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

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



#### **AGENDA**

# EL TORO WATER DISTRICT REGULAR MEETING OF THE BOARD OF DIRECTORS

November 21, 2023

7:30 a.m.

BOARDROOM, DISTRICT OFFICE 24251 LOS ALISOS BLVD., 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: <a href="https://us02web.zoom.us/j/87921448280">https://us02web.zoom.us/j/87921448280</a> (Meeting ID: 879 2144 8280).

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 - Director Gaskins

**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. 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 October 26, 2023 Board meeting

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

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

#### **GENERAL MANAGER ACTION ITEMS**

### 4. Resolution No. 23-11-1 Regular Board Meetings Schedule (Reference Materials Included)

Staff will review and comment on Resolution No. 23-11-1 which adopts the District's schedule of Regular Board Meetings for the 2024 calendar year.

**Recommended Action:** The Board of Directors will consider adopting Resolution No. 23-11-1 which adopts the District's schedule of Regular Board Meetings for the 2024 calendar year.

RESOLUTION 23-11-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ESTABLISHING DATE, TIME, AND PLACE OF
REGULAR BOARD MEETINGS FOR CALENDAR YEAR 2024

# 5. Resolution No. 23-11-2 Adopting the Ninth Amendment to the District's Bylaws (Reference Material Included)

Staff will review and comment on the Ninth Amendment to the District's Bylaws.

**Recommended Action:** Staff recommends that the Board of Directors 1) adopt Resolution No. 23-11-2 effective November 21, 2023, and 2) authorize and direct the Secretary to record the Ninth Amendment to the District's Bylaws with the Orange County Recorder's Office.

RESOLUTION NO. 23-11-2
OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING THE NINTH AMENDMENT TO
THE DISTRICT'S BYLAWS

# 6. Resolution No. 23-11-3 El Toro Water District Administrative Code (Reference Materials Included)

Staff will review and comment on the development and adoption of a consolidated Administrative Code for the District.

**Recommended Action:** The Board of Directors will consider adopting Resolution No. 23-11-3 which adopts the El Toro Water District Administrative Code.

RESOLUTION 23-11-3

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING THE EL TORO WATER DISTRICT
ADMINISTRATIVE CODE

#### **GENERAL MANAGER INFORMATION ITEMS**

- 7. General Manager's Monthly Report (Reference Material Included)
  Staff will review and comment on the General Manager's Monthly Report.
- Legislative Reports (Reference Material Included)
   Staff and General Counsel will review and comment on the Legislative reports.
- Public Education and Outreach Report (Reference Material Included)
   Staff will review and comment on the Public Education and Outreach report.

#### **10.** Water Use Efficiency Report (Reference Material Included)

Staff will review and comment on the Water Use Efficiency Report.

#### 11. **SOCWA Report** (Reference Material Included)

- a. SOCWA Board Meeting November 2, 2023
- b. SOCWA Engineering Committee Meeting November 9, 2023
- c. SOCWA Finance Committee Meeting November 21, 2023

### **Municipal Water District of Orange County (MWDOC) Report** (Reference Material Included)

- a. MWDOC/MET Directors Workshop November 1, 2023
- b. MWDOC Planning/Operations Meeting November 6, 2023
- c. MWDOC Admin/Finance Meeting November 8, 2023
- d. MWDOC Board Meeting November 15, 2023
- e. MWDOC Managers Meeting November 16, 2023

#### 13. <u>Local Agency Formation Commission (LAFCO) Report</u>

(Reference Material Included)

Report on the November 8, 2023 LAFCO meeting

#### **14. ISDOC Meetings Report** (Reference Material Included)

Report on the November 7, 2023 ISDOC Executive Committee meeting

#### **15. WACO Meetings Report** (Reference Material Included)

- a. Report on the November 3, 2023 WACO meeting
- b. Report on the November 21, 2023 WACO Planning meeting

#### **COMMITTEE AND GENERAL INFORMATION**

#### 16. Dates to Remember for November/December 2023

(Reference Material Included)

#### COMMENTS REGARDING NON-AGENDA ITEMS

#### ATTORNEY REPORT

#### **CLOSED SESSION**

- 1. Pursuant to Government Code Section 54956.9(d)(1) to consult with legal counsel and staff regarding the following existing litigation: *Plaintiff, Marlene Jean v. Defendants, Dollar Tree Stores, Inc. et al.,* Superior Court of Los Angeles Case No. 19STCV25234.
- 2. Pursuant to Government Code Section 564956.9(d)(2) to consult with legal counsel and staff Potential Litigation (one matter).
- 3. Conference with Legal Counsel-Existing Litigation, pursuant to Government Code Section 54956.9 (d)(1)

In Re: Aqueous Film-Forming Foams Products Liability Litigation, Master Docket No.: 2:18-mn-2873-RMG, consider options, provide and receive direction on action in response to proposed settlements in: (1) City of Camden, et al. v. 3M Company, Civil Action No.: 2:23-cv-03147-RMG; and (2) City of Camden, et al. v. E.I. DuPont De Nemours and Company (n/k/a EIDP, Inc.) et al., Civil Action No.: 2:23-cv-03230-RMG.

4. Pursuant to Government Code Section 54957(b)(1) to conduct the General Manager's annual performance evaluation.

#### **REGULAR SESSION**

#### **REPORT ON CLOSED SESSION** (Legal Counsel)

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

#### 17. General Manager Compensation

**Board Action:** The District's Board of Directors will discuss and consider granting the District's General Manager a compensation increase in the amount and form as determined by the Board.

#### **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

October 26, 2023

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

Director Gaskins led in the Pledge of Allegiance to the flag.

Directors KAY HAVENS, MIKE GASKINS, MARK MONIN, FRED ADJARIAN, and KATHRYN FRESHLEY participated.

Also present were DENNIS P. CAFFERTY, General Manager, HANNAH FORD, Engineering Manager, JUDY CIMORELL, Human Resources Manager, SCOTT HOPKINS, Operations Superintendent, MIKE MIAZGA, IT Manager (Zoom), GILBERT J. GRANITO, General Counsel, CHRIS MAGILL, Truck Driver, YESENIA OCAMPO, Maintenance Worker 1, JOSH PEREZ, Electrical Systems/SCADA Supervisor, and POLLY WELSCH, Recording Secretary.

#### Determination of a Quorum

#### Roll Call:

Director Adjarian here
Director Gaskins here
Director Freshley here
Vice President Monin here
President Havens here

Five Board members were present for the meeting, therefore a quorum was determined.

#### Oral Communications/Public Comments

There were no comments.

#### <u>Items Received Too Late to be Agendized</u>

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

#### Presentation of Awards

Mr. Cafferty recognized and congratulated Chris Magill, Truck Driver, for 20 years of service with the District.

Mr. Cafferty recognized and congratulated Yesenia Ocampo, Maintenance Worker 1 for 5 years of service with the District.

Mr. Cafferty recognized and congratulated Josh Perez, Electrical Systems/SCADA Supervisor for 10 years of service with the District.

At approximately 7:50 a.m. Ms. Ocampo, Mr. Perez, and Mr. Magill left the meeting.

#### Consent Calendar

President Havens asked for a Motion.

Motion: Director Freshley made a Motion, seconded by Director Adjarian to approve the Consent Calendar.

#### Roll Call Vote:

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

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

Director Freshley stated that she attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors workshop, the SOCWA Board meeting, the LAFCO meeting, the OCLAFCO conference, the OC Water Summit, the WACO meeting, the RRC meeting, and the regular ETWD Board meetings.

Director Adjarian stated that he attended the DWR presentation on the draft

California Water Plan Update, the MWDOC Board meeting, the MWDOC/MET Directors

workshop, the MWDOC/OCWD Joint meeting, the OC Water Summit, a tour of the R-6

Reservoir, a tour of the Filtration Plant, the WACO meeting, and the regular ETWD

Board meetings.

Director Gaskins stated that he attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors workshop, the RRC meeting, the SOCWA meetings, the ISDOC Executive Committee meeting, the MWDOC/MET Directors workshop, the WACO meeting, the LAFCO meeting, the OC Water Summit, the MWDOC Board meeting, the OCWA luncheon, the MWDOC/OCWD Joint meeting, and the regular ETWD Board meetings.

President Havens stated that she attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors workshop, the OC Water Summit, the Agenda review meeting, the regular ETWD Board meetings, and will be doing an Agenda Review for the Watershed Management meeting.

Vice President Monin stated that he attended the MWDOC Planning/Operations meeting, the MWDOC/MET Directors workshop, the MWDOC Admin/Finance, the MWDOC Board meeting, WACO, ISDOC Executive Committee meeting, the WACO Planning Committee meeting, the OC Water Summit, various City Council meetings,

tours of the R-6 Reservoir and Filtration Plant, Agenda Review, Pres/VP/GM meeting, and the regular ETWD Board meetings.

#### General Manager Action Items

Resolution No. 23-10-2 Modifying Standing and External Organization Board and Staff
Assignments for the remainder of calendar year 2023

President Havens asked for a Motion.

Motion: Director Freshley made a Motion, seconded by Director Gaskins to adopt Resolution No. 23-10-2 which modifies Standing and External Organization Board and Staff Assignments for the remainder of calendar year 2023.

#### Roll Call Vote:

Vice President Monin a	ıye
Director Gaskins a	ıye
Director Freshley a	ıye
Director Adjarian a	ıye
President Havens a	ıye

#### General Manager Information Items

#### General Manager's Monthly Report

Mr. Cafferty stated that this report has changed as staff has shifted some of the water charts to the Operations report in the Engineering Committee meeting.

Director Adjarian commented on the Water Supply Conditions Report showing how many atmospheric rivers reached California during the year.

#### Legislative Reports

There were no comments.

#### Public Education and Outreach Report

Mr. Cafferty stated that staff attended the City of Lake Forest Leadership Academy for citizens to learn about their city. Mr. Cafferty along with representatives from SCE and IRWD presented on services, water supply, and current challenges the Districts face.

Mr. Cafferty stated that staff received an email from Supervisor Foley's office regarding their All Elected's Quarterly Meeting on November 14<sup>th</sup> at 5:00 pm at a location to be determined.

#### Water Use Efficiency Report

Mr. Cafferty stated that we are in the process of generating our Water Loss Audit Report.

Director Gaskins asked how the accuracy of the meters is determined. Mr. Cafferty replied that staff has tested several ETWD meters for accuracy and found the older meters were accurate. He further stated that staff schedules meter replacement maintenance.

#### SOCWA Reports

Mr. Cafferty stated that there were discussions on PC-15, PC-17, how much it will cost for MNWD to buy out of PC-15 and the potential ownership and operating scenarios for the Joint Regional Treatment Plant.

Director Freshley stated that what they did accomplish at the regular meeting was the support of SOCWA of ETWD's letter for our potable reuse program.

#### MWDOC Reports

Director Adjarian stated that he attended the MWDOC/OCWD Joint meeting where they discussed the status of the LAFCO MSR process and a draft report.

#### South Orange County Agencies Group Meeting

Mr. Cafferty stated that twice a year OCWD and MWDOC are invited to attend this meeting which is a forum to facilitate discussion in keeping South County updated and legislative updates.

#### <u>LAFCO</u>

Director Freshley stated that she attended the CALAFCO conference. She further stated that they discussed the 58 LAFCOs and the role of LAFCO.

#### **ISDOC**

Director Monin stated that he is on the Ad-hoc Committee for dues which they are considering a structured collection. He further stated that they discussed their website, the pros and cons of formation of a 501© (3) and an annual audit.

#### **WACO**

Director Monin stated that they had a presentation on Airborne Electromagnetic Surveys to Support the Recharge of California's Groundwater.

#### COMMITTEE AND GENERAL INFORMATION

<u>Dates to Remember for October/November 2023</u>

There were no comments.

#### Comments Regarding Non-Agenda Items

There were no comments.

#### Recess

At approximately 9:12 a.m. the Board took a short recess.

#### Regular Session

At approximately 9:17 a.m. the Board returned to Regular Session.

#### **Attorney Report**

Mr. Granito reported that there is a need for a Closed Session at today's meeting to discuss both agenda items.

#### Closed Session

At approximately 9:18 a.m. the Board went into Closed Session. Also at this time everyone left the meeting except the Board members, Mr. Cafferty, and Ms. Cimorell.

#### Open Session Report

At approximately 9:28 a.m. the Board returned to Regular Session. Also at this time Ms. Welsch returned to the meeting.

Mr. Granito reported that the Board did go into Closed Session to discuss both items of today's agenda.

Mr. Granito reported that during the first phase of the Closed Session, the Board discussed item #2, the annual performance evaluation of the General Manager, and no reportable action was taken.

Mr. Granito reported that during the second phase of the Closed Session, the General Manager led a discussion on item #1, Dollar Tree litigation, and no reportable action was taken.

#### <u>Adjournment</u>

e before the Board, the meeting was
Respectfully submitted,
POLLY WELSCH Recording Secretary
Recording Secretary

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

the Board of Directors thereof

#### **RESOLUTION NO. 23-11-1**

# RESOLUTION OF THE BOARD OF DIRECTORS OF THE ELTORO WATER DISTRICT ESTABLISHING DATE, TIME, AND PLACE OF REGULAR BOARD MEETINGS AND BOARD/ENGINEERING & FINANCE/INSURANCE COMMITTEE MEETINGS OF THE BOARD OF DIRECTORS FOR CALENDAR YEAR 2024

RESOLVED that the Regular 2024 Board meetings and Board/Engineering & Finance/Insurance Committee meetings of the Board of Directors of the El Toro Water District shall be held at the Administrative Offices of the El Toro Water District located at 24251 Los Alisos Boulevard, El Toro, California as set forth in Exhibit "A" to this Resolution unless otherwise changed by this Board by appropriate Resolution.

ADOPTED, SIGNED AND APPROVED, this 21st day of November 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

#### Exhibit "A" to Resolution No. 23-11-1

#### ETWD SCHEDULED MEETINGS 2024 EFFECTIVE JANUARY 1, 2024

#### REGULAR BOARD MEETINGS

#### Board/E & F/I Committee Meetings (1) **Board Meetings** 1. January 22, Monday January 25, Thursday 7:30 a.m. 7:30 a.m. 2. February 20, Tuesday\* 7:30 a.m. February 22, Thursday 7:30 a.m. 3. March 25, Monday 7:30 a.m. March 28, Thursday 7:30 a.m. 4. April 22, Monday 7:30 a.m. April 25, Thursday 7:30 a.m. 5. May 20, Monday 7:30 a.m. May 23, Thursday 7:30 a.m. June 24, Monday June 27, Thursday 6. 7:30 a.m. 7:30 a.m. 7. July 22, Monday 7:30 a.m. July 25, Thursday 7:30 a.m. 8. August 19, Monday August 22, Thursday 7:30 a.m. 7:30 a.m. 9. September 23, Monday 7:30 a.m. September 26, Thursday 7:30 a.m. 10. October 21, Monday 7:30 a.m. October 24, Thursday 7:30 a.m. 11. November 25, Monday 7:30 a.m. November 26, Tuesday\*\* 7:30 a.m. 12. December 16, Monday\*\*\* December 19, Thursday\*\*\*7:30 a.m. 7:30 a.m.

#### (1) Board/Engineering & Finance/Insurance Committee (E & F/I Committee)

<sup>\*</sup> Meeting date change due to Presidents Day holiday.

<sup>\*\*</sup> Meeting date change due to Thanksgiving holiday.

<sup>\*\*\*</sup> Meeting date change due to Christmas holiday.

#### **RESOLUTION NO. 23-11-2**

# RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT ADOPTING THE NINTH AMENDMENT TO THE BYLAWS

**WHEREAS,** the Bylaws of the El Toro Water District, a California Water District, in the County of Orange, State of California, were first duly approved by the Board of Supervisors on or about January 10, 1961, and were thereafter amended eight times, the last being May 23, 2019 (Eighth Amendment), and

**WHEREAS**, it is in the best interest of the District that the District's Bylaws be amended in their entirety for the primary purpose of updating Schedule 1 of the Bylaws and clarifying the terms of the President and Vice President.

**NOW,THEREFORE, BE IT RESOLVED,** that the District hereby adopts the Ninth Amendment to the Bylaws of the El Toro Water District, a California Water District, which Eighth Amendment is attached hereto marked as Exhibit "A" and incorporated herein by this reference; and

**BE IT FURTHER RESOLVED**, that the Secretary of the District or his delegate is authorized and directed to record the Ninth Amendment to the Bylaws with the Orange County Recorder's Office and to file this Amendment with the Board of Supervisors of Orange County.

ADOPTED, SIGNED AND APPROVED, this 21st day of November 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 there of	

#### NINTH AMENDMENT TO BYLAWS

#### EL TORO WATER DISTRICT

#### A California Water District

The Bylaws of the El Toro Water District, a California Water District, in the County of Orange, State of California, were first duly approved by the Board of Supervisors on or about January 10, 1961, and were thereafter amended seven eight times, the last being December 15, 1994May 23, 2019 (Seventh Eighth Amendment).

Said Bylaws, as last amended, are hereby amended in their entirety by this Eighth Ninth

Amendment to Bylaws pursuant to Section 35220 of the Water Code of the State of California as follows:

I.

#### **BOARD OF DIRECTORS**

- 1. <u>Membership.</u> The Board of Directors of the District shall consist of five (5)

  Directors, elected as provided by law. Each Director shall be a resident of the District and shall be a registered voter in the County of Orange at the time of their election and/or appointment and during their term of office.
- 2. <u>General Authority.</u> The Board of Directors, except as otherwise specifically provided by law, shall manage and conduct the business and affairs of the District.
- 3. <u>Meetings.</u> Regular meetings of the Board of Directors shall be held at such time and place as may be agreed upon by resolution of the Board.

- 4. Quorum: Votes Necessary. Three (3) Directors shall constitute a quorum of the Board for the transaction of business. The vote of a majority of the Directors present at any meeting attended by a quorum shall be necessary and sufficient to determine any proportion or resolution presented.
- 5. <u>Terms of Office.</u> The term of office of elected Directors shall be four (4) years and shall be on a staggered basis. The five (5) Directors Seats and the staggered terms of office of each seat are set forth in Schedule 1 hereto and incorporated herein by this reference.

П.

#### **ELECTIONS**

All general District elections shall be held in November of even-numbered years and shall be consolidated with the November statewide elections. The right to vote and the manner of the voting shall be the same as provided by the laws of the State of California.

III.

#### **PRINCIPAL OFFICE**

- The principal office of the District shall be located in Orange County, State of California, at a place designated from time to time by the Board of Directors by resolution of the Board.
- 2. Until changed by resolution of the Board of Directors, the principal office of the District shall be located at 24251 Los Alisos Boulevard, Lake Forest, California 92630.

IV.

#### <u>SEAL</u>

The District shall have and maintain a seal, described as follows:

Two concentric circles, the outer circle being approximately one and one-half inches in diameter and the inner circle approximately one inch in diameter; with the words "EL TORO WATER DISTRICT" in the upper part of the space between the circles; with the word "CALIFORNIA" in the lower part of the space between the circles; and with the words "FORMED September 25, 1960" inside the inner circle.

V.

#### **OFFICERS**

- Officers Other than Directors. In addition to the Directors, the officers of the
   District shall be: President, Vice President, Treasurer, and Secretary.
- 2. <u>Elimination.</u> The offices of the Assessor and Tax Collector have been eliminated by appropriate Resolution on or about July 10, 1975 pursuant to Section 34711 of the Water Code of the State of California.
- 3. <u>President (Term of Office).</u> The term of office of the President shall be for one (1) calendar year. <u>The term of office of the President shall expire on December 31 of each calendar year.</u>
- 4. <u>Succession to Presidency.</u> The office of Vice President shall automatically succeed to the office of President when a vacancy occurs in the office of President or the current President's term of office has expired.
- 5. <u>Vice President (Election-Term of Office-Succession to Presidency).</u> At the Board's organizational meeting in December, the Board shall elect a Vice President whose term of office of shall be for one (1) calendar year. The President for the preceding year shall not be

shall begin on January 1 of the calendar year following said election. The Vice President shall succeed to the office of President as provided in Article 5 herein. In the event a vacancy occurs in the office of any President before the term of said presidency has expired, the Vice President shall succeed to the office of President for the unexpired term of said presidency, in addition, to the one (1) year term regularly specified, had such vacancy not occurred.

- 6. Secretary. The Secretary shall be appointed by the Board of Directors and shall serve at its pleasure. The Secretary shall have the duties and authority assigned to him/her by law and such other duties and authority, not inconsistent therewith, as shall be assigned to him/her from time to time by the Board of Directors. The Board may from time to time, appoint one or more Assistant Secretaries. Under the direction of the Board and Secretary, each such Assistant Secretary shall assist the Secretary in the performance of his/her duties and shall have such other duties and authority as shall be provided by the Board.
- 7. <u>Treasurer.</u> The Treasurer shall be appointed by the Board of Directors and shall serve at its pleasure. He/she shall have duties and authority assigned to him/her by law and such other duties and authorities, not inconsistent therewith, as shall be assigned to him/her from time to time by the Board of Directors.
- 8. <u>Compensation.</u> The Officers and Directors shall receive the following compensation for their services:
  - (a) The Secretary and Treasurer shall receive sums as shall be fixed by the Board.
  - (b) Each Director shall receive compensation in the amount provided by
     Ordinance duly adopted by Resolution of the Board pursuant to Section

20200 et seq. of the Water Code of the State of California, together with any expenses incurred in the performance of his/her duties required or authorized by law and the Board.

9. <u>Employees.</u> The Board of Directors may employ and appoint from time to time such other officers and such agents and employees as it shall deem appropriate to carry on the business of the District. The qualifications, duties, authority, and compensation of such other officers and of such agents and employees shall be fixed by the Board of Directors.

VI.

#### PENALTY FOR VIOLATING BYLAWS

When it shall be deemed in the manner provided by law that any person has violated these Bylaws, he/she shall be subject to the maximum penalties provided by Section 35304 (d) of the Water Code of the State of California.

VII.

#### AMENDMENT OR REPEAL OF BYLAWS

These Bylaws may be repealed or amended as provided by law. These Bylaws shall at all times be consistent with the Constitution and laws of the State of California, including the provisions of Division 13 of the Water Code of the State of California, and shall be so construed. If any Bylaw is or becomes a conflict with any law of the State of California, it shall be invalid and void to the extent of such conflict. However, such invalidity shall not affect the remaining valid provisions of these Bylaws which shall continue in full force and effect.

The foregoing Eighth Amendment to the Bylaws of the EL TORO WATER DISTRICT was adopted pursuant to Resolution No. 1923-511-12 at Regular Meeting of the Board of Directors held on the 21st day of MayNovember, 20192023, by the affirmative vote of all the Directors present.

DENNIS P. CAFFERTY, Secretary EL TORO WATER DISTRICT and of the Board of Directors thereof

# Schedule I ARTICLE 1 – SECTION 2 – TERMS OF OFFICE/ELECTIONS DISTRICT BYLAWS

	<del>Directors</del>	NOV 2011	NOV 2012	NOV 2013	NOV 2014	JAN 2015	NOV 2016	NOV 2017	JUL 2018	NOV 2018	APR 2019	NOV 2019	NOV 2020	NOV 2021	NOV 2022	NOV 2023	NOV 2024
Seat 1	Mark Monin					A	₽	*		*		*					
Seat 2	Jose Vergara		₽	*	*	*	₽	*		*		*					
Seat 3	Mike Gaskins									₽		*	*				
Seat 4	Kay Havens										A	*					
Seat 5	Kathryn Freshley								A	F		*	*				

LEGEND: A - Appointed

E - Elected

# Schedule I ARTICLE 1 – SECTION 2 – TERMS OF OFFICE/ELECTIONS DISTRICT BYLAWS

	Directors	NOV 2011	NOV 2012	NOV 2013	NOV 2014	JAN 2015	NOV 2016	NOV 2017	JUL 2018	NOV 2018	APR 2019	NOV 2019	NOV 2020	NOV 2021	NOV 2022	NOV 2023	<u>SEPT 2023</u>	NOV 2024
Seat 1	Mark Monin					Α	Е	*		*		*	<u>E</u>	*	*	*		
Seat 2	Jose Vergara		₽	*	*	*	₽	*		*		*						
Seat 2	Fred Adjarian																<u>A</u>	
Seat 3	Mike Gaskins									Е		*	*	*	<u>E</u>	*		
Seat 4	Kay Havens										Α	*	<u>E</u>	*	*	*		
Seat 5	Kathryn Freshley								Α	Е		*	*	*	<u>E</u>	*		

LEGEND: A - Appointed

E - Elected

• <u>- Served</u>



#### STAFF REPORT

To: Board of Directors Meeting Date: November 21, 2023

From: Dennis Cafferty, General Manager

**Subject: Administrative Code** 

The District maintains a variety of policies, rules and regulations that consist of a number of stand alone documents collected in different locations.

Staff is working to consolidate these important documents into a singular Administrative Code that will allow for easier maintenance and simpler indexing of the existing policies. The transition from the existing format to the new Administrative Code will happen over a period of approximately a year. Periodically, staff will recommend updates to the Administrative Code that will facilitate the transfer of individual polices, rules and regulations to the new Code.

In addition to the improvement in efficiency and access to these documents, this process will result in Board review of each current policy, some of which have not been reviewed or modified in decades.

The initial step will move the following existing policies to the newly created and adopted Administrative Code:

Current Policy	Administrative Code Reference	
1985-4 (IV)	Statement of Board/Staff Relationship	Section 2070
2006-21 (IV)	Guidelines for Board Conduct	Section 2080
1985-2 (IV)	Statement of Utilization of Legal Counsel	Section 3080
2003-19 (IV)	District Auditors	Section 3090
2006-20 (IV)	Ethics Training Policy	Section 4000
1985-6 (IV)	Statement of District's Claims Procedures	Section 5000
1992-6 (IV)	Board Authorization of Fund Transfers within the El Toro Water District Capital Budget	Section 5010
1994-11 (IV)	Budget Policy	Section 5020
2002-18 (IV)	Designated Staff Credit Card Issuance/Usage Policy	Section 5030

The initial Administrative Code will also incorporate the provisions of the District's Bylaws. The provisions of the Bylaws, incorporated into the Administrative Code, are included in Sections 2000 -2060 and Sections 3000- 3070. The Bylaws will also continue to be maintained in their current form, as a separate document, to comply with Water Code statutes.

The policies incorporated in the Administrative Code represent the exact same language as the existing documents. Staff recommended changes or updates are noted as redline revisions in the proposed Administrative Code

**Recommended Action:** The Board of Directors will consider adopting Resolution No. 23-11-3 which adopts the El Toro Water District Administrative Code.

RESOLUTION 23-11-3

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADMINISTRATIVE CODE

#### **RESOLUTION NO. 23-11-3**

# RESOLUTION OF THE BOARD OF DIRECTORS OF THE EL TORO WATER DISTRICT ADOPTING THE EL TORO WATER DISTRICT ADMINISTRATIVE CODE

**WHEREAS,** the Board of Directors of the El Toro Water District deems it to be in the best interest of the District to adopt an Administrative Code defining the policies the El Toro Water District; and

**WHEREAS**, the Board of Directors of the El Toro Water District has reviewed the Administrative Code which is incorporated herein by this reference.

**NOW THEREFORE, BE IT RESOLVED,** that the Board of Directors of the El Toro Water District does hereby adopt the El Toro Water District Administrative Code effective November 21, 2023.

ADOPTED, SIGNED AND APPROVED, this 21st day of November 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 there of

### **EL TORO WATER DISTRICT**



### **ADMINISTRATIVE CODE**

Adopted
November 21, 2023

#### DISTRICT

1000 Principal Office

1010 Seal

#### **BOARD OF DIRECTORS**

2000 General Authority

2010 Membership

2020 Terms of Office

2030 Elections

2040 Meetings

2050 Quorum: Votes Necessary

2060 Compensation

2070 Board Staff Relationship

2080 Guidelines for Board Conduct

#### **BOARD OFFICERS AND EMPLOYEES**

3000 Officers Other Than Directors

3010 Elimination

3020 President (Term of Office)

3030 Succession to Presidency

3040 Vice President (Election – Term of Office – Succession to Presidency)

3050 Secretary

3060 Treasurer

3070 Employees

3080 District Legal Counsel

3090 District Auditors

#### **ETHICS**

4000 Ethics Training

#### **FINANCIAL MATTERS**

5000 District Claim Procedures

5010 Board Authorization of Fund Transfers With the District Capital Budget

5020 Budget Policy

5030 Designated Staff Credit Card Issuance / Usage Policy

#### DISTRICT

#### §1000 PRINCIPAL OFFICE

- 1. The principal office of the District shall be located in Orange County, State of California, at a place designated from time to time by the Board of Directors by resolution of the Board.
- 2. Until changed by resolution of the Board of Directors, the principal office of the District shall be located at 24251 Los Alisos Boulevard, Lake Forest, California 92630.

#### §1010 SEAL

The District shall have and maintain a seal, described as follows:

Two concentric circles, the outer circle being approximately one and one-half inches in diameter and the inner circle approximately one inch in diameter; with the words "EL TORO WATER DISTRICT" in the upper part of the space between the circles: with the word "CALIFORNIA" in the lower part of the space between the circles; and with the words "FORMED September 25, 1960" inside the inner circle.

#### **BOARD OF DIRECTORS**

#### §2000 GENERAL AUTHORITY

The Board of Directors, except as otherwise provided by law, shall manage and conduct the business and affairs of the District.

#### §2010 MEMBERSHIP

The Board of Directors of the District shall consist of five (5) Directors, elected as provided by law. Each Director shall be a resident of the District and shall be a registered voter in the County of Orange at the time of their election and/or appointment and during their term of office.

#### §2020 TERMS OF OFFICE

The term of office of elected Directors shall be four (4) years and shall be on a staggered basis. The five (5) Directors Seats and the staggered terms of office of each are set forth in Schedule 1 hereto and incorporated herein by this reference.

	Directors	NOV 2012	NOV 2013	NOV 2014	JAN 2015	NOV 2016	NOV 2017	JUL 2018	NOV 2018	APR 2019	NOV 2019	NOV 2020	NOV 2021	NOV 2022	SEPT 2023	NOV 2023
Seat 1	Mark Monin				Α	Е	*	*	*	*	*	Е	*	*	*	*
Seat 2	<del>Jose F.</del> <del>Vergara</del>	E	*	*	<u>*</u>	E	<u>*</u>	*	*	*	*	E	*	*	* -	*
Seat 2	Fred Adjarian														<u>A</u>	*
Seat 3	Mike Gaskins								Е	*	*	*	*	Е	*	*
Seat 4	Kay Havens									Α	*	Е	*	*	*	*
Seat 5	Kathryn Freshley							Α	Е	*	*	*	*	E	* -	*

LEGEND: A - A

A - Appointed

E - Elected

\* - Served

#### §2030 ELECTIONS

All general District elections shall be held in November of even-numbered years and shall be consolidated with the November statewide elections. The right to vote and the manner of the voting shall be the same as provided by the laws of the State of California.

#### §2040 MEETINGS

Regular meetings of the Board of Directors shall be held at such time and place as may be agreed upon by resolution of the Board.

#### §2050 QUORUM: VOTES NECESSARY

Three (3) Directors shall constitute a quorum of the Board for the transaction of business. The vote of a majority of the Directors present at any meeting attended by a quorum shall be necessary and sufficient to determine any proportion or resolution presented.

#### §2060 COMPENSATION

The Officers and Directors shall receive the following compensation for their services:

- 1. The Secretary and Treasurer shall receive sums as shall be fixed by the Board.
- 2. Each Director shall receive compensation in the amount provided by Ordinance duly adopted by Resolution of the Board pursuant to Section 20200 et seq. of the Water Code of the State of California, together with any expenses incurred in the performance of his/her duties required or authorized by law and the Board.

#### §2070 BOARD / STAFF RELATIONSHIP

Neither Board members ornor Committee members shall give instructions to staff members without prior approval of the President of the Board.

05/16/85; R 23-11-1 11/20/23

#### §2080 GUIDELINES FOR BOARD CONDUCT

All elected or appointed officials of the El Toro Water District should be dedicated to the highest ideals of integrity and accountability to continue to earn the trust, confidence and support of the public they serve.

#### 1. PURPOSE AND SCOPE

The policy of the El Toro Water District is to maintain the highest ethical standards for its Board members. The proper operation of the District requires decisions and policy to be made within the proper channels of governmental structure, that public office not be used for personal gain, and that <a href="board-Boa

#### 2. RESPONSIBILITIES OF PUBLIC OFFICE

Board members are obligated to uphold the Constitution of the United States and the Constitution of the State of California. Board members will comply with applicable laws regulating their conduct, including conflict of interest, financial disclosure and open government laws. Board members will strive to work in cooperation with other public officials unless prohibited from so doing by law or officially recognized confidentiality of their work.

The members of the Board of Directors, and persons elected but who have not yet assumed office as members of the Board, will fully comply with the provisions of the State's open meeting law for public agencies (the Brown Act).

#### 3. FAIR AND EQUAL TREATMENT

Board members, in the performance of their official duties and responsibilities, will not discriminate against or harass any person on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual orientation, medical condition or disability. A Board member will not grant any special consideration, treatment or advantage to any person or group beyond that which is available to every other person or group in similar circumstances.

### 4. PROPER USE AND SAFEGUARDING OF DISTRICT PROPERTY AND RESOURCES

Except as specifically authorized, a Board member will not use or permit the use of District-owned vehicles, equipment, telephones, materials or property for personal benefit or profit. A Board member will not ask or require a District employee to perform services for the personal benefit or profit of a Board member or employee. Each Board member must protect and properly use any District asset within his or her control, including information recorded on paper or in electronic form. Board members will safeguard District property, equipment, moneys and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust.

#### 5. USE OF CONFIDENTIAL INFORMATION

A Director is not authorized, without approval of the Board of Directors, to disclose information that qualifies as confidential information under applicable provisions of law to a person not authorized to receive it, that (1) has been received for, or during, a closed session meeting of the Board, (2) is protected from disclosure under the attorney/client or other evidentiary privilege, or (3) is not required to be disclosed under the California Public Records Act.

This section does not prohibit any of the following: (1) making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the alleged illegality of an action taken by the District, an elected official or employee, (2) expressing an opinion concerning the propriety or legality of actions taken by the District in closed session, including disclosure of the nature and extent of the

allegedly illegal action, or (3) disclosing information acquired by being present in a closed session that is not confidential information. Prior to disclosing confidential information pursuant to (1) or (2), above, however, a Board member will first bring the matter to the attention of either the President of the Board or the full Board, to provide the Board an opportunity to cure an alleged violation.

A Director who willfully and knowingly discloses for pecuniary gain confidential information received by him or her in the course of his or her official duties may be guilty of a misdemeanor under Government Code Section 1098.

#### 6. CONFLICT OF INTEREST

A Board member will not have a financial interest in a contract with the District or be a purchaser at a sale by the District or a vendor at a purchase made by the District, unless the Board member's participation was authorized under Government Code Sections 1091 or 1091.5, or other provisions of law. A Board member will not participate in the discussion, deliberation or vote on a matter before the Board of Directors, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter, as defined in the Political Reform Act, Government Code Sections 81000, and following, relating to conflicts of interest. Generally, a Director has a financial interest in a matter if it is reasonable foreseeable that the Board decision would have a material financial effect (as defined by Fair Political Practices Commission (FPPC) regulations) that is distinguishable from the effect on the public generally on (a) a business entity in which the Director has direct or indirect investment in the amount specified in FPPC regulations; (b) real property in which the Director has a direct or indirect investment interest, with a worth in the amount specified in FPPC regulations; (c) a source of income of the Director in the amount specified in FPPC regulations, within 12 months before the Board decision; (d) a source of gifts to the Director in an amount specified in FPPC regulations within 12 months before the Board decision; or (e) a business entity in which the Director holds a position as a director, trustee, officer, partner, manager or employee. An "indirect interest" means any investment or interest owned by the spouse or dependent child of the Director, by an agent on behalf of the Director, or by a business entity or trust in which the Director, or the Director's spouse, dependent child or agent, owns directly, indirectly or beneficially a 10 percent interest or greater. An elected official will not accept honoraria, or gifts that exceed the limitations specified in the Fair Political Practices Act or FPPC regulations. Board members will report all gifts, campaign contributions, income and financial information as required under the District's Conflict of Interest Code and the provisions of the Fair Political Practices Act and FPPC regulations. (Government Code Sections 87100 and following.)

If a member of the Board believes that he or she may be disqualified from participation in the discussion, deliberations or vote on a particular matter due to a conflict of interest, the following procedure will be followed: (a) if the Director becomes aware of the potential conflict of interest before the Board meeting at which the matter will be discussed or acted on, the Director will notify the District's General Manager and the District's legal counsel of the potential conflict of interest, so that a determination can be

made whether it is a disqualifying conflict of interest; (b) if it is not possible for the Director to discuss the potential conflict with the General Manager and the District's legal counsel before the meeting, or if the Director does not become aware of the potential conflict until during the meeting, the Director will immediately disclose the potential conflict during the Board meeting, so that there can be a determination whether it is a disqualifying conflict of interest; and (c) upon a determination that there is a disqualifying conflict of interest, the Director (1) will not participate in the discussion, deliberation or vote on the matter for which a conflict of interest exists, which will be so noted in the Board minutes, and (2) leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. The Director may speak on an uncontested matter during the time the general public speaks on the issue.

A Board member will not recommend the employment of a relative by the District. A Board member will not recommend the employment of a relative to any person known by the Board member to be bidding for or negotiating a contract with the District.

A Board member who knowingly asks for, accepts or agrees to receive any gift, reward or promise thereof for doing an official act, except as may be authorized by law, may be guilty of a misdemeanor under Penal Code Section 70.

#### 7. SOLICITING POLITICAL CONTRIBUTIONS

Board members are prohibited from soliciting political funds or contributions at District facilities, or from District employees. A Board member will not accept, solicit or direct a political contribution from (a) District employees, officers, consultants or contracts, and (b) vendors and consultants who have a material financial interest in a contract or other matter while that contract or other matter is pending before the District. A Director will not use the District seal, trademark, stationery or other indicia of the District identity, or facsimile thereof, in any solicitation for political contributions contrary to state or federal laws.

#### 8. INCOMPATIBLE OFFICES

Any Board member appointed or elected to a public office of another public entity, the duties of which may require action contradictory or inconsistent with the interests of the first entity, will resign from the former office.

## 9. IMPROPER ACTIVITIES AND THE REPORTING OF SUCH ACTIVITIES; PROTECTION OF "WHISTLE BLOWERS"

The General Manager has primary responsibility for (1) ensuring compliance with the District Personnel Manual Employee Handbook, and ensuring that District employees do not engage in improper activities, (2) investigating allegations of improper activities, and (3) taking appropriate corrective and disciplinary actions. The Board has a duty to ensure that the General Manager is operating the District according to law and the policies approved by the Board. Board members are encouraged to fulfill their obligation to the public and the District by disclosing to the General Manager to the extent not expressly prohibited by law, improper activities within their knowledge. Board

members will not interfere with the General Manager's responsibilities in identifying, investigating and correcting improper activities, unless the Board determines that the General Manager is not properly carrying out these responsibilities.

A Board member will not directly or indirectly use or attempt to use the authority or influence of his or her position for the purpose of intimidating, threatening, coercing, commanding or influencing any other person for the purpose of preventing such person from acting in good faith or report or otherwise bring to the attention of the General Manager or the Board any information that, if true, would constitute: a work-related violation by a Board member or District employee of any law or regulation, gross waste of District funds, gross abuse of authority, a specified and substantial danger to public health or safety due to an act or omission of a District official or employee, use of a District office or position or of District resources for personal gain, or a conflict of interest of a District Board member or District employee.

A Board member will not use or threaten to use any official authority or influence to effect any action as a reprisal against a District Board member or District employee who reports or otherwise brings to the attention of the General Manager any information regarding the subjects described in this section.

#### 10. COMPLIANCE WITH THE BROWN ACT

The members of the Board of Directors, and persons elected but who have not yet assumed office as members of the Board, will fully comply with the provisions of the State's open meeting law for public agencies (the Brown Act).

#### 11. CANDIDATE'S STATEMENT

A Board member will not include false or misleading information in a candidate's statement for a general District election filed pursuant to Section 13307 of the Elections Code.

#### 12. VIOLATION OF POLICY

A perceived violation of this policy by a Board member should be referred to the President of the Board <u>of or</u> the full Board of Directors for investigation, and consideration of any appropriate action warranted. A violation of this policy may be addressed by the use of such remedies as are available by law to the District, including but not limited to: (a) adoption of a resolution expressing disapproval of the conduct of the Board member who has violated this policy, (b) injunctive relief, or (c) referral of the violation to the District Attorney and/or the Grand Jury.

09/28/06; R 23-11-1 11/20/23

#### **BOARD OFFICERS AND EMPLOYEES**

#### §3000 OFFICERS OTHER THAN DIRECTORS

In addition to the Directors, the officers of the District shall be: President, Vice President, Treasurer, and Secretary.

#### §3010 ELIMINATION

The offices of the Assessor and Tax Collector have been eliminated by appropriate Resolution on or about July 10, 1975 pursuant to Section 34711 of the Water Code of the state of California.

#### §3020 PRESIDENT (TERM OF OFFICE)

The term of office of the President shall be for (1) one calendar year. The term of office of the President shall expire on December 31 of each calendar year.

#### §3030 SUCCESSION TO PRESIDENCY

The office of Vice President shall automatically succeed to the office of President when a vacancy occurs in the office of President or the current President's term of office has expired.

# §3040 <u>VICE PRESIDENT (ELECTION – TERM OF OFFICE – SUCCESSION TO PRESIDENCY)</u>

At the Board's organizational meeting in December, the Board shall elect a Vice President whose term of office shall be for (1) calendar year. The President for the preceding year shall not be eligible for the Vice Presidency the following year. The term of Vice President shall begin on January 1 or the calendar year following said election. The Vice President shall succeed to the office of President as provided in Article 5 Section 3030 herein. In the event a vacancy occurs in the office of any President before the terms of said presidency has expired, the Vice President shall succeed to the office of President for the unexpired term of said presidency, in addition, to the one (1) year term regularly specified, had such vacancy not occurred.

#### §3050 SECRETARY

The Secretary shall be appointed by the Board of Directors and shall serve at its pleasure. The Secretary shall have the duties and authority assigned to him/her by law and such other duties and authority, not inconsistent therewith, as shall be assigned to him/her from time to time by the Board of Directors. The Board may from time to time appoint one or more Assistant Secretaries. Under the direction of the Board and Secretary, each such Assistant Secretary shall assist the Secretary in the performance of his/her duties and shall have such other duties and authority as shall be provided by the Board.

#### §3060 TREASURER

The Treasurer shall be appointed by the Board of Directors and shall serve at its pleasure. He/she shall have duties and authority assigned to him/her by law and such other duties and authorities, not inconsistent therewith, as shall be assigned to him/her from time to time by the Board of Directors.

#### §3070 EMPLOYEES

The Board of Directors may employ and appoint, from time to time, such other officers and such agents and employees as it shall deem appropriate to carry on the business of the District. The qualification, duties, authority, and compensation of such other officers and of such agents and employees shall be fixed by the Board of Directors.

#### §3080 UTILIZATION OF DISTRICT LEGAL COUNSEL

- The ETWD Legal Counsel shall be the legal adviser of the District and shall perform such duties as may be prescribed by the Board.
- 2. Counsel shall serve at the pleasure of theBoard and shall be compensated for services as authorized by the Board.
- 3. Legal Counsel shall be present at any regular or special meetings of the Board of Directors.
- 1.4. Minutes of <u>Board</u> meetings to <u>shall</u> be reviewed by Counsel as to content and legal adequacy.
- 2.5. Counsel is to present a detailed <u>monthly</u> billing statement of <u>his-their</u> legal services with specificity.
- 3.6. Board members should not, as a general rule, have access to Legal Counsel. Requests should go through the Board President.
  - Wherever reasonably practicable, stenographic work and photocopy work should be done by District Personnel at the District office.
- 4.7. Administrative functions should not be included among duties of Legal Counsel, unless there is first management approval and then the action is brought to the attention of the Board.
- 5.8. The General Manager or his designated representative shall have access to the Legal Counsel when in their judgment legal advice is required.

R 85-3-1 03/21/85; R 85-5-2 05/16/85; R 03-4-2 04/24/03; R 23-11-1 11/20/23

#### §3090 DISTRICT AUDITORS

To <u>insure ensure</u> the integrity of the District's books and records and that they are maintained in accordance with Generally Accepted Accounting Principles and applicable State Law, the District will have its books and records audited annually by a firm of Certified Public Accountants. For purposes of independence and to take advantage of

fresh and new prospective, it is the policy of the District that no firm serves as District auditors more than five consecutive years.

The Audit Committee of the Board of Directors will be vested with the responsibility of recommending the selection of an auditing firm to the Board, meeting with the District's auditing firm periodically to review reports, and reports and acting as the Board's primary contact with the auditing firm.

R 03-4-2 04/24/03; R 23-11-1 11/20/23

#### §4000 ETHICS TRAINING

#### 1. PURPOSE

- a. All Directors of the District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the Board of Directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 and 53235.2.
- b. This policy shall also apply to all staff members that the Board of Directors may designate and to members of all commissions, committees and other bodies of the District that are subject to the Ralph M. Brown Open Meeting Act.
- c. This policy shall also apply to the District's Legal Counsel and all staff members required in the District's Conflict Interest Code to file Form 700 with the Clerk of the Board of Supervisors of Orange County.

#### 2. POLICY

- All ethics training shall be provided by entities whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.
- b. Directors shall obtain proof of participation after completing the ethics training.
- c. District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after Directors receive the training, and are public records subject to disclosure under the California Public Records Act.
- d. District staff shall provide the Board of Directors with information on available training that meets the requirements of this policy at least once every year.
- e. Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.
- f. Any director of the District that serves on the board of another agency is only required to take the training once every two years.

06/02/01 02/23/06; R 23-11-1 11/20/23

#### **FINANCIAL MATTERS**

#### §5000 STATEMENT OF DISTRICT'S CLAIM PROCEDURES

In order to provide uniform handling of all claims against the District, the following procedures shall generally be followed:

- 1. Upon the occurrence of an event potentially leading to a cause of action against the District, the following action shall be taken:
  - a. The District's Administrative staff shall cause an incident report, identifying details of the claim, form (marked Exhibit "A" and attached to this Policy Statement) to be prepared and forwarded to the offices of JPIA, and the District's AttorneyLegal Counsel.
  - b. The District's Legal Counsel, after first consulting with the District's General Manager, or <a href="https://delegate">his-their</a> delegate, shall notify the potential claimant of the fact that the District is a public entity and of the necessity to follow the statutory claim procedures. Such notice may be substantially in the form and content attached to this policy statement marked Exhibit "B".
- 2. As a general rule, the District's Board of Directors will not take any action on claims that are filed. Instead, the District's Administrative staff shall forward said claims to JPIA for their appropriate handling of same. The District's Administrative Staff shall also forward copies of claims to the District's attorney Legal Counsel.
  - Accordingly, at the expiration of 45-days following the presentation of any claim to the District, and in the event the Board has not acted on said claim, the District's <a href="Attorney-Legal Counsel">Attorney-Legal Counsel</a> shall notify the claimant that said claim is deemed rejected by operation of law and shall provide the necessary warnings pursuant to Government Code Section 913. Such notice may be substantially in the form and content attached to this policy statement marked Exhibit "C".
- 3. The District's Administrative staff shall provide the Board of Directors with a quarterly status report on claims activities.

R 91-08-1 08/15/91; R 92-10-2 10/15/92; R 03-04-2 04/24/03; R 23-11-1 11/20/23

# §5010 BOARD AUTHORIZATION OF FUND TRANSFERS WITH THE EL TORO WATER DISTRICT CAPITAL BUDGET

Occasionally, after the Annual Capital Budget has been adopted by the Board of Directors, the need arises to allocate funds to projects or equipment whose priority has increased or was not contemplated when the budget was adopted. When this occurs for projects or equipment costs that exceed the General Manager's purchasing authority, staff may demonstrate to at least two Officers of the Board that funds are available by utilizing a combination of surplus funds from jobs completed during the current budget year and by agreeing to drop certain items from the Capital Budget for the year or by the utilization of Accumulated Capital reserves. As long as the reallocation proposed by staff does not increase the amount of the total Capital Budget

for the current fiscal year, the Board Officers may authorize staff to transfer funds within the current year's Capital Budget. Such authorization to staff will not be unreasonably withheld. If staff is unable to reallocate funds between current projects or reserves, the Board Officers may consider revising the adopted budget.

Such matters shall be brought before the full Board at the next regular scheduled Board of Director's meeting for ratification and confirmation of the action of staff and committee.

R 92-10-2 10/15/92; R 23-11-1 11/20/23

#### §5020 BUDGET POLICY

There shall be prepared, under the direction of the General Manager, a final draft Budget which shall be submitted to the Board subsequent to review and discussion of same during two Standing Ad-Hoc Budget Committee Meetings consisting of two Board Members appointed by the President and a Budget Workshop consisting of the full Board. The proposed Budget shall indicate all anticipated expenses and required reserves. The proposed Budget shall also indicate the source of all revenues to be used to meet such expenses and provide such reserves.

After considering the proposed budget and making any revisions thereto that it may deem advisable, the Board shall adopt the Budget in June before the beginning of the fiscal year to which the budget applies.

The adoption of the Budget shall have no effect upon appropriations for capital projects/equipment except the amount provided in the proposed Budget for same with an estimated unit cost of \$50,000 or under shall be deemed to be appropriated from the funds indicated in the Budget.

R 94-5-4 05/19/94; R 03-4-2 04/24/03; R 18-3-2 03/22/18; R 23-11-1 11/20/23

#### §5030 DESIGNATED STAFF CREDIT CARD ISSUANCE/USAGE POLICY

The District will issue District credit cards to designated administrative and operations staff inclusive of the General Manager, Assistant General Manager/District Engineer, Human Resources Manager, Finance Manager/Controller Chief Financial Officer, Purchasing Agent, Executive Assistant, IT Manager, Operations Superintendent, and the Public Affairs ManagerRelations/Emergency Preparedness Administrator. The credit cards are the property of the District and are to be used for authorized District expenditures as outlined below. The credit cards are issued in the name of the designated administrative and operations staff and are not to be loaned or otherwise used by any other individual. Upon termination of employment or at the discretion of the General Manager, District credit cards will be returned to the District and cancelled.

The credit cards are issued as a convenient means for the recipients to pay for otherwise authorized expenditures. Possession of a District credit card is not in and of itself authorization for expenditures.

Designated administrative and operations staff may use the credit cards for authorized expenditures within their respective spending limits, including the limitations placed on the credit card or with proper prior approval within any approved category or expense classification. Documentation is required for all credit card expenditures. At a minimum, documentation will include a copy of the bill or charge, proof of receipt if goods are involved, the signed credit card receipt and an explanation of the nature of the expenditure along with the proper general ledger classification. For expenditures, which require pre-approval, the approved administrative or field requisition should be attached. All documentation must be turned into the Accounts Payable department monthly. Expenditures without documentation will be treated as personal charges.

R 02-5-1 05/16/02; R 06-3-1 03/23/06; R 16-4-2 04/28/16; R 23-11-1 11/20/23

#### **GENERAL MANAGER'S REPORT**

#### November 2023

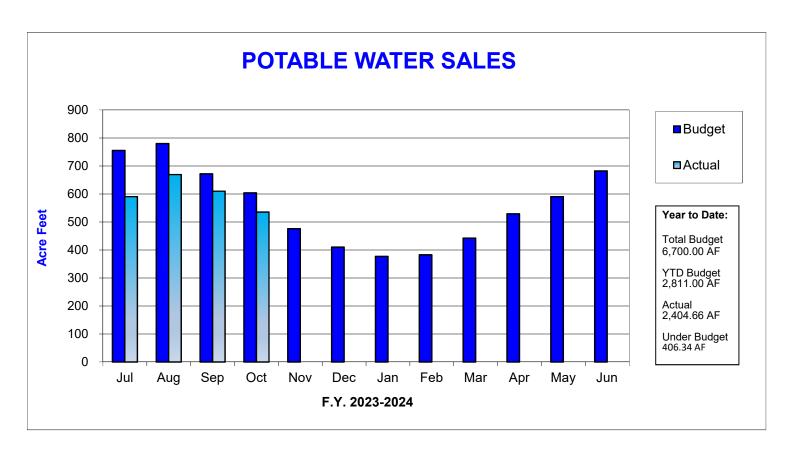
#### I. OFFICE OF THE GENERAL MANAGER

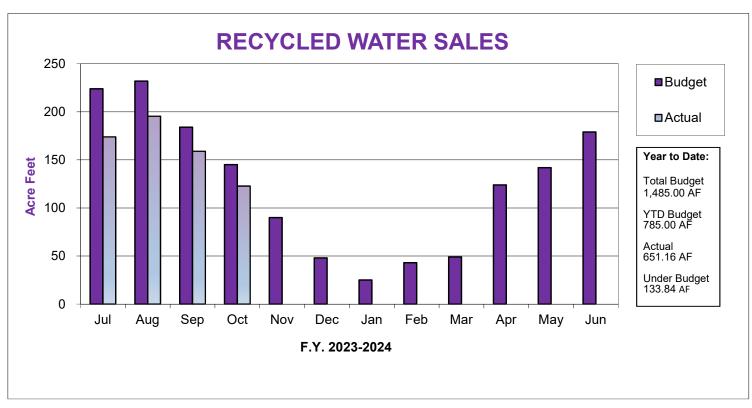
- MWDOC Board Meeting
- MWDOC P&O Committee Meeting
- MWDOC / MET Directors Meeting
- SOCWA Board Meeting
- South Orange County Watershed Management Area Management Committee Meeting
- South Orange County Watershed Management Area Executive Committee Meeting
- Headworks & Secondary Clarifier Project Consultant Interviews
- Joint Regional Water Supply System Closed Session
- City of Lake Forest Legislative Luncheon
- Senator Min's 2023 Water Policy Forum
- Community Advisory Group Meeting
- ETWD President / Vice President / GM Meeting
- ETWD All Employee Meeting
- ETWD RRC Meeting
- ETWD Agenda Review Meeting
- ETWD Regular Engineering & Finance Committee Meetings
- ETWD Regular Board Meeting

#### II. DOMESTIC AND RECYCLED WATER SALES

Actual domestic sales for the year-to-date as of October 31, 2023 are 2,404.66 acre-feet. This compares to year-to-date budgeted domestic sales of 2,811.00 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 406.34 acre-feet. Actual sales are 136.77 acre-feet lower than last year-to-date actual sales for the same period.

Actual recycled sales for the year-to-date as of October 31, 2023 are 651.16 acrefeet. This compares to year-to-date budgeted recycled sales of 785.00 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 133.84 acre-feet. Actual sales are 29.19 acre-feet lower than last year-to-date actual sales for the same period.





#### **Customer Service Activity Report**

Regular Service Calls	OCT 2023	OCT 2022	Telephone Calls	OCT 2023	OCT 2022
Serviceman Dispatched to Read, Connect/Disconnect Service	52	82	Change of Service: Connections and Disconnections	55	82
Field Investigations:			Billing / Payments & Graph Inquires	229	194
Check for leaks - calls to CS			Assistance with online payments and		
Office:(irrigation,meter,street leaks)			ETWD's portal (cc, e-checks, other.)	29	5
Customer Responsible	5	15			
District Responsible	1	9	Variance / Adjustment Inquiries	11	18
None found/other	8	11	Variance / Adjustment Requests Processed	3	7
High Reads Checked - High Consumption	O	11	Ordinance Infraction / Water Waste	3	,
(Billing Dept.)			Complaints	0	2
Cust Leaks: 15 No Leaks: 11	26	22			
Check Stopped Slowed Meters-Low			Outside Utility Districts		
Consumption (Billing)	15	4	·	58	64
Re-Check Read	10	7	Phone calls Transfer to other Departments within ETWD	41	57
Ordinance Infraction	0	2	Phone calls for the Board of Directors	1	0
Recycled Water	1	0	Recycled Water	0	0
Water Quality: Taste / Odor / Color	4	1	Water Quality Taste - Odor - Color	5	4
Phone response: 3 Field response: 1	4	1	Leaks / Breaks	5 13	4 16
Construction (Hydrant) Meters issued	0	0	Construction Meter calls (Hydrant)	0	1
Sewer - Odor/Stoppage/ Manhole Covers	2	4	Sewer Problems (odor / spills)	1	5
Meter Box: 1 Lids: 1 / Covers Replaced: 5	7	86			
Meter Box Clean, Digout			Backflow / Cross Connection		
weter box clean, bigout	0	8	(questions or yearly testing forms)	0	3
			ETWD facilities inquiries:		
Raised Meter Box	0	0	Boxes/Covers/Lids/Hydrants/Pump	-	40
Trim Bushes / Motor Obstruction	0 18	0	Stations/Graffiti/ "Gen. Maint"	5	10
Trim Bushes / Meter Obstruction	10	23	Tyco (ADT) Calls		
General Maintenance Response	3	6	(Alarms to ETWD facilities)	1	0
Fire Hydrants: Hit / Leaks / Caps	0	0	ATT Calls (access to tower sites)	0	0
Pressure(psi) Checks / Reads	0	3	SCE Calls (access to tower sites)	3	2
CSSOV (Angle Meter/Ball Valve/Gate			Pager Calls specifically for Pump		
Valve/Globe Valve) chk,repair,replaced	7	6	Stations - SCADA	0	0
AMS angle-meter-stop replace/repair	1	0			
Bees Removed	3	4			
Backflow / Cross Connection	0	2	Payment Extensions	17	37
En and Bustieten			Delinquent Payment Calls to		
Fogged Registers	11	35	Customer 's prior to shut off per billing calendar (automatic courtesy dialer)	32	30
	11	33	Return Calls from customers left on	32	30
OMCOP: Old Meter Change - Out Program	4	11	our voice mail system. Ext 500	16	19
Other: (uncommon non-maintenance calls)	5	4	Email Correspondence:	28	39
,			Maintenance Service Order Requests		
On-Call After Hrs. CS Response	16	20	(bees, psi, fogged-dirty registers)	12	2
# Posting Notice & 24 Hr. Door Hangers			Misc. (other: employment, deliveries,		
Hung	59	96	sales calls)	19	11
#Shut Offs/Disconnect for Non-Payment	4.4	•	Payment Processing Fee Complaints	•	•
(DNP)	11	9		0	0
Removed Meter	0	5	Customers Complaints non bill related.	0	0
New Meter	5	0	Billing Disputes	0	U
Unread Meters	0	4	2	-	
Total Field Investigations	274	479	Total Telephone Calls	579	608
Uncellestible Accounts			One dis Cond Comments	007.000	007.000
Uncollectible Accounts:	A F.00= 00		Credit Card Payments	OCT 2023	OCT 2022
Budget YTD	\$ 5,667.00	\$ 6,667.00	REGULAR 1,4	29 \$288,725.89 1,2	295 \$299,255.19

# State Water Project Resources

2023 SWP Table A - 100% - 1,911,500 AF

21%

No rain reported

Los Angeles

88%

Diamond Valley 710 TAF

(% of normal)

5-Statlon

snow reported

Northern Sierra

Southern Sierra

1%

(% of normal)

San Diego

32%

% of normal)

8-Station

67%

Oroville 2.36 MAF

61%

San Luis Total: 1.25 MAF SWP: 538 TAF

83%

Castaic 269 TAF

# WATER S

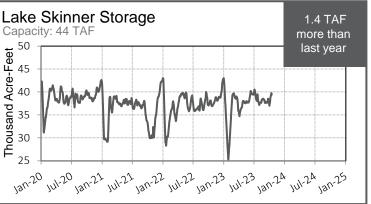
## WATER SUPPLY CONDITIONS REPORT

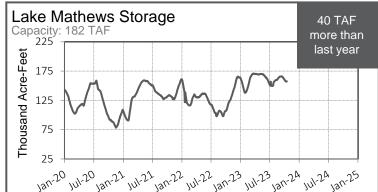
Water Year 2023-2024 As of: November 14, 2023

# Colorado River Resources

Projected 2023 CRA Diversions – 691,000 AF

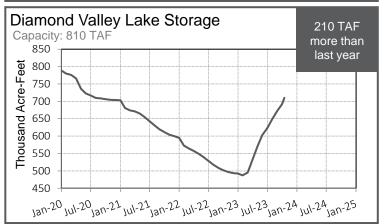
## Metropolitan Resources





# MWD WSDM Storage Calendar Year 2023

	Projected Storage Balance (end of 2023)
Lake Mead ICS	1.544 MAF
State Water Project System	988 TAF
In-Region Supplies and WSDM Actions	1.042 MAF



# Highlights

Learn more about imported supplies:

- State Water Project <a href="https://www.mwdh2o.com/state-water-project-map/">https://www.mwdh2o.com/state-water-project-map/</a>
- Colorado River Aqueduct https://www.mwdh2o.com/colorado-river-aqueduct-map/



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

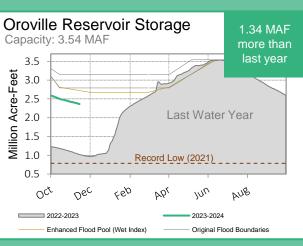
https://www.mwdh2o.com/WSCR

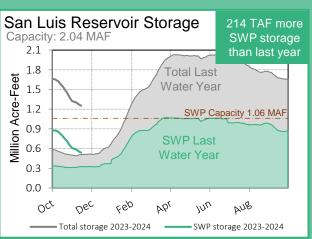


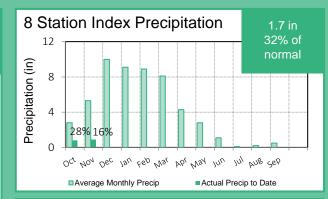
### State Water Project Resources

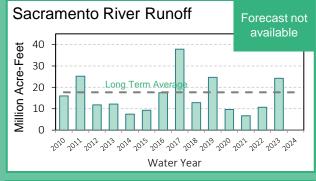
As of: 11/14/2023

# Northern Sierra Snowpack 40 35 (ii) 10 25 10 0ct Northern Sierra Snowpack No significant snow No significant snow No significant snow

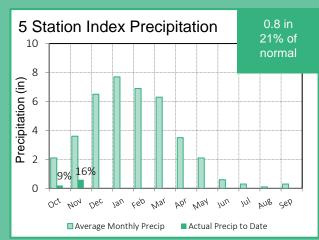






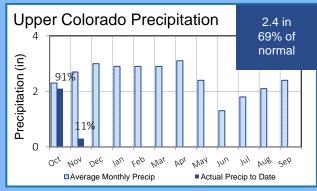


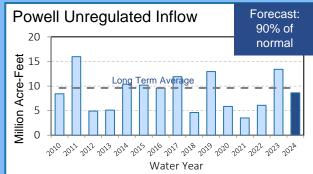


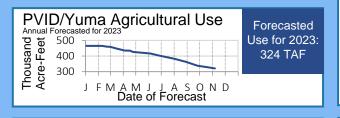


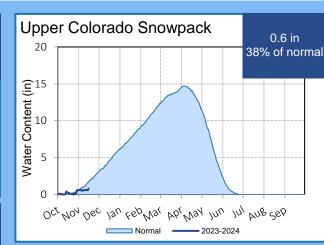
#### Colorado River Resources

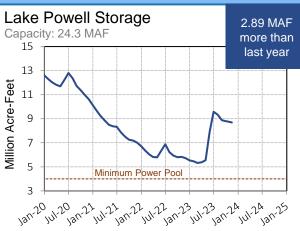
As of: 11/14/2023











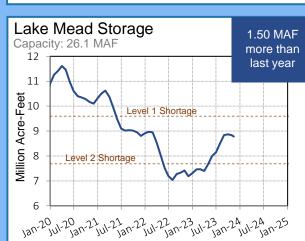
# Projected Lake Mead ICS Calendar Year 2023 Put (+) / Take (-) + 416,000 acre-feet

#### Lake Mead Surplus/Shortage Outlook

	2024	2025	2026
Surplus	0%	0%	0%
Shortage	100%	93%	77%

Likelihood based on results from the August 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

# WILL SERVE SUMMARY REPORT September 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 sewer system	Close-Out	\$	28,785
Burger Town Sewer Connection	Addition of a 4" sewer lateral	Construction	\$	-
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.	Close-Out	\$	21,856
Target	Addition of an irrigation service, fire services, and potable water services (24440 Alicia Pkwy Bldg B Suite "A" Potable Service, 24440 Alicia Pkwy Bldg B Fire Service, 24420 Alicia Pkwy Bldg A Fire Service, 24440 Alicia Pkwy Irrigation)	Close-Out	\$	116,631
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	\$	-
Moulton Parkway Commercial Kitchens	Upgrade the existing domestic service, sewer service and installation of a DCDA.	Plan Check	Not Yet Ca	lculated
25376 Maximus Group Home	Upgrading the water service	Plan Check	Not Yet Ca	lculated



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

From: Natural Resource Results

**RE:** Monthly Board Report – October 2023

#### **Speaker of the House**

On October 25<sup>th</sup>, House Republicans elected Mike Johnson (R-LA) as the new Speaker of the House, after Steve Scalise (R-LA), Jim Jordan (R-OH), and Tom Emmer (R-MN) all failed to garner enough support for the gavel over the last 22 days.

Prior to becoming Speaker, Johnson served as vice chair of the GOP conference — but was seen by hardline conservatives as somewhat outside the mainstream party leadership mentality that some of them faulted McCarthy for embodying. He sat on the House Armed Services and House Judiciary Committees. He is the first Speaker from Louisiana and is also the first Speaker since 2007 to win the speakership without serving as committee chair or in a top leadership position. Johnson is the first member of the House Judiciary Committee in modern times to win the gavel.

#### **Appropriations**

Shortly before being elected as Speaker, Congressman Johnson sent a letter to his Republican colleagues laying out his approach for the appropriations process. In that letter, he noted that his goal is for the House to pass all 12 appropriations bills between now and then end of the calendar year to strengthen its negotiating position with the Senate and White House. If the House is unable to accomplish this before the current Continuing Resolution (CR) expires on November 17<sup>th</sup>, Johnson supports another CR that would fund the government through January 15<sup>th</sup> or April 15<sup>th</sup> (whichever the conference prefers).

The is growing energy around attaching an extension of the Farm Bill to a future CR as well as security funding for Ukraine, Israel, Taiwan, and the U.S.-Mexico border. The inclusion of some or all of these components could complicate passage of a CR in which case they would likely be punted and dealt with on whatever government funding vehicle follows the next CR.

With the House's functional ability restored, Speaker Johnson has laid out his proposed agenda/timeline for the remainder of the appropriations process:

Week of 10/23 – Energy and Water (this bill contains the text of Congressman Valadao's WATER for California Act)

Week of 10/30 – Legislative Branch, Interior and Environment, Transportation

Week of 11/6 – Commerce Justice Science, Financial Services

Week of 11/13 – Labor/HHS, Agriculture

#### **Colorado River**

On October 19<sup>th</sup>, the Reclamation published the next step for Colorado River Basin operations post-2026. The document, which catalogues all of the public comments that Reclamation received for post-2026 operations, is essentially a framework for the seven basin states to begin negotiating operating guidelines. When finished, the new operating plan is expected to guide the next 20 years of water allocations.

The report also identified key elements of a new operation plan such as coordinated operations between Lake Powell and Lake Mead, guidelines for storage and delivery of water from those reservoirs, and conservation of water by all users using extraordinary measures.

This process will lead up to Reclamation publishing a draft environmental impact statement (EIS) in late 2024 with a record of decision to follow some time in 2025.

On October 25<sup>th</sup>, Reclamation also released a draft SEIS for Colorado River operations through 2026. Reclamation's press release is inserted below:

WASHINGTON — The Biden-Harris administration today announced next steps in the Administration's efforts to protect the stability and sustainability of the Colorado River System and strengthen water security in the West. The Department of the Interior's Bureau of Reclamation released a revised draft Supplemental Environmental Impact Statement (SEIS) as part of the ongoing, collaborative effort to update the current interim operating guidelines for the near-term operation of Glen Canyon and Hoover Dams to address the ongoing drought and impacts from the climate crisis.

In order to protect Glen Canyon and Hoover Dam operations, system integrity, and public health and safety through 2026 – at which point the current interim guidelines expire – an initial draft SEIS was <u>released</u> in April 2023. Following a <u>historic consensus-based proposal</u> secured by the Biden-Harris administration in partnership with states – which committed to measures to conserve at least 3 million-acre-feet (maf) of system water through the end of 2026 enabled by funding from President Biden's Investing in America agenda – Reclamation temporarily withdrew the draft SEIS to allow for consideration of the new proposal.

Today's revised draft SEIS includes two key updates: the Lower Basin states' proposal as an action alternative, as well as improved hydrology and more recent hydrologic data. The release of the revised draft SEIS initiates a 45-day public comment period.

"Throughout the past year, our partners in the seven Basin states have demonstrated leadership and unity of purpose in helping achieve the substantial water conservation necessary to sustain the Colorado River System through 2026," said **Deputy Secretary Tommy Beaudreau**, who led negotiations on behalf of the Administration. "Thanks to their efforts and historic funding from President Biden's Investing in America agenda, we have staved off the immediate possibility of

the System's reservoirs from falling to critically low elevations that would threaten water deliveries and power production."

"The Colorado River Basin's reservoirs, including its two largest storage reservoirs Lake Powell and Lake Mead, remain at historically low levels. Today's advancement protects the system in the near-term while we continue to develop long-term, sustainable plans to combat the climate-driven realities facing the Basin," said **Reclamation Commissioner Camille Calimlim Touton**. "As we move forward in this process, supported by historic investments from the President's Investing in America agenda, we are also working to ensure we have long-term tools and strategies in place to help guide the next era of the Colorado River Basin."

"Earlier this year, President Biden helped secure a historic agreement among seven Colorado River Basin states to protect the stability of the Colorado River System in the face of historic drought conditions, made worse by the climate crisis," said White House National Climate Advisor Ali Zaidi. "Today, the Biden-Harris Administration is taking another key action to bolster water resilience in the Basin States, leveraging historic investments from the President's Investing in America agenda to build a more sustainable and equitable future for communities across the West."

#### **Key Components of Revised Draft SEIS**

Reclamation conducted updated modeling analyses using June 2023 hydrology for the No Action Alternative, Action Alternatives 1 and 2 from the initial draft SEIS, and the Lower Division proposal. The results of that modeling indicate that the risk of reaching critical elevations at Lake Powell and Lake Mead has been reduced substantially. As a result of the commitment to record volumes of conservation in the Basin and recent hydrology, the chance of falling below critical elevations was reduced to eight percent at Lake Powell and four percent at Lake Mead through 2026. However, elevations in these reservoirs remain historically low, and conservation measures like those outlined by the Lower Division proposal will still be necessary to ensure continued water delivery to communities and to protect the long-term sustainability of the Colorado River System.

Based on these modeling results, Reclamation will continue the SEIS process with detailed consideration of the No Action Alternative and the Lower Division Proposal. The revised SEIS designates the Lower Division Proposal as the Proposed Action. Alternatives 1 and 2 from the initial SEIS were considered but eliminated from detailed analysis.

#### Historic Funding from Investing in America Agenda

President Biden's <u>Investing in America agenda</u> is integral to the efforts to increase near-term water conservation, build long term system efficiency, and prevent the Colorado River System's reservoirs from falling to critically low elevations that would threaten water deliveries and power production. Because of this funding, conservation efforts have already benefited the system this year.

This includes eight new <u>System Conservation Implementation Agreements</u> in Arizona that will commit water entities in the Tucson and Phoenix metro areas to conserve up to 140,000-acre feet of water in Lake Mead in 2023, and up to 393,000-acre feet through 2025. Reclamation is working with its partners to finalize additional agreements. These agreements are part of the 3 maf of system conservation commitments made by the Lower Basin states, 2.3 maf of which will

be compensated through funding from the Inflation Reduction Act, which invests a total of \$4.6 billion to address the historic drought across the West.

Through the <u>Bipartisan Infrastructure Law</u>, Reclamation is also investing another \$8.3 billion over five years for water infrastructure projects, including water purification and reuse, water storage and conveyance, desalination and dam safety.

To date, the Interior Department has announced the following investments for Colorado River Basin states, which will yield hundreds of thousands of acre-feet of water savings each year once these projects are complete:

- \$281 million for <u>21 water recycling projects</u> that are expected to increase annual water capacity by 127,000 acre-feet annually;
- Up to \$233 million in <u>water conservation funding</u> for the Gila River Indian Community, including \$83 million for a water pipeline project and an additional \$50 million from the Inflation Reduction Act through the <u>Lower Colorado River Basin System Conservation</u> and Efficiency Program, which will also provide similar investments in 2024 and 2025;
- Over \$73 million for infrastructure repairs on water delivery systems; \$19.3 million in fiscal year 2022and another \$54 million announced in April 2023;
- \$71 million for <u>32 drought resiliency projects</u> to expand access to water through groundwater storage, rainwater harvesting, aquifer recharge and water treatment;
- \$50 million over the next five years to <u>improve key water infrastructure</u> and enhance drought-related data collection across the Upper Colorado River Basin; and
- \$20 million in new small surface and groundwater storage

The process announced today is separate from the recently announced efforts to protect the Colorado River Basin starting in 2027. The revised draft SEIS released today would inform Reclamation's ongoing efforts to set interim guidelines through the end of 2026; the post-2026 planning process <u>advanced last week</u> will develop guidelines for when the current interim guidelines expire



To:	MWDOC Workshop
From:	Syrus Devers Advocacy LLC
Date:	November 1st, 2023
Re:	End of Session Report

#### Final Report on the 2023 Legislative Session

Governor Newsom had until midnight on October 14th to act on legislation but he wrapped up the session on the 13th. 1,046 bills made it to his desk; the final tally was 890 bills signed, and 156 vetoed. The most common reason cited in veto messages was the looming budget deficit. This report will attempt to briefly summarize the legislative outcomes across the major issue areas for the year, but first a few procedural details.

Recall that 2023 is the first year of the two-year session, and no bill really dies in the first year. Where a bill is stopped in the process, however, has a major impact on its future prospects.

Bills held in their first policy committee have an almost impossible task. The Legislature comes back into session on January 3rd, and any legislation that failed its first vote must pass out of committee by January 12th—barely over a week later. Unless the committee chair is involved, there may not even be an opportunity to hold a hearing, much less get the needed votes. Bills that got out of the first policy committee but were held on the infamous Appropriations "Suspense File" do not have it much better. Any committee, including Appropriations, must pass all bills to the respective Floors by January 19th—a mere extra week of life for bills held on Suspense. Finally, any bill introduced in 2023 must pass out of the house of origin by January 31st.

Any bill that fails any of these deadlines is completely dead. Technically, no legislator may introduce a new bill on the same subject as a bill that failed any of these deadlines, but that rule is easily evaded. This is why there is so much emphasis on getting a bill out of the first house; once that hurdle is cleared, a bill from the previous year is under the same deadlines as newly introduced legislation.

#### **Legislative Outcomes**

#### The final word on water:

Last month's report highlighted the major water-related bills that were the focus of advocacy in Sacramento. With one very minor exception, any water policy bill that made it to the Governor got a signature. In other words, there were zero surprises. Last July was like a legislative bonfire that saw most of the controversial water bills go up in flames in one 10-day period. The upside is that no opposed

water-related legislation made it into law; the downside is that important sponsored legislation also failed. Stopping bad bills is always the priority, but California's water supply challenges will not get fixed by killing legislation.

#### The Biggest Winner of 2023–Housing:

This is probably the only issue area where the activists can claim total victory. Not only did major housing legislation that was killed in past years make it to the Governor's desk, he signed every major piece of housing legislation. Senator Scott Weiner from San Francisco has tried multiple times to take discretion away from local government for approval of new housing and he finally got his way. SB 423 and SB 4 virtually require approval of new housing permits if they meet certain thresholds for affordable housing.

#### Newsom's Major Issue-Climate Change:

Arguably, Newsom has done more to associate himself with climate change than any other issue, but that did not stop him from vetoing some significant legislation. Clean power is of no use without the infrastructure to deliver it, but Newsom vetoed two bills, SB 619 and SB 420, to streamline permits for new transmission lines. But overall climate change activists were pleased with their victories. AB 1373 will allow the Department of Water Resources, one of the largest purchasers of power in the state, to buy electricity from renewable resources, and SB 253 requires very large corporations to publicly report on their greenhouse gas emissions. Beyond legislation, Newsom has worked to insert consideration of climate change into a wide range of state programs.

#### The Biggest Controversy–Labor:

Labor bills were the main event of 2023. Newsom may be the most progressive governor in a generation, but it looks like he is trying to rebrand himself as more moderate. As far as the Legislature was concerned, it was Christmas all year for labor interests and a raft of labor-sponsored legislation sailed through the process. Newsom did sign two major labor bills: SB 525 will raise the minimum wage to \$25/hr over the next decade, and workers will get an additional two days of paid sick leave thanks to SB 616. A major win for two of labor's top priorities, but it was downhill for labor issues from there.

Newsom's first arrow was SB 799, which would have extended unemployment benefits to striking workers; a law already passed by two other states including New York. He vetoed it a full two weeks before the deadline, which signaled more to come. The rest of the labor bill package fell in turn: AB 1356, which would have required more advanced notice for pending layoffs—vetoed; SB 731, which required 30-day notice before requiring employees to give up remote work—vetoed; SB 686, which required workplace safety rules for domestic workers—vetoed.

Newsom played labor interests by issuing the major vetoes early, and then making a big show of signing the minimum wage bill on the last day. That forced labor to end the year saying nice things about Newsom while still cursing under their breath for their string of losses.

Final observation: it would appear that Newsom wants to position himself slightly to the right of Democrats in the State Legislature. An unsurprising tack if he is thinking of a political career after California.

# **ACKERMAN CONSULTING**

#### **Legal and Regulatory**

November 1, 2023

- 1. India's Groundwater Problem: The University of Michigan has completed a study of the groundwater problems in India. As you know, India is the largest country in the world with a population of 1.4 billion folks. They are the second largest producer of rice and wheat in the world. They are also experiencing drought conditions, warming temperatures and increase demand for water, particularly for agricultural uses. India is also the largest user of groundwater in the world. It is no surprise that this study shows that by 2080, their groundwater loss could triple. It is recommended that they make serious changes to their irrigation practices. The impacted areas are south and central India. If changes are not made now, it is predicted that their agricultural output will be reduced by 20% by 2050. This will not only impact the economy of India but also the rest of the world.
- 2. **Dam Maintenance:** Maintenance on the Oroville Dam spillway is presently underway. Deteriorated concrete and sealant have been found. While the repair area is less than 1% of the overall spillways surface, it is critical and not unexpected. Temperature variation, sunlight and water releases take its toll. This year alone, 2,370,000-acre feet of water has been released and gone down the spillway. This is equivalent to 67% of the total capacity of Lake Oroville. They are trying to use longer lasting materials, but the spillway is exposed to heavy pressures.
- 3. **Drought Dinosaur Tracks:** Drought conditions in and around Dinosaur Valley State Park near Dallas Texas have revealed more dinosaur tracks which are 110 million years old. An extreme drought in the area and little rain has exposed these footprints. They are identified as variations of the general dinosaur, Acrocanthosaurus weighing at 7 tons and Sauropodseiden weighing in at 40+ tons. The paleontologists are loving the drought!!
- 4. **Tahoe Snails:** Lake Tahoe is having its share of problems of late, as we will discuss later in this report. Now, an invasive species of snail has been discovered, the New Zealand Mud Snail. This snail first came to American in 1987 via the Snake River in Idaho and was found in the Owens River in California in 2000. It initially was brought here by shipments of live sportfish but now is being transported by recreational

- activities. The problem with this snail it that it reproduces fast. One snail and its clan can produce over 2.7 billion snails within four years. The food chain is disrupted in that these snails eat up all food the native species would eat, thus reducing the native count. This in turn, reduces the trout and salmon populations which feed on the natives. Currently, the Department of Fish and Wildlife is developing a plan to combat these critters and stop their spread to other venues.
- 5. Mines vs Water: A new battleground is developing in the US and the rest of the world between new mining ventures and groundwater depletion. We have previously reported on this but now things are starting to accelerate. The Resolution Copper mine near Phoenix, Arizona is one many mining operations engaged in the processing of copper, lithium, and manganese. All these elements are foundational for batteries, solar panels, electric vehicles, and other energy transition products. The problem is the amount of water used in the process and the groundwater removed for mining purposes. These mines are usually very deep. Resolution shaft is almost 7000 feet deep. They pump about 600 gallons of water per minute continuously so the mining operation can operate. This water removal impacts the entire groundwater aquifer as the mine operates below the water table. The mine is giving the water to surrounding farmers at not cost. So far, they have transferred over 6 billion gallons. It is estimated that Resolution will produce about 25% of US copper needs. Currently, California, Arizona, Nevada, and Utah are looking at similar projects which will involve groundwater use. These projects are being fast tracked by the federal government. Another consequence of the Resolution mine will be subsidence. We are familiar with the subsidence caused by over drafting groundwater in our Central Valley. This mine will cause subsidence from the removal of the copper underground. It can be expected that a crater will be created, 2 miles wide and 1000 feet deep, with the copper removal. This will also impact the groundwater aquifer in the area. Many concerns are being raised by this project beside the water including wastewater treatment, storage of mine waste, Tribal impacts, and other environmental concerns. Currently, mining operations are exempt from many laws relating to the above issues.
- 6. **Carrot Battle:** A groundwater battle with lawsuit is going on in New Cuyama, California. This small, dry farming town near Taft in the Central Valley is fighting over groundwater and the efficacy of the state's groundwater control act. Many of the local farmers are trying to comply with the act but two of the US's largest carrot farmers, Grimmway and Bolthouse, are suing over the rights of each to pump groundwater. New Cuyama is on top of one of the most overdrated aquifers in the Valley. A management plan was submitted to the state. But it is being challenged by

the carrot folks in court. This suit is not alone. Oxnard, Pleasant Valley and San Diego water district have also engaged the court. Many of the plaintiffs are not happy with the plans submitted and think they will get a better deal in the courts. A main basis for the carrot farmers is they claim that region is the best place anywhere to grow carrots. Most of the carrots in the US are grown in California and the estimated yearly sales exceed \$1.1 billion. While carrots use a fair amount of water, it is much less than alfalfa.

- 7. **Tulare Lake Battles:** Who controls the Tulare basin is becoming a hot topic after the recent rain and flood conditions. The basin has an exemption from the state requirement for local flood control plans. It is the only part of the Central Valley that has such an exemption. JG Boswell Co is a mega farmer and owns almost one half of the basin land. During the flood conditions, they were accused of moving dirt and building levees to protect their land and move the runoff to another farmland. For the last 100 years, Boswell has been allowed by local authorities to manage this type of problem. Along with over drafting the groundwater aquifer which has caused subsidence, Boswell moved dirt at will to change runoff during wet conditions. When the Governor was confronted with this problem, he stated "it is complicated." Indeed, it is. Local government has basically let the large farmers and landowners manage these conditions themselves. Now, other landowners and farmers are starting to object and expecting city, county, and state government to do something. This will definitely be a battle to follow.
- 8. **Titanium Cleans Water:** Drexel University has discovered a process to remove dyes from wastewater. Discharge is created from textile, cosmetic, ink, paper and other businesses using dyes. This can cause toxic conditions and treatment is difficult and expensive. Drexel has found a titanium oxide catalyst using light treatment that can set up a natural process to degrade the dyes. The byproduct is carbon dioxide and water. Again, as we have seen in other studies, they are using natural processes to cure major toxic conditions. This also uses less energy and does not use toxins to battle toxins. Commercialization tests are underway.
- 9. **More Tahoe News:** The more the trash problem is looked at in Lake Tahoe, the more problems are discovered. A robot is now being used which operate up to 500 down to investigate the trash and work toward removal. Their discoveries include: one ton of alcohol bottles, action camera, 5 tons of hazardous materials, drones, lithium batteries, and a 16,000-pound electric boat. The batteries are becoming a huge problem increasing the lead levels in the Lake over 2500 times the EPA limit. This potentially causing harm to fish, people, and the entire Lake. Removing the stuff is







November 1, 2023

TO: MWDOC Board of Directors

FROM: Peter Whittingham

SUBJECT: October 2023 Report

Consistent with much of 2023, the month of October brought more seasonally-atypical rainfall, coinciding with forecasts of an extremely wet El Niño winter for Orange County and the region. Following are a few of the more notable developments and issues of the month:

- The US Army Corps of Engineers' Chicago District is seeking to remove trees and other vegetation adjacent to a portion of Santiago Creek in Santa Ana. The Corps plans to build a 6,400-foot-long flood control channel lined with riprap in the Creek as the final segment of a regional flood control project originally authorized and designed in the 1980's. The project is devoted solely to moving water to the ocean and currently does not include stormwater capture/reuse.
- Fiona Sanchez (IRWD), Drew Atwater (MNWD) and Nate Adams (SMWD) all participated in a State Water Resources Control Board public hearing entitled, "Making Conservation a California Way of Life." The result of AB 1668 and SB 606 that directed the State Water Board to adopt long-term standards for efficient water use, the proposed regulation will establish standards, variances, and methodologies for calculating the urban water use objectives, along with performance measures and reporting requirements. The public hearing included a discussion of the proposed regulation, regulatory timeline, and process, and is projected to cost water suppliers roughly \$13.5 billion from 2025 to 2040 more than 40% of which would fund rebate programs and other efforts to reduce residential water use, per the State Water Board's analysis.
- This summer's poisonous algae bloom that sickened and killed hundreds of sea lions and dolphins off the coast of southern California left behind dozens of sea lion pups at local marine mammal rescue centers, including the Pacific Marine Mammal Center in Laguna Beach. Three pups born to mothers poisoned in the algae bloom and raised at PMMC since June have been transferred to San Diego SeaWorld in preparation for their release to the ocean.

• Using sediment taken from the Santa Ana River, a rebuild of the shrinking Capistrano Beach in Dana Point was completed in early October, 14 weeks after the first truckload was delivered. The \$800,000 project included sand screening and the loading and hauling of 3,750 trucks. The County of Orange is pursuing grant funding to create a "living shoreline" at Capistrano Beach, mimicking the condition of the waterfront prior to coastal development.

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

Sincerely,

Peter Whittingham

Pet White

#### Bill Matrix - Final 2023

## A. Priority Support/Oppose

#### AB 334 (Rubio, Blanca D) Public contracts: conflicts of interest.

Status: 9/30/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 263, Statutes of 2023. Summary: Current law prohibits members of the Legislature and state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Current law authorizes the Fair Political Practices Commission to commence an administrative or civil action against persons who violate this prohibition, as prescribed, and includes provisions for the collection of penalties after the time for judicial review of a commission order or decision has lapsed, or if all means of judicial review of the order or decision have been exhausted. Current law identifies certain remote interests in contracts that are not subject to this prohibition and other situations in which an official is not deemed to be financially interested in a contract. Current law makes a willful violation of this prohibition a crime. This bill would establish that an independent contractor, who meets specified requirements, is not an officer for purposes of being subject to the prohibition on being financially interested in a contract. The bill would authorize a public agency to enter into a contract with an independent contractor who is an officer for a later phase of the same project if the independent contractor did not engage in or advise on, as specified, the making of the subsequent contract. This bill would establish that a person who acts in good faith reliance on these provisions is not in violation of the above-described conflict-of-interest prohibitions and would prohibit them from being subject to criminal, civil, or administrative enforcement under those prohibitions if the initial contract includes specified language and the independent contractor is not in breach of those terms.

Position Priority
Support A. Priority
Support/Oppose

**Notes 1:** Support position adopted June 7th

AB 460 (Bauer-Kahan D) State Water Resources Control Board: water rights and usage: interim relief: procedures.

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

**Summary:** Current law authorizes the State Water Resources Control Board to investigate all streams, stream systems, lakes, or other bodies of water, take testimony relating to the rights to water or the use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. Current law requires the board to take appropriate actions to prevent waste or the unreasonable use of water. This bill would authorize the board, in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant.

Position Priority
Opposition A. Priority
Support/Oppose

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

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 534, Statutes of 2023. Summary: The Ralph M. Brown 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 agendary care hot 57

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. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect. Those circumstances are that (1) state or local officials have imposed or recommended measures to promote social distancing, (2) the legislative body is meeting for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (3) the legislative body has previously made that determination. 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. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect.

Position Priority
Support A. Priority
Support/Oppose

Notes 1: Support adopted April 5th

#### AB 735 (Berman D) Workforce development: utility careers.

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

Summary: Would establish the High Road Utility Careers (HRUC) program, to be administered by the California Workforce Development Board, to connect existing resources with individuals interested in careers in the utility sector and ensure a continued reliable workforce for California utilities. The bill would require the board to administer the HRUC program through partnerships with statewide water, wastewater, and energy utility associations and to coordinate the program with existing and future programs and initiatives administered by the board, including high road training partnerships, in order to align interested individuals with available resources. The bill would require the HRUC program, upon appropriation by the Legislature, to dedicate funding and resources toward accomplishing specified goals, including connecting workers to high-quality jobs or entry-level work with defined routes to advancement and increasing skills and opportunities while expanding pipelines for low-income populations.

Position Priority
Support A. Priority
Support/Oppose

**Notes 1:** Support adopted April 5th

#### AB 755 (Papan D) Water: public entity: water usage demand analysis.

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 542, Statutes of 2023. **Summary:** Current law authorizes a public entity that supplies water at retail or wholesale within its service area to adopt, in accordance with specified procedures, and enforce a water conservation program. This bill would require a public entity, as defined, to conduct a water usage demand analysis, as defined, prior to completing, or as part of, a cost-of-service analysis conducted to set fees and charges for water service that are consistent with applicable law. The bill would require a public entity to identify, within the water usage demand analysis, the costs of water service for the highest users, as defined, incurred by the public entity, and the average annual volume of water delivered to high water users.

Position Priority
Watch A. Priority
Support/Oppose

Notes 1: Oppose position adopted May 3rd. Amended in the Senate. ACWA neutral on final version.

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

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

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
Opposition A. Priority
Support/Oppose

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

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)

**Summary:** Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.

Position Priority
Opposition A. Priority
Support/Oppose

**Notes 1:** Oppose adopted April 5th

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

**Status:** 10/13/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 849, Statutes of 2023. **Summary:** 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
Oppose unless A. Priority
amended Support/Oppose

Notes 1: OUA adopted April 5th

#### AB 1594 (Garcia D) Medium- and heavy-duty zero-emission vehicles: public agency utilities.

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 585, Statutes of 2023. **Summary:** Current law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality, and establishes the Medium- and Heavy-Duty Zero-Emission Vehicle Fleet Purchasing Assistance Program within the Air Quality Improvement Program to make financing tools and nonfinancial supports available to operators of medium- and heavy-duty vehicle fleets to enable those operators to transition their fleets to zero-emission vehicles. This bill would require any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles to authorize public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks, as specified. The bill would define a public agency utility to include a local publicly owned electric utility, a community water system, a water district, and a wastewater treatment provider, as specified.

Position Priority
Support A. Priority
Support/Oppose

**Notes 1:** Support adopted May 3rd

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

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2023)(May be acted upon Jan 2024)

**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 submit to the department the certified or adopted environmental review document, as applicable, for the activity in the notification. The bill would require the department, under prescribed circumstances, to take certain actions within specified timelines, or within a mutually agreed-to extension of time.

Position Priority
Support A. Priority
Support/Oppose

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

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

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/8/2023)(May be acted upon Jan 2024)

Summary: Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as "The California Water Plan." Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate 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 long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses.

Position Priority
Support A. Priority
Support/Oppose

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

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 486, Statutes of 2023. **Summary:** Current law provides generally for the appropriation of water. Existing law authorizes the State Water Resources Control Board to investigate bodies of water, to take testimony in regard to the rights to water or the use of water, and to ascertain whether or not water is appropriated lawfully, as provided. Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would instead authorize the board to investigate and ascertain whether or not a water right is valid. The bill would authorize the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, as specified. The bill would authorize a diversion or use of water ascertained to be unauthorized to be enforced as a trespass, as specified.

Position Priority
Watch A. Priority
Support/Oppose

**Notes 1:** Oppose adopted April 5th. Amended in the Assembly. ACWA and CMUA moved to a WATCH on the final version.

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

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2023)(May be acted upon Jan 2024)

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 for 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 Project or any other project that includes isolated Delta conveyance facilities, and do not reduce any statutory or other regulatory conditions or permit requirements for Delta conveyance projects.

Position Priority
Opposition A. Priority
Support/Oppose

**Notes 1:** Oppose adopted per Policy Principles.

#### **AB 30** (Ward D) Atmospheric rivers: research: reservoir operations.

**Status:** 9/1/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 134, Statutes of 2023. **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

#### **<u>AB 62</u>** (<u>Mathis</u> R) Statewide water storage: expansion.

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)

Summary: Current law establishes within the Natural Resources Agency the State Water Resources Control Board and the California regional water quality control boards. Current law requires the work of the state board to be divided into at least 2 divisions, known as the Division of Water Rights and the Division of Water Quality. This bill 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 Department of Water Resources, in consultation with the state board, to take reasonable actions to promote or assist efforts to achieve the statewide goal, as provided. The bill would require the department, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the state board, to prepare and submit a report to the Legislature on the progress made to achieve the statewide goal.

Position Priority
Watch B. Watch

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

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

**Summary:** Current law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Current law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to take all reasonable steps to approve the necessary permits for specified projects that meet certain employment conditions within 180 days from receiving a complete permit application.

Position Priority B. Watch

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

**Status:** 10/8/2023-Vetoed by Governor.

**Summary:** Existing law, 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. The act requires the state board to establish a grant program, in consultation with the State Department of Education, to award grants to local educational agencies for the purposes of improving access to, and the quality of, drinking water in public schools serving kindergarten or any of grades 1 to 12, inclusive, and preschools and child daycare facilities located on public school property. This bill 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 as provided. This bill contains other related Page 31 of 57

provisions and other existing laws.

Position Priority
Watch B. Watch

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

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/21/2023)(May be acted upon Jan 2024)

**Summary:** Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program within the department to, upon appropriation of special fund moneys, 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 in the state, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would establish the State-Federal Flood Operations Center within the Department of Water Resources and would authorize the department to administer the center in the department's divisions, offices, or programs. The bill would provide that the purpose of the center is to function as the focal point for gathering, analyzing, and disseminating flood and water-related information to stakeholders and would authorize the center to take specified actions for that purpose, including to function during emergency situations to enable the department to centrally coordinate statewide emergency responses.

Position Priority
Watch B. Watch

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

Status: 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

**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 \$4,500,000,000 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) Fuel reduction work.

**Status:** 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 428, Statutes of 2023. **Summary:** Existing law establishes the Department of Forestry and Fire Protection in the Natural Resources Agency and establishes the State Board of Forestry and Fire Protection within the department. Existing law requires the department to administer fire prevention programs and activities and requires the state board to adopt regulations implementing minimum fire safety standards. This bill would, commencing July 1, 2026, require fuel reduction work, done under contract and paid for in whole or in part out of public funds, as specified, to meet several standards, including that all workers performing work within an apprenticeable occupation in the building and construction trades be paid at least the general prevailing rate of per diem wages. The bill would authorize the Labor Commissioner to enforce the requirement to pay prevailing wages. The bill would exempt from these requirements, among other things, contracts in the amount of \$500,000 or less. This bill contains other related provisions and other existing laws.

Position Priority
Watch B. Watch

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

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/9/2023)(May be acted upon Jan 2024)

**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

#### **<u>AB 676</u>** (**<u>Bennett</u>** D) Water: general state policy.

Status: 10/8/2023-Vetoed by Governor.

**Summary:** Would specify that the use of water for domestic purposes includes water use for human consumption, cooking, sanitary purposes, care of household livestock, animals, and gardens, fire suppression and other safety purposes, and a purpose determined to be a domestic purpose as established by the common law.

Position Priority
Watch B. Watch

#### AB 1072 (Wicks D) Water conservation and efficiency: low-income residential customers.

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2023)(May be acted upon Jan 2024)

**Summary:** Would declare the policy of the state that all residents have access to water conservation and efficiency programs. The bill would also set forth related findings including that reaching the state's environmental justice goals and commitments requires designing climate adaptation programs so that all households may participate.

Position Priority
Watch B. Watch

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

**Status:** 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2023)(May be acted upon Jan 2024)

**Summary:** Current law declares that, because of the conditions prevailing in this state, the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of the water is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. This bill would require the State Water Resources Control Board to, on or before January 1, 2027, conduct a study and report to the Legislature and appropriate policy committees on the existence of speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water right or groundwater right previously put to beneficial use on agricultural lands, as specified. The bill would repeal this provision on January 1, 2031.

Position Priority
Watch B. Watch

# AB 1567 (Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.

Status: 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.

**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Position Priority
Watch B. Watch

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

**Status:** 9/14/2023-Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/7/2023)(May be acted upon Jan 2024)

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

Position **Priority** Watch B. Watch

#### **AB 1637** (<u>Irwin</u> D) Local government: internet websites and email addresses.

Status: 10/8/2023-Approved by the Governor. Chaptered by Secretary of State - Chapter 586, Statutes of 2023. Summary: Would, no later than January 1, 2029, 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, 2029, 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

**Notes 1:** No longer applies to special districts

#### **AB 1648** (Bains D) Water: Colorado River conservation.

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/16/2023)(May be acted upon Jan 2024)

Summary: Would prohibit the Metropolitan Water District of Southern California and the Department of Water and Power of the City of Los Angeles from achieving a reduction in, or conservation of, Colorado River water consumption required by an agreement with specified entities through increased water deliveries or imports from other regions of California, including the San Joaquin Valley and the Sacramento-San Joaquin Delta. The bill would require the Colorado River Board of California, the Department of Water Resources, and the State Water Resources Control Board to use their existing authority to enforce these provisions. The bill would specify that these provisions apply retroactively to January 1, 2023, and apply to any agreement entered into on or after that date.

> Position **Priority** Watch B. Watch

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

Status: 4/20/2023-Referred to Coms. on W., P., & W. and NAT. RES.

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** B. Watch Out for Analysis

#### **SB 3** (**<u>Dodd</u>** D) Discontinuation of residential water service: covered water system.

Status: 10/13/2023-Approved by the Governor, Chaptered by Secretary of State, Chapter 855, Statutes of 2023. Summary: Current law establishes the Safe Drinking Water Account to be available to the State Water Resources Control Board, upon appropriation by the Legislature, for the purpose of providing funds necessary to administer the California Safe Drinking Water Act. This bill would expand the use of available funds in the account to be used by the state board, upon appropriation by the Legislature, to include the administration of the Water Shutoff Protection Act. The bill would, subject to the availability of funding, require the state board to make funds available for providing training statewide to community water systems with between 15 and 200 service connections to assist in compliance with the Water Shutoff Protection Act. This bill contains other related provisions and other existing laws.

> Position **Priority** Out for Analysis B. Watch

#### **SB 48** (Becker D) Building Energy Savings Act.

**Status:** 10/7/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 378, Statutes of 2023. 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. Current law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to adopt regulations

Page 34 of 57

providing for the delivery to the Energy Commission and public disclosure of benchmarking of energy use for covered buildings, and specifies that this requirement does not require the owner of a building with 16 or fewer residential utility accounts to collect or deliver energy usage information to the Energy Commission. This bill would additionally specify that the requirement does not require the owner of a building with less than 50,000 square feet of gross floor space to collect or deliver energy usage information to the Energy Commission.

Position Priority
Watch B. Watch

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

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E. U., & C. on 3/22/2023)(May be acted upon Jan 2024)

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:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/29/2023)(May be acted upon Jan 2024)

**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 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: local agencies: filing of notices of determination or exemption.

**Status:** 10/13/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 860, Statutes of 2023. **Summary:** Would require a local agency to file a notice of determination with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would authorize a local agency to file a notice of exemption with the State Clearinghouse in the Office of Planning and Research in addition to the county clerk of each county in which the project will be located. The bill would require the notice, including any subsequent or amended notice, to be posted both in the office and on the internet website of the county clerk and by the Office of Planning and Research on the State Clearinghouse internet website within 24 hours of receipt. The bill would specify that the posting of the notice by the Office of Planning and Research would not affect the applicable time periods to challenge an act or decision of a local agency, as described above. By imposing duties on local agencies, the bill would create a state-mandated local program.

Position Priority
Watch B. Watch

#### **SB 231** (Hurtado D) Department of Water Resources: water supply forecasting.

**Status:** 9/1/2023-Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/23/2023)(May be acted upon Jan 2024)

**Summary:** Would require the Department of Water Resources, on or before December 31, 2025, to establish a formal process for annually evaluating and improving the accuracy of its water supply forecasts, adopt a new water supply forecasting model that better addresses the effects of climate change, and implement a formal policy and procedures for documenting its operational plans for the state's water supply and its rationale for its operating procedures. The bill would require the department, by December 1, 2024, to prepare, and submit to the Legislature, a report on its progress toward meeting these requirements.

Position Priority
Watch B. Watch

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

Status: 10/7/2023-Approved by the Governor. Chaptered by Secretary of State. Chapter 384, Statutes of 2023. 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 develop a sea level rise plan as part of either a local coastal program, as defined, that is subject to approval by the California Coastal Commission, or a subregional San Francisco Bay shoreline resiliency plan that is subject to approval by the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034, as provided. 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 a sea level rise plan to be prioritized for funding, upon appropriation by the Legislature, for the implementation of sea level rise adaptation strategies and recommended projects in the local government's approved sea level rise plan. The bill would require, on or before December 31, 2024, the California Coastal 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 the sea level rise plan. The bill would also require, on or before December 31, 2024, the San Francisco Bay Conservation and Development Commission, in close coordination with the California Coastal Commission, the Ocean Protection Council, and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of the sea level rise plan. 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. This bill contains other related provisions and other existing laws.

Position Priority
Watch B. Watch

#### **SB 315** (Hurtado D) Groundwater: groundwater sustainability agencies: probationary basins.

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2023)(May be acted upon Jan 2024)

Summary: The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate specified basins as probationary basins if certain conditions are met, including, but not limited to, that the Department of Water Resources, in consultation with the board, determines that a groundwater sustainability plan is inadequate or that the groundwater sustainability program is not being implemented in a manner that will likely achieve the sustainability goal. Current law requires the board, if it designates a basin as a probationary basin pursuant to specified conditions, to identify the specific deficiencies and potential remedies. Current law authorizes the board to request the department, within 90 days of the designation, to provide technical recommendations to local agencies to remedy the deficiencies and to develop an interim plan for the probationary basin one year after the designation, as specified. This bill would require any groundwater sustainability agency that hires a third-party consulting firm to ensure that the integrity of the science being used to develop a groundwater sustainability plan is protected and the data is not sold. The bill would delete the authorizations for the board to request technical recommendations from the department. The bill would additionally place various requirements on the board in working with a groundwater sustainability agency, including, among other things, requiring the board to provide clear benchmarks and guidance for groundwater sustainability agencies to improve their groundwater management plans.

Position Priority
Watch B. Watch

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

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/1/2023)(May be acted upon Jan 2024)

**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

**SB 867** 

(<u>Allen</u> D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.

Status: 7/6/2023-July 10 hearing postponed by committee.

**Summary:** Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Position Priority
Watch B. Watch

**Total Measures: 40** 

**Total Tracking Forms: 40** 



### STAFF REPORT

To: Board of Directors Meeting Date: November 21, 2023

From: Sherri Seitz, Public Affairs Manager

**Subject: Public Education and Outreach Report** 

#### **Bill Message**

Customer November/December bill message:

Fats, oils and grease (FOG) that are sent down the kitchen drain can cause clogs and sewage spills. Every day and especially during the holidays, pour your cooking oil and grease into a container, let it cool, and dispose of it according to the guidelines of your city. Any grease left in pans should be wiped out with a paper towel before washing.

#### CAG

ETWD held its quarterly CAG meeting on November 16, 2023. The District had 36 RSVPs including 10 staff and 26 customers. Dennis Cafferty presented on Water Supply, Regulations and Consumption. Hannah Ford presented on ETWD's Master Plan and Asset Management Plan Update.

### **Laguna Woods Village Television**

Director Mark Monin presented on Emergency Preparedness on This Day on October 27, 2023. October was National Preparedness Month and his presentation included what ETWD does to prepare for emergencies and what residents can do.

#### Nextdoor

ETWD was recently approved for a Nextdoor account. Nextdoor is an application where neighborhood residents can get local tips, buy and sell items, and read local news. For the last few years, CSDA worked with special districts and Nextdoor to develop policy to ensure special districts received the same access to information and resources that cities and counties do. Late last year Nextdoor opened the platform to special districts without a fee. It allows public agencies to share critical, real-time information directly at the neighborhood level. The ETWD account will only allow staff to see what is being posted

on the District's account and will not be able to see what is being posted in the surrounding neighborhoods. The next steps before going active will be for staff to reviewing the Nextdoor training manual and provide a GIS map file of the ETWD boundary.

### **AB 1572 Educational Flyer**

Staff developed an educational flyer that summarizes the new legislation on Assembly Bill 1572 Prohibition on Nonfunctional Turf. A copy of the flyer follows this report.

### **Past Events**

### **South County Disaster Preparedness Expo**

ETWD staff Vu Chu, Sherri Seitz, Robert Hazzard and Vinnie Coppola hosted a booth and provided water from ETWD's emergency water trailer at the City of Mission Viejo South County Disaster Preparedness Expo on Saturday, October 21, 2023 at the Norman Murray Community and Senior Center.



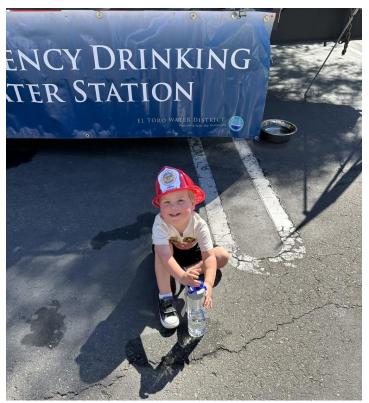
Public Education and Outreach Report Page 3





Public Education and Outreach Report Page 4





Public Education and Outreach Report Page 5





Public Education and Outreach Report Page 6









#### **H2O for HOAs**

ETWD staff partnered with MNWD, IRWD, SMWD, SCWD, TCWD, LBCWD and the cities of Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente and Unincorporated Orange County to hold this year's H20 for HOA event on Thursday, October 26, 2023 at the Norman P. Murray Community Center in Mission Viejo. Vu Chu staffed a booth att he event. Donna Rane-Szostak of Laguna Woods Village participated as a panelist on the "How to Push Through a Successful Project" from an HOA perspective and was interviewed after the event. President Kay Havens was also interviewed after the event and will be included in the post event video.





Vu Chu, President Kay Havens, Sherri Seitz, Donna Rane-Szostak and Mary Sinclair





Customer Donna Rane-Szostak speaking on the Successful Management Project: Strategies and Techniques



### ETWD "Pipe Patrol - Leak Detection and Prevention" Workshops

Due to low turnout, the "Pipe Patrol – Leak Detection and Prevention" workshops were cancelled and Vu worked directly with the customers that signed up.

### **MWD Virtual Landscape Workshops**

ETWD is co-hosting a series of free online landscape workshops with MWD and run by G3 Green Gardeners Group. For each class, Vu Chu provided an introduction for each workshop.

#### **Girl Scouts Tour**

ETWD co-hosted a Girl Scout tour with MWDOC at the ETWD Water Recycling Plant on Saturday, November 4, 2023. 50 Daisy, Brownie and Girl Scouts were signed up for the clinic and tour. President Kay Havens provided a brief ETWD introduction and the WRP staff provided tours for the scouts.



Public Education and Outreach Report Page 12





Public Education and Outreach Report Page 13





Public Education and Outreach Report Page 14





Public Education and Outreach Report Page 15





Public Education and Outreach Report Page 16





Public Education and Outreach Report Page 17





Public Education and Outreach Report Page 18





Public Education and Outreach Report Page 19





Public Education and Outreach Report Page 20







### **Upcoming Community Events**

# City of Lake Forest/Lake Forest Chamber of Commerce - Elf Yourself 5K

ETWD staff will host a booth and provide water from ETWD's water trailer to race attendees at the upcoming City of Lake Forest/Lake Forest Chamber of Commerce Elf Yourself 5K Race on Saturday, November 18, 2023 at 8:00 a.m. at the Lake Forest Sports Park.

# **Boy Scout Tour**

ETWD is co-hosting a Boy Scout tour with MWDOC at the ETWD Water Recycling Plant on Saturday, December 9, 2023 from 8 a.m. – 12 noon. Director Fred Adjarian will provide a brief ETWD introduction and WRP staff will provide tours for approximately 100 scouts and their families.



# AB 1572 PROHIBITION OF IRRIGATION OF NONFUNCTIONAL TURF



# **Summary**

AB 1572 - LEGISLATION SIGNED ON OCTOBER 13, 2023, WILL PROHIBIT THE USE OF POTABLE (DRINKING) WATER FOR IRRIGATION OF NONFUNCTIONAL TURF ON COMMERCIAL, INDUSTRIAL, INSTITUTIONAL (CII) PROPERTIES AND HOA COMMON AREAS THROUGHOUT THE STATE OF CALIFORNIA.

# **DEFINITIONS**



**NONFUNCTIONAL TURF** – any turf area that is decorative and has no other functions. Examples include HOA common areas, streets right-of-way, parking lots, medians, and areas outside of businesses that are not used for recreation.



**FUNCTIONAL TURF** – turf located in a recreational use area or community gathering space. Examples are sports fields, picnic areas and cemeteries.



**COMMON AREA** – area that is not assigned for exclusive use of the occupants of an individual dwelling unit within the property.



**RECREATIONAL USE AREA** – area designated by a property owner or a governmental agency to accommodate human foot traffic for recreation, including sports fields, golf courses, playgrounds, picnic grounds or pet exercise areas.



# This restriction <u>DOES</u> apply to the following:

- Properties owned by local governments
- Commercial, industrial and institutional (CII) properties
- Homeowner associations (HOAs) and common interest developments common areas

# This restriction **DOES NOT** apply to the following:

- Nonfunctional turf areas that are irrigated with recycled water.
- Does not apply to turf used for recreation. This means that where recycled water is
  not available, drinking water still can be used on school fields, sports fields and areas
  regularly used for civic or community events.
- Single-family residential properties. Residential customers can still water their yards.
- Multifamily residential properties and cemeteries
- · Exceptions made for tree health



# AB 1572 PROHIBITION OF IRRIGATION OF NONFUNCTIONAL TURF



# **Compliance**

ETWD is required to and will develop the District's nonfunctional turf regulations by January 1, 2027. The District will inform customers who will be impacted by the regulation before the compliance timeline.

CII properties with > 5,000 square feet of irrigated turf will be required to self-certify to the State Water Resources Control Board (SWRCB) every three years beginning June 30, 2030.

HOA properties with > 5,000 square feet of irrigated turf will be required to self-certify to the SWRCB every three years beginning June 30, 3031.

The SWRCB is currently in the process of converting the AB 1572 legislation into enforceable regulations. The regulations are expected to be completed prior to the first enforceable compliance timeline (January 1, 2027). ETWD will update customers impacted by the regulations before they go into effect.

# **COMPLIANCE TIMELINE**



# **January 1, 2027**

Public properties owned by local governments



# **January 1, 2028**

Commercial, industrial and institutional (CII) properties



# **January 1, 2029**

Homeowner association common areas



# **January 1, 2031**

Properties owned by local governments in Disadvantaged Communities (DAC) or when state funding for turf replacement is available



# **Questions about AB 1572**

Please call Water Use Efficiency Analyst Vu Chu at (949) 837-7050, ext. 253 or Public Affairs Manager Sherri Seitz at (949) 837-7050, ext. 239.





### STAFF REPORT

To: Board of Directors Meeting Date: November 21, 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.

<sup>\*</sup>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.

<sup>\*</sup>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 October 2023.

Residential Device Rebates	Rebates Approved October 2023	ETWD Amount Paid	MET Amount Paid	Total Rebate Paid
Weather Based Irrigation Controller	1			\$118.00

The following ETWD rebates for Turf Removal Program and Spray-To-Drip Program that have been paid during the current fiscal year 2023/2024 through the end of October 2023.

Turf Removal Program	Total sq.ft. Paid	ETWD Supplemental Amount	ETWD Supplemental Rebate Total
Turf Removal Residential & Commercial	6,733	\$1 sq. ft.	\$6,733.00
Spray-To-Drip Residential & Commercial	4,185	\$0.25 sq. ft.	\$1,046.25

### Water Use Efficiency Plan Update:

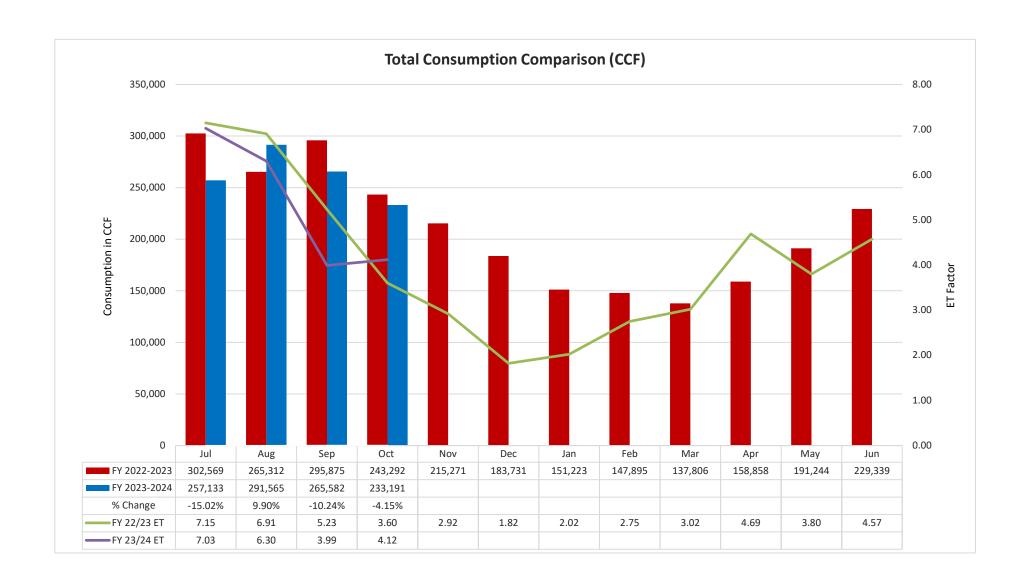
The District Water Budget-Based Tiered Conservation Rate Structure (WBBTCRS) pricing structure is the primary plan that gives customers the incentive needed to be efficient. The Plan efforts initially will concentrate on those customers continually in the Inefficient and Excessive Tiers (Tiers 3 and 4). During October 2023, residential customers accounted for 62.5% of Tier 3 usage and dedicated irrigation accounted for 37.5%. For Tier 4, residential customers accounted for 41.7% and dedicated irrigation accounted for 58.3% during the same period.

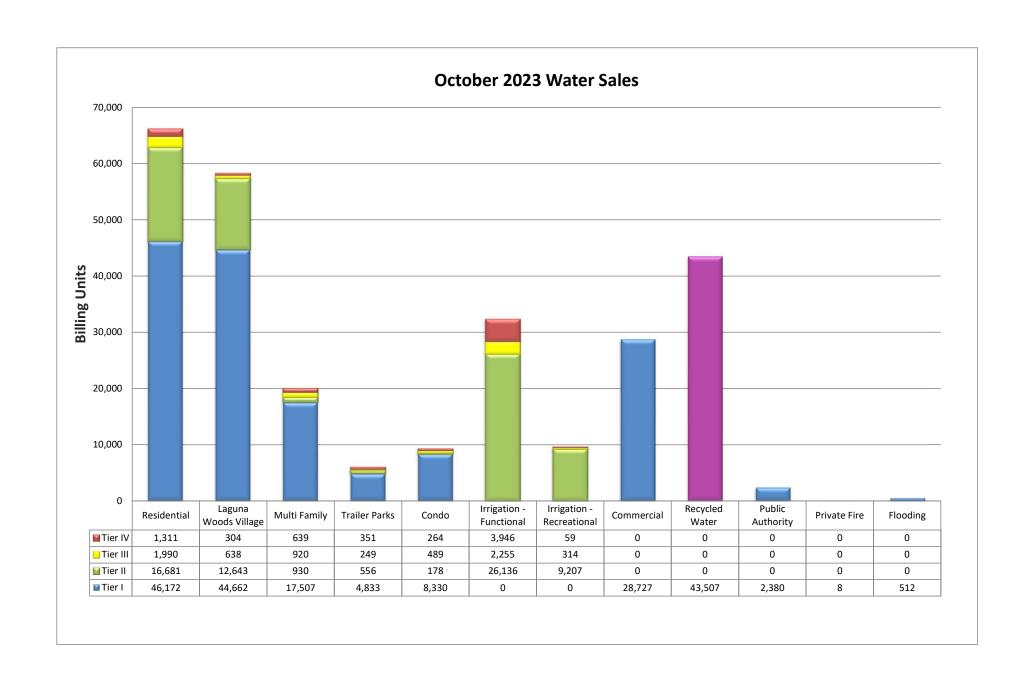
## <u>Total Consumption Comparison to Evapotranspiration (ET) Factor:</u>

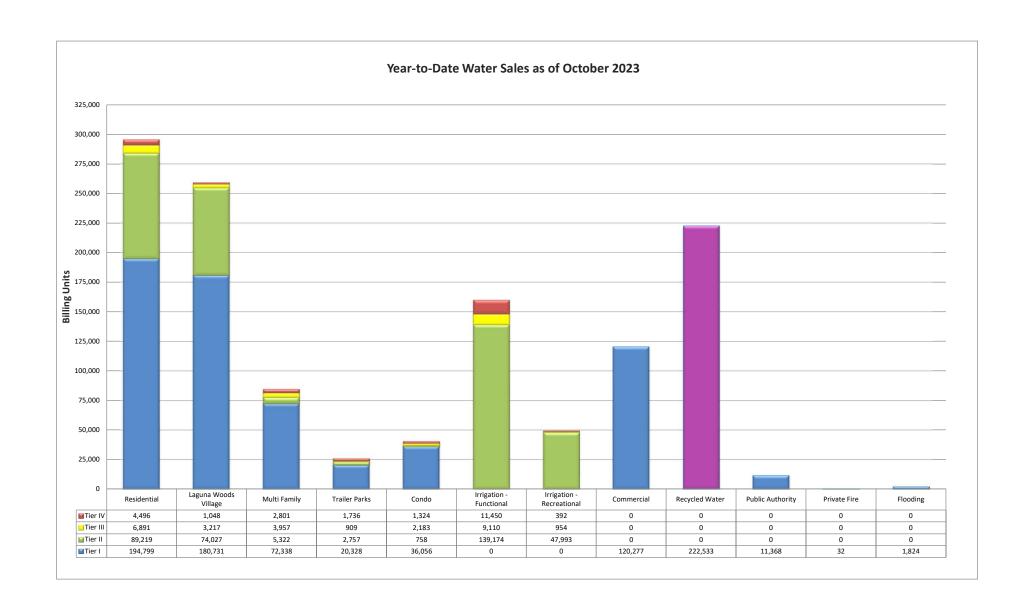
Included in this month's Water Use Efficiency Report is a chart comparing the current fiscal year consumption and ET factor to the fiscal 2022/23 consumption and ET factor. Total potable water consumption decreased 4.15% in October 2023 versus October 2022. The ET factor increased from 3.60 to 4.12 during 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 2022-2023 fiscal year. ETWD water consumption compared to 2013 and 2020 are also included.

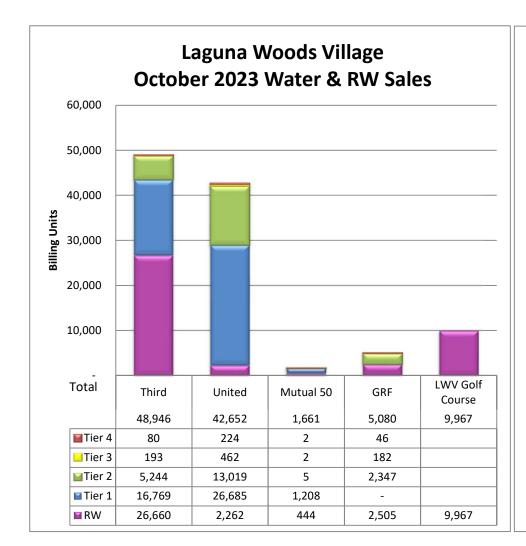




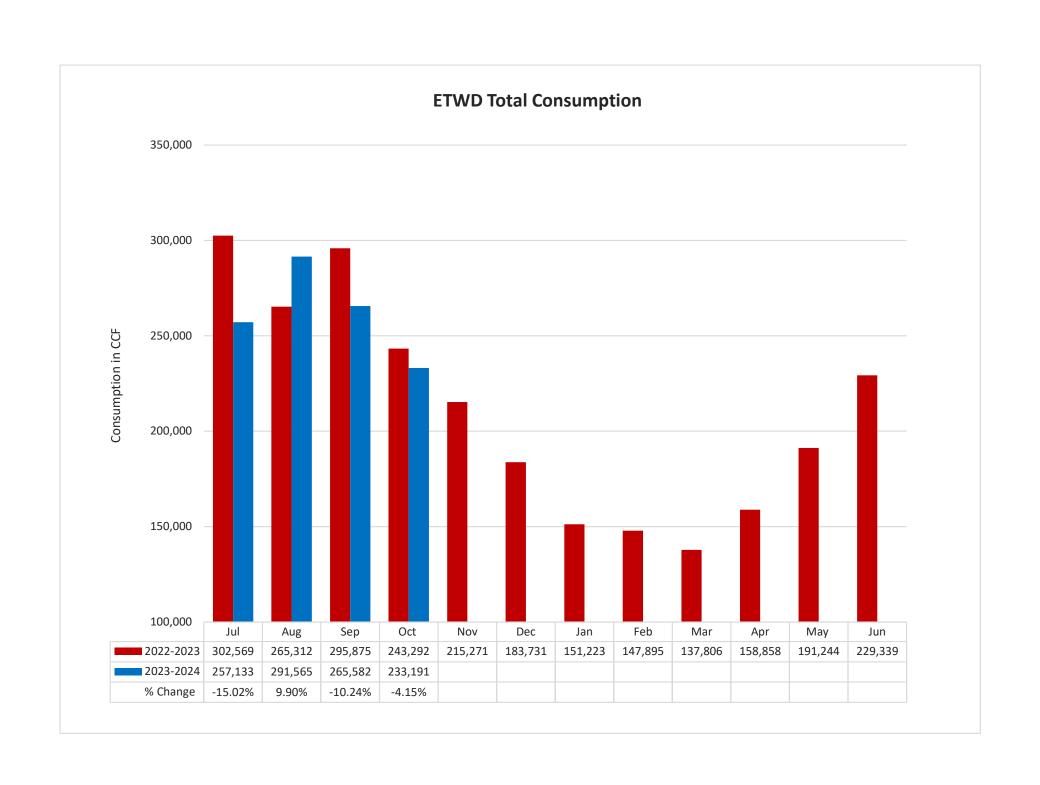


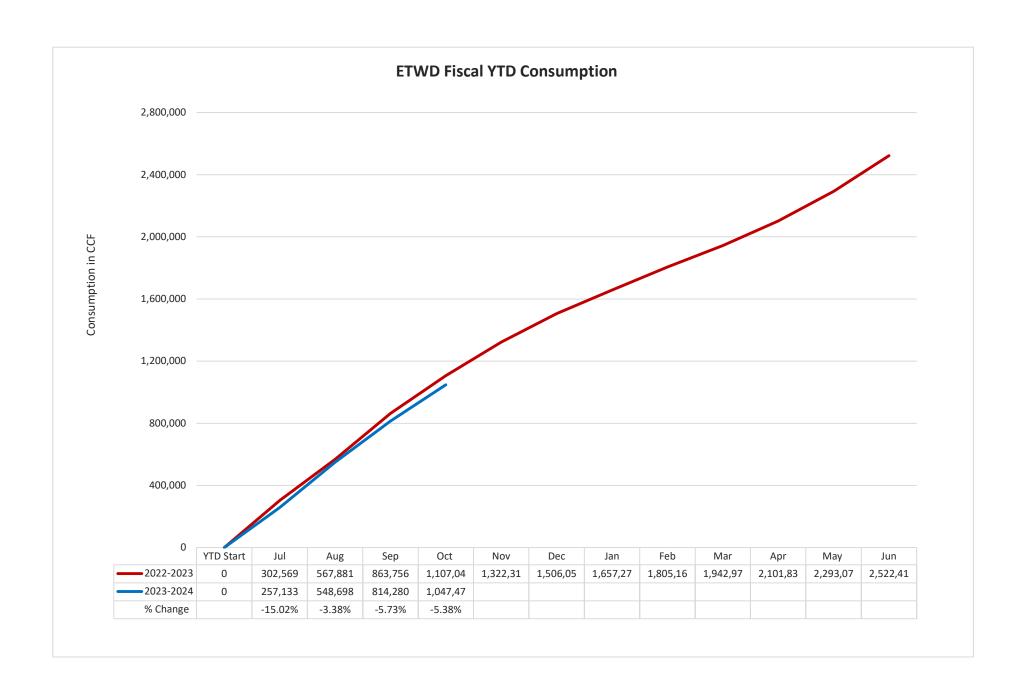


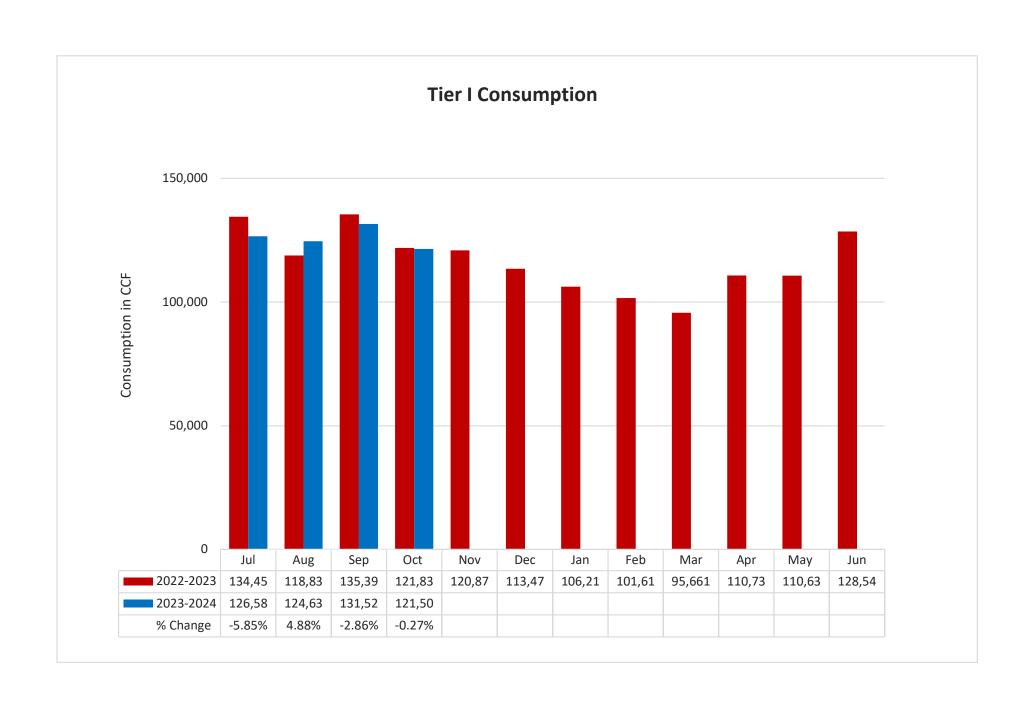


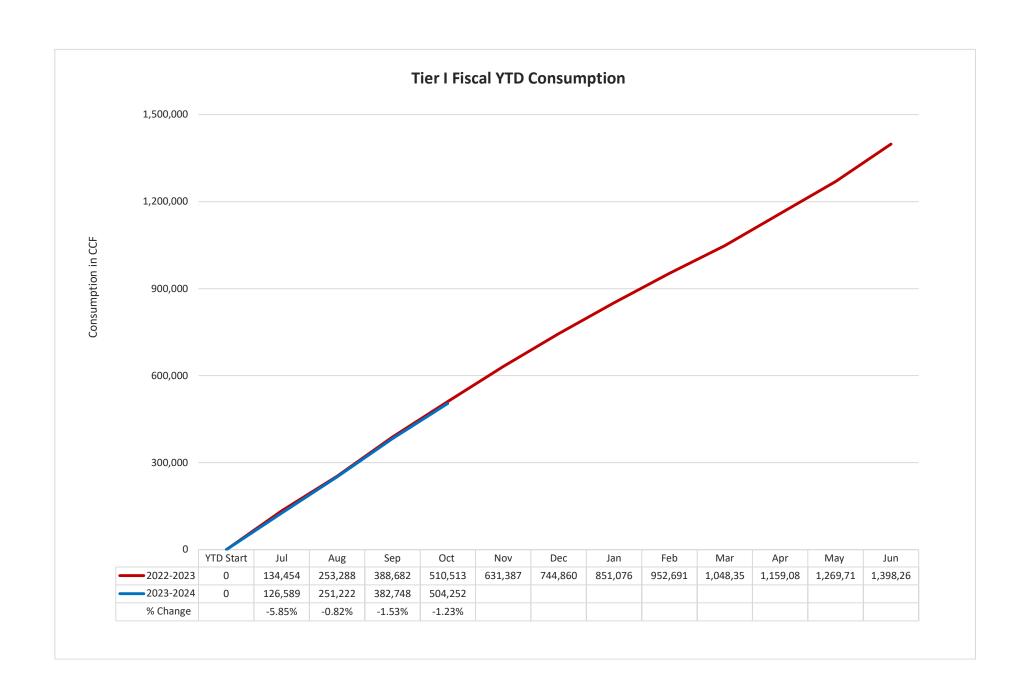


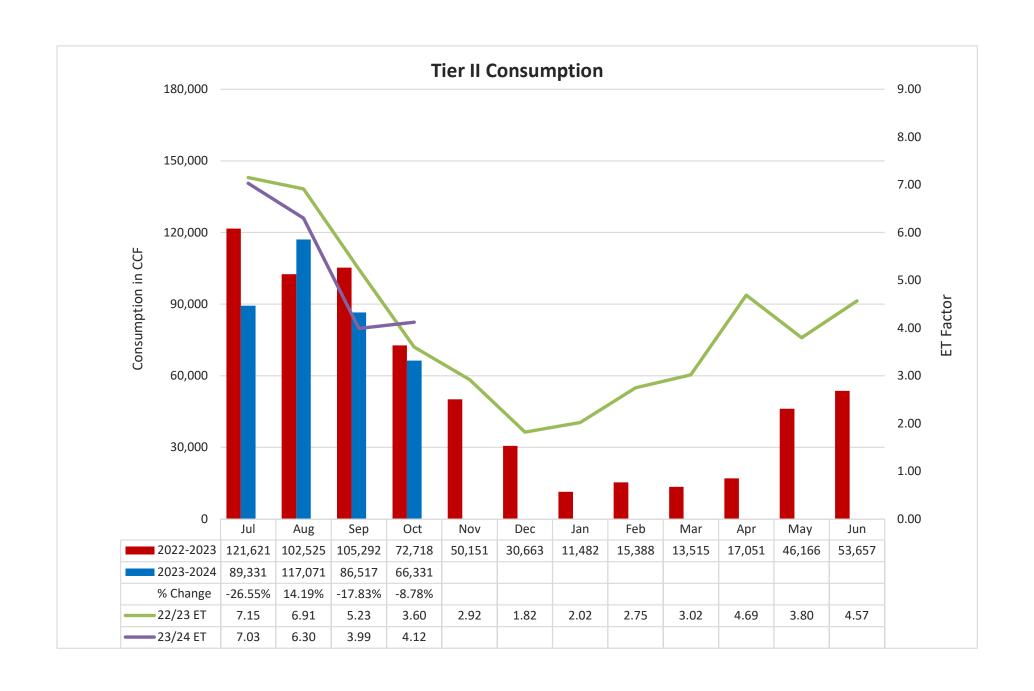


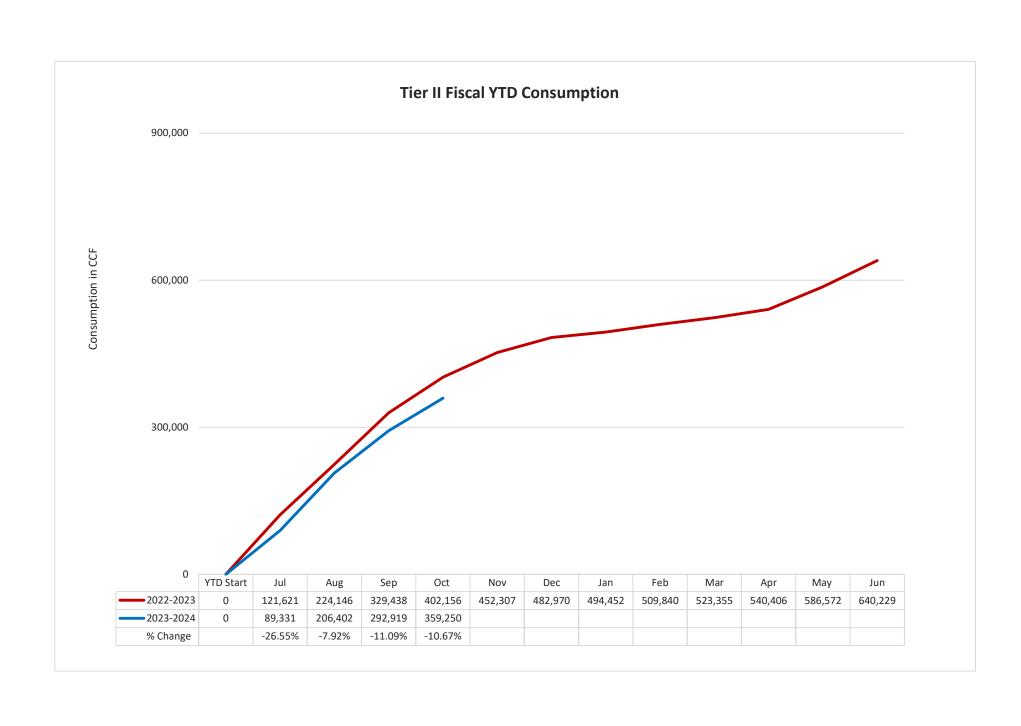


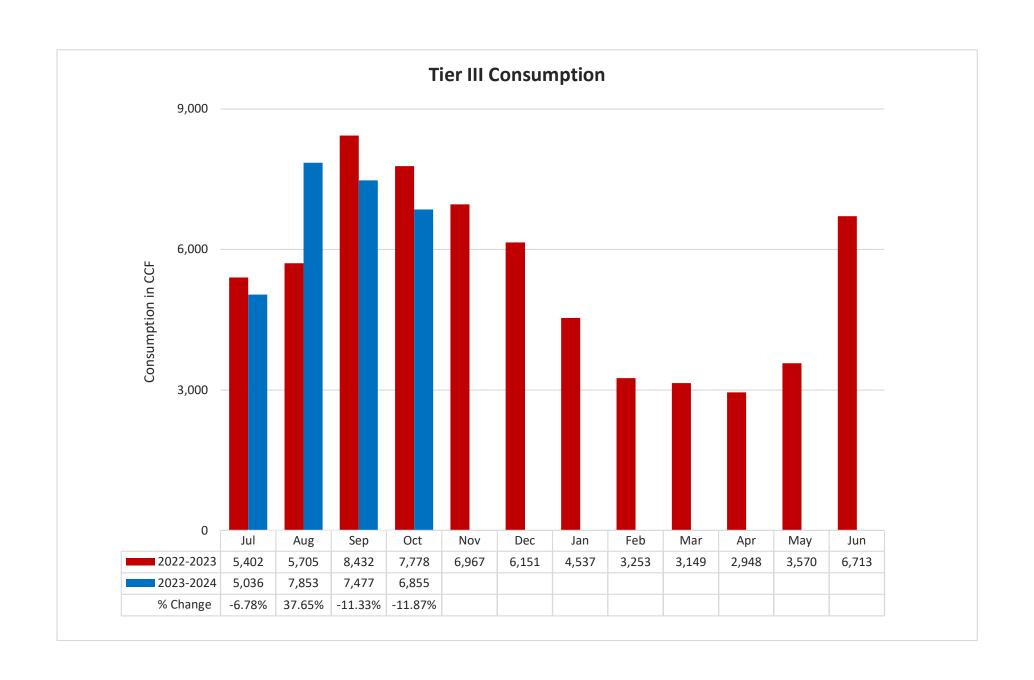


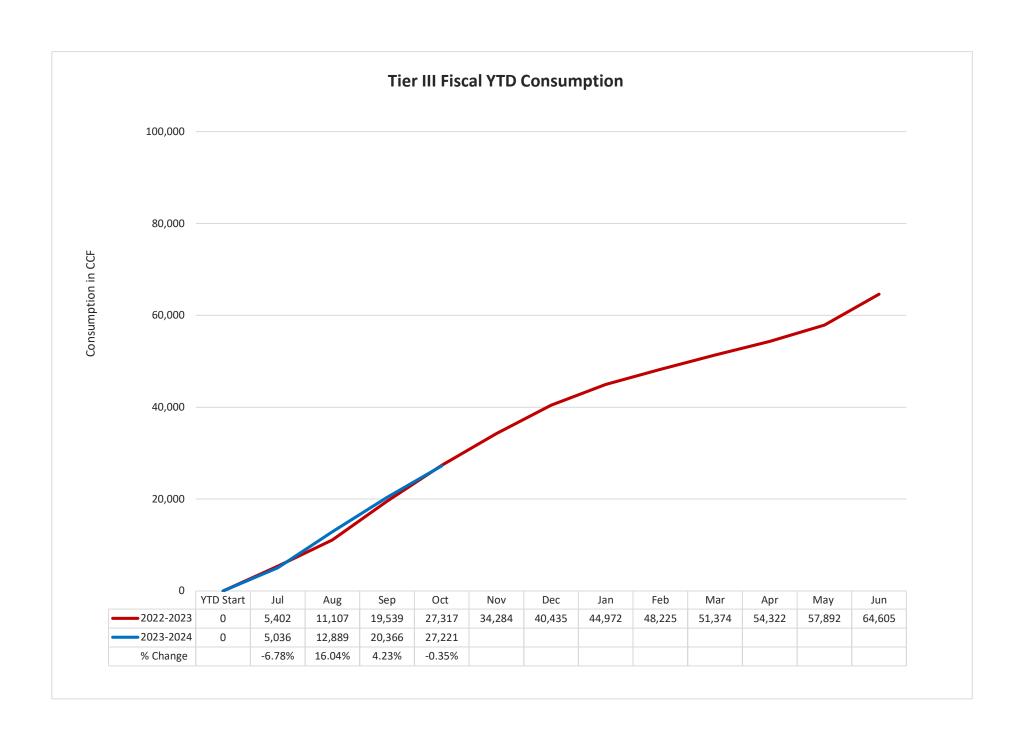


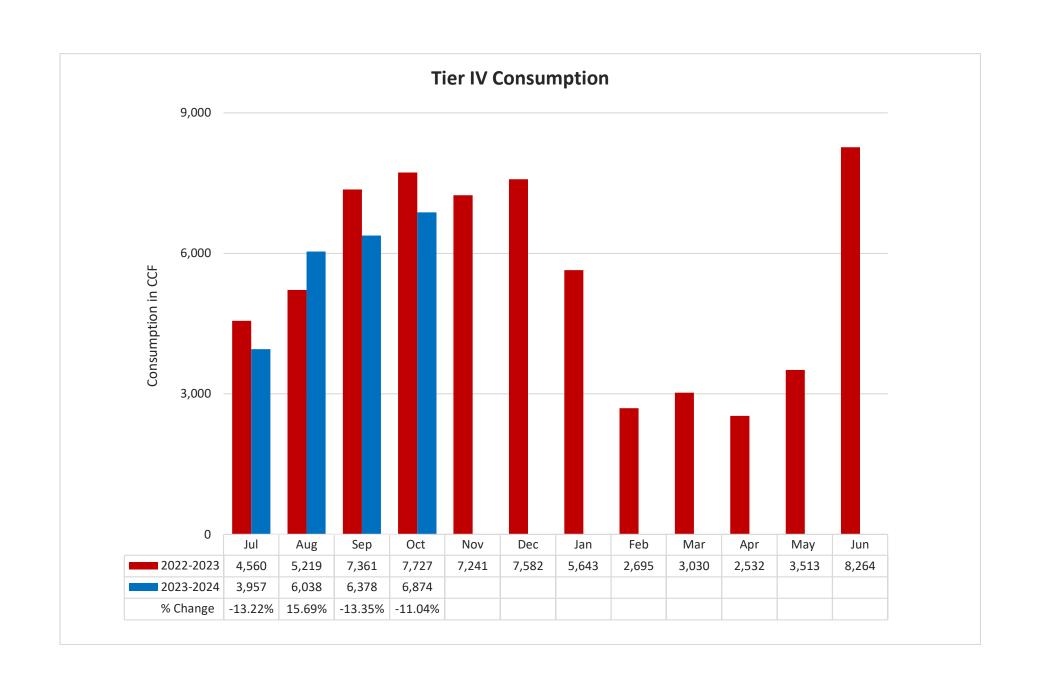


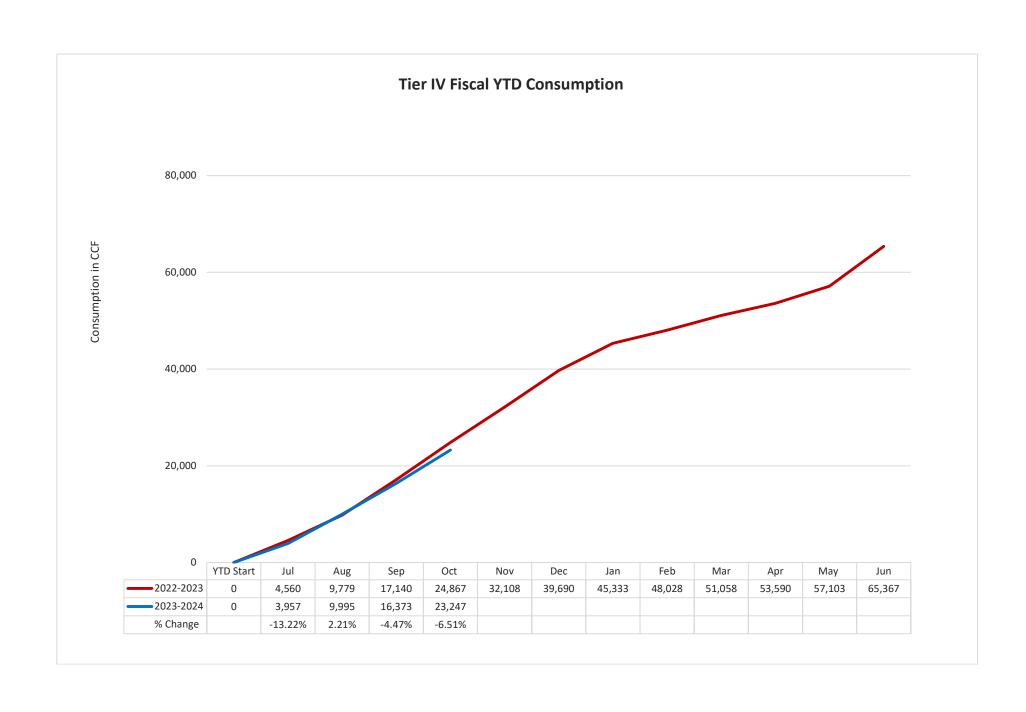


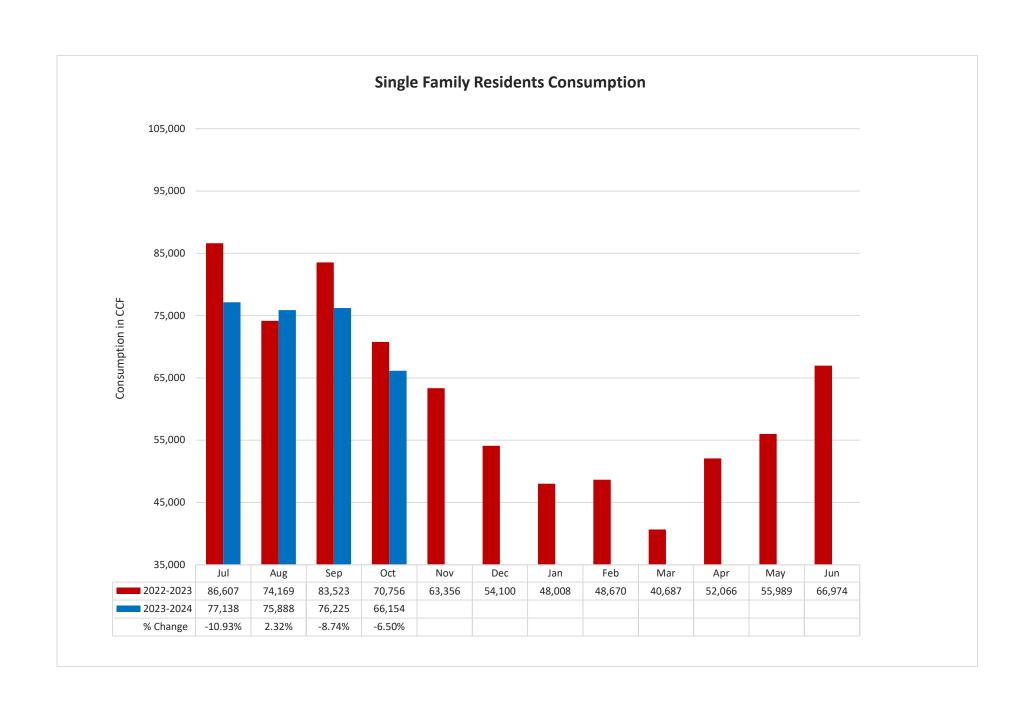


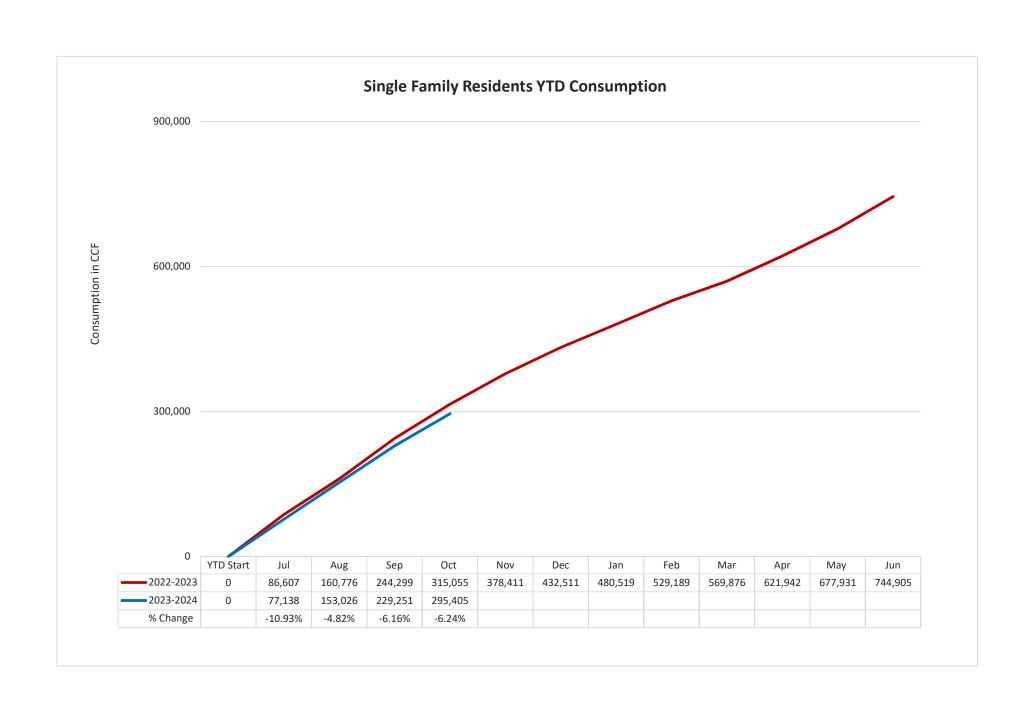


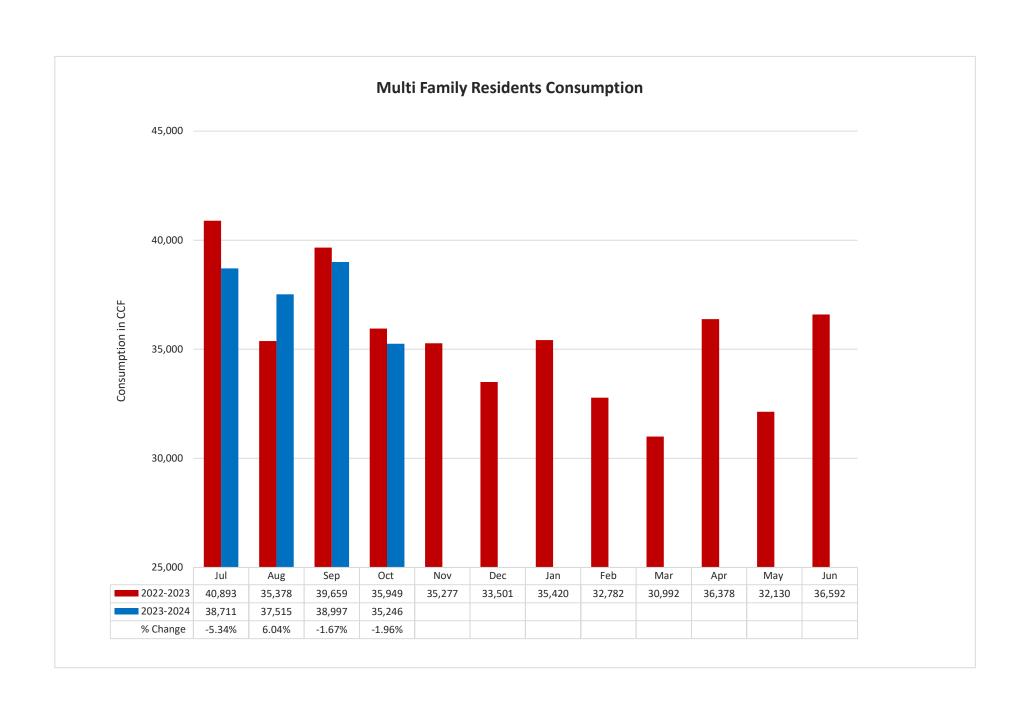


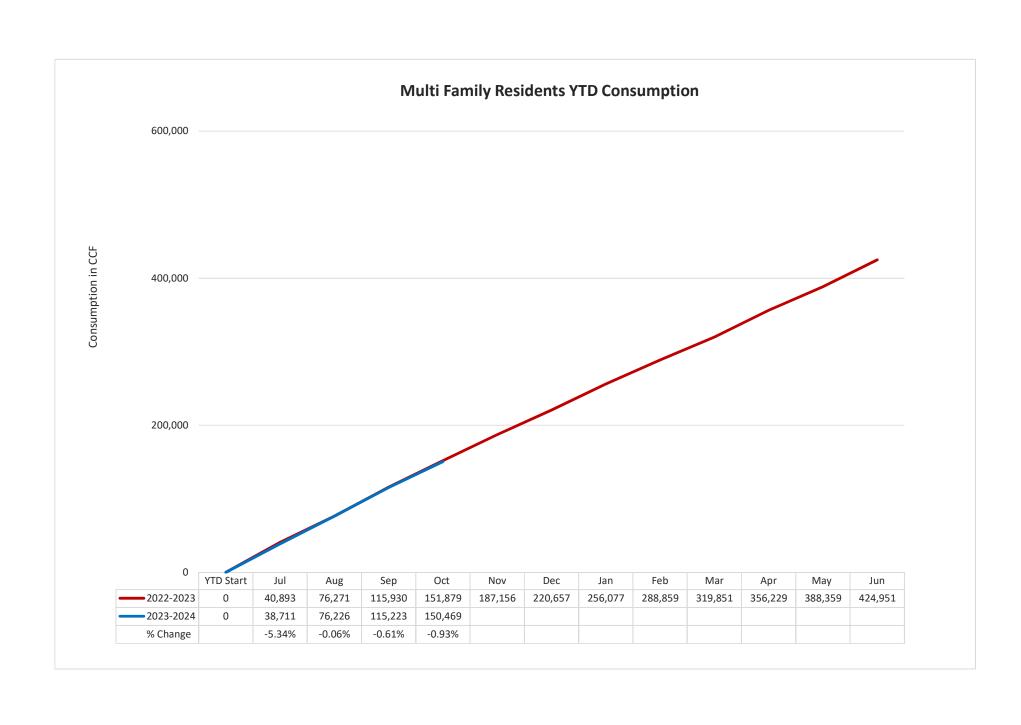


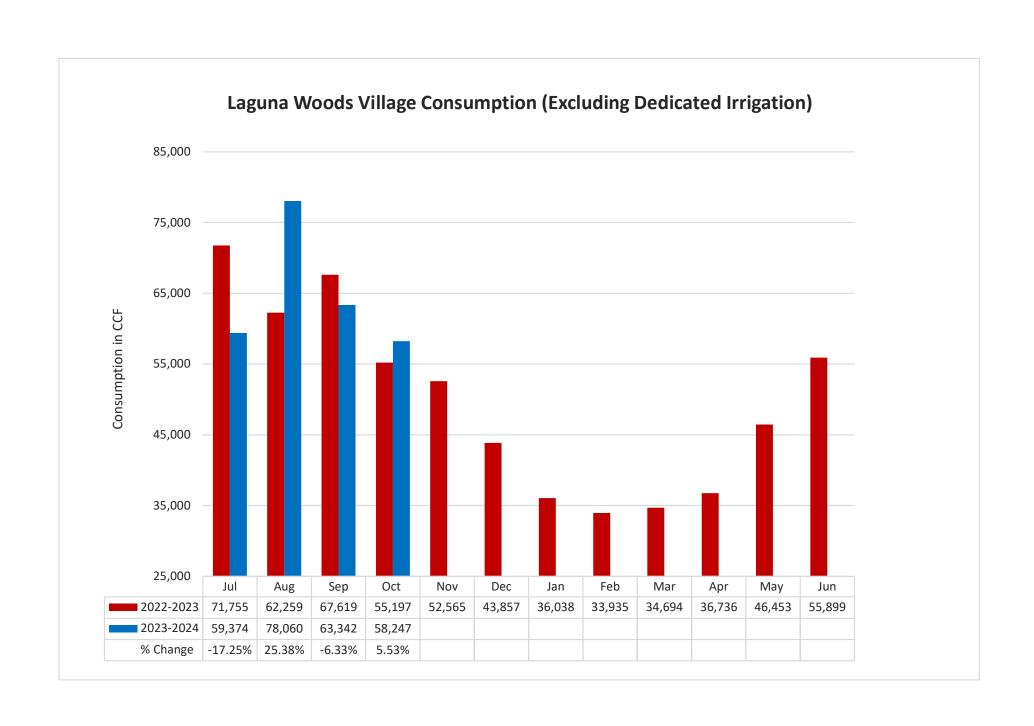


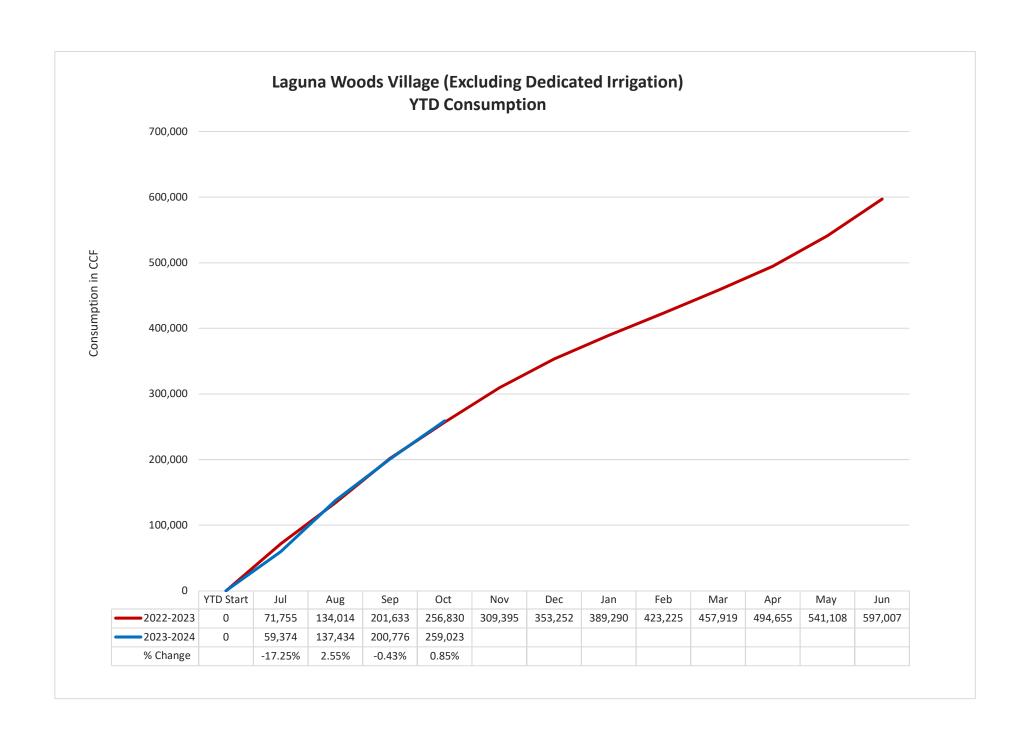


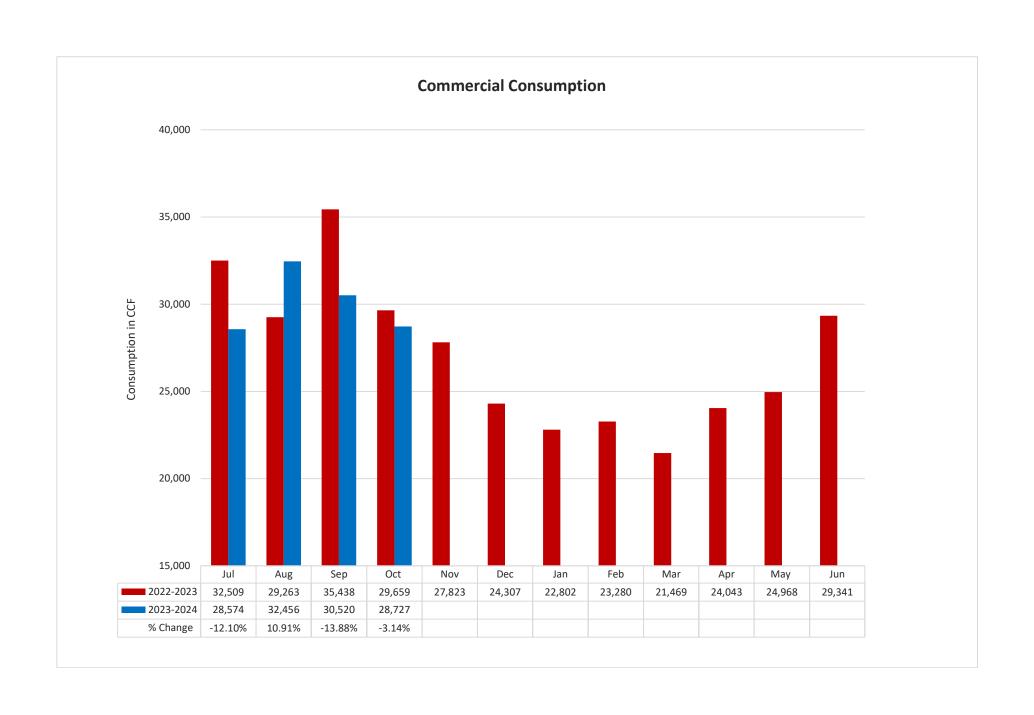


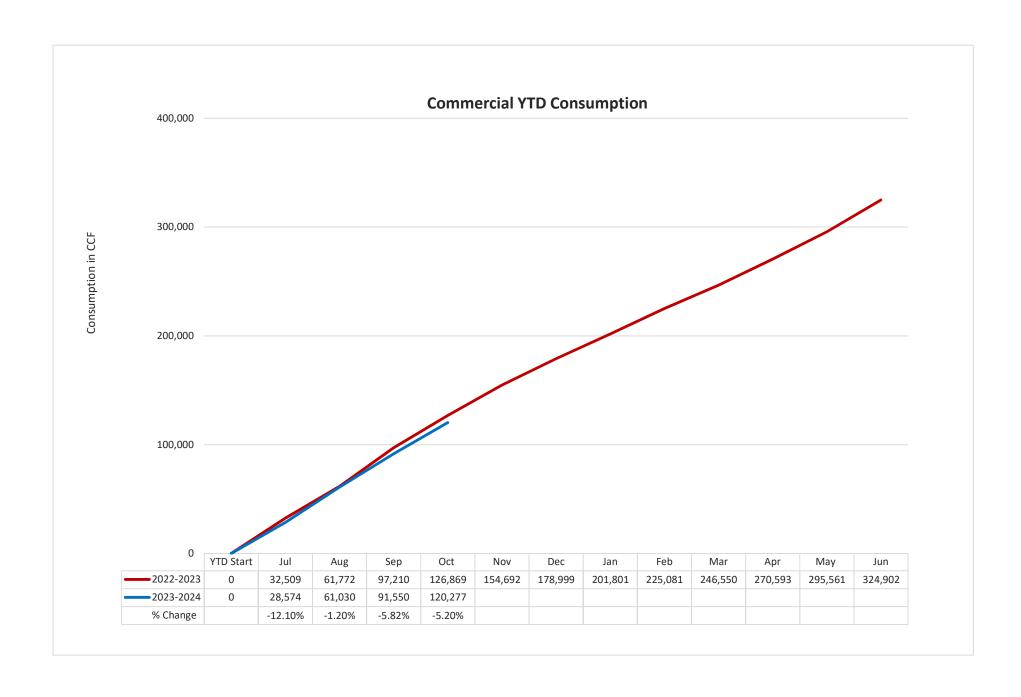


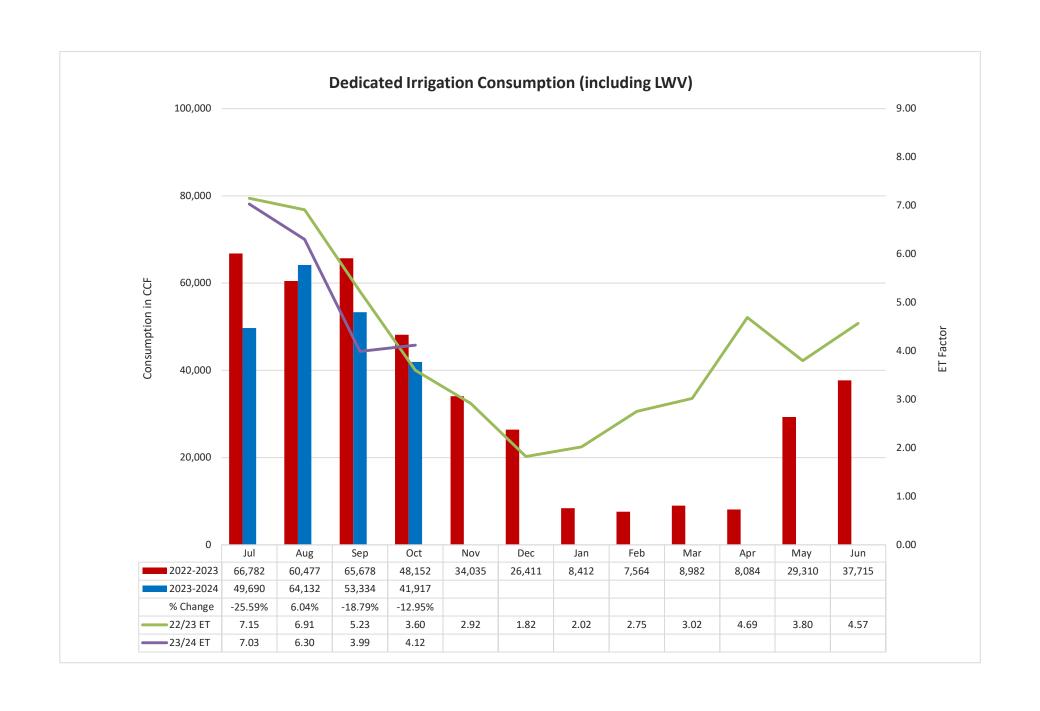


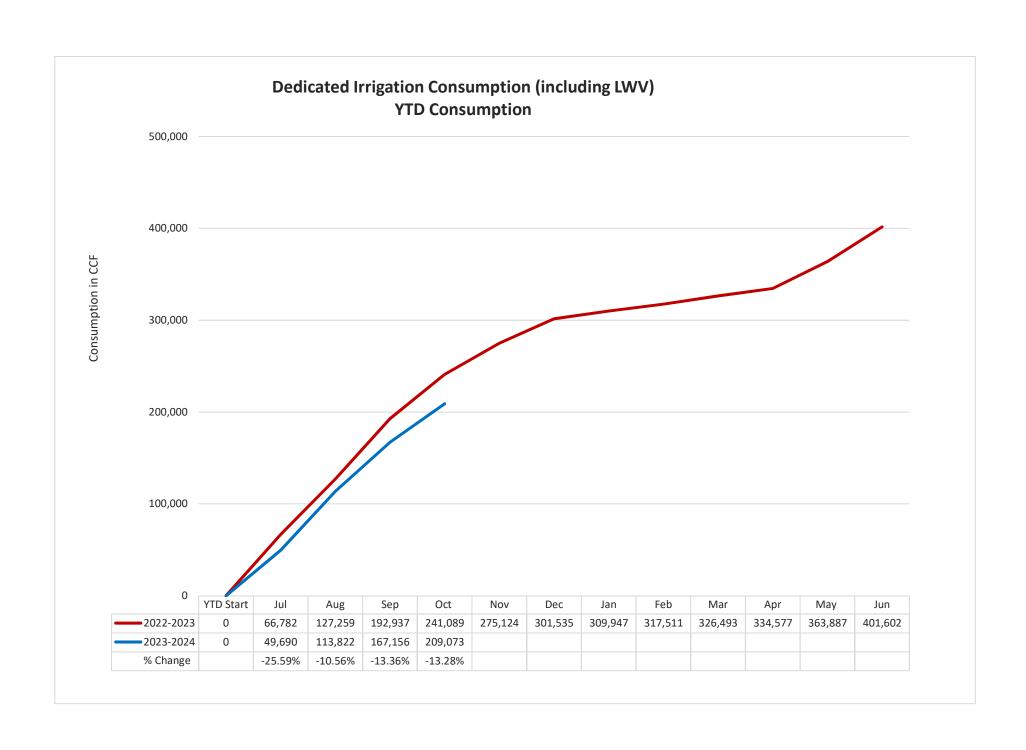


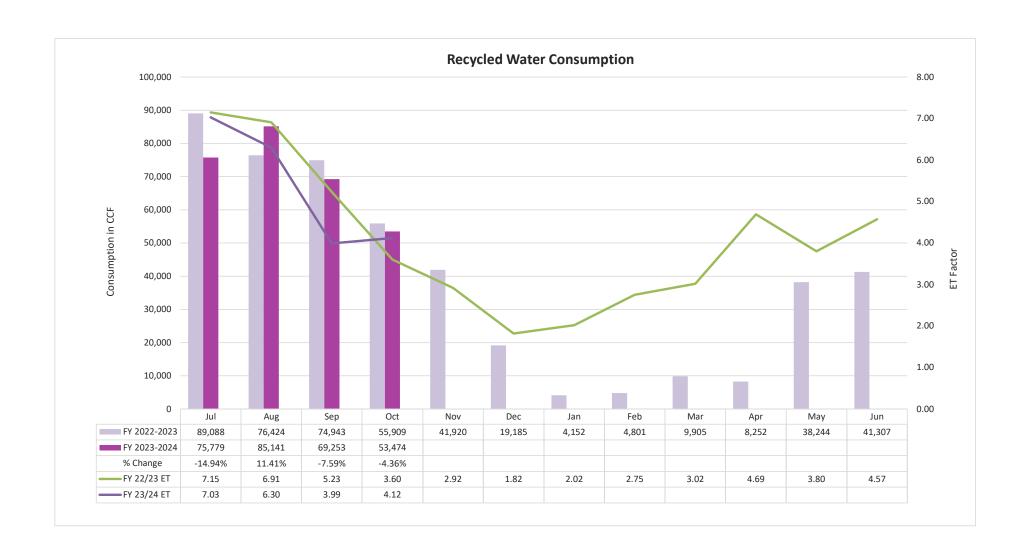


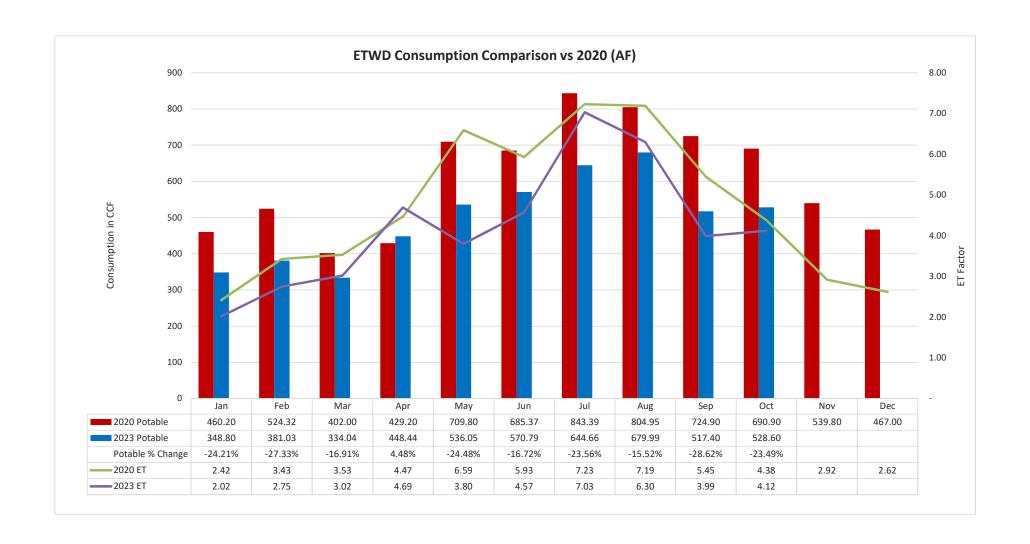


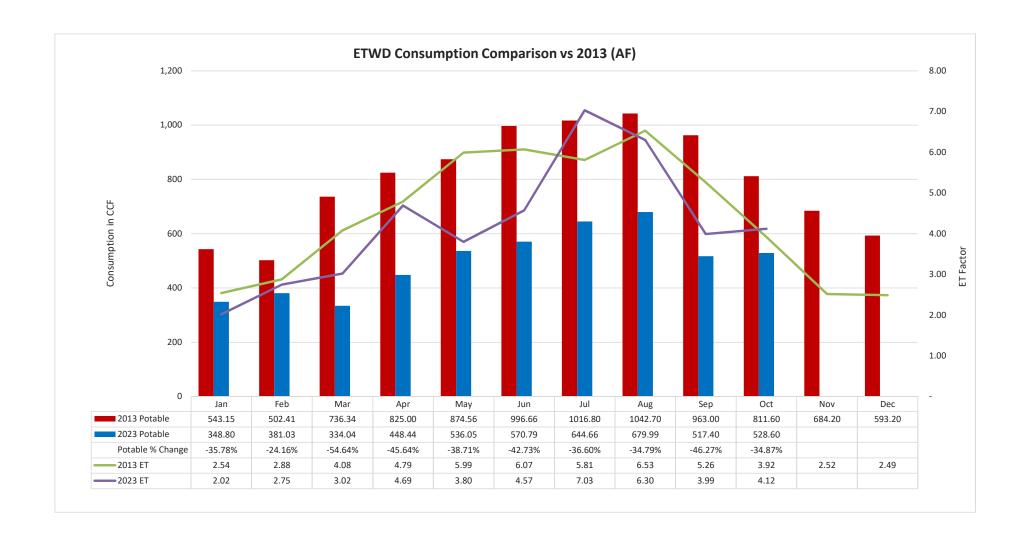












I hereby certify that the following Agenda was posted at least 72 hours prior to the time of the Board Meeting so noticed below at the usual agenda posting location of the South Orange County Wastewater Authority (SOCWA) and at <a href="https://www.socwa.com">www.socwa.com</a>.

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

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

> > November 2, 2023 8:30 a.m.

PHYSICAL MEETING LOCATION: South Orange County Wastewater Authority 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.

AGENDA ATTACHMENTS AND OTHER WRITINGS THAT ARE DISCLOSABLE PUBLIC RECORDS DISTRIBUTED TO ALL, OR A MAJORITY OF, THE MEMBERS OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY BOARD OF DIRECTORS IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE BOARD OF DIRECTORS 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 BOARD OF DIRECTORS 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 BOARD OF DIRECTORS 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 <a href="https://socwa.zoom.us/">https://socwa.zoom.us/</a>

Meeting ID: 812 1909 7883 Passcode: 746383

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/kgOoEqJ32

#### **Agenda**

1.	<u>CA</u>	ALL TO ORDER					
2.	<u>PL</u>	PLEDGE OF ALLEGIANCE					
3.	<u>OF</u>	RAL COMMUNICATIONS					
	res	lembers of the public may address the board regarding an item on the agenda or may eserve this opportunity during the meeting at the time the item is discussed by the board. here will be a three-minute limit for public comments.					
4.	ΑP	PROVA	AL OF I	BOARD MEMBER REQUEST FOR REMOTE PARTICIPATION			
		TION		rd Discussion/Direction and Action.			
5.	<u>CC</u>	NSEN	T CALE	<u>PAGE N</u>	<u>10</u>		
	A.	Minute	es of Bo	pard of Directors	1		
		•		of Directors Special Meeting of September 26, 2023 of Directors Regular Meeting of October 5, 2023			
		ACTIC	N	The Board will be requested to approve the subject Minutes.			
	B.	Opera	itions R	eport (September)9	ı		
		2. 3. 4. 5.	SOCV Quarte Beach Recyc	ally Operational Report WA Ocean Outfall Discharges by Agency erly Report on Key Operational Expenses a Ocean Monitoring Report cled Water Report eatment Report (October)			
		ACTIC	N	The Board will be requested to receive and file subject reports as submitted.			
	C.	Capita	al Impro	vement Program Status Report (October)	ļ		
		ACTIC	ON	Information item.			
D. Capital Improvement Construction Projects Progress and Change Report (October) [Project Committees 2, 15, 17, & 24]				ovement Construction Projects Progress and Change Order ber) [Project Committees 2, 15, 17, & 24]67	7		
		ACTIC	ON	Staff recommends that the PC 2 Board of Directors approve Change Orders 73 through 80 for \$482,878.33 to Olsson Construction for the JBL Package B project.			

#### <u>Agenda</u>

			PAGE NO					
6.	ENGINEERING MATTERS							
	A.	Contract Award for Coastal Treatment Plant (CTP) Diffuser Replacement Project [Project Committee 15]						
		ACTION	Staff recommends the PC 15 Board of Directors award the contract to Filanc in the amount of \$1,022,250 for the CTP Aeration Diffusers Replacement Project with a contingency of \$122,000.					
	В.		ard for Engineering Services During Construction for Coastal Treatment Aeration Diffuser Replacement Project [Project Committee 15]					
		ACTION	The Engineering Committee recommends that the Board of Directors approve the contract to Hazen and Sawyer for a total of \$68,580 for Engineering Services During Construction for the CTP Aeration Diffuser Replacement Project.					
	C.		ard for J.B. Latham Treatment Plant (JBL) Centrate Line Upgrades ect Committee 2]					
		ACTION	Staff recommends that the PC 2 Board of Directors award the contract to SS Mechanical in the amount of \$148,455 for the JBL Centrate Line Upgrades Project with a contingency of \$14,850.					
	D.	Effluent Trar [Project Con	nsmission Main Trail Bridge Crossing Project Update nmittee 21, Reach D]84					
		ACTION	Staff recommends that the PC 21 Reach D Board of Directors approve the Tetra Tech Amendment No. 3 in the amount of \$40,424.00, for a total revised contract amount of \$543,991, for the final design of the Effluent Transmission Main Trail Bridge Crossing Project.					
	E.	Regional Tre	eatment Plant Standby Generator Study [Project Committee 17]					
		ACTION	Information Item; receive and file.					
7.	<u>G</u> E	ENERAL MAN	IAGER'S REPORT					
	A.	Atmospheric Analysis and Consulting Services One-Year Purchase Order Extension 106						
		ACTION	Staff recommends that the Board of Directors approve the use of Atmospheric Analysis and Consulting services in the amount not to exceed \$60,000 for the term of one year.					

#### **Agenda**

			PAGE NO		
В.	Contract Amendment with Integrated Municipal Systems, LLC for Scrubber Maintena Services [Project Committees 2, 15 & 17]				
	ACTION	Staff recommends the award of a One-Year contract extension to Integrated Municipal Systems, LLC. for scrubber maintenance services plus applicable taxes.			
C.	Unison Solutions, Inc. 3-year Budget Authorization for Carbon Media Purchases \$160,000 [Project Committee 2]				
	ACTION	Staff recommends that the PC 2 Board of Directors authorize the Acting General Manager/Director of Operations the purchasing authority to procure carbon media as budgeted over the next three (3) years in the amount not to exceed \$160,000.00.			
D.		ons, Inc. 3-year Budget Authorization for Carbon Media 360,000 [Project Committee 17]	114		
	ACTION	Staff recommends that the PC 17 Board of Directors authorize the Acting General Manager/Director of Operations the purchasing authority to procure wood-based carbon media as budgeted over the next five years in the amount not to exceed \$360,000.00.			
E.	Discussion or	n the SCWD/SMWD Proposal Framework			
	<ul> <li>PC 17</li> </ul>	Update carryover from October 24 Board Meeting  Oliscussion of ownership and operation transfer  OliscwD Update [PC 2]			
A	ACTION B	Board Discussion/Direction and Action.			
F.	General Cour	nsel's Update			
	• JPAR	Revision Process (Standing item)			
	ACTION	Information Item			
G.	Acting Genera	al Manager's Report	116		
	ACTION	Board Discussion/Direction and Action.			
H.	<ul> <li>Upcoming Meetings Schedule:</li> <li>November 2, 2023 – Board of Directors Regular Meeting</li> <li>November 7, 2023 – Executive Committee Meeting – Canceled (Future Date TBI)</li> <li>November 9, 2023 – Engineering Committee Meeting</li> <li>November 21, 2023 – Finance Committee Meeting</li> <li>December 7, 2023 – Board of Directors Regular Meeting</li> <li>January 4, 2024 – Board of Directors Regular Meeting (???)</li> </ul>				

#### **Agenda**

#### 8. CLOSED SESSION

- A. Closed Session Conference with Legal Counsel Anticipated Litigation (Gov. Code 54956.9(d)(2)) One potential matter
- B. Report out of Closed Session

#### 9. OTHER MATTERS

Determine the need to take action on the following item(s) introduced by the Acting General Manager/Director of Operations, which arose after the posted agenda. [Adoption of this action requires a two-thirds vote of the Board, or if less than two-thirds are present, a unanimous vote.]

#### **ADJOURNMENT**

THE NEXT SOCWA BOARD MEETING DECEMBER 7, 2023

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

November 9, 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 **November 9, 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.

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
<a href="https://socwa.zoom.us/">https://socwa.zoom.us/</a>
Meeting ID: 832 3920 0860
Passcode: 833849

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/kCkCO4Xcd

#### **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 Minutes
	<ul><li>a. Engineering Committee Minutes of September 14, 2023</li><li>b. Engineering Committee <i>Unofficial</i> Minutes of October 12, 2023</li></ul>
	Recommended Action: Staff requests that the Engineering Committee approve the subject Minutes as submitted.
4.	Operations Report8
	Recommended Action: Information Item.
5.	JBL Package B Project Update [Project Committee 2]
	Recommended Action: Information Item.
6.	Capital Improvement Construction Projects Progress Report (November)  [Project Committees 2, 15, 17, & 24]
	Recommended Action: Staff recommends that the Engineering Committee recommend to the PC 2 Board of Directors to approve Change Orders 73 through 80 for \$482,878.33 to Olsson Construction for the JBL Package B project.
7.	Contract Award for Coastal Treatment Plant (CTP) Personnel Building Reconstruction  Engineering Services during Construction [Project Committees 15]
	Recommended Action: Staff recommends that the Engineering Committee recommend to the Board of Directors to approve the contract to ProjectLine for \$31,150 for Engineering Services during Construction for the CTP Personnel Building Reconstruction Project.
8.	JBL Package B Construction Mgmt. Support Contract Amendment (Report Under Separate Cover) [Project Committees 2]
	Recommended Action: Discussion/Direction/Action

PAGE NO.

On-Call Construction Management Support Contract (Report Under Separate Cover)

[Project Committees 2, 15, & 17]......

**Recommended Action:** Discussion/Direction/Action

#### <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 <a href="https://www.socwa.com">www.socwa.com</a>.

Dated this 2nd day of November 2023.

Danita Hirsh, Assistant Secretary

SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

#### WORKSHOP MEETING OF THE BOARD OF DIRECTORS WITH MET DIRECTORS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY 18700 Ward Street, Conference Room 101, Fountain Valley, California November 1, 2023, 8:30 a.m.

This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

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

https://zoom.us/i/8828665300

**Telephone Audio:** (669) 900 9128 fees may apply

(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

#### **AGENDA**

#### PLEDGE OF ALLEGIANCE

#### **ROLL CALL**

#### **PUBLIC PARTICIPATION/COMMENTS**

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

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

#### ITEMS RECEIVED TOO LATE TO BE AGENDIZED

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

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

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

**NEXT RESOLUTION NO. 2143** 

#### PRESENTATION/DISCUSSION ITEMS

PRESENTATION BY METROPOLITAN STAFF ON THE 20TH ANNIVERSARY OF 1. THE QUANTIFICATION SETTLEMENT AGREEMENT

Recommendation: Review and discuss the information presented.

#### 2. LEGISLATIVE ACTIVITIES

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

Recommendation: Review and discuss the information presented.

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

Recommendation: Receive input and discuss the information presented.

#### **INFORMATION ITEMS**

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

Recommendation: Review and discuss the information presented.

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

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

Recommendation: Review and discuss the information presented.

#### **ADJOURNMENT**

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

## MEETING OF THE BOARD OF DIRECTORS OF THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

#### Jointly with the

#### **PLANNING & OPERATIONS COMMITTEE**

November 6, 2023, 8:30 a.m.

This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

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

https://zoom.us/j/8828665300

Telephone Audio: (669) 900 9128 fees may apply

(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

P&O Committee:Staff:H.De La Torre, J. Berg, V. Osborn,Director McVicker, ChairT. Dubuque, D. Micalizzi, H. Baez,Director NederhoodM. Baum-Haley, C. Busslinger,Director SeckelT. Baca

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

1. SUMMARY OF ORANGE COUNTY FY 2022-23 IMPORTED WATER SALES FOLLOW UP PRESENTATION

#### **ACTION ITEMS**

MWDOC LEGISLATIVE POLICY PRINCIPLES ANNUAL UPDATE

**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.)

- SOLE SOURCE CONTRACT WITH PLANET BIDS
- 4. 2023 OC WATER SUMMIT RECAP
- 5. PUBLIC AFFAIRS HIGHLIGHTS
- 6. DEPARTMENT ACTIVITIES REPORTS
  - a. Ongoing MWDOC Reliability and Engineering/Planning Projects
  - b. WEROC
  - c. Water Use Efficiency Projects
  - d. Public and Government Affairs
- 7. 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.

#### MEETING OF THE BOARD OF DIRECTORS OF THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

Jointly with the

#### **ADMINISTRATION & FINANCE COMMITTEE**

November 8, 2023, 8:30 a.m.

This meeting will be held in person at 18700 Ward Street, Fountain Valley, California, 92708 (Conference Room 101). As a convenience for the public, the meeting may also be accessed by Zoom Webinar and will be available by either computer or telephone audio as indicated below. Because this is an in-person meeting and the Zoom component is not required, but rather is being offered as a convenience, if there are any technical issues during the meeting, this meeting will continue and will not be suspended.

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

https://zoom.us/j/8828665300

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

Webinar ID: 882 866 5300#

A&F Committee: Staff: H. De La Torre, C. Harris, Director Dick. Chair H. Chumpitazi, M. Baum-Haley,

**Director Thomas** K. Davanaugh

**Director Crane** 

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.

#### PROPOSED BOARD CONSENT CALENDAR ITEMS

- 1. TREASURER'S REPORT
  - Revenue/Cash Receipt Report October 2023
  - Disbursement Approval Report for the month of November 2023 b.
  - Disbursement Ratification Report for the month of October 2023 C.
  - GM Approved Disbursement Report for the month of October 2023 d.
  - Consolidated Summary of Cash and Investment September 2023 e.
  - **OPEB** and Pension Trust Fund statement f.

- FINANCIAL REPORT
  - a. Combined Financial Statements and Budget Comparative for the Period Ending September 30, 2023
  - b. Quarterly Budget Review

#### **ACTION ITEMS**

2024 HEALTH SAVINGS ACCOUNT CONTRIBUTIONS

**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.)

- 4. FY 2024-25 BUDGET SCHEDULE
- 5. 2024 BENEFIT RATES (Health, Vision and Dental Insurance Rates)
- DEPARTMENT ACTIVITIES REPORTS
  - a. Administration
  - b. Finance and Information Technology
- 7. MONTHLY WATER USAGE DATA AND WATER SUPPLY INFORMATION

#### **OTHER ITEMS**

8. 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.

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.

2

# REGULAR MEETING OF THE BOARD OF DIRECTORS MUNICIPAL WATER DISTRICT OF ORANGE COUNTY 18700 Ward Street, Board Room, Fountain Valley, California November 15, 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.

#### **EMPLOYEE SERVICE AWARDS**

#### **NEXT RESOLUTION NO. 2143**

#### CONSENT CALENDAR (Items 1 to 6)

(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. October 4, 2023 Workshop Board Meeting
- b. October 18, 2023 Regular Board Meeting

Recommendation: Approve as presented.

#### 2. COMMITTEE MEETING REPORTS

- a. Planning & Operations Committee Meeting: October 2, 2023
- b. Administration & Finance Committee Meeting: October 11, 2023
- c. Executive Committee Meeting: October 19, 2023
- d. MWDOC/OCWD Joint Planning Committee: October 25, 2023

Recommendation: Receive and file as presented.

#### 3. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of October 31, 2023
- b. Disbursement Registers (October/November)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of September 30, 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 September 30, 2023
- b. Quarterly Budget Review

Recommendation: Receive and file as presented.

#### 5. 2024 HEALTH SAVINGS ACCOUNT CONTRIBUTIONS

Recommendation: Directors approve an increase to the District's annual

Health Savings Account (HSA) contribution amounts to the Kaiser and Anthem Consumer Driven Health Plans

(CDHP) for the 2024 plan year, Option 1.

#### 6. MWDOC LEGISLATIVE POLICY PRINCIPLES ANNUAL UPDATE

Recommendation: Adopt the Legislative and Regulatory Policy Principles as

updated and streamlined for 2024.

#### **End Consent Calendar**

#### PRESENTATION ITEM

# 7. STRATEGIC PRIORITIES AND IMPLEMENTATION PLAN

Recommendation: Receive and file the information presented.

**INFORMATION CALENDAR** (All matters under the Information Calendar will be Received/Filed as presented following any discussion that may occur)

### 8. GENERAL MANAGER'S REPORT, NOVEMBER (ORAL AND WRITTEN)

Recommendation: Receive and file report(s) as presented.

#### 9. 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.

#### **CLOSED SESSION ITEM**

#### 10. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: In re: Aqueous Film-Forming Foams Products Liability Litigation, Case No. 2:18-mn-2873-RMG

#### **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.



# GENERAL MANAGER REPORT OF STAFF ACTIVITIES

**November 2023** 

# MUNICIPAL WATER DISTRICT OF ORANGE COUNTY

#### **MEMBER AGENCY MANAGERS MEETING**

MWDOC held its Member Agency Managers' meeting at its office in Fountain Valley on Thursday, August 17, 2023.

In attendance: Rudy Correa – Brea, Mike McGee - Buena Park, David Youngblood – East Orange County WD, Dennis Cafferty - El Toro WD, Mark Sprague – Fountain Valley, Alvin Papa – Huntington Beach, Cel Pasillas - Garden Grove, Keith Van Der Maaten – Long Beach County WD, Paul Cook & Paul Weghorst - Irvine Ranch WD, Andy Ramirez & Dean Chambers – La Palma, Paul Shoenberger - Mesa WD, Kaden Young & Johnathan Cruz - Moulton Niguel WD, Shane Burckle, Mark Vukojevic & Steffen Catron – Newport Beach, Jose Diaz & Sonny Tran – Orange, Adam Hutchinson & John Kennedy – Orange County WD, Dustin Burnside & David Rebensdorf - San Clemente, Heidi Chou – Santa Ana, Jim Leach & Dan Ferons - Santa Margarita WD, Iris Lee – Seal Beach, Rick Shintaku, Greg Pennington & Kyle Gough - South Coast WD, Iris Lee – Seal Beach, Jerry Vilander – Serrano Water District, Mike Chandler & Jason Churchill – Tustin, David Rebensdorf & Dustin Burnside – San Clemente, Mark Toy, Delia Lugo & Joanna Gonzalez – Yorba Linda WD

**Staff in attendance:** Harvey De La Torre, Melissa Baum-Haley, Charles Busslinger, Joseph Berg, Alex Heide, Kevin Hostert, Heather Baez, Vicki Osborn, Sarina Sriboonlue, Rachel Waite,

# **General Meeting Information/Discussion Items:**

- Draft Board Agendas
- MWDOC Board Strategic Priorities
- Conservation as a California Way of Life
- MET Update
  - a. Pure Water Southern California Cost Recovery Alternatives
- Engineering Update

#### **Announcements:**

Future Supply Actions Program

#### Report Items

- Monthly GM Report
- Legislative Reports
- WEROC Matrix
- Grant Funding Opportunities
- Additional Reports or Materials
- > Next meeting is tentatively scheduled for November 16
- ➤ No Meeting in December January 18<sup>th</sup> In-person

#### **ENGINEERING & PLANNING**

# LEAD AND COPPER RULE REVISIONS – LEAD SERVICE LINE INVENTORY CHOICE PROGRAM

In mid-March 2023, multiple agencies requested MWDOC's assistance in complying with US EPA Lead and Copper Rule Revisions (LCRR) - Service Line Inventories, which all water systems are required to complete and submit to the primacy agency (for California, it is the State Water Boards) by October 16, 2024.

On May 24, 2023, MWDOC hosted an initial meeting with (18) OC agencies and the State Division of Drinking Water staff regarding the LCRR – Lead Service Line Inventory compliance requirements.

On June 19, 2023, MWDOC posted an RFP for technical assistance with multiple agencies' service line inventories and received five (5) proposals with the expectation that consultants provide volume discount rates for agencies under the Choice Program.

The MWDOC Board approved a contract award to Hazen and Sawyer (Hazen) on September 20, 2023. Following Board approval, MWDOC staff hosted one-on-one meetings with interested agencies to answer agency-specific questions related to the LCRR compliance approach, costs, and data needs to help agencies navigate the process.

The program has 13 participating agencies that have a defined scope of services. MWDOC staff and Hazen met with each interested agency to finalize their program services selections. Currently, agencies are making final preparations to sign the shared services agreement (some are taking the agreement and their scope of work to their elected body for approval).

The project currently remains on schedule. Hazen is presently setting up the database in preparation for the desktop analysis portion of the project. Notices to Proceed are being issued as agencies sign the shared services agreement.

#### MNWD PUMP-IN TO EOCF #2 TECHNICAL STUDY

MWDOC continues to support MNWD's technical study of a potential pump-in project to East OC Feeder #2 from the City of Santa Ana's East Station. MWDOC has hosted multiple meetings with staff from MET's Water Quality, Operations, and Engineering Groups, Moulton Niguel Water District (MNWD), City of Santa Ana, OCWD, and MNWD's consultant Brown & Caldwell.

MWDOC hosted a 4th technical meeting on October 16, 2023, between MET staff, MWDOC, MNWD, City of Santa Ana, and consultant Brown & Caldwell, and a 5th meeting is scheduled for November 16, 2023.

#### DOHENY OCEAN DESALINATION PROJECT

South Coast Water District (SCWD) continues to develop the Doheny Ocean Desalination Project. SCWD estimates an online date of 2028 if approved by the SCWD Board.

At the SCWD Board Meeting on June 22, 2023, Clean Energy Capital (CEC) provided an update on the financial implications of the project. CEC presented updated cost projections for a 5 MGD project where SCWD would take 2 MGD.

The updated estimated 1st-year water cost is \$2,597/AF (in 2028\$) or \$2,058/AF (discounted to 2023\$), which is a \$469/AF increase vs CEC's 2021 estimate. The increase is largely driven by increases in energy costs (with energy costs making up 60% of the overall cost increase).

# SCWD Unit Cost of Water (\$/AF)

MWDOC Average of High and Low	\$2,100
5 MGD Plant	\$2,701
Difference	\$ 601

# **SCWD Residential Average Monthly Cost**

No Desal	\$14	41.63
With 5 MGD Plant	\$14	45.64
Difference	\$	4.01

### **CEC estimates of Construction Costs:**

Escalated to a Feb 1,2025 construction start date

Total Grants	(\$ 30,423,241) <sup>1</sup>
Total Development & Financing Costs	\$ 30,685,350
Total Capitalized Costs	\$137,905,023

SCWD Staff Report is located here:

https://scwd.granicus.com/MetaViewer.php?view\_id=3&clip\_id=2790&meta\_id=180312 CEC Presentation slides are located here:

https://scwd.granicus.com/MetaViewer.php?view\_id=3&clip\_id=2790&meta\_id=180313

On July 27, 2023, SCWD released the Request for Qualifications for the Progressive Design Build Operate and Maintain (DBOM) Project. SCWD received Statements of Qualifications from 7 teams, which are currently being reviewed by SCWD staff. SCWD is also continuing to prepare the Request for Qualifications (RFQ) documents.

\$137,642,914

<sup>1</sup>As of September 2023, SCWD has secured \$32.4M in grant funding for the Project, including \$10M from the California Department of Water Resources Desalination Construction Grant, \$20M from the U.S. Bureau of Reclamation Water Infrastructure Improvement for the Nation (WIN) Act Grant, and \$2.4M from the U.S. Environmental Protection Agency Grant.

#### **SHUTDOWNS**

# **AMP Prestressed Concrete Cylinder Pipe (PCCP) Inspection**

MET is conducting a periodic inspection of the PCCP sections of the AMP downgradient of OC-70 from October 29 through November 4, 2023, to assess the condition of the high tensile strength prestressed structural steel wire in the pipe. A rehabilitation project for the AMP to add a structural steel liner to the PCCP sections of the pipeline is currently in design, with an estimated start date of late 2027. This rehabilitation project will require a series of shutdowns of the AMP over a 2–3-year period. Results of the PCCP inspection are anticipated in January 2024.

#### **Diemer Water Treatment Plant**

MET has scheduled a 7-day shutdown of the Diemer WTP to repair a broken chlorine solution line from January 14-20, 2024. Finding a suitable window for this shutdown presented challenges due to numerous maintenance shutdowns by MET and retail agencies and fire danger concerns.

During the Diemer shutdown, the following pipelines will be down for repairs:

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

#### **EMERGENCY PREPAREDNESS**

#### **OCTOBER INCIDENTS/EVENTS**

- 10.29.23 Public Safety Power Shutoff
- 10.29.23 Regency Fire (Lake Forest)

The above events required coordination or efforts from the WEROC Office in support of member agencies. Vicki can provide additional information on events as warranted or requested.

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

- On 10/1, Vicki supported SCWD with an agency call with CalOES regarding the open items on the Palisade Dam ERP. Vicki is assisting with making the requested changes by the state in conjunction with the SCWD staff.
- On 10/2, Vicki participated in a CalWARN Region 1 planning meeting with the cochair regarding the current status of the signatories and planning for future coordination between the other co-chair and WEROC.
- On 10/5, Vicki attended the monthly Orange County Emergency Management Organization (OCEMO) meeting at the Anaheim EOC.
- On 10/5, Vicki attended the OCEMO Exercise Design and Training subcommittee meeting. The focus was on developing the 2024 exercise/seminar and discussing training efforts needed in Orange County.
- On 10/6, Vicki gave her monthly update to the WACO meeting.
- On 10/6, Vicki participated in the LA County Regional Catastrophic Planning for the supply chain, focusing on food and water. Vicki provided subject matter expertise on the current plans for water commodities distribution and planning efforts occurring in Orange County and regionally.
- On 10/9, Vicki attended the CalWARN Executive Committee meeting in which the governance document was discussed and will require additional meetings to make changes as required for adoption.
- On 10/10, Janine participated in the UASI State Preparedness Report and Threat and Hazard Identification and Risk Assessment (THHIRA) planning meeting for emergency Management. WEROC provided updated information to be included in the regional report.
- On 10/10, Vicki attended the CalFire SCOUT Program portal training. This allows access to certain fire mapping during events.
- On 10/10, Vicki attended the OCEMO Training and Exercise Design Strategic Planning meeting to develop the topic for future meetings to support the operational area partners.

- On 10/10, Vicki attended the OCEMO leadership meeting to finalize the meeting topics for the remainder of the year.
- On 10/12, Vicki participated in the NWS Webinar for the warm weather outlook for the next two weeks.
- On 10/17, Vicki attended the CalWARN Board Meeting.
- On 10/18, Vicki Attended the California Emergency Service =s Association (CESA) fall program. Topic presentations included AI in Emergency Management and lessons learned from the recent floods presented by Inyo County.
- On 10/24, Vicki attended the annual Winter Weather Workshop hosted by the County Emergency Management Division. The National Weather Service, OC Public Works, and DWR Flood Fight Unit gave presentations for the winter season outlooks.
- On 10/25, Janine attended the monthly OCEMO Technology Committee Meeting.
- On 10/26, Vicki met with SCWD on the Palisades Dam plan in preparation for the next conference call with CalOES.
- On 10/27, Vicki attended the CESA State Board meeting.

#### PLANNING AND PROGRAM EFFORTS

# **EOC Readiness & EOC Project**

- WEROC EOC Project Vicki has been working with the MWDOC Finance
  Department on the PO Issuance and will work with the Mobile EOC company on
  design and d concepts. Information updates will be provided as required
  throughout the project.
- Mission Viejo EOC Decommissioning update Vicki and Janine, with the support of the Admin dept, began packing up the Primary EOC in Mission Viejo, getting ready for decommissioning. Janine will be working on getting the heavy item delivered to the north Peter Canyon logistic staging location. The target date for the complete exit of the Mission Viejo property is the end of November. Vicki has been earmarking the budget transitions required for the infrastructure from the Mission Viejo EOC to support the ongoing cost allocation and forecasting for future budgets regarding the Mobile CP/EOC concept and using the FV location as an EOC location.

# **Cyber Security and OCIAC Partnership**

- WEROC continues to send out important information to the Cyber Security Distribution Group as received from DHS or the OCIAC.
- WEROC has been providing information to the member agencies about highlighted threats to the water industry and other current world events as required.

# Member Agency and County/Operational Area Plan Review

Vicki reviewed or revised the following plans this month:

- SCWD Palisades Dam Emergency Response Plan (CalOES has returned the plan requesting additional information. A meeting is being scheduled at the beginning of October to discuss the change requests). Vicki is assisting with crafting the dam language needed for the plan.
- Orange County Operational Area Recovery Plan will attend the OA Executive Board for Approval in November.
- The Unified County of Orange and Orange County Operational Area Emergency Operations Plan will be at the OA Executive Board for Review in November.

# **Member Agency Inventory Lists**

 Vicki has begun to take the list Janine finished obtaining and type resources for expedient use during events so the required resources can be obtained from member agencies or obtained from outside vendor sources. Vicki will be putting together emergency contracts with vendor agencies for identified scarce resources to support member agencies.

# **Regional Fuel Project**

 Vicki continues to work on the project now that the member agencies provided their preliminary needs. The next steps include local ion assessment and MOUs with site location for Fuel Bases and inquiring with vendors on potential contracts to support and operate locations.

# **Regional Mapping Project**

• Janine continues to work on the revision of the 2017 WEROC Map Atlas and Public Safety Power Shut (PSPS) Off map updates. MWDOC Engineering has been assisting with the collaboration with CDR and providing input to the project.

# State Preparedness Report and Threat and Hazard Identification and Risk Assessment (THIRA)

 Vicki has provided data sets to the UASI to support the THIRA project based on the scenarios and gap analysis. Participation in the SPR workshop is vital in identifying gaps in training, exercises, and equipment, etc. The workshops assist the Anaheim-Santa Ana UASI in assessing the information and allocating funds to address gaps in critical areas.

# **Training and Exercises**

 On 10/4, Vicki conducted a virtual Agency Representative (AREP) training for member agencies. This training targets staff who will respond to Incident Command Posts representing their agency while working with law and fire for

- different types of incidents. Vick created this training curriculum at the request of the member agencies.
- On 10/19, Vicki conducted a virtual training on Recovery for the WEROC member agencies covering the Proclamation and Initial Damage Estimate Process.
- On 10/26, Vicki conducted an after-action report workshop and training for SCWD. Vicki created a Workshop/Tabletop Exercise (TTX) Situation Manual for SCWD and facilitated part 1 (day 1) for SCWD. The second part will be conducted on 11/2.

# **WEROC Regional Water Distribution Plan**

 Vicki is finalizing the regional plan and will meet with the city's emergency managers during quarter 1 of 2024 to socialize the tiered approach and capabilities of the plan. This will be done in 5 regions of OC based on the County Board of Supervisor Districts. Tabletop Exercises will be conducted in Q2 of 2024.

### OTHER WEROC INFORMATION

# **WEROC Personnel Update**

- WEROC will conduct interviews on Friday, November 3, to fill the vacant WEROC Specialist Position.
- Vicki has earned the California Professional Emergency Manager Certification from the California Emergency Services Association. This is a new certification launch in California this year. Certification as a California Professional Emergency Manager (CA-PEM) demonstrates your knowledge, skills, and abilities as an Emergency Management professional.

### MET ITEMS CRITICAL TO ORANGE COUNTY

#### MET'S FINANCE AND RATE ISSUES

Water Transactions for August 2023 (for water delivered in June 2023) totaled 94.3 thousand acre-feet (TAF), which was 38.4 TAF lower than the budget of 132.7 TAF and translates to \$87.7 million in receipts for August 2023, which was \$59.1 million lower than the budget of \$146.8 million.

Year-to-date water transactions through August 2023 (for water delivered in May 2023 through June 2023) were 187.6 TAF, which was 69.8 TAF lower than the budget of 257.4 TAF. Year-to-date water receipts through August 2023 were \$194.1 million, which was \$75.5 million lower than the budget of \$269.6 million. The July 2023 receipt was adjusted from \$95.4 million to \$106.4 million to recognize \$11.0 million of Coachella Valley Water District receipts.

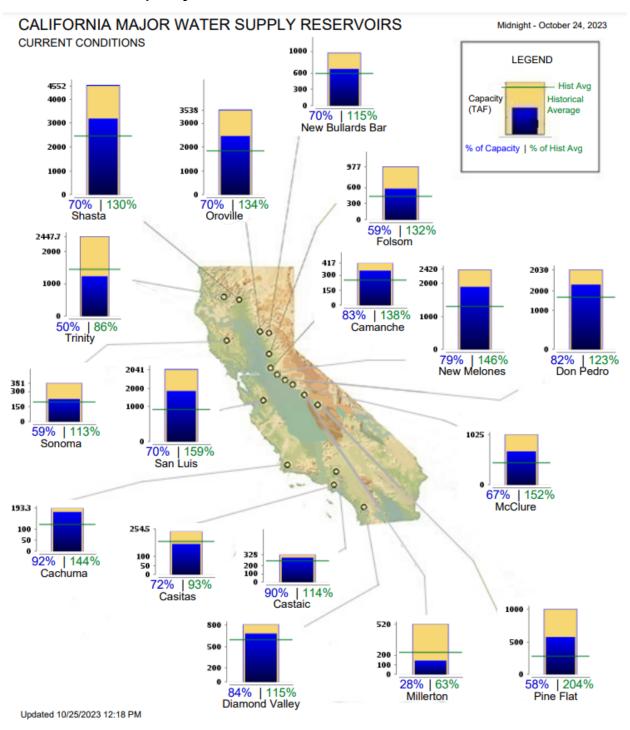
In August 2023, the Board was presented, for their review, the draft 2023 Long-Range Finance Plan Needs Assessment (LRFP-NA) document. The LRFP-NA is the first phase of a two-phase process to provide the Board with a finance plan for funding new capital investments over the next decade. The LRFP-NA will outline the capital investment requirements and water rate increases associated with four demand-and-supply scenarios. The second phase will produce a final Long-Range Finance Plan (LRFP) document that will provide a tailored financial analysis based on board feedback on the LRFP-NA and the Board's approval of specific capital projects. The second phase of the LRFP is expected to be completed in fiscal year 2024/25.

#### MET'S WATER SUPPLY CONDITION UPDATE

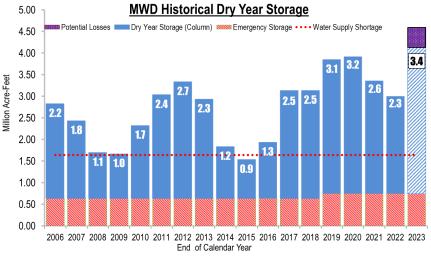
The 2023-24 Water Year (2023-24 WY) officially started on October 1, 2023. Thus far, Northern California accumulated precipitation (8-Station Index) reported **0.63 inches or 26% of normal** as of October 25th. The Northern Sierra Snow Water Equivalent was **0.0 inches on October 25th**, which is **0% of normal** for that day. The Department of Water Resources (DWR) has not set the State Water Project (SWP) initial "**Table A**" **allocation for WY 2023-24**.

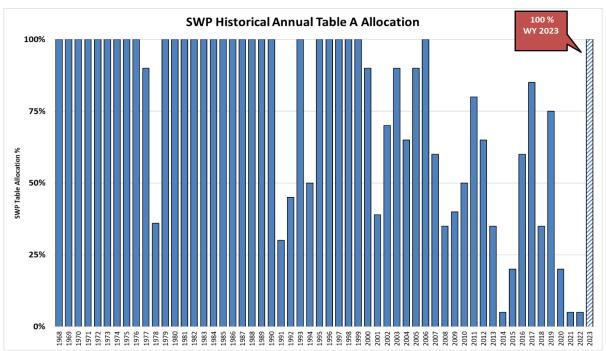
The Upper Colorado River Basin accumulated precipitation is reporting **1.4 inches or 87% of normal as of October 25th.** On the Colorado River system, snowpack is measured across four states in the Upper Colorado River Basin. The Upper Colorado River Basin Snow Water Equivalent was **0.2 inches as of October 25th,** which is 13% 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 <u>declared a shortage at Lake Mead that has been ongoing since January 1st, 2022.</u> As of October 2023, <u>there is a 100% chance of shortage continuing in CY 2024, a 93% chance in CY 2025, and a 77% chance in CY 2026.</u>

As of October 24th, Lake Oroville storage is at **70% of total capacity and 134% of normal**. As of October 24th San Luis Reservoir has a current volume of **70% of the reservoir's total capacity and is 159% of normal**.



With Calendar Year (CY) 2023 estimated total demands and losses of 1.54 million acrefeet (MAF) and with a 100% SWP Table A Allocation, Metropolitan is projecting that supplies will exceed demand levels in CY 2023. Based on this, the estimated total dryyear storage for Metropolitan at the end of CY 2023 will increase to approximately 3.4 MAF. A projected dry-year storage supply of 3.4 MAF would be the highest level in MWD History. Unfortunately, due to the 100% SWP Table A Allocation, there is potential that MWD will not be able to store approximately 457 TAF. A large factor in maintaining a high-water storage level is lower than expected water demands. We are seeing regional water demands reaching a 40-year low. However, with a majority of MWD's water supplies stored in Lake Mead and still a 5-year shortage projection at Lake Mead, there remains a lot of uncertainty about where supply balances will be in the future.





#### **MET'S WATER QUALITY UPDATE**

# **Water System Operations**

Metropolitan member agency water deliveries were 140,012 acre-feet (AF) for September, with an average of 4,667 AF per day, which was 665 AF per day lower than in August. Some of the decreased water demands in September can be attributed to the conservation achieved within the greater Los Angeles County area due to the urgent call for conservation during the Upper Feeder shutdown. Treated water deliveries decreased by 14,331 AF from August for 67,869 AF, or 48 percent of total monthly deliveries. The Colorado River Aqueduct (CRA) continued operating at an eight-pump flow, with 116,000 AF pumped for the month. State Water Project (SWP) imports averaged 1,485 AF per day, totaling about 44,565 AF monthly, accounting for approximately 32 percent of Metropolitan's deliveries. The Diemer and Skinner plants' target SWP blend remained at zero percent. The Weymouth plant transitioned back to 100 percent Colorado River water on September 19 following the successful completion of the Upper Feeder shutdown.

# **Water Treatment and Distribution**

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

Flow-weighted running annual averages for total dissolved solids from August 2021 through July 2022 for Metropolitan's treatment plants capable of receiving a blend of supplies from the State Water Project and the Colorado River Aqueduct were 597, 593, and 590 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

Of Metropolitan's five water treatment plants, the Mills plant is the only one that does not have washwater reclamation facilities. Solids from the sedimentation and filtration processes are sent to cement-lined lagoons. The solids drying time depends on weather and typically takes up to three months to reduce water content to less than 15 percent. To minimize drying time, Metropolitan staff have driven through the solids with a tractor that pushes an aerating device called a Brown Bear. Although this has improved the solids handling process, the device frequently needs repair, including adding wear and tear on the tractor. The Mills plant recently began using a new disk attachment for the tractor that allows it to travel forward, as opposed to reverse, when using the Brown Bear, which is expected to result in less maintenance and overall improved performance.

# **Future Legislation and Regulation**

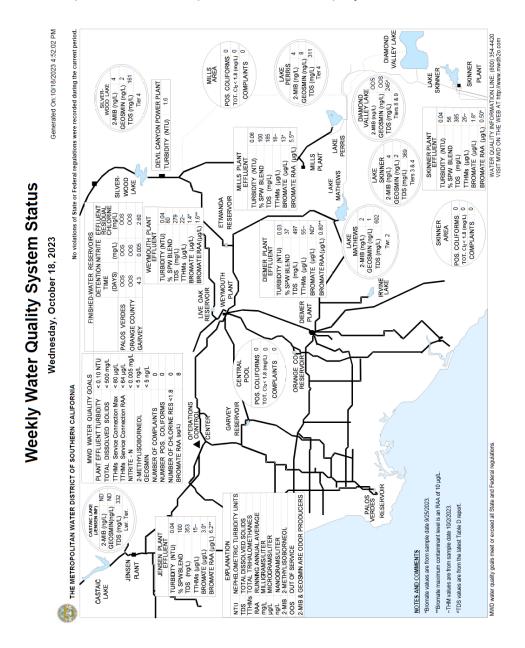
On August 25, the California Air Resources Board (CARB) adopted the Advanced Clean Cars II (ACC II) Regulation, which increases emissions standards for new vehicles sold between 2026 and 2035 and mandates the transition to 100 percent sales of new light-duty passenger vehicles and trucks to be zero emission by 2035. The ACC II regulation does not require fleets to transition their existing traditional gasoline and/or diesel vehicles. Instead, it only increases the availability of cleaner engines and zero-emission vehicles for sale in California.

On August 30, CARB released the 45-day rulemaking draft of the Proposed Advanced Clean Fleets (ACF) Regulations. The main goal of the ACF is to transition medium- to heavy-duty vehicles weighing more than 8,500 pounds away from internal combustion engines to cleaner zero-emission technologies. Beginning in 2024, 50 percent of Metropolitan's new fleet purchases would need zero emissions, and 100 percent in 2027. Metropolitan staff is drafting a comment letter to CARB over concerns with the purchasing deadlines and exemption process (e.g., infrastructure delay, vehicle unavailability, and daily usage requirements). Comments are due October 17, 2022, and the ACF is set for final adoption in early 2023.

On August 31, the Environmental Protection Agency (EPA) released its proposed revisions to the Risk Management Program (RMP) rule under the Clean Air Act. The RMP regulates Metropolitan's chlorine facilities. EPA is seeking to reinstate multiple provisions of the 2017 Obama-era rule that were rescinded by the 2019 Trump-era rule and add considerations for climate change and environmental justice. Metropolitan staff is working with AWWA to review the proposed rule. The comment period closes on October 31, 2022, and EPA anticipates promulgating the rule in August 2023. On September 6, the EPA released its proposal to list perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Metropolitan staff is working with several industry organizations on comment letters seeking an exemption under CERCLA for PFAS from third-party sources that end up in the water storage, transportation, and/or treatment system and help with disposal options and costs. Comments to EPA are due November 7, 2022.

On September 7, the State Water Resources Control Board (SWRCB) adopted a "Policy Handbook Establishing a Standard Method of Testing and Reporting Microplastics in Drinking Water." Under the program, the SWRCB will issue orders to public water systems, wholesalers, or both to monitor microplastics in source waters and treated drinking water. Seasonal source water sampling will take place over two years, beginning in fall 2023. By mid-2026, testing will be expanded to treated water. SWRCB anticipates holding a public workshop on microplastic monitoring in late 2022. Metropolitan Staff is developing microplastic monitoring methods for Metropolitan's source and treated waters.

On September 8, the SWRCB adopted a new Construction General Permit (CGP). The CGP requires the development of a Storm Water Pollution Prevention Plan (SWPPP) for construction sites disturbing one or more acres of soil. Effective September 2023, the new CGP provides procedural updates, introduces the need to comply with total maximum daily loads (TMDLs) and passive treatment technology for turbidity control, and revises monitoring and reporting requirements. Metropolitan staff will ensure that the new CGP requirements are implemented on new projects.



# The Metropolitan Water District of Southern California

# Weekly Operations Plan for 10/19/2023 - 10/26/2023

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

- COLORADO RIVER AQUEDUCT: The CRA is at a 3-pump flow.
- EAST BRANCH SPW: Rialto Pipeline will average a flow between 1,300 and 1,500 AF/day. Santa Ana Valley Pipeline will be at 800 – 1,000 AF/day. Inland Feeder flow will be at 1,250 – 1,500 AF/day.
- WEST BRANCH SPW: The flow from Castaic Lake will range between 1,200 and 1,600 AF/day. Flow to SCVWA (formerly CLWA) is currently at 90 AF/day.

#### 4. TERMINAL RESERVOIRS:

Reservoir	Current Storage* (AF)	Percent of Capacity
Lake Mathews	165,400	91%
Lake Skinner	37,700	86%
DVL	677,800	84%

<sup>\*</sup>as of 10/18/2023

#### 5. WATER QUALITY:

Plant	Targeted Blend (% SPW)	TDS (mg/L)	TTHMs (μg/L)
	As of 10/18/2023	As of 10/18/2023	As of 10/2/2023
Weymouth	80	279	22
Diemer	35	497	55
Skinner	60	385	26
Jensen	100	353	15
Mills	100	185	18

- WATER DELIVERIES: October deliveries are forecasted to be about 126 TAF. As of October 18, 2023, total system demands are about 4,400 AF/day, an increase of 300 AF/day from last week.
- HYDROELECTRIC GENERATION: As of October 18, 2023, the total daily average generation for the week was about 30.0 MW, with 7 of 15 hydroelectric plants in operation.

#### **COLORADO RIVER ISSUES**

# Work Continues on Post-2026 Colorado River Guidelines Process

On June 16, Reclamation initiated the process of developing the post-2026 Colorado River Guidelines. They laid out a schedule in which a Draft Environmental Impact Statement would be prepared by the end of 2024, followed by a Final Environmental Impact Statement (EIS) and Record of Decision in time for the 2027 operating year. Metropolitan submitted scoping comments along with Southern Nevada Water Authority and Central Arizona Project in August. Those comments included protecting Human Health and Safety supplies and protecting water stored in Lake Mead by the urban agencies. In September, the Colorado River Board of California has been working with staff from its member agencies to develop an initial California position for the new Guidelines. Topics under discussion include under what conditions California might accept reduced deliveries and what tools would be needed in the future, including water storage options for Lake Mead and participating in interstate augmentation opportunities, such as Pure Water Southern California. The California proposal continues to evolve and will be presented to other Basin States for further discussion and revision. The overall goal is to reach a seven-state consensus alternative that can be included in the Draft EIS for the new Colorado River Guidelines. Reclamation has stated they need a consensus alternative developed by the end of March 2024 to be included in the Draft EIS. To date, the discussions have not included water reductions to any individual agency, but in general, they include the amount of reductions that the Basin States would need to protect Lake Mead and Lake Powell from reaching critical elevations. In December 2023, Metropolitan staff will participate in a Colorado River Board workshop to update the Board on the discussions and get direction on the key priorities for Metropolitan as it moves through this multi-year-long process.

### DELTA CONVEYANCE ACTIVITIES AND STATE WATER PROJECT ISSUES

#### **Delta Conveyance**

The California Department of Water Resources (DWR) released a draft Environmental Impact Report (EIR) to comply with the California Environmental Quality Act (CEQA) for a public review that ended on December 16, 2022. DWR recently announced an expected late 2023 release date for the proposed project Final EIR. The Final EIR will describe potential environmental impacts, identify mitigation measures that would help avoid or minimize impacts, and provide responses to all substantive comments received on the Draft EIR. More information on the CEQA process for the proposed Delta Conveyance Project and other environmental compliance and permitting processes can be found on the project's permit portal website.

This month, DWR also released new materials related to Delta Conveyance, including fact sheets on public outreach and project stats and an article describing the importance of infrastructure updates in the face of climate-driven weather extremes.

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

# **Delta Conveyance related Joint Powers Authorities**

A September 21 special Delta Conveyance Finance Authority meeting was held to hear updates and approve minutes.

# **Sites Reservoir**

At the joint Sites Project Authority Board and Sites Reservoir Committee Meeting on September 22, the Reservoir Committee and Authority Board adopted Board Resolution #2023-01, which establishes guidelines for the Sites Project's use of the Lower Colusa Basin Drain (CBD) and Knights Landing Ridge Cut (collectively called the Lower CBD System). These guidelines provide a framework for Sites Authority staff in communicating with multiple partner agencies and individuals along the Lower CBD System and help guide the drafting of land use, operations and maintenance, and other agreements required for the integration of the Lower CBD System and the Sites Project. The guidelines address existing operations in the Lower CBD System, collaboration with local partners, water rights and water accounting, and maintenance and capital improvements.

#### **Science Activities**

Metropolitan staff submitted a \$1.6 million Proposition 1 grant proposal to the California Department of Fish and Wildlife to continue the successful work on the Delta Smelt and Native Species Preservation Project. The proposal is to develop two experimental tools, floating wetlands and Delta smelt impoundment culture. The Floating Wetlands would be propagated into existing Bouldin Island ponds to evaluate the ability to affect carbon budgets in the foodweb to support fish and carbon sequestration. In addition, the Delta smelt impoundment culture information from the study would be used to inform the USBR and DWR joint facilities improvement efforts for the Delta Smelt culture facility.

At the Northern California Society of Environmental Toxicology and Chemistry (SETAC) Annual Meeting, Metropolitan staff presented on the multi-institution effort to develop decision support tools that include contaminant modeling in ecosystem and water project management. Two efforts were showcased in which Metropolitan is an active participant: the Collaborative Adaptive Management Team (CAMT) Delta Smelt Structured Decision Making and the Delta Coordination Group Structured Decision

Making. Both efforts led to an improved understanding of how contaminants and their effects can affect decision-making.

Metropolitan staff continues to participate in the planning committees for the Interagency Ecological Program (IEP) Annual Workshop 2024 and the Bay-Delta Science Conference 2024. Both forums showcase developing and emerging science on the management of water projects and listed species in the San Francisco Estuary and its watershed. The IEP Annual Workshop is scheduled for March 2024, and the Bay-Delta Science Conference is scheduled for October 2024.

Metropolitan staff presented findings from the CAMT Salmonid Technical Workgroup report to the Collaborative Science Adaptive Management Program (CSAMP) policy group, which answered five specific charge questions that were directed by CSAMP. The five questions focused on how exports influence San Joaquin salmonid survival through the Delta, the effect of exports relative to other factors, how exports affect juvenile fish in different water year types, and how new information can be built into the existing modeling tools. A final report developed by the Salmonid Scoping Team will be available by the end of the year.

### **Delta Island Activities**

The State Water Resources Control Board (State Water Board) released a Bay-Delta Water Quality Control Plan Draft Staff Report and Substitute Environmental Document on September 28, 2023. This report will be open for public comment and evaluates the impacts of the different Bay-Delta Plan update-alternatives, including the State Water Board's unimpaired flow-based 2018 Framework staff proposal and the Agreements to Support Healthy Rivers and Landscapes (also known as Voluntary Agreements). Metropolitan staff is reviewing this document and plans to present an update to Metropolitan's Board in November 2023.

#### PUBLIC/GOVERNMENT AFFAIRS

#### MEMBER AGENCY SUPPORT

#### **Public Affairs Staff:**

- Provided content for the City of Seal Beach City Hall demonstration garden
- Met with new Yorba Linda Water District Public Information Officer to discuss communications needs, education programs, and workforce efforts
- Speakers Bureau Coordinated, attended, and provided support for Director Dick's certificate of recognition presentation to the Seal Beach City Council for their partnership in hosting the September Girl Scouts Water Resources and Conservation Patch Clinic
- Toured El Toro Water District's (ETWD) Water Treatment Plant with ETWD staff to coordinate and prepare for the upcoming Girl Scouts (November 4) and Scout BSA (December 9) clinics

#### **Government Affairs Staff:**

- On behalf of Trabuco Canyon Water District, solicited letters of support from legislative delegation members in support of their Bureau of Reclamation grant application. All offices contacted (Kim, Levin, and Blakespear, Sanchez) sent letters of support
- Presented an overview/update on AB 1572 (Friedman) to the MWDOC Member Agency Water Use Efficiency working group
- Attended a ribbon cutting for Santa Margarita Water District's Clearwell Treatment Plant in San Juan Capistrano

#### **COMMUNITY AND SPECIAL EVENTS**

#### **Public Affairs Staff:**

- Provided a hands-on, STEM-based activity at the Girl Scouts' annual STEM Expo
- Provided an information booth at the REACH Foundation's "Experience Your Environment" event for Placentia-Yorba Linda Unified School District students and their families
- Provided a Ricky the RaindropSM appearance at the R.H. Dana Elementary School "jog-a-thon"
- Provided an information booth at the H20 for HOAs event at Norman P. Murray Community Center
- Cohosted the 15th Annual OC Water Summit with Orange County Water District at the Westin South Coast Plaza
- Provided a booth and activity at the Orange County Children's Book Festival

#### **Government Affairs Staff:**

- Attended the ACC-OC Environment, Energy & Water Committee special meeting on the Conservation is a California Way of Life proposed regulations. Joe Berg was a panelist.
- Participated in the ACC-OC Government Affairs Committee meeting.
- Participated in the CalCities water working group on the conservation regulations
- Participated in the OCBC Infrastructure Committee meeting and provided an update on MWDOC's activities
- Participated in a follow-up CalCities water working group meeting on the conservation regulations

# **K-12 WATER EDUCATION**

### **Public Affairs Staff:**

- Provided information regarding the MWDOC K-12 Choice School Programs to Yorba Linda Water District, Irvine Ranch Water District, El Toro Water District, City of Garden Grove, Trabuco Canyon Water District, City of Fullerton, City of Santa Ana, City of Huntington Beach
- Met with MWDOC 3-12 Choice School Program contractor, Orange County Department of Education's Inside the Outdoors, to discuss program direction, goals, and student engagement opportunities

#### **WORKFORCE INITIATIVE**

#### **PUBLIC AFFAIRS STAFF:**

- Speakers Bureau Participated on an interview panel for the Los Angeles Times editorial board with the California Water Environment Association and WaterReuse California
- Met with the Superintendent of OC Coastline Regional Occupational Program to discuss Orange County workforce collaboration
- Met with Los Angeles County Public Works to discuss Water Energy Education Alliance (WEEA) workforce development opportunities
- Met with the Water Replenishment District to discuss participation on a growing workforce committee
- Speakers Bureau Presented to the Los Angeles Water Workforce Ad Hoc Committee about the recent WEEA/Centers of Excellence for Labor Market Research workforce report findings
- Met with Generation: NOW! to discuss an Orange County-centric Water Forward Project

- Met with the San Diego County Office of Education's Assistant Superintendent of Schools to discuss workforce development education opportunities for Orange County and WEEA and their plans to develop a conservation garden onsite for students
- Met with Los Angeles Department of Water and Power to discuss WEEA presentation opportunities
- Met with Southern California Gas to discuss shared industry workforce challenges of water and energy providers

# DIGITAL COMMUNICATIONS, PUBLICATIONS, AND MEDIA ENGAGEMENT

#### **Public Affairs Staff:**

- Prepared and distributed content for social media
  - Celebrated Water Professionals Appreciation Week by creating content highlighting MWDOC employees on social media, eCurrents, the MWDOC website, and the Association of California Water Agencies (ACWA) newsletter.
- Submitted content to the ACWA newsroom
  - MWDOC Reinforces Good Water Stewardship for Orange County Girl Scouts
  - MWDOC Celebrates Water Professionals Appreciation Week
- Updated the MWDOC website as requested by several departments
- Prepared and distributed the Imagine a Day Without Water media kit to MWDOC member agencies
- Prepared and delivered the MWDOC October eCurrents newsletter
  - Open rate 58%

#### SPECIAL PROJECTS

#### **Public Affairs Staff:**

- Worked with The Metropolitan Water District of Southern California to finalize inspection trip dates for the 2023-2024 season
- Attended the Public Relations Society of America's Diversity, Equity, and Inclusion webinar: "Diverse Dialogues"
- Met with strategic digital communications contractor Hashtag Pinpoint to discuss direction, goals, and engagement opportunities
- Speakers Bureau Provided Director Crane with a PowerPoint, notes, handouts, and giveaways for an Orange County Girl Scouts presentation.

#### **Governmental Affairs Staff:**

 Staffed the ISDOC Quarterly Meeting featuring speaker Darrell Johnson from OCTA

- Staffed the ISDOC Executive Committee meeting
- Contacted and confirmed speakers from the Imperial Irrigation District for the December WACO meeting
- Staffed the October WACO meeting
- Participated in the CSDA Professional Development Committee meeting
- Staffed the WACO Planning Meeting and provided an update on upcoming programs
- Participated in the Cal-Desal Awards Ad-Hoc Committee
- Invited speakers for the January WACO meeting

#### **OUTREACH METRICS**

# **Public Affairs Staff:**

- Google Performance Analytics (October 2023)
  - 192 business profile interactions
  - o 1,944 people viewed the business profile
- Website Analytics (GM report timeframe)
  - o 9.9k pageviews + 34 OC Water-Smart Parks Microsite site sessions
  - Top pages for this date range
    - MWDOC Homepage 1.7k
    - Turf Removal 777
    - Residential Rebates 762
    - Agendas, Packets 441
    - Water Use Efficiency 441
- ocwatersmartgardens.com Analytics (September 2023)
  - o 488 sessions
  - Top pages for this date range
    - Landing Page
    - Plant Name Search bar
    - Plant Botanical Name Search Bar
- Social Media (September 27-October 30)

According to Hootsuite – the global leader in social media management –a good engagement rate is between 1% to 5%.

For this period, MWDOC's engagement rate is at 11.68%

- 44,375 Post reach (number of people)
- o 5,183 Post engagement (actions taken likes, shares, etc.)
- O User-Generated Content- OC Feed:

Views: 18.6k

Likes and Comments: 336

Shares: 81

### **LEGISLATIVE AFFAIRS**

#### **Governmental Affairs Staff:**

- Filed MWDOC's quarterly lobbying report with the California Secretary of State's office
- Along with Directors Dick and Crane, and Harvey, met with Supervisor Andrew Do
- Participated in the CMUA Regulatory Committee meeting
- Attended the CCEEB Water, Chemistry & Waste Committee meeting
- Participated in the ACWA Region 10 State Legislative Committee prep call for the upcoming planning meeting
- Attended the ACWA State Legislative Committee planning session for 2024
- Met with legislative staff from the Sacramento Metropolitan office to discuss priorities for the coming year
- Met with ACWA regulatory staff to discuss the proposed conservation regulations
- Participated in the CSDA Legislative Committee meeting planning for 2024
- Met with staff from Senator Dave Min's office to discuss an upcoming water panel they are cohosting with Water UCI
- Met with staff from Metropolitan Water District to discuss their upcoming Legislative Issues planning meeting

#### WATER USE EFFICIENCY

# ALLIANCE FOR WATER EFFICIENCY (AWE) WATER EFFICIENCY RESEARCH COMMITTEE (WERC)

On October 10, Rachel Waite joined the AWE WERC Meeting. Topics on the agenda included:

- WERC Work Plan
- Brainstorm on Climate Change Research: Questions Regarding Nexus of Water Conservation and Climate Change; Information and/or Data Gaps
- Conference Updates
- AWE Research and Project Updates
- CalWEP Research Updates
- Committee Member Research Activity

The next meeting is scheduled for December 12.

# DEDICATED IRRIGATION METER (DIM) LANDSCAPE AREA MEASUREMENTS (LAM) PROGRAM

On October 12, Rachel W. and Sam Fetter met with Yorba Linda Water District staff to discuss the DIM LAM Program. MWDOC staff provided a Program overview and discussed the project workflow and next steps.

Follow-up meetings will be scheduled as needed.

### ORANGE COUNTY WATER USE EFFICIENCY WORKGROUP MEETING

On October 12, Joe Berg, Beth Fahl, Rachel W., Rachel Davis, Sam, and Tina Fann hosted the Orange County Water Use Efficiency Workgroup meeting. Items on the agenda included:

- Discussion Items
  - MWDOC Updates
  - o AB 1572 Update
  - Agency Roundtable
- Water Use Efficiency Standards/Framework Update
  - Report on State Board Workshop
  - Comment Letters Due October 17<sup>th</sup>
  - Survey Interest in Assistance with RES LAM QC
- MET Conservation Program Updates
  - Conservation Update

- Grant Updates
- Water Use Efficiency Updates
  - o Trees Incentives in Turf Program
    - Metropolitan Monetary Incentive
    - MWDOC Trees as a Sustainability Feature Pilot
    - Please Send Local Tree Lists
  - Turf Removal Program Update
    - Changes to Work Order to Include Trees
    - Grant Funding/Turf Activity
- Water Smart Innovations Recap
- CalWEP Update
  - Winter Plenary December 11<sup>th</sup> in San Francisco
- Future Agenda Items

The next meeting is scheduled for November 2.

# PROJECT AGREEMENT (PA) 22 ADVISORY WORKGROUP

On October 16, Rachel W. joined the PA 22 Advisory Workgroup hosted by the Santa Ana Watershed Project Authority. Topics on the agenda included:

- Prop 1 Enhanced Decision Support Tool Update
- SARCCUP Water Budget Assistance

The next meeting will be held in November or December.

# ORANGE COUNTY DATA ACQUISITION PARTNERSHIP (OCDAP) STEERING AND TECHNICAL ADVISORY COMMITTEE (STAC)

On October 17, 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:

- Consent Calendar
- Cycle 2 Deliverables Feedback
- Discussion on Cycle 3 RFP and Membership Costs
- OCDAP Data Sharing/Efforts/Projects Underway and Cycle Derived Products
- OC GIS User Group Update

The next meeting is scheduled for November 14.

# AMERICAN WATER WORKS ASSOCIATION (AWWA) WATER USE EFFICIENCY II WEBINAR

On October 17, 18, and 19, Tina attended the AWWA Water Use Efficiency II Webinar. The webinar covered different types of conservation programming, regulations and standards, water supply, and sources, and it discussed various strategies depending on the type of organization and the desired results. The webinar is intended to prepare attendees for the Water Use Efficiency Practitioner Grade 2 certification exam.

### METROPOLITAN WATER USE EFFICIENCY WORKGROUP

On October 19, Joe, Rachel W., Rachel D., Beth, and Sam attended the Metropolitan Water Use Efficiency Workgroup meeting. Items on the agenda included:

- MWD Board Meeting Updates
  - o Previous: October
  - o Upcoming: November
- Legislative Update
  - o AB 1572
  - MWD Long-Term Framework Letter
- IRWD Irresistible Irrigation Incentive Programs
- Bridging the Gap between HOAs and Water Efficiency
- MWD Conservation Program Updates
  - In-Person California Friendly Landscape Classes
  - WELDCP and MWELO
- External Affairs Update
- Member Agency Roundtable

The next meeting is scheduled for November 16.

# **METROPOLITAN DIGI-PROGRAM ADVISORY MEETING (PAC)**

On October 25, Beth attended the Digi-PAC hosted at Metropolitan. The purpose of the Digi-PAC was to discuss the benefits and issues of launching a pilot digital marketplace for devices and rebate incentives. Discussions are still in the preliminary stage, and the viability of a pilot has not yet been determined. Future meetings will be held if needed.

# METROPOLITAN CENTRALIZED GRANTS MANAGEMENT OFFICE AND GRANTS TRAINING

On October 26, Rachel W. attended the Introduction to Metropolitan's Centralized Grants Management Office (CGMO) and Grants Training hosted at Metropolitan. This training provided high-level overviews on Metropolitan's CGMO, selecting and applying

for applicable grants, grant management software ECivis, and future training opportunities.

### WATER DATA COLLABORATION MEETING

On November 1, Sam attended the November Water Data Collaboration Meeting hosted by the San Antonio Water System. Topics on the agenda included:

- Classifying CII accounts with Geospatial Methods
- Integrating NAICS Codes with the EPA EnergyStar Portfolio Manager

#### ORANGE COUNTY WATER USE EFFICIENCY WORKGROUP MEETING

On November 2, Joe, Beth, Rachel D., Sam, and Tina participated in the Orange County Water Use Efficiency Workgroup meeting. This was a hybrid meeting hosted at Moulton Niguel Water District. Items on the agenda included:

- Discussion Items
  - MWDOC Updates
  - Agency Roundtable
- Water Use Efficiency Standards/Framework Update
- GIS Capabilities/Needs Discussion
- MET Conservation Program Updates
  - Conservation Update
  - Addenda Status
- Water Use Efficiency Updates
  - Firewise Design
  - Trees Incentives in Turf Program
    - MET Tree Incentive
    - MWDOC Trees as a Sustainability Feature Pilot
  - Turf Removal Program Update
    - Grant Funding/Turf Activity
- CalWEP Update
  - Winter Plenary December 11<sup>th</sup> in San Francisco
- Future Agenda Items

The next meeting is scheduled for December 7.



# LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY

# **REGULAR MEETING AGENDA**

Wednesday, November 8, 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.) October 11, 2023 Regular Commission Meeting Minutes

    The Commission will consider approval of the October 11, 2023 meeting minutes.
  - b.) OC LAFCO 2024 Meeting and Events Calendar

The Commission will consider adoption of the OC LAFCO 2024 Calendar.

# c.) Orange County Employees Retirement System (OCERS) Fiscal Year 2024-25 Retirement Contribution Rates and Prepayment Program

The Commission will consider adoption of the FY 2024-25 retirement contribution rates, as approved by the Orange County Employees Retirement System (OCERS) Board of Retirement and receive a report on the OCERS prepayment program.

### d.) CALAFCO Update

The Commission will receive an update on the recent activities of CALAFCO.

#### 7. PUBLIC HEARING

No public hearing items scheduled.

#### 8. COMMISSION DISCUSSION AND ACTION

#### a.) Fiscal Year 2022-23 OC LAFCO Audited Financial Statements

The Commission will receive a presentation from the independent auditor, Davis Farr LLP, on the agency's audited financial statements for Fiscal Year 2022-23.

#### b.) Legislative Report (November 2023)

The Commission will receive a report on anticipated efforts and legislation of LAFCO interest for the 2024 legislative session.

#### 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 a brief report on activities of the Executive Officer since the last meeting.

#### 11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

No informational items and announcements scheduled.

#### 12. CLOSED SESSION

a.) PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code section 54957

Title: Executive Officer

#### **b.)** CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representatives: Commission Chair Douglass Davert and

William Kelly of Kelly Associates Management Group

Unrepresented employee: Executive Officer

### c.) 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 next Regular Commission Meeting will be held on Wednesday, December 13, 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 <a href="https://www.oclafco.org">www.oclafco.org</a>.

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 <a href="www.oclafco.org">www.oclafco.org</a>. 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.



# **Executive Committee Meeting**

#### **Mailing Address**

P.O. Box 20895 Fountain Valley, CA 92728 Tuesday, November 7, 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

2<sup>nd</sup> Vice President Hon. Paul Mesmer Surfside Colony Community

Services District

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**

I. Welcome, Introductions

[Please mute yourself when not speaking. Please raise hand on Zoom if you have a question or comment.]

II. Approval of Minutes

Approval of Minutes: 9/28/2023 and 10/3/2023

III. Public Comments on items not on the agenda

IV. New Business

ISDOC Quarterly and Executive Committee Proposed Meeting Dates

• Associate Member Addition: Carolen F. Drake, Account Executive

Enterprise Fleet Management, Inc. Carolen.F.Drake@efleets.com

V. Old Business

ISDOC Annual Audit Update and Results

Pros and Cons of formation of 501(c)(3) Follow up

VI. Treasurer's Report - Director Jacobs

Report of accounts

VII. CSDA Report – Director Schafer or Chris Palmer

Receive, discuss and file the CSDA Report

VIII. LAFCO Report - Director Fisler

Receive, discuss and file the LAFCO report

### IX. ACWA Report – Director Jacobs

• Receive, discuss and file the ACWA report

# X. OCCOG Report – Director Scheafer

• Receive, discuss and file OCCOG report

# XI. California Association of Sanitation Agencies (CASA) Report – OCSD Representative

Receive, discuss and file the CASA report

# **XII. Subcommittee Reports**

- Programs Director McVicker
- Membership Director Mesmer
- Legislative Trustee Nelson

# XIII. Adjourn



# Executive Committee Meeting (Virtual Meeting via Zoom)

Tuesday, October 3, 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 <sup>st</sup> Vice President	Municipal Water District of Orange County (MWDOC)
Paul Mesmer	2nd Vice President	Surfside Colony Community Services District (SCCS)
Scott Nelson	3 <sup>rd</sup> Vice President	Placentia Library District (PLD)
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
Christina Hernandez	MWDOC
Sharon Brimer	Recording Secretary

### **OTHERS PRESENT:**

Alicia Dunkin	Orange County Water District (OCWD)
Arlene Schafer	Costa Mesa Sanitary District (CMSD)
Chris Palmer	California Special Districts Association (CSDA)
Ed Mandich	Trabuco Canyon Water District (TCWD)
Gavin Centeno	Orange County Local Agency Formation Commission (OC LAFCO)
Jeanette Contreras	Placentia Library District
Jerry Legg	Five Star Bank
Jim Fisler	Mesa Water District (MWD)
John Withers	Irvine Ranch Water District (IRWD)
Larry Dick	MWDOC
Mike Gaskins	ETWD
Randall Crane	MWDOC
Stacy Taylor	MWD
Stephen Faessel	Orange County Sanitation District (OCSD)

# II. MEETING MINUTES:

# MOTION:

Motion by Director Jacobs, second Director Mesmer, to approve the meeting minutes of September 5, 2023, Executive Committee Meeting. The motion passed unanimously.

### III. PUBLIC COMMENTS:

There were no public comments, and President Mills proceeded with the meeting.

#### IV. NEW BUSINESS:

• Ad-hoc Committee Update – Dues structure collection decision

The ISDOC Member Dues Ad-hoc Committee provided a report outlining the history of dues assessments, current projected annual expenses, and potential dues revenue for various levels of member & associate assessments. The Executive Committee, upon reviewing the report and current funds in the ISDOC account, decided to continue the suspension of dues for 2024, and revisit the topic later in 2024 for 2025.

#### MOTION:

Motion by Director Jacobs, second Director McVicker, to continue the suspension of dues for members and associate members for 2024, and accept the projected expense plan for 2024. The motion passed unanimously.

It was noted that a notice would be sent to the members and associate members regarding the deferral of the 2024 dues.

Pros and Cons of Formation of a 501(C)(3)

President Mills noted it was his understanding there is a \$5,000 limit on allowable income.

Director Dick recommended engaging an attorney to review the requirements of a 501 (C)(3).

Trustee Nelson offered to have PLD's counsel review 501(C)(3) requirements and monetary limitations.

#### V. OLD BUSINESS:

ISDOC Annual Audit Update

Director Jacobs noted the Bylaws require an annual audit of the financial records.

President Mills offered Serrano Water District's CPA Business Manager to review financials.

#### VI. TREASURER'S REPORT: DIRECTOR JACOBS

Director Jacobs reported the September 30, 2023, bank balance was \$8,033.24.

# VII. CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) REPORT – DIRECTOR SCHAFER OR CHRIS PALMER

Director Schafer offered she did not attend the Monterey Conference.

She reported on the results of the CSDA Executive Committee election:

Elaine Magner, President (Pleasant Valley Recreation Park District)

Pete Kampa, Vice-President (Groveland Community Services District and Copper Valley Community Services District

Don Bartz, Secretary (Phelan Pinion Hills CSD)

Lorenzo Rios, Treasurer (Clovis Veterans Memorial District)

#### VIII. LAFCO REPORT: DIRECTOR FISLER

Director Fisler reported the next meeting was scheduled for October 11, 2023, at 8:15 a.m. On the upcoming agenda:

- Fiscal Year 2023-24 Quarterly Financial Report (First Quarter)
- Legislative Wrap Up
- Consider amendments to Policy and Procedures for the Initiation of Proposals by the OC LAFCO Agency.

He noted OC LAFCO is following AB 399. He noted Fallbrook Public Utilities District (FPUD) and the Rainbow Municipal Water District (RMWD) began a process to secure detachment from the San Diego County Water Authority to purchase Met water from the Eastern Municipal Water District for lower water rate costs. Within the conditions for detachment there is a \$25 M buyout from each agency. If AB 399 passes, it will require a vote of all San Diego County Water Authority member agencies to approve the proposed withdrawal from the Authority. This process would violate the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Requests for proposals for Fourth Cycle Municipal Service Reviews (MSRs) have been sent out.

#### IX. ACWA REPORT: DIRECTOR JACOBS

Director Jacobs reported:

- The ACWA election 2024-2025 was held with the following results:
  - o Cathy Green, Orange County Water District, President
  - o Ernesto A. Avila, Contra Costa Water District, Vice President.
  - o Dana Friehauf, Santa Fe Irrigation District, will be Region 10 Chair.
  - o Charles T. Gibson, Santa Margarita Water District, will serve as Region 10 Vice Chair.
- Region 6 and 7 tours are scheduled for October 13 through 14, 2023. It will start and end at Harris Ranch.
- The ACWA Fall Conference & Expo is November 28 30, 2023, in Indian Wells, CA. The main keynote speakers are Yana Garcia, California Secretary for Environmental Protection, and Tani Cantil-Sakauye, President/CEO of the Public Policy Institute of California (PPIC).

#### X. ORANGE COUNTY COUNCIL OF GOVERNMENTS (OCCOG) REPORT: DIRECTOR SCHEAFER

No report for this meeting.

#### XI. CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) REPORT

No report for this meeting.

# XII. SUBCOMMITTEE REPORTS:

• Programs – Director McVicker

Director McVicker reported the ISDOC Quarterly meeting was a success.

The next ISDOC Quarterly meeting is scheduled for January 25, 2024. Invitations will be sent out around December 26, 2023.

Director McVicker asked for a volunteer to serve with him on the Programs Subcommittee to find potential speakers and programs.

Heather Baez offered a draft calendar will be presented at the next meeting.

Stacy Taylor suggested a speaker to talk on the California Air Resources Board (CARB) Advanced Clean Fleet (ACF) regulation, which require all local governments to comply with beginning January 1, 2024. Mesa Water District is using York Engineering to guide Mesa Water District with the new regulation implementation.

Membership – Director Mesmer

Director Mesmer offered the two new Associate members applications:

- Smart Energy Water, Irvine, CA John Silvas, Sales Executive
- California CLASS + Public Trust Advisors, Los Angeles, CA Robert Shull, Sr. Director – Investment Advisory Services Crystal Lynn, Director – Investment Advisory Services

#### MOTION:

Motion by Director Mesmer, second Director Schafer, to approve Smart Energy Water and California CLASS + Public Trust Advisors as Associate Members in ISDOC. The motion passed unanimously.

Legislative Update – Trustee Nelson.

Trustee Nelson reported the Legislature adjourned about three weeks ago, and they sent 1,100 bills to the Governor for signature. He has signed 200 bills to date. October 14, 2023, is the date to complete the signing process.

- O CSDA continues to monitor Ballot Initiative 21-0042A1 9 (AKA 1935) "Taxpayer Protection and Government Accountability Act" sponsored by California Business Roundtable. This initiative has qualified for the ballot. It limits the ability of the state and local governments to enact, modify, or expand taxes, assessments, fees, and property-related charges. If passed, public agencies could face a drastic rise in litigation that could severely restrict their ability to meet essential services and infrastructure needs and the power of voters to raise revenues. It would affect State, County, and Special Districts. It would be retroactive to January 2021. CSDA takes no position on this initiative.
- CSDA is monitoring ACA 13 (Ward) on voting thresholds, and ACA 1 (Aguiar-Curry) addresses local government financing, affordable housing, and public infrastructure voter approval.

Director Jacobs noted that there might be ramifications in Orange County if the efforts in San Diego County are successful regarding the two water districts that are seeking to separate from the San Diego County Water Authority to secure a cheaper water source. It may have ripple effects.

Gavin Centeno noted there is information on the CSDA website on this issue, and there will be an update for ISDOC at the next meeting.

#### XIII. ADJOURN:

President Mills thanked the attendees and staff for their participation and assistance. The meeting was adjourned at 8:36 a.m.

The next Quarterly Meeting is January 25, 2024, at 11:30 a.m., and it is in-person at the OCWD/MWDOC facility in Fountain Valley, CA.

The next ISDOC Executive Committee meeting is scheduled for Tuesday, November 7, 2023, at 7:30 a.m. via Zoom.

Signed:

**ISDOC President** 

Sneg mills



# **QUARTERLY MEETING**

Thursday, September 28, 2023, 11:30 a.m.

Municipal Water District of Orange County
18700 Ward Street
Fountain Valley, CA 92708

# **MEETING MINUTES**

# I. CALL TO ORDER:

President Greg Mills called the meeting to order at 11:30 a.m. and welcomed all.

# **DIRECTORS PRESENT:**

Greg Mills	President	Serrano Water District (SWD)
Bob McVicker	1st Vice President	Municipal Water District of Orange County (MWDOC)
Paul Mesmer	2 <sup>nd</sup> Vice President	Surfside Colony Community Services District
Scott Nelson	3 <sup>rd</sup> Vice President	Placentia Library District
Vacant	Secretary	
Saundra F. Jacobs	Treasurer	Santa Margarita Water District (SMWD)

# **DIRECTORS ABSENT:**

Mark Monin	Immediate Past	El Toro Water District (ETWD)
	President	

# **SUPPORT STAFF PRESENT:**

Heather Baez	MWDOC
Tina Dubuque	MWDOC
Sharon Brimer	Recording Secretary

# PRESENTERS:

Darrell Johnson	Orange County Transportation Authority
Jamie Dunn	Complete Paperless Solutions
Nicholas Ghirelli	Richards Watson Gershon (RWG)

# OTHERS PRESENT:

Al Nederhood
Allison Torres
Amanda Castro
Anthony Falcone
Bernard Hartmann
Crystal Lynn
David Boyer
Deanna Rey
Don Russell
Donald Froelich
Dylan Gronendyke
Gavin Centeno
James Fisler

Jim Atkinson
Jordan Chriss
Kaitlyn Wu
Kelly Rowe
Kylie Sun
Larry Dick
Leslie Erickson
Robert Anslow
Robert Housley
Robert Ooten
Roger Yoh

Stephen Faessel

Van Tran William Poe

# II. PLEDGE OF ALLEGIANCE:

President Greg Mills led the Pledge of Allegiance.

### III. INTRODUCTIONS:

Jamie Dunn Jerry Vilander

First-time attendees introduced themselves.

# IV. PROGRAM:

President Mills introduced Orange County Transportation Authority CEO Darrell Johnson. The subject was OCTA 101 – Upcoming Project Including the I-405 Improvement.

Mr. Johnson proceeded with the presentation that highlighted the following:

- What is OCTA?
   Complete Streets, Transit, Sustainability, Highways
- Planning and Funding Agency Delivering a Balanced Transportation System
- Measure M2 (OC Go): 2011-2041
- Measure M1: 1991-2011
- Community Shuttles (Project V)
- Measure M Environmental Programs (OCTA.net/green)
- Free Transit Programs Youth Ride Free, Community College Pass
- I-405 Improvement Projects
- 405 Express Lanes-Tolls and Discounts
- 405 Express Lanes Access Points

Mr. Johnson responded to questions. President Mills thanked him for the presentation.

# V. ASSOCIATE MEMBER SPOTLIGHT: Complete Paperless Solutions

Director Mesmer introduced Complete Paperless Solutions Vice President of Sales Jamie Dunn, who proceeded with the presentation that highlighted the following:

- Laserfiche, Premier Partner
- Reviewed list of clients

# VI. ASSOCIATE MEMBER SPOTLIGHT: Richards Watson Gershon

Director Mesmer introduced Richards Watson Gershon (RWG) Shareholder Nicholas Ghirelli.

Attorney Ghirelli provided a review of RWG's law services.

### VII. REPORTS

a. Treasurer's Report - Director Jacobs

Director Jacobs reported:

There is a \$9,166.09 bank balance as of August 31, 2023.

<u>ACWA Election 2024-2025</u>: Director Jacobs reported voting concluded and the results for ACWA's Board officers' election for the 2024-'25 term. Members of ACWA elected Cathy Green as President and Ernesto "Ernie" Avila as Vice President. Charles T. Gibson, Santa Margarita Water District, was elected and will serve as the Vice Chair to Region 10.

# b. OC LAFCO Report – Director Fisler

Director Fisler reported that the upcoming OC LAFCO regular meeting is scheduled for October 13, 2023, at 8:15 a.m.

Director Fisler reported on the upcoming items on the agenda: First quarter Financial Report, Legal update, Report on amendment initiating desolation mergers, Request for proposal Municipal Service Review (MSR) for Central Region.

OC LAFCO is monitoring AB-399 (Boerner) Water Ratepayers Protections Act of 2023: County Water Authority Act.

Goodwill tours have been completed for 18 of 27 independent special districts.

c. Executive Committee Report – President Mills

President Mills offered the remodeled website is up and running: https://www.isdoc.net. The Secretary position remains open.

#### **VIII. NEW BUSINESS:**

None

# IX. ANNOUNCEMENTS:

Recognition of ISDOC Past President Mark Monin

# X. ADJOURN:

President Mills thanked the various attendees and staff for their assistance and participation. The meeting was adjourned at 1:00 p.m.

The next ISDOC Executive Committee Meeting is November 7, 2023, at 7:30 a.m.

The next ISDOC Quarterly Luncheon is scheduled for Thursday, January 25, 2024, at 11:30 a.m. and will be an in-person meeting held at the MWDOC/OCWD facility.

Signed:

**ISDOC President** 

Sneg mills



# Virtual Water Advisory Committee of Orange County (WACO) Meeting

Friday, November 3, 2023 7:30 a.m. – 9:00 a.m.

# **Zoom Registration:**

https://ocwd.zoom.us/meeting/register/tZlqd-hpjwtG9BLdzlPoG6pgophPP3nDyu0

# AGENDA

# 1. Welcome & Announcements

Mark Monin, El Toro Water District

# 2. 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

# 3. Program

"OC San on the Forefront of Advanced Treatment of Contaminants of Emerging Concern"

Speaker: Rob Thompson, General Manager Orange County Sanitation District
4. Adjourn
Next WACO Meeting
Friday, November 21, 2023 at 7:30 a.m. via Zoom
Next WACO Planning Committee Meeting

Tuesday, December 8, 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**

Medha Paliwal / Dani Berch
Orange County Water District (OCWD)
(714) 378-3200
www.ocwd.com/news-events/events/waco

Heather Baez / Christina Hernandez Municipal Water District of Orange County (MWDOC) (714) 963-3058 www.mwdoc.com/waco

#### **DATES TO REMEMBER**

### **NOVEMBER/DECEMBER 2023**

- 1. Nov 21 12 noon South County Agencies Meeting
- Nov 23 24 THANKSGIVING HOLIDAY/DISTRICT CLOSED
- 3. Nov 27 30 ACWA FALL CONFERENCE (Indian Wells)
- 4. Dec 1 DISTRICT OFFICE CLOSED
- 5. Dec 4 8:30 a.m. MWDOC Planning/Operations
- 6. Dec 5 7:30 a.m. ISDOC Executive Committee Meeting
- 7. Dec 5 10:00 a.m. RRC Meeting
- 8. Dec 6 8:30 a.m. MWDOC/MET Directors Workshop
- 9. Dec 7 8:30 a.m. SOCWA Board Meeting
- 10. Dec 8 7:30 a.m. WACO
- 11. Dec 8 12 noon Pres/VP/GM Meeting
- 12. Dec 11 7:30 a.m. Agenda Review
- 13. Dec 13 8:15 a.m. LAFCO
- 14. Dec 13 8:30 a.m. MWDOC Admin/Finance Committee Meeting
- 15. Dec 14 8:30 a.m. SAC Quarterly Meeting (IRWD)
- 16. Dec 14 8:30 a.m. SOCWA Engineering Committee Meeting
- 17. Dec 15 DISTRICT OFFICE CLOSED
- Dec 18 7:30 a.m. Regular Engineering/Finance Committee
   Meeting
- 19. Dec 19 7:30 a.m. WACO Planning Committee
- 20. Dec 19 10:30 a.m. SOCWA Finance Committee Meeting
- 21. Dec 20 8:30 a.m. MWDOC Board Meeting
- 22. Dec 21 7:30 a.m. Regular ETWD Board Meeting
- 23. Dec 22 12 noon Pres/VP/GM Meeting

- 24. Dec 25 Christmas Holiday DISTRICT OFFICE CLOSED
- 25. Dec 29 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 30<sup>th</sup> 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.