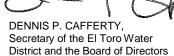
I hereby certify that the following agenda was posted at least 72 hours prior to the time of the meeting so noticed below at 24251 Los Alisos Boulevard, Lake Forest, California.



thereof



AGENDA

EL TORO WATER DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

April 27, 2023

7:30 a.m.

BOARDROOM, DISTRICT OFFICE 24251 LOS ALISOS BLVD., LAKE FOREST, CA 92630

Vice President Vergara will be attending remotely from: 27231 Eastridge Drive
Lake Forest, CA 92630

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

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 attend the meeting in person at the District's office or may observe and address the Meeting by joining at this link: https://us02web.zoom.us/j/89341042894 (Meeting ID: 893 4104 2894).

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 Havens

PLEDGE OF ALLEGIANCE – Vice President Vergara

ROLL CALL (Determination of a Quorum)

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. Consider Board Member's Request for Remote Participation (AB 2449)

2. <u>Presentation of Awards, Recognitions, Certifications and Introductions</u>

a. Service Awards

Mr. Cafferty will recognize and congratulate Alejandro Sepulveda, Truck Driver, for 25 years of service with the District.

Mr. Cafferty will recognize and congratulate Abel Estrada, Customer Service/Billing Supervisor for 10 years of service with the District.

Mr. Cafferty will recognize and congratulate Lonnie Wentz, Wastewater Maintenance Worker III for 5 years of service with the District.

3. 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 March 23, 2023 Board meeting
- b. Consider approving the Directors to attend the CSDA 2023 Special Districts Legislative Days conference May 16-17, 2023 in Sacramento, CA

Recommended Action: The Board will consider approving the above Consent Calendar.

4. <u>Director Reports for Meetings Attended</u> (Oral Report)

GENERAL MANAGER ACTION ITEMS

5. ACWA JPIA Executive Committee Election

Staff will review and comment on the upcoming election for positions on the ACWA JPIA Executive Committee.

Recommended Action: Staff recommends that the Board consider providing direction to the District's ACWA JPIA representative regarding the Executive Committee election.

6. Resolution No. 23-4-3 Amending El Toro Water District Policy Statement 1985-5 (IV) Travel and Expense Reimbursement Policy (Defense a Material Included)

(Reference Material Included)

Staff will review and comment on Resolution No. 23-4-3 amending El Toro Water District Policy Statement 1985-5 (IV) Travel and Expense Reimbursement Policy.

Recommended Action: Staff recommends approval of Resolution No. 23-4-3 amending El Toro Water District Policy Statement 1985-5 (IV) Travel and Expense Reimbursement Policy.

RESOLUTION NO. 23-4-3

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EL TORO WATER DISTRICT
AMENDING EL TORO WATER DISTRICT POLICY STATEMENT 1985-5 (IV)
TRAVEL AND EXPENSE REIMBURSEMENT POLICY

7. <u>Trabuco Canyon Water District "SOCWA Withdrawal and Continued Services Agreement"</u> (Reference Material Included)

Staff will review and comment on the Trabuco Canyon Water District "SOCWA Withdrawal and Continued Services Agreement"

<u>Recommended Action:</u> Staff recommends that the Board authorize the General Manager to execute the Consent to the Trabuco Canyon Water District Withdrawal from South Orange County Wastewater Authority and Continued Services Agreement, subject to non-substantive changes.

GENERAL MANAGER INFORMATION ITEMS

8. <u>General Manager's Monthly Report</u> (Reference Material Included)

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

9. <u>Communications Facilities License Program</u> (Reference Material Included)

Staff will review and comment on the Procedures and Guidelines document associated with the District Communications Facilities License Program.

10. Legislative Reports (Reference Material Included)

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

11. Public Education and Outreach Report (Reference Material Included)

Staff will review and comment on the Public Education and Outreach report.

12. Water Use Efficiency Report (Reference Material Included)

Staff will review and comment on the Water Use Efficiency Report

13. **SOCWA Report** (Reference Material Included)

- a. SOCWA Board Meeting April 6, 2023
- b. SOCWA Engineering Committee Meeting April 13, 2023
- c. SOCWA Project Committee 2 Meeting April 18, 2023
- d. SOCWA Finance Committee Meeting April 18, 2023

14. <u>Municipal Water District of Orange Cunty (MWDOC) Report</u>

(Reference Material Included)

- a. MWDOC Planning/Operations Meeting April 3, 2023
- b. MWDOC/MET Directors Workshop April 5, 2023
- c. MWDOC Special Board Meeting April 6, 2023
- d. MWDOC Elected Officials Forum April 6, 2023
- e. MWDOC Admin/Finance Meeting April 12, 2023
- f. MWDOC Board Meeting April 19, 2023
- g. MWDOC Managers Meeting April 20, 2023
- h. MWDOC/OCWD Joint Planning Committee Meeting April 26, 2023

15. South Orange County Agencies Group Meeting (Reference Material Included)

a. Report on the March 23, 2023 South Orange County Agencies Group Meeting

16. Local Agency Formation Commission (LAFCO) Report

(Reference Material Included)

a. Report on the April 12, 2023 meeting

- 17. <u>ISDOC Meetings Report</u> (Reference Material Included)
 - a. Report on the March 30, 2023 ISDOC Quarterly meeting
 - b. Report on the April 4, 2023 ISDOC Executive Committee meeting
- **18. WACO Meetings Report** (Reference Material Included)
 - a. Report on the April 7, 2023 WACO meeting
 - b. Report on the April 18, 2023 WACO Planning meeting

COMMITTEE AND GENERAL INFORMATION

19. Dates to Remember for April/May 2023 (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. Pursuant to Government Code Section 54956.9 (d) (2) to consult with legal counsel and staff Potential Litigation (one matter).
- Pursuant to Government Code Section 54956.9(a) to consult with legal counsel and staff. Plaintiff, Marlene Jean v. Defendants, Dollar Tree Stores, et al./Cross-Complainant, Park Aliso Commercial Center, Ltd, et al. v. Cross-Defendant, El Toro Water District, et al., Superior Court of Los Angeles Case No. 19STCV25234. [Government Code Section 54956.9(a)] Pending Litigation (one matter).

REGULAR SESSION

REPORT ON CLOSED SESSION (Legal Counsel)

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

ADJOURNMENT

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.

MINUTES OF THE REGULAR MEETING

OF THE

BOARD OF DIRECTORS

OF THE

EL TORO WATER DISTRICT

March 23, 2023

President Havens called the meeting of the Board of Directors of the ELTORO WATER DISTRICT to order at 7:30 a.m.

President Havens led in the Pledge of Allegiance to the flag.

Directors KAY HAVENS, MIKE GASKINS, MARK MONIN, KATHRYN FRESHLEY, and JOSE VERGARA participated.

Also present were DENNIS P. CAFFERTY, General Manager, JUDY
CIMORELL, Human Resources Manager, SCOTT HOPKINS, Operations
Superintendent, SHERRI SEITZ, Public Affairs Manager (7:45 am), VU CHU, Water
Use Efficiency Analyst, MIKE MIAZGA, IT Manager, GILBERT J. GRANITO, General
Counsel, and POLLY WELSCH, Recording Secretary.

Oral Communications/Public Comments

There were no comments.

Items Received Too Late to be Agendized

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

Consent Calendar

President Havens asked for a Motion.

Motion: Director Monin made a Motion, seconded by Director Freshley and unanimously carried across the Board to approve the Consent Calendar.

Roll Call Vote:

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

<u>Director Reports for Meetings Attended</u>

Director Vergara stated that he attended the MWDOC/MET Directors workshop, the WACO meeting, two Pres/VP/GM meetings, the MWDOC Planning/Operations meeting, the MWDOC Admin/Finance meeting, the MWDOC Board meeting, the Lake Forest Meet the Mayor event, and the regular ETWD Board meetings.

Director Gaskins stated that he attended the MWDOC/MET Directors workshop, the WACO meeting, the MWDOC Planning/Operations meeting, the ISDOC Executive Committee meeting, the Lake Forest Meet the Mayor event, the MWDOC Board meeting, the OCWA meeting, the SAC meeting, the South County Agencies meeting, the Concerned Citizens meeting, SOCWA meetings, and the regular ETWD Board meetings.

Director Freshley stated that she attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors meeting, the SOCWA Board meetings, the SOCWA Finance meeting, the OCWA luncheon, the Laguna Woods City Council meeting, the Lake Forest Meet the Mayor, and the regular ETWD Board meetings.

President Havens stated that she attended the MWDOC/MET Directors workshop, the Lake Forest Meet the Mayor event, the OCWA meeting, the WACO

meeting, the Pres/VP/GM meeting, the MWDOC Planning/Operations meeting, the MWDOC Admin/Finance meeting, the SOCWMA management meeting, the MWDOC Board meeting, the South County Agencies meeting, and the regular ETWD Board meetings.

Director Monin stated that he attended the WACO meeting, the Lake Forest Meet the Mayor event, the WACO Planning Committee meeting, the ISDOC Executive Committee meeting, the MWDOC/MET Directors workshop, the MWDOC Board meeting, the Lake Forest City Council meeting, the Lake Forest Meet the Mayor, and the regular ETWD Board meetings.

General Manager Action Items

Nomination of a Candidate to the CSDA Board of Directors, Southern Network - Seat C

Mr. Cafferty stated that CSDA is working on their 2024 – 2026 term of officers for their Board of Directors for the Southern Network – Seat C. He further stated that Arlene Schafer of Costa Mesa Sanitary District is the incumbent who is running for reelection.

Mr. Cafferty stated that CSDA is asking for nominations of anyone else who may want to compete for the Seat C. There were no nominations, and therefore no need for action.

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty stated that the end of the report he included ACWA's 2023 Board Officers' Election – Authorized Voting Representative Form. He further stated that ACWA is changing the manner in which they do their Board Officers' election and that

they are now using an electronic voting system.

Legislative Reports

There were no comments.

Public Education and Outreach Report

Ms. Seitz stated that staff will be attending the Children's Water Festival March 29-30 where the students will have a hands-on activity to test tap water versus bottled water. She further stated that staff will guide the students on how to test tap water and bottled water for pH and TDS and compare parameters on the test strips.

Ms. Seitz stated that Director Gaskins spoke at the Concerned Citizens meeting on March 7th and provided an update on water supply.

Ms. Seitz stated that Mr. Cafferty will be speaking at the Concerned Citizens

Earth Day event and provide an update on drought and water supply.

Ms. Seitz stated that staff will have a booth at the City of Lake Forest Southwest Improvement Project on April 15th at a small park on Gowdy Ave and Cavanaugh. She further stated that staff will also have a booth at the City of Mission Viejo's Earth/Arbor Day on April 22nd at the Oso Creek Train north of Jeronimo Road.

Water Use Efficiency Report

Mr. Chu stated that with the current hydrological conditions there was no surprise that there was a noticeable decrease in usage for the month of February, especially in dedicated irrigation. He further stated that there was a 22.43% reduction in total consumption in February versus last year.

SOCWA Reports

Director Freshley stated that they discussed two issues that needed to be

separated; operation of the plant, and SOCWA itself and what form it should take. She further stated that there are on-going meetings discussing who owns the land, the blueprint provided by MNWD and SMWD, and SCWD's proposal.

Mr. Cafferty stated that SOCWA is discussing their budget at the SOCWA Finance meeting.

MWDOC Reports

Vice President Vergara stated that at the MWDOC/MET Directors workshop they discussed a MET Board retreat.

President Havens stated that they also discussed a Reserves reduction in their Reserve Fund Policy.

Mr. Cafferty stated that at the MWDOC Managers meeting they discussed budget and reserves, an update on the MWDOC/OCWD discussion, and a revised lead and copper rule that may require a service line inventory.

South Orange County Watershed Management Area Meetings

President Havens stated that the meeting was well attended. She further stated that they established a nominating committee, and had a tour of storm water projects.

LAFCO

Director Freshley stated that Carol Moore was sworn in as the Alternate for the Cities. She further stated that the second position has not been filled yet.

Director Freshley stated that they approved their budget and sent it out to the agencies. She further stated that they also reviewed the MSR's which should be available in June.

<u>ISDOC</u>

Director Monin stated that they are still looking for a Secretary. He further stated that they discussed a scholarship for CSDA districts that don't have a lot of money.

WACO

Director Monin stated that had a great program on Groundwater Depletion in the Central Valley.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for February/March 2023

There were no comments.

Comments Regarding Non-Agenda Items

Mr. Cafferty stated that the tour of R-6 has been scheduled for April 5th from 1:15 pm to 1:45 pm, and MNWD has scheduled a van to tour R-6, the Chiquita Reservoir, and the Mathis Reservoir.

Dates to Remember for March/April 2023

There were no comments.

Attorney Report

Mr. Granito reported that there is a need for a Closed Session with regard to both items of today's Closed Session agenda.

Recess

At approximately 9:10 a.m. the Board took a short recess.

Regular Session

At approximately 9:15 a.m. the Board returned to Regular Session.

Closed Session

At approximately 9:15 a.m. the Board went into Closed Session with regard to

both items on the Closed Session agenda. Also at this time, everyone left the meeting

except the Board members, the General Manager, and General Counsel.

Open Session Report

At approximately 9:50 a.m. Regular Session resumed. Also at this time Ms.

Welsch returned to the meeting.

Mr. Granito reported that the Board did go into Closed Session with regard to

both items of today's Closed Session agenda, and during the first phase of the Closed

Session the District's General Counsel and General Manager led a discussion on Item

#2 Dollar Tree litigation. No reportable action was taken.

Mr. Granito reported that during the second phase of the Closed Session, the

General Manager led a discussion with General Counsel and the Board on Item #1

potential litigation (one matter). No reportable action was taken.

<u>Adjournment</u>

There being no further business to come before the Board, the meeting was

adjourned at 9:12 a.m.

Respectfully submitted,

POLLY WELSCH

Recording Secretary

March 23, 2023 Board Mtg

7

APPROVED:

KAY HAVENS, 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



2023 Special Districts Legislative Days

Fully one-third of the Legislature turned over this year, making the 2023 Special Districts Legislative Days a MUST-ATTEND EVENT!

From rate-making authority, reserves, and infrastructure to cybersecurity, climate adaptation, and workforce development, lawmakers in Sacramento and Washington D.C. are making critical decisions that will impact the budget and operations of your district and your community.

Special Districts Legislative Days is the only opportunity for all types of special districts, large and small, north and south, rural and urban to come together with one united voice. Issues like revenue, governance, labor, and public works matter to all districts whether they provide water, sewer, fire protection, parks, cemeteries, healthcare, mosquito abatement, ports, harbors, airports, libraries, or other essential services.

Don't miss this opportunity to hear from California's top decision-makers, build partnerships and strengthen the voice of local control. Past speakers have included California's State Controller, State Treasurer, Secretary of State, Insurance Commissioner, Secretary of Natural Resources,

- Brunch with Legislators and Capitol staff
- •Federal legislative briefing from National Special

Districts Coalition Federal Advocacy Director

•Legal update on court cases impacting special districts

Attendee Pricing:

Early Bird Registration on or before April 21, 2023:

\$300 CSDA Member

\$450 Non-member

Regular Registration after April 21, 2023:

\$375 CSDA Member

\$560 Non-member

Interested in Exhibiting/Sponsoring? Check out all of the opportunities and register here.

Hotel Room Reservations:

Room reservations start at the rate of \$205 plus tax.

The room reservation cut-off is April 21, 2023;
however, space is limited, and rooms may sell out
before this date. The attendee will be provided a link
to the CSDA room block following your registration.

Cancellation Policy:

Cancellations must be in writing and received by CSDA no later than April 21, 2023. All cancellations received by this date will be refunded less a \$75 processing fee. There will be no refunds for cancellations made after April 21, 2023. Substitutions are acceptable and must be done in writing no than later May 5, 2023. Please submit any cancellation notice or substitution request to meganh@csda.net or fax to 916-520-2465.



SPECIAL DISTRICTS LEGISLATIVE DAYS

EARLY BIRD PRICING - REGISTER ON OR BEFORE APRIL 21, 2023

- CSDA Member \$300 Early Registration / \$375 Regular Registration
- Non-Member \$450 Early Registration / \$560 Regular Registration

Three Ways to Register

- · Online: Visit legislativedays.csda.net
- Fax number: 916.520.2465. All faxed forms must include credit card payment.
- Mail: CSDA, 1112 | Street, Suite 200, Sacramento, CA 95814. Please include registration form and payment.
 Checks should be made payable to: California Special Districts Association.

Not sure if you are a member?

Simply contact Eric Spencer at erics@csda.net or call toll-free at 877-924-2732. It's not too late to become a CSDA member!

Full registration includes the evening reception and meals as indicated in the agenda. Payment must accompany registration in order to process.			
☐ CSDA Member: \$300/EARLY BIRD	☐ Non-Membe	er: \$450/EARLY BIRD	
☐ CSDA Member: \$375/AFTER APRIL 21	☐ Non-Membe	er: \$560/AFTER APRIL 21	Total \$:
Name/Title:			
District:			
Address:			
City:		State:	ZIP:
Phone:		Fax:	
Email:			
Emergency Contact Name/Phone Number:			
PAYMENT			A STATE OF THE STATE OF
Payment type: ☐ Check ☐ Visa ☐ MasterCard	☐ Discover ☐ America	n Express	
Acct. name:		Acct. Number:	
Expiration date: CVC:		Authorized Signature:	
SPECIAL NEEDS			
□ Vegetarian □ Other:			
Cancellations must be made in writing and received via fax, mail, or email no later than April 21, 2023, at 5:00 p.m. All cancellations made within the specified time will be			

Cancellations must be made in writing and received via fax, mail, or email no later than April 21, 2023, at 5:00 p.m. All cancellations made within the specified time will be refunded less a \$75 processing fee. There will be no refunds for cancellations made after April 21, 2023. Substitutions are acceptable and must be done in writing no later than May 5, 2023 at 5:00 p.m. Please submit any cancellation notice or substitution requests to meganh@csda.net or fax to 916-520-2465. Our Anti-Discrimination and Harassment Policy can be found under "CSDA Transparency" at www.csda.net/about-csda/who-we-are.

California Special Districts Association 1112 | Street, Suite 200 Sacramento, CA 95814

A proud California Special Districts Alliance partner.

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Agenda At A Glance

DAY ONE: May 16, 2023 - 9:00 a.m. - 6:30 p.m.

Learn more about the most pressing issues facing special districts and interact with California's leading policymakers.

- · State Senator John Laird, Chair of Senate Working Group on Climate Change, Member of Senate Natural Resources and Water Committee, and former Secretary of California Natural Resources Agency
- Keynote from one of California's top leaders. Past speakers have included State Constitutional Officers and **Cabinet Secretaries**
- · Lunch with leading state and local officials confronting drought, floods, and other natural disasters
- State legislative update from CSDA lobbyists
- Time for attendees to independently schedule meetings with legislative offices (2:00 - 5:00 p.m.)
- · Private legislative reception with Legislators and Capitol staff

DAY TWO: May 17, 2023 - 7:30 a.m. - 11:45 a.m.

Explore how decisions are really made in the Capitol and help shape the outcome of special districts' priorities.

- Brunch with Legislators and Capitol staff
- Federal legislative briefing from National Special Districts Coalition Federal Advocacy Director
- · Legal update on court cases impacting special districts

INFORMATION

SHERATON GRAND SACRAMENTO HOTEL

1230 J Street Sacramento, CA 95814

Room reservations are available at the CSDA rate of \$205 plus tax for Traditional King.

The room reservation cut-off is April 21, 2023: however, space is limited and may sell out. The link for reservations will be emailed following registration.



@CSDAdistricts #DistrictsAdvocate



California Special **Districts Association**

Districts Stronger Together

SPECIAL DISTRICTS

Gain the edge on policy changes impacting your agency and exchange ideas with

California's top decision-makers at the 2023 Special Districts Legislative Days, an interactive and informative two-day legislative conference in our State's Capitol.

Fully one-third of the State Legislature turned over this year, making the 2023 Special Districts Legislative Days a MUST-ATTEND EVENT!

EARLY BIRD DISCOUNT! Register and find the latest details at legislativedays.csda.net.





STAFF REPORT

To: Board of Directors Meeting Date: April 27, 2023

From: Dennis Cafferty, General Manager

Subject: ACWA JPIA Executive Committee Election

There will be an Executive Committee election during the ACWA JPIA Board of Directors meeting scheduled for May 8, 2023. This election will fill four Executive Committee member positions for their complete terms of four years each.

Staff expects the list of qualified candidates and statements of qualifications will be available on April 24. This material will be provided to the Board under separate cover.

The District received the attached email from Mesa Water District requesting support for incumbent candidate Fred Bockmiller.

Recommended Action: Staff recommends that the Board consider providing direction to the District's ACWA JPIA representative regarding the Executive Committee election.

Dennis Cafferty

Subject: FW: Re-Elect Fred R. Bockmiller, P.E., to ACWA JPIA Executive Committee

From: Mesa Water District <info@MesaWater.org>

Sent: Thursday, April 13, 2023 11:59 AM **To:** Michael Gaskins < mgaskins@etwd.com>

Subject: Re-Elect Fred R. Bockmiller, P.E., to ACWA JPIA Executive Committee



April 13, 2023

Honorable Directors & General Managers ACWA JPIA Member Agencies c/o Laura Baryak, Administrative Assistant II LBaryak@ACWAJPIA.com

Greetings,

On behalf of Mesa Water District (Mesa Water®), it is an honor to request that your agency support -- and vote for -- <u>Fred R. Bockmiller, P.E.</u>, for re-election to the <u>ACWA JPIA Executive Committee</u>.

Director Bockmiller has served on Mesa Water's Board for more than twenty-five years, making fair and informed decisions that have greatly benefited our District, its constituents, and our industry. Since 2006, he has represented Mesa Water on the ACWA JPIA Board and, since 2008, he has served on ACWA JPIA's Risk Management Committee, which he now chairs. Additionally, since 2019, Director Bockmiller has been a member of the ACWA JPIA Executive Committee. He also serves on the AWCA JPIA Workers Compensation and Personnel Committees, and the ACWA Energy Committee.

Due to his elected public service experience, community volunteer service, and 30-year career at the University of California, Irvine, Director Bockmiller possesses the qualifications, knowledge and understanding of the many issues facing ACWA JPIA. Provided for your review is a Statement of Qualifications for Director Bockmiller's election to the ACWA JPIA

Executive Committee.

Ten agencies, including all current ACWA JPIA Executive Committee members' agencies (marked with an asterisk below), have adopted concurring in nomination resolutions in support of Director Bockmiller's candidacy for the ACWA JPIA Executive Committee:

- Cucamonga Valley Water District*
- East Orange County Water District
- Humboldt Bay Municipal Water District*
- Kings River Conservation District*
- Municipal Water District of Orange County
- Orange County Water District*
- Rincon Del Diablo Water District*
- San Bernardino Valley Water Conservation District*
- Serrano Water District
- Yorba Linda Water District

Our Board has the highest confidence in Director Bockmiller and his proven leadership abilities, which can help guide ACWA JPIA to continued organizational success and excellence in serving its member agencies. If you have any questions or requests for additional information, kindly contact our General Manager, Paul E. Shoenberger, P.E., by calling 949.631.1206 or by emailing PaulS@MesaWater.org. Thank you for your consideration of voting for Director Bockmiller.

Sincerely,

Shawn Dewane

Mesa Water Board President

c: Mesa Water Board of Directors

Paul E. Shoenberger, P.E., Mesa Water General Manager

Re-elect Fred R. Bockmiller, P.E. to ACWA JPIA Executive Committee

Fred R. Bockmiller, P.E. Director, Mesa Water District



OBJECTIVE: To further the goals of ACWA JPIA in best serving its members, by applying analytical and leadership skills, and risk management experience, while continuing to serve our members on the ACWA JPIA Executive Committee during this time of significant transition for the organization.

STATEMENT OF QUALIFICATIONS:

- ACWA JPIA Executive Committee, 2019-present
- ACWA JPIA Committees Risk Management, 2008-present; Workers Compensation, 2022-present; Personnel, 2023-present
- ACWA JPIA Board, 2006-present
- ACWA Energy Committee, 2002-present
- Mesa Water District Director, 1996-present Five-term Board
 President; Chaired every Mesa Water District Committee
 (Executive, Audit Ad Hoc, Finance, Human Resources, IT Ad Hoc, Engineering and Operations, Public Information)
- Engineering Manager, University of California, Irvine (UCI)
 Department of Finance and Administration
- Ex Officio member, California Building Standards Commission Plumbing Electrical Mechanical and Energy Code Advisory Committee, 2015-present

BIOGRAPHY: Fred Bockmiller represents Division 1 -- encompassing the West Side of Costa Mesa and portions of Newport Beach -- on the Mesa Water District (Mesa Water®) Board of Directors. He has served as Mesa Water Board President for five terms.

Throughout his elected service, Director Bockmiller has championed water quality and costeffective service reliability through a perpetual agency philosophy of prioritizing long-term planning for the future of Mesa Water to ensure continuous infrastructure maintenance, renewal, and improvement. He has been a relentless supporter of high-quality, fact-based decision-making.

Director Bockmiller has represented Mesa Water at the City/Districts Liaison Committee, Orange County Council of Governments, Orange County Water District, and the Costa Mesa Westside Revitalization Oversight Committee.

For more than 15 years, Director Bockmiller has represented Mesa Water on the Board of the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority (JPIA). He presently serves on the ACWA JPIA Executive, Risk Management (Chair), Workers Compensation (Vice Chair), and Personnel Committees.

Director Bockmiller has been the Engineering Manager in the Department of Finance and Administration at UCI, a leader in energy conservation and construction efforts for more than 25 years, including completion of more than \$3 billion in major capital construction projects; more than \$300 million in reconstruction and extensive energy and water conservation retrofits, which tripled the developed building space, reduced energy consumption in laboratories by 50 percent, slashed the campus carbon footprint, improved the energy infrastructure, and decreased per capita water use by more than 30% while improving the built environment for research, teaching, and public service.

Developing the next generation is an area of interest for Director Bockmiller. He is a regular guest lecturer in UCI's Department of Mechanical and Aerospace Engineering, a mentor in the Junior Mentor Program at Newport Harbor High School, and served for 17 years on the board of Youth Employment Service -- a local charity that provides youth with the tools to find jobs -- where he served as CFO and President.

This email was sent to mgaskins@etwd.com

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STAFF REPORT

To: Board of Directors Meeting Date: April 27, 2023

From: Dennis Cafferty, General Manager

Subject: Travel & Expense Reimbursement Policy - Resolution No. 23-4-3

Minor modifications to the Travel & Expense Reimbursement Policy are proposed to update employee meal allowances to reflect current cost expectations.

The modifications are shown in the attached redline and clean versions of the Travel & Expense Reimbursement Policy.

Recommended Action: Staff recommends approval of Resolution No. 23-4-3 amending EI Toro Water District Policy Statement 1985-5 (IV) Travel and Expense Reimbursement Policy.

RESOLUTION NO. 23-4-3

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EL TORO WATER DISTRICT
AMENDING EL TORO WATER DISTRICT POLICY STATEMENT 1985-5 (IV)
TRAVEL AND EXPENSE REIMBURSEMENT POLICY

RESOLUTION NO. 23-4-3

RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT AMENDING POLICY STATEMENT 1985-5 (IV) "TRAVEL & EXPENSE REIMBURSEMENT POLICY"

WHEREAS, the Board of Directors of the El Toro Water District desires to amend the existing Travel & Expense Reimbursement Policy.

NOW, THEREFORE, IT IS HEREBY RESOLVED, as follows:

Policy Statement – Travel & Expense Reimbursement Policy 1985-5 (IV) is hereby amended, approved and adopted in the form and content attached to this Resolution marked Exhibit "A";

ADOPTED, SIGNED AND APPROVED this 27th day of April 2023.

KAY HAVENS, President
El Toro Water District and of
the Board of Directors
thereof

ATTEST:

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

RESOLUTION NO. 23-4-3

EXHIBIT A

D		
Prepared by: Staff	EL TORO WATER DIST	5
	POLICY STATEMEN	Item 4 Section IV
Approved by:		Date: 04-27-23
Approved by: Board of	1985-5 (IV)	Revision: 16
Directors	TRAVEL AND EXPEN	SE
	REIMBURSEMENT POL	
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1 '	esolution: 18-9-1	Date: 9/27/18
1 .	esolution: 19-9-1	Date: 9/26/19
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Prepared by: Board	EL TORO WATER DISTRICT POLICY STATEMENT	Page 2 of 14 Item 4 Section IV
Approved by: Board of Directors	1985-5 (IV)	Date: 04/27/23 Revision: 16

TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES

I. PURPOSE

To advance training and professionalism, the El Toro Water District (District) encourages and authorizes attendance at various schools, seminars and conferences by its employees. Employees may also be required to travel both in and outside the state to conduct official District business. The purpose of this travel and expense policy is to furnish rules, guidelines, and procedures for governing reimbursement for travel expenses, and to establish certain procedures concerning travel authorization, documentation, and accounting. The District's objectives are to allow travel arrangements, and activities for its employees that conserve District funds and that have a significant and meaningful link to the purposes, policies, and interests of the District.

"Travel" shall mean attendance at meetings, conferences, or other functions on District business at other than the employee's headquarters. Employees shall not be in travel status to the extent that they travel to perform job assignments related to District facilities within designated service or maintenance areas unless it is overnight.

II. <u>AUTHORIZATION FOR TRAVEL</u>

Employees, if authorized by their supervisors, may travel anywhere within Orange County to carry out their assignments.

Other travel on District business by employees shall be undertaken only with the prior approval of the General Manager, or the Assistant General Manager.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

III TRAVEL ARRANGEMENTS

To ensure the accuracy of travel arrangements and compliance with District policy, all employees will be required to complete all the appropriate travel forms. The forms will then be submitted to the Board Secretary or designee for processing.

Employees traveling on District business may make all travel arrangements and registrations through the Board Secretary or designee. All such payment and registration requests must be submitted in a timely manner to allow sufficient time for normal processing.

IV. POLICY

- 1. Employees are expected to exercise good judgment and a proper regard for economy in incurring expenses.
- 2. When required, the District will prepay airfares, lodging costs and conference registration fees. All such payment requests must allow sufficient time for normal processing and approval prior to payment.
- When traveling on official District business, employees are encouraged to utilize their personal credit cards and/or cash for all expenses, and then to request reimbursement for such expense. However, in circumstances where the use of such credit cards and/or cash is deemed impractical, and where the total expense is expected to exceed fifty (\$50.00), the District may provide an advance of funds. Such advance shall not exceed one hundred percent (100%) for the total estimated expense.
- 4. Within ten (10) working days after completion of a trip, a travel expense report should be submitted to the Board Secretary or designee.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

- 5. Paid receipts for lodging, rail or airfares and conference registration fees are required if such expenses have been incurred. All other receipts received in the normal course of business shall also be attached.
- 6. There is no objection to an employee's spouse and/or other family member accompanying them on an official trip, provided that their presence does not detract from the employee's performance of duty. However, the District will not reimburse any expenses attributable to any companion.
- In any situation where extraordinary travel expenses are expected to be incurred, or where this Policy does not adequately cover the situation or would result in an undue hardship, exceptions may be made with prior approval.
- 8. An employee may use any mode of transportation, designated or approved, including airline, railroad, bus or automobile. Reimbursement will be based on the following paragraphs.
 - A. Travel shall be by the most direct route. If an indirect route is used, the additional costs shall be at the employee's personal expense. Whenever air travel is used, an advance travel request shall be submitted to the Board Secretary or designee in order to obtain the lowest possible fare.
 - B. Air travel reimbursement shall be limited to economy fares including all applicable fee charges and taxes where such service is available. Travel to and from airports shall be by the most cost effective method.

Prepared by: EL TORO WA

EL TORO WATER DISTRICT
POLICY STATEMENT

Page 5 of 14 Item 4 Section IV

Approved by:
Board of
Directors

1985-5 (IV)

Date: 04/27/23 Revision: 16

TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES

- C. Reimbursement for the use of private cars, except those receiving a car allowance, shall be at the rate as established by the Internal Revenue Services (IRS). Mileage reimbursement shall be limited to the economy fare for air travel. Parking charges at the destination will be reimbursed in accordance with the provisions of this policy.
- D. Reimbursement for the use of rental cars will be allowed only when such use has been approved in advance. Maximum reimbursement for car rental will be for a full-size car.
- E. Travel in District vehicles may be approved when circumstances warrant it. When traveling in a District vehicle, receipts shall be secured for the purchase of gas, oil, and other supplies necessary en-route. These amounts shall be shown on the expense report with a notation that a District vehicle was used, indicating the District unit number, the license plate number and make of the vehicle. The amount of the charge shall be typed opposite the transportation category.
 - If emergency repairs are necessary, they shall be paid for by the person to whom the car is assigned. All receipts for such payments must be furnished in order to obtain reimbursement.
- F. It is expected that hotel and motel reservations will be made in advance whenever possible, and that lodging will be secured at rates considered reasonable for the particular destination. "Government rates" or "commercial rates" shall be requested at hotels and motels offering these discounts.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

- G. Reimbursement for lodging shall be limited to the minimum number of nights required to conduct the assigned District business. If an employee chooses to arrive earlier or stay later, the additional lodging and other expenses related to this decision will be the employee's personal expense.
- H. Generally, an employee shall not use lodging unless the destination is a 75-mile or more drive from the District's Administration Office or unless there is a very early or late official meeting that could justify the employee staying overnight at the destination.
- Any room service charges appearing on the hotel bill shall be deducted from the bill and reimbursed in accordance with the provisions of this policy.
- J. Local and long distance telephone and computer access charges will be reimbursed when such charges are incurred in conducting official District business or making essential personal calls such as a "safe arrival call." Charges will be shown on a separate line of the travel expense report and shall, therefore, be deducted from the hotel bill.
- K. When meals are associated with employee travel the following policies and procedures will apply:
 - i. Maximum allowance to cover individual meals, including meal tips, will be provided as follows:

Breakfast \$20.00 Lunch \$25.00 Dinner \$35.00

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

Under certain meeting or conference circumstances the maximum meal allowance may not be sufficient. In such cases, the General Manager has the authority to review and, if deemed appropriate, may approve the expenditure. Under similar instances involving the General Manager, the President of the Board of Directors shall review and, if deemed appropriate, may approve the expenditure.

- ii.No reimbursement shall be made for meals, other than during travel, without prior approval.
- iii. No reimbursement shall be made for alcohol at any time.
- iv. For travel that requires less than a full day, and for the day of departure and day of return on longer trips, the above amounts will be allowed for the meals actually required. All meal allowances shall be entered on the appropriate lines of the Travel Expense Report, with receipt(s) attached.
- v.When conference, seminar or school registration fees include one or more meals, or where individual meals are otherwise provided, no amount shall be entered for this meal on the travel expense form.
- vi. Paid, itemized receipts for meals, in addition to any credit card receipts, are required if meal expenses have been incurred.
- L. At times when other expenses associated with travel are required, employees will be reimbursed for all business expenses necessary to conduct the assigned District business. Examples include, but are not limited to the following:
 - i. Airport parking charges when air travel is used.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

- ii. Parking charges at the destination hotel or garage when transportation is by private or rental car.
- iii. Airport bus/shuttle, or taxi fares where free airport bus/shuttle service is not available.
- iv. Conference, seminar or school registration fees.
- v. Local transportation (only as required for official District business).
- vi. A reasonable amount will be allowed for baggage handling, laundry and dry cleaning for employees attending a conference or school of more than one week in length. All receipts for such expense must be submitted with the travel expense report.
- vii. No reimbursement will be made for personal expenses such as newspapers, magazines, haircuts, shoeshines, excessive personal telephone calls, taxi fares to and from restaurants, and other personal expenses.

Prepared by: Staff/General Counsel

EL TORO WATER DISTRICT POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

Page 9 of 14 Item 4 Section IV

Date: 04/27/23 Rev. 16

Approved by: Board

I. PURPOSE

To advance training and professionalism, El Toro Water District (District) encourages and, with prior approval by the Board, authorizes attendance at conferences (i.e. ACWA, CSDA, WaterReuse, CASA) by its Board members (Directors). Directors may be required to travel both in and outside the state to conduct official District business. This policy is to furnish guidelines for reimbursement for travel expenses and to establish certain procedures concerning travel authorization and documentation.

Members of the Board of Directors are encouraged to attend, with prior approval by the Board or the Board President, educational conferences and professional meetings when the purposes of such activities are to benefit the El Toro Water District. In addition, subject to prior approval of the Board or the Board President, the District encourages Directors development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses and participation with professional organizations, associated with the interests of the District.

This Policy will be reviewed annually by the entire Board of Directors at a regular monthly meeting of the Board.

II. GOVERNANCE

The District shall adhere to Government Code Sections 53232 through 53232.4 when dealing with issues of Director remuneration and reimbursement.

Prepared by: Staff/General Counsel

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

Page 10 of 14 Item 4 Section IV

Date: 04/27/23 Rev. 16

III. <u>AUTHORIZED EVENTS</u>

Subject to the District's enabling statutes, attendance at the following qualifies a Director to be eligible to receive compensation.

- A. A conference or organized educational activity conducted in compliance with Government Code Section 54952.2(c), including but not limited to ethics training required by Government Code Section 53234.
- B. Official business representing the District.

IV AUTHORIZED EXPENSES

- A. Reimbursement rates shall coincide with rates set by Internal Revenue Service Publication 463 or its successor publication(s).
- B. If lodging is in connection with the above or other prior approved event, such lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor. If the published group rate is unavailable, Directors shall be reimbursed for comparable lodging at government or IRS rates.
- C. Reimbursement for lodging shall be limited to the minimum number of nights required for the Director's attendance at the event. Charges for local and long distance telephone calls and computer access will be reimbursed when such calls are made in conducting official District business or essential personal calls such as a "safe arrival call". There will be no reimbursement for personal telephone calls or other hotel charges not related to District business needs.
- D. A Director's spouse or other family member(s) may accompany the Director on trips authorized under this policy provided that their presence does not detract from the Director's performance of duty. However, no expenses attributable to any companion will be reimbursed by the District.

Prepared by:
Staff/General
Counsel

EL TORO WATER DISTRICT

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Approved by: Board of Directors

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

Date: 04/27/23 Rev. 16

- E. If travel and lodging is in connection with the above or other prior approved event, Directors shall use government or group rates offered by the provider of transportation when available.
- F. If transportation is by commercial airline, reimbursement shall generally not exceed the standard round-trip airline economy airfare in effect at the time.
- G. Travel shall be by the most direct route. If an indirect route is used, the additional costs shall be at the Director's personal expense. Whenever air travel is used, an advance travel request shall be submitted to the Board Recording Secretary in order to obtain the lowest possible fare.
- H. If the use of the Director's personal automobile is required, the owner will be compensated for the mileage driven at the rate established by the Internal Revenue Service (IRS). Parking charges at the destination will be reimbursed with a receipt.
- Maximum reimbursement for car rental will be for a full-size car.
- J. Reimbursement for meals (including tips) during travel to, from and during the event, not included in the registration fee shall be limited to the minimum number of days required for attending the event.
- K. Any and all expenses that do not fall within the adopted travel reimbursement policy or the IRS reimbursable rates are required to be approved by the District's Board of Directors in a public meeting prior to the expenses being incurred.
- L. Expenses that do not adhere to the adopted travel reimbursement policy or the IRS reimbursable rates, and that do not receive prior approval from the District's Board of Directors in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

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Date: 04/27/23 Rev. 16

AUTHORIZED EXPENSES (Continued)

M. Expenses in General and Registration - Authorized expenses may include registration, lodging, communication (telephone, computers, fax), business meals, common carrier fares, automobile rentals, parking fees, and use of personal automobiles at the standard mileage rate permitted at the time by the Internal Revenue Service.

V. REIMBURSEMENT

- A. The District shall provide expense reimbursement report forms to Directors who attend the above functions on behalf of the District, which shall document that expenses adhere to this policy.
- B. Except when customarily no receipts are provided or available (i.e. baggage handling), receipts are required to be submitted in conjunction with the expense report form. Failure to submit necessary receipts will result in denial of the reimbursement claim.
- C. Directors attending functions consistent with the above or other prior approved events shall submit written or oral reports to the District on the meeting(s) that were attended.
- D. It is against the law to falsify expense reports. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following:
 - (A) The loss of reimbursement privileges;
 - (B) Restitution to the District;
 - (C) Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and
 - (D) Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code, penalties for which include 2, 3 or 4 years in prison.

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Approved by: Board of Directors

EL TORO WATER DISTRICT

Date: 04/27/23 Rev. 16

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

VI. TRAVEL ARRANGEMENTS

- A. To ensure the accuracy of travel arrangements, Directors are to complete and sign the appropriate travel forms and submit them to the Board Recording Secretary or designee for processing per attachment ("A").
- B. Travel arrangements and registrations are to be made through the Board Recording Secretary. All payment and registration requests must be submitted in a timely manner to allow sufficient time for normal processing.
- C. Once the appropriate travel requests have been submitted and processed, a Travel Order (Attachment "B") authorizing the travel and attendance will be sent to the Director.

VII. **GENERAL PROVISIONS**

- A. All costs, including those pre-paid by the District prior to the Director's attendance at an approved meeting, will be listed on the Director's expense report at the end of the month in which the expenses were incurred, and wherever possible, must be substantiated with a receipt attached to the expense report.
- B. Travel related expenses for each Director are limited to \$7,000 per fiscal year. Unused portions of the Director's annual budget for this purpose cannot be carried over to a subsequent budget period. No further reimbursements will be made to any Director if their travel related expenses reach the \$7,000 limit in any fiscal year.
- C. In any situation where extraordinary travel expenses is expected to be incurred, or where this Policy does not adequately cover the situation, or would work an undue hardship, exceptions may be made with prior approval of the Board President and General Manager.

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

Page 14 of 14 Item 4 Section IV

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GENERAL PROVISIONS (Continued)

- D. Directors will submit their Travel Expense Claim Form for reimbursement to the District office within the first week, if possible of each month for the prior month's expenses. The Board President, General Manager or designated representative will approve and sign the Claim Form before request for payment can be processed. The Board President's Claim Form shall be approved by the General Manager or Assistant General Manager.
- E. When a Director is obtaining authorization for travel and is aware that the circumstances are such that the charges should not be made against their annual budget, they may request authorization from the Board of Directors or President of the Board that the charges for this activity not be charged against their annual budget.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES

I. PURPOSE

To advance training and professionalism, the El Toro Water District (District) encourages and authorizes attendance at various schools, seminars and conferences by its employees. Employees may also be required to travel both in and outside the state to conduct official District business. The purpose of this travel and expense policy is to furnish rules, guidelines, and procedures for governing reimbursement for travel expenses, and to establish certain procedures concerning travel authorization, documentation, and accounting. The District's objectives are to allow travel arrangements, and activities for its employees that conserve District funds and that have a significant and meaningful link to the purposes, policies, and interests of the District.

"Travel" shall mean attendance at meetings, conferences, or other functions on District business at other than the employee's headquarters. Employees shall not be in travel status to the extent that they travel to perform job assignments related to District facilities within designated service or maintenance areas unless it is overnight.

II. AUTHORIZATION FOR TRAVEL

Employees, if authorized by their supervisors, may travel anywhere within Orange County to carry out their assignments.

Other travel on District business by employees shall be undertaken only with the prior approval of the General Manager, or the Assistant General Manager.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

III TRAVEL ARRANGEMENTS

To ensure the accuracy of travel arrangements and compliance with District policy, all employees will be required to complete all the appropriate travel forms. The forms will then be submitted to the Board Secretary or designee for processing.

Employees traveling on District business may make all travel arrangements and registrations through the Board Secretary or designee. All such payment and registration requests must be submitted in a timely manner to allow sufficient time for normal processing.

IV. POLICY

- 1. Employees are expected to exercise good judgment and a proper regard for economy in incurring expenses.
- 2. When required, the District will prepay airfares, lodging costs and conference registration fees. All such payment requests must allow sufficient time for normal processing and approval prior to payment.
- 3. When traveling on official District business, employees are encouraged to utilize their personal credit cards and/or cash for all expenses, and then to request reimbursement for such expense. However, in circumstances where the use of such credit cards and/or cash is deemed impractical, and where the total expense is expected to exceed fifty (\$50.00), the District may provide an advance of funds. Such advance shall not exceed one hundred percent (100%) for the total estimated expense.
- 4. Within ten (10) working days after completion of a trip, a travel expense report should be submitted to the Board Secretary or designee.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

- 5. Paid receipts for lodging, rail or airfares and conference registration fees are required if such expenses have been incurred. All other receipts received in the normal course of business shall also be attached.
- 6. There is no objection to an employee's spouse and/or other family member accompanying them on an official trip, provided that their presence does not detract from the employee's performance of duty. However, the District will not reimburse any expenses attributable to any companion.
- In any situation where extraordinary travel expenses are expected to be incurred, or where this Policy does not adequately cover the situation or would result in an undue hardship, exceptions may be made with prior approval.
- 8. An employee may use any mode of transportation, designated or approved, including airline, railroad, bus or automobile. Reimbursement will be based on the following paragraphs.
 - A. Travel shall be by the most direct route. If an indirect route is used, the additional costs shall be at the employee's personal expense. Whenever air travel is used, an advance travel request shall be submitted to the Board Secretary or designee in order to obtain the lowest possible fare.
 - B. Air travel reimbursement shall be limited to economy fares including all applicable fee charges and taxes where such service is available. Travel to and from airports shall be by the most cost effective method.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES

- C. Reimbursement for the use of private cars, except those receiving a car allowance, shall be at the rate as established by the Internal Revenue Services (IRS). Mileage reimbursement shall be limited to the economy fare for air travel. Parking charges at the destination will be reimbursed in accordance with the provisions of this policy.
- D. Reimbursement for the use of rental cars will be allowed only when such use has been approved in advance. Maximum reimbursement for car rental will be for a full-size car.
- E. Travel in District vehicles may be approved when circumstances warrant it. When traveling in a District vehicle, receipts shall be secured for the purchase of gas, oil, and other supplies necessary en-route. These amounts shall be shown on the expense report with a notation that a District vehicle was used, indicating the District unit number, the license plate number and make of the vehicle. The amount of the charge shall be typed opposite the transportation category.

If emergency repairs are necessary, they shall be paid for by the person to whom the car is assigned. All receipts for such payments must be furnished in order to obtain reimbursement.

F. It is expected that hotel and motel reservations will be made in advance whenever possible, and that lodging will be secured at rates considered reasonable for the particular destination.

"Government rates" or "commercial rates" shall be requested at hotels and motels offering these discounts.

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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

- G. Reimbursement for lodging shall be limited to the minimum number of nights required to conduct the assigned District business. If an employee chooses to arrive earlier or stay later, the additional lodging and other expenses related to this decision will be the employee's personal expense.
- H. Generally, an employee shall not use lodging unless the destination is a 75-mile or more drive from the District's Administration Office or unless there is a very early or late official meeting that could justify the employee staying overnight at the destination.
- Any room service charges appearing on the hotel bill shall be deducted from the bill and reimbursed in accordance with the provisions of this policy.
- J. Local and long distance telephone and computer access charges will be reimbursed when such charges are incurred in conducting official District business or making essential personal calls such as a "safe arrival call." Charges will be shown on a separate line of the travel expense report and shall, therefore, be deducted from the hotel bill.
- K. When meals are associated with employee travel the following policies and procedures will apply:
 - i. Maximum allowance to cover <u>individual</u> meals, including meal tips, will be provided as follows:

Breakfast\$\\\
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Prepared by: Board	EL TORO WATER DISTRICT POLICY STATEMENT	Page 7 of 14 Item 4 Section IV
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TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

Under certain meeting or conference circumstances the maximum meal allowance may not be sufficient. In such cases, the General Manager has the authority to review and, if deemed appropriate, may approve the expenditure. Under similar instances involving the General Manager, the President of the Board of Directors shall review and, if deemed appropriate, may approve the expenditure.

- ii.No reimbursement shall be made for meals, other than during travel, without prior approval.
- iii. No reimbursement shall be made for alcohol at any time.
- iv. For travel that requires less than a full day, and for the day of departure and day of return on longer trips, the above amounts will be allowed for the meals actually required. All meal allowances shall be entered on the appropriate lines of the Travel Expense Report, with receipt(s) attached.
- v.When conference, seminar or school registration fees include one or more meals, or where individual meals are otherwise provided, no amount shall be entered for this meal on the travel expense form.
- vi. Paid, itemized receipts for meals, in addition to any credit card receipts, are required if meal expenses have been incurred.
- L. At times when other expenses associated with travel are required, employees will be reimbursed for all business expenses necessary to conduct the assigned District business. Examples include, but are not limited to the following:
 - i. Airport parking charges when air travel is used.

Prepared by: Board	EL TORO WATER DISTRICT POLICY STATEMENT	Page 8 of 14 Item 4 Section IV
Approved by: Board of Directors	1985-5 (IV)	Date: 04/27/239/26/ 19 Revision: 1516

TRAVEL AND EXPENSE REIMBURSEMENT POLICY FOR EMPLOYEES (Continued)

- ii. Parking charges at the destination hotel or garage when transportation is by private or rental car.
- iii. Airport bus/shuttle, or taxi fares where free airport bus/shuttle service is not available.
- iv. Conference, seminar or school registration fees.
- v. Local transportation (only as required for official District business).
- vi. A reasonable amount will be allowed for baggage handling, laundry and dry cleaning for employees attending a conference or school of more than one week in length. All receipts for such expense must be submitted with the travel expense report.
- vii. No reimbursement will be made for personal expenses such as newspapers, magazines, haircuts, shoeshines, excessive personal telephone calls, taxi fares to and from restaurants, and other personal expenses.

Approved by: Board

EL TORO WATER DISTRICT POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

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Rev. 1516

I. <u>PURPOSE</u>

To advance training and professionalism, El Toro Water District (District) encourages and, with prior approval by the Board, authorizes attendance at conferences (i.e. ACWA, CSDA, WaterReuse, CASA) by its Board members (Directors). Directors may be required to travel both in and outside the state to conduct official District business. This policy is to furnish guidelines for reimbursement for travel expenses and to establish certain procedures concerning travel authorization and documentation.

Members of the Board of Directors are encouraged to attend, with prior approval by the Board or the Board President, educational conferences and professional meetings when the purposes of such activities are to benefit the El Toro Water District. In addition, subject to prior approval of the Board or the Board President, the District encourages Directors development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses and participation with professional organizations, associated with the interests of the District.

This Policy will be reviewed annually by the entire Board of Directors at a regular monthly meeting of the Board.

II. GOVERNANCE

The District shall adhere to Government Code Sections 53232 through 53232.4 when dealing with issues of Director remuneration and reimbursement.

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

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III. AUTHORIZED EVENTS

Subject to the District's enabling statutes, attendance at the following qualifies a Director to be eligible to receive compensation.

- A. A conference or organized educational activity conducted in compliance with Government Code Section 54952.2(c), including but not limited to ethics training required by Government Code Section 53234.
- B. Official business representing the District.

IV AUTHORIZED EXPENSES

- A. Reimbursement rates shall coincide with rates set by Internal Revenue Service Publication 463 or its successor publication(s).
- B. If lodging is in connection with the above or other prior approved event, such lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor. If the published group rate is unavailable, Directors shall be reimbursed for comparable lodging at government or IRS rates.
- C. Reimbursement for lodging shall be limited to the minimum number of nights required for the Director's attendance at the event. Charges for local and long distance telephone calls and computer access will be reimbursed when such calls are made in conducting official District business or essential personal calls such as a "safe arrival call". There will be no reimbursement for personal telephone calls or other hotel charges not related to District business needs.
- D. A Director's spouse or other family member(s) may accompany the Director on trips authorized under this policy provided that their presence does not detract from the Director's performance of duty. However, no expenses attributable to any companion will be reimbursed by the District.

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

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- E. If travel and lodging is in connection with the above or other prior approved event, Directors shall use government or group rates offered by the provider of transportation when available.
- F. If transportation is by commercial airline, reimbursement shall generally not exceed the standard round-trip airline economy airfare in effect at the time.
- G. Travel shall be by the most direct route. If an indirect route is used, the additional costs shall be at the Director's personal expense. Whenever air travel is used, an advance travel request shall be submitted to the Board Recording Secretary in order to obtain the lowest possible fare.
- H. If the use of the Director's personal automobile is required, the owner will be compensated for the mileage driven at the rate established by the Internal Revenue Service (IRS). Parking charges at the destination will be reimbursed with a receipt.
- I. Maximum reimbursement for car rental will be for a full-size car.
- J. Reimbursement for meals (including tips) during travel to, from and during the event, not included in the registration fee shall be limited to the minimum number of days required for attending the event.
- K. Any and all expenses that do not fall within the adopted travel reimbursement policy or the IRS reimbursable rates are required to be approved by the District's Board of Directors in a public meeting prior to the expenses being incurred.
- L. Expenses that do not adhere to the adopted travel reimbursement policy or the IRS reimbursable rates, and that do not receive prior approval from the District's Board of Directors in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

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AUTHORIZED EXPENSES (Continued)

M. Expenses in General and Registration - Authorized expenses may include registration, lodging, communication (telephone, computers, fax), business meals, common carrier fares, automobile rentals, parking fees, and use of personal automobiles at the standard mileage rate permitted at the time by the Internal Revenue Service.

V. **REIMBURSEMENT**

- A. The District shall provide expense reimbursement report forms to Directors who attend the above functions on behalf of the District, which shall document that expenses adhere to this policy.
- B. Except when customarily no receipts are provided or available (i.e. baggage handling), receipts are required to be submitted in conjunction with the expense report form. Failure to submit necessary receipts will result in denial of the reimbursement claim.
- C. Directors attending functions consistent with the above or other prior approved events shall submit written or oral reports to the District on the meeting(s) that were attended.
- D. It is against the law to falsify expense reports. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following:
 - (A) The loss of reimbursement privileges;
 - (B) Restitution to the District;
 - (C) Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and
 - (D) Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code, penalties for which include 2, 3 or 4 years in prison.

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV)

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VI. TRAVEL ARRANGEMENTS

- A. To ensure the accuracy of travel arrangements, Directors are to complete and sign the appropriate travel forms and submit them to the Board Recording Secretary or designee for processing per attachment ("A").
- B. Travel arrangements and registrations are to be made through the Board Recording Secretary. All payment and registration requests must be submitted in a timely manner to allow sufficient time for normal processing.
- C. Once the appropriate travel requests have been submitted and processed, a Travel Order (Attachment "B") authorizing the travel and attendance will be sent to the Director.

VII. GENERAL PROVISIONS

- A. All costs, including those pre-paid by the District prior to the Director's attendance at an approved meeting, will be listed on the Director's expense report at the end of the month in which the expenses were incurred, and wherever possible, must be substantiated with a receipt attached to the expense report.
- B. Travel related expenses for each Director are limited to \$7,000 per fiscal year. Unused portions of the Director's annual budget for this purpose cannot be carried over to a subsequent budget period. No further reimbursements will be made to any Director if their travel related expenses reach the \$7,000 limit in any fiscal year.
- C. In any situation where extraordinary travel expenses is expected to be incurred, or where this Policy does not adequately cover the situation, or would work an undue hardship, exceptions may be made with prior approval of the Board President and General Manager.

Approved by: Board of Directors

EL TORO WATER DISTRICT

POLICY STATEMENT DIRECTOR TRAVEL AND EXPENSE REIMBURSEMENT 1985-5 (IV) Page 14 of 14 Item 4 Section IV

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GENERAL PROVISIONS (Continued)

- D. Directors will submit their Travel Expense Claim Form for reimbursement to the District office within the first week, if possible of each month for the prior month's expenses. The Board President, General Manager or designated representative will approve and sign the Claim Form before request for payment can be processed. The Board President's Claim Form shall be approved by the General Manager or Assistant General Manager.
- E. When a Director is obtaining authorization for travel and is aware that the circumstances are such that the charges should not be made against their annual budget, they may request authorization from the Board of Directors or President of the Board that the charges for this activity not be charged against their annual budget.



STAFF REPORT

To: Board of Directors Meeting Date: April 27, 2023

From: Dennis Cafferty, General Manager

Subject: Trabuco Canyon Water District SOCWA Withdrawal Agreement

The Trabuco Canyon Water District (TCWD) participation in SOCWA has been limited to the regional recycled water permit services provided through PC-12. TCWD has determined it is in their best interest to obtain and manage their own recycled water permit instead of participating in the joint recycled water permitting services offered by SOCWA.

TCWD currently represents less than 1% of the total revenues and budget of SOCWA meaning that more than 99% of the budget of SOCWA is not related to TCWD's operations. TCWD has concluded that it would be in the best interests of both SOCWA and TCWD for TCWD to withdraw as a member of SOCWA and has requested the SOCWA member agencies consent to TCWD's withdrawal.

TCWD has developed and submitted for consideration the "SOCWA Withdrawal and Continued Services Agreement (TCWD-SOCWA)". The Agreement contains the following key provisions:

- It is anticipated that it will take 12-18 months for TCWD to complete the process to
 procure an individual recycled water permit from the San Diego Regional Water
 Quality Control Board. SOCWA will continue to provide interim recycled water
 permitting services, on a contract basis, until TCWD obtains their own permit.
- SOCWA shall continue to provide services to TCWD, on a contract basis, related to development and approval of a Salt and Nutrient Management Plan or other special studies related to production and distribution of recycled water.
- TCWD will satisfy its actuarial liability arising out of unfunded pension obligations and other post-employment benefits ("OPEB") obligations from its historic participation in PC-12 by making a lump sum payment equivalent to the actuarially determined liability amounting to \$20,813.

- SOCWA shall make best efforts to continue to allow for TCWD to participate in joint purchasing agreements offered to Member Agencies for chemicals, solids hauling, and other services that SOCWA negotiates with third party vendors. TCWD shall pay to SOCWA its proportional share of the estimated procurement costs for any such contract, based on the formula described in the Agreement.
- TCWD will have no liability for any claims relating to the operations SOCWA facilities that arise after TCWD's withdrawal. TCWD is not released from proportional liability for any claims relating to TCWD's participation in SOCWA or PC 12 prior to the Effective Date

The proposed SOCWA Withdrawal and Continued Services Agreement (TCWD-SOCWA) has been considered and approved by the following SOCWA Member Agencies:

- Irvine Ranch Water District
- Moulton Niguel Water District
- Santa Margarita Water District
- South Coast Water District
- Emerald Bay Services District
- City of San Clemente
- City of Laguna Beach

Recommended Action: Staff recommends that the Board authorize the General Manager to execute the Consent to the Trabuco Canyon Water District Withdrawal from South Orange County Wastewater Authority and Continued Services Agreement, subject to non-substantive changes.

SOCWA Withdrawal and Continued Services Agreement (TCWD-SOCWA)

This SOCWA Withdrawal and Continued Services Agreement ("**Agreement**") is dated ______, 2023 ("**Effective Date**") and is between Trabuco Canyon Water District ("**TCWD**"), the South Orange County Wastewater Authority ("**SOCWA**"), and each of SOCWA's other **Member Agencies** as that term is defined below.

- A. Overview. The Joint Exercise of Powers Agreement Creating South Orange County Wastewater Authority ("SOCWA") dated July 1, 2001 (the "Joint Powers Agreement") created a joint powers agency made up of several wastewater service providers within the San Juan Creek and/or Aliso Creek watershed. The nine current members of SOCWA are the City of Laguna Beach, the City of San Clemente, El Toro Water District, Emerald Bay Services District, Irvine Ranch Water District, Moulton Niguel Water District, Santa Margarita Water District, South Coast Water District, and TCWD (collectively, the "Member Agencies"). SOCWA owns and operates wastewater treatment facilities, transmission mains, and outfalls on behalf of its Member Agencies, and facilitates a recycled water reuse permit compliance, monitoring, and reporting program.
- B. <u>TCWD Project Committee Participation.</u> Where a SOCWA activity, project, or facility involves less than all of SOCWA's Member Agencies, the affected Member Agencies form a "**Project Committee**" (or "**PC**") that is responsible for overseeing that activity, project, or facility. TCWD is currently a member of PC 12 (formerly known as PC No. 2SO), which handles the activity of joint recycled water permit compliance, monitoring, and reporting for four of the Member Agencies: TCWD, Moulton Niguel Water District, Santa Margarita Water District, and South Coast Water District. The SOCWA recycled water permit, Order No. 97-52, covers TCWD's Robinson Ranch Water Recycling Plant and related recycled water distribution and use system. TCWD's recycled water program is the smallest of the members, representing approximately 6% of the total SOCWA-permitted service area recycled water by volume.
- C. TCWD Intent to Obtain Independent Recycling Permit. TCWD intends to ultimately obtain and manage its own recycled water permit from state/regional regulators, instead of participating in the joint recycled water permitting services offered by SOCWA¹. TCWD is advised that obtaining an independent permit may take up to 12-18 months.
- D. TCWD Withdrawal from SOCWA. Upon obtaining an independent recycled water permit, TCWD will no longer benefit from most SOCWA activities, projects, or facilities. TCWD currently represents less than 1% of the total revenues and budget of SOCWA². TCWD has determined that, because >99% of the budget of SOCWA is not related to TCWD's operations, that it would be in the best interests of both SOCWA and TCWD for TCWD to withdraw as a member of SOCWA. TCWD will satisfy its actuarial liability arising out of unfunded pension obligations ("UAL") and other post-employment benefits ("OPEB") obligations from its historic participation in PC 12 by making a lump sum payment equivalent to the actuarially-determined liability as provided in this Agreement.

¹ Three other SOCWA Member Agencies have independent recycled water permits: the City of San Clemente, El Toro Water District, and Irvine Ranch Water District. The latter two are former members of PC 12.

² TCWD represented only 0.25% of SOCWA's budget in 2022-23 (\$61,528 out of \$23,670,816), and is projected to be only 0.18% of SOCWA's budget in 2023-34 (\$44,780 out of \$24,641,183).

- Interim Recycled Water Permitting Services. Given the uncertain time frame for TCWD to obtain an independent recycled water permit, and in order to facilitate the orderly transition from joint recycled water permitting under SOCWA to an independent recycled water permit, the parties intend for TCWD to immediately withdraw from SOCWA, and concurrently provide for SOCWA to continue to provide limited other services including participation in bulk purchasing and a salt and nutrient management plan, and in the medium-term to perform recycled water permit services for TCWD under contract instead of under the JPA until TCWD's independent permit is issued. This will avoid the potential for TCWD to have obtained an independent permit while still being a SOCWA member.
- Purposes. The Parties intend by this Agreement to provide for (i) TCWD's withdrawal as a member agency from SOCWA; (ii) TCWD's payment of all UAL/OPEB liabilities associated with TCWD's historic membership in SOCWA; (iii) SOCWA's temporary continued provision of recycled water permitting services; and (iv) SOCWA's continued provision of certain other special services on a contract basis.

The Parties therefore agree as follows:

1. JPA Withdrawal.

- 1.1 As of the Effective Date, TCWD is no longer a member of SOCWA and therefore no longer a member of the SOCWA Board of Directors, Project Committee 12, or any other committee. The remaining Member Agencies consent to this withdrawal according to the terms and conditions of this Agreement.
- The JPA is hereby amended to remove TCWD as a member of SOCWA 1.2 or a party to the JPA.
- TCWD shall pay to SOCWA all amounts owing to SOCWA that were 1.3 incurred during its membership in SOCWA within 45 days after receipt of a closing invoice from SOCWA, subject to Section 9 (Liability; Indemnity).
- Effective Date. This Agreement will become effective on the last date this Agreement is executed by SOCWA and the Member Agencies. Regardless of the Effective Date, TCWD shall pay its SOCWA fourth quarter invoice for fiscal year 2022-23.
- 3. Interim Recycled Water Permitting Services. Concurrently with TCWD's withdrawal, SOCWA shall provide recycled water permit compliance, monitoring, and reporting services ("RW Services") to TCWD pursuant to this Agreement. SOCWA shall perform the RW Services to the same level, to the same extent, and using the same standard of care as those RW Services were provided to TCWD prior to TCWD's withdrawal. SOCWA shall provide the RW Services from the Effective Date until TCWD gives 30 days' notice to SOCWA that TCWD no longer requires SOCWA's RW Services.
- Salt and Nutrient Management Plan Services. Concurrently with TCWD's withdrawal, SOCWA shall provide services related to development and approval of a Salt and Nutrient Management Plan ("SNMP") or other special studies related to production and distribution of recycled water³ ("SNMP Services"). SOCWA shall provide the SNMP Services

³ For example, State Water Resources Control Board 13-267 investigative orders.

from the Effective Date until TCWD and SOCWA mutually agree in writing that SOCWA shall no longer provide SNMP Services.

- Costs, Invoicing and Payment. All general references to "Services" in this Agreement include both RW Services and SNMP Services. SOCWA shall invoice TCWD, on no less than a quarterly basis, for all of SOCWA's costs to provide the Services to TCWD. The costs will be allocated to TCWD based on SOCWA's budgeted direct costs, and on a time and materials basis according to the rates set forth in Exhibit 1 (these rates include reasonable overhead and administrative costs). The rates set forth in Exhibit 1 may be reviewed annually and revised to reflect increases in labor or other costs. If SOCWA desires to revise or increase its rates, SOCWA shall deliver with 30 days' notice a proposed revised Exhibit 1; which notice must identify the effective date of the new rates. TCWD will have 30 days from the date notice is delivered to object to the rate increase; if TCWD does not object, the new rates will become effective. If TCWD objects to the proposed new rates, TCWD and SOCWA shall meet and confer to discuss further. The Parties shall negotiate in good faith and TCWD shall not unreasonably refuse to increase time and materials contract service rates. In no event will SOCWA be prevented from increasing its time and material contract service rates by five percent (5%) or less annually. In no event will SOCWA be allowed to increase its time and material contract service rates by more than five percent (5%) without TCWD's consent. TCWD shall pay SOCWA's invoices for all Services under this Agreement by no later than 30 days' after receipt of SOCWA's invoice.
- 6. **UAL/OPEB Liability.** In recognition of TCWD's duty to pay to SOCWA the proportional amount of any UAL/OPEB public retirement system liability allocable to TCWD as of the Effective Date, TCWD shall pay to SOCWA within 45 days after the Effective Date the total amount of \$20,813, as the amount of such liability calculated by SOCWA's actuaries through June 30, 2023 as the anticipated Effective Date, or such amount as re-calculated for a later Effective Date, in full and final settlement of all outstanding UAL/OPEB liability to SOCWA, and upon receipt of that payment, TCWD will be deemed to have satisfied its UAL/OPEB obligations and SOCWA will be deemed to have released and discharged TCWD from any further liability for SOCWA's UAL/OPEB obligations.
- 7. **No JPA Costs.** After the Effective Date, TCWD will not have any responsibility to contribute toward any operational, maintenance, capital, or general fund costs incurred by SOCWA or its Member Agencies, except those costs directly arising out of or relating to the Services, which will be proportional to the services received and identified in the annual use audit as part of the PC 12 costs (and include reasonable overhead and administration costs). If SOCWA does not adopt an annual use audit or budget, then the previous year's annual use audit figures will be used and later reconciled upon adoption of a use audit or budget.
- 8. **SOCWA Bulk Purchases**. TCWD is currently a party to multiple contracts with SOCWA and other Member Agencies for bulk purchasing of services and supplies. SOCWA shall make best efforts to continue to allow for TCWD to participate in joint purchasing agreements offered to Member Agencies for chemicals, solids hauling, and other services that SOCWA negotiates with third party vendors. TCWD shall pay to SOCWA its proportional share of the estimated procurement costs for any such contract, based on the formula described in Exhibit 1.

9. Liability; Indemnity.

9.1 SOCWA shall indemnify, defend, and hold harmless TCWD from:

- A. Any claims, legal, regulatory, enforcement, or administrative actions ("Claims") arising out of or relating to the debts, liabilities, operations, obligations, or facilities owned or operated by SOCWA or any of its Project Committees (except PC 12) that arise on or after the Effective Date. The parties do not intend to release TCWD from its proportional liability for any Claims relating to TCWD's participation in SOCWA or PC 12 prior to the Effective Date.
- B. Any Claims arising out of or related to SOCWA's Services on or after the Effective Date, except such Claims arising out of any acts or omissions of TCWD.
 - 9.2 TCWD shall indemnify, defend, and hold harmless SOCWA from:
- A. Any Claims that are directly attributable to TCWD's participation in PC 12 prior to the Effective Date.
- B. Any Claims that are the result of TCWD's own acts or omissions that arise on or after the Effective Date.
- C. TCWD's share of any Claims that arise while TCWD is a permittee under the SOCWA recycled use permit and that are shared liabilities deemed the responsibility of all permittees, except those Claims related to SOCWA Services under Section 9.1(B) above.
- 10. **Effect on Prior Rights**. The terms of this Agreement govern the parties and supersede all contrary terms in prior agreements between the parties, including but not limited to the Joint Powers Agreement.

11. Miscellaneous.

- 11.1 *Integration, Amendment.* This Agreement represents the entire understanding of the parties as to TCWD's withdrawal from SOCWA and concurrent interim contracting for the Services. To the extent that it contradicts or varies from this Agreement, no prior oral or written understanding will be of any force or effect with respect to the matters covered by this Agreement. This Agreement cannot be modified except in a writing approved and executed by all applicable parties.
- 11.2 *Governing Law.* This Agreement is governed by the laws of the State of California and will be construed as if drafted by all parties.
- 11.3 *Third Parties.* This Agreement does not create any third-party beneficiary or any rights in any person or party other than the parties.
- 11.4 Signing Authority. Each Party represents and warrants that each person or persons executing this Agreement on its behalf is duly authorized to do so by the respective Party and that this Agreement binds the parties.
- 11.5 *Notices*. Any written notice required by this Agreement must be made by U.S. mail or by reliable overnight courier and delivered to the following address, together with a courtesy copy by email:

To TCWD: Trabuco Canyon Water District

32003 Dove Canyon Dr. Trabuco Canyon, CA 92679 Attn: General Manager

cc: by email to fpaludi@tcwd.ca.gov

With a Courtesy Copy by email to: ccollins@hansonbridgett.com

To SOCWA and the other Member Agencies:

South Orange County Wastewater Authority 34156 Del Obispo Street Dana Point CA 92629 Attn: General Manager

Any party may, by written notice to the others, designate a different address or addressee, which will be substituted immediately for that specified above.

- 11.6 Severability. If any provision of this Agreement, for any reason, is held to be invalid, illegal, or unenforceable in any respect, that invalidity, illegality, or unenforceability will not affect any other provision of this Agreement, but this Agreement will be construed as if the invalid, illegal, or unenforceable provision had never been set forth, and the remainder will be enforceable to the fullest extent permitted by law to effectuate the original intent of the Parties.
- 11.7 Successors & Assigns. The terms of this Agreement are binding upon and will inure to the benefit of and be enforceable by the respective successors and assigns of the parties.
- 11.8 *Counterparts.* This Agreement may be executed in counterparts, each of which is an original, but all of which together will constitute one and the same instrument.

The parties are signing this Agreement as of the Effective Date.

TRABUCO CANYON WATER DISTRICT

Dated:	By:	Fernando Paludi, General Manager
Approved as to Form: Hanson Bridgett, LLP		
By: District Counsel		

[additional signature pages follow]

[member agency consents follow]

SOCWA MEMBER AGENCIES' CONSENT

The Member Agencies of SOCWA hereby consent to the Assignment and Assumption Agreement. This consent is expressly conditioned upon and subject to the condition that such consent is not and shall not be construed as a waiver or release of any liability, obligation or contribution to which TCWD would otherwise be obligated if it had not withdrawn from SOCWA or any project committee of SOCWA and which arise out of, or relate in any way to any and all acts and/or failures to act preceding the date of TCWD's withdrawal from SOCWA. This consent is given on the express condition that TCWD accepts and agrees to this condition.

City of Laguna Beach

Dated:	By:Print Name:
Approved as to Form:	Title:
By:City Attorney	
	City of San Clemente
Dated:	By: Print Name:
Approved as to Form:	Print Name: Title:
By:	
	El Toro Water District
Dated:	By: Dennis Cafferty, General Manager
Approved as to Form:	Dennis Caπerty, General Manager
By:	

Emerald Bay Services District Dated: Print Name: Title: Approved as to Form: By: _____ District Counsel **Irvine Ranch Water District** Dated: _____ Paul A. Cook, General Manager Approved as to Form: District Counsel **Moulton Niguel Water District** Ву: _____ Print Name: Title: Approved as to Form: By: _____ District Counsel **Santa Margarita Water District** Dated: Dan Ferons, General Manager Approved as to Form: By: _____ District Counsel

South Coast Water District

Dated:	By:
Approved as to Form:	Rick Shintaku, General Manager
By: District Counsel	
Accepted	Trabuco Canyon Water District
Dated:	By: Fernando Paludi, General Manager

Exhibit 1

Time and Materials Contract Services

Example Only					
A Cost-of-Service fully loaded rate will be used to value the labor costs of future services to Member agencies					
costs of future services to member agencies					
Hours	Hourly Labor Rate	\$ Amount			
10.0	\$100.00	\$1,000.00			
Fringe	52.2%	522.00			
Labor and Fringe		\$1,522.00			
Overhead	29.80%	298.05			
O&M Costs		\$1,820.05			
Admin	15.3%	278.47			
Total Costs		\$2,098.52			
Hourly Bill Rate		\$209.85			

Materials-All Direct Costs will be invoiced based on participation.

Non-SOCWA Agencies' Proposed Contract Participation

- This includes staff labor (fully burdened) and legal counsel costs
 - Staff activities include:
 - Preparing/updating the RFP documents (including getting updated agency information, updating sections for new laws, reviewing and updating contract conditions, and/or adding more specificity to address vendor management issues)
 - Activities during the proposal period (job walks, responding to questions, interviews, proposal reviews, documenting the RFP process, BOFA's, etc.)
 - Preparing and presenting SOCWA Board materials
 - Executing contracts
 - No bid protest costs assumed
- No individual procurement cost tracking by SOCWA staff
- No Use Audit proposed for true up
- CPI LA-OC inflation adjustment from year 0 date
- SOCWA staff has estimated the cost for each major contract procurement at \$10,000
- \$10,000 would be divided by the number of RFP participants
 - > For example:
 - \$10,000 with 8 participants (similar to the bleach RFP)
 - Each agency's costs would be \$1,250 (\$10,000 / 8)
 - Non-SOCWA agencies would be billed \$1,250

GENERAL MANAGER'S REPORT

April 2023

I. OFFICE OF THE GENERAL MANAGER

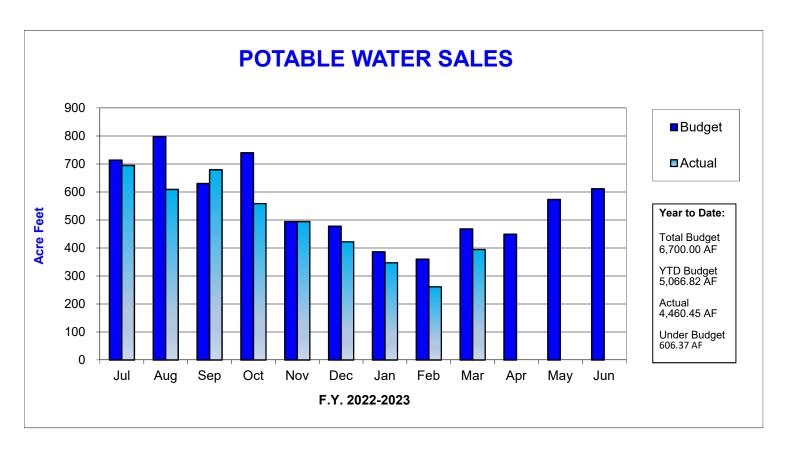
- MWDOC Planning & Operations Committee Meeting
- MWDOC/MET Directors Workshop
- MWDOC/OCWD Joint Planning Committee Meeting
- MWDOC Board Meeting
- MNWD / SMWD / SCWD Joint Board Meeting
- SOCWA Board Meeting
- SOCWA PC-2 Meeting
- Laguna Woods Village Concerned Citizens Earth Day Event
- Water Infrastructure Networking Summit
- Chief Financial Officer Candidate Interviews
- R-6 Cover & Liner Replacement Project Construction Meetings
- R-6 Reservoir Tour for Board and Council Members from MNWD, SMWD and City of Laguna Hills
- ETWD Agenda Review Meeting
- ETWD Budget Advisory Meeting
- ETWD President/VP/GM Meeting
- ETWD All Employee Meeting

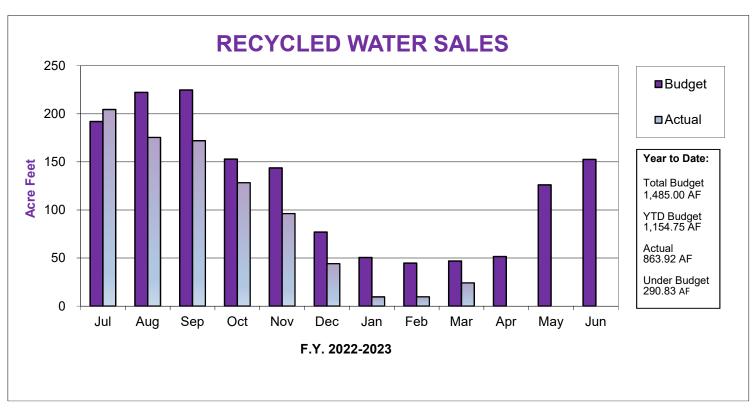
- MWDOC Administration & Finance Committee Meeting
- MWDOC Managers Meeting
- South Orange County Agencies Group Meeting
- ISDOC Quarterly Luncheon
- OCWD GWRS Dedication Event
- SOCWA Engineering Committee Meeting
- SOCWA Finance Committee Meeting
- MWD Meeting Regarding OC-76 Noise Testing
- MNWD SOCWA Blueprint Discussion Meeting
- Division of Safety of Dams Inspection
- Filter Plant Demolition Project Construction Meeting
- ETWD Regular Engineering & Finance Committee Meetings
- ETWD RRC Meeting
- ETWD Budget Committee Meeting
- ETWD Regular Board Meeting

II. DOMESTIC AND RECYCLED WATER SALES

Actual domestic sales for the year-to-date as of March 31, 2023 are 4,460.45 acre-feet. This compares to year-to-date budgeted domestic sales of 5,066.82 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 550.67 acre-feet. Actual sales are 606.37 acre-feet lower than last year-to-date actual sales for the same period.

Actual recycled sales for the year-to-date as of March 31, 2023 are 863.92 acre-feet. This compares to year-to-date budgeted recycled sales of 1,154.75 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 290.83 acre-feet. Actual sales are 284.19 acre-feet lower than last year-to-date actual sales for the same period.





Customer Service Activity Report

Connect/Disconnect Service Field Investigations: Check for leaks - calls to CS Office: (irrigation, meter, street leaks) Customer Responsible District Responsible None found/other High Reads Checked - High Consumption (Billing Dept.) Cust Leaks: _0 No Leaks: 1 Check Stopped Slowed Meters-Low Consumption (Billing) Re-Check Read Ordinance Infraction Recycled Water Water Quality: Taste / Odor / Color Phone response: _1 Field response: _0 Construction (Hydrant) Meters issued Meter Box: Lids / Covers Replaced Meter Box Clean, Digout Raised Meter Box Trim Bushes / Meter Obstruction General Maintenance Response Associated water On the response: _0 Fire Hydrants: Hit / Leaks / Caps Pressure(ps) Checks / Reads CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk, repair, replaced AMS angle-meter-stop replace/repair Bees Removed Backflow / Cross Connection Fogged Registers On-Call After Hrs. CS Response # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) Associated Associated Associated Sales Associated Ass	lange of Service:		
Check for leaks - calls to CS Office:(irrigation,meter,street leaks) Ass Office:(irrigation,meter,street leaks) Customer Responsible 14 12 District Responsible 8 8 Va None found/other 9 6 Prescription High Reads Checked - High Consumption (Billing Dept.) 1 20 Ord Cust Leaks: _0 No Leaks: 1 Check Stopped Slowed Meters-Low Consumption (Billing) 5 18 Outling Re-Check Read 8 11 De	onnections and Disconnections	56	68
Office:(irrigation,meter,street leaks)	ling / Payments & Graph Inquires	311	134
Customer Responsible	sistance with online payments and	1	11
District Responsible None found/other High Reads Checked - High Consumption (Billing Dept.) Cust Leaks: _0 No Leaks: 1 Check Stopped Slowed Meters-Low Consumption (Billing) Re-Check Read Ordinance Infraction Recycled Water Water Quality: Taste / Odor / Color Phone response: _1 _ Field response: _0 _ Construction (Hydrant) Meters issued Meter Box: Lids / Covers Replaced Meter Box: Lids / Covers Replaced Trim Bushes / Meter Obstruction General Maintenance Response If Hydrants: Hit / Leaks / Caps Pressure(psi) Checks / Reads CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk, repair, replaced AMS angle-meter-stop replace/repair Bees Removed Backflow / Cross Connection On-Call After Hrs. CS Response # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) # Occurred Time High Reads School Page Ord Cap Ord Ca	WD's portal (cc, e-checks, other.)	ı	11
None found/other			
High Reads Checked - High Consumption (Billing Dept.)	riance / Adjustment Inquiries	15	16
High Reads Checked - High Consumption (Billing Dept.)	riance / Adjustment Requests	8	8
Check Stopped Slowed Meters-Low 5 18 Ou Consumption (Billing) 8 11 De Re-Check Read 8 11 De Ordinance Infraction 1 1 1 Ph Recycled Water 0 0 Re Water Quality: Taste / Odor / Color 1 2 Wa Phone response: _1 _ Field response: _0 _ Let Construction (Hydrant) Meters issued 1 3 Co Construction (Hydrant) Meters issued 3 1 3 Co Co Meter Box: Lids / Covers Replaced 33 15 To Ba (qu Meter Box Clean, Digout 5 7 Ba (qu ET ET ET Ba (qu ET ET Ba (qu ET ET Ba (qu ET To Ba (qu ET To ET All And	dinance Infraction / Water Waste mplaints	0	0
Consumption (Billing)			
Re-Check Read	itside Utility Districts	40	33
Neter Check Read	one calls Transfer to other	0.5	
Recycled Water 0 0 Re Water Quality: Taste / Odor / Color 1 2 Water Phone response: _1_ Field response: _0_ Lead Construction (Hydrant) Meters issued 1 3 Co Sewer - Odor/Stoppage/ Manhole Covers Replaced 1 3 Se Meter Box: Lids / Covers Replaced 33 15 Meter Box Clean, Digout 5 7 Baa Meter Box Clean, Digout 5 7 Baa Raised Meter Box 0 4 Boo Sta Trim Bushes / Meter Obstruction 14 10 10 General Maintenance Response 4 2 Tyc Fire Hydrants: Hit / Leaks / Caps 1 0 AT Pressure(psi) Checks / Reads 4 1 SC CSSOV (Angle Meter/Ball Valve/Gate 9 5 Sta Valve/Globe Valve) chk,repair,replaced 9 5 Sta AMS angle-meter-stop replace/repair 0 1 Beackflow / Cross Connection 5 0 Pa Fogged Registers 38 </td <td>partments within ETWD</td> <td>25</td> <td>44</td>	partments within ETWD	25	44
Water Quality: Taste / Odor / Color 1 2 Water Phone response: _1_ Field response: _0_	one calls for the Board of Directors	0	1
Phone response: _1_ Field response: _0_	ecycled Water	1	0
Construction (Hydrant) Meters issued 1 3 Co Sewer - Odor/Stoppage/ Manhole Covers 1 3 Se Meter Box: Lids / Covers Replaced 33 15 Meter Box Clean, Digout 5 7 Ba (qu ET Raised Meter Box 0 4 Bo Raised Meter Box 0 4 Bo Sta Trim Bushes / Meter Obstruction 14 10 To General Maintenance Response 4 2 (Al. Fire Hydrants: Hit / Leaks / Caps 1 0 AT Pressure(psi) Checks / Reads 4 1 SC CSSOV (Angle Meter/Ball Valve/Gate 9 5 Sta Valve/Globe Valve) chk,repair,replaced 9 5 Sta AMS angle-meter-stop replace/repair 0 1 De Bees Removed 4 4 4 Backflow / Cross Connection 5 0 Pa Fogged Registers 38 0 Cu Oh/Cor <td>ater Quality Taste - Odor - Color</td> <td>1</td> <td>0</td>	ater Quality Taste - Odor - Color	1	0
Sewer - Odor/Stoppage/ Manhole Covers 1 3 Sewer Meter Box: Lids / Covers Replaced 33 15 Meter Box Clean, Digout 5 7 Bar (quest) Raised Meter Box 0 4 Box Star (quest) Trim Bushes / Meter Obstruction 14 10 General Maintenance Response 4 2 (Al. Fire Hydrants: Hit / Leaks / Caps 1 0 AT Fire Hydrants: Hit / Leaks / Caps 1 0 AT Pressure(psi) Checks / Reads 4 1 SC CSSOV (Angle Meter/Ball Valve/Gate 9 5 Star Valve/Globe Valve) chk,repair,replaced 9 5 Star AMS angle-meter-stop replace/repair 0 1 Bess Removed 4 4 Backflow / Cross Connection 5 0 Pa De Fogged Registers 38 0 Cu OMCOP: Old Meter Change - Out Program 0 2 Our Ohrer: (uncommon non-maintenance calls) 1 5 Em <t< td=""><td>aks / Breaks</td><td>12</td><td>6</td></t<>	aks / Breaks	12	6
Meter Box: Lids / Covers Replaced Meter Box Clean, Digout Start Raised Meter Box Trim Bushes / Meter Obstruction General Maintenance Response 4 2 (Al. Fire Hydrants: Hit / Leaks / Caps Pressure(psi) Checks / Reads CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk, repair, replaced AMS angle-meter-stop replace/repair Bees Removed Backflow / Cross Connection Fogged Registers OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) Baa (qu ET Baa (qu ET Baa (qu ET A Baa (qu ET A Baa (qu ET Baa (qu ET A Boa (qu ET A Baa (place (Al. Baa) A 1 SC A Al 1 Sc A 1 Sc	onstruction Meter calls (Hydrant)	1	3
Meter Box Clean, Digout Raised Meter Box Trim Bushes / Meter Obstruction General Maintenance Response Fire Hydrants: Hit / Leaks / Caps Pressure(psi) Checks / Reads CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced AMS angle-meter-stop replace/repair Bees Removed Backflow / Cross Connection Fogged Registers OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) Tyd (All Tyd	wer Problems (odor / spills)	0	1
Meter Box Clean, Digout Raised Meter Box O 4 Bo. Sta Trim Bushes / Meter Obstruction General Maintenance Response 4 2 (Al. Fire Hydrants: Hit / Leaks / Caps Pressure(psi) Checks / Reads CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced AMS angle-meter-stop replace/repair Bees Removed Backflow / Cross Connection Fogged Registers OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) Tyd (Al. Tyd (Al.		0	
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General Maintenance Response 4 2 (Al. Fire Hydrants: Hit / Leaks / Caps 1 0 AT Pressure(psi) Checks / Reads 4 1 SC CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced 9 5 State AMS angle-meter-stop replace/repair 0 1 Bees Removed 4 4 4 Backflow / Cross Connection 5 0 Par De Fogged Registers 38 0 Cu cal Re OMCOP: Old Meter Change - Out Program 0 2 our Other: (uncommon non-maintenance calls) 1 5 Em On-Call After Hrs. CS Response 8 12 Maintenance Missal #Shut Offs/Disconnect for Non-Payment (DNP) 23 0 Par Custon Par De Par De Par De Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP)	exes/Covers/Lids/Hydrants/Pump ations/Graffiti/ "Gen. Maint"	0	9
Fire Hydrants: Hit / Leaks / Caps 1 0 AT Pressure(psi) Checks / Reads 4 1 SC CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced 9 5 Sta AMS angle-meter-stop replace/repair 0 1 Bees Removed 4 4 Backflow / Cross Connection 5 0 Page Cal Fogged Registers 38 0 Cu Cal OMCOP: Old Meter Change - Out Program 0 Cu Other: (uncommon non-maintenance calls) 1 5 Em On-Call After Hrs. CS Response 8 12 Miss # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) 2 Cu Cu Cu Cal Cu Cu Cal			
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Pressure(psi) Checks / Reads 4 1 SC CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced AMS angle-meter-stop replace/repair 0 1 Bees Removed 4 4 Backflow / Cross Connection 5 0 Par De Fogged Registers 38 0 Cu cal OMCOP: Old Meter Change - Out Program 0 2 our Other: (uncommon non-maintenance calls) 1 5 Em On-Call After Hrs. CS Response 8 12 Ma (be # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) Par To SC Par Par Par Par Par Par Par Par	arms to ETWD facilities)		•
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Valve/Globe Valve) chk,repair,replaced AMS angle-meter-stop replace/repair Bees Removed Backflow / Cross Connection Fogged Registers OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) On-Call After Hrs. CS Response # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) States 1 On 1 Page 5 States 2 States 2 A 4 4 4 4 A 4 Backflow / Cross Connection De Cu Cu Re O Cu Cal Re Out Program O 2 out Checker 2 Ma (be # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) O Page 5 Cu Cu Cu Cu Cu Cu Cu Cu Cu C	ger Calls specifically for Pump	0	ı
AMS angle-meter-stop replace/repair 0 1 Bees Removed 4 4 Backflow / Cross Connection 5 0 Part Dee	ations - SCADA	0	0
Bees Removed 4 4 Backflow / Cross Connection 5 0 Part Dee Fogged Registers 38 0 Cu cal Re OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) 2 our Other: (uncommon non-maintenance calls) 1 5 Em On-Call After Hrs. CS Response 8 12 Mark (beet Managers) Mark (beet Managers) Missal #Shut Offs/Disconnect for Non-Payment (DNP) 23 0 Part Cut	aliono Govern		
Backflow / Cross Connection 5 0 Part Dec			
Fogged Registers 38 0 Cu cal Re OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) 1 5 Em On-Call After Hrs. CS Response # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) De Ma (be Ma (be # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) De Output De Output A De Cu De Output De	yment Extensions	26	1
Cal Re OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) On-Call After Hrs. CS Response # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) Cu: Cu: Cal Re A Re O A A (be Ma (be # 23 0 Pa Cu: Cu:	linquent Payment Calls to		
OMCOP: Old Meter Change - Out Program Other: (uncommon non-maintenance calls) On-Call After Hrs. CS Response # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) Output Ma (be Ma (be Sal #Shut Offs/Disconnect for Non-Payment (DNP) 2 output Ma (be Cus	stomer 's prior to shut off per billing lendar (automatic courtesy dialer)	43	219
Other: (uncommon non-maintenance calls) On-Call After Hrs. CS Response # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) 1 5 Em Ma (be # 23 0 Pa Cus	eturn Calls from customers left on	18	12
On-Call After Hrs. CS Response 8 12 Ma (be # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) 23 0 Pa Cus	r voice mail system. Ext 500 nail Correspondence:	17	95
# Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) # Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) # 107 # 23 # 24 # 25 # 25 # 26 # 26 # 26 # 27 # 27 # 27 # 28 #	aintenance Service Order Requests	17	95
# Posting Notice & 24 Hr. Door Hangers Hung #Shut Offs/Disconnect for Non-Payment (DNP) 40 Mis sal sal 23 0 Pa Cus	ees, psi, fogged-dirty registers)	8	13
Hung sal #Shut Offs/Disconnect for Non-Payment (DNP) 23 0 Pa	sc. (other: employment, deliveries,	40	00
(DNP) 23 0 Pa	les calls)	13	28
Cus	yment Processing Fee Complaints	0	0
()	stomers Complaints non bill		0
Removed Meter 0 rela	ated.	0	U
New Meter 1 0 Bill	ling Disputes	0	0
Unread Meters 3 6			
·	tal Telephone Calls	598	704

Uncollectible Accounts:		Credit Card Payments		MAR 2023	MAR 2022
Budget YTD	\$15,000.00 \$15,000.00	REGULAR	1,346	\$221,389.65 1,042	\$168,018.80

Actual YTD \$10,891.00 \$ 1,199.00

(WRP) Tertiary Treatment Plant

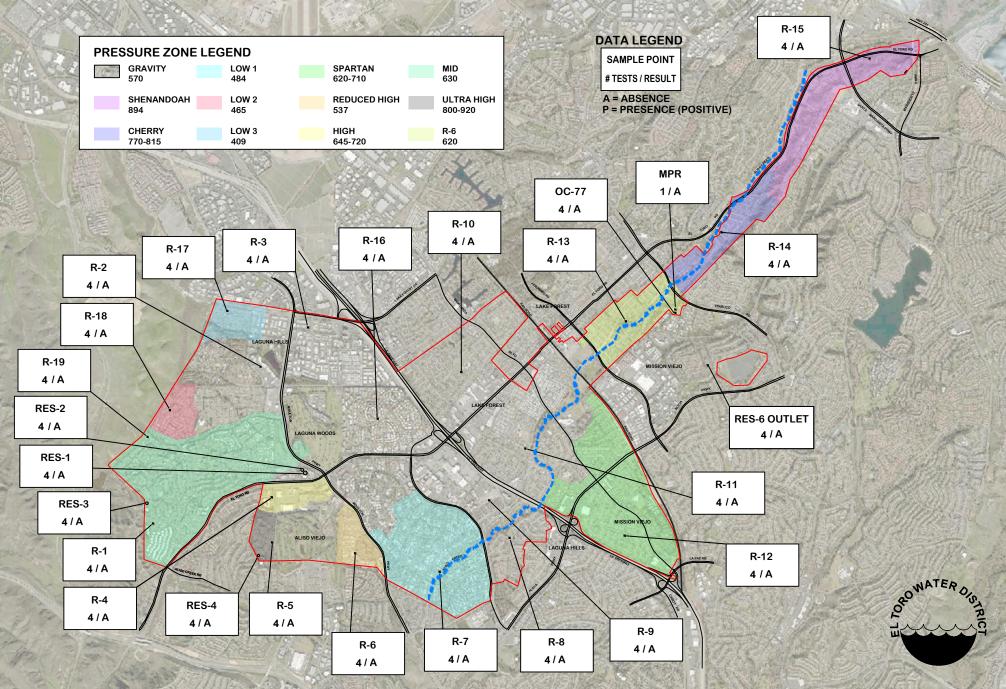
March-23

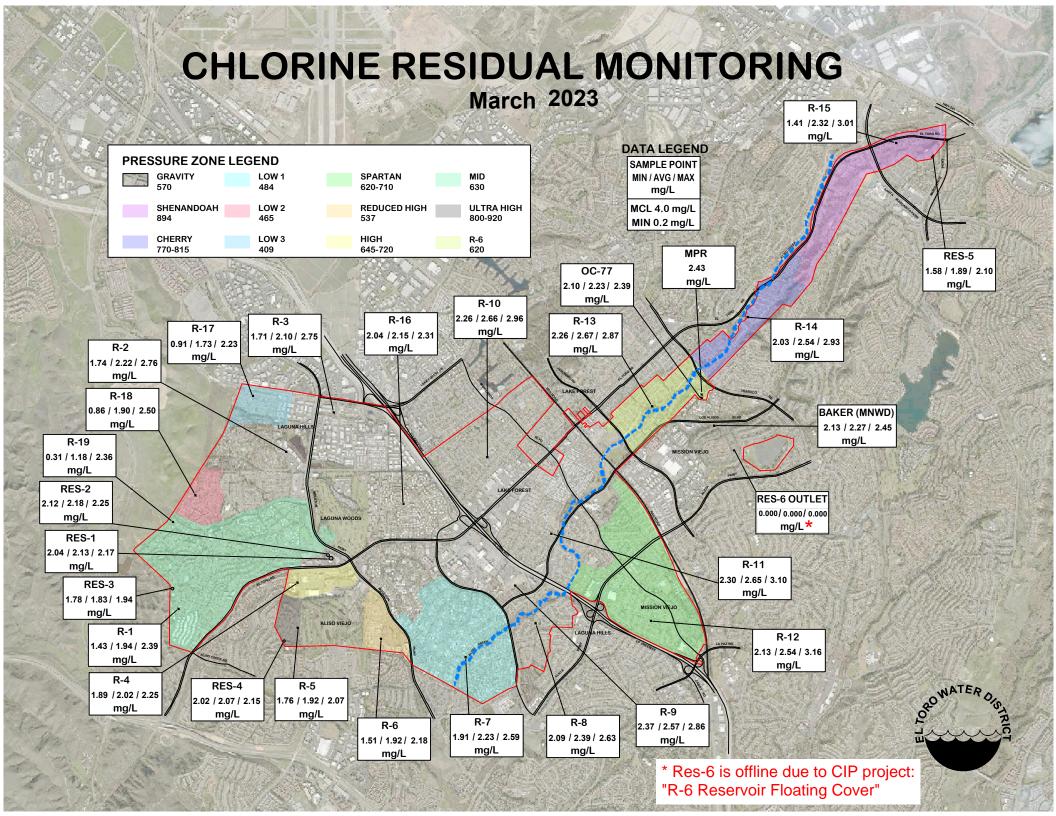
Total Recycled Water Production

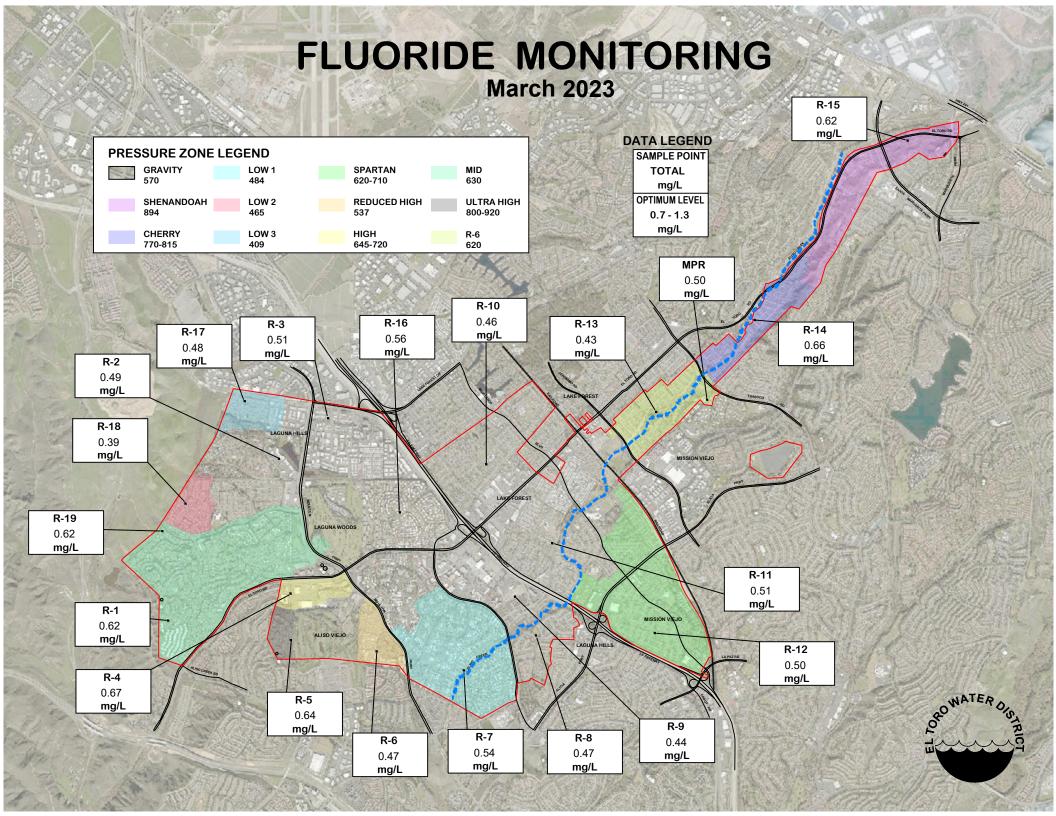
Flow, Units	G.C. Irrigation	Main Distribution	WRP Irrigation/Utility	Total, Production		
Avg. Daily Q, MGD	0.010	0.049	0.069	0.128		
Total Q, MG	0.313	1.523	2.147	3.983		
Total Acre Feet	0.961	4.674	6.589	12.224		
Note: No potable water was used to supplement the demand for recycled water in March						

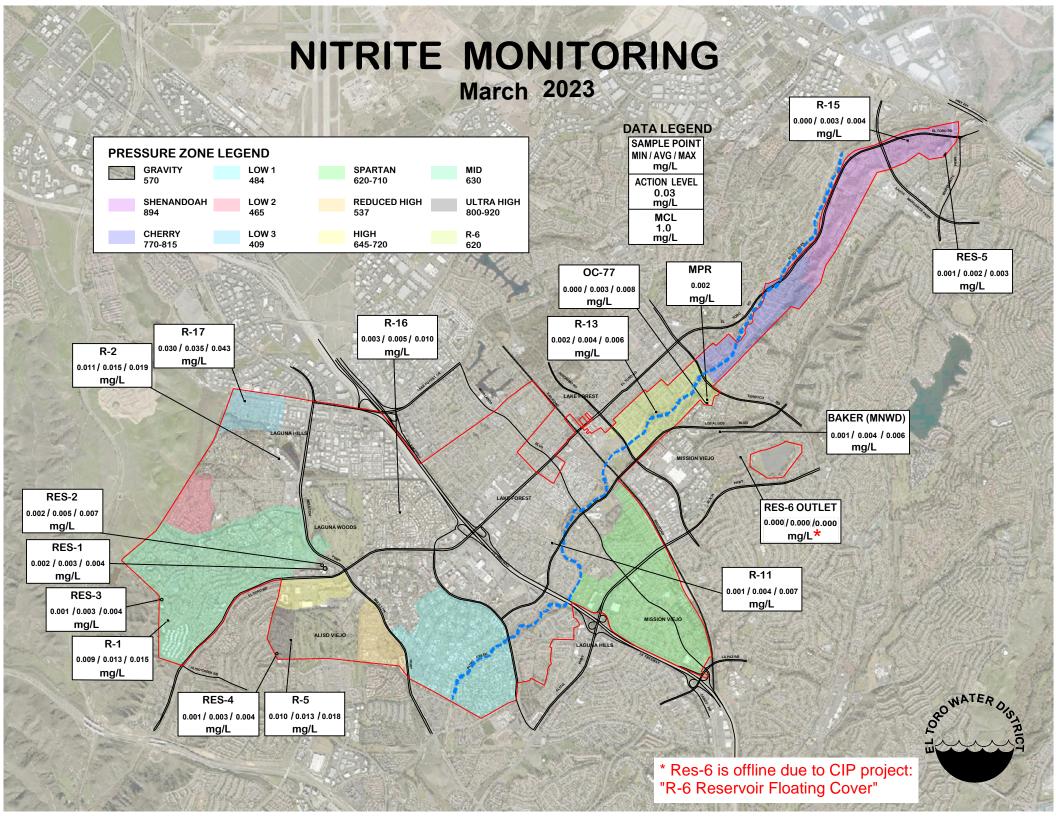
MICROBIOLOGICAL MONITORING

March 2023









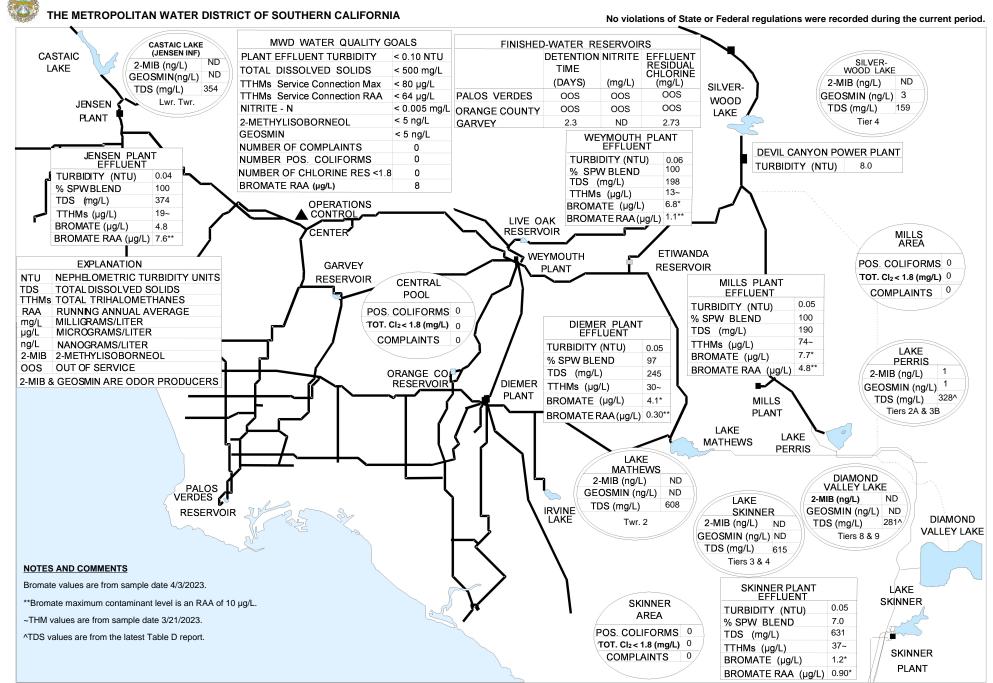
STAGE 2 TOTAL TRIHALOMETHANES (TTHM) MONITORING 1st QUARTER 2023 **DATA LEGEND** PRESSURE ZONE LEGEND SAMPLE POINT SITE 2 **TOTAL GRAVITY** LOW 1 **SPARTAN** MID 46.1 620-710 ppb ppb MCL SHENANDOAH LOW 2 REDUCED HIGH **ULTRA HIGH** 800-920 80 ppb CHERRY LOW 3 HIGH R-6 620 770-815 645-720 SITE 8 45.4 46.4 ppb ppb SITE 4 24.4 ppb SITE 7 44.2 ppb MISSION VIEJO ALISO VIEJO SITE 3 48.6 ppb QROWATER O SITE 1 45.4 ppb SITE 6 46.1 ppb

STAGE 2 HALOACETIC ACIDS (HAA5) MONITORING 1st QUARTER 2023 **DATA LEGEND** PRESSURE ZONE LEGEND SAMPLE POINT SITE 2 **TOTAL GRAVITY** LOW 1 **SPARTAN** MID 14.1 620-710 ppb ND: NONE ppb DETECTED MCL SHENANDOAH LOW 2 REDUCED HIGH **ULTRA HIGH** 800-920 60 ppb CHERRY LOW 3 HIGH R-6 770-815 645-720 620 SITE 8 SITE 5 15.4 17.8 dqq ppb SITE 4 19.9 ppb SITE 7 12.8 ppb MISSION VIE ALISO VIEJO SITE 3 13.0 ppb 20 WATER O SITE 1 11.0 ppb SITE 6 14.0 ppb

Weekly Water Quality System Status

Wednesday, April 19, 2023

Generated On:4/19/2023 12:59:28 PM



State Water Project Resources

SWP Table A - 75% - 1,433,625 AF

WATER SUPPLY CONDITIONS REPORT

Water Year 2022-2023 As of: April 17, 2023

Colorado River Resources

Projected CRA Diversions – 850,000 AF

Upper Colorado River Basin

130% (% of normal)

UT

29%

Mead

7.46 MAF

1,046.95 ft

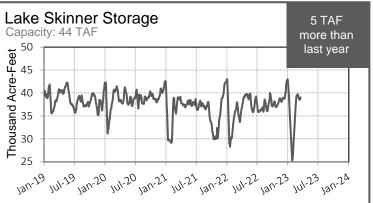
eak Snowpac

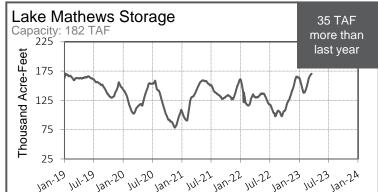
22% Powell

5.35 MAF

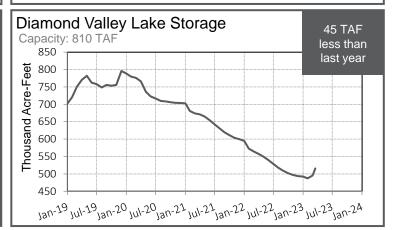
3.521.59 ft

Metropolitan Resources





MWD WSDM Storage Calendar Year 2023 2023 Put Capacity Colorado River Aqueduct Delivery System 400 TAF State Water Project System 638 TAF In-Region Supplies and WSDM Actions 407 TAF Other Programs 303 TAF Total WSDM Storage Put Capacity 1,748 TAF





Highlights

- SWP share of San Luis Reservoir is full and DWR is making Article 21 Interruptible Water Service available
- Snowpack has started to melt
- Powell unregulated inflow forecast is at 151% of normal for the water year and 177% for the April-July period



This report is produced by the Water Resource Management Group and contains information from various federal, state, and local agencies.

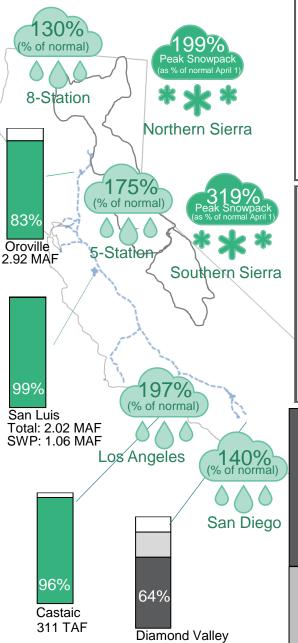
The Metropolitan Water District of Southern California cannot guarantee the accuracy or completeness of this information.

Readers should refer to the relevant state, federal, and local agencies for additional or for the most up to date water supply information.

Reservoirs, lakes, aqueducts, maps, watersheds, and all other visual representations on this report are not drawn to scale.

Questions? Email mferreira@mwdh2o.com

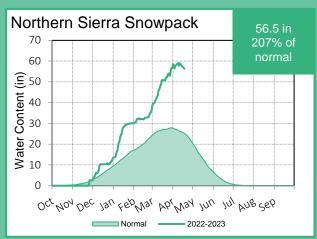
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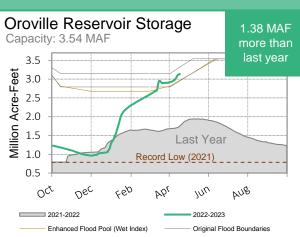


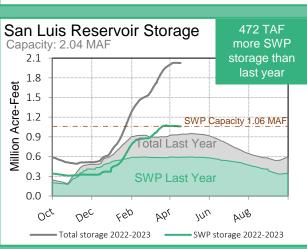
516 TAF

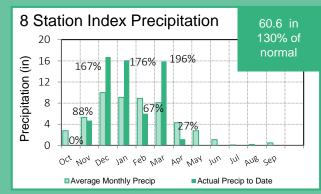
State Water Project Resources

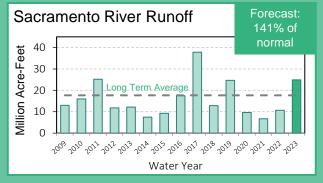
As of: 04/17/2023

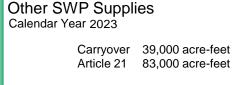


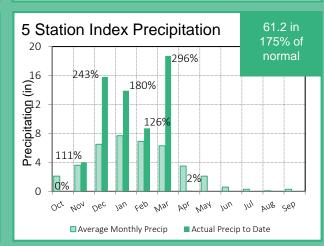






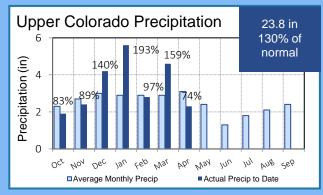


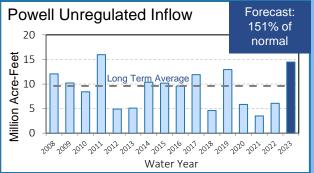


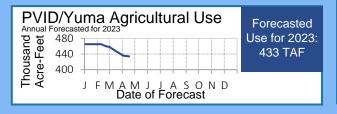


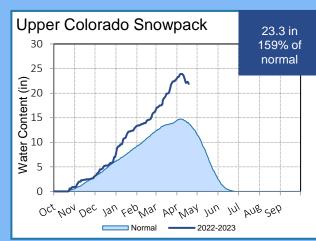
Colorado River Resources

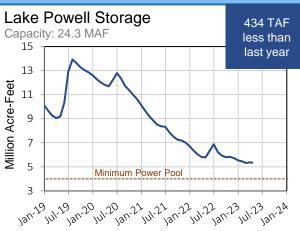
As of: 04/17/2023











Projected Lake Mead ICS

Calendar Year 2023

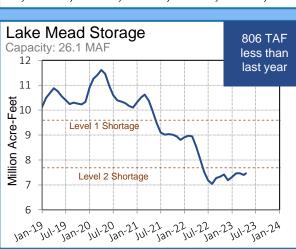
Put (+) / Take (-) Zero

Lake Mead Surplus/Shortage Outlook

	2023	2024	2025	2026
Surplus	0%	0%	0%	0%
Shortage	100%	93%	93%	93%
Metropolitan		60%	67%	60%
DCP*		250 TAF	263 TAF	278 TAF

Likelihood based on results from the January 2023 CRMMS in Ensemble Model/CRSS model run. Includes DCP Contributions

* Chance of required DCP contribution by Metropolitan. Volume is average contribution when needed.



ww.mwdh2o.com/WSCR https://www.mwdh2o.cc

EL TORO WATER DISTRICT COLLECTION SYSTEM ACTIVITY REPORT



MONTH ENDING: MARCH 2023

ODOR COMPLAINTS MONTHLY ANNUAL LOCATION ORIGIN ACTION:

ODOR COMPLAINTS	MONTHLY	ANNUAL	LOCATION, ORI	GIN, ACTION:	
Outside Laguna Woods Village	0	16			
Laguna Woods Village	0	3			
New World	0	0			
Private System	0	0			
Other: WRP	0	0			
TOTAL	0	19			
ROOT FOAMING	FOOTAGE	CHEMICAL USED	COMMENTS		
Outside Laguna Woods Village	0	0			
Laguna Woods Village	0	0			
New World	0	0			
Other	0	0			
TOTAL	0	0			
ROOT CUTTING	FOOTAGE	COMMENTS:			
Outside Laguna Woods Village	0				
Laguna Woods Village	0				
New World	0				
TOTAL	0				
HYDRO-CLEANING ¹	MONTHLY FOOTAGE	TOTAL CYCLE FOOTAGE	TOTAL CYCLE	PERCENT OF CYCLE COMPLETE	PERCENT OF WEEKS INTO THE 2 YEAR CYCLE
Outside Laguna Woods Village	6,351	344,431	256,352	74%	23%
Laguna Woods Village	37,973	263,336	67,893	26%	23%
New World	0	7,728	8,541	111%	23%
Private System	0	1,120	0,341	111/0	23 /0
TOTAL	44,324	615,495	332,786	54%	23%
Hot Spots	24,418	013,493	•	34%	2370
·			148,173		
COMBINED TOTALS:	68,742		480,959		
TV INSPECTIONS ²	MONTHLY FOOTAGE	TOTAL CYCLE	TOTAL CYCLE COMPLETE	PERCENT CYCLE COMPLETE	PERCENT OF WEEKS INTO THE 5 YEAR CYCLE
Outside Laguna Woods Village	17,669	344,431	261,567	76%	36%
Laguna Woods Village	0	263,336	3,321	1%	36%
New World	0	7,728	17,270	223%	36%
Private System	0		0		
Other	0		0		
TOTAL	17,669	615,495	282,158	46%	36%
Wet Well Cleaning	3	MA	THIS, WESTLINE		
Flow Meter/Sampling	0		= , = = = = = = = = = = = = = = = = = =	, 	
Water Tank Fills 68	68,000				
		o is a 2 Voar Cw	cle to Clean the Fr	ntira Systam	

^{1.} The Hydrocleaning Objective is a 2 Year Cycle to Clean the Entire System.

The current cycle began on 07/01/2022

² The TV Inspection Objective is a 5 Year Cycle to Inspect the Entire System.
The current cycle began on 01/25/2021

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.
- Compliance

3) TTHM & HAA5 The U.S. Environmental Protection Agency (EPA) published the Stage 2 Disinfectants and Stage 2 DBPR 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 bacteria-iological 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.

FL TOPO WATER DISTRICT										
EL TORO WATER DISTRICT										
	MONTHLY POTABLE WATER QUALITY ANALYSIS									
	MONTH:	MARCH	YEAR: 2023							
CONSTITUENT		INSIDE	LAB	OUTS	IDE LAB					
ANALYSIS	MCL	NO.	RESULTS	NO.	RESULTS					
1 Microbiological	Pres/Absence	144	Absence		Average					
2 Chlorine (ppm) In Field	Detectable Resid	96	Average = 2.19 ppm							
3 TTHM (ppb) (Stage 2)	80 ppb			8	43.3 ppm					
3 HAA5 (ppb) (Stage 2)	60 ppb			8	14.8 ppm					
4 Physical Quality:			RANGE							
Turbidity (ppm)	5 NTU	20	0.00 to 0.08 Res.							
Odor	3 Units	20	ND<1							
Color	15 Units	20	ND<5							
Temperature	No standard	20	57°F To 64°F							
5 Nitrite (Alert/Action level) ppm	0.015 to 0.030 ppm	94	0.000 to 0.043							

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



April 12, 2023

TO: Administration & Finance Committee

(Directors Crane, Dick, Thomas)

FROM: Harvey De La Torre, Interim General Manager

Staff Contact: Kevin Hostert

SUBJECT: Monthly Water Usage Data and Water Supply Info.

STAFF RECOMMENDATION

Staff recommends the Administration & Finance Committee receive and file this information.

COMMITTEE RECOMMENDATION

Committee recommends (To be determined at Committee Meeting)

REPORT

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

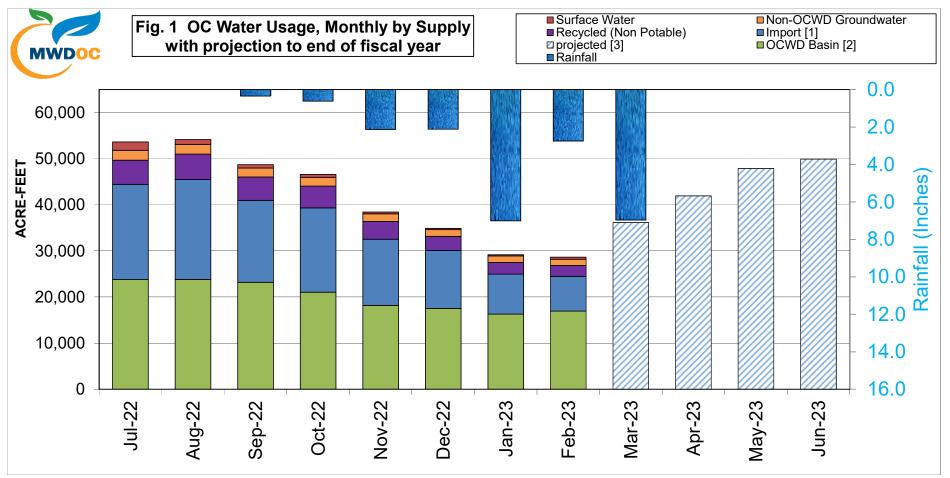
- OC Water Usage, Monthly by Supply oCWD Groundwater was the main supply in February.
- Estimated OC Water Usage, Monthly, Comparison to Previous Years Water usage in February 2023 was below average compared to the last 5 years. We are projecting a decrease in overall water usage compared to FY 2021-22. On March 24th 2023, state officials eased back drought emergency provisions that were in place since July 2021.
- Historical OC Water Consumption Orange County M & I water consumption is projected to be 510,000 AF in FY 2022-23 (this includes ~11 TAF of agricultural usage and non-retail water agency usage). This is about 36,000 AF less than FY 2021-22 and is about 49,500 AF less than FY 2020-21. Water usage per person is projected to be slightly lower in FY 2022-23 for Orange County at 144 gallons per day (This includes recycled water usage). Although OC population has increased

Budgeted (Y/N): N	Budgeted a	amount: N/A	Core X	Choice
Action item amount: N/	A	Line item:		
Fiscal Impact (explain if	unbudgete	d):		

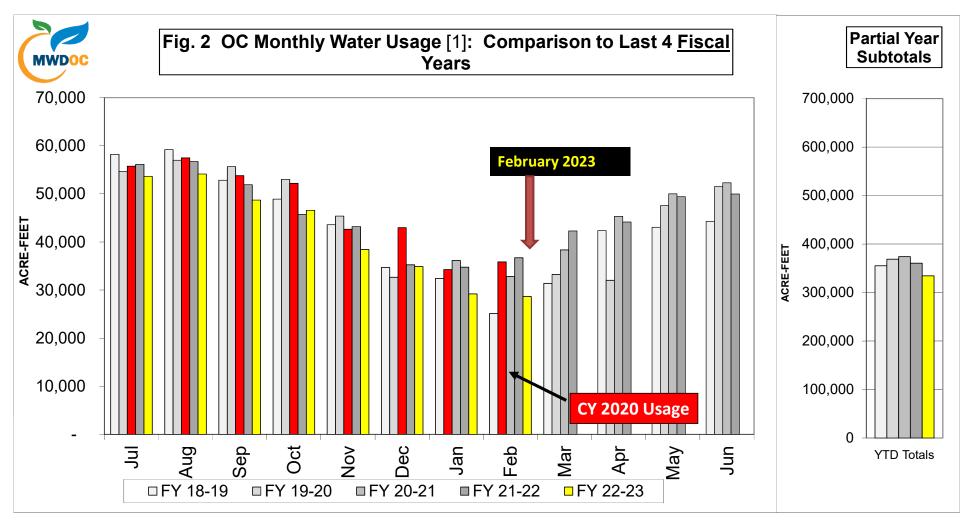
20% over the past two decades, water usage has not increased, on average. A long-term decrease in per-capita water usage is attributed mostly to Water Use Efficiency (water conservation) efforts. O.C. Water Usage has declined significantly since the FY 2013-14. Since FY 2013-14 average O.C. Annual Water usage is 535,000 AF, a decline of 86,500 AF since FY 2013-14.

<u>Water Supply Information</u> 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 April was above average for this period. Water year to date rainfall in Orange County is 21.95 inches, which is 188% of normal.
- Northern California accumulated precipitation through early April was 141% of normal for this period. Water Year 2022 was 48% of normal while water year 2021 was 86% of normal. The Northern California snowpack was 204% as of April 2nd, 2023. As of late March, 28.11% of California is experiencing moderate to severe drought conditions. 0.0% of California is experiencing extreme to exceptional drought conditions. The State Water Project Contractors Table A Allocation was increased to 75% as of March for WY 2023.
- Colorado River Basin accumulated precipitation through early April was 129% of normal for this period. The Upper Colorado Basin snowpack was 131% of normal as of April 5th 2023. Lake Mead and Lake Powell combined have about 38.0% of their average storage volume for this time of year and are at 25.4% of their total capacity. For the first time on the Colorado River, Lake Mead's levels have fallen below the "trigger" limit of 1,075 ft. at the end of a calendar year. The US Bureau of Reclamation (USBR) has declared a shortage at Lake Mead, impacting Colorado River water deliveries to the Lower Basin states. Lake Mead as of early April was 29.04' BELOW the "trigger" limit. The USBR has declared a shortage on the Colorado River that started on January 1st 2022. There is a 93% chance of shortage continuing in 2024, 93% in 2025 and 93% in 2026. Lake Mead as of early April was 0.96' ABOVE the State of California "trigger" limit. There is a 60% chance of mandatory cutbacks for California in 2023 (-250 TAF), 67% in 2025 (-263 TAF) and 60% in 2026 (-278 TAF).



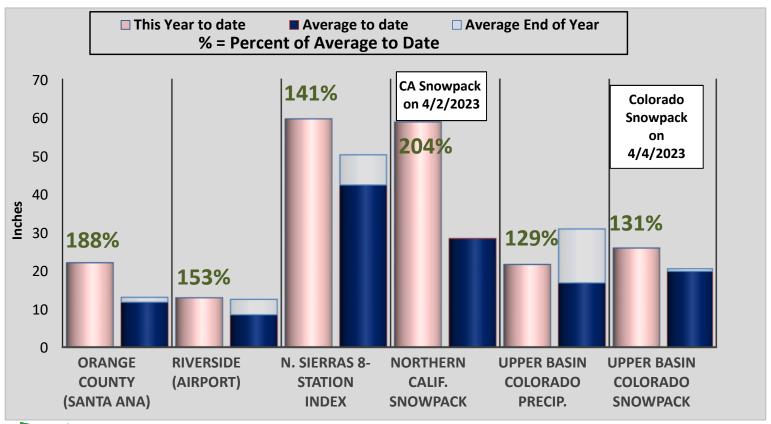
- [1] Imported water for consumptive use. Includes "In-Lieu" deliveries and CUP water extraction. Excludes "Direct Replenishment" deliveries of spreading water and deliveries into Irvine Lake.
- [2] GW for consumptive use only. Excludes In-Lieu water deliveries and CUP water extraction that are counted with Import. BPP in FY '22-23 is 85%.
- [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.



^[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.

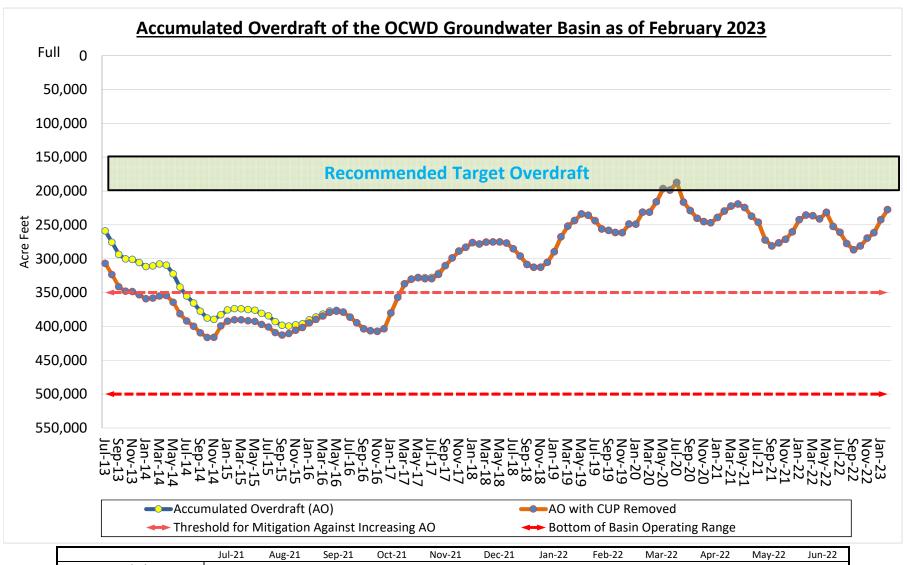
Accumulated Precipitation

for the Oct.-Sep. water year, early of April 2023





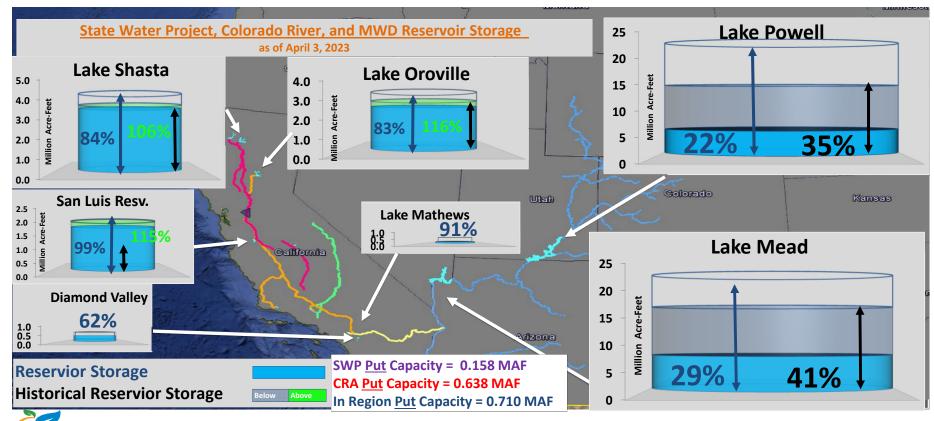
^{*} The date of maximum snowpack accumulation (April 1st in Northern Calif., April 15th in the Upper Colorado Basin) is used for year to year comparison.



	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22
AO (AF)	246,350	272,443	281,354	276,909	271,455	260,387	242,511	235,744	236,708	241,450	231,699	252,348
AO w/CUP removed (AF)	246,350	272,442	281,354	276,909	271,455	260,387	242,510	235,744	236,708	241,450	231,699	252,348
	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23
AO (AF)	261,145	277,756	286,988	281,407	269,746	261,614	242,610	227,738				
AO w/CUP removed (AF)	261,145	277,756	286,986	281,407	269,746	261,614	242,610	227,738				

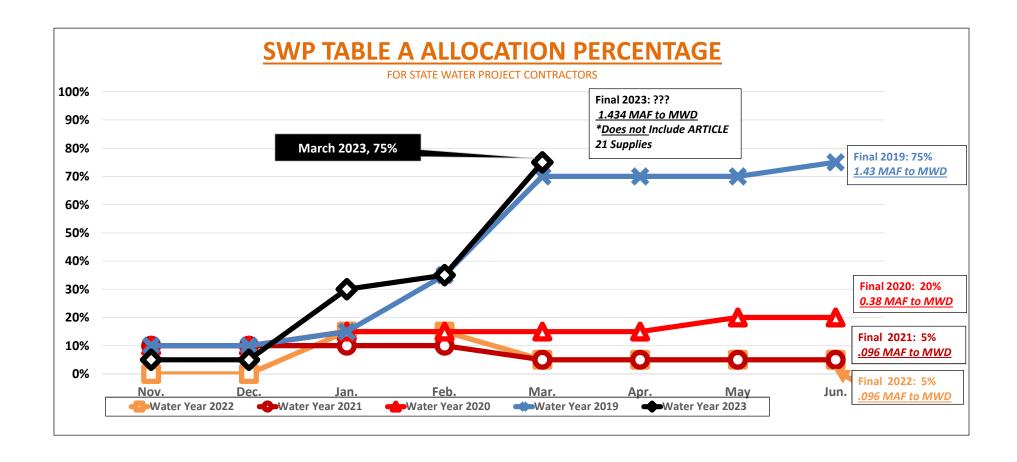


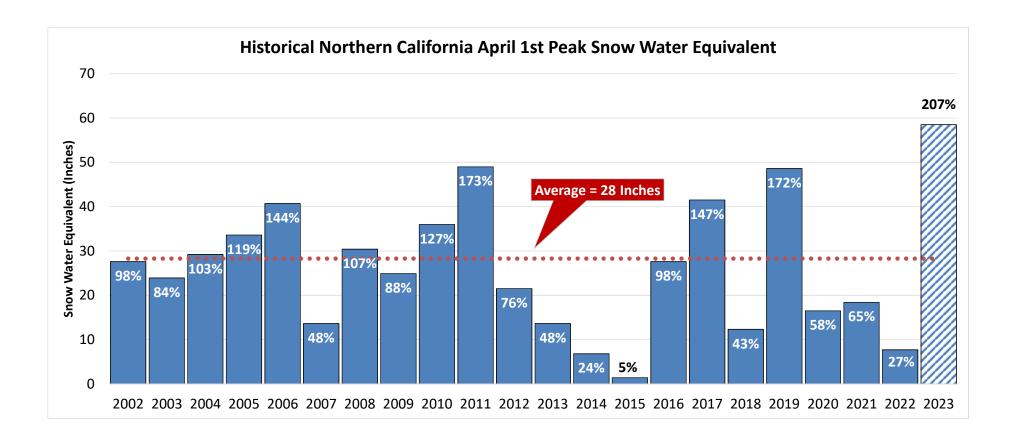


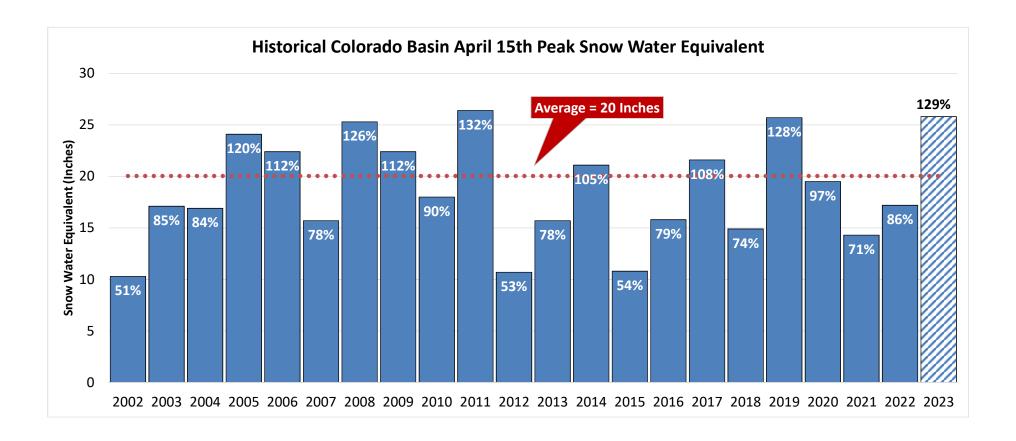


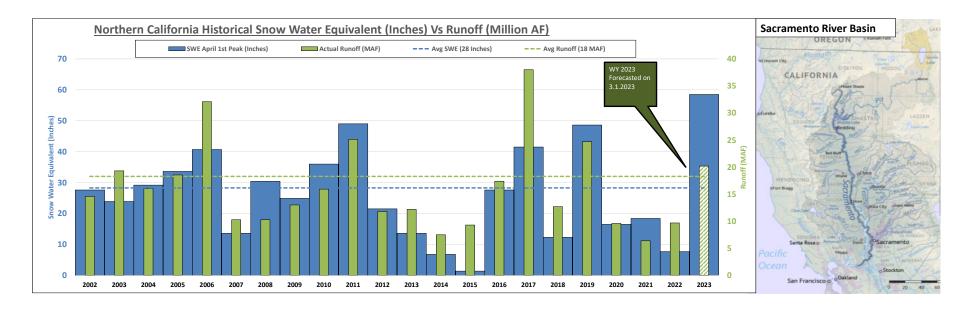
prepared by the Municipal Water District of Orange County *Number are Subject to Change

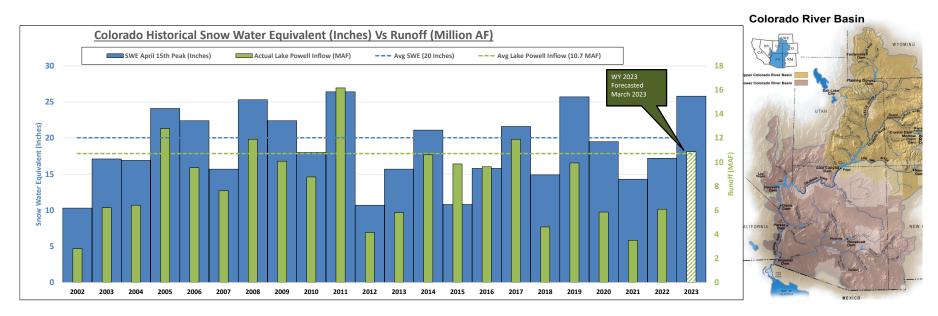
MWDOC

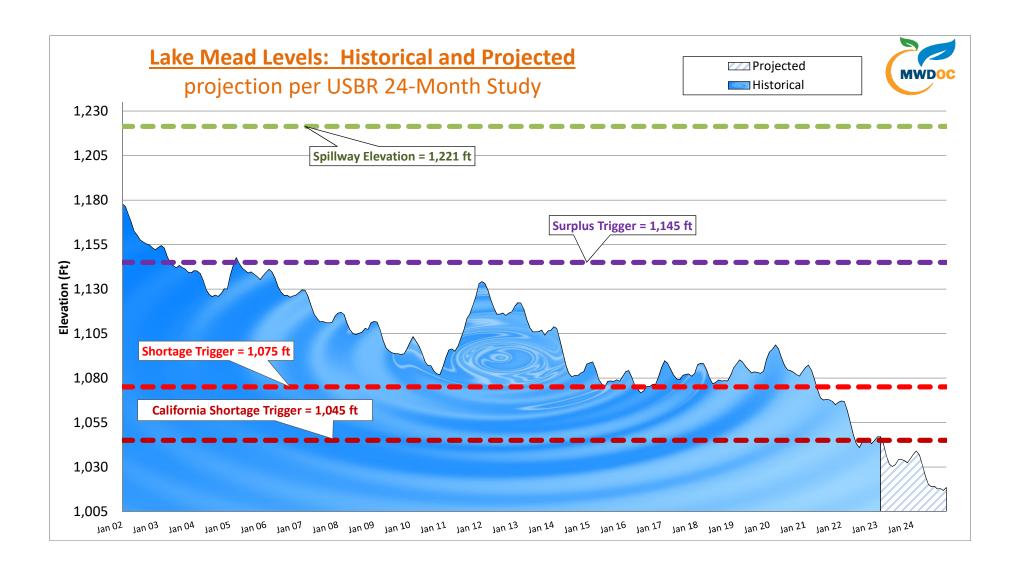


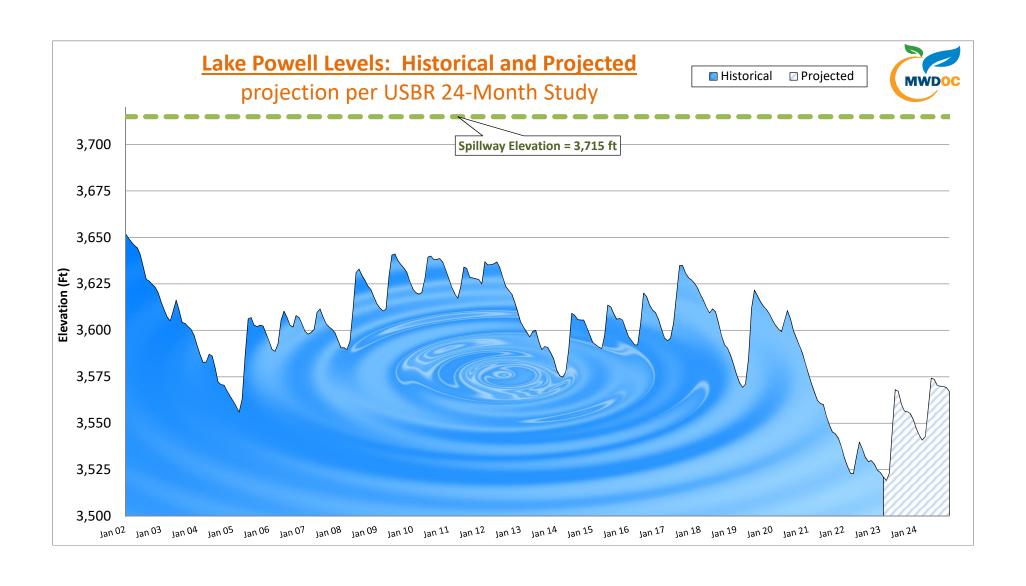


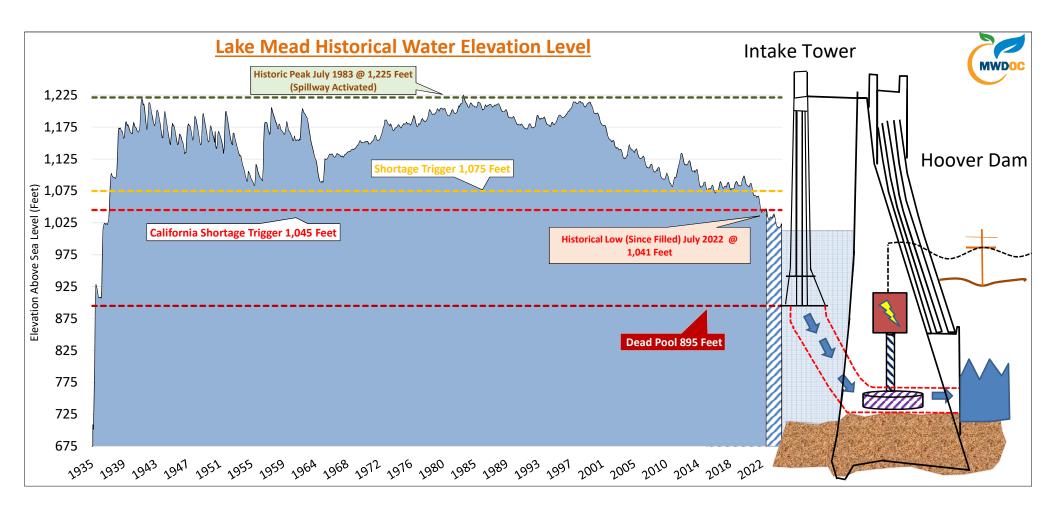


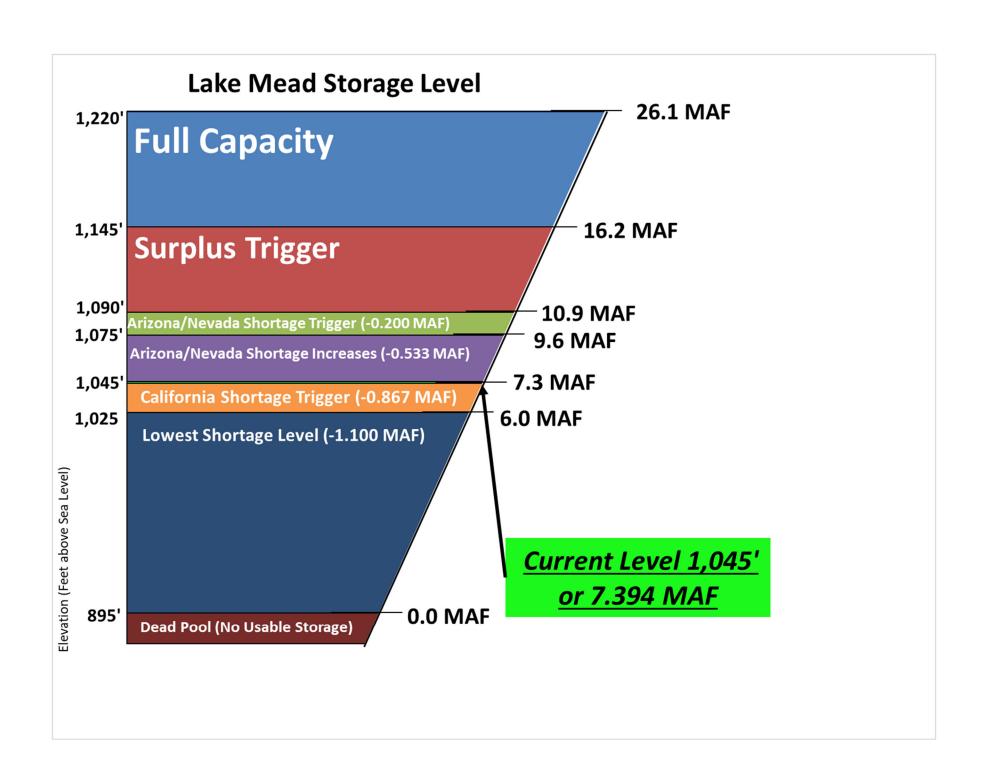












WILL SERVE SUMMARY REPORT March 2023

PROJECT NAME	PROJECT DESCRIPTION	PHASE	CFF
Arbors Access Ramp	Adding a 1-1/2" water service connection with backflow protection and connecting to the existing private sewer service	Construction	\$ 28,785
Burger Town Sewer Connection	Addition of a 4" sewer lateral	Construction	\$ -
Laguna Woods City Hall- Library Project	Addition of a 2,100 sq ft single story library with relocated fire service and relocating a fire hydrant	Construction	\$ 4,391
The Village at Laguna Hills (Demo Phase)	Demolition of the various sized water services, irrigation services, fire services, and sewer services at the former mall site.	Close-Out	\$ -
The Village at Laguna Hills (Retail Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Plan Check	\$ -
The Village at Laguna Hills (Central Residential Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Plan Check	\$ -
The Village at Laguna Hills (Southern Residential Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Plan Check	\$ -
Womens Health Pavilion	New construction of a health pavilion with water services, irrigation services, sewer services, and fire water services.	Construction	\$ 21,856
Laguna Hills Inn Fire Sprinkler Upgrade	Fire System upgrades including conversion of a fire hydrant to private and addition of a 6-inch DCDA	Construction	\$ -
Mercado El Rey Expansion	Expansion of the market	Plan Check	Not Yet Calculated
Moulton Parkway Commercial Kitchens	Upgrade the existing domestic service, sewer service and installation of a DCDA.	Plan Check	Not Yet Calculated

EL TORO WATER DISTRICT UNAUTHORIZED DISCHARGE SUMMARY YEAR OF 2023

						ILAK	1 2020									
DATE	PUBLIC / PRIVATE	SPILL LOCATION					REASON	IMMEDIATE CORRECTIVE MEASURES	POST-INCIDENT PREVENTIVE MEASURES	RWQCB	DISCHARGED TO	SPILL VOLUM Gallo		SPILL VOLUMI Gallo		REGULATORY NOTIFICATION AND RESPONSE
					WILLIO CILLO				CONTAINED	SPILLED	CONTAINED	SPILLED	ALLOT OTTOL			
January			No Spill													
February			No Spill													
March			No Spill													
LEGEND									0	0	0	0				
CDC - Con Di	<i>a</i> .	DEC D.		D.C. Daratas				1	ı	ı	1	1				

S.DC = San Die	go Creek	RES. = Resi	dential	R.S. = Rocks	
S.D. = Storm	Drain	C. = Con	nmercial	C.W.D. = Calc	ium Water Deposits
A.C. = Aliso C	reek	S.B. = Sipl	non	B.P, = Broken	Pipe
G.B. = Grease	Blockage	P.F. = Pow	er Failure	U.W. = Untrea	ated Water
S. = Sticks		P. Pap	er	R. = Roots	

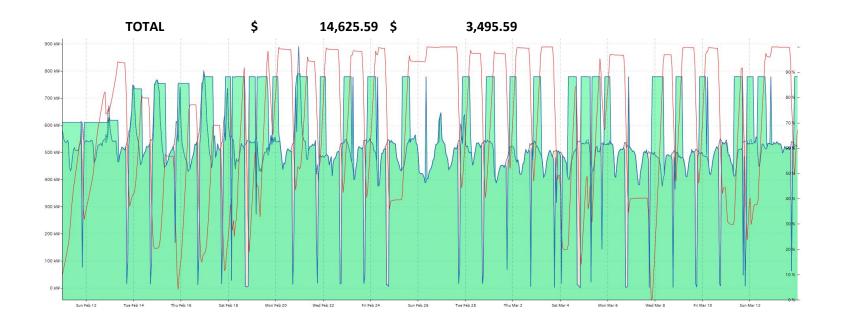


WRP BATTERY STORAGE SYSTEM

MONTHLY REPORT

March 2023 Year 4

BILLING PERIOD	BILL SAVINGS	NET SAVINGS
08/12/22 - 09/12/22	\$ 8,142.76	6,552.76
09/13/22 - 10/12/22	\$ 2,943.86	1,353.86
10/13/22 - 11/13/22	\$ 2,083.92	493.92
11/13/22 - 12/13/22	\$ 1,960.66	370.66
12/14/22 - 01/12/23	\$ (3,571.97)	(5,161.97)
01/12/23 - 02/12/23	\$ 311.28	(1,278.72)
02/11/23 - 03/14/23	\$ 2,755.08	1,165.08



Sewerage Treatment Plant





23542 Moulton Pkwy, Laguna Woods, CA 92637

Savings Report - 2023-03

Feb 11, 2023 - Mar 14, 2023

SCF TOU 8 Option D (< 2kV)

					SCE 100 8 0	ption D (< 2kV)
Demand Charges	Before Storage		After Storage		Savings	
Maximum Demand Charges	899kW	\$19,003.72	797kW	\$16,851.40	102kW	\$2,152.32
Winter Mid-Peak (Weekdays)	676kW	\$6,792.97	581kW	\$5,833.12	96kW	\$959.84
Sub-total		\$25,796.69		\$22,684.52		\$3,112.17
Energy Charges	Before Storage		After Storage		Savings	
Winter Mid-Peak	81,354kWh	\$10,720.78	34,764kWh	\$4,581.77	46,591kWh	\$6,139.01
Winter Off-Peak	175,715kWh	\$23,063.73	213,239kWh	\$27,988.97	(37,524)kWh	\$(4,925.24)
Winter Super Off-Peak	119,655kWh	\$10,251.68	137,996kWh	\$11,822.54	(18,341)kWh	\$(1,570.86)
Sub-total		\$44,036.19		\$44,393.28		\$(357.09)
Other Monthly Charges	Before Storage		After Storage		Savings	
Customer and Other		\$348.20		\$348.20		\$ -
Sub-total		\$348.20		\$348.20		\$ -
Total	Before Storage		After Storage		Savings	
		\$70,181.08		\$67,426.00		\$2,755.08

Note: The above data is calculated by Genability using utility meter data. If there were any gaps in the utility data, they were filled with Stem meter data. Your actual utility bill may look different from the data displayed above due to either issues in the utility data we were provided or in the Stem meter data collected. Some discrepancies are normal and to be expected. For this reason, Stem completes a thorough review of all data and reconciles discrepancies by comparing the Genability calculations of the energy storage system cost savings and total bill values with your utility bills. If you have an outstanding performance guarantee term, any discrepancies identified are adjusted for differences and reflected in your true up term statement.



STAFF REPORT

To: Board of Directors Meeting Date: April 27, 2023

From: Dennis Cafferty, General Manager

Subject: Communications Facilities License Program

The District currently leases space to several cellular carriers at three District sites. Staff is working with ATS Communications to formalize procedures and guidelines regarding new site leases as well as maintenance and upgrades at the existing sites.

The attached Procedures and Guidelines document and the associated assistance from ATS Communications will bring additional structure to the Program as well as potential additional revenue from existing or new site leases.



Communication Facilities License Program

Procedures and Guidelines

for

Communication Facilities Licenses

within

El Toro Water District Properties

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	oendix D:	Fee Schedule Signature Block and Equipment Table Samples				
Appendix E:		Signature Block and Equipment Table Samples Construction Notes, Canaral Notes, Plan Notes & Requirements				

1. Introduction

El Toro Water District (District) is a California water district formed an existing pursuant to Section 34000 *et seq* of the California Water Code. Because a wide range of general and special acts exist in state law, water special districts are governed by a large number of distinct statutory authorizations, which allows the District to provide designated water services. The District's five-member governing body, the Board of Directors, is directly elected by the voters for a fixed term of four years and are responsible for setting policy and decision-making. The District's mission is to "provide its customers a safe, adequate and reliable supply of water and wastewater service in an environmentally and economically responsible way". Ancillary to this directive, the District has a history of allowing installations of wireless communications facilities on its properties where feasible and compatible with District operations. The District, therefore, has developed this Program of Procedures and Guidelines ("Program") to define the District's procedures for granting communication licenses and approving licensee improvements on its properties.

Under this Program, the District will balance its interest in maximizing additional revenues from wireless communication companies with due consideration for operational needs related to use of District's facility properties, flexibility to allow changes-in-use of its facilities, and adequate protection against safety concerns related to use of the sites for Communications Facilities.

The terms and requirements set forth in this Program shall provide guidelines to all Communication Facilities and all references to License(s) and/or Licensee(s) shall extend to all existing Lease(s) and Lessee(s), as applicable. All new applications for Communication Facilities shall comply with the terms as outlined in this Program, and the authorizations to use District property shall be in substantially the form of the Communication Facility License Agreement attached in Appendix A.

Any existing Lease for Communication Facilities may be replaced with a Communication Facility License Agreement permitted under this Program upon the expiration of the current Communications Facility Lease Agreement; or, earlier upon request, provided such Lessee is not in default under the terms of an existing Communications Facility Agreement.

The terms and procedures outlined in this Program shall also apply to Amendments or changes to existing Communications Facility Agreements. See Appendix B for the form of Amendments to License Agreements.

This Program may be amended from time-to-time by the District, in its sole discretion, as approved by the District's General Manager. The District shall notify, in writing, Licensee, in advance, of any proposed revision to this Program. However, it is the responsibility of all applicants and/or Licensees to comply with the most current version of the Program.

2. <u>License Agreements and Amendments</u>

- 1. All applications for Communications Facilities shall be authorized in substantially the form of the Communications Facility License Agreement attached in Appendix A. All applications for an Amendment to a Licensed Communications Facility License Agreement shall be authorized in substantially the form of the Amendment to Communication Facility License Agreement attached in Appendix B.
- 2. Key terms of the License Agreement in Appendix A include:
 - a. The License Term shall be for ten (10) years, and at the option of applicant for an additional five (5) year period (fifteen (15) years aggregate) provided Licensee is not currently in default under the License Agreement.
 - b. The License Fee amount for the ten (10) year license period shall be negotiated between the District and the Licensee and is payable in advance in annual payments. Payment schedule for License Fees is listed in the Agreement in Appendix A.
 - c. Annual License Fees shall begin immediately and be payable within 45 days of the full execution of the License Agreement and/or Amendment (the prorated portion of the annual License Fee, if any).
 - d. License Fee amounts will be subject to an automatic yearly increase equal to three percent (3%) per annum during the ten (10) year license period and during any option period, as applicable. The District's General Manager, or their designee, may negotiate other annual percentage increase rates at the time of the Agreement execution. In addition, if applicable, a one-time catch-up inflation adjustment shall be made for the first year of the option period based on the consumer price index as described in Section 4 of the License Agreement.

- e. Should the agreement lapse, the District shall charge a holdover fee of 150% of the then current annual License Fee pro-rated on a monthly basis described in Section 5 of the License Agreement.
- f. Licensee shall submit to the District, for approval, two (2) competitive bids for a performance bond for the removal of Licensee's equipment and restoration of the Licensed Area to the condition which existed prior to Lessee's installation of its equipment, reasonable wear and tear excepted.
- 3. The District's General Manager may delegate authority individually to their designee(s), to review all License applications and negotiate all Licenses and Amendments, including determination of annual License Fees, in accordance with the terms and conditions of this Program.

3. <u>Cell Carrier Facility Development Guidelines and Requirements</u>

All Communications Facilities on District property shall be installed, operated, maintained, modified, and altered, according to this Program, and shall comply with the procedures, guidelines and requirements outlined in this section and elsewhere in this Program. These Program guidelines and requirements apply to all Communications Facilities installations, work and operations, whether under new Licenses, or pursuant to existing Lease Agreements.

3.1 Universal Installation Requirements

The following requirements apply to all Communications Facilities on District property.

3.1.1 New Site Build, Site Modifications and Site Repairs

- 1. The District's Procedure and Guidelines is for all Communications Facilities to be located on separate tower structures. The tower structure shall preserve operational safety, as well as the functional and aesthetic qualities to blend into the local environment.
- 2. All formal request for a new Communications Facility, or modifications to an existing facility, requires the applicant to submit a Site Application and the appropriate fees (see Appendix D) to the District for review and processing. The applicant is encouraged to engage the District early in the processes and perform an assessment site-walk to determine if proposed project or improvements are feasible. All applications for new

Communications Facilities, or modifications to existing facilities shall be valid for a twelvemonth time-period starting on the date of notice from the District to Lessee of acceptance and receipt of Lessee's application. Licensee may request an extension to the twelve-month time-period, which shall be granted at the District's sole discretion.

- 3. Prior to commencement of any work by Licensee at a District property, the District shall have:
 - a. A fully executed License Agreement, that is not in default or Amendment, as applicable; and.
 - b. A current Certificate of Insurance with the proper endorsements pursuant to Section 12 of the License Agreement, or the Insurance Section contained within the current Lease Agreement. Additionally, Licensee shall ensure that any contractor(s) to be engaged in the installation or modification of a Communications Facility, conform with the Insurance requirements described in the License Agreement or Lease Agreement; and,
 - c. Set of construction drawings/plans for the proposed communications facility signed and stamped by a licensed professional engineer, and received and accepted by the District; and,
 - d. Proof that Licensee has complied with all applicable zoning and planning approval requirements from appropriate jurisdictions along with Conditions of Approval (COA's), if any; and,
 - e. A set of construction drawings/plans signed and stamped by the jurisdiction of record and a copy of a building permit, and/or any other permit(s) required; and,
 - f. A copy of the signed and stamped Structural Analysis, from a licensed Professional Engineer (P.E.), and a separate letter from the P.E. indicating that all existing and/or proposed equipment will be adequately supported by the attachment system(s).
 - g. A pre-construction conference conducted with the District's Inspector. The preconstruction conference shall be held at least one week prior to start of construction and attended by Licensee's representative(s), its contractor(s), the District's Inspector

and, if necessary, the District's coatings representative. Licensee or its contractor(s) shall provide the District's Inspector the following:

- i. a construction schedule;
- ii. 24-hour contact information for the contractor(s) and/or its project foreman;
- iii. Contractor(s) proof of Insurance, including workman's comp.
- 4. No work shall commence prior to the issuance of a Consent Letter by the District. The District shall issue a Consent Letter once all the requirements of this Program have been met by the applicant and the District has determined that the proposed work may commence. The Consent Letter shall accompany District approved construction drawings/plans that have been signed and stamped by the jurisdiction of record.
- 5. After the Licensee receives a Consent Letter and District approved construction drawings/plans, the Licensee or its contractor(s) shall notify the District's Inspector at least two (2) working days prior to beginning any work.
- 6. The District reserves the right not to issue or withdraw its approval to commence work if the Licensee or its contractor(s) have failed to satisfy the Program terms.
- 7. If the District's facilities require maintenance work that may interfere with the Licensee's activities at the Site, the District reserves the right to require Licensee to postpone Licensee's work activities on the Site until such time the District's work has been completed. The District will, wherever possible, give advance notice of any scheduled maintenance work and coordinate its activities with the Licensee and/or its representatives.
- 8. Under no circumstances will Licensee and/or its employees, agents, contractors be allowed access to the roof of any District reservoir tank without direct District staff supervision. Furthermore, the District reserves the right to determine any work limitations on any District facilities and/or Site.
- 9. Licensee's personnel, including contractors and subcontractors, shall ensure that the District Site and facilities are accessible at all times to District personnel, in accordance with the details under Section 3.3, herein.

- 10. The Licensee shall be responsible for any damage due to any construction work or other activities to existing Communications Facilities at the Site, if any, and/or any District facilities; and, upon request by the District, shall promptly return damaged facilities at the Site to pre-existing condition, or better, at no cost to the District. Licensee shall ensure its contractors comply with the foregoing. In the event Licensee does not comply, the District may perform the necessary repairs to District facilities and bill Licensee, which Licensee shall pay within thirty (30) days of receipt of the invoice.
- 11. All new and existing communication facilities and equipment owned by the Licensee shall be properly tagged identifying the Licensee's site name and/or site number and 24-hour Emergency phone number.
- 12. The Licensee and/or its contractor(s) shall have a copy of the jurisdictional required permit(s) and the construction drawings/plans approved by the District's General Manager or Engineering Manager (or designee) on-site at all times, while work activities are occurring.
- 13. The Licensee and/or its contractor(s) are both responsible to ensure the District Site and facilities cannot be accessed by the public at all times while installation work is occurring.
- 14. Upon completion of work, License and/or its contractor(s) shall schedule a final walk-through with the District's Inspector. Upon acceptance by the District's Inspector, Licensee or its contractors shall provide the District with a set of District accepted construction drawings/plans with field mark-ups (as-built), if any. These construction drawings/plans shall be labeled "Record Drawings" and are mandatory for the District to close-out the project upon completion of the installation and/or related work activity. Any project that has not been successfully closed-out may result in the District's delay in reviewing any subsequent project submittal(s), at the District's sole discretion.
- 15. Trenching, as part of any work or installation, shall conform to the requirements of Section 3.5 Trench Details.
- 17. The Licensee and/or its contractor(s) shall comply with all local, state, and federal health and safety requirements pertaining to the construction, installation, operation, and maintenance of the Communications Facilities. Requirements of the Occupational Safety and Health Administration (OSHA) & Federal Communications Commission (FCC) shall be

adhered to at all times; including any safety and injury prevention placards or program that is required under applicable laws and/or regulations. A copy of such program, if required by law or regulation, shall be on-site at all times and employees and contractors of the Licensee shall be trained accordingly.

3.1.2 Maintenance & Emergency Access

Maintenance at Licensee facilities is divided into two categories: Routine and Non-routine. If Licensee has uncertainty which category proposed work is defined as, Licensee should contact the District's inspector. All maintenance activity shall be performed during regular business hours (7:00 AM – 4:00 PM, Monday through Thursday and 7:00 AM – 3:00 PM on alternating Fridays) or according to the hours prescribed by the jurisdiction of record, whichever is more stringent.

Routine maintenance is defined as the following:

- 1. Any work performed by Licensee to repair or service their facility which does not require entitlements (e.g. Planning/Zoning Approval, Building Permit, Electrical Permit) from a jurisdictional body; and,
- 2. Any work within Licensee's equipment area that does not extend beyond the Licensed Area, in any direction, and does not require any excavation; and,
- 3. In the case of antennas, like-for-like replacement is acceptable, subject to the conditions of approvals (COA's) imposed by the jurisdiction of record for the original antenna installation.

Non-routine maintenance is defined as the following:

- 1. If the sizes, weight, shape, appearance or other similar characteristics of a replacement component are changed, Licensee shall be required to submit a Site Application, appropriate fee(s) and construction drawings/plans for the District's review and approval.
- 2. In the event work performed by Licensee is expected to impact the use of District property, including property access, obstructing driving lanes, or similar impacts Licensee shall notify the District and submit a Site Application and construction drawings/plans for District review and approval (Consent Letter).

3. Emergency Access is defined as the following:

Licensee Emergency Access may be required in an event whereby Licensee's Communication Facilities becomes suddenly impaired or non-operational due technical reasons including, but not limited to power failure, equipment failure, theft, vandalism, or acts of nature. Licensee has the non-exclusive license to access the facilities on seven (7) days a week, twenty-four (24) hours a day, via foot or motor vehicle (but not including vehicles with more than two (2) axles/more than twenty (20) feet in length) in order to install, operate, and maintain the Communications Facility, providing, Licensee adheres to this Program.

In the event there is an equipment failure, other than equipment accessed at the ground level, Licensee will use best efforts to undertake repairs during standard business hours. Within twenty-four (24) hours, Licensee shall inform the District, at **(949) 837-7050**, ext. 251, when access to any District facility occurs as a result of an emergency or outside of standard business hours.

3.2 Requirements for Proposed Project Construction Drawings/Plan

The requirements for submitting project construction drawings/plans is for the purpose of evaluating the location and other aspect of the project as it relates to the continued on-going operations of the District's facility. All project construction drawings/plans submitted to the District for review shall contain the following:

3.2.1 Signature Block

Each project construction drawings/plans submitted for District review shall have a signature block for the District's Engineering Manager (or designee) with a date featured on the Title Sheet according to the sample shown in Appendix E.

3.2.2 District Construction Notes

Each project construction drawings/plans should include DISTRICT Construction Notes, listed in Appendix F.

3.2.2. District Contact

The title page of each project construction drawings/plans shall have a District contact listed for engineering and inspection. The Licensee shall obtain the current contact information from the District.

3.2.3 District Facility Name

Each project construction drawings/plans set submitted to the District for review shall have the District's facility name prominently displayed, in addition to Licensee's designation(s) for the Site on the Title Sheet.

3.2.4 District Project Number

Each project construction drawings/plans set submitted to the District for review shall have the District's assigned Project Number clearly displayed on the Title Sheet.

3.2.5 Equipment Table

Each project construction drawings/plans set submitted to the District for review shall have the equipment schedule, showing what equipment is licensed approved, zoning approved, number of antennas, type and size of the antennas, number of remote radio units (radio heads) according the sample table depicted in Exhibit E. The Equipment Table shall be featured on the Title Sheet.

3.2.6 Address

Each set of project construction drawings/plans submitted to the District for review shall have the District's address (the correct District facility's street address), and the Licensee's meter address (if different), and the Assessor's Parcel Number(s) (APN(s)) depicted on the Title Sheet.

3.3 District Personnel Access

Licensee and/or its contractor(s) shall ensure their activities do not block the District's personnel from accessing the Site at any time, except with District's prior written consent. Open trenches are a hazard and shall be properly plated at the end of each working day to allow District personnel 24-hour safe access to the Site.

3.4 DIG ALERT

The Licensee and/or its contractor(s) shall notify underground service alert (DIG ALERT), in accordance with the law, at least two (2) working days prior to beginning construction at 1-800-422-4133. Any District facilities to be crossed shall be potholed, by hand digging, to verify location of District underground facilities prior to working in the vicinity of District facilities.

3.5 Trench Detail

Trench details shall show:

- a. Depth and width of the trench
- b. Backfill material list
 - (i.) Paved areas one-sack cement slurry shall be used to within 1-inch of existing pavement
 - (ii.) In unpaved areas suitable native material shall be used with 90% minimum compaction; a compaction report shall be provided to the District
- c. All hardscape to be saw cut.
- d. Minimum 30- inch depth to top of conduit or as directed by the District.
- e. AC replacement 1st lift ¾- inch mix, relative compaction 95%, no more than 3- inch placed at any one time. 2nd lift, ½- inch fine, no more than 1-½ inch lift.
- f. Slurry seal the entire work area for the full width of the access road/paved areas or as directed by the District's Inspector after work is completed.

3.6 Softscape Replacement

All construction drawings/plans shall depict the replacement or repair of all landscaped areas, as necessary. If work will be performed in unpaved areas, these notes shall be present on the site-plan sheet:

- 1. Protect all landscaping in place.
- 2. Only remove trees and shrubs as marked on drawings and/or plans.
- Any disturbed or damaged landscaping shall be replaced in-kind with 5-gallon minimum shrubs and 15-gallon minimum trees, as directed by the District's Facilities Supervisor.
- 4. Areas exposed or disturbed by the work or installation shall be covered with District-approved mulch to a depth of 2-inches.
- 5. Contact the District's Inspector prior to installation for landscaping requirements.

3.7 Work Hours and Lighting

The Licensee shall adhere to all work hours and/or lighting restrictions imposed by the jurisdiction of record. The District reserves the right to restrict work hours at its Sites at the District's sole discretion. The use of night-time flood lighting is strictly prohibited. However, in the event

Licensee determines that it is absolutely necessary, Licensee may submit a lighting plan and schedule. District will review and determine at its sole discretion whether to allow the lighting.

3.8 Site Restoration

Sites shall be repaved per Section 3.6 Trench Details or restored per Section 3.7 Softscape Replacement. Any other features disturbed, removed, or damaged by Licensee or its contractors shall be replaced with new features, or repaired, as determined by the District Inspector. The Site shall be restored to a condition equal or better.

4. Site Access and Security

4.1 Obtaining Access

Work on a Site, such as installation, maintenance, modifications and operation, will require use of a District approved access. Access to a District property may be terminated at the sole discretion of the District in the event Licensee or its employees, representatives, agents or contractors, or any of them, do not strictly adhere to all rules and requirements pertaining to the access of the Site and/or safety and security at the Site, including the requirements under this Program. The District may require, at its sole discretion, a copy of Licensee's safety rules and regulations and/or Policies for accessing any District facility for any purpose.

4.2 Security Measures and Access Regulations

The District is subject to local, State, and Federal law, including Homeland Security regulations. The District requires security measures and access regulations to comply with applicable laws and District requirements as follows, but not limited to:

- 1. Rules and guidelines for each District Site are at the sole discretion of the District and shall be adhered to by Licensee. Site-specific rules and regulations, and updates to them, will be effective upon written notice to Licensee. Failure to follow the District's rules and guidelines are cause for revocation of access.
- 2. Rules and guidelines may be established for each District Site based on the unique characteristics of the Site.
- 3. The Licensee shall provide the District, upon request, a contact list of the names of who will have access to a District Site. No persons may access the sites except the listed personnel and persons accompanying them on an as needed basis to perform work, or by providing

- the District advanced notice of any persons intending to access a District Site not on the access list.
- 4. Licensee may not make any other attempt to enter a District property other than using a District issued access (No daisy-chain locks for Communications Facilities are allowed).
- 5. Licensee may not leave the District property open (open gate) and unattended at any time for any reason.
- 6. In the event Licensee discovers theft or vandalism, whether to the Licensee's facilities or District property, Licensee shall report it to the District immediately.
- 7. It is the responsibility of the Licensee to ensure the District property is properly locked upon leaving for any reason.
- 8. If District personnel are present at a District facility, it is Licensee responsibility to announce their presence and to let District personnel know when they leave.
- 9. The District may in its sole discretion allow a Licensee or its contractor to access a District property without a pre-established access methods but reserves the right to charge an hourly fee for such access.
- 10. Wherever possible, each Licensee shall design their equipment area on District property to allow for private access without going through the main gate of the District Site.
- 11. Licensee shall provide at least 24-hour's prior written notice to the District when any activities by Licensee or its contractors will be occurring at a District Site. The notification shall be done through the District at **(949) 837-7050**, ext. **251**.
- 12. Employees of Licensee and its contractors accessing a District property shall carry name badges and picture identification and shall present such to a District employee when requested. Persons without proper identification may be required to leave the Site.
- 13. All vehicles of Licensee or its contractors shall be marked as such and be distinguishable from general public vehicles when on a District Site. Any vehicle accessing District facilities without distinguishing markings shall display a business card in the windshield identifying the entity accessing the Site.

4.3 Ongoing Operations

- 1. Ongoing operations and maintenance of the Licensee's facility shall comply with all applicable local, state, and federal laws and regulations and the requirements of this Program and the applicable executed license agreement.
- 2. In the event Licensee installs any equipment outside the parameters of the License agreement without the prior written authorization of the District, the District may, at its sole discretion, terminate the agreement with the Licensee, or charge an unauthorized facility fee equivalent to 200% (two hundred percent) of the current Rent or License Fee that would have been due to the District for a similar increase in use had the District's prior consent been properly obtained. For the purposes of calculating the additional rent/License Fees due for such unauthorized equipment, the District will assume the equipment was in place for the period which is the shorter of: two years prior to the date of discovery or the period from the effective date of the applicable license agreement to the date of discovery.

5. Application Process Guidelines

All applications for proposed work at a District Site shall follow the general Application Process Guidelines (Project inception to project completion "close-out"):

- 1) Applicant contacts the District to request a Site Application for a proposed project (New Build, Modification or Decommission).
- 2) Applicant is referred to District's processing agent (Agent).
- 3) Upon contact, District's Agent shall provide the Applicant with a copy of the District's current Communication Facilities License Program and the District's Communications Facilities Project Application form.
- 4) Applicant shall complete the Communications Facilities Project Application Form, sign and date, then submit the form back to the Agent accompanied by a check for the appropriate fees issued by the Licensee (no third-party checks will be accepted) or a cashier's check.
- 5) Agent shall review the application for accuracy, clarity and completeness. Upon Agent's satisfaction, the application shall be delivered to the District for acceptance. The District shall provide the Applicant a letter of acceptance and receipt for the fees received, along with a project tracking number.

- 6) Applicant will coordinate with Agent for Site access if necessary for Architectural & Engineering surveys (A&E site-visit).
- 7) Applicant shall provide Agent with construction drawings/plans for District's review.
- 8) District may require the Applicant to have the construction drawings/plans corrected or modified and the District/Agent will provide redlined construction drawings/plans with comments for corrections.
- 9) Applicant shall provide Agent revised construction drawings/plans for District's final review and approval. Upon approval, the District shall provide the Applicant a letter of authorization (LOA) allowing the Applicant to submit the proposed construction drawings/plans to the local jurisdiction for any necessary entitlements. If the jurisdiction requires modifications to District approved construction drawings/plans, Applicant shall be required to obtain District approval for any modifications to previously District approved construction drawings/plans.
- 10) Once the Applicant has obtained all necessary entitlements and has fulfilled the requirements listed in Section 3 above the District will issue a Consent Letter allowing Licensee to undertake and complete the proposed work.
- 11) Prior to full completion of work, Licensee's contractor(s) shall schedule a walk-through with the District's Inspector to identify and list issues (punch-list), if any, with the work.
- 12) Once the punch-list items are completed Licensee's contractor(s) shall schedule a final walk-through with the District's Inspector.
 - a. Upon District's final acceptance of the work, Licensee or its contractor(s) shall provide the District a set of as-built plans labeled "RECORD DRAWINGS", showing all field changes, if any. If no field changes were made a note indicating "Built to Plan" shall be depicted on the Title Sheet.
 - b. In addition to submitting "RECORD DRAWINGS", the Applicant or Licensee representative shall sign and date the Consent Letter and return the signed and dated document to the Agent for final project close-out.
 - c. Upon District's acceptance of the "RECORD DRAWINGS" and receipt of the signed/dated Consent Letter from Licensee's representative, the District's Inspector shall sign, date and return the Consent Letter to the Applicant, which indicates the project has been successfully closed out.

6. Decommission or Termination Process

Any Licensee that decides to decommission its Communications Facilities on any of District's properties shall follow the process described herein.

Licensee's intention to decommission its Communications Facility located on District property.

The letter shall include Licensee's site name & number, District Site name, Site address, contact person, mailing address, e-mail address, and intended timeframe for the decommission activity.

The District shall provide Licensee a return letter acknowledging Licensee's intention to decommission its Communications Facility and directing Licensee to initiate the application process, payment of appropriate fees, and submission of necessary decommission plans.

Once fees are paid and decommission plans are approved, the Licensee shall remove all installed equipment and return the Site to pre-existing conditions, normal wear and tear excepted.

The process shall follow the guidelines provided in Section 5 above.

Appendix A

Communication Facility License Agreement Template This Template is in review and will be added upon the first agreement

Appendix B

Amendment to Communication Facility License Agreement Template

This Template is in review and will be added upon the first amendment

Appendix C

Application Procedures

EL TORO WATER DISTRICT

WIRELESS TELECOMMUNICATION APPLICATION

PROCESSES & PROCEDURES

Required for all New& Existing Wireless Telecommunication Facilities

The purpose of this document is to ensure that the goals and objectives outlined in Telecommunications Policies and Procedures will be met with each submitted project.

Process:

Carrier and/or Carrier's Agent (Site Acquisition Consultant - "SAC") initiates contact with El Toro Water District (/ District) for their proposed new site build or modification project.

The District refers the SAC applicant to its wireless communications consultant ("Consultant") to begin the application process.

CONSULTANT provides the SAC a draft Application form and a copy of these Processes & Procedures / Project Check List.

The Application is completed by the SAC and returned to CONSULTANT for review / corrections / modifications.

CONSULTANT/District shall determine if the proposed Scope of Work conforms with the existing Lease/License Agreement. If the project's scope of work expands the facilities beyond the Leased/Licensed Premises, the District shall, at its discretion, requires an amendment to the existing Lease/License Agreement.

The revised Application is transmitted to the District, place on District letterhead, then forwarded back to the SAC for signature along with the District's Engineering Services form for SAC signature.

SAC signs the District's application and Engineering Services Application (ESA) form and return them to CONSULTANT along with the deposit check for \$5,000.00 (to cover the District's out-of-pocket expenses incurred for its review of the proposed project – Legal, Technical, and Administrative costs). Please make check payable to the District.

CONSULTANT submits the signed project application, signed ESA and deposit fee to the District to log and provide a project tracking number. CONSULTANT/District provide a draft Amendment (if required) to SAC for review/redline and final District approval.

SAC coordinate a design visit, if necessary (Recommended, but not required). CONSULTANT/District and the Carrier's A&E services provider conducts a field design visit.

SAC submits preliminary design drawing (CD's) from the Carrier's Architect & Engineer to CONSULTANT for CONSULTANT/District review. Additionally, ETWD may, at its discretion, require the submittal of artistic renderings or photo-simulations as part of the review and approval process.

CONSULTANT/District review and redline the CD's and return them to the SAC to have the A&E correct and resubmit to CONSULTANT.

CONSULTANT submits the revised CD's to the District for final review, approval and signature.

CONSULTANT forwards the District signed CD's along with a Letter of Authorization - allowing the SAC to file with the appropriate authority for entitlement and building permits.

SAC shall provide to CONSULTANT/District the following:

Current Certificate of Insurance Statement of the last 6 months of Rent payments

Structural Analysis (passing) (as applicable)

A copy of the Conditional Use Permit and Conditions of Approval (if applicable)

Artistic Renderings / Photo-simulations (if applicable)

A copy of the Building Permit

A copy of the City/County Stamped CD's

Carrier executed License/Lease or Amendment (if applicable)

If applicable, the District will schedule the Agreement or Amendment for BOD approval and full execution.

Upon receipt of the requested documents, CONSULTANT/District will issue a Consent Letter to allow for the construction of the project. SAC will coordinate a pre-construction site visit with the Carrier's Construction Manager (CM) / General Contractor (GC) prior to the start of construction. The GC must attend the pre-construction walk with the properly City signed and District approved plans. Failure to not have the plans or fully informed of the project may result in the pre-construction walk being cancelled and a rescheduled pre-construction walk arranged at an additional fee.

Upon completion of the pre-construction site visit, the GC will present CONSULTANT/District a copy of their insurances (COI's) and a construction schedule. Construction must commence within two weeks of pre-construction walk. In the sole and absolute discretion of the District, the District reserves the right to rescind the Consent Letter if the Carrier is unable to start construction in a timely manner.

The CD's, Building Permit and Letter of Authorization will be made available at the District's office to be picked-up by the SAC/GC. Scanned soft-copies shall be distributed to all stake-holders.

GC Construction activity commences. Note – GC shall follow site access protocol at all times.

Upon completion of construction activity, the GC will schedule a post construction punch-walk inspection with the Consultant who will make a recommendation to the District for approval once all work is completed.

The Carrier or its agent shall perform, at the District's sole discretion, a post installation Passive Inter-Modulation Test (PIM Test) to determine if the Carrier's facilities interfere with the District's SCADA communications system.

If any degradation to the District's SCADA communications system is experienced - the Carrier shall immediately cease operating on those frequencies causing interference until the source of the interference issues can be mitigated.

Carrier and/or its GC will provide "as-built" record drawings showing redlined changes and/or notes (if any) which are different from the permit CD's to CONSULTANT/District.

EL TORO WATER DISTRICT (DISTRICT)

WIRELESS TELECOMMUNICATION APPLICATION

PROCESSES & PROCEDURES

PROJECT CHECK LIST

District Application – signed by the SAC along with a check to District for the \$5,000 Deposit			
District Engineer Services Application – signed by the SAC or authorized signor			
Carrier's Certificate of Insurance – current			
Statement of last 6 month's Rent payments (if applicable)			
Structural Analysis (passing)			
Conditions of Approval & CUP (if applicable)			
Artistic Renderings / Photo-simulations (if applicable)			
City/County Stamped CD's from Building & Safety Dept.			
Building Permit (copy)			
Executed Amendment (if required)			
District signed Consent Letter			
GC Certificate of Insurance			
Construction Schedule			
GC 24/7 Contact			
Pre-construction site visit			
Post-construction punch-walk			
PIM Test, at the District's discretion (if applicable)			
Record Drawings "As-Built"			
Close-out acknowledgment signed by SAC			

Appendix D

Fee Schedule

El Toro Water District Communication License Program Application Fee Schedule¹

Checks for Site Application fees should be made payable to the El Toro Water District (District). Separate checks must be made specifically for each District property and for each type of fee. Prior to cashing the checks, the District will review each application and determine whether the required application fees have been submitted. If a fee has been submitted that is not necessary, the District will return the check. If fees are missing, the District will advise the applicant. Once a fee is accepted, it is non-refundable and not assignable to another Site or application. Failure to diligently pursue an application once submitted (for example, by not responding to a District request for information for several months) may result in denial of the application and require resubmittal.

Types of fees:

- 1. Application for a renewal or new License at a Site \$5,000 nonrefundable deposit and full reimbursement of District out-of-pocket and attorney fees above that amount.
- 2. Application for License Amendment \$2,250 nonrefundable deposit and full reimbursement of District out-of-pocket and attorney fees above that amount.
- 3. Application for a Consent Letter for minor improvements (no excavation) \$1,800 flat fee.
- 4. Application for a Consent Letter for major improvements (Site excavation) \$2,750 flat fee.
- 5. Application for a letter of authorization to commence zoning and permitting \$500 flat fee.
- 6. Specialty field inspections \$75 per hour (coating, welding, compaction, etc), billed to licensee upon completion of installation.
- 7. Application for Site decommission \$3,000 nonrefundable deposit and full reimbursement of District out-of-pocket and attorney fees above that amount.
- 8. Application for insurance compliance, name change, assignment, change of ownership or entity \$600.00 nonrefundable deposit and full reimbursement of District out-of-pocket and attorney fees above that amount.

¹ These processing application fees are in addition to the 'annual license fee' required under the License Agreement/Amendment.

Appendix E

Signature Block and Equipment Table Samples

Signature Block Sample and Equipment Schedule

Required on all title pages of drawings submitted to District for approval for communication license holder's Communications Facilities improvements.

El Toro Water District					
Chief Engineer	Date				
District Site Name:	-				

EQUIPMENT SCHEDULE							
	ZONING APPROVED	LICENSED APPROVED	EXISTING ON SITE	NEW MOD			
# OF ANTENNAS							
ANTENNA SIZE							
EQUIPMENT AREA							
RRU'S / LOCATION							

Appendix F

Construction Notes

These construction notes must appear on the <u>notes sheet</u> of every plan set submitted for District's final review and approval:

District Construction Notes:

- 1. The El Toro Water District inspector shall be notified at least two (2) working days prior to beginning of construction. Call **(949) 837-7050 Ext 251** to arrange for inspection.
- 2. A pre-construction conference of representatives from applicable agencies shall be held on-site at least three (3) days prior to beginning construction at which time a construction schedule and 24-hour contact information shall be provided to District.
- 3. Contractor shall maintain access to the Site at all times for District personnel. Open trenches shall be properly plated at the end of each working day to allow for 24-hour District access to the Site.
- 4. The Contractor and Cell Carrier shall be responsible for any damage due to Construction activities to the existing Site and shall return damaged facilities to existing condition or better at no cost to the District.
- 5. The Contractor shall notify underground service alert (DIG ALERT) at least two (2) working days prior to beginning construction at 1-800-422-4133. Any District facilities to be crossed or paralleled within five feet shall be potholed to verify location prior to working in the vicinity of District facilities. Contractor is responsible for providing gate access to DIG ALERT inspection(s).
- 7. All new and existing facilities owned by the represented cellular carrier shall be properly tagged identifying the owner's name and 24-hour phone number. Contractor shall ensure that RF and emergency contact signage is correct and meets the requirements from the local, state jurisdiction(s) and FCC. All signage must be reviewed by the District and may not be installed without the prior approval of the District.
- 8. The Contractor shall have a valid building permit, a set of plans approved by the District General Manager (or its designee) and a copy of the District issued Consent Letter on-site at all times.

- 9. The Contractor is responsible to ensure the Site is secure at all times, during both working and non-working hours.
- 10. The contractor shall saw cut all pavement. Backfill shall be one sack slurry or aggregate base to within 1" of existing AC.
- 12. The contractor shall provide a minimum cover of 30-inches on top of all conduits.
- 13. The contractor shall replace asphalt pavement with: 1st lift 3/4" mix, relative compaction 95%, no more than 3" placed at any one time. 2nd lift 1/2" fine, no more than 11/2" lift.
- 14. The contractor shall slurry seal the entire work area and any damaged areas curb to curb. The contractor may be required to slurry seal additional areas as required by District inspector.
- 15. If applicable, see Section 3.7 Softscape Replacement of the Procedures and Guidelines for Communication Facilities.
- 16. The contractor shall call the District's Inspector to perform a final walkthrough prior to concluding its work. Once all punch-list items, if any, are addressed, the contractor shall provide a set of District approved drawings with field mark-ups, if any, and labeled "RECORD DRAWINGS", signed and dated along with the District signed Consent letter to close-out the project.
- 17. The Plans must include a copy of the District's General Construction Notes, to be provided by the District's wireless consultant.



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

From: Natural Resource Results

RE: Monthly Board Report – April 2023

Fiscal Year 2024 Appropriations

On March 9th, President Biden transmitted his fiscal year 2024 budget to Congress. This was roughly a month later than the budget is typically sent to Congress and the Administration points to the fact that the fiscal year 2023 omnibus did not pass until December, which delayed the fiscal year 2024 budget development.

Details from the Bureau of Reclamation include:

- \$13.6 million for WaterSMART grants (FY23 enacted = \$65 million)
- \$2.2 million for Cooperative Watershed Management under WaterSMART (FY23 enacted = \$5 million)
- \$24 million for Drought Response under WaterSMART (FY23 enacted = \$38 million)
- \$7 million for Desal and Water Purification Research Program (FY23 enacted = \$17 million)
- \$2 million for Salton Sea Research Project (FY23 Enacted = \$2 million)
- \$33 million for CALFED (FY23 Enacted = \$33 million)
- \$48.5 million for CVPIA Restoration Fund (FY23 Enacted = \$45.7 million)

On Wednesday March 29th, Commission Touton testify on the Bureau of Reclamation's budget in the House Appropriations Subcommittee on Energy and Water Development and Related Agencies. Commissioner Touton received a question from a Midwestern Democrat about how Reclamation can use its budget to deal with the water-whiplash that the west is facing between flood and drought. The Commissioner responded that Reclamation is trying to prioritize investments in places where the can get multiple benefits and pointed to the BF Sisk raise as an example of a project that is intended to address seismic issues, but also creates more storage capacity for water supply and for flood control. She also mentioned that Reclamation is partnering with the Corps on Forecast Informed Reservoir Operations (FIRO).

Rep. Lee (D-NV) asked Commissioner Touton if the Colorado River was oversubscribed to which the Commissioner replied, "The hydrology that we are seeing shows less water coming into the reservoirs." Rep. Lee encouraged Commissioner Touton to move forward with the 6-state agreement and asked for an updated on the SEIS process currently underway. Commissioner Touton stated that the process is on an expedited path and that a draft SEIS will be available later this spring.

WEROC

We have submitted earmark requests for a mobile EOC for WEROC to Senator Feinstein, Senator Padilla, and Congresswoman Kim. In both chambers, member offices are required to submit their earmark requests to the full Appropriations Committee by late March/early April.

WOTUS

A federal judge in Texas recently blocked implementation of the Administration's new WOTUS rules in two states – Idaho and Texas – but stopped short of granting a nationwide injunction. The new rule took effect in the rest of the country on Monday March 20th.

Opponents of the rule continue to argue that the Supreme Court decision in the *Sackett vs. EPA* case, which is expected later this summer, will nullify large parts of the new WOTUS rule and therefore implementation should be put on hold until the Supreme Court has ruled on the issue.

Colorado River

On Monday, February 27th, Congresswoman Napolitano and Congressman Calvert hosted a briefing for all California House members on the status of the Colorado River and ongoing negotiations in the Basin. Representatives from IID, Met and the Six Agencies presented to Hill staff about the California proposal and the differences between it and the six states proposal as well as the timeline for the SEIS Statement process.

On March 15th, Congressman Neguse (D-CO) and Congressman Ciscomani (R-AZ) announced the formation of a Colorado River Caucus in the House. Current caucus members include the following:

- Greg Stanton (D-AZ)
- Grace Napolitano (D-CA)
- Jay Obernolte (R-CA)
- Doug Lamborn (R-CO)
- Dina Titus (D-NV)
- Mark Amodei (R-NV)
- Melanie Stansbury (D-NM)
- Teresa Leger Fernandez (D-NM)
- Chris Stewart (R-UT)
- John Curtis (R-UT)

House Natural Resources Committee

On Tuesday March 28th, the House Natural Resources Committee's subcommittee on Water, Wildlife and Fisheries held a hearing title "Why We Need to Store More Water and What is Stopping Us" with the following individuals serving as witnesses:

- William Bourdeau, Vice Chair, San Luis & Delta-Mendota Water Authority
- Tricia Hill, Board Member, Klamath Water Users Association

- Andy Mueller, General Manager, Colorado River Conservation District
- Joshua Sewell, Senior Policy Analyst, Taxpayers for Common Sense

During the hearing, Republicans made the case that the ESA and NEPA are what slow down new storage projects. Democrats pushed back and pointed out that the beneficiary pays principle, which both sides of the aisle said they support, is the real hinderance because many of the good locations for dams have already been developed. Democrats made the case that places where dams are proposed today have lower water yields due to their less-than-ideal locations, thus the numbers just don't pencil out for water agencies and project proponents.

There seemed to be tacit agreement on both sides of the aisle that there are places where improving, raising, or retrofitting existing dams makes sense but there was clear disagreement over the need for additional surface storage. There was also agreement that better forest management, particularly in high mountain watersheds, has positive impacts on water supply.

California Water Infrastructure Act

Congressman Garamendi is circulating a draft water bill that covers a broad suite of water issues. The Congressman is seeking feedback on the draft bill by the end of April. A section-by-section and legislative text are attached for your review.

DISCUSSION DRAFT: California Water Infrastructure Act

SECTION-BY-SECTION SUMMARY:

SECTION 1: Short Title

SECTION 2: Substitution of Equivalent State Environmental Reviews

- Allows the U.S. Bureau of Reclamation to accept environmental reviews prepared under state laws like the California Environmental Quality Act as equivalent to federal reviews under the National Environmental Policy Act (NEPA).
- Obviates the need for a redundant federal NEPA review for western water projects with the Bureau of Reclamation if an equivalent or more stringent statement environmental review, as determined by the Commissioner, has already been completed.
- Based on existing substitution authority for state environmental review documents created by Congress under Section 1309 of the FAST Act (2015 Highway Bill) for surface transportation projects funded by the Federal Highway Administration, see 23 U.S.C. 330.

SECTION 3: Amendments to the Infrastructure Investment and Jobs Act

- Creates new competitive grant program for the 17 Reclamation states, Alaska, and Hawaii for the Bureau of Reclamation to fund:
 - Voluntary consolidations of small water systems served by a Reclamation project (reserved or transferred work) or Reclamation-funded project to increase efficiency and improve service.
 - Voluntary conversions of privately owned water systems into public water systems served by a Reclamation project (reserved or transferred work) or Reclamation-funded project.
- Cannot be used for privatization of water systems for irrigation or potable water.
- Based on consolidation incentive for public water systems under the Safe Drinking Water Act's State Revolving Loan Fund, see 42 U.S. Code §300g–3(h).

SECTION 4: Limit on Central Valley Project Restoration Fund Administrative Costs

- Requires that all federal agency expenditures from the Central Valley Project Restoration Fund be published online with detailed project descriptions.
- Provides opportunity for public comment each fiscal year on projects proposed by federal agencies for funding from the Central Valley Project Restoration Fund.
- Provisions on increased public oversight and input into Central Valley Project Restoration Fund activities by federal agencies originally from Rep. Garamendi and Sen. Feinstein's "California

Long-Term Provisions for Water Supply and Short-Term Provisions for Emergency Drought Relief Act" from the 114th Congress.

- Places standard "good government" cap for the U.S. Fish and Wildlife Service's allowable administrative costs from the Central Valley Project Restoration Fund at not more than 5% annually.
- Directs the Fish and Wildlife Service to outline all administrative costs taken from the Central Valley Project Restoration Fund as a separate line item in the agency's annual budget request to Congress (President's budget).
- Ensures that funding contributed annually by water and hydropower users to the Central Valley Project Restoration Fund is used for on-the-ground projects, per original Congressional intent in 1992.

SECTION 5: Amendments to the WIIN Act

- Requires the Bureau of Reclamation to make guidelines for feasibility studies for State-led water storage projects.
- Allows Congressionally appropriated funds for State-led water storage projects to also be used to complete permitting and mitigation work for those projects.
- Noncontroversial amendments to the 2016 WIIN Act originally from Rep. Garamendi's bipartisan "Sites Reservoir Project Act" from the 116th Congress.
- Ensures that only projects eligible under the WIIN Act may receive funding from Congressional appropriations authorized under that 2016 law, specifically those projects with completed feasibility determinations by the January 1, 2021, deadline.

SECTION 6: Use of Revenue to Improve Project Safety

- Allow federal proceeds from the sale of water from Reclamation projects to be used to fund safety of dams work or repayment of federal construction costs for that project.
- Provides dedicated funding at no cost to taxpayers for dam safety improvements at Reclamation projects including to meet higher state standards like the California Department of Water Resources' Division of Safety of Dams.
- Originally from Reps. Garamendi's bipartisan "Orland Project Transfer Act" and Sen.
 Feinstein's "Support To Rehydrate the Environment, Agriculture, and Municipalities (STREAM)
 Act" from the 117th Congress.
- Federal funding can only be used to satisfy the federal dam safety standards, effectively prohibiting potential transferred works like the Orland Project from meeting California's higher state standards for safety.

SECTION 7: Delta Research Station

- Directs the Fish and Wildlife Service to construct and operate the proposed Delta Research Station at the decommissioned Rio Vista Army Base in the heart of the Sacramento-San Joaquin Delta.
- Requires the Fish and Wildlife Service to partner with the State of California in developing the Delta Research Station, including the two constituent facilities: the State's Rio Vista Estuarine Research Station and the Service's Fish Technology Center.

SECTION 8: New Fish Hatchery on Sacramento River Mainstem

- Authorizes the Bureau of Reclamation to build a new fish hatchery for federally listed Chinook salmon and other endangered fish species at the Red Bluff Diversion in Tehama County.
- Provides dedicated funding at no cost to taxpayers for the construction, operation, and maintenance of the new fish hatchery from the Sacramento and Central Valley Project water contractors' annual contributions to the Central Valley Project Restoration Fund.
- New hatchery will allow salmon smolts to better imprint on water from the mainstem of the Sacramento River, increasing survivability and with lower staying rates than the Fish and Wildlife Service's existing Coleman National Fish Hatchery on Battle Creek in Shasta County.

SECTION 9: Technical Amendments

Noncontroversial amendments originally from Rep. Costa's "<u>Water Transfer Facilitation Act of 2009</u>" from the 111th Congress fixing typos in the Central Valley Project Improvement Act.

SECTION 10: Report to Congress

- Directs the Bureau of Reclamation and the to report to Congress on the implementation of the agreement with the U.S. Environmental Protection Agency to help administer federal financing for western water projects under the Water Infrastructure Finance and Innovation Act (WIFIA).
- This 2018 authority is effectively the "mini" *Reclamation Infrastructure Finance and Innovation Act.*

	(Original Signature of Member)
117'	TH CONGRESS 2D SESSION H.R.
	o expedite the completion of water supply projects in Reclamation States eliminating duplication of environmental reviews, and for other purposes.
	IN THE HOUSE OF REPRESENTATIVES
Ŋ	Mr. Garamendi introduced the following bill; which was referred to the Committee on
	A BILL
То	expedite the completion of water supply projects in Reclamation States by eliminating duplication of environmental reviews, and for other purposes.
1	Be it enacted by the Senate and House of Representa-
2	tives of the United States of America in Congress assembled,
3	SECTION 1. SHORT TITLE.
4	This Act may be cited as the "California Water Infra-
5	structure Act".
6	SEC. 2. SUBSTITUTION OF EQUIVALENT STATE ENVIRON
7	MENTAL REVIEWS.

8

(a) DEFINITIONS.—In this section:

1	(1) Qualified state environmental re-
2	VIEW.—The term "qualified State environmental re-
3	view" means a State environmental review of a rec-
4	lamation project that the Commissioner of the Bu-
5	reau of Reclamation, in consultation with the Chair-
6	man of the Council on Environmental Quality, deter-
7	mines meets or exceeds the requirements relating to
8	making detailed statements under section 102(2)(C)
9	of the National Environmental Policy Act of 1969
10	(42 U.S.C. 4332(2)(C)).
11	(2) RECLAMATION PROJECT.—The term "rec-
12	lamation project''—
13	(A) means a reclamation project carried
14	out under the Act of June 17, 1902 (32 Stat.
15	388; ch. 1093), or any Acts amendatory thereof
16	or supplemental thereto; and
17	(B) includes—
18	(i) a State-led storage project, as de-
19	fined in section 4007(a) of the WIIN Act
20	(43 U.S.C. 390b note);
21	(ii) a rural water supply project, as
22	defined in section 102 of the Reclamation
23	Rural Water Supply Act of 2006 (43
24	U.S.C. 2401);

1	(iii) a rural water project authorized
2	and carried out in accordance with the
3	Reclamation Rural Water Supply Act of
4	2006 (43 U.S.C. 2401 et seq.), or a subse-
5	quent Act of Congress; and
6	(iv) a project carried out under title
7	XVI of the Reclamation Projects Author-
8	ization and Adjustment Act of 1992 (43
9	U.S.C. 390h et seq.).
10	(b) Substitution of Equivalent State Envi-
11	RONMENTAL REVIEWS.—
12	(1) In general.—For purposes of meeting the
13	requirements relating to making a detailed state-
14	ment under section 102(2)(C) of the National Envi-
15	ronmental Policy Act of 1969 (42 U.S.C.
16	4332(2)(C)), the Commissioner of the Bureau of
17	Reclamation may substitute a qualified State envi-
18	ronmental review of the reclamation project for the
19	detailed statement required for the reclamation
20	project under such section.
21	(2) Sense of congress.—It is the sense of
22	Congress that a State environmental review of a rec-
23	lamation project prepared in accordance with the
24	California Environmental Quality Act (California
25	Public Resources Code section 21000 et seq.) ex-

1	ceeds the requirements relating to making detailed
2	statements under section 102(2)(C) of the National
3	Environmental Policy Act of 1969 (42 U.S.C.
4	4332(2)(C)).
5	SEC. 3. AMENDMENTS TO THE INFRASTRUCTURE INVEST-
6	MENT AND JOBS ACT.
7	Title IX of Division D of the Infrastructure Invest-
8	ment and Jobs Act (Public Law 117–58) is amended by
9	adding at the end the following:
10	"SEC. 40911. VOLUNTARY WATER SYSTEM CONSOLIDATION
11	IN PUBLIC INTEREST.
12	"(a) Definitions.—In this section:
13	"(1) Privately operated water system.—
14	The term 'privately operated water system' means a
15	water system that is operated by a private entity.
16	"(2) Program.—The term 'Program' means
17	the grant program established under subsection (b).
18	"(3) Publicly operated water system.—
19	The term 'publicly operated water system' means a
20	water system that is—
21	"(A) not operated by a private entity; and
22	"(B) served by—
23	"(i) a Reclamation project, as defined
24	in section 8002 of the John D. Dingell, Jr.

1	Conservation, Management, and Recre-
2	ation Act (43 U.S.C. 2902); or
3	"(ii) a State-led storage project, as
4	defined in section 4007(a) of the WIIN
5	Act (43 U.S.C. 390b note).
6	"(4) Reclamation state.—The term 'Rec-
7	lamation State' has the meaning given such term in
8	section 4014 of the WIIN Act (43 U.S.C. 390b
9	note).
10	"(5) Water system.—The term water sys-
11	tem' means—
12	"(A) a public water system, as such term
13	is defined in section 1401 of the Safe Drinking
14	Water Act (42 U.S.C. 300f); or
15	"(B) a piped water system that provides
16	primarily agricultural service.
17	"(b) Establishment.—The Commissioner of the
18	Bureau of Reclamation shall establish a competitive grant
19	program to support projects that, on a voluntary basis:
20	"(1) convert 1 or more privately operated water
21	systems into a publicly operated water system; or
22	"(2) consolidate the physical infrastructure or
23	managerial and operational aspects of a publicly op-
24	erated water system with 1 or more other water sys-

1	tems to improve the efficiency of such water sys-
2	tems.
3	"(c) Eligible Entities.—The Commissioner may
4	award grants under the Program to a Reclamation State
5	or a political subdivision of a Reclamation State.
6	"(d) Exclusion.—The Secretary may not award a
7	grant under the Program to a private entity.".
8	SEC. 4. LIMIT ON CENTRAL VALLEY PROJECT RESTORA-
9	TION FUND ADMINISTRATIVE COSTS.
10	(a) In General.—Section 3407 of the Central Val-
11	ley Project Improvement Act (Public Law 102–575) is
12	amended—
13	(1) by amending subsection (f) to read as fol-
14	lows:
15	"(f) RESTORATION FUND FINANCIAL REPORTS.—
16	"(1) Transparency in expenditures.—The
17	Secretary shall make available on a public website a
18	report describing a detailed work plan for the ex-
19	penditure of all amounts deposited in the Restora-
20	tion Fund during the preceding fiscal year, includ-
21	ing—
22	"(A) a description of all receipts to, and
23	uses of, funds deposited in the Restoration
24	Fund and the Restoration Account during the
25	preceding fiscal year;

1	"(B) a projection of the expected receipts
2	to the Restoration Fund and Restoration Ac-
3	count for the following fiscal year; and
4	"(C) an analysis of the effectiveness of
5	each expenditure included in the report covering
6	the preceding fiscal year.
7	"(2) Public Participation for Planned ex-
8	PENDITURES.—
9	"(A) IN GENERAL.—For each fiscal year,
10	the Secretary shall make available on a public
11	website a proposed draft work plan for the fol-
12	lowing fiscal year regarding priorities and
13	spending levels for projects and programs to be
14	carried out under this title.
15	"(B) Public comment.—The draft work
16	plan under this paragraph shall be made avail-
17	able for public comment for a period not less
18	than 30 days."; and
19	(2) by adding at the end the following:
20	"(g) Limit on Administrative Costs.—The Sec-
21	retary may not expend more than 5 percent of the
22	amounts made available to the Secretary under this sec-
23	tion in a fiscal year on administrative costs to carry out
24	this section, including staffing.

1	"(h) President's Budget.—With respect to each
2	fiscal year, the Secretary shall include in the annual budg-
3	et submission under section 1105(a) of title 31, United
4	States Code, a dedicated budget line item identifying the
5	amount spent during the previous fiscal year for adminis-
6	trative costs to carry out this section and the number of
7	full-time equivalents by the Federal agency that performed
8	such administrative work.".
9	SEC. 5. AMENDMENTS TO THE WIIN ACT.
10	The WIIN Act (Public Law 114–322) is amended—
11	(1) in section 4007—
12	(A) in subsection (c)(4)—
13	(i) by striking "(B)" and inserting
14	"(C)";
15	(ii) by striking "but" after "anal-
16	yses;''; and
17	(iii) by inserting after subparagraph
18	(A) the following:
19	"(B) shall issue guidelines for feasibility
20	(or the equivalent) studies for State-led storage
21	projects that shall be deemed to provide suffi-
22	cient information for making the independent
23	determinations described in paragraph (2);
24	and"; and

1	(B) in subsection (h), by adding at the end
2	the following:
3	"(3) The Secretary of the Interior may rec-
4	ommend funding for a project pursuant to this sec-
5	tion only if the Secretary determines, on or before
6	the sunset date in subsection (i), such project is fea-
7	sible."; and
8	(2) in section $4011(f)(2)$ —
9	(A) by inserting "permitting," after "de-
10	signing"; and
11	(B) by inserting "mitigation" after "regu-
12	latory".
13	SEC. 6. USE OF REVENUE TO IMPROVE PROJECT SAFETY.
13 14	SEC. 6. USE OF REVENUE TO IMPROVE PROJECT SAFETY. (a) DEFINITIONS.—In this section:
14	(a) Definitions.—In this section:
14 15	(a) Definitions.—In this section:(1) Eligible Transfer.—The term "Eligible
14 15 16	(a) Definitions.—In this section:(1) Eligible Transfer" means the temporary and voluntary sell-
14 15 16 17	(a) Definitions.—In this section:(1) Eligible Transfer" means the temporary and voluntary selling, leasing, or exchanging of water or water rights
14 15 16 17 18	 (a) Definitions.—In this section: (1) Eligible Transfer. The term "Eligible Transfer" means the temporary and voluntary selling, leasing, or exchanging of water or water rights among individuals or agencies.
14 15 16 17 18	 (a) Definitions.—In this section: (1) Eligible Transfer.—The term "Eligible Transfer" means the temporary and voluntary selling, leasing, or exchanging of water or water rights among individuals or agencies. (2) Reclamation project.—The term "Rec-
14 15 16 17 18 19 20	 (a) Definitions.—In this section: (1) Eligible Transfer. The term "Eligible Transfer" means the temporary and voluntary selling, leasing, or exchanging of water or water rights among individuals or agencies. (2) Reclamation project. The term "Reclamation project" has the meaning given such term
14 15 16 17 18 19 20 21	 (a) Definitions.—In this section: (1) Eligible Transfer. The term "Eligible Transfer" means the temporary and voluntary selling, leasing, or exchanging of water or water rights among individuals or agencies. (2) Reclamation project. The term "Reclamation project" has the meaning given such term in section 8002 of the John D. Dingell, Jr. Con-
14 15 16 17 18 19 20 21	 (a) Definitions.—In this section: (1) Eligible Transfer.—The term "Eligible Transfer" means the temporary and voluntary selling, leasing, or exchanging of water or water rights among individuals or agencies. (2) Reclamation project.—The term "Reclamation project" has the meaning given such term in section 8002 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (43)

1	works, or other contract that entitles the holder to
2	water from a Reclamation project or facility and un-
3	dertakes an Eligible Transfer.
4	(b) Funds for Transferor.—Notwithstanding the
5	Act of February 25, 1920 (43 U.S.C. 521) or subsection
6	J of section 4 of chapter 4 of the Act of December 5,
7	1924 (43 U.S.C. 526), all moneys derived from an Eligible
8	Transfer that would otherwise be deposited in the Rec-
9	lamation Fund shall be remitted to the Transferor.
10	(c) USE OF FUNDS.—Funds remitted to a Transferor
11	under subsection (b)—
12	(1) shall be placed in a reserve account held by
13	the Transferor; and
14	(2) may only be used for—
15	(A) annual payments to the Bureau of
16	Reclamation on any repayment obligations in-
17	curred under the Reclamation Safety of Dams
18	Act of 1978 (43 U.S.C. 506 et seq.);
19	(B) annual payments on repayment obliga-
20	tions incurred under section 9603 of the Omni-
21	bus Public Land Management Act of 2009 (43
22	U.S.C. 510b); and
23	(C) ensuring that any Reclamation project
24	and structures appurtenant to such project sat-
25	isfy dam safety standards required under—

1	(i) Federal guidelines for dam owners,
2	regulators, and operators issued by the
3	Federal Emergency Management Agency
4	or the Interagency Committee on Dam
5	Safety; and
6	(ii) State law.
7	(d) Reporting.—A transferor to whom funds are re-
8	mitted under this section shall report to the Commissioner
9	of the Bureau of Reclamation all uses of such funds.
10	(e) Effect of Section.—Nothing in this section—
11	(1) affects any other authority of the Secretary
12	to use moneys derived from revenues from a Rec-
13	lamation project; or
14	(2) creates, impairs, alters, or supersedes a
15	State water right.
16	(f) COMPLIANCE.—Each Eligible Transfer shall com-
17	ply with all applicable—
18	(1) State water laws;
19	(2) Federal laws and policies; and
20	(3) interstate water compacts.
21	(g) Reclamation Laws.—This section shall supple-
22	ment the Act of June 17, 1902 (32 Stat. 388; ch. 1093),
23	and Acts supplementary thereto and amendatory thereof.

1 SEC. 7. DELTA RESEARCH STATION.

- 2 The Secretary of the Interior, acting through the Di-
- 3 rector of the United States Fish and Wildlife Service, shall
- 4 seek to enter into an agreement with the State of Cali-
- 5 fornia to jointly construct and operate the Delta Research
- 6 Station (including the Fish Technology Center and Rio
- 7 Vista Estuarine Research Station in Solano County, Cali-
- 8 fornia) in the Sacramento-San Joaquin Delta, California,
- 9 described in the Final Environmental Impact Report/Envi-
- 10 ronmental Impact Statement entitled "Delta Research
- 11 Station Project: Estuarine Research Station and Fish
- 12 Technology Center" published by the United States Fish
- 13 and Wildlife Service in February 2017.
- 14 SEC. 8. NEW FISH HATCHERY ON SACRAMENTO RIVER
- 15 MAINSTEM.
- 16 The Commissioner of the Bureau of Reclamation is
- 17 authorized to use such sums as are necessary from the
- 18 Central Valley Project Restoration Fund monies contrib-
- 19 uted by Sacramento River Settlement Contractors and
- 20 Central Valley Project Water Service Contractors that di-
- 21 vert water directly from the mainstem of the Sacramento
- 22 River and are located within the Sacramento River Divi-
- 23 sion of the Central Valley Project to build, operate, and
- 24 maintain a fish hatchery on Federal land at the Red Bluff
- 25 Diversion Dam in Tehama County, California, or on other
- 26 Federal land located on the mainstem of the Sacramento

- 1 River in Red Bluff, California, for Chinook salmon
- 2 (Oncorhynchus tshawytscha) and other anadromous fish
- 3 native to the Sacramento River listed as an endangered
- 4 species or a threatened species pursuant to section 4 of
- 5 the Endangered Species Act (16 U.S.C. 1533), if the Com-
- 6 missioner determines such action aligns with the purposes
- 7 of the Central Valley Project Improvement Act (title
- 8 XXXIV of Public Law 102–575).

9 SEC. 9. TECHNICAL AMENDMENTS.

- 10 Section 3405(a)(1) of the Central Valley Project Im-
- 11 provement Act (title XXXIV of Public Law 102–575) is
- 12 amended—
- 13 (1) by striking "to Central" and inserting "of
- 14 Central"; and
- 15 (2) in subparagraph (A), by striking "to com-
- bination" and inserting "or combination".

17 SEC. 10. REPORT TO CONGRESS.

- Not later than 1 year after the date of enactment
- 19 of this Act, the Commissioner of the Bureau of Reclama-
- 20 tion, in consultation with the Administrator of the Envi-
- 21 ronmental Protection Agency, shall submit to Congress a
- 22 report on the implementation of—
- 23 (1) section 4301 of America's Water Infrastruc-
- 24 ture Act of 2018 (33 U.S.C. 3909 note); and

1	(2) any agreement entered into under section
2	5030(g) of the Water Infrastructure Finance and
3	Innovation Act of 2014 (33 U.S.C. 3909(g)) pursu-
4	ant to such section 4301.



To:	MWDOC Workshop
From:	Syrus Devers, Best Best & Krieger
Date:	April 5th, 2023
Re:	State Government Affairs Monthly Report

The Legislature

The brevity of this report does not reflect the activity level in Sacramento. The last 30 days have been almost exclusively devoted to studying, debating, and writing about legislation that will be heard in policy committees in the remaining weeks of April. (The Legislature will be in recess the first week of April.) The few words it takes to describe what advocates in Sacramento are doing bears no relationship to the hours spent doing it. Here are the bills that are talked about the most:

AB 460 (Bauer-Kahan), AB 1337 (Wicks), and SB 389 (Allen): Last month's report discussed AB 460, which would give broad new powers to the SWRCB over riparian and pre-1914 water rights. What has emerged since then is the awareness of the combined impact of these bills as a group. Like AB 460, AB 1337 is a vast expansion of authority over all types of water rights by the SWRCB, but AB 1337 is the most extreme bill in the group. The bill would essentially turn SWRCB's emergency powers into their ordinary powers to be used at will. The effect, which may be intentional, could be to make the other bills look more reasonable by comparison. SB 389, if it were considered as a standalone bill, might have been the major focus of Sacramento advocates, but in light of the other bills it has received only a fraction of the attention it likely deserves. The bill would give the SWRCB the power to challenge a riparian or pre-1914 water right, then put the burden of substantiating the right on the holder. Basically, "I say you're guilty, now prove me wrong." If enacted, it would give SWRCB nearly unchecked power to determine the extent, or quantity, of a water right not created by a permit.

Both ACWA and CMUA are taking positions of hard "oppose" on all three bills.

SB 366 (Caballero): This bill is sponsored by CMUA and is a result of the Solve The Water Crisis effort that MWDOC has supported. The bill began as a spot bill and was amended to include substantive language on March 22nd. As a result, the bill has yet to be assigned to committee for a hearing, but will likely be heard on April 25th. The first round of amendments, with many more to follow, addressed putting real numbers down to meet the state's future water demands. At this time, the bill calls for an interim water supply target of 10 million acre feet by 2040, and 15 million by 2050. To give some context for these numbers, according to the Water Education Foundation, California stores about 35



million acre feet in its 3,000 reservoirs. The proposed Sites Reservoir would store an additional 1.5 million acre feet. Reaching the targets in SB 366 will rely heavily on developing opportunities to store more water underground. The bill also requires the administration to implement a long-term financing plan, but there is no intent to leave it entirely to the discretion of the administration. Future amendments will develop a financing plan as well as other critical issues that are not yet mentioned in the text of the current bill.

<u>Legislative Process</u>: The first major deadline on the horizon is Friday, April 28th. Any bill with fiscal impacts, which is 90% of all bills, must pass out of all assigned policy committees in the "house of origin," which is the house in which the bill was introduced. Bills without a fiscal impact have until May 5th to be heard in committee.

Finally, MWDOC staff has now met with the offices of nearly every member of the OC Delegation and the new members of the relevant policy committees. In the coming weeks and months we are requesting meetings to introduce (or reacquaint) the MWDOC Board to legislators.

The Administration

Water managers at the Department of Water Resources are haunted by the ghost of 2022. As record rain and snow continue to pound California, water managers are still worried about a repeat of 2022 when two months of near record rain totals were followed by the driest three months ever recorded. Nonetheless, reservoir levels behind the state's largest dams are reaching levels that are forcing releases of water for flood management requirements and topping spillways. In response, the Newsom administration is angering environmentalists by suspending water quality requirements in the Bay Delta in order to move as much water as possible into storage, including groundwater storage in the Central Valley. Environmentalists are upset that, for the first time, water quality regulations were suspended outside of an extreme drought emergency.

MWDOC Workshop

Bill Matrix – April, 2023

A. Priority Support/Oppose

AB 460 (Bauer-Kahan D) State Water Resources Control Board: interim relief.

Status: 2/17/2023-Referred to Coms. on W., P., & W. and JUD.

Calendar: 4/18/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

WILDLIFE, BAUER-KAHAN, REBECCA, Chair

Summary: The State Water Resources Control Board and the California regional water quality control boards are required to set forth water quality objectives in state and regional water quality control plans. Current law establishes the Water Rights Fund, which consists of various fees and penalties. The moneys in the Water Rights Fund are available upon appropriation by the Legislature for the administration of the board's water rights program. Current law requires that the owner of any dam allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around, or through the dam, to keep in good condition any fish that may be planted or exist below the dam, as specified. This bill would authorize the board to issue, on its own motion or upon the petition of an interested party, an interim relief order in appropriate circumstances to implement or enforce these and related provisions of law. The bill would provide that a person or entity that violates any interim relief order issued by the board would be liable to the board for a civil penalty in an amount not to exceed the sum of \$10,000 for each day in which a violation occurs and \$5,000 for each acre-foot of water diverted in violation of the interim relief order. The bill would require these funds to be deposited in the Water Rights Fund.

Position Priority
Out for Analysis A. Priority
Support/Oppose

AB 838 (Connolly D) California Water Affordability and Infrastructure Transparency Act of 2023.

Status: 3/22/2023-Re-referred to Com. on E.S. & T.M.

Summary: The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. The act prohibits a person from operating a public water system unless the person first submits an application to the state board and receives a permit to operate the system, as specified. The act requires a public water system to submit a technical report to the state board as a part of the permit application or when otherwise required by the state board, as specified, and to submit the report in the form and format and at intervals specified by the state board. This bill would require, beginning January 1, 2025, and thereafter at intervals determined by the state board, public water systems to provide specified information and data related to customer water bills and efforts to replace aging infrastructure to the state board.

Position Priority
Out for Analysis A. Priority
Support/Oppose

AB 1337 (Wicks D) State Water Resources Control Board: water shortage enforcement.

Status: 3/2/2023-Referred to Coms. on W., P., & W. and JUD.

Calendar: 4/18/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

Summary: Would authorize the State Water Resources Control Board to adopt regulations for various water conservation purposes, including, but not limited to, to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to implement these regulations through orders curtailing the diversion or use of water under any claim of right. The bill would require the board to provide notice and an opportunity to be heard before issuing an order, except where an opportunity to be heard before the issuance of an order would be impractical given the likelihood of harm to the purposes of the various water conservation regulations. The bill would provide that a person or entity may be civilly liable for a violation of any regulation or order issued by the board pursuant to these provisions in an amount not to exceed \$1,000 for each day in which the violation has occurred and \$2,500 for each acre-foot of water diverted or used in violation of the applicable requirement. The bill would authorize the imposition of this civil liability by the superior court, as specified, or administratively by the board. The bill would provide that a regulation or order issued by the board pursuant to these provisions, or by emergency regulation, is exempt from the alifornia Environmental Quality Act (CEQA).

Position Priority
Out for Analysis A. Priority
Support/Oppose

AB 1572 (Friedman D) Potable water: nonfunctional turf.

Status: 3/9/2023-Referred to Com. on W., P., & W.

Calendar: 4/18/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

WILDLIFE, BAUER-KAHAN, REBECCA, Chair

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

Position Priority
Out for Analysis A. Priority
Support/Oppose

SB 23 (Caballero D) Water supply and flood risk reduction projects: expedited permitting.

Status: 3/23/2023-Set for hearing April 11.

Calendar: 4/11/2023 9 a.m. - 1021 O Street, Room 2100 SENATE NATURAL RESOURCES AND WATER, MIN,

DAVE, Chair

Summary: Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to complete and submit environmental documentation to the department for the activity in the notification.

Position Priority
Support A. Priority
Support/Oppose

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

SB 48 (**Becker** D) Water and Energy Savings Act.

Status: 3/16/2023-March 21 hearing postponed by committee.

Summary: Current law requires each utility to maintain records of the energy usage data of all buildings to which they provide service for at least the most recent 12 complete calendar months, and to deliver or otherwise provide that aggregated energy usage data for each covered building, as defined, to the owner, as specified. This bill would expand those requirements, beginning January 1, 2025, to include each utility that provides water service and its water usage data.

Position Priority
Out for Analysis A. Priority
Support/Oppose

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

Status: 3/22/2023-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as the California Water Plan. Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would require the department to instead establish a stakeholder advisory committee, to expand the membership of the committee to include tribes and environmental justice interests, to prohibit a member of the committee from serving longer than the development of 2 updates, and to require the committee to meet a minimum of 4 times annually. The bill would require the department, in coordination with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state's water needs and meeting specified water supply targets established by the bill for purposes of "The California Water Plan."

Position Priority
Out for Analysis A. Priority
Support/Oppose

SB 389 (Allen D) State Water Resources Control Board: determination of water right.

Status: 2/22/2023-Referred to Com. on N.R. & W.

Summary: Current law provides that it is the intent of the Legislature that the state take vigorous action to enforce the terms and conditions of permits, licenses, certifications, and registrations to appropriate water, to enforce state board orders and decisions, and to prevent the unlawful diversion of water. This bill would authorize the State Water Resources Control Board to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right, as specified.

Position Priority
Out for Analysis A. Priority
Support/Oppose

SB 687 (Eggman D) Water Quality Control Plan: Delta Conveyance Project.

Status: 3/20/2023-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

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

Position Priority
Out for Analysis A. Priority
Support/Oppose

B. Watch

(March 14). Re-referred to Com. on APPR.

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

Position Priority
Watch B. Watch

AB 62 (Mathis R) Statewide water storage: expansion.

Status: 2/28/2023-Re-referred to Com. on W., P., & W.

Calendar: 4/18/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

WILDLIFE, BAUER-KAHAN, REBECCA, Chair

Summary: Would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would require the State Water Resources Control Board, in consultation with the Department of Water Resources, to design and implement measures to increase statewide water storage to achieve the statewide goal. The bill would require the state board, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the department, to prepare and submit a report to the Legislature on the progress made in designing and implementing measures to achieve the statewide goal.

Position Priority
Watch B. Watch

AB 66 (Mathis R) Natural Resources Agency: water storage projects: permit approval.

Status: 3/28/2023-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 15. Noes 0.)

(March 28).

Calendar: 3/30/2023 #19 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary: Would require the Natural Resources Agency, and each department, board, conservancy, and commission within the agency, to approve the necessary permits for specified projects that meet certain employment conditions within 180 days from receiving a permit application, and would deem those permits approved if approval does not occur within this time period.

Position Priority B. Watch

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

Status: 3/21/2023-Re-referred to Com. on ED.

Calendar: 3/29/2023 1:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY EDUCATION, MURATSUCHI, AL,

Chair

Summary: Would require a community water system that serves a schoolsite, as defined, to test for lead in the potable water system outlets of the schoolsite before January 1, 2027, except for potable water system outlets in buildings that were either constructed after January 1, 2010, or modernized after January 1, 2010, and all faucets and other end point devices used for providing potable water were replaced as part of the modernization. The bill would require the community water system to report its findings to the applicable school or local educational agency and to the state board. The bill would require the local educational agency or school, if the lead level exceeds a specified level at a schoolsite, to notify the parents and guardians of the pupils who attend the schoolsite, take immediate steps to make inoperable and shut down from use all fountains and faucets where the excess lead levels may exist, and work with the schoolsites under its jurisdiction to ensure that a potable source of drinking water is provided for pupils, as specified. The bill would require a community water system to prepare a sampling plan for each schoolsite where lead sampling is required under these provisions. The bill would require the state board to make the results of schoolsite lead sampling publicly available by posting the results on its internet website.

Position Priority
Watch B. Watch

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

Status: 3/27/2023-In committee: Hearing postponed by committee.

Calendar: 4/18/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

WILDLIFE, BAUER-KAHAN, REBECCA, Chair

Summary: Current law establishes the Department of Forestry and Fire Protection (CAL-FIRE) and establishes various programs for the prevention and reduction of wildfires. Current law requires Cal OES and CAL-FIRE to jointly establish and lead the Wildfire Forecast and Threat Intelligence Integration Center, and sets forth the functions and duties of the center, including serving as the state's integrated central organizing hub for wildfire forecasting. Current law establishes the Department of Water Resources within the Natural Resources Agency and sets forth its powers and duties relating to water resources. This bill would rename the center as the Wildfire and Extreme Weather Forecast and Threat Intelligence Integration Center and would require the Department of Water Resources, along with Cal OES and CAL-FIRE, to lead the center. The bill would expand the center's mission to include analyzing atmospheric river data and other threat indicators that could lead to catastrophic floods and to reduce the severity of flood incidents that could endanger the safety of persons, property, and the environment by developing and sharing intelligence products related to atmospheric river weather conditions and potential flood conditions for government decisionmakers. The bill would require the center to serve as the state's integrated central organizing hub for atmospheric river forecasting and coordinate extreme weather intelligence and data sharing among federal, state, and local agencies, among others, as specified.

Position Priority
Watch B. Watch

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

Status: 3/27/2023-Re-referred to Com. on W., P., & W.

Summary: Would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,750,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.

Position Priority
Watch B. Watch

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

Status: 3/22/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (March 22). Re-referred to Com. on APPR.

Summary: Current law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages to include construction, alteration, demolition, installation, or repair work done under contract and paid for using public funds, except as specified. Current law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill would, commencing January 1, 2025, expand the definition of "public works" to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project, as specified. The bill would limit those provisions to work that falls within an apprenticable occupation in the building and construction trades for which an apprenticeship program has been approved and to contracts in excess of \$100,000. The bill would delay the application of those provisions until January 1, 2026, for nonprofits.

Position Priority
Watch B. Watch

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

Status: 3/27/2023-In committee: Set, first hearing. Hearing canceled at the request of author.

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

Position Priority
Watch B. Watch

AB 557 (Hart D) Open meetings: local agencies: teleconferences.

Status: 2/17/2023-Referred to Com. on L. GOV.

Summary: Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.

Position Priority
Watch B. Watch

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

Status: 3/27/2023-In committee: Hearing postponed by committee.

Calendar: 5/2/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

WILDLIFE, BAUER-KAHAN, REBECCA, Chair

Summary: Current law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water and that the next highest use is for irrigation. This bill would provide specific examples of the use of water for domestic purposes, including, but not limited to, sustenance of human beings and household conveniences. The bill would provide that all water rights remain subject to specified laws.

Position Priority
Watch B. Watch

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

Status: 3/27/2023-Re-referred to Com. on W., P., & W.

Calendar: 5/2/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

WILDLIFE, BAUER-KAHAN, REBECCA, Chair

Summary: Would declare that the sale, transfer, or lease of an interest in any water right for profit, on or below agricultural lands within the state by an investment fund, shall not be considered a reasonable or beneficial use of water.

Position Priority
Watch B. Watch

AB 1637 (Irwin D) Local government: internet websites and email addresses.

Status: 3/20/2023-Re-referred to Com. on L. GOV.

Summary: The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its internet website and directing a member of the public to the internet website, as specified. This bill, no later than January 1, 2025, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a ".gov" top-level domain or a ".ca.gov" second-level domain, and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a ".gov" or ".ca.gov" domain. This bill, no later than January 1, 2025, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a ".gov" domain name or a ".ca.gov" domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

Position Priority
Watch B. Watch

ACA 2 (Alanis R) Public resources: Water and Wildfire Resiliency Act of 2023.

Status: 12/6/2022-From printer. May be heard in committee January 5.

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

Position Priority
Out for Analysis B. Watch

SB 3 (**Dodd D**) Discontinuation of residential water service: community water system.

Status: 3/28/2023-Set for hearing April 10.

Calendar: 4/10/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO,

ANTHONY, Chair

Summary: The Water Shutoff Protection Act prohibits an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, from discontinuing residential service for nonpayment, as specified, and requires specified procedures before it can discontinue residential service for nonpayment. Current law defines a community water system as a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system. Current law requires an urban and community water system to have a written policy on discontinuation of residential service for nonpayment available in English, the specified languages in the Civil Code, and any other language spoken by at least 10% of the people residing in its service area. This bill would expand the scope of the Water Shutoff Protection Act by requiring that it instead apply to a community water system, defined to have the same meaning as existing law. The bill would require a community water system that supplies water to 200 service connections or fewer to comply with the act's provisions on and after August 1, 2024.

Position Priority
Out for Analysis B. Watch

SB 57 (Gonzalez D) Utilities: disconnection of residential service.

Status: 3/22/2023-Re-referred to Coms. on E., U. & C. and JUD.

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

Position Priority
Watch B. Watch

SB 66 (Hurtado D) Water Quality, Supply, and Infrastructure Improvement Act of 2014: Drinking Water Capital Reserve Fund: administration.

Status: 3/21/2023-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Summary: The Water Quality, Supply, and Infrastructure Improvement Act of 2014 bond act provides that the sum of \$260,000,000 is to be available for grants and loans for public water system infrastructure improvements and related actions to meet safe drinking water standards, ensure affordable drinking water, or both, as specified. Current law requires the State Water Resources Control Board to deposit up to \$2,500,000 of the \$260,000,000 into the Drinking Water Capital Reserve Fund, to be available upon appropriation by the Legislature. Current law requires the state board to administer the Drinking Water Capital Reserve Fund for the purpose of serving as matching funds for disadvantaged communities and requires the state board to develop criteria to implement this provision. This bill would require the state board to provide an analysis of the criteria to implement that provision to the Senate Committee on Natural Resources Page 39 of 185

and Water and Assembly Committee on Water, Parks, and Wildlife on January 1, 2025, and every 2 years thereafter.

Position Priority
Watch B. Watch

SB 69 (Cortese D) California Environmental Quality Act: judicial and administrative proceedings: limitations.

Status: 3/21/2023-Set for hearing April 11.

Calendar: 4/11/2023 1:30 p.m. - 1021 O Street, Room 2100 SENATE JUDICIARY, UMBERG, THOMAS, Chair

Summary: The California Environmental Quality Act (CEQA) authorizes a state agency or a local agency that determines that a project is not subject to CEQA to file a notice of exemption with the office or the county clerk of each county in which the project will be located, as provided. CEOA requires the county clerk to make the notice available for public inspection and post the notice within 24 hours of receipt in the office or on the internet website of the county clerk, as specified. If a person has made a written request to a public agency for a copy of a notice of determination or notice of exemption for a project before the date on which the public agency approves or determines to carry out the project, CEQA requires the public agency, no later than 5 days from the date of the public agency's action, to deposit a copy of the written notice addressed to that person in the United States mail, first-class postage prepaid. CEQA provides that the date upon which the notice is mailed does not affect the limitations periods applicable to specified actions or proceedings to attack, review, set aside, void, or annul specified acts or decisions of a public agency on the grounds of noncompliance with CEQA. The bill would require the county clerk to post the notice both in the office and on the internet website of the county clerk within 24 hours of receipt. The bill would require a public agency to provide both the notice and any subsequent amended, corrected, or revised notice, as specified, in response to a written request for the notice, regardless of the delivery method. The bill would toll, except as provided, the limitations periods applicable to specified actions or proceedings to attack, review, set aside, void, or annul specified acts or decisions of a public agency until the date on which the public agency deposits in the mail or sends by email to the requestor a copy of the notice, including any subsequent amended, corrected, or revised notice, or the date on which the public agency submits the notice to a specified state entity, as described.

Position Priority
Watch B. Watch

SB 231 (Hurtado D) Water measurement.

Status: 3/21/2023-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Summary: Current law requires the State Water Resources Control Board, in collaboration with the Department of Water Resources, the California Bay-Delta Authority or its successor agency, and the State Department of Public Health, to prepare and submit a report to the Legislature by January 1, 2009, evaluating the feasibility, estimated costs, and potential means of financing a coordinated water measurement database. This bill would require the board, in collaboration with the department, the authority or its successor agency, and the State Department of Public Health, to prepare and submit an update to the report to the Legislature by January 1, 2025, evaluating the feasibility, estimated costs, and potential means of financing a coordinated water measurement database, as specified.

Position Priority
Watch B. Watch

SB 272 (Laird D) Sea level rise: planning and adaptation.

Status: 3/28/2023-From committee: Do pass and re-refer to Com. on GOV. & F. (Ayes 9. Noes 0.) (March 28). Re-referred to Com. on GOV. & F.

Summary: Would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for sea level rise planning and adaptation on or before January 1, 2029, to be prioritized for sea level rise funding, upon appropriation by the Legislature, for the implementation of projects in the local government's approved sea level rise adaptation plan. The bill would require, on or before December 31, 2024, the California Coastal Commission and the San Francisco Bay Conservation and Development Commission, in close coordination with the Ocean Protection Council and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of that planning and adaptation. The bill would make the operation of its provisions contingent upon an appropriation for its purposes by the Legislature in the annual Budget Act or another statute.

Position Priority

Watch B. Watch

SB 315 (Hurtado D) Groundwater monitoring: interagency task force.

Status: 3/21/2023-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Summary: Current law requires the State Water Resources Control Board to integrate existing monitoring programs and design new program elements, as necessary, for the purpose of establishing a comprehensive monitoring program capable of assessing each groundwater basin in the state through direct and other statistically reliable sampling approaches, and to create an interagency task force composed of representatives of listed state agencies for various purposes, including to identify actions necessary to establish the monitoring program and to identify measures that would increase coordination among state and federal agencies that collect groundwater contamination information. Current law requires the state board to convene an advisory committee to the interagency task force with specified members. This bill would alter the membership of the advisory committee by changing the number of representatives of agriculture from 2 to 4.

Position Priority
Watch B. Watch

SB 414 (Allen D) Drought-tolerant landscaping: local incentive programs: synthetic grass: artificial turf.

Status: 3/14/2023-Set for hearing March 29.

Calendar: 3/29/2023 9:30 a.m. - 1021 O Street, Room 2200 SENATE GOVERNANCE AND

FINANCE, CABALLERO, ANNA, Chair

Summary: Current law prohibits a city, including a charter city, county, and city and county, from enacting or enforcing any ordinance or regulation that prohibits the installation of drought-tolerant landscaping, synthetic grass, or artificial turf on residential property, as specified. The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded. Current law provides, among other exclusions, an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program. This bill would prohibit a city, including a charter city, county, city and county, or special district, from issuing a rebate, voucher, or other financial incentive for the use of synthetic grass or artificial turf that contains contaminants, including zinc, plastic, or perfluoroalkyl and polyfluoroalkyl substances (PFAS).

Position Priority
Watch B. Watch

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

Status: 3/27/2023-April 12 hearing postponed by committee.

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

Position Priority
Watch B. Watch

(Allen D) Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.

Status: 3/28/2023-From committee: Do pass and re-refer to Com. on GOV. & F. (Ayes 8. Noes 0.) (March 28). Re-referred to Com. on GOV. & F.

Summary: Would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access programs.

Position Priority
Watch B. Watch

C. Spot Bill

AB 396 (Fong, Vince R) Dams.

Status: 2/3/2023-From printer. May be heard in committee March 5.

Summary: Current law regulates the construction and operation of dams and exempts certain structures for these purposes. Current law requires the owner of such exempt structures to employ a registered civil engineer to supervise the structure, as prescribed. This bill would make nonsubstantive changes to the above provision.

Position Priority
Watch C. Spot Bill

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

Status: 2/9/2023-Referred to Com. on W., P., & W.

Summary: Would require the Natural Resources Agency, on or before June 1, 2024, to post on its publicly available internet website information tracking the progress to increase statewide water storage, and to keep that information updated.

Position Priority
Watch C. Spot Bill

AB 1573 (Friedman D) Water conservation: landscape design: model ordinance.

Status: 3/27/2023-Re-referred to Com. on W., P., & W.

Calendar: 4/18/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND

WILDLIFE, BAUER-KAHAN, REBECCA, Chair

Summary: The Water Conservation in Landscaping Act provides for a model water efficient landscape ordinance that is adopted and updated at least every 3 years by the Department of Water Resources, unless the department makes a specified finding. Current law requires a local agency to adopt the model ordinance or to adopt a water efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance, except as specified. Current law specifies the provisions of the updated model ordinance, as provided. Current law includes a related statement of legislative findings and declarations. This bill would require the updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance.

Position Priority
Watch C. Spot Bill

Total Measures: 35

Total Tracking Forms: 35

Introduced by Assembly Member Hart

February 8, 2023

An act to amend and repeal Section 54953 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 557, as introduced, Hart. Open meetings: local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.

Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a

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declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Existing law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time.

This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency and social distancing to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures.

The bill would additionally make nonsubstantive changes to those provisions and correct erroneous cross references .

(2) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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The people of the State of California do enact as follows:

SECTION 1. Section 54953 of the Government Code, as amended by Section 1 of Chapter 285 of the Statutes of 2022, is amended to read:

- 54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:
- (A) All votes taken during a teleconferenced meeting shall be by rollcall.
- (B) The teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.
- (C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.
- (D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the

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legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e).

- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare

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and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

- (e) (1) The legislative body of a local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:
- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:
- (A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.
- (B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body

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shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

- (C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.
- (D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- (E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph $\overline{(F)}$, $\overline{(D)}$, to provide public comment until that timed public comment period has elapsed.
- (ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), (D), or otherwise be recognized for the purpose of providing public comment.
- (iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), (D), until the timed general public comment period has elapsed.
- (3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 45 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph

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1 (1), and every-30 45 days thereafter, make the following findings by majority vote:

- (A) The legislative body has reconsidered the circumstances of the state of emergency.
 - (B) Any of the following circumstances exist:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.
- (4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (f) (1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:
- (A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:
 - (i) A two-way audiovisual platform.
- (ii) A two-way telephonic service and a live webcasting of the meeting.
- (B) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment.
- (C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.
- (D) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of

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a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

- (E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.
- (F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- (2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:
 - (A) One of the following circumstances applies:
- (i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.
- (ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section

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56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

- (I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.
- (II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.
- (B) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.
- (C) The member shall participate through both audio and visual technology.
- (3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.
- (g) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.
- (h) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

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(i) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

- (2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.
- (j) For the purposes of this section, the following definitions shall apply:
- (1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.
 - (2) "Just cause" means any of the following:
- (A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.
- (B) A contagious illness that prevents a member from attending in person.
- (C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).
- (D) Travel while on official business of the legislative body or another state or local agency.
- (3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.
- (4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.
- (5) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

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(6) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.

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- (7) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.
- (8) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.
- (9) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.
- (k) This section shall remain in effect only until January 1, 2024, 2026, and as of that date is repealed.
- SEC. 2. Section 54953 of the Government Code, as amended by Section 2 of Chapter 285 of the Statutes of 2022, is amended to read:
- 54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:
- (A) All votes taken during a teleconferenced meeting shall be by rollcall.
- 39 (B) The teleconferenced meetings shall be conducted in a 40 manner that protects the statutory and constitutional rights of the

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1 parties or the public appearing before the legislative body of a local agency.

- (C) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.
- (D) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in—subdivision (d). subdivisions (d) and (e).
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the

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authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.
- (3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.
- (e) (1) The legislative body of a local agency may use teleconferencing without complying with *the requirements of* paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:
- (A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:
 - (i) A two-way audiovisual platform.
- 38 (ii) A two-way telephonic service and a live webcasting of the meeting.

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if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- (2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(B)

- (A) In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option.
- (C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D)

(B) In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from

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broadcasting the meeting may be challenged pursuant to Section54960.1.

(E)

- (C) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time.
 - (F)
- (D) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.
- (2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:
 - (A) One of the following circumstances applies:
- (i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.
- (ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:
- (I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member

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shall make a separate request for each meeting in which they seek
 to participate remotely.

- (II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.
- (B) The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.
- (C) The member shall participate through both audio and visual technology.
- (3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.
- (E) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.
- (ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.
- (iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

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(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 45 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 45 days thereafter, make the following findings by majority vote:

- (A) The legislative body has reconsidered the circumstances of the state of emergency.
 - (B) Any of the following circumstances exist:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.
- (4) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.
- (f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.
- (g) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.
- (h) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.
- (2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.
- (i) For the purposes of this section, the following definitions shall apply:

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1 2

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

- (2) "Just cause" means any of the following:
- (A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.
- (B) A contagious illness that prevents a member from attending in person.
- (C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (f).
- (D) Travel while on official business of the legislative body or another state or local agency.
- (3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (e), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.
- (4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.
- (1) "State of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).
- 33 (5)
 - (2) "Teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.
 - (6) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

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(7) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

- (8) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.
- (j) This section shall become operative January 1, 2024, shall remain in effect only until January 1, 2026, and as of that date is repealed.
 - (j) This section shall become operative January 1, 2026.
- SEC. 3. Section 54953 of the Government Code, as added by Section 3 of Chapter 285 of the Statutes of 2022, is repealed.
- 54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.
- (b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.
- (2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rolleall.
- (3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an

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opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

- (4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.
- (c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.
- (2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.
- (3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.
- (d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.
- (2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is

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established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members

(e) This section shall become operative January 1, 2026.

SEC. 4. The Legislature finds and declares that Sections 1 and 2 of this act, which amend Section 54953 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings.



STAFF REPORT

To: Board of Directors Meeting Date: April 27, 2023

From: Sherri Seitz, Public Affairs Manager

Subject: Public Education and Outreach Report

Bill Message

Customer April bill message:

The ETWD Customer Service office has reopened for in-person visits. We thank you for your patience. Our Customer Service Team is available by phone and email during regular business hours to assist you at (949) 837-0660 and CustomerService@etwd.com.

Community Events

Concerned Citizens of Laguna Woods Village

General Manager, Dennis Cafferty will provide an update on water supply in California at the Concerned Citizens of Laguna Woods Village Earth Day event on Thursday, April 20, 2023 at Clubhouse 1. Vu and Sherri will staff a booth at the event.

Third Mutual Water Conservation Committee

President Havens will provide an update on water supply in California at the Third Mutual Water Conservation Committee on April 27, 2023 at 2:00 p.m.

City of Mission Viejo Earth Day/Arbor Day

ETWD staff will staff a booth at the City of Mission Viejo Earth Day/Arbor Day on Saturday, April 22, 2023 from 8:00 a.m. to 12 noon at the Oso Creek Trail north of Jeronimo Road.

Scout Clinics

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Staff has tentatively reserved the following dates for the Scout Clinic and tours at ETWD's Water Recycling Plant:

Boy Scout Clinic

Saturday, December 9, 2023 8am – 12 pm WRP Plant

Girl Scout Clinic

Saturday, November 4, 2023 9 am – 11 am WRP Plant

Children's Water Education Festival

El Toro Water District conducted a "Tap Water Demystified" activity at the Children's Water Education Festival on March 29 – 30, 2023 at UCI. The festival was presented by the Orange County Water District, the National Water Research Institute and the Orange County Water District Groundwater Guardian Team and welcomed over 4,500 third, fourth and fifth grade Orange County students over the two days.

Students tested ETWD tap water versus bottled water for pH and TDS. The testing demonstrated that both are safe to drink and staff demonstrated the cost difference between the two.

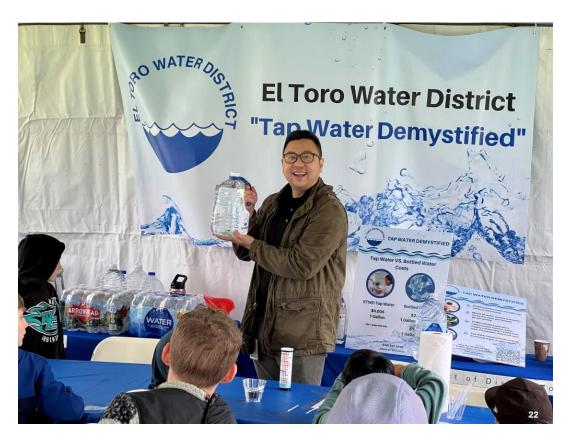
The team received many positive comments on ETWD's activity from the students and teachers. We saw approximately 150 students on Wednesday and over 200 on Thursday. Vu Chu lead the classes and Sherri Seitz, Garth Botha, Bob Hazzard and Yesenia Ocampo assisted the students through the water testing activity. Ultimately, it was a huge success due to each of the staff's talents and connections with the students.

Photos from the event follow.

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Public Education and Outreach Report Page 8









City of Lake Forest

Vu Chu and Bob Hazzard staffed a booth at the City of Lake Forest Southwest Lake Forest Improvement Project on Saturday, April 15, 2023 at a local park on Gowdy Avenue and Cavanaugh.









ETWD staff with OCFA representatives and the City of Lake Forest staff.



STAFF REPORT

To: Board of Directors Meeting Date: April 27, 2023

From: Vu Chu, Water Use Efficiency Analyst

Subject: Water Use Efficiency Report

Rebate Programs:

The SoCal WaterSmart regional rebate program is available to ETWD customers provided by the Metropolitan Water District of Southern California, the Municipal Water District of Orange County and ETWD.

The following tables reflect the ETWD customer device rebates available to customers from July 2022 through June 30, 2024.

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.

Residential Rebate Programs:

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			\$2
Smart Irrigation Timer	\$80	\$100	\$70	\$250
Turf Removal Program (up to 5,000 sq ft)*	\$2 sq. ft.	\$1 sq. ft.	\$1 sq. ft.	\$4 sq. ft.
Soil Moisture Sensor System <1 Acre >1 Acre	\$80 \$35/station	\$100	\$70	\$250 \$35/station

Hose Bib Irrigation Controller	\$35			\$35
Rain Barrels Cisterns	\$35			\$35
(200 -500 gallon) (501-999 gallon) (1,000 gallon or more)	\$250 \$300 \$350			\$250 \$300 \$350
Spray to Drip Irrigation (up to 5,000 sf of converted area per fiscal year)		\$0.50 sq. ft.	\$0.25 sq. ft.	\$0.75 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.

Commercial Rebate Programs:

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			\$2
Rotating Nozzles – Large Rotary	\$13			\$13
Turf Removal Program (up to 50,000 sq ft MET- MWDOC/up to 10,000 sq. ft. ETWD funding)*	\$2 sq. ft*			\$2 sq. ft.*
Spray to Drip Irrigation (up to 45,000 sq. ft)		\$0.50 sq. ft.		\$0.50 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.

Actual Customer Rebates Analysis:

The following ETWD residential customer and commercial customer device rebates were approved by the Metropolitan Water District and the Municipal Water District of Orange County during the month of March 2023.

Residential Device Rebates	Rebates Approved March 2023	ETWD Amount Paid	MET Amount Paid	Total Rebate Paid
High Efficiency Clothes Washer	1	\$115	\$85	\$200
Weather Based Irrigation Controller	1			\$115

The following ETWD rebates for Turf Removal Program and Spray-To-Drip Program that have been paid during the current fiscal year 2022/2023.

Turf Removal Program	Total sq.ft. Paid	ETWD Supplementa I Amount	ETWD Supplemental Rebate Total
Turf Removal Residential	17,016	\$1 sq. ft.	\$17,016.00
Spray-To-Drip	11,911	\$0.25 sq. ft.	\$2,977.75

Water Use Efficiency Plan Update:

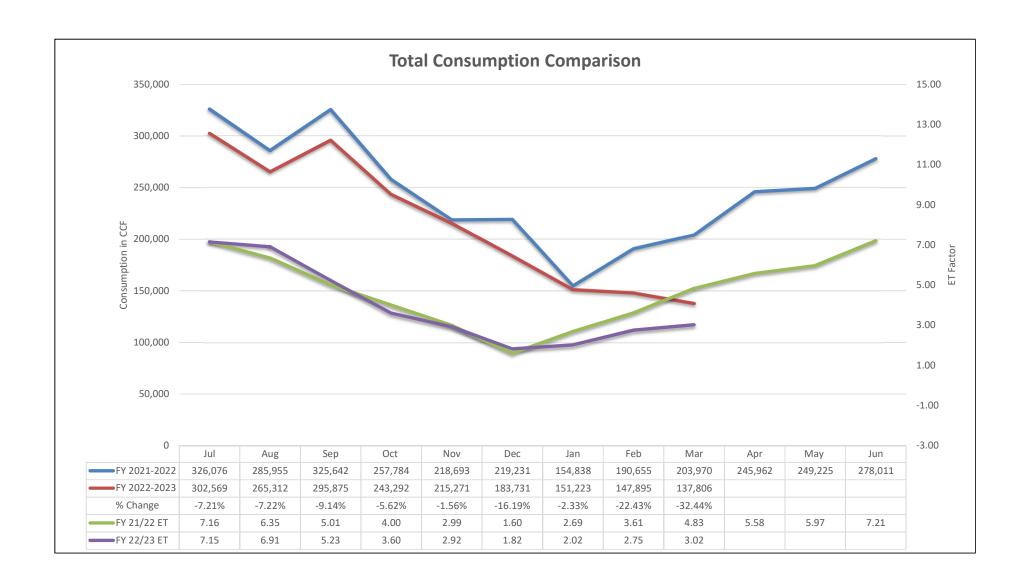
The District Water Budget-Based Tiered Conservation Rate Structure (WBBTCRS) pricing structure is the primary plan that gives customers the incentive needed to be efficient. The Plan efforts initially will concentrate on those customers continually in the Inefficient and Excessive Tiers (Tiers 3 and 4). During March 2023, residential customers accounted for 86% of Tier 3 usage and dedicated irrigation accounted for 14%. For Tier 4, residential customers accounted for 76% and dedicated irrigation accounted for 24% during the same period.

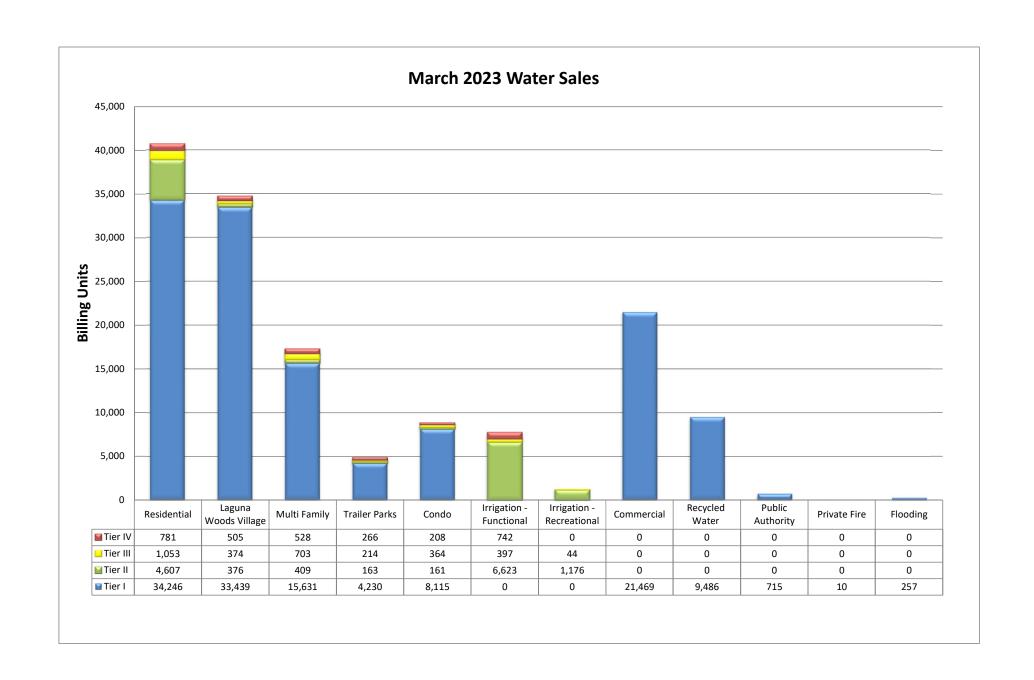
Total Consumption Comparison to Evapotranspiration (ET) Factor:

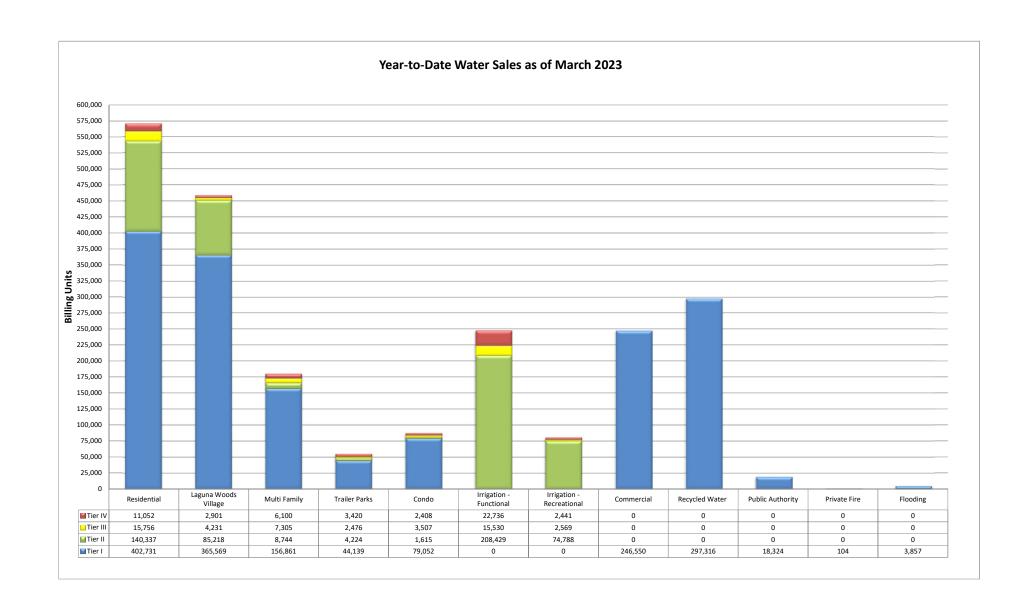
Included in this month's Water Use Efficiency Report is a chart comparing the current fiscal year consumption and ET factor to the fiscal 2021/22 consumption and ET factor. There was a 32.44% reduction in total consumption reflected in March 2023 versus March 2022. The ET factor decreased from 4.83 to 3.02 during the same period.

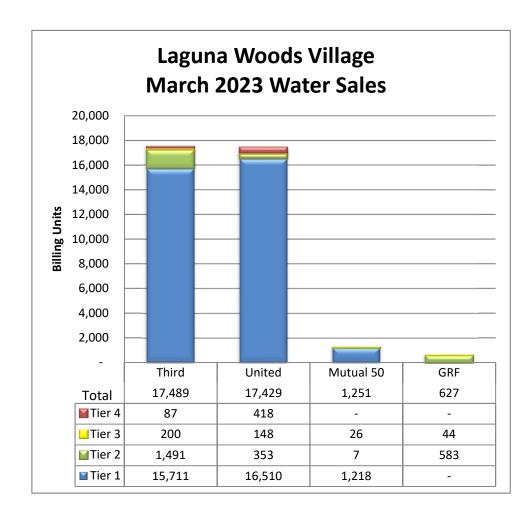
ETWD Tier Consumption Information and Usage Information Compared to Previous Years:

The following graphs highlight ETWD year-to-date consumption and consumption by tier for the current fiscal year compared to 2021-2022 fiscal year. ETWD water usage compared to 2013 and 2020 are also included.

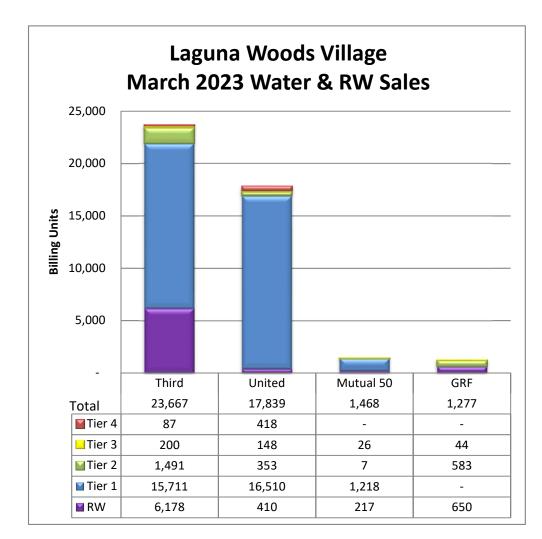


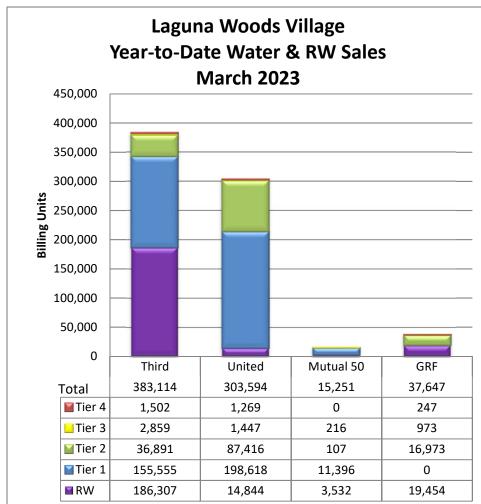


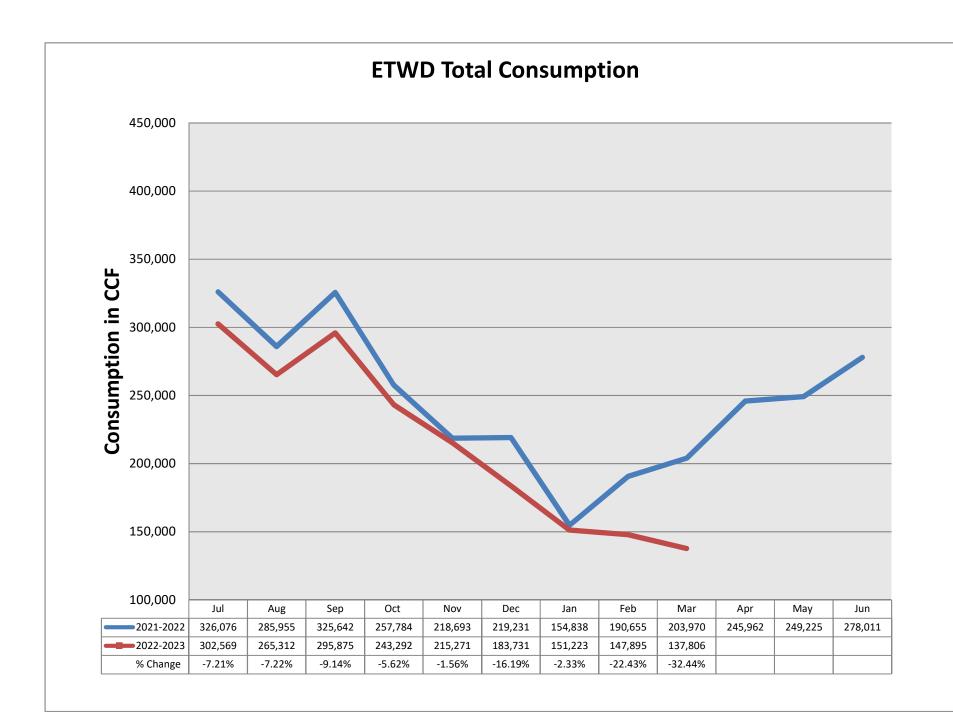


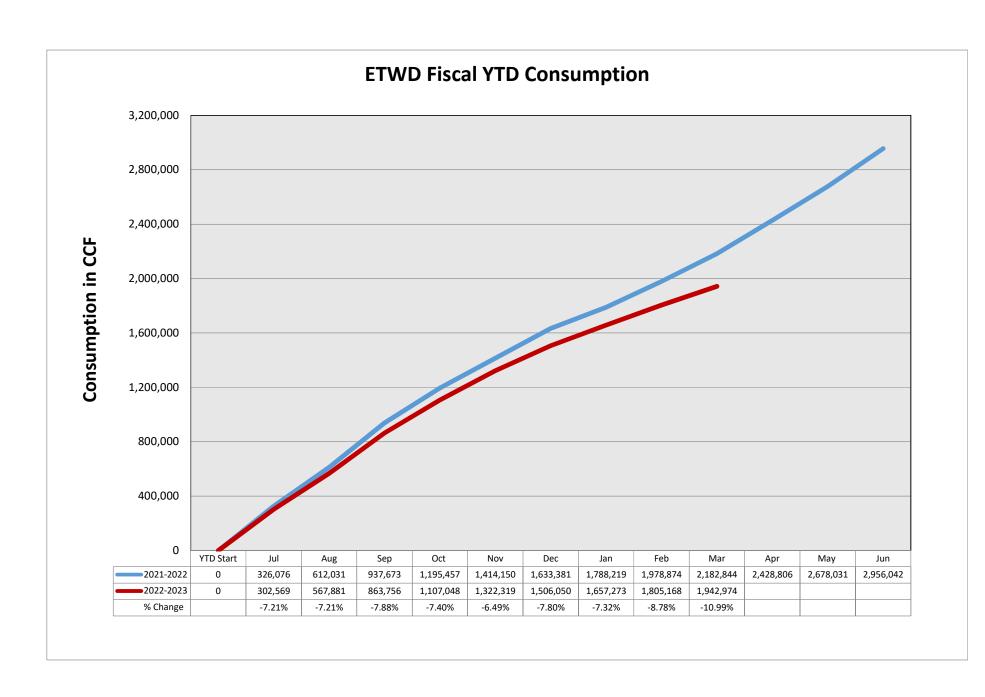


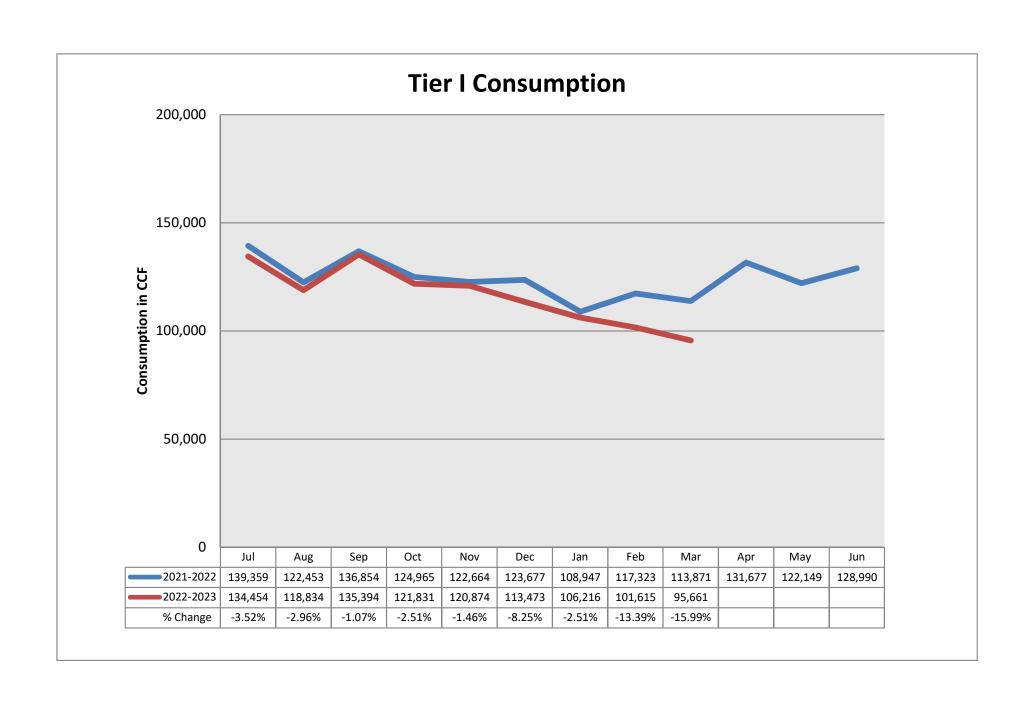


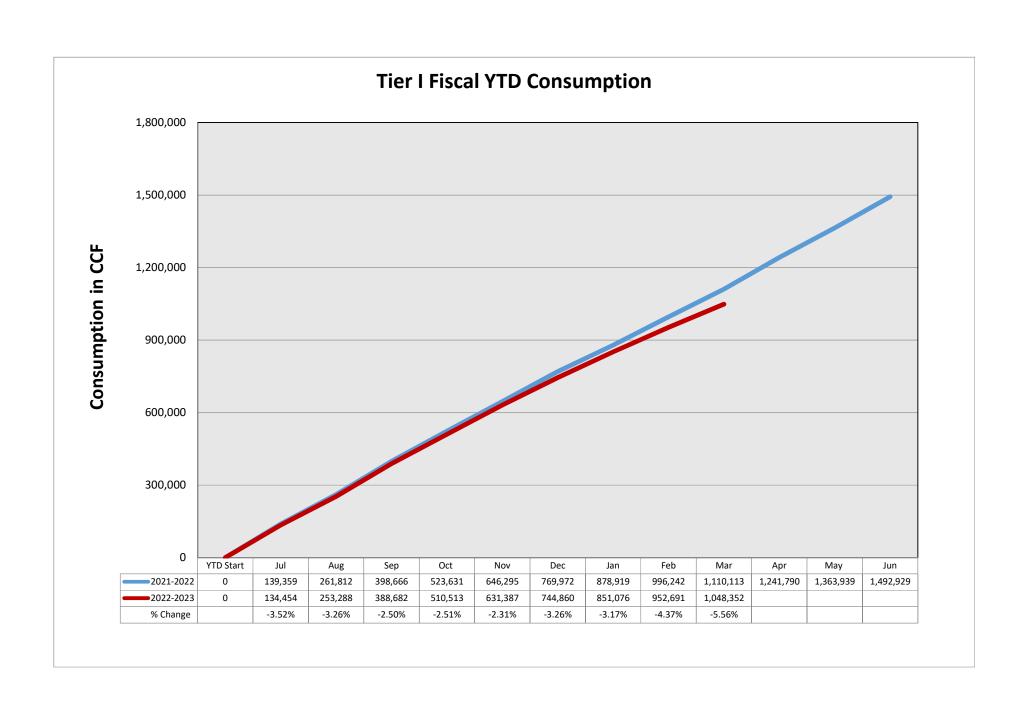


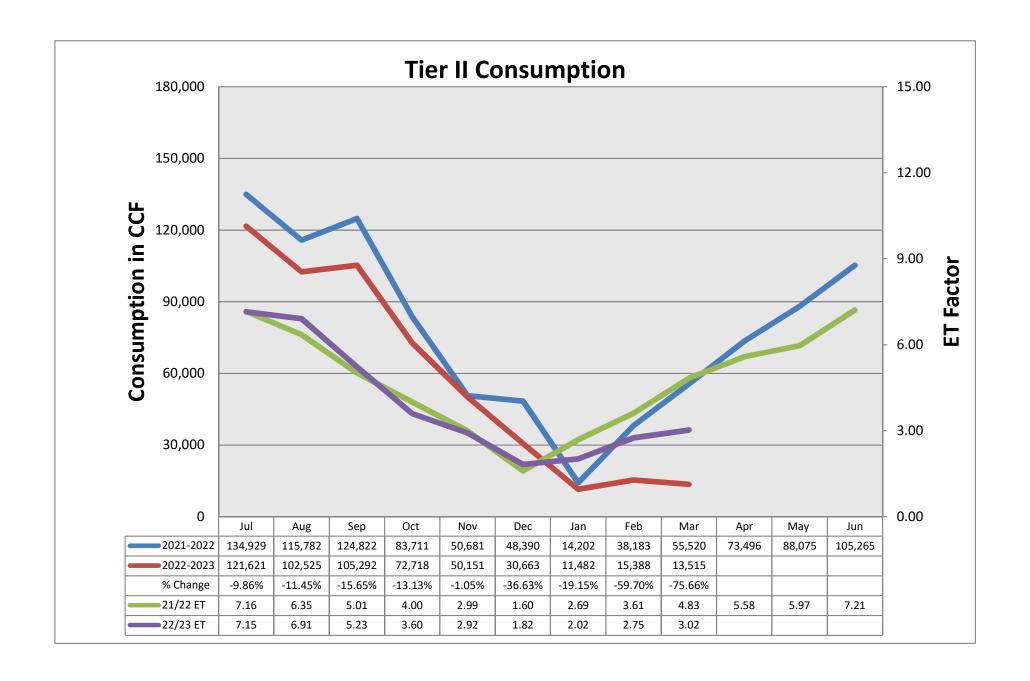


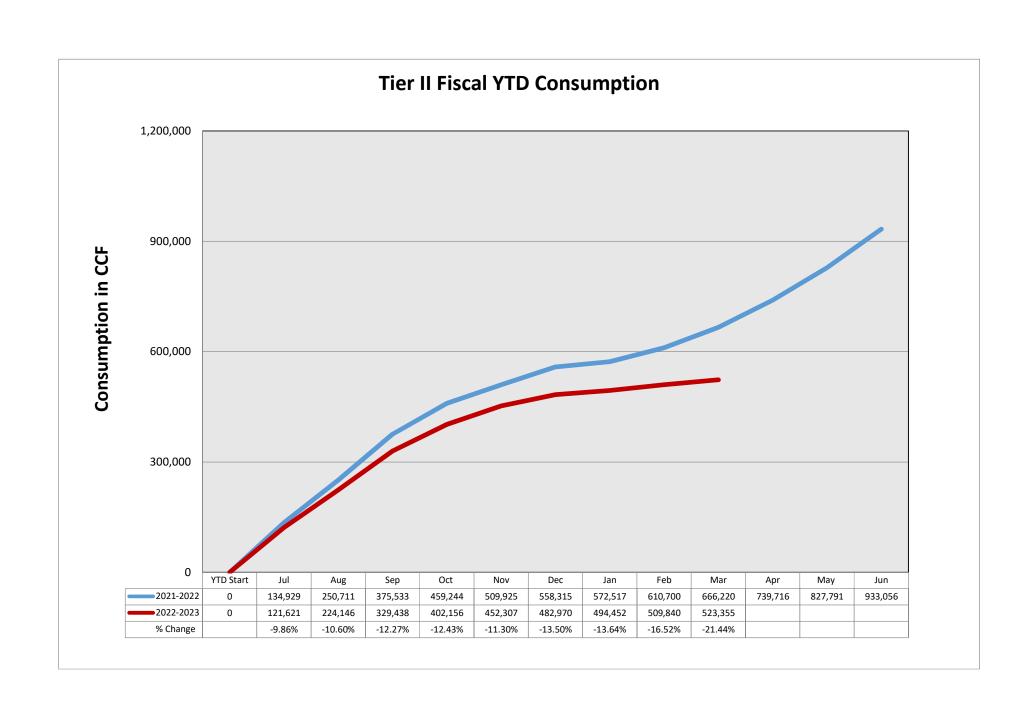


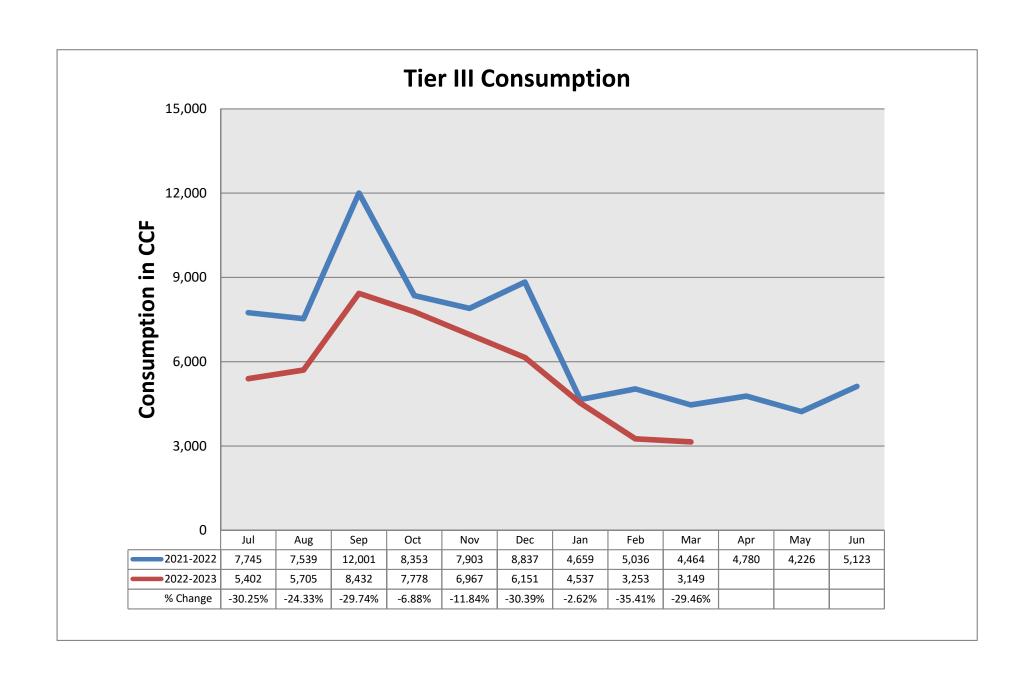


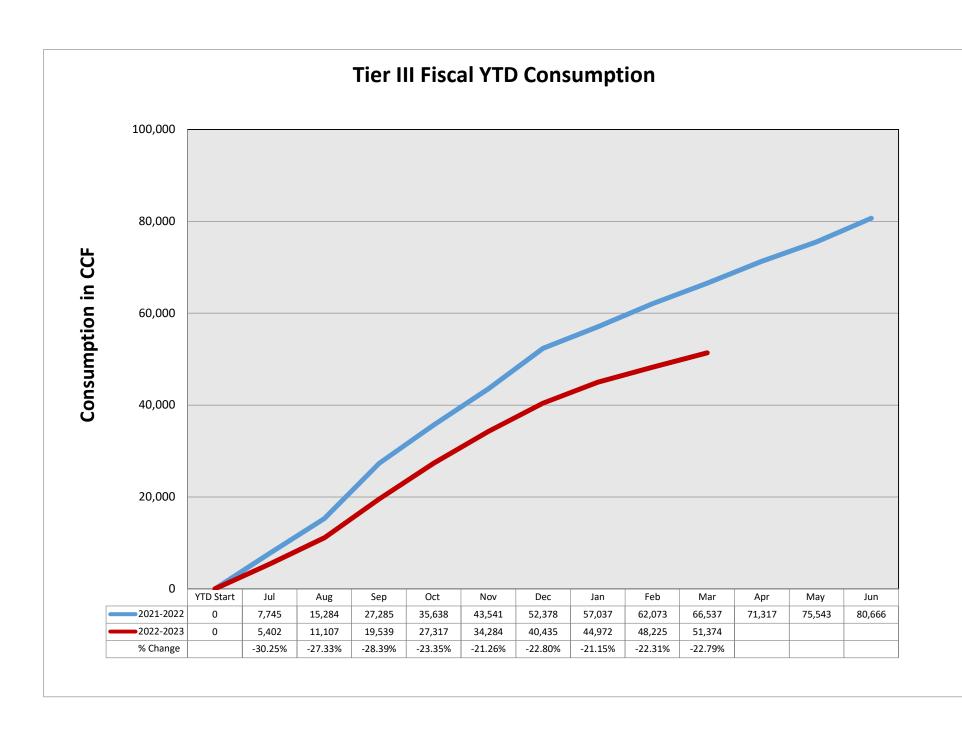


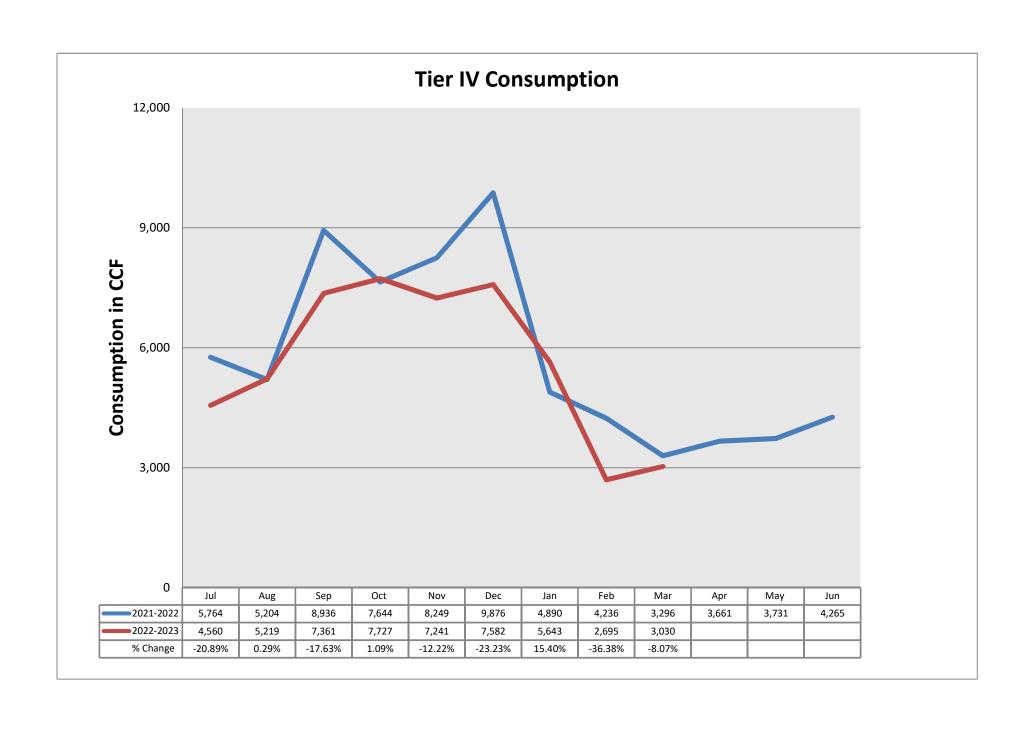


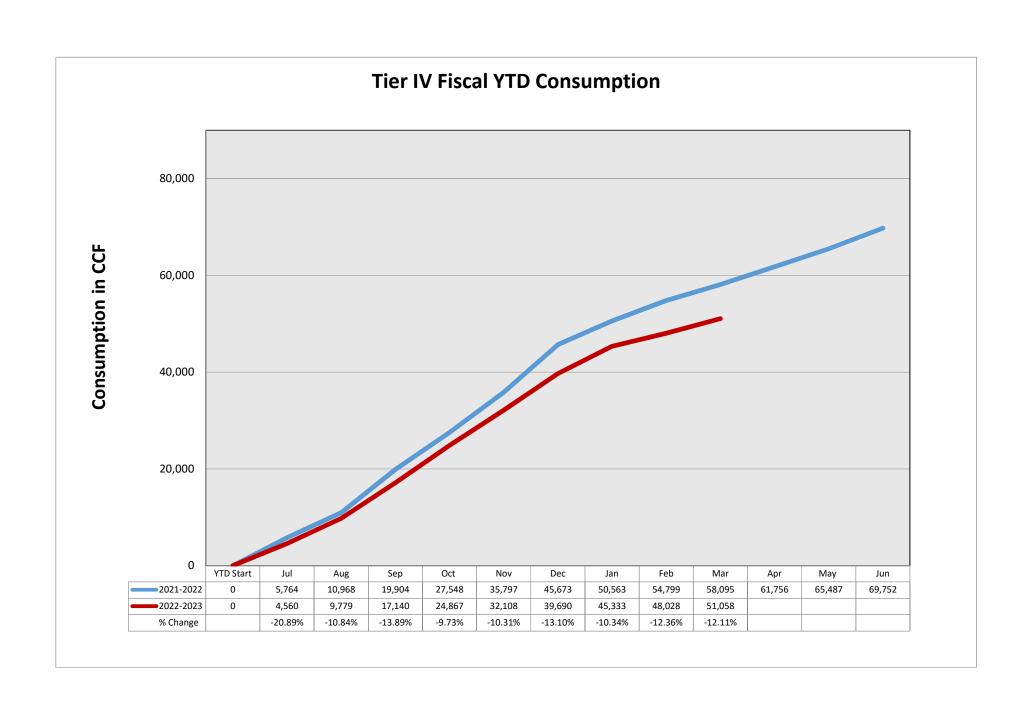




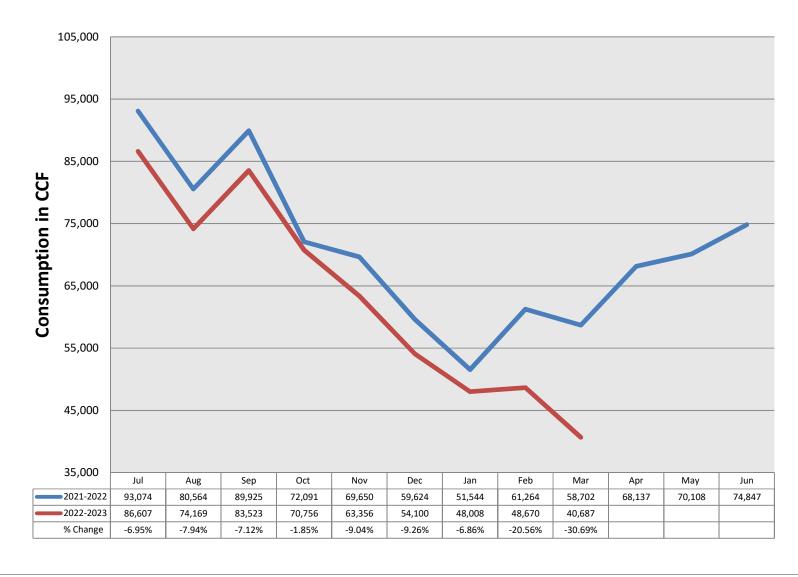


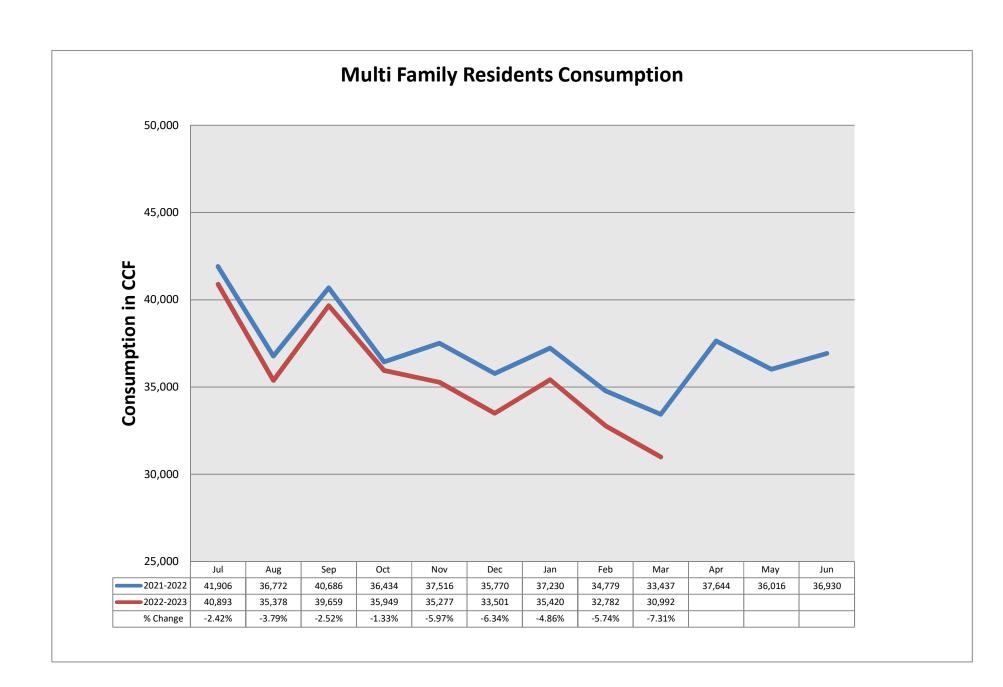




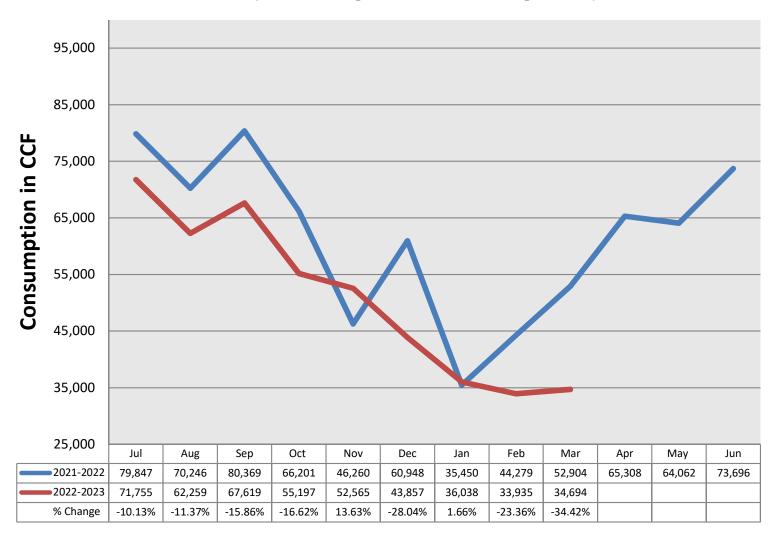


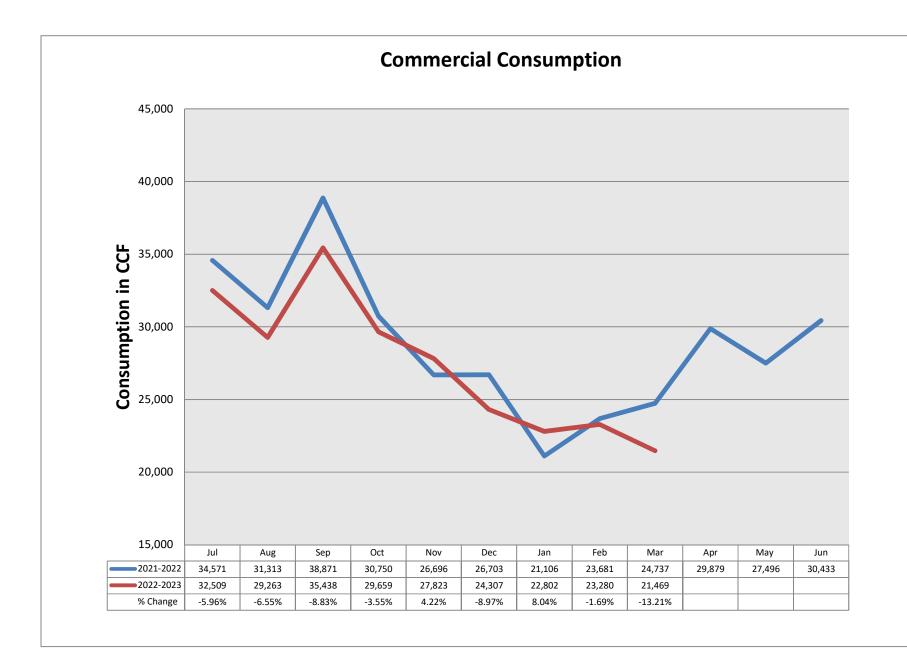


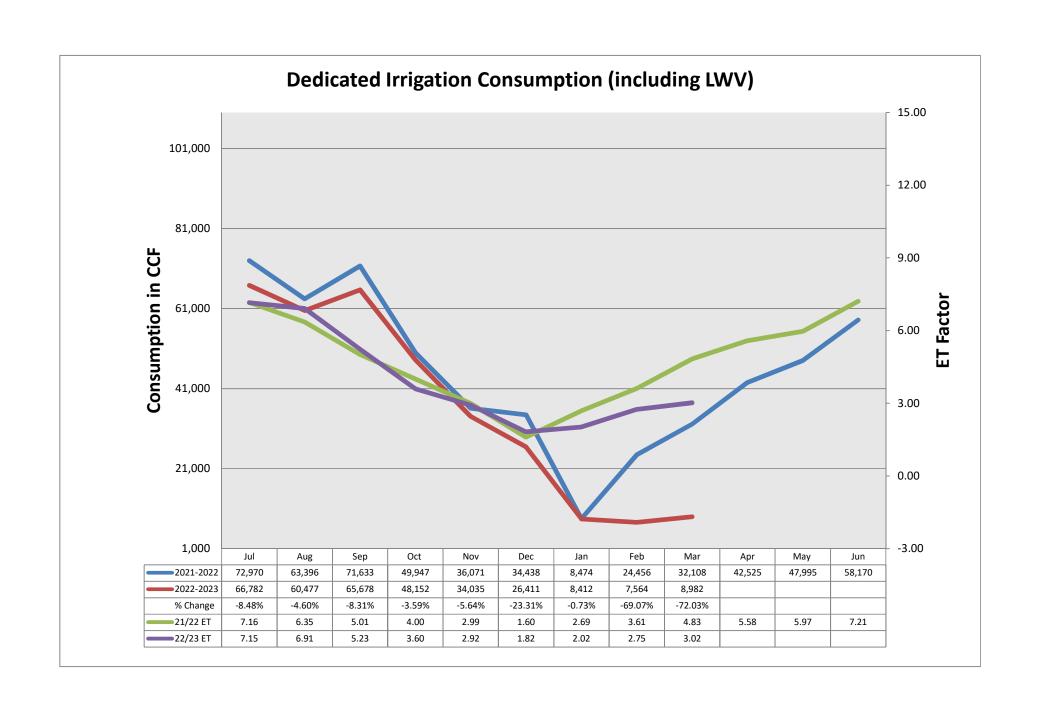




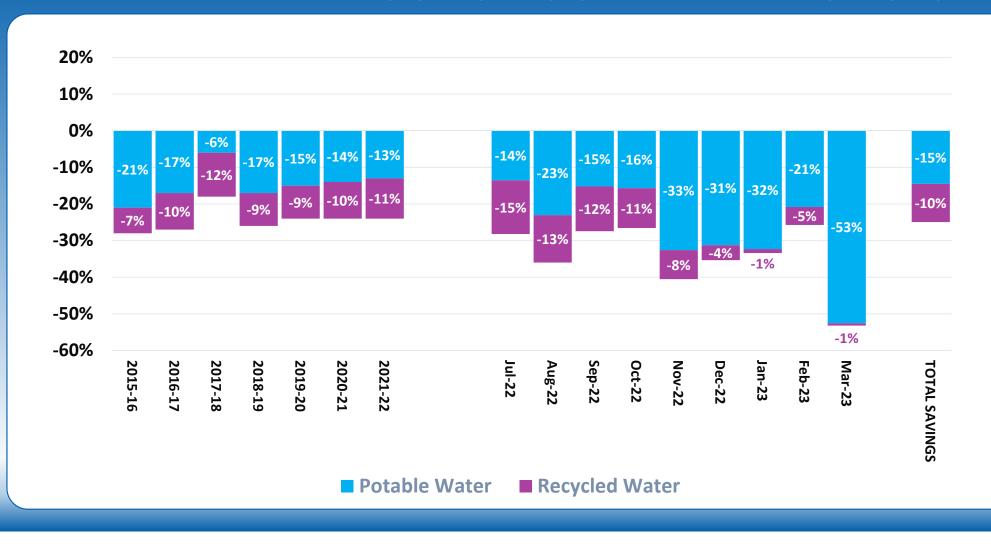
Laguna Woods Village Consumption (Excluding Dedicated Irrigation)



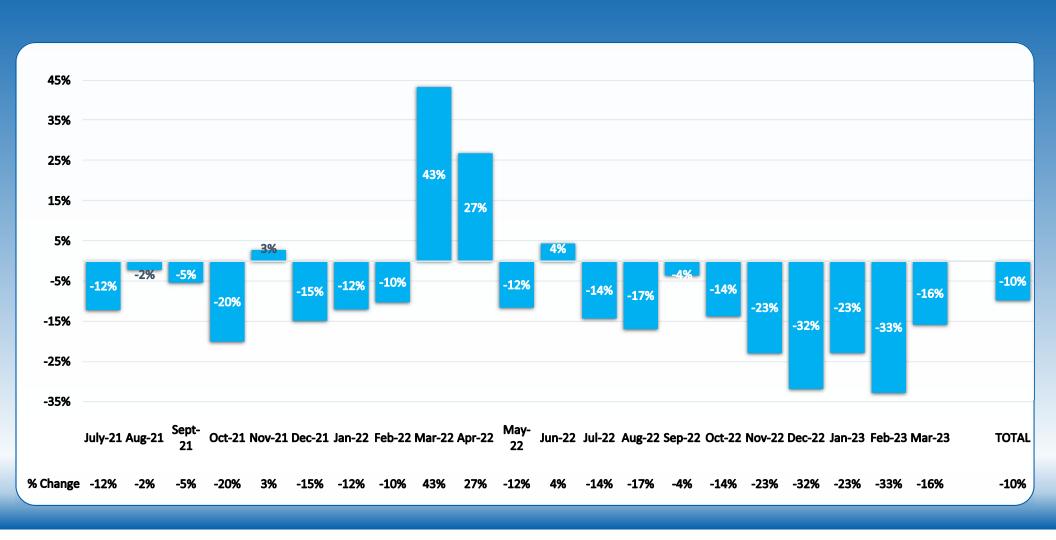




ETWD WATER USAGE COMPARED TO 2013



ETWD WATER USAGE COMPARED TO 2020



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.

Danita Hirsh, Assistant Secretary SOCWA and the Board of Directors thereof

> Regular Meeting of The South Orange County Wastewater Authority Board of Directors

> > April 6, 2023 8:30 a.m.

PHYSICAL MEETING LOCATION: 34156 Del Obispo Street Dana Point, CA 92629

THE BOARD OF DIRECTORS MEETING ROOM IS WHEELCHAIR ACCESSIBLE. 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 SUCH 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. MEMBERS OF THE PUBLIC HAVE THE OPTION TO PARTICIPATE IN AND MAY JOIN THE MEETING REMOTELY VIA VIDEO CONFERENCE FOR VISUAL INFORMATION ONLY (USE ZOOM LINK BELOW) AND BY TELECONFERENCE FOR AUDIO PARTICIPATION (USE PHONE NUMBERS BELOW). 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. FOR PARTIES PARTICIPATING REMOTELY, PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO PUBLIC COMMENTS RECEIVED BY PARTIES PARTICIPATING IN PERSON. COMMENTS MAY BE SUBMITTED PRIOR TO THE MEETING VIA EMAIL TO ASSISTANT SECRETARY DANITA HIRSH AT DHIRSH@SOCWA.COM WITH THE SUBJECT LINE "REQUEST TO PROVIDE PUBLIC COMMENT." IN THE EMAIL, PLEASE INCLUDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER YOU WILL BE CALLING FROM SO THAT THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. THOSE MAKING PUBLIC COMMENT REQUESTS REMOTELY VIA TELEPHONE IN REAL-TIME WILL BE ASKED TO PROVIDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER THAT YOU ARE CALLING FROM SO THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK AND ASK THE COORDINATOR TO UN-MUTE YOUR LINE AT THE APPROPRIATE TIME.

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THE PUBLIC MAY PARTICIPATE REMOTELY BY VIRTUAL MEANS. FOR AUDIO OF MEETING USE THE CALL IN PHONE NUMBERS BELOW AND FOR VIDEO USE THE ZOOM LINK BELOW.

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<u>Agenda</u>

1. CALL TO ORDER

2.	PLEDGE OF AL	LEGIANCE	
3.	ORAL COMMUNICATIONS		
	reserve this opp	e public may address the board regarding an item on the agenda portunity during the meeting at the time the item is discussed by the hree-minute limit for public comments.	•
4.	APPROVAL OF	BOARD MEMBER REQUEST FOR REMOTE PARTICIPATION	
	ACTION Box	ard Discussion/Direction and Action.	
			PAGE NO
5.	CONSENT CAL	<u>ENDAR</u>	
	A. Minutes of B	oard of Directors	1
	2. Boar 3. Boar 4. Boar	d of Directors Meeting of January 5, 2023 d of Directors Meeting of February 2, 2023 d of Directors Meeting – Closed Session of February 17, 2023 d of Directors Meeting of March 2, 2023 d of Directors Meeting of March 31, 2023	
	ACTION	The Board will be requested to approve subject Minutes.	
	B. Minutes of P	roject Committee 2	45
		ect Committee 2 Meeting of January 31, 2023 ect Committee 2 Meeting of February 21, 2023	
	ACTION	The PC 2 Board will be requested to approve subject Minutes; and the Board will be requested to receive and file subject Minutes.	
	C. Minutes of F	inance Committee	50
	• Finar	nce Committee Meeting of December 20, 2022	
	ACTION	The Board will be requested to receive and file subject Minutes.	
	D. Financial Re	ports for the Month of December 2022	53
	 Sche Sche Capit 	mary of Disbursements for December 2022 (Exhibit A) dule of Funds Available for Reinvestment (Exhibit B) Local Agency Investment Fund (LAIF) dule of Cash and Investments (Exhibit C) tal Schedule (Exhibit D) Capital Projects – Graph (Exhibit D-1)	

<u>Agenda</u>

			PAGE NO	
		et 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) ear Fringe Pool and Fringe Rate Forecast (Exhibit E-5)		
	ACTION	The Finance Committee recommends that the Board of Directors ratify the December 2022 disbursements, \$4,037,903, for the period from December 1, 2022, through December 31, 2022, and to receive and file the December 2022 Financial Reports as submitted.		
E.	Q2 FY 2022-23 Cash Roll Forward as of December 31, 2022		74	
	ACTION	The Finance Committee recommends that the Board of Directors receive and file the Q2 Fiscal Year 2022-23 Cash Roll Forward as submitted.		
F.	Operations R	eport (February)	88	
	 Monthly Operational Report SOCWA Ocean Outfall Discharges by Agency Quarterly Report on Key Operational Expenses Beach Ocean Monitoring Report Recycled Water Report Pretreatment Report (March) 			
	ACTION	The Board will be requested to receive and file subject reports as submitted.		
G.	Capital Improvement Program Status Report (March)			
	ACTION	Information item; receive and file.		
H.	Capital Improvement Construction Projects Progress and Change Order Report (March) [Project Committees 2, 15, & 17]			
	ACTION	Staff recommends that the Board of Directors receive and file the report as an information item.		

<u>Agenda</u>

			PAGE NO	
I. Hach 1-Year NITRATAX Plus Probe Service Contract \$12,232.00 [Project Committees 2, 15, & 17]			157	
	ACTION	Staff recommends that the Board of Directors authorize the General Manager purchasing authority to execute a sole source contract with Hach for a 1-year service contract to service the eight (8) NITRATAX Plus Probes \$12,232.00 plus tax and shipping determined at the time of shipping.		
J. Chlor Akali Products Sodium Hydroxide (Caustic Soda) 6-month Contract Extens [Project Committees 2, 15, & 17]		• • • • • • • • • • • • • • • • • • • •		
	ACTION	Staff recommends that the Board of Directors authorize the General Manager to exercise the first of three (3) six 6-month renewals with Northstar Chemical, Inc. (a DBA of Pacific Star Chemical, LLC.) at the current pricing.		
K. Small Capital Digester Gas Condensate and Drain Valves from Environmental Water Solutions, Inc. (EWS) for over \$50,000 (plus shipping, taxes, and fees [Project Committee 17]		164		
	ACTION	Staff recommends that the Board of Directors ratify the authorization for the General Manager to purchase the Digester Gas Condensate and Drain Valves from EWS for \$48,950.00 plus actual shipping costs and applicable fees determined at the time of shipping with a total cost anticipated cost to be over \$50,000.		
L. Contract Award for Coastal Treatment Plant (CTP) AWMA Road Guard Replacement Project [Project Committee 15]			166	
	ACTION	The Engineering Committee recommends that the PC 15 Board of Directors approve the contract to Danny C. Hubbs in the amount of \$48,770 for the Coastal Treatment Plant AWMA Road Guardrail Replacement Project with a contingency of \$10,000.		
Μ.	Contract Award for Regional Treatment Plant (RTP) Cogen Engine Black Start Operation Upgrade [Project Committee 17]16			
	ACTION	The Engineering Committee recommends that the PC 17 Board of Directors award the contract to Wester Energy in the amount of \$75,000 for the Cogen Engine Black Start Operation Upgrade Project.		

<u>Agenda</u>

				PAGE NO
N.				171
	ACTION	Directors approve the cont	ract to Tetra Tech in the amount of	
GE	ENERAL MANA	AGER'S REPORTS		
A.	Authority (SO	CWA)		
	ACTION	Information item.		
B.	B. General Counsel's Updates • JPA Revision Process (Standing item)			
	ACTION	Board Discussion/Direction	and Action.	
C.	General Mana	ager's Status Report		173
	ACTION	Information Items, Board Dis	scussion/Direction and Action.	
 D. Upcoming Meetings Schedule: * April 6, 2023 – Board of Directors Regular Meeting * April 13, 2023 – Engineering Committee Meeting * April 18, 2023 – PC 2 Committee Meeting * April 18, 2023 – Finance Committee Meeting * May 4, 2023 – Board of Directors Regular Meeting 				
	ACTION I	nformation Item.		
CL	OSED SESSIC	<u>ON</u>		
A.	A. Closed Session Pursuant to Government Code § 54957.6 Conference with Labor Negotiator:			
		·	Brad Neufeld of Varner & Brandt Jim Burror, Acting General Manager/ Director of Operations SOCWA Employee's Association	
	GE A. B. C.	Conceptual D ACTION GENERAL MANA A. Discussion Re Authority (SO a. Update b. Facilita ACTION B. General Cour	ACTION The Engineering Committee Directors approve the cont \$176,000 for the Coastal Tr Conceptual Design Project. GENERAL MANAGER'S REPORTS A. Discussion Regarding the Future Direction Authority (SOCWA)	Directors approve the contract to Tetra Tech in the amount of \$176,000 for the Coastal Treatment Plant Drainage Pump Station Conceptual Design Project. GENERAL MANAGER'S REPORTS A. Discussion Regarding the Future Direction of South Orange County Wastewater Authority (SOCWA)

<u>Agenda</u>

B. Closed Session Pursuant to Government Code § 54957.6 Conference with Labor Negotiator:

Agency Designated Representative: Brad Neufeld of Varner & Brandt Unrepresented Employee: Acting General Manager/Director of

Operations

C. Report out of Closed Session

8. OTHER MATTERS

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.]

<u>ADJOURNMENT</u>

THE NEXT SOCWA BOARD MEETING MAY 4, 2023

NOTICE OF REGULAR MEETING OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY ENGINEERING COMMITTEE

April 13, 2023 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 on **April 13**, **2023**, **at 8:30 a.m.** SOCWA staff will be present and conducting the meeting at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

THE SOCWA MEETING ROOM IS WHEELCHAIR ACCESSIBLE. 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 SUCH 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. MEMBERS OF THE PUBLIC HAVE THE OPTION TO PARTICIPATE IN AND MAY JOIN THE MEETING REMOTELY VIA VIDEO CONFERENCE FOR VISUAL INFORMATION ONLY (USE ZOOM LINK BELOW) AND BY TELECONFERENCE FOR AUDIO PARTICIPATION (USE PHONE NUMBERS BELOW). 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. FOR PARTIES PARTICIPATING REMOTELY, PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO PUBLIC COMMENTS RECEIVED BY PARTIES PARTICIPATING IN PERSON, COMMENTS MAY BE SUBMITTED PRIOR TO THE MEETING VIA EMAIL TO ASSISTANT SECRETARY DANITA HIRSH AT DHIRSH@SOCWA.COM WITH THE SUBJECT LINE "REQUEST TO PROVIDE PUBLIC COMMENT." IN THE EMAIL, PLEASE INCLUDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER YOU WILL BE CALLING FROM SO THAT THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. THOSE MAKING PUBLIC COMMENT REQUESTS REMOTELY VIA TELEPHONE IN REAL-TIME WILL BE ASKED TO PROVIDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER THAT YOU ARE CALLING FROM SO THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK AND ASK THE COORDINATOR TO UN-MUTE YOUR LINE AT THE APPROPRIATE TIME.

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 ENGINEERING COMMITTEE IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE ENGINEERING COMMITTEE ARE AVAILABLE FOR PUBLIC INSPECTION IN THE AUTHORITY ADMINISTRATIVE OFFICE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE") OR BY PHONE REQUEST MADE TO THE AUTHORITY OFFICE AT 949-234-5452. IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE ENGINEERING COMMITTEE LESS THAN SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING, THEY WILL BE AVAILABLE IN THE RECEPTION AREA OF THE AUTHORITY OFFICE AT THE SAME TIME AS THEY ARE DISTRIBUTED TO THE ENGINEERING COMMITTEE AND SENT TO ANY REMOTE PARTICIPANTS REQUESTING EMAIL DELIVERY OR POSTED ON SOCWA'S WEBSITE. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IN THE MEETING ROOM OR IMMEDIATELY UPON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES PARTICIPATING REMOTELY.

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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.

PAGE NO.

3.	Approval of Minutes1	
	 a. Engineering Committee Minutes of November 10, 2023 b. Engineering Committee Minutes of January 12, 2023 c. Engineering Committee Minutes of February 9, 2023 d. Engineering Committee Minutes of March 9, 2023 	
	Recommended Action: Staff requests that the Engineering Committee approve subject Minutes as submitted.	
4.	Operations Report	
	Recommended Action: Information Item.	
5.	Dana Point Harbor Project Update [Project Committee 2]	
	Recommended Action: Committee Discussion/Direction/Action	
3.	Ranch Filtration Plant NPDES Permitting Update [Project Committees 5	
	Recommended Action: Committee Discussion/Direction/Action	
7.	Capital Improvement Construction Projects Progress and Change Order Report (April) [Project Committees 2, 15, & 17]	
į	Recommended Action: Information Item.	
3.	Coastal Treatment Plant (CTP) Funding Strategy and Implementation Plan Proposal [Project Committee 15]	
	Pacammandad Action: Committee Discussion/Direction/Action	

PAGE NO.

Recommended Action: Information Item.

<u>Adjournment</u>

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 6th day of April 2023.

Danita Hirsh, Assistant Secretary

SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

Agenda Item

3

Engineering Committee Meeting

Meeting Date: April 13, 2023

TO: Engineering Committee

FROM: David Baranowski, Director of Engineering

SUBJECT: Approval of Minutes

Overview

Minutes from the following meetings are included for review and approval by the Engineering Committee:

• November 10, 2022

- January 12, 2023
- February 9, 2023
- March 9, 2023

Recommended Action: Staff recommends that the Engineering Committee approve Minutes as submitted.

NOTICE OF SPECIAL MEETING OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY PROJECT COMMITTEE 2

April 18, 2023 9:00 a.m.

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Project Committee 2 was called to be held on **April 18, 2023, at 9:00 a.m.** SOCWA staff will be present and conducting the meeting at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

THE SOCWA MEETING ROOM IS WHEELCHAIR ACCESSIBLE. 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 SUCH 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. MEMBERS OF THE PUBLIC HAVE THE OPTION TO PARTICIPATE IN AND MAY JOIN THE MEETING REMOTELY VIA VIDEO CONFERENCE FOR VISUAL INFORMATION ONLY (USE ZOOM LINK BELOW) AND BY TELECONFERENCE FOR AUDIO PARTICIPATION (USE PHONE NUMBERS BELOW). 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. FOR PARTIES PARTICIPATING REMOTELY, PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO PUBLIC COMMENTS RECEIVED BY PARTIES PARTICIPATING IN PERSON, COMMENTS MAY BE SUBMITTED PRIOR TO THE MEETING VIA EMAIL TO ASSISTANT SECRETARY DANITA HIRSH AT DHIRSH@SOCWA.COM WITH THE SUBJECT LINE "REQUEST TO PROVIDE PUBLIC COMMENT." IN THE EMAIL, PLEASE INCLUDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER YOU WILL BE CALLING FROM SO THAT THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. THOSE MAKING PUBLIC COMMENT REQUESTS REMOTELY VIA TELEPHONE IN REAL-TIME WILL BE ASKED TO PROVIDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER THAT YOU ARE CALLING FROM SO THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK AND ASK THE COORDINATOR TO UN-MUTE YOUR LINE AT THE APPROPRIATE TIME.

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+1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 312 626 6799 US (Chicago) Find your local number: https://socwa.zoom.us/u/kbAXjW2NBz 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. <u>Discussion and Action to Rescind the Vote and Action Taken at the November 22, 2022 PC 2 Committee Meeting to Remove SOCWA as Operator of J.B. Latham Facility.</u>

Recommended Action: Request the Project Committee Members discuss and take action following Tri-District Board Meeting.

4. <u>Discussion and Action to Approve Amendment No. 3 to Agreement for Acquisition, Use, Operation, Maintenance and Expansion of Sewage Treatment Plant of City of San Juan Capistrano by South East Regional Reclamation Authority For and On Behalf of Project Committee No. 2</u>

Recommended Action: Request the Project Committee Members discuss and approve the Amendment on Behalf of Project Committee No. 2.

- 5. <u>Discussion Regarding the Future Direction of South Orange County Wastewater Authority (SOCWA)</u>
 - a. Update on Tri-Agencies Joint Board Meeting
 - b. Facilitated Discussion regarding J.B. Latham
 - c. Discussion regarding SCWD's request to extend tolling agreement relating to the November 22, 2022, action to remove SOCWA as operator of JB Latham.
 - d. SCWD and SOCWA to report on facilitator selection and cost allocation consulting to support facilitated governance discussion.

Recommended Action: Discuss and take other action as appropriate.

Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Project Committee 2 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 Project Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 6th day of April 2023.

Danita Hirsh, Assistant Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

nita Hers

NOTICE OF SPECIAL MEETING OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY FINANCE COMMITTEE

April 18, 2023 10:30 a.m.

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Finance Committee was called to be held on **April 18, 2023, at 10:30 a.m.** SOCWA staff will be present and conducting the meeting at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

THE SOCWA MEETING ROOM IS WHEELCHAIR ACCESSIBLE. 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 SUCH 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. MEMBERS OF THE PUBLIC HAVE THE OPTION TO PARTICIPATE IN AND MAY JOIN THE MEETING REMOTELY VIA VIDEO CONFERENCE FOR VISUAL INFORMATION ONLY (USE ZOOM LINK BELOW) AND BY TELECONFERENCE FOR AUDIO PARTICIPATION (USE PHONE NUMBERS BELOW). 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. FOR PARTIES PARTICIPATING REMOTELY. PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO PUBLIC COMMENTS RECEIVED BY PARTIES PARTICIPATING IN PERSON. COMMENTS MAY BE SUBMITTED PRIOR TO THE MEETING VIA EMAIL TO ASSISTANT SECRETARY DANITA HIRSH AT DHIRSH@SOCWA.COM WITH THE SUBJECT LINE "REQUEST TO PROVIDE PUBLIC COMMENT." IN THE EMAIL, PLEASE INCLUDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER YOU WILL BE CALLING FROM SO THAT THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. THOSE MAKING PUBLIC COMMENT REQUESTS REMOTELY VIA TELEPHONE IN REAL-TIME WILL BE ASKED TO PROVIDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER THAT YOU ARE CALLING FROM SO THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK AND ASK THE COORDINATOR TO UN-MUTE YOUR LINE AT THE APPROPRIATE TIME.

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 FINANCE COMMITTEE IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE FINANCE COMMITTEE ARE AVAILABLE FOR PUBLIC INSPECTION IN THE AUTHORITY ADMINISTRATIVE OFFICE LOCATED AT 34156 DEL OBISPO STREET, DANA POINT, CA ("AUTHORITY OFFICE") OR BY PHONE REQUEST MADE TO THE AUTHORITY OFFICE AT 949-234-5452. IF SUCH WRITINGS ARE DISTRIBUTED TO MEMBERS OF THE FINANCE COMMITTEE LESS THAN TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING, THEY WILL BE AVAILABLE IN THE RECEPTION AREA OF THE AUTHORITY OFFICE AT THE SAME TIME AS THEY ARE DISTRIBUTED TO THE FINANCE COMMITTEE AND SENT TO ANY REMOTE PARTICIPANTS REQUESTING EMAIL DELIVERY OR POSTED ON SOCWA'S WEBSITE. IF SUCH WRITINGS ARE DISTRIBUTED IMMEDIATELY PRIOR TO, OR DURING, THE MEETING, THEY WILL BE AVAILABLE IN THE MEETING ROOM OR IMMEDIATELY UPON VERBAL REQUEST TO BE DELIVERED VIA EMAIL TO REQUESTING PARTIES PARTICIPATING REMOTELY.

THE PUBLIC MAY PARTICIPATE REMOTELY BY VIRTUAL MEANS FOR AUDIO OF MEETING USE THE CALL IN PHONE NUMBERS BELOW AND FOR VIDEO USE THE ZOOM LINK BELOW.

Join Zoom Meeting https://socwa.zoom.us/i/89550644195?pwd=UjBqckRvQWR5cnpJck04UEVHaFZxdz09

Meeting ID: 895 5064 4195 Passcode: 240391

Dial by your location:

+1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 312 626 6799 US (Chicago)

Find your local number: https://socwa.zoom.us/u/kchWLjdNdB

AGENDA

1.	Call	Meeting	to Order

2. Public Comments

THOSE WISHING TO ADDRESS THE FINANCE COMMITTEE ON ANY ITEM <u>LISTED</u> 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.

	PAGE NO.
3.	Financial Reports for the Month of January 2023
	The reports included are as follows:
	 a. Summary of Disbursements for January 2023 (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 that the Finance Committee recommend that the Board of Directors ratify the January 2023 disbursements, \$2,326,317, for the period from January 1, 2023, through January 31, 2023, and to receive and file the January 2023 Financial Reports as submitted.
4.	Financial Reports for the Month of February 202325
	The reports included are as follows:
	 a. Summary of Disbursements for February 2023 (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) 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 that the Finance Committee recommend that the Board of Directors ratify the February 2023 disbursements, \$4,341,262, for the period from February 1, 2023, through February 28, 2023, and to receive and file the February 2023 Financial Reports as submitted.

Recommended Action: Staff recommends that the Finance Committee recommend to the Board of Directors:

- a. Staff recommends that the Finance Committee recommend to the Board of Directors that PC 2–JBL budget line items be amended by \$410,000.
- b. Staff recommends that the Finance Committee recommend to the Board of Directors that PC 5–SJCOO budget line items be amended by \$45,000.
- c. Staff recommends that the Finance Committee recommend to the Board of Directors that PC 15–RTP budgets be amended by \$70,000.
- d. Staff recommends that the Finance Committee recommend to the Board of Directors that PC 17–RTP budgets be amended by \$495,000.
- e. Staff recommends that the Finance Committee recommend to the Board of Directors that PC 24–RTP budgets be amended by \$45,000.
- f. Staff recommends that the Finance Committee recommend to the Board of Directors that Administration budgets be amended by \$265,000.

Staff will continue to monitor the expenses and adjust as needed. There will be no additional billings to the Member Agencies.

Recommended Action: Committee discussion, comments, and recommendation to the Board for approval of additional budget.

- 6. <u>FY 2023-24 Workshop Total Budget and Response to Questions and Comments from March 21, 2023 (Presentation Materials Only)</u> 50
 - a. Staff Presentation of PowerPoint
 - Draft FY 2023-24 Comparative Total Budget by Member Agency (SOCWA Total Cost Base/ All Costs) General Fund distributed amongst seven agencies
 - General Fund by Member Agency with Revised Distribution Percentages
 - > General Fund by Member Agency with Revised Distribution Amounts
 - UAL and OPEB Distribution Change
 - General Fund Scenarios requested by Santa Margarita Water District
 - O&M Budget by Wastewater Code (Liquids, Solids, AWT, Common, etc.)
 - Revised CIP Budget
 - Budget Schedule

Recommended Action: Committee discussion, comments, and direction.

- 7. <u>Trabuco Canyon Water District and Irvine Ranch Water District appearance in the Budget.</u>
 - Irvine Ranch as El Toro Water District (IRWD)
 - Trabuco Canyon Water District payment for contracted services as a credit to PC 12 project committee costs, therefore, benefitting project committee members.

Recommended Action: Committee discussion, comments, and direction.

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 meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 14th day of April 2023.

James (Jim) L. Burror Jr, 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

April 3, 2023 8:30 a.m.

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

Computer Audio: You can join the Zoom meeting by clicking on the following link:

https://zoom.us/j/8828665300

Telephone Audio: (669) 900 9128 fees may apply (877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

P&O Committee:Director McVicker, Chair
Director Nederhood
Director Seckel

Staff: H.De La Torre, J. Berg, V. Osborn, T. Dubuque, D. Micalizzi, H. Baez

T. Baca, C. Busslinger

Ex Officio Member: Director Yoo Schneider

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.

ROLL CALL

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.

PRESENTATION ITEM

PRESENTATION REGARDING SOLVE THE WATER CRISIS & NEXT STEPS

ACTION ITEMS

- 2. APPROVAL/RATIFICATION OF PARTICIPATION IN THE CENTER FOR DEMOGRAPHIC RESEARCH (CDR)
- MOULTON NIGUEL WATER DISTRICT USE OF THE ORANGE COUNTY HYDRAULIC MODEL
- 4. RESCINDING MWDOC'S WATER SHORTAGE CONTINGENCY PLAN LEVEL 2

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.)

- 2023 WATER POLICY FORUM & DINNER SCHEDULE
- MWDOC CHOICE SCHOOL PROGRAMS UPDATE
- 7. STATUS REPORTS
 - a. Ongoing MWDOC Reliability and Engineering/Planning Projects
 - b. WEROC
 - c. Water Use Efficiency Projects
 - d. Public and Government Affairs
- 8. REVIEW OF ISSUES RELATED TO PLANNING OR ENGINEERING PROJECTS, WEROC, WATER USE EFFICIENCY, FACILITY AND EQUIPMENT MAINTENANCE, WATER STORAGE, WATER QUALITY, CONJUNCTIVE USE PROGRAMS, EDUCATION, PUBLIC AFFAIRS PROGRAMS AND EVENTS, PUBLIC INFORMATION PROJECTS, PUBLIC INFORMATION CONSULTANTS, 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, Board Room, Fountain Valley, California April 5, 2023, 8:30 a.m.

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

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Webinar ID: 882 866 5300#

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC PARTICIPATION/COMMENTS

At this time members of the public will be given an opportunity to address the Board concerning items within the subject matter jurisdiction of the Board. Members of the public may also address the Board about a particular Agenda item at the time it is considered by the Board and before action is taken.

The Board requests, but does not require, that members of the public who want to address the Board complete a voluntary "Request to be Heard" form available from the Board Secretary prior to the meeting.

ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Determine need and take action to agendize item(s), which arose subsequent to the posting of the Agenda. (ROLL CALL VOTE: Adoption of this recommendation requires a two-thirds vote of the Board members present or, if less than two-thirds of the Board members are present a unanimous vote.)

ITEMS DISTRIBUTED TO THE BOARD LESS THAN 72 HOURS PRIOR TO MEETING

Pursuant to Government Code Section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available for public inspection in the lobby of the District's business office located at 18700 Ward Street, Fountain Valley, California 92708, during regular business hours. When practical, these public records will also be made available on the District's Internet Web site, accessible at http://www.mwdoc.com.

NEXT RESOLUTION NO. 2137

PRESENTATION/DISCUSSION ITEMS

1. PRESENTATION BY MET STAFF UPDATING THE BOARD ON WATER SURPLUS AND DROUGHT MANAGEMENT CONDITIONS

Recommendation: Review and discuss the information presented.

2. LEGISLATIVE ACTIVITIES

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

Recommendation: Review and discuss the information presented.

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

Recommendation: Receive input and discuss the information presented.

ACTION ITEMS

4. AB 557 (HART) – OPEN MEETINGS: TELECONFERENCES

Recommendation: Vote to adopt a support position on AB 557 (Hart) and join CSDA's

coalition letter and outreach efforts.

5. AB 735 (BERMAN) – WORKFORCE DEVELOPMENT: UTILITY CAREERS

Recommendation: Vote to adopt a support position on AB 735 (Berman) and join

CMUA's coalition letter and outreach efforts.

6. AB 1572 (FRIEDMAN) – POTABLE WATER, NONFUNCTIONAL TURF

Recommendation: Vote to adopt an oppose unless amended position on AB 1572

(Friedman) and join ACWA's coalition letter and outreach efforts.

7. SB 366 (CABALLERO) – THE CALIFORNIA WATER PLAN: LONG-TERM SUPPLY TARGETS

Recommendation: Vote to adopt a support position on SB 366 (Caballero) and join

CMUA's coalition letter and outreach efforts.

8. AB 460 (BAUER-KAHAN), AB 1337 (WICKS), & SB 389 (ALLEN): WATER RIGHTS

Recommendation: Vote to adopt an oppose position on AB 460 (Bauer-Kahan), AB

1337 (Wicks), and SB 389 (Allen), and join ACWA and CMUA's

coalition and outreach efforts.

INFORMATION ITEMS

- **9. MET ITEMS CRITICAL TO ORANGE COUNTY** (The following items are for informational purposes only a write up on each item is included in the packet. Discussion is not necessary unless requested by a Director)
 - a. MET's Finance and Rate Issues
 - b. MET's Water Supply Condition Update
 - c. Water Quality Update
 - d. Colorado River Issues
 - e. Delta Conveyance Activities and State Water Project Issues

Recommendation: Review and discuss the information presented.

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

- a. Summary regarding March MET Board Meetings
- b. MET 4-Month Outlook on Upcoming Issues
- c. 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.

SPECIAL MEETING OF THE OF THE BOARD OF DIRECTORS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY 18700 Ward Street, Conference Room 101, Fountain Valley, California April 6, 2023, 5:00 p.m.

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.

1. DISCUSS OCWD REQUEST FOR LAFCO TO ANALYZE CONSOLIDATION IN MSR

Recommendation: Provide direction to staff regarding next steps.

ADJOURNMENT

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SPECIAL MEETING OF THE OF THE BOARD OF DIRECTORS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY 18700 Ward Street, Board Room, Fountain Valley, California April 6, 2023, 6:00 p.m.

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

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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.

1. DISCUSSION WITH REPRESENTATIVES FROM MWDOC'S MEMBER AGENCIES REGARDING KEY REGIONAL AND ORANGE COUNTY ISSUES, INCLUDING THE MWDOC'S PROPSED BUDGET AND ACTIVITIES FOR FY 2023-24, WATER SUPPLY CONDITIONS FOR 2023, AN OVERVIEW OF MET'S BOARD RETREAT, AND MWDOC/OCWD BOARD DISCUSSIONS (INCLUDING OCWD'S LAFCO MSR FOCUSED STUDY)

Recommendation: Receive information and discuss the various issues outlined.

ADJOURNMENT

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MEETING OF THE BOARD OF DIRECTORS OF THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY Jointly with the

ADMINISTRATION & FINANCE COMMITTEE

April 12, 2023, 8:30 a.m.

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

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Webinar ID: 882 866 5300#

A&F Committee:Director Dick, Chair
Director Thomas
Director Crane

Staff: H. De La Torre, J. Berg, C. Harris,

K. Davanaugh, H. Chumpitazi

Ex Officio Member: Director Yoo Schneider

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.

ROLL CALL

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)

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PRESENTATION ITEMS

1. PRESENTATION REGARDING THE WATER ENERGY EDUCATION ALLIANCE (WEEA)

2. REVIEW OF STANDARDIZED REGULATORY IMPACT ASSESSMENT OF PROPOSED MAKING WATER CONSERVATION A CALIFORNIA WATER OF LIFE REGULATION

PROPOSED BOARD CONSENT CALENDAR ITEMS

- TREASURER'S REPORT
 - a. Revenue/Cash Receipt Report March 2023
 - b. Disbursement Approval Report for the month of April 2023
 - c. Disbursement Ratification Report for the month of March 2023
 - d. GM Approved Disbursement Report for the month of March 2023
 - e. Consolidated Summary of Cash and Investment –February 2023
 - f. OPEB and Pension Trust Fund statements
- 4. FINANCIAL REPORT
 - a. Combined Financial Statements and Budget Comparative for the Period Ending February 28, 2023

ACTION ITEM

- 5. REVIEW INFORMATION REGARDING PUBLIC HEARING (SCHEDULED FOR APRIL 19, 2023) TO ADOPT ORDINANCE SUPERSEDING AND REPEALING MWDOC ORDINANCE NO. 54 REGARDING COMPENSATION FOR DIRECTORS
- ADOPTION OF THE THIRD DRAFT BUDGET FOR FISCAL YEAR 2023-24
- PROPOSED MWDOC WATER RATE RESOLUTION FOR FISCAL YEAR 2023-24

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.)

- 8. DEPARTMENT ACTIVITIES REPORTS
 - a. Administration
 - b. Finance and Information Technology
- MONTHLY WATER USAGE DATA AND WATER SUPPLY INFORMATION

OTHER ITEMS

10. 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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GENERAL MANAGER REPORT OF STAFF ACTIVITIES

April 2023

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AGENCIES MANAGERS MEETING

MWDOC held its Member Agency Managers' meeting at its office in Fountain Valley on Thursday, March 16, 2023.

In attendance were: Matthew Matlock – Brea, Rudy Correa – Brea, Mike Mcgee - Buena Park, Dennis Cafferty - El Toro, Michael Dunbar - Emerald Bay, David Youngblood – EOCWD, Hye Jin Lee - Fountain Valley, Mark Sprague - Fountain Valley, Cel Pasillas - Garden Grove, Ken Vecchiarelli - Golden State WD, Toby Moore - Golden State WD, Ken Pfister – IRWD, Paul Cook – IRWD, Andy Ramirez - La Palma, Jake Chavira - La Palma, Paul Shoenberger - Mesa Water, Tracy Manning - Mesa Water, Johnathan Cruz – MNWD, Kaden Young – MNWD, Laura Rocha – MNWD, Matt Colling - MNWD Mark Vukojevic - Newport Beach, John Kennedy – OCWD, Mike Markus - OCWD, Sonny Tran – Orange, David Rebensdorf - San Clemente, Dustin Burnside - San Clemente, Kyle Gough – SCWD, Kyle Gough - SCWD, Chip Monaco – SMWD, Fernando Paludi – TCWD, Michael Perea – TCWD, Scott Miller – Westminster, Doug Davert – YLWD, Mark Toy - YLWD

Staff in attendance were: Alex Heide, Charles Busslinger, Damon Micalizzi, David Anderson, Harvey De La Torre, Heather Baez, Joe Berg, Kevin Hostert, Melissa Baum-Haley, Vicki Osborn

General Meeting Information/Discussion Items:

- Draft Board Agendas
- MWDOC Draft Budget & Reserves Update
- MWDOC & OCWD Discussion Update
- Water Supply Conditions Update
- MET Supply Conditions & Recent Actions
- Agency Roundtable
- Lead and Copper Rule Lead Service Line Inventory
- Shutdown and Engineering Update
- WEROC Update

Announcements:

MWDOC Elected Officials Forum

The next meeting is tentatively scheduled for April 20, 2023.

ENGINEERING & PLANNING

RELIABILITY STUDY UPDATE

Staff has been working with consultant CDM Smith and Metropolitan Water District (MET) staff on an update to the 2018 OC Water Reliability Study (2022 OC Study). This update was launched because of significant changes in conditions since the publication of the 2018 OC Study. Updating the planning assumptions and understanding the implications will be useful to our staff, Directors, MET Directors, and member agencies for future water reliability decision considerations.

The final OC Study presentation, which incorporated comments from the MWDOC Agency Managers meeting, was presented to the A&F Committee meeting on February 8, 2023.

The draft report will be distributed to the agency managers for final comments. Agency managers have asked for additional time to review the draft report.

IRWD requested imported water and Orange County Basin data output from MWDOC's 2022 OC Study to complete their agency reliability study. IRWD will reimburse MWDOC for the costs incurred by the changed scope of work in the MWDOC - CDM Smith contract.

DOHENY OCEAN DESALINATION PROJECT

South Coast Water District (SCWD) continues to develop the Doheny Ocean Desalination Project. SCWD estimates an online date of 2026 if approved by the SCWD Board.

SCWD held a Special Board Meeting on September 2, 2021, to discuss the financial implications of the project. Clean Energy Capital (CEC) presented a water cost analysis for the project where CEC presented cost projections for a 2 MGD project with an estimated 1st-year water cost of \$1,928/AF in 2021\$ and a 5 MGD project with an estimated 1st-year water cost of \$1,479/AF in 2021\$ (later updated to \$1,807/AF in 2027\$ vs. \$1,545/AF MET Rate in 2027\$).

On December 9, 2022, the California State Lands Commission (CSLC) approved an Addendum to the Doheny Ocean Desalination Project Final Environmental Impact Report (EIR) and the certified Final EIR. The EIR Addendum addresses a proposed CSLC lease for slant wells at Doheny State Beach (DSB). The new lease allows for the construction and long-term operation of up to five slant wells at DSB.

SCWD is currently working with State Parks on a lease agreement, a study with Regional Water Quality Control Board staff as a condition of the National Pollution Discharge Elimination System (NPDES) permit, and Design Build Operate Maintain (DBOM) Contract Development.

SHUTDOWNS

Lake Mathews Facility Shutdown

March 13-24, 2023, the Lake Mathews Facility shutdown to replace a damaged slide gate on the outlet tower, and aging valves on the Santiago Lateral are now complete.



New Slide Gate

Refilling Lake Mathews Foreba

Orange County Feeder

The purpose of the shutdown is to remove and dispose of the existing lining, reline the pipeline with cement mortar, weld straps, replace valves and install manholes on this 85+-year-old pipeline from the Willits Street Pressure Control Structure (north of South Coast Plaza) to the Irvine Cross Feeder (south of UC Irvine).

The Orange County Feeder shutdown began on September 18, 2022, and will continue through July 15, 2023.



OC Feeder Shutdown - Access Point for Liner Replacement

R6 Reservoir Rehabilitation

El Toro WD is shutting down the 275 Million Gallon R6 Reservoir to replace the aging reservoir liner and cover. The reservoir will be offline from November 2022 through July 2023.

Diemer Water Treatment Plant

MET has rescheduled a 7-day shutdown of the Diemer WTP to repair a broken chlorine solution line to January 8-14, 2024. Finding a suitable window for this shutdown presented challenges due to numerous maintenance shutdowns by MET and retail agencies and fire danger concerns.

Coinciding with the 7-day Diemer shutdown, the following pipelines will also be down for repairs:

- Allen-McColloch Pipeline
- East Orange County Feeder No.1
- East Orange County Feeder No.2
- Lower Feeder (Treated)
- Lower Feeder (Untreated)
- Second Lower Feeder (portions)

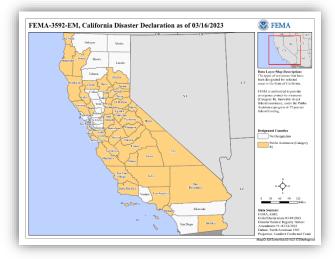
EMERGENCY PREPAREDNESS

MARCH INCIDENTS/EVENTS

- Multiple Rain Events
- Water Main Breaks (2)
- Sewage Spill (1)

MARCH STORM PRESIDENTIAL DECLARATION FEMA-3592 INCIDENT PERIOD: MAR 9, 2023, AND CONTINUING DECLARATION DATE: MAR 10, 2023

- Emergency Declaration Only at this time
- Orange County is Included but still requires qualification
- The Governor updated the State of Emergency (SOE) Proclamation 3/14
- Orange County Proclaimed 3/14
- Orange County Operational Area is Capturing Data Following Each Storm.
- Current amounts for OC as of 3/27 (time of this report)
 - \$3,04,000 Public Assistance
 - \$10,180,000 Individual Assistance
- Only Public Assistance (which is for government entities) Category B for Emergency Work (measures) is eligible now. This will be dependent and the reporting of the damage across Orange County and reaching the qualification threshold of approximately \$13,130,000 for Pubic Assistance Alone. No other categories for repairing or replacing disaster-damaged facilities (debris removal, permanent work to damage) have been granted.
- Individual Assistance (for the community members) in the designated counties in the map above are eligible to apply for financial and direct services and should work through their cities.
- No Water or Wastewater agencies have reported issues or damage related to the March storms



COORDINATION/PARTICIPATION WITH MEMBER AGENCIES AND OUTSIDE AGENCIES MEETINGS OUTSIDE OF PROGRAMS AREAS AND EMERGENCY RESPONSE

- On 3/1, Vicki attended a planning meeting with OCWD and other entities regarding the April 14th GWRS Dedication.
- On 3/2, Dave and Janine attended the monthly Orange County Emergency Management Organization (OCEMO) Meeting. The standing subcommittees provided their reports. Main presentation was made by the OCIAC.
- On 3/3, Vicki attended WACO and provided the WEROC monthly update.
- On 3/6, Vicki attended a meeting with the county regarding SB 552 and the county's needs regarding their internal documentation required as an Operational Area under SB 552.
- On 3/6, WEROC attended the NWS San Diego webinar for the incoming storms.
- On 3/8, Vicki attended the San Diego Gas & Electric Emergency, Disaster, and wildfire preparedness workshop the utility is required by law to hold with partners every year.
- On 3/9, Vicki attended the NWS San Diego Webinar for incoming storms.
- On 3/16, Dave facilitated the WEROC Quarterly Water/Wastewater Cyber Working Group Meeting. The OCIAC gave an update.
- On 3/16, Vicki attended the MWDOC Managers Meeting and provided a WEROC update.
- On 3/16, Vicki met with SCWD regarding their dam plan. See the programs section.
- On 3/16, Vicki met with OCWD requesting assistance with a TTX in June (see exercises below)
- On 3/20, Vicki attended the NWS Storm Webinar.
- On 3/22, Vicki met with SCWD in Laguna Beach and provided guidance requested by the agency in relation to the recent storm.
- On 3/23, Vicki attended the MET Managers' meeting and provided a WEROC update.
- On 3.23, Vicki attended the DWR/SWCRB Executive Order N-4-23 Flood Water Capture Briefing Webinar.
- On 3/24, Vicki attended the CESA State Board Meeting.
- On 3/27, Vicki attended the NWS San Diego Briefing for the incoming storms.
- On 3/28, Vicki attended the CESA Fall Program and Awards Meeting. The program focused on the Active Shooters and agency processes.

PLANNING AND PROGRAM EFFORTS

Cyber Security, OCIAC Coordination, and IT Support

WEROC continues to send out important information to the Cyber Security Distribution Group as received from DHS or the OCIAC.

Dave facilitated the WEROC Quarterly Water/Wastewater Cyber Working Group Meeting on March 16th. The OCIAC and member agency IT Professionals were in attendance.

WEROC maintains a close and positive working relationship with the Orange County Intelligence Assessment Center. WEROC contacted the OCIAC for a suspicious event that occurred in February.

Due to the recent departure of the MWDOC IT Network Engineer, Dave has been temporarily loaned to support the IT Department. 50-70% of Dave's time is spent on IT projects and onboarding the new contractor (Accent).

EOC Readiness & EOC Project

Dave continues to work on the EOC Position Guide Revision Project to make responses for people assigned to positions in the EOC easier.

Vicki is working on the Mobile EOC Quotes as requested by the board. Additionally, Vicki has been in contact with the CalOES Policy point of contact, as the state must provide an endorsement for the agency to seek funding.

Vicki has quote requests out for the 800MHz project being supported by Homeland Security Grant Funding.

Member Agency Planning & Exercise Support

Vicki met with SCWD concerning their Dam Planning effort. They have had some challenges with CalOES, and Vicki will be assisting in getting their plan approved by the state.

Resource Requests and Member Agency Inventory Lists

Janine continues to obtain information from the WEROC member agency to update the inventory lists.

Training and Exercises

On 2/28, Vicki conducted an ICS 200 in-person class in Westminster. There were 38 people in attendance.

On 3/8, Dave conducted the monthly WEROC Radio Test

On 3/8, Janine conducted a WebEOC (Incident Management Program) training for the member agencies.

On 3/13, 3/14, and 3/15, Vicki conducted G611 EOC Operations Series in the City of Irvine, which was open to all agencies. The series covered Management, Operations, and Planning, and Intelligence. Between the three classes, there were 73 attendees.

Vicki is participating with IRWD in planning their Santiago Dam TTX scheduled in August.

Vicki is facilitating and supporting SOCWA with three TTX exercises in April.

Vicki is working with OCWD on the development of a TTX exercise to be conducted for their EOC team in June.

Dave is coordinating with member agencies for the Countywide Next Wave Exercise to be conducted on Wednesday, May 17, 2023, in partnership with the Operational Area. WEROC has scheduled several small training topics to assist with reviewing plans and understanding the planning process. The sessions are less than 30 minutes to provide the best use of time and ability for all WEROC EOC responders to attend.

WEROC Emergency Operations Plan and Disaster Service Worker (DSW) - Thursday, March 9

- EOC Activation Procedures Thursday, March 16 @ 2 pm
- EOC Forms Thursday, March 23 @ 2 pm
- EOC Planning Process Planning "P" Understanding the Situation -Thursday, March 30 @ 2 pm

County Plans Reviewed:

County of Orange Recovery Plan – Chapters 5&6 are the attachments and checklists covering the specific recovery groups for Management and recovery Operations working groups such as the infrastructure group.

MET ITEMS CRITICAL TO ORANGE COUNTY

MET FINANCE AND RATE ISSUES

Water Transactions for January 2023 (for water delivered in November 2022) totaled 112.4 thousand acre-feet (TAF), which was 45.9 TAF lower than the budget of 158.3 TAF and translates to \$105.5 million in receipts for January 2023, which was \$36.2 million lower than the budget of \$141.7 million

Year-to-date water transactions through January 2023 (for water delivered in May 2022 through November 2022) were 1,005.2 TAF, which was 39.2 TAF lower than the budget of 1,044.4 TAF. Year-to-date water receipts through January 2023 were \$936.2 million, \$56.3 million lower than the budget of \$992.5 million.

On March 14, Judge Anne-Christine Massullo of the San Francisco Superior Court issued her tentative statement of decision concerning the trial in the consolidated *SDCWA v. Metropolitan et al.* cases (filed in 2014, 2016, and 2018), in which SDCWA sought over \$334 million in contract damages. The decision is tentative, pending SDCWA's statutory right to file an objection.

<u>Update Regarding San Diego County Water Authority v. Metropolitan Litigation</u>

In the tentative decision, for each claim litigated at trial, as summarized below, Judge Massullo ruled in favor of Metropolitan or found the claim to be moot based on the rulings in Metropolitan's favor:

Breach of the Exchange Agreement. Metropolitan did not breach the Exchange Agreement: ". . . [T]he duty to charge fair compensation did not arise and that Metropolitan did not breach the Exchange Agreement by failing to calculate a reasonable credit for any offsetting benefits. Metropolitan did not breach the Exchange Agreement, so the Court need not address damages."

Reformation. Metropolitan's conditional claims to reform the Exchange Agreement, if SDCWA prevailed, are moot.

Declaration of Metropolitan's rights and duties under the Wheeling Statutes. Metropolitan's conditional claim for a declaration of its rights and duties under the Wheeling Statutes, if SDCWA prevailed on its claim that the Wheeling Statutes apply to the Exchange Agreement, is moot.

Rate challenges. Judge Massullo rejected SDCWA's rate challenges.

Declaration of whether SDCWA must contribute to a damages award. Judge Massullo ruled that SDCWA's request for a declaration that it could not be required to contribute to damages, fees, or costs awarded in the cases is moot.

As the tentative statement of decision notes, the parties previously resolved the Water Stewardship Rate claims in SDCWA's favor, pursuant to a 2021 Court of Appeal decision.

Order on Motion for Partial Judgment

Judge Massullo previously granted part and denied in part SDCWA's motion for partial judgment. The court had postponed ruling on Metropolitan's claims for a declaration on Metropolitan's "cost causation" obligations when setting rates. Today Judge Massullo issued an amended order on those postponed claims:

Cost causation. Metropolitan's cost causation claims are not subject to court review: "Metropolitan cannot demonstrate a declaration regarding cost causation is the proper subject for declaratory relief."

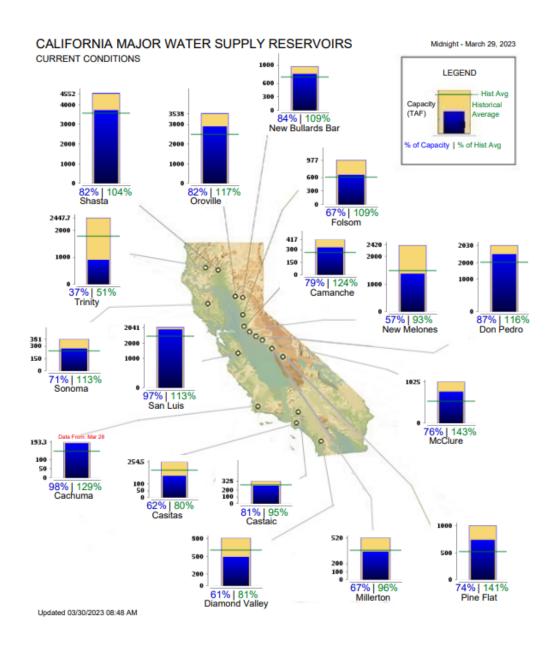
The tentative statement of decision and the order on the motion for partial judgment are attached. The decisions were discussed in more detail at the Board workshop on March 28.

MET'S SUPPLY CONDITION UPDATE

The 2022-23 Water Year (2022-23 WY) officially started on October 1, 2022. Thus far, Northern California accumulated precipitation (8-Station Index) reported **59.4 inches or 143% of normal** as of March 30th. The Northern Sierra Snow Water Equivalent was at **56.3 inches on March 30th**, **202% of normal** for that day. Due to the barrage of atmospheric rivers in January and March, the Department of Water Resources (DWR) has increased the State Water Project (SWP) "**Table A" allocation to 75%.** This allocation provides Metropolitan with approximately **1,433,625 AF in SWP deliveries this water year.** Metropolitan received 134,000 AF for Human Health and Safety Supply in CY 2022. With historical precipitation/snowfall through WY 2023, it is anticipated that the Table A allocation will increase. DWR's SWP Allocation considers several factors including existing storage in SWP, conservation reservoirs, SWP operational regulatory constraints, and the 2023 contractor demands.

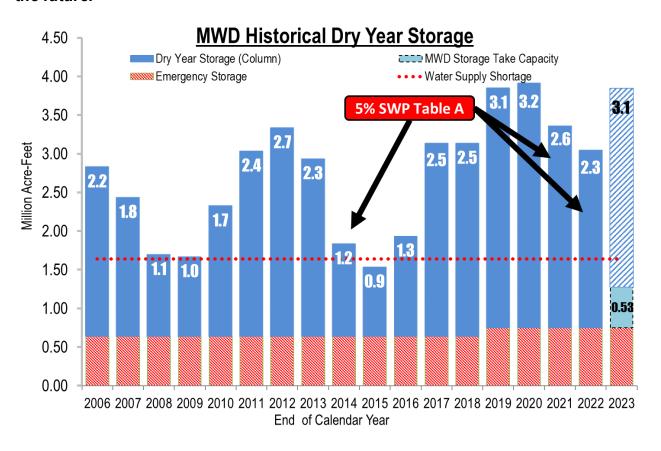
The Upper Colorado River Basin accumulated precipitation is reporting 20.0 inches or 120% of normal as of March 30th. On the Colorado River system, the snowpack is measured across four states in the Upper Colorado River Basin. The Upper Colorado River Basin Snow Water Equivalent reported 24.9 inches as of March 30th, which is 132% of normal for that day. Due to the below-average inflows into Lake Powell over the past several years, the United States Bureau of Reclamation declared a shortage at Lake Mead that has been ongoing since January 1st, 2022. There is a 93% chance of shortage continuing in CY 2024 and a 60% chance that Metropolitan will see a 250,000 AF reduction in Colorado River water supplies in CY 2024.

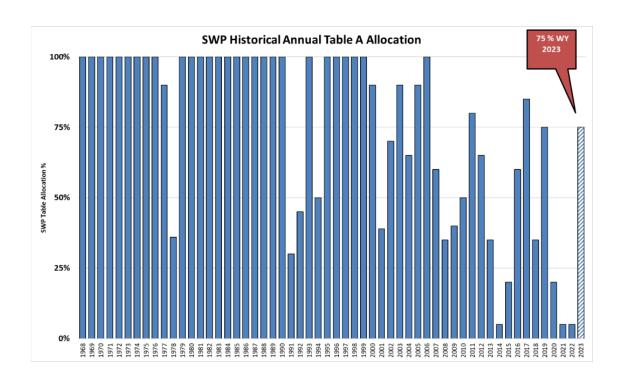
As of March 29th, Lake Oroville storage is **82% of total capacity and 117% of normal.** As of March 29th, San Luis Reservoir has a current volume of **97% of the reservoir's total capacity and is 113% of normal.**



With CY 2023 estimated total demands and losses of 1.51 million acre-feet (MAF) and a 75% SWP Table A Allocation, Metropolitan is projecting that supplies will exceed demand levels in Calendar Year (CY) 2023. Based on this, Metropolitan's estimated dry-year storage at the end of *CY 2023 will increase to approximately 3.10 MAF*.

A projected dry-year storage supply of 3.10 MAF would still be about 2.10 MAF above where MWD has historically declared a water supply allocation. A large factor in maintaining a high water storage level is lower than expected water demands. We are seeing regional water demands reaching a 38-year low. Since water supply conditions have dramatically improved in California for 2023, there will be no MWD Water Supply Allocation in CY 2023. However, with most of MWD's water supplies stored in Lake Mead and with a five-year shortage projection at Lake Mead, there remains a lot of uncertainty about where supply balances will be in the future.





2023 WSDM Storage Detail

	1/1/2023 Estimated Storage Levels ¹	CY 2023 Take Capacity ²	2023 Total Storage Capacity
WSDM Storage			
Colorado River Aqueduct Delivery System	1,139,000	TBD	1,657,000
Lake Mead ICS	1,139,000 ³	TBD ⁴	1,657,000
State Water Project System	492,000	158,000	1,879,000
MWD SWP Carryover ³	28.000	28.000	350.000
DWCV SWP Carryover 5	28,000	28,000	350,000
MWD Articles 14(b) and 12(e)	0	0	N/A
Castaic and Perris DWR Flex Storage	3,000	3,000	219,000
Arvin Edison Storage Program	120,000	8,000 ⁶	350,000
Semitropic Storage Program	158,000	57,000	350,000
Kern Delta Storage Program	137,000	39,000	250,000
Mojave Storage Program	19,000	9,000	330,000
AVEK Storage Program	27,000	14,000	30,000
In-Region Supplies and WSDM Actions	698,000	329,000	1,246,000
Diamond Valley Lake	494,000	237,000	810,000
Lake Mathews and Lake Skinner	194,000	82,000	226,000
Conjunctive Use Programs (CUP) 7	10,000	10,000	210,000
Other Programs	662,000	40,000	1,181,000
Other Emergency Storage	381,000	0	381,000
DWCV Advanced Delivery Account	281,000	40,000	800,000
Total	2,991,000	527,000	5,963,000
Emergency	750,000	0	750,000
Total WSDM Storage (AF) 8	2,241,000	527,000	5,213,000

- Preliminary start of year balances, subject to DWR adjustments and USBR final accounting in May 2023.
- ² Take capacity assumed under a 30 percent SWP Table A Allocation. Storage program losses included where applicable.
- ³ This amount is net of the water Metropolitan stored for IID in Lake Mead in an ICS sub-account.
- ⁴ Take capacity will be based on planned maintenance activities, current CRA supply estimate, and operational decisions to protect Metropolitan's future CRA diversions. Although capacity is currently available, Metropolitan is planning to limit its take of ICS in 2023.
- ⁵ Total storage capacity varies year to year based on prior year remaining balance added to current year contractual limits.
- ⁶ Began receiving surface water supplies in-lieu of groundwater in February using the Friant Kern Canal. Take amounts dependent on the capacity of the Friant Kern Canal.
- ⁷ Total of all CUP programs including IEUA/TVMWD (Chino Basin); Long Beach (Central Basin); Long Beach (Lakewood); Foothill (Raymond and Monk Hill); MWDOC (Orange County Basin); Three Valleys (Live Oak); Three Valleys (Upper Claremont); and Western.
- ⁸ Total WSDM Storage level subject to change based on accounting adjustments.

MET'S WATER QUALITY UPDATE

Water System Operations

Metropolitan member agency water deliveries were 63,200 acre-feet (AF) for January, with an average of 2,039 AF per day, which was 1,474 AF per day lower than in December. Treated water deliveries decreased by 14,500 AF from December, for a total of 34,300 AF, or 54 percent of total deliveries for the month. The Colorado River Aqueduct (CRA) transitioned from seven to five and then four-pump flow in January, with 65,000 AF pumped in January. This change in operations was due to several storms in late December and January, which decreased demands throughout Metropolitan's service area and resulted in higher than anticipated storage in Lake Mathews. State Water Project (SWP) imports averaged 303 AF per day, totaling about 9,400 AF for the month, which accounted for approximately 15 percent of Metropolitan's deliveries. The Weymouth, Diemer, and Skinner plants' target SWP blend remained at zero percent.

Water Treatment and Distribution

The State Water Project target blend entering the Weymouth and Diemer plants, and Lake Skinner was zero percent in February 2023.

Flow-weighted running annual averages for total dissolved solids from December 2021 through November 2022 for Metropolitan's treatment plants capable of receiving a blend of supplies from the State Water Project and the Colorado River Aqueduct were 599, 503, and 601 mg/L for the Weymouth, Diemer, and Skinner plants, respectively. Metropolitan plant Metropolitan staff reviewed its regulatory compliance, operational performance, and optimization efforts. On February 28, Metropolitan staff held a 100 Percent Compliance Committee meeting to review the Skinner plant's performance and activities to ensure continued 100 percent compliance with primary drinking water regulations. Metropolitan's 100 Percent Compliance Committee consists of managers from Water Treatment, Water Quality, Conveyance and Distribution, Engineering Services, and Control Systems. The committee meets regularly to review treatment plant and conveyance and distribution system performance and discuss compliance issues or operational modifications that may improve operations at Metropolitan facilities.

Future Legislation and Regulation

On February 16, the State Water Resources Control Board announced a proposal to reduce the manganese notification level (NL) from 500 μ g/L to 20 μ g/L and the response level (RL) from 5,000 μ g/L to 200 μ g/L, based on the Division of Drinking Water's newly developed health protective concentration. NLs and RLs are not enforceable regulations; instead, they are state recommendations to provide customers and consumers with information about the presence of chemicals and health concerns associated with potential exposure through drinking water. Manganese is currently

regulated by the U.S. Environmental Protection Agency (USEPA) and California, with a Secondary Maximum Contaminant Level of 50 µg/L, based on staining and taste considerations. The USEPA also recommends a one-day health advisory of 1,000 µg/L for acute manganese exposures for children and adults. On February 13, Metropolitan staff participated in the 2023 California-Nevada Section of the American Water Works Association (AWWA) Water Utility Council planning workshop in Sacramento to develop the AWWA legislation and regulation priorities to track during the next year. Participation in such forums ensures that Metropolitan has the latest information on legislative and regulatory activities. Updates and discussion topics included the state's financial assistance and water operator certification programs.

On February 3, the California Air Resources Board (CARB) released an unofficial draft of the Advanced Clean Fleets (ACF) Regulation before the 15-day public comment period. Metropolitan has over 500 diesel and gasoline trucks that will be affected by the ACF regulation. The latest draft includes a delay of the zero-emission vehicle (ZEV) purchase requirement from 2024 to 2030; however, Metropolitan would need to be on a ZEV purchase compliance schedule. In addition, the updated draft includes new exemptions for infrastructure construction or electrification delays. Metropolitan staff is reviewing this latest draft and will provide comments to CARB if needed.

On January 18, the USEPA and the Army Corps of Engineers published the final rule revising the definition of "waters of the United States" (WOTUS). Metropolitan staff had previously commented supporting this rulemaking that restores the pre2015 definition of WOTUS and codifies recent Supreme Court decisions. Metropolitan staff will continue to monitor and engage on the issue, as USEPA still plans to build upon this "foundational rule" with a second rule designed to restore longstanding protections under the Clean Water Act.

On January 1, DDW issued a Drought and Conservation Technical Reporting Order (Order No. DDW_HQ_Drought2023_001) (Order) requiring all community water systems and non-transient non-community schools to prepare drought and conservation reports beginning January 2023. Metropolitan staff worked with the California Municipal Utilities Association (CMUA) last year to amend SB 552 to exclude Metropolitan's small water systems from the need to conduct drought reporting, yet the Order still does so. Metropolitan staff is conferring with DDW staff and CMUA to confirm whether Metropolitan's Eagle, Gene, and Iron Mountain pumping plants fall under the Order.

Weekly Water Quality System Status

Wednesday, March 22, 2023

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DIAMOND VALLEY LAKE No violations of State or Federal regulations were recorded during the current period. WATER QUALITY INFORMATION LINE: (800) 354-4420 VISIT MWD ON THE WEB AT http://www.mwdh2o.com 2-MIB (ng/L) ND GEOSMIN (ng/L) ND TDS (mg/L) 326^A Ters 2A & 3B POS. COLIFORMS 0 TOT. Clz < 1.8 (mg/L) 0 COMPLAINTS LAKE SKINNER PLANT DIAMOND
VALLEY LAKE
2-MIB (ng.L.) ND
GEOSMIN (ng.L.) ND
3-177 읒 2-MIB (ng/L) NI GEOSMIN (ng/L) 1 DEVIL CANYON POWER PLANT TURBIDITY (NTU) 5.2 TDS (mg/L) ..ss (mg/L) 257
TTHMS (ug/L) 257
BROMATE RAA (ug/L) 5.7* TDS (mg/L) 627
TTHMs (μg/L) 42BROMATE (μg/L) ND*
BROMATE RAA (μg/L) 1.2** 0 627 SKINNER PLANT EFFLUENT TURBIDITY (NTU) % SPW BLEND 2-MIB (ng/L) ND GEOSMIN (ng/L) ND TDS (mg/L) 614 Tiers 3 & 4 MILLS PLANT EFFLUENT MILLS SKINNER LAKE MATHEWS SILVER-WOOD LAKE RESERVOIR **ELIWANDA** POS COLIFORMS 0
TOT Clac 18 (mg/L) 0
COMPLAINTS 0 P. S. PAW BEND 100
TDS (mg/L) 100
TDS (mg/L) 100
TTMMS (ug/L) 16BROMATE (ug/L) 12LIVE OAK BROMATERAA(ug/L) 030** 800 9 9 2.67 WEYMOUTH PLANT EFFLUENT SKINNER LAKE
MATHEWS
2-MIB (ng/L)
GEOSMIN (ng/L)
TDS (mg/L)
56 AREA FINISHED-WATER RESERVOIRS
DETENTION NITRITE EN Twr. 2 DIEMER PLANT 2 (DAYS) WEYMOUTH soo PLANT 80 µg/L
 64 µg/L
 005 mg/L
 ORANGE COUNTY
 5 ng/L
 GARVEY POS. COLIFORMS 0 TOT. Cl2< 1.8 (mg/L) 0 ORANGE COP ned from DVL on 3/17/23. < 0.10 NTU COMPLAINTS < 500 mg/L CENTRAL < 5 ng/L MWD WATER QUALITY GOALS 2-METHYLISOBORNEOL < 5 GEOSMIN < 5 NUMBER OF COMPLAINTS NUMBER POS, COLIFORMS NUMBER OF CHLORINE RES <1.8 THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA TOTAL DISSOLVED SOLIDS
TTHMs Service Connection Max
TTHMS Service Connection RAA
NITRITE - N PLANT EFFLUENT TURBIDITY CONTROL RESERVOIR GARVEY CENTER BROMATE RAA (µg/L) MWD water quality goals meet or exceed all State and Federal regulations maximum contaminant level is an RAA of 10 µg/L. NTU NEPHELOMETRIC TURBIDITY UNITS
TDS TOTAL DISSOLVED SOLLIDS
TTHMS TOTAL TRHALOMETHANES
RAA RUNNING ANNUAL AVERAGE
MILLIGAMASILITER
INGL. NANGGRAMSLITER
INGL. NANGGRAMSLITER
ONL. NANGGRAMSLITER
ONL. OTO SERVICE
2-MIB & GEOSMIN ARE ODOR PRODUCERS
2-MIB & GEOSMIN ARE ODOR PRODUCERS RESERVOIR 2-MIB (ng/L) ND GEOSMIN(ng/L) ND VERDES ood Lake TDS value is based on Mills plant 322 *Bromate values are from sample date 3/13/2023. (JENSEN INF) IDS (mg/L) ATDS values are from the latest Table D report ~THM values are from sample date 3/7/2023. JENSEN PLANT
FEFLUENT
TURBLETY (NTU) 0.03
% SPWBLEND 100
TDS (mg/L) 355
TTMS (ug/L) 43BROMATE RAA (ug/L) 7.2** EXPLANATION NOTES AND COMMENTS JENSEN PLANT CASTAIC

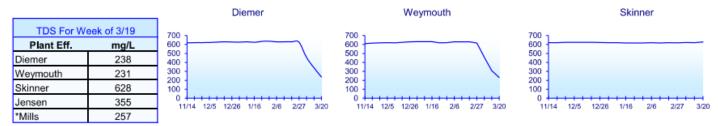
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Water Quality Section Weekly TDS Report

For the week of 3/19/2023

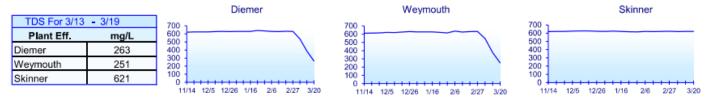
Percent SPW Needed to Achieve TDS Goal of 500 mg/L		Estimated TDS for Reservoirs				
Source Water TDS		SPW Required	Reservoir (Effluent) Date		mg/L	
Plant	CRW	SPW	Percent	Lake Havasu (Table D)	12/14/22	640
Weymouth	585	206	22%	Lake Mathews (DFPI-LWRFDR)	3/20/23	585
Diemer	585	206	22%	Lake Skinner (Outlet Structure)	3/20/23	614
Skinner-Silverwood	615	206	28%	Castaic Lake (JFPI)	3/19/23	322
Skinner-Perris	615	326	40%	Silverwood (Mills Inf)	3/20/23	206
CRW for Diemer and Weymouth is Lake Mathews and San Jacinto - West Portal for Skinner.		Lake Perris (Table D)	12/5/22	326		
				DVL Outlet (Table D)	12/27/22	277

SUNDAY COMPOSITE ESTIMATED TDS FOR 11/13/22 - 03/19/23



Sunday composite estimated TDS measured from plant effluent composite samples collected on Sunday and analyzed for hardness and electrical conductivity. *Collected on Monday 3/20/2023

WEEKLY COMPOSITE ESTIMATED TDS FOR 11/13/22 - 03/19/23



Weekly composite estimated TDS measured from plant effluent composite samples collected Monday through Sunday and analyzed for hardness and electrical conductivity.

MONTHLY COMPOSITE CALCULATED TDS FOR January 2022 - December 2022



Monthly calculated TDS calculated from plant effluent monthly composite sample for total anions and cations. These results are also used for Table D.

FLOW WEIGHTED RAA TDS FOR January 2022 - December 2022



easonal flow weighted RAA TDS calculated from plant effluent monthly composite sample for total anions and cations. Results are based on average monthly flows.

COLORADO RIVER ISSUES

Metropolitan Highlights Risks of Six Basin State Proposal to Metropolitan's Colorado River Supplies

After the Colorado River Basin States (Basin States) were unable to develop a consensus proposal to be submitted to the Bureau of Reclamation (Reclamation) in the Supplemental Environmental Impact Statement (SEIS) to the 2007 Colorado River Interim Guidelines, California and six Basin States, each submitted modeling proposals. The California proposal focuses on maximizing voluntary compensated conservation and contemplates mandatory cutbacks only if needed, whereas the six Basin State proposal immediately imposes significant cutbacks to all water users in the Lower Basin.

Metropolitan staff analyzed the risk of the six Basin State proposals to our region, concluding that although the proposal purported to evenly share cuts, up to 75 percent of Metropolitan's Colorado River supplies would actually be placed at risk. Metropolitan explained those risks to several outside entities, including the Los Angeles Times Editorial Board and members of Congress, to highlight the potential impact on our service area.

While two modeling proposals were submitted for the Draft SEIS, Metropolitan staff continued to work with the other Basin States to see whether a seven-state consensus proposal could be submitted to Reclamation for the Final EIS.

Timeline for Reclamation's Supplemental Environmental Impact Statement

In late 2022 The Bureau of Reclamation (Reclamation) initiated the process of developing a Supplemental Environmental Impact Statement (SEIS) to the 2007 Colorado River Interim Guidelines. The purpose of the SEIS is to analyze and develop new operating guidelines for the Colorado River that protect critical infrastructure and Lake Mead and Lake Powell, including power generation facilities. Reclamation stated that it would model several alternatives in the SEIS, including a consensus-based alternative from the Colorado River Basin States (Basin States), provided such an alternative was submitted by the end of January.

December 2022 The seven Basin States and key water agencies, including Metropolitan, attempted to reach a consensus alternative to be included in the SEIS. After many meetings in late January, it was apparent that such a consensus alternative could not be achieved. Six Basin States developed and submitted an alternative to Reclamation, and California submitted its alternative. Both alternatives include significant water delivery reductions and include provisions to protect Human Health and Safety supplies. The California alternative initially seeks voluntary and compensated water conservation actions and moves to mandatory cutbacks if insufficient. The six-state alternative imposes mandatory cutbacks immediately without any tools to help water agencies reduce their use.

April 2023 (expected) It is anticipated that Reclamation may include both alternatives in the SEIS for evaluation. A draft SEIS is scheduled for release in late April 2023, and despite not being able to achieve a consensus-based modeling approach, the seven Basin States have each expressed interest in working together to see if all states can develop and support a proposed preferred alternative to Reclamation for the Final SEIS.

May/June 2023 (expected) It is anticipated that comments for the Final SEIS will be due in late May or early June 2023.

July 2023 (expected) A Record of Decision is anticipated in July 2023, with any new delivery reductions and new operating rules applied to the Lower Basin from 2024 through 2026.

DELTA CONVEYANCE ACTIVITIES AND STATE WATER PROJECT ISSUES

Delta Conveyance

The public comment period for the Delta Conveyance Project (DCP) Draft Environmental Impact Report (EIR) closed on December 16, 2022. The Department of Water Resources (DWR) received more than 700 unique comment letters with over 6,000 individual comments. DWR is currently working to organize the comments and develop responses. The Final EIR is expected at the end of 2023. It will include responses to all substantive comments on the Draft EIR and edits to the Draft EIR, as appropriate, to respond to the comments.

The U.S. Army Corps of Engineers released the public Draft Environmental Impact Statement (EIS) for DCP in December 2022; comments are due on March 16, 2023. The Draft EIS has some similarities to DWR's Draft EIR but also some key differences. DWR prepared a summary of the similarities and differences. It is available on the DWR website. (Dec-2022.pdf).

Joint Powers Authorities

During the regularly scheduled Board of Directors meeting on February 16, the Delta Conveyance Design and Construction Authority (DCA) Board of Directors adopted a resolution commending and thanking Director Richard Atwater for his service on the DCA board. Director Atwater was instrumental in creating the DCA, its success, and its expected continued development. Director Miguel Luna is the new Metropolitan representative on the DCA board. The DCA board approved a resolution extending the virtual board and committee meetings authorization and received the monthly board report information item. The February 16 regularly scheduled Delta Conveyance Finance Authority meeting was canceled.

Sites Reservoir

In their February joint meetings, the Sites Project Authority Board (Authority Board) and the Sites Reservoir Committee (Reservoir Committee) conducted the 2023 election of officers. The current committee and workgroup designations and participation were confirmed. The Reservoir Committee and Authority Board also approved the project's 2023 federal and state legislative priorities.

Science Activities

Metropolitan staff worked with researchers from UC Davis to initiate the second deployment of the Delta Smelt Pilot Propagation Study on Bouldin Island. The study aims to evaluate whether the impoundments on Metropolitan islands can be leveraged to conduct Delta Smelt Supplementation Research. The first deployment from November 21, 2022, to January 5, 2023, successfully demonstrated that it is possible. The second deployment is to repeat and verify the results and test conditions during the warmer period of March 2023.

Phase 3 of the Reorienting to Salmonid Recovery project started this month and included developing an agreed-upon suite of priorities for salmonid recovery. This phase will use an iterative approach with participants and modelers to review and refine recovery scenarios. Metropolitan staff is organizing intensive workshops for participants to work in groups using web applications developed to evaluate model output sensitivity to different salmonid management scenarios and understand the trade-offs associated with different suites of recovery actions. Workshops will be held from March to December 2023.

Regulatory Activities

On February 13, in response to Governor Newsom's Executive Order (EO) N-3-23 to build water resilience amid climate-driven weather extremes, both DWR and the U.S. Bureau of Reclamation (USBR) submitted a Temporary Urgency Change Petition (TUCP) to the State Water Resources Control Board (State Board). This TUCP requested approval to temporarily modify the most-westerly X2 (2 parts per thousand isohaline at Port Chicago) compliance location specified in their water right permits for February and March to the next upstream compliance location at Chipps Island. Without the TUCP, DWR, and USBR would be required to cut Delta exports and/or release stored water from upstream reservoirs to provide an estimated 700,000 acre-feet of Delta outflow required to maintain the X2 at Port Chicago. On February 14, the California Department of Fish and Wildlife (CDFW) submitted a letter to the State Board identifying no unreasonable impacts to fish and wildlife resulting from the TUCP. On February 22, the State Board conditionally approved the changes within the TUCP through March 31, 2023.

Metropolitan staff coordinated with the State Water Contractors to develop and implement a special environmental DNA monitoring program from January 20 to February 3 to determine whether Delta smelt was present in the South Delta turbidity field and to evaluate the effects of 2019/20 Biological Opinion and Incidental Take Permit Early Winter Pulse Protection Action. The monitoring results may inform management of turbidity to reduce the entrainment of Delta smelt. The monitoring did not detect Delta smelt in the south Delta, suggesting that the action may not always be needed during high turbid conditions.

Delta Island Activities

Metropolitan staff submitted a \$20 million concept proposal to the Delta Conservancy's Nature Based Solutions: Wetland Restoration Grant Program. The concept proposal is for a three-year project that will convert approximately 4,500 acres on Webb Tract to a mosaic of managed flooded wetlands and rice fields to stop and/or reverse ongoing organic soil subsidence, reduce greenhouse gas emissions, provide environmental benefits by contributing to the augmentation of the Delta pelagic food web, and generate an income from carbon credits generated from the proposed flooded wetlands and lease income from the proposed rice fields. The proposed project has been selected to move forward in the grant process. Metropolitan staff will introduce the project at Metropolitan's March One Water and Stewardship Committee meeting. The Delta Conservancy Board will consider the Webb Tract grant application at an upcoming board meeting, anticipated in summer or fall 2023.

PUBLIC/GOVERNMENT AFFAIRS

COMMUNITY AND MEMBER AGENCY RELATIONS

Public Affairs Staff:

- Prepared materials, coordinated, and hosted the March Public Affairs Workgroup
 (PAW) for OC water providers to discuss aligned programs and messaging for 2023
- Coordinated the collection of over 900 posters for the annual Water Awareness Poster Contest
- Attended the RH Dana Elementary School's annual Fun Run and made a Ricky Raindrop appearance
- Coordinated with the Wyland Foundation (WYFO) to promote the Wyland National Mayor's Challenge for Water Conservation
- Met with WYFO to discuss collaboration on Earth Month activities
- Sent potential dates to interested agencies for 23-24 MWDOC Scouts Program Clinics

Government Affairs Staff:

- In Washington D.C., hosted a dinner for MWDOC member agency directors and staff who were attending the conference
- Circulated the monthly Grants Tracking and Acquisition report to participating member agencies
- Made various updates to the Grants Tracking report and contact list
- Attended the OCWD Study Session focused on consolidation
- Participated in the ACC-OC Energy, Environment, and Water Committee meeting
- Coordinated with OCBC staff to have a MWDOC speaker at the April Infrastructure Committee meeting
- Circulated information to the ISDOC Executive Committee related to their sponsoring a scholarship

EDUCATION

Public Affairs Staff

- Speakers' Bureau Coordinated, hosted, and led the Water Energy Education Alliance (WEEA) Leadership Roundtable #14, where the Centers of Excellence presented their statewide water and wastewater workforce report in partnership with WEEA
- Speakers' Bureau Presented MWDOC education initiatives at the Metropolitan Water District of Southern California's education coordinators meeting
- Participated in the California Department of Water Resources Water Education Committee meeting

- Collected 23-24 MWDOC Choice School Program Commitments from participating agencies (23 participating agencies).
- Provided information regarding MWDOC Choice K-12 School Programs to the City of Santa Ana, Irvine Ranch Water District, City of Fountain Valley, City of Anaheim, Trabuco Canyon Water District, and a teacher from the City of San Clemente
- Met with Ignited to discuss collaboration on the statewide WEEA/COE workforce report recommendations
- Met with the California African American Water Education Foundation to discuss WEEA activities and initiatives
- Met with the Association of California Water Agencies on WEEA activities and initiatives with a focus on potential partnership opportunities related to the statewide WEEA/COE workforce report recommendations
- Speakers' Bureau Presented at the California Environmental Education Foundation's Teacher's Institute training

MEDIA OUTREACH AND DISTRIBUTION

Public Affairs Staff

- Prepared and distributed content for social media
- Distributed weekly news digests to MWDOC managers and Board
- Distributed weekly Association of Metropolitan Water Agencies (AMWA) Monday briefings for member agencies
- Updated MWDOC website at WUE request
- Prepared and distributed a press release, "New Statewide Water and Wastewater Labor Market Report Unveiled at WEEA Meeting."

SPECIAL PROJECTS

Public Affairs Staff:

- Confirmed Ed Ring for the June Water Policy Dinner
- Met with the MWDOC Water Use Efficiency team to discuss the Department of Motor Vehicles conservation promotion

Governmental Affairs Staff:

- Drafted the invitation for the ISDOC Quarterly meeting
- Along with OCWD staff, walked through a hybrid setup for WACO meetings
- Worked with MWDOC staff on an Orange County infrastructure project spreadsheet to share with the Metropolitan Water District at their request
- Staffed the ISDOC Executive Committee meeting
- Updated and made edits to the ISDOC Executive Committee meeting minutes
- Attended a CSDA webinar on LAFCO Municipal Service Reviews

- Worked with staff of the newly appointed ISDOC 3rd VP on meeting and duty expectations
- Staffed the WACO Planning Committee meeting

LEGISLATIVE AFFAIRS

Governmental Affairs Staff:

- Along with Director Seckel and Melissa Baum-Haley, met with Congresswoman Katie Porter's office and Congresswoman Young Kim's office to provide an overview of MWDOC (new staff members, not from California) and the WEROC EOC proposal
- Attended the ACWA Conference in Washington D.C., where we heard from various speakers from the Biden Administration as well as key members of Congress
- Along with Director Seckel, met with Congressman Mike Levin's office to provide an update on water issues facing Southern California and the WEROC EOC
- Participated in the ACWA AB 1572 (Friedman) working group meeting
- Participated in the ACWA Infrastructure working group meeting
- Attended the CMUA Regulatory Committee meeting
- Participated in the CMUA Legislative Committee meeting
- Attended the ACWA State Legislative Committee meeting
- Participated in the CSDA Legislative Committee meeting
- Participated in the Southern California Water Coalition Legislative Taskforce meeting
- Participated in the Metropolitan AB 1572 (Friedman), nonfunctional turf special meeting
- Attended the CMUA Legislative Committee special meeting to review spot bills that have been recently amended
- Participated in the Metropolitan Member Agency legislative meeting to review and discuss water rights proposals
- Met with Senator Umberg's new district staff member assigned to water issues and provided an overview of MWDOC
- Participated in the Metropolitan Water District legislative coordinators meeting, which
 was a follow-up to the previous week's meeting on AB 1572 dealing with
 nonfunctional turf
- Attended the ACWA Legislative Symposium in Sacramento
- Attended the ACWA State Legislative Committee meeting
- Participated in the Cal-Desal Legislative Committee meeting
- Met with the Legislative Director for the County of Orange to discuss current issues

WATER USE EFFICIENCY

ORANGE COUNTY WATER DISTRICT (OCWD) ADMINISTRATION AND FINANCE (A&F) ISSUES COMMITTEE MEETING

On March 9, Joe Berg and Rachel Waite attended the OCWD A&F Committee Meeting to be available for any questions related to *Item 4 - Authorize Execution Of Amendment 3 To OCWD-SAWPA Subgrantee Agreement For The Santa Ana River Conservation And Conjunctive Use Program and Amendment 1 To Grant Funding Assignment Agreement with MWDOC, and to express gratitude for its consideration. This Amendment authorizes additional grant funding from SAWPA, through OCWD, to MWDOC, for the Dedicated Irrigation Meter (DIM) Landscape Area Measurements Project. The grant funding is used to directly offset retail agency costs. The Committee recommended that the Board authorize the execution of the Amendment.*

CALWEP SPRING PLENARY

On March 9, Joe attended the CalWEP Spring Plenary in Eastvale. Beth Fahl, Rachel W., and Tina Fann attended virtually. Topics on the agenda included:

- CII Classification
- New Turf Legislation
- Continuing Drought Messaging
- Readiness for Framework Compliance

The next meeting has not yet been scheduled.

ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP) STEERING AND TECHNICAL ADVISORY COMMITTEE (STAC)

On March 14, Rachel W. attended the OCDAP STAC. The working group collaborates on and organizes a regional effort to cost-share the acquisition of high-resolution aerial imagery and related products. Topics on the agenda included:

- Status Update on Cycle 2 Deliverables and Online Platform
- Cycle 2 and 3 Membership Costs and Timeline
- OCDAP Data Sharing/Efforts/Projects Underway/Cycle 2 Derived Products
- OC GIS User Group Update

The next meeting is scheduled for April 11.

METROPOLITAN WATER USE EFFICIENCY WORKGROUP MEETING

On March 16, Joe, Beth, Sam Fetter, Tina, Rachel W., and Rachel Davis participated in Metropolitan's Water Use Efficiency Workgroup meeting via Zoom. Items on the agenda included:

Welcome

- MWD's Onsite Recycling Program
- Metropolitan Board Meetings Update
 - o Previous: March
 - i. Emergency Water Conservation Plan and SWP Dependent Areas
 - Upcoming: April
- Innovative Conservation Program Project Updates
 - AWE Leak Notification Project
- Metropolitan Conservation Program Updates
 - MAAP
 - WELDCP/MWELO
- External Affairs Update
- Member Agency Roundtable

The next meeting is scheduled for April 20.

PROJECT AGREEMENT (PA) 22 ADVISORY WORKGROUP

On March 20, Rachel W. attended the PA 22 Advisory Workgroup meeting hosted by SAWPA. Topics on the agenda included:

- Prop 1 Enhanced Decision Support Tool Update
- SARCCUP Water Budget Assistance
 - Update on Retail Water Agency Status

The next PA 22 Advisory Workgroup is scheduled for April 17, and the next PA 22 Committee Meeting is scheduled for June 13.

STATE WATER RESOURCES CONTROL BOARD (SWRCB) PUBLIC WORKSHOP – RULEMAKING TO MAKING CONSERVATION A CA WAY OF LIFE

On March 22, Joe attended the SWRCB Public Workshop in-person, where SWRCB staff presented staff recommendations for the water efficiency standards to the Board. Rachel W. and Beth joined the workshop online. SWRCB staff recommendations contained several deviations from DWR's recommendations, including the following for the landscape efficiency factors (LEF) for both residential and commercial landscapes irrigated with dedicated meters (CII DIM).

Effective Dates	SWRCB Staff LEF Recommendation			
Through September 2030	Residential CII DIM	80%		
October 2030 – September 2035:	Residential CII DIM	63%		
October 2035, onwards	Residential CII DIM	55% 45%		

Joe made public comments to the Board emphasizing several key points, including:

- A water supplier cannot force the public to reduce water consumption; a good faith effort to comply with the Framework should be recognized.
- The Framework is extremely complex and should be simplified to reduce administrative burdens.
- The proposed LEF standards starting in 2035 are not feasible.

Additionally, MWDOC submitted a comment letter to SWRCB on March 30, further emphasizing these points and more.

CALWEP PROGRAM COMMITTEE

On March 23, Rachel W., Sam, and Tina attended the CalWEP Program Committee Meeting. The Committee meets to discuss successes, challenges, and actional steps for addressing conservation program needs. Topics on the agenda included:

- Alliance for Water Efficiency Updates
- CalWEP's Firewise Landscape Guide
- CalWEP's Landscape Maintenance Guide
- MWD and EBMUD Program Updates
- Customer Messaging after Historic Rains
- Valley Water's Irrigation Controller Scheduling App

GRANT WRITING USA GRANT MANAGEMENT CLASS

On March 30-31, Tina and Sam attended an in-person grant management class held by Grant Writing USA in Anaheim. The class taught the key components of managing grant funding and grant reporting processes.

DEDICATED IRRIGATION METER LANDSCAPE AREA MEASUREMENTS PROJECT

On April 3-4, Rachel W. and Sam met with staff from the City of Santa Ana, the City of Orange, and Trabuco Canyon Water District to discuss Project logistics and costs. Follow-up meetings will be scheduled as necessary.

At April 21, 2021, MWDOC Board Meeting, the Board approved entering into a Professional Services Agreement with Quantum Spatial, now known as NV5, to provide participating retail water agencies with area measurements of landscapes with dedicated irrigation meters, as required by SB 606 and AB 1668. The term of the initial Agreement was for a period of two years, which is set to expire on June 20, 2023. Staff is preparing a change order to extend the term for an additional three-year period. Services provided under this Agreement a Choice activity.

ALLIANCE FOR WATER EFFICIENCY (AWE) RESEARCH PROJECT MEETING

On April 6, Joe, Rachel W., and Tina met with AWE staff to discuss a research effort focused on water saving occurring at large landscape sites that have undergone water use efficiency measures, such as participating in the Turf Removal Program and/or Spray-to-Drip Program. The project is in the early planning stage; follow-up meetings will be scheduled as needed.

ORANGE COUNTY WATER USE EFFICIENCY WORKGROUP MEETING

On April 6, Joe, Beth, Rachel W., Rachel D., Sam, and Tina hosted the Orange County Water Use Efficiency Workgroup meeting. Items on the agenda included:

- MWDOC Updates
- Water Shortage Contingency Plans Discussion
- Water Use Efficiency Standards & Framework Update
- Choice Program Draft Allocations
- Water Use Efficiency Updates
 - Turf Removal Program Grant Funding & Turf Activity
- Water Loss Control Exhibits

The next Workgroup meeting is scheduled for May 4.

REGULAR MEETING OF THE BOARD OF DIRECTORS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY 18700 Ward Street, Fountain Valley, California April 19, 2023, 8:30 a.m.

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

Computer Audio: You can join the Zoom meeting by clicking on the following link: https://zoom.us/j/8828665300

Telephone Audio: (669) 900 9128 fees may apply

(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

AGENDA

MOMENT OF SILENCE

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, 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 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. 2137

CONSENT CALENDAR (Items 1 to 7)

(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. March 1, 2023 Workshop Board Meeting
- b. March 3, 2023 Special Board Meeting
- c. March 15, 2023 Board Meeting

Recommendation: Approve as presented.

2. COMMITTEE MEETING REPORTS

- a. Planning & Operations Committee Meeting: March 6, 2023
- b. Administration & Finance Committee Meeting: March 8, 2023
- c. Executive Committee Meeting: March 16, 2023

Recommendation: Receive and file as presented.

3. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of March 31, 2023
- b. Disbursement Registers (March/April)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of February 28, 2023
- d. PARS Monthly Statement (OPEB Trust)

Recommendation: Receive and file as presented.

4. FINANCIAL REPORT

a. Combined Financial Statements and Budget Comparative for the Period Ending February 28, 2023

Recommendation: Receive and file as presented.

5. APPROVAL/RATIFICATION OF PARTICIPATION IN THE CENTER FOR DEMOGRAPHIC RESEARCH (CDR)

Recommendation: Approve participation in the Center for Demographic

Research for fiscal years 2023-24 (\$62,433.14), 2024-25 (\$67,789.43), and 2025-26 (\$72,648.54) for a total of

\$202,871.11 over the 3-year Memorandum Of

Understanding (MOU) term. The annual amounts will be included in the budgets for each of the above-mentioned

fiscal years.

6. MOULTON NIGUEL WATER DISTRICT USE OF THE ORANGE COUNTY HYDRAULIC MODEL

Recommendation:

(1) Approve the addition of Brown and Caldwell (B&C) to the MWDOC On-Call Technical Services slate under the Engineering area of focus, and (2) Approve two agreements relating to MWDOC member agency use of the Orange County Regional Distribution System Hydraulic Model (OC Hydraulic Model): (a) Authorize the Interim General Manager to enter into a cost reimbursement agreement with Moulton Niguel Water District (MNWD) to reimburse MWDOC for on-call technical services in conjunction with use of the OC Hydraulic Model and hydraulic modeling services regarding analysis of a proposed emergency pump-in project to the East Orange County Feeder #2 from Santa Ana's East Street Station, in a total not to exceed amount of \$21,338 plus a 20% model usage fee of up to \$4,268. The final 20% model usage fee will be determined and billed upon completion of MNWD's use of the OC Hydraulic Model; and (b) Approve a consulting services agreement with Brown & Caldwell (B&C) through MWDOC's On-Call Technical Services slate in an amount not to exceed \$21,338 for services to complete the scope of work related to hydraulic modeling of a proposed pump-in project to the East Orange County Feeder #2 from Santa Ana's East Street Station as defined by MNWD and B&C.

7. RATIFY APPOINTMENT OF AD HOC COMMITTEE REGARDING THE RFP PROCESS FOR GENERAL MANAGER RECRUITMENT

Recommendation:

Ratify the appointment of Directors Yoo Schneider, McVicker and Thomas to the Ad Hoc Committee regarding the RFP Process for the General Manager recruitment effort.

End Consent Calendar

PUBLIC HEARING/ACTION ITEM

8. HOLD PUBLIC HEARING TO ADOPT ORDINANCE SUPERSEDING AND REPEALING MWDOC ORDINANCE NO. 54 REGARDING COMPENSATION FOR DIRECTORS

ORD. NO. 56

Recommendation:

(1) Open the Public Hearing (as noticed) regarding the Proposed Ordinance to receive input from the public; (2) consider said input on the Ordinance; and (3) consider adopting an Ordinance to adjust Director compensation in the general form presented.

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ACTION CALENDAR

9-1 RESCINDING MWDOC'S WATER SHORTAGE CONTINGENCY PLAN LEVEL 2 RES. NO.

Recommendation: Adopt Resolution which rescinds MWDOC's Water

Shortage Contingency Plan Level 2, thereby placing MWDOC at Level 0; and continues to promote banning wasteful watering practices consistent with Executive

Order N-5-23.

9-2 ADOPTION OF THE BUDGET FOR FISCAL YEAR 2023-24 RES. NO. _____

Recommendation: Approve a Resolution adopting the FY 2023-24 budget as

amended by the Administration & Finance Committee, in

the general form presented.

9-3 PROPOSED MWDOC WATER RATE RESOLUTION FOR FISCAL YEAR 2023-24

Recommendation: (1) <u>Increase</u> the MWDOC Retail Meter Charge from

\$13.75 to \$14.25 per meter, and <u>increase</u> the Groundwater Customer Charge from \$368,501 to

\$383,697 effective July 1, 2023; and (2) Adopt the Water Rate Resolution setting forth rates and charges to be effective July 1, 2023 and January 1, 2024 as identified in

the Water Rate Resolution for Fiscal Year 2023-24.

INFORMATION CALENDAR (All matters under the Information Calendar will be Received/Filed as presented following any discussion that may occur)

10. GENERAL MANAGER'S REPORT, APRIL 2023 (ORAL AND WRITTEN)

Recommendation: Receive and file report(s) as presented.

11. 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

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.



Street Address: 18700 Ward Street Fountain Valley, California 92708

Mailing Address: P.O. Box 20895 Fountain Valley, CA 92728-0895

> (714) 963-3058 Fax: (714) 964-9389 www.mwdoc.com

Megan Yoo Schneider, P.E. President

Bob McVicker, P.E., D.WRE Vice President

> Al Nederhood Director

> > Larry D. Dick Director

Karl W. Seckel, P.E. Director

> Sat Tamaribuchi Director

Jeffrey 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 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

MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AGENCIES MANAGERS MEETING

ZOOM LINK:

https://us06web.zoom.us/j/85001930394

Meeting ID: 850 0193 0394

Passcode: 704623

Dial-in option: (669) 900-9128

WHEN: Thursday, April 20, 2022 from <u>10:30 am</u> to <u>12:00 pm</u>.

DRAFT AGENDA

1. Opportunity to add and discuss items not already listed.
Page #/Link
2. General Meeting Information/Discussion Items:
2-1. Draft Board Agendas(<u>Link</u>)
2-2. MWDOC Final Budget & Rates Update(Link)
2-3. MWDOC & OCWD Discussion Update (<u>Link</u>)
2-4. Metropolitan Updates(<u>Link</u>)
A. AB 1572 (Friedman)
B. Policy Principles for Modernization of Water Rights Administration
C. MET Supply Conditions
2-5. AMP PCCP Rehabilitation Project – Cost Savings Proposal(<u>Link</u>)
2-6. WEROC Update
3. Announcements:
3-1. MWDOC Water Policy DinnerThursday June 22 nd
4. Report Items
4-1. Monthly GM Report(Link)
4-2. Legislative Reports (<u>Link</u>)
4-3. WEROC Matrix
4-4. Grant Funding Opportunities
4-3. Additional Nepolts of Materials
5. Next meeting tentative scheduled for May 18

SOUTH ORANGE COUNTY AGENCIES GROUP JOINT MEETING with MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) and ORANGE COUNTY WATER DISTRICT (OCWD) THURSDAY, MARCH 23, 2023

12:00 P.M. to 1:30 P.M. AGENDA

EL TORO WATER DISTRICT 24251 LOS ALISOS BLVD., LAKE FOREST, CA 92630

- 1. Welcome and Introductions
- 2. MWDOC Update/Discussion
 - a. MWDOC Current Issues
 - b. Other Matters
- 3. MET Update/Discussion
 - a. MET Current Issues
 - b. MET Water Supply Issues
 - c. Colorado River Negotiations
 - d. Other Matters
- 4. OCWD Update/Discussion
 - a. A. Current Issues
 - b. Other Matters
- 5. Legislative/Regulatory Update
 - a. Local
 - i. OC-LAFCO Matters
 - b. State
 - c. Federal
- 6. Regional Project Interests/Updates
 - a. Regional Recycled Water Discussion
 - b. South County Emergency GW Supply Project
 - c. Doheny Ocean Desalination Project Update
 - d. San Juan Watershed Project
 - e. R-6 Reservoir Floating Cover and Liner Replacement Project
 - f. Other Project Interests/Updates
- 7. Any Agency/City Updates
- 8. Adjournment



LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY

REGULAR MEETING AGENDA

Wednesday, April 12, 2023 8:15 a.m.

County Administrative North (CAN)
First Floor Multipurpose Room 101
400 W. Civic Center Drive, Santa Ana, CA 92701

Any member of the public may request to speak on any agenda item at the time the Commission is considering the item.

- 1. CALL THE MEETING TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL
- 4. ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATION (Communications received after agenda distribution for agendized items.)
- 5. 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 by the Commission on off-agenda items unless authorized by law.

- 6. CONSENT CALENDAR
 - a.) March 8, 2023 Regular Commission Meeting Minutes

 The Commission will consider approval of the March 8, 2023 meeting minutes.
 - b.) Fiscal Year 2022-23 Quarterly Financial Report (Third Quarter)

 The Commission will receive the third quarter financial report of Fiscal Year 2022-23.

c.) Orange County Employees Retirement System (OCERS) Revised FY 2023-24 Contribution Rates

The Commission will consider adoption of retirement contribution rates, recently revised and approved by the Orange County Employee Retirement System (OCERS) Board of Retirement.

7. PUBLIC HEARING

No public hearing items scheduled.

8. COMMISSION DISCUSSION AND ACTION

a.) Changes to Retiree Medical Program

The Commission will receive a report on the recent changes to the Retiree Medical Program and consider participation in the County's Health Reimbursement Arrangement Plan.

b.) Legislative Report (April 2023)

The Commission will receive an update on current legislative activities and consider the adoption of positions on proposed legislation of LAFCO interest.

c.) Professional Consultant Services Agreements for the Orange County Water District Municipal Service Review

The Commission will consider two professional consultant services agreements to prepare the municipal service review and sphere of influence update for the Orange County Water District.

9. 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 the Commission majority.

10. EXECUTIVE OFFICER'S REPORT

Executive Officer's announcement of upcoming events and brief report on activities of the Executive Officer since the last meeting.

11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

a.) Bi-Annual Ethics Training and Sexual Harassment Avoidance Training Requirements

In accordance with State law, Commissioners and staff are required to complete ethics and sexual harassment avoidance training bi-annually. This year's training must be completed and respective certificates submitted to the Commission Clerk by December 31, 2023.

12. CLOSED SESSION

Conference with Legal Counsel- Anticipated Litigation
Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)
Number of potential cases: 1

13. ADJOURNMENT OF REGULAR COMMISSION MEETING

The Commission will adjourn to the next Regular Commission Meeting on Wednesday, May 10, 2023 at 8:15 a.m. at the County Administrative North (CAN), First Floor Multipurpose Room 101, 400 W. Civic Center Drive, Santa Ana, CA 92701.

PUBLIC PARTICIPATION:

The Local Agency Formation Commission of Orange County welcomes your participation. The public may share general comments or comments on agenda items through the following options:

- 1) <u>In-person</u> comments may be provided during the general comment period on off-agenda items and during the hearing of a specific agenda item. In accordance with the OC LAFCO guidelines, each speaker's comments may not exceed three (3) minutes for the respective item. If you have documents for the Commission, please bring 15 copies and submit to the Commission Clerk for distribution.
- 2) <u>Written</u> general comments or comments on specific agenda items may be submitted by email to the Commission Clerk at <u>ccarter-benjamin@oclafco.org</u>. Comments received no less than twenty-four (24) hours prior to the regular meeting will be distributed to the Commission and included in the record.

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 www.oclafco.org.

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.

AMERICANS WITH DISABILITIES ACT (ADA)

All regular meeting agendas and associated reports are available at www.oclafco.org. Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or associated reports upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, to participate in a public meeting. Requests for copies of meeting documents and accommodations shall be made with OC LAFCO staff at (714) 640-5100 at least three business days prior to the respective meeting.

2023 MEETING AND EVENTS CALENDAR

Approved November 9, 2022

2023



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OC LAFCO Regular Meeting (begins at 8:15 a.m.)

Location: County Administrative North, First Floor Multipurpose Room 101, 400 W. Civic Center Dr., Santa Ana, CA 92701.

Office closure due to legal holidays and flexible work schedule.

CALAFCO Annual Conference - October 18 - 20, 2023 at Hyatt Regency Monterey.



Executive Committee Meeting

Mailing Address

P.O. Box 20895 Fountain Valley, CA 92728 Tuesday, April 4, 2023 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.

Meeting Location

MWDOC/OCWD 18700 Ward Street Fountain Valley, CA 92708

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

https://isdoc.specialdistrict.org/

Executive Committee

President Hon. Greg Mills Serrano Water District

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

2nd Vice President Hon. Paul Mesmer Surfside Colony Community

3rd Vice President Hon. Scott Nelson Placentia Library District

Secretary Vacant

Treasurer Hon. Saundra Jacobs Santa Margarita Water District

Immediate Past President Hon. Mark Monin El Toro Water District

Staff Administration

Heather Baez

Municipal Water District of Orange County

Tina Dubuque

Municipal Water District of Orange County

Join Zoom Meeting

https://us06web.zoom.us/j/3840960436

Dial by your location 669 900 9128 US (San Jose) 877 853 5247 US Toll-free 888 788 0099 US Toll-free

AGENDA

- 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
 - Approval of March 7, 2023 Minutes
- III. Public Comments on items not on the agenda- 7:40 am
- IV. New Business 7:45 am
 - LAFCO Dues Letter
- V. Old Business 8:00 am
 - CSDA Funding for Two Registrations not to exceed \$2,000
- VI. Treasurer's Report 8:05 am Director Jacobs
 - Report of accounts
- VII. CSDA Report 8:10 am Director Schafer or Chris Palmer
 - Receive, discuss and file the CSDA Report
- VIII. LAFCO Report 8:15 am Director Fisler
 - Receive, discuss and file the LAFCO report
- IX. ACWA Report 8:20 am Director Jacobs
 - Receive, discuss and file the ACWA report

X. OCCOG Report – 8:25 am – Director Scheafer

• Receive, discuss and file OCCOG report

XI. Orange County Operational Area Report - 8:30 am - Vicki Osborn

Receive, discuss and file OCOA report

XII. California Association of Sanitation Agencies (CASA) Report – OCSD Representative 8:35 a.m.

a. Receive, discuss and file the CASA report

XIII. Subcommittee Reports – 8:40 am

- Programs Director McVicker
- Membership Director Mesmer
- Legislative Vacant

XIV. Adjourn – 8:45 am



Executive Committee Meeting (Virtual Meeting via Zoom)

Tuesday, March 7, 2023, 7:30 a.m.

MEETING MINUTES

I. WELCOME:

President Greg Mills called the meeting to order at 7:30 a.m. and welcomed all.

DIRECTORS PRESENT:

Greg Mills	President	Serrano Water District (SWD)
Bob McVicker	1 st Vice President	Municipal Water District of Orange County (MWDOC)
Paul Mesmer	2 nd Vice President	Surfside Colony Community
Vacant	3 rd Vice President	
Vacant	Secretary	
Saundra F. Jacobs	Treasurer	Santa Margarita Water District (SMWD)
Mark Monin	Immediate Past President	El Toro Water District (ETWD)

DIRECTORS ABSENT:

None

SUPPORT STAFF PRESENT:

Heather Baez	MWDOC	
Tina Dubuque	MWDOC	
Sharon Brimer	Recording Secretary	

OTHERS PRESENT:

Amber Phelen	California Special Districts Association (CSDA)
Scott Nelson	Placentia Library District
Jeanette Contreras	Placentia Library District
Stephen Faessel	City of Anaheim
Mike Gaskins	ETWD
Jerry Legg	Five Star Bank
Jim Fisler	Mesa Water District (MWD)
Stacy Taylor	MWD
Larry Dick	MWDOC
Megan Hemming	CSDA
Gavin Centeno	Orange County Local Agency Formation Commission (OCLAFCO)
Edward Mandich	Trabuco Canyon Water District

II. MEETING MINUTES:

MOTION:

Motion by Director Jacobs, second by Director Monin, to approve February 7, 2023, meeting minutes as submitted. The motion passed unanimously.

III. PUBLIC COMMENTS:

None

IV. NEW BUSINESS

Nominations for 3rd Vice President:

President Mills reviewed Mr. Nelson's education and contributions to various local agencies.

MOTION:

Motion by Director Jacobs, second by Director Mesmer, to accept the nomination of Scott Nelson, Trustee, Placentia Library District, for the 3rd Vice President position on the ISDOC Executive Committee. The motion passed unanimously.

Proposed Bylaw Revisions

President Mills noted one of the revisions to the Bylaws addresses the position of Secretary, i.e., redefining the responsibilities for the position.

Discussion - Secretary Position

Heather Baez reviewed the history of this position.

A discussion ensued regarding updates to the Bylaws:

- Director Jacobs noted that only elected officials may currently serve on the Executive Committee. She recommended changing the bylaws to allow for an appointee or a staff person from a member agency rather than restrict it to an elected official.
- Ms. Taylor offered that missing from the Bylaws is a restriction regarding the number of people from any single membership agency who can serve on the Executive Committee. No one agency can have more than one person serving on the Executive Committee.
- Director Fisler offered that an omission from the bylaws is the condition of the bylaws regarding the disposition of the reserves should ISDOC dissolve.
- o Consider making the 1st Vice President a signer on the bank account.

Ms. Baez recommended the formation of an ad-hoc Bylaw Committee to address updating the Bylaws. A discussion ensued.

Directors Jacobs and Mesmer, Ms. Taylor, and Ms. Baez offered to serve on the ad-hoc Bylaw Committee. There were no objections.

 Addition of California Association of Sanitation Agencies (CASA) update to the ISDOC agenda for the special district sanitation members, A discussion ensued regarding who would give the CASA report. This item is to be considered a report at the Executive Committee or Quarterly Meetings.

A discussion ensued on who would give the CASA update. One recommendation was for Orange County Sanitation District to provide the update.

Ms. Taylor recommended a quarterly report.

V. Old Business

Reserve Levels

 A scholarship to California Special Districts Association (CSDA)
 Megan Hemming, Professional Development Director for CSDA, and Program Manager for Special Districts Leadership Foundation (SDLF), shared a brief overview of how the SDLF administers scholarship dollars received from chapters who sponsor scholarships, as there are various options available to ISDOC.

A discussion ensued regarding the qualifications and process.

- The due date for applications is June 1.
- Let CSDA manage the application process.
- One applicant per district.
- Develop criteria for least resourced districts.
- Distribute the LAFCO dues letter that included the updated dues formula to the membership for review and add the item to the April agenda.
- Once reviewed, send the current letter to CSDA for review.
- Funding two registrations to CSDA Conference not to exceed \$2,000
 To be discussed.

VI. Treasurer's Report – Director Jacobs

Director Jacobs reported the bank balance was \$10,708.59. Expenses: Paid S. Brimer for recording secretary services for February. Revenue: \$20 check from El Toro Water District. No other expenses or revenue.

VII. California Special Districts Association (CSDA) Report

President Mills reported

- CSDA has reviewed over 2,632 bills this legislative session
- CSDA issued an Action Alert asking members to support their sponsored legislation, AB 557 (Hart), which would extend the authorization for emergency meetings via Zoom or other virtual meeting programs. This bill follows the successful passage of Assembly Bill 361 (R. Rivas, 2021), which established modified remote meeting procedures within the Brown Act for local agencies meeting during specified emergencies. CSDA is calling upon all special districts to register a support position which can be found on their Take Action page.
- CSDA is reviewing three alternative contracting bills:
 - o AB 400 eliminates any design-build sunsets as of January 1, 2025.
 - o SB 706- Public contracts: progressive design-build: local agencies.

- o SB 617 Public contracts: regional transportation agencies: design-build procurement.
- May 16 17, 2023 CSDA Special Districts Legislative Days, Sacramento
- June 25 27, 2023 General Manager Leadership Summit, Olympic Valley
- August 28 31, 2023 2023 Annual Conference and Exhibitor Showcase, Monterey
- October 22 –25, 2023 Special District Leadership Academy, Sonoma
- November 6 –8, 2023 Board Secretary/Clerk Conference Monterey

VIII. LAFCO Report – Director Fisler

Director Fisler reported the next meeting is March 8, 2023, at 8:15 a.m. Agenda Items:

- The Oath of Office is to be administered to recent appointments.
 - o Alternate City Member Carole Moore, City of Laguna Woods
 - o Regular City Member remains vacant
 - Regular County Member Andrew Do
 - o Alternate County Member Katrina Foley
- A Public Hearing will be held on the proposed budget for 2023/24. The budget is \$1.7 million, with
 a 12% proposed increase over the prior budget. The increase in the budget is due to items
 concerning employee benefits, agency insurance, and operational costs. This proposed budget
 results in an OC LAFCO apportionment increase of 15% increase. If the proposed budget is
 approved by LAFCO, a second Public Hearing will be held on May 10, 2023, to consider the final
 budget.
- The Commission will consider proposed amendments to the OC LAFCO Handbook
- There will be a Quarterly Legislative Report

IX. ACWA Report – Director Jacobs

- Election Committee began the appointment process for the President and Vice President for the 2024/2025 term.
- Cathy Green is seeking the nomination for ACWA President and would be the Southern California representative.
- Elections to be held at the Fall Conference
- Region 10 elections will open soon. The call for candidates will be sent out on April 17, 2023, and candidate applications are due June 16, 2023.
- State Legislative Committee met last week. A special Water Rights Legislative meeting is coming up.
- ACWA 2022 Year in Review is available online.
- Communications Committee is meeting this week.
- X. Orange County Council of Governments (OCCOG) Report Director Scheafer

President Mills offered the OCCOG General Assembly meeting is on March 23, 2023

XI. Orange County Operational Area Report – Vicki Osborn

Director Monin reported that Vicki Osborn was approved as Vice-Chair of the OA Board.

XII. Subcommittee Reports

Programs

1st Vice President McVicker reported:

The next quarterly meeting is on March 30, 2023 is via Zoom. Invitations were sent March 1, 2023 and reminder emails are scheduled for March 15 and 30. Twenty-four people have registered to date. Topics for the meeting: Sacramento/Washington D.C update with a lobbyist from each area – Syrus Devers for Sacramento and Ana Schwab from Washington DC.

Both the Member and Associate Member Spotlight are still under development.

Ms. Taylor offered to help with programs sub-committee

Membership – 2nd Vice President Mesmer

Director Mesmer reached out to Three Arch Community Service District. Follow-up to continue.

• Legislative – This is a position that is part of the 3rd VP's duties.

No additional update for this meeting.

XIII. Adjourn:

President Mills thanked the attendees and staff for their participation and assistance. The meeting was adjourned at 8:35 a.m.

The next ISDOC Quarterly Meeting is March 30, 2023, at 11:30 a.m. via Zoom.

The next ISDOC Executive Committee meeting is scheduled for Tuesday, April 4, 2023, at 7:30 a.m. via Zoom.

Signed:_	
	ISDOC President



Water Advisory Committee of Orange County (WACO) Meeting

Friday, April 7, 2023 7:30 a.m. – 9:00 a.m.

Please register in advance for either the virtual or in-person option

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AGENDA

1. Welcome & Announcements

Mark Monin, El Toro Water District

2. Pledge of Allegiance

3. Reports

- Water Emergency Response of Orange County (WEROC)
 Vicki Osborn, MWDOC
- Metropolitan Water District of Southern California (MET) Linda Ackerman, MWDOC
- Association of California Water Agencies (ACWA) Cathy Green, OCWD

4. Program

5. Adjourn

Atmospheric Rivers and Forecast Informed Reservoir Operations (FIRO)

Speakers:

Dr. Marty Ralph, Director, Center for Western Weather and Water Extremes, Scripps Institution of Oceanography, UC San Diego Adam Hutchinson, Recharge Planning Manager, Orange County Water District

Next WACO Meeting

Friday, May 5, 2023 at 7:30 a.m. via Zoom or In-Person

Next WACO Planning Committee Meeting

Tuesday, April 18, 2023 at 7:30 a.m. via Zoom

Officers

Chair Hon. Mark Monin El Toro Water District

Vice Chair Hon. Greg Mills Serrano Water District

Staff Contacts

Alicia Dunkin/Medha Paliwal

Orange County Water District (OCWD) (714) 378-3200 www.ocwd.com/news-events/events/waco

Heather Baez

Municipal Water District of Orange County (MWDOC) (714) 963-3058 www.mwdoc.com/waco

Stay connected with OCWD and MWDOC

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Municipal Water District of OrangeCounty



WACO Planning Committee Tuesday, April 18, 2023 at 7:30 A.M.

Join Zoom Meeting: https://zoom.us/j/92882659982
Meeting ID: 928 8265 9982 Phone Audio: 669-900-9128

<u>AGENDA</u>

WELCOME

ACTION ITEMS

- 1. May 5, 2023 WACO Meeting
 - Reports: WEROC, MET, CSDA, ACWA
 - Program: Colorado River, proposed revisions to SEIS, Bill Hasencamp, Manager, Colorado River Resources, Metropolitan Water District of Southern California
 - Note: OCWD/MWDOC Board Room is not available on May 5 beginning at 9am. Consider virtual only option for May 5 meeting.
- 2. June 9, 2023 WACO Meeting
 - Reports: WEROC, MET, ACWA
 - Possible program: Beaver dams, Emily Fairfax, Professor at CSU Channel Islands (originally confirmed for May)
- 3. July 7, 2023 WACO Meeting
 - Reports: WEROC, MET, ACWA
 - Program: consider topics below

DISCUSSION ITEMS

- 1. Consider potential topics for future meetings:
 - Airborn Electromagnetic Survey to Facilitate Groundwater Storage w/ Stanford Professor Rosemary Knight (confirmed for October 2023)
 - Electrification, advanced car fleets, air quality (Stacy Taylor)
 - Global Warming: Natural or Manmade? w/ speaker Roy Spencer, Ph.D., Climatologist, Author & Former NASA Scientist (can also speak to related topics such as Urbanizations Effects on Temperatures and Colorado River shortages (Stacy Taylor/Jim Atkinson)
 - PFAS legislation/regulations/health advisories (Van Tran)
 - San Joaquin Blueprint update on looking at the Delta via subsurface diversions (Karl Seckel)
 - Updating California Water Laws to Address Drought and Climate Change w/ Holly Doremus, Professor of Law, Berkeley (Peer Swan/Karl Seckel)
 - Central Valley/San Joaquin Valley flooding (Karl Seckel)
 - Mega flood, Daniel Swain, UCLA Climate Scientist (Stacy Taylor)
 - o Jay Lund, CALVIN Model (Stacy Taylor)
- 2. Discussion of April 7 meeting: Atmospheric Rivers/Forecast Informed Reservoir Operations

INFORMATIONAL ITEMS

- 1. Zoom meeting ID and meeting link changes monthly for WACO Meetings; Planning Meetings for WACO are the same link.
- 2. Meeting materials are posted at: https://www.mwdoc.com/waco/

ADJOURN

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 Hon. Mark Monin El Toro Water District

Vice Chair Hon. Greg Mills Serrano Water District

Staff Contacts:

Alicia Dunkin/Medha Paliwal Orange County Water District

Heather Baez

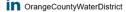
Municipal Water District of Orange County

Stay connected with OCWD and MWDOC

OCWD:









OCWDwaternews

MWDOC:

MunicipalWaterDistrictofOrangeCounty



MunicipalWaterDistrictofOrange County



■ Municipal Water District of OrangeCounty

DATES TO REMEMBER

APRIL/MAY 2023

- 1. Apr 28 12 noon Pres/VP/GM Meeting
- 2. May 1 8:30 a.m. MWDOC Planning/Operations
- 3. May 2 7:30 a.m. ISDOC Executive Committee
- 4. May 2 10:00 a.m. RRC Meeting
- 5. May 3 8:30 a.m. MWDOC/MET Directors Meeting
- 6. May 3 1:30 p.m. Full ETWD Board Budget Workshop
- 7. May 4 8:30 a.m. SOCWA Board Meeting
- 8. May 5 7:30 a.m. -WACO
- 9. May 5 10:00 a.m. MWDOC Special Board Meeting
- 10. May 5 DISTRICT OFFICE CLOSED
- 11. May 8 11 ACWA Spring Conference (Monterey)
- 12. May 10 8:15 a.m. LAFCO
- 13. May 15 8:30 a.m. MWDOC Admin/Finance Meeting
- 14. May 15 11:00 a.m. Agenda Review
- 15. May 16-17 CSDA Conference (Sacramento)
- 16. May 16 7:30 a.m. WACO Planning Committee
- 17. May 17 8:30 a.m. MWDOC Board Meeting
- 18. May 18 10:30 a.m. MWDOC Managers Meeting
- 19. May 18 11:30 a.m. CAG Meeting
- 20. May 19 DISTRICT OFFICE CLOSED
- 21. May 22 7:30 a.m. Regular Engineering/Finance Committee Meeting
- 22. May 25 7:30 a.m. Regular Board Meeting
- 23. May 26 12 noon Pres/VP/GM Meeting
- 24. May 29 MEMORIAL DAY DISTRICT OFFICE CLOSED

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 know 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 untendered 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.

Evapotransporation: 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 if 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.