" Significant Industrial User
39. "SNC" Significant Non-Compliance
40. "SWRCB" State Water Resources Control Board
41. "TDS" Total Dissolved Solids
42. "TOC" Total Organic Carbon
43. "TOMP" Toxic Organic Management Plan
44. "TRC" Technical Review Criteria
45. "TSS" Total Suspended Solids
46. "TTO" Total Toxic Organics
47. "U.S.C." United States Code
48. "mg/L" Milligrams per Liter (0.001)
49. "ug/L" Microgram per Liter (0.000001)
50. "ng/L" Nanograms per Liter (0.000000001)
51. "pg/L" Picograms pre Liter (0.000000000001)

**ARTICLE 3
AUTHORITIES AND POWERS**

301 AUTHORITY

- A. The ETWD is regulated by Agencies of the United States Federal Government and the State under provisions of federal and state law. Federal law requires SOCWA and the ETWD and the ~~state~~-State grants the ETWD the authority to regulate and/or prohibit by adoption of ordinances, resolutions, and issuance of wastewater discharge permits or other control mechanisms, the discharge of any waste, directly or indirectly, to SOCWA's or the ETWD's sewerage facilities. That authority includes, but is not limited to, the right to establish local limits, conditions, prohibitions, flow rates, prohibit flows discharged to the ETWD's sewerage facilities, and enforce federal, state and local requirements. This may require the implementation of compliance schedules for the installation of flow monitoring equipment by users and for the ETWD to take all actions necessary to enforce its authority, whether within or outside ETWD's service area, including those users that are tributary to the ETWD or within areas for which the ETWD has contracted to provide sewerage facility services.
- B. The ETWD has the authority under California Health and Safety Codes 5471 and 5474 to prescribe, revise, and collect all regulatory fees and to charge for services and sewerage facilities furnished by the ETWD and/or SOCWA either within or without its service area.
- C. Administration and enforcement of the pretreatment program may be carried out on a daily basis by any individual and/or combination of ETWD personnel as granted by an interjurisdictional agreement under the oversight of SOCWA. However, SOCWA retains the authority to assume, at any time, administrative and enforcement powers of the pretreatment program requirements within the ETWD jurisdiction.
- D. The ETWD shall have the authority to seek compliance with 40 CFR 403, its NPDES permit and the provisions of this ordinance by, but not limited to, the following:
 - 1. Issue WD permits.
 - 2. Require the installation of pretreatment equipment.
 - 3. Require the installation of monitoring and/or sampling equipment and/or structures.
 - 4. Require self-monitoring and reporting of the user's discharge.
 - 5. Require the implementation of spill containment plans.

302 DELEGATION OF AUTHORITY

Whenever any authority or power is granted to or a duty imposed upon the General Manager, that authority or power may be exercised or that duty may be performed by a person authorized by the General Manager.

303 ENFORCEMENT POWERS

- A. Enforcement action against a user for being in non-compliance with the provision of this ordinance may include, but is not limited to, the following:
 - 1. Issuing a Warning Notice of Non-compliance letter.
 - 2. Issuing a notice of non-compliance (NON) form.
 - 3. Issuing a notice of violation (NOV) form.
 - 4. Issuing an administrative order (AO) which may also include, but are not limited to, the following:
 - a. Probation Order (PO)
 - b. Show Cause Order (SCO)
 - c. Cease and Desist Order (CDO)
 - 5. Petition the courts for injunction or civil penalties.
 - 6. Signing criminal complaints.
 - 7. Suspension or revocation of an issued wastewater discharge permit or other control mechanism.
 - 8. Termination of services.
 - 9. Administrative complaints.
- B. The issuance of an enforcement action shall not be a bar against, or a prerequisite for, taking any other enforcement action against the user.

**ARTICLE 4
ADMINISTRATION**

401 EL TORO WATER DISTRICT (ETWD)

- A. The ETWD may implement pretreatment and source control programs in accordance with federal, state, and SOCWA regulations, the provisions of this ordinance, and any interjurisdictional agreements.
- B. If the ETWD desires to perform its own pretreatment and source control program, it shall do so pursuant to the interjurisdictional agreement with SOCWA, under the oversight of SOCWA.
- C. The ETWD, when operating its own pretreatment and source control program, shall keep SOCWA apprised of all activities on a regular and consistent basis. This may be accomplished by, but not limited to, correspondence, meetings and submittal of periodic reports.
- D. The ETWD shall have the authority to use fees and charges provided for within this ordinance when a user is in non-compliance.
- E. The ETWD shall provide SOCWA any and all information and submittals by users for review and central filing.
- F. The ETWD, which may operate its own sewerage facilities, shall coordinate with SOCWA the establishment of technically based local limits. These limits shall be established in accordance with section 402 H. of this ordinance. These limits are to ensure that any user's effluent that is discharged to sewerage facilities does not cause, but is not limited to, the following:
 - 1. Upset, pass through or interference of the biological treatment process.
 - 2. Upset, pass through or interference of the sludge digestion process.
 - 3. Reclaimed or recycled water or generated biosolids to be unable to meet regulatory standards for beneficial reuse or unlimited distribution as defined by regulatory agencies.
 - 4. Violation of any ETWD or SOCWA NPDES permit limitations.
 - 5. Pass-through or interference causing the ETWD or SOCWA to violate any discharge limits of the SOCWA Ocean Outfalls.

402 SOCWA

- A. SOCWA has the authority to implement pretreatment and source control programs in accordance with federal and state regulations and the provisions of this ordinance, SOCWA's pretreatment and source control ordinance and interjurisdictional agreements with the MAs.
- B. SOCWA has the authority to approve all forms used in the pretreatment and source control program.
- C. SOCWA has the authority to, at any time, assume administration and enforcement of this ordinance within the service area of the ETWD.
- D. SOCWA has the authority to locate and terminate any non-compliant discharge that is not discontinued, upon notification that a non-compliant discharge is occurring.
- E. SOCWA has the authority to review all applications, wastewater discharge permits, other control mechanisms and any enforcement actions that have been taken.
- F. SOCWA has the authority to review all ordinances pertaining to pretreatment and source control programs before adoption or implementation by the ETWD.
- G. SOCWA has the authority to audit the ETWD when performing its own pretreatment and source control program.
- H. SOCWA shall oversee the establishment of technically based local limits for the ETWD. A review of the local limits may be conducted every five years or in conjunction with the renewal of SOCWA's NPDES Permits.

403 PROGRAM ENFORCEMENT

- A. The ETWD shall have first priority to enforce the regulations contained within this ordinance in accordance with, but not limited to, the following:
 - 1. SOCWA shall conduct the pretreatment and source control program for the ETWD unless otherwise directed by the interjurisdictional agreement with the ETWD.
 - 2. When the ETWD is performing its own program it shall inform SOCWA of all program activity.
 - 3. The ETWD when performing its own program shall conduct routine sampling of permitted users for constituents the industry must sample and analyze for as part of their self-monitoring program, and inform SOCWA of such activity.

404 APPLICATIONS

All applications for wastewater discharge permits may be reviewed by the ETWD and SOCWA.

405 WASTEWATER DISCHARGE (WD) PERMITS

- A. All proposed WD Permits may be reviewed by the ETWD and SOCWA before being issued to the user.
- B. All issued WD Permits shall be signed, identified and/or numbered by the ETWD or SOCWA.

406 INSPECTIONS, MONITORING AND ENFORCEMENT

- A. SOCWA shall be notified by the ETWD when inspecting, monitoring, or enforcement activities will or have already occurred. This may be done by, but not limited to, the following:
 - 1. Phone contact or correspondence.
 - 2. Submittal of written schedule reports or status reports.
- B. Emergency enforcement actions by the ETWD shall be reported to SOCWA by phone within twenty-four (24) hours during weekdays and within seventy-two (72) hours during weekends, and by written report within five (5) days of their notice to the user.

407 FUNDING

- A. Upon review by SOCWA, the ETWD may establish a schedule of wastewater discharge permit application fees, annual fees, sample analysis charges, and any other fees or charges required to recover reasonable costs of implementing a pretreatment and source control program.
- B. Costs incurred by the ETWD for its pretreatment activity may be collected by, but not limited to invoicing directly to the industrial user.

408 APPEALS

- A. The ETWD shall have first priority to handle appeals in accordance with the provisions of this ordinance.
 - 1. Appeals on staff action shall be directed to the General Manager.
 - 2. Appeals on the General Manager action shall be directed to the Board.
 - 3. Actions by the Board shall be final.
- B. SOCWA shall have the authority to handle appeals where the ETWD has no jurisdiction, or fails to enforce against a user in accordance with the provision of this ordinance or the interjurisdictional agreements.

ARTICLE 5
GENERAL DISCHARGE PROHIBITIONS AND LIMITATIONS

501 PROHIBITED DISCHARGES

- A. These prohibitions apply to all users of sewerage facilities whether or not they are subject to categorical pretreatment standards or any other national, State or local pretreatment standards or requirement.
- B. No user shall discharge directly or indirectly a quality or quantity of wastes, solids, viscous substances, wastewater or pollutants to sewerage facilities, either alone or by interaction with other substances, which cause or will cause:
 - 1. Obstruction of flow.
 - 2. Pass through or interference.
 - 3. Inhibition of biological activity.
 - 4. The final effluent to fail a toxicity test.
 - 5. Corrosive or physical structural damage to sewerage facilities.
 - 6. Danger to life and/or safety of any person.
 - 7. Impairment of the effective maintenance or operation of any sewerage facility.
 - 8. A fire or explosion hazard based upon a closed cup flashpoint of less than 140 degrees Fahrenheit (60°C) using the test method specified in 40 CFR 261.21.
 - 9. The presence of toxic gases, vapors, fumes, or poisonous, noxious or malodorous gas producing substances that may cause acute worker health and safety problems.
 - 10. Any product of any sewerage facility including, but not limited to the final effluent, biosolids, residue, sludge, or scum to be unsuitable for reclamation, recycling, reuse, or disposal.
 - 11. Discoloration or any other condition which affects the quality of the final effluent in such a manner that discharge requirements established by regulatory agencies cannot be met.
 - 12. Conditions which violate any statute, rule, regulation, or ordinance of any public agency or regulatory agency having jurisdiction over the discharge of wastewater through sewerage facilities.
 - 13. The discharge of petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, which cause interference or pass through.

502 PROHIBITION ON DILUTION

Except where expressly authorized to do so by an applicable standard, no user shall discharge directly or indirectly to sewerage facilities an increase in the use of water to attempt to dilute a waste being discharged, as a partial or complete substitute for treatment to achieve compliance with this ordinance, a wastewater discharge permit, other control mechanism or to establish an artificially high flow rate for mass emission rates.

503 PROHIBITION ON BIOHAZARDOUS WASTE

No user shall discharge directly or indirectly to sewerage facilities a biohazardous waste without rendering it non-biohazardous prior to discharge if the biohazardous waste is deemed to pose a threat to public health and safety or will result in any violation of applicable waste discharge requirements.

504 PROHIBITION ON TOXIC OR HAZARDOUS WASTE

No user shall discharge directly or indirectly to sewerage facilities, any substance that is defined as a toxic or hazardous waste by regulatory agencies, except those wastes which meet the requirements of 40 CFR 403.

505 PROHIBITION ON WARFARE AGENTS

No user shall discharge directly or indirectly to sewerage facilities any radiological, chemical, or biological warfare agent.

506 LIMITATIONS ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES

- A. Any spent solutions, sludges, and/or other wastes generated by the user that are a hazardous waste and not treated on site shall be hauled by a registered hazardous waste transporter. The user shall complete and maintain a hazardous waste manifest that documents the removal and transport of the waste.
- B. All hazardous waste manifests shall be retained for a minimum of three (3) years and shall be made available to the ETWD upon request. The ETWD may require a longer period of retention if litigation is being considered.
- C. No user shall batch dump to sewerage facilities without written approval from the ETWD.

507 LIMITATIONS ON THE USE OF GRINDERS

Wastes from industrial or commercial grinders shall not be discharged into a sewerage facility, except wastes generated in packing or preparing food or food products on a case by case bases as approved by the ETWD. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the sewerage facilities.

508 LIMITATION ON RAINWATER, STORMWATER, AND STREET DRAINAGE

No user shall discharge or cause to be discharged directly or indirectly into sewerage facilities any rainwater, stormwater, or street drainage that exceeds the first one-tenth (1/10) of an inch of precipitation from any storm event.

509 LIMITATIONS ON GROUNDWATER AND SUBSURFACE DRAINAGE

- A. Groundwater and subsurface drainage shall not be discharged directly or indirectly to sewerage facilities except as provided herein.
- B. ~~the~~The ETWD may approve the discharge of such water, by wastewater discharge permit or other control mechanism only, when no alternate method of disposal is reasonably available or to mitigate an environmental risk or health hazard.
- C. The discharge of such water shall require the following:
 - 1. A Class IV Special Wastewater Discharge Permit or other control mechanism issued by the ETWD, and
 - 2. Documentation from the user or user's consultant that all other alternate methods of disposal have been exhausted, and
 - 3. User shall pay all applicable fees and charges and shall meet any other conditions as required by the ETWD.

510 LIMITATIONS ON TRUCKED OR HAULED WASTES

- A. No user shall discharge trucked or hauled wastes directly or indirectly to sewerage facilities without written approval from the ETWD and SOCWA. Written approval may be in the form of an individual special wastewater discharge permit or other control mechanism.
- B. No user shall transport waste from one location to another for the purpose of treating or discharging it directly or indirectly to sewerage facilities without written approval from the ETWD and SOCWA. Written approval may be in the form of an individual special wastewater discharge permit or other control mechanism.

511 LIMITATIONS ON POINT OF DISCHARGE

No user shall discharge any wastewater directly or indirectly into a manhole or other opening in a sewerage facility other than through an approved building sewer unless approved in writing by the ETWD.

512 LIMITATIONS ON RADIOACTIVE WASTES

- A. No user shall discharge directly or indirectly to sewerage facilities any radioactive waste except as provided herein:
 - 1. When the user is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials, and
 - 2. When the waste is discharged in strict conformity with current California Radiation Control Regulations (Cal. Adm. Code Title 17) for safe disposal, and
 - 3. When the user is in compliance with all other rules and regulations of all other applicable regulatory agencies.

513 LIMITATION ON UNPOLLUTED WATER

- A. Unpolluted water such as deionized, steam waste, distilled, single pass cooling water in excess of laboratory usage, blow-down or bleed water from cooling towers, or other evaporating coolers, or commercial swimming pool water drainage shall not be discharged directly or indirectly to sewerage facilities except as provided herein.
- B. The ETWD may approve the discharge of such water when no alternate method of disposal or reuse is reasonably available or there is need to mediate an environmental risk or health hazard.
- C. The discharge of such water shall require the following:
 - 1. A Class IV Special Wastewater Discharge Permit or other control mechanism, and
 - 2. Documentation from the user or user's consultant that all other alternate methods of disposal have been exhausted, and
 - 3. User shall pay all applicable fees and charges and shall meet any other conditions as required by the ETWD.

514 MASS EMISSION LIMIT DETERMINATION

- A. Mass emission limits for non-compatible and compatible wastes that are present or anticipated in the user's wastewater discharge may be set for each user and made an applicable part of each user's wastewater discharge permit or other control mechanism. These limits shall be based on Table I, local limits or national pretreatment standards and the user's average daily wastewater discharge for the past three (3) years, the most recent representative data, or other data acceptable by the ETWD.
- B. To verify the user's operating data, the user may be required to submit an inventory of all wastewater streams and production data.
- C. The ETWD may revise local limit concentration limits or mass emission limits previously established in the user's wastewater discharge permit or other control mechanism at any time, based on current and/or anticipated operating data, the ability to meet NPDES Limits, and/or changes in the requirements of regulatory agencies.
- D. The increased use of water to establish an artificially high flow rate data base for mass emission limit determinations is prohibited.

515 WASTEWATER STRENGTHS AND CHARACTERISTICS

- A. No user shall discharge wastewater directly or indirectly to sewerage facilities with the following strengths and characteristics:
1. Having a temperature higher than 140 degrees Fahrenheit (60 degrees Centigrade) or which causes the temperature at the influent to a wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Centigrade).
 2. Containing substances that may precipitate, solidify, or become viscous at temperatures between 50 degrees Fahrenheit (10 degrees Centigrade) and 104 degrees Fahrenheit (40 degrees Centigrade).
 3. Containing materials which will readily settle or cause an obstruction to flow in sewerage facilities or be detrimental to the proper operation of a sewerage facility. These materials may include, but are not limited to, asphalt, concrete, dead animals, offal ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, bones, hair, coffee grounds, egg shells, flashings, diatomaceous earth, seafood shells, and paper products not intended for use in sewerage facilities.
 4. Producing a gaseous mixture that is ten percent (10%) or greater of the lower explosive limit (LEL). Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, ketones, and alcohols.
 5. Having a pH less than 5.0 or greater than 11.0.
 6. Containing recognizable portions of human or animal anatomy.
 7. Containing excessive flow, constituents or other materials, including but not limited to, biological oxygen demand, chemical oxygen demand, total organic carbon, toxic pollutants, suspended solids, grease and oil of animal or vegetable origin total dissolved solids, detergents, surface active agents, phenolic compounds or other substances that are released in a discharge at a flow rate and/or concentration which will cause problems, pass-through or interference with sewerage facilities.
 8. Containing PCBs in excess of 0.01 mg/L as a daily maximum.
 9. Containing pesticides in excess of 0.01 mg/L as a daily maximum.
 10. Violation of any applicable national pretreatment standards, state standards, or other local regulations covering wastewater disposal.

516 SPECIFIC LOCAL LIMITS

- A. ETWD in coordination with SOCWA is authorized to establish local limits pursuant to 40 CFR 403.
- B. No user shall discharge directly or indirectly a quality or quantity of wastes or wastewater containing toxic pollutants, non-compatible or compatible wastes in excess of Table I, Specific Local Limits. All local limits for the metal pollutants are for the "total metal" amount analyzed, unless indicated otherwise.

Table I
Specific Local Limits

Pollutant	Limit (mg/L)
Arsenic	3.4
Cadmium	0.93
Chromium	4.9
Copper	7.2
Lead	4.9
Mercury	0.19
Nickel	9.5
Silver	2.8
Zinc	7.9
Cyanide	4.3
Oil and Grease	300

- C. Local limits are subject to more stringent standards as established by national pretreatment standards. Local limits are deemed to be pretreatment standards for the purposes of Section 307(d) of the Act, and are enforceable under Section 309 of the Act, potentially subjecting an IU to a penalty of \$25,000 per day for each violation.
- D. The ETWD may place more stringent standards within any wastewater discharge permit or other control mechanism issued to a user at any time, based on current and/or anticipated operating conditions presented in the wastewater discharge permit application, the ability to meet NPDES permit limits, and/or changes in the requirements of regulatory agencies.
- E. The ETWD may develop Best Management Practices (BMPs) for use in any wastewater discharge permit or other control mechanism to implement local limits and the requirements in this ordinance.

517 STATE REQUIREMENTS

Upon the adoption of any state requirements on user discharges that are more stringent than federal requirements or the limitations contained in this ordinance, that state standard shall then immediately supersede the federal standard and the limitations of this ordinance.

518 FEDERAL REQUIREMENTS

- A. Upon adoption of a national pretreatment standard more stringent than those contained in this ordinance, the federal standard shall immediately supersede the limitations listed in this ordinance and the affected significant industrial users shall be notified of the new standards and applicable reporting requirements.
- B. The significant industrial user shall comply with the national pretreatment standard within the time provided in the federal regulations that establish such standards even if their wastewater discharge permit has not yet been modified to incorporate the new requirement or standards.
- C. The significant industrial user shall comply with any applicable requirements under Sections 204(b) and 405 of the Act and Subtitles C and D of the RCRA.

**ARTICLE 6
WASTEWATER DISCHARGE PERMITS**

601 WRITTEN AUTHORIZATION

- A. Users may be required to obtain written authorization to use sewerage facilities. This written authorization may be in the form of a wastewater discharge permit or other control mechanism issued by the ETWD. No vested right shall be given or be granted by issuance of wastewater discharge permit or other control mechanism as provided for in this ordinance.
- B. When written authorization is granted, all the types of wastewater discharge permits and any other control mechanisms shall be expressly subject to all provisions of this ordinance and all other regulations, charges for use and fees established by the ETWD. The requirements contained in wastewater discharge permits or other control mechanisms are subject to enforcement under this ordinance and under state and federal law.
- C. All users that have obtained written authorization shall discharge their process wastewater only as provided for by their wastewater discharge permit or other control document.
- D. Compliance with wastewater discharge permit or other control mechanism provisions does not relieve the user from complying with any other applicable federal, state or local requirement.

602 TYPES OF WASTEWATER DISCHARGE PERMITS

- A. The wastewater discharge permit may be in one of four (4) types and is dependent upon process, volume and pollutant characteristics of the users discharge. The four types of wastewater discharge permits are:
 - 1. Class I – Wastewater Discharge (WD) Permit.
 - 2. Class II – Wastewater Discharge (WD) Permit.
 - 3. Class III – Wastewater Discharge (WD) Permit.
 - 4. Class IV – Special Wastewater Discharge (SWD) Permit.

603 TRANSFER PROHIBITION

Wastewater discharge permits issued under this ordinance are for a specific user, for a specific operation at a specific location. Wastewater discharge permits shall not be transferred for an operation at a different location.

604 CHANGE OF OWNERSHIP

- A. Upon the sale or transfer of ownership of any business operating under a wastewater discharge permit issued by the ETWD, the user shall notify the ETWD in writing prior to the change of ownership. The successor owner shall be required to apply for a new wastewater discharge permit prior to the sale or transfer of ownership.
- B. In the event that the original owner fails to notify the ETWD of the sale or transfer of ownership than said original owner may be jointly liable for any charges incurred by the new owner.
- C. This does not relieve the new owner of any liability for non-compliance with any federal, state, or local regulations or the provisions of this ordinance.

605 EXCESS CAPACITY REGULATORY FEE

New users or existing users that expand operations that require substantial sewerage facility capacity may be subject to an excess capacity sewerage facility regulatory fee in an amount and method to be solely determined by the ETWD on a case-by-case basis.

606 OUT OF SERVICE AREA WASTEWATER DISCHARGE PERMITS

Wastewater discharge permits for users located outside of the ETWD's service area but tributary to the ETWD's sewerage facilities shall only be issued after approval by the ETWD. Inspection and sampling of the user's discharge to determine compliance with discharge regulations will be made under a coordinated plan developed by SOCWA, the ETWD and the local sewerage agency. The more stringent discharge regulations and effluent limitations of affected agencies shall apply to the user. The fees for use shall be determined by the ETWD and set forth in an interjurisdictional agreement.

607 REQUIRED INFORMATION

- A. To provide for the equitable use of sewerage facilities, the ETWD shall have the right to require a user to provide all information necessary to maintain compliance with the provisions of this ordinance, including treatability studies to determine whether the wastewater would be compatible with all sewerage facilities. This information shall include, but is not limited to the following:
1. Wastewater discharge flow rates, peak flow rates and volume over any period of time.
 2. Physical, chemical or bacteriological analysis of wastewater.
 3. Information on raw materials, processes and products.
 4. Quantity, disposition and waste manifests of specific liquids, sludge, oil, solvent or other materials.
 5. Details of any pretreatment equipment.
 6. Details of systems to prevent and control the loss of material through spills and slug discharges.
 7. Review of all types of water bills.

608 CONFIDENTIAL INFORMATION

All user information and data on file shall be available to the public and governmental agencies without restriction, unless the user specifically requests and is able to demonstrate to the satisfaction of the ETWD that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position. The demonstration of the need for confidentiality made by the user must meet the burden necessary for withholding such information from the general public under applicable state and federal law. Any such claim must be made at the time of submittal of the information by marking "Confidential Business Information" on each page containing such information within the submittal. Information which is demonstrated to be confidential shall not be transmitted to any governmental agency without prior notification to the user. Information concerning wastewater quality and quantity shall not be recognized as confidential information and shall be available to the public without reservation.

609 CLASS I – WASTEWATER DISCHARGE (WD) PERMIT

No user requiring a Class I WD Permit shall discharge wastewater without obtaining a Class I WD Permit. A Class I user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a WD Permit by filing an application and paying any applicable fees before discharging.

610 CLASS II – WASTEWATER DISCHARGE (WD) PERMIT

No user requiring a Class II WD Permit shall discharge wastewater without obtaining a Class II WD Permit. A Class II user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a WD Permit by filing an application and paying any applicable fees before discharging.

611 CLASS III – WASTEWATER DISCHARGE (WD) PERMIT

No user requiring a Class III WD Permit shall discharge wastewater without obtaining a Class III WD Permit. A Class III user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a WD Permit by filing an application and paying any applicable fees before discharging.

612 CLASS IV – SPECIAL WASTEWATER DISCHARGE (SWD) PERMIT

- A. No user requiring a Class IV SWD Permit shall discharge wastewater without obtaining a Class IV SWD Permit. A Class IV user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a SWD Permit by filing an application and paying any applicable fees before discharging.
- B. The SWD Permit may be issued when no alternative method of disposal is reasonably available or to mitigate an environmental risk or health hazard.
- C. A user proposing to discharge diverted urban nuisance water may be issued a nuisance special wastewater discharge (NSWD) Permit only after they have completed the requirements contained in the ETWD and SOCWA “Nuisance Flow Diversion Policy.”
- D. A user proposing to discharge trucked or hauled wastes may be issued a hauled special wastewater discharge (HSWD) Permit only after they have completed all requirements set forth by the ETWD on a case by case basis. All trucked or hauled waste users shall comply with the terms, conditions and limitation set forth in a HSWD Permit as determined by the ETWD to be necessary to protect sewerage facilities. A trucked or hauled waste user proposing to discharge waste into a ETWD or SOCWA sewerage facility may be required to obtain both a valid Orange County Health Department permit (where applicable) and a HSWD Permit prior to any discharge.

613 NON-INDUSTRIAL WASTEWATER DISCHARGE (NIWD) FORM

- A. At the sole discretion of the ETWD, any user that is considered to have wastewater of no concern discharging to sewerage facilities may be classified as an NIWD user and issued an NIWD form.
- B. Any user that has had a Class I, II, or III WD Permit that no longer has a discharge containing noncompatible wastes to the ETWD’s sewerage facilities may be classified as an NIWD user and issued an NIWD form.
- C. The main functions of the NIWD form are to assist in maintaining the ETWD’s user survey data base and to track and verify by inspection any user that is considered to have wastewater of no concern discharging to sewerage facilities.

614 APPLICATION FOR WASTEWATER DISCHARGE PERMIT

- A. Users required to obtain a WD Permit shall complete and file with the ETWD, prior to commencing discharge, if applicable, an application on a form prescribed by the ETWD.
- B. Users seeking a WD Permit may be required to submit, in unit and terms appropriate for evaluation, the following information:
 - 1. Name, address of the site, NAICS numbers (if applicable), and a description of the manufacturing process or service activity.
 - 2. Name, address of any and all, (whichever is applicable) principals/owners/major share holders of company; articles of incorporation; most recent report of the Secretary of State and business license.
 - 3. Flow, volume, time, duration and type of wastewater to be discharged.
 - 4. Name, address and contact information of the individual who shall serve as the CAR.
 - 5. Name and address of property owner, landlord and/or manager of the property.
 - 6. Water supplier and water account numbers.

614 APPLICATION FOR WASTEWATER DISCHARGE PERMIT (cont)

7. Wastewater constituents and characteristics as required or deemed necessary by the ETWD, including but not limited to, those mentioned in this ordinance. These constituents and characteristics shall be determined by a laboratory of the discharger approved by the ETWD.
 8. Number of employees and average hours of work per employee per day.
 9. Waste minimization, best management practices and water conservation practices.
 10. All production records, if applicable.
 11. Waste manifests, if applicable.
 12. Tons of cooling tower capacity, if applicable.
 13. List of other environmental control permits and EPA Hazardous Waste Generator number, if applicable.
 14. Application signed by CAR of the user and contains the certification statement in Section 802.E
 15. Any other information as specified.
- C. Users may be required to submit site floor, mechanical, plumbing, toxic organic management, and spill containment plans for evaluation.
- D. After evaluation of the data furnished, the ETWD may issue a WD Permit, a NIWD Form or other control mechanism subject to the terms and conditions set forth in this ordinance and as otherwise determined by the General Manager to be necessary to protect sewerage facilities.
- E. The WD Permit application may be denied if the user fails to establish to ETWD's satisfaction that adequate pretreatment equipment is included within the user's plans to ensure that the discharge limits will be met or if the user has, in the past demonstrated an inability to comply with applicable discharge limits or has in the past demonstrated an inability to keep current with invoices for the items such as WD Permit fees, noncompliance fees, civil penalties, administrative civil penalties or charge for use.

615 APPLICATION FOR SPECIAL WASTEWATER DISCHARGE PERMIT

- A. Users required to obtain a SWD Permit shall complete and file with the ETWD, prior to commencing discharge, if applicable, an application on a form prescribed by the ETWD.
- B. Users seeking a SWD Permit may be required to submit, in unit and terms appropriate for evaluation, the following information:
1. Name, address and a description of the wastewater to be discharged.
 2. Name, address and contact information of the individual who shall serve as the CAR.
 3. Volume, time and duration of wastewater to be discharged.
 4. Construction and plumbing plans, if applicable.
 5. Detailed analysis of the alternatives for wastewater disposal, if applicable.
 6. Wastewater constituents and characteristics as required or deemed necessary by the ETWD, including but not limited to, those mentioned in this ordinance. These constituents and characteristics shall be determined by a laboratory selected by the user acceptable to the ETWD.
 7. Any other data as specified.

615 APPLICATION FOR SPECIAL WASTEWATER DISCHARGE PERMIT (cont)

- C. Users may be required to submit site, mechanical, plumbing, toxic organic management, and spill containment plans for evaluation if applicable.
- D. After evaluation of the information furnished, ETWD may issue a SWD Permit or other control mechanism subject to the terms and conditions set forth in this ordinance and as otherwise determined by the General Manager to be necessary to protect sewerage facilities.
- E. In the case of diverted urban nuisance water, after evaluation of the information furnished, ETWD may issue a NSW Permit, subject to the terms and conditions set forth in this ordinance and the "Nuisance Flow Diversion Policy" as otherwise determined by the General Manager to be necessary to protect sewerage facilities.
- F. The SWD Permit application may be denied if the user fails to establish to ETWD's satisfaction that adequate pretreatment equipment is included within the user's plans to ensure that the discharge limits will be met or if the user has, in the past demonstrated an inability to comply with applicable discharge limits or has in the past demonstrated an inability to keep current with invoices for items such as SWD Permit fees, non-compliance fees, civil penalties, administrative civil penalties or charges for use .

616 APPLICATION FOR NON-INDUSTRIAL WASTEWATER DISCHARGE (NIWD) FORM

- A. Users meeting the criteria for a NIWD form, may be asked to complete and file with the ETWD an application on a form prescribed by the ETWD.
- B. Information on users that meet the criteria for a NIWD form may be obtained solely by the ETWD during site inspections or by other means.
- C. After evaluation of the data furnished by the user or from information collected solely by the ETWD an NIWD form may be issued.

617 WASTEWATER DISCHARGE PERMIT TERMS, CONDITIONS, AND LIMITATIONS

- A. All wastewater discharge permits shall be expressly subject to all terms, conditions, and limitations of this ordinance, other regulatory agencies, Best Management Practices, charge for use, and fees established by the ETWD. The terms, conditions, and limitations in a WD Permits are subject to enforcement by the ETWD in accordance with this ordinance, and applicable state and federal regulations. Any WD Permit violation shall be a violation of this ordinance.
- B. The terms, conditions, and limitations of any issued WD Permit may be subject to modification and changes by the ETWD during the life of the WD Permit based on:
 - 1. The discharger's current or anticipated operating data.
 - 2. The ETWD's current or anticipated operating data.
 - 3. Changes in the requirements of regulatory agencies.
- C. Users may request a modification to the terms, conditions, and limitations of an issued WD Permit. The request shall be in writing stating the requested change, and the reasons for the change. The ETWD shall review the request, make a determination and respond in writing. A request for a wastewater discharge permit modification does not relieve a user from complying with its existing WD Permit terms, conditions and limitations.
- D. Any changes to the terms, conditions or limitations in a WD Permit shall include a reasonable time schedule for compliance where allowed under applicable federal, state and local law.

617 WASTEWATER DISCHARGE PERMIT TERMS, CONDITIONS, AND LIMITATIONS (cont)

- E. A WD Permit may contain any, but is not limited to, the following terms, conditions and limitations:
1. Effluent limits, including mass emission rates, concentration limits or best management practices based on applicable pretreatment standards for regulated pollutants.
 2. Discharge limits based upon the combined wastestream formula (CWF).
 3. Limits on rate and time of discharge or requirements for flow regulation and equalization.
 4. Requirements for the user to make notification in writing prior to the physical expansion or any change to any wet processes. Notification is also required in the event of changes in production if production-based limits are being applied.
 5. Requirements for the user to construct and maintain, at the user's own expense, pH control, flow monitoring and/or sampling equipment and/or structures.
 6. Requirements for submission of technical reports, discharge reports and waste manifests.
 7. Location of sampling point(s) and the requirements to self-monitor.
 8. Requirements for maintaining plant records relating to wastewater discharge and waste manifests as specified by the ETWD.
 9. Predetermined rates or values for wastewater strength characteristics.
 10. Requirements to submit copies of water bills.
 11. Other provisions which may be applicable to ensure compliance with this ordinance.
 12. Other terms, conditions and limitations determined by the ETWD to be necessary to protect sewerage facilities.
 13. Predetermined rate or value for BOD and suspended solids.
 14. Requirements for notification of bypass discharges.
 15. Requirements for notification of any new introduction of wastewater constituents or any substantial change in the volume or character of wastewater constituents.
 16. Requirements to meet compliance schedules.
 17. Requirements for the user to control slug discharges by developing and implementing a slug discharge control plan if determined by the ETWD to be necessary as described in 40 CFR 403.8(f)(1)(iii)(B)(6).
 18. Requirements for the user to control toxic organic discharges by developing and implementing a toxic organics management plan if determined by the ETWD to be necessary.

618 WASTEWATER DISCHARGE PERMIT DURATION

All wastewater discharge permits shall not exceed a duration of five (5) years. Any wastewater discharge permit may be issued for a shorter period of time at the sole discretion of the ETWD.

619 WASTEWATER DISCHARGE PERMIT RENEWAL

- A. The user may file a new application prior to the expiration date of any existing wastewater discharge permit for renewal.
- B. Discharge after the termination date of a wastewater discharge permit is prohibited except:
 - 1. If the user filed a timely renewal application which is complete, and:
 - 2. The ETWD, through no fault of the user, does not issue a new wastewater discharge permit with an effective date on or before the expiration date of the previous wastewater discharge permit.

620 ETWD's RIGHT OF REVISION

- A. The ETWD reserves the right to establish, by ordinance, or by wastewater discharge permit or by Best Management Practices, or by any other control mechanism, more stringent standards or requirements on the discharge of users to sewerage facilities
- B. The terms, conditions and limitations contained in any WD Permit, Best Management Practices or other control mechanism may be modified by the ETWD at any time. This modification shall be by written notification to the user.

ARTICLE 7
PRETREATMENT EQUIPMENT REQUIREMENTS

701 PRETREATMENT

- A. All pretreatment equipment or devices may be reviewed by the ETWD. Such review shall not absolve the user of any responsibility of meeting prohibitions, limitations, requirements, standards and local limits on discharges.
- B. User shall provide wastewater treatment as necessary which may include, but is not limited to, the use of best available technology (BAT) or best practicable technology (BPT) concepts to comply with this ordinance and shall achieve compliance with all prohibitions, limitations, standards and local limits before discharging to any sewerage facility. Any equipment required to pretreat, sample, control or transport wastewater shall be provided and maintained in proper operating condition at all times at the user's sole expense.
- C. User may be required to submit waste analysis plans, contingency plans, and meet other requirements to ensure proper operation of pretreatment equipment and compliance with their wastewater discharge permit limits and this ordinance.
- D. No user shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this ordinance, a wastewater discharge permit or other control mechanism.

702 SPILL CONTAINMENT

- A. Each user shall provide spill containment for protection against the discharge of prohibited materials or other wastes regulated by this ordinance. This protection shall be designed in accordance with reasonable engineering standards to secure the discharges and to prevent them from entering into a sewerage facility. This equipment shall be provided and maintained at the user's sole expense.
- B. If it can be shown that a user's spill containment equipment did not prevent a discharge which caused the ETWD to violate its requirements, incur additional operational expenses, or suffer loss or damage to sewerage facilities, that user shall be responsible for any costs or expenses, including assessment by other agencies or any costs incurred by the ETWD.
- C. A notice may be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a prohibited discharge. Employers shall ensure that all employees who may cause or suffer such a prohibited discharge to occur are advised of the emergency notification procedure.

703 MONITORING AND METERING EQUIPMENT

- A. The user may be required to construct and maintain in proper operating condition at the user's sole expense, flow and/or constituent monitoring and/or sampling equipment.
- B. Any sample taken from a user's sample point shall be considered to be representative of the discharge to sewerage facilities.
- C. Monitoring or metering equipment may be required to include a security enclosure that can be locked with a ETWD provided lock during any sampling and monitoring periods.
- D. Location of the monitoring or metering equipment shall be subject to approval by the ETWD.
- E. The ETWD shall be provided clear and uninterrupted access to monitoring or metering locations.
- F. When one or more users discharge into a sewerage facility, those users may be required to install a separate monitoring location for each user. Also in the judgment of the ETWD, if there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, that user may be required to install separate monitoring locations for each operation. Separate monitoring may also be required for different processes subject to categorical pretreatment standards.

703 MONITORING AND METERING FACILITIES (cont)

- G. Users with the potential to discharge flammable solutions may be required to install and maintain at their sole expense a combustible gas detection meter.
- H. All wastewater samples shall be representative of the user's discharge. Wastewater monitoring and flow measurement equipment shall be operated, kept clean, and maintained in good working order at all times. Failure by the user to keep its monitoring equipment in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

704 DRAWING SUBMITTALS

- A. Detailed plans of any proposed construction of pretreatment, spill containment, monitoring and metering equipment and operating procedures shall be submitted for review by the due date contained within a written request from the ETWD. The review of the plans and procedures shall in no way relieve the user of the responsibility of modifying the equipment or procedures in the future as necessary to meet the requirements of this ordinance or any other requirement of other regulatory agencies.
- B. All drawings shall include:
 - 1. North arrow.
 - 2. Scale size.
 - 3. User name and address.
 - 4. Date drawn or revised.
 - 5. Location of proposed pretreatment, spill containment, monitoring and metering equipment.
- C. The ETWD may require drawings to scale depicting the manufacturing process (waste generating source), spill containment, pretreatment and/or monitoring or metering equipment.
- D. The ETWD may require a schematic drawing of the pretreatment, spill containment, monitoring and metering equipment.
- E. The ETWD may require the drawings be prepared by a California registered chemical, mechanical, or civil engineer.

705 WASTE MINIMIZATION, RECYCLING, AND TREATMENT

- A. User shall provide waste minimization plans to conserve water, investigate product and/or materials substitution, maintain inventory control records and implement employee education, and other steps as necessary to minimize waste produced by the due date contained within a written request from the ETWD.
- B. Waste minimization, recycling and treatment shall be demonstrated wherever feasible in the following priority:
 - 1. Source reduction which includes, but is not limited to, substitution of less hazardous materials, spill prevention and control measures, proper storage and handling of chemicals and raw materials.
 - 2. Recovery and reuse which includes, but is not limited to, substitution of less hazardous materials, spill prevention and control measures, proper storage and handling of chemicals and raw materials.
 - 3. Treatment which includes, but is not limited to, pretreatment techniques as to render hazardous wastes harmless or suitable for disposal to sewerage facilities.

**ARTICLE 8
INSPECTION, MONITORING, SAMPLING,
NOTIFICATION, AND REPORTING REQUIREMENTS**

801 INSPECTION AND MONITORING

- A. The ETWD may inspect and sample the wastewater generating and disposal equipment of any user's site to ascertain whether the requirements of this ordinance are being met and the user is complying with all requirements.
- B. Where a user has instituted security measures requiring proper identification and clearance before entry onto the premises, the user shall make all necessary arrangements with its security in order that the inspectors of the ETWD shall be allowed to enter the premises without delay for the purpose of performing their authorized duties.
- C. The ETWD shall have the right to set up on the user's property or any other locations, as determined by the ETWD, such devices as are necessary to conduct sampling or metering operations of the user's discharge to sewerage facilities.
- D. In order for the ETWD to determine the wastewater characteristics of a discharge for compliance with this ordinance, wastewater discharge permit, or other control mechanism requirements, the user may be required to make available for inspection and copying all records including, but not limited to, production records, required self-monitoring and chain of custody records, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, documents associated with Best Management Practices and waste manifests without restriction, but subject to the confidential provisions set forth in this ordinance. All records shall be maintained by users for a minimum of three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user, or when the user has been notified by written request from the ETWD. Such records shall be made available to the ETWD upon request.
- E. Any temporary or permanent obstruction to safe and easy access to the user's site to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the ETWD and shall not be replaced. The costs of cleaning such access shall be at the sole expense of the user.
- F. Inspection and/or sampling of any user's site shall be conducted at any time, by any means, in any amount, at any location, on any limit, requirement or pollutant in a manner and frequency as determined at the sole discretion of the ETWD.

802 SELF-MONITORING AND REPORTING

- A. Self-monitoring of wastewater pollutants, constituents and characteristics of the user needed for determining compliance with any limitations and requirements as specified in the user's wastewater discharge permit, federal regulations, or this ordinance may be required. The self-monitoring requirement, frequency, forms and reporting shall be set forth in the user's wastewater discharge permit or other control mechanism. These reports may include, but are not limited to, the following:
 - 1. Baseline monitoring reports (BMR's).
 - 2. Compliance schedule progress reports.
 - 3. 90-day compliance reports.
 - 4. Self-monitoring reports containing monitoring and analysis to demonstrate continued compliance as described in 40 CFR 403.12(g)(1-6).
 - 5. Other reports as required by the ETWD, other regulatory agencies or applicable law.

802 SELF-MONITORING AND REPORTING (cont)

- B. Failure by the user to perform any self-monitoring or reporting required by the ETWD shall be a violation of this ordinance, and is deemed to be a violation for each parameter and each day in the time period for which monitoring was required, and cause for the ETWD to initiate all necessary tasks and analysis to determine the wastewater pollutants, constituents and characteristics for any limitations and requirements specified in the user's wastewater discharge permit or in this ordinance. The user shall be responsible for any and all expenses incurred by the ETWD in undertaking such monitoring analysis and preparation of reports.
- C. All users required to sample and analyze their wastewater shall use the sampling methods and the sampling locations as set forth in their wastewater discharge permit. For each sample collected and analyzed, the user shall maintain a record of:
 - 1. Date, exact place, method and time of sampling and the name of the person taking the sample.
 - 2. Date analysis performed.
 - 3. Identity and address of the person who performed the analysis.
 - 4. The analytical methods used.
 - 5. Results of the analysis.
- D. Samples taken shall be representative of conditions occurring during the reporting period. Users shall submit all monitoring data, even if user samples more frequently than required by its wastewater discharge permit. User is required to provide advance notice of any substantial change in the volume or character of pollutants in their discharge.
- E. When required, all submitted applications and user reports shall be signed by the CAR as defined in this ordinance. Each application and any required user report shall contain the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Date: _____

Signature: _____

Print Name: _____

Title: _____

User Name: _____

User Site
Address: _____

User Mailing
Address: _____

Phone: _____

Permit No: _____

802 SELF-MONITORING AND REPORTING (cont)

- F. Self-monitoring reports shall be subject to the provisions of 18 U.S.C. Section 1001 relating to false statements and fraud and the provisions of Section 309(c)(2) of the Act governing false statements.
- G. The analysis of a user's wastewater pollutants, constituents and characteristics shall be done by a laboratory approved by the ETWD.
- H. If self-monitoring indicates a violation, the user shall notify the ETWD within 24 hours of becoming aware of the violation. The user shall repeat the sampling and analysis and submit the results of the repeat analysis to the ETWD within 30 days after ~~becoming aware of the violation~~~~the repeat sampling event~~. Resampling by a user is not required if the ETWD performs the sampling at the user's site at least once a month, or if the ETWD performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the user or the MNWD receives the results of the sampling, or if the ETWD has preformed the sampling and analysis in lieu of the user.
- I. The analysis of wastewater pollutants, constituents and characteristics and the preparation of the self-monitoring report shall be done at the sole expense of the user.
- J. The user shall establish and maintain a sample point on each discharge line at a location representative of the discharge to sewerage facilities. The maintenance of any sample point equipment shall be done at the sole expense of the user. Any sampling location shall be set forth in the user's wastewater discharge permit.
- K. Any user subject to the reporting requirements of this ordinance shall retain all records of monitoring activities and results for a minimum of three (3) years and shall make them available to the ETWD upon request. The ETWD may require a longer period of retention if litigation is being considered or has resulted.
- L. Any user subject to self-monitoring reporting requirements may be required to submit self-monitoring reports on forms approved by the ETWD.
- M. Any user determined to be a non-significant categorical industrial user (NSCIU) by SOCWA pursuant to Section 202.B.86.c. and 808.B shall annual submit the following certification statement signed by the CAR as defined in this ordinance. This certification shall accompany an alternative report required by SOCWA:

"Based on my inquiry of the person or persons directly responsible for managing compliance with categorical pretreatment standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from January 1, ____ to December 31, ____:

(a) The facility described as _____ met the definition of non-significant categorical industrial user as described in Section 202.B.86.c.;

(b) The facility complied with all applicable pretreatment standards and requirements during this reporting period; and (c) the facility never discharged more then 100 gallons of total categorical wastewater on any given day during this reporting period.

Date: _____

Signature: _____

Print Name: _____

This compliance certification is based on the following information.

803 REPORT OF SPILL, SLUG DISCHARGE, BATCH DUMPING OR UPSET

- A. In the event the user is unable to comply with any of the wastewater discharge permit conditions due to a breakdown of equipment, accidents caused by human error, or intentional action by any party, or acts of God, or any other cause, the discharger shall notify the ETWD as soon as possible of any spill, slug discharge, batch dumping or upset.
- B. Confirmation of this notification shall be made in writing within five (5) working days of the original notification unless waived by the ETWD. The written notification shall contain:
 - 1. Date of the incident.
 - 2. Reason for the spill, slug discharge, batch dumping or upset.
 - 3. The steps that were taken to immediately correct the problem.
 - 4. The steps that are being taken to prevent the problem from recurring.
 - 5. Any other information the ETWD deems relevant.
- C. Such notification shall not relieve the user of any expense, loss, damage, liability or fees which may be incurred as a result of damage or loss to sewerage facilities or any damage or loss to persons or property. Such notification shall never relieve the user from any fees or liability which may be imposed by this ordinance, other regulatory agencies or other applicable law.
- D. Significant industrial users shall notify ETWD immediately of any changes at its site affecting the potential for a slug discharge

804 REPORTING OF BY-PASS

- A. By-pass of industrial wastewater through pretreatment equipment to the sewerage facilities is prohibited. Enforcement action may be taken against the user, unless:
 - 1. By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage, and
 - 2. There were no feasible alternatives to the by-pass, such as the use of auxiliary treatment equipment, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a by-pass which occurred during normal periods of equipment downtime or preventative maintenance, and
 - 3. The user submitted notice as required by this ordinance, or;
 - 4. The bypass did not exceed user discharge limits and was required for essential maintenance.
- B. If a user knows in advance of the need for a by-pass, it shall submit prior notice to the ETWD at least ten (10) days before the date of the by-pass.
- C. The ETWD may approve an anticipated by-pass after considering its adverse effects, if the ETWD determines that it will meet the conditions listed within this section.

804 REPORTING OF BY-PASS (cont)

- D. A user shall submit notice of an unanticipated by-pass that exceeds their wastewater discharge permit limitation to the ETWD within 24 hours from the time the user becomes aware of the by-pass. A written report shall also be provided within five (5) working days of the time the user becomes aware of the by-pass. The report shall contain:
 - 1. Description of the by-pass and its cause.
 - 2. Duration of the by-pass, including exact dates and times.
 - 3. Anticipated time it is expected to continue if the by-pass has not been corrected.
 - 4. Steps taken or planned to reduce, eliminate, and prevent recurrence of the by-pass.
- E. Failure to submit notice and/or written report may be grounds for wastewater discharge permit suspension or revocation. Failure to provide timely notice under Section 804 D. is deemed a waiver of the bypass defense for the user violation.
- F. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage or loss to sewerage facilities or any other damage or loss to person or property. Such notification shall never relieve the user from any fees or liability that may be imposed by this ordinance, other regulatory agencies or other applicable law.

805 BASELINE MONITORING REPORTS (40 CFR 403.12(b))

- A. Within either one hundred eighty (180) days after the effective date of a categorical standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, an existing categorical industrial user currently discharging to or scheduled to discharge shall submit to the ETWD a report containing the information listed below. At least ninety (90) days prior to commencement of discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard shall submit to the ETWD a report containing the information listed below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. The baseline monitoring report shall include, but is not limited to, the following:
 - 1. Identifying information. The name and address of the site, including the name of the operator and owner.
 - 2. Permits. A list of any environmental control permits held by or for the site.
 - 3. Description of Operations. A brief description of the nature, average rate of production, and standard industrial classification of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to sewerage facilities from the regulated processes.
 - 4. Flow Measurements. Information showing the measured average daily and maximum daily flow, gpd, to sewerage facilities from regulated process streams and other streams as necessary.
 - 5. Measurement of Pollutants. The categorical pretreatment standards applicable to each regulated process and the results and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the ETWD, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass where required, shall be reported. The sample shall be representative of daily operations. In cases where the standards requires compliance with a BMP or pollution prevention alternative, the industrial user shall submit documentation as required by the ETWD or the applicable standards to determine compliance with the standard.
 - 6. Certification. A statement, reviewed by the user's CAR and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

805 BASILINE MONITORING REPORTS (40 CFR 403.12(b)) (cont)

7. Compliance schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.
8. Signature and certification. All monitoring reports shall be signed and certified in accordance with Section 802 E. of this ordinance.

806 REPORT ON PROGRESS IN MEETING COMPLIANCE SCHEDULES(40 CFR 403.12(c))

- A. All Class I users required to submit compliance schedules shall report their progress no later than fourteen (14) days after each due date contained in their compliance schedule.
- B. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to comply with the applicable pretreatment standards.
- C. No increment referred to above shall exceed nine (9) months.
- D. In no event shall more than nine (9) months elapse between progress reports to the ETWD.

807 REPORT ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARDS DEADLINE (40 CFR 403.12(d))

- A. Within ninety (90) days following the date for final compliance with the applicable categorical standards or within ninety (90) days of the introduction of wastewater into sewerage facilities, the affected user shall submit a report containing the information listed below. This report shall include, but is not limited to the following:
 1. Flow Measurements. Information showing the measured average daily and maximum daily flow, in gallons per day, to sewerage facilities from regulated process streams and other streams.
 2. Measurement of Pollutants. The categorical pretreatment standards applicable to each regulated process and the results and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the ETWD, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass where required, shall be reported. The sample shall be representative of daily operations.
 3. Certification. A statement, reviewed by the user's CAR and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
 4. Signature and certification. All monitoring reports shall be signed and certified in accordance with Section 802 E. of this ordinance.

808. PERIODIC COMPLIANCE REPORT

- A. All Class I users subject to federal pretreatment standards (except a non-significant categorical user) as a minimum shall submit reports containing the information required in 40 CFR 403.12 during the months of June and December, or as required in their wastewater discharge permit or other control mechanism.
- B. A Class I user determined to be a non-significant categorical industrial user by the ETWD pursuant to Section 202.B.86.c. shall annually submit a report containing information as required in their wastewater discharge permit or other control mechanism.
- C. All users may be required to submit periodic compliance reports containing information as required in their wastewater discharge permit, other control mechanism or as required by the ETWD.

809 RIGHT OF ENTRY

ETWD shall have the right to enter the premises of any user to determine whether the user is complying with the requirements of this ordinance and any individual wastewater discharge permit, other control mechanism or order issued hereunder. Users shall allow the ETWD ready access to all parts of the premises for the purpose of inspection, sampling, records examination and copying, and the performance of any other duties.

810 ANALYTICAL REQUIREMENTS

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the ETWD or other parties approved by the EPA.

811 SAMPLE COLLECTION

- A. Samples collected by the user to satisfy reporting requirements contained in this ordinance, their wastewater discharge permit or other control mechanism shall be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- B. Except as indicated in Section 811.C. and 811.D. below, the user shall collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the ETWD. Where time-proportional composite sampling or grab sampling is authorized by the ETWD, the samples shall be representative of the discharge. Using protocols specified in 40 CFR 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the ETWD, as appropriate. In addition, grab samples may be required at any time to show compliance with instantaneous discharge limits.
- C. Samples for analysis of oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds shall be obtained using grab sample collection techniques.
- D. For sampling required in support of baseline monitoring and 90-day compliance reports required by this ordinance and 40 CFR 403.12(b) and (d), a minimum of four (4) grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for users for which historical sampling data do not exist; for users for which historical sampling data are available, ETWD may authorize a lower minimum. For reports required by this ordinance and 40 CFR 403.12(e) and (h), the user shall collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

812 TIMING

Reports shall be deemed to have been submitted on the date postmarked. For reports that are not mailed or delivered with postage prepaid the date of receipt of the report shall govern.

813 NOTIFICATION OF CHANGED DISCHARGE

All users that have been issued a wastewater discharge permit shall notify the ETWD in advance of any substantial change in the volume or character of pollutants in their discharge in accordance with 40 CFR 403.12(j)

814. NOTIFICATION OF THE DISCHARGE OF HAZADOUS WASTE (40 CFR 403.12(p)(1))

- A. The industrial user shall notify the ETWD, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into sewerage facilities of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than one hundred (100) kilograms of such waste per calendar month to sewerage facilities, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after a discharge to sewerage facilities commences. Any notification under this section need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under Section 813 of this ordinance and as listed in 40 CFR 403.12(j). The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of Sections 805, 807 and 808 of this ordinance and as listed in 40 CFR 403.12(b), (d), and (e).
- B. Dischargers are exempt from the requirements of Section 814. A., above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the ETWD, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- D. In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- E. This section does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

**ARTICLE 9
ENFORCEMENT**

901 ENFORCEMENT SCOPE

- A. The ETWD finds that in order for it to comply with the laws, regulations, and rules imposed upon it by regulatory agencies and to ensure that sewerage facilities and treatment processes are protected and are able to operate with the highest efficiency, specific enforcement provisions must be adopted to regulate discharges from industrial users.
- B. The ETWD is willing to cooperate with all users on improvements in wastewater quality, yet must be in a position to ensure that uncooperative users shall comply with this ordinance and any conditions set forth in a wastewater discharge permit.
- C. The ETWD intends to ensure that all interested parties are afforded due process of law and that any noncompliance or violation is resolved as soon as possible Enforcement shall be guided by the ERP, adopted as Resolution No.10-12-2.
- D. All users have a right of appeal pursuant to the procedures set forth in this ordinance.
- E. Each non-compliance or violation per day and each day of noncompliance or violation shall be taken as a separate noncompliance or violation for determining the amount of fees, charges, fines or penalties and/or which enforcement actions may be taken. A violation of a weekly average is considered seven (7) days of violation for that parameter and a violation of a monthly average is based upon the number of days in that month. A violation of multiple parameters caused by a single operational upset is considered one violation.
- F. The issuance or exercise of any type of an enforcement action provided for under this ordinance shall not be a bar against, or a prerequisite for, taking any other or additional enforcement action against a user under this ordinance or any other local, state or federal law. The remedies provided for in this ordinance are not exclusive and the ETWD is empowered to take more than one enforcement action against any noncompliant user.

902 NOTICE OF NONCOMPLIANCE (NON)

- A. In the event that it is determined that a user is in noncompliance with any provision of this ordinance, or the terms, conditions and limitations of its wastewater discharge permit, the ETWD may issue a NON form, whereby the user shall comply with all directives, conditions and requirements therein within the time prescribed.
- B. The issuance of a NON form may contain terms and conditions including, but not limited to, installation of pretreatment equipment, sampling structures, submittal of drawings or technical reports, payment of fees or administrative fines, limits on rate and time of discharge or any other provisions to ensure compliance with this ordinance and the user's wastewater discharge permit. This action is not a prerequisite to taking other or more severe enforcement actions.

903 NOTICE OF VIOLATION (NOV)

- A. In the event that it is determined that a user has not responded to a NON form that was previously issued to them or that noncompliance of any pretreatment standards requires their immediate attention, the ETWD may issue a NOV form, whereby the user shall comply with all directives, conditions and requirements therein within the time prescribed.
- B. The issuance of a NOV form may contain terms and conditions including, but not limited to, installation of pretreatment equipment and facilities, submittal of drawings or technical reports, payment of fees, administrative fines, limits on rate and time of discharge or any other provisions to ensure compliance with this ordinance. This action is not a prerequisite to taking other or more severe enforcement actions.

904 ADMINISTRATIVE ORDER (AO)

A. The AO is an enforcement document from the ETWD directing the noncompliant user to undertake or to cease specific activities required to bring the user into compliance with this ordinance or the terms, conditions and limitation of a wastewater discharge permit as determined by the ETWD. The terms and conditions of the AO are not negotiable by the user. The circumstances of a user's noncompliance may dictate which theme the administrative order takes to achieve the earliest possible return to compliance by the user. AOs may include administrative complaints. Types of AOs may include, but are not limited to, the following:

1. Probation Order (PO)

a. The PO directs the noncompliant user to achieve compliance by a date specified in the order. The PO is usually issued when a user is in non-compliance of this ordinance, or the terms, conditions and limitations of its wastewater discharge permit or other enforcement action, or has not made payment of all amounts owed to the ETWD which include, but are not limited to, any fees, charges, fines and/or penalties. This action is not a prerequisite to taking other or more severe enforcement actions.

2. Show Cause Order (SCO)

a. The SCO directs the noncompliant user to appear at a formal meeting, usually at a ETWD location, to explain its noncompliance, and to show cause why more severe enforcement actions against the user should not go forward. This action is not a prerequisite to taking other or more severe enforcement actions.

3. Cease and Desist Order (CDO)

a. The CDO directs the noncompliant user to cease illegal or unauthorized discharges immediately, or to terminate its discharge altogether. A CDO may be issued in situations where a particular discharge could cause interference or pass through, or threaten human safety or the environment. The CDO may be issued immediately upon discovery of the problem. In an emergency, a CDO may be issued by any means, however, such an order should be followed by a written CDO on the user,. If necessary, the ETWD may order immediate cessation of any discharge to ~~the~~ a sewerage facility, regardless of the user's compliance status. If a user fails to comply with the CDO, the ETWD may take any independent action to halt the discharge. This action in not a prerequisite to taking other or more severe enforcement actions.

905 WASTEWATER DISCHARGE PERMIT SUSPENSION OR REVOCATION

A. Grounds

1. The ETWD may suspend or revoke any wastewater discharge permit, but is not limited to the following, when it is determined that a user:

a. Violated an administrative order.

b. Provided a false statement, representation, record, report or other document to the ETWD.

c. Refused to provide records, reports, plans or other documents required to determine wastewater discharge permit terms, conditions, or limitations, discharge compliance, or compliance with this ordinance.

d. Discharged effluent that causes pass-through or interference with sewerage facilities.

e. Falsified, tampered with, or knowingly rendered inaccurate any monitoring device or sample collection method.

f. Discharged effluent that endangers human health or the environment.

g. Failed to report significant changes in operations or wastewater constituents and characteristics.

905 WASTEWATER DISCHARGE PERMIT SUSPENSION OR REVOCATION (cont)

- h. Failed to comply with the terms and conditions of any enforcement action.
- i. Refused reasonable access to the permittee's premises for the purpose of inspection and monitoring.
- j. Failed to make timely payment of any fees, charges, fines or penalties owed to the ETWD.
- k. Violated any conditions or limitations of its wastewater discharge permit or any provision of this ordinance.
- l. Discharged batch dumps to sewerage facilities not authorized or permitted by the ETWD.

B. Notice of Wastewater Discharge Permit Suspension/Revocation

- 1. When the ETWD has reason to believe that grounds exist for suspension/revocation of a wastewater discharge permit, written notice shall be given by certified mail to the user setting forth a statement of facts and grounds deemed to exist together with a description of the time and place where the charge shall be heard by the General Manager. The hearing date shall not be less than fifteen (15) days nor more than sixty (60) days after the mailing of such notice.

C. Hearing on Permit Suspension/Revocation

- 1. At the wastewater discharge permit suspension/revocation hearing, the user shall have an opportunity to respond to the allegations set forth in the notice. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the ETWD's General Counsel.
- 2. After the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
- 3. Upon receipt of the written report, the General Manager shall make his determination. Should he find that the grounds exist for suspension/ revocation of the wastewater discharge permit, he shall issue his decision and order, in writing within thirty (30) days after the hearing by his designee. A copy of the written decision shall be sent by personal delivery or certified mail to the user.

D. Effect of Wastewater Discharge Permit Suspension

- 1. Upon the issuance of an order of suspension by the General Manager, the user shall have no right to discharge any industrial wastewater, directly or indirectly to sewerage facilities for the duration of the suspension. All costs for physically terminating and reinstating service shall be paid by the user.
- 2. An order of wastewater discharge permit suspension issued by the General Manager shall be deemed final upon delivery to the user, unless appealed to the Board as specified in Section 913 of this ordinance.

E. Effect of Wastewater Discharge Permit Revocation

- 1. On the effective date of a wastewater discharge permit revocation being final, the user shall permanently lose all rights to discharge any industrial wastewater directly or indirectly to sewerage facilities. All costs for physical termination shall be paid by the user.
- 2. Each owner and employee of the user shall be bound by the order of wastewater discharge permit revocation.
- 3. Any future application from any user subject to an order of wastewater discharge permit revocation will only be considered by the ETWD after fully reviewing the records of revocation. Such records may be the basis for denial of a new wastewater discharge permit.
- 4. An order of permit revocation issued by the General Manager shall be deemed final upon delivery to the user, unless appealed to the Board as specified in Section 913 of this ordinance.

906 TERMINATION OF SERVICE

The ETWD may physically terminate water or sewer service to any user that violates or continues to violate the provisions of this ordinance, a term of any order of suspension or revocation of a wastewater discharge permit or other control mechanism. All costs for physical termination shall be paid for by the user as well as all costs for reinstating services.

907 EMERGENCY SUSPENSION

- A. The ETWD may suspend water or sewer service when such suspension is necessary, in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, cause interference to sewerage facilities, or cause the ETWD to violate any state or federal law or regulation.
- B. An emergency suspension order is final and has no right of appeal.

908 INJUNCTION

Whenever a discharge of wastewater is in violation of the provisions of this ordinance, the ETWD may petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate to restrain the continuance of such discharge.

909 CIVIL FINES AND PENALTIES

- A. Authority.
 - 1. All users of sewerage facilities are subject to administrative or judicial enforcement actions by the ETWD, EPA, State Regional Water Quality Control Board or the District Attorney of Orange County. Actions may be taken pursuant to the authority and provisions of several laws, including but not limited to:
 - a. Federal Water Pollution Control Act (Clean Water Act).
 - b. California Porter-Cologne Water Quality Act (California Water Code).
 - c. California Hazardous Waste Control Law.
 - d. Resource Conservation and Recovery Act (RCRA).
- B. Recovery of Fines or Penalties.
 - 1. Payment of fines or penalties by the ETWD due to enforcement actions of other regulatory agencies based upon a violation by the ETWD whose cause can be established as the discharge of any user which is in violation of any provisions of this ordinance or a wastewater discharge permit shall entitle the ETWD to recover from the user all cost and expenses, including, but not limited to the full amount of fines and penalties which the ETWD has been subjected to.
 - 2. Each violation shall constitute a new and separate violation and shall be subject to the fines and penalties contained herein.
- C. Civil Liability
 - 1. Pursuant to the authority of California Government Code Sections 54739-54740, any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any order, compliance schedule, suspension or revocation shall be civilly liable for a sum not to exceed twenty-five thousand dollars (\$25,000) per violation for each day in which such violation occurs.

909 CIVIL FINES AND PENALTIES (cont)

2. Pursuant to the authority of Act. 33 U.S.C. Section 1251 et seq., any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any order, compliance schedule, wastewater discharge permit suspension or revocation shall be civilly liable for a sum not to exceed twenty-five thousand dollars (\$25,000) per violation for each day in which such violation occurs.
3. The ETWD may petition the superior court to impose, assess and recover penalties or other such penalties as the ETWD may impose, assess and recover pursuant to federal and/or state legislative authorization.
4. Notwithstanding any other provisions of law, all civil penalties imposed by the court for a violation of this ordinance shall be distributed to the ETWD.
5. Remedies under this section are in addition to and do not supersede or limit any and all other remedies, civil or criminal, but no liability shall be recovered under this section for any violation for which liability is recovered under Section 909 D. of this ordinance.

D. Administrative Complaint

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, the ETWD may issue an administrative complaint to any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any administrative, suspension or revocation order or other control mechanism.
2. The administrative complaint shall be served by personal delivery or certified mail on such person and shall inform the person that a hearing shall be conducted, within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation(s), set forth the provisions of law authorizing civil liability to be imposed and the proposed civil penalty. The matter shall be heard by the General Manager or his designee. The person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing shall not be conducted.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the ETWD's General Counsel.
4. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions and a recommendation. Upon receipt of the written report, the General Manager shall make his determination and should he find that grounds exist for assessment of a civil penalty, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing. If not appealed, the order shall be final thirty-one (31) days after it is served on the person.
5. A person dissatisfied with the decision of the General Manager may appeal to the Board pursuant to Section 913 of this ordinance within thirty (30) days of notice of the General Manager's decision.
6. If, after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements or other provisions of the this ordinance, the General Manager or Board may assess a civil penalty against that person.
7. In the determination of the amount of the civil penalty, all relevant circumstances may be taken into consideration, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violations, the length of time over which the violation occurs and the corrective action(s), if any, attempted or taken by the person.

909 CIVIL FINES AND PENALTIES (cont)

8. Civil penalties may be assessed as follows:
 - a. In an amount which shall not exceed two thousand dollars (\$2,000) for each day for failing or refusing to furnish technical or monitoring reports.
 - b. In an amount which shall not exceed three thousand (\$3,000) for each day for failing or refusing to timely comply with any compliance schedule
 - c. In an amount which shall not exceed five thousand dollars (\$5,000) per violation for each day for discharges in violation of any waste discharge limitation, wastewater discharge permit condition, other control mechanism or requirement issued, reissued or adopted by the ETWD.
 - d. In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any suspensions, cease and desist order or other orders, or prohibition issued, reissued or adopted by the ETWD.
9. Payment of civil penalties shall be due within thirty (30) days of the date of the order assessing the penalties becomes final. The amount of any administrative civil penalties imposed which have remained delinquent for a period of sixty (60) days from the date they are due shall constitute a lien against the real property of the discharger from which the discharge resulting in the imposition of the penalty originated. The lien shall have no force and effect until recorded with the county recorder and when recorded shall have the force and effect and priority of a judgment lien and continue for ten (10) years and be renewable in accordance with law.
10. Copies of the administrative order shall be served by personal service or by registered mail upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy of the order.
11. Any party aggrieved by a final order issued by the Board after granting review of the order of the General Manager may obtain review of the order of the Board in the Superior Court, by filing in the court a petition for writ or mandate within thirty (30) days following the service of a copy of the decision and order issued by the Board.
12. Any party aggrieved by a final order issued by the General Manager, for which the Board denies review, may obtain review of the order of the General Manager in the Superior Court, by filing in the court a petition for writ of mandate within thirty (30) days following service of a copy of a decision and order denying review by the Board.
13. No administrative civil penalties shall be recoverable under this section for any violation for which civil liability is recovered under Section 909 C. of this ordinance.

910 CRIMINAL PENALTIES

- A. Any person who violates any provision of this ordinance is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed one thousand dollars (\$1,000) or imprisonment for not more than thirty (30) days or both.
- B. Each violation shall constitute a new and separate violation and shall be subject to the penalties contained herein.

911 PUBLIC NUISANCE

- A. Discharge of wastewater in a manner that is in noncompliance or violation of this ordinance or of any order issued by the ETWD, in accordance with this ordinance, shall hereby be declared a public nuisance and shall be corrected or abated as directed by the ETWD.
- B. Any person creating a public nuisance is guilty of a misdemeanor and is subject to the criminal penalties identified in Section 910 of this ordinance.

912 APPEALS TO THE GENERAL MANAGER

A. General

1. Any user affected by a decision, action or determination made by ETWD staff may file with the General Manager a written request for an appeal hearing.
2. Request must be made within fifteen (15) days of the mailing of the original decision.
3. Request for hearing shall set forth details of all facts supporting the appellant's request for hearing.

B. Notice

1. The General Manager shall, within fifteen (15) days of receiving the request for appeal provide written notice to the user of the hearing date, time, and place.
2. The hearing time shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a later date is agreed to by the appellant.
3. If the hearing is not held within the time set due to actions of the appellant, then the ETWD's decision shall be deemed final.

C. Hearing

1. The appellate shall have the opportunity to present information supporting its position concerning the ETWD's original decision, action or determination.
2. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the ETWD's General Counsel.

D. Written Determination

1. After the hearing the General Manager shall make a determination whether to uphold, modify or reverse original decision, action or determination as issued by ETWD staff.
2. This decision shall be put into writing within a brief statement of facts found to be true, the determination of the issues presented, and the findings.
3. The final determination of the General Manager upon his approval shall be executed as the order.
4. A copy shall be mailed or delivered to the appellant.
5. The order of the General Manager shall be final in all respects fifteen (15) days after it is mailed to the appellant, unless appealed under Section 913 of this ordinance.

E. Wastewater Discharge Permit Suspension/Revocation Appeals

1. Appeals regarding wastewater discharge permit suspension or revocation are covered under Section 905 and Section 913 as specified in this ordinance.

913 APPEALS TO THE BOARD

A. General

1. The user may, within thirty (30) days after the date of notification of the General Manager's order upholding the ETWD's determination, file a written appeal to the Board.
2. A fee of one hundred dollars (\$100) shall accompany the written appeal which shall be refunded if the Board of Directors reverses or modifies the order of the General Manager.
3. A request for appeal to the Board shall set forth details of the past record and that new arguments cannot be raised on appeal to the Board that could have been, but were not, raised in the prior appeal to the General Manager.
4. Pending the hearing on appeal, the user shall not be entitled to discharge into sewerage facilities beyond the effective date of the original order determined by the General Manager, unless it has been determined by the General Manager that the user is pursuing good faith arguments and approves such discharge.

B. Notice

1. The Board Secretary, within fifteen (15) days of receiving the request for appeal, will provide written notice to the user of the hearing date, time and place.
2. The hearing date shall not be more than forty-five (45) days from the mailing of such notice by certified mail to the appellate unless a later date is agreed to by the appellant.
3. If the hearing is not held within the time set due to action of the appellant, the General Manager's decision shall be deemed final.

C. Hearing

1. The appellant shall have the opportunity to present information supporting its position concerning the General Manager's determination.
2. The hearing shall be conducted in accordance with procedures established by the Board and approved by the ETWD's General Counsel.

D. Written Determination

1. After the hearing, the Board shall make a determination whether to uphold, modify or reverse the original decision, action or determination as ordered by the General Manager.
2. The decision of the Board shall be reduced to writing within thirty (30) days after the hearing.
3. It shall contain a brief statement of facts found to be true, the determination of the issues presented, and the findings. The decision shall be submitted to the appellant.
4. The order of the Board shall be final upon its adoption.

914 JUDICIAL REVIEW

A. Purpose and Effect

1. Pursuant to Section 1094.6 of the California Code of Civil Procedure, the time in which a user may bring an administrative mandamus action shall be limited to ninety (90) days following the final decision in the adjudicative administrative hearing in question.

B. Time Limit for Judicial Review

1. Judicial review of any decision of the ETWD's Board may be made pursuant to Section 1094.5 of the California Code of Civil Procedure only if the petition for writ of mandate is filed no later than ninety (90) day following the date on which any decision becomes final.

C. Preparation of Records

1. The complete record of the proceedings shall be prepared by the ETWD and shall be delivered or mailed to the petitioner within one hundred-ninety (190) days after they have filed a written request.
2. The ETWD shall recover from the petitioner its actual costs for preparing and transcribing the record.

D. Extension

1. If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition may be filed, pursuant to Section 1094.5 of the California Code of Civil Procedures, shall be extended to no later than thirty (30) days following the date on which the record is delivered or mailed, by the ETWD, to the petitioner or the petitioner's attorney of record, if appropriate.

E. Notice

1. In making a final decision, the ETWD shall provide notice to the user whose wastewater discharge permit has been denied, suspended or revoked, that the time in which judicial review must be sought is governed by Section 1094.6 of the California Code of Civil Procedures.

F. This section does not apply to action taken under Section 909 of this ordinance.

915 PAYMENT AND COLLECTION OF FEES AND CHARGES

A. Except as otherwise provided, all fees and charges are due and payable upon receipt of an invoice or notice thereof. All such amounts are delinquent if unpaid forty-five (45) days after date of invoice or notice.

B. Any invoice or notice that becomes delinquent may have added to it an assessment in accordance with the following:

1. Forty-six (46) days after the date of invoice or notice, an assessment of ten percent (10%) of the base amount, not to exceed a maximum of \$1,000.
2. Ninety (90) days after the date of invoice or notice, a total of twenty-five percent (25%) of the base amount, not to exceed a maximum of \$2,500.

C. Any invoice or notice that is outstanding and unpaid after ninety (90) days may be cause for immediate initiation of wastewater discharge permit revocation proceedings or immediate wastewater discharge permit suspension.

D. Delinquent assessments under this section may not accrue to those invoices or notices successfully appealed, provided the ETWD received written notice of appeal prior to the payment due date.

E. Payment of disputed fees and charges are still required by the due date during review of any appeal submitted by permittee.

F. This section does not apply to Section 909 of this ordinance.

916 RECOVERY OF ENFORCEMENT COSTS

In the event a user fails to comply with any of the terms and conditions of this ordinance, wastewater discharge permit, administrative order, wastewater discharge permit suspension or revocation, other control mechanism or any other enforcement action, the ETWD shall be entitled to reasonable attorney's fees and costs which may be incurred during enforcement of any terms and conditions with or without filing proceedings in court.

917 FINANCIAL SECURITY CONDITIONS

A. Compliance Deposit

1. Users that have been subject to enforcement actions and/or fees, charges, penalties or fines may be required to deposit with the ETWD an amount determined by the General Manager as necessary to guarantee payment of all charges, fees, costs and expenses that may be incurred in the future.
2. A compliance deposit shall be received by the ETWD before the ETWD either issues a wastewater discharge permit, other control mechanism or grants the user permission for further discharge to sewerage facilities.

B. Delinquent Accounts

1. Any user who fails to make payment in full of all fees, charges, penalties or fines assessed by the ETWD including reconciliation amounts, delinquency fees, and other costs or fees may be required to obtain the issuance of an amendment to their wastewater discharge permit.

C. Bankruptcy

1. Any user filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court-ordered protection from its creditors, shall within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its wastewater discharge permit by the ETWD.

D. Wastewater Discharge Permit Amendments

1. An amendment issued to the user's wastewater discharge permit shall be in accordance with the provision of this ordinance.

E. Security Deposit

1. An amendment to a wastewater discharge permit issued in accordance with this ordinance may be conditional upon the permitted user depositing financial security in an amount equal to the total fees and charges from the preceding year.
2. Such a deposit shall be used to guarantee payment of all fees and charges incurred for future services and sewerage facilities provided by the ETWD and shall not be used by the ETWD to recover outstanding fees and charges incurred prior to the user filing and receiving protection from creditors in the United States Bankruptcy Court.

F. Return of Security Deposit

1. If the user makes full payment in time of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the user's wastewater discharge permit prescribed by this ordinance, the user's security deposit shall be returned or credited to the user's account.

918 REPORT OF ANALYSIS

All collected data from inspection and monitoring sampling conducted by the ETWD may be reported to the user. This data, if given to the user, shall be kept by the user and the ETWD and made available during inspections by the ETWD or any other regulatory agency.

919 DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS

- A. When a discharger of wastes causes an obstruction, interference, damage, or other impairment to sewerage facilities or to the operation of sewerage facilities, the ETWD may assess the costs against the user for the work required to clean, replace or repair the sewerage facility together with expenses incurred to resume normal operations. This shall also be grounds for wastewater discharge permit revocation. A service charge of twenty-five percent (25%) of costs shall be added to the costs and charges to cover the ETWD's overhead, including administrative personnel and record keeping. The total amount shall be payable within forty-five (45) days of invoicing by the ETWD.
- B. If it can be shown that the discharge of any user is the cause of the ETWD violating its NPDES permit and pretreatment requirements established by any Regulatory Agency or incurring additional expenses or suffering losses or damage to ETWD sewerage facilities, then that user shall be responsible for any costs, expenses, or assessments incurred by the ETWD, made by other agencies or a court.
- C. Where two or more dischargers cause a single and indivisible harm to sewerage facilities, each is jointly and severally liable for the damages. The burden of proof is on the dischargers to demonstrate that the harm is divisible.

920 INDUSTRIAL WASTE PASS THROUGH

- A. If an industrial waste discharge results in a "pass through" event in sewerage facilities, all costs associated with the event, including but not limited to treatment costs, fines, regulatory fines, and other indirect costs may be charged against the user.
- B. The user shall submit plans which prevent future recurrences to the satisfaction of the ETWD.
- C. A second occurrence shall be grounds for wastewater discharge permit revocation without the right of appeal.

921 BATCH DUMPS

- A. When the ETWD determines that a user has discharged concentrated noncompatible wastes into a sewerage facility in a manner or method that is not approved by the ETWD, any enforcement action may be taken as set forth in this ordinance.
- B. The user shall be subject to wastewater discharge permit suspension or revocation in accordance with this ordinance as well as any other legal enforcement penalties or remedies available to the ETWD.

922 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE (SNC)

- A. To comply with the requirements of 40 CFR 403, the ETWD shall annually publish the names of all industrial users that are in SNC of federal pretreatment standards.
- B. Publication of this SNC notice shall be in the newspaper of general circulation that provides meaningful public notice within the ETWD service areas.
- C. The determination of SNC is based upon the definition set forth in Section 202 B.88. of this ordinance.

**ARTICLE 10
FEES AND CHARGES**

1001 APPLICATION FEE

- A. All application fees shall be in an amount as established by the ETWD.
- B. Payment of the application fee must be received before the issuance of a new or renewal of a wastewater discharge permit.
- C. User shall pay any delinquent invoices in full, prior to the wastewater discharge permit renewal.

1002 ANNUAL WASTEWATER DISCHARGE PERMIT FEE

- A. The annual wastewater discharge permit fee shall be in an amount as established by the ETWD.
- B. The annual wastewater discharge permit fee shall be due on or before the date set by the ETWD.

1003 INSPECTION, MONITORING AND SAMPLING CHARGES

Any and all costs incurred by the ETWD to inspect, monitor and sample a user for the purpose of assuring compliance with this ordinance, the user's wastewater discharge permit, other control mechanism or other regulations shall be paid for by the user only upon receipt of an invoice or bill from the ETWD or its representative.

1004 DELINQUENCY FEES

- A. Any fees that become delinquent may have added to it an amount as set forth in Section 915 of this ordinance.
- B. Any delinquent fee and all assessments including court costs and legal fees thereon may be collected by lawsuit in the name of the ETWD.

1005 ADDITIONAL FEES AND CHARGES

- A. The user will be required to pay all applicable additional fees and charges that are established by the ETWD only upon receipt of an invoice or bill.
- B. Any wastewater discharge permit issued for a location where the user is not the property owner, may be conditioned upon depositing financial security to guarantee payment of all additional fees and charges to be incurred, in accordance with the provisions of Section 917 of this ordinance.

1006 RECORDING OF FEES AND CHARGES

- A. The ETWD may keep a permanent record and account of all fees and charges received under this ordinance.
- B. Record information shall include, but is not limited to:
 - 1. Name and address of user.
 - 2. Date and amount of fee or charge.
 - 3. Purpose for which fees or charges were paid.

**ARTICLE 11
SEVERABILITY**

1101 SEVERABILITY

- A. If any provisions of this ordinance or the application thereof to any users or circumstances is held invalid, unenforceable, or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance or the application of such provision to other users or other circumstances shall not be affected.
- B. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance. The Board declares that they would have passed said ordinance by section, subsection, sentence, clause or phrase thereof.

**ARTICLE 12
REPEAL**

1201 REPEAL

- A. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with the provisions of this ordinance.

**ARTICLE 13
EFFECTIVE DATE**

1301 EFFECTIVE DATE

- A. This ordinance shall become effective thirty (30) days after adoption.
- B. Amendments to this ordinance shall become effective thirty (30) days after there adoption.

EL TORO WATER DISTRICT

Dated _____

by _____
President

Dated _____

by _____
Secretary

**EL TORO WATER DISTRICT (ETWD)
NOTICE OF PUBLIC HEARING
PRETREATMENT ORDINANCE NO. 2020-1**

**PUBLIC HEARING ON ADOPTION OF EL TORO WATER DISTRICT
WASTE DISCHARGE PRETREATMENT AND SOURCE CONTROL PROGRAM
("PRETREATMENT ORDINANCE 2020-1")**

Notice is hereby given that the ETWD Board of Directors will hold a public hearing to consider adoption of Pretreatment Ordinance No. 2020-1 which amends and replaces ETWD existing Pretreatment Ordinance No. 2015-2 in its entirety. The ETWD Board will open the public hearing on Thursday, August 27, 2020, at 7:30 a.m., or as soon thereafter as possible. The public hearing will be held via teleconference with staff participating from the ETWD Administrative Offices located at 24251 Los Alisos Blvd., Lake Forest, California, 92630. ETWD is a member agency of the South Orange County Wastewater Authority (SOCWA), a joint powers agency operating regional wastewater treatment plants that process and dispose of solids and treated effluent from the ETWD service area, as well as other SOCWA member agency service areas. SOCWA enforces the national pollutant discharge elimination system (NPDES) permits that include the federal and state pretreatment requirements that apply to dischargers within ETWD's service area.

SUMMARY OF 2020-1 PRETREATMENT ORDINANCE

ETWD's proposed Pretreatment Ordinance No. 2020-1 amends the current ETWD 2015-2 Pretreatment Ordinance to maintain the Pretreatment Program in compliance with federal and State regulations and makes other minor changes. The 2020-1 Pretreatment Ordinance revises existing pretreatment regulations by: a.) adding terms regarding "Dry Weather Nuisance Flow", "Indirect Discharge" and "Non-Stormwater Discharge" and amending terms regarding "National Pretreatment Standards", "Slug Discharge" and "Stormwater", b.) adding reference to ETWD's Enforcement Response Plan (in three sections), c.) modifying language regarding Self-Monitoring and Reporting (Article 8) to be more consistent with Federal Regulations and d.) making minor non-substantive changes and updates to ensure the Ordinance is consistent with current terminology and practices.

ETWD's proposed Pretreatment Ordinance No. 2020-1 is available for review on the ETWD website at <https://etwd.com/>. Comments on the Ordinance may be made during the public hearing, or by providing written comments in advance to ETWD, Attention: Dennis P. Cafferty, General Manager at the above referenced address. Please reference the public hearing and subject matter in any correspondence. For further information, you may also contact Rick Olson, ETWD Operations Superintendent, at (949) 837-7050, ext. 223.

Dennis P. Cafferty, General Manager/Secretary
EL TORO WATER DISTRICT
and the Board of Directors thereof

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 Judge of the Superior Court
 Publish: Orange County Register
 Aug. 12, 19, 26, Sept. 2, 2020 11403835

NOTICE OF PETITION TO ADMINISTER ESTATE OF: N.F. EVERS, aka HELEN F. aka HELEN F. BRASTOFF
CASE#30-2020-01150314-PR-PL-CJC

To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: HELEN F. EVERS, aka HELEN BRASTOFF, aka HELEN F. BRASTOFF
 A PETITION for Probate has been filed by has been filed by HERBERT J. EVERS, JR., by and through his agent and conservator of the estate, PAUL EVERS in the Superior Court of California, County of ORANGE
 THE PETITION FOR PROBATE requests JANE BAUER be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for exam in ation in the file kept by the court
 THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This Authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
 A HEARING on the petition will be held in this court as follows: Sep 17, 2020 at 2:00 p.m. in Dept. C06 located at 700 Civic Center Drive West, Santa Ana, CA 92701.

(1) If you plan to appear, you must attend the hearing by video remote using Microsoft Teams; (2) Go to the Court's website at <http://www.occourts.org/media-relations/probate-mental-health.html> to appear for probate hearings; and for remote hearing instructions; If you have difficulty connecting to your hearing, call 657-622-8278 for assistance.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Thomas B. Garrett, Esq. Garrett Archidi, LLP
 1101 DOVE STREET, SUITE 100
 NEWPORT BEACH, CA 92660
 Published: Orange County Register Aug. 13, 19, 20, 2020 11403656



of general circulation, printed in this county:
 Orange
 Date: 08-13-2020
 James J. DiCesare
 Judge of the Superior Court
 Publish: Orange County Register
 August 19, 26, Sept. 2, 9, 2020 11405168

SUMMONS (CITACION JUDICIAL) NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

TODD BETLEJEWski, individually and dba **COREGENX**; **COREGENX**, a business entity form unknown; **360 LOGIC LLC**, a Delaware limited liability company dba **COREGENX**; and **DOES 1** through **100**, inclusive, **YOU ARE BEING SUED BY PLAINTIFF: (LO ESTA DEMANDANDO EL DEMANDANTE):** **CLAYTON OLIVIER**, an individual **NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.
 You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The Court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación. Tiene 30 DIAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y mas información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede mas cerca. Si no pueda pagar la cuota de presentación, pida al secretario de la corte que le de un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin mas advertencia.

Kelly A. Lore, MAMC Clerk of the Board

Published, OC Register August 12; 19, 2020

EL TORO WATER DISTRICT (ETWD) NOTICE OF PUBLIC HEARING PRETREATMENT ORDINANCE NO. 2020-1

PUBLIC HEARING ON ADOPTION OF EL TORO WATER DISTRICT WASTE DISCHARGE PRETREATMENT AND SOURCE CONTROL PROGRAM ("PRETREATMENT ORDINANCE 2020-1")

Notice is hereby given that the ETWD Board of Directors will hold a public hearing to consider adoption of Pretreatment Ordinance No. 2020-1 which amends and replaces ETWD existing Pretreatment Ordinance No. 2015-2 in its entirety. The ETWD Board will open the public hearing on Thursday, August 27, 2020, at 7:30 a.m., or as soon thereafter as possible. The public hearing will be held via teleconference with staff participating from the ETWD Administrative Offices located at 24251 Los Alisos Blvd., Lake Forest, California, 92630. ETWD is a member agency of the South Orange County Wastewater Authority (SOCWA), a joint powers agency operating regional wastewater treatment plants that process and dispose of solids and treated effluent from the ETWD service area, as well as other SOCWA member agency service areas. SOCWA enforces the national pollutant discharge elimination system (NPDES) permits that include the federal and state pretreatment requirements that apply to dischargers within ETWD's service area.

SUMMARY OF 2020-1 PRETREATMENT ORDINANCE

ETWD's proposed Pretreatment Ordinance No. 2020-1 amends the current ETWD 2015-2 Pretreatment Ordinance to maintain the Pretreatment Program in compliance with federal and State regulations and makes other minor changes. The 2020-1 Pretreatment Ordinance revises existing pretreatment regulations by: a.) adding terms regarding "Dry Weather Nuisance Flow", "Indirect Discharge" and "Non-Stormwater Discharge" and amending terms regarding "National Pretreatment Standards", "Slug Discharge" and "Stormwater", b.) adding reference to ETWD's Enforcement Response Plan (in three sections), c.) modifying language regarding Self-Monitoring and Reporting (Article 8) to be more consistent with Federal Regulations and d.) making minor non-substantive changes and updates to ensure the Ordinance is consistent with current terminology and practices.

ETWD's proposed Pretreatment Ordinance No. 2020-1 is available for review on the ETWD website at <https://etwd.com/>. Comments on the Ordinance may be made during the public hearing, or by providing written comments in advance to ETWD, Attention: Dennis P. Cofferty, General Manager at the above referenced address. Please reference the public hearing and subject matter in any correspondence. For further information, you may also contact Rick Olson, ETWD Operations Superintendent, at (949) 837-7050, ext. 223.

Dennis P. Cofferty, General Manager/Secretary
 EL TORO WATER DISTRICT
 and the Board of Directors thereof

Publish: Orange County Register
 August 12, 19, 2020 11403581

NOTICE OF PUBLIC AUCTION

Pursuant to Sec.21700 et seq. of Business & Professional Code: A Public Auction will be held at Lincoln Self Storage 15777 E. Lincoln Ave, Orange CA 92665, at 10:00 a.m. August 26th, 2020 to Sell the following to satisfy liens held on:

Unit#	Name	Items
A-33	Manager Special	Office furniture, Wine Cooler
A-39	Herbierto Rodriguez	Carri,2chairs,Toys,7Bags, File Box,Bookcase
B-10	Larry Green	5Bags,wine rack,5fotes,2barstools,table & chairs,
B-23	Jesus Hernandez	Cement mixer,air compressor,hand tools,wagon
B-28	Mariha Patino	Bike, Truck Bar, Wagon,Trash bags, try holders
B-53	Jose Orellana	Air Tank, Auto parts,3 bags,shrink wrap,misc,items
B-60	Bastel Wardak	Bowflex, Light Fixture,1 Bag.
B-69	Pamela Parker	2 Rockers, 3 wardrobe boxes, skies, 5 bags,bike,
C-46	Carlos Aguirre	Toy Car, 2,5gal bucket, 2, BlK cases, 1 bag,
C-49	Nelson Zou	Table saw,7 bags, ladder, concrete blocks, shop vac
D-19	Paul Rivera	Metal rack, boxes, misc items
D-57	Victor Arreguin	Copier, 3 shelf units, hand tools, greenmotor, misc,items
D-65	William Leigh	Train table, car cover
E-1	Jesus Baltazar	Bookcase, table, 7bags,radio, monitor,misc, items
E-8	Ivan Zuniga	Air compressor, Honda motor/sprayer,saw,misc,items
E-42	Michael Varela	Loose clothing, ladder, file cabinet, hand truck, stierio
E-50	Marina Huerto	2 sound deflectors, 1plastic bag, loose paint supplies
E-71	Nathalie Merrill	Dryer, refrigerator,14boxes, 1 suitcase
F-48	Ahziiri Crespo	Microwave,furniture, 2boxes,2 shelf units
G-16	Tony Leal	5boxes, motorcycle parts,metal stands loose straps, misc, items
G-26	Dennis Countryrman	14boxes,furniture,red truck, piano stool, misc,items
G-33	Juana Simental	6boxes, 2fotes,tile saw,furniture, 4bikes
G-58	Clarence McMurtrey	21boxes, 2tool boxes, compressor, bike parts,
G-63	Clarence McMurtrey	36fotes,13boxes,pipes,pipe fittings, misc, items
I-75	Terence Forbes	11boxes, 11fotes,metal rack,work bench,misc items

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August 12, 2020 11403936

**YOU'RE
SELLING
CAR
COUNTY,
HERE**



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y and Sell**

Petitioner **MARIA EUGENIA ALLEN**, filed a petition with this court for a decree changing names as follows:
PRESENT NAME:
MARIA EUGENIA ALLEN
PROPOSED NAME:
MARY EUGENIA ALLEN
THE COURT ORDERS that all persons interested in this matter appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.
NOTICE OF HEARING
Date: 09/15/2020
Time: 8:30 am
Dept. D100 Window 44
The address of the court is
700 Civic Center Drive West
Santa Ana, Ca 92701
A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: Orange
Date: 7/23/2020
James J. DiCesare
Judge of the Superior Court
Publish: Orange County Register
July 29, Aug. 5, 12, 19, 2020 11400963

NOTICE OF PETITION TO ADMINISTER ESTATE OF: TIMOTHY MARK GANNON, TIM GANNON
CASE NO. 30-2020-0131255-PR-LA-CJC
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of: **TIMOTHY MARK GANNON, TIM GANNON**
A PETITION FOR PROBATE has been filed by **SCOTT A GANNON** in the Superior Court of California, County of **ORANGE**.
THE PETITION FOR PROBATE requests that **SCOTT A GANNON** be appointed as personal representative to administer the estate of the decedent.
THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This Authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.
A HEARING on the petition will be held in this court as follows: 10-01-2020 at 2:00 p.m. in Dept. C06 located at 700 Civic Center Drive West, Santa Ana, CA 92701.
(1) If you plan to appear, you must attend the hearing by video remote using Microsoft Teams; (2) Go to the Court's website at <http://www.occourts.org/media-relations/probate-mental-health.html> to appear for probate hearings; and for remote hearing instructions; (3) If you have difficulty connecting to your remote hearing, call 657-622-8278 for assistance.
IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.
IF YOU ARE A CREDITOR or contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.
Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.
YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Pro-

Publish: Orange County Register, August 12, 2020 11403581
**EL TORO WATER DISTRICT (ETWD)
NOTICE OF PUBLIC HEARING
PRETREATMENT ORDINANCE NO. 2020-1**
PUBLIC HEARING ON ADOPTION OF EL TORO WATER DISTRICT WASTE DISCHARGE PRETREATMENT AND SOURCE CONTROL PROGRAM ("PRETREATMENT ORDINANCE 2020-1")
Notice is hereby given that the ETWD Board of Directors will hold a public hearing to consider adoption of Pretreatment Ordinance No. 2020-1 which amends and replaces ETWD existing Pretreatment Ordinance No. 2015-2 in its entirety. The ETWD Board will open the public hearing on Thursday, August 27, 2020, at 7:30 a.m., or as soon thereafter as possible. The public hearing will be held via teleconference with staff participating from the ETWD Administrative Offices located at 24251 Los Alisos Blvd., Lake Forest, California, 92630. ETWD is a member agency of the South Orange County Wastewater Authority (SOCWA), a joint powers agency operating regional wastewater treatment plants that process and dispose of solids and treated effluent from the ETWD service area, as well as other SOCWA member agency service areas. SOCWA enforces the national pollutant discharge elimination system (NPDES) permits that include the federal and state pretreatment requirements that apply to dischargers within ETWD's service area.

SUMMARY OF 2020-1 PRETREATMENT ORDINANCE
ETWD's proposed Pretreatment Ordinance No. 2020-1 amends the current ETWD 2015-2 Pretreatment Ordinance to maintain the Pretreatment Program in compliance with federal and State regulations and makes other minor changes. The 2020-1 Pretreatment Ordinance revises existing pretreatment regulations by: a.) adding terms regarding "Dry Weather Nuisance Flow", "Indirect Discharge" and "Non-Stormwater Discharge" and amending terms regarding "National Pretreatment Standards", "Slug Discharge" and "Stormwater", b.) adding reference to ETWD's Enforcement Response Plan (in three sections), c.) modifying language regarding Self-Monitoring and Reporting (Article 8) to be more consistent with Federal Regulations and d.) making minor non-substantive changes and updates to ensure the Ordinance is consistent with current terminology and practices.

ETWD's proposed Pretreatment Ordinance No. 2020-1 is available for review on the ETWD website at <https://etwd.com/>. Comments on the Ordinance may be made during the public hearing, or by providing written comments in advance to ETWD, Attention: Dennis P. Cafferty, General Manager at the above referenced address. Please reference the public hearing and subject matter in any correspondence. For further information, you may also contact Rick Olson, ETWD Operations Superintendent, at (949) 837-7050, ext. 223.

Dennis P. Cafferty, General Manager/Secretary
EL TORO WATER DISTRICT
and the Board of Directors thereof
Publish: Orange County Register
August 12, 19, 2020 11403581

**City of Villa Park
Public Notice**

NOTICE IS HEREBY GIVEN THAT THE CITY OF VILLA PARK CITY COUNCIL will hold a public hearing **IN PERSON/REMOTELY** on August 25, 2020, at 6:30 p.m., or as soon thereafter as the matter can be heard to receive and consider all evidence and reports relative to the related applications described below:

VARIANCE NO. 2020-02 :
REQUEST TO REDUCE THE MINIMUM SIDE YARD BUILDING SETBACK (WEST PROPERTY LINE) OF 10'-0" TO 5'-0" (A DEVIATION OF 5'-0") AND TO REDUCE THE MINIMUM REAR YARD BUILDING SETBACK (SOUTH PROPERTY LINE) OF 10'-0" TO 5'-0" (A DEVIATION OF 5'-0") FOR A PROPOSED DETACHED, 2,570 SQUARE FOOT, SINGLE-STORY ACCESSORY STRUCTURE CONSISTING OF A RECREATIONAL VEHICLE GARAGE SPACE AND WORK/STORAGE AREA.

CONDITIONAL USE PERMIT NO. 2020-03 :
REQUEST TO EXCEED THE MAXIMUM ALLOWABLE GARAGE DOOR HEIGHT OF 8'-1" TO 13'-0" (A DEVIATION OF 4'-11") SINGLE, SECTIONAL GARAGE DOOR FOR A PROPOSED DETACHED 2,570 SQUARE FOOT, SINGLE-STORY ACCESSORY STRUCTURE CONSISTING OF A RECREATIONAL VEHICLE GARAGE SPACE AND WORK/STORAGE AREA.

Location: 18282 MONTANA CIRCLE
Property Owners: ANDREW J. AND JAIME MARTIN
Applicant: STEVEN C. SHEPHERD, ARCHITECT - SC5 ARCHITECTURE

Copies of building plans and related documents are on file and available for public inspection at City Hall between the hours of 8:00 a.m. and 5:00 p.m. weekdays. Telephone: (714) 998-1500.

IF A CITIZEN WISHES TO CHALLENGE THE NATURE OF THE ABOVE ACTIONS IN COURT, THEY MAY BE LIMITED TO RAISING ONLY THOSE ISSUES THEY OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, VIA A HANDWRITTEN CORRESPONDENCE DELIVERED TO THE CITY OF VILLA PARK, OR VIA EMAIL TO INFO@VILLAPARK.ORG, PRIOR TO THE PUBLIC HEARING.

Members of the public can view the meeting on television (Spectrum Channel 3 and AT&T Channel 99) or livestream on the City's website.

RESOLUTION NO. 20-8-1

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING ETWD'S WASTE DISCHARGE
PRETREATMENT AND SOURCE CONTROL PROGRAM
ORDINANCE NO. 2020-1 WHICH REPLACES
EL TORO WATER DISTRICT'S
PRETREATMENT ORDINANCE NO. 2015-2
IN IT'S ENTIRETY**

WHEREAS, the Board of Directors of El Toro Water District (ETWD) has adopted "Pretreatment Ordinance No. 2015-2, an Ordinance of Rules and Regulations for the Discharge of Wastewater to Sewerage Facilities in the El Toro Water District Service Area (Waste Discharge Pretreatment and Source Control Program) ("Pretreatment Ordinance No. 2015-2"); and

WHEREAS, the State Water Resources Control Board conducted a Pretreatment Program Audit resulting in an Audit Report requiring that SOCWA and it's Member Agencies amend and/or replace existing Pretreatment Ordinances; and

WHEREAS, ETWD's Pretreatment Ordinance 2020-1 revises existing pretreatment regulations by: a.) adding terms regarding "Dry Weather Nuisance Flow", "Indirect Discharge" and "Non-Stormwater Discharge" and amending terms regarding "National Pretreatment Standards", "Slug Discharge" and "Stormwater", b.) adding reference to ETWD's Enforcement Response Plan (in three sections), c.) modifying language regarding Self-Monitoring and Reporting (Article 8) to be more consistent with Federal Regulations and d.) making minor non-substantive changes and updates to ensure the Ordinance is consistent with current terminology and practices; and

WHEREAS, the District held a noticed and posted a public hearing on August 27, 2020 to review staff's recommendations and to consider public comments regarding the adoption of Pretreatment Ordinance No. 2020-1 in the form and content attached to this Resolution and marked Exhibit "A" entitled "El Toro Water District Wastewater Discharge Pretreatment Ordinance No. 2020-1" (hereafter "Pretreatment Ordinance No. 2020-1"); and

WHEREAS, Pretreatment Ordinance No. 2020-1 amends Pretreatment Ordinance 2015-2 in its entirety.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the El Toro Water District hereby determines and finds that the above recitals, determinations and findings are true and correct statements and are fully incorporated herein;

RESOLVED FURTHER, that the maintenance of the general welfare of the District's customers necessitates the adoption of Pretreatment Ordinance No. 2020-1 in the form and content set forth in Exhibit "A" attached hereto, which exhibit, by this reference, is fully incorporated herein;

RESOLVED FURTHER, that Pretreatment Ordinance No. 2020-1, in the form and content set forth in Exhibit "A" attached hereto amends in its entirety Pretreatment Ordinance No. 2015-2 and is hereby adopted;

RESOLVED FURTHER, that the District's General Manager and staff are hereby authorized to publish and/or post Ordinance No. 2020-1 within fifteen days of August 27, 2020.

ADOPTED, SIGNED AND APPROVED this 27th day of August 2020.

MARK L. MONIN, President
El Toro Water District and the
Board of Directors thereof

DENNIS P. CAFFERTY, Secretary
El Toro Water District and the
Board of Directors thereof

EXHIBIT A

EL TORO WATER DISTRICT

WASTE DISCHARGE PRETREATMENT

AND

SOURCE CONTROL PROGRAM

An Ordinance of
Regulations for the Discharge of
Wastewater to Sewerage Facilities of the
El Toro Water District Service Area

ORDINANCE

2020-1

EL TORO WATER DISTRICT
WASTE DISCHARGE PRETREATMENT
AND
SOURCE CONTROL PROGRAM

An Ordinance of
Regulations for the Discharge of
Wastewater to Sewerage Facilities of the
El Toro Water District Service Area

ORDINANCE
2020-1

Prepared by the
Operations Department
El Toro Water District
and
Industrial Waste Division
South Orange County Wastewater Authority

2020

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THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT DOES ORDAIN AS FOLLOWS:

**ARTICLE 1
GENERAL PROVISIONS**

101 INTRODUCTION

- A. The El Toro Water District ("ETWD") was organized in September, 1960 by authority of the California Water District Law (Section 34000 of the Water Code of the State of California). The ETWD is governed by a five member Board of Directors (Board) elected from the qualified voters in the service area. The ETWD provides water distribution and wastewater collection and treatment services to residential and commercial establishments in portions of the cities of Aliso Viejo, Laguna Hills, Lake Forest and Mission Viejo and all of the City of Laguna Woods. Water is imported to the ETWD through the Allen McColloch pipeline and wastewater is treated at the ETWD's Water Recycling Plant. The ETWD delivers tertiary treated recycled water to landscape irrigation customers in its service area; unused wastewater is discharged to the ocean via the South Orange County Wastewater Authority's (SOCWA) Aliso Creek Ocean Outfall.
- B. SOCWA is governed by its own Board of Directors with each director representing a member agency (MA). MAs join together in various project committees to construct and operate joint sewerage facilities. The SOCWA Ocean Outfalls are the key facilities in the SOCWA system. Treated wastewater is discharged to the outfalls from SOCWA and the ETWD's wastewater treatment plants.
- C. SOCWA is the lead agency responsible for the implementation of the provisions contained in this ordinance. The ETWD, a MA of SOCWA may opt to administer and enforce these provisions under SOCWA's oversight, or may contract with SOCWA to have these services provided directly to the ETWD. An interagency agreement has been adopted between the ETWD and SOCWA that defines each agency's duties and responsibilities. This interagency agreement is on file at the ETWD and SOCWA offices.

102 OBJECTIVES

- A. The objectives of this ordinance are to:
 - 1. Ensure compliance with various regulatory agencies and the National Pollutant Discharge Elimination System (NPDES) Requirements.
 - 2. Prevent the introduction of pollutants that may cause interference of sewerage facility operations.
 - 3. Identify the goals, objectives and procedures for complying with federal pretreatment standards.
 - 4. Prevent biosolids contamination.
 - 5. Promote the opportunity to recycle and reclaim wastewaters or biosolids from sewerage facilities.
 - 6. Encourage waste minimization and material substitution by users.
 - 7. Protect sewerage facility employees and the general public who may be affected by wastewater, biosolids and chemical hazards.
 - 8. Encourage the reuse, recycling and reduction of water, wastewater or solids that are discharged to sewerage facilities.
 - 9. Minimize the discharge of volatile organic compounds that could individually or collectively contribute to a decrease in the quality of air emission from sewerage facilities.
 - 10. Establish an effective monitoring program for the control of user discharges to sewerage facilities.
 - 11. Establish an enforcement response plan (ERP) to help ensure consistent application of the provisions of this Ordinance.
 - 12. Equitably distribute costs.

102 OBJECTIVES (cont)

13. Prevent the introduction of pollutants into sewerage facilities that may pass through a sewerage facility, inadequately treated, into the receiving waters, or otherwise be incompatible with sewerage facilities.
14. Incorporate the necessary laws and regulations in order to implement and enforce federal, State of California (State), ETWD and SOCWA standards.
15. Seek to identify users that discharge or have the potential to discharge toxic pollutants, non-compatible or excessive amounts of compatible wastes to sewerage facilities.

103 PURPOSE

A. The purpose of this ordinance is to:

1. Provide for the maximum public benefit from the use of ETWD sewerage facilities. This is accomplished by regulating the use of sewerage facilities and wastewater discharges by providing equitable distribution of costs in compliance with applicable state and federal regulations and by providing procedures that will allow the ETWD to comply with requirements placed upon it by other regulatory agencies. Any revenues derived from the application of this ordinance may be used to recover the cost of providing services by the ETWD which includes but are not limited to administration, monitoring, and enforcement.
2. Comply with federal and state regulations which allow the ETWD to meet applicable standards for the final effluent and ocean outfall quality. This ordinance establishes quality and quantity limitations on all wastewater discharges whether or not the discharges adversely affect ETWD's sewerage facilities, processes, ocean outfall effluent quality, or inhibit ETWD's ability to meet its specific discharge limitations. It is the intent of this ordinance to improve the quality of wastewater being received for treatment and to encourage water conservation by all users connected to a sewerage facility. It is the ETWD's intent to discourage the increase in quantity (mass emission) of waste constituents being discharged. This ordinance also imposes pretreatment requirements on the degree of waste authorized to be discharged to the ETWD's sewerage facilities; provides for the issuance of wastewater discharge permits or other controlling mechanism to impose additional case-by-case requirements, as appropriate, and establishes fees and other penalties for noncompliance and/or violation of this ordinance.

104 POLICY

A. The policy of this ordinance is to be:

1. Interpreted in accordance with the definitions set forth in Article 2. The provisions of this ordinance shall apply to the discharge of all wastes carried to ETWD sewerage facilities, and have been liberally construed so as to effectuate the environmental purposes, objectives, and other provisions set forth herein.
2. Committed to wastewater recycling and reuse in order to provide an alternate source of water supply. The adoption of programs for recycling through secondary and tertiary wastewater treatment processes may necessitate more stringent quality requirements on wastewater discharges. In the event that more stringent quality requirements are necessary, this ordinance may be amended to reflect those changes.
3. Committed to the beneficial use of biosolids. The implementation of programs to land apply or provide for the marketing and distribution of biosolids may necessitate more stringent quality requirements on waste water discharges. In the event that more stringent quality requirements are necessary, this ordinance may be amended to reflect these changes.
4. Committed to compliance with all applicable state and federal laws including the Clean Water Act in 33 United States Code 1251 et seq. and the general pretreatment regulations described in 40 CFR 403.

105 APPLICABILITY

This ordinance may apply to users within the ETWD service area and to users outside the ETWD service area who, by wastewater discharge permit or other controlling mechanism, make use of ETWD sewerage facilities.

106 AVAILABILITY OF SEWERAGE FACILITIES

If capacity in a sewerage facility as a whole is not available, ETWD may restrict discharge of existing users until sufficient capacity can be made available. The ETWD may refuse immediate service to new users where their proposed quality or quantity of wastewater is unacceptable to the available sewerage facilities.

107 NOTICE TO EMPLOYEES

- A. The ETWD may provide one (1) copy of this ordinance to each user that has received a wastewater discharge permit, upon request.
- B. Users who are issued a wastewater discharge permit may make available to their employees, copies of this ordinance.
- C. Users who are issued a wastewater discharge permit may make copies of it, so as to make it available to all personnel at all times.
- D. A notice may be permanently posted in prominent places advising employees to call the ETWD in the event of an uncontrolled spill or discharge as soon as possible and to submit a report as indicated in section 803 or 804 of this ordinance. The notice shall provide for necessary instruction and information, including but not limited to:
 - 1. ETWD phone numbers.
 - 2. SOCWA phone numbers.
 - 3. Recording the time of the incident.
 - 4. Name and location of user.
 - 5. Type, concentration and volume of the discharge.
 - 6. Corrective action taken.
 - 7. Name of person reporting the incident.

ARTICLE 2
DEFINITIONS AND ABBREVIATIONS

201 DEFINITIONS CONTAINED IN PUBLICATION

- A. Unless otherwise defined herein, terms related to water quality shall be defined in the same manner as in the latest edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association (APHA), The American Water Works Association (AWWA), and the Water Environment Federation (WEF).
- B. The testing procedure for waste constituents and characteristics shall be as described in 40 CFR 136.

202 DEFINITION OF TERMS

- A. Words used in this ordinance in the singular may include the plural and the plural singular. Use of masculine shall mean feminine and the use of feminine shall mean masculine.
- B. The definitions in this ordinance are not intended to narrow the scope of definitions set forth in federal or state regulations. Unless the context specifically indicates otherwise the following terms, or pronouns used in their place, shall be interpreted as follows:
 - 1. Act or "the Act". The Federal Water Pollution Control Act also known as the Clean Water Act (CWA) as well as any amendments, guidelines, limitation or standards promulgated by the EPA pursuant to the Act, (33 USC 1251 et seq).
 - 2. Approval Authority. Refers to the US Environmental Protection Agency (EPA), the California State Water Resources Control Board (SWRCB), or the local California Regional Water Quality Control Board (RWQCB).
 - 3. Baseline Monitoring Report (BMR). A required report for all industrial users subject to a categorical pretreatment standard. A BMR provides information that documents an industrial user's compliance status with all applicable pretreatment standards.
 - 4. Batch Dump. The discharge of pollutants or compatible wastes in a manner or method that is not approved or is prohibited by the ETWD.
 - 5. Best Available Technology (BAT). A level of technology that is based on the very best (state of the art) control and treatment measures that have been developed or are capable of being developed for a particular industrial category.
 - 6. Best Management Practices (BMPs). A set of schedules of activities, prohibitions of practices, maintenance procedures, operating procedures and other management practices used to control a user or a group of similar users' discharge to sewerage facilities. BMPs may include, but are not limited to treatment requirements, operating procedures, and practices to control plant site runoff, spillage of leaks, sludge or waste disposal, or drainage from raw materials storage.
 - 7. Best Practicable Technology (BPT). A level of technology represented by the average of the best existing wastewater treatment performance levels within an industrial category.
 - 8. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter in wastewater using appropriate testing procedure and expressed as a concentration (e.g. mg/L).
 - 9. Biodegradable. A material that can be decomposed by a biological process.
 - 10. Biohazardous Waste. area material that is likely to transmit etiologic agents that cause, or significantly contribute to the cause of, increased morbidity or mortality of human beings as set forth by the State Medical Waste Management Act.

202 DEFINITION OF TERMS (cont)

11. Board. The Board of Directors of the El Toro Water District (ETWD).
12. Building Sewer. The entire length of private sewage service lateral extending from the building or structure that is connected to a sewerage facility.
13. By-Pass. Any intentional diversion of waste streams around any portion of a user's pretreatment equipment.
14. Categorical Industrial User (CIU). A user subject to a federal categorical pretreatment standard or categorical standard
15. Chain of Custody. A document used to ensure the integrity of a sample, which includes a record of each person involved in the possession of a sample, securing the sample, and final disposal of the sample.
16. Chemical Oxygen Demand (COD). The quantity of oxygen required to oxidize all compounds, both organic and inorganic, in wastewater using the appropriate testing procedure and expressed as a concentration (e.g. mg/L).
17. Class I User. Any user determined by the ETWD that meets the criteria of significant industrial user (SIU) as described in 40 CFR 403.
18. Class II User. Any user determined by the ETWD that is not a SIU and may discharge pollutants or non-compatible wastes which may impact sewerage facilities.
19. Class III User. Any user determined by the ETWD that is not a SIU and may discharge conventional pollutants or compatible wastes, which may impact sewerage facilities.
20. Class IV User. Any user determined by ETWD that may discharge or is proposing to discharge special wastewater that may contain toxic or conventional pollutants, or non-compatible or compatible wastes which may impact sewerage facilities.
21. Code of Federal Regulations (CFR). The code of the Federal Government of the United States of America, which contains all of the federal regulations including environmental regulations.
22. Company Authorized Representative (CAR). An individual designated by the user, who is responsible for signing all submittals to the ETWD and who meets the criteria as described in 40 CFR 403.
23. Compatible Waste. Waste that does not contain toxic pollutants or non-compatible wastes. This may include a combination of, but not limited to, conventional pollutants or other wastes that sewerage facilities are designed to accept and/or remove. Compatible wastes are non-compatible when discharged in quantities that have an adverse effect on sewerage facilities or NPDES Permit, or when discharged in qualities or quantities violating any National Pretreatment Standard or other discharge requirement or as determined by the ETWD.
24. Composite Sample. A collection of individual samples obtained at intervals based on an increment of either flow or time. The resulting mixture, a composite sample, forms a representative sample of the wastestream discharged during the sample period.
25. Control Authority (CA). The El Toro Water District (ETWD) and/or the South Orange County Wastewater Authority (SOCWA).
26. Conventional Pollutants. Those pollutants which are designated pursuant to section 304(a)(4) of the Act which include, biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform, pH, and oil and grease.
27. Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

28. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
29. Discharger. Any entity which discharges or causes a discharge of wastewater that is directly or indirectly discharged to sewerage facilities. May be interchangeable with indirect discharger, industrial user, permittee, person or user.
30. Discharge Requirements. The requirements of federal, state or local public agencies having jurisdiction over the effluent discharged sewerage facilities or the environment.
31. Disposal. A controlled release to sewerage facilities or to the environment.
32. Dry Weather Nuisance Flow (nuisance flow) – Any water or other discharge which finds its way to storm drains from urban areas, composed primarily of runoff from lawn or landscape watering, washing of vehicles, hosing down of paved areas, storm drain infiltration, natural groundwater from sub-drain systems and a variety of other sources associated with urban activity. This nuisance flow may be high in bacteriological contamination, oil and grease and may have high organic and inorganic mineral content. Nuisance flow does not include stormwater, as defined, unless stormwater is captured, treated, controlled (thereby becoming a non-stormwater, nuisance flow) and discharged to the sewer during dry weather. Nuisance flows may come in contact with people or the environment in undesirable ways. Nuisance flow is a component of urban runoff.
33. Effluent. Usually water or wastewater discharged partially or completely treated or untreated from an industrial user or treatment plant, or part thereof.
34. El Toro Water District (ETWD). The agency that is responsible for the adoption of this ordinance and is a MA of SOCWA.
35. Enforcement. A series of progressively more stringent actions used to seek compliance with federal, state or local laws, regulations, limitations and this ordinance, guided by the Enforcement Response Plan, adopted by ETWD Resolution 10-12-2. Any enforcement may include monetary fees, fines or penalties.
36. Environmental Protection Agency (EPA). The U. S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
37. Existing Source. Any source of discharge that is not a “New Source”.
38. Fee. Any amount assessed to a discharger for the use of any portion of a sewerage facility which shall include, but not be limited to, connection fees, monthly sewer service, wastewater discharge permit, excess capacity fee, industrial wastewater treatment, laboratory testing, industrial inspection, and monitoring fees.
39. Flow Monitoring Equipment. Equipment and/or structures provided at the user's sole expense to measure, totalize, record and/or sample incoming water to the user's site or the wastewater discharged to sewerage facilities.
40. General Manager. The individual duly designated by the Board of the ETWD to administer this ordinance.
41. Grab Sample. A sample collected from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes..
42. Grease. Includes, but is not limited to fats, oils and grease (FOG), waxes and other non-volatile materials as determined by the appropriate testing procedures.
43. Groundwater. Water that is beneath the surface of the earth.
44. Hazardous Waste. Any waste that is potentially damaging to of the environment or a person's health due to toxicity, ignitability, corrosivity, chemical reactivity or other reasons.

45. Indirect Discharge or Discharge. The introduction of Pollutants into a POTW from any non-domestic source regulated under section 307(b), (c), or (d) of the Act.
46. Industrial User. Any site that discharges industrial wastewater to sewerage facilities. May be interchangeable with discharger, indirect discharger, permittee or user.
47. Industrial Wastewater. All liquid-carried wastes or wastewater of the community, excluding domestic wastewater, and may include all wastewater from any producing, manufacturing, processing, agricultural, or other operation or location..
48. Inspector. A person authorized by the General Manager to inspect and/or monitor any industrial user's discharge or anticipated discharge to any sewerage facility.
49. Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts any sewerage facilities, any treatment processes or operations or any sludge processes, use or disposal and therefore, is a cause of violation of the ETWD's or SOCWA's NPDES permits (including an increase in the magnitude or duration of a violation) or prevents lawful biosolids or treated effluent use or disposal.
50. Interjurisdictional Agreements (Also referred to as Interagency Agreements). An agreement between SOCWA and any individual or combination of MA's or other local sewerage agency that defines the authority and responsibility to implement the Waste Discharge Pretreatment and Source Control Program and to enforce the regulations contained in this ordinance within the individual and/or combination of MAs, or any other local sewerage agency's service area.
51. Local Limits. A set of specific discharge limits developed and enforced by the ETWD and/or SOCWA upon a user's site in order to implement the general and specific discharge prohibitions as described in 40 CFR 403.
52. Local Sewering Agency. Any public agency or private company responsible for the collection, treatment or disposal of wastewater to sewerage facilities that are duly authorized under the laws of the State to construct and/or maintain sewerage facilities.
53. Lower Explosive Limit (LEL). The point where an explosive gas in an area of atmosphere that is at a sufficient concentration as to result in an explosion if a sufficient ignition source is present.
54. Mass Emission Rate. The weight of material discharged to sewerage facilities during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combinations of constituents.
55. May. Permissive or discretionary.
56. Member Agency (MA). Any one, combination, or all of the individual districts or cities which are members of SOCWA. They are: City of Laguna Beach (CLB), City of San Clemente (CSC), City of San Juan Capistrano (CSJC), El Toro Water District (ETWD), Emerald Bay Service District (EBSD), Irvine Ranch Water District (IRWD), Moulton Niguel Water District (MNWD), Santa Margarita Water District, (SMWD), South Coast Water District, (SCWD) and the Trabuco Canyon Water District (TCWD).
57. Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during the month.
58. National Pollutant Discharge Elimination System (NPDES) Permit. The document issued for the control of discharges to surface waters of the United States as detailed in Section 402 of the Act.
59. National Pretreatment Standards. Includes the following terms established pursuant to 40 CFR 403.5 and 40 CFR 403.6: "Prohibited Discharges", "General Prohibitions", "Specific Prohibitions", "Local Limits", "Categorical Standards", "Categorical Pretreatment Standards", "Pretreatment Standards" and "Standards". These terms apply to any pollutant discharge regulations that are promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act that limits and/or prohibits the wastewater discharged by users into a sewerage facility.
60. New Source. Those sources that are new as defined by 40 CFR 403.

- 61 Non-Compatible Waste. Waste that contains toxic or non-compatible pollutants that may pass-through or cause interference if discharged to sewerage facilities.
62. Non-industrial Wastewater Discharge (NIWD) Form. A form issued users that are considered to have wastewater of no concern discharging to sewerage facilities. This form may contain BMP's.
63. Non-Stormwater Discharge. Discharges that do not **immediately** originate from precipitation events unless precipitation is captured and discharged after a rain event. Including but not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.
64. Normal Working Day. Any period of time during which production or operation is taking place or any period which discharge to sewerage facilities is occurring..
65. North America Industry Classification System (NAICS). An industry classification system that groups establishments into industries based on the activities which they are primarily engaged.
66. Nuisance. Anything which may be injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
67. Ordinance. The document entitled "An Ordinance of Regulations for the Discharge of Wastewater to Sewerage Facilities of the El Toro Water District Service Area" containing ETWD's requirements, conditions and limitations for discharging to sewerage facilities, as may be amended and modified.
68. Pass Through. A discharge from a user which exits sewerage facilities into waters of the United States in quantities or concentrations which, alone or in conjunction with any discharge from other sources, is a cause of a violation of any requirement of ETWD's or SOCWA's NPDES Permits, including an increase in the magnitude or duration of a violation.
69. Permittee. A discharger who has received a permit to discharge wastewater into the ETWD's sewerage facilities subject to the requirements and conditions established by the ETWD. May be interchangeable with discharger, indirect discharger, industrial user, person or user.
70. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, tenant, lessee, renter, governmental entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state and local government entities. May be interchangeable with discharger, indirect discharger, industrial user, permittee or user.
71. Pesticides. Those compounds classified as such under Federal or State law or regulations including, but not limited to, DDT (dichlorodiphenyltrichloroethane, both isomers), DDE (dichlorodiphenylethylene), DDD (dichlorodiphenyldichloroethane), Aldrin, Benzene Hexachloride (alpha, beta and gamma isomers), Chlordane, Endrin, Endrin aldehyde, TCDD (2,3,7,8-tetrachlorodibenzo-p-dioxin), Toxaphene, Alpha-endosulfan, Beta-endosulfan, Endosulfan sulfate, Heptachlor, Heptachlor epoxide, Dieldrin Demeton, Guthion, Malathion, Methoxychlor, Merex and Parathion.
72. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.
73. Pollutant. Any substance, constituent, compound or characteristic of wastewaters on which a discharge limitation may be imposed either by the ETWD, SOCWA, or the regulatory agencies empowered to regulate the ETWD and SOCWA.
74. Polychlorinated Biphenyls (PCBs). Those compounds classified as such under Federal and State law or regulations including, but not limited to Aroclors 1016, 1221, 1228, 1232, 1242, 1248, 1254, 1260 and 1262.
75. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into sewerage facilities. This reduction, elimination or alteration of pollutants can be obtained by physical, chemical, or biological process, by process changes or other means except as described by 40 CFR 403.

76. Pretreatment Equipment. Any equipment, structures or devices used for the treatment or flow limitation of industrial wastewater prior to discharge to sewerage facilities.
77. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a national pretreatment standard.
78. Prohibited Discharges. Any prohibitions against the discharge of certain substances; these prohibitions appear in Article 5.
79. Public Agency. The State and any city, county, district, agency, other local authority or public body of or within this state.
80. Rainwater. Water resulting from precipitation which directly falls upon any surface.
81. Regulatory Agencies. Those Agencies having jurisdiction over the operation of the ETWD, including, but not limited to, the following:
 - a. United States Environmental Protection Agency (EPA).
 - b. State Water Resources Control Board (SWRCB).
 - c. Regional Water Quality Control Board (RWQCB).
 - d. South Coast Air Quality Management District (SCAQMD).
 - e.
 - f. California Environmental Protection Agency (Cal-EPA).
82. Representative Sample Point. A location set forth in the user's wastewater discharge permit or other control mechanism from which wastewater can be collected that is as nearly identical in content and consistency as possible to that of the entire flow of wastewater being sampled. For categorical users, this point shall be at the end of each regulated process, and for all other users shall be determined on a case-by-case basis.
83. Resource Conservation and Recovery Act (RCRA). The RCRA Act of 1976 (42 U.S.A. 6901, et seq.) to implement the conservation and recovery of used or spent resources and as amended.
84. Routine Sampling. Any sampling conducted by the ETWD to verify compliance of a user's discharge to sewerage facilities. Sampling may consist of either grab or composite samples or a combination of both.
85. Sampling Equipment. Equipment or structure provided at the user's sole expense for the ETWD or the user to measure and record wastewater constituents, collection of samples or provide access to plug or terminate the discharge.
86. Scum. Any layer of matter or combination of air and matter that forms on or rises to the surface of a liquid or body of water.
87. Sewage. Wastewater.
88. Sewerage Facilities. Any and all systems used for collecting, conveying, pumping, reclamation, recycling, reuse, storage, transportation, treatment or disposal of sewage, industrial waste of a liquid nature, wastewater, sludge or biosolids that is owned and/or operated by the ETWD, SOCWA or other public agency which is tributary to systems operated by the ETWD or SOCWA. This definition includes, but is not limited to, publicly owned treatment works (POTW's) as defined by Section 212 of the Act (33 U.S.C. Section 1292), public sewers, trunk lines, sewer mains, wet wells, treatments plants and ocean outfalls which are owned by the ETWD or SOCWA.
89. Shall. Mandatory.

90. Significant Industrial User (SIU). A user as defined by 40 CFR 403, except as provided in paragraphs c and d of this definition, which includes the following:
- a. An industrial users subject to categorical pretreatment standards; or
 - b. An industrial user that: discharges an average of twenty-five (25,000) gallons per day or more of process wastewater to the ETWD or SOCWA (excluding sanitary, noncontact cooling water, and boiler blowdown wastewater); contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of ETWD's or SOCWA's sewerage facilities; or is designated as such by the ETWD on the basis that the industrial user has a reasonable potential for adversely affecting the ETWD's or SOCWA's operation or for violating any pretreatment standard or requirement.
 - c. The ETWD may determine that an industrial user subject to categorical pretreatment standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - i. The industrial user, prior to ETWD's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - ii. The industrial user annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and
 - iii. The industrial user never discharges any untreated concentrated wastewater.
 - d. Upon a finding that an industrial user meeting the criteria in paragraph b above of this definition has no reasonable potential for adversely affecting ETWD's operation or for violating any pretreatment standard or requirement, ETWD may at any time, on its own initiative or in response to a petition received from a industrial user, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user should not be considered a significant industrial user.

91 Significant Non-Compliance. A violation by a SIU (or any IU which violates paragraphs c, d or h of this definition) as described in 40CFR 403.8(f)(2)(viii)(A-H) which meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as described in 40 CFR 403.3(l);
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equals or exceeds the product of the numeric pretreatment standards or requirement including instantaneous limits, as described in 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a pretreatment standard or requirement as defined in 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that ETWD determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of ETWD or SOCWA personnel or the general public;
- d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the ETWD's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge;

202 DEFINITION OF TERMS (cont)

- e. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit, other control mechanism or enforcement order for starting

construction, completing construction, or attaining final compliance;

- f. Failure to provide within forty-five (45) days after the due date, required reports, including, but not limited to baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules;
 - g. Failure to accurately report noncompliance;
 - h. Any other violation or group of violations, which may include a violation of Best Management Practices, which ETWD determines will adversely affect the operation or implementation of the local pretreatment program.
92. Sludge. Any solid, semi-solid or liquid decant, subnate, or supernate from an industrial manufacturing process, utility service or pretreatment equipment.
93. Slug Discharge. Any discharge, of a non-routine, episodic nature, that may exceed the standards and prohibitions contained in Article 5 of this ordinance and significantly exceeds the usual industrial flow or pollutants loading, either mass concentration, including but not limited to an accidental spill, or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the regulations, local limits or permit conditions associated with sewerage facilities.
94. Solvent. Any substance that is used to dissolve another substance in it.
95. South Orange County Wastewater Authority. The Joint Powers Agency (JPA) which is formed by the participating MAs. The MAs individually and/or collectively use SOCWA's sewerage facilities. SOCWA is the holder of the NPDES permits, which states the pretreatment and waste discharge requirements for the sewerage facilities.
96. Spent Solutions. Any concentrated industrial wastewater.
97. Spill Containment. Any protection equipment provided and installed at the user's sole expense to prohibit the discharge of non-compatible wastes to sewerage facilities.
98. Standard Methods. Procedures described in the current edition of Standard Methods for the Examination of Water and Wastewater, as published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.
99. Stormwater. Any flow occurring during or immediately following any form of natural precipitation which runs off, or travels over the ground surface to a drainage area or channel or drains uncontrolled to a municipal storm drain system for disposal in a river, stream, lake or creek and ultimately to the Pacific Ocean.
100. Street Drainage. Water resulting from surface runoff generated by rainwater, stormwater or other sources.
101. Subsurface Drainage. A method of draining that is situated under the ground (e.g., leachate control system).
102. Surface Runoff. Runoff other than that which is caused by rainfall, stormwater, or street drainage (e.g., car wash runoff, washdown runoff) originating from a user.
103. Total Organic Carbon (TOC). The measure of total organic carbon in domestic or other wastewater as determined by the appropriate testing procedure.
104. Total Suspended Solids. Any insoluble material contained as a component of wastewater and capable of separation from the liquid portion by laboratory filtration as determined by the appropriate testing procedures and expressed in terms of milligrams per liter (mg/L).

202 DEFINITION OF TERMS (cont)

105. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic by the EPA under the provisions of Section 307(a) of the Act or other acts or that can harm human health, aquatic life or the biological treatment processes.
106. Unpolluted Water. Water to which no constituent has been added either intentionally or accidentally.

107. Upset. Any upset that meets the criteria as described in 40 CFR 403.
108. User. Any person or entity which discharges or causes a discharge of wastewater to a sewerage facility, as defined by EPA regulations. May be interchangeable with discharger, indirect discharger, industrial user, permittee or person.
109. Volatile. Natural (plant or animal origin) or synthetic substances that is capable of being evaporated or changed to vapor at relatively low temperatures.
110. Waste. Sewage and any other waste substances, liquid, solid, gaseous or radioactive.
111. Waste Manifest. A receipt which is retained by the generator of hazardous wastes as required by the State or the United States Government pursuant to RCRA or the California Hazardous Materials Act or that receipt which is retained by the generator for recyclable wastes or liquid non-hazardous wastes as required by the ETWD.
112. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing, and institutions, whether treated or untreated, which are discharged or permitted to enter sewerage facilities..
113. Wastewater Constituents and Characteristics. The individual chemical, physical, bacteriological, radiological, volume, flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.
114. Wastewater Discharge (WD) Permit. The form of authorization from the ETWD issued to an industrial user for the discharge of wastewater. This wastewater discharge permit sets forth the limits and conditions under which the industrial user shall be able to discharge wastewater into sewerage facilities.

203 **ABBREVIATION**

A. The following abbreviations shall have the designated meanings:

1. "BAT" Best Available Technology
2. "BMP" Best Management Practice
3. "BMR" Baseline Monitoring Report

4.	<u>"BOD"</u>	Biochemical Oxygen Demand
5.	<u>"BPT"</u>	Best Practicable Technology
6.	<u>"CA"</u>	Control Authority
7.	<u>"CAR"</u>	Company Authorized Representative
8.	<u>"CFR"</u>	Code of Federal Regulation
9.	<u>"CIU"</u>	Categorical Industrial Use
10.	<u>"COD"</u>	Chemical Oxygen Demand
11.	<u>"CWF"</u>	Combined Wastestream Formula
12.	<u>"DO"</u>	Dissolved Oxygen
13.	<u>"ETWD"</u>	El Toro Water District
14.	<u>"EPA"</u>	Environmental Protection Agency
15.	<u>"ERP"</u>	Enforcement Response Plan
16.	<u>"FOG"</u>	Fats, Oils and Grease
17.	<u>"FROG"</u>	Fats, Roots, Oil and Grease
18.	<u>"gpd"</u>	Gallons per Day
19.	<u>"gpm"</u>	Gallons per Minute
20.	<u>"IU"</u>	Industrial User
21.	<u>"lb/day"</u>	Pounds Per Day
22.	<u>"JPA"</u>	Joint Powers Authority
23.	<u>"LEL"</u>	Lower Explosive Limit
24.	<u>"MA"</u>	Member Agency
25.	<u>"MGD"</u>	Million Gallons Per Day
26.	<u>"MSDS"</u>	Material Safety Data Sheet
27.	<u>"NAICS"</u>	North America Industry Classification System
28.	<u>"NPDES"</u>	National Pollutant Discharge Elimination System
29.	<u>"NSCIU"</u>	Non-Significant Categorical Industrial User
30.	<u>"O&G"</u>	Oil and Grease
31.	<u>"PCBs"</u>	Polychlorinated Biphenyls
32.	<u>"POTW"</u>	Publicly Owned Treatment Works
33.	<u>"PSES"</u>	Pretreatment Standards for Existing Sources
34.	<u>"PSNS"</u>	Pretreatment Standards for New Sources
35.	<u>"RCRA"</u>	Resource Conservation and Recovery Act
36.	<u>"RWQCB"</u>	Regional Water Quality Control Board
37.	<u>"SOCWA"</u>	South Orange County Wastewater Authority
38.	<u>"SIU"</u>	Significant Industrial User
39.	<u>"SNC"</u>	Significant Non-Compliance
40.	<u>"SWRCB"</u>	State Water Resources Control Board
41.	<u>"TDS"</u>	Total Dissolved Solids
42.	<u>"TOC"</u>	Total Organic Carbon
43.	<u>"TOMP"</u>	Toxic Organic Management Plan
44.	<u>"TRC"</u>	Technical Review Criteria
45.	<u>"TSS"</u>	Total Suspended Solids
46.	<u>"TTO"</u>	Total Toxic Organics
47.	<u>"U.S.C."</u>	United States Code
48.	<u>"mg/L"</u>	Milligrams per Liter (0.001)
49.	<u>"ug/L"</u>	Microgram per Liter (0.000001)
50.	<u>"ng/L"</u>	Nanograms per Liter (0.000000001)
51.	<u>"pg/L"</u>	Picograms pre Liter (0.000000000001)

**ARTICLE 3
AUTHORITIES AND POWERS**

301 AUTHORITY

- A. The ETWD is regulated by Agencies of the United States Federal Government and the State under provisions of federal and state law. Federal law requires SOCWA and the ETWD and the State grant the ETWD the authority to regulate and/or prohibit by adoption of ordinances, resolutions, and issuance of wastewater discharge permits

or other control mechanisms, the discharge of any waste, directly or indirectly, to SOCWA's or the ETWD's sewerage facilities. That authority includes, but is not limited to, the right to establish local limits, conditions, prohibitions, flow rates, prohibit flows discharged to the ETWD's sewerage facilities, and enforce federal, state and local requirements. This may require the implementation of compliance schedules for the installation of flow monitoring equipment by users and for the ETWD to take all actions necessary to enforce its authority, whether within or outside ETWD's service area, including those users that are tributary to the ETWD or within areas for which the ETWD has contracted to provide sewerage facility services.

- B. The ETWD has the authority under California Health and Safety Codes 5471 and 5474 to prescribe, revise, and collect all regulatory fees and to charge for services and sewerage facilities furnished by the ETWD and/or SOCWA either within or without its service area.
- C. Administration and enforcement of the pretreatment program may be carried out on a daily basis by any individual and/or combination of ETWD personnel as granted by an interjurisdictional agreement under the oversight of SOCWA. However, SOCWA retains the authority to assume, at any time, administrative and enforcement powers of the pretreatment program requirements within the ETWD jurisdiction.
- D. The ETWD shall have the authority to seek compliance with 40 CFR 403, its NPDES permit and the provisions of this ordinance by, but not limited to, the following:
 - 1. Issue WD permits.
 - 2. Require the installation of pretreatment equipment.
 - 3. Require the installation of monitoring and/or sampling equipment and/or structures.
 - 4. Require self-monitoring and reporting of the user's discharge.
 - 5. Require the implementation of spill containment plans.

302 DELEGATION OF AUTHORITY

Whenever any authority or power is granted to or a duty imposed upon the General Manager, that authority or power may be exercised or that duty may be performed by a person authorized by the General Manager.

303 ENFORCEMENT POWERS

- A. Enforcement action against a user for being in non-compliance with the provision of this ordinance may include, but is not limited to, the following:
 - 1. Issuing a Warning Notice of Non-compliance letter.
 - 2. Issuing a notice of non-compliance (NON) form.

3. Issuing a notice of violation (NOV) form.
 4. Issuing an administrative order (AO) which may also include, but are not limited to, the following:
 - a. Probation Order (PO)
 - b. Show Cause Order (SCO)
 - c. Cease and Desist Order (CDO)
 5. Petition the courts for injunction or civil penalties.
 6. Signing criminal complaints.
 7. Suspension or revocation of an issued wastewater discharge permit or other control mechanism.
 8. Termination of services.
 9. Administrative complaints.
- B. The issuance of an enforcement action shall not be a bar against, or a prerequisite for, taking any other enforcement action against the user.

**ARTICLE 4
ADMINISTRATION**

401 EL TORO WATER DISTRICT (ETWD)

- A. The ETWD may implement pretreatment and source control programs in accordance with federal, state, and SOCWA regulations, the provisions of this ordinance, and any interjurisdictional agreements.
- B. If the ETWD desires to perform its own pretreatment and source control program, it shall do so pursuant to the interjurisdictional agreement with SOCWA, under the oversight of SOCWA.

- C. The ETWD, when operating its own pretreatment and source control program, shall keep SOCWA apprised of all activities on a regular and consistent basis. This may be accomplished by, but not limited to, correspondence, meetings and submittal of periodic reports.
- D. The ETWD shall have the authority to use fees and charges provided for within this ordinance when a user is in non-compliance.
- E. The ETWD shall provide SOCWA any and all information and submittals by users for review and central filing.
- F. The ETWD, which may operate its own sewerage facilities, shall coordinate with SOCWA the establishment of technically based local limits. These limits shall be established in accordance with section 402 H. of this ordinance. These limits are to ensure that any user's effluent that is discharged to sewerage facilities does not cause, but is not limited to, the following:
 - 1. Upset, pass through or interference of the biological treatment process.
 - 2. Upset, pass through or interference of the sludge digestion process.
 - 3. Reclaimed or recycled water or generated biosolids to be unable to meet regulatory standards for beneficial reuse or unlimited distribution as defined by regulatory agencies.
 - 4. Violation of any ETWD or SOCWA NPDES permit limitations.
 - 5. Pass-through or interference causing the ETWD or SOCWA to violate any discharge limits of the SOCWA Ocean Outfalls.

402 SOCWA

- A. SOCWA has the authority to implement pretreatment and source control programs in accordance with federal and state regulations and the provisions of this ordinance, SOCWA's pretreatment and source control ordinance and interjurisdictional agreements with the MAs.
- B. SOCWA has the authority to approve all forms used in the pretreatment and source control program.
- C. SOCWA has the authority to, at any time, assume administration and enforcement of this ordinance within the service area of the ETWD.
- D. SOCWA has the authority to locate and terminate any non-compliant discharge that is not discontinued, upon notification that a non-compliant discharge is occurring.
- E. SOCWA has the authority to review all applications, wastewater discharge permits, other control mechanisms and any enforcement actions that have been taken.
- F. SOCWA has the authority to review all ordinances pertaining to pretreatment and source control programs before adoption or implementation by the ETWD.
- G. SOCWA has the authority to audit the ETWD when performing its own pretreatment and source control program.
- H. SOCWA shall oversee the establishment of technically based local limits for the ETWD. A review of the local limits may be conducted every five years or in conjunction with the renewal of SOCWA's NPDES Permits.

403 PROGRAM ENFORCEMENT

- A. The ETWD shall have first priority to enforce the regulations contained within this ordinance in accordance with, but not limited to, the following:
 - 1. SOCWA shall conduct the pretreatment and source control program for the ETWD unless otherwise directed by the interjurisdictional agreement with the ETWD.

2. When the ETWD is performing its own program it shall inform SOCWA of all program activity.
3. The ETWD when performing its own program shall conduct routine sampling of permitted users for constituents the industry must sample and analyze for as part of their self-monitoring program, and inform SOCWA of such activity.

404 APPLICATIONS

All applications for wastewater discharge permits may be reviewed by the ETWD and SOCWA.

405 WASTEWATER DISCHARGE (WD) PERMITS

- A. All proposed WD Permits may be reviewed by the ETWD and SOCWA before being issued to the user.
- B. All issued WD Permits shall be signed, identified and/or numbered by the ETWD or SOCWA.

406 INSPECTIONS, MONITORING AND ENFORCEMENT

- A. SOCWA shall be notified by the ETWD when inspecting, monitoring, or enforcement activities will or have already occurred. This may be done by, but not limited to, the following:
 1. Phone contact or correspondence.
 2. Submittal of written schedule reports or status reports.
- B. Emergency enforcement actions by the ETWD shall be reported to SOCWA by phone within twenty-four (24) hours during weekdays and within seventy-two (72) hours during weekends, and by written report within five (5) days of their notice to the user.

407 FUNDING

- A. Upon review by SOCWA, the ETWD may establish a schedule of wastewater discharge permit application fees, annual fees, sample analysis charges, and any other fees or charges required to recover reasonable costs of implementing a pretreatment and source control program.
- B. Costs incurred by the ETWD for its pretreatment activity may be collected by, but not limited to invoicing directly to the industrial user.

408 APPEALS

- A. The ETWD shall have first priority to handle appeals in accordance with the provisions of this ordinance.
 1. Appeals on staff action shall be directed to the General Manager.
 2. Appeals on the General Manager action shall be directed to the Board.
 3. Actions by the Board shall be final.
- B. SOCWA shall have the authority to handle appeals where the ETWD has no jurisdiction, or fails to enforce against a user in accordance with the provision of this ordinance or the interjurisdictional agreements.

ARTICLE 5 GENERAL DISCHARGE PROHIBITIONS AND LIMITATIONS

501 PROHIBITED DISCHARGES

- A. These prohibitions apply to all users of sewerage facilities whether or not they are subject to categorical pretreatment standards or any other national, State or local pretreatment standards or requirement.

- B. No user shall discharge directly or indirectly a quality or quantity of wastes, solids, viscous substances, wastewater or pollutants to sewerage facilities, either alone or by interaction with other substances, which cause or will cause:
1. Obstruction of flow.
 2. Pass through or interference.
 3. Inhibition of biological activity.
 4. The final effluent to fail a toxicity test.
 5. Corrosive or physical structural damage to sewerage facilities.
 6. Danger to life and/or safety of any person.
 7. Impairment of the effective maintenance or operation of any sewerage facility.
 8. A fire or explosion hazard based upon a closed cup flashpoint of less than 140 degrees Fahrenheit (60°C) using the test method specified in 40 CFR 261.21.
 9. The presence of toxic gases, vapors, fumes, or poisonous, noxious or malodorous gas producing substances that may cause acute worker health and safety problems.
 10. Any product of any sewerage facility including, but not limited to the final effluent, biosolids, residue, sludge, or scum to be unsuitable for reclamation, recycling, reuse, or disposal.
 11. Discoloration or any other condition which affects the quality of the final effluent in such a manner that discharge requirements established by regulatory agencies cannot be met.
 12. Conditions which violate any statute, rule, regulation, or ordinance of any public agency or regulatory agency having jurisdiction over the discharge of wastewater through sewerage facilities.
 13. The discharge of petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, which cause interference or pass through.

502 PROHIBITION ON DILUTION

Except where expressly authorized to do so by an applicable standard, no user shall discharge directly or indirectly to sewerage facilities an increase in the use of water to attempt to dilute a waste being discharged, as a partial or complete substitute for treatment to achieve compliance with this ordinance, a wastewater discharge permit, other control mechanism or to establish an artificially high flow rate for mass emission rates.

503 PROHIBITION ON BIOHAZARDOUS WASTE

No user shall discharge directly or indirectly to sewerage facilities a biohazardous waste without rendering it non-biohazardous prior to discharge if the biohazardous waste is deemed to pose a threat to public health and safety or will result in any violation of applicable waste discharge requirements.

504 PROHIBITION ON TOXIC OR HAZARDOUS WASTE

No user shall discharge directly or indirectly to sewerage facilities, any substance that is defined as a toxic or hazardous waste by regulatory agencies, except those wastes which meet the requirements of 40 CFR 403.

505 PROHIBITION ON WARFARE AGENTS

No user shall discharge directly or indirectly to sewerage facilities any radiological, chemical, or biological warfare agent.

506 LIMITATIONS ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES

- A. Any spent solutions, sludges, and/or other wastes generated by the user that are a hazardous waste and not

treated on site shall be hauled by a registered hazardous waste transporter. The user shall complete and maintain a hazardous waste manifest that documents the removal and transport of the waste.

- B. All hazardous waste manifests shall be retained for a minimum of three (3) years and shall be made available to the ETWD upon request. The ETWD may require a longer period of retention if litigation is being considered.
- C. No user shall batch dump to sewerage facilities without written approval from the ETWD.

507 LIMITATIONS ON THE USE OF GRINDERS

Wastes from industrial or commercial grinders shall not be discharged into a sewerage facility, except wastes generated in packing or preparing food or food products on a case by case bases as approved by the ETWD. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the sewerage facilities.

508 LIMITATION ON RAINWATER, STORMWATER, AND STREET DRAINAGE

No user shall discharge or cause to be discharged directly or indirectly into sewerage facilities any rainwater, stormwater, or street drainage that exceeds the first one-tenth (1/10) of an inch of precipitation from any storm event.

509 LIMITATIONS ON GROUNDWATER AND SUBSURFACE DRAINAGE

- A. Groundwater and subsurface drainage shall not be discharged directly or indirectly to sewerage facilities except as provided herein.
- B. The ETWD may approve the discharge of such water, by wastewater discharge permit or other control mechanism only, when no alternate method of disposal is reasonably available or to mitigate an environmental risk or health hazard.
- C. The discharge of such water shall require the following:
 - 1. A Class IV Special Wastewater Discharge Permit or other control mechanism issued by the ETWD, and
 - 2. Documentation from the user or user's consultant that all other alternate methods of disposal have been exhausted, and
 - 3. User shall pay all applicable fees and charges and shall meet any other conditions as required by the ETWD.

510 LIMITATIONS ON TRUCKED OR HAULED WASTES

- A. No user shall discharge trucked or hauled wastes directly or indirectly to sewerage facilities without written approval from the ETWD and SOCWA. Written approval may be in the form of an individual special wastewater discharge permit or other control mechanism.
- B. No user shall transport waste from one location to another for the purpose of treating or discharging it directly or indirectly to sewerage facilities without written approval from the ETWD and SOCWA. Written approval may be in the form of an individual special wastewater discharge permit or other control mechanism.

511 LIMITATIONS ON POINT OF DISCHARGE

No user shall discharge any wastewater directly or indirectly into a manhole or other opening in a sewerage facility other than through an approved building sewer unless approved in writing by the ETWD.

512 LIMITATIONS ON RADIOACTIVE WASTES

- A. No user shall discharge directly or indirectly to sewerage facilities any radioactive waste except as provided

herein:

1. When the user is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials, and
2. When the waste is discharged in strict conformity with current California Radiation Control Regulations (Cal. Adm. Code Title 17) for safe disposal, and
3. When the user is in compliance with all other rules and regulations of all other applicable regulatory agencies.

513 LIMITATION ON UNPOLLUTED WATER

- A. Unpolluted water such as deionized, steam waste, distilled, single pass cooling water in excess of laboratory usage, blow-down or bleed water from cooling towers, or other evaporating coolers, or commercial swimming pool water drainage shall not be discharged directly or indirectly to sewerage facilities except as provided herein.
- B. The ETWD may approve the discharge of such water when no alternate method of disposal or reuse is reasonably available or there is need to mediate an environmental risk or health hazard.
- C. The discharge of such water shall require the following:
 1. A Class IV Special Wastewater Discharge Permit or other control mechanism, and
 2. Documentation from the user or user's consultant that all other alternate methods of disposal have been exhausted, and
 3. User shall pay all applicable fees and charges and shall meet any other conditions as required by the ETWD.

514 MASS EMISSION LIMIT DETERMINATION

- A. Mass emission limits for non-compatible and compatible wastes that are present or anticipated in the user's wastewater discharge may be set for each user and made an applicable part of each user's wastewater discharge permit or other control mechanism. These limits shall be based on Table I, local limits or national pretreatment standards and the user's average daily wastewater discharge for the past three (3) years, the most recent representative data, or other data acceptable by the ETWD.
- B. To verify the user's operating data, the user may be required to submit an inventory of all wastewater streams and production data.
- C. The ETWD may revise local limit concentration limits or mass emission limits previously established in the user's wastewater discharge permit or other control mechanism at any time, based on current and/or anticipated operating data, the ability to meet NPDES Limits, and/or changes in the requirements of regulatory agencies.
- D. The increased use of water to establish an artificially high flow rate data base for mass emission limit determinations is prohibited.

515 WASTEWATER STRENGTHS AND CHARACTERISTICS

- A. No user shall discharge wastewater directly or indirectly to sewerage facilities with the following strengths and characteristics:
 1. Having a temperature higher than 140 degrees Fahrenheit (60 degrees Centigrade) or which causes the temperature at the influent to a wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Centigrade).

2. Containing substances that may precipitate, solidify, or become viscous at temperatures between 50 degrees Fahrenheit (10 degrees Centigrade) and 104 degrees Fahrenheit (40 degrees Centigrade).
3. Containing materials which will readily settle or cause an obstruction to flow in sewerage facilities or be detrimental to the proper operation of a sewerage facility. These materials may include, but are not limited to, asphalt, concrete, dead animals, offal ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, bones, hair, coffee grounds, egg shells, flashings, diatomaceous earth, seafood shells, and paper products not intended for use in sewerage facilities.
4. Producing a gaseous mixture that is ten percent (10%) or greater of the lower explosive limit (LEL). Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, ketones, and alcohols.
5. Having a pH less than 5.0 or greater than 11.0.
6. Containing recognizable portions of human or animal anatomy.
7. Containing excessive flow, constituents or other materials, including but not limited to, biological oxygen demand, chemical oxygen demand, total organic carbon, toxic pollutants, suspended solids, grease and oil of animal or vegetable origin total dissolved solids, detergents, surface active agents, phenolic compounds or other substances that are released in a discharge at a flow rate and/or concentration which will cause problems, pass-through or interference with sewerage facilities.
8. Containing PCBs in excess of 0.01 mg/L as a daily maximum.
9. Containing pesticides in excess of 0.01 mg/L as a daily maximum.
10. Violation of any applicable national pretreatment standards, state standards, or other local regulations covering wastewater disposal.

516 SPECIFIC LOCAL LIMITS

- A. ETWD in coordination with SOCWA is authorized to establish local limits pursuant to 40 CFR 403.
- B. No user shall discharge directly or indirectly a quality or quantity of wastes or wastewater containing toxic pollutants, non-compatible or compatible wastes in excess of Table I, Specific Local Limits. All local limits for the metal pollutants are for the "total metal" amount analyzed, unless indicated otherwise.

Table I
Specific Local Limits

Pollutant	Limit (mg/L)
Arsenic	3.4
Cadmium	0.93
Chromium	4.9
Copper	7.2
Lead	4.9
Mercury	0.19
Nickel	9.5
Silver	2.8
Zinc	7.9
Cyanide	4.3
Oil and Grease	300

- C. Local limits are subject to more stringent standards as established by national pretreatment standards. Local limits are deemed to be pretreatment standards for the purposes of Section 307(d) of the Act, and are enforceable under Section 309 of the Act, potentially subjecting an IU to a penalty of \$25,000 per day for each violation.
- D. The ETWD may place more stringent standards within any wastewater discharge permit or other control mechanism issued to a user at any time, based on current and/or anticipated operating conditions presented in the wastewater discharge permit application, the ability to meet NPDES permit limits, and/or changes in the requirements of regulatory agencies.
- E. The ETWD may develop Best Management Practices (BMPs) for use in any wastewater discharge permit or other control mechanism to implement local limits and the requirements in this ordinance.

517 STATE REQUIREMENTS

Upon the adoption of any state requirements on user discharges that are more stringent than federal requirements or the limitations contained in this ordinance, that state standard shall then immediately supersede the federal standard and the limitations of this ordinance.

518 FEDERAL REQUIREMENTS

- A. Upon adoption of a national pretreatment standard more stringent than those contained in this ordinance, the federal standard shall immediately supersede the limitations listed in this ordinance and the affected significant industrial users shall be notified of the new standards and applicable reporting requirements.
- B. The significant industrial user shall comply with the national pretreatment standard within the time provided in the federal regulations that establish such standards even if their wastewater discharge permit has not yet been modified to incorporate the new requirement or standards.
- C. The significant industrial user shall comply with any applicable requirements under Sections 204(b) and 405 of the Act and Subtitles C and D of the RCRA.

**ARTICLE 6
WASTEWATER DISCHARGE PERMITS**

601 WRITTEN AUTHORIZATION

- A. Users may be required to obtain written authorization to use sewerage facilities. This written authorization may be in the form of a wastewater discharge permit or other control mechanism issued by the ETWD. No vested right shall be given or be granted by issuance of wastewater discharge permit or other control mechanism as provided

for in this ordinance.

- B. When written authorization is granted, all the types of wastewater discharge permits and any other control mechanisms shall be expressly subject to all provisions of this ordinance and all other regulations, charges for use and fees established by the ETWD. The requirements contained in wastewater discharge permits or other control mechanisms are subject to enforcement under this ordinance and under state and federal law.
- C. All users that have obtained written authorization shall discharge their process wastewater only as provided for by their wastewater discharge permit or other control document.
- D. Compliance with wastewater discharge permit or other control mechanism provisions does not relieve the user from complying with any other applicable federal, state or local requirement.

602 TYPES OF WASTEWATER DISCHARGE PERMITS

- A. The wastewater discharge permit may be in one of four (4) types and is dependent upon process, volume and pollutant characteristics of the users discharge. The four types of wastewater discharge permits are:
 - 1. Class I – Wastewater Discharge (WD) Permit.
 - 2. Class II – Wastewater Discharge (WD) Permit.
 - 3. Class III – Wastewater Discharge (WD) Permit.
 - 4. Class IV – Special Wastewater Discharge (SWD) Permit.

603 TRANSFER PROHIBITION

Wastewater discharge permits issued under this ordinance are for a specific user, for a specific operation at a specific location. Wastewater discharge permits shall not be transferred for an operation at a different location.

604 CHANGE OF OWNERSHIP

- A. Upon the sale or transfer of ownership of any business operating under a wastewater discharge permit issued by the ETWD, the user shall notify the ETWD in writing prior to the change of ownership. The successor owner shall be required to apply for a new wastewater discharge permit prior to the sale or transfer of ownership.
- B. In the event that the original owner fails to notify the ETWD of the sale or transfer of ownership than said original owner may be jointly liable for any charges incurred by the new owner.
- C. This does not relieve the new owner of any liability for non-compliance with any federal, state, or local regulations or the provisions of this ordinance.

605 EXCESS CAPACITY REGULATORY FEE

New users or existing users that expand operations that require substantial sewerage facility capacity may be subject to an excess capacity sewerage facility regulatory fee in an amount and method to be solely determined by the ETWD on a case-by-case basis.

606 OUT OF SERVICE AREA WASTEWATER DISCHARGE PERMITS

Wastewater discharge permits for users located outside of the ETWD's service area but tributary to the ETWD's sewerage facilities shall only be issued after approval by the ETWD. Inspection and sampling of the user's discharge to determine compliance with discharge regulations will be made under a coordinated plan developed by SOCWA, the ETWD and the local sewerage agency. The more stringent discharge regulations and effluent limitations of affected agencies shall apply to the user. The fees for use shall be determined by the ETWD and set forth in an interjurisdictional agreement.

607 REQUIRED INFORMATION

- A. To provide for the equitable use of sewerage facilities, the ETWD shall have the right to require a user to provide all information necessary to maintain compliance with the provisions of this ordinance, including treatability studies to determine whether the wastewater would be compatible with all sewerage facilities. This information shall include, but is not limited to the following:
1. Wastewater discharge flow rates, peak flow rates and volume over any period of time.
 2. Physical, chemical or bacteriological analysis of wastewater.
 3. Information on raw materials, processes and products.
 4. Quantity, disposition and waste manifests of specific liquids, sludge, oil, solvent or other materials.
 5. Details of any pretreatment equipment.
 6. Details of systems to prevent and control the loss of material through spills and slug discharges.
 7. Review of all types of water bills.

608 CONFIDENTIAL INFORMATION

All user information and data on file shall be available to the public and governmental agencies without restriction, unless the user specifically requests and is able to demonstrate to the satisfaction of the ETWD that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position. The demonstration of the need for confidentiality made by the user must meet the burden necessary for withholding such information from the general public under applicable state and federal law. Any such claim must be made at the time of submittal of the information by marking "Confidential Business Information" on each page containing such information within the submittal. Information which is demonstrated to be confidential shall not be transmitted to any governmental agency without prior notification to the user. Information concerning wastewater quality and quantity shall not be recognized as confidential information and shall be available to the public without reservation.

609 CLASS I – WASTEWATER DISCHARGE (WD) PERMIT

No user requiring a Class I WD Permit shall discharge wastewater without obtaining a Class I WD Permit. A Class I user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a WD Permit by filing an application and paying any applicable fees before discharging.

610 CLASS II – WASTEWATER DISCHARGE (WD) PERMIT

No user requiring a Class II WD Permit shall discharge wastewater without obtaining a Class II WD Permit. A Class II user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a WD Permit by filing an application and paying any applicable fees before discharging.

611 CLASS III – WASTEWATER DISCHARGE (WD) PERMIT

No user requiring a Class III WD Permit shall discharge wastewater without obtaining a Class III WD Permit. A Class III user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a WD Permit by filing an application and paying any applicable fees before discharging.

612 CLASS IV – SPECIAL WASTEWATER DISCHARGE (SWD) PERMIT

- A. No user requiring a Class IV SWD Permit shall discharge wastewater without obtaining a Class IV SWD Permit. A Class IV user, as determined by the ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a SWD Permit by filing an application and paying any applicable fees before discharging.
- B. The SWD Permit may be issued when no alternative method of disposal is reasonably available or to mitigate an environmental risk or health hazard.
- C. A user proposing to discharge diverted urban nuisance water may be issued a nuisance special wastewater discharge (NSWD) Permit only after they have completed the requirements contained in the ETWD and SOCWA "Nuisance Flow Diversion Policy."
- D. A user proposing to discharge trucked or hauled wastes may be issued a hauled special wastewater discharge (HSWD) Permit only after they have completed all requirements set forth by the ETWD on a case by case basis. All trucked or hauled waste users shall comply with the terms, conditions and limitation set forth in a HSWD Permit as determined by the ETWD to be necessary to protect sewerage facilities. A trucked or hauled waste user proposing to discharge waste into a ETWD or SOCWA sewerage facility may be required to obtain both a valid Orange County Health Department permit (where applicable) and a HSWD Permit prior to any discharge.

613 NON-INDUSTRIAL WASTEWATER DISCHARGE (NIWD) FORM

- A. At the sole discretion of the ETWD, any user that is considered to have wastewater of no concern discharging to sewerage facilities may be classified as an NIWD user and issued an NIWD form.
- B. Any user that has had a Class I, II, or III WD Permit that no longer has a discharge containing noncompatible wastes to the ETWD's sewerage facilities may be classified as an NIWD user and issued an NIWD form.
- C. The main functions of the NIWD form are to assist in maintaining the ETWD's user survey data base and to track and verify by inspection any user that is considered to have wastewater of no concern discharging to sewerage facilities.

614 APPLICATION FOR WASTEWATER DISCHARGE PERMIT

- A. Users required to obtain a WD Permit shall complete and file with the ETWD, prior to commencing discharge, if applicable, an application on a form prescribed by the ETWD.
- B. Users seeking a WD Permit may be required to submit, in unit and terms appropriate for evaluation, the following information:
 1. Name, address of the site, NAICS numbers (if applicable), and a description of the manufacturing process or service activity.
 2. Name, address of any and all, (whichever is applicable) principals/owners/major share holders of company; articles of incorporation; most recent report of the Secretary of State and business license.
 3. Flow, volume, time, duration and type of wastewater to be discharged.
 4. Name, address and contact information of the individual who shall serve as the CAR.
 5. Name and address of property owner, landlord and/or manager of the property.
 6. Water supplier and water account numbers.

614 APPLICATION FOR WASTEWATER DISCHARGE PERMIT (cont)

- 7. Wastewater constituents and characteristics as required or deemed necessary by the ETWD, including but not limited to, those mentioned in this ordinance. These constituents and characteristics shall be determined by a laboratory of the discharger approved by the ETWD.
- 8. Number of employees and average hours of work per employee per day.

9. Waste minimization, best management practices and water conservation practices.
 10. All production records, if applicable.
 11. Waste manifests, if applicable.
 12. Tons of cooling tower capacity, if applicable.
 13. List of other environmental control permits and EPA Hazardous Waste Generator number, if applicable.
 14. Application signed by CAR of the user and contains the certification statement in Section 802.E
 15. Any other information as specified.
- C. Users may be required to submit site floor, mechanical, plumbing, toxic organic management, and spill containment plans for evaluation.
- D. After evaluation of the data furnished, the ETWD may issue a WD Permit, a NIWD Form or other control mechanism subject to the terms and conditions set forth in this ordinance and as otherwise determined by the General Manager to be necessary to protect sewerage facilities.
- E. The WD Permit application may be denied if the user fails to establish to ETWD's satisfaction that adequate pretreatment equipment is included within the user's plans to ensure that the discharge limits will be met or if the user has, in the past demonstrated an inability to comply with applicable discharge limits or has in the past demonstrated an inability to keep current with invoices for the items such as WD Permit fees, noncompliance fees, civil penalties, administrative civil penalties or charge for use.

615 APPLICATION FOR SPECIAL WASTEWATER DISCHARGE PERMIT

- A. Users required to obtain a SWD Permit shall complete and file with the ETWD, prior to commencing discharge, if applicable, an application on a form prescribed by the ETWD.
- B. Users seeking a SWD Permit may be required to submit, in unit and terms appropriate for evaluation, the following information:
1. Name, address and a description of the wastewater to be discharged.
 2. Name, address and contact information of the individual who shall serve as the CAR.
 3. Volume, time and duration of wastewater to be discharged.
 4. Construction and plumbing plans, if applicable.
 5. Detailed analysis of the alternatives for wastewater disposal, if applicable.
 6. Wastewater constituents and characteristics as required or deemed necessary by the ETWD, including but not limited to, those mentioned in this ordinance. These constituents and characteristics shall be determined by a laboratory selected by the user acceptable to the ETWD.
 7. Any other data as specified.

615 APPLICATION FOR SPECIAL WASTEWATER DISCHARGE PERMIT (cont)

- C. Users may be required to submit site, mechanical, plumbing, toxic organic management, and spill containment plans for evaluation if applicable.

- D. After evaluation of the information furnished, ETWD may issue a SWD Permit or other control mechanism subject to the terms and conditions set forth in this ordinance and as otherwise determined by the General Manager to be necessary to protect sewerage facilities.
- E. In the case of diverted urban nuisance water, after evaluation of the information furnished, ETWD may issue a NSW Permit, subject to the terms and conditions set forth in this ordinance and the "Nuisance Flow Diversion Policy" as otherwise determined by the General Manager to be necessary to protect sewerage facilities.
- F. The SWD Permit application may be denied if the user fails to establish to ETWD's satisfaction that adequate pretreatment equipment is included within the user's plans to ensure that the discharge limits will be met or if the user has, in the past demonstrated an inability to comply with applicable discharge limits or has in the past demonstrated an inability to keep current with invoices for items such as SWD Permit fees, non-compliance fees, civil penalties, administrative civil penalties or charges for use .

616 APPLICATION FOR NON-INDUSTRIAL WASTEWATER DISCHARGE (NIWD) FORM

- A. Users meeting the criteria for a NIWD form, may be asked to complete and file with the ETWD an application on a form prescribed by the ETWD.
- B. Information on users that meet the criteria for a NIWD form may be obtained solely by the ETWD during site inspections or by other means.
- C. After evaluation of the data furnished by the user or from information collected solely by the ETWD an NIWD form may be issued.

617 WASTEWATER DISCHARGE PERMIT TERMS, CONDITIONS, AND LIMITATIONS

- A. All wastewater discharge permits shall be expressly subject to all terms, conditions, and limitations of this ordinance, other regulatory agencies, Best Management Practices, charge for use, and fees established by the ETWD. The terms, conditions, and limitations in a WD Permits are subject to enforcement by the ETWD in accordance with this ordinance, and applicable state and federal regulations. Any WD Permit violation shall be a violation of this ordinance.
- B. The terms, conditions, and limitations of any issued WD Permit may be subject to modification and changes by the ETWD during the life of the WD Permit based on:
 - 1. The discharger's current or anticipated operating data.
 - 2. The ETWD's current or anticipated operating data.
 - 3. Changes in the requirements of regulatory agencies.
- C. Users may request a modification to the terms, conditions, and limitations of an issued WD Permit. The request shall be in writing stating the requested change, and the reasons for the change. The ETWD shall review the request, make a determination and respond in writing. A request for a wastewater discharge permit modification does not relieve a user from complying with its existing WD Permit terms, conditions and limitations.
- D. Any changes to the terms, conditions or limitations in a WD Permit shall include a reasonable time schedule for compliance where allowed under applicable federal, state and local law.

617 WASTEWATER DISCHARGE PERMIT TERMS, CONDITIONS, AND LIMITATIONS (cont)

- E. A WD Permit may contain any, but is not limited to, the following terms, conditions and limitations:
 - 1. Effluent limits, including mass emission rates, concentration limits or best management practices based on

applicable pretreatment standards for regulated pollutants.

2. Discharge limits based upon the combined wastestream formula (CWF).
3. Limits on rate and time of discharge or requirements for flow regulation and equalization.
4. Requirements for the user to make notification in writing prior to the physical expansion or any change to any wet processes. Notification is also required in the event of changes in production if production-based limits are being applied.
5. Requirements for the user to construct and maintain, at the user's own expense, pH control, flow monitoring and/or sampling equipment and/or structures.
6. Requirements for submission of technical reports, discharge reports and waste manifests.
7. Location of sampling point(s) and the requirements to self-monitor.
8. Requirements for maintaining plant records relating to wastewater discharge and waste manifests as specified by the ETWD.
9. Predetermined rates or values for wastewater strength characteristics.
10. Requirements to submit copies of water bills.
11. Other provisions which may be applicable to ensure compliance with this ordinance.
12. Other terms, conditions and limitations determined by the ETWD to be necessary to protect sewerage facilities.
13. Predetermined rate or value for BOD and suspended solids.
14. Requirements for notification of bypass discharges.
15. Requirements for notification of any new introduction of wastewater constituents or any substantial change in the volume or character of wastewater constituents.
16. Requirements to meet compliance schedules.
17. Requirements for the user to control slug discharges by developing and implementing a slug discharge control plan if determined by the ETWD to be necessary as described in 40 CFR 403.8(f)(1)(iii)(B)(6).
18. Requirements for the user to control toxic organic discharges by developing and implementing a toxic organics management plan if determined by the ETWD to be necessary.

618 WASTEWATER DISCHARGE PERMIT DURATION

All wastewater discharge permits shall not exceed a duration of five (5) years. Any wastewater discharge permit may be issued for a shorter period of time at the sole discretion of the ETWD.

619 WASTEWATER DISCHARGE PERMIT RENEWAL

- A. The user may file a new application prior to the expiration date of any existing wastewater discharge permit for renewal.

- B. Discharge after the termination date of a wastewater discharge permit is prohibited except:
 - 1. If the user filed a timely renewal application which is complete, and:
 - 2. The ETWD, through no fault of the user, does not issue a new wastewater discharge permit with an effective date on or before the expiration date of the previous wastewater discharge permit.

620 ETWD's RIGHT OF REVISION

- A. The ETWD reserves the right to establish, by ordinance, or by wastewater discharge permit or by Best Management Practices, or by any other control mechanism, more stringent standards or requirements on the discharge of users to sewerage facilities
- B. The terms, conditions and limitations contained in any WD Permit, Best Management Practices or other control mechanism may be modified by the ETWD at any time. This modification shall be by written notification to the user.

**ARTICLE 7
PRETREATMENT EQUIPMENT REQUIREMENTS**

701 PRETREATMENT

- A. All pretreatment equipment or devices may be reviewed by the ETWD. Such review shall not absolve the user of any responsibility of meeting prohibitions, limitations, requirements, standards and local limits on discharges.
- B. User shall provide wastewater treatment as necessary which may include, but is not limited to, the use of best available technology (BAT) or best practicable technology (BPT) concepts to comply with this ordinance and shall achieve compliance with all prohibitions, limitations, standards and local limits before discharging to any sewerage facility. Any equipment required to pretreat, sample, control or transport wastewater shall be provided and maintained in proper operating condition at all times at the user's sole expense.
- C. User may be required to submit waste analysis plans, contingency plans, and meet other requirements to ensure proper operation of pretreatment equipment and compliance with their wastewater discharge permit limits and this ordinance.
- D. No user shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this ordinance, a wastewater discharge permit or other control mechanism.

702 SPILL CONTAINMENT

- A. Each user shall provide spill containment for protection against the discharge of prohibited materials or other wastes regulated by this ordinance. This protection shall be designed in accordance with reasonable engineering standards to secure the discharges and to prevent them from entering into a sewerage facility. This equipment shall be provided and maintained at the user's sole expense.
- B. If it can be shown that a user's spill containment equipment did not prevent a discharge which caused the ETWD to violate its requirements, incur additional operational expenses, or suffer loss or damage to sewerage facilities, that user shall be responsible for any costs or expenses, including assessment by other agencies or any costs incurred by the ETWD.
- C. A notice may be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a prohibited discharge. Employers shall ensure that all employees who may cause or suffer such a prohibited discharge to occur are advised of the emergency notification procedure.

703 MONITORING AND METERING EQUIPMENT

- A. The user may be required to construct and maintain in proper operating condition at the user's sole expense, flow and/or constituent monitoring and/or sampling equipment.
- B. Any sample taken from a user's sample point shall be considered to be representative of the discharge to sewerage facilities.
- C. Monitoring or metering equipment may be required to include a security enclosure that can be locked with a ETWD provided lock during any sampling and monitoring periods.
- D. Location of the monitoring or metering equipment shall be subject to approval by the ETWD.
- E. The ETWD shall be provided clear and uninterrupted access to monitoring or metering locations.
- F. When one or more users discharge into a sewerage facility, those users may be required to install a separate monitoring location for each user. Also in the judgment of the ETWD, if there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, that user may be required to install separate monitoring locations for each operation. Separate monitoring may also be required for different processes subject to categorical pretreatment standards.

703 MONITORING AND METERING FACILITIES (cont)

- G. Users with the potential to discharge flammable solutions may be required to install and maintain at their sole expense a combustible gas detection meter.

- H. All wastewater samples shall be representative of the user's discharge. Wastewater monitoring and flow measurement equipment shall be operated, kept clean, and maintained in good working order at all times. Failure by the user to keep its monitoring equipment in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

704 DRAWING SUBMITTALS

- A. Detailed plans of any proposed construction of pretreatment, spill containment, monitoring and metering equipment and operating procedures shall be submitted for review by the due date contained within a written request from the ETWD. The review of the plans and procedures shall in no way relieve the user of the responsibility of modifying the equipment or procedures in the future as necessary to meet the requirements of this ordinance or any other requirement of other regulatory agencies.
- B. All drawings shall include:
 - 1. North arrow.
 - 2. Scale size.
 - 3. User name and address.
 - 4. Date drawn or revised.
 - 5. Location of proposed pretreatment, spill containment, monitoring and metering equipment.
- C. The ETWD may require drawings to scale depicting the manufacturing process (waste generating source), spill containment, pretreatment and/or monitoring or metering equipment.
- D. The ETWD may require a schematic drawing of the pretreatment, spill containment, monitoring and metering equipment.
- E. The ETWD may require the drawings be prepared by a California registered chemical, mechanical, or civil engineer.

705 WASTE MINIMIZATION, RECYCLING, AND TREATMENT

- A. User shall provide waste minimization plans to conserve water, investigate product and/or materials substitution, maintain inventory control records and implement employee education, and other steps as necessary to minimize waste produced by the due date contained within a written request from the ETWD.
- B. Waste minimization, recycling and treatment shall be demonstrated wherever feasible in the following priority:
 - 1. Source reduction which includes, but is not limited to, substitution of less hazardous materials, spill prevention and control measures, proper storage and handling of chemicals and raw materials.
 - 2. Recovery and reuse which includes, but is not limited to, substitution of less hazardous materials, spill prevention and control measures, proper storage and handling of chemicals and raw materials.
 - 3. Treatment which includes, but is not limited to, pretreatment techniques as to render hazardous wastes harmless or suitable for disposal to sewerage facilities.

**ARTICLE 8
INSPECTION, MONITORING, SAMPLING,
NOTIFICATION, AND REPORTING REQUIREMENTS**

801 INSPECTION AND MONITORING

- A. The ETWD may inspect and sample the wastewater generating and disposal equipment of any user's site to ascertain whether the requirements of this ordinance are being met and the user is complying with all requirements.
- B. Where a user has instituted security measures requiring proper identification and clearance before entry onto the premises, the user shall make all necessary arrangements with its security in order that the inspectors of the ETWD shall be allowed to enter the premises without delay for the purpose of performing their authorized duties.
- C. The ETWD shall have the right to set up on the user's property or any other locations, as determined by the ETWD, such devices as are necessary to conduct sampling or metering operations of the user's discharge to sewerage facilities.
- D. In order for the ETWD to determine the wastewater characteristics of a discharge for compliance with this ordinance, wastewater discharge permit, or other control mechanism requirements, the user may be required to make available for inspection and copying all records including, but not limited to, production records, required self-monitoring and chain of custody records, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, documents associated with Best Management Practices and waste manifests without restriction, but subject to the confidential provisions set forth in this ordinance. All records shall be maintained by users for a minimum of three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user, or when the user has been notified by written request from the ETWD. Such records shall be made available to the ETWD upon request.
- E. Any temporary or permanent obstruction to safe and easy access to the user's site to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the ETWD and shall not be replaced. The costs of cleaning such access shall be at the sole expense of the user.
- F. Inspection and/or sampling of any user's site shall be conducted at any time, by any means, in any amount, at any location, on any limit, requirement or pollutant in a manner and frequency as determined at the sole discretion of the ETWD.

802 SELF-MONITORING AND REPORTING

- A. Self-monitoring of wastewater pollutants, constituents and characteristics of the user needed for determining compliance with any limitations and requirements as specified in the user's wastewater discharge permit, federal regulations, or this ordinance may be required. The self-monitoring requirement, frequency, forms and reporting shall be set forth in the user's wastewater discharge permit or other control mechanism. These reports may include, but are not limited to, the following:
 1. Baseline monitoring reports (BMR's).
 2. Compliance schedule progress reports.
 3. 90-day compliance reports.
 4. Self-monitoring reports containing monitoring and analysis to demonstrate continued compliance as described in 40 CFR 403.12(g)(1-6).
 5. Other reports as required by the ETWD, other regulatory agencies or applicable law.

802 SELF-MONITORING AND REPORTING (cont)

- B. Failure by the user to perform any self-monitoring or reporting required by the ETWD shall be a violation of this ordinance, and is deemed to be a violation for each parameter and each day in the time period for which monitoring was required, and cause for the ETWD to initiate all necessary tasks and analysis to determine the wastewater pollutants, constituents and characteristics for any limitations and requirements specified in the user's

wastewater discharge permit or in this ordinance. The user shall be responsible for any and all expenses incurred by the ETWD in undertaking such monitoring analysis and preparation of reports.

- C. All users required to sample and analyze their wastewater shall use the sampling methods and the sampling locations as set forth in their wastewater discharge permit. For each sample collected and analyzed, the user shall maintain a record of:
 - 1. Date, exact place, method and time of sampling and the name of the person taking the sample.
 - 2. Date analysis performed.
 - 3. Identity and address of the person who performed the analysis.
 - 4. The analytical methods used.
 - 5. Results of the analysis.
- D. Samples taken shall be representative of conditions occurring during the reporting period. Users shall submit all monitoring data, even if user samples more frequently than required by its wastewater discharge permit. User is required to provide advance notice of any substantial change in the volume or character of pollutants in their discharge.
- E. When required, all submitted applications and user reports shall be signed by the CAR as defined in this ordinance. Each application and any required user report shall contain the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Date: _____

Signature: _____

Print Name: _____

Title: _____

User Name: _____

User Site
Address: _____

User Mailing
Address: _____

Phone: _____

Permit No: _____

802 SELF-MONITORING AND REPORTING (cont)

- F. Self-monitoring reports shall be subject to the provisions of 18 U.S.C. Section 1001 relating to false statements and fraud and the provisions of Section 309(c)(2) of the Act governing false statements.
- G. The analysis of a user's wastewater pollutants, constituents and characteristics shall be done by a laboratory

approved by the ETWD.

- H. If self-monitoring indicates a violation, the user shall notify the ETWD within 24 hours of becoming aware of the violation. The user shall repeat the sampling and analysis and submit the results of the repeat analysis to the ETWD within 30 days after becoming aware of the violation. Resampling by a user is not required if the ETWD performs the sampling at the user's site at least once a month, or if the ETWD performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the user or the MNWD receives the results of the sampling, or if the ETWD has preformed the sampling and analysis in lieu of the user.
- I. The analysis of wastewater pollutants, constituents and characteristics and the preparation of the self-monitoring report shall be done at the sole expense of the user.
- J. The user shall establish and maintain a sample point on each discharge line at a location representative of the discharge to sewerage facilities. The maintenance of any sample point equipment shall be done at the sole expense of the user. Any sampling location shall be set forth in the user's wastewater discharge permit.
- K. Any user subject to the reporting requirements of this ordinance shall retain all records of monitoring activities and results for a minimum of three (3) years and shall make them available to the ETWD upon request. The ETWD may require a longer period of retention if litigation is being considered or has resulted.
- L. Any user subject to self-monitoring reporting requirements may be required to submit self-monitoring reports on forms approved by the ETWD.
- M. Any user determined to be a non-significant categorical industrial user (NSCIU) by SOCWA pursuant to Section 202.B.86.c. and 808.B shall annual submit the following certification statement signed by the CAR as defined in this ordinance. This certification shall accompany an alternative report required by SOCWA:

"Based on my inquiry of the person or persons directly responsible for managing compliance with categorical pretreatment standards under 40 CFR ____, I certify that, to the best of my knowledge and belief that during the period from January 1, ____ to December 31, ____:

(a) The facility described as _____ met the definition of non-significant categorical industrial user as described in Section 202.B.86.c.;

(b) The facility complied with all applicable pretreatment standards and requirements during this reporting period; and (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

Date: _____

Signature: _____

Print Name: _____

This compliance certification is based on the following information.

803 REPORT OF SPILL, SLUG DISCHARGE, BATCH DUMPING OR UPSET

- A. In the event the user is unable to comply with any of the wastewater discharge permit conditions due to a breakdown of equipment, accidents caused by human error, or intentional action by any party, or acts of God, or any other cause, the discharger shall notify the ETWD as soon as possible of any spill, slug discharge, batch dumping or upset.

- B. Confirmation of this notification shall be made in writing within five (5) working days of the original notification unless waived by the ETWD. The written notification shall contain:
 - 1. Date of the incident.
 - 2. Reason for the spill, slug discharge, batch dumping or upset.
 - 3. The steps that were taken to immediately correct the problem.
 - 4. The steps that are being taken to prevent the problem from recurring.
 - 5. Any other information the ETWD deems relevant.
- C. Such notification shall not relieve the user of any expense, loss, damage, liability or fees which may be incurred as a result of damage or loss to sewerage facilities or any damage or loss to persons or property. Such notification shall never relieve the user from any fees or liability which may be imposed by this ordinance, other regulatory agencies or other applicable law.
- D. Significant industrial users shall notify ETWD immediately of any changes at its site affecting the potential for a slug discharge

804 REPORTING OF BY-PASS

- A. By-pass of industrial wastewater through pretreatment equipment to the sewerage facilities is prohibited. Enforcement action may be taken against the user, unless:
 - 1. By-pass was unavoidable to prevent loss of life, personal injury, or severe property damage, and
 - 2. There were no feasible alternatives to the by-pass, such as the use of auxiliary treatment equipment, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a by-pass which occurred during normal periods of equipment downtime or preventative maintenance, and
 - 3. The user submitted notice as required by this ordinance, or;
 - 4. The bypass did not exceed user discharge limits and was required for essential maintenance.
- B. If a user knows in advance of the need for a by-pass, it shall submit prior notice to the ETWD at least ten (10) days before the date of the by-pass.
- C. The ETWD may approve an anticipated by-pass after considering its adverse effects, if the ETWD determines that it will meet the conditions listed within this section.

804 REPORTING OF BY-PASS (cont)

- D. A user shall submit notice of an unanticipated by-pass that exceeds their wastewater discharge permit limitation to the ETWD within 24 hours from the time the user becomes aware of the by-pass. A written report shall also be provided within five (5) working days of the time the user becomes aware of the by-pass. The report shall contain:

1. Description of the by-pass and its cause.
 2. Duration of the by-pass, including exact dates and times.
 3. Anticipated time it is expected to continue if the by-pass has not been corrected.
 4. Steps taken or planned to reduce, eliminate, and prevent recurrence of the by-pass.
- E. Failure to submit notice and/or written report may be grounds for wastewater discharge permit suspension or revocation. Failure to provide timely notice under Section 804 D. is deemed a waiver of the bypass defense for the user violation.
- F. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage or loss to sewerage facilities or any other damage or loss to person or property. Such notification shall never relieve the user from any fees or liability that may be imposed by this ordinance, other regulatory agencies or other applicable law.

805 BASELINE MONITORING REPORTS (40 CFR 403.12(b))

- A. Within either one hundred eighty (180) days after the effective date of a categorical standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, an existing categorical industrial user currently discharging to or scheduled to discharge shall submit to the ETWD a report containing the information listed below. At least ninety (90) days prior to commencement of discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard shall submit to the ETWD a report containing the information listed below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. The baseline monitoring report shall include, but is not limited to, the following:
1. Identifying information. The name and address of the site, including the name of the operator and owner.
 2. Permits. A list of any environmental control permits held by or for the site.
 3. Description of Operations. A brief description of the nature, average rate of production, and standard industrial classification of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to sewerage facilities from the regulated processes.
 4. Flow Measurements. Information showing the measured average daily and maximum daily flow, gpd, to sewerage facilities from regulated process streams and other streams as necessary.
 5. Measurement of Pollutants. The categorical pretreatment standards applicable to each regulated process and the results and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the ETWD, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass where required, shall be reported. The sample shall be representative of daily operations. In cases where the standards requires compliance with a BMP or pollution prevention alternative, the industrial user shall submit documentation as required by the ETWD or the applicable standards to determine compliance with the standard.
 6. Certification. A statement, reviewed by the user's CAR and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

805 BASELINE MONITORING REPORTS (40 CFR 403.12(b)) (cont)

7. Compliance schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.

8. Signature and certification. All monitoring reports shall be signed and certified in accordance with Section 802 E. of this ordinance.

806 REPORT ON PROGRESS IN MEETING COMPLIANCE SCHEDULES(40 CFR 403.12(c))

- A. All Class I users required to submit compliance schedules shall report their progress no later than fourteen (14) days after each due date contained in their compliance schedule.
- B. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to comply with the applicable pretreatment standards.
- C. No increment referred to above shall exceed nine (9) months.
- D. In no event shall more than nine (9) months elapse between progress reports to the ETWD.

807 REPORT ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARDS DEADLINE (40 CFR 403.12(d))

- A. Within ninety (90) days following the date for final compliance with the applicable categorical standards or within ninety (90) days of the introduction of wastewater into sewerage facilities, the affected user shall submit a report containing the information listed below. This report shall include, but is not limited to the following:
 1. Flow Measurements. Information showing the measured average daily and maximum daily flow, in gallons per day, to sewerage facilities from regulated process streams and other streams.
 2. Measurement of Pollutants. The categorical pretreatment standards applicable to each regulated process and the results and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the ETWD, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass where required, shall be reported. The sample shall be representative of daily operations.
 3. Certification. A statement, reviewed by the user's CAR and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
 4. Signature and certification. All monitoring reports shall be signed and certified in accordance with Section 802 E. of this ordinance.

808. PERIODIC COMPLIANCE REPORT

- A. All Class I users subject to federal pretreatment standards (except a non-significant categorical user) as a minimum shall submit reports containing the information required in 40 CFR 403.12 during the months of June and December, or as required in their wastewater discharge permit or other control mechanism.
- B. A Class I user determined to be a non-significant categorical industrial user by the ETWD pursuant to Section 202.B.86.c. shall annually submit a report containing information as required in their wastewater discharge permit or other control mechanism.
- C. All users may be required to submit periodic compliance reports containing information as required in their wastewater discharge permit, other control mechanism or as required by the ETWD.

809 RIGHT OF ENTRY

ETWD shall have the right to enter the premises of any user to determine whether the user is complying with the requirements of this ordinance and any individual wastewater discharge permit, other control mechanism or order issued hereunder. Users shall allow the ETWD ready access to all parts of the premises for the purpose of inspection, sampling, records examination and copying, and the performance of any other duties.

810 ANALYTICAL REQUIREMENTS

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the ETWD or other parties approved by the EPA.

811 SAMPLE COLLECTION

- A. Samples collected by the user to satisfy reporting requirements contained in this ordinance, their wastewater discharge permit or other control mechanism shall be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- B. Except as indicated in Section 811.C. and 811.D. below, the user shall collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the ETWD. Where time-proportional composite sampling or grab sampling is authorized by the ETWD, the samples shall be representative of the discharge. Using protocols specified in 40 CFR 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the ETWD, as appropriate. In addition, grab samples may be required at any time to show compliance with instantaneous discharge limits.
- C. Samples for analysis of oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds shall be obtained using grab sample collection techniques.
- D. For sampling required in support of baseline monitoring and 90-day compliance reports required by this ordinance and 40 CFR 403.12(b) and (d), a minimum of four (4) grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for users for which historical sampling data do not exist; for users for which historical sampling data are available, ETWD may authorize a lower minimum. For reports required by this ordinance and 40 CFR 403.12(e) and (h), the user shall collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

812 TIMING

Reports shall be deemed to have been submitted on the date postmarked. For reports that are not mailed or delivered with postage prepaid the date of receipt of the report shall govern.

813 NOTIFICATION OF CHANGED DISCHARGE

All users that have been issued a wastewater discharge permit shall notify the ETWD in advance of any substantial change in the volume or character of pollutants in their discharge in accordance with 40 CFR 403.12(j)

814. NOTIFICATION OF THE DISCHARGE OF HAZADOUS WASTE (40 CFR 403.12(p)(1))

- A. The industrial user shall notify the ETWD, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into sewerage facilities of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the industrial user discharges more than one hundred (100)

kilograms of such waste per calendar month to sewerage facilities, the notification shall also contain the following information to the extent such information is known and readily available to the industrial user: An identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after a discharge to sewerage facilities commences. Any notification under this section need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under Section 813 of this ordinance and as listed in 40 CFR 403.12(j). The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of Sections 805, 807 and 808 of this ordinance and as listed in 40 CFR 403.12(b), (d), and (e).

- B. Dischargers are exempt from the requirements of Section 814. A., above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.
- C. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the industrial user must notify the ETWD, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- D. In the case of any notification made under this section, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- E. This section does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

ARTICLE 9 ENFORCEMENT

901 ENFORCEMENT SCOPE

- A. The ETWD finds that in order for it to comply with the laws, regulations, and rules imposed upon it by regulatory agencies and to ensure that sewerage facilities and treatment processes are protected and are able to operate

with the highest efficiency, specific enforcement provisions must be adopted to regulate discharges from industrial users.

- B. The ETWD is willing to cooperate with all users on improvements in wastewater quality, yet must be in a position to ensure that uncooperative users shall comply with this ordinance and any conditions set forth in a wastewater discharge permit.
- C. The ETWD intends to ensure that all interested parties are afforded due process of law and that any noncompliance or violation is resolved as soon as possible **Enforcement shall be guided by the ERP, adopted as Resolution No.10-12-2.**
- D. All users have a right of appeal pursuant to the procedures set forth in this ordinance.
- E. Each non-compliance or violation per day and each day of noncompliance or violation shall be taken as a separate noncompliance or violation for determining the amount of fees, charges, fines or penalties and/or which enforcement actions may be taken. A violation of a weekly average is considered seven (7) days of violation for that parameter and a violation of a monthly average is based upon the number of days in that month. A violation of multiple parameters caused by a single operational upset is considered one violation.
- F. The issuance or exercise of any type of an enforcement action provided for under this ordinance shall not be a bar against, or a prerequisite for, taking any other or additional enforcement action against a user under this ordinance or any other local, state or federal law. The remedies provided for in this ordinance are not exclusive and the ETWD is empowered to take more than one enforcement action against any noncompliant user.

902 NOTICE OF NONCOMPLIANCE (NON)

- A. In the event that it is determined that a user is in noncompliance with any provision of this ordinance, or the terms, conditions and limitations of its wastewater discharge permit, the ETWD may issue a NON form, whereby the user shall comply with all directives, conditions and requirements therein within the time prescribed.
- B. The issuance of a NON form may contain terms and conditions including, but not limited to, installation of pretreatment equipment, sampling structures, submittal of drawings or technical reports, payment of fees or administrative fines, limits on rate and time of discharge or any other provisions to ensure compliance with this ordinance and the user's wastewater discharge permit. This action is not a prerequisite to taking other or more severe enforcement actions.

903 NOTICE OF VIOLATION (NOV)

- A. In the event that it is determined that a user has not responded to a NON form that was previously issued to them or that noncompliance of any pretreatment standards requires their immediate attention, the ETWD may issue a NOV form, whereby the user shall comply with all directives, conditions and requirements therein within the time prescribed.
- B. The issuance of a NOV form may contain terms and conditions including, but not limited to, installation of pretreatment equipment and facilities, submittal of drawings or technical reports, payment of fees, administrative fines, limits on rate and time of discharge or any other provisions to ensure compliance with this ordinance. This action is not a prerequisite to taking other or more severe enforcement actions.

904 ADMINISTRATIVE ORDER (AO)

- A. The AO is an enforcement document from the ETWD directing the noncompliant user to undertake or to cease specific activities required to bring the user into compliance with this ordinance or the terms, conditions and limitation of a wastewater discharge permit as determined by the ETWD. The terms and conditions of the AO are not negotiable by the user. The circumstances of a user's noncompliance may dictate which theme the

administrative order takes to achieve the earliest possible return to compliance by the user. AOs may include administrative complaints. Types of AOs may include, but are not limited to, the following:

1. Probation Order (PO)

- a. The PO directs the noncompliant user to achieve compliance by a date specified in the order. The PO is usually issued when a user is in non-compliance of this ordinance, or the terms, conditions and limitations of its wastewater discharge permit or other enforcement action, or has not made payment of all amounts owed to the ETWD which include, but are not limited to, any fees, charges, fines and/or penalties. This action is not a prerequisite to taking other or more severe enforcement actions.

2. Show Cause Order (SCO)

- a. The SCO directs the noncompliant user to appear at a formal meeting, usually at a ETWD location, to explain its noncompliance, and to show cause why more severe enforcement actions against the user should not go forward. This action is not a prerequisite to taking other or more severe enforcement actions.

3. Cease and Desist Order (CDO)

- a. The CDO directs the noncompliant user to cease illegal or unauthorized discharges immediately, or to terminate its discharge altogether. A CDO may be issued in situations where a particular discharge could cause interference or pass through, or threaten human safety or the environment. The CDO may be issued immediately upon discovery of the problem. In an emergency, a CDO may be issued by any means, however, such an order should be followed by a written CDO on the user,. If necessary, the ETWD may order immediate cessation of any discharge to a sewerage facility, regardless of the user's compliance status. If a user fails to comply with the CDO, the ETWD may take any independent action to halt the discharge. This action is not a prerequisite to taking other or more severe enforcement actions.

905 WASTEWATER DISCHARGE PERMIT SUSPENSION OR REVOCATION

A. Grounds

1. The ETWD may suspend or revoke any wastewater discharge permit, but is not limited to the following, when it is determined that a user:
 - a. Violated an administrative order.
 - b. Provided a false statement, representation, record, report or other document to the ETWD.
 - c. Refused to provide records, reports, plans or other documents required to determine wastewater discharge permit terms, conditions, or limitations, discharge compliance, or compliance with this ordinance.
 - d. Discharged effluent that causes pass-through or interference with sewerage facilities.
 - e. Falsified, tampered with, or knowingly rendered inaccurate any monitoring device or sample collection method.
 - f. Discharged effluent that endangers human health or the environment.
 - g. Failed to report significant changes in operations or wastewater constituents and characteristics.

905 WASTEWATER DISCHARGE PERMIT SUSPENSION OR REVOCATION (cont)

- h. Failed to comply with the terms and conditions of any enforcement action.
- i. Refused reasonable access to the permittee's premises for the purpose of inspection and monitoring.
- j. Failed to make timely payment of any fees, charges, fines or penalties owed to the ETWD.

- k. Violated any conditions or limitations of its wastewater discharge permit or any provision of this ordinance.
- l. Discharged batch dumps to sewerage facilities not authorized or permitted by the ETWD.

B. Notice of Wastewater Discharge Permit Suspension/Revocation

1. When the ETWD has reason to believe that grounds exist for suspension/revocation of a wastewater discharge permit, written notice shall be given by certified mail to the user setting forth a statement of facts and grounds deemed to exist together with a description of the time and place where the charge shall be heard by the General Manager. The hearing date shall not be less than fifteen (15) days nor more than sixty (60) days after the mailing of such notice.

C. Hearing on Permit Suspension/Revocation

1. At the wastewater discharge permit suspension/revocation hearing, the user shall have an opportunity to respond to the allegations set forth in the notice. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the ETWD's General Counsel.
2. After the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
3. Upon receipt of the written report, the General Manager shall make his determination. Should he find that the grounds exist for suspension/ revocation of the wastewater discharge permit, he shall issue his decision and order, in writing within thirty (30) days after the hearing by his designee. A copy of the written decision shall be sent by personal delivery or certified mail to the user.

D. Effect of Wastewater Discharge Permit Suspension

1. Upon the issuance of an order of suspension by the General Manager, the user shall have no right to discharge any industrial wastewater, directly or indirectly to sewerage facilities for the duration of the suspension. All costs for physically terminating and reinstating service shall be paid by the user.
2. An order of wastewater discharge permit suspension issued by the General Manager shall be deemed final upon delivery to the user, unless appealed to the Board as specified in Section 913 of this ordinance.

E. Effect of Wastewater Discharge Permit Revocation

1. On the effective date of a wastewater discharge permit revocation being final, the user shall permanently lose all rights to discharge any industrial wastewater directly or indirectly to sewerage facilities. All costs for physical termination shall be paid by the user.
2. Each owner and employee of the user shall be bound by the order of wastewater discharge permit revocation.
3. Any future application from any user subject to an order of wastewater discharge permit revocation will only be considered by the ETWD after fully reviewing the records of revocation. Such records may be the basis for denial of a new wastewater discharge permit.
4. An order of permit revocation issued by the General Manager shall be deemed final upon delivery to the user, unless appealed to the Board as specified in Section 913 of this ordinance.

906 TERMINATION OF SERVICE

The ETWD may physically terminate water or sewer service to any user that violates or continues to violate the provisions of this ordinance, a term of any order of suspension or revocation of a wastewater discharge permit or other control mechanism. All costs for physical termination shall be paid for by the user as well as all costs for reinstating services.

907 EMERGENCY SUSPENSION

- A. The ETWD may suspend water or sewer service when such suspension is necessary, in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, to the environment, cause interference to sewerage facilities, or cause the ETWD to violate any state or federal law or regulation.
- B. An emergency suspension order is final and has no right of appeal.

908 INJUNCTION

Whenever a discharge of wastewater is in violation of the provisions of this ordinance, the ETWD may petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate to restrain the continuance of such discharge.

909 CIVIL FINES AND PENALTIES

- A. Authority.
 - 1. All users of sewerage facilities are subject to administrative or judicial enforcement actions by the ETWD, EPA, State Regional Water Quality Control Board or the District Attorney of Orange County. Actions may be taken pursuant to the authority and provisions of several laws, including but not limited to:
 - a. Federal Water Pollution Control Act (Clean Water Act).
 - b. California Porter-Cologne Water Quality Act (California Water Code).
 - c. California Hazardous Waste Control Law.
 - d. Resource Conservation and Recovery Act (RCRA).
- B. Recovery of Fines or Penalties.
 - 1. Payment of fines or penalties by the ETWD due to enforcement actions of other regulatory agencies based upon a violation by the ETWD whose cause can be established as the discharge of any user which is in violation of any provisions of this ordinance or a wastewater discharge permit shall entitle the ETWD to recover from the user all cost and expenses, including, but not limited to the full amount of fines and penalties which the ETWD has been subjected to.
 - 2. Each violation shall constitute a new and separate violation and shall be subject to the fines and penalties contained herein.
- C. Civil Liability
 - 1. Pursuant to the authority of California Government Code Sections 54739-54740, any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any order, compliance schedule, suspension or revocation shall be civilly liable for a sum not to exceed twenty-five thousand dollars (\$25,000) per violation for each day in which such violation occurs.

909 CIVIL FINES AND PENALTIES (cont)

- 2. Pursuant to the authority of Act. 33 U.S.C. Section 1251 et seq., any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any order, compliance schedule, wastewater discharge permit suspension or revocation shall be civilly liable for a sum not to exceed twenty-five thousand dollars (\$25,000) per violation for each day in which such violation occurs.

3. The ETWD may petition the superior court to impose, assess and recover penalties or other such penalties as the ETWD may impose, assess and recover pursuant to federal and/or state legislative authorization.
4. Notwithstanding any other provisions of law, all civil penalties imposed by the court for a violation of this ordinance shall be distributed to the ETWD.
5. Remedies under this section are in addition to and do not supersede or limit any and all other remedies, civil or criminal, but no liability shall be recovered under this section for any violation for which liability is recovered under Section 909 D. of this ordinance.

D. Administrative Complaint

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, the ETWD may issue an administrative complaint to any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any administrative, suspension or revocation order or other control mechanism.
2. The administrative complaint shall be served by personal delivery or certified mail on such person and shall inform the person that a hearing shall be conducted, within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation(s), set forth the provisions of law authorizing civil liability to be imposed and the proposed civil penalty. The matter shall be heard by the General Manager or his designee. The person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing shall not be conducted.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the ETWD's General Counsel.
4. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions and a recommendation. Upon receipt of the written report, the General Manager shall make his determination and should he find that grounds exist for assessment of a civil penalty, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing. If not appealed, the order shall be final thirty-one (31) days after it is served on the person.
5. A person dissatisfied with the decision of the General Manager may appeal to the Board pursuant to Section 913 of this ordinance within thirty (30) days of notice of the General Manager's decision.
6. If, after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements or other provisions of the this ordinance, the General Manager or Board may assess a civil penalty against that person.
7. In the determination of the amount of the civil penalty, all relevant circumstances may be taken into consideration, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violations, the length of time over which the violation occurs and the corrective action(s), if any, attempted or taken by the person.

909 CIVIL FINES AND PENALTIES (cont)

8. Civil penalties may be assessed as follows:
 - a. In an amount which shall not exceed two thousand dollars (\$2,000) for each day for failing or refusing to furnish technical or monitoring reports.

- b. In an amount which shall not exceed three thousand (\$3,000) for each day for failing or refusing to timely comply with any compliance schedule
 - c. In an amount which shall not exceed five thousand dollars (\$5,000) per violation for each day for discharges in violation of any waste discharge limitation, wastewater discharge permit condition, other control mechanism or requirement issued, reissued or adopted by the ETWD.
 - d. In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any suspensions, cease and desist order or other orders, or prohibition issued, reissued or adopted by the ETWD.
9. Payment of civil penalties shall be due within thirty (30) days of the date of the order assessing the penalties becomes final. The amount of any administrative civil penalties imposed which have remained delinquent for a period of sixty (60) days from the date they are due shall constitute a lien against the real property of the discharger from which the discharge resulting in the imposition of the penalty originated. The lien shall have no force and effect until recorded with the county recorder and when recorded shall have the force and effect and priority of a judgment lien and continue for ten (10) years and be renewable in accordance with law.
 10. Copies of the administrative order shall be served by personal service or by registered mail upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy of the order.
 11. Any party aggrieved by a final order issued by the Board after granting review of the order of the General Manager may obtain review of the order of the Board in the Superior Court, by filing in the court a petition for writ or mandate within thirty (30) days following the service of a copy of the decision and order issued by the Board.
 12. Any party aggrieved by a final order issued by the General Manager, for which the Board denies review, may obtain review of the order of the General Manager in the Superior Court, by filing in the court a petition for writ of mandate within thirty (30) days following service of a copy of a decision and order denying review by the Board.
 13. No administrative civil penalties shall be recoverable under this section for any violation for which civil liability is recovered under Section 909 C. of this ordinance.

910 CRIMINAL PENALTIES

- A. Any person who violates any provision of this ordinance is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed one thousand dollars (\$1,000) or imprisonment for not more than thirty (30) days or both.
- B. Each violation shall constitute a new and separate violation and shall be subject to the penalties contained herein.

911 PUBLIC NUISANCE

- A. Discharge of wastewater in a manner that is in noncompliance or violation of this ordinance or of any order issued by the ETWD, in accordance with this ordinance, shall hereby be declared a public nuisance and shall be corrected or abated as directed by the ETWD.
- B. Any person creating a public nuisance is guilty of a misdemeanor and is subject to the criminal penalties identified in Section 910 of this ordinance.

912 APPEALS TO THE GENERAL MANAGER

- A. General
 1. Any user affected by a decision, action or determination made by ETWD staff may file with the General Manager a written request for an appeal hearing.

2. Request must be made within fifteen (15) days of the mailing of the original decision.
3. Request for hearing shall set forth details of all facts supporting the appellant's request for hearing.

B. Notice

1. The General Manager shall, within fifteen (15) days of receiving the request for appeal provide written notice to the user of the hearing date, time, and place.
2. The hearing time shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a later date is agreed to by the appellant.
3. If the hearing is not held within the time set due to actions of the appellant, then the ETWD's decision shall be deemed final.

C. Hearing

1. The appellate shall have the opportunity to present information supporting its position concerning the ETWD's original decision, action or determination.
2. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the ETWD's General Counsel.

D. Written Determination

1. After the hearing the General Manager shall make a determination whether to uphold, modify or reverse original decision, action or determination as issued by ETWD staff.
2. This decision shall be put into writing within a brief statement of facts found to be true, the determination of the issues presented, and the findings.
3. The final determination of the General Manager upon his approval shall be executed as the order.
4. A copy shall be mailed or delivered to the appellant.
5. The order of the General Manager shall be final in all respects fifteen (15) days after it is mailed to the appellant, unless appealed under Section 913 of this ordinance.

E. Wastewater Discharge Permit Suspension/Revocation Appeals

1. Appeals regarding wastewater discharge permit suspension or revocation are covered under Section 905 and Section 913 as specified in this ordinance.

913 APPEALS TO THE BOARD

A. General

1. The user may, within thirty (30) days after the date of notification of the General Manager's order upholding the ETWD's determination, file a written appeal to the Board.

2. A fee of one hundred dollars (\$100) shall accompany the written appeal which shall be refunded if the Board of Directors reverses or modifies the order of the General Manager.
3. A request for appeal to the Board shall set forth details of the past record and that new arguments cannot be raised on appeal to the Board that could have been, but were not, raised in the prior appeal to the General Manager.
4. Pending the hearing on appeal, the user shall not be entitled to discharge into sewerage facilities beyond the effective date of the original order determined by the General Manager, unless it has been determined by the General Manager that the user is pursuing good faith arguments and approves such discharge.

B. Notice

1. The Board Secretary, within fifteen (15) days of receiving the request for appeal, will provide written notice to the user of the hearing date, time and place.
2. The hearing date shall not be more than forty-five (45) days from the mailing of such notice by certified mail to the appellate unless a later date is agreed to by the appellant.
3. If the hearing is not held within the time set due to action of the appellant, the General Manager's decision shall be deemed final.

C. Hearing

1. The appellant shall have the opportunity to present information supporting its position concerning the General Manager's determination.
2. The hearing shall be conducted in accordance with procedures established by the Board and approved by the ETWD's General Counsel.

D. Written Determination

1. After the hearing, the Board shall make a determination whether to uphold, modify or reverse the original decision, action or determination as ordered by the General Manager.
2. The decision of the Board shall be reduced to writing within thirty (30) days after the hearing.
3. It shall contain a brief statement of facts found to be true, the determination of the issues presented, and the findings. The decision shall be submitted to the appellant.
4. The order of the Board shall be final upon its adoption.

914 JUDICIAL REVIEW

A. Purpose and Effect

1. Pursuant to Section 1094.6 of the California Code of Civil Procedure, the time in which a user may bring an administrative mandamus action shall be limited to ninety (90) days following the final decision in the adjudicative administrative hearing in question.

B. Time Limit for Judicial Review

1. Judicial review of any decision of the ETWD's Board may be made pursuant to Section 1094.5 of the California Code of Civil Procedure only if the petition for writ of mandate is filed no later than ninety (90) day following the date on which any decision becomes final.

C. Preparation of Records

1. The complete record of the proceedings shall be prepared by the ETWD and shall be delivered or mailed to the petitioner within one hundred-ninety (190) days after they have filed a written request.
2. The ETWD shall recover from the petitioner its actual costs for preparing and transcribing the record.

D. Extension

1. If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition may be filed, pursuant to Section 1094.5 of the California Code of Civil Procedures, shall be extended to no later than thirty (30) days following the date on which the record is delivered or mailed, by the ETWD, to the petitioner or the petitioner's attorney of record, if appropriate.

E. Notice

1. In making a final decision, the ETWD shall provide notice to the user whose wastewater discharge permit has been denied, suspended or revoked, that the time in which judicial review must be sought is governed by Section 1094.6 of the California Code of Civil Procedures.

F. This section does not apply to action taken under Section 909 of this ordinance.

915 PAYMENT AND COLLECTION OF FEES AND CHARGES

- A. Except as otherwise provided, all fees and charges are due and payable upon receipt of an invoice or notice thereof. All such amounts are delinquent if unpaid forty-five (45) days after date of invoice or notice.
- B. Any invoice or notice that becomes delinquent may have added to it an assessment in accordance with the following:
 1. Forty-six (46) days after the date of invoice or notice, an assessment of ten percent (10%) of the base amount, not to exceed a maximum of \$1,000.
 2. Ninety (90) days after the date of invoice or notice, a total of twenty-five percent (25%) of the base amount, not to exceed a maximum of \$2,500.
- C. Any invoice or notice that is outstanding and unpaid after ninety (90) days may be cause for immediate initiation of wastewater discharge permit revocation proceedings or immediate wastewater discharge permit suspension.
- D. Delinquent assessments under this section may not accrue to those invoices or notices successfully appealed, provided the ETWD received written notice of appeal prior to the payment due date.
- E. Payment of disputed fees and charges are still required by the due date during review of any appeal submitted by permittee.
- F. This section does not apply to Section 909 of this ordinance.

916 RECOVERY OF ENFORCEMENT COSTS

In the event a user fails to comply with any of the terms and conditions of this ordinance, wastewater discharge permit, administrative order, wastewater discharge permit suspension or revocation, other control mechanism or any other enforcement action, the ETWD shall be entitled to reasonable attorney's fees and costs which may be incurred during enforcement of any terms and conditions with or without filing proceedings in court.

917 FINANCIAL SECURITY CONDITIONS

A. Compliance Deposit

1. Users that have been subject to enforcement actions and/or fees, charges, penalties or fines may be required to deposit with the ETWD an amount determined by the General Manager as necessary to guarantee payment of all charges, fees, costs and expenses that may be incurred in the future.
2. A compliance deposit shall be received by the ETWD before the ETWD either issues a wastewater discharge permit, other control mechanism or grants the user permission for further discharge to sewerage facilities.

B. Delinquent Accounts

1. Any user who fails to make payment in full of all fees, charges, penalties or fines assessed by the ETWD including reconciliation amounts, delinquency fees, and other costs or fees may be required to obtain the issuance of an amendment to their wastewater discharge permit.

C. Bankruptcy

1. Any user filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court-ordered protection from its creditors, shall within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its wastewater discharge permit by the ETWD.

D. Wastewater Discharge Permit Amendments

1. An amendment issued to the user's wastewater discharge permit shall be in accordance with the provision of this ordinance.

E. Security Deposit

1. An amendment to a wastewater discharge permit issued in accordance with this ordinance may be conditional upon the permitted user depositing financial security in an amount equal to the total fees and charges from the preceding year.
2. Such a deposit shall be used to guarantee payment of all fees and charges incurred for future services and sewerage facilities provided by the ETWD and shall not be used by the ETWD to recover outstanding fees and charges incurred prior to the user filing and receiving protection from creditors in the United States Bankruptcy Court.

F. Return of Security Deposit

1. If the user makes full payment in time of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the user's wastewater discharge permit prescribed by this ordinance, the user's security deposit shall be returned or credited to the user's account.

918 REPORT OF ANALYSIS

All collected data from inspection and monitoring sampling conducted by the ETWD may be reported to the user. This data, if given to the user, shall be kept by the user and the ETWD and made available during inspections by the ETWD or any other regulatory agency.

919 DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS

- A. When a discharger of wastes causes an obstruction, interference, damage, or other impairment to sewerage facilities or to the operation of sewerage facilities, the ETWD may assess the costs against the user for the work required to clean, replace or repair the sewerage facility together with expenses incurred to resume normal operations. This shall also be grounds for wastewater discharge permit revocation. A service charge of twenty-five percent (25%) of costs shall be added to the costs and charges to cover the ETWD's overhead, including administrative personnel and record keeping. The total amount shall be payable within forty-five (45) days of invoicing by the ETWD.
- B. If it can be shown that the discharge of any user is the cause of the ETWD violating its NPDES permit and pretreatment requirements established by any Regulatory Agency or incurring additional expenses or suffering losses or damage to ETWD sewerage facilities, then that user shall be responsible for any costs, expenses, or assessments incurred by the ETWD, made by other agencies or a court.
- C. Where two or more dischargers cause a single and indivisible harm to sewerage facilities, each is jointly and severally liable for the damages. The burden of proof is on the dischargers to demonstrate that the harm is divisible.

920 INDUSTRIAL WASTE PASS THROUGH

- A. If an industrial waste discharge results in a "pass through" event in sewerage facilities, all costs associated with the event, including but not limited to treatment costs, fines, regulatory fines, and other indirect costs may be charged against the user.
- B. The user shall submit plans which prevent future recurrences to the satisfaction of the ETWD.
- C. A second occurrence shall be grounds for wastewater discharge permit revocation without the right of appeal.

921 BATCH DUMPS

- A. When the ETWD determines that a user has discharged concentrated noncompatible wastes into a sewerage facility in a manner or method that is not approved by the ETWD, any enforcement action may be taken as set forth in this ordinance.
- B. The user shall be subject to wastewater discharge permit suspension or revocation in accordance with this ordinance as well as any other legal enforcement penalties or remedies available to the ETWD.

922 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE (SNC)

- A. To comply with the requirements of 40 CFR 403, the ETWD shall annually publish the names of all industrial users that are in SNC of federal pretreatment standards.
- B. Publication of this SNC notice shall be in the newspaper of general circulation that provides meaningful public notice within the ETWD service areas.
- C. The determination of SNC is based upon the definition set forth in Section 202 B.88. of this ordinance.

**ARTICLE 10
FEES AND CHARGES**

1001 APPLICATION FEE

- A. All application fees shall be in an amount as established by the ETWD.

- B. Payment of the application fee must be received before the issuance of a new or renewal of a wastewater discharge permit.
- C. User shall pay any delinquent invoices in full, prior to the wastewater discharge permit renewal.

1002 ANNUAL WASTEWATER DISCHARGE PERMIT FEE

- A. The annual wastewater discharge permit fee shall be in an amount as established by the ETWD.
- B. The annual wastewater discharge permit fee shall be due on or before the date set by the ETWD.

1003 INSPECTION, MONITORING AND SAMPLING CHARGES

Any and all costs incurred by the ETWD to inspect, monitor and sample a user for the purpose of assuring compliance with this ordinance, the user's wastewater discharge permit, other control mechanism or other regulations shall be paid for by the user only upon receipt of an invoice or bill from the ETWD or its representative.

1004 DELINQUENCY FEES

- A. Any fees that become delinquent may have added to it an amount as set forth in Section 915 of this ordinance.
- B. Any delinquent fee and all assessments including court costs and legal fees thereon may be collected by lawsuit in the name of the ETWD.

1005 ADDITIONAL FEES AND CHARGES

- A. The user will be required to pay all applicable additional fees and charges that are established by the ETWD only upon receipt of an invoice or bill.
- B. Any wastewater discharge permit issued for a location where the user is not the property owner, may be conditioned upon depositing financial security to guarantee payment of all additional fees and charges to be incurred, in accordance with the provisions of Section 917 of this ordinance.

1006 RECORDING OF FEES AND CHARGES

- A. The ETWD may keep a permanent record and account of all fees and charges received under this ordinance.
- B. Record information shall include, but is not limited to:
 - 1. Name and address of user.
 - 2. Date and amount of fee or charge.
 - 3. Purpose for which fees or charges were paid.

**ARTICLE 11
SEVERABILITY**

1101 SEVERABILITY

- A. If any provisions of this ordinance or the application thereof to any users or circumstances is held invalid, unenforceable, or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance or the

application of such provision to other users or other circumstances shall not be affected.

- B. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid, unenforceable or unconstitutional by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance. The Board declares that they would have passed said ordinance by section, subsection, sentence, clause or phrase thereof.

**ARTICLE 12
REPEAL**

1201 REPEAL

- A. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent that they are inconsistent with the provisions of this ordinance.

**ARTICLE 13
EFFECTIVE DATE**

1301 EFFECTIVE DATE

- A. This ordinance shall become effective thirty (30) days after adoption.
- B. Amendments to this ordinance shall become effective thirty (30) days after there adoption.

EL TORO WATER DISTRICT

Dated _____

by _____
President

Dated _____

by _____
Secretary

MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF DIRECTORS
OF THE
EL TORO WATER DISTRICT
July 23, 2020

President Monin called the meeting of the Board of Directors of the ELTORO WATER DISTRICT to order at 7:30 a.m. on July 23, 2020.

Vice President Gaskins led in the Pledge of Allegiance to the flag.

Committee Members JOSE F. VERGARA, MARK MONIN, KATHRYN FRESHLEY, MIKE GASKINS, and KAY HAVENS participated via Zoom.

Also present via Zoom were DENNIS P. CAFFERTY, General Manager, JUDY CIMORELL, Human Resources Manager, NEELY SHAHBAKHTI, Finance Manager/Controller, GILBERT J. GRANITO, General Counsel, BOBBY YOUNG, Principal Engineer, RORY HARNISCH, Project Engineer, CAROL MOORE, Laguna Woods City Council Member, and POLLY WELSCH, Recording Secretary.

Oral Communications - Public Comments

President Monin stated that at this time members of the public may address the Board or they may reserve this opportunity with regards to an item on the agenda, until the Board discusses said item later in today's meeting.

There were no comments.

Items Received Too Late To Be Agendized

President Monin asked if there are any items received too late to be agendized. Mr. Cafferty replied no.

Oral Communications/Public Comments

There were no comments.

Consent Calendar

All matters under the Consent Calendar will be approved by one motion unless a Board member or a member of the public requests separate action or discussion on a specific item.

1. Consider approving the June 25, 2020 Board meeting minutes.

Director Havens stated that she provided some changes to the minutes to the Board Recording Secretary.

Motion: Vice President Gaskins made a Motion, seconded by Director Havens, and unanimously carried across the Board to approve the Consent Calendar with Director Havens' corrections.

Roll Call Vote:

Director Freshley	aye
Director Havens	aye
President Monin	aye
Vice President Gaskins	aye
Director Vergara	aye

Director Reports for Meetings Attended

Director Vergara stated that he attended the MWDOC/MET Directors workshop, the MWDOC Planning/Operations meeting, the MWDOC Admin/Finance meeting, the WACO meeting, the MWDOC Board meeting,

the WACO Planning meeting, the regular District Board meetings, and he plans to attend the South County Economic Coalition meeting later this week, the ACWA Summer conference, and the South Orange County Agencies meeting.

Vice President Gaskins stated that he attended the ISDOC meeting, the WACO meeting, two President/VP/GM meetings, the Agenda Review meeting, the OCWA meeting, the District's regular Board meetings, and will attend the ISDOC meeting and the ACWA Summer conference.

Director Freshley stated that she attended the MWDOC/MET workshop, the ACWA Solar Energy Storage seminar, the JPIA Sexual Harassment class, LAFCO, WACO, the OCWA meeting, the District's regular Board meetings, and an upcoming JPIA meeting and the ACWA Summer conference.

Director Havens stated that she attended WACO, the MWDOC Board meeting, the OCWA meeting, the District's regular Board meetings, and will be attending ISDOC and the ACWA Summer conference.

President Monin stated that he attended the ISDOC Executive Committee meeting, the MWDOC/MET workshop, WACO, WACO Planning meeting, the OCWA meeting, the MWDOC Admin/Finance meeting, Laguna Woods City Council meeting, Mission Viejo City Council meeting, President/VP/GM meetings, the District's regular Board meetings, and will be attending the South Orange County Agencies meeting, and the ACWA Summer conference.

General Manager Action Items

COVID-19 Update

Mr. Cafferty stated that staff continues to stay alert to current conditions, and Customer Service is working with customers who are having difficulty paying their bills. He further stated that safety proto-cols remain in place at the workplace.

Mr. Cafferty stated that some Plexiglas partitions have been put into places where necessary, and we have replaced soap dispensers in the restrooms with hands-free devices. He further stated that staff continues to work their normal 9/80 schedules with staggered work schedules and lunch times to avoid congregating in certain areas.

President Monin asked for a Motion.

Motion: Director Vergara made a Motion, seconded by Director Freshley and unanimously carried across the Board to grant the General Manager discretion to extend the use of Emergency Administrative Leave, as necessary up to 160 hours per employee, until the August 27, 2020 meeting of the Board of Directors.

Roll Call Vote:

Vice President Gaskins	aye
Director Vergara	aye
Director Freshley	aye
Director Havens	aye
President Monin	aye

CASA Directors Election, Designation of Agency Representative and Consent to Electronic Transmission

Mr. Cafferty stated that CASA is asking us to delegate a representative and two alternates to vote electronically and receive communications electronically, and cast a ballot in support of the CASA Nominating Committee's slate of Directors and annual dues resolution. He further stated that the District's cost of the annual dues is \$13,600, which is the amount we budgeted.

President Monin asked for a Motion.

Motion: Director Vergara made a Motion, seconded by Director Freshley and unanimously carried across the Board to 1) designate Dennis Cafferty as the agency's representative, and Rick Olson and Polly Welsch as the two alternates who shall exercise voting rights and other privileges on behalf of the District, 2) consent to receiving official CASA communications electronically rather than by regular mail, and 3) to authorize the agency's representative to cast a ballot in support of the CASA Nominating Committee slate of Directors and annual dues resolution.

Roll Call Vote:

Vice President Gaskins	aye
Director Vergara	aye
Director Freshley	aye
Director Havens	aye
President Monin	aye

Resolution No. 20-7-1 Changing the Authorized Contracting Officer on the El Toro Water District Accounts with Union Bank

Mr. Cafferty stated that we need to change the Contracting Officer on the ETWD accounts with Union Bank.

President Monin asked for a Motion.

Motion: Director Freshley made a Motion, seconded by Vice President Gaskins and unanimously carried across the Board to adopt Resolution No. 20-7-1 changing the authorized contracting officer on the District's accounts with Union Bank to the District's General Manager, Dennis P. Cafferty.

Roll Call Vote:

Vice President Gaskins	aye
Director Vergara	aye
Director Freshley	aye
Director Havens	aye
President Monin	aye

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty stated that the WRP Battery system performed better as we are in the warmer months. He further stated that Mr. Harnisch has been working with the person who was with AMI and is now at STEM to make sure we understand the transition and when we will see the new portal.

Director Freshley asked what is causing our peaks. Mr. Harnisch replied that one of the three pumps has been offline for a while, and we have not had as many peak shaving opportunities, but we are getting closer to the net zero for this period. He further stated that when the heat goes up, the

energy use will spike similar to household trends.

President Monin stated that the Customer Service Activity report remains doing well.

Director Vergara asked how customers are able to pay their bills with cash. Mr. Cafferty indicated that Customer Service is able to work with customers who prefer to pay in cash and provide them with a receipt.

Legislative Reports

Mr. Cafferty stated that our District joined a number of agencies in supporting SB 1386 that addresses funding of fire capacity in water systems through rates.

SOCWA Reports

There were no comments.

MWDOC

Director Vergara stated that at the MWDOC/MET Directors workshop they discussed the Integrated Resources Plan (IRP), and MET's process of selecting a General Manager. He further stated that at the MWDOC Board meeting they approved everything that was recommended at their committee meetings.

President Monin stated that at the MWDOC Admin/Finance meeting they discussed the CARES Act and WEROC.

LAFCO

Director Freshley stated that there was a lot of discussion at the LAFCO meeting on how we should fill one of the senior staff positions.

SOCWMA

There were no comments.

ISDOC

President Monin stated that they discussed elections, and he has decided to run for the ISDOC President position.

WACO

Director Vergara stated that Deborah Nagle, from the Environmental Protection Agency, and Dr. Sedlak from U.C. Berkeley were the speakers. He further stated that for the WACO Planning meeting, we are scheduling Brenda Burman who is the Commissioner of the U.S. Bureau of Reclamation.

City Coordination Efforts

There was no meeting.

Committee and General Information

There were no comments.

Dates to Remember for July/August 2020

There were no comments.

Carry Over Pending Matters

There were no comments.

Comments Regarding Non-Agenda Items

Director Freshley stated that there is a webinar today at 9:00 am on pump stations and energy and water efficiency.

Mr. Cafferty stated that the District will host a Red Cross Blood Drive at the District's Field office on August 10th.

Attorney Report

Mr. Granito reported that there is no need for a Closed Session today so regular session continued.

Mr. Granito reported that the City of Santa Monica in a Voting Right lawsuit was challenged on its at-large election system. The City had not prevailed at the Trial Court level; however, on Appeal, on July 9, 2020, the Second District Court of Appeal rendered their decision that sustained the Cities at-large election system. The Court of Appeal's decision is a victory for all local agencies, cities, and Special Districts, that favor at-large election systems.

Adjournment

There being no further business to come before the Board the meeting was adjourned at 8:30 a.m. to Thursday, August 27, 2020 at 7:30 a.m. at the District's Administrative Offices at 24251 Los Alisos Blvd, Lake Forest, CA. 92630.

Respectfully submitted,

POLLY WELSCH
Recording Secretary

APPROVED:

MARK L. MONIN, President of
the El Toro Water District and the
Board of Directors thereof

DENNIS P. CAFFERTY, Secretary
of the El Toro Water District and
the Board of Directors thereof



STAFF REPORT

TO: BOARD OF DIRECTORS

MEETING DATE: August 27, 2020

FROM: Dennis Cafferty, General Manager

SUBJECT: COVID-19 Response

The District continues in its effort to balance compliance with health officials' guidance and State and Federal direction with the critical need to maintain the reliability of the essential services provided by the District. The following represents a summary of the current status of the District's response to the ever changing challenges presented by the COVID-19 pandemic.

Customer Billing – The suspension of non-pay shutoffs continues. The incidence of late payments or customers communicating that they are unable to pay their bill due to the financial crisis associated with the COVID-19 pandemic remains relatively low as evidenced both by feedback from the District Customer Service staff as well the documentation of aged receivables. Staff will continue to closely monitor billing for any further indication of trends or patterns.

Face Coverings (Masks) – District staff continue to be reminded of the strict guidelines defining the District's requirement to wear a face covering while at work.

Staffing – The following descriptions provide an overall description of the current approach to staffing and schedules:

- **Illness** – The one District staff member that tested positive for the COVID-19 virus has recovered and returned to work.

- **At-Risk Employees** – The District has five employees that are older than 65 years of age. These employees have been off work, on Emergency Administrative Leave, in order to ensure their safety. Staff is working to provide a safe means for these employees to return to a productive capacity either remotely or, where practical, physically at ETWD facilities.
- **Social Distancing** – The District’s management staff continues to emphatically remind and require all staff of the critical need to practice social distancing of a minimum of six feet as well as the need to follow CDC guidelines regarding hand washing and other personal hygiene. Staff has been further advised that face coverings are not a substitute for practicing physical distancing and personal hygiene. Staff has been informed and consistently reminded that the combination of masks, distance and hygiene are the most effective means to mitigate the potential of contracting the virus.
- **Field Operations** – The Operations Department is working their normal 9/80 schedule. Certain modifications such as staggered start times and lunch periods have been implemented to reduce traffic and interaction in locker rooms and the lunch room.
- **Self-Certification** – A requirement has been instituted for the daily self-certification that employees are not suffering from a fever or any of the typical COVID-19 symptoms. Thermometers have been provided to each employee to facilitate the ability of each employee to check their temperature prior to coming to work. Employees are required to provide the daily certification on-line.

Emergency Administrative Leave – At the March Board meeting the Board approved an amendment to the District’s Employee Handbook that created a leave category known as Emergency Administrative Leave (EAL). EAL is used to accommodate any modified schedules the District implements to achieve compliance with social distancing guidelines. While the Operations Department has returned to their full 9/80 schedule, certain District staff are still assigned to shifts that result in some employees spending less than 40 hours per week physically working on assigned tasks at the District’s facilities. The amendment to the Employee Handbook gave the General Manager the discretion to grant up to 160 hours per employee of EAL. The amendment further noted that *“The extension of EAL beyond the original 160 hours per employee defined herein may be granted with the approval of the Board of Directors.”*

The original allocation of EAL was intended to cover the period until the next Board meeting at which a request for extension could be considered if necessary. An extension of the EAL allocation was approved by the Board at the April, May and June Board meetings. Staff is recommending the Board authorize the General Manager to provide an additional 160 hours of EAL per employee, as necessary. Further consideration of the EAL requirement will be considered based on current conditions at the September Board meeting.

Recommended Action: Staff recommends the Board of Directors grant the General Manager discretion to extend the use of Emergency Administrative Leave, as necessary up to an additional 160 hours per employee, until the September 24 meeting of the Board of Directors.

RESOLUTION NO. 20-8-2

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING A NINTH AMENDED
CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act ("Act"), Government Code Section 81000 et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes; and

WHEREAS, The Fair Political Practices Commission ("FPPC") has adopted a regulation, 2 Cal. Code of Regs., Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference by state and local government agencies as the Conflict of Interest Code of such an agency, and which may be amended by the FPPC to conform to amendments in the Act; and

WHEREAS, the Board of Directors of the District amended the District's Conflict of Interest Code in its entirety on February 16, 1994, (First Amendment) to reflect the adoption of the Standard/Model Conflict of Interest Code set forth in Title 2, Division 6 of the California Code of Regulations, Section 18730 to minimize the action required to keep it's code in conformity with the Act, thereby saving time and money; again on September 26, 1996 (Second Amendment) to reflect changes in the law as to disclosure obligations of officials who manage public investments; again on September 21, 2000 (Third Amendment) to reflect organizational changes of the District pursuant to Fair Political Practices Commission (FPPC) Regulations 2 Cal. Code of Regs. Section 18730; again on September 19, 2002 (Fourth Amendment) to reflect organizational changes of the District pursuant to Fair Political Practices Commission (FPPC) Regulations 2 Cal. Code of Regs. Section 18730; again on September 28, 2006 (Fifth Amendment) to reflect organizational changes of the District pursuant to Fair Political Practices Commission (FPPC) Regulations 2 Cal. Code of Regs. Section 18730; and again on December 17, 2009 (Sixth Amendment); again on August 25, 2016 (Seventh Amendment); again on September 27, 2018 (Eighth Amendment) to reflect organizational changes of the District pursuant to Fair Political Practices Commission (FPPC) Regulations 2 Cal. Code of Regs. Section 18730.

WHEREAS, Exhibits A and B of the District's Conflict of Interest Code as adopted herein sets forth the designated positions and disclosure categories for said positions; and

WHEREAS, the County of Orange Board of Supervisors is the reviewing body for El Toro Water District's Conflict of Interest Code, and in an effort to streamline the review process and make the filing of Form 700 easier for the District's filers, the County has developed Countywide Disclosure Categories and has requested that the District amend its Conflict of Interest Code in order to mirror the County-wide disclosure categories.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the El Toro Water District DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

1. The Board of Directors of the El Toro Water District hereby restates, amends and adopts Attachment A and Exhibits A and B of this Resolution as the District's Conflict of Interest Code.
2. This amendment to the Conflict of Interest Code shall not be effective until it has been approved by the code reviewing body, namely, the Board of Supervisors of the County of Orange, and the effective date of this amendment shall be the date fixed by the Board of Supervisors.
3. The Secretary/Filing Officer of the District is hereby authorized and directed to file with the Clerk of the Board of Supervisors a copy of this Resolution and such other information as may be required by the Board of Supervisors.
4. The Secretary/Filing Officer of the District is ordered and directed to file the Amended Conflict of Interest Code in the office of the District, and to retain same as part of the District's usual record keeping process.
5. Copies of the Amended Conflict of Interest Code shall be made available for public inspection by the District's staff during all regular office hours of the District.

ADOPTED, SIGNED AND APPROVED this 27th day of August 2020.

MARK L. MONIN, President
El Toro Water District and of the
Board of Directors thereof

DENNIS P. CAFFERTY, Secretary
El Toro Water District and of
the Board of Directors thereof

2020 Local Agency Biennial Notice

Name of Agency: El Toro Water District
Mailing Address: 24251 Los Alisos Blvd, Lake Forest, CA 92630
Contact Person: Polly Welsch Phone No. (949) 837-7050
Email: pwelsch@etwd.com Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (check one BOX):

- An amendment is required. The following amendments are necessary:**
(Check all that apply.)
- Include new positions
 - Revise disclosure categories
 - Revise the titles of existing positions
 - Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
 - Other (describe) _____
- The code is currently under review by the code reviewing body.**
- No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

ATTACHMENT A
CONFLICT OF INTEREST CODE
FOR THE EL TORO WATER DISTRICT

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) which contains the items of a standard Conflict of Interest Code, which may be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of Title 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Exhibit A designating officials, employees and consultants, and Exhibit B establishing disclosure categories, shall constitute the Conflict of Interest Code of the El Toro Water District.

Designated positions shall file statements of economic interests with the El Toro Water District's Political reform Act Filing Office (Executive Assistant/Board Secretary), who will make the statements available for public inspection and reproduction (Government Code Section 82008).

Upon receipt of the statements of the Directors, Treasurer, General Manager, ~~Assistant General Manager/District Principal~~ Engineer, District/Board Attorney, ~~Finance Manager/Controller~~ Chief Financial Officer, and Operations Superintendent, the Filing Officer shall make and retain a copy and forward the original of these statements to the Clerk of the Orange County Board of Supervisors. Statements for all other designated positions will be retained by the Filing Officer.

EXHIBIT A
 EL TORO WATER DISTRICT
 CONFLICT OF INTEREST CODE

DESIGNATED POSITIONS	DISCLOSURE CATEGORIES
Director*	OC-01
Treasurer*	OC-01
General Manager*	OC-01
Assistant General Manager/District Principal Engineer*	OC-01
District/Board Attorney*	OC-01
Information Technology Manager	OC-08
Purchasing Agent	OC-05
Finance Manager/Controller Chief Financial Officer *	OC-01
Operations Superintendent*	OC-01
Consultants	OC-30
Project Engineer	OC-05

*Designated Positions file Form 700, Conflict of Interest, with the Clerk of the Board of Supervisors of Orange County, California.

EXHIBIT B
 EL TORO WATER DISTRICT
 CONFLICT OF INTEREST CODE
 DISCLOSURE CATEGORIES

Disclosure Category	Disclosure Description
OC-01	All interests in real property in Orange County or the District, as well as investments, business positions and sources of income (including gifts, loans and travel payments).
OC-02	All investments, business positions and sources of income (including gifts, loans and travel payments).
OC-05	All investments in, business positions with and income (including gifts, loans and travel payments) from sources that provide services, supplies, materials, machinery, equipment including training and consulting services) used by this department or District.
OC-08	All investments in business positions with and income (including gifts, loans and travel payments) from sources that develop or provide computer hardware/software, voice data communications, or data processing goods, supplies, equipment, or services including training and consulting services used by the department.
OC-30	Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation: The department Head/Director/General Manager/etc. may determine that a particular consultant, although a "designated person" is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure required. The determination of disclosure is a public record and shall be filed with the Form 700 and retained by the Filing Officer for public inspection.

RESOLUTION NO. 20-8-3
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EL TORO WATER DISTRICT NOMINATING DIRECTOR MARK MONIN
TO THE FOLLOWING POSITION: PRESIDENT
ON THE ISDOC EXECUTIVE COMMITTEE

WHEREAS, the Independent Special Districts of Orange County (ISDOC) has requested nominations for positions on the Executive Committee; and

WHEREAS, the El Toro Water District (ETWD) is a member district of ISDOC; and

WHEREAS, Mark Monin is a Director of El Toro Water District (ETWD), and therefore qualified to serve on the ISDOC Executive Committee; and

WHEREAS, Director Mark Monin is currently the First Vice President on the ISDOC Executive Committee.

WHEREAS, Director Mark Monin has expressed an interest in serving on the ISDOC Executive Committee.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the EL TORO WATER DISTRICT does hereby nominate Director Mark Monin to the following position: President on the ISDOC Executive Committee.

BE IT FURTHER RESOLVED, that the Board Secretary is hereby directed to transmit a certified copy of this Resolution to ISDOC, P.O. Box 20895, Fountain Valley, CA 92728, forthwith.

ADOPTED, SIGNED AND APPROVED this 27th day of August, 2020.

MARK L. MONIN, President
El Toro Water District and of
The Board of Directors thereof

DENNIS P. CAFFERTY, Secretary
El Toro Water District and of
The Board of Directors thereof



El Toro Water District

"A District of Distinction"

Serving the Public - Respecting the Environment

Board of Directors

Mark L. Monin
President

Mike Gaskins
Vice President

Jose F. Vergara
Director

Kathryn Freshley
Director

Kay Havens
Director

General Manager

Dennis P. Cafferty

Treasurer

Neely Shahbakhhti



Re: Mark Monin for ISDOC Executive Committee, President

I would be honored to serve as President for the Independent Special Districts of Orange County. I have been an active participant in ISDOC for 5 years and firmly believe in the benefits it brings to the Special Districts in Orange County. ISDOC's achievements were recently recognized by CSDA in awarding ISDOC the CSDA Chapter of the Year Award. I would be proud to help guide the continued success of this critical collaboration of agencies with similar interests and needs.

I currently serve on the ISDOC Executive Committee as the 1st Vice President, chairing the Program Committee. Duties include planning the Quarterly Luncheon Program and inviting and coordinating with the invited speakers. I arranged speakers such as Supervisor Lisa Bartlett and recently Supervisor Donald Wagner. Even though it was not my duty, I brought in a new associate member to ISDOC this year.

In the past I served on the ISDOC Executive Committee as the 2nd Vice President chairing the Membership Committee. Duties included maintaining a list of current regular and associate members and follow up with any outstanding membership dues as needed.

I am a Director on the El Toro Water District Board of Directors and currently serve as President. In addition, I am a Commissioner on the Orange County Airport Land Use Commission, currently serving as Vice Chairman. I was also a PCF Fire Fighter with the Orange County Fire Authority. I have proven to be a fiscally responsible individual with a "think out of the box mentality" and I look forward to working with the other ISDOC Board members to achieve greatness. I love Orange County and want to work hard here and in Sacramento to help Special Districts progress into the future. With the exception of one meeting, I have attended every ISDOC Executive Committee meeting in the last 4 years and I know the issues that have affected ISDOC in the past and what is important to propel this fine organization in the future. My qualifications for this position include:

**>EXPERIENCED LEADER >COMMITTED TO SPECIAL DISTRICTS >FISCALLY RESPONSIBLE
>DEDICATED**

As you know ISDOC is a membership association that was formed more than 30 years ago to serve the needs of Orange County's independent special districts. I want to continue to build on that fine tradition, work hard with others to achieve a higher degree of member satisfaction and make ISDOC even stronger. I feel I can collaborate with the Executive Committee and the membership to provide valuable information and presentations on issues that affect Special Districts which can help you with important discussions in the future.

Please see the accompanying resume outlining my experience and education. I would love to hear your thoughts on how we can make ISDOC even better and please contact me with your input, ideas or questions on my experience or platform. I can be reached at (949) 939-6612 or markmonin@msn.com.

Sincerely,

Mark L. Monin
El Toro Water District
President

P.O. Box 4000 • Laguna Hills, CA 92654-4000 • Phone 949.837.7050 • Fax 949.837.7092

www.etwd.com

GENERAL MANAGER'S REPORT

August 2020

I. OFFICE OF THE GENERAL MANAGER

All Meetings Virtual

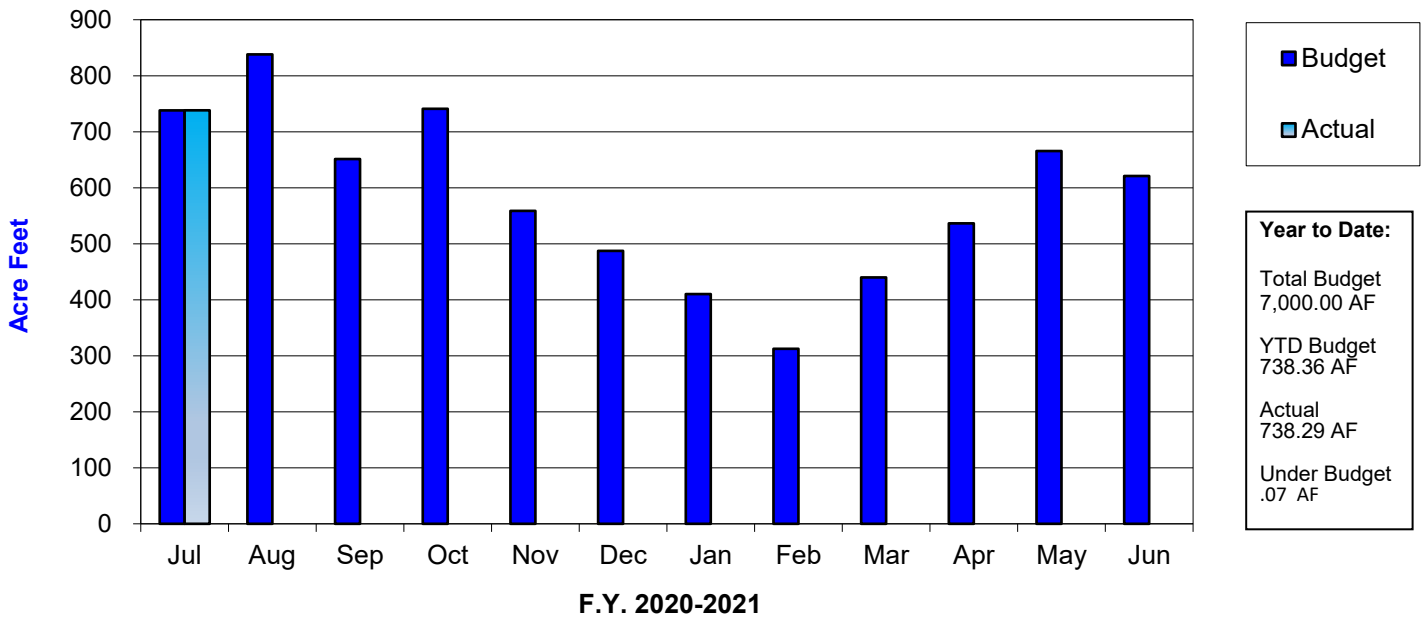
- Attended Regular Board Meeting
- Attended Regular Engineering & Finance Committee Meeting
- Attended Special Board Meeting
- Attended Agenda Review Committee Meeting
- Attended Pres/VP/GM Meetings
- Attended Meeting with Caltrans Regarding I-5 Expansion Project
- Attended South County Agencies Meetings
- Attended ACWA Virtual Conference
- Attended WACO Meeting
- Attended MWDOC Economic Benefits Study Meeting
- Attended MWDOC MET Directors Meeting
- Attended MWDOC Board Meeting
- Attended MWDOC AMP Shutdown Coordination Meeting
- Attended MWDOC Member Agency Managers Meeting
- Attended MWDOC Grants Workshop
- Attended Orange County Water Association Webinar
- Attended RRC Meeting
- Attended SOCWA Finance Committee Meetings
- Attended SOCWA Engineering Committee Meeting
- Attended SOCWA Board Meeting
- Attended SOCWA Task Force Meeting
- Attended SOCWA Managers Meeting
- Attended SOCWMA Executive Committee Meeting
- Attended CAG Meeting
- Attended Orange County Recycled Water Guidelines Meeting
- Attended DocuSign Demonstration Meeting
- Attended Meeting with Alliance Resource Consulting
- Attended Baker WTP Budget Meeting

II. DOMESTIC AND RECYCLED WATER SALES

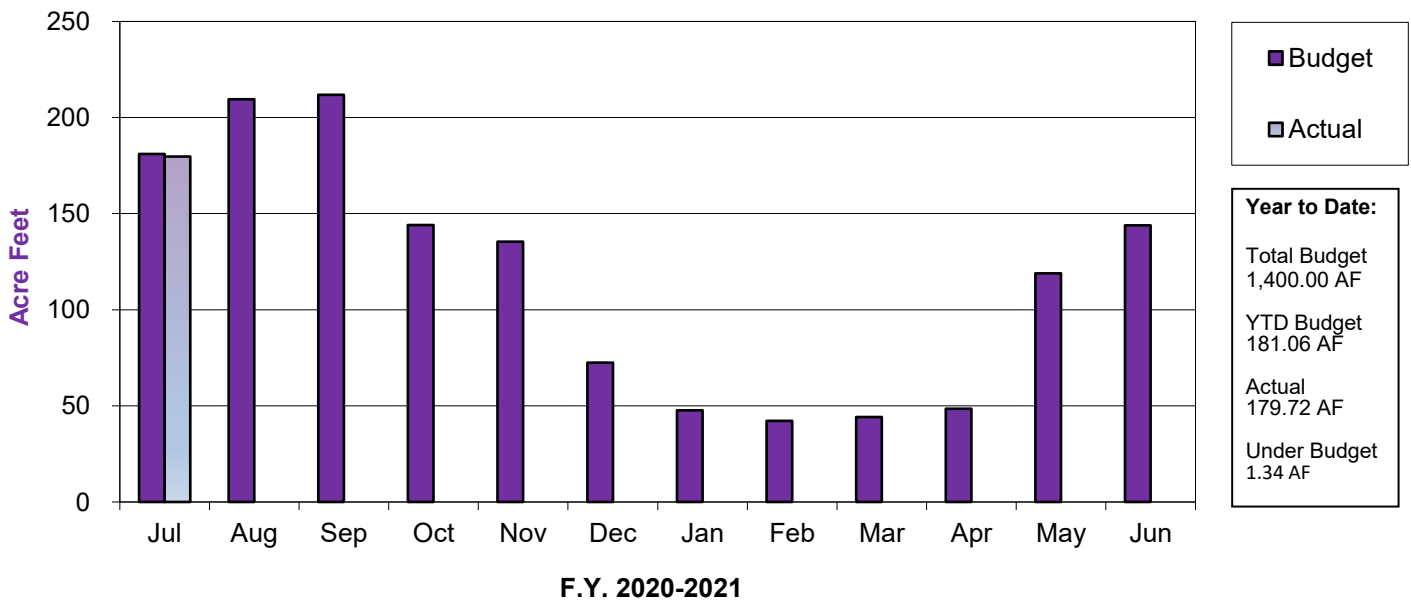
Actual domestic sales for the year-to-date as of July 31, 2020 are 738.29 acre-feet. This compares to year-to-date budgeted domestic sales of 738.36 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of .07 acre-feet. Actual sales are 78.95 acre-feet higher than last year-to-date actual sales for the same period.

Actual recycled sales for the year-to-date as of July 31, 2020 are 179.72 acre-feet. This compares to year-to-date budgeted recycled sales of 181.06 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 1.34 acre-feet. Actual sales are 37.65 acre-feet higher than last year-to-date actual sales for the same period.

POTABLE WATER SALES



RECYCLED WATER SALES



JULY 2020

Customer Service Activity Report

Regular Service Calls	JULY 2020	JULY 2019	Telephone Calls	JULY 2020	JULY 2019
Serviceman Dispatched to Read, Connect/Disconnect Service	95	127	Change of Service: Connections and Disconnections	86	157
Field Investigations:			Billing / Payments & Graph Inquires	249	283
Check for leaks - calls to CS Office:(irrigation,meter,street leaks)			Assistance with online payments and ETWD's portal (cc, e-checks, other.)	30	59
Customer Responsible	15	36	Variance / Adjustment Inquiries	42	47
District Responsible	10	9	Variance / Adjustment Requests Processed	10	19
None found/other	16	32	Ordinance Infraction / Water Waste Complaints	2	2
High Reads Checked - High Consumption (Billing Dept.)					
Cust Leaks: _16_ No Leaks: _68_	84	41			
Check Stopped Slowed Meters-Low Consumption (Billing)	23	15	Outside Utility Districts	81	80
Re-Check Read	3	7	Phone calls Transfer to other Departments within ETWD	70	110
Ordinance Infraction	2	2	Phone calls for the Board of Directors	0	1
Recycled Water	0	0	Recycled Water	3	0
Water Quality: Taste / Odor / Color	2	2	Water Quality Taste - Odor - Color	2	2
Phone response: _2_ Field response: _0_	2	2	Leaks / Breaks	15	18
Flooding (Hydrant) Meters issued	3	0	Flooding Meter calls (Hydrant)	5	6
Sewer - Odor/Stoppage/ Manhole Covers	8	3	Sewer Problems (odor / spills)	4	2
Meter Box: Lids / Covers Replaced	40	71			
Meter Box Clean, Digout	10	19	Backflow / Cross Connection (questions or yearly testing forms)	2	3
Raised Meter Box	3	0	ETWD facilities inquiries: Boxes/Covers/Lids/Hydrants/Pump Stations/Graffiti/ "Gen. Maint"	12	4
Trim Bushes / Meter Obstruction	34	33			
General Maintenance Response	7	3	Tyco (ADT) Calls (Alarms to ETWD facilities)	3	0
Fire Hydrants: Hit / Leaks / Caps	0	0	ATT Calls (access to tower sites)	0	0
Pressure(psi) Checks / Reads	2	2	SCE Calls (access to tower sites)	0	0
CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced	10	7	Pager Calls specifically for Pump Stations - SCADA	0	0
AMS angle-meter-stop replace/repair	0	1			
Bees Removed	3	2	Payment Extensions	5	47
Backflow / Cross Connection	4	13	Delinquent Payment Calls to Customer 's prior to shut off per billing calendar (automatic courtesy dialer)	158	54
Fogged Registers	29	5	Return Calls from customers left on our voice mail system. Ext 500	10	6
OMCOP: Old Meter Change - Out Program	1	1	Email Correspondence:	151	64
Other: (uncommon non-maintenance calls)	6	0	Maintenance Service Order Requests (bees, psi, fogged-dirty registers)	7	1
On-Call After Hrs. CS Response	17	19	Misc. (other: employment, deliveries, sales calls)	23	39
# 48/24 Hr. Door Hangers Hung	0	146			
# Locked Off For Non-Pay (Disconnect)	0	11			
Removed Meter	4	1			
New Meter	4	15			
Unread Meters	10	4			
Total Field Investigations	447	629	Total Telephone Calls	970	1004
Uncollectible Accounts:			Credit Card Payments	JULY 2020	JULY 2019
Budget YTD	\$ 1,667.00	\$ 1,667.00	REGULAR	880 \$107,397.08	786 \$82,838.74
Actual YTD	\$ -	\$ 1,440.00			

(WRP) Tertiary Treatment Plant

July-20

Total Recycled Water Production

Flow, Units	G.C. Irrigation	Main Distribution	WRP Irrigation/Utility	Total, Production
Avg. Daily Q MGD	0.477	1.697	0.121	2.295
Total Q MG	14.793	52.606	3.765	71.164
Total Acre Feet	45.398	161.442	11.554	218.394

*A Total of 1,200,110 Gallons of Potable Water Was Used to Supplement
The Demand for Recycled Water in the Month of July

Note: About 60% of the Potable Water was used during the replacement of the Cloth Media in Filter Tank #2 and rest was used during the automatic testing of the make-up water M.O.V.

MICROBIOLOGICAL MONITORING

July

2020

PRESSURE ZONE LEGEND

GRAVITY 570	LOW 1 484	SPARTAN 620-710	MID 630
SHENANDOAH 894	LOW 2 465	REDUCED HIGH 537	ULTRA HIGH 800-920
CHERRY 770-815	LOW 3 409	HIGH 645-720	R-6 620

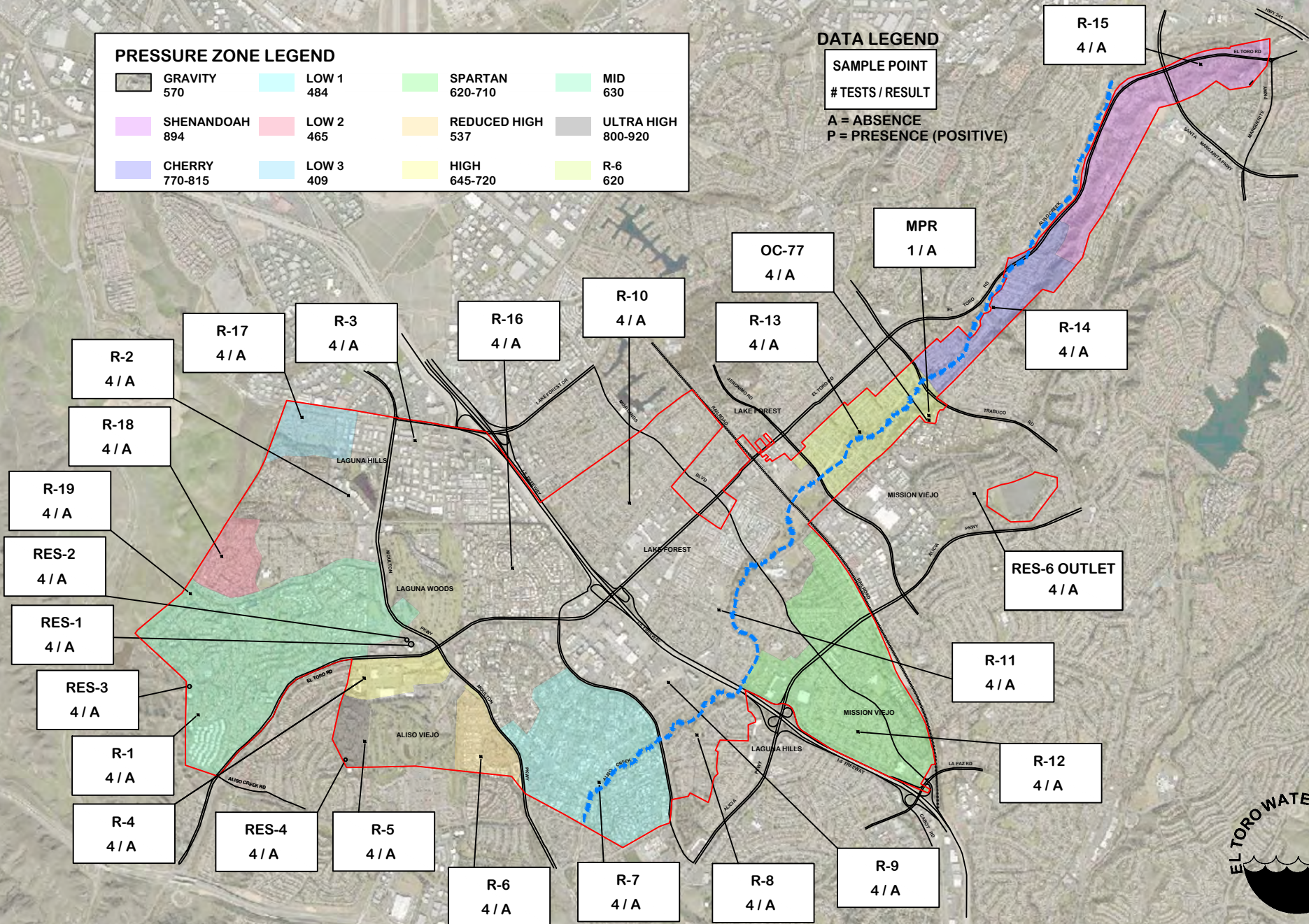
DATA LEGEND

SAMPLE POINT

TESTS / RESULT

A = ABSENCE

P = PRESENCE (POSITIVE)



CHLORINE RESIDUAL MONITORING

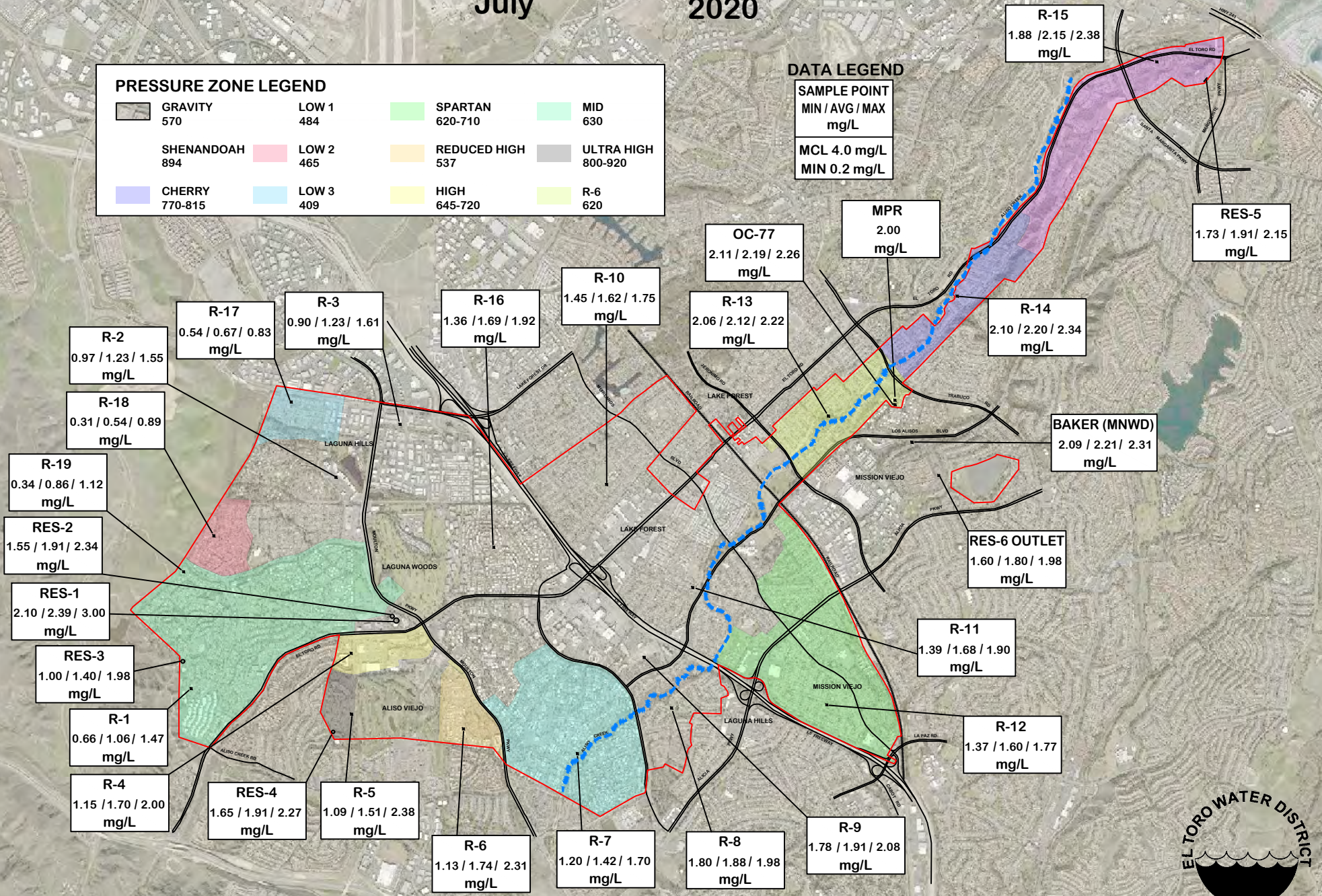
July

2020

PRESSURE ZONE LEGEND			
GRAVITY 570	LOW 1 484	SPARTAN 620-710	MID 630
SHENANDOAH 894	LOW 2 465	REDUCED HIGH 537	ULTRA HIGH 800-920
CHERRY 770-815	LOW 3 409	HIGH 645-720	R-6 620

DATA LEGEND

SAMPLE POINT
MIN / AVG / MAX
mg/L
MCL 4.0 mg/L
MIN 0.2 mg/L



R-15
1.88 / 2.15 / 2.38
mg/L

RES-5
1.73 / 1.91 / 2.15
mg/L

MPR
2.00
mg/L

OC-77
2.11 / 2.19 / 2.26
mg/L

R-14
2.10 / 2.20 / 2.34
mg/L

BAKER (MNWD)
2.09 / 2.21 / 2.31
mg/L

RES-6 OUTLET
1.60 / 1.80 / 1.98
mg/L

R-11
1.39 / 1.68 / 1.90
mg/L

R-12
1.37 / 1.60 / 1.77
mg/L

R-9
1.78 / 1.91 / 2.08
mg/L

R-8
1.80 / 1.88 / 1.98
mg/L

R-7
1.20 / 1.42 / 1.70
mg/L

R-6
1.13 / 1.74 / 2.31
mg/L

R-5
1.09 / 1.51 / 2.38
mg/L

RES-4
1.65 / 1.91 / 2.27
mg/L

R-4
1.15 / 1.70 / 2.00
mg/L

RES-3
1.00 / 1.40 / 1.98
mg/L

R-1
0.66 / 1.06 / 1.47
mg/L

RES-1
2.10 / 2.39 / 3.00
mg/L

RES-2
1.55 / 1.91 / 2.34
mg/L

R-19
0.34 / 0.86 / 1.12
mg/L

R-18
0.31 / 0.54 / 0.89
mg/L

R-2
0.97 / 1.23 / 1.55
mg/L

R-17
0.54 / 0.67 / 0.83
mg/L

R-3
0.90 / 1.23 / 1.61
mg/L

R-16
1.36 / 1.69 / 1.92
mg/L

R-10
1.45 / 1.62 / 1.75
mg/L

R-13
2.06 / 2.12 / 2.22
mg/L



FLUORIDE MONITORING

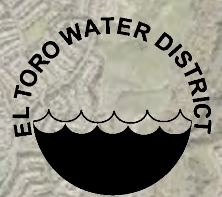
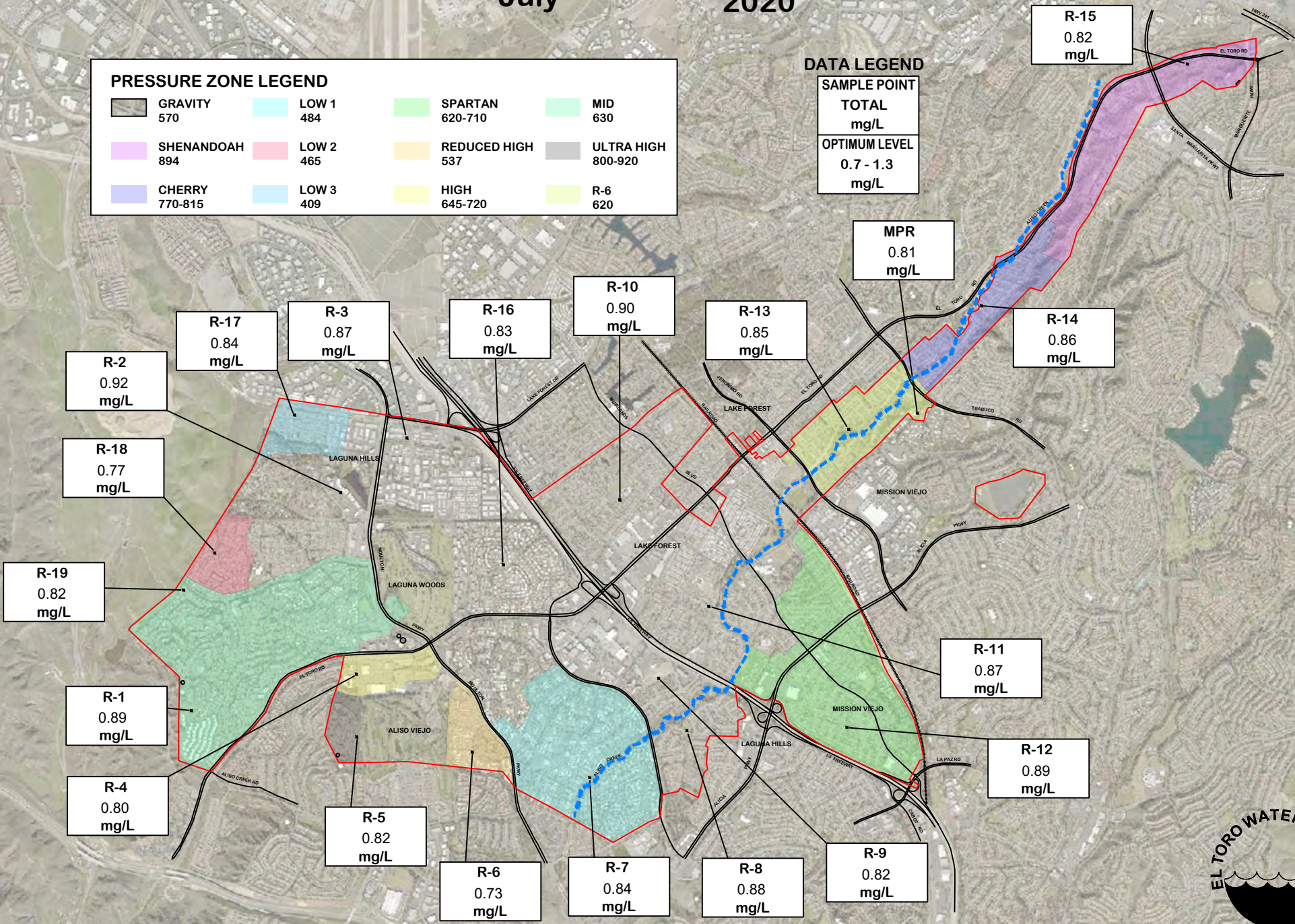
July

2020

PRESSURE ZONE LEGEND			













DATA LEGEND

SAMPLE POINT
TOTAL mg/L
OPTIMUM LEVEL 0.7 - 1.3 mg/L



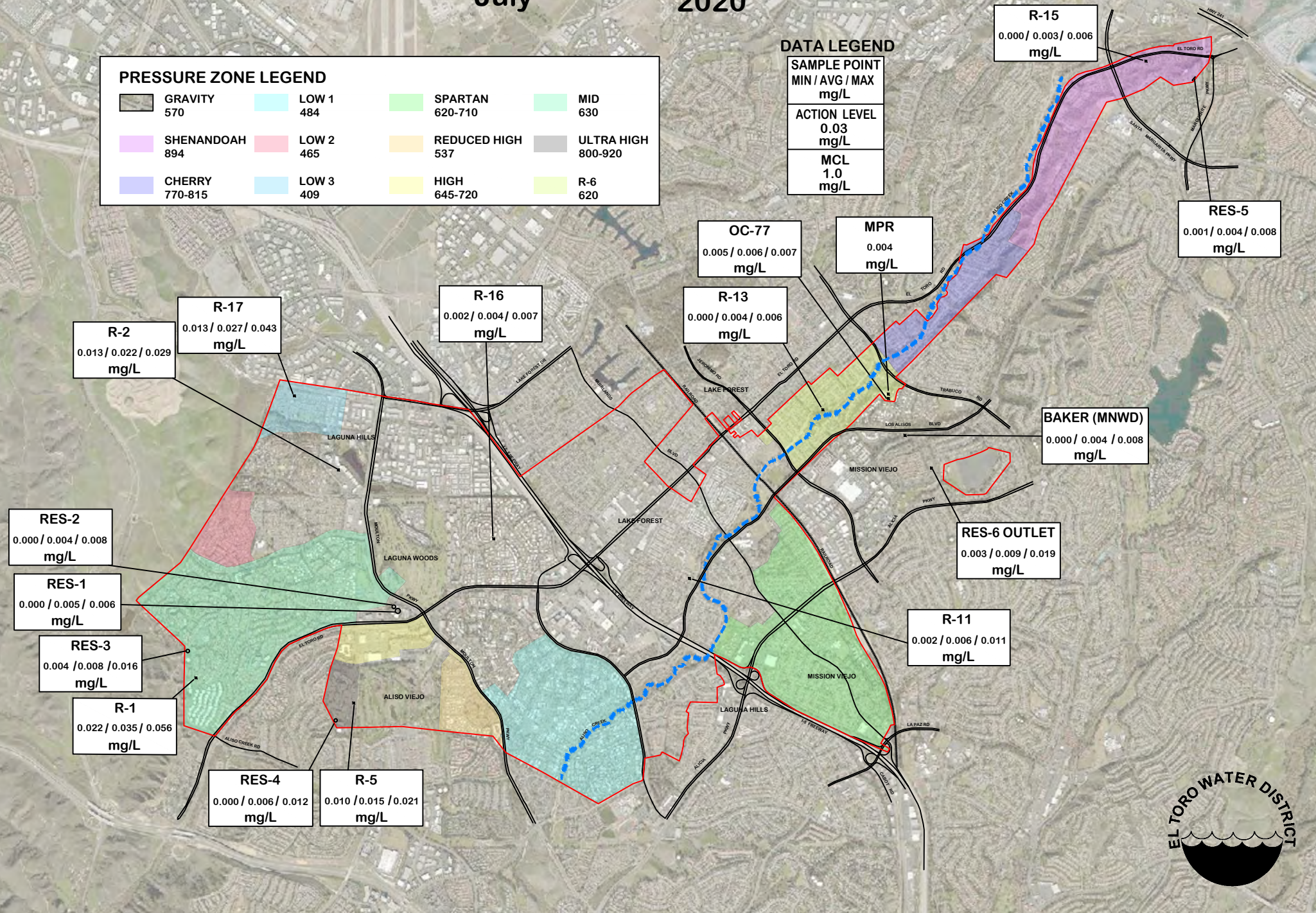
NITRITE MONITORING

July 2020

PRESSURE ZONE LEGEND			
	GRAVITY 570		LOW 1 484
	SHENANDOAH 894		LOW 2 465
	CHERRY 770-815		LOW 3 409
	SPARTAN 620-710		REDUCED HIGH 537
	HIGH 645-720		ULTRA HIGH 800-920
	MID 630		R-6 620

DATA LEGEND

SAMPLE POINT MIN / AVG / MAX mg/L
ACTION LEVEL 0.03 mg/L
MCL 1.0 mg/L



**EL TORO WATER DISTRICT
MONTHLY POTABLE WATER QUALITY REPORT**

The quality and safety of drinking water in the U.S. is regulated by the federal government through the U.S. Environmental Protection Agency (USEPA). In California, those standards are enforced by the California Department of Public Health (CDPH). Water Quality parameters must meet both primary and secondary water quality standards as established by the CDPH.

PRIMARY STANDARDS - are intended to protect public health against substances in the water that may be harmful to humans if consumed for long periods of time.

SECONDARY STANDARDS - are to ensure esthetic qualities of water such as taste, odor or clarity. Rather than its healthfulness, these standards govern substances that may influence consumer acceptance of water.

Given that 100% of ETWD's potable water resource is fully treated and delivered by Metropolitan Water District of Southern California (MWDSC) through an enclosed and protected conveyance system, the majority of the State and federal primary and secondary source water quality monitoring requirements are performed by MWDSC. The District's physical responsibility for water quality monitoring is associated with the distribution system. To monitor the distribution system water quality the District utilizes both in house and outside lab services. Routine distribution analysis conforming to CDPH requirements is conducted for the following constituents:

- 1) **Microbiological** - The number of microbiological samples and the frequency of analysis during the month is based on the population and/or service connections served. Utilizing a population of 50,000, the CDPH requires that 20 "representative" samples be collected and analyzed for coliform bacteria. The objective is to maintain water quality that is absent of coliform bacteria which is a general indicator for the existence of fecal coliform.
- 2) **Chlorine Residual** - The chlorine residual monitoring is performed in conjunction with the microbiological monitoring. The CDPH requirement for treated surface water mandates that the distribution system maintain a "detectable" residual. The number of and frequency of sampling is determined utilizing the same formula applied to microbiological requirements. At a minimum, we are obligated to collect and analyze for chlorine residual each time we collect the representative microbiological samples. Per EPA Disinfectants & Disinfection Byproduct Rule (D/DBP), which was effective January 2002, requires quarterly reporting for all sampling.
- 3) **TTHM & HAA5 Stage 2 DBPR Compliance** The U.S. Environmental Protection Agency (EPA) published the Stage 2 Disinfectants and Disinfection Byproducts Rule (Stage 2 DBPR) on January 4, 2006. The Stage 2 DBPR builds on existing regulations by requiring water systems to meet disinfection byproduct (DBP)* maximum contaminant levels (MCLs) at each monitoring site in the distribution system to better protect public health. The Stage 2 DBP rule is intended to reduce potential cancer and reproductive and developmental health risks from disinfection byproducts (DBPs) in drinking water, which form when disinfectants are used to control microbial pathogens. This final rule strengthens public health protection for customers of systems that deliver disinfected water by requiring such systems to meet maximum contaminant levels as an average at each compliance monitoring location (instead of as a system-wide average as in previous rules) for two groups of DBPs, trihalomethanes (TTHM) and five haloacetic acids (HAA5). The rule targets systems with the greatest risk and builds incrementally on existing rules. This regulation will reduce DBP exposure and related potential health risks and provide more equitable public health protection. The Stage 2 DBPR is being released simultaneously with the Long Term 2 Enhanced Surface Water Treatment Rule to address concerns about risk tradeoffs between pathogens and DBPs.

The mandatory requirement under the Stage 2 DBP rule, known as an Initial Distribution System Evaluation (IDSE) was completed by ETWD in 2008 and a Stage 2 monitoring plan has been approved by CDPH. Full Stage 2 compliance begins in 2012. The IDSE identified the locations with high disinfection byproduct concentrations. These locations will then be used by the District as the 8 sampling sites for Stage 2 DBP rule compliance monitoring. Compliance with the maximum contaminant levels for two groups of disinfection byproducts (TTHM and HAA5) will be calculated for each monitoring location in the distribution system. This approach, referred to as the locational running annual average (LRAA), differs from current requirements, which determine compliance by calculating the running annual average of samples from all monitoring locations across the system. The Stage 2 DBP rule also requires each system to determine if they have exceeded an operational evaluation level, which is identified using their compliance monitoring results. The operational evaluation level provides an early warning of possible future MCL violations, which allows the system to take proactive steps to remain in compliance. A system that exceeds an operational evaluation level is required to review their operational practices and submit a report to the state that identifies actions that may be taken to mitigate future high DBP levels, particularly those that may jeopardize their compliance with the DBP MCLs.

- 4) **Physical Quality** - Physical Quality analysis is associated with the esthetic qualities of the finished water. Primarily, we are performing analysis for taste, odor and Turbidity (Clarity). In accordance with CDPH requirements, the District collects a minimum of 15 samples per month.
- 5) **Nitrites** - Although the chloramine disinfection process has been effective in controlling TTHM levels, it requires increased monitoring and adjustment as a result of its susceptibility to the Nitrification process. Nitrification is a biological process caused by naturally occurring ammonia oxidizing bacteria. Nitrification in chloraminated drinking water can have various adverse impacts on water quality, the most serious of which is the loss of total chlorine residual which is required by the CDPH and the subsequent potential to increase bacteriological activity within the finished or treated water system. MWD has developed an effective nitrification monitoring and prevention program which ETWD staff have adopted and incorporated into the District's daily water quality monitoring and action plan. The number and frequency of this type of monitoring is not currently regulated by CDPH. Staff monitor the level of nitrites in source water, reservoirs and the distribution system daily and weekly in conjunction with the microbiological and chlorine sampling program. A nitrite level of between 0.015 and 0.030 would signal an alert. > 0.030 would require action such as the addition of chlorine to produce a chloramine residual.

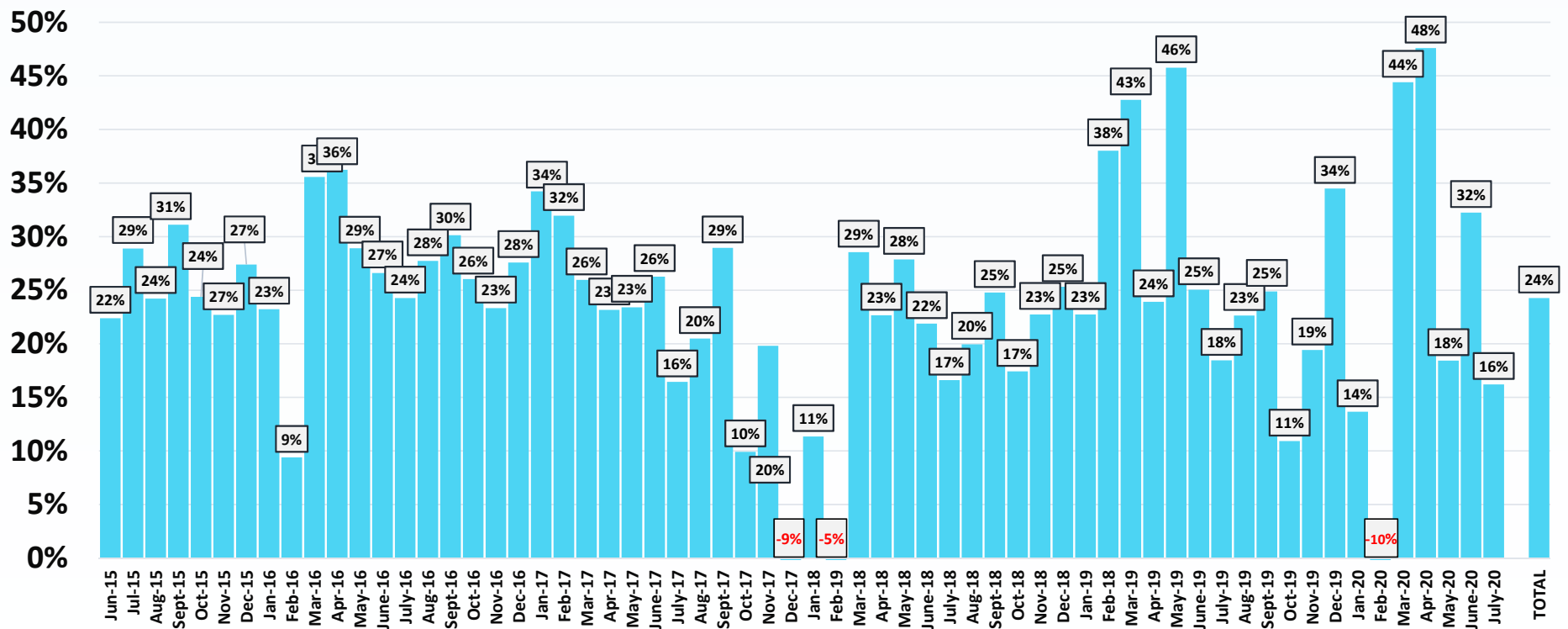
EL TORO WATER DISTRICT MONTHLY POTABLE WATER QUALITY ANALYSIS					
MONTH:		JULY		YEAR : 2020	
CONSTITUENT ANALYSIS	INSIDE LAB			OUTSIDE LAB	
	MCL	NO.	RESULTS	NO.	RESULTS
1 Microbiological	Pres/Absence	148(A)	Pres/Absence		Average
2 Chlorine (ppm)	Detectable Resid	118	Average = 1.51ppm		
3 TTHM (ppb) (Stage 2)	80 ppb		N/A		
3 HAA5 (ppb) (Stage 2)	60 ppb		N/A		
4 Physical Quality:			RANGE		
Turbidity (ppm)	5 NTU	20	0.01 to 0.04		
Odor	3 Units	20	ND<1		
Color	15 Units	20	ND<5		
Temperature	No standard	20	70.0°F To 81.0°F		
5 Nitrite (Alert/Action level)ppm	0.015 to 0.030 ppm	101	0.000 to 0.019 Res.		

To ensure water quality compliance, the District annually performs approximately 8,750 water quality analytical evaluations of the samples collected from the distribution system.

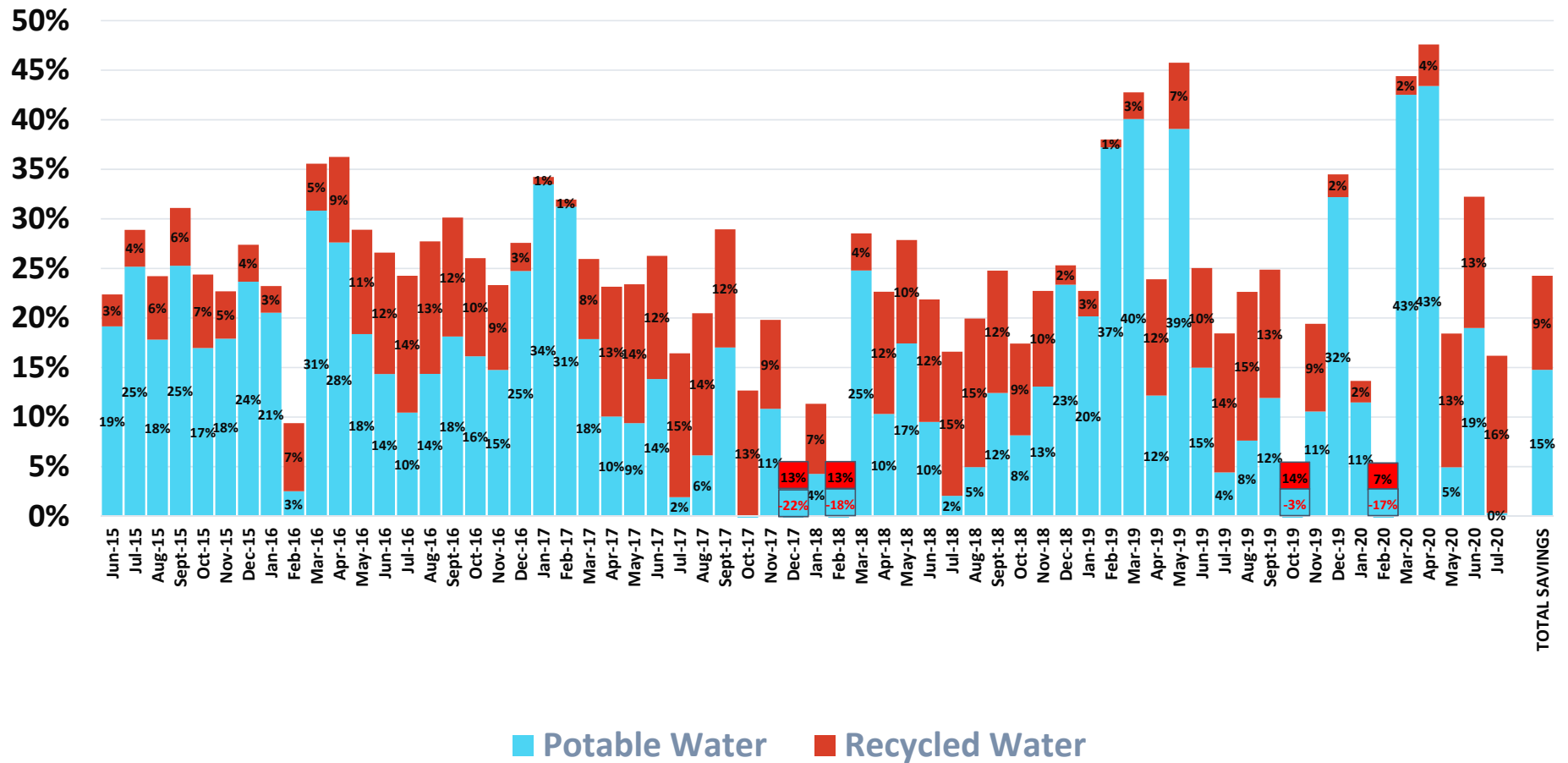
Abbreviations:

RES	Indicates that the nitrification was isolated to a reservoir and treated
ND	None detected
Pres/Absence	Presence (P) or Absence (A) related to a positive or negative bacteriological result
MCL	Maximum Contaminant Level
NTU	Nephelometric Turbidity Units, a measure of the suspended material in the water
ppm	Parts per million
ppb	Parts per billion
Total Coliform	No more than 5% of the monthly samples may be total coliform-positive
N/A	Not available

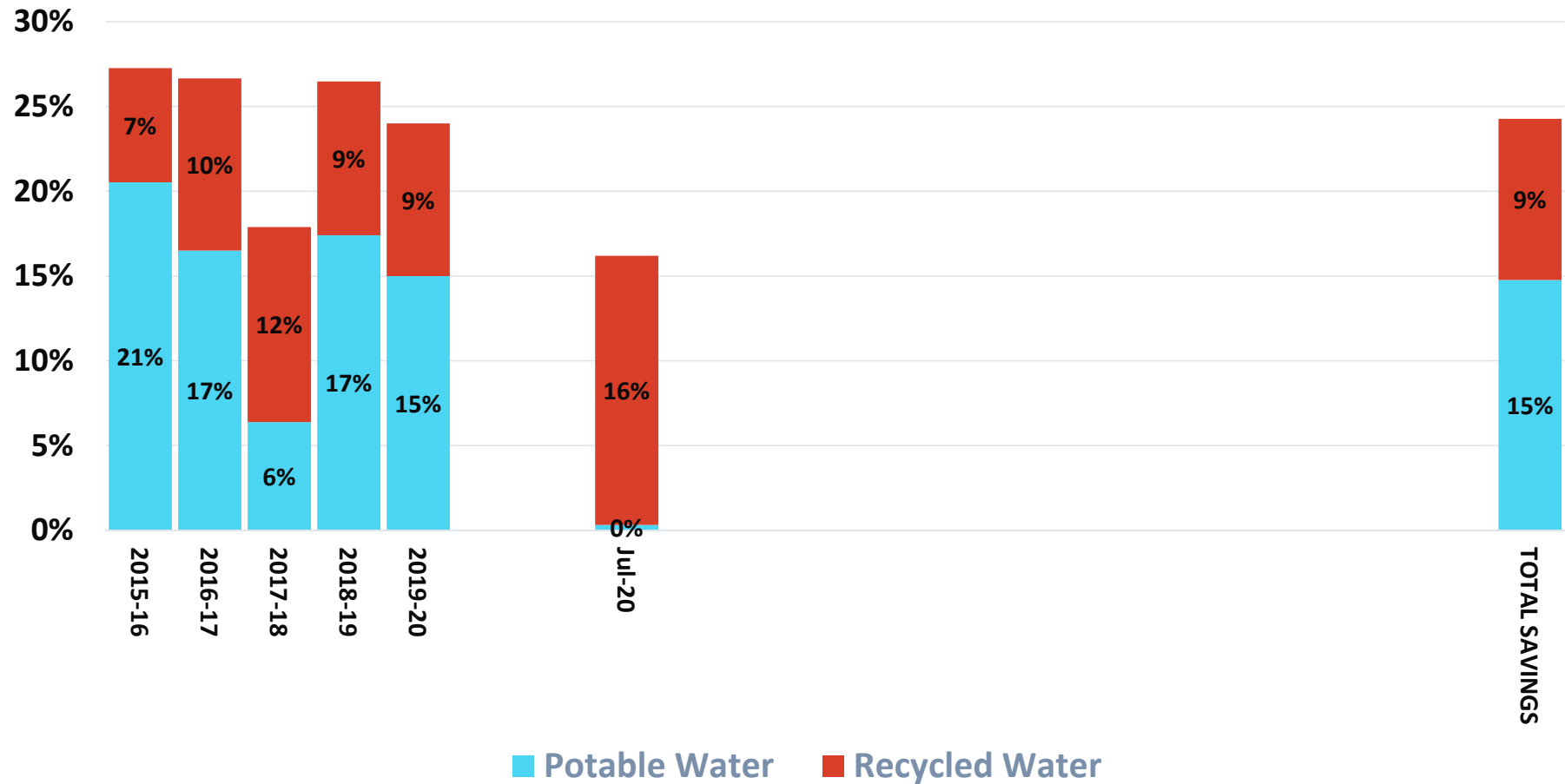
ETWD WATER SAVINGS COMPARED TO 2013



ETWD WATER SAVINGS COMPARED TO 2013



ETWD WATER SAVINGS COMPARED TO 2013



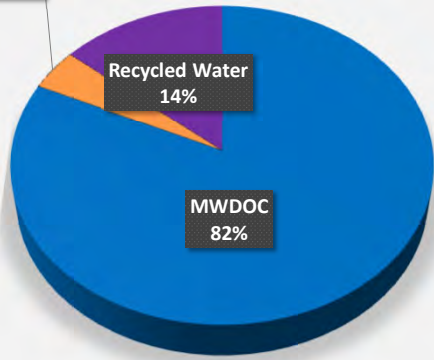
El Toro Water District Water Usage Report

El Toro Water District Overview of Usage FY 2019-20 Monthly Water Use

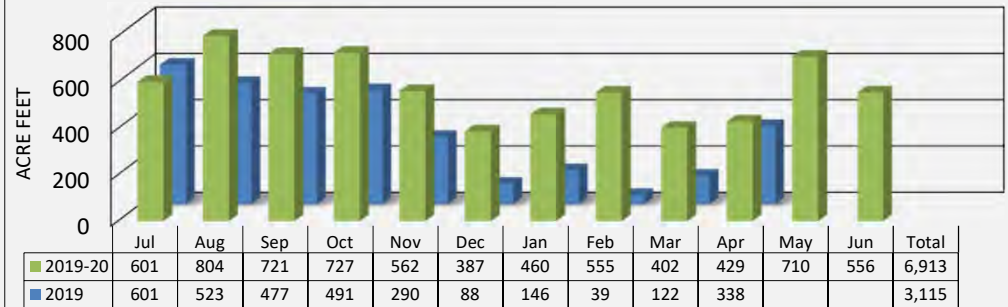
Type of Supply	July	August	September	October	November	December	January	February	March	April	May	June	Total
MWDOC	601	804	721	727	562	387	460	555	402	429	710	556	6,913
Surface Water	223	-	-	-	-	-	-	-	-	-	-	130	352
Recycled Water	142	197	181	141	128	53	14	22	38	26	85	144	1,171
Total	966	1,002	902	867	690	440	474	576	440	456	795	830	8,437

2019 MWDOC Usage	July	August	September	October	November	December	January	February	March	April	May	June	Total
	601	523	477	491	290	88	146	39	122	338			3,115

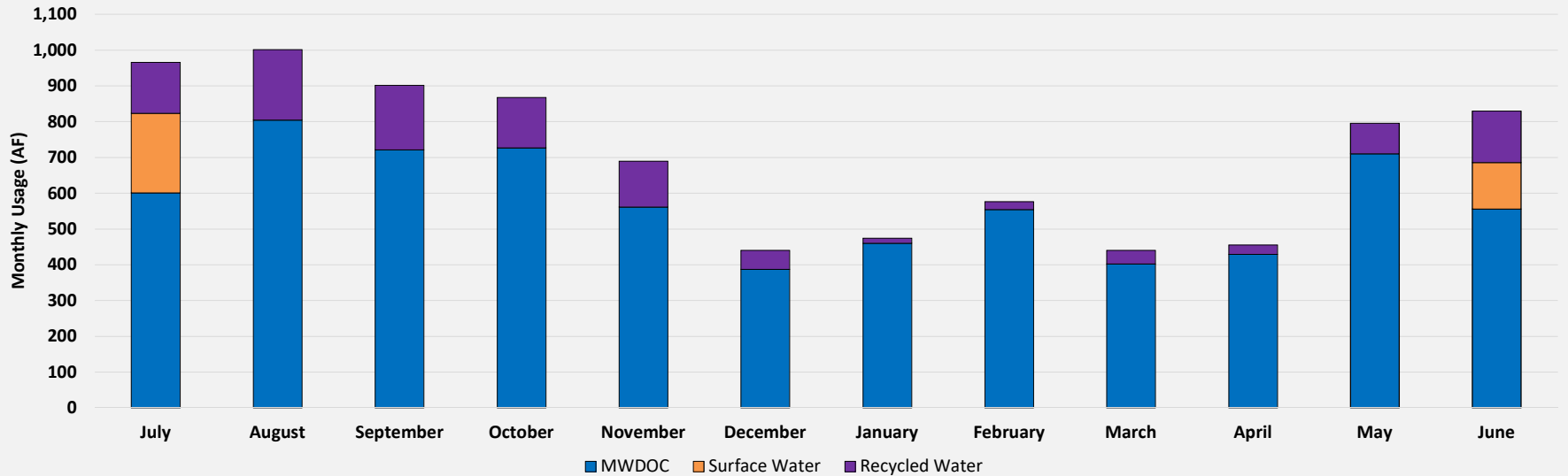
Surface Water 4%
2019-20 Sources of Water



MWDOC Calendar Year and Fiscal Year Purchases



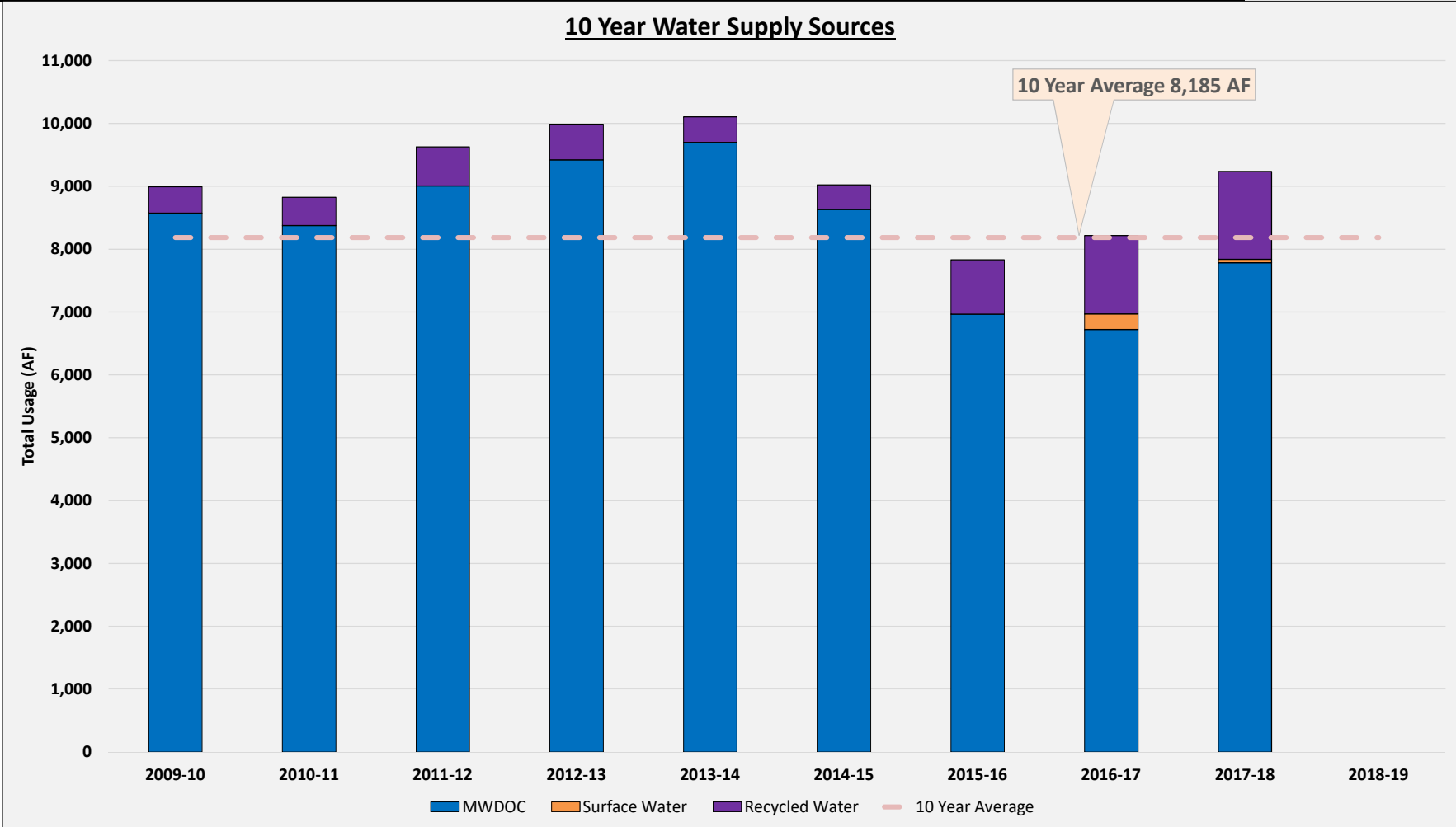
2019-20 Monthly Water Supply Sources



El Toro Water District Water Usage Report

Annual Water Usage

Type of Supply	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	Average
MWDOC	8,574.2	8,375.8	9,005.2	9,420.1	9,700.3	8,630.7	6,967.3	6,723.7	7,783.1		8,353.4
Surface Water	0.0	0.0	0.0	0.0	0.0	0.0	0.0	244.4	56.3		33.4
Recycled Water	418.4	449.8	621.4	568.4	405.9	390.2	862.2	1,249.4	1,399.3		707.2
Total	8,993	8,826	9,627	9,989	10,106	9,021	7,830	8,217	9,239	0	8,185

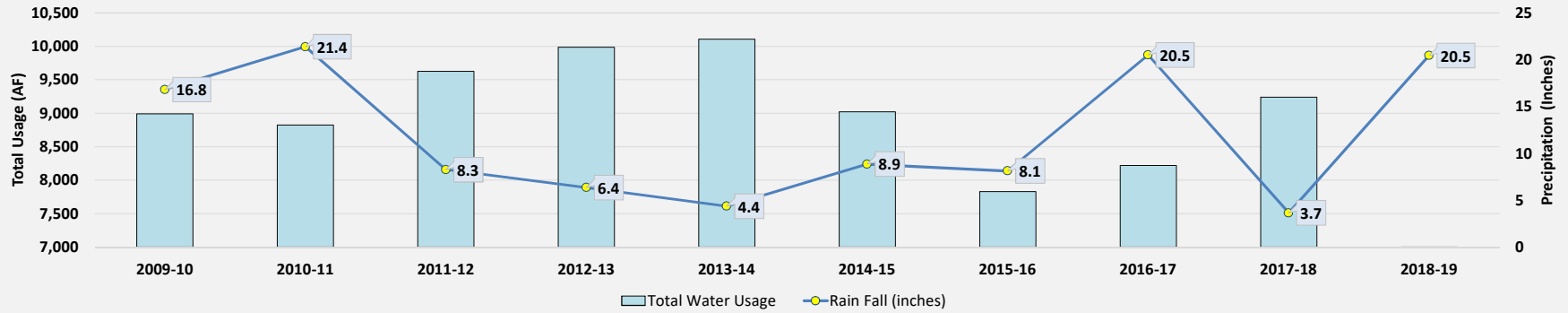


El Toro Water District Water Usage Report

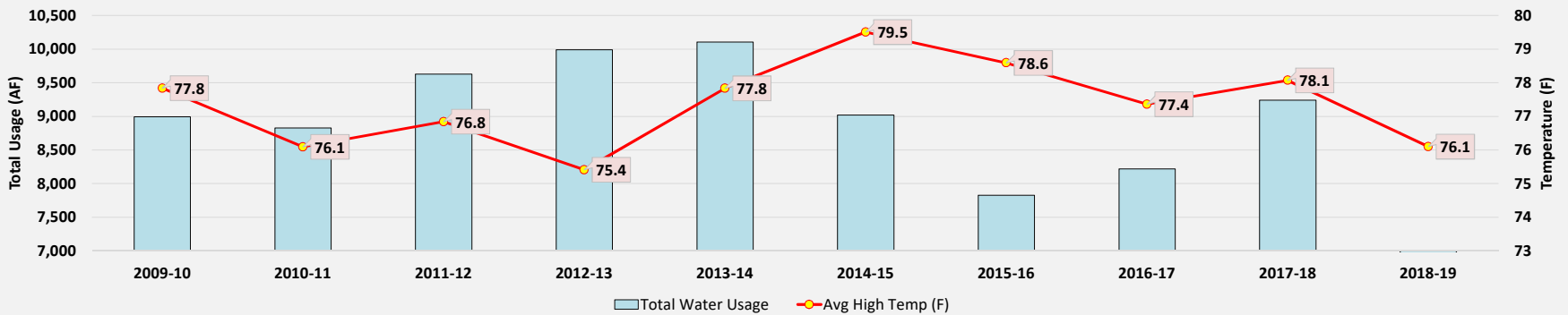
Water Usage Variables

Type of Supply	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	Average
Rain Fall (inches)	16.8	21.4	8.3	6.4	4.4	8.9	8.1	20.5	3.7	20.5	11.9
Avg High Temp (F)	77.8	76.1	76.8	75.4	77.8	79.5	78.6	77.4	78.1	76.1	77.4
LA Unemployment %	11.6%	11.7%	10.9%	9.6%	8.2%	7.1%	5.4%	4.6%	4.3%	4.2%	7.8%
Total Water Usage	8,993	8,826	9,627	9,989	10,106	9,021	7,830	8,217	9,239	0	8,185

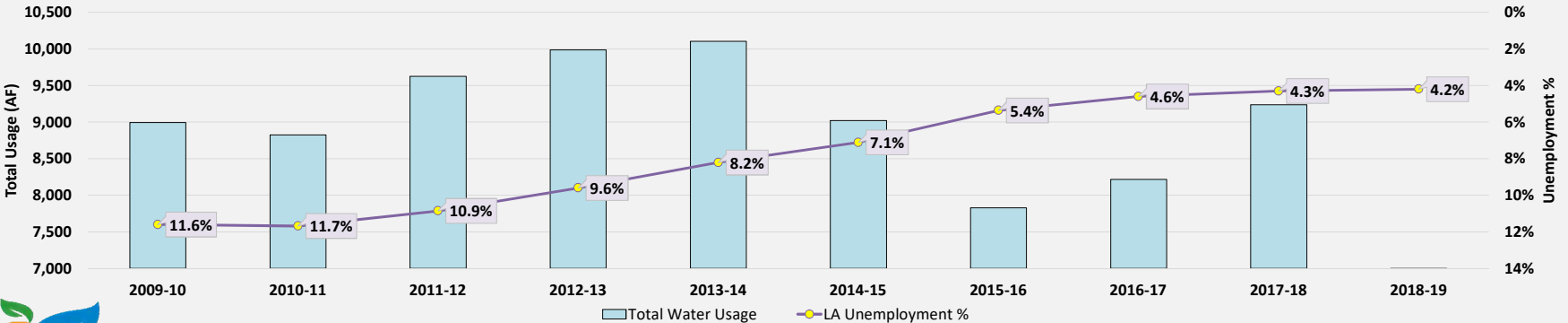
10 Year Water Usage VS Precipitation (SNA #121 Station)



10 Year Water Usage VS Average High Temperature (Santa Ana Fire Station)



10 Year Water Usage VS L.A. Metro Annual Average Unemployment Percentages



El Toro Water District Water Usage Report

El Toro Water District Detailed Usage

Historical Monthly Potable Usage (Fiscal Year, July-June)

Fiscal Year	July	August	September	October	November	December	January	February	March	April	May	June	Total
2013-14 Usage	1,017	1,043	963	812	681	593	763	553	555	736	988	999	9,700
2014-15 Usage	1,063	1,010	922	782	632	412	519	527	669	705	634	755	8,631
2015-16 Usage	723	783	663	614	529	431	417	455	473	526	622	732	6,967
2016-17 Usage	770	754	673	600	525	430	353	342	493	629	668	732	6,968
2017-18 Usage	847	824	678	730	545	643	479	536	523	634	628	774	7,839
2018-19 Usage	846	840	723	662	535	431	402	308	421	626	471	634	6,900
Average of Last 6 FYs	878	876	770	700	574	490	489	454	522	643	668	771	7,834
Monthly Usage Percentage	11%	11%	10%	9%	7%	6%	6%	6%	7%	8%	9%	10%	100%

Water Usage By Source

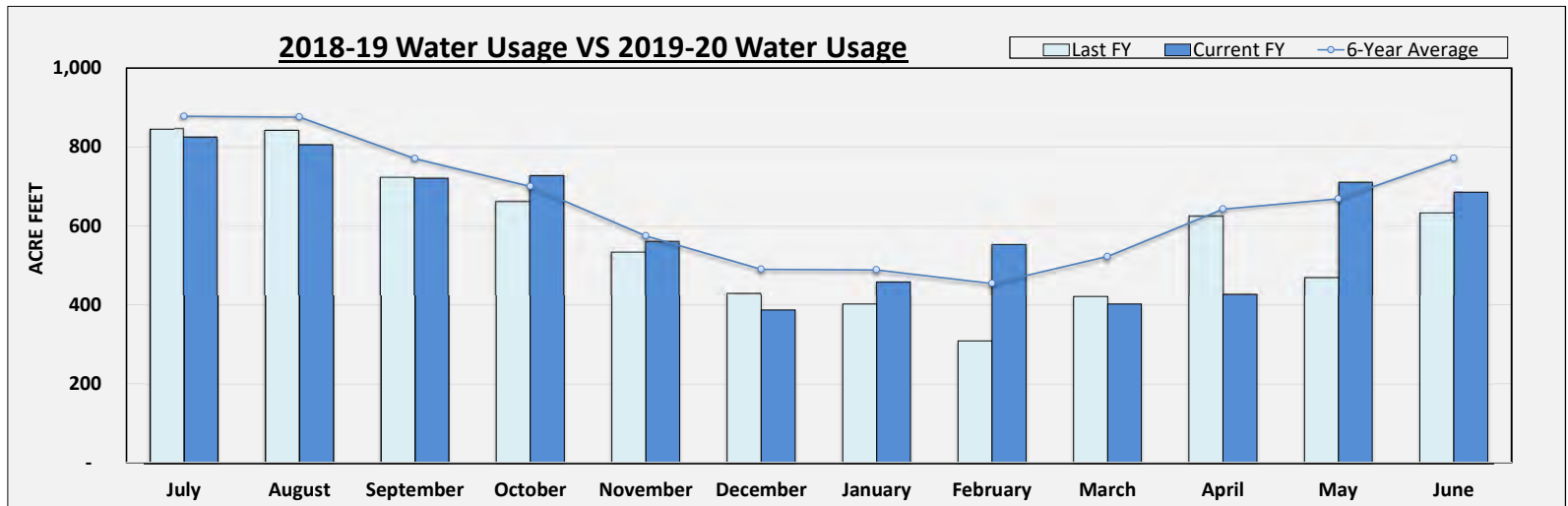
Imported Treated	July	August	September	October	November	December	January	February	March	April	May	June	Total
MWD	465.5	440.6	387.9	360.1	194.4	60.1	105.2	211.4	94.6	118.4	419.3	385.7	3,243.3
MWD from MNWD	135.4	82.2	89.3	131.3	95.8	27.4	55.4	63.7	26.9	91.5	33.3	101.4	933.6
Imported Treated Total	601	523	477	491	290	88	161	275	122	210	453	487	4,177

Imported Untreated	July	August	September	October	November	December	January	February	March	April	May	June	Total
Baker WTP El Toro Spill	-	-	-	-	-	-	-	-	-	-	-	-	-
Baker WTP via OC-33	-	281.5	243.7	235.4	271.3	299.7	299.7	279.4	280.5	219.3	257.2	68.6	2,736.3
Baker WTP to MNWD	-	-	-	-	-	-	-	-	-	-	-	-	-
Imported Untreated Total	-	282	244	235	271	300	300	279	281	219	257	69	2,736

Imported Total	July	August	September	October	November	December	January	February	March	April	May	June	Total
	601	804	721	727	562	387	460	555	402	429	710	556	6,913

Local Surface	July	August	September	October	November	December	January	February	March	April	May	June	Total
Baker WTP via Irvine Lake	222.5	-	-	-	-	-	-	-	-	-	-	129.8	352.3
Baker WTP via Irvine Lake to MNWD	-	-	-	-	-	-	-	-	-	-	-	-	-
Local Surface Total	223	-	-	-	-	-	-	-	-	-	-	130	352

Total Usage 2019-20	July	August	September	October	November	December	January	February	March	April	May	June	Total
	823	804	721	727	562	387	460	555	402	429	710	686	7,265
FY 18-19 versus FY 19-20	-3%	-4%	-0%	+10%	+5%	-10%	+14%	+80%	-4%	-31%	+51%	+8%	+5%

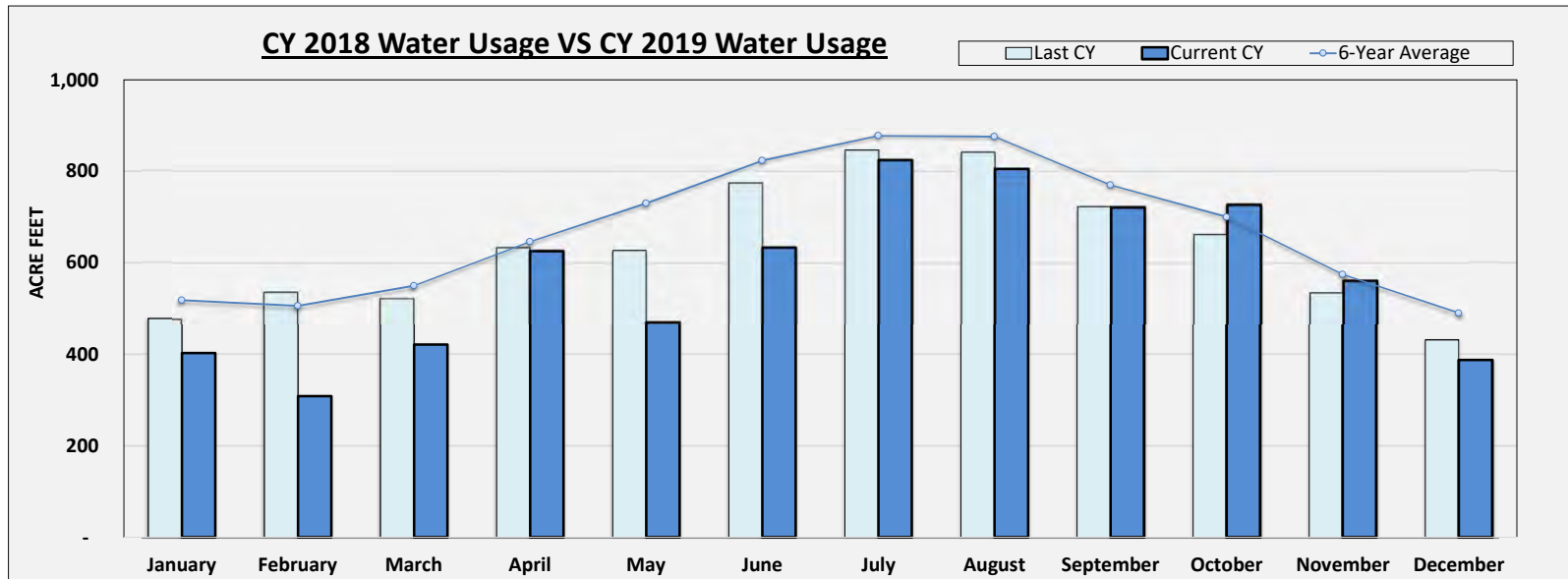


El Toro Water District Water Usage Report

Historical Monthly Potable Usage (Calendar Year)

Calendar Year	January	February	March	April	May	June	July	August	September	October	November	December	Total
2013	579	622	585	645	841	951	1,017	1,043	963	812	681	593	9,332
2014	763	553	555	736	988	999	1,063	1,010	922	782	632	412	9,414
2015	519	527	669	705	634	755	723	783	663	614	529	431	7,552
2016	417	455	473	526	622	732	770	754	673	600	525	430	6,975
2017	353	342	493	629	668	732	847	824	678	730	545	643	7,483
2018	479	536	523	634	628	774	846	840	723	662	535	431	7,611
6 year Average	518	506	550	646	730	824	878	876	770	700	574	490	8,061

Total Water Usage 2019	402	308	421	626	471	634	823	804	721	727	562	387	6,887
2019 VS 2018 Usage	-16%	-43%	-19%	-1%	-25%	-18%	-3%	-4%	-0%	+10%	+5%	-10%	



	Population	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018 Usage (AF)	48,289	479	536	523	634	628	774	846	840	723	662	535	431	7,611
2018 GPCD		104	129	114	143	137	174	184	183	163	144	120	94	141
2019 Usage (AF)	48,461	402	308	421	626	471	634	823	804	721	727	562	387	6,887
2019 GPCD		87	74	91	140	102	142	179	174	156	158	126	84	127
CY over CY change in GPCD		-17	-55	-23	-2	-34	-32	-5	-8	-6	+14	+5	-10	-14

	Population	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
2018-19 Usage (AF)	48,289	846	840	723	662	535	431	402	308	421	626	471	634	6,900
2018-19 GPCD		184	183	163	144	120	94	88	74	92	141	103	143	128
2019-20 Usage (AF)	48,461	823	804	721	727	562	387	460	555	402	429	710	686	7,265
2019-20 GPCD		179	174	162	158	126	84	100	133	87	96	154	154	134
FY over FY change in GPCD		-5	-8	-1	+14	+5	-10	+12	+59	-4	-45	+51	+11	+6

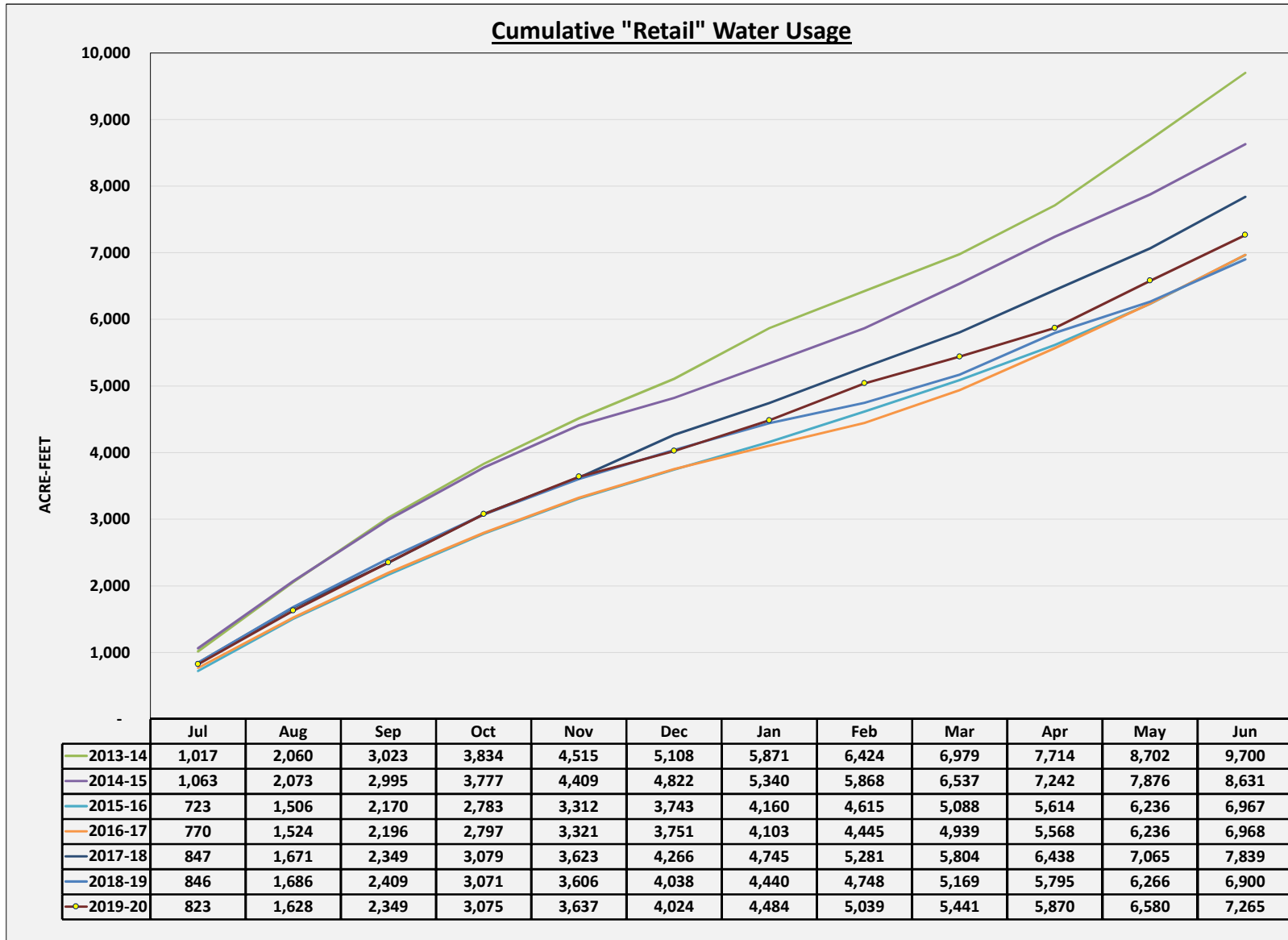
*Cumulative through the end of the last month shown

*GPCD = Total Monthly Production/ Population/days in the month, does not include recycled water used for direct non-potable use



El Toro Water District Water Usage Report

Cumulative Water Usage by Fiscal Year



*Does not include recycled production

Recycled Water Production by Fiscal Year

	July	August	September	October	November	December	January	February	March	April	May	June	Total
2018-19	183.3	207.2	192.0	122.4	88.2	52.1	16.7	11.7	14.7	44.8	114.1	102.6	1,149.8
2019-20	142.1	197.2	180.8	140.6	128.0	52.9	13.8	21.5	38.0	26.4	85.4	144.4	1,171.1



Weekly Water Quality System Status

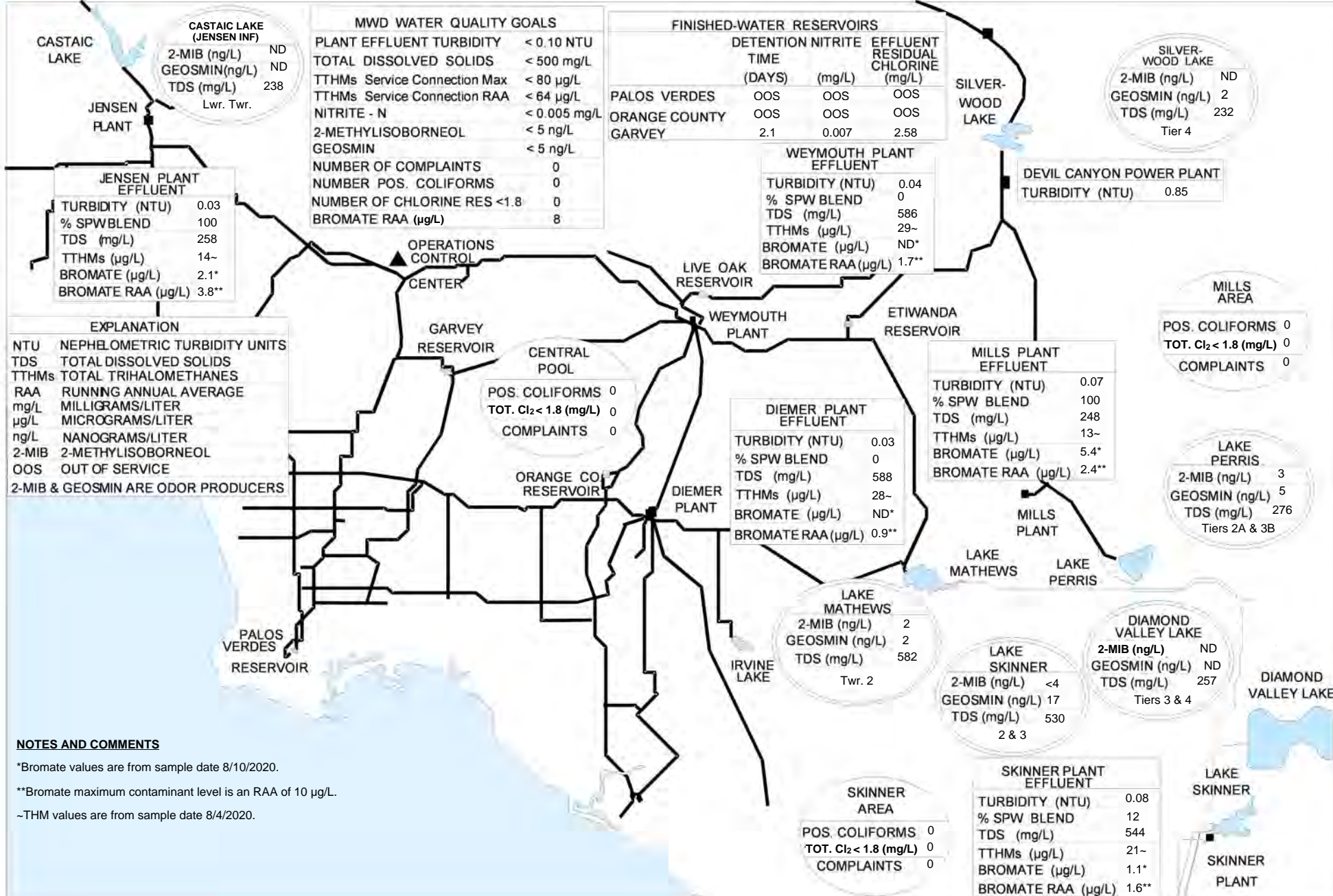
Wednesday, August 19, 2020

Generated On:8/20/2020 9:21:47 AM



THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

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



NOTES AND COMMENTS

- *Bromate values are from sample date 8/10/2020.
- **Bromate maximum contaminant level is an RAA of 10 µg/L.
- ~THM values are from sample date 8/4/2020.

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

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



Memorandum

DATE: August 17, 2020
TO: Member Agencies – MWD OC Division Five
FROM: Sat Tamaribuchi, Director – Division Five
SUBJECT: Monthly Water Usage Data, Tier 2 Projection & Water Supply Information

The attached figures show the recent trend of water consumption in Orange County (OC), an estimate of Imported Water Sales for MWD OC, and selected water supply information.

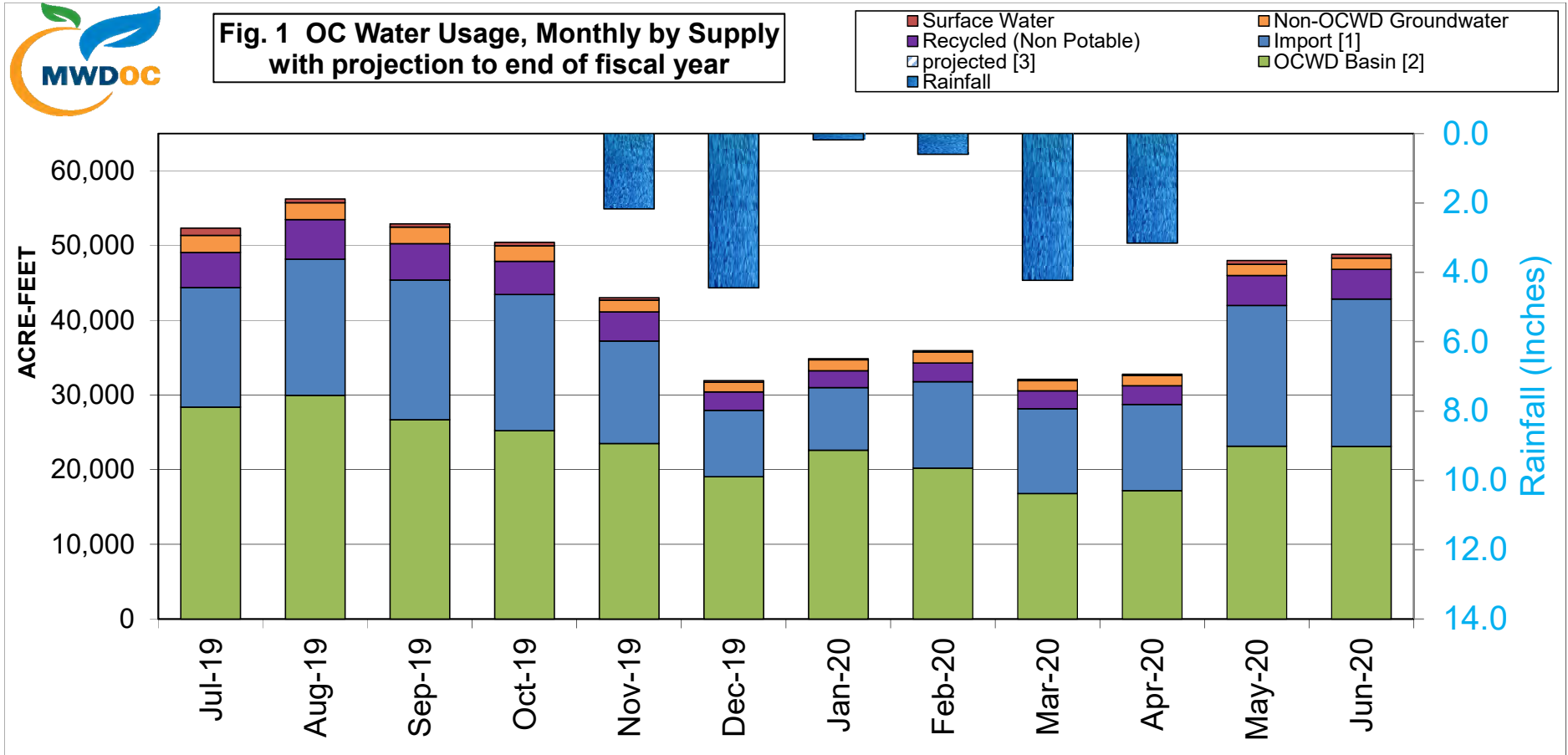
- OC Water Usage, Monthly by Supply **OCWD Groundwater was the main supply in June.**
- OC Water Usage, Monthly, Comparison to Previous Years Water usage in **June 2020 was average compared to the last 5 years.** We are projecting a slight increase in overall water usage compared to FY 2018-19. It has been 39 months since all mandatory water restrictions were lifted by the California State Water Resources Control Board.
- Historical OC Water Consumption Orange County M & I water consumption is estimated to be **519,000 AF in FY 2019-20** (this includes ~15 TAF of agricultural usage and non-retail water agency usage). This is about **3,000 AF more than FY 2018-19** and is about **21,000 AF less than FY 2017-18**. Water usage per person is projected to be slightly higher in **FY 2019-20 for Orange County at 142 gallons per day** (This includes recycled water). Although OC population has increased 20% over the past two decades, water usage has not increased, on average. A long-term decrease in per-capita water usage is attributed mostly to Water Use Efficiency (water conservation) efforts. **O.C. Water Usage for the last four Fiscal Years is the lowest since the 1982-83 Fiscal Year** (FY 1982-83 was the third wettest year on record).

Water Supply Information Includes data on Rainfall in OC; the OCWD Basin overdraft; Northern California and Colorado River Basin hydrologic data; the State Water Project (SWP) Allocation, and regional storage volumes. The data have implications for the magnitude of supplies from the three watersheds that are the principal sources of water for OC. Note that a hydrologic year is Oct. 1st through Sept. 30th.

- Orange County's accumulated precipitation through **early June** was average for this period. Water year to date rainfall in Orange County is **14.79 inches**, which is **116% of normal**.
- Northern California accumulated precipitation through **early June** was **65% of normal for this period**. Water Year 2019 was 137% of normal while water year 2018 was 82% of normal. The **Northern California snowpack** was **71% of normal** as of April 8th. **As of late July, 50.38%** of California is experiencing **moderate to extreme drought conditions** while 59.66% of the state is experiencing abnormally dry conditions. The State Water Project Contractors Table A Allocation was increased to 20% in May 2020.
- Colorado River Basin accumulated precipitation through **late July** was **83% of normal** for this period. The **Upper Colorado Basin snowpack** was **100% of normal** as of April 6th. **Lake Mead and Lake Powell** combined have about **64% of their average storage volume** for this time of year and are at **45.2% of their total capacity**. If Lake Mead's **level falls below a "trigger" limit 1,075 ft. at the end of a calendar year**, then a shortage will be declared by the US Bureau of Reclamation (USBR), impacting Colorado River water deliveries to the Lower Basin states. As of early March, Lake Mead levels were **14.48' above the "trigger" limit**. The USBR predicts that the start of 2020 will not hit the "trigger" level but there is **a 0% chance that the trigger level will be hit in 2021 and a 9% chance in 2022**.



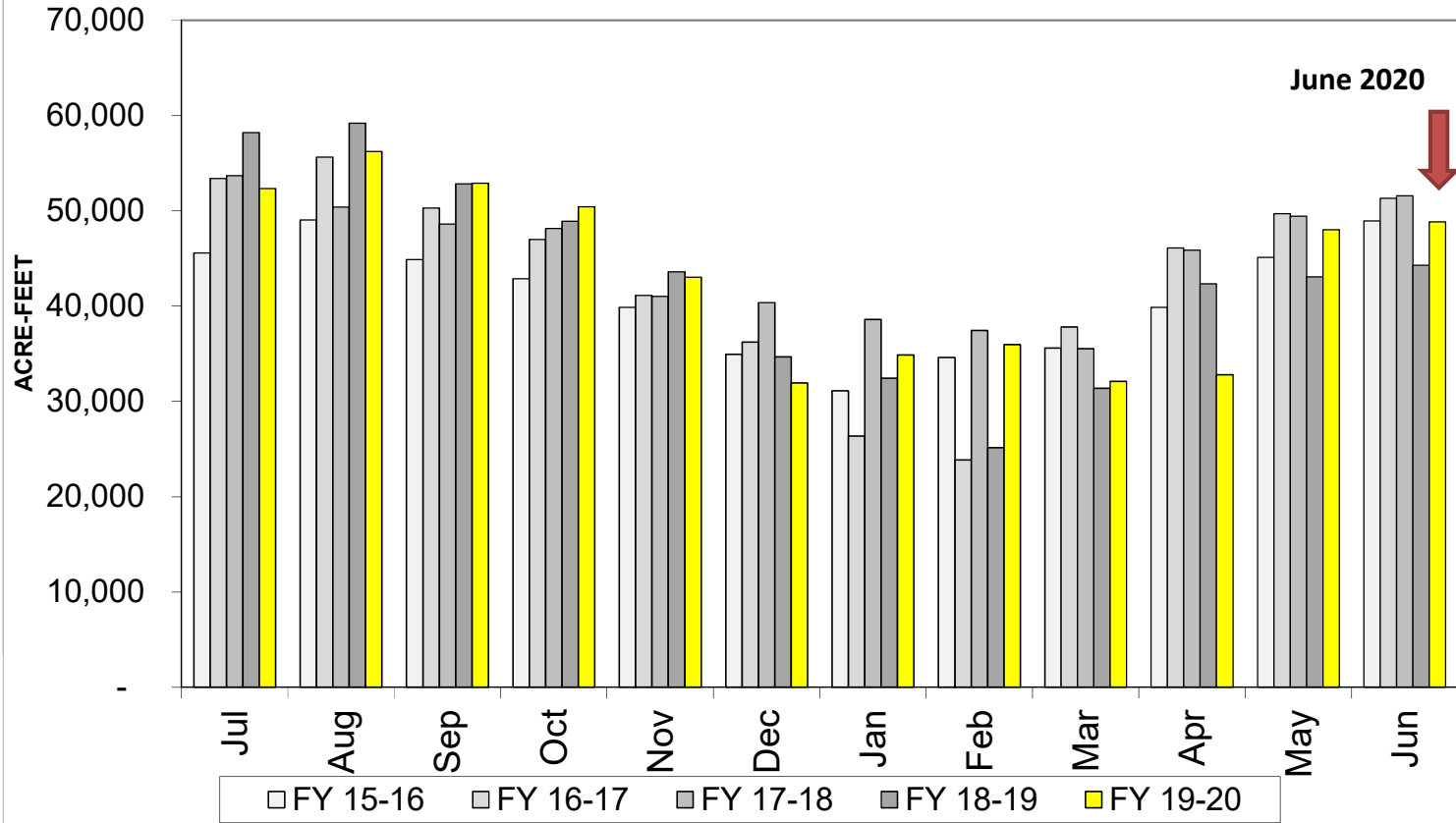
Fig. 1 OC Water Usage, Monthly by Supply with projection to end of fiscal year



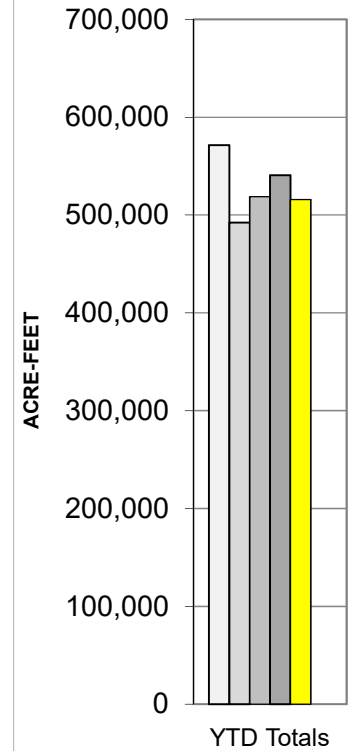
- [1] Imported water for consumptive use. Includes "In-Lieu" deliveries and CUP water extraction. Excludes "Direct Replenishment" deliveries of spreading water and deliveries into Irvine Lake.
- [2] GW for consumptive use only. Excludes In-Lieu water deliveries and CUP water extraction that are counted with Import. BPP in FY '19-20 is 77%.
- [3] MWDOC's estimate of monthly demand is based on the projected 5 Year historical retail water demand and historical monthly demand patterns.
- [4] Total water usage includes IRWD groundwater agricultural use and usage by non-retail water agencies.



Fig. 2 OC Monthly Water Usage [1]: Comparison to Last 4 Fiscal Years

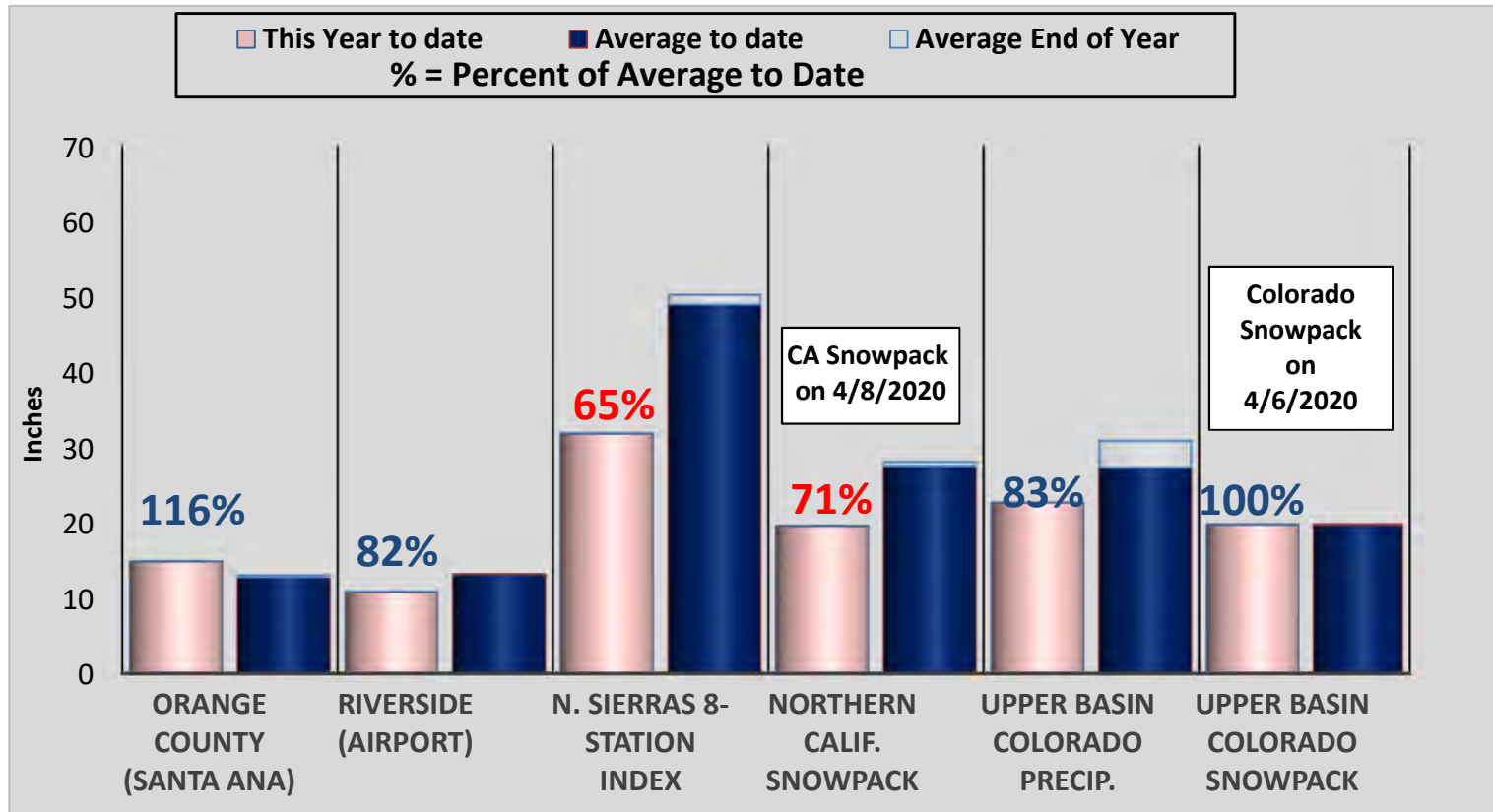


Partial Year Subtotals



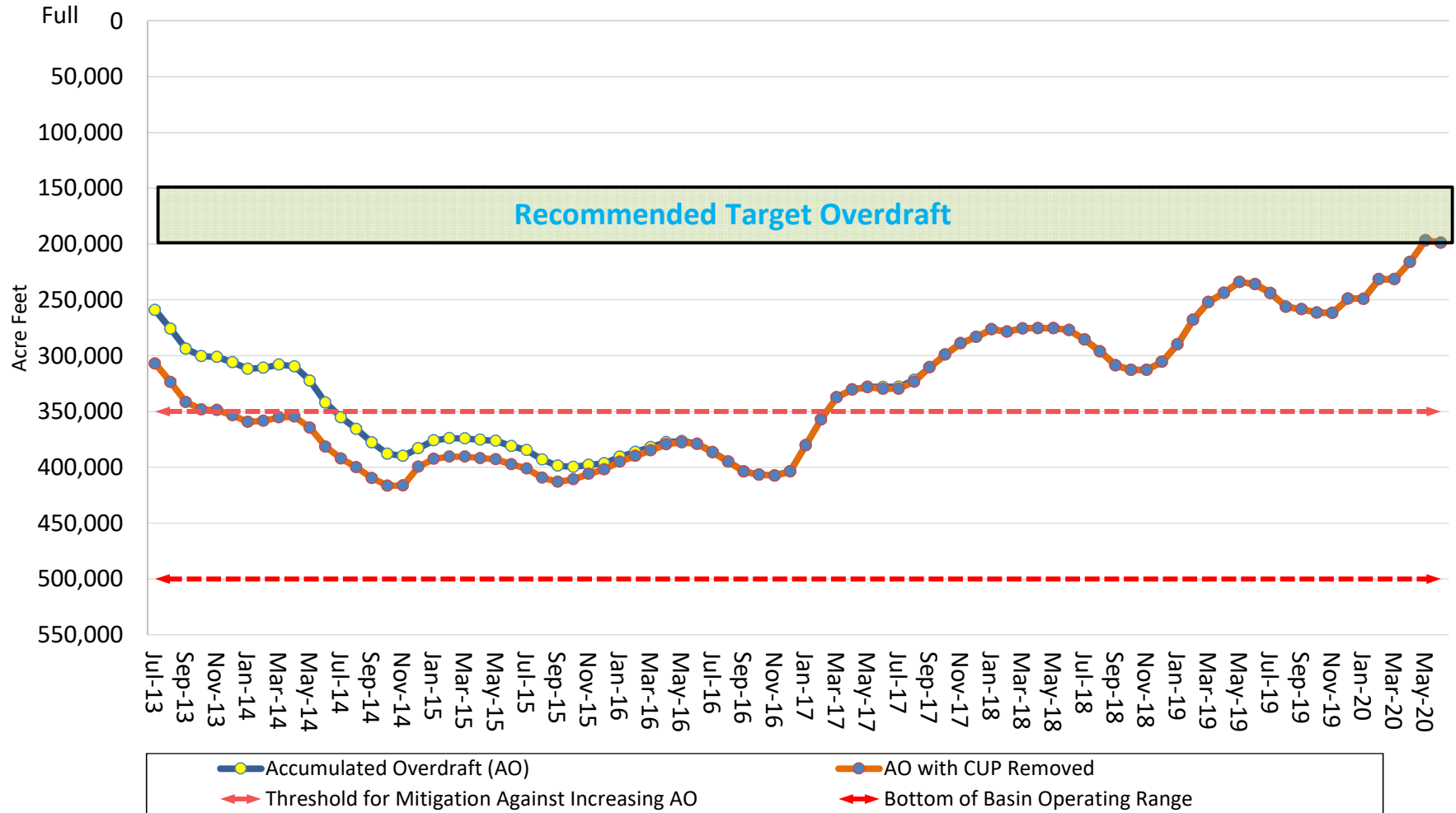
[1] Sum of Imported water for consumptive use (includes "In-Lieu" deliveries; excludes "Direct Replenishment" and "Barrier Replenishment") and Local water for consumptive use (includes recycled and non-potable water and excludes GWRS production) Recent months numbers include some estimation.

Accumulated Precipitation for the Oct.-Sep. water year, early August 2020



* The date of maximum snowpack accumulation (April 1st in Northern Calif. , April 15th in the Upper Colorado Basin) is used for year to year comparison.

Accumulated Overdraft of the OCWD Groundwater Basin as of June 2020



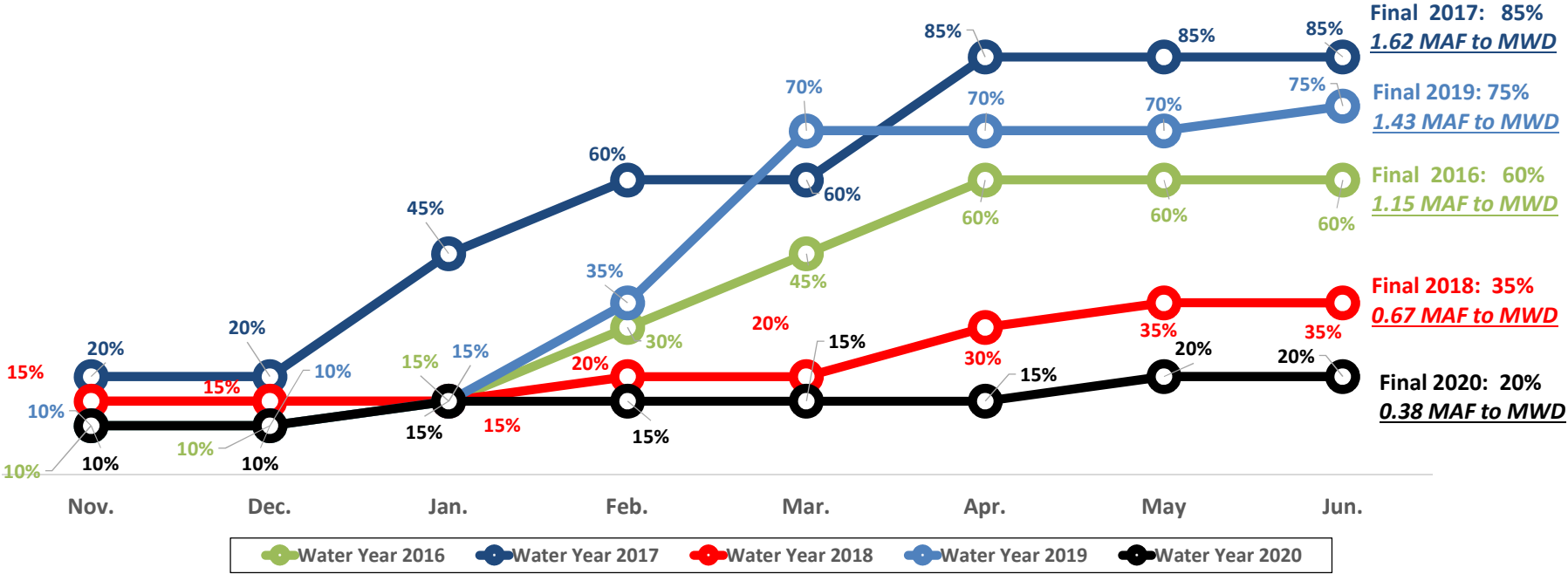
	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19
AO (AF)	285,494	296,106	308,748	312,758	312,782	305,367	289,860	267,879	251,876	243,604	234,048	236,005
AO w/CUP removed (AF)	285,494	296,106	308,748	312,758	312,782	305,367	289,860	267,879	251,876	243,604	234,048	236,005
	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20
AO (AF)	244,057	256,239	258,445	261,464	261,645	248,909	249,051	231,354	231,354	216,098	196,677	198,754
AO w/CUP removed (AF)	244,057	256,239	258,446	261,464	261,645	248,909	249,051	231,354	231,354	216,098	196,677	198,754

* Source ~ OCWD Monthly Board of Directors Packet



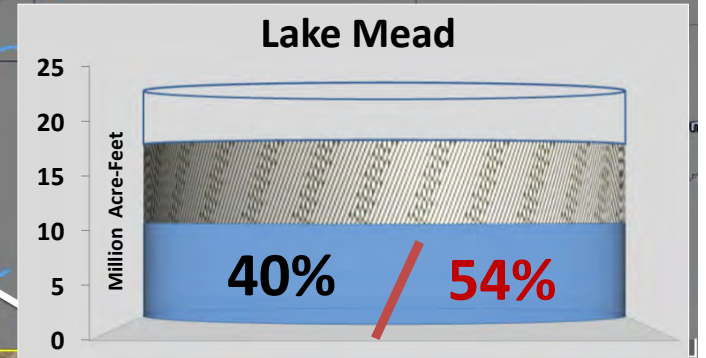
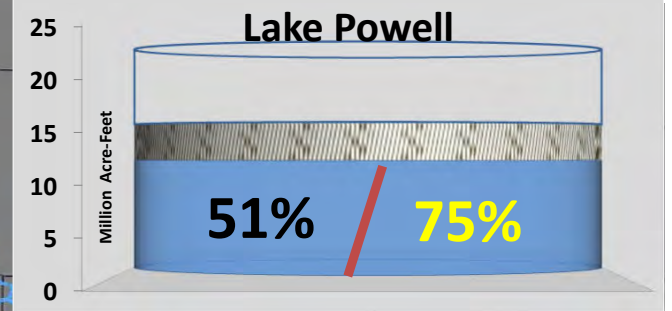
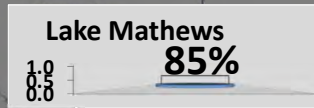
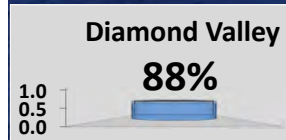
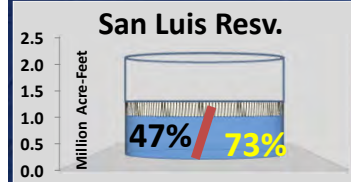
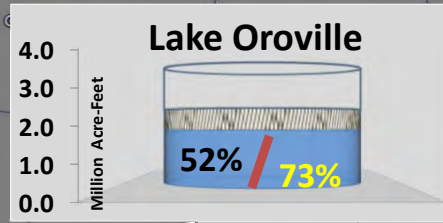
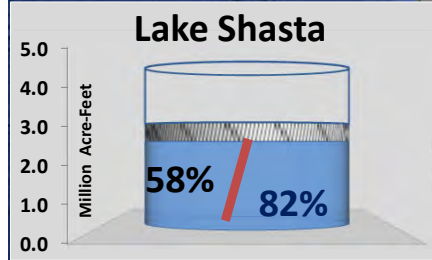
SWP TABLE A ALLOCATION

FOR STATE WATER PROJECT CONTRACTORS



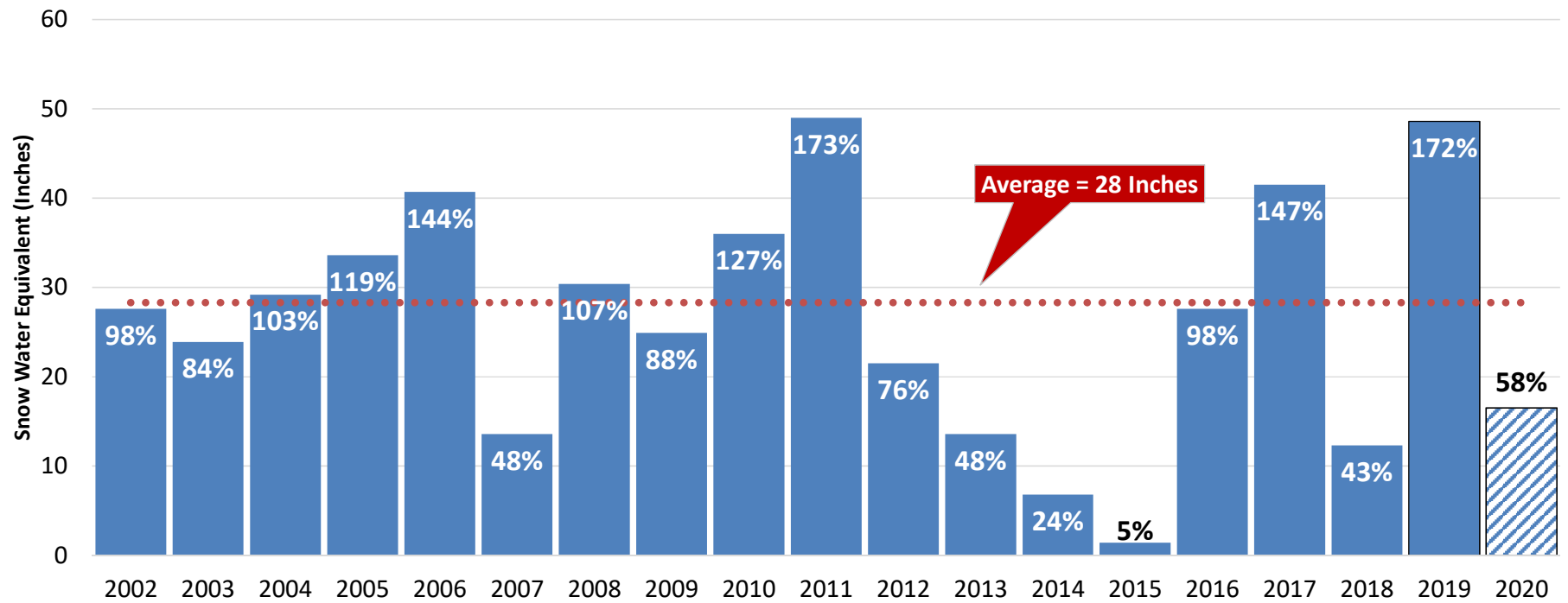
State Water Project, Colorado River, and MWD Reservoir Storage

as of August 3, 2020

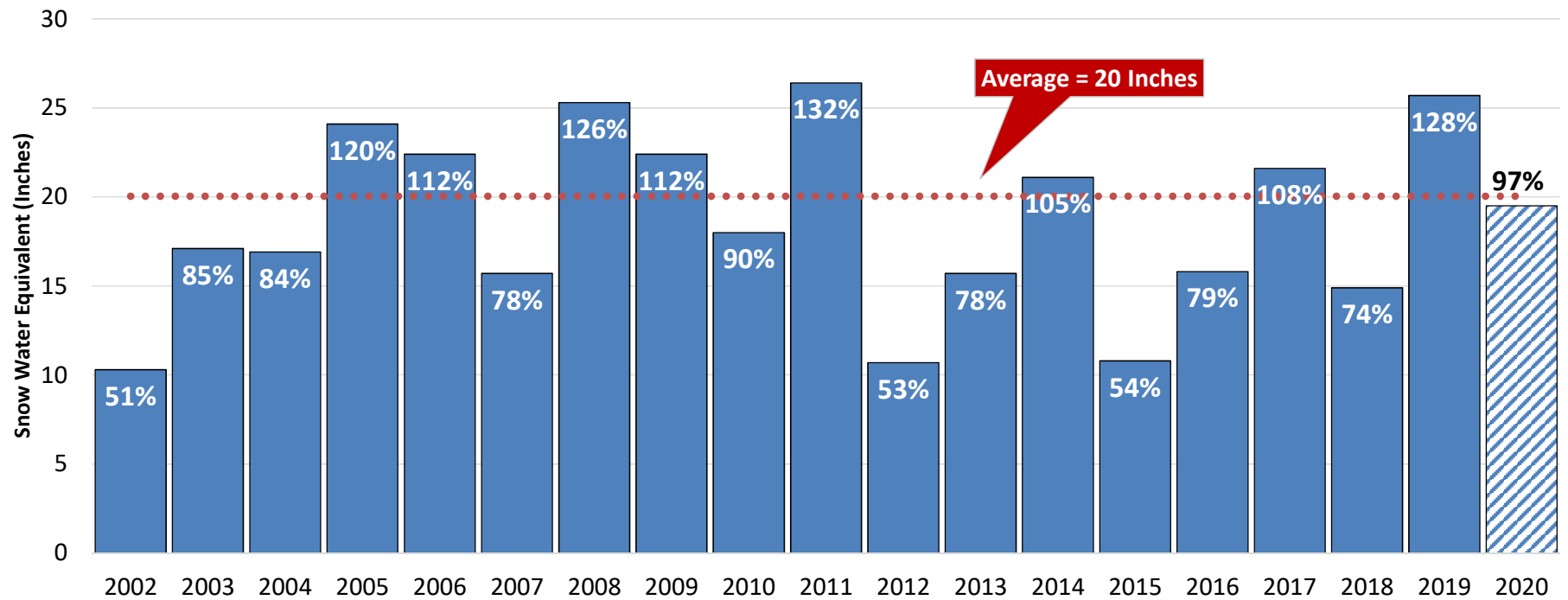


prepared by the Municipal Water District of Orange County
 *Number are Subject to Change

Historical Northern California April 1st Peak Snow Water Equivalent

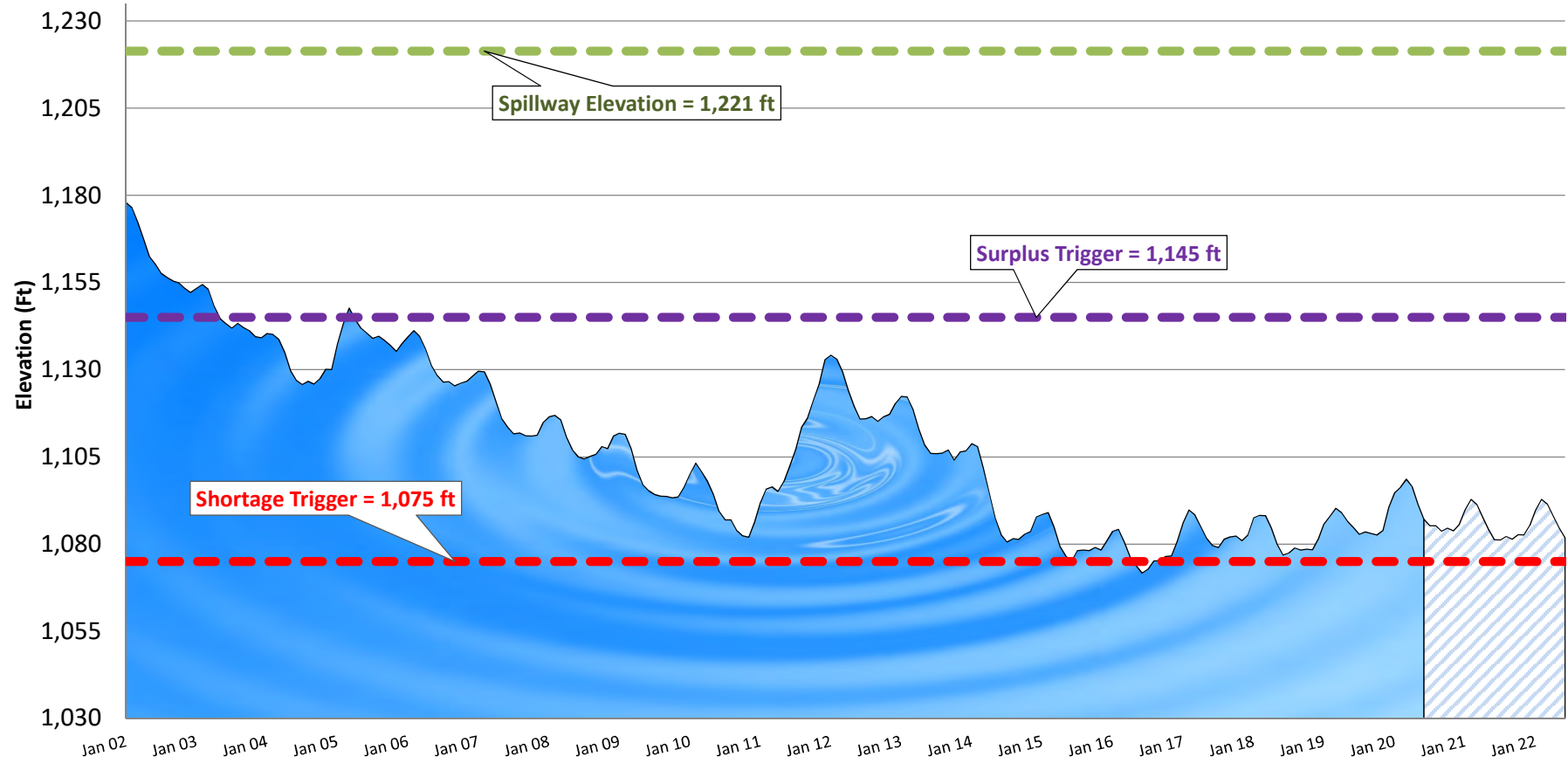


Historical Colorado Basin April 15th Peak Snow Water Equivalent



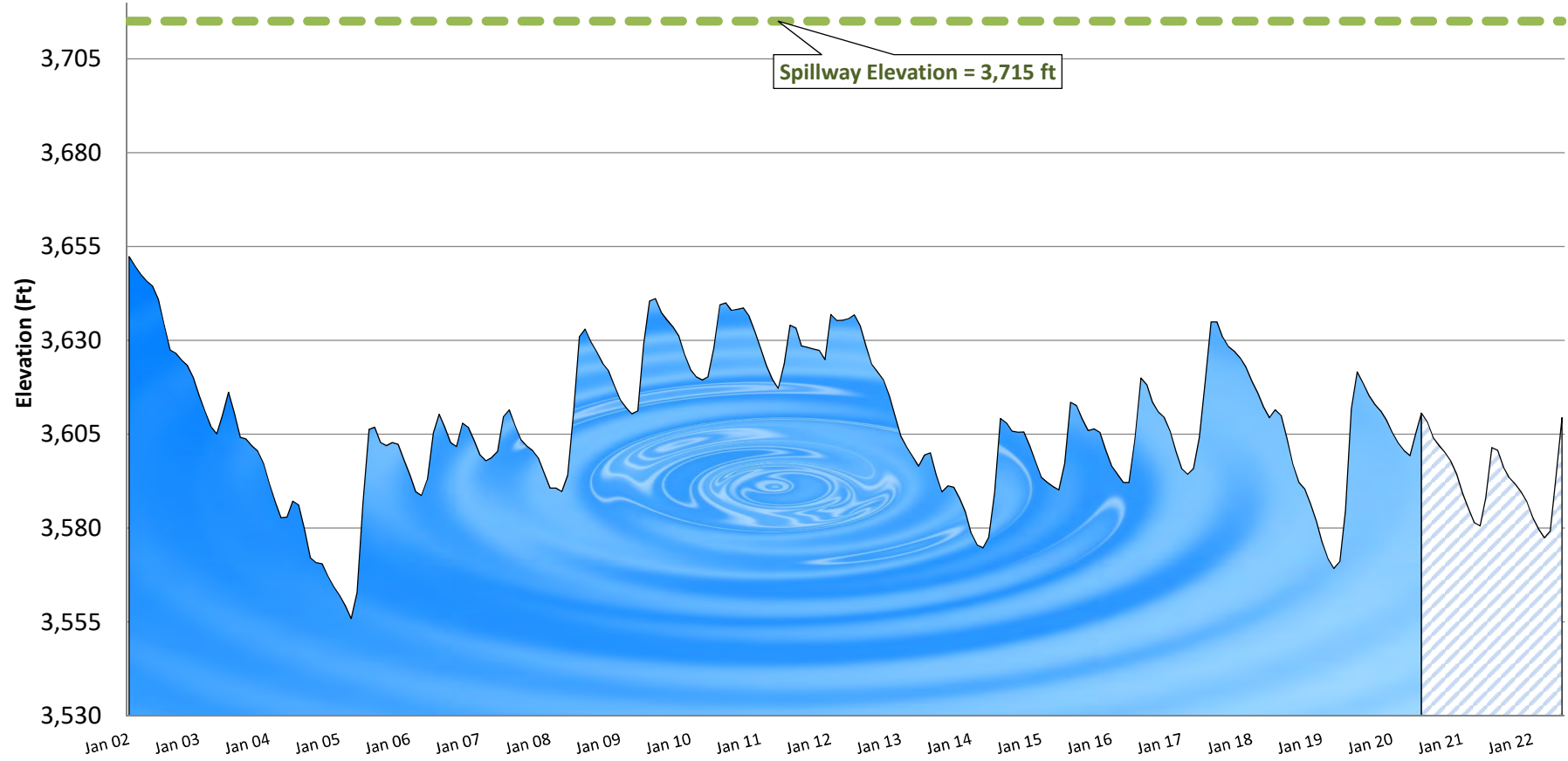
Lake Mead Levels: Historical and Projected projection per USBR 24-Month Study

■ Historical □ Projected



Lake Powell Levels: Historical and Projected projection per USBR 24-Month Study

■ Historical □ Projected

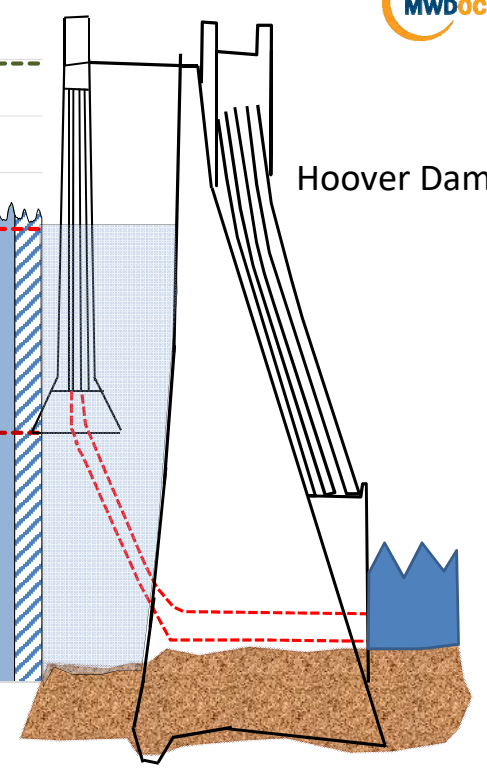
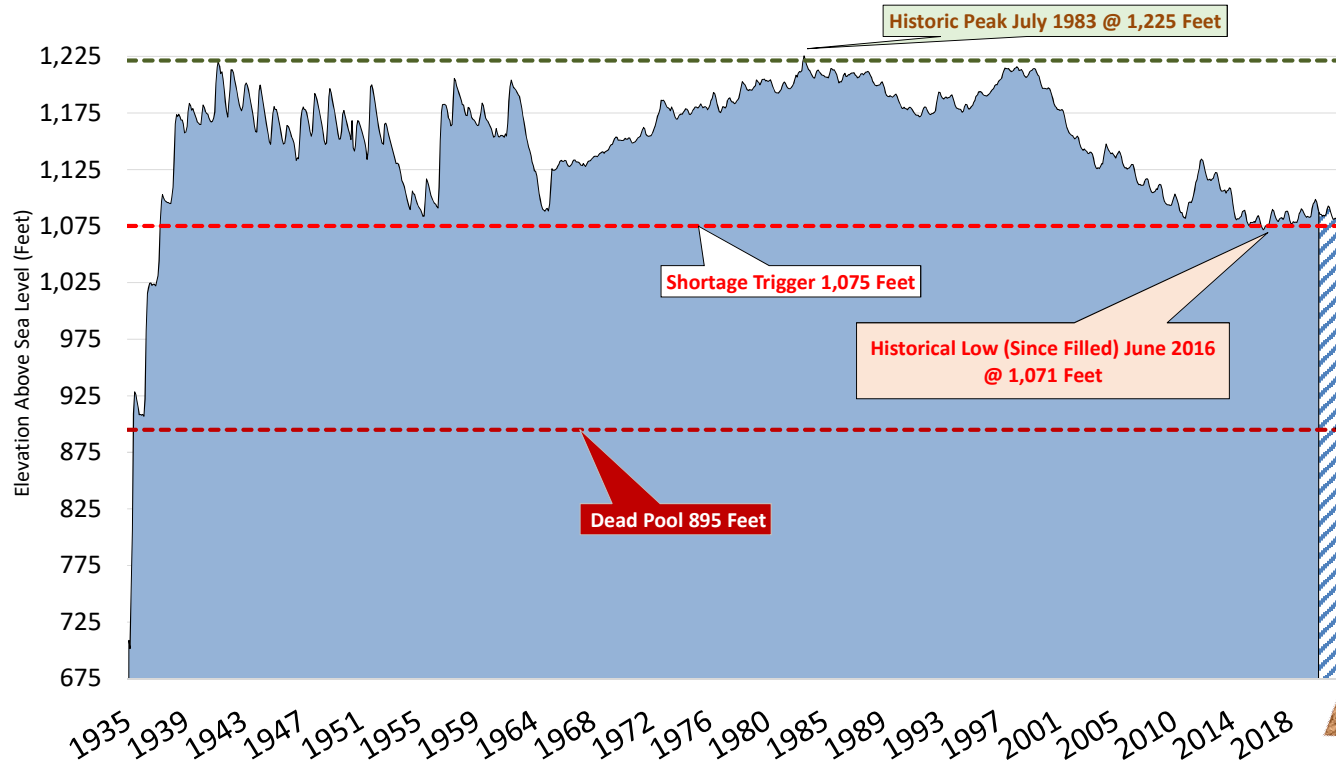


Lake Mead Historical Water Elevation Level



Intake Tower

Hoover Dam



**EL TORO WATER DISTRICT
COLLECTION SYSTEM ACTIVITY REPORT**

MONTH ENDING: JULY 2020

ODOR COMPLAINTS	NUMBER	LOCATION, ORIGIN, ACTION:		
Outside Laguna Woods Village				
Outside Laguna Woods Village				
Laguna Woods Village				
New World				
Private System				
Other: WRP				
TOTAL	0			
ROOT FOAMING	FOOTAGE	CHEMICAL USED	CHEMICAL COST	COMMENTS:
Outside Laguna Woods Village				
Laguna Woods Village				
New World				
Other				
TOTAL				
ROOT CUTTING	FOOTAGE	COMMENTS:		
Outside Laguna Woods Village				
Laguna Woods Village				
New World				
TOTAL	0			
HYDRO-CLEANING	FOOTAGE	COMMENTS:		
Outside Laguna Woods Village	53,215			
Laguna Woods Village	8,124			
New World				
Private System				
Hot Spots	25,325			
ETWD TOTALS:				
SANTA MARGARITA TOTALS:				
COMBINED TOTALS:	86,664			
TV INSPECTIONS	FOOTAGE	COMMENTS:		
Outside Laguna Woods Village	8,500			
Laguna Woods Village	1,234			
New World				
Private System				
Other				
TOTAL	9,734			
Wet Wells	Number	3	MATHIS-WESTLINE-FREEWAY	
Flow Meter/Sampling	Number			
WATER TANK FILLS	86	86,000		

WILL SERVE REQUEST STATUS REPORT

(July 2020)

All projects subject to previously issued Will Serve Letters are either Complete or the Will Serve Letter has Expired
(Will Serve Letters Expire One Year from Date of Issuance)

Date Requested	Applicant	Project Description	Type	Location	Status	Date Issued
3/8/19	Target Corporation	Target Mission Viejo Redevelopment	ND	24500 Alicia Pkwy.	Issued	7/3/19
8/16/19	Burgertown USA	Burgertown Sewer Connection	TI	24418 Muirlands	Issued	11/20/19
8/29/19	Merlone Geier Partners	Hunter Court Utility Relocations	TI	24322 Rockfield Blvd	Issued	12/9/19
11/15/19	Kiddie Academy	New Daycare at previous Restaurant	TI	25521 Muirlands Blvd	Issued	1/7/20
6/1/20	Milestones Academy	Fire Service for expanded daycare	ND	23184 El Toro Frontage rd	Pending	n/a
6/11/20	National Community Renaissance	Mountain View Housing, 71 units	ND	24551 El Toro Rd	Pending	n/a

ND = New Development

TI = Tenant Improvement

**EL TORO WATER DISTRICT
UNAUTHORIZED DISCHARGE SUMMARY
YEAR OF 2020**

DATE	PUBLIC / PRIVATE	SPILL TYPE	LOCATION	REASON	IMMEDIATE CORRECTIVE MEASURES	PREVIOUS MAINTENANCE		POST-INCIDENT PREVENTIVE MEASURES	RWQCB	DISCHARGED TO	SPILL VOLUME (PUBLIC) Gallons		SPILL VOLUME (PRIVATE) Gallons		REGULATORY NOTIFICATION AND RESPONSE
						CLEANING	TV				CONTAINED	SPILLED	CONTAINED	SPILLED	
January 23, 2020	Private	PLSD	23645 El Toro Rd.	Debris in private lateral	No longer spilling when ETWD staff arrived. Shut water service off to prevent additional discharge until line was clear	N/A	N/A	Spoke to Property Management Company	N/A	Parking Lot	N/A	N/A	5	5	Communicated with City of Lake Forest, Water Quality Inspector, and Orange County Environmental Health
February			NO SPILLS												
March			NO SPILLS												
April			NO SPILLS												
May			NO SPILLS												
June 20, 2020	Private	Recycled Water	23300 Santa Vittoria Laguna Hills	Irrigation Leak	ETWD Staff found leak and isolated the meter	N/A	N/A	Notified customer of repairs needed. Swept sidewalk and cleaned area. Left two cones on wet sidewalk.	8	Storm Drain				1500	No notifications, spill was less than 50,000 gallons of Recycled Water
July			NO SPILLS												
LEGEND											0	0	5	1,505	

S.D.C. = San Diego Creek	RES. = Residential	R.S. = Rocks
S.D. = Storm Drain	C. = Commercial	C.W.D. = Calcium Water Deposits
A.C. = Aliso Creek	S.B. = Siphon	B.P. = Broken Pipe
G.B. = Grease Blockage	P.F. = Power Failure	U.W. = Untreated Water

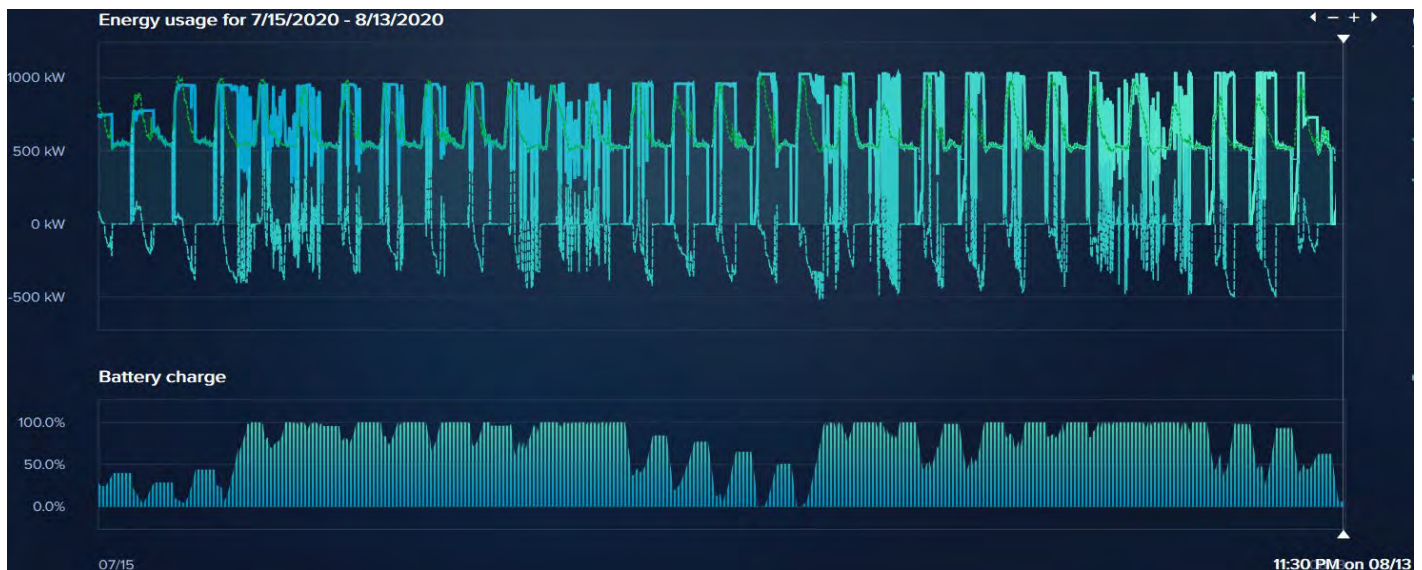


WRP BATTERY STORAGE SYSTEM

MONTHLY REPORT

JULY, 2020

BILLING PERIOD	PEAK REDUCTION	PEAK INCURRED	BILL SAVINGS	NET SAVINGS
08/13/2019 - 09/12/2019	9 kW	1,070 kW	\$5,529.24	\$3,939.24
09/12/2019 - 10/11/2019	-45 kW	988 kW	\$2,556.42	\$966.42
10/11/2019 - 11/13/2019	-45 kW	949 kW	(\$471.94)	(\$2,061.94)
11/13/2019 - 12/13/2019	28 kW	834 kW	\$168.96	(\$1,421.04)
12/13/2019 - 01/14/2020	-225 kW	904 kW	(\$2,149.49)	(\$3,739.49)
01/14/2020 - 02/12/2020	91 kW	641 kW	\$989.24	(\$600.76)
02/12/2020 - 03/13/2020	28 kW	873 kW	\$397.27	(\$1,192.73)
03/13/2020 - 04/13/2020	-204 kW	890 kW	(\$2,879.16)	(\$4,469.16)
04/13/2020 - 05/13/2020	40 kW	984 kW	\$459.74	(\$1,130.26)
05/13/2020 - 06/12/2020	74 Kw	997 kW	\$3,613.71	\$2,023.71
06/12/2020 - 07/15/2020	2 kW	1,002 kW	\$5,171.20	\$3,581.20
07/15/2020 - 08/13/2002	-21 kW	1,035 kW	\$5,783.19	\$4,193.19
TOTAL			\$19,168.37	\$88.37



Barker Leavitt

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James C. Barker
Ryan Leavitt

*Municipal Water District of Orange County, California
Washington Update
August 4, 2020*

As Negotiations Continue, A Deal on Next Phase of Coronavirus Relief Legislation Eludes Congressional Leaders So Far; Congress Running Out of Time to Act on Spending and Infrastructure Bills.

As the annual August Congressional break rapidly approaches, the White House and Congressional Democrats are locked in a heated negotiation over an additional round of coronavirus relief. Both chambers are committed to staying in Washington until a deal is reached, but the difficulty of reaching a bipartisan agreement is further complicated by the fact that control of the White House and the Senate are in play and the November Election is only three short months away. With nominating conventions set to take place under modified formats due to coronavirus, Washington, DC is fully consumed by Presidential election politics.

So far, Congress has been unable to work constructively to pass spending and authorizations bills ahead of the end of the fiscal year at the end of September. It is looking more likely every day that Congress will again have to kick the can down the road with short-term extensions through the election.

COVID-19 Relief Bill Negotiations:

Last week, Senate Republicans released several pieces of legislation that took the form the *Health, Economic Assistance, Liability Protection, and Schools (HEALS) Act*.

Despite our advocacy, along with many others in the water industry, the Senate Republican proposal does not include any additional water infrastructure funds, utility rate relief for low-

income Americans struggling to pay their utility bills, or any additional funds to assist states and local governments—including for special districts.

Highlights of the Senate Republican HEALS Act:

- The [Safe to Work Act](#) is the COVID-19 liability protection measure, setting a willful misconduct and gross negligence standard.
- The [Paycheck Protection Program portion](#) of the relief package allows the hardest hit small businesses, with revenue declines of 50% or more, to receive a second PPP loan. The second loans are limited to small businesses with 300 or fewer employees, with a simplified forgiveness application process for the smallest borrowers.
- The [TRUST Act](#), which, among other items, creates individual rescue committees for various trust funds (including Social Security and Medicare) to provide legislation for its solvency.
- The [American Workers, Families, and Employers Assistance Act](#) alters unemployment insurance benefits to replace up to 70% of lost wages; provides for another round of \$1,200 Economic Impact Payments, with an additional \$500 provided for each dependent regardless of age; provides Temporary Assistance for Needy Families funding to states; establishes a workplace tax credit to bring workers back safely.
- There is [\\$306 billion in appropriations](#) for the package, including but not limited to (again no water funding):
 - \$16 billion for states to increase testing.
 - \$26 billion for development and distribution of vaccines, therapeutics, and diagnostics.
 - \$105 billion for the Education Stabilization Fund, to help schools adapt to operating during the pandemic.
 - \$448 million in additional funding for the Census
 - \$208 million for the TSA
 - \$10 billion to the FAA's Airport Improvement Program

There are a number of other pieces of legislation that were included in the relief package, including the “Safely Back to School and Back to Work Act,” “Restoring Critical Supply Chains and Intellectual Property Act,” and “Supporting America's Restaurant Workers Act.”

This is the starting marker and is not the bill that will pass Congress. There is a long way to go here. The House and Senate are far apart, both in scope and overall funding. Furthermore, key Senate Republicans have expressed serious concerns with the Senate bill, including Judiciary Committee Chairman Lindsay Graham who said, “McConnell would be lucky to get half of Senate Republicans to support the [HEALS Act] bill.” Senator Ted Cruz echoed Senator Graham’s comments saying, “As it stands now, I think it's likely that you'll see a number of Republicans in opposition to this bill and expressing serious concerns.”

Since the Senate GOP released the HEALS Act, House Speaker Pelosi and Treasury Secretary Mnuchin and White House Chief of Staff Mark Meadows have been actively negotiating in earnest on an additional phase of coronavirus relief legislation. Although both sides concluded that the talks over this past weekend were more productive than the week before, both admitted that both sides are still very far apart, and a deal is not yet imminent. In the meantime, the enhanced federal unemployment benefit of \$600 per week expired on Friday, July 31st.

If a deal is to be reached in the next few days, the soonest that Congress could pass this bill would be later this week or early next week, but a deal does not seem to be closely at hand. In fact, on Face the Nation on Sunday, Mark Meadows said, "I'm not optimistic that there will be a solution in the very near term."

It is also important to note that this initial Senate GOP proposal does not include any additional aid to state or local governments (including for special districts) or for water and other utility rate relief, as did the House-passed HEROES Act back in May. We anticipate that many of these items could be negotiated for by House and Senate Democrats as this process continues to progress forward. We are continuing to monitor this legislation closely.

Notably, state and local government aid (including revenue replacement) was not included in the Senate GOP proposal—nor was additional aid for special districts. We have heard that Speaker Pelosi and Senator Schumer have tried specifically to advance additional funding states and local governments in these closed Leadership talks.

Other areas of disagreement include enhanced federal unemployment benefits (Republicans want to see benefits reduced from \$600 down to \$200 per week), school funding (including hazard pay for teachers), and a Democratic priority to repeal (state and local tax) SALT caps on itemized deductions, liability protections for businesses, funding for USPS and vote-by-mail, among many other contentious issues.

Items that seem to have some bipartisan agreement include an additional round of direct payments to many Americans (under the CARES Act these direct payments were \$1,200 per individual and \$2,400 per married couple earning under certain income thresholds--\$500 was also give for each dependent child), and perhaps further adjustments to the Paycheck Protection small business loan Program (PPP).

Special Districts Legislation:

Related to Congress' ongoing efforts to address the economic impact of the coronavirus pandemic are efforts to ensure that special districts, like MWDOC, can be eligible for federal aid in COVID-19 relief passed by Congress. In early June, Congressman John Garamendi (CA-

3), with 35 House cosponsors, introduced the “Special Districts Provide Essential Services Act” (HR7073), which would make special districts eligible for payments from the Coronavirus Relief Fund if more than \$150 billion is appropriated to the fund. The legislation would require that states receiving these funds would have to distribute at least 5% of the funds to special districts within the state. That bill also directs the Federal Reserve to include special districts as eligible issuers in the Municipal Liquidity Facility program. This legislation also defines a special district in statute as “a political subdivision, formed pursuant to general law or special act of a state, for the purpose of performing one or more governmental or proprietary functions.”

In July, a bipartisan Senate companion of this special districts legislation was introduced by Arizona Senator Kyrsten Sinema, and was sponsored by California’s Senator Kamala Harris. Efforts are underway to try and include this legislative language in a future coronavirus relief bill.

Fiscal Year 2021 (FY21) Appropriations:

Since our last report, the House passed two “minibus” FY21 appropriations bills. The first bill included the Interior-EPA Appropriations bill that funds many critical water programs—including the clean water/drinking state revolving fund loan programs and WIFIA. The second massive “minibus” appropriations bill included the very important Energy-Water Appropriations Bill that funds the Army Corps of Engineers and the Bureau of Reclamation, among many other critical water programs.

As Congress is working through the second year of the bipartisan budget deal reached last summer, the House and Senate Appropriations Committees are working in a very tight budget environment with strict spending caps currently in place. As expected, funding levels for most federal agencies (including for these water programs) remain relatively flat for FY21 (see chart below).

Program (billions of dollars)	FY19 Levels	FY20 Levels	President’s FY20 Budget	President’s FY21 Budget	House FY21 Levels
Bureau of Reclamation	\$1.565	\$1.68	\$1.120	\$1.1	\$1.66
Army Corps of Engineers	\$6.998	\$7.65	\$4.964	\$6	\$7.63
Clean/Drinking Water State Revolving Funds	\$2.76	\$2.77	\$1.98	\$1.98	\$2.76

As a reminder, the House's Interior-EPA bill does provide \$502 million in additional funding for the Bureau of Reclamation's water resources projects, including those authorized in the Water Infrastructure Improvements for the Nation (WIIN) Act. In addition, that bill also includes funding for the EPA and includes \$12.9 million in additional funding for scientific and regulatory work on per- and polyfluoroalkyl substances (PFAS) needed to establish drinking water and cleanup standards. This funding builds on the \$39 million increase the EPA received in 2020.

It is concerning that the House bill provides no additional funding for the WIFIA loan program in FY21, however, the WIFIA program had \$116 million in unobligated funds at the beginning of FY20, plus an additional \$60 million in new appropriations made for FY20.

Progress in the Senate on Appropriations has essentially stalled, as the Senate is currently all-consumed by negotiations on an additional phase of coronavirus relief legislation. All signs point to a short-term stopgap spending bill to extend current federal funding levels through the November election. If not, and no spending deal is reached, the government would shut down on Oct. 1, 2020. We don't believe there is any real threat of a government shutdown at this time.

PFAS Update:

Due to some procedural hurdles, Rep. Dingell was unable to attempt to attach her PFAS Amendment to the National Defense Authorization Bill (NDAA) that passed the House at the end of July. Many advocates of the Dingell proposal shifted their approach and sought to include it in the Energy-Water Appropriations bill that passed the House the last week of July, but this attempt was a failure.

Along with other water industry advocates, we have been very active on behalf of MWDOC on this PFAS issue. By keeping this very concerning PFAS provision off two must-pass legislative vehicles in the final weeks of July in the House, prospects of a sweeping PFAS statute to designate all PFAS as a hazardous substance under the Superfund law have become quiet dim for remainder of this Congress. This will likely be an issue that returns next session in 2021.

Infrastructure Investment Legislation:

Since the House passed its \$1.5 trillion infrastructure investment bill in late June, a bill that included the long-awaited Congressman Huffman legislation (the *FUTURE Western Water Infrastructure and Drought Resiliency Act*), the Senate has refused to consider this hyper-

partisan messaging bill (as expected) but has not yet been able to respond with its own infrastructure investments proposal.

The House-passed bill included \$3.5 billion for western water infrastructure and drought resiliency measures, including over \$70 billion in water infrastructure investments (\$40 billion for wastewater, \$25 billion for drinking water, \$750 million for water storage, \$500 million for water recycling and reuse, and \$260 million for desalination). This bill also authorizes several new grant programs for PFAS treatment. The bill includes competitive grant programs for water recycling, desalination, dam safety, and for drinking water quality projects.

Additionally, the House's bill also included Rep. Huffman's *Water Conservation Tax Parity Act* (H.R. 2313), which excludes rebates received for water conservation efforts (like turf removal for example) from an individual's gross income for federal tax purposes. This is an issue that MWDOC has worked on for a number of years.

Some hope remains that the Senate will attempt to combine the Senate WRDA legislation with a surface transportation bill and pass it as the Senate's own infrastructure bill, but time is running out before the Election and this may become an issue left to be resolved by the next session of Congress in 2021.

House's 2020 Water Resources Development Act (WRDA):

The last week of July, the House passed a bipartisan Water Resources Development Act (WRDA)—a federal water program authorization bill typically authorized every two years. This legislation was considered non-controversial and was narrowly focused on the Army Corp of Engineers. Specifically, the House's WRDA bill would authorize new policies and 34 new water projects for the Army Corps of Engineers.

Senate's 2020 WRDA Bill:

The Senate's WRDA bill is much more expansive than the House's bill. Many weeks ago, the Senate Environment and Public Works (EPW) Committee passed two bipartisan water infrastructure bills (the vehicle for the Senate's 2020 WRDA bill) unanimously. The two Senate bills, America's Water Infrastructure Act of 2020 (S. 3591), and the Drinking Water Infrastructure Act of 2020 (S. 3590), would authorize new Army Corps of Engineers projects, reauthorize the Clean Water State Revolving Fund and the Safe Drinking Water Act emergency fund, and make a series of policy changes regarding drinking water, flood control and water supply programs.

The Senate WRDA Bill includes \$17 billion for water infrastructure projects, including Western water storage provisions. It also authorizes the EPA's Clean Water State Revolving Fund and increases that authorization over three years to \$3 billion and reauthorizes WIFIA. Additionally, the legislation provides about \$2.5 billion in authorizations for the Safe Drinking Water Act emergency fund and provides \$300 billion in grants for the removal of drinking water contaminants—including PFAS. As you know, these are critical sources of federal funding, administered by the State of California, for water agencies to receive grants and low interest loans for water infrastructure projects.

JCB/RWL 8/04/20



BEST BEST & KRIEGER
ATTORNEYS AT LAW

To: Municipal Water District of Orange County
From: Syrus Devers, Best Best & Krieger
Date: August 4, 2020
Re: Monthly Report

Legislative Report

The Legislature got off to a halting start the last week of July but not before Speaker Anthony Rendon abruptly canceled the first two days of scheduled policy hearings in order to complete measures to prevent the spread of COVID-19. Since this year is the end of the two-year legislative session, the constitutional deadline of August 31st for the end of session is not fungible.

Legislative leaders, the Governor, and the Controller went to press with the idea of tax vouchers to raise one billion dollars to be used for a laundry list of economic stimulus measures. The idea is that individuals in higher tax brackets would be willing to pay next year's taxes this year for discounts in future tax years. In other words, the state wants to borrow taxes from the future. The proposal is admittedly vague. No specific numbers were given for the value of the vouchers, or how much would be allocated to any of the proposed stimulus measures if the funds were raised. Water recycling and investments in water infrastructure were included on the list, albeit near the bottom.

As reported last month, none of the bills dealing with the use of emergency generators by critical facilities for Public Safety Power Shut Offs (PSPS) were set to be heard in committee, but moving SB 1099 (Dodd) to the Assembly with a 37-0 vote in the Senate did motivate the South Coast Air Quality Management District (SCAQMD) to negotiate with the sponsors. They offered a detailed proposal to adopt rules that only require notification of the PSPS in order to waive air pollution fees, which is currently being reviewed by ACWA and the sponsors..

AB 3030 (Karla) appeared on the radar of water districts last week following amendments on July 21st. Previously the bill did not raise serious concerns over its aspirational goals of protecting 30% of California's land, ocean, and water resources, but the recent amendments were more specific in calling for "enduring measures" to be enacted. The underlying problem with the bill is that it calls for the protection of water but does not define the term. That begs the question, "protect what water?" Without a definition it will mean anything a litigating attorney wants it to mean while arguing that the state or a local government (including special districts) are failing to enact "enduring measures" to protect it. ACWA held a special session to adopt an "oppose unless amended" position and the State Water



BEST BEST & KRIEGER
ATTORNEYS AT LAW

Contracts have filed opposition as well. The bill seeks to enact the goals of the International Union for Conservation of Nature, the ultimate goal being to protect 50% of global land and water resources.

Administrative Report

On July 28th Governor Newsom released his Water Resilience Portfolio following the first draft that was released back in January. (Which was only 8 months ago despite how it may feel.) For the most part, it was environmental groups who complained the loudest. Topping their grievances was the Governor's reaffirmation of the Delta Conveyance:

“Plan, permit, and build new diversion and conveyance facilities (such as a tunnel) in the Sacramento-San Joaquin Delta to safeguard State Water Project and, potentially, Central Valley Project deliveries drawn from the Sacramento and San Joaquin river systems.”

The report goes on to mention support for Sites reservoir and Salton Sea restoration. Water interests offer muted praise while the Director of the Sierra Club stated, “This version doesn't contain the significant changes we asked for; we can't figure out who's running the ship over there when it comes to water.”¹ The report can be read here: <https://waterresilience.ca.gov/>

¹ Courthouse News Service, *Newsome Lays Out Big Dreams for California's Water Future*. (July 28, 2020)

The County of Orange Report

August 4, 2020
by Lewis Consulting Group



July 28th Board of Supervisors Meeting Recap

The most recent Board of Supervisors meeting once again featured a lot of public outcry. Comments featured people in support of the Black Lives Matter movement and a disparate group of people arguing against mandatory mask requirements. This has led to physical confrontations outside the hearing room and verbal jousting inside the auxiliary speakers room.

The most interesting item on the agenda was deleted at the last moment. Supervisors Bartlett and Chaffee were attempting to place a term limit amendment on the November 3rd ballot, but apparently were convinced they could not find the necessary third vote needed. Under current law, a Supervisor may serve two consecutive four year terms and there is nothing to prevent a Supervisor from seeking an additional two consecutive four year terms after sitting out of office for awhile. The Bartlett/Chaffee proposal would have extended the allowable consecutive service time from two consecutive four year terms [8 years] to three consecutive four year terms [12 years] with a life-time limit. In recent years, only current District Attorney Todd Spitzer has served two terms and then later returned to the Board.

In other action, Supervisor Steel authored a matter that in previous years would have been a consent calendar item. However, her proposal to include Orange County Law Enforcement Appreciation Events in the County events calendar was met with opposition from those sympathizing with the Black Lives Matter movement. The item was approved.

The Board also announced the re-constitution of its policy committees shown below:

List of County Ad Hoc Committees FY 2020-21

Attachment B

<u>Ad Hoc Committee Name/Purpose</u>	<u>BOS Members</u>	<u>Active/Inactive</u>	<u>Recommended Dissolution Date</u>
Airport Governance Ad Hoc Committee	Bartlett & Steel	Active	Expiration date of 8/11/2020
Census Planning Ad Hoc Committee - Establish a committee to update County jurisdictional boundaries, address and population data and develop an education and outreach strategy	Do & Chaffee	Active	Expiration date of 6/1/2021
County Health Officer Ad Hoc Committee - established an ad hoc committee for selection of a new County Health Officer	Do & Chaffee	Active	Dissolve after selection of County Health Officer
COVID-19 Testing Kit Ad Hoc Committee	Do & Chaffee	Active	No dissolution date given
El Toro Ad Hoc Committee	Chaffee & Wagner	Active	Potentially end of 2020
OC Economic Recovery Ad Hoc Committee	Steel & Wagner	Active	No dissolution date given
Public Defender Ad Hoc Committee - established an ad hoc committee for establishment of new Public Defender	Steel & Wagner	Active	Dissolve after recruitment of Public Defender
Real Estate P3 Ad Hoc Committee	Bartlett & Do	Active	First Board Meeting of October 2020

Supervisor Don Wagner proposed an ordinance allowing businesses in unincorporated portions of Orange County to conduct business outside of their business as long as all applicable Federal and State regulations regarding COVID-19 are adhered to. The proposal was patterned after the successful program launched in the City of Orange allowing restaurants to serve their patrons along the closed portions of Glassell Street. The item was unanimously approved.

Lastly, the Board heard its regular update on COVID-19 from Orange County Health Agency head Dr. Clayton Chau. In addition to the update on COVID-19, Supervisor Bartlett made a plea for the re-opening of indoor malls.



On Deck at the Upcoming Board Meeting for August 11th

So far the Board agenda is pretty light on substantive issues. This will change as the meeting approaches.

However, a lengthy debate is promised as the County Board weighs their option regarding the letting of three County contracts that will

change the face and operations of the John Wayne Airport for years to come. Up for discussion are contracts for two separate Full Based Operators and one Limited Base Operator.

Another item is the County Response to the Orange County Grand Jury regarding the disposition of the two giant hangers in Tustin.

More will be added to the agenda as we approach the August 11, 2020 meeting.



**AUGUST 12TH AGENDA
NOT YET AVAILABLE, AS
WE MEET OUR PRINT
DEADLINE**

What's Blue and Green All Over?

PPIC Releases New Survey on California Political & Environmental Issues

The Public Policy Institute of California just released results of their recent survey conducted July 8-17, 2020. The survey of 1,561 adult Californians has a margin of error of +/- 3.4%. A sub sample of 1,032 likely voters yields a margin of error of +/- 3.9%.

It is striking to see just how environmentally sensitive and politically liberal Californians have become.

First, some of the key political results among the 1,561 respondents:

Are you registered as a Democrat, a Republican, another party, or are you registered as a decline-to-state or independent voter?

- 49% Democrat
- 26% Republican
- 23% independent
- 2% another party

Do you approve or disapprove of the way that Governor Newsom is handling environmental issues in California?

- 69% approve
- 29% disapprove
- 1% don't know

Regardless of your choice in the November 2020 presidential election, which of these candidates would do a better job handling environmental issues in the U.S.? Joe Biden, the Democrat, or Donald Trump, the Republican?

- 70% John Biden, the Democrat
- 29% Donald Trump, the Republican
- 1% don't know

Which political party do you trust to do a better job in handling environmental issues in the U.S.? The Democratic Party or the Republican Party?

- 69% Democratic Party
- 30% Republican Party
- 1% neither
- 1% don't know

What do you think is the most important environmental issue facing California today?

- 18% global warming, climate change, greenhouse gases
- 14% air pollution, vehicle emissions, smog
- 11% loss of forests, forest fires, wildfires
- 10% water supply, drought, reservoirs
- 8% landfills, garbage, sewage, waste, recycling
- 6% coronavirus, COVID-19

5% pollution in general
4% too much government regulation, politicians, environmentalists
3% water pollution of ocean, rivers, lakes, streams, beach pollution
18% other
3% don't know

Would you say that the supply of water is a big problem, somewhat of a problem, or not much of a problem in your part of California?

38% big problem
43% somewhat of a problem
18% not much of a problem
1% don't know

Do you think that pollution of drinking water is a more serious health threat in lower-income areas than other areas in your part of California, or not?

70% yes
29% no
1% don't know

How serious a health threat is pollution of drinking water in your part of California to you and your immediate family? Do you think it is a very serious, somewhat serious, or not too serious of a health threat?

16% very serious
31% somewhat serious
52% not too serious
1% don't know

How about droughts that are more severe? Are you very concerned, somewhat concerned, not too concerned, or not at all concerned?

58% very concerned
30% somewhat concerned
8% not too concerned
4% not at all concerned
– don't know

How about building desalination plants on the California coast? Do you favor or oppose this proposal?

68% favor
28% oppose
6% don't know

Would you say that air pollution is a big problem, somewhat of a problem, or not much of a problem in your part of California?

36% big problem
46 somewhat of a problem
17 not much of a problem
– don't know

How serious of a threat is global warming to the economy and quality of life for California's future? Do you think it is a very serious, somewhat serious, not too serious, or not at all serious of a threat?

- 48% very serious
- 32% somewhat serious
- 12% not too serious
- 8% not at all serious
- don't know

How about increased rising sea levels? Are you very concerned, somewhat concerned, not too concerned, or not at all concerned?

- 34% very concerned
- 40% somewhat concerned
- 17% not too concerned
- 10% not at all concerned
- don't know

Do you favor or oppose the state law that requires 100 percent of the state's electricity to come from renewable energy sources by the year 2045?

- 77% favor
- 21% oppose
- 2% don't know



Orange County COVID-19 Stats

ORANGE COUNTY COVID-19 STATS	AS OF 8/3/2020	AS OF 7/13/2020
CUMULATIVE CASES TO DATE	37,831	25,255
CUMULATIVE DEATHS TO DATE	651	424
DEATHS REPORTED TODAY	0	1
CUMULATIVE TESTS TO DATE	435,927	314,191
TESTS REPORTED TODAY	17,133	6,791
CASES CURRENTLY HOSPITALIZED	555 *	674 *
CASES CURRENTLY IN ICU	175	235
CUMULATIVE RECOVERED TO DATE	25,248 *	10,554 *

* = INCLUDES *ICU* CASES



Where Orange County Ranks [as of 8/3/2020]

LOCATION	POPULATION	CONFIRMED CASES	DEATHS
CALIFORNIA	40,129,160	514,901	9,388
LOS ANGELES COUNTY	10,247,557	192,480	4,692
RIVERSIDE COUNTY	2,468,145	38,507	695
ORANGE COUNTY	3,228,519	37,831	651
SAN DIEGO COUNTY	3,370,418	29,885	565
SAN BERNARDINO COUNTY	2,217,398	33,643	417



LATEST PRESIDENTIAL POLLS

Former Vice-President Joe Biden continues to maintain his lead over President Trump in the national polls. Clearly, both COVID-19 and the suffering national economy, has taken its toll on President Trump's popularity.

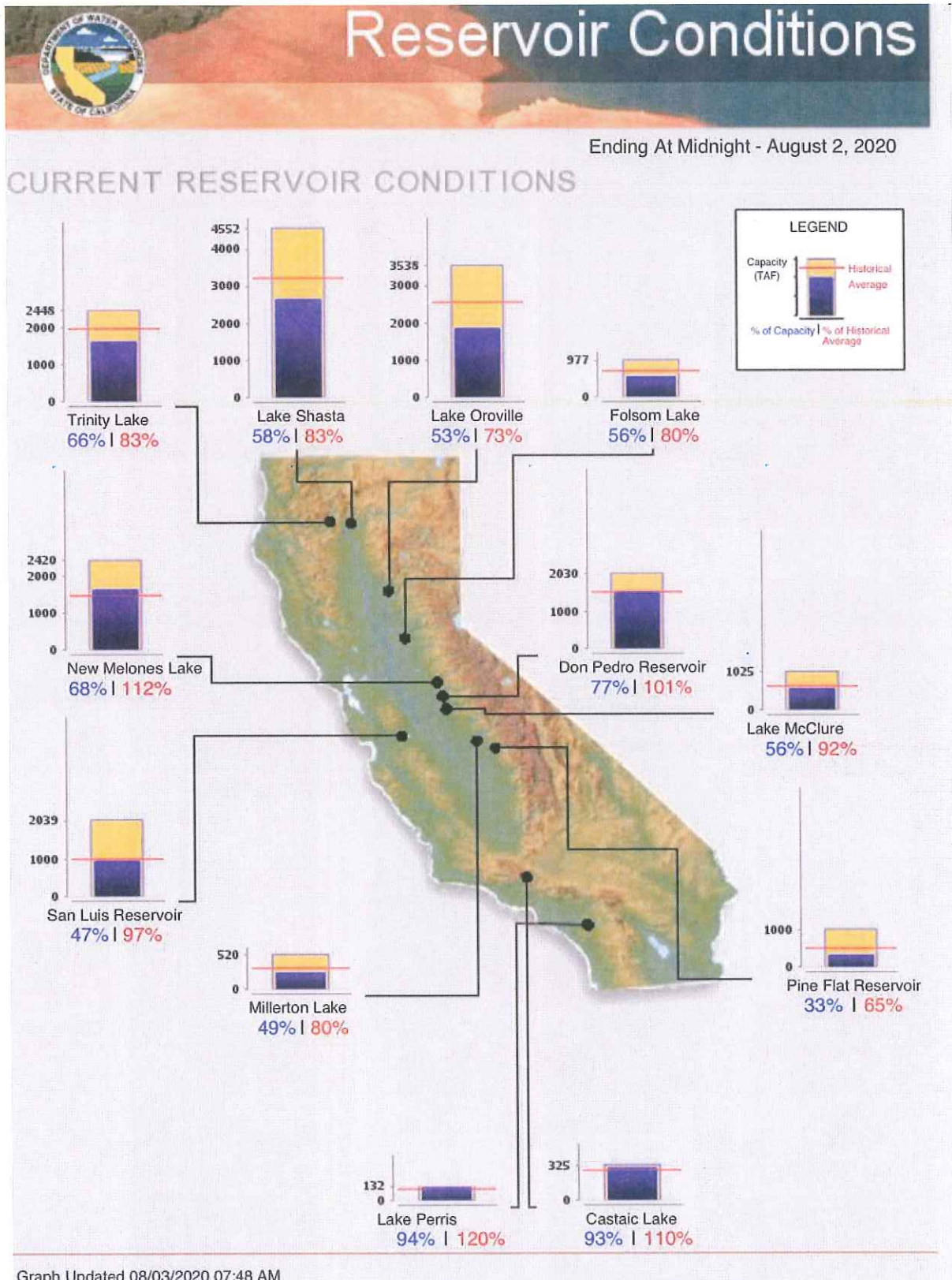
DATE	POLL	RESULTS	SPREAD
JULY 31	EMERSON	BIDEN 50, TRUMP 46	BIDEN +4
JULY 30	IBD / TIPP	BIDEN 48, TRUMP 41	BIDEN +7
JULY 29	ECONOMIST / YOUNGOV	BIDEN 49, TRUMP 40	BIDEN +9
JULY 29	CNBC / CHANGE RESEARCH	BIDEN 51, TRUMP 42	BIDEN + 9
JULY 29	RASMUSSEN REPORT	BIDEN 49, TRUMP 42	BIDEN + 6

ENSO METER



The Pacific ocean has finally budged slightly towards a predicted La Niña. A majority of models are predicting La Niña conditions for about six months and then a return to a weak El Niño pattern.

The lack of El Niño is certainly not helping our northern California reservoirs, as they are now running behind our historical averages.



PAL Committee

Prepared by Best Best & Krieger

July 4th, 2020

A. Priority Support/Oppose

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 2178	Levine D	Emergency services.	7/8/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on G.O.	Current law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a deenergization, defined as a planned public safety power shutoff, as specified, within those conditions constituting a state of emergency and a local emergency.	Support	A. Priority Support/Oppose	
AB 2560	Quirk D	Water quality: notification and response levels: procedures.	6/29/2020-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.	The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt drinking water standards for contaminants in drinking water based upon specified criteria and requires any person who owns a public water system to ensure that the system, among other things, complies with those drinking water standards. The act requires a public water system to provide prescribed notices within 30 days after it is first informed of a confirmed detection of a contaminant found in drinking water delivered by the public water system for human consumption that is in excess of a maximum contaminant level, a notification level, or a response level established by the state board. This bill would require the state board to comply with specified public notice and comment procedures when establishing or revising notification or response levels, except as specified.	Watch	A. Priority Support/Oppose	
AB 3256	Garcia, Eduardo D	Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation,	6/8/2020-Re-referred to Com. on RLS.	Would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State	Watch	A. Priority Support/Oppose	

		and Flood Protection Bond Act of 2020.		General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.			
SB 45	Allen D	Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.	1/30/2020-In Assembly. Read first time. Held at Desk.	Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.	Watch	A. Priority Support/ Oppose	
SB 1099	Dodd D	Emergency backup generators: critical facilities: exemptions.	7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.	Current law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Current law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Current law requires the State Air Resources Board to identify toxic air contaminants that are emitted into the ambient air of the state and to establish airborne toxic control measures to reduce emissions of toxic air contaminants from nonvehicular sources. This bill would require an air district without a specified rule on emergency backup generators, as defined, as of January 1, 2021, that adopts such a rule to include in the rule provisions that allow the operator of a critical facility, as defined, to use a permitted emergency backup generator in exceedance of the applicable runtime and testing and maintenance limits if specified conditions are met.	Support	A. Priority Support/ Oppose	
SB 1386	Moorlach R	Local government: assessments, fees, and charges: water: hydrants.	7/28/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.	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	Support	A. Priority Support/ Oppose	

				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 specify that hydrants, as defined, are part of the system of public improvements included in the definition of “water” for purposes of the Proposition 218 Omnibus Implementation Act.			
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B. Watch

Measure	Author	Topic	Status	Brief Summary	Position	Priority	Notes 1
AB 291	Chu D	Local Emergency Preparedness and Hazard Mitigation Fund.	6/23/2020-Referred to Com. on G.O.	Would establish a Local Emergency Preparedness and Hazard Mitigation Fund to, upon appropriation by the Legislature, support staffing, planning, and other emergency mitigation priorities to help local governments meet emergency management, preparedness, readiness, and resilience goals. The bill would require the Office of Emergency Services to establish the Local Emergency Preparedness and Hazard Mitigation Fund Committee under the Standardized Emergency Management System Advisory Board.	Watch	B. Watch	
AB 2296	Quirk D	State Water Resources Control Board: local primacy delegation: funding stabilization program.	7/1/2020-Referred to Com. on EQ.	Would authorize the State Water Resources Control Board to delegate partial responsibility for the California Safe Drinking Water Act’s administration and enforcement by means of a local primacy delegation agreement. The bill would authorize the state board, for counties that have not been delegated primary responsibility as of January 1, 2021, to offer an opportunity for the county to apply for partial or primary responsibility if the state board determines that it needs assistance in performing administrative and enforcement activities, as specified. The bill would authorize the state board to approve the application for delegation if the state board determines that the local health officer is able to sufficiently perform the administrative and enforcement activities and would specify that a local primacy agency has all of the authority over designated public water systems as is granted to the state board by the act.		B. Watch	
AB 3030	Kalra D	Resource conservation: land and	7/21/2020-From committee chair, with author's	Would declare it to be the goals of the state by 2030 to protect at least 30% of the state’s land areas and waters; to	Watch	B. Watch	

		ocean conservation goals.	amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.	help advance the protection of 30% of the nation's oceans; and to support regional, national, and international efforts to protect at least 30% of the world's land areas and waters and 30% of the world's ocean. The bill would authorize the state to achieve these goals through specified activities.			
SB 378	Wiener D	Probation: eligibility: crimes relating to controlled substances.	7/27/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on U. & E. Re-referred to Com. on RLS. pursuant to Assembly Rule 96.	Current law prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing or agreeing to sell or transport opiates or opium derivatives, possessing or transporting cannabis, planting or cultivating peyote, and various crimes relating to forging or altering prescriptions, among other crimes, if the person has previously been convicted of any one of specified felony offenses relating to controlled substances. Current law also prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing for sale or selling 14.25 grams or more of a substance containing heroin and possessing for sale 14.25 grams or more of any salt or solution of phencyclidine or its analogs, among other crimes. This bill would delete various crimes relating to controlled substances, including, but not limited to, the crimes described above, from those prohibitions against granting probation or a suspended sentence.	Watch	B. Watch	
SB 862	Dodd D	Planned power outage: public safety.	6/29/2020-Referred to Com. on U. & E.	Current law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by, among other things, fire, storm, or riot. This bill would additionally include a deenergization event, as defined, within a sudden and severe energy shortage constituting a state of emergency and a local emergency.	Watch	B. Watch	Significant amendments in May 20th version.
SB 952	Nielsen R	Sales and use taxes: exemption: backup electrical generators: deenergization events.	6/29/2020-Referred to Com. on REV. & TAX.	Current state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. This bill, on and after January 1, 2021, and before January 1, 2026,	Watch	B. Watch	

				would provide an exemption from those taxes with respect to the sale of, or the storage, use, or consumption of, a backup electrical resource, generator as defined, if that backup electrical generator is purchased for use exclusively in powering a critical facility, as defined, by a city, county, city and county, special district, or other political subdivision during deenergization events, as defined, and the purchaser provides to the seller a written statement with regard to these facts.			
SB 1011	Dahle R	Water quality: waste discharge requirements: management agency agreements.	3/25/2020-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	Would provide that implementation of a management agency agreement entered into between the State Water Resources Control Board and the United States Forest Service or the state board and the United States Bureau of Land Management constitutes compliance by the United States Forest Service or the United States Bureau of Land Management, as applicable, with specified waste discharge requirements for nonpoint source discharges. The bill would prohibit a provision of such a management agency agreement from being construed in any way as limiting the authority of the state board or a regional board in carrying out its legal responsibilities for the management or regulation of water quality.	Watch	B. Watch	
SB 1044	Allen D	Firefighting equipment and foam: PFAS chemicals.	7/30/2020-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 30). Re-referred to Com. on APPR.	Would, commencing January 1, 2022, would require any person, as defined, including a manufacturer, as defined, that sells firefighter personal protective equipment to any person to provide a written notice to the purchaser at the time of sale if the firefighter personal protective equipment contains perfluoroalkyl and polyfluoroalkyl substances (PFAS), and would provide that a violation of this requirement is punishable by a specified civil penalty. The bill would require the seller and the purchaser to retain the notice on file for at least 3 years and to furnish the notice and associated sales documentation to the State Fire Marshal within 60 days upon request, as provided. The bill would authorize the State Fire Marshal to request from a manufacturer, and the bill would require the manufacturer to provide, a certificate of compliance that certifies that the manufacturer is in compliance with these provisions	Watch	B. Watch	

Total Measures: 14

Total Tracking Forms: 14

**The Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2020 – Second Year of Legislative Session**

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
Metropolitan sponsored bills				
AB 2246 Mayes (I) Sponsor: Metropolitan	Introduced 2/13/2020 Assembly Natural Resources Committee Rescinded	Surface Mining and Reclamation Act of 1975: exemption: Metropolitan Water District of Southern California Amends the Surface Mining and Reclamation Act of 1975 (SMARA) to grant Metropolitan an exemption for emergency excavations or grading on its land to repair, maintain, or replace pipelines, infrastructure, or related transmission systems used to distribute water in Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura counties.	SPONSOR	Maintaining critical water infrastructure requires coordinated regulatory compliance. Metropolitan is proposing legislation to grant it special status under SMARA, so it can consistently administer and enforce SMARA compliance for the purpose of responding to emergencies, repairing, maintaining or replacing any pipelines, infrastructure, or related transmission systems used to distribute water in Southern California.
SB 996 Portantino (D) Sponsors: Metropolitan and the California Municipal Utilities Association	Amended 4/1/2020 Senate Environmental Quality Committee Rescinded	State Water Resources Control Board: Constituents of Emerging Concern Program Seeks to create a statewide program to identify and evaluate Constituents of Emerging Concern (CECs) in drinking water sources.	CO-SPONSOR	Metropolitan and the California Municipal Utilities Association are co-sponsoring legislation in response to growing public concern about CECs in drinking water. The bill would establish a CEC Drinking Water Program at the State Water Resources Control Board. The program would set up a consistent and science-based approach for assessing the public health and drinking water consequences of CECs, with the intent to improve and expedite future regulatory determinations.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
Water Bond/Infrastructure Funding				
SB 45 Allen (D) Sponsor: Author	Amended 1/23/2020 Assembly	Wildfire, Drought, and Flood Protection Bond Act of 2020 Places a \$5.51 billion wildfire and water bond on the November 2020 ballot for voter approval.	SUPPORT AND AMEND Based upon Board action on 6/11/19	Would provide funding to restore areas damaged by wildfires, mitigate future wildfires, create healthy forests and watersheds, protect water supplies and water quality, and protect and restore rivers, streams and lakes. Metropolitan is seeking amendments to ensure adequate funding for safe drinking water needs, restoration projects that would benefit Voluntary Agreements for managing the Bay-Delta and the tributaries, and for recycled water projects.
AB 3256 E. Garcia (D) Sponsor: Author	Amended 6/04/2020 Assembly Rules	Economic Recovery, Wildlife Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020 Places a \$9.71 billion economic recovery and climate resilience bond on the November 2020 ballot for voter approval.	SUPPORT AND AMEND Based upon Board action on 06/09/2020	Would provide funding for economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection. Metropolitan is seeking amendments to set aside funding for recycled water projects; state-owned conveyance infrastructure to reverse the impacts of subsidence; habitat restoration for native and protected fish; monitoring and treatment for drinking water contaminants; and emergency backup generators that minimize air quality impacts.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
Governor's Proposed Budget Trailer Bill Language	Introduced 1/31/2020 Rescinded	Governor's Proposed Safe Drinking Water, Wildlife Prevention and Natural Resources Protection Bond Act of 2020 Places a \$4.75 billion climate resilience bond for voter approval on the November 2020 ballot.	SUPPORT AND AMEND Based upon Board Action on 3/9/2020	Would provide funding for safe and clean drinking water, and resilience to flood and drought. Metropolitan is seeking amendments to set aside funding for recycled water projects; state-owned conveyance infrastructure to reverse the impacts of subsidence; habitat restoration projects for native and protected fish; monitoring and treatment for drinking water contaminants; and emergency backup generators that minimize air quality impacts.
Delta/State Water Project				
AB 1580 Levine (D) Sponsor: Author	Amended 7/1/2019 Senate Appropriations Committee – Suspense File	Major infrastructure construction projects: oversight committees Requires a state agency undertaking a publicly-funded infrastructure project of \$1 billion or more to form an oversight committee and develop a risk management plan to minimize cost overruns.	OPPOSE Based upon Board-adopted 2019 State Legislative Priorities and Principles	To the extent the bill is aimed at proposed Delta conveyance, it is duplicative of the Delta Conveyance Design and Construction Authority (DCA). At the direction of the Department of Water Resources, the DCA is tasked to provide oversight and risk management in order to protect the ratepayers who will pay for and benefit from the project.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>SB 69 Wiener (D)</p> <p>Sponsors: California Coastkeeper Alliance and Pacific Coast Federation of Fishermen's Associations</p>	<p>Amended 7/11/2019</p> <p>Assembly Appropriations Committee – Suspense File</p>	<p>Ocean Resiliency Act of 2019</p> <p>Seeks to bolster the resilience of the state's marine and coastal environments to climate change and improve conditions for salmon and other commercially valuable species.</p>	<p>WATCH</p> <p>Based upon Board-adopted 2019 State Legislative Priorities and Principles</p>	<p>Would replace existing forestry, fishery and water quality regulatory processes with different approaches to improve conditions for fish upstream of the Delta and in the ocean along the California coast. The bill as amended on June 25, 2019 removed objectionable language that would have created an offshore salmon hatchery that could interfere with native salmon populations and tested new fish tagging programs, and assigned those costs in part to the State Water Project. Metropolitan moved from oppose unless amended to a watch.</p>

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>SB 204 Dodd (D)</p> <p>Sponsor: Delta Counties Caucus</p>	<p>Amended 5/17/2019</p> <p>Assembly Water, Parks and Wildlife</p>	<p>State Water Project: contracts</p> <p>Revises the notification requirements for pending State Water Project (SWP) contract negotiations and contract amendments. Explicitly requires the California Water Commission to review and report on the progress of the design, construction, and operation of any new Delta conveyance facility as a part of its annual review of the SWP.</p>	<p>WATCH</p> <p>Based upon Board-adopted 2019 State Legislative Priorities and Policies</p>	<p>The bill as amended on May 17, 2019 adheres to the author's stated purpose and deletes objectionable provisions related to the Delta Conveyance joint powers authorities. Bill provides for further transparency on any future amendments to State Water Project contracts as described in Water Code Section 147.6 (c) and construction of future Delta conveyance improvements.</p>
<p>SB 559 Hurtado (D)</p> <p>Sponsor: Friant Water Authority</p>	<p>Amended 7/3/2019</p> <p>Assembly Appropriations Committee- Suspense File</p>	<p>Department of Water Resources: grant: Friant-Kern Canal</p> <p>Seeks to address problems of land subsidence on the federally-owned Friant Kern Canal.</p>	<p>SUPPORT IF AMENDED</p> <p>Based upon Board-adopted 2019 State Legislative Priorities and Principles</p>	<p>Addresses land subsidence in the Central Valley but only focuses on impacts to the Friant-Kern Canal. Metropolitan is seeking amendments to include the need to address subsidence problems on the California Aqueduct to ensure reliable water supply for Southern California.</p>

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 946 Pan (D) Sponsor: Sacramento Area Flood Control Agency	Amended 06/03/2020 Senate Natural Resources and Wildlife Committee Rescinded	Flood control: Yolo Bypass Cache Slough Partnership Multibenefit Program Codifies support for the Yolo Bypass Partnership and its efforts to advance coordinated master planning and accelerate restoration activities for the Yolo Bypass-Cache Slough region.	SUPPORT Based upon Board-adopted 2020 State Legislative Priorities and Principles	A master plan for the Yolo Bypass-Cache Slough would advance multi-benefit restoration projects and encourage state and federal agencies to coordinate regulatory compliance and funding for flood control and water systems.
Climate Change				
AB 1071 Limon (D) Sponsor: California Climate and Agricultural Network	Amended 1/6/2020 Senate Natural Resources and Water Committee	Climate change: agriculture: Agricultural Climate Adaptation Tools Program: grants Establishes a pilot program in the Central Valley, Central Coast and desert regions of the state where grant funding is available for the purposes of developing planning tools for adapting to climate change within the agricultural sector.	SUPPORT Based upon Board Action on 7/9/2019	The bill was amended to mirror language from AB 409 (Limón), which Metropolitan supported. The Board has formally adopted policies supporting research related to the effects of climate change on water supply and water quality. This measure provides funding and guidance to support resilient agricultural practices.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 1323 Skinner (D) Sponsor: Author	Introduced 2/21/2020 Senate Environmental Quality Committee Rescinded	Carbon sequestration: state goals: natural and working lands: registry of projects. Requires the Governor's Office of Planning and Research (OPR) to maintain a California Carbon Sequestration and Climate Resiliency Project Registry beginning January 1, 2021.	SUPPORT Based upon Board adopted 2020 State Legislative Priorities and Principles.	The registry would identify carbon sequestration projects, such as forestry management, wetlands restoration, healthy soils, and meadows restoration that meet state criteria for funding. Metropolitan and its member agencies with agricultural land holdings and planned carbon sequestration projects could benefit by applying to add their projects to the registry making them eligible for state funding programs.
Water Quality/Safe Drinking Water				
AB 2560 Quirk (D) Sponsor: California Municipal Utilities Association and Orange County Water District	Amended 6/29/2020 Senate Environmental Quality Committee	Water quality: notification and response levels: procedures Requires the State Water Resources Control Board to post on its website and distribute through email information and supporting documentation when it plans to establish or revise notification or response levels.	SUPPORT Based upon Board-adopted 2020 State Legislative Priorities and Principles	The bill would provide greater transparency and access to technical background information and science used to set new or updated notification and response levels. This would provide Metropolitan and the Member Agencies with clear and consistent information and the ability to take steps if necessary to identify back up water supplies.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 3039 Quirk (D) Sponsor: Author	Amended 7/2/2020 Senate Environmental Quality Committee Hearing: 7/21/2020	Underground storage tanks: small business loan and grant program Extends the operation of the Underground Storage Tank Cleanup Fund loan and grant program from January 1, 2022 to January 1, 2026.	SUPPORT Based upon Board-adopted 2020 State Legislative Priorities and Principles	The program assists small businesses upgrade, replace or remove underground storage tanks to meet applicable local, state or federal standards. In Southern California, the program provided funding to remediate underground storage tanks leaking MTBE and other gasoline additives contaminating groundwater supplies.
SB 414 Caballero (D) Sponsor: Eastern Municipal Water District and California Municipal Utilities Association (CMUA)	Amended 6/25/2019 Assembly Appropriations Committee – Suspense File	Small System Water Authority Act of 2019 Authorizes the State Water Resources Control Board (SWRCB) to merge small, non-compliant public water systems into a regional water authority that will directly benefit from increased economies of scale and access to public financing.	SUPPORT Based upon past support for AB 2050 (Caballero) from 2017/18	Sets deadline for small water systems to comply with safe drinking water standards or consolidate into a regional authority managed by a SWRCB-appointed contractor until water system achieves self-sufficiency, complies with drinking water standards, and can reliably provide access to safe drinking water.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
SB 1044 Allen (D) Sponsor: California Professional Firefighters and Natural Resources Defense Council	Amended 6/18/2020 Assembly Environmental Safety and Toxic Materials	Firefighting equipment and foam: PFAS chemicals Requires any seller of firefighting personal protective equipment to provide written notice to the purchaser if the equipment contains PFAS. Also, prohibits the discharge of state class B firefighting foam that contains PFAS.	SUPPORT Based upon Board approved 2020 State Legislative Priorities and Principles	Metropolitan and member agencies would benefit from this bill because banning PFAS- laden firefighting foam would protect drinking water sources. Firefighting foams, especially those used for training purposes (e.g., at airports and military bases), have been identified as sources of PFAS contamination in groundwater supplies.
Governance and Operations				
SB 625 Bradford (D) Sponsor: Author	Amended 6/8/2020 Senate Rules	Central Basin Municipal Water District: receivership Dissolves the board of directors of CBMWD and would provide that the November 3, 2020, election for directors of CBMWD shall not occur. The bill would require the Water Replenishment District of Southern California (WRD) to act as the receiver for CBMWD.	WATCH, and engage as needed to protect Metropolitan's interest Based upon Board Action on 06/10/20	CBMWD is a member agency of Metropolitan and entitled to its respective representation on the Metropolitan Board of Directors. SB 625 as currently written will not result in a direct impact to Metropolitan, and is intended to assist in establishing a pathway to address governance challenges of CBMWD.

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
<p>SB 952 Nielsen (R)</p> <p>Sponsor: Author</p>	<p>Amended 5/29/2020</p> <p>Assembly Revenue and Taxation Committee</p>	<p>Sales and use taxes: exemption: backup electrical resources: deenergization events.</p> <p>Authorizes a sales and use tax exemption beginning January 1, 2021 for the purchase, lease, use or consumption of backup electrical resources during planned deenergization events.</p>	<p>SUPPORT AND AMEND</p> <p>Based upon Board-adopted 2020 State Legislative Priorities and Principles</p>	<p>Reduces water agencies' and other essential public service providers' cost to purchase or upgrade emergency backup generators to continue service and operations during planned public safety power shutoffs.</p>
<p>SB 1099 Dodd (D)</p> <p>Co-Sponsors: California Municipal Utilities Association and Las Virgenes Municipal Water District</p>	<p>Amended 06/02/2020</p> <p>Assembly Committee on Natural Resources</p>	<p>Emergency backup generators: critical facilities: exemption.</p> <p>Directs air districts to adopt or revise an existing rule to suspend operational run time limits on emergency backup generators during public safety power shutoffs, and when needed for routine maintenance and testing.</p>	<p>SUPPORT AND AMEND</p> <p>Based upon Board adopted 2020 State Legislative Priorities and Principles</p>	<p>Addresses water agencies need to maintain operations during planned power shutoffs designed to mitigate wildfire risks. Metropolitan seeking amendments that explore alternative approaches to revising existing rules that would allow water agencies to operate emergency generators without being out of compliance with run times set by local air districts.</p>

Bill Number Author	Amended Date; Location	Title-Summary	MWD Position	Effects on Metropolitan
Environmental Compliance				
<p>AB 3279 Friedman (D)</p> <p>Sponsor: Author</p>	<p>Amended 7/1/2020</p> <p>Senate Environmental Quality Committee</p>	<p>California Environmental Quality Act: administrative and judicial procedures.</p> <p>Revises California Environmental Quality Act (CEQA) litigation procedures.</p>	<p>SUPPORT IF AMENDED</p> <p>Based upon Board-adopted 2020 State Legislative Priorities and Principles</p>	<p>Reduces the deadline for a court to commence hearings from one year to 270 days; requires a public agency, to the extent feasible, to prepare the record of proceedings concurrently with the administrative process; and authorizes a court to issue an interlocutory remand.</p> <p>Metropolitan is seeking an amendment to eliminate the requirement to prepare the record of proceedings concurrently with the administrative process, and make it voluntary instead. Metropolitan undertakes hundreds of projects in a given year that are subject to CEQA action. This requirement would require significant staff resources, time and money, and would delay essential projects.</p>

ETWD Public Education and Outreach Report

August 27, 2020

Bill Message

The customer July/August bill message: Access your water bill and make payments remotely 24 hours a day, 7 days a week by visiting www.etwd.com/view-pay-yourbill/. If you have any questions regarding your water bill or the online portal, please call our Customer Service team at (949) 837-0660 or email us at CustomerService@etwd.com.

Laguna Woods Village Television

Laguna Woods Village Television conducted a Zoom interview with Director Freshley on ETWD's 2020/21 Budget and will be aired on August 25th.

ETWD 60th Anniversary

September 2020 marks ETWD's 60th Anniversary. Due to the current COVID-19 situation, we will not be holding any events. We will share this important milestone with customers through the upcoming newsletter, social media, website, Laguna Woods Television and additional outlets. A copy of the 60th anniversary logo follows this report.

Sponsorship

ETWD is sponsoring the City of Lake Forest and the Lake Forest Chamber of Commerce drive-in movie night on September 18, 2020 at the Lake Forest Towne Centre. Sponsorship benefits include: ETWD's 60th anniversary logo will be shown on the screen before the movie and included on event advertisements, company recognition during announcements, included in social media posts, acknowledgement on City's website and certificate of recognition from the City of Lake Forest Council.

Newsletter

Staff is developing an ETWD customer newsletter to be distributed in September. Topics include: ETWD 60th Anniversary, COVID-19 Update, water quality reports, rebates, information on board meetings, bill pay and disinfecting/disposable wipes.

Bill Stuffer

A bill stuffer was mailed out to ETWD customers in July and August. The message including information on the Drought Tolerant Landscape Transformation Program and Outdoor Water Conservation. A copy follows this report.



EL TORO WATER DISTRICT

60th

ANNIVERSARY
1960-2020

Drought-Tolerant Landscape Transformation

Get **PAID** to transform your landscape. Use up to 60% less* water outdoors when you replace turf grass with beautiful, climate-appropriate landscaping through our **Turf Removal Rebate Program**. Program participants also get access to **FREE** customized Design Assistance and Maintenance Assistance programs. Rebates are up to **\$3 per square foot** of turf removed!

Landscape Design Assistance Program

FREE one-on-one professional landscape design and custom plant palette

Landscape Maintenance Assistance Program

FREE professional maintenance plan and in-home maintenance consultation

***Terms and conditions apply. Actual water savings may vary.
For more information, visit mwdoc.com/turfremoval**



OUTDOOR WATER CONSERVATION

Save water and money with rebates on outdoor irrigation devices



Weather-Based Irrigation Controller

- ▶ Saves 40-50 gallons of water each day*
- ▶ Rebates up to **\$280**
- ▶ Automatically adjusts your watering schedule based on current weather conditions or soil moisture content

Spray to Drip Rebate Program

Convert conventional spray heads to drip irrigation ◀

Rebates up to **\$0.50** per square foot ◀

Up to 60% less water used* ◀



For program terms and conditions, visit:
www.mwdoc.com/ocresidentialrebates

**EL TORO WATER DISTRICT
CONSERVATION PROGRAM
Monthly
Status Report
August 27, 2020**

REBATE PROGRAMS

The SoCal WaterSmart regional rebate program is available to ETWD customers provided by the Metropolitan Water District of Southern California, the Metropolitan Water District of Orange County and ETWD.

The following tables reflect the current device rebates ETWD customers can apply for from August 1, 2020 through June 30, 2022.

Select device purchases are eligible for rebates while meeting eligibility requirements and subject to funding availability. Rebate information can be found at www.etwd.com/conservation/rebates.

1) Residential Rebate Program:

Device	MET Rebate	MWDOC Grant	ETWD Rebate	Total Rebate (up to)
High Efficiency Clothes Washer	\$85		\$115	\$200
Premium High Efficiency Toilet	\$40		\$60	\$100
Rotating Sprinkler Nozzles (min 30 per home)	\$2 ea		\$1	\$3
Smart Irrigation Timer	\$80	\$100	\$75	\$255
Turf Removal Program (up to 5,000 sq ft)*	\$2 sq. ft.		\$1 sq. ft.	\$3 sq. ft.
Soil Moisture Sensor System <1 Acre >1 Acre	\$80 \$35/station	\$100	\$75	\$255 \$35/station
Hose Bib Irrigation Controller	\$35			\$35
Rain Barrels Cisterns (200 -500 gallon) (501-999 gallon) (1,000 gallon or more)	\$35 \$250 \$300 \$350		\$15	\$50 \$250 \$300 \$350
Spray to Drip Irrigation (up to 5,000 sf of converted area per fiscal year)		\$0.25 sq. ft.		\$0.25 sq. ft.

*Designated recycled water sites are not eligible for turf removal rebates. MWDOC Grant funding based on availability. ETWD has discontinued funding of synthetic turf rebates.

2) Commercial Plumbing/Irrigation Devices Rebate Program:

Device	MET Rebate	MWDOC Grant	ETWD Rebate	Total Rebate (up to)
Premium High Efficiency Toilet	\$40			\$40
Multi-family Premium High Efficiency Toilet	\$40			\$40
Zero Water/Ultra Low Water Urinal	\$200			\$200
Plumbing Flow Control Valve (min. 10)	\$5			\$5
Smart Irrigation Timer/Central Computer Irrigation Controller/Soil Moisture Sensor System/Hose Bib Irrigation Controller	\$35/station			\$35/station
Rotating Sprinkler Nozzles (minimum quantity of 15)	\$2		\$1	\$3
Rotating Nozzles – Large Rotary	\$13			\$13
Turf Removal Program (up to 50,000 sq ft)*	\$2 sq. ft*			\$2 sq. ft.*
Spray to Drip Irrigation (up to 45,000 sq. ft)		\$0.20 sq. ft.		\$0.20 sq. ft.

*Designated recycled water sites are not eligible for turf removal rebates. Synthetic turf is not eligible for the turf removal rebate. Additional commercial rebates available online at ocwatersmart.com. MWDOC Grant funding based on availability.

WATER USE EFFICIENCY PLAN UPDATE (Water Conservation Plan)

The District Water Budget-Based Tiered Conservation Rate Structure (WBBTCRS) pricing structure is the primary plan that gives customers the incentive needed to be efficient. The Plan efforts initially will concentrate on those customers continually in the Inefficient and Excessive Tiers (Tiers 3 and 4). [As of July 2020 year-to-date sales, residential accounted for 66% of the overall Tier 3 usage and dedicated irrigation accounted for 51% of Tier 4 usage.](#)

TOTAL CONSUMPTION COMPARISON TO EVAPOTRANSPIRATION (ET) FACTOR

Included in this month's Conservation Report is a chart comparing the current fiscal year 2020/21 consumption and ET factor to the fiscal 2019/20 consumption and ET factor. The ET factor increased 1.8% from July 2019 when compared to July 2020. There was a 12% increase in consumption reflected in July 2020.

MWDOC's—WATER USE EFFICIENCY PROGRAMS SAVINGS AND IMPLEMENTATION REPORT / ETWD's—WATER USE EFFICIENCY PROGRAM SAVINGS REPORT

MWDOC Program Savings Reports are not included as MET did not process any rebates in July due to the regional program switching over to the new fiscal year.

By: Sherri Seitz
Date: August 21, 2020

**NOTICE OF SPECIAL MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY**

**FINANCE COMMITTEE
TELECONFERENCE MEETING**

**TELECONFERENCE PHONE NUMBER: (213) 279-1455
TELECONFERENCE ID: 246 543 577**

**August 4, 2020
10:30 a.m.**

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Finance Committee was called by the Chairman to be held by Teleconference on **August 4, 2020 at 10:30 a.m.** SOCWA staff will be present and conducting the call at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California. This meeting is being conducted via Teleconference pursuant to the California Governor Executive Order N-29-20.

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED WITH THE AGENDA ON THE WEB-SITE WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA EXHIBITS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY FINANCE COMMITTEE IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE FINANCE COMMITTEE ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"). IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE FINANCE COMMITTEE LESS THAN TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

AGENDA

- 1. Call Meeting to Order**
- 2. Public Comments**

THOSE WISHING TO ADDRESS THE FINANCE COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME

WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.

3. FY 2019-20 O&M Budget Update and Proposed Budget Amendments

Recommended Action: Staff recommends that the Finance Committee recommend to the PC-5 Board of Directors to approve a FY 2019-2020 Budget Adjustment in the amount of \$60,000, and staff recommends that the Finance Committee recommend to the PC-2 Board of Directors to approve a FY2019-2020 Budget Adjustment in the amount of \$140,000 (or amended amount).

Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Finance Committee at least 24 hours prior to the scheduled time of the Special Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced Finance Committee at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 27th day of July 2020.



Betty Burnett, General Manager/Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

I hereby certify that the following Agenda was posted at least 72 hours prior to the time of the Board Meeting so noticed below, at the usual agenda posting location of the South Orange County Wastewater Authority [SOCWA] and at www.socwa.com.



Betty Burnett, General Manager
SOCWA and the Board of Directors thereof

AGENDA

*Regular Meeting of the
South Orange County Wastewater Authority
Board of Directors*

To Be Held by Teleconference on:
August 6, 2020

Closed Session at 8:30 a.m.
Open Session at 9:00 a.m.
(or immediately following the Closed Session)

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED ON THE WEBSITE AT WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST **SEVENTY-TWO (72)** HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST **SEVENTY-TWO (72)** HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA ATTACHMENTS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY BOARD OF DIRECTORS IN CONNECTION WITH A MATTER SUBJECT TO DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE BOARD OF DIRECTORS ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"), BUT ARE NOT OPEN TO THE PUBLIC DURING THE PERIOD OF STAY AT HOME ORDERS IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE BOARD OF DIRECTORS LESS THAN **SEVENTY-TWO (72)** HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

FOR MEETING PARTICIPATION:

OPEN SESSION TELECONFERENCE PHONE NUMBER: 213-279-1455
TELECONFERENCE ID: 817 635 745

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. REPORT OF THE NOMINATING COMMITTEE FOR SELECTION OF OFFICERS FOR THE BOARD OF DIRECTORS – FISCAL (FY) 2020/2021

ACTION: The SOCWA Board of Directors to elect/appoint Officers to serve the Authority during FY2020/2021

4. CLOSED SESSION

A Closed Session conference with General Counsel Potential Litigation in one matter
Pursuant to Government Code Section § 54956.9

5. RECONVENE BOARD REGULAR MEETING TO OPEN SESSION at 9:00 a.m., AND
REPORT OUT OF CLOSED SESSION

6. ORAL COMMUNICATIONS

*MEMBERS OF THE PUBLIC MAY ADDRESS THE BOARD REGARDING AN ITEM ON THE AGENDA OR MAY
RESERVE THIS OPPORTUNITY DURING THE MEETING AT THE TIME THE ITEM IS DISCUSSED BY THE BOARD.
THERE WILL BE A THREE-MINUTE LIMIT FOR PUBLIC COMMENTS.*

PAGE NO

7. CONSENT CALENDAR

- A. Minutes of Board of Directors Meeting 1
- 1. Board of Directors Special Meeting May 14, 2020
 - 2. Board of Directors Budget Workshop May 21, 2020
 - 3. Board of Directors Regular Meeting June 4, 2020
- ACTION The Board will be requested to approve subject Minutes
- B. Minutes of Finance Committee Meeting 21
- 1. Finance Committee Meeting April 21, 2020
 - 2. Finance Committee Meeting May 12, 2020
- ACTION The Board will be requested to receive and file subject Minutes
- C. Minutes of Engineering Committee Meeting 29
- 1. Engineering Committee Meeting February 13, 2020
 - 2. Engineering Committee Meeting March 12, 2020
 - 3. Engineering Committee Meeting June 11, 2020
- ACTION The Board will be requested to receive and file subject Minutes.
- D. Operational Reports – May 2020 41
- 1. Monthly Operations Report – May 2020
 - 2. Ocean Outfall Discharges by Agency
 - 3. Beach Ocean Monitoring Report
 - 4. Recycled Water Report
- ACTION: The Board will be requested to receive and file the May 2020
Operations Reports as submitted
- E. Operational Reports – June 2020 78
- 1. Monthly Operations Report Fiscal Year 2019/2020 – June 2020
 - 2. Ocean Outfall Discharges by Agency
 - 3. Fiscal Year Report on Key Operational Expenses
 - 4. Beach Ocean Monitoring Report

- 5. Recycled Water Report
- 6. Pretreatment Report – (June & July 2020)

ACTION: The Board will be requested to receive and file the June 2020 Operations Reports as submitted

F. Capital Improvement Program Status Report127

ACTION: The Board will be requested to receive the reports as submitted

G. Capital Improvement Program Project Financial Status and Change Orders142

ACTION: Staff recommends the Board of Directors to approve the following change orders:

- 1. Change orders 5 through 9 totaling \$82,626 for the Olsson Contract for PC 2;
- 2. Changer orders 1 through 7 totaling \$103,173 for the PCL contract for PC 15; and
- 3. Change orders 1 through 7 totaling \$97,761 for the Filanc contract for PC 17

As shown in the Capital Improvement Program Project Financial Status Report.

8. GENERAL MANAGER'S REPORTS

A. FY 2019-2020 O&M Budget Update and Proposed Budget Amendments153
[PC 2, & PC 5]

- ACTION:
- 1. Staff recommends that the PC-5 Board of Directors approve a FY 2019-2020 Budget Adjustment in the amount of \$60,000.
 - 2. Staff recommends that the PC-2 Board of Directors approve a FY2019-2020 Budget Adjustment in the amount of \$140,000 (or amended amount).

B. Revised SOCWA Pretreatment Ordinance – Ordinance 2020-1; Revised SOCWA Policy for Acceptance of Interim Dry Weather Nuisance Flow to the Collection, Treatment and Disposal System Pursuant to Pretreatment Program and Waste Discharge Requirements – Diversion Policy 2020-1: First Readings 155

- ACTION:
- 1. MOTION BY BOARD. That the Board of Directors conducts first readings of proposed Ordinance of Regulations for the Discharge of Wastewater to Sewerage Facilities of the South Orange County Wastewater Authority Service Area (Ordinance 2020-1) and Policy for Acceptance of Interim Dry Weather Nuisance Flow to the Collection, Treatment and Disposal System Pursuant to Pretreatment Program and Waste Discharge Requirements (Diversion Policy 2020-1)

2. CHAIRMAN RECITES COMPLETE TITLE OF ORDINANCE AND DIVERSION POLICY. “Ordinance 2020-1 – An Ordinance of Regulations for the Discharge of Wastewater to Sewerage Facilities of the South Orange County Wastewater Authority Service Area”. “Diversion Policy 2020-1 - Policy for Acceptance of Interim Dry Weather Nuisance Flow to the Collection, Treatment and Disposal System Pursuant to Pretreatment Program and Waste Discharge Requirements”.

3. MOTION BY BOARD. That the Board of Directors waives reading of the complete text of Ordinance 2020-1 and Diversion Policy 2020-1

4. MOTION BY BOARD. That the Board of Directors calls a public hearing to receive public comments on Ordinance 2015-1 and Diversion Policy 2020-1 for the next regular Board Meeting to be held on September 3, 2020, and directs Secretary and legal counsel to publish a Notice of Public Hearing one time in a newspaper of general circulation in the SOCWA service area, and post the Notice on SOCWA’s website and the agenda posting board.

C. General Manager’s Status Report.....215

ACTION: Information and Discussion

9. OTHER MATTERS

Open discussion or items received too late to be agendized.

Note: Determine the need to take action on the following item(s) introduced by the General Manager which arose subsequent to the agenda being posted.

[Adoption of this action requires a two-thirds vote of the Board, or if less than two-thirds are present a unanimous vote.]

ADJOURNMENT

**The next Regular SOCWA Board Meeting will be held on
September 3, 2020 at 8:30 a.m.**

**NOTICE OF SPECIAL MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY
BOARD OF DIRECTORS
MANAGERS ROUNDTABLE WORKSHOP
TELECONFERENCE MEETING**

**TELECONFERENCE PHONE NUMBER: (213) 279-1455
TELECONFERENCE ID: 775 248 826**

**August 11, 2020
7:30 a.m.**

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) JPA Workshop was called to be held by Teleconference on **August 11, 2020** at **7:30 a.m.** SOCWA staff will be present and conducting the call at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California. This meeting is being conducted via Teleconference pursuant to the California Governor Executive Order N-29-20.

This meeting is set as a meeting of the SOCWA Agency General Managers and due to the number of Managers on the SOCWA Board it is required to be posted and held as an open and public special meeting of the Board.

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED WITH THE AGENDA ON THE WEB-SITE WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA EXHIBITS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY FOR THE JPA WORKSHOP IN CONNECTION WITH A MATTER OR SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"). IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE JPA WORKSHOP LESS THAN TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

AGENDA

- 1. Welcome – Opening Remarks**
Betty Burnett, General Manager and Secretary

2. Status of Amendment and Restatement of SOCWA JPA Agreement

General Counsel Report on Draft Preparation and Agency Counsel consideration of draft recommendations

- Policy Issues
- Discussion – Questions – Recommendations

3. Task Force Report – Alternative Delivery of Wastewater Treatment Services

MNWD Presentation

- Discussion – Questions – Recommendations

4. Task-Force Report – Alternatives for Transition to Contract Services with SOCWA (under separate cover)

SMWD Presentation

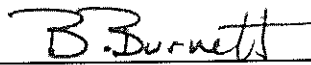
- Discussion – Questions – Recommendations

5. Concluding Remarks & Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Agency Managers at least 24 hours prior to the scheduled time of the Special Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced JPA Workshop at the usual agenda posting location at the South Orange County Wastewater Authority Administrative Offices and at www.socwa.com and at the DoubleTree Hotel meeting location identified herein.

Dated this 6th day of August 2020.



Betty Burnett, General Manager/Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

**NOTICE OF REGULAR MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY**

**ENGINEERING COMMITTEE
TELECONFERENCE MEETING**

**TELECONFERENCE PHONE NUMBER: (213) 279-1455
TELECONFERENCE ID: 560 398 123**

August 13, 2020

8:30 a.m.

NOTICE IS HEREBY GIVEN that a Regular Meeting of the South Orange County Wastewater Authority (SOCWA) Engineering Committee was called to be held by Teleconference on **August 13, 2020** at **8:30 a.m.** SOCWA staff will be present and conducting the call at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California. This meeting is being conducted via Teleconference pursuant to the California Governor Executive Order N-29-20.

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED WITH THE AGENDA THE WEB-SITE WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA EXHIBITS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY ENGINEERING COMMITTEE IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE ENGINEERING COMMITTEE ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"). IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE ENGINEERING COMMITTEE LESS THAN SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

AGENDA

- 1. Call Meeting to Order**
- 2. Public Comments**

THOSE WISHING TO ADDRESS THE ENGINEERING COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME

WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.

3. Operations Report

Recommended Action:

Information Item

4. Use Audit Flow and Solids Methodology - Annual Update FY 19-20 (under separate cover)

Recommended Action:

Information Item

5. Capital Improvement Construction Projects Report

Recommended Action:

Information Item

6. Innovative Biosolids Update (Project Committee's 2 & 17)

Recommended Action:

Information Item

7. San Juan Creek Ocean Outfall Junction Structure Rehabilitation (Project Committee 5) Update

Recommended Action:

Information Item

Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Engineering Committee at least 72 hours prior to the scheduled time of the Regular Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 72 hours prior to the time of the above-referenced Engineering Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 7th day of August 2020.



Betty Burnett, General Manager/Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

**NOTICE OF SPECIAL MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

FINANCE COMMITTEE
TELECONFERENCE MEETING**

**TELECONFERENCE PHONE NUMBER: (213) 279-1455
TELECONFERENCE ID: 841 583 291**

**August 25, 2020
10:30 a.m.**

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Finance Committee was called by the Chairman to be held by Teleconference on **August 25, 2020 at 10:30 a.m.** SOCWA staff will be present and conducting the call at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California. This meeting is being conducted via Teleconference pursuant to the California Governor Executive Order N-29-20.

MEMBERS OF THE PUBLIC ARE INVITED TO PARTICIPATE IN THIS TELECONFERENCE MEETING AND MAY JOIN THE MEETING VIA THE TELECONFERENCE PHONE NUMBER AND ENTER THE ID CODE. THIS IS A PHONE CALL MEETING AND NOT A WEB-CAST MEETING SO PLEASE REFER TO AGENDA MATERIALS AS POSTED WITH THE AGENDA ON THE WEB-SITE WWW.SOCWA.COM. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST DISABILITY RELATED ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING.

AGENDA EXHIBITS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY FINANCE COMMITTEE IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE FINANCE COMMITTEE ARE AVAILABLE BY PHONE REQUEST MADE TO THE AUTHORITY ADMINISTRATIVE OFFICE AT 949-234-5452. THE AUTHORITY ADMINISTRATIVE OFFICES ARE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE"). IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE FINANCE COMMITTEE LESS THAN TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING, THEY WILL BE SENT TO PARTICIPANTS REQUESTING VIA EMAIL DELIVERY. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IMMEDIATELY ON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES.

AGENDA

- 1. Call Meeting to Order**
- 2. Public Comments**

THOSE WISHING TO ADDRESS THE FINANCE COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME

WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.

3. Approval of Minutes

- a. Finance Committee Meeting Minutes of June 23, 2020
- b. Finance Committee Meeting Minutes of August 4, 2020

Recommended Action: Staff recommends the Finance Committee to approve minutes as submitted

4. Financial Reports for the Month of June 2020

The reports included are as follows:

- a. Summary of Disbursements for June 2020 (Exhibit A)
- b. Schedule of Funds Available for Reinvestment (Exhibit B)
 - Local Agency Investment Fund (LAIF)
- c. Schedule of Cash and Investments (Exhibit C)
- d. Capital Schedule (Exhibit D)
 - Capital Projects – Graph (Exhibit D-1)
- e. Budget vs. Actual Expenses:
 - Operations and Environmental Summary (Exhibit E-1)
 - Operations and Environmental by PC (E-1.2)
 - Residual Engineering, after transfer to Capital (Exhibit E-2)
 - Administration (Exhibit E-3)
 - Information Technology (IT) (Exhibit E-4)

Recommended Action: Staff recommends the Finance Committee recommend to the Board of Directors to ratify the April 2020 disbursements for the period from June 1, 2020, through June 30, 2020, totaling \$4,839,157 and to receive and file the Preliminary June 2020 Financial Reports as submitted.

5. Fiscal Year 2019-2020 Preliminary Financials (Year End Results and Preparation of Use Audit)

- a. Budget vs. Actual by Department
- b. Usage Distributions (flows & solids)
- c. Long-term Liabilities (PERS/OPEB/Uncompensated Absences)
 - Allocations and Cost Increases
- d. Recommendation to Address Long-Term Liabilities

Recommended Action: Finance Committee to consider recommendation to SOCWA Board:

- Address PERS Increase & Continued Growth
- Adopt Board Policy to Avoid 7% Growth in Cost
- Determine to Pre-pay (Advanced Discretionary Payments)
- Amend the JPA Agreement to Ensure Pre-Payment Credits
- Adopt method for Distribution of Future Base Adjustments

6. Update on Small Capital Expenditures Year End June 30, 2020


Recommended Action: Staff recommends that SOCWA continues the past practice of addressing small internal capital carryover with the preparation of the Use Audit.

Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Finance Committee at least 24 hours prior to the scheduled time of the Special Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced Finance Committee at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 20th day of August 2020.



Betty Burnett, General Manager/Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

MEETING OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PLANNING & OPERATIONS COMMITTEE
August 3, 2020, 8:30 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:
<https://zoom.us/j/8828665300>

Telephone Audio: (669) 900 9128 fees may apply
(877) 853 5247 Toll-free
Webinar ID: 882 866 5300#

P&O Committee:

Director McVicker, Chair
Director Dick
Director Yoo Schneider

Staff: R. Hunter, K. Seckel, J. Berg,
H. De La Torre, K. Davanaugh,
V. Osborn

Ex Officio Member: Director Tamaribuchi

MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

PUBLIC COMMENTS - Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

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>.

ACTION ITEMS

1. SELECTION OF A CONSULTING FIRM TO ASSIST IN THE DEVELOPMENT OF MWDOC'S AND PARTICIPATING AGENCIES' 2020 URBAN WATER MANAGEMENT PLANS

2. CONTRACT AUTHORIZATION TO CDM-SMITH FOR INTERIM RELIABILITY MODELING AND ON-CALL PLANNING WORK FOR FY 2020-21
3. PROPOSITION 1 GRANT AWARDS FOR LANDSCAPE WATER EFFICIENCY PROJECTS

DISCUSSION ITEMS

4. WEROC ASSESSMENT REPORT
5. UPDATE ON COVID-19 RELATED ITEMS (ORAL REPORT)

INFORMATION ITEMS (The following items are for informational purposes only – background information is included in the packet. Discussion is not necessary unless a Director requests.)

6. FIVE YEAR MONITORING REPORT BY RAFTELIS FOR THE 2008 DWR GRANT FOR DEVELOPMENT AND IMPLEMENTATION OF BUDGET BASED TIERED RATES (BBTRS)
7. STATUS REPORTS
 - a. Ongoing MWDOC Reliability and Engineering/Planning Projects
 - b. WEROC
 - c. Water Use Efficiency Projects
8. REVIEW OF ISSUES RELATED TO CONSTRUCTION PROGRAMS, WATER USE EFFICIENCY, FACILITY AND EQUIPMENT MAINTENANCE, WATER STORAGE, WATER QUALITY, CONJUNCTIVE USE PROGRAMS, EDUCATION, DISTRICT FACILITIES, and MEMBER-AGENCY RELATIONS

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

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 accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

WORKSHOP MEETING OF THE
BOARD OF DIRECTORS WITH MET DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Fountain Valley, California
August 5, 2020, 8:30 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:
<https://zoom.us/j/8828665300>

Telephone Audio: (669) 900 9128 fees may apply
(877) 853 5247 Toll-free
Webinar ID: 882 866 5300#

AGENDA

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. 2099

PRESENTATION/DISCUSSION ITEMS

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

Recommendation: Receive input and discuss the information.

**2. METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
INTEGRATED RESOURCES PLAN (IRP) DISCUSSION SERIES PART 7**

Recommendation: Review and discuss the information presented.

**3. METROPOLITAN'S DEMAND MANAGEMENT PROGRAM FINANCIAL AND
POLICY ISSUES**

Recommendation: Review and discuss the information presented.

INFORMATION ITEMS

**4. MWDOC MET DIRECTOR APPOINTMENT – REPORT FROM MET DIRECTOR
SELECTION COMMITTEE**

Recommendation: Review and discuss the information presented.

5. DELTA CONVEYANCE ACTIVITIES

Recommendation: Receive and file the information presented.

6. 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 Water Supply Conditions
- b. MET's Finance and Rate Issues
- c. Colorado River Issues
- d. Bay Delta/State Water Project Issues
- e. MET's Ocean Desalination Policy and Potential Participation in the Doheny and Huntington Beach Ocean (Poseidon) Desalination Projects
- f. South County Projects

Recommendation: Review and discuss the information presented.

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

- a. Summary regarding July 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.

MEETING OF THE
BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
PUBLIC AFFAIRS AND LEGISLATION COMMITTEE
August 10, 2020, 8:30 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:

<https://zoom.us/j/8828665300>

Telephone Audio:	(669) 900 9128 fees may apply
	(877) 853 5247 Toll-free
Webinar ID:	882 866 5300#

Committee:

Director Yoo Schneider, Chair
Director McVicker
Director Dick

Staff: R. Hunter, K. Seckel, H. Baez,
D. Micalizzi, T. Dubuque, T. Baca

Ex Officio Member: Director Tamaribuchi

MWDOC Committee meetings are noticed and held as joint meetings of the Committee and the entire Board of Directors and all members of the Board of Directors may attend and participate in the discussion. Each Committee has designated Committee members, and other members of the Board are designated alternate committee members. If less than a quorum of the full Board is in attendance, the Board meeting will be adjourned for lack of a quorum and the meeting will proceed as a meeting of the Committee with those Committee members and alternate members in attendance acting as the Committee.

PUBLIC PARTICIPATION

Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING --

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DISCUSSION ITEMS

1. LEGISLATIVE ACTIVITIES
 - a. Federal Legislative Report (Barker)
 - b. State Legislative Report (BBK)
 - c. County Legislative Report (Lewis)

- d. Legal and Regulatory Report (Ackerman)
- e. MWDOC Legislative Matrix
- f. Metropolitan Legislative Matrix

ACTION ITEMS

- 2. TRAVEL TO WASHINGTON, DC TO COVER FEDERAL ADVOCACY INITIATIVES
- 3. TRAVEL TO SACRAMENTO TO COVER STATE ADVOCACY ISSUES
- 4. AB 3030 (KALRA): LAND AND OCEAN CONSERVATION GOALS
- 5. ISDOC – CALL FOR NOMINATIONS

INFORMATION ITEMS (THE FOLLOWING ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY – BACKGROUND INFORMATION IS INCLUDED IN THE PACKET. DISCUSSION IS NOT NECESSARY UNLESS REQUESTED BY A DIRECTOR.)

- 6. SCHOOL PROGRAMS UPDATE
- 7. OC WATER SUMMIT UPDATE
- 8. VIRTUAL WATER POLICY FORUM
- 9. PUBLIC AND GOVERNMENT AFFAIRS ACTIVITIES REPORT

OTHER ITEMS

- 10. REVIEW ISSUES RELATED TO LEGISLATION, OUTREACH, PUBLIC INFORMATION ISSUES, AND MET

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

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 accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

SPECIAL MEETING OF THE
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
August 10, 2020, 9:00 a.m.
(or immediately following the Public Affairs & Legislation Committee
which commences at 8:30 a.m.)

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MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar
and will be available by either computer or telephone audio as follows:

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(877) 853 5247 Toll-free
Webinar ID: 882 866 5300#

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS/PARTICIPATION

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. If the item is on the Consent Calendar, please inform the Board Secretary before action is taken on the Consent Calendar and the item will be removed for separate consideration.

The Board requests that all members of the public who want to address the Board complete a "Request to be Heard" form available from the Board Secretary prior to the meeting.

ACTION ITEM

1. APPOINTMENT OF MWDOC MET DIRECTOR RES. NO. 2099

*Recommendation: Adopt a Resolution appointing Director Satoru "Sat"
Tamaribuchi as MWDOC MET Director.*

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 contacting 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 accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

MEETING OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
Jointly with the
ADMINISTRATION & FINANCE COMMITTEE
August 12, 2020, 8:30 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

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<https://zoom.us/j/8828665300>

Telephone Audio: (669) 900 9128 fees may apply
(877) 853 5247 Toll-free
Webinar ID: 882 866 5300#

A&F Committee:

Director Thomas, Chair
Director Finnegan
Director Dick

Staff: R. Hunter, K. Seckel, J. Berg,
H. De La Torre, K. Davanaugh, C. Harris,
H. Chumpitazi

Ex Officio Member: Director Tamaribuchi

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PUBLIC COMMENTS - Public comments on agenda items and items under the jurisdiction of the Committee should be made at this time.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED - Determine there is a need to take immediate action on item(s) and that the need for action came to the attention of the District subsequent to the posting of the Agenda. (Requires a unanimous vote of the Committee)

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>.

PROPOSED BOARD CONSENT CALENDAR ITEMS

1. TREASURER'S REPORT
 - a. Revenue/Cash Receipt Report – July 2020
 - b. Disbursement Approval Report for the month of August 2020
 - c. Disbursement Ratification Report for the month of July 2020

- d. GM Approved Disbursement Report for the month of July 2020
 - e. Water Use Efficiency Projects Cash Flow – July 31, 2020
 - f. Consolidated Summary of Cash and Investment – June 2020
 - g. OPEB and Pension Trust Fund monthly statement
2. FINANCIAL REPORT
- a. Combined Financial Statements and Budget Comparative for the Period ending June 30, 2020
 - b. Quarterly Budget Review (deferred to FY 2019-20 Audited Annual Financials)

ACTION ITEM

- 3. AWARD CONSTRUCTION CONTRACT FOR ADMINISTRATION BUILDING SEISMIC RETROFIT AND REMODEL
- 4. APPROVAL OF ALLEN MCCOLLOCH PIPELINE (AMP) CAPACITY FLOW WAIVER FOR THE CITY OF SAN CLEMENTE
- 5. REVISIONS TO ADMINISTRATIVE CODE SECTIONS 8000 TO 8005 REGARDING CONTRACTS

INFORMATION ITEMS – (THE FOLLOWING ITEMS ARE FOR INFORMATIONAL PURPOSES ONLY – BACKGROUND INFORMATION IS INCLUDED IN THE PACKET. DISCUSSION IS NOT NECESSARY UNLESS REQUESTED BY A DIRECTOR.)

- 6. UPDATE ON CONSTRUCTION AND DESIGN FLEXIBILITY TO ADDRESS COVID-19 SAFETY ISSUES (Oral Report)
- 7. SEMI-ANNUAL OVERTIME REPORT
- 8. DIRECTORS ACTIVITIES REPORT
- 9. DEPARTMENT ACTIVITIES REPORTS
 - a. Administration
 - b. Finance and Information Technology
- 10. MONTHLY WATER USAGE DATA, TIER 2 PROJECTION, AND WATER SUPPLY INFORMATION

OTHER ITEMS

- 11. REVIEW ISSUES REGARDING DISTRICT ORGANIZATION, PERSONNEL MATTERS, EMPLOYEE BENEFITS FINANCE AND INSURANCE

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a

recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

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SPECIAL MEETING OF THE
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
August 14, 2020, 9:00 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

Computer Audio: You can join the Zoom meeting by clicking on the following link:

<https://zoom.us/j/8828665300>

Telephone Audio:	(669) 900 9128 fees may apply (877) 853 5247 Toll-free
Webinar ID:	882 866 5300#

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS/PARTICIPATION

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. If the item is on the Consent Calendar, please inform the Board Secretary before action is taken on the Consent Calendar and the item will be removed for separate consideration.

The Board requests that all members of the public who want to address the Board complete a "Request to be Heard" form available from the Board Secretary prior to the meeting.

CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: General Manager
Government Code Section 54957

Recommendation: Meet in closed session to conduct the performance evaluation of the General Manager.

2. ANNOUNCEMENTS FROM CLOSED SESSION

Recommendation: Meet in closed session to conduct the

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 contacting 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 accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Fountain Valley, California
August 19, 2020, 8:30 a.m.

Due to the spread of COVID-19 and as authorized by the Governor's Executive Order, MWDOC will be holding all upcoming Board and Committee meetings by Zoom Webinar and will be available by either computer or telephone audio as follows:

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<https://zoom.us/j/8828665300>

Telephone Audio:	(669) 900 9128 fees may apply
	(877) 853 5247 Toll-free
Webinar ID:	882 866 5300#

AGENDA

MOMENT OF SILENCE

ROLL CALL

PUBLIC COMMENTS/PARTICIPATION

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. If the item is on the Consent Calendar, please inform the Board Secretary before action is taken on the Consent Calendar and the item will be removed for separate consideration.

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 items(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 of those members present.)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

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NEXT RESOLUTION NO. 2100

CONSENT CALENDAR (Items 1 to 13)

(All matters under the Consent Calendar will be approved by one motion unless a Board member requests separate action on a specific item)

1. MINUTES

- a. July 1, 2020 Workshop Board Meeting
- b. July 15, 2020 Regular Board Meeting

Recommendation: Approve as presented.

2. COMMITTEE MEETING REPORTS

- a. Planning & Operations Committee Meeting (cancelled): July 6, 2020
- b. Administration & Finance Committee Meeting: July 8, 2020
- c. Public Affairs & Legislation Committee Meeting: July 20, 2020
- d. Executive Committee Meeting: July 16, 2020
- e. MWDOC/OCWD Joint Planning Committee Meeting: July 22, 2020

Recommendation: Receive and file as presented.

3. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of July 31, 2020
- b. MWDOC Disbursement Registers (July/August)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of June 30, 2020
- d. PARS Monthly Statement (OPEB Trust)
- e. Water Use Efficiency Projects Cash Flow

Recommendation: Receive and file as presented.

4. FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period ending June 30, 2020
- b. Quarterly Budget Review (deferred to FY 2019-20 Audited Annual Financials)

Recommendation: Receive and file as presented.

5. SELECTION OF A CONSULTING FIRM TO ASSIST IN THE DEVELOPMENT OF MWDOC'S AND PARTICIPATING AGENCIES' 2020 URBAN WATER MANAGEMENT PLANS

Recommendation: Authorize the General Manager to enter into a professional services contract with Arcadis U.S., Inc. (Arcadis) to assist in the development of MWDOC's and Participating Agencies' 2020 Urban Water Management Plans (UWMP); and authorize the

General Manager to enter into agreements with the Participating Agencies for cost-sharing this effort and authorize expenditure of \$32,720 plus any contingency items for the preparation of MWDOC's 2020 UWMP. (The total contract amount can range from \$600,000 to \$1 million, depending on the total contingency items added on, with all of the costs being reimbursed from the participating agencies except for MWDOC's cost share of \$32,720.)

6. CONTRACT AUTHORIZATION TO CDM-SMITH FOR INTERIM RELIABILITY MODELING AND ON-CALL PLANNING WORK FOR FY 2020-21

Recommendation: Authorize the General Manager to enter into a professional services agreement with CDM Smith to (1) conduct an "interim" Reliability Modeling update to help provide insight into MET's 2020 IRP, and (2) authorize other on-call services on a time and materials basis, not to exceed \$60,000.

7. PROPOSITION 1 GRANT AWARDS FOR LANDSCAPE WATER EFFICIENCY PROJECTS

*Recommendation: (1) Authorize the General Manager to enter into a grant funding agreement with the Santa Ana Watershed Project Authority to access Proposition 1 funding for implementation of the SAWPA Regional Comprehensive Landscape Rebate Program as follows: (a) Authorize the General Manager to enter into Agreements (5) with SAWPA Regional Comprehensive Landscape Rebate Program Project Proponents for regional program implementation, (b) Authorize the General Manager to enter into a Professional Services Agreement with Soto Resources to provide Grant Management and Reporting Assistance for the SAWPA Regional Comprehensive Landscape Rebate Program in an amount not to exceed \$104,775; and
(2) Authorize the General Manager to enter into a grant funding agreement with the County of Orange to access Proposition 1 funding for implementation of the South Orange County Water Use Efficiency Program.*

8. TRAVEL TO WASHINGTON, DC TO COVER FEDERAL ADVOCACY INITIATIVES

Recommendation: Ratify the expenses as reported.

9. TRAVEL TO SACRAMENTO TO COVER STATE ADVOCACY ISSUES

Recommendation: Ratify the expenses as reported.

10. AB 3030 (KALRA): LAND AND OCEAN CONSERVATION GOALS

Recommendation: Adopt an “oppose unless amended” position and send a letter to the bill’s author and Senate Appropriations Committee.

11. H.R 7073 (GARAMENDI) - SPECIAL DISTRICTS PROVIDE ESSENTIAL SERVICES ACT

Recommendation: Adopt a “support, if amended” position on HR 7073 (Garamendi) and send a letter to the Orange County delegation and CSDA with suggested amendments.

12. APPROVAL OF ALLEN MCCOLLOCH PIPELINE (AMP) CAPACITY FLOW WAIVER FOR THE CITY OF SAN CLEMENTE

Recommendation: Approve/grant an AMP capacity flow waiver for the City of San Clemente (CSC) due to temporary operational conditions caused by a shutdown of the Joint Transmission Main (JTM) for emergency repairs. The shutdown of the JTM caused both the SCWD and the CSC to increase their flow from the Allen McColloch Pipeline (AMP) into the South County Pipeline (SCP).

13. REVISIONS TO ADMINISTRATIVE CODE SECTIONS 8000 TO 8005 REGARDING CONTRACTS

Recommendation: Approve the proposed revisions to Administrative Code Sections 8000 to 8005, as presented.

End Consent Calendar

ACTION CALENDAR

14-1 ISDOC – CALL FOR NOMINATIONS RES. NO. ____

Recommendation: Adopt a resolution that would authorize any member of the Board of Directors to run for a position on the ISDOC Executive Committee, should they so decide, prior to the September 11 due date

14-2 AWARD CONSTRUCTION CONTRACT FOR ADMINISTRATION BUILDING SEISMIC RETROFIT AND REMODEL

Recommendation: (1) Make a CEQA finding that the project is categorical exempt under: Class 1-Existing Facilities; (2) Receive the Bid Protest and any evidence presented by RT Contractor Corporation and

reject the Bid Protest; (3) Waive all discrepancies and deficiencies and award Optima RPM, Inc. the "MWDOC Administration Building Seismic Retrofit, ADA Compliance, and Tenant Improvement Project" construction contract as the lowest responsive and responsible bidder in the amount of \$1,606,878.00 plus a 20% contingency for a total Not to Exceed amount of \$1,928,253.60; (4) Authorize the General Manager to enter into a license agreement with OCWD for the purposes of constructing the MWDOC administration building improvements, and pay OCWD a one-time license fee of \$1,148.00; (5) Authorize an increase in the IDS Architectural, Space Planning, Interior Design and Construction Administration Services Contract in the amount of \$58,667.00 to include additional Architectural, Interior Design and Engineering support services through to the conclusion of the project; (6) Authorize an increase in the ABS Owner's Representative Services Contract in the amount of \$36,900.00 to increase the contract scope of work to include move management services through the 4 phases of construction; and (7) Award SPS Data Communications a contract for IT Support Services for a total Not to Exceed amount of \$13,912.50.

INFORMATION CALENDAR (All matters under the Information Calendar will be Received/Filed as presented following any discussion that may occur)

15. GENERAL MANAGER'S REPORT, AUGUST 2020 (ORAL AND WRITTEN)

Recommendation: Receive and file report(s) as presented.

16. MWDOC GENERAL INFORMATION ITEMS

- a. Board of Directors - Reports re: Conferences and Meetings
- b. Requests for Future Agenda Topics

Recommendation: Receive and file as presented.

ADJOURNMENT

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GENERAL MANAGER'S REPORT OF STAFF ACTIVITIES AUGUST 2020

**MWDOC
Agencies
Managers
Meeting**

MWDOC held its Member Agency Managers' meeting at its office in Fountain Valley on Thursday, July 16, 2020.

In attendance were: R. Correa – Brea, M. McGee – Buena Park, L. Ohlund – East Orange County WD, D. Cafferty – El Toro WD, M. Sprague & H. Lee – Fountain Valley, C. Pasillas – Garden Grove, K. Vecchiarelli – Golden State WC, B. Ragland – Huntington Beach, P. Cook & P. Weghorst – Irvine Ranch WD, C. Regan & D. Youngblood – Laguna Beach County WD, J. Chavira – La Palma, P. Shoenberger – Mesa WD, D. Atwater – Moulton Niguel WD, M. Vukojevic – Newport Beach, M. Markus & J. Kennedy – Orange County WD, J. Diaz – Orange, L. Brotman – San Clemente, D. Ferons & R. Grantham – Santa Margarita WD, S. Myrter – Seal Beach, F. Paludi – Trabuco Canyon WD, M. Grisso – Tustin, R. Weston – Yorba Linda WD

Staff in attendance were: R. Hunter, K. Seckel, J. Berg, C. Busslinger, V. Osborn, D. Micalizzi, M. Baum-Haley, H. Baez, K. Hostert, A. Heide, C. Lingad, H. De La Torre

Information/Discussion Items:

- Draft MWDOC Board Agendas
- COVID-19 Update
- Metropolitan Item Updates
 - Demand Management Funding Discussion
 - IRP Status Update
- Legislative Update
- MET Shutdown Updates & Coordination

The next meeting will tentatively be held August 20, 2020

Meetings

- Charles Busslinger and Chris Lingad participated in a conference call on June 22, 2020, with MET to discuss MET's shutdown schedule for FY 20-21.
- Charles Busslinger and Chris Lingad participated in a conference call on June 24, 2020, with MET and Black & Veatch to discuss MWDOC's hydraulic model.
- Charles Busslinger and Chris Lingad hosted a pre-bid Zoom Conference meeting on July 15, 2020. The Planetbids services agreement proved to be a good investment as 17 prospective bidders attended the pre-bid meeting for the Administration building seismic retrofit and remodel project.
- Charles Busslinger and Chris Lingad participated in numerous Zoom meetings during July 2020 with consultants ABS Consulting and IDS to

Meetings - continued

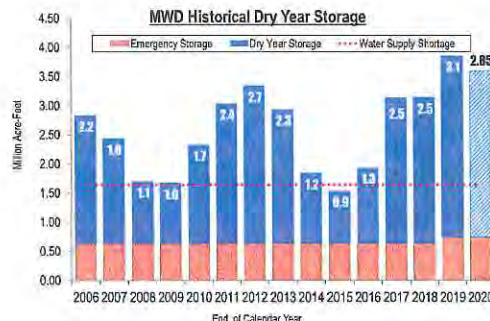
- respond to Requests for Information (RFIs) from prospective bidders for the Administration building seismic retrofit and remodel project.
- Charles Busslinger and Chris Lingad hosted several scheduled building site walk-throughs between July 20th and 24th, 2020, for prospective bidders who attended the Administration building seismic retrofit and remodel project pre-bid meeting. The tours provided bidders an opportunity to see the building while maintaining COVID-19 physical distancing and appropriate risk and security measures.
- Charles Busslinger attended OCWD's Property Management Committee meeting on July 24, 2020, to discuss MWDOC's plans for the building remodel and a license agreement for the seismic retrofit and remodel project. The license agreement was initially discussed at the June 2020 OCWD Property Committee meeting and was moved to the July 2020 Property Management Committee meeting pending additional information. The license agreement was further moved to the August 2020 Property Management Committee meeting, pending additional information and referral to OCWD Counsel to review whether the existing lease agreement allowed for the expansion of the MWDOC building.

MET ITEMS CRITICAL TO ORANGE COUNTY

MET's Water Supply Conditions

With estimated total demands and losses of 1.63 million acre-feet (MAF) and with a 20% SWP Table A Allocation, Metropolitan is projecting that demands will exceed supply levels in Calendar Year (CY) 2020. Based on this, the estimated total dry-year storage for Metropolitan at the end of *CY 2020 will go down to approximately 2.85 MAF.*

A projected dry-year storage supply of *2.85 MAF will be the second-highest amount for Metropolitan.* A large factor in the increase in water storage is because *water demands regionally have been at approximately 36-year lows.*



<p>MET’s Finance and Rate Issues</p>	<p>Through April 30, 2020, water transactions were 264.3 TAF lower than budget, and 49.2 TAF lower than prior year actual. The primary reason for the variation was due to reductions in both treated and untreated transactions. Through April, this has resulted in water revenue reduction of \$255.6 million less than budget and \$13.6 less than prior years actual.</p> <div data-bbox="527 420 1291 976" style="text-align: center;"> <p>Cumulative Water Transactions⁽¹⁾ (AF in thousands)</p> <p>Actual to Date 2019-20 Budget = 1,750 Budget 2019-20</p> <p>Water transactions through April were 264.3 TAF lower than budget</p> <p>⁽¹⁾Includes Water Sales, Exchanges, and Wheeling</p> </div>
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<p>Colorado River Issue</p>	<p><u>Lake Powell Pipeline Project Environmental Impact Statement</u></p> <p>On June 8, 2020, Reclamation released the Notice of Availability of the draft Environmental Impact Statement/draft Resource Management Plan Amendment for the Lake Powell Pipeline Project (LPP). Reclamation is seeking public comment on the draft EIS/draft RMPA during a 90-day public comment period that will close at 11:59 pm MDT on September 6, 2020.</p> <p>Colorado River Board of California (CRB) staff previously submitted scoping comments on January 10, 2020, in a letter to Reclamation for the LPP project proposed by the Utah Board of Water Resources (UBWR). The proposed LPP is a 140-mile, 69-inch-diameter water delivery pipeline that begins at Lake Powell, located in the upper basin of the Colorado River, and ends at Sand Hollow Reservoir near St. George, Utah, located in the lower basin of the Colorado River. The UBWR proposes building the LPP to convey additional water supplies to Washington County in extreme southwestern Utah to meet future water demands, diversify the regional water supply portfolio, and for water supply reliability enhancement.</p> <p>CRB staff currently believe that Congressional authorization will be required to implement the LPP. CRB staff will work with the Californian agencies to develop comment responses regarding the draft EIS.</p>
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<p>Colorado River Issues - continued</p>	<p>Additional information about the LPP is available here: https://www.usbr.gov/uc/DocLibrary/EnvironmentalImpactStatements/LakePowellPipeline/index.html</p> <p><u>Colorado River Basin Salinity Control Program</u></p> <p>Status of the Paradox Valley Environmental Impact Statement Reclamation released the Administrative Draft of the Final EIS on April 17, 2020, for a 30-day review by the cooperating agencies. At the request of the Basin States cooperating agencies, Reclamation granted additional comment extensions to June 22, 2020. As the cooperating agency for California, the Board will coordinate consensus comments with cooperating agencies from the other basin states. The Final EIS is scheduled for release in mid-August 2020, with a Record of Decision in late September 2020.</p> <p>Suspension of Brine Injection at Paradox Valley On April 21, 2020, Reclamation resumed the operation of brine-water injection operations at PVU for a six-month test. However, on May 29, 2020, Reclamation suspended operations of the PVU six-month injection test, while it seeks an outside contractor's review of their test procedures and protocols. As far as the CRB has been informed, there have not been any issues associated with the operation of the restarted brine well, such as increased earthquake activity or problems with well borehole pressures. CRB staff are hopeful this is a temporary setback in restarting the existing brine injection well.</p> <p>When restarted, the six-month test will be conducted at a 32% reduced injection rate, while Reclamation closely monitors the injection pressure and seismic response near the well. If any abnormal responses are observed, the well will be shut down for evaluation. Based on the data collected during the test, a decision will be made to determine future operations for the well. The injection rate will be reduced by 32% from the rate before the March 2019 earthquake, which was 168 gallons per minute (gpm). The new rate will be 115 gpm, potentially disposing of 65,000 tons per year (if the operation continues beyond the six-month test).</p> <p>Colorado River Basin Salinity Control Forum and Advisory Council Meetings The Colorado River Basin Salinity Control Forum (Forum), Work Group, and Advisory Council held webinar meetings on June 1-3, 2020. The focus of the Forum and Work Group meetings were approved by the Forum of the public draft 2020 Triennial Review, Water Quality Standards for Salinity in the Colorado River System. The Federal Water Pollution Control Act requires that at least once every three years, the Basin States review water quality standards relating to the salinity of the Colorado River. The states collectively initiated this review under the direction of the Forum. During the meeting, the Forum approved the public draft 2020 Review, which will be sent to the Basin States governors and the state's water quality agencies for public comment before final approval by the Forum and inclusion within the individual state water quality standards.</p>
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<p>Colorado River Issues - continued</p>	<p>The Forum approved the formation of a finance subcommittee to renew and reinvigorate efforts to strengthen the Lower Colorado Basin Development Fund (LCBDF). The LCBDF uses hydropower revenue from Hoover, Davis, and Parker dams to support the lower basin state’s cost-share responsibilities for salinity control projects in the Basin. Due to reduced hydropower generation in recent years, there has been a deficit between the revenue raised and the expected future Basin States cost share obligation. A few options under consideration are seeking Congressional authorization to allow the State of Arizona to contribute to salinity control programs through the LCBDF for the first time, and to increase the existing upper basin cost-share percentage above 15 percent. The lower basin is currently responsible for 85% of the Basin State’s cost share obligation.</p> <p>The Advisory Council serves as a Federal Advisory Committee. It provides advice and recommendations to the Secretaries of the Departments of the Interior and Agriculture, and the Administrator of the Environmental Protection Agency on Salinity Control Programs in the Colorado River Basin. The Advisory Council recommended the approval of two research projects by the U.S. Geological Survey as part of the Basin State’s Studies, Investigations, and Research program. The first study will evaluate long-term salinity transport trends within the lower basin tributaries to the Colorado River. The second study will assess the impacts of high-intensity storm events, like monsoonal rains, on salinity transport. Board staff has recommended including the Colorado River below Parker Dam as one potential study area to investigate further salinity spikes observed by Board agencies in 2019. The studies are expected to be completed within two years.</p>
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ENGINEERING & PLANNING

<p>Economic Studies to Quantify the Benefits of Local Projects</p>	<p>MWDOC held a workshop with its agencies and invited Dr. David Sunding to discuss his approach to a study to quantify the benefits of local projects. In the 2018 OC Water Reliability Study, staff developed and utilized an analysis methodology based on the MET Water Shortage Allocation Plan (WSAP) and the price of MET water during emergencies or droughts when an agency cannot conform to a requested allocation cutback level. During such times, MET water can still be purchased, but MET includes an allocation surcharge on each acre-foot over the allocation that more than doubles the cost of water. Our concern with the methodology was whether or not this methodology captured the full suite of benefits that might accrue on a socioeconomic basis for the average citizen, or to businesses, from avoiding either drought or emergency shortages. Dr. Sunding discussed his approach that is based on willingness to pay (WTP) analyses for residential customers that would no longer include surveys of residential consumers in OC (our agencies did not support a survey of local consumers). Dr. Sunding discussed the fact that droughts and earthquakes both pose water supply reliability challenges, but are quite different in nature and analytical approach. Drought impacts, which generally occur in the 10% to 30% shortage range, have been experienced in the past by consumers who can provide their input based upon experience and recent history regarding their desire to avoid drought impacts. Earthquake-related reliability estimates are more difficult to</p>
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<p>Economic Studies to Quantify the Benefits of Local Projects - continued</p>	<p>characterize. Earthquake shortages (i.e., outages) could be much higher than droughts and, in some cases, could reach 100% until water system operation can be restored. Extended outages of water systems due to earthquakes typically have not been experienced by consumers. Earthquakes can cause a wide variety of shortages from a short duration of low magnitude (similar to a drought, but of a shorter period) to a longer duration outage of substantial magnitude. It is difficult to use observed consumption behavior to estimate the value of avoiding shortages of the larger magnitudes. Dr. Sunding discussed the work Dr. Wallace Walrod and Dr. Marlon Boarnet would be conducting in surveying businesses within OC to collect information on business impacts to water shortages. The business survey would update limited work that has previously been done on the effects on businesses from water outages.</p> <p>Several ideas were provided during the discussions: One suggestion was that the study should be focused on MWDOC’s role of accessing imported water from MET for MWDOC’s MAs and that by working with the MAs; the study would be of high value. The study could focus on potential MET investments to augment supplies and how the reliability benefits and costs accrue to MWDOC agencies. Other thoughts were that various changes in the MET rate structure (such as MET increasing fixed costs or changes in the LRP Program) could be evaluated to understand the cost and reliability impacts to Orange County. Further, the study might tease out the cost and reliability impacts to Orange County from investments MET is making in the Carson Project, the Delta Conveyance, or other projects.</p> <p>Understanding the costs and benefits of these projects specific to Orange County could provide valuable information to MWDOC to provide input into, and help to influence the outcome of, the MET IRP, rate structure changes, and changes to the LRP. MWDOC would be able to compare costs and reliability improvements at the MET level and compare those costs to the costs and reliability benefits of local projects.</p> <p>It was suggested that the study could be used as a basis for which agencies could build their own reliability efforts. If the study could come up with a methodology (or model) that agencies could use to evaluate their reliability and help them achieve greater resiliency, then that would be helpful to all MWDOC agencies.</p> <p>MWDOC is working with Dr. Sunding and Dan Rodrigo of CDM Smith to consider this input. Another workshop is scheduled in August.</p>
<p>Doheny Ocean Desalination Project</p>	<p>South Coast Water District (SCWD) continues working on the project: SCWD submitted its NPDES permit application on March 13, 2020. SCWD anticipates approval of the NPDES permit in Fall 2020. The next step would be the Coastal Commission with a permit expected in Feb 2021.</p> <p>Work is progressing on the Financial Analysis for a 2 mgd and 5 mgd scenario through Clean Energy Capital. A workshop is being planned. Work is also progressing on an Alternative Energy Study for the project. A draft report is under review by SCWD.</p> <p>On June 25, 2020, the SCWD Board approved an amendment to the Clean Energy Capital Financial Analysis to evaluate alternative project options that meet reliability</p>

<p>Doheny Ocean Desalination Project - continued</p>	<p>benefits for SCWD similar to the Doheny Desalination Project, along with reducing overall life-cycle costs in light of the uncertain economic situation moving forward due to the COVID-19 pandemic.</p> <p>The Doheny Desalination Project is currently sized at a capacity of up to 5 MGD, which exceeds SCWD’s average potable water demand expected during emergencies. SCWD has only received interest from SMWD for about 1 mgd of supply from Doheny. This leaves South Coast with potential capacity for others in a 5 MGD facility. Based on this, along with regional financial hardships caused by the COVID-19 pandemic and possible economic recession, SCWD believes that it is necessary to consider alternative and potentially lower-cost project options, to utilize and potentially expand existing assets as a means to meet their reliability needs. This amended study will review design parameters and existing conditions at SCWD’s existing Groundwater Recovery Facility (GRF), to obtain a comprehensive understanding of actual production capacity of the GRF and current limitations and reliability concerns. A range of additional water production volumes needed to maintain emergency reliability for SCWD would be developed. Current estimates are that 1.2 to 2.2 mgd of additional reliability will be needed for SCWD based on a GRF production volume of 0.8 mgd.</p> <p>At the July 23, 2020, SCWD Board meeting, nationally recognized opinion research firm Fairbank, Maslin, Maullin, Metz & Associates (FM3) presented the results of a June 8 through June 16, 2020, public opinion survey on the Doheny Desalination Project.</p> <p>The opinion survey presentation is available on the SCWD website at: https://scwd.granicus.com/MetaViewer.php?view_id=3&clip_id=2360&meta_id=154347</p> <p>Conclusions of the opinion survey included:</p> <ul style="list-style-type: none"> • Three-quarters of those surveyed have a positive impression of the concept of ocean desalination. • After a brief description to all respondents, three quarters reported they favored the project, with four-in-ten strongly in favor. • Having an earthquake and drought-proof, diversified water supply are leading reasons to favor the project. • Opposition to the project never reached 20 percent, and those saying they strongly opposed never exceeded 11 percent. • Slightly more than six-in-ten said they are very or somewhat willing to pay \$15 per month for building the desalination project, with roughly three-in-ten saying they are very willing. <p>The highest percentage (78%) are willing to pay \$5 per month for the building of the desalination project, with 58 percent have said they would be very willing.</p>
<p>SMWD San Juan Watershed Project</p>	<p>Santa Margarita WD continues to focus on diversifying its water supply portfolio for south Orange County residents, businesses, schools, and visitors through the San Juan Watershed Project.</p> <p>The original project had three Phases;</p>

<p>SMWD San Juan Watershed Project - continued</p>	<ul style="list-style-type: none"> • Phase 1 was three rubber dams recovering about 700 AFY; • Phase 2 added up to 8 more rubber dams with the introduction of recycled water into the creek to improve replenishment of the basin for up to 6,120 AFY, and • Phase 3 added more recycled water topping out at approximately 9,480 AFY. Under this arrangement, most or all of the production and treatment involved the existing San Juan Groundwater Desalter with expansions scheduled along the way to increase production beyond 5 mgd. Fish passage and regulatory hurdles to satisfy subsurface travel time requirements are being tackled. <p>SMWD is working with the Ranch on the next phase of development within SMWD and have access to riparian groundwater from the Ranch. Furthermore, they have discovered that the local geology has high vertical percolation rates and sufficient groundwater basin travel time to potentially allow percolation of treated recycled water with an ability to meet the required travel time. SMWD believes that groundwater production and treatment of the groundwater can be initiated in a relatively short time-frame while permitting for percolation augmentation using recycled water from the nearby Trampas reservoir can be added as permitting allows. SMWD believes the new project area may be able to ultimately produce 4,000 to 5,000 AF per year; they believe the original project will continue to be developed for production out of the wells and treatment provided by San Juan Capistrano as the two agencies merge. Ultimate production out of the basin could exceed 10,000 AF per year if all goes well.</p>
<p>South Orange County Emergency Service Program</p>	<p>MWDOC, IRWD, and Dudek have completed the study to determine if the existing IRWD South Orange County Interconnection capacity for providing emergency water to South Orange County can be expanded and/or extended beyond its current time horizon of 2030.</p> <p>Dudek participated in the November 6, 2019, SOC workshop to re-engage with the SOC agencies on this project. Support from the agencies was expressed to take a small next step to install Variable Frequency Drives at a pump station within IRWD, which would be paid for by SOC to help move water from the IRWD system to SOC in an emergency. The Variable Frequency Drives will provide more flexibility to the IRWD operations staff to allow additional water to be sent to SOC while meeting all of the IRWD needs.</p>
<p>Strand Ranch Project</p>	<p>MWDOC and IRWD are continuing to exchange ideas on how to implement the program to capture the benefits that can be provided by the development of “extraordinary supplies” from the Strand Ranch Project. Staff from MWDOC and IRWD are continuing to discuss methods of quantifying the benefits of the program.</p>
<p>Poseidon Resources Huntington Beach Ocean Desalination Project</p>	<p>The Santa Ana Regional Water Quality Control Board (SARWQCB) continues to work with Poseidon on the renewal of the National Pollutant Discharge Elimination System (NPDES) Permit for the proposed HB Desalination Project. The renewal of the NPDES permit for the proposed desalination facility requires a California Water Code section 13142.5(b) determination in accordance with the State’s Ocean Plan (a.k.a. the Desalination Amendment). To make a consistency</p>

<p>Poseidon Resources Huntington Beach Ocean Desalination Project – continued</p>	<p>determination with the Desalination Amendment, the Regional Board is required to analyze the project using a two-step process:</p> <ol style="list-style-type: none"> 1. Analyze separately as independent considerations, a range of feasible alternatives for the best available alternative to minimize intake and mortality of all forms of marine life: <ol style="list-style-type: none"> a. Site b. Design c. Technology d. Mitigation Measures 2. Then consider all four factors collectively and determine the best combination of feasible alternatives. <p>Regional Board staff reviewed hundreds of documents and input from both an independent reviewer and a neutral 3rd party reviewer to develop Tentative Order R8-2020-0005.</p> <p>The key areas required by the Ocean Plan on which the Santa Ana Water Board is required to make a determination includes:</p> <ul style="list-style-type: none"> • Facility onshore location; • Intake considerations including subsurface and surface intake systems; • Identified need for the desalinated water; • Concentrated brine discharge considerations; • Calculation of the marine life impacts; and • Determination of the best feasible mitigation project available. <p>In evaluating the proposed project, Santa Ana Regional Board staff interpreted “the identified need for the desalinated water” as to whether or not the project is included in local area water planning documents, rather than a reliability need as analyzed in the OC Water Reliability Study. The Regional Board staff referenced several water planning documents; Municipal Water District of Orange County’s (MWDOC) 2015 Urban Water Management Plan (UWMP), the OC Water Reliability Study, OCWD’s Long Term Facilities Plan, and other OCWD planning documents in their evaluation of Identified Need.</p> <p>On December 6, 2019, SARWQCB, Regional Board staff conducted a workshop in Huntington Beach that was heavily attended with a considerable range of views expressed at the meeting. Several of the SARWQCB members were somewhat confused about the evaluation of “Identified Need” for the project (inclusion in local water planning documents vs. an identified reliability need for the project) and requested staff to help them understand the issue better.</p> <p>On May 15, 2020, SARWQB held a second workshop, which focused on the identified need for the desalinated water and marine life mitigation requirements. Karl Seckel presented to the Regional Board on several topics including MWDOC’s role in Orange County, alternative definitions of “need” for a water supply project and the role of water agencies, Urban Water Management Plans, non-mandated</p>
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<p>Poseidon Resources Huntington Beach Ocean Desalination Project – continued</p>	<p>planning documents, and what was and was NOT in the 2018 OC Water Reliability Study.</p> <p>The Regional Board held a public hearing to hear all public oral comments in consideration of the adoption of the tentative waste discharge requirements on July 30 & 31, 2020, at 8:30 am. If necessary, a third day of public hearings will be held on August 7, 2020, at 9:00 am.</p> <p>Assuming success at the Regional Board, Poseidon would then seek its final permits from the California Coastal Commission (CCC). The CCC has committed to reviewing the permit within 90 days of the SARWQCB NPDES permit issuance.</p>
<p>Trampas Canyon Dam and Reservoir</p>	<p>Trampas Canyon Reservoir and Dam (Trampas Reservoir) is a seasonal recycled water storage reservoir with a total capacity of 5,000 AF, of which 2,500 AF is available to meet Santa Margarita Water District’s projected base recycled water demands, and 2,500 AF to meet future water supply needs. When completed, the Trampas Reservoir will allow SMWD to store recycled water in the winter and draw on that water during the peak summer months.</p> <p>The construction of the Trampas Canyon Recycled Water Seasonal Storage Reservoir consists of three main components:</p> <ul style="list-style-type: none"> • Trampas Canyon Dam (Dam) • Conveyance facilities to transport recycled water into and out of the Reservoir (Pipelines) • Trampas Canyon Pump Station (Pump Station) <p>The construction of the facilities is being completed in three phases:</p> <ul style="list-style-type: none"> • Preconstruction/Site Preparation for the Dam and Pump Station Construction • Project Status - Complete • Dam and Pipelines <p>Project Status - The Main Dam and West Saddle Dam embankment fills are now completed. Construction work on the spillway structure should be complete by the end of August. This phase of the work will be substantially complete on September 22, 2020.</p> <p>Pump Station</p> <p>Project Status - Trampas Pump Station project has made significant progress over the past few months. All underground piping and piping within the site has been completed, less the aboveground pressure reducing valve (PRV) components. The building structure is nearly complete, with trusses starting to be installed.</p> <p>The project is currently projected to be substantially complete by late September/early October 2020.</p>
<p>NAWI – National Alliance of Water Innovation</p>	<p>Karl Seckel has continued meeting as part of the Municipal Water Core Team process. The overall vision of NAWI is developing non-traditional water sources at pipe-parity costs of existing water sources today - this is an aspiration, not a prediction!</p>

<p>NAWI – National Alliance of Water Innovation - continued</p>	<p>Roadmaps are being prepared for five water end-user types and will be blended into an overall Roadmap by the end of the calendar year:</p> <ul style="list-style-type: none"> • Power • Resource Extraction • Industrial • Municipal • Agricultural • The Road mapping Process includes the following steps: • Vision (current step, soon moving into the others) • Targets/Milestones • GAPS/Challenges • Solutions • Action Plans <p>Hopefully, by the end of this calendar year, solutions and action plans to fill the GAPS and resolve challenges will emerge to prioritize investments, starting with \$100M from the Electric Power Research Institute. Water sources being considered in the Water Roadmap includes:</p> <ul style="list-style-type: none"> • ocean water • inland brackish groundwater • industrial wastewater • municipal wastewater • mining wastewater • conventional produced water • unconventional produced water • power/cooling wastewater • agricultural wastewater
<p>AMP Shutdown in 2021 to Replace PCCP Sections</p>	<p>In 2016, MET initiated a Prestressed Concrete Cylinder Pipe (PCCP) rehabilitation program to install 26 miles of steel liner throughout the MET system to address structural issues associated with prestressed steel wire failures in PCCP. As part of the program, MET monitors PCCP for wire breaks regularly.</p> <p>MWDOC staff was notified that a recent internal inspection of the AMP, which included electromagnetic surveys of the pipeline, revealed two pipe segments with increased wire breaks within the PCCP portion South of OC-70. Metropolitan Engineering considers this section of the pipeline high-risk, which will require relining. The minimum relining length needed would be approximately 1,000 feet, which would require a minimum 1-month shutdown only South of OC-70. A longer shutdown duration would allow Metropolitan to reline about 3,300 feet, which would reduce the number of shutdowns needed for future relining of the entire PCCP portion of the AMP and would reduce the overall construction and shutdown costs. MET had initially scheduled the AMP PCCP relining to begin in about five years, but based on the survey, the relining of this initial section has been accelerated.</p> <p>MET’s engineering group considers three segments of pipe within a 1,000 linear foot reach downstream of OC-70 as an increased risk due to the segments having 20 or</p>

<p>AMP Shutdown in 2021 to Replace PCCP Sections - continued</p>	<p>more wire breaks. MET does not recommend that repairs to these segments wait until Fall 2021 and is looking to schedule the shutdown in early 2021.</p> <p>MWDOC staff coordinated a meeting with all AMP participants on May 13, 2020, to discuss the options for the proposed shutdown. Two MWDOC member agency projects are scheduled around the same time as the pending AMP shutdown; a South Coast Water District vault rehabilitation that was previously postponed due to the Diemer shutdown, and Santa Margarita Water District relocation of a portion of the Aufdenkamp Connection Transmission Main (ACTM) to accommodate the I-5 widening project.</p> <p>Staff is continuing to work with affected agencies and will keep both the Board and the AMP Participants informed as more information becomes available.</p>
<p>Other Shutdowns</p>	<div data-bbox="435 646 846 1203" data-label="Image"> </div> <p>MET is planning to reline and replace valves in a section of the Orange County Feeder from Bristol Ave to Corona Del Mar – this is the last section of this pipeline to be lined. Staff is currently working with our member agencies and MET to coordinate this shutdown with other member agency work. MET is currently progressing with a shutdown of the Second Lower Feeder just below the Diemer Treatment Plant. A recent pipeline survey identified increased wire breaks in the PCCP sections, which required an accelerated replacement schedule. The shutdown will run from June 22, 2020, through September 7, 2020, and impacts Golden State Water Company’s (GSWC) service connection OC-56. MWDOC and GSWC have been coordinating with MET on this shutdown. MET completed the installation of a bulkhead on June 30, 2020, to allow GSWC to take water through OC-56 while the remaining repairs are completed.</p> <p>SCWD is planning a rehabilitation project for its CM-10 service connection in early 2021 on the Joint Transmission Main (JTM). We are coordinating with MET and SCWD, so the above referenced AMP shutdown and this project do not overlap.</p> <p>SMWD is currently working on a relocation of the ACTM pipeline for the I-5 widening project. We are also coordinating with MET and SMWD, so the above referenced AMP shutdown and this project do not overlap.</p> <p>MET is planning to reline 300-linear feet of the OC Feeder extension affecting the City of Newport Beach. MWDOC staff coordinated with MET and the City of Newport Beach to move this work to November 1 – 20, 2020, to accommodate Newport’s needs during the Summer.</p>

<p>Other Shutdowns - continued</p>	<p>MET is also planning a shutdown of the Lake Mathews Forebay for maintenance and repair work, which will affect the Santiago Lateral from January 11-24, 2021. Staff is currently coordinating with MET, IRWD & Trabuco Canyon WD on this shutdown.</p> <p>MET is planning a PCCP Inspection of the Irvine Cross Feeder November 2-8, 2020, affecting Newport Beach, Huntington Beach, and Mesa WD. Staff is currently coordinating with MET and our affected agencies on this shutdown.</p>
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EMERGENCY PREPAREDNESS

<p>Coordination with WEROC Member Agencies</p>	<p>COVID-19 (CORONA VIRUS) COORDINATION</p> <p>Current Action Items:</p> <ul style="list-style-type: none"> • Agencies asked for an update to the WEROC COVID-19 Matrix including business practices with the changes occurring for field and office staff (50/50 schedule, full staffed, staggered, telecommuting) • WEROC asked agencies to provide any essential functions they may require mutual aid for if they have a COVID-19 impact and loss staff. An agency was close to needing essential services; therefore, preplanning took place. • WEROC asked the agencies if they would be willing to provide mutual aid or not. • Agencies suffering revenue loss or significant impact on their operating budgets were asked to provide input to WEROC so we can advocate on their behalf to other organizations and legislature. • WEROC continues to monitor the State and County for changing information and is sharing information with agencies as it becomes available. • WEROC is participating in the weekly OA Conference calls. • MWDOC Public Affairs is participating in the weekly, COVID-19 Orange County Government Communicators Conference Call and working with WEROC. • WEROC continues to hold bi-weekly conference calls on Thursday with member agencies to report on federal, State, and county changes. Calls continue to support the sharing of information between agencies, logistics, legislation, and recovery updates. Additionally, agencies have an opportunity to share best practices or ask other agencies for input on an issue they are encountering. Post COVID-19, these calls will transition into different topics and will continue as long as the information benefits the agencies. • WEROC continues to support logistic requests from agencies. Agencies appear to be in a stable position for the current time and future. Some Personal Protective Equipment, such as disposable gloves, are again becoming challenging to obtain. • WEROC obtained thermometers from the County (which were provided to the County by the State). Thermometers were distributed at no cost to member agencies who requested them. AWWA announced FEMA was
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<p>Coordination with WEROC Member Agencies - continued</p>	<p>providing 56,000 units to California for distribution. We have been unable to verify with the State if these were from that supply.</p> <ul style="list-style-type: none"> • Daniel continues to expand a vetted vendor list that is shared with all agencies. • WEROC remains in contact with County Emergency Management Division and the Orange County Health Care Agency. • WEROC continues to monitor both CDC and OSHA for any changes to water and wastewater guidance and regulations. • WEROC is monitoring the legislation related to COVID-19, including the Special Districts Provide Essential Services Act (HR 7073). • WEROC continues to support agencies daily by answering their questions.
<p>WEROC Program Assessment</p>	<ul style="list-style-type: none"> • Vicki has completed the WEROC Assessment Report. She conducted interviews with employees, member agencies, used governing documents, and national standards to perform her assessment. This document will be shared with the MWDOC Board of Directors, and others in August.
<p>America’s Water Infrastructure Act (AWIA)</p>	<ul style="list-style-type: none"> • WEROC and its consultant, Herndon Solutions Group (HSG), are continuing to work with WEROC agencies to achieve compliance with America’s Water Infrastructure Act (AWIA). • There are 18 agencies (both Tier I & II) working concurrently on their AWIA requirements. There were 18 virtual meetings scheduled for July. • Tier I virtual meetings are being conducted for the revision of the Emergency Response Plans due in September. • Tier II virtual meetings are taking place for the Risk and Resiliency Assessments (RRA) due in December 2020. • WEROC is attending as many of these meetings as possible. It allows Vicki and Daniel to continue meeting with agencies and hear about their agency and operation. Additionally, it enables WEROC to assist with questions about the AWIA process at that time. • The modified AWIA Scope of Work reflects the changes to the project to accommodate virtual meetings. The end deliverables remain the same for agencies to meet the AWIA standard. • WEROC has submitted the Risk and Resiliency Assessment Workshops to the State Water Board for consideration for contact hours and continuing education credits since the discussion topics contain water treatment and distribution. With the current COVID-19 situation, Vicki requested the State Water Resources Control Board on behalf of the agencies participating in the Orange County Water Agencies America’s Water Infrastructure Act of 2018 Project to receive Contact Hours and Continuing Education Credits. The State-approved this request on July 20, 2020.

<p>Public Safety Power Shutoff (PSPS) and Ca Public Utilities Commission Hearings</p>	<ul style="list-style-type: none"> • MWDOC has party status to the California Public Utilities Commission (CPUC) proceedings regarding the Impacts from De-Energization with a Focus on First Responders and Local Government. Party Status ensures that MWDOC receives all communications regarding the proceedings and that our comments are included officially for consideration. • WEROC is working with MWDOC Government Affairs on providing continued input on the Legislation bills addressing PSPS and generators.
<p>Communication and Coordination With Member Agencies and Outside Agencies</p>	<ul style="list-style-type: none"> • Daniel is in the final approval stage to get MWOC approved on the State GSA surplus account. The State updated the application form, which delayed the original request. This should allow resources to be obtained for agencies through an additional mechanism. • MWDOC Board of Directors approved the new Operational Area Agreement with the County. All supporting documentation and the wet-signature page was submitted to the County. The new agreement goes into effect on September 26, 2020. Vicki has made herself available for those that have additional questions about the changes to the ISDOC seat and water/wastewater positions. • Daniel is sharing cybersecurity information with member agencies received from the Orange County Intelligence Assessment Center and the Department of Homeland Security. • WEROC received the Urban Area Grant Security Initiative (UASI) FY19 grant documents. The grant roll out meeting was scheduled for August 12. WEROC will also be looking at regional projects to submit for consideration for the FY21 application. • Vicki participated in a webinar with the National Weather Service, outlining how messaging will change in the future in regards to watch and warnings. Additionally, information was provided to member agencies informing them that the National Weather Service has launched a new (experimental) fire weather support page. Here is a link https://www.weather.gov/wrh/fire?wfo=sgx; the site features a colored table matrix when you click on any location on the map. • Orange County Communications performed a software update to the 800 MHz system. Daniel coordinated with the County and agencies for a smooth transition. • Vicki attended the County of Orange Area Safety Taskforce (COAST) meeting on July 23. Members of this group include Federal, State, City, and County agencies, along with local fire-safe councils and homeowner associations. The focus is on wildland interface planning aligning with the Countywide Community Wildfire Protection Plan. Items of interest from this meeting included the agency's preparations for fire season and the current fire outlook between July and October. • Vicki attended the CalOES - Mutual Aid Regional Advisory Committee (MARAC) meeting on Jul 23. This quarterly meeting covered an AB477

<p>Communication and Coordination With Member Agencies and Outside Agencies - continued</p>	<p>Access and Functional Needs in planning, CalOES recovery, CalFire’s Damage Assessment Program, and CalOES Section Updates.</p> <ul style="list-style-type: none"> • Vicki attended the ISDOC Quarterly Luncheon featuring County Board of Supervisor Don Wagner as the keynote speaker.
<p>Training and Exercises</p>	<ul style="list-style-type: none"> • Vicki has submitted a virtual offering of ICS 400 to the State for consideration. Unfortunately, on July 21, 2020, the State advised at this point, virtual courses still not approved for delivery, but they are working on it. Vicki will continue to check back with the State on the approval of this delivery system.
<p>WATER USE EFFICIENCY</p>	
<p>Orange County Data Acquisition Partnership (OCDAP) Working Group Meeting</p>	<p>On July 6, Rachel Waite and Steve Hedges participated in an OCDAP working group meeting to discuss the acquisition of high-quality aerial imagery for Orange County. Discussion focused on the finalization of legal agreements for parties purchasing the imagery, flight dates, data specifications, and the future steps of OCDAP.</p> <p>The next meeting is scheduled for September 14.</p>
<p>Proposition 1 Grant Funding- North Orange County Project Partner Meeting</p>	<p>On July 7, Joe Berg, Steve, and Rachel W. hosted a meeting via Zoom to discuss Proposition 1 Grant Funding for the Regional Comprehensive Landscape Rebate Program. Staff from all partnering agencies, which includes Big Bear Lake Department of Water, Eastern Municipal Water District, Inland Empire Utilities Agency, San Bernardino Valley Municipal Water District, and Western Municipal Water District, participated in the meeting. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Grant Timeline • Agreement Structures • Administration • Allocations and Goals • Invoicing and Reimbursement Schedules
<p>Project Agreement 22 (PA-22) Committee Meetings</p>	<p>On July 14, Joe and Rachel Davis hosted the Orange County Water Loss Control Workgroup meeting via Zoom. Approximately 30 agency staff attended this meeting. Items on the agenda included:</p> <ul style="list-style-type: none"> • Water Loss Updates <ul style="list-style-type: none"> ○ Validation Scheduling • Water Loss Regulation Update • MWDOC Leak Detection Findings • Discussion and Questions

<p>Project Agreement 22 (PA-22) Committee Meetings - continued</p>	<p>The next meeting is scheduled for September 8 via Zoom.</p>
<p>Metropolitan Water District of Southern California (MET) Water Use Efficiency Workgroup Meeting</p>	<p>On July 16, Beth Fahl, Andrea Antony, Rachel W., and Rachel D. participated via Zoom in Metropolitan's Water Use Efficiency Workgroup meeting. Agenda items included:</p> <ul style="list-style-type: none"> • Metropolitan July Conservation Board Report • Addenda Update • Member Agency Administered Program Expenditure Update • Western MWD Welcome Home Packet • Online Landscape Classes Update • EGIA Dashboard • USBR Grant Update • Metropolitan Outreach Update • Member Agency Update <p>The next meeting is scheduled for August 20, 2020.</p>
<p>Yorba Linda Water District Leak Detection Survey Year I Wrap-Up and Year II Kickoff Meeting</p>	<p>On July 23, Joe, Rachel D., and Jason Thorsell met via Zoom with Yorba Linda Water District (YLWD) staff to discuss the results of the Leak Detection Survey performed by MWDOC as part of the Year I Shared Services. Emphasis was placed on making timely repairs, measuring leak flow rates, and compiling the cost of repairs. MWDOC surveyed 114 miles of water main, including water services. The survey began May 25 and concluded July 10. This meeting also served as the kickoff meeting for an additional 110 miles of main to be surveyed as part of the Year II Shared Services. Kickoff topics included:</p> <ul style="list-style-type: none"> • Survey Area, Schedule, and Scope • Reporting • Questions and Concerns
<p>Department of Water Resources (DWR) Water Use Studies Workgroup Meeting</p>	<p>On July 23, Joe and Rachel W. attended the DWR Water Use Studies Workgroup meeting via Zoom. This workgroup focused on to the Water Conservation Framework standards (as related to AB1668 and SB606). The meeting objective was for DWR to provide an overview of the Indoor Residential Water Use Study, including the study scope, sampling strategy, and approach to the monthly, hourly, and end-use disaggregation analyses that will be used to develop estimates of baseline indoor residential water use. Items on the agenda included:</p> <ul style="list-style-type: none"> • Indoor Residential Water Use Study Overview • Sampling Strategy • Disaggregation Analyses • Monthly Data Analysis Status Report • Hourly Data Analysis Status Report

<p>Department of Water Resources (DWR) Water Use Studies Workgroup Meeting - continued</p>	<ul style="list-style-type: none"> • Single-Family End-Use Analysis Status Report • Next Steps, Schedule, and Future Opportunities for Stakeholder Engagement
<p>Proposition 1 South Orange County Water Management Area (WMA) Meeting</p>	<p>On July 27, Steve and Rachel W. attended the Proposition 1 South Orange County Water Management Area meeting hosted by Orange County Public Works. MWDOC's Proposition 1 Grant Proposal for the South Orange County Water Use Efficiency Program has been accepted for grant funding. This meeting discussed the future steps for grant acquisition, such as document review, CEQA compliance, and agreement timelines.</p>
<p>Alliance for Water Efficiency (AWE) Cooling Technology Project Advisory Committee (PAC)</p>	<p>On July 30, Joe and Rachel W. attended the AWE Cooling Technology PAC. Topics on the agenda included:</p> <ul style="list-style-type: none"> • Project Overview • Cooling Tower Estimating Model (CTEM) Overview, Revisions, and Finalization • Determining Water Savings Potential of Implementing Alternative Cooling Technologies • Funding and Moving Forward • Next Steps • Q&A
<p>Calscape Nursery Pilot Program Meeting</p>	<p>On August 6, Beth and Steve participated in the Calscape Nursery Pilot Program meeting hosted by Moulton Niguel Water District via Zoom. Items on the agenda included:</p> <ul style="list-style-type: none"> • Greetings and Meeting Overview • Successes During Covid • Marketing and Outreach Updates • Fall Strategy • Next Steps <p>The next meeting is scheduled for August 27.</p>
<p>Orange County Water Use Efficiency Coordinators Workgroup Meeting</p>	<p>On August 6, Joe, Beth, Steve, Rachel W., Andrea, and Rachel D. hosted the Orange County Water Use Efficiency Coordinators Workgroup meeting via Zoom. Highlights on the agenda included:</p> <ul style="list-style-type: none"> • MWDOC Updates • Agency Roundtable/Problem Solving • Metropolitan Updates <ul style="list-style-type: none"> ○ Conservation Board Report ○ New Device Rebate – Hose Bib Controller ○ Online Classes Update

<p>Orange County Water Use Efficiency Coordinators Workgroup Meeting - continued</p>	<ul style="list-style-type: none"> • Water Use Efficiency Programs Update <ul style="list-style-type: none"> ○ Turf Removal and Spray to Drip Programs Update ○ Member Agency Administered Funding ○ Bill Inserts ○ Addendums • Water Loss Control Program Update <ul style="list-style-type: none"> ○ Leak Detection Year One Wrap-Up • CalWEP Update <p>The next meeting is scheduled for September 3.</p>
<p>Alliance for Water Efficiency (AWE) Water Conservation Tracking Tool Program Advisory Committee (PAC) Meeting</p>	<p>On August 11, Joe and Rachel W. attended the AWE Water Conservation Tracking Tool PAC Meeting. Items on the agenda included:</p> <ul style="list-style-type: none"> • Brief Background on the Tracking Tool Revision Project for New PAC Members • Description of Intended California-Only Modifications, Tasks Completed to Date, Problems Encountered, and Projected Timeline for Completion • Addition of Water Loss Functionality to the Tracking Tool and Issues for PAC Discussion (California and National Update) • Update of Resource Library (California and National Update) • PAC Member Comments
<p>PUBLIC/GOVERNMENT AFFAIRS</p>	
<p>Member Agency Relations</p>	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Designed and distributed printed bill inserts for eleven member agencies to promote Water Use Efficiency programs • Designed and ordered truck and van signage for Water Use Efficiency Water Loss Control Program and participating member agencies • Created spreadsheet for member agency education contacts with county 2020-2021 school changes post COVID-19 • Hosted a Public Affairs Workgroup featuring a discussion on communicating with customers and stakeholders after COVID-19 closures by keynote speaker Stephen Dupont of Pocket Hercules • Discussed virtual tour opportunities with Metropolitan Water District of Southern California and gaged interest in pursuing the effort with MWDOC member agencies <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Provided a legislative update to the MWDOC Member Agency Managers group • Provided a legislative update to the OC Met Managers group

<p>Community Relations</p>	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Updated Wyland National Mayor’s Challenge for Water Conservation media kit for August 1-31 contest • Commenced voting for the 2020 Water Awareness Poster Contest Grand Prize Winners – voting closes on July 8 • Initiated social media campaign to honor 2020 Water Awareness Poster Contest Winners • Held Chalk the Walk Art Contest for Orange County K-12 students. Theme: Saving Water at Home Together <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Working with Public Affairs staff, requested certificates for the Water Awareness Poster Contest winners from our local legislative offices
<p>Education</p>	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Presented at Metropolitan Water District of Southern California’s Member Agency Education Coordinators’ Meeting • Participated in the Department of Water Resources Water Education Committee Meeting • Met with Metropolitan Water District of Southern California and Orange County Department of Education’s Inside the Outdoors on remote learning opportunities Researched and created tracking sheet of Orange County school district reopening plans to be shared with member agencies and Orange County Department of Education • Met with Strategic Energy Innovations on partnership opportunities for building Career Technical Education programs as part of the Water-Energy Education Alliance • Met with former Director of Water-Energy Education Alliance to discuss in-kind services that would include technical review of proposed Career Technical Education programs, meeting agenda development, speaker recommendations, and general consult • Attended two (2) Water Science and Conservation Program Workgroup meetings • Offered community outreach strategy and tactics for Water and Energy Degree Programs with Lane Community College (Eugene, Oregon) – referred to MWDOC Public Affairs by MWDOC Water Use Efficiency • Participated in Water Education Programs Webinar hosted by the Alliance for Water Efficiency • Met with IRWD and North County ROP to discuss an Orange County Advisory for workforce pathways • Met with Saddleback College to discuss an Orange County Advisory for workforce pathways as well as a South County collaborative • Facilitated a future speaker from Lawrence Hall of Science for Metropolitan Water District of Southern California’s Member Agency Education

Education - continued	Coordinators' Meeting and Department of Water Resources Water Education Committee Meeting
Media Relations	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Sent News Release announcing Director Brett R. Barbre retirement from the MWDOC board • Prepared and scheduled several social media posts
Special Projects	<p>Public Affairs Staff:</p> <ul style="list-style-type: none"> • Produced resolution to commemorate the retirement of MWDOC Director Brett R. Barbre • Designed and ordered MWDOC promotional items • Performed overall website maintenance activities and completed multiple District page updates • Attended webinar with a web developer to explore website upgrades • Coordinated with Metropolitan External Affairs for July's PAL Presentation • Completed department accomplishments, goals, and challenges overview • Met with web developer LA Design Studio to discuss a Search Engine Optimization strategy for the District website <p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Provided additional information to OC LAFCO for MWDOC's upcoming MSR • Staffed the WACO Planning Meeting • Attend an ACWA webinar on how to "Reset the Workplace Post COVID-19." • Sent out a Save the Date for the July ISDOC Quarterly Luncheon • Coordinated with Supervisor Don Wagner's office on logistics/topics, to have him speak at the July ISDOC luncheon • Sent out the ISDOC Quarterly Luncheon invitation for July 23 featuring Supervisor Don Wagner • Staffed the ISDOC Executive Committee meeting
Legislative Affairs	<p>Governmental Affairs Staff:</p> <ul style="list-style-type: none"> • Participated in the CMUA Regulatory and Legislative Committee meetings • Met with Ryan Leavitt of Barker Leavitt to discuss federal issues and MWDOC's legislative priorities for the remainder of the year • Participated in the Southern California Water Coalition Legislative Task Force meeting • Attended the Cal Desal Legislative Committee meeting • Participated in the Met Member Agency Legislative Staff conference call • Attended the ACWA Federal Affairs Drinking Water Subcommittee meeting • Met with Chris Palmer to discuss CSDA priority legislation • Attended the ACWA Federal Affairs Infrastructure & Agriculture Subcommittee meeting

Legislative Affairs - continued	<ul style="list-style-type: none">• Attended the ACWA Federal Affairs Committee meeting• Participated in the ACWA Region 10 planning call for the upcoming State Legislative Committee meeting• Participated in the ACWA State Legislative Committee meeting• Met with staff at Mesa Water District to discuss water affordability and the State Water Resources Control Board's implementation of SB 200 <p>Monitored the State Water Resource Control Board meeting where they discussed the 2020-2021 Fund Expenditure Plan for the Safe and Affordable Drinking Water Fund</p>
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MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AGENCIES MANAGERS MEETING

Street Address:
18700 Ward Street
Fountain Valley, California 92708

Mailing Address:
P.O. Box 20895
Fountain Valley, CA 92728-0895

(714) 963-3058
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Sat Tamaribuchi
President

Joan C. Finnegan
Vice President

Larry D. Dick
Director

Bob McVicker, P.E. D.WRE
Director

Megan Yoo Schneider, P.E.
Director

Jeffery M. Thomas
Director

Robert J. Hunter
General Manager

MEMBER AGENCIES

- City of Brea
- City of Buena Park
- East Orange County Water District
- El Toro Water District
- Emerald Bay Service District
- City of Fountain Valley
- City of Garden Grove
- Golden State Water Co.
- City of Huntington Beach
- Irvine Ranch Water District
- Laguna Beach County Water District
- City of La Habra
- City of La Palma
- Mesa Water District
- Moulton Niguel Water District
- City of Newport Beach
- City of Orange
- Orange County Water District
- City of San Clemente
- City of San Juan Capistrano
- Santa Margarita Water District
- City of Seal Beach
- Serrano Water District
- South Coast Water District
- Trabuco Canyon Water District
- City of Tustin
- City of Westminster
- Yorba Linda Water District

ZOOM LINK: Join Zoom Meeting

<https://zoom.us/j/290377118>

Meeting ID: 290 377 118

Password: 900674

Dial by your location

(669) 900-9128 -or-

(888) 788-0099 Toll-free

WHEN: Thursday, August 20, 2020 from **10:30 am to 12:00 pm.**

DRAFT AGENDA

1. Opportunity to add and discuss items not already listed.

Page #/Link

2. Information/Discussion Items:

2-1. MWDOC Board Draft Agendas (Link)

2-2. COVID-19 Update

2-3. Metropolitan Item Updates

a. General Manager Recruitment Update..... (Link)

b. IRP Status Update & Purpose (Link)

2-5. Metropolitan Shutdown Update

a. Second Lower Feeder

b. Orange County Feeder

c. AMP

3. Announcements & Reminders:

3-1. Urban Water Management Plan Agency Meeting..... Early September

3-2. Economic Benefits Study Next Steps..... (Link)

3-3. Final Water Resilience Portfolio (Link)

3-4. Water Policy Forum [Sep 23, 2020](#)

4. Report Items:

4-1. Monthly GM Report (Link)

4-2. Legislative Reports (Link)

4-3. WEROC Matrix (Link)

4-4. Grant Funding Opportunities (Link)

5. Next meeting will tentatively be held September 17, 2020.

**LOCAL AGENCY FORMATION COMMISSION
ORANGE COUNTY**

2677 North Main Street, Suite 1050
Santa Ana, CA 92705
(714) 640-5100 ♦ FAX (714) 640-5139

REGULAR MEETING AGENDA

**Wednesday, August 12, 2020
8:15 a.m.**

**IMPORTANT NOTICE REGARDING THE AUGUST 12, 2020
REGULAR COMMISSION MEETING**

Due to COVID-19, this meeting will be conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspend certain requirements of the Ralph M. Brown Act. Members of the public may not attend this meeting in person.

Participation by Commissioners and staff will be from remote locations. Public access and participation will only be available telephonically and electronically.

To virtually attend the meeting and to be able to view any presentations or additional materials provided at the meeting, please join online via Zoom using the link and information below:

<https://us02web.zoom.us/j/87650557240>

You can also dial in using your phone

1 (669) 900-9128

Webinar ID: 876 5055 7240

Submission of Public Comments: For those wishing to submit public comments at the August 12, 2020 Regular Commission meeting, comments on agendized or non-agendized items must be submitted by email to the Commission Clerk at ccarter-benjamin@oclafco.org and shall be subject to the same rules as would otherwise govern speaker comments made electronically or in person at any regular Commission meeting. Public comments must be received prior to the commencement of the Commission meeting in order to be accepted. Public comments submitted in accordance with these guidelines shall become part of the record of the regular Commission meeting. Public comments received after the commencement of the meeting or via text or social media (Facebook, Twitter, etc.) will not be accepted.

Reading of Public Comments: The Commission Clerk shall read all comments received prior to the commencement of the Commission meeting, provided that the reading shall not exceed three (3) minutes. The Chair, at her discretion, may reduce the time allowance if warranted by the volume of public comments received.

1. **CALL THE MEETING TO ORDER**
2. **ROLL CALL**
3. **ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS
(Received After Agenda Distribution)**
4. **PUBLIC COMMENT**

This is an opportunity for members of the public to address the Commission on items not on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on an off-agenda item(s) unless authorized by law.

5. **CONSENT CALENDAR**

- a.) **July 8, 2020 – Regular Commission Meeting Minutes**

The Commission will consider approval of the July 8, 2020 meeting minutes.

- b.) **2020-21 CALAFCO Board of Directors Nominations and Election Process**

The Commission will receive a report on the upcoming nomination and election process for the CALAFCO Board of Directors and consider the nomination of Commissioners Brothers and McGregor for the CALAFCO Board of Directors.

6. **PUBLIC HEARING**

No public hearing items scheduled.

7. **COMMISSION DISCUSSION AND ACTION**

- a.) **Legislative Report (August 2020)**

The Commission will receive the legislative report and consider updating the agency's position on Senate Bill 414.

- b.) **Staffing Overview and Recruitment**

The Commission will receive an overview on staff resources and update on the recruitment for the vacant Assistant Executive Officer position.

- c.) **2020-21 OC LAFCO Work Plan – *Continued from July 8, 2020***

The Commission will consider approval of the 2020-21 Work Plan.

- d.) **Orange LAFCO Communications Plan and Amendment to Professional Consultant Services Agreement with CV Strategies**

The Commission will consider the approval of the Communications Plan prepared by CV Strategies and the amendment to the professional services agreement with CV Strategies.

8. **COMMISSIONER COMMENTS**

This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur or be taken, except to place the item on a future agenda if approved by Commission majority.

9. EXECUTIVE OFFICER'S REPORT

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

10. INFORMATIONAL ITEMS & ANNOUNCEMENTS

No informational items or announcements.

11. CLOSED SESSION

No closed session items scheduled.

12. ADJOURNMENT OF REGULAR COMMISSION MEETING

NOTICE REGARDING ITEMS DISTRIBUTED TO THE COMMISSION LESS THAN 72 HOURS PRIOR TO THE LAFCO REGULAR MEETING:

Pursuant to Government Code Section 54957.5, public records that relate to open session agenda items that are distributed to a majority of the Commission less than seventy-two (72) hours prior to the meeting will be made available to the public on the OC LAFCO website at <http://www.oclafco.org>.

NOTICE: *State law requires that a participant in an OC LAFCO proceeding who has a financial interest in a decision and who has made a campaign contribution of more than \$250 to any commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission's staff before the hearing.*

OC LAFCO Agendas and supporting documentation are available on the Internet at <http://oclafco.org>.



Executive Committee Meeting

Tuesday, August 4, 2020

7:30 a.m.

The next meeting of the ISDOC Executive Committee will be via teleconference only. The MWDOC/OCWD offices are closed to the public. Please use the information below to access the meeting.

Join Zoom Meeting

<https://zoom.us/j/99287384726>

Dial by your location

669 900 9128 US (San Jose)

877 853 5247 US Toll-free

888 788 0099 US Toll-free

Meeting ID: 992 8738 4726

AGENDA

- I. Welcome, Introductions – 7:30 am**
[Please mute yourself when not speaking. Please raise hand on Zoom if you have a question or comment.]
- II. Approval of Minutes – 7:35 am**
 - Consider approval of the minutes for the July 7, 2020 meeting.
- III. Public Comments on items not on the agenda- 7:40 am**
- IV. New Business – 7:45 am**
 - Discussion and consideration of slate recommendation.
- V. Old Business – 7:55 am**
 - Completion of letters of support for SB 1386 and HR 7073.
- VI. Treasurer’s Report – 8:00 am – Director Finnegan**
 - Report of accounts
- VII. CSDA Report – 8:05 am – Director Schafer**
 - Receive, discuss and file the CSDA Report
- VIII. LAFCO Report – 8:10 am – Director Fisler**
 - Receive, discuss and file the LAFCO report
- IX. ACWA Report – 8:15 am – Director Jacobs**
 - Receive, discuss and file the ACWA report.

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

www.mwdoc.com/isdoc

Executive Committee

President

Hon. Saundra F. Jacobs
Santa Margarita Water District

1st Vice President

Hon. Mark Monin
El Toro Water District

2nd Vice President

Hon. Arlene Schafer
Costa Mesa Sanitary District

3rd Vice President

Hon. Mary Aileen Matheis
Irvine Ranch Water District

Secretary

Hon. William “Bill” Green
South Coast Water District

Treasurer

Hon. Joan C. Finnegan
Municipal Water District of Orange County

Immediate Past President

Hon. James Fisler
Mesa Water District

Staff Administration

Heather Baez

Municipal Water District of Orange County

Christina Hernandez

Municipal Water District of Orange County

X. OCCOG Report – 8:20 am – Director Scheafer

- Receive, discuss and file OCCOG report

X. Orange County Operational Area Report - 8:25 am – Director Monin

- Receive, discuss and file OCOA report

XI. Subcommittee Reports – 8:30 am

- Programs
 - Discussion of July 23 Quarterly Luncheon
 - Ideas for October Quarterly Luncheon
- Membership
- Legislative
 - Discuss and consider taking action on proposed legislation of interest to Special Districts.

XII. Adjourn – 8:40 am



ISDOC Executive Committee (Virtual Meeting via Zoom)

July 7, 2020

Minutes

I. Welcome

President Sandra Jacobs called the meeting to order at 7:30 a.m.

Sandra Jacobs, President (SMWD)

Mark Monin, 1st Vice President (ETWD)

Arlene Schafer, 2nd Vice President (CMSD)

Mary Aileen Matheis, 3rd Vice President (IRWD)

Joan Finnegan, Treasurer (MWDOC)

Bill Green, Secretary (SCWD)

James Fisler, Immediate Past President (Mesa WD)

Others Present:

Larry Dick (MWDOC)

Mike Gaskins, Director (ETWD)

Kathy Krasenics (Smart Watt Inc.)

Greg Mills (Serrano WD)

Al Nederhood (YLWD)

Vicki Osborn (MWDOC)

Brad Reese (Serrano WD)

Mike Scheafer, Director (CMSD)

Stacy Taylor (Mesa WD)

John Withers (IRWD)

Heather Baez (MWDOC)

Christina Hernandez (MWDOC)

II. Minutes

The minutes of the June 2, 2020 meeting were reviewed. Upon a motion by Joan Finnegan and second by Bill Green, the minutes were unanimously approved.

III. Public Comments

None

IV. New Business

There was discussion of the 2020 Election timeline for the ISDOC Executive Committee. The process will begin on August 3 with a Call for Nominations, nominations will close on September 11, ballots will be sent out on September 15 and are due on October 23. The names of the officers elected will be announced at the October 29 ISDOC Quarterly luncheon.

A discussion followed of either an ad hoc nominating committee or the Executive Committee recommending a slate. No decision was made.

V. Treasurer's Report

Joan Finnegan reported a balance of \$12,464.62. A discussion followed with regard to another dues holiday next year.

VI. CSDA Report

Arlene Schafer reported on the following upcoming CSDA events:

- June 10: Professional Development
- June 11: CSDA Board Meeting
- June 30: Legislative Panel on State Budget
- 2021 CSDA Conference will be held in Monterey

VII. LAFCO Report

Jim Fisler reported the next OC LAFCO meeting will be July 8 at 8:15. He reported on the following items:

- The results from the recent election for vacant City seats are Wendy Bucknun, Mission Viejo for the Regular seat and Mike Posey, Huntington Beach for the Alternate seat.
- The agenda for the July 8 meeting includes a Legislative Report, consideration of a Consulting Services Agreement for accounting services, a Comprehensive Quarterly Report and approval of the 20/21 OC LAFCO Work Plan.

VIII. ACWA Report

Sandra Jacobs reported on the following:

- ACWA 2020 Summer Conference is being held virtually on July 29 – 30 and the registration fee has decreased and there will be virtual conference exhibit halls. President Jacobs encouraged everyone to visit these exhibitors.
- ACWA 2020 Fall Conference is being advertised in person in Indian Wells, CA December 1 through Dec. 4.

- JPIA Board will continue to meet virtually during ACWA conference with a Board meeting on Monday, July 27 @ 10 am. There is no fee and the meeting package has not yet been sent out.
- On June 24th ACWA sent a letter to majority leader McConnell and minority leader Schumer, speaker Pelosi and minority leader McCarthy: Subject: ACWA Request for water infrastructure funding. The letter references a recent study by the American Water Works Association (AWWA) and the Association of Metropolitan Water Agencies (AMWA) indicates water providers are facing increasing financial difficulties due to the COVID-19 pandemic. The study states: The results of the assessment indicates that the aggregate financial impact of COVID-19 on drinking water agencies will likely be approximately \$13.9 billion, representing an overall 16.9 percent financial impact on the drinking water sector. These impacts are a result of drinking water providers eliminating shut offs for non-payment, anticipated increased delinquencies as a result of high unemployment rates, reductions in nonresidential water demands and associated revenues offset by increases in residential consumption, and lower customer growth.

IX. OCCOG Report

Mark Monin reported on behalf of Mike Scheafer on the June 27 OCCOG meeting stating there was an overview of the President’s comments and a Closed Session. Director Monin could not report on the closed session at this time.

X. Orange County Operational Area Report

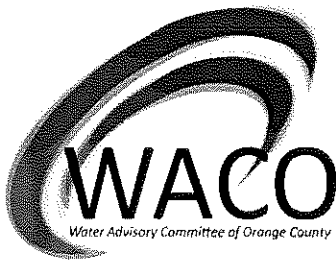
Victoria Osborn, Director of Emergency Manager, WEROC. Ms. Osborn reported on Governor Newsom’s announced a plan to withhold County emergency funding for non-compliance of wearing face masks. Ms. Osborn indicated that these funds were not the same as the essential water and sewer service emergency funds bring requested from FEMA. Ms. Osborn will be attending the OC Board of Supervisors meeting later this morning and will report back next month. The next OC Operational Area meeting will be held on August 12.

XI. Subcommittee Reports

- Programs:
 - Discussion of virtual July Quarterly Luncheon on July 23, 2020 Quarterly Luncheon: speaker will be Supervisor Don Wagner speaking on how the County and Special District can work together, Special District highlight will be South Coast Water District and the Associate Member highlight will be Smart Watt Inc.
 - Future speaker suggestions included Neil McCormick, CSDA
- Membership: No report
- Legislative Update: Mary Aileen Matheis reported on Prop 15 indicating it was for schools, but may increase taxes (more information to come). SB 1386, a fire hydrant bill, and HR 7073, a Special District extended service act, were also discussed. A motion was made

and seconded for the ISDOC EC to submit letters of support for the two bills. Heather Baez will prepare letters on the bills.

XII. Adjourn: The meeting adjourned at 8:35.



AGENDA

Friday, August 7, 2020
7:30 a.m. - 9:00 a.m.

Register in advance for this meeting:
[https://zoom.us/meeting/register/tJwqfu-gpiopH92sCzkZjzx9g_HoaLrdDzDn](https://zoom.us/join/zoom/register/tJwqfu-gpiopH92sCzkZjzx9g_HoaLrdDzDn)

After registering, you will receive a confirmation email containing information about joining the meeting.

Mailing Address

P.O. Box 8300
Fountain Valley, CA 92708

Meeting Location

Via Zoom

(714) 378-3200
(714) 963-0291 fax

www.ocwd.com/news-events/events/waco
www.mwdoc.com/waco

Officers

Chair
Hon. Jim Atkinson
Mesa Water District

Vice Chair
Hon. Cathy Green
Orange County Water District

Staff Contacts

Alicia Dunkin
Orange County Water District

Heather Baez
Municipal Water District of Orange County

1. Welcome

- Jim Atkinson, Mesa Water District

2. Housekeeping & Meeting Etiquette

3. Pledge of Allegiance

4. Program: An Update from the U.S. Bureau of Reclamation

- Brenda Burman, Commissioner, U.S. Bureau of Reclamation

5. Reports

- Association of California Water Agencies (ACWA) Report – Cathy Green, Orange County Water District
- Metropolitan Water District of Southern California Report – Linda Ackerman, Metropolitan Water District of Southern California

6. Adjourn

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Next WACO Meeting


Friday, September 11, 7:30 a.m. via Zoom
(2nd Friday due to Labor Day holiday)


Next WACO Planning Committee Meeting

Tuesday, September 15, 7:30 a.m. via Zoom

Stay Connected with WACO on
Facebook, Twitter, and YouTube!

 /orangecountywater

 @waco_h2o

 /orangecountywater



WACO Planning Committee
Tuesday, August 18, 2020
7:30 A.M.

Join Zoom Meeting
<https://zoom.us/j/92882659982>

Meeting ID: 928 8265 9982

Phone Audio: 669-900-9128

AGENDA

Mailing Address

P.O. Box 20895
Fountain Valley, CA 92728

Meeting Location

Virtual - Zoom

(714) 378-8232
(714) 963-0291 fax

www.mwdoc.com/waco
www.ocwd.com/news-events/events/waco

Officers

Chair

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ACTION ITEMS

1. September 11 WACO meeting (*Virtual; 2nd Friday*)
 - o Topic: Water Resiliency Portfolio
 - o Nancy Vogel, Director, Governor's Water Resiliency Portfolio (confirmed)
 - o Reports: ACWA, Met, CSDA

Action: Confirm questions you'd like speaker to address
2. October 2 WACO meeting (*Virtual*)
 - o Topic: Colorado River Salinity (proposed)
 - o Speaker: Don Barnett - Executive Director, Colorado River Salinity Control Board (proposed)
 - o Speaker: Brent Esplin, Bureau of Reclamation, Regional Director (proposed)
 - o Speaker: Bill Hasencamp – Manager of Colorado River Resources, Metropolitan Water District of Southern California (proposed)
 - o Reports: ACWA, Met, COVID???

Actions: Confirm topic & speakers; confirm reports

DISCUSSION ITEMS

1. November 6 WACO meeting (*Most likely virtual*)
 - o Topic: The Affordability of Water
 - This topic was proposed some time ago and got pushed back. Host topic in November?
 - o Speaker: Laurel Firestone, Member, State Water Resources Control Board
 - o Speaker: Paul Jones, General Manager, Eastern Municipal Water District
 - o Reports: ACWA, Met
2. December 4 WACO meeting (*Most likely virtual*)
 - o Topic: The Future of Power
 - This topic was proposed some time ago but was never scheduled. It was discussed at last month's planning meeting. Host topic in December?
 - o Speaker: Dr. Michael Binderbauer, Tri Alpha Energy
 - o Reports: ACWA, Met, CSDA
3. Future topics for virtual and in person meetings
 - o Update on Prop 1 funding (Larry Dick)
 - o Dissolution of Sativa Water District
 - o Ducks Unlimited (Howard Hull)
 - o International view of water (Ahmad Zahra)
 - o Urban Water Management Plan (Bob McVicker)
 - o Water Solutions Network (Larry McKenney)
 - o The future of 5G w/Crown Castle (Sat Tamaribuchi)
 - o Species in the river - Dept. of Fish & Wildlife (Peer Swan)
 - o The challenges of wholesalers (Jim Atkinson)
4. Discussion of August 7 meeting
 - o Brenda Burman



Stay Connected with WACO
on Facebook, Twitter and YouTube!

ADJOURN

DATES TO REMEMBER
AUGUST/SEPTEMBER 2020

1. Aug 28 – 8:00 a.m. – TV-6 (Havens)
2. Aug 28 – DISTRICT OFFICE CLOSED
3. Sept 1 – 7:30 a.m. – ISDOC Executive Committee
4. Sept 1 – 10:00 a.m. – RRC Meeting
5. Sept 2 – 8:30 a.m. – MWDOC/MET Directors Workshop
6. Sept 3 – 8:30 a.m. – SOCWA Board Meeting
7. Sept 4 – 1:00 p.m. – Pres/VP/GM Meeting
8. Sept 7 – 1:30 p.m. – SOCWMA Management Committee Meeting
9. Sept 7 – LABOR DAY HOLIDAY – DISTRICT OFFICE CLOSED
10. Sept 8 – 8:30 a.m. – MWDOC Planning/Operations Meeting
11. Sept 9 – 8:30 a.m. – LAFCO
12. Sept 9 – 8:30 a.m. – MWDOC Admin/Finance Committee Meeting
13. Sept 11 – 7:30 a.m. – WACO
14. Sept 11 – DISTRICT OFFICE CLOSED
15. Sept 14 – 7:30 a.m. – Agenda Review
16. Sept 14 – 1:30 p.m. – SOCWMA Management Committee Meeting
17. Sept 14 – 16 – WateReuse Virtual Symposium
18. Sept 15 – 7:30 a.m. – WACO Planning Committee
19. Sept 15 – 10:30 a.m. – SOCWA Finance Meeting
20. Sept 16 – 8:30 a.m. – MWDOC Board Meeting
21. Sept 17 – 8:00 a.m. – SAC Meeting
22. Sept 17 – 8:30 a.m. – SOCWA Engineering Committee
23. Sept 17 – 10:30 a.m. – MWDOC Managers Meeting
24. Sept 18 – 1:00 p.m. – Pres/VP/GM Meeting
25. Sept 21 – 7:30 a.m. – Regular Engineering/Finance Committee Meetings
26. Sept 21 – 8:30 a.m. – MWDOC Public Affairs Meeting

27. Sept 22 – 10:30 a.m. – SOCWA Finance Committee Meeting
28. Sept 22 – 12:00 p.m. – South Orange County Agencies Meeting
29. Sept 23 – 10:30 a.m. – MWDOC Water Policy Forum
30. Sept 24 – 7:30 a.m. – Regular Board Meeting
31. Sept 25 – 8:00 a.m. – TV-6 (Vergara)
32. Sept 25 – DISTRICT OFFICE CLOSED
33. Sept 29 – 10:00 a.m. – RRC Meeting

EL TORO WATER DISTRICT

Glossary of Water Terms

Accumulated overdraft: The amount of water necessary to be replaced in the intake area of the groundwater basin to prevent the landward movement of ocean water into the fresh groundwater body.

Acre-foot, AF: A common water industry unit of measurement. An acre-foot is 325,851 gallons, or the amount of water needed to cover one acre with water one foot deep. An acre-foot serves annual needs of two typical California families.

ACWA: Association of California Water Agencies.
A statewide group based in Sacramento that actively lobbies State and Federal Government on water issues.

Advanced treatment: Additional treatment processes used to clean wastewater even further following primary and secondary treatment. Also known as tertiary treatment.

AFY: Acre-foot per year.

Alluvium: A stratified bed of sand, gravel, silt, and clay deposited by flowing water.

AMP: Allen McCulloch pipeline.

Major pipeline transporting treated water to water districts between Yorba Linda, where it starts to El Toro Water District reservoir, where it terminates.

Annexation: The inclusion of land within a government agency's jurisdiction.

Annual overdraft: The quantity by which the production of water from the groundwater supplies during the water year exceeds the natural replenishment of such groundwater supplies during the same water year.

Aqueduct: A man-made canal or pipeline used to transport water.

Aquifer: An underground geologic formation of rock, soil or sediment that is naturally saturated with water; an aquifer stores groundwater.

Arid: Dry; deserts are arid places. Semi-arid places are almost as dry as a desert.

Artesian: An aquifer in which the water is under sufficient pressure to cause it to rise above the bottom of the overlying confining bed, if the opportunity is provided.

Artificial recharge: The addition of surface water to a groundwater reservoir by human activity, such as putting surface water into recharge basins. (See also: groundwater recharge and recharge basin.)

AWWA American Water Works Association
Nationwide group of public and private water purveyors and related industrial suppliers.

Base flow: The portion of river surface flow which remains after deduction of storm flow and/or purchased imported water.

Bay-Delta: The Sacramento-San Joaquin Bay-Delta is a unique natural resource of local, state and national significance. The Delta is home to more than 500,000 people; contains 500,000 acres of agriculture; provides habitat for 700 native plant and animal species; provides water for more than 25 million Californians and 3 million acres of agriculture; is traversed by energy, communications and transportation facilities vital to the economic health of California; and supports a \$400 billion economy.

BIA: Building Industry Association.

Biofouling: The formation of bacterial film (biofilm) on fragile reverse osmosis membrane surfaces.

Biosolids: Solid organic matter recovered from a sewage treatment process and used especially as fertilizer.

BMP: Best Management Practice. An engineered structure or management activity, or combination of these, that eliminates or reduces adverse environmental effects.

Brackish water: A mixture of freshwater and saltwater.

Brown Act: Ralph M. Brown Act enacted by the State legislature governing all meetings of legislative bodies. Also known as the Open Meeting requirements.

Canal: A ditch used to move water from one location to another.

CASA: California Association of Sanitation Agencies The sanitation equivalent of ACWA concerned solely with issues affecting the treatment and disposal of solid waste and wastewater.

CEQA: California Environmental Quality Act.

CERCLA: Comprehensive Environmental Response, Compensation and Liability Act. This federal law establishes the Superfund program for hazardous waste sites. It provides the legal basis for the United States EPA to regulate and clean up hazardous waste sites, and if appropriate, to seek financial compensation from entities responsible for the site.

CFS: Cubic feet per second.

Chloramines: A mixture of ammonia and chlorine used to purify water.

Clarify: To make clear or pure by separation and elimination of suspended solid material.

Coagulation: The clumping together of solids so they can more easily be settled out or filtered out of water. A chemical called aluminum sulfate (alum) is generally used to aid coagulation in water treatment and reclamation.

Coastkeepers: A non-profit organization dedicated to the protection and preservation of the marine habitats and watersheds of Orange County through programs of education, restoration, enforcement and advocacy.

Colored water: Groundwater extracted from the basin that is unsuitable for domestic use without treatment due to high color and odor exceeding drinking water standards.

Condensation: The process of water vapor (gas) changing into liquid water. An example of condensation can be seen in the tiny water droplets that form on the outside of a glass of iced tea as warmer air touches the cooler glass.

Confined aquifer: An aquifer that is bound above and below by dense layers of rock and contains water under pressure.

Conjunctive use: Storing imported water in a local aquifer, in conjunction with groundwater, for later retrieval and use.

Contaminate: To make unclean or impure by the addition of harmful substances.

CPCFA: California Pollution Control Financing Authority. State agency providing funds for wastewater reclamation projects.

Crisis:

1. **a:** The turning point for better or worse **b:** a paroxysmal attack of pain, distress, or disordered function **c:** an emotionally significant event or radical change of status in a person's life <a midlife *crisis*>
2. The decisive moment (as in a literary plot)
3. **a:** An unstable or crucial time or state of affairs in which a decisive change is impending; *especially* : one with the distinct possibility of a highly undesirable outcome <a financial *crisis*> **b:** a situation that has reached a critical phase

CTP Coastal Treatment Plant

CWPCA California Water Pollution Control Association. A 7000 member non-profit educational organization dedicated to water pollution control.

Dam: A barrier built across a river or stream to hold water.

Decompose: To separate into simpler compounds, substances or elements.

Deep percolation: The percolation of surface water through the ground beyond the lower limit of the root zone of plants into a groundwater aquifer.

Degraded water: Water within the groundwater basin that, in one characteristic or another, does not meet primary drinking water standards.

Delta: Where the rivers empty; an outlet from land to ocean, also where the rivers deposit sediment they carry forming landforms.

Delta Vision: Delta Vision is intended to identify a strategy for managing the Sacramento-San Joaquin Delta as a sustainable ecosystem that would continue to support environmental and economic functions that are critical to the people of California.

Demineralize: To reduce the concentrations of minerals from water by ion exchange, distillation, electro-dialysis, or reverse osmosis.

De-nitrification: The physical process of removing nitrate from water through reverse osmosis, microfiltration, or other means.

Desalting (or desalination): Removing salts from salt water by evaporation or distillation. Specific treatment processes, such as reverse osmosis or multi-stage flash distillation, to demineralize seawater or brackish (saline) waters for reuse. Also sometimes used in wastewater treatment to remove salts other pollutants.

Desilting: The physical process of removing suspended particles from water.

Dilute: To lessen the amount of a substance in water by adding more water.

Disinfection: Water treatment which destroys potentially harmful bacteria.

Drainage basin: The area of land from which water drains into a river, for example, the Sacramento River Basin, in which all land area drains into the Sacramento River. Also called catchment area, watershed, or river basin.

Drought: A prolonged period of below-average precipitation.

DPHS: California Department of Public Health Services. Regulates public water systems; oversees water recycling projects; permits water treatment devices; certifies drinking water treatment and distribution operators; supports and promotes water system security; provides support for small water systems and for improving technical, managerial, and financial (TMF) capacity; provides funding opportunities for water system improvements.

DVL: Diamond Valley Lake. Metropolitan's major reservoir near Hemet, in southwestern Riverside County.

DWR: California Department of Water Resources. Guides development/management of California's water resources; owns/operates State Water Project and other water facilities.

Endangered Species: A species of animal or plant threatened with extinction.

Endangered Species Act of 1973 (ESA): The most wide-ranging of the dozens of United States environmental laws passed in the 1970s. As stated in section 2 of the act, it was designed to protect critically imperiled species from extinction as a "consequence of economic growth and development untended by adequate concern and conservation.

Ecosystem: Where living and non-living things interact (coexist) in order to survive.

Effluent: Wastewater or other liquid, partially or completely treated or in its natural state, flowing from a treatment plant.

Evaporation: The process that changes water (liquid) into water vapor (gas).

Estuary: Where fresh water meets salt water.

Evapotranspiration: The quantity of water transpired (given off), retained in plant tissues, and evaporated from plant tissues and surrounding soil surface. Quantitatively, it is expressed in terms of depth of water per unit area during a specified period of time.

FCH Federal Clearing House – Environmental Review/Processing

FEMA Federal Emergency Management Agency

Filtration: The process of allowing water to pass through layers of a porous material such as sand, gravel or charcoal to trap solid particles. Filtration occurs in nature when rain water soaks into the ground and it passes through hundreds of feet of sand and gravel. This same natural process of filtration is duplicated in water and wastewater treatment plants, generally using sand and coal as the filter media.

Flocculation: A chemical process involving addition of a coagulant to assist in the removal of turbidity in water.

Forebay: A reservoir or pond situated at the intake of a pumping plant or power plant to stabilize water level; also, a portion of a groundwater basin where large quantities of surface water can recharge the basin through infiltration.

Gray water reuse: Reuse, generally without treatment, of domestic type wastewater for toilet flushing, garden irrigation and other non-potable uses. Excludes water from toilets, kitchen sinks, dishwashers, or water used for washing diapers.

Green Acres Project (GAP): A 7.5 million gallons per day (MGD) water reclamation project that serves tertiary treated recycled water to irrigation and industrial users in Costa Mesa, Fountain Valley, Huntington Beach, Newport Beach, and Santa Ana.

God Squad: A seven-member committee that is officially called the "Endangered Species Committee". Members consist of Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Council of Economic Advisers, the Administrator of the National Oceanic and Atmospheric Administration and one individual from the affected state. The squad was established in 1978 by an amendment to the 1973 Endangered Species Act (ESA). It has only been called into action three times to deal with proposed federal agency actions that have been determined to cause "jeopardy" to any listed species. Such actions may receive an exemption from the ESA if five members of the committee determine that the action is of regional or national significance, that the benefits of the action clearly outweigh the benefits of conserving the species and that there are no reasonable and prudent alternatives to the action.

Groundwater: Water that has percolated into natural, underground aquifers; water in the ground, not water puddled on the ground.

Groundwater basin: A groundwater reservoir defined by the overlying land surface and the underlying aquifers that contain water stored in the reservoir. Boundaries of success-ively deeper aquifers may differ and make it difficult to define the limits of the basin.

Groundwater mining: The withdrawal of water from an aquifer in excess of recharge over a period of time. If continued, the underground supply would eventually be exhausted or the water table could drop below economically feasible pumping lifts.

Groundwater overdraft: The condition of a groundwater basin in which the amount of water withdrawn by pumping exceeds the amount of water that recharges the basin over a period of years during which water supply conditions approximate average.

Groundwater recharge: The action of increasing groundwater storage by natural conditions or by human activity. See also: Artificial recharge.

Ground Water Replenishment System (GWRS): A joint project of the Orange County Water District and the Orange County Sanitation District that will provide up to 100,000 acre-feet of reclaimed water annually. The high-quality water will be used to expand an existing underground seawater intrusion barrier and to replenish the groundwater basin underlying north and central Orange County.

Groundwater table: The upper surface of the zone of saturation (all pores of subsoil filled with water), except where the surface is formed by an impermeable body.

GPM: Gallons per minute.

Ground Water Replenishment System (GWRS): Orange County Water District's state-of-the-art, highly advanced, waste-water treatment facility.

Hydrologic balance: An accounting of all water inflow to, water outflow from, and changes in water storage within a hydrologic unit over a specified period.

Hydrologic cycle: The process of water constantly circulating from the ocean, to the atmosphere, to the earth in a form of precipitation, and finally returning to the ocean.

Imported water: Water that has originated from one hydrologic region and is transferred to another hydrologic region.

Inflatable rubber dams: Designed to replace temporary sand levees that wash out during heavy storm flow, the dams hold back high-volume river flows and divert the water into the off-river system for percolation.

Influent: Water or wastewater entering a treatment plant, or a particular stage of the treatment process.

Irrigation: Applying water to crops, lawns or other plants using pumps, pipes, hoses, sprinklers, etc.

JPIA Joint Powers Insurance Authority. A group of water agencies providing self-insurance to members of the ACWA.

LAIF Local Agency Investment Fund. Statewide pool of surplus public agency money managed by State Treasurer.

Leach: To remove components from the soil by the action of water trickling through.

MAF: Million acre feet.

MCL: Maximum contaminant level set by EPA for a regulated substance in drinking water. According to health agencies, the maximum amount of a substance that can be present in water that's safe to drink and which looks, tastes and smells good.

MET: Metropolitan Water District of Southern California.

MGD: Million gallons per day.

Microfiltration: A physical separation process where tiny, hollow filaments members separate particles from water.

Microorganism: An animal or plant of microscopic size.

MWD: Metropolitan Water District of Southern California.

MWDOC: Municipal Water District of Orange County. Intermediate wholesaler between MWD and 27 member agencies including ETWD.

Non-point source pollution: Pollution that is so general or covers such a wide area that no single, localized source of the pollution can be identified.

NPDES National Pollution Discharge Elimination System

OCBC: Orange County Business Council.

OCEMA Orange County Environmental Management Agency

OCWD: Orange County Water District.

Opportunity:

1. A favorable juncture of circumstances.
2. A good chance for advancement or progress .

Organism: Any individual form of life, such as a plant, animal or bacterium.

PCM Professional Community Management, Inc. Property Management company providing services to Laguna Woods Village and other homeowner associations.

Perched groundwater: Groundwater supported by a zone of material of low permeability located above an underlying main body of groundwater with which it is not hydrostatically connected.

Percolation: The downward movement of water through the soil or alluvium to the groundwater table.

Permeability: The capability of soil or other geologic formations to transmit water.

Point source: A specific site from which waste or polluted water is discharged into a water body, the source of which is identified. See also: non-point source.

Potable water: Suitable and safe for drinking.

PPB: Parts per billion.

Precipitation: Water from the atmosphere that falls to the ground as a liquid (rain) or a solid (snow, sleet, hail).

Primary treated water: First major treatment in a wastewater treatment facility, usually sedimentation but not biological oxidation.

Primary treatment: Removing solids and floating matter from wastewater using screening, skimming and sedimentation (settling by gravity).

Prior appropriation doctrine: Allocates water rights to the first party who diverts water from its natural source and applies the water to beneficial use. If at some point the first appropriator fails to use the water beneficially, another person may appropriate the water and gain rights to the water. The central principle is beneficial use, not land ownership.

Pumping Plant: A facility that lifts water up and over hills.

Recharge: The physical process where water naturally percolates or sinks into a groundwater basin.

Recharge basin: A surface facility, often a large pond, used to increase the infiltration of surface water into a groundwater basin.

Reclaimed wastewater: Wastewater that becomes suitable for a specific beneficial use as a result of treatment. See also: wastewater reclamation.

Reclamation project: A project where water is obtained from a sanitary district or system and which undergoes additional treatment for a variety of uses, including landscape irrigation, industrial uses, and groundwater recharge.

Recycling: A type of reuse, usually involving running a supply of water through a closed system again and again. Legislation in 1991 legally equates the term "recycled water" to reclaimed water.

Reservoir: A place where water is stored until it is needed. A reservoir can be an open lake or an enclosed storage tank.

Reverse osmosis: (RO) A method of removing salts or other ions from water by forcing water through a semi-permeable membrane.

RFP Request for Proposal

Riparian: Of or on the banks of a stream, river, or other body of water.

RO: Reverse osmosis. See the listing under "reverse osmosis."

R-O-W Right-of-way

Runoff: Liquid water that travels over the surface of the Earth, moving downward due to gravity. Runoff is one way in which water that falls as precipitation returns to the ocean.

RWQCB Regional Water Quality Control Board. State agency regulating discharge and use of recycled water.

Safe Drinking Water Act (SDWA): The Safe Drinking Water Act (SDWA) was originally passed by Congress in 1974 to protect public health by regulating the nation's public drinking water supply. The law was amended in 1986 and 1996 and requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. (SDWA does not regulate private wells which serve fewer than 25 individuals.) SDWA authorizes the United States Environmental Protection Agency (US EPA) to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. US EPA, states, and water systems work together to make sure that these standards are met.

Safe yield: The maximum quantity of water that can be withdrawn from a groundwater basin over a long period of time without developing a condition of overdraft, sometimes referred to as sustained yield.

SAFRA Santa Ana River Flood Protection Agency

Salinity: Generally, the concentration of mineral salts dissolved in water. Salinity may be measured by weight (total dissolved solids - TDS), electrical conductivity, or osmotic pressure. Where seawater is known to be the major source of salt, salinity is often used to refer to the concentration of chlorides in the water.

SAWPA: Santa Ana Watershed Project Authority.

SCADA Supervisory Control and Data Acquisition

SCAP Southern California Alliance of Publicly. Newly formed group of public agencies seeking reasonable regulation of sewer industry.

SCH State Clearing House – Environmental Review/Processing

Seasonal storage: A three-part program offered by Metropolitan Water District of Southern California:

STSS (Short Term Seasonal Storage) financially encourages agencies with local groundwater production capabilities to produce a higher percentage of their demand in the summer from their local groundwater supplies, thus shifting a portion of their demand on the MWD system from the summer to winter;

LTSS (Long Term Seasonal Storage) financially encourages retail agencies to take and store additional amounts of MWD water above their normal annual demands for later use; Replenishment Water provides less expensive interruptible water that is generally available and used to increase the operating yield of groundwater basins.

Seawater intrusion: The movement of salt water into a body of fresh water. It can occur in either surface water or groundwater basins.

Seawater barrier: A physical facility or method of operation designed to prevent the intrusion of salt water into a body of freshwater.

Secondary treatment: The biological portion of wastewater treatment which uses the activated sludge process to further clean wastewater after primary treatment. Generally, a level of treatment that produces 85 percent removal efficiencies for biological oxygen demand and suspended solids. Usually carried out through the use of trickling filters or by the activated sludge process.

Sedimentation: The settling of solids in a body of water using gravity.

Settle: To clarify water by causing impurities/solid material to sink to a container's bottom.

Sewer: The system of pipes that carries wastewater from homes and businesses to a treatment plant or reclamation plant. Sewers are separate from storm drains, which is a system of drains and pipes that carry rain water from urban streets back to the ocean. Overwatering your yard can also cause water to run into the streets and into storm drains. Storm drain water is not treated before it is discharged.

SigAlert: Any unplanned event that causes the closing of one lane of traffic for 30 minutes or more, as opposed to a planned event, like road construction, which is planned.

SJBA San Juan Basin Authority

Sludge: The solids that remain after wastewater treatment. This material is separated from the cleaned water, treated and composted into fertilizer. Also called biosolids.

SOCWA South Orange County Wastewater Authority. Regional Joint Powers Authority formed for collection and treatment of sewerage (previously known as AWMA/SERRA/SOCRA). SOCWA member agencies:

CSC – City of San Clemente

CSJC – City of San Juan Capistrano

CLB – City of Laguna Beach

ETWD – El Toro Water District

EBSD – Emerald Bay Service District

IRWD – Irvine Ranch Water District

MNWD – Moulton Niguel Water District

SCWD – South Coast Water District

SMWD – Santa Margarita Water District

TCWD – Trabuco Canyon Water District

SRF State Revolving Fund

Storm Drain: The system of pipes that carries rain water from urban streets back to the ocean. Overwatering your yard can also cause water to run into the streets and into storm drains. Storm drain

water is not treated before it is discharged. Storm drains are separate from sewers, which is a separate system of pipes to carry wastewater from homes and businesses to a treatment plant or reclamation plant for cleaning.

Storm flow: Surface flow originating from precipitation and run-off which has not percolated to an underground basin.

SWP: State Water Project. An aqueduct system that delivers water from northern California to central and southern California.

SWRCB State Water Resources Control Board

TDS: Total dissolved solids. A quantitative measure of the residual minerals dissolved in water that remain after evaporation of a solution. Usually expressed in milligrams per liter.

Tertiary treatment: The treatment of wastewater beyond the secondary or biological stage. Normally implies the removal of nutrients, such as phosphorous and nitrogen, and a high percentage of suspended solids.

THM: Trihalomethanes. Any of several synthetic organic compounds formed when chlorine or bromine combine with organic materials in water.

TMA: Too many acronyms.

TMDL: Total maximum daily load; A quantitative assessment of water quality problems, contributing sources, and load reductions or control actions needed to restore and protect bodies of water.

Transpiration: The process in which plant tissues give off water vapor to the atmosphere as an essential physiological process.

Turbidity: Thick or opaque with matter in suspension; muddy water.

Ultraviolet light disinfection: A disinfection method for water that has received either secondary or tertiary treatment used as an alternative to chlorination.

VE Value Engineering

VOC: Volatile organic compound; a chemical compound that evaporates readily at room temperature and contains carbon.

Wastewater: Water that has been previously used by a municipality, industry or agriculture and has suffered a loss of quality as a result.

Water Cycle: The continuous process of surface water (puddles, lakes, oceans) evaporating from the sun's heat to become water vapor (gas) in the atmosphere. Water condenses into clouds and then falls back to earth as rain or snow (precipitation). Some precipitation soaks into the ground (percolation) to replenish groundwater supplies in underground aquifers.

Water rights: A legally protected right to take possession of water occurring in a natural waterway and to divert that water for beneficial use.

Water-use Efficiency: The water requirements of a particular device, fixture, appliance, process, piece of equipment, or activity.

Water year (USGS): The period between October 1st of one calendar year to September 30th of the following calendar year.

Watermaster: A court appointed person(s) that has specific responsibilities to carry out court decisions pertaining to a river system or watershed.

Water Reclamation: The treatment of wastewater to make it suitable for a beneficial reuse, such as landscape irrigation. Also called water recycling.

Watershed: The total land area that from which water drains or flows to a river, stream, lake or other body of water.

Water table: The top level of water stored underground.

WEF Water Environment Federation. Formerly – Water Pollution Control Federation (WPCF). International trade group advising members of sewage treatment techniques and their effect on the environment.

Weir box: A device to measure/control surface water flows in streams or between ponds.

Wellhead treatment: Water quality treatment of water being produced at the well site.

Wetland: Any area in which the water table stands near, at, or above the land surface for a portion of the year. Wetlands are characterized by plants adapted to wet soil conditions.

Xeriscape: Landscaping that requires minimal water.