

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



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



AGENDA

EL TORO WATER DISTRICT REGULAR MEETING OF THE BOARD OF DIRECTORS

**September 25, 2025
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:

<https://us02web.zoom.us/j/86041278814> (Meeting ID: 860 4127 8814).

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 Gaskins

PLEDGE OF ALLEGIANCE – Director Monin

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. Presentation of Awards, Recognitions, Certifications and Introductions

Mr. Cafferty will recognize and congratulate Vu Chu, Water Resources Supervisor, for obtaining his Master's Degree in Public Administration.

Mr. Cafferty will recognize and congratulate Eric Nguyen, Laboratory Technician II, for obtaining his Master's Degree in Environmental Engineering Systems (Water).

Mr. Cafferty will recognize and congratulate Ray Llada, Electrical Instrumentation Technician II, for obtaining his Bachelor's Degree in Electronics Engineering Technology.

3. Other Post Employment Benefits (OPEB) Update

(Reference Material Included)

Staff and representatives from Foster and Foster Inc. will review and comment on the updated actuarial analysis of the OPEB liability associated with the District's Retiree Healthcare Plan for the fiscal year ended on June 30, 2025.

4. Consent Calendar

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

- a. Consider approving the minutes of the August 28, 2025 Board meeting
- b. Consider approving Vice President Freshley and President Gaskins to attend the ACWA JPIA Meeting on December 1 with approved travel accommodations from November 30 - December 1.
- c. Consider approving President Gaskins, Vice President Freshley, Director Havens and Director McClean to attend the ACWA Fall Conference from December 2-4 with approved travel accommodations from December 1-4.

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

5. **Director Reports for Meetings Attended** (Oral Report)
6. **ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2025-3** (Reference Material Included)

Staff will review and comment on the necessity and process to replace the District's Waste Discharge Pretreatment and Source Control Program Ordinance 2020-1 with Pretreatment Ordinance No. 2025-3.

OPEN PUBLIC HEARING

7. **Public Hearing Regarding Adoption of ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2025-3**

At this time the Board will conduct a Public Hearing to receive and consider public comments regarding adoption of ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2025-3.

PUBLIC COMMENT

The Public will be invited to comment on ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2025-3.

CLOSE PUBLIC HEARING

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

REGULAR SESSION

8. **Resolution No. 25-9-1 Adopting ETWD's Waste Discharge Pretreatment and Source Control Program Ordinance 2025-3** (Reference Material Included)

The Board will review Resolution No. 25-9-1 and consider taking action on same.

Recommended Action: Staff recommend the Board of Directors adopt Resolution No. 25-9-1 which adopts ETWD's Wastewater Discharge Pretreatment and Source Control Program Ordinance 2025-3 effective September 25, 2025.

RESOLUTION NO. 25-9-1
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING ETWD'S WASTE DISCHARGE
PRETREATMENT AND SOURCE CONTROL
PROGRAM ORDINANCE NO. 2025-3
WHICH REPLACES EL TORO WATER DISTRICT'S
PRETREATMENT ORDINANCE NO. 2020-1
IN IT'S ENTIRETY

GENERAL MANAGER ACTION ITEMS

9. **Resolution No. 25-9-2 Approving the Updated ETWD Sewer System Management Plan** (Reference Material Included)

Staff will review and comment on the update of the District's Sewer System Management Plan to comply with the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems as prescribed in the State Water Resources Control Board Order No. 2022-0103-DWQ.

Recommended Action: Staff recommend that the Board of Directors adopt Resolution No. 25-9-2 which approves the updated El Toro Water District Sewer System Management Plan consistent with State Water Resources Control Board Order No. 2022-0103-DWQ. Staff further recommend that the Board of Directors receive and file the SSMP document.

RESOLUTION NO. 25-9-2
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
APPROVING THE UPDATED EL TORO WATER DISTRICT
SEWER SYSTEM MANAGEMENT PLAN (SSMP)
AS PRESCRIBED IN
SWRCB ORDER NO. 2022-0103-DWQ

10. **WEROC Mobile Command Vehicle Shared Facilities Agreement**
(Reference Material Included)

Staff will review and comment on the Shared Facilities Agreement that authorizes WEROC to store the WEROC Mobile Command Vehicle at the District's Main Office campus yard.

Recommended Action: Staff recommends the Board of Directors authorize the General Manager to execute the WEROC Mobile Command Vehicle Shared Facilities Agreement.

GENERAL MANAGER INFORMATION ITEMS

11. **Strategic Plan Status Report** (Reference Material Included)

Staff will review and comment on the Strategic Plan Status Report.

12. **General Manager's Monthly Report** (Reference Material Included)

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

13. Legislative Reports (Reference Material Included)

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

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

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

15. Water Use Efficiency Report (Reference Material Included)

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

16. SOCWA Report (Reference Material Included)

- a. SOCWA Board Meeting – September 4, 2025
- b. SOCWA Engineering Committee Meeting – September 11, 2025
- c. SOCWA Finance Committee Meeting – September 16, 2025
- d. SOCWA Executive Committee Meeting – September 23, 2025

17. Municipal Water District of Orange County (MWDOC) Report
(Reference Material Included)

- a. MWDOC Planning/Operations Meeting – September 2, 2025
- b. MWDOC MET Directors Workshop – September 3, 2025
- c. MWDOC Admin/Finance Meeting – September 10, 2025
- d. MWDOC Board Meeting – September 17, 2025

18. Local Agency Formation Commission Report (Reference Material Included)

Report on the September 17, 2025 LAFCO meeting.

19. ISDOC Meetings Report (Reference Material Included)

Report on the September 2, 2025 ISDOC Executive Committee meeting.

COMMITTEE AND GENERAL INFORMATION

20. Dates to Remember for September/October (Reference Material Included)

COMMENTS REGARDING NON-AGENDA ITEMS

ATTORNEY REPORT

REGULAR SESSION REPORT

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, Marisol Melendez 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: Marisol Melendez.



STAFF REPORT

To: BOARD OF DIRECTORS

Meeting Date: September 25, 2025

From: Vishav Sharma, Chief Financial Officer

Subject: Other Post-Employment Benefits (OPEB) Update

Attached to this memo please find a draft GASB 75 (OPEB) report for the year ended June 30, 2025. This report illustrates the change in the District's Other Post-Employment Benefits (OPEB) liability. The Governmental Accounting Standards Board (GASB) requires all local governments to perform an OPEB analysis every two years and incorporate the result of the analysis into annual financial reports.

Fiscal year (FY) 2025 report is a complete analysis, based on the FY 2024 information.

To comply with this mandated requirement, the District engaged the services of actuarial consulting firm Foster & Foster, Inc to prepare the report for the District.

Attachment:

El Toro Water District Retiree Healthcare Plan June 30, 2025 GASB 75 Accounting Information Report with measurement date of June 30, 2024 based on the June 30, 2024 actuarial valuation from Foster & Foster, Inc



El Toro Water District Retiree Healthcare Plan



June 30, 2025 GASBS 75 Accounting Information

As of Measurement Date June 30, 2024

Based on the June 30, 2024 Actuarial Valuation

Drew Ballard, FSA, EA, MAAA
Braelen Ballard, ASA, EA, MAAA
Foster & Foster, Inc.

August 25, 2025

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Applicable Dates

Applicable Dates and Periods

	Fiscal Year Ended June 30, 2025
■ Measurement date	June 30, 2024
■ Measurement period	July 1, 2023 to June 30, 2024
■ Actuarial valuation date	June 30, 2024



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El Toro Water District

Note Disclosures

Plan Information

	Fiscal Year Ended June 30, 2025
■ Plan type	Single Employer
■ OPEB trust	No
■ Special funding situation	No
■ Nonemployer contributing entities	No



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Note Disclosures

Covered Participants

At June 30, 2024, the measurement date, the following numbers of participants were covered by the benefit terms:

	Number of Covered Participants
■ Inactives currently receiving benefits	31
■ Inactives entitled to but not yet receiving benefits	-
■ Active employees	58
■ Total	89



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Note Disclosures

Total OPEB Liability

	Fiscal Year Ended	
	6/30/24	6/30/25
	Measurement Date 6/30/23	Measurement Date 6/30/24
■ Total OPEB Liability (TOL)	\$ 11,256,633	\$ 11,650,813



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Note Disclosures

Changes in Total OPEB Liability

	Total OPEB Liability
■ Balance at 6/30/24 (6/30/23 measurement date)	\$11,256,633
■ Changes for the year	
• Service Cost	288,374
• Interest	414,544
• Changes of benefit terms	-
• Actual vs. expected experience	485,855
• Assumption changes	(419,300)
• Benefit payments*	(375,293)
■ Net Changes	394,180
■ Balance at 6/30/25 (6/30/24 measurement date)	\$11,650,813

* See the measurement period column on page 16 for details.



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El Toro Water District

Note Disclosures

Sensitivity of Total OPEB Liability

■ Changes in the Discount Rate

	Discount Rate		
	1% Decrease (2.93%)	Current Rate (3.93%)	1% Increase (4.93%)
■ Total OPEB Liability	\$ 13,261,769	\$ 11,650,813	\$ 10,324,863

■ Changes in the Healthcare Trend Rate

	Healthcare Trend Rate		
	1% Decrease	Current Trend	1% Increase
■ Total OPEB Liability	\$ 10,214,359	\$ 11,650,813	\$ 13,417,281



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Note Disclosures

OPEB Expense/(Income) for Fiscal Year

	2024/25
	Measurement Period 2023/24
■ OPEB Expense/(Income)*	\$ 199,882

* See page 21 for OPEB expense/(income) detail, which is not a required disclosure.



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Note Disclosures

Deferred Outflows/Inflows Balances at June 30, 2025

	June 30, 2025	
	Deferred Outflows of Resources	Deferred Inflows of Resources
■ Differences between expected and actual experience	\$ 419,300	\$ 4,951,239
■ Changes in assumptions	1,033,650	1,528,804
■ Employer contributions made subsequent to the measurement date*	464,374	-
■ Total	1,917,324	6,480,043

* See page 16 for details.



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Note Disclosures

Recognition of Deferred Outflows and Inflows of Resources in Future OPEB Expense

FYE June 30	Deferred Outflows/(Inflows) of Resources
■ 2026	\$ (1,010,494)
■ 2027	(1,127,505)
■ 2028	(1,360,700)
■ 2029	(1,383,682)
■ 2030	(149,964)
■ Thereafter	5,252



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Note Disclosures

Significant Actuarial Assumptions Used for Total OPEB Liability

Actuarial Assumption	June 30, 2024 Measurement Date
■ Actuarial Valuation Date	■ June 30, 2024
■ Contribution Policy	■ No pre-funding
■ Discount Rate	■ 3.93% at June 30, 2024 (Bond Buyer 20-Bond Index) ■ 3.65% at June 30, 2023 (Bond Buyer 20-Bond Index)
■ General Inflation	■ 2.50% annually
■ Mortality, Retirement, Disability, Termination	■ CalPERS 2000-2019 Experience Study (2% @ 55 rates for Tier 1, modified rates for Tier 2)
■ Mortality Improvement	■ Mortality projected fully generational with Scale MP-2021



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Note Disclosures

Significant Actuarial Assumptions Used for Total OPEB Liability

Actuarial Assumption	June 30, 2024 Measurement Date
■ Salary Increases	■ Aggregate - 2.75% annually ■ Merit - CalPERS 2000-2019 Experience Study
■ Medical Trend	■ Non-Medicare - 8.50% for 2025, decreasing to an ultimate rate of 3.45% in 2076 ■ Medicare (Non-Kaiser) - 7.50% for 2025, decreasing to an ultimate rate of 3.45% in 2076 ■ Medicare (Kaiser) - 6.25% for 2025, decreasing to an ultimate rate of 3.45% in 2076
■ Healthcare Participation at Retirement	■ Actives: 95% Tier 1, 90% Tier 2 ■ Retirees: 100%
■ Spouse Healthcare Participation at Retirement	■ 100% Tier 1, 50% Tier 2, if spouse currently covered ■ 0% if spouse not currently covered
■ Medical Plan Election at Retirement	■ Same as currently elected



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Note Disclosures

Changes Since June 30, 2023 Measurement Date

	June 30, 2024 Measurement Date
■ Changes of assumptions	■ Discount rate was updated based on municipal bond rate as of the measurement date
■ Changes of benefit terms	■ None



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El Toro Water District

Required Supplementary Information

Schedule of Changes in Total OPEB Liability and Related Ratios

	2024/25
	Measurement Period 2023/24
■ Changes in Total OPEB Liability	
● Service Cost	\$ 288,374
● Interest	414,544
● Changes of benefit terms	-
● Actual vs. expected experience	485,855
● Assumption changes	(419,300)
● Benefit payments	(375,293)
■ Net Changes	394,180
■ Total OPEB Liability (beginning of year)	11,256,633
■ Total OPEB Liability (end of year)	11,650,813



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Required Supplementary Information

Schedule of Changes in Total OPEB Liability and Related Ratios

	2024/25
	Measurement Date 6/30/24
■ Total OPEB Liability	\$ 11,650,813
■ Covered employee payroll*	7,241,806
■ Total OPEB Liability as a percentage of covered employee payroll	160.9%

* For the 12-month period ended on June 30, 2024 (Measurement Date).
As reported by the District.



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Actuarial Certification

This report presents the El Toro Water District Retiree Healthcare Plan 2024/25 disclosure under Governmental Accounting Standards Board Statement No. 75 (GASBS 75). This report may not be appropriate for other purposes, although it may be useful to the District for the Plan's financial management.

This report is based on information provided by the District which we relied on and did not audit. Additional information on the actuarial valuation can be found in the June 30, 2024 actuarial valuation report.

Future actuarial measurements may differ significantly from the current measurements presented in this report due to such factors as: plan experience differing from that anticipated by the assumptions; changes in assumptions; changes expected as part of the natural progression of the plan; and changes in plan provisions or applicable law. Actuarial models necessarily rely on the use of estimates and are sensitive to changes. Small variations in estimates may lead to significant changes in actuarial measurements. Due to the limited scope of this assignment, we did not perform an analysis of the potential range of such measurements.

The Journal Entries in this report are provided for the District's convenience and are not an actuarial communication. Therefore, this actuarial certification does not apply to the Journal Entries.

To the best of our knowledge, this report is complete and accurate and has been conducted using generally accepted actuarial principles and practices and complies with applicable Actuarial Standards of Practice. Additionally, in our opinion, actuarial methods and assumptions comply with GASBS 75. As the actuary, we have recommended the assumptions used in this report, and we believe they are reasonable. As members of the American Academy of Actuaries meeting the Academy Qualification Standards, we certify the actuarial results and opinions herein.

Respectfully submitted,



Drew Ballard, FSA, EA, MAAA
Foster & Foster, Inc.
August 25, 2025



Braelen Ballard, ASA, EA, MAAA
Foster & Foster, Inc.
August 25, 2025



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Supporting Calculations

Employer Contributions

	Measurement Period	Measurement Date to FYE	Prior Measurement Date to Prior FYE
	7/1/23 to 6/30/24	7/1/24 to 6/30/25	Same as Measurement Period
■ Cash benefit payments	\$ 297,593	\$ 349,496	\$ 297,593
■ Implicit subsidy benefit payments	77,700	114,878	77,700
■ Total benefit payments	375,293	464,374	375,293
■ Administrative expenses	-	-	-
■ Total employer contributions	375,293	464,374	375,293

Measurement period (7/1/23 to 6/30/24): \$375,293

Fiscal year (7/1/24 to 6/30/25): \$464,374



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Supporting Calculations

Average of the Expected Remaining Service Lives

July 1, 2023 (beginning of the measurement period) was not a valuation date and no census data was available to the actuary as of that date. Therefore, the average of the expected remaining service lives was estimated as follows:

Valuation Date	Total expected remaining service lives*	Covered participants*	Average of the expected remaining service lives as of valuation date	Average of the expected remaining service lives as of 7/1/23 (not less than 1 yr)
6/30/24	637.0 years	86	7.4 years	7.3 years
6/30/22	588.8 years	81	7.3 years	

* Participants with no liability excluded for the purpose of calculating the average.



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Supporting Calculations

Recognition of Deferred Outflows/Inflows at June 30, 2025 Differences between Expected and Actual Experience

Fiscal Year	Initial Amt	Initial Recog Period	Amount Recognized in OPEB Expense for FY							Deferred Balances June 30, 2025	
			24/25	25/26	26/27	27/28	28/29	29/30	30/31+	Outflows	(Inflows)
18/19	987,411	7.0	141,057	-	-	-	-	-	-	-	-
19/20	-	-	-	-	-	-	-	-	-	-	-
20/21	(1,334,563)	7.0	(190,652)	(190,652)	(190,651)	-	-	-	-	-	(381,303)
21/22	-	-	-	-	-	-	-	-	-	-	-
22/23	(7,913,790)	7.1	(1,114,618)	(1,114,618)	(1,114,618)	(1,114,618)	(1,114,618)	(111,464)	-	-	(4,569,936)
23/24	-	-	-	-	-	-	-	-	-	-	-
24/25	485,855	7.3	66,555	66,555	66,555	66,555	66,555	66,555	86,525	419,300	-
Total			(1,097,658)	(1,238,715)	(1,238,714)	(1,048,063)	(1,048,063)	(44,909)	86,525	419,300	(4,951,239)



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Supporting Calculations

Recognition of Deferred Outflows/Inflows at June 30, 2025 **Changes of Assumptions**

Fiscal Year	Initial Amt	Initial Recog Period	Amount Recognized in OPEB Expense for FY							Deferred Balances June 30, 2025	
			24/25	25/26	26/27	27/28	28/29	29/30	30/31+	Outflows	(Inflows)
18/19	2,564,813	7.0	366,401	-	-	-	-	-	-	-	-
19/20	923,090	7.1	130,013	130,013	12,999	-	-	-	-	143,012	-
20/21	2,875,924	7.0	410,846	410,846	410,848	-	-	-	-	821,694	-
21/22	160,868	7.0	22,981	22,981	22,981	22,982	-	-	-	68,944	-
22/23	(1,818,868)	7.1	(256,179)	(256,179)	(256,179)	(256,179)	(256,179)	(25,615)	-	-	(1,050,331)
23/24	(160,615)	7.3	(22,002)	(22,002)	(22,002)	(22,002)	(22,002)	(22,002)	(6,601)	-	(116,611)
24/25	(419,300)	7.3	(57,438)	(57,438)	(57,438)	(57,438)	(57,438)	(57,438)	(74,672)	-	(361,862)
Total			594,622	228,221	111,209	(312,637)	(335,619)	(105,055)	(81,273)	1,033,650	(1,528,804)



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Supporting Calculations

Recognition of Deferred Outflows/Inflows in Future OPEB Expense

	25/26	26/27	27/28	28/29	29/30	Thereafter 30/31+
■ Differences between Expected and Actual Experience	(1,238,715)	(1,238,714)	(1,048,063)	(1,048,063)	(44,909)	86,525
■ Changes of Assumptions	228,221	111,209	(312,637)	(335,619)	(105,055)	(81,273)
■ Total	(1,010,494)	(1,127,505)	(1,360,700)	(1,383,682)	(149,964)	5,252



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Supporting Calculations

Components of GASBS 75 OPEB Expense

	2024/25
	Measurement Period 2023/24
■ Service Cost	\$ 288,374
■ Interest on Total OPEB Liability	414,544
■ Administrative expense	-
■ Changes of benefit terms	-
■ Recognition of deferred outflows/(inflows)	
● Experience	(1,097,658)
● Assumptions	594,622
■ OPEB Expense/(Income)	199,882



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Supporting Calculations

Components of GASBS 75 OPEB Expense **Calculation of Interest on Total OPEB Liability** **2023/24 Measurement Period**

	Dollar Amount	Discount Rate	Portion of Year	Interest
■ Total OPEB Liability	\$ 11,256,633	3.65%	100%	\$ 410,867
■ Service Cost	288,374	3.65%	100%	10,526
■ Changes of benefit terms	-	3.65%	0%	-
■ Experience*	485,855	3.65%	0%	-
■ Assumption changes*	(419,300)	3.65%	0%	-
■ Benefit payments	(375,293)	3.65%	50%	(6,849)
■ Total interest				414,544

* Liability determined as of the end of the measurement period, so no interest charge is applicable.



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Supporting Calculations

GASBS 75 Balance Equation

	Fiscal Year Ended	
	6/30/24	6/30/25
	Measurement Date 6/30/23	Measurement Date 6/30/24
■ Total OPEB Liability	\$ 11,256,633	\$ 11,650,813
■ Fiduciary Net Position	-	-
■ Net OPEB Liability	11,256,633	11,650,813
■ Deferred inflows of resources	7,701,632	6,480,043
■ Deferred (outflows) of resources	(2,104,948)	(1,452,950)
■ Balance Sheet	16,853,317	16,677,906

Check:

■ Balance Sheet 6/30/24	\$ 16,853,317
● OPEB Expense/(Income)	199,882
● Employer Contributions*	(375,293)
■ Balance Sheet 6/30/25	16,677,906

* See the measurement period column on page 16 for details.



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Supporting Calculations

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Journal Entries

Employer Contributions

The entries below assume cash benefit payments, Trust contributions, and administrative expenses have been charged to OPEB Expense when paid, and that no accounting entries have been made for the current year implicit subsidy payment, which is recorded as a reduction to active employee health care costs. See page 16 for details.

Following records the impact of employer contributions as deferred outflows of resources and as a reduction to Net OPEB Liability.

	Debit	(Credit)
■ Net OPEB Liability - (for Contributions paid 7/1/23 to 6/30/24)	\$ 375,293	\$ -
■ OPEB Expense - (for admin fees paid 7/1/23 to 6/30/24)	-	-
■ Deferred Outflow - 7/1/23 to 6/30/24 contributions	-	(375,293)
■ Deferred Outflow - 7/1/24 to 6/30/25 contributions	464,374	-
■ Active employee health care costs - (implicit subsidy payments 7/1/24 to 6/30/25)	-	(114,878)
■ OPEB Expense - (for contributions paid 7/1/24 to 6/30/25)	-	(349,496)

Check 839,667 (839,667)



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Journal Entries

Summary Journal Entries - OPEB Expense

Following records the impact of current year OPEB expense

	Debit	(Credit)
■ Deferred Outflows*	\$ 278,243	\$ (930,241)
■ Deferred Inflows**	1,305,270	(83,681)
■ OPEB Expense/Credit	199,882	-
■ Net OPEB Liability	-	(769,473)

Check 1,783,395 (1,783,395)

* See page 28 ('Subtotal' row) for details.

** See page 29 for details.



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El Toro Water District

Journal Entries

Ending Balances at June 30, 2025

	Debit	(Credit)
■ Deferral: Differences between expected and actual experience	\$ 419,300	\$ (4,951,239)
■ Deferral: Changes of assumptions	1,033,650	(1,528,804)
■ Total deferred outflow/inflow	1,452,950	(6,480,043)
■ Net OPEB Liability (NOL)	-	(11,650,813)
■ Contributions after the Measurement Date	464,374	-
■ Net Impact	16,213,532	-

Check: 18,130,856 (18,130,856)

■ Total OPEB expense/(income) for FYE 2025	199,882	-



August 25, 2025

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GASBS 75

El Toro Water District

Journal Entries

Reconciliation of Deferred Outflows

Detail for page 26

Deferred Outflows	Opening Balance - Debit	Journal Entry - Debit	Journal Entry - (Credit)	Ending Balance - Debit
■ Differences between actual and expected experience	\$ 141,057	\$ 278,243	\$ -	\$ 419,300
■ Change in assumptions	1,963,891	-	(930,241)	1,033,650
■ Subtotal - actuarial deferrals	2,104,948	278,243	(930,241)	1,452,950
■ Contributions after the Measurement Date	375,293	464,374	(375,293)	464,374
■ Total Deferred Outflows	2,480,241	742,617	(1,305,534)	1,917,324



August 25, 2025

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GASBS 75

El Toro Water District

Journal Entries

Reconciliation of Deferred Inflows

Detail for page 26

Deferred Inflows	Opening Balance - (Credit)	Journal Entry - (Credit)	Journal Entry - Debit	Ending Balance - (Credit)
■ Differences between actual and expected experience	\$ (6,256,509)	\$ -	\$ 1,305,270	\$ (4,951,239)
■ Change in assumptions	(1,445,123)	(83,681)	-	(1,528,804)
■ Total Deferred (Inflows)	(7,701,632)	(83,681)	1,305,270	(6,480,043)



August 25, 2025

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GASBS 75

El Toro Water District

Journal Entries

Reconciliation of Deferred Outflows/(Inflows)

Summary of Balances

	Fiscal Year Ended	
	6/30/24	6/30/25
	Measurement Date 6/30/23	Measurement Date 6/30/24
■ Total OPEB (Liability)	\$ (11,256,633)	\$ (11,650,813)
■ Fiduciary Net Position	-	-
■ Net OPEB (Liability)	(11,256,633)	(11,650,813)
■ Deferred (inflows) of resources	(7,701,632)	(6,480,043)
■ Deferred outflows of resources	2,480,241	1,917,324
■ Balance Sheet Impact	(16,478,024)	(16,213,532)

Deferred Outflows include contributions after the measurement date.



August 25, 2025

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GASBS 75

El Toro Water District

Plan Summary

Item	Description						
■ Eligibility	■ Eligible for retiree medical benefits if retire directly from the District at the time of retirement and meet the following requirements: <table> <tr> <th>Tier</th><th>Minimum eligibility requirements</th></tr> <tr> <td>1</td><td>Hired before 6/1/2008: Age 55 & 10 years of service</td></tr> <tr> <td>2</td><td>Hired after 6/1/2008: Age 60 & 20 years of service</td></tr> </table> ■ Eligibility for regular full-time employees only; directors not eligible. ■ No District paid dental or vision care coverage is provided.	Tier	Minimum eligibility requirements	1	Hired before 6/1/2008: Age 55 & 10 years of service	2	Hired after 6/1/2008: Age 60 & 20 years of service
Tier	Minimum eligibility requirements						
1	Hired before 6/1/2008: Age 55 & 10 years of service						
2	Hired after 6/1/2008: Age 60 & 20 years of service						
■ Retiree Benefits	■ Health benefits are provided by the ACWA/JPIA - Association of California Water Agencies/Joint Powers Insurance Authority. ■ Benefits are based on the eligibility at retirement: <table> <tr> <th>Tier</th><th>Benefits</th></tr> <tr> <td>1</td><td>Hired before 6/1/2008: District and retiree will share in the cost of the monthly premium for the retiree and eligible dependents;</td></tr> <tr> <td>2</td><td>Hired after 6/1/2008: District and member will share in the cost of the monthly premium for the member only.</td></tr> </table> ■ The District will determine at their discretion the shared percentage of the cost between the District and the member. Currently, the District covers • 100% of the cost for Kaiser member only coverage; • 95% of the cost for the member and spouse for Kaiser two-party or family coverage; • 90% of the cost for the member and spouse for any non-Kaiser plan. ■ Spouses are eligible to participate under Tier 2 but are responsible for 100% of their ■ Surviving spouses are also eligible for District paid benefits under Tier 1	Tier	Benefits	1	Hired before 6/1/2008: District and retiree will share in the cost of the monthly premium for the retiree and eligible dependents;	2	Hired after 6/1/2008: District and member will share in the cost of the monthly premium for the member only.
Tier	Benefits						
1	Hired before 6/1/2008: District and retiree will share in the cost of the monthly premium for the retiree and eligible dependents;						
2	Hired after 6/1/2008: District and member will share in the cost of the monthly premium for the member only.						
■ Implied Subsidy	■ Employer cost for allowing retirees to participate at actives rates. ■ Implied subsidy valued for retirees and spouses until Medicare eligibility						



August 25, 2025

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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Premiums

2024 PEMHCA Monthly Premiums

ACWA Other Southern California Region Incentive Rates

Plan	2022			2023		
	Single	2-Party	Family	Single	2-Party	Family
Anthem Blue Cross Classic P	\$ 822.46	\$1,644.92	\$2,179.52	\$ 904.70	\$1,809.40	\$2,397.46
Anthem Consumer Driven Health Plan	657.96	1,315.92	1,743.59	723.76	1,447.52	1,917.96
Anthem CalCare HMO	1,029.75	2,059.50	2,728.84	1,080.50	2,161.00	2,863.33
Kaiser South HMO	740.13	1,480.26	2,057.56	780.19	1,560.38	2,168.93
Kaiser South Consumer Driven Health Plan	535.53	1,071.05	1,488.76	564.52	1,129.04	1,569.37
Kaiser Senior Advantage	184.04	368.08	1,007.76	197.12	394.24	-
United Healthcare Medicare	412.45	824.90	1,237.35	512.45	1,024.90	1,537.35



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Participant Statistics

June 30, 2024

	6/30/22 Valuation	6/30/24 Valuation
■ Actives		
● Counts	59	58
» Tier 1	28	20
» Tier 2	31	38
● Average		
» Age	50.5	48.6
» District Service	16.1	14.1
■ Retirees		
● Counts	25	30
» Tier 1	25	26
» Tier 2	-	4
● Average		
» Age	71.6	71.6
» Retirement Age*	62.6	63.4

* Service Retirees only.



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Active Age Service Distribution

June 30, 2024

Age	District Service							
	<1	1-4	5-9	10-14	15-19	20-24	25+	Total
Under 25	-	1	-	-	-	-	-	1
25-29	1	1	-	-	-	-	-	2
30-34	1	3	6	-	-	-	-	10
35-39	1	3	1	1	-	-	-	6
40-44	1	2	2	1	1	1	-	8
45-49	-	-	1	1	-	1	-	3
50-54	-	-	-	1	-	1	1	3
55-59	-	3	1	1	-	3	4	12
60-64	-	-	1	2	1	1	2	7
65+	-	-	-	1	-	-	5	6
Total	4	13	12	8	2	7	12	58



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information**Active Medical Coverage****June 30, 2024**

Medical Plan	Single	2-Party	Family	Waived	Total
Anthem Consumer Driven Health Plan	-	-	1	-	1
Anthem CalCare HMO	2	6	10	-	18
Anthem Blue Cross Classic PPO	2	3	6	-	11
Kaiser South Consumer Driven Health Plan	-	-	2	-	2
Kaiser South HMO	11	8	7	-	26
Waived	-	-	-	-	-
Total	15	17	26	-	58



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information**Retiree Medical Coverage****June 30, 2024**

Medical Plan	Single	2-Party	Family	Waived	Total
Anthem CalCare HMO	1	4	1	-	6
Anthem Blue Cross Classic PPO	1	1	-	-	2
Kaiser South HMO	-	1	-	-	1
United Healthcare Medicare	8	14	-	-	22
Total	10	20	1	-	31



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Actuarial Obligations

June 30, 2024

	Cash	Implicit	Total
■ Present Value of Benefits			
● Actives	\$ 6,336,119	\$ 1,073,983	\$ 7,410,102
● Retirees	6,084,070	408,860	6,492,930
● Total	12,420,189	1,482,843	13,903,032
■ Actuarial Accrued Liability			
● Actives	4,464,083	693,800	5,157,883
● Retirees	6,084,070	408,860	6,492,930
● Total	10,548,153	1,102,660	11,650,813
■ Service Cost (2024/25)	194,359	38,853	233,212
■ Pay-As-You-Go Cost (Projected 2024/25)	381,769	114,878	496,647



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Projected Benefit Payments

June 30, 2024

Fiscal Year Ended	Cash Subsidy	Implicit Subsidy	Total
2025	\$ 381,769	\$ 114,878	\$ 496,647
2026	436,982	104,861	541,843
2027	481,394	109,101	590,495
2028	511,440	101,175	612,615
2029	529,560	90,596	620,156
2030	562,135	100,494	662,629
2031	576,142	107,426	683,568
2032	579,034	85,821	664,855
2033	589,539	86,728	676,267
2034	601,378	80,434	681,812



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Additional Actuarial Assumptions 2025 Sample Estimated Monthly Claims¹

Based on ACWA/JPIA pooled plan: Other Southern California Region

Age	Anthem Classic PPO		Anthem CDHP		Anthem CalCare HMO		Kaiser South HMO		Kaiser South CDHP	
	M	F	M	F	M	F	M	F	M	F
25	265	518	211	413	334	654	264	517	192	376
35	387	779	309	621	489	983	387	777	281	565
45	608	853	485	681	767	1,077	607	852	441	619
55	1,028	1,137	821	907	1,298	1,434	1,027	1,135	747	825
60	1,327	1,337	1,059	1,067	1,674	1,687	1,325	1,335	963	971
64	1,601	1,541	1,278	1,230	2,021	1,945	1,599	1,539	1,163	1,119

¹ Claims for Medicare-Advantage plans assumed to equal premiums, in accordance with the Practice Note to Actuarial Standard of Practice #6 ("ASOP 6").



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Additional Actuarial Assumptions June 30, 2024

	Actuarial Assumption
■ Waived Retiree Re-election	■ None
■ Surviving Spouse Participation	■ 100% if eligible
■ Spouse Age	■ Actives: Males 3 years older than females ■ Retirees: Males 3 years older than females if spouse birth date not available
■ Medicare Eligibility	■ All participants assumed to be Medicare eligible and elect Medicare plans at age 65
■ Tier 2 Retirement Rates	■ Based on 50% of the CalPERS 2%@ 55 rates before age 60 and 20 years of service



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

Additional Actuarial Assumptions

June 30, 2024

	Actuarial Assumption
■ Basis for Assumptions	■ No experience study performed for this Plan ■ CalPERS 2000-2019 experience study was used ■ Mortality improvement is a Society of Actuaries table ■ Inflation based on our estimate for the Plan's long time horizon ■ Medical trends were based on expectations over the short term blended into long term medical trends developed using the Society of Actuaries Getzen Model of Long-Run Medical Cost Trends ■ Age-based claims costs were based on tables published by the Society of Actuaries and demographic data for the CalPERS health plans provided by CalPERS ■ Medical coverage and participation based in part on Plan experience



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Actuarial Valuation

El Toro Water District

Actuarial Valuation Information

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Actuarial Valuation

El Toro Water District

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

August 28, 2025

President Gaskins called the meeting of the Board of Directors of the EL TORO WATER DISTRICT to order at 7:30 a.m.

Vice President Freshley led the Pledge of Allegiance to the flag.

Committee Members MARK MONIN (Zoom), MIKE GASKINS, KAY HAVENS, KATHRYN FRESHLEY, and WYATT McCLEAN participated.

Also participating were DENNIS P. CAFFERTY, General Manager, GILBERT J. GRANITO, General Counsel, VISHAV SHARMA, CFO, HANNAH FORD, Director of Engineering, SCOTT HOPKINS, Operations Superintendent, MIKE MIAZGA, IT Manager (Zoom), SHERRI SEITZ, Public Affairs Manager, VU CHU, Water Resources Supervisor, VICKI TANIOUS, Senior Accountant (Zoom), ABEL ESTRADA, Billing & Customer Service Supervisor (Zoom), SUE NORBERG, Office Assistant, MARC AVILA, Inspector, MARINA LINDSAY, Member of the Public (Zoom), and MARISOL MELENDEZ, Recording Secretary.

Determination of a Quorum

Director Monin participated in the meeting via teleconferencing as noted in today's agenda and the remaining Board Members were present. Therefore, a Quorum was determined.

Oral Communications/Public Comments

There were no comments.

Items Received Too Late to be Agendized

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

Presentation of Awards, Recognitions, Certifications and Introductions

Mr. Cafferty recognized and congratulated Sue Norberg, Sherri Seitz, and Marc Avila for their years of service with the District.

Ms. Norberg, Ms. Seitz, and Mr. Avila left the meeting at approximately 7:52 a.m.

Consent Calendar

President Gaskins asked for a Motion.

Motion: Director McClean made a Motion, seconded by Vice President Freshley to approve the Consent Calendar.

Roll Call Vote:

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

Directors Reports for Meetings Attended

Director Havens stated that she attended the WACO meeting, the MWDOC P&O meeting, the Strategic Plan Workshop, the MWDOC/Met Directors Workshop, CAG, the State of the County event, the MWDOC Admin/Finance meeting, the ACWA Summer Water Quality Committee meeting, the MWDOC Board meeting, the District's Engineering and Finance meeting, the "This Day" Interview, the Baker Plant Tour, the District's regular Board meeting, will try to attend the Laguna Woods Village Water Conservation Committee meeting, and OC WaterReuse.

Vice President Freshley stated that she attended both ETWD's regular Board meetings, the Strategic Plan Workshop, the RRC meeting, the SOCWA Board meeting, the SOCWA Finance meeting, the Agenda Review meeting, the Laguna Woods City Council meeting, the MWDOC P&O meeting, the MWDOC/MET Directors Workshop, the MWDOC Board meeting, the OCWA luncheon, the CAG meeting, and the State of the County Luncheon.

Director McClean stated that he attended the Strategic Plan Workshop, the CAG meeting, the State of the County Luncheon, the MWDOC Admin/Finance meeting, the OCWA meeting, the District's Engineering and Finance meeting, the Baker Plant Tour, and the District's regular Board meeting.

Director Monin stated that he attended the State of the County event, the CASA Conference, the Urban Water Institute Conference, the CSDA Conference, the OCCOG meeting, the WACO meeting, the MWDOC P&O meeting, the Strategic Plan Workshop, the ISDOC Executive meeting, the MWDOC/Met Directors Workshop, the MWDOC Admin/Finance meeting, the CAG meeting, the MWDOC Board meeting, the District's Board meeting, and the District's Engineering and Finance meeting.

President Gaskins stated that he attended the CASA Conference, the MWDOC P&O meeting, the RRC meeting, the MWDOC Met Directors Workshop, the SOCWA Board meeting, the State of the County event, the MWDOC Admin/Finance meeting, the Agenda Review meeting, the Urban Water Institute Conference, the District's Engineering and Finance meeting, the Baker Plant Tour, today's Board meeting, and will be attending the Pres/VP/GM meeting.

General Manager Action Items

ACWA Board President, Vice President & Region Board Elections

Mr. Cafferty reported that there is only one candidate for the ACWA Board President and Vice President positions. He also noted a recommended slate for the Region 10 Board elections. The Board agreed to cast its ballot for Ernesto Avila as President, Carol Lee Gonzales-Brady as Vice President, and in support of the Region 10 recommended slate.

President Gaskins asked for a Motion.

Motion: Vice President Freshley made a Motion, seconded by Director Havens to authorize the General Manager to cast the District's ballot for Ernesto Avila as ACWA Board President, Carol Lee Gonzales-Brady as ACWA Vice President, and the Region 10 recommended slate, with the ballot to be submitted by the September 19, 2025 deadline.

Roll Call Vote:

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

Administrative Code Update – Capital Facilities Fees

Ms. Ford explained that Capital Facilities Fees are typically incurred during tenant improvement projects, which until recently had rarely been applied to residential projects. With Accessory Dwelling Units (ADUs) becoming more common, the District's Administrative Code must be updated to clearly address applicable fees. Staff and Legal Counsel reviewed State Legislation on ADU construction and the fees the District is legally permitted to impose. If a new service connection is requested, fees will be

calculated proportionally to the primary dwelling unit, as required by law. If an ADU is constructed simultaneously with the primary dwelling, the full capital facilities fee can be applied.

President Gaskins asked for a Motion.

Motion: Director Havens made a Motion, seconded by President Gaskins to approve the amendments to Sections 7080 and 7090 of the El Toro Water District Administrative Code.

Roll Call Vote:

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

Resolution No. 25-8-2 – Administrative Code Update – District Claim Procedures

Mr. Cafferty reported that updates to the District's claim procedures include provisions on rejection of claims and delegation of authority to the General Manager to reject claims or settle claims up to an amount of \$50,000. All claims will continue to be reported to the Board in the quarterly insurance report. Legal Counsel reviewed the updates to ensure legal compliance and coordination with JPIA.

President Gaskins asked for a Motion.

Motion: Vice President Freshley made a Motion, seconded by Director McClean to approve Resolution No. 25-8-2 modifying Section 6000 – District Claim Procedures of the District's Administrative Code.

Roll Call Vote:

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

Resolution No. 25-8-3 – Modifying Standing and External Organization Board and Staff Assignments for Calendar Year 2025

Mr. Cafferty explained that this item is intended to improve efficiency in submitting monthly Board Compensation reports and to clarify authorized compensable meetings. Mr. Cafferty showed an assignment list on the video screen that has been updated since the Board package was issued. The list presented at the meeting is the subject of approval by Resolution 25-8-3. Proposed changes to committee assignments include adding the SOCWA Executive Committee, ISDOC Executive Committee, Laguna Woods Television appearances, Chamber of Commerce events within the District's five cities served, and City Council meetings in those cities served when agenda items pertain to the District. Additional language clarifies that Directors will not be compensated for meetings not listed unless authorized by the Board of Directors or the Board President, with specified exceptions.

Director Monin inquired about including the OCCOG meeting, a function of ISDOC, in the list of authorized meetings. Mr. Cafferty explained that in the proposed Board Compensation reporting process, non-compensated meetings such as OCCOG can be listed and the 10 compensated meetings will be clearly identified. He added that conferences are approved by the Board through the consent calendar.

President Gaskins asked for a Motion.

Motion: Director Havens made a Motion, seconded by Vice President Freshley to approve Resolution No. 25-8-3 modifying Standing and External Organization Board and Staff Assignments for calendar year 2025.

Roll Call Vote:

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

Mr. Cafferty presented and reviewed the updated template and process for Board compensation reports.

General Manager Information Items

General Manager's Monthly Report

Mr. Cafferty reported that staff is working to renew an agreement with Moulton Niguel Water District (MNWD) for a street in Mission Viejo located within the District's service area, but its wastewater flows into MNWD's system.

Staff is coordinating with the City of Mission Viejo to determine responsibility of a sinkhole repair that developed outside the Freeway Lift Station. A surveyor will be coming out to mark and confirm the property line.

Legislative Reports

There were no comments.

Public Education and Outreach Report

Ms. Seitz reported that a draft version of the new ETWD website will be presented at the next Board meeting, and the Fall Newsletter will be distributed to customers in September. She also reviewed upcoming community events that District staff will be participating in.

Water Use Efficiency Report

Mr. Chu reported that total potable water usage increased by approximately 3% in July while recycled water usage rose by about 15% compared to last year.

SOCWA Reports

Vice President Freshley reported that the Strategic Plan was discussed at the Executive Committee meeting.

Ms. Ford reported that staff is coordinating with SOCWA on the Effluent Transmission Main project, including the replacement of techite pipe in Reaches B and C.

Mr. Cafferty reported that the Finance Committee is developing a cost allocation policy to establish procedures for budgeting and year end reconciliation.

Ms. Seitz left the meeting at approximately 8:58 a.m.

MWDOC

Mr. Cafferty reported that workshops have been held regarding MET's proposal to revise the treated water surcharge, which has historically been entirely volumetric. MET is determining the implementation of adding peaking and standby charges. He also noted that the recruitment process for MET's General Manager is ongoing.

South Orange County Agencies Group Meeting

Mr. Cafferty stated that there were updates on the emergency supply project that Moulton Niguel Water District is working on, as well as progress on the Doheny project.

ISDOC

Director Monin reported that the committee is preparing for the October quarterly meeting.

WACO

Director Monin reported that the program included an update on agriculture in Orange County.

COMMITTEE AND GENERAL INFORMATION

Dates to Remember for August/September

There were no comments.

Comments Regarding Non-Agenda Items

There were no comments.

Mr. Chu left the meeting at approximately 9:16 a.m.

Attorney Report

Mr. Granito reported on the status of the Prop 218 Class Action case of Patz v. City of San Diego and the potential of the California Supreme Court granting review. Mr. Granito also reported that he had assisted District staff with the draft Request for Proposals RE the potential Solar and Battery Project.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at approximately 9:28 a.m.

Respectfully submitted,

MARISOL MELENDEZ
Recording Secretary

APPROVED:

MIKE GASKINS, President of
the El Toro Water District and the
Board of Directors thereof

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

Membership Summit Agenda

PRELIMINARY Agenda. Stay tuned for updates on the ACWA JPIA Membership Summit.

2025 FALL MEMBERSHIP SUMMIT

Monday, December 1, 2025

ACWA JPIA



Deluxe Breakfast



Committee Meeting &
Educational Session



Pre-Board Meeting Lunch



Board of Directors Meeting

Tuesday, December 2, 2025



Deluxe Breakfast



Exclusive Educational
Sessions



JPIA Leadership Essentials
Alumni Event



A circular graphic divided into four quadrants. The top-left quadrant shows a palm tree against a yellow sky. The top-right quadrant shows a sunset over water. The bottom-left quadrant shows two blue water droplets. The bottom-right quadrant shows a city skyline at night reflected in water. The background of the entire banner is a gradient of orange and purple.

ACWA Fall 2025 Conference + **EXPO**

Dec. 2-4, 2025
San Diego

Register Now for ACWA's 2025 Fall Conference + Expo!

Join us in San Diego for ACWA's **2025 Fall Conference & Expo**, the premier destination for water industry professionals to learn and connect. Full conference registration includes access to:

- **Keynote addresses & programs:** Hear from industry experts on the latest trends and innovations.
- **Networking meals & snack stations:** Enjoy flexible meal breaks that provide great opportunities to connect with peers while staying fueled throughout the event.
- **Exhibit Hall & ACWA-hosted receptions:** Discover cutting-edge products and solutions in the Exhibit Hall, plus network in a more social setting at ACWA-hosted receptions.
- **On-demand access:** Select conference sessions will be recorded and available for on-demand viewing after the event, so you can catch up on any missed content.

Plus, take advantage of Group Savings! Register 5 attendees and get 1 free!

REGISTER



STAFF REPORT

To: Board of Directors

Meeting Date: September 25, 2025

From: Dennis Cafferty, General Manager

**Subject: Waste Discharge Pretreatment and Source Control Program
Ordinance 2025-3**

The District last updated the Waste Discharge Pretreatment and Source Control Program Ordinance in 2020 (Ordinance 2020-1). As part of the current update of the Sewer System Management Plan, which references the Ordinance, staff reviewed and are recommending updates to the Ordinance.

The updates, described in the attached redline document, include:

- Minor grammatical, typographic and format updates
- Reference to the Baker Water Treatment Plant
- Modification of the Definition of SOCWA Member Agency to reflect the current SOCWA member agencies
- Addition of Section 508 – Limitations on Interference with District Sewer Maintenance
- Addition of Section 509 – Limitations on the Discharge of Fats, Oils and Grease

EL TORO WATER DISTRICT
WASTE DISCHARGE PRETREATMENT
AND
SOURCE CONTROL PROGRAM

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

ORDINANCE
~~2020~~2025-13

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

~~2020~~September 25, 2025

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

ARTICLE 1 GENERAL PROVISIONS

101 INTRODUCTION

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

102 OBJECTIVES

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

102 — OBJECTIVES (cont)

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

103 PURPOSE

A. The purpose of this ordinance is to:

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

104 POLICY

A. The policy of this ordinance is to be:

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

105 APPLICABILITY

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

106 AVAILABILITY OF SEWERAGE FACILITIES

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

107 NOTICE TO EMPLOYEES

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

ARTICLE 2 DEFINITIONS AND ABBREVIATIONS

201 DEFINITIONS CONTAINED IN PUBLICATION

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

202 DEFINITION OF TERMS

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

202— DEFINITION OF TERMS (cont)

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

202 — DEFINITION OF TERMS (cont)

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

toxicity, ignitability, corrosivity, chemical reactivity or other reasons.

202—DEFINITION OF TERMS (cont)

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

sewerage facility.

60. New Source. Those sources that are new as defined by 40 CFR 403.

202—DEFINITION OF TERMS (cont)

61. Non-Compatible Waste. Waste that contains toxic or non-compatible pollutants that may pass through or cause interference if discharged to sewerage facilities.

62. Non-industrial Wastewater Discharge (NIWD) Form. A form issued users that are considered to have wastewater of no concern discharging to sewerage facilities. This form may contain BMP's.

63. Non-Stormwater Discharge. Discharges that do not immediately originate from precipitation events unless precipitation is captured and discharged after a rain event. Including but not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.

64. Normal Working Day. Any period of time during which production or operation is taking place or any period which discharge to sewerage facilities is occurring.

65. North America Industry Classification System (NAICS). An industry classification system that groups establishments into industries based on the activities which they are primarily engaged.

66. Nuisance. Anything which may be injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

67. Ordinance. The document entitled "An Ordinance of Regulations for the Discharge of Wastewater to Sewerage Facilities of the El Toro Water District Service Area" containing ETWD's requirements, conditions and limitations for discharging to sewerage facilities, as may be amended and modified.

68. Pass Through. A discharge from a user which exits sewerage facilities into waters of the United States in quantities or concentrations which, alone or in conjunction with any discharge from other sources, is a cause of a violation of any requirement of ETWD's or SOCWA's NPDES Permits, including an increase in the magnitude or duration of a violation.

69. Permittee. A discharger who has received a permit to discharge wastewater into the ETWD's sewerage facilities subject to the requirements and conditions established by the ETWD. May be interchangeable with discharger, indirect discharger, industrial user, person or user.

70. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, tenant, lessee, renter, governmental entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state and local government entities. May be interchangeable with discharger, indirect discharger, industrial user, permittee or user.

71. Pesticides. Those compounds classified as such under Federal or State law or regulations including, but not limited to, DDT (dichlorodiphenyltrichloroethane, both isomers), DDE (dichlorodiphenylethylene), DDD (dichlorodiphenyldichloroethane), Aldrin, Benzene Hexachloride (alpha, beta and gamma isomers), Chlordane, Endrin, Endrin aldehyde, TCDD (2,3,7,8-tetrachlorodibenzo-p-dioxin), Toxaphene, Alpha-endosulfan, Beta-endosulfan, Endosulfan sulfate, Heptachlor, Heptachlor epoxide, Dieldrin Demeton, Guthion, Malathion, Methoxychlor, Merex and Parathion.

72. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

73. Pollutant. Any substance, constituent, compound or characteristic of ~~wastewaters~~wastewater on which a discharge limitation may be imposed either by the ETWD, SOCWA, or the regulatory agencies empowered to regulate the ETWD and SOCWA.

74. Polychlorinated Biphenyls (PCBs). Those compounds classified as such under Federal and State law or regulations including, but not limited to Aroclors 1016, 1221, 1228, 1232, 1242, 1248, 1254, 1260 and 1262.

75. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into sewerage facilities. This reduction, elimination or alteration of pollutants can be obtained by physical, chemical, or biological process, by process changes or other means except as described by 40 CFR 403.

202—DEFINITION OF TERMS (cont)

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

89. Shall. Mandatory.

202—DEFINITION OF TERMS (cont)

90. Significant Industrial User (SIU). A user as defined by 40 CFR 403, except as provided in paragraphs c and d of this definition, which includes the following:
- a. An industrial users subject to categorical pretreatment standards; or
 - b. An industrial user that: discharges an average of twenty-five (25,000) gallons per day or more of process wastewater to ~~the~~ ETWD or SOCWA (excluding sanitary, noncontact cooling water, and boiler blowdown wastewater); contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of ETWD's or SOCWA's sewerage facilities; or is designated as such by ~~the~~ ETWD on the basis that the industrial user has a reasonable potential for adversely affecting ~~the~~ ETWD's or SOCWA's operation or for violating any pretreatment standard or requirement.
 - c. ~~The~~ ETWD may determine that an industrial user subject to categorical pretreatment standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - i. The industrial user, prior to ETWD's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - ii. The industrial user annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and
 - iii. The industrial user never discharges any untreated concentrated wastewater.
 - d. Upon a finding that an industrial user meeting the criteria in paragraph b above of this definition has no reasonable potential for adversely affecting ETWD's operation or for violating any pretreatment standard or requirement, ETWD may at any time, on its own initiative or in response to a petition received from a industrial user, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user should not be considered a significant industrial user.
91. Significant Non-Compliance. A violation by a SIU (or any IU which violates paragraphs c, d or h of this definition) as described in 40 CFR 403.8(f)(2)(viii)(A-H) which meets one or more of the following criteria:
- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as described in 40 CFR 403.3(l);
 - b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equals or exceeds the product of the numeric pretreatment standards or requirement including instantaneous limits, as described in 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
 - c. Any other violation of a pretreatment standard or requirement as defined in 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that ETWD determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of ETWD or SOCWA personnel or the general public;
 - d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in ~~the~~ ETWD's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge;

202—DEFINITION OF TERMS (cont)

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

105. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic by the EPA under the provisions of Section 307(a) of the Act or other acts or that can harm human health, aquatic life or the biological treatment processes.

106. Unpolluted Water. Water to which no constituent has been added either intentionally or accidentally.

202—DEFINITION OF TERMS (cont)

107. Upset. Any upset that meets the criteria as described in 40 CFR 403.

108. User. Any person or entity which discharges or causes a discharge of wastewater to a sewerage facility, as defined by EPA regulations. May be interchangeable with discharger, indirect discharger, industrial user, permittee or person.

109. Volatile. Natural (plant or animal origin) or synthetic substances that is capable of being evaporated or changed to vapor at relatively low temperatures.

110. Waste. Sewage and any other waste substances, liquid, solid, gaseous or radioactive.

111. Waste Manifest. A receipt which is retained by the generator of hazardous wastes as required by the State or the United States Government pursuant to RCRA or the California Hazardous Materials Act or that receipt which is retained by the generator for recyclable wastes or liquid non-hazardous wastes as required by ~~the~~ ETWD.

112. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing, and institutions, whether treated or untreated, which are discharged or permitted to enter sewerage facilities..

113. Wastewater Constituents and Characteristics. The individual chemical, physical, bacteriological, radiological, volume, flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.

114. Wastewater Discharge (WD) Permit. The form of authorization from ~~the~~ ETWD issued to an industrial user for the discharge of wastewater. This wastewater discharge permit sets forth the limits and conditions under which the industrial user shall be able to discharge wastewater into sewerage facilities.

203 ABBREVIATION ABBREVIATIONS

A. The following abbreviations shall have the designated meanings:

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

ARTICLE 3 AUTHORITIES AND POWERS

301 AUTHORITY

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

302 DELEGATION OF AUTHORITY

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

303 ENFORCEMENT POWERS

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

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ARTICLE 4
ADMINISTRATION

401 EL TORO WATER DISTRICT (ETWD)

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

402 SOCWA

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

403 PROGRAM ENFORCEMENT

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

404 APPLICATIONS

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

405 WASTEWATER DISCHARGE (WD) PERMITS

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

406 INSPECTIONS, MONITORING AND ENFORCEMENT

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

407 FUNDING

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

408 APPEALS

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

ARTICLE 5
GENERAL DISCHARGE PROHIBITIONS AND LIMITATIONS

501 PROHIBITED DISCHARGES

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

502 PROHIBITION ON DILUTION

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

503 PROHIBITION ON BIOHAZARDOUS WASTE

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

504 PROHIBITION ON TOXIC OR HAZARDOUS WASTE

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

505 PROHIBITION ON WARFARE AGENTS

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

506 LIMITATIONS ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES

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

507 LIMITATIONS ON THE USE OF GRINDERS

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

508 LIMITATIONS ON INTERFERENCE WITH DISTRICT SEWER MAINTENANCE

No person shall, and it shall be unlawful to, interfere with or prevent effective maintenance or operation of all District wastewater assets and facilities.

509 LIMITATIONS ON THE DISCHARGE OF FATS OILS AND GREASE

The following prohibitions shall apply to all Food Service Establishments:

- A. Installation of food grinders in the plumbing system of new constructions of Food Service Establishments shall be prohibited except when expressly allowed by the FOG Control Program Manager.
- B. Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance is prohibited, unless a specific written authorization from the FOG Control Program Manager is obtained.
- C. Disposal of waste cooking oil into drainage pipes is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- D. Discharge of wastewater from dishwashers to any grease trap or grease interceptor is prohibited.
- E. Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors, is prohibited.
- F. Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa, is prohibited.
- G. Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system is prohibited. Grease removed from grease interceptors shall be waste hauled periodically as part of the operation and maintenance requirements for grease interceptors.
- H. Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the total operating depth of the grease interceptor is prohibited (25% Rule).
- I. Discharge of any waste including FOG and solid materials removed from floormats and/or kitchen appliances directly to the sewer system is prohibited.

508510 **LIMITATION ON RAINWATER, STORMWATER, AND STREET DRAINAGE**

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

509511 **LIMITATIONS ON GROUNDWATER AND SUBSURFACE DRAINAGE**

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

510512 **LIMITATIONS ON TRUCKED OR HAULED WASTES**

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

511513 **LIMITATIONS ON POINT OF DISCHARGE**

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

512514 **LIMITATIONS ON RADIOACTIVE WASTES**

- ~~A.~~ No user shall discharge directly or indirectly to sewerage facilities any radioactive waste except as provided herein:
 - A1. When the user is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials, and
 - B2. When the waste is discharged in strict conformity with current California Radiation Control Regulations (Cal. Adm. Code Title 17) for safe disposal, and
 - C3. When the user is in compliance with all other rules and regulations of all other applicable regulatory agencies.

513515 **LIMITATION ON UNPOLLUTED WATER**

- A. Unpolluted water such as deionized, steam waste, distilled, single pass cooling water in excess of laboratory

usage, blow-down or bleed water from cooling towers, or other evaporating coolers, or commercial swimming pool water drainage shall not be discharged directly or indirectly to sewerage facilities except as provided herein.

- B. ~~The~~ETWD may approve the discharge of such water when no alternate method of disposal or reuse is reasonably available or there is need to mediate an environmental risk or health hazard.
- C. The discharge of such water shall require the following:
 - 1. A Class IV Special Wastewater Discharge Permit or other control mechanism, and
 - 2. Documentation from the user or user's consultant that all other alternate methods of disposal have been exhausted, and
 - 3. User shall pay all applicable fees and charges and shall meet any other conditions as required by ~~the~~ETWD.

514516 MASS EMISSION LIMIT DETERMINATION

- A. Mass emission limits for non-compatible and compatible wastes that are present or anticipated in the user's wastewater discharge may be set for each user and made an applicable part of each user's wastewater discharge permit or other control mechanism. These limits shall be based on Table I, (Section 517 – Specific Local Limits)~~local limits~~ or national pretreatment standards and the user's average daily wastewater discharge for the past three (3) years, the most recent representative data, or other data acceptable by ~~the~~ETWD.
- B. To verify the user's operating data, the user may be required to submit an inventory of all wastewater streams and production data.
- C. ~~The~~ETWD may revise local limit concentration limits or mass emission limits previously established in the user's wastewater discharge permit or other control mechanism at any time, based on current and/or anticipated operating data, the ability to meet NPDES Limits, and/or changes in the requirements of regulatory agencies.
- D. The increased use of water to establish an artificially high flow rate data base for mass emission limit determinations is prohibited.

515517 WASTEWATER STRENGTHS AND CHARACTERISTICS

~~A.~~—No user shall discharge wastewater directly or indirectly to sewerage facilities with the following strengths and characteristics:

- ~~1A.~~ Having a temperature higher than 140 degrees Fahrenheit (60 degrees Centigrade) or which causes the temperature at the influent to a wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Centigrade).
- ~~B2.~~ Containing substances that may precipitate, solidify, or become viscous at temperatures between 50 degrees Fahrenheit (10 degrees Centigrade) and 104 degrees Fahrenheit (40 degrees Centigrade).
- ~~C3.~~ Containing materials which will readily settle or cause an obstruction to flow in sewerage facilities or be detrimental to the proper operation of a sewerage facility. These materials may include, but are not limited to, asphalt, concrete, dead animals, offal ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, bones, hair, coffee grounds, egg shells, flashings, diatomaceous earth, seafood shells, and paper products not intended for use in sewerage facilities.
- ~~D4.~~ Producing a gaseous mixture that is ten percent (10%) or greater of the lower explosive limit (LEL). Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, ketones, and alcohols.

E5. Having a pH less than 5.0 or greater than 11.0.

F6. Containing recognizable portions of human or animal anatomy.

G7. Containing excessive flow, constituents or other materials, including but not limited to, biological oxygen demand, chemical oxygen demand, total organic carbon, toxic pollutants, suspended solids, grease and oil of animal or vegetable origin total dissolved solids, detergents, surface active agents, phenolic compounds or other substances that are released in a discharge at a flow rate and/or concentration which will cause problems, pass-through or interference with sewerage facilities.

H8. Containing PCBs in excess of 0.01 mg/L as a daily maximum.

I.
9. Containing pesticides in excess of 0.01 mg/L as a daily maximum.

10J. Violation of any applicable national pretreatment standards, state standards, or other local regulations covering wastewater disposal.

546518 **SPECIFIC LOCAL LIMITS**

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

Table I
Specific Local Limits

Pollutant	Limit (mg/L)
Arsenic	3.4
Cadmium	0.93
Chromium	4.9
Copper	7.2
Lead	4.9
Mercury	0.19

Nickel	9.5
Silver	2.8
Zinc	7.9
Cyanide	4.3
Oil and Grease	<u>300</u>

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

547519 STATE REQUIREMENTS

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

548520 FEDERAL REQUIREMENTS

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

ARTICLE 6 WASTEWATER DISCHARGE PERMITS

601 WRITTEN AUTHORIZATION

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

from complying with any other applicable federal, state or local requirement.

602 TYPES OF WASTEWATER DISCHARGE PERMITS

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

603 TRANSFER PROHIBITION

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

604 CHANGE OF OWNERSHIP

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

605 EXCESS CAPACITY REGULATORY FEE

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

606 OUT OF SERVICE AREA WASTEWATER DISCHARGE PERMITS

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

607 REQUIRED INFORMATION

~~A.~~ To provide for the equitable use of sewerage facilities, ~~the~~ ETWD shall have the right to require a user to provide all information necessary to maintain compliance with the provisions of this ordinance, including treatability studies to determine whether the wastewater would be compatible with all sewerage facilities. This information shall include, but is not limited to the following:

~~1A.~~ Wastewater discharge flow rates, peak flow rates and volume over any period of time.

~~2B.~~ Physical, chemical or bacteriological analysis of wastewater.

C3. Information on raw materials, processes and products.

D4. Quantity, disposition and waste manifests of specific liquids, sludge, oil, solvent or other materials.

E5. Details of any pretreatment equipment.

F6. Details of systems to prevent and control the loss of material through spills and slug discharges.

G7. Review of all types of water bills.

608 CONFIDENTIAL INFORMATION

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

609 CLASS I – WASTEWATER DISCHARGE (WD) PERMIT

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

610 CLASS II – WASTEWATER DISCHARGE (WD) PERMIT

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

611 CLASS III – WASTEWATER DISCHARGE (WD) PERMIT

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

612 CLASS IV – SPECIAL WASTEWATER DISCHARGE (SWD) PERMIT

- A. No user requiring a Class IV SWD Permit shall discharge wastewater without obtaining a Class IV SWD Permit. A Class IV user, as determined by ~~the~~ ETWD, proposing to discharge directly or indirectly into a sewerage facility shall obtain a SWD Permit by filing an application and paying any applicable fees before discharging.
- B. The SWD Permit may be issued when no alternative method of disposal is reasonably available or to mitigate an environmental risk or health hazard.
- C. A user proposing to discharge diverted urban nuisance water may be issued a nuisance special wastewater discharge (NSWD) Permit only after they have completed the requirements contained in ~~the~~ ETWD and SOCWA "Nuisance Flow Diversion Policy."

- D. A user proposing to discharge trucked or hauled wastes may be issued a hauled special wastewater discharge (HSWD) Permit only after they have completed all requirements set forth by ~~the~~ETWD on a case by case basis. All trucked or hauled waste users shall comply with the terms, conditions and limitations set forth in a HSWD Permit as determined by ~~the~~ETWD to be necessary to protect sewerage facilities. A trucked or hauled waste user proposing to discharge waste into an ETWD or SOCWA sewerage facility may be required to obtain both a valid Orange County Health Department permit (where applicable) and a HSWD Permit prior to any discharge.

613 NON-INDUSTRIAL WASTEWATER DISCHARGE (NIWD) FORM

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

614 APPLICATION FOR WASTEWATER DISCHARGE PERMIT

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

~~614~~ APPLICATION FOR WASTEWATER DISCHARGE PERMIT (cont)

7. Wastewater constituents and characteristics as required or deemed necessary by ~~the~~ETWD, including but not limited to, those mentioned in this ordinance. These constituents and characteristics shall be determined by a laboratory of the discharger approved by ~~the~~ETWD.
8. Number of employees and average hours of work per employee per day.
9. Waste minimization, best management practices and water conservation practices.
10. All production records, if applicable.
11. Waste manifests, if applicable.
12. Tons of cooling tower capacity, if applicable.
13. List of other environmental control permits and EPA Hazardous Waste Generator number, if applicable.
14. Application signed by CAR of the user and contains the certification statement in Section 802.E

15. Any other information as specified.

- C. Users may be required to submit site floor, mechanical, plumbing, toxic organic management, and spill containment plans for evaluation.
- D. After evaluation of the data furnished, ~~the~~ETWD may issue a WD Permit, a NIWD Form or other control mechanism subject to the terms and conditions set forth in this ordinance and as otherwise determined by the General Manager to be necessary to protect sewerage facilities.
- E. The WD Permit application may be denied if the user fails to establish to ETWD's satisfaction that adequate pretreatment equipment is included within the user's plans to ensure that the discharge limits will be met or if the user has, in the past demonstrated an inability to comply with applicable discharge limits or has in the past demonstrated an inability to keep current with invoices for the items such as WD Permit fees, noncompliance fees, civil penalties, administrative civil penalties or charge for use.

615 APPLICATION FOR SPECIAL WASTEWATER DISCHARGE PERMIT

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

~~615 APPLICATION FOR SPECIAL WASTEWATER DISCHARGE PERMIT (cont)~~

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

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

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

617 WASTEWATER DISCHARGE PERMIT TERMS, CONDITIONS, AND LIMITATIONS

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

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

- E. A WD Permit may contain any, but is not limited to, the following terms, conditions and limitations:
 - 1. Effluent limits, including mass emission rates, concentration limits or best management practices based on applicable pretreatment standards for regulated pollutants.
 - 2. Discharge limits based upon the combined wastestream formula (CWF).
 - 3. Limits on rate and time of discharge or requirements for flow regulation and equalization.
 - 4. Requirements for the user to make notification in writing prior to the physical expansion or any change to any wet processes. Notification is also required in the event of changes in production if production-based limits are being applied.
 - 5. Requirements for the user to construct and maintain, at the user's own expense, pH control, flow monitoring and/or sampling equipment and/or structures.

6. Requirements for submission of technical reports, discharge reports and waste manifests.
7. Location of sampling point(s) and the requirements to self-monitor.
8. Requirements for maintaining plant records relating to wastewater discharge and waste manifests as specified by ~~the~~ ETWD.
9. Predetermined rates or values for wastewater strength characteristics.
10. Requirements to submit copies of water bills.
11. Other provisions which may be applicable to ensure compliance with this ordinance.
12. Other terms, conditions and limitations determined by ~~the~~ ETWD to be necessary to protect sewerage facilities.
13. Predetermined rate or value for BOD and suspended solids.
14. Requirements for notification of bypass discharges.
15. Requirements for notification of any new introduction of wastewater constituents or any substantial change in the volume or character of wastewater constituents.
16. Requirements to meet compliance schedules.
17. Requirements for the user to control slug discharges by developing and implementing a slug discharge control plan if determined by ~~the~~ ETWD to be necessary as described in 40 CFR 403.8(f)(1)(iii)(B)(6).
18. Requirements for the user to control toxic organic discharges by developing and implementing a toxic organics management plan if determined by ~~the~~ ETWD to be necessary.

618 WASTEWATER DISCHARGE PERMIT DURATION

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

619 WASTEWATER DISCHARGE PERMIT RENEWAL

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

620 ETWD's RIGHT OF REVISION

- A. ~~The~~ ETWD reserves the right to establish, by ordinance, or by wastewater discharge permit or by Best Management Practices, or by any other control mechanism, more stringent standards or requirements on the discharge of users to sewerage facilities

- B. The terms, conditions and limitations contained in any WD Permit, Best Management Practices or other control mechanism may be ~~modifies~~ modified by ~~the~~ ETWD at any time. This modification shall be by written notification to the user.

ARTICLE 7
PRETREATMENT EQUIPMENT REQUIREMENTS

701 PRETREATMENT

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

702 SPILL CONTAINMENT

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

703 MONITORING AND METERING EQUIPMENT

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

703 — MONITORING AND METERING FACILITIES (cont)

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

704 DRAWING SUBMITTALS

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

705 WASTE MINIMIZATION, RECYCLING, AND TREATMENT

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

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

801 INSPECTION AND MONITORING

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

802 SELF-MONITORING AND REPORTING

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

802 — SELF-MONITORING AND REPORTING (cont)

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

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

Date: _____

Signature: _____

Print Name: _____

Title: _____

User Name: _____

User Site
Address: _____

User Mailing
Address: _____

Phone: _____

Permit No: _____

802 — SELF-MONITORING AND REPORTING (cont)

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

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

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

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

Date: _____

Signature: _____

Print Name: _____

This compliance certification is based on the following information.

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

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

804 REPORTING OF ~~BY-PASS~~BYPASS

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

804—REPORTING OF BY-PASS (cont)

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

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

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

requirements.

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

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

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

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

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

~~A.~~ Within ninety (90) days following the date for final compliance with the applicable categorical standards or within ninety ~~—~~(90) days of the introduction of wastewater into sewerage facilities, the affected user shall submit a report containing the information listed below. This report shall include, but is not limited to the following:

A1. Flow Measurements. Information showing the measured average daily and maximum daily flow, in gallons per day, to sewerage facilities from regulated process streams and other streams.

B2. Measurement of Pollutants. The categorical pretreatment standards applicable to each regulated process and the results and analysis identifying the nature and concentration, and/or mass, where required by the standard or by ~~the~~ ETWD, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass where required, shall be reported. The sample shall be representative of daily operations.

C3. Certification. A statement, reviewed by the user's CAR and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.

D4. Signature and certification. All monitoring reports shall be signed and certified in accordance with Section 802 E. of this ordinance.

808. PERIODIC COMPLIANCE REPORT

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

- C. All users may be required to submit periodic compliance reports containing information as required in their wastewater discharge permit, other control mechanism or as required by ~~the~~ ETWD.

809 RIGHT OF ENTRY

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

810 ANALYTICAL REQUIREMENTS

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

811 SAMPLE COLLECTION

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

812 TIMING

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

813 NOTIFICATION OF CHANGED DISCHARGE

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

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

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

ARTICLE 9 ENFORCEMENT

901 ENFORCEMENT SCOPE

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

902 NOTICE OF NONCOMPLIANCE (NON)

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

903 NOTICE OF VIOLATION (NOV)

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

904 ADMINISTRATIVE ORDER (AO)

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

A4.—Probation Order (PO)

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

B2.—Show Cause Order (SCO)

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

C3.—Cease and Desist Order (CDO)

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

905 WASTEWATER DISCHARGE PERMIT SUSPENSION OR REVOCATION

A. Grounds

1. ~~The~~ ETWD may suspend or revoke any wastewater discharge permit, but is not limited to the following, when it is determined that a user:
 - a. Violated an administrative order.
 - b. Provided a false statement, representation, record, report or other document to ~~the~~ ETWD.
 - c. Refused to provide records, reports, plans or other documents required to determine wastewater discharge permit terms, conditions, or limitations, discharge compliance, or compliance with this ordinance.

- d. Discharged effluent that causes pass-through or interference with sewerage facilities.
- e. Falsified, tampered with, or knowingly rendered inaccurate any monitoring device or sample collection method.
- f. Discharged effluent that endangers human health or the environment.
- g. Failed to report significant changes in operations or wastewater constituents and characteristics.

905 — WASTEWATER DISCHARGE PERMIT SUSPENSION OR REVOCATION (cont)

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

B. Notice of Wastewater Discharge Permit Suspension/Revocation

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

C. Hearing on Permit Suspension/Revocation

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

D. Effect of Wastewater Discharge Permit Suspension

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

E. Effect of Wastewater Discharge Permit Revocation

- 1. On the effective date of a wastewater discharge permit revocation being final, the user shall permanently lose all rights to discharge any industrial wastewater directly or indirectly to sewerage facilities. All costs for physical termination shall be paid by the user.

2. Each owner and employee of the user shall be bound by the order of wastewater discharge permit revocation.
3. Any future application from any user subject to an order of wastewater discharge permit revocation will only be considered by ~~the~~-ETWD after fully reviewing the records of revocation. Such records may be the basis for denial of a new wastewater discharge permit.
4. An order of permit revocation issued by the General Manager shall be deemed final upon delivery to the user, unless appealed to the Board as specified in Section 913 of this ordinance.

906 TERMINATION OF SERVICE

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

907 EMERGENCY SUSPENSION

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

908 INJUNCTION

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

909 CIVIL FINES AND PENALTIES

- A. Authority.

~~1.~~—All users of sewerage facilities are subject to administrative or judicial enforcement actions by ~~the~~-ETWD, EPA, State Regional Water Quality Control Board or the District Attorney of Orange County. Actions may be taken pursuant to the authority and provisions of several laws, including but not limited to:

- ~~1a.~~ Federal Water Pollution Control Act (Clean Water Act).
- ~~2b.~~ California Porter-Cologne Water Quality Act (California Water Code).
- ~~3e.~~ California Hazardous Waste Control Law.
- ~~4d.~~ Resource Conservation and Recovery Act (RCRA).

- B. Recovery of Fines or Penalties.

1. Payment of fines or penalties by ~~the~~-ETWD due to enforcement actions of other regulatory agencies based upon a violation by ~~the~~-ETWD whose cause can be established as the discharge of any user which is in violation of any provisions of this ordinance or a wastewater discharge permit shall entitle ~~the~~-ETWD to recover from the user all cost and expenses, including, but not limited to the full amount of fines and penalties which ~~the~~-ETWD has been subjected to.

2. Each violation shall constitute a new and separate violation and shall be subject to the fines and penalties contained herein.

C. Civil Liability

1. Pursuant to the authority of California Government Code Sections 54739-54740, any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any order, compliance schedule, suspension or revocation shall be civilly liable for a sum not to exceed twenty-five thousand dollars (\$25,000) per violation for each day in which such violation occurs.

909—CIVIL FINES AND PENALTIES (cont)

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

D. Administrative Complaint

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, ~~the~~ ETWD may issue an administrative complaint to any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any administrative, suspension or revocation order or other control mechanism.
2. The administrative complaint shall be served by personal delivery or certified mail on such person and shall inform the person that a hearing shall be conducted, within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation(s), set forth the provisions of law authorizing civil liability to be imposed and the proposed civil penalty. The matter shall be heard by the General Manager or his designee. The person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing shall not be conducted.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by ~~the~~ ETWD's General Counsel.
4. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions and a recommendation. Upon receipt of the written report, the General Manager shall make ~~his-a~~ determination and should ~~he-they~~ find that grounds exist for assessment of a civil penalty, ~~he-the~~ General Manager shall issue ~~his-a~~ decision and order in writing within thirty (30) calendar days after the conclusion of the hearing. If not appealed, the order shall be final thirty-one (31) days after it is served on the person.

5. A person dissatisfied with the decision of the General Manager may appeal to the Board pursuant to Section 913 of this ordinance within thirty (30) days of notice of the General Manager's decision.
6. If, after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements or other provisions of the this ordinance, the General Manager or Board may assess a civil penalty against that person.
7. In the determination of the amount of the civil penalty, all relevant circumstances may be taken into consideration, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violations, the length of time over which the violation occurs and the corrective action(s), if any, attempted or taken by the person.

909 CIVIL FINES AND PENALTIES (cont)

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

910 CRIMINAL PENALTIES

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

911 PUBLIC NUISANCE

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

912 APPEALS TO THE GENERAL MANAGER

A. General

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

B. Notice

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

C. Hearing

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

D. Written Determination

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

appellant, unless appealed under Section 913 of this ordinance.

E. Wastewater Discharge Permit Suspension/Revocation Appeals

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

913 APPEALS TO THE BOARD

A. General

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

B. Notice

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

C. Hearing

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

D. Written Determination

1. After the hearing, the Board shall make a determination whether to uphold, modify or reverse the original decision, action or determination as ordered by the General Manager.
2. The decision of the Board shall be reduced to writing within thirty (30) days after the hearing.

3. It shall contain a brief statement of facts found to be true, the determination of the issues presented, and the findings. The decision shall be submitted to the appellant.
4. The order of the Board shall be final upon its adoption.

914 JUDICIAL REVIEW

A. Purpose and Effect

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

B. Time Limit for Judicial Review

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

C. Preparation of Records

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

D. Extension

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

E. Notice

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

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

915 PAYMENT AND COLLECTION OF FEES AND CHARGES

- A. Except as otherwise provided, all fees and charges are due and payable upon receipt of an invoice or notice thereof. All such amounts are delinquent if unpaid forty-five (45) days after date of invoice or notice.
- B. Any invoice or notice that becomes delinquent may have added to it an assessment in accordance with the following:

1. Forty-six (46) days after the date of invoice or notice, an assessment of ten percent (10%) of the base amount, not to exceed a maximum of \$1,000.
 2. Ninety (90) days after the date of invoice or notice, a total of twenty-five percent (25%) of the base amount, not to exceed a maximum of \$2,500.
- C. Any invoice or notice that is outstanding and unpaid after ninety (90) days may be cause for immediate initiation of wastewater discharge permit revocation proceedings or immediate wastewater discharge permit suspension.
- D. Delinquent assessments under this section may not accrue to those invoices or notices successfully appealed, provided ~~the~~ ETWD received written notice of appeal prior to the payment due date.
- E. Payment of disputed fees and charges are still required by the due date during review of any appeal submitted by permittee.
- F. This section does not apply to Section 909 of this ordinance.

916 RECOVERY OF ENFORCEMENT COSTS

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

917 FINANCIAL SECURITY CONDITIONS

A. Compliance Deposit

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

B. Delinquent Accounts

~~4.~~ Any user who fails to make payment in full of all fees, charges, penalties or fines assessed by ~~the~~ ETWD including reconciliation amounts, delinquency fees, and other costs or fees may be required to obtain the issuance of an amendment to their wastewater discharge permit.

C. Bankruptcy

~~4.~~ Any user filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court-ordered protection from its creditors, shall within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its wastewater discharge permit by ~~the~~ ETWD.

D. Wastewater Discharge Permit Amendments

~~4.~~ An amendment issued to the user's wastewater discharge permit shall be in accordance with the provision of this ordinance.

E. Security Deposit

1. An amendment to a wastewater discharge permit issued in accordance with this ordinance may be conditional upon the permitted user depositing financial security in an amount equal to the total fees and charges from the preceding year.

2. Such a deposit shall be used to guarantee payment of all fees and charges incurred for future services and sewerage facilities provided by ~~the~~ ETWD and shall not be used by ~~the~~ ETWD to recover outstanding fees and charges incurred prior to the user filing and receiving protection from creditors in the United States Bankruptcy Court.

F. Return of Security Deposit

~~4.~~ If the user makes full payment in time of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the user's wastewater discharge permit prescribed by this ordinance, the user's security deposit shall be returned or credited to the user's account.

918 REPORT OF ANALYSIS

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

919 DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS

- A. When a discharger of wastes causes an obstruction, interference, damage, or other impairment to sewerage facilities or to the operation of sewerage facilities, ~~the~~ ETWD may assess the costs against the user for the work required to clean, replace or repair the sewerage facility together with expenses incurred to resume normal operations. This shall also be grounds for wastewater discharge permit revocation. A service charge of ~~twenty-five~~ ~~forty~~ percent (~~2540~~%) of costs shall be added to the costs and charges to cover ~~the~~ ETWD's overhead, including administrative personnel and record keeping. The total amount shall be payable within forty-five (45) days of invoicing by ~~the~~ ETWD.
- B. If it can be shown that the discharge of any user is the cause of ~~the~~ ETWD violating its NPDES permit and pretreatment requirements established by any Regulatory Agency or incurring additional expenses or suffering losses or damage to ETWD sewerage facilities, then that user shall be responsible for any costs, expenses, or assessments incurred by ~~the~~ ETWD, made by other agencies or a court.
- C. Where two or more dischargers cause a single and indivisible harm to sewerage facilities, each is jointly and severally liable for the damages. The burden of proof is on the dischargers to demonstrate that the harm is divisible.

920 INDUSTRIAL WASTE PASS THROUGH

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

921 BATCH DUMPS

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

ordinance as well as any other legal enforcement penalties or remedies available to ~~the~~ ETWD.

922 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE (SNC)

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

**ARTICLE 10
FEES AND CHARGES**

1001 APPLICATION FEE

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

1002 ANNUAL WASTEWATER DISCHARGE PERMIT FEE

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

1003 INSPECTION, MONITORING AND SAMPLING CHARGES

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

1004 DELINQUENCY FEES

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

1005 ADDITIONAL FEES AND CHARGES

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

1006 RECORDING OF FEES AND CHARGES

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

**ARTICLE 11
SEVERABILITY**

1101 SEVERABILITY

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

**ARTICLE 12
REPEAL**

1201 REPEAL

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

**ARTICLE 13
EFFECTIVE DATE**

1301 EFFECTIVE DATE

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

EL TORO WATER DISTRICT

Dated _____

by _____
President

Dated _____

by _____
Secretary



STAFF REPORT

To: Board of Directors **Meeting Date: September 25, 2025**
From: Dennis Cafferty, General Manager
Subject: Resolution 25-9-1
Waste Discharge Pretreatment and Source Control Program
Ordinance 2025-3

The District last updated the Waste Discharge Pretreatment and Source Control Program Ordinance in 2020 (Ordinance 2020-1). As part of the current update of the Sewer System Management Plan, which references the Ordinance, staff reviewed and are recommending updates to the Ordinance.

The updates include:

- Minor grammatical, typographic and format updates
- Reference to the Baker Water Treatment Plant
- Modification of the Definition of SOCWA Member Agency to reflect the current SOCWA member agencies
- Addition of Section 508 – Limitations on Interference with District Sewer Maintenance
- Addition of Section 509 – Limitations on the Discharge of Fats, Oils and Grease

Recommended Action:

Staff recommend the Board of Directors adopt Resolution No. 25-9-1 which adopts ETWD's Wastewater Discharge Pretreatment and Source Control Program Ordinance 2025-3 effective September 25, 2025.

RESOLUTION NO. 25-9-1

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING ETWD'S WASTE DISCHARGE
PRETREATMENT AND SOURCE CONTROL
PROGRAM ORDINANCE NO. 2025-3
WHICH REPLACES EL TORO WATER DISTRICT'S
PRETREATMENT ORDINANCE NO. 2020-1
IN ITS ENTIRETY

RESOLUTION NO. 25-9-1

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
ADOPTING ETWD'S WASTE DISCHARGE
PRETREATMENT AND SOURCE CONTROL
PROGRAM ORDINANCE NO. 2025-3
WHICH REPLACES EL TORO WATER DISTRICT'S
PRETREATMENT ORDINANCE NO. 2020-1
IN IT'S ENTIRETY**

WHEREAS, the Board of Directors of El Toro Water District (ETWD) previously adopted "Pretreatment Ordinance No. 2020-1, an Ordinance of Rules and Regulations for the Discharge of Wastewater to Sewerage Facilities in the El Toro Water District Service Area (Waste Discharge Pretreatment and Source Control Program); and

WHEREAS, the District has identified certain updates to Ordinance 2020-1 necessary to keep the Ordinance current; and

WHEREAS, the District held a noticed and posted a public hearing on September 25, 2025 to review staff's recommendations and to consider public comments regarding the adoption of Pretreatment Ordinance No. 2025-3 in the form and content attached to this Resolution and marked Exhibit "A" entitled "El Toro Water District Wastewater Discharge Pretreatment and Source Control Program Ordinance No. 2025-3" (hereafter "Pretreatment Ordinance No. 2025-3"); and

WHEREAS, Pretreatment Ordinance No. 2025-3 replaces Pretreatment Ordinance 2020-1 in its entirety.

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

RESOLVED FURTHER, that the maintenance of the general welfare of the District's customers necessitates the adoption of Pretreatment Ordinance No. 2025-3 in the form and content set forth in Exhibit "A" attached hereto, which exhibit, by this reference, is fully incorporated herein;

RESOLVED FURTHER, that Pretreatment Ordinance No. 2025-3, in the form and content set forth in Exhibit "A" attached hereto replaces in its entirety Pretreatment Ordinance No. 2020-1 and is hereby adopted;

RESOLVED FURTHER, that the District's General Manager and staff are hereby authorized to publish and/or post Ordinance No. 2025-3 within fifteen days of September 25, 2025.

ADOPTED, SIGNED AND APPROVED this 25th day of September 2025
by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MIKE GASKINS, President
El Toro Water District and the
Board of Directors thereof

ATTEST:

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

EXHIBIT A

RESOLUTION NO. 25-9-1

EL TORO WATER DISTRICT
WASTE DISCHARGE PRETREATMENT
AND
SOURCE CONTROL PROGRAM

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

ORDINANCE
2025-3

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

September 25, 2025

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

**ARTICLE 1
GENERAL PROVISIONS**

101 INTRODUCTION

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

102 OBJECTIVES

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

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

103 PURPOSE

A. The purpose of this ordinance is to:

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

104 POLICY

A. The policy of this ordinance is to be:

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

105 APPLICABILITY

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

106 AVAILABILITY OF SEWERAGE FACILITIES

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

107 NOTICE TO EMPLOYEES

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

ARTICLE 2
DEFINITIONS AND ABBREVIATIONS

201 DEFINITIONS CONTAINED IN PUBLICATION

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

202 DEFINITION OF TERMS

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

14. Categorical Industrial User (CIU). A user subject to a federal categorical pretreatment standard or categorical standard.
15. Chain of Custody. A document used to ensure the integrity of a sample, which includes a record of each person involved in the possession of a sample, securing the sample, and final disposal of the sample.
16. Chemical Oxygen Demand (COD). The quantity of oxygen required to oxidize all compounds, both organic and inorganic, in wastewater using the appropriate testing procedure and expressed as a concentration (e.g. mg/L).
17. Class I User. Any user determined by ETWD that meets the criteria of significant industrial user (SIU) as described in 40 CFR 403.
18. Class II User. Any user determined by ETWD that is not a SIU and may discharge pollutants or non-compatible wastes which may impact sewerage facilities.
19. Class III User. Any user determined by tETWD that is not a SIU and may discharge conventional pollutants or compatible wastes, which may impact sewerage facilities.
20. Class IV User. Any user determined by ETWD that may discharge or is proposing to discharge special wastewater that may contain toxic or conventional pollutants, or non-compatible or compatible wastes which may impact sewerage facilities.
21. Code of Federal Regulations (CFR). The code of the Federal Government of the United States of America, which contains all of the federal regulations including environmental regulations.
22. Company Authorized Representative (CAR). An individual designated by the user, who is responsible for signing all submittals to ETWD and who meets the criteria described in 40 CFR 403.
23. Compatible Waste. Waste that does not contain toxic pollutants or non-compatible wastes. This may include a combination of, but not limited to, conventional pollutants or other wastes that sewerage facilities are designed to accept and/or remove. Compatible wastes are non-compatible when discharged in quantities that have an adverse effect on sewerage facilities or NPDES Permit, or when discharged in qualities or quantities violating any National Pretreatment Standard or other discharge requirement or as determined by ETWD.
24. Composite Sample. A collection of individual samples obtained at intervals based on an increment of either flow or time. The resulting mixture, a composite sample, forms a representative sample of the wastestream discharged during the sample period.
25. Control Authority (CA). The El Toro Water District (ETWD) and/or the South Orange County Wastewater Authority (SOCWA).
26. Conventional Pollutants. Those pollutants which are designated pursuant to section 304(a)(4) of the Act which include, biochemical oxygen demand (BOD), total suspended solids (TSS), fecal coliform, pH, and oil and grease.
27. Daily Maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
28. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
29. Discharger. Any entity which discharges or causes a discharge of wastewater that is directly or indirectly discharged to sewerage facilities. May be interchangeable with indirect discharger, industrial user, permittee, person or user.
30. Discharge Requirements. The requirements of federal, state or local public agencies having jurisdiction over the effluent discharged sewerage facilities or the environment.

31. Disposal. A controlled release to sewerage facilities or to the environment.
32. Dry Weather Nuisance Flow (nuisance flow). Any water or other discharge which finds its way to storm drains from urban areas, composed primarily of runoff from lawn or landscape watering, washing of vehicles, hosing down of paved areas, storm drain infiltration, natural groundwater from sub-drain systems and a variety of other sources associated with urban activity. This nuisance flow may be high in bacteriological contamination, oil and grease and may have high organic and inorganic mineral content. Nuisance flow does not include stormwater, as defined, unless stormwater is captured, treated, controlled (thereby becoming a non-stormwater, nuisance flow) and discharged to the sewer during dry weather. Nuisance flows may come in contact with people or the environment in undesirable ways. Nuisance flow is a component of urban runoff.
33. Effluent. Usually water or wastewater discharged partially or completely treated or untreated from an industrial user or treatment plant, or part thereof.
34. El Toro Water District (ETWD). The agency that is responsible for the adoption of this ordinance and is a MA of SOCWA.
35. Enforcement. A series of progressively more stringent actions used to seek compliance with federal, state or local laws, regulations, limitations and this ordinance, guided by the Enforcement Response Plan, adopted by ETWD Resolution 10-12-2. Any enforcement may include monetary fees, fines or penalties.
36. Environmental Protection Agency (EPA). The U. S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
37. Existing Source. Any source of discharge that is not a "New Source".
38. Fee. Any amount assessed to a discharger for the use of any portion of a sewerage facility which shall include, but not be limited to, connection fees, monthly sewer service, wastewater discharge permit, excess capacity fee, industrial wastewater treatment, laboratory testing, industrial inspection, and monitoring fees.
39. Flow Monitoring Equipment. Equipment and/or structures provided at the user's sole expense to measure, totalize, record and/or sample incoming water to the user's site or the wastewater discharged to sewerage facilities.
40. General Manager. The individual duly designated by the Board of ETWD to administer this ordinance.
41. Grab Sample. A sample collected from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.
42. Grease. Includes, but is not limited to fats, oils and grease (FOG), waxes and other non-volatile materials as determined by the appropriate testing procedures.
43. Groundwater. Water that is beneath the surface of the earth.
44. Hazardous Waste. Any waste that is potentially damaging to of the environment or a person's health due to toxicity, ignitability, corrosivity, chemical reactivity or other reasons.
45. Indirect Discharge or Discharge. The introduction of Pollutants into a POTW from any non-domestic source regulated under section 307(b), (c), or (d) of the Act.
46. Industrial User. Any site that discharges industrial wastewater to sewerage facilities. May be interchangeable with discharger, indirect discharger, permittee or user.
47. Industrial Wastewater. All liquid-carried wastes or wastewater of the community, excluding domestic wastewater, and may include all wastewater from any producing, manufacturing, processing, agricultural, or other operation or location.
48. Inspector. A person authorized by the General Manager to inspect and/or monitor any industrial user's discharge or anticipated discharge to any sewerage facility.

49. Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts any sewerage facilities, any treatment processes or operations or any sludge processes, use or disposal and therefore, is a cause of violation of ETWD's or SOCWA's NPDES permits (including an increase in the magnitude or duration of a violation) or prevents lawful biosolids or treated effluent use or disposal.
50. Interjurisdictional Agreements (Also referred to as Interagency Agreements). An agreement between SOCWA and any individual or combination of MA's or other local sewerage agency that defines the authority and responsibility to implement the Waste Discharge Pretreatment and Source Control Program and to enforce the regulations contained in this ordinance within the individual and/or combination of MAs, or any other local sewerage agency's service area.
51. Local Limits. A set of specific discharge limits developed and enforced by ETWD and/or SOCWA upon a user's site in order to implement the general and specific discharge prohibitions as described in 40 CFR 403.
52. Local Sewering Agency. Any public agency or private company responsible for the collection, treatment or disposal of wastewater to sewerage facilities that are duly authorized under the laws of the State to construct and/or maintain sewerage facilities.
53. Lower Explosive Limit (LEL). The point where an explosive gas in an area of atmosphere that is at a sufficient concentration as to result in an explosion if a sufficient ignition source is present.
54. Mass Emission Rate. The weight of material discharged to sewerage facilities during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combinations of constituents.
55. May. Permissive or discretionary.
56. Member Agency (MA). Any one, combination, or all of the individual districts or cities which are members of SOCWA. They are: City of Laguna Beach (CLB), City of San Clemente (CSC), , El Toro Water District (ETWD), Emerald Bay Service District (EBSD), , Santa Margarita Water District, (SMWD), and the South Coast Water District, (SCWD).
57. Monthly Average. The sum of all "daily discharges" measured during a calendar month divided by the number of 'daily discharges' measured during the month.
58. National Pollutant Discharge Elimination System (NPDES) Permit. The document issued for the control of discharges to surface waters of the United States as detailed in Section 402 of the Act.
59. National Pretreatment Standards. Includes the following terms established pursuant to 40 CFR 403.5 and 40 CFR 403.6: "Prohibited Discharges", "General Prohibitions", "Specific Prohibitions", "Local Limits", "Categorical Standards", "Categorical Pretreatment Standards", "Pretreatment Standards" and "Standards". These terms apply to any pollutant discharge regulations that are promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act that limits and/or prohibits the wastewater discharged by users into a sewerage facility.
60. New Source. Those sources that are new as defined by 40 CFR 403.
61. Non-Compatible Waste. Waste that contains toxic or non-compatible pollutants that may pass through or cause interference if discharged to sewerage facilities.
62. Non-industrial Wastewater Discharge (NIWD) Form. A form issued users that are considered to have wastewater of no concern discharging to sewerage facilities. This form may contain BMP's.
63. Non-Stormwater Discharge. Discharges that do not immediately originate from precipitation events unless precipitation is captured and discharged after a rain event. Including but not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.
64. Normal Working Day. Any period of time during which production or operation is taking place or any period which discharge to sewerage facilities is occurring.

65. North America Industry Classification System (NAICS). An industry classification system that groups establishments into industries based on the activities which they are primarily engaged.
66. Nuisance. Anything which may be injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
67. Ordinance. The document entitled "An Ordinance of Regulations for the Discharge of Wastewater to Sewerage Facilities of the El Toro Water District Service Area" containing ETWD's requirements, conditions and limitations for discharging to sewerage facilities, as may be amended and modified.
68. Pass Through. A discharge from a user which exits sewerage facilities into waters of the United States in quantities or concentrations which, alone or in conjunction with any discharge from other sources, is a cause of a violation of any requirement of ETWD's or SOCWA's NPDES Permits, including an increase in the magnitude or duration of a violation.
69. Permittee. A discharger who has received a permit to discharge wastewater into ETWD's sewerage facilities subject to the requirements and conditions established by ETWD. May be interchangeable with discharger, indirect discharger, industrial user, person or user.
70. Person. Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, tenant, lessee, renter, governmental entity, or any other legal entity; or their legal representatives, agents or assigns. This definition includes all federal, state and local government entities. May be interchangeable with discharger, indirect discharger, industrial user, permittee or user.
71. Pesticides. Those compounds classified as such under Federal or State law or regulations including, but not limited to, DDT (dichlorodiphenyltrichloroethane, both isomers), DDE (dichlorodiphenylethylene), DDD (dichlorodiphenyldichloroethane), Aldrin, Benzene Hexachloride (alpha, beta and gamma isomers), Chlordane, Endrin, Endrin aldehyde, TCDD (2,3,7,8-tetrachlorodibenzo-p-dioxin), Toxaphene, Alpha-endosulfan, Beta-endosulfan, Endosulfan sulfate, Heptachlor, Heptachlor epoxide, Dieldrin Demeton, Guthion, Malathion, Methoxychlor, Merex and Parathion.
72. pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.
73. Pollutant. Any substance, constituent, compound or characteristic of wastewater on which a discharge limitation may be imposed either by ETWD, SOCWA, or the regulatory agencies empowered to regulate ETWD and SOCWA.
74. Polychlorinated Biphenyls (PCBs). Those compounds classified as such under Federal and State law or regulations including, but not limited to Aroclors 1016, 1221, 1228, 1232, 1242, 1248, 1254, 1260 and 1262.
75. Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of introducing such pollutants into sewerage facilities. This reduction, elimination or alteration of pollutants can be obtained by physical, chemical, or biological process, by process changes or other means except as described by 40 CFR 403.
76. Pretreatment Equipment. Any equipment, structures or devices used for the treatment or flow limitation of industrial wastewater prior to discharge to sewerage facilities.
77. Pretreatment Requirements. Any substantive or procedural requirement related to pretreatment imposed on a user, other than a national pretreatment standard.
78. Prohibited Discharges. Any prohibitions against the discharge of certain substances; these prohibitions appear in Article 5.
79. Public Agency. The State and any city, county, special district, agency, other local authority or public body of or within this state.
80. Rainwater. Water resulting from precipitation which directly falls upon any surface.

81. Regulatory Agencies. Those Agencies having jurisdiction over the operation of ETWD, including but not limited to, the following:
- a. United States Environmental Protection Agency (EPA).
 - b. State Water Resources Control Board (SWRCB).
 - c. Regional Water Quality Control Board (RWQCB).
 - d. South Coast Air Quality Management District (SCAQMD).
 - f. California Environmental Protection Agency (Cal-EPA).
82. Representative Sample Point. A location set forth in the user's wastewater discharge permit or other control mechanism from which wastewater can be collected that is as nearly identical in content and consistency as possible to that of the entire flow of wastewater being sampled. For categorical users, this point shall be at the end of each regulated process, and for all other users shall be determined on a case-by-case basis.
83. Resource Conservation and Recovery Act (RCRA). The RCRA Act of 1976 (42 U.S.A. 6901, et seq.) to implement the conservation and recovery of used or spent resources and as amended.
84. Routine Sampling. Any sampling conducted by ETWD to verify compliance of a user's discharge to sewerage facilities. Sampling may consist of either grab or composite samples or a combination of both.
85. Sampling Equipment. Equipment or structure provided at the user's sole expense for ETWD or the user to measure and record wastewater constituents, collection of samples or provide access to plug or terminate the discharge.
86. Scum. Any layer of matter or combination of air and matter that forms on or rises to the surface of a liquid or body of water.
87. Sewage. Wastewater.
88. Sewerage Facilities. Any and all systems used for collecting, conveying, pumping, reclamation, recycling, reuse, storage, transportation, treatment or disposal of sewage, industrial waste of a liquid nature, wastewater, sludge or biosolids that are owned and/or operated by ETWD, SOCWA or other public agency which is tributary to systems operated by ETWD or SOCWA. This definition includes, but is not limited to, publicly owned treatment works (POTW's) as defined by Section 212 of the Act (33 U.S.C. Section 1292), public sewers, trunk lines, sewer mains, wet wells, treatments plants and ocean outfalls which are owned by ETWD or SOCWA.
89. Shall. Mandatory.
90. Significant Industrial User (SIU). A user as defined by 40 CFR 403, except as provided in paragraphs c and d of this definition, which includes the following:
- a. An industrial users subject to categorical pretreatment standards; or
 - b. An industrial user that: discharges an average of twenty-five (25,000) gallons per day or more of process wastewater to ETWD or SOCWA (excluding sanitary, noncontact cooling water, and boiler blowdown wastewater); contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of ETWD's or SOCWA's sewerage facilities; or is designated as such by ETWD on the basis that the industrial user has a reasonable potential for adversely affecting ETWD's or SOCWA's operation or for violating any pretreatment standard or requirement.
 - c. ETWD may determine that an industrial user subject to categorical pretreatment standards is a Non-Significant Categorical Industrial User (NSCIU) rather than a Significant Industrial User on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, noncontact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - i. The industrial user, prior to ETWD's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;

- ii. The industrial user annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and
 - iii. The industrial user never discharges any untreated concentrated wastewater.
 - d. Upon a finding that an industrial user meeting the criteria in paragraph b above of this definition has no reasonable potential for adversely affecting ETWD's operation or for violating any pretreatment standard or requirement, ETWD may at any time, on its own initiative or in response to a petition received from a industrial user, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user should not be considered a significant industrial user.
91. Significant Non-Compliance. A violation by a SIU (or any IU which violates paragraphs c, d or h of this definition) as described in 40 CFR 403.8(f)(2)(viii)(A-H) which meets one or more of the following criteria:
- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as described in 40 CFR 403.3(l);
 - b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equals or exceeds the product of the numeric pretreatment standards or requirement including instantaneous limits, as described in 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
 - c. Any other violation of a pretreatment standard or requirement as defined in 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that ETWD determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of ETWD or SOCWA personnel or the general public;
 - d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in ETWD's exercise of its emergency authority under 40 CFR 403.8(f)(1)(vi)(B) to halt or prevent such a discharge;
 - e. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit, other control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
 - f. Failure to provide within forty-five (45) days after the due date, required reports, including, but not limited to baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules;
 - g. Failure to accurately report noncompliance;
 - h. Any other violation or group of violations, which may include a violation of Best Management Practices, which ETWD determines will adversely affect the operation or implementation of the local pretreatment program.
92. Sludge. Any solid, semi-solid or liquid decant, subnate, or supernate from an industrial manufacturing process, utility service or pretreatment equipment.
93. Slug Discharge. Any discharge, of a non-routine, episodic nature, that may exceed the standards and prohibitions contained in Article 5 of this ordinance and significantly exceeds the usual industrial flow or pollutants loading, either mass concentration, including but not limited to an accidental spill, or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the regulations, local limits or permit conditions associated with sewerage facilities.
94. Solvent. Any substance that is used to dissolve another substance in it.
95. South Orange County Wastewater Authority. The Joint Powers Agency (JPA) which is formed by the participating MAs. The MAs individually and/or collectively use SOCWA's sewerage facilities. SOCWA is the holder of the NPDES permits, which states the pretreatment and waste discharge requirements for the sewerage facilities.

96. Spent Solutions. Any concentrated industrial wastewater.
97. Spill Containment. Any protection equipment provided and installed at the user's sole expense to prohibit the discharge of non-compatible wastes to sewerage facilities.
98. Standard Methods. Procedures described in the current edition of Standard Methods for the Examination of Water and Wastewater, as published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.
99. Stormwater. Any flow occurring during or immediately following any form of natural precipitation which runs off, or travels over the ground surface to a drainage area or channel or drains uncontrolled to a municipal storm drain system for disposal in a river, stream, lake or creek and ultimately to the Pacific Ocean.
100. Street Drainage. Water resulting from surface runoff generated by rainwater, stormwater or other sources.
101. Subsurface Drainage. A method of draining that is situated under the ground (e.g., leachate control system).
102. Surface Runoff. Runoff other than that which is caused by rainfall, stormwater, or street drainage (e.g., car wash runoff, washdown runoff) originating from a user.
103. Total Organic Carbon (TOC). The measure of total organic carbon in domestic or other wastewater as determined by the appropriate testing procedure.
104. Total Suspended Solids. Any insoluble material contained as a component of wastewater and capable of separation from the liquid portion by laboratory filtration as determined by the appropriate testing procedures and expressed in terms of milligrams per liter (mg/L).
105. Toxic Pollutant. Any pollutant or combination of pollutants listed as toxic by the EPA under the provisions of Section 307(a) of the Act or other acts or that can harm human health, aquatic life or the biological treatment processes.
106. Unpolluted Water. Water to which no constituent has been added either intentionally or accidentally.
107. Upset. Any upset that meets the criteria as described in 40 CFR 403.
108. User. Any person or entity which discharges or causes a discharge of wastewater to a sewerage facility, as defined by EPA regulations. May be interchangeable with discharger, indirect discharger, industrial user, permittee or person.
109. Volatile. Natural (plant or animal origin) or synthetic substances that is capable of being evaporated or changed to vapor at relatively low temperatures.
110. Waste. Sewage and any other waste substances, liquid, solid, gaseous or radioactive.
111. Waste Manifest. A receipt which is retained by the generator of hazardous wastes as required by the State or the United States Government pursuant to RCRA or the California Hazardous Materials Act or that receipt which is retained by the generator for recyclable wastes or liquid non-hazardous wastes as required by ETWD.
112. Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing, and institutions, whether treated or untreated, which are discharged or permitted to enter sewerage facilities..
113. Wastewater Constituents and Characteristics. The individual chemical, physical, bacteriological, radiological, volume, flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.
114. Wastewater Discharge (WD) Permit. The form of authorization from ETWD issued to an industrial user for the discharge of wastewater. This wastewater discharge permit sets forth the limits and conditions under which the industrial user shall be able to discharge wastewater into sewerage facilities.

203 **ABBREVIATIONS**

A. The following abbreviations shall have the designated meanings:

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

ARTICLE 3
AUTHORITIES AND POWERS

301 AUTHORITY

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

302 DELEGATION OF AUTHORITY

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

303 ENFORCEMENT POWERS

- A. Enforcement action against a user for being in non-compliance with the provision of this ordinance may include, but is not limited to, the following:
 - 1. Issuing a Warning Notice of Non-compliance letter.
 - 2. Issuing a notice of non-compliance (NON) form.
 - 3. Issuing a notice of violation (NOV) form.
 - 4. Issuing an administrative order (AO) which may also include, but are not limited to, the following:
 - a. Probation Order (PO)
 - b. Show Cause Order (SCO)
 - c. Cease and Desist Order (CDO)
 - 5. Petition the courts for injunction or civil penalties.

6. Signing criminal complaints.
 7. Suspension or revocation of an issued wastewater discharge permit or other control mechanism.
 8. Termination of services.
 9. Administrative complaints.
- B. The issuance of an enforcement action shall not be a bar against, or a prerequisite for, taking any other enforcement action against the user.

**ARTICLE 4
ADMINISTRATION**

401 EL TORO WATER DISTRICT (ETWD)

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

402 SOCWA

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

403 PROGRAM ENFORCEMENT

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

404 APPLICATIONS

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

405 WASTEWATER DISCHARGE (WD) PERMITS

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

406 INSPECTIONS, MONITORING AND ENFORCEMENT

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

407 FUNDING

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

408 APPEALS

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

ARTICLE 5
GENERAL DISCHARGE PROHIBITIONS AND LIMITATIONS

501 PROHIBITED DISCHARGES

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

502 PROHIBITION ON DILUTION

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

503 PROHIBITION ON BIOHAZARDOUS WASTE

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

504 PROHIBITION ON TOXIC OR HAZARDOUS WASTE

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

505 PROHIBITION ON WARFARE AGENTS

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

506 LIMITATIONS ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES

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

507 LIMITATIONS ON THE USE OF GRINDERS

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

508 LIMITATIONS ON INTERFERENCE WITH DISTRICT SEWER MAINTENANCE

No person shall, and it shall be unlawful to, interfere with or prevent effective maintenance or operation of all District wastewater assets and facilities.

509 LIMITATIONS ON THE DISCHARGE OF FATS OILS AND GREASE

The following prohibitions shall apply to all Food Service Establishments:

- A. Installation of food grinders in the plumbing system of new constructions of Food Service Establishments shall be prohibited except when expressly allowed by the FOG Control Program Manager.
- B. Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance is prohibited, unless a specific written authorization from the FOG Control Program Manager is obtained.
- C. Disposal of waste cooking oil into drainage pipes is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- D. Discharge of wastewater from dishwashers to any grease trap or grease interceptor is prohibited.
- E. Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors, is prohibited.
- F. Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa, is prohibited.
- G. Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system is prohibited. Grease removed from grease interceptors shall be waste hauled periodically as part of the operation and maintenance requirements for grease interceptors.
- H. Operation of grease interceptors with FOG and solids accumulation exceeding 25% of the total operating depth of the grease interceptor is prohibited (25% Rule).
- I. Discharge of any waste including FOG and solid materials removed from floormats and/or kitchen appliances directly to the sewer system is prohibited.

510 LIMITATION ON RAINWATER, STORMWATER, AND STREET DRAINAGE

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

511 LIMITATIONS ON GROUNDWATER AND SUBSURFACE DRAINAGE

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

512 LIMITATIONS ON TRUCKED OR HAULED WASTES

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

513 LIMITATIONS ON POINT OF DISCHARGE

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

514 LIMITATIONS ON RADIOACTIVE WASTES

No user shall discharge directly or indirectly to sewerage facilities any radioactive waste except as provided herein:

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

515 LIMITATION ON UNPOLLUTED WATER

- A. Unpolluted water such as deionized, steam waste, distilled, single pass cooling water in excess of laboratory usage, blow-down or bleed water from cooling towers, or other evaporating coolers, or commercial swimming pool water drainage shall not be discharged directly or indirectly to sewerage facilities except as provided herein.
- B. ETWD may approve the discharge of such water when no alternate method of disposal or reuse is reasonably available or there is need to mediate an environmental risk or health hazard.
- C. The discharge of such water shall require the following:
 - 1. A Class IV Special Wastewater Discharge Permit or other control mechanism, and

2. Documentation from the user or user's consultant that all other alternate methods of disposal have been exhausted, and
3. User shall pay all applicable fees and charges and shall meet any other conditions as required by ETWD.

516 MASS EMISSION LIMIT DETERMINATION

- A. Mass emission limits for non-compatible and compatible wastes that are present or anticipated in the user's wastewater discharge may be set for each user and made an applicable part of each user's wastewater discharge permit or other control mechanism. These limits shall be based on Table I, (Section 517 – Specific Local Limits) or national pretreatment standards and the user's average daily wastewater discharge for the past three (3) years, the most recent representative data, or other data acceptable by ETWD.
- B. To verify the user's operating data, the user may be required to submit an inventory of all wastewater streams and production data.
- C. ETWD may revise local limit concentration limits or mass emission limits previously established in the user's wastewater discharge permit or other control mechanism at any time, based on current and/or anticipated operating data, the ability to meet NPDES Limits, and/or changes in the requirements of regulatory agencies.
- D. The increased use of water to establish an artificially high flow rate data base for mass emission limit determinations is prohibited.

517 WASTEWATER STRENGTHS AND CHARACTERISTICS

No user shall discharge wastewater directly or indirectly to sewerage facilities with the following strengths and characteristics:

- A. Having a temperature higher than 140 degrees Fahrenheit (60 degrees Centigrade) or which causes the temperature at the influent to a wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Centigrade).
- B. Containing substances that may precipitate, solidify, or become viscous at temperatures between 50 degrees Fahrenheit (10 degrees Centigrade) and 104 degrees Fahrenheit (40 degrees Centigrade).
- C. Containing materials which will readily settle or cause an obstruction to flow in sewerage facilities or be detrimental to the proper operation of a sewerage facility. These materials may include, but are not limited to, asphalt, concrete, dead animals, offal ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, bones, hair, coffee grounds, egg shells, flashings, diatomaceous earth, seafood shells, and paper products not intended for use in sewerage facilities.
- D. Producing a gaseous mixture that is ten percent (10%) or greater of the lower explosive limit (LEL). Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, ketones, and alcohols.
- E. Having a pH less than 5.0 or greater than 11.0.
- F. Containing recognizable portions of human or animal anatomy.
- G. Containing excessive flow, constituents or other materials, including but not limited to, biological oxygen demand, chemical oxygen demand, total organic carbon, toxic pollutants, suspended solids, grease and oil of animal or vegetable origin total dissolved solids, detergents, surface active agents, phenolic compounds or other substances that are released in a discharge at a flow rate and/or concentration which will cause problems, pass through or interference with sewerage facilities.
- H. Containing PCBs in excess of 0.01 mg/L as a daily maximum.
- I. Containing pesticides in excess of 0.01 mg/L as a daily maximum.
- J. Violation of any applicable national pretreatment standards, state standards, or other local regulations covering wastewater disposal.

518 **SPECIFIC LOCAL LIMITS**

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

Table I
Specific Local Limits

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

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

519 **STATE REQUIREMENTS**

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

520 **FEDERAL REQUIREMENTS**

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

ARTICLE 6
WASTEWATER DISCHARGE PERMITS

601 WRITTEN AUTHORIZATION

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

602 TYPES OF WASTEWATER DISCHARGE PERMITS

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

603 TRANSFER PROHIBITION

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

604 CHANGE OF OWNERSHIP

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

605 EXCESS CAPACITY REGULATORY FEE

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

606 OUT OF SERVICE AREA WASTEWATER DISCHARGE PERMITS

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

607 REQUIRED INFORMATION

To provide for the equitable use of sewerage facilities, ETWD shall have the right to require a user to provide all information necessary to maintain compliance with the provisions of this ordinance, including treatability studies to determine whether the wastewater would be compatible with all sewerage facilities. This information shall include, but is not limited to the following:

- A. Wastewater discharge flow rates, peak flow rates and volume over any period of time.
- B. Physical, chemical or bacteriological analysis of wastewater.
- C. Information on raw materials, processes and products.
- D. Quantity, disposition and waste manifests of specific liquids, sludge, oil, solvent or other materials.
- E. Details of any pretreatment equipment.
- F. Details of systems to prevent and control the loss of material through spills and slug discharges.
- G. Review of all types of water bills.

608 CONFIDENTIAL INFORMATION

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

609 CLASS I – WASTEWATER DISCHARGE (WD) PERMIT

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

610 CLASS II – WASTEWATER DISCHARGE (WD) PERMIT

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

611 CLASS III – WASTEWATER DISCHARGE (WD) PERMIT

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

612 CLASS IV – SPECIAL WASTEWATER DISCHARGE (SWD) PERMIT

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

613 NON-INDUSTRIAL WASTEWATER DISCHARGE (NIWD) FORM

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

614 APPLICATION FOR WASTEWATER DISCHARGE PERMIT

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

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

615 APPLICATION FOR SPECIAL WASTEWATER DISCHARGE PERMIT

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

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

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

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

617 WASTEWATER DISCHARGE PERMIT TERMS, CONDITIONS, AND LIMITATIONS

- A. All wastewater discharge permits shall be expressly subject to all terms, conditions, and limitations of this ordinance, other regulatory agencies, Best Management Practices, charge for use, and fees established by ETWD. The terms, conditions, and limitations in WD Permits are subject to enforcement by ETWD in accordance with this ordinance, and applicable state and federal regulations. Any WD Permit violation shall be a violation of this ordinance.
- B. The terms, conditions, and limitations of any issued WD Permit may be subject to modification and changes by ETWD during the life of the WD Permit based on:
 - 1. The discharger's current or anticipated operating data.
 - 2. ETWD's current or anticipated operating data.
 - 3. Changes in the requirements of regulatory agencies.
- C. Users may request a modification to the terms, conditions, and limitations of an issued WD Permit. The request shall be in writing stating the requested change, and the reasons for the change. ETWD shall review the request, make a determination and respond in writing. A request for a wastewater discharge permit modification does not relieve a user from complying with its existing WD Permit terms, conditions and limitations.
- D. Any changes to the terms, conditions or limitations in a WD Permit shall include a reasonable time schedule for compliance where allowed under applicable federal, state and local law.
- E. A WD Permit may contain any, but is not limited to, the following terms, conditions and limitations:
 - 1. Effluent limits, including mass emission rates, concentration limits or best management practices based on applicable pretreatment standards for regulated pollutants.
 - 2. Discharge limits based upon the combined wastestream formula (CWF).
 - 3. Limits on rate and time of discharge or requirements for flow regulation and equalization.
 - 4. Requirements for the user to make notification in writing prior to the physical expansion or any change to any wet processes. Notification is also required in the event of changes in production if production-based limits are being applied.
 - 5. Requirements for the user to construct and maintain, at the user's own expense, pH control, flow monitoring and/or sampling equipment and/or structures.

6. Requirements for submission of technical reports, discharge reports and waste manifests.
7. Location of sampling point(s) and the requirements to self-monitor.
8. Requirements for maintaining plant records relating to wastewater discharge and waste manifests as specified by ETWD.
9. Predetermined rates or values for wastewater strength characteristics.
10. Requirements to submit copies of water bills.
11. Other provisions which may be applicable to ensure compliance with this ordinance.
12. Other terms, conditions and limitations determined by ETWD to be necessary to protect sewerage facilities.
13. Predetermined rate or value for BOD and suspended solids.
14. Requirements for notification of bypass discharges.
15. Requirements for notification of any new introduction of wastewater constituents or any substantial change in the volume or character of wastewater constituents.
16. Requirements to meet compliance schedules.
17. Requirements for the user to control slug discharges by developing and implementing a slug discharge control plan if determined by ETWD to be necessary as described in 40 CFR 403.8(f)(1)(iii)(B)(6).
18. Requirements for the user to control toxic organic discharges by developing and implementing a toxic organics management plan if determined by ETWD to be necessary.

618 WASTEWATER DISCHARGE PERMIT DURATION

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

619 WASTEWATER DISCHARGE PERMIT RENEWAL

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

620 ETWD's RIGHT OF REVISION

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

ARTICLE 7
PRETREATMENT EQUIPMENT REQUIREMENTS

701 PRETREATMENT

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

702 SPILL CONTAINMENT

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

703 MONITORING AND METERING EQUIPMENT

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

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

704 DRAWING SUBMITTALS

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

705 WASTE MINIMIZATION, RECYCLING, AND TREATMENT

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

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

801 INSPECTION AND MONITORING

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

802 SELF-MONITORING AND REPORTING

- A. Self-monitoring of wastewater pollutants, constituents and characteristics of the user needed for determining compliance with any limitations and requirements as specified in the user's wastewater discharge permit, federal regulations, or this ordinance may be required. The self-monitoring requirement, frequency, forms and reporting shall be set forth in the user's wastewater discharge permit or other control mechanism. These reports may include, but are not limited to, the following:
 - 1. Baseline monitoring reports (BMR's).
 - 2. Compliance schedule progress reports.
 - 3. 90-day compliance reports.
 - 4. Self-monitoring reports containing monitoring and analysis to demonstrate continued compliance as described in 40 CFR 403.12(g)(1-6).
 - 5. Other reports as required by ETWD, other regulatory agencies or applicable law.
- B. Failure by the user to perform any self-monitoring or reporting required by ETWD shall be a violation of this ordinance, and is deemed to be a violation for each parameter and each day in the time period for which monitoring was required, and cause for ETWD to initiate all necessary tasks and analysis to determine the wastewater pollutants, constituents and characteristics for any limitations and requirements specified in the user's wastewater discharge permit or in this ordinance. The user shall be responsible for any and all expenses incurred by ETWD in undertaking such monitoring analysis and preparation of reports.

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

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

Date: _____

Signature: _____

Print Name: _____

Title: _____

User Name: _____

User Site
Address: _____

User Mailing
Address: _____

Phone: _____

Permit No: _____

- F. Self-monitoring reports shall be subject to the provisions of 18 U.S.C. Section 1001 relating to false statements and fraud and the provisions of Section 309(c)(2) of the Act governing false statements.
- G. The analysis of a user's wastewater pollutants, constituents and characteristics shall be done by a laboratory approved by ETWD.
- H. If self-monitoring indicates a violation, the user shall notify ETWD within 24 hours of becoming aware of the violation. The user shall repeat the sampling and analysis and submit the results of the repeat analysis to ETWD within 30 days after becoming aware of the violation. Resampling by a user is not required if ETWD performs the sampling at the user's site at least once a month, or if ETWD performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the user or ETWD receives the results of the sampling, or if ETWD has performed the sampling and analysis in lieu of the user.

- I. The analysis of wastewater pollutants, constituents and characteristics and the preparation of the self-monitoring report shall be done at the sole expense of the user.
- J. The user shall establish and maintain a sample point on each discharge line at a location representative of the discharge to sewerage facilities. The maintenance of any sample point equipment shall be done at the sole expense of the user. Any sampling location shall be set forth in the user's wastewater discharge permit.
- K. Any user subject to the reporting requirements of this ordinance shall retain all records of monitoring activities and results for a minimum of three (3) years and shall make them available to ETWD upon request. ETWD may require a longer period of retention if litigation is being considered or has resulted.
- L. Any user subject to self-monitoring reporting requirements may be required to submit self-monitoring reports on forms approved by ETWD.
- M. Any user determined to be a non-significant categorical industrial user (NSCIU) by SOCWA pursuant to Section 202.B.86.c. and 808.B shall annually submit the following certification statement signed by the CAR as defined in this ordinance. This certification shall accompany an alternative report required by SOCWA:

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

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

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

Date: _____

Signature: _____

Print Name: _____

This compliance certification is based on the following information.

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

- A. In the event the user is unable to comply with any of the wastewater discharge permit conditions due to a breakdown of equipment, accidents caused by human error, or intentional action by any party, or acts of God, or any other cause, the discharger shall notify ETWD as soon as possible of any spill, slug discharge, batch dumping or upset.
- B. Confirmation of this notification shall be made in writing within five (5) working days of the original notification unless waived by ETWD. The written notification shall contain:
 - 1. Date of the incident.
 - 2. Reason for the spill, slug discharge, batch dumping or upset.
 - 3. The steps that were taken to immediately correct the problem.
 - 4. The steps that are being taken to prevent the problem from recurring.
 - 5. Any other information ETWD deems relevant.

- C. Such notification shall not relieve the user of any expense, loss, damage, liability or fees which may be incurred as a result of damage or loss to sewerage facilities or any damage or loss to persons or property. Such notification shall never relieve the user from any fees or liability which may be imposed by this ordinance, other regulatory agencies or other applicable law.
- D. Significant industrial users shall notify ETWD immediately of any changes at its site affecting the potential for a slug discharge

804 REPORTING OF BYPASS

- A. Bypass of industrial wastewater through pretreatment equipment to the sewerage facilities is prohibited. Enforcement action may be taken against the user, unless:
 - 1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage, and
 - 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment equipment, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance, and
 - 3. The user submitted notice as required by this ordinance, or;
 - 4. The bypass did not exceed user discharge limits and was required for essential maintenance.
- B. If a user knows in advance of the need for a bypass, it shall submit prior notice to ETWD at least ten (10) days before the date of the bypass.
- C. ETWD may approve an anticipated bypass after considering its adverse effects, if ETWD determines that it will meet the conditions listed within this section.
- D. A user shall submit notice of an unanticipated bypass that exceeds their wastewater discharge permit limitation to ETWD within 24 hours from the time the user becomes aware of the bypass. A written report shall also be provided within five (5) working days of the time the user becomes aware of the bypass. The report shall contain:
 - 1. Description of the bypass and its cause.
 - 2. Duration of the bypass, including exact dates and times.
 - 3. Anticipated time it is expected to continue if the bypass has not been corrected.
 - 4. Steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- E. Failure to submit notice and/or written report may be grounds for wastewater discharge permit suspension or revocation. Failure to provide timely notice under Section 804 D. is deemed a waiver of the bypass defense for the user violation.
- F. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage or loss to sewerage facilities or any other damage or loss to person or property. Such notification shall never relieve the user from any fees or liability that may be imposed by this ordinance, other regulatory agencies or other applicable law.

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

- A. Within either one hundred eighty (180) days after the effective date of a categorical standard or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, an existing categorical industrial user currently discharging to or scheduled to discharge shall submit to ETWD a report containing the information listed below. At least ninety (90) days prior to commencement of discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard shall submit to ETWD a report containing the information listed below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. The baseline monitoring report shall include, but is not limited to, the following:

1. Identifying information. The name and address of the site, including the name of the operator and owner.
2. Permits. A list of any environmental control permits held by or for the site.
3. Description of Operations. A brief description of the nature, average rate of production, and standard industrial classification of the operation(s) carried out by such industrial user. This description should include a schematic process diagram which indicates points of discharge to sewerage facilities from the regulated processes.
4. Flow Measurements. Information showing the measured average daily and maximum daily flow, gpd, to sewerage facilities from regulated process streams and other streams as necessary.
5. Measurement of Pollutants. The categorical pretreatment standards applicable to each regulated process and the results and analysis identifying the nature and concentration, and/or mass, where required by the standard or by ETWD, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass where required, shall be reported. The sample shall be representative of daily operations. In cases where the standards require compliance with a BMP or pollution prevention alternative, the industrial user shall submit documentation as required by ETWD or the applicable standards to determine compliance with the standard.
6. Certification. A statement, reviewed by the user's CAR and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
7. Compliance schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the industrial user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard.
8. Signature and certification. All monitoring reports shall be signed and certified in accordance with Section 802 E. of this ordinance.

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

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

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

Within ninety (90) days following the date for final compliance with the applicable categorical standards or within ninety (90) days of the introduction of wastewater into sewerage facilities, the affected user shall submit a report containing the information listed below. This report shall include, but is not limited to the following:

- A. Flow Measurements. Information showing the measured average daily and maximum daily flow, in gallons per day, to sewerage facilities from regulated process streams and other streams.
- B. Measurement of Pollutants. The categorical pretreatment standards applicable to each regulated process and the results and analysis identifying the nature and concentration, and/or mass, where required by the standard or by ETWD, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass where required, shall be reported. The sample shall be representative of daily operations.

- C. Certification. A statement, reviewed by the user's CAR and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- D. Signature and certification. All monitoring reports shall be signed and certified in accordance with Section 802 E. of this ordinance.

808. PERIODIC COMPLIANCE REPORT

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

809 RIGHT OF ENTRY

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

810 ANALYTICAL REQUIREMENTS

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

811 SAMPLE COLLECTION

- A. Samples collected by the user to satisfy reporting requirements contained in this ordinance, their wastewater discharge permit or other control mechanism shall be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.
- B. Except as indicated in Section 811.C. and 811.D. below, the user shall collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by ETWD. Where time-proportional composite sampling or grab sampling is authorized by ETWD, the samples shall be representative of the discharge. Using protocols specified in 40 CFR 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by ETWD, as appropriate. In addition, grab samples may be required at any time to show compliance with instantaneous discharge limits.
- C. Samples for analysis of oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds shall be obtained using grab sample collection techniques.

- D. For sampling required in support of baseline monitoring and 90-day compliance reports required by this ordinance and 40 CFR 403.12(b) and (d), a minimum of four (4) grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for users for which historical sampling data do not exist; for users for which historical sampling data are available, ETWD may authorize a lower minimum. For reports required by this ordinance and 40 CFR 403.12(e) and (h), the user shall collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

812 TIMING

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

813 NOTIFICATION OF CHANGED DISCHARGE

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

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

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

ARTICLE 9 ENFORCEMENT

901 ENFORCEMENT SCOPE

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

902 NOTICE OF NONCOMPLIANCE (NON)

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

903 NOTICE OF VIOLATION (NOV)

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

904 ADMINISTRATIVE ORDER (AO)

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

A. Probation Order (PO)

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

B. Show Cause Order (SCO)

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

C. Cease and Desist Order (CDO)

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

905 WASTEWATER DISCHARGE PERMIT SUSPENSION OR REVOCATION

A. Grounds

1. ETWD may suspend or revoke any wastewater discharge permit, but is not limited to the following, when it is determined that a user:
 - a. Violated an administrative order.
 - b. Provided a false statement, representation, record, report or other document to ETWD.
 - c. Refused to provide records, reports, plans or other documents required to determine wastewater discharge permit terms, conditions, or limitations, discharge compliance, or compliance with this ordinance.
 - d. Discharged effluent that causes pass through or interference with sewerage facilities.
 - e. Falsified, tampered with, or knowingly rendered inaccurate any monitoring device or sample collection method.
 - f. Discharged effluent that endangers human health or the environment.
 - g. Failed to report significant changes in operations or wastewater constituents and characteristics.
 - h. Failed to comply with the terms and conditions of any enforcement action.
 - i. Refused reasonable access to the permittee's premises for the purpose of inspection and monitoring.
 - j. Failed to make timely payment of any fees, charges, fines or penalties owed to ETWD.

k. Violated any conditions or limitations of its wastewater discharge permit or any provision of this ordinance.

l. Discharged batch dumps to sewerage facilities not authorized or permitted by ETWD.

B. Notice of Wastewater Discharge Permit Suspension/Revocation

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

C. Hearing on Permit Suspension/Revocation

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

D. Effect of Wastewater Discharge Permit Suspension

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

E. Effect of Wastewater Discharge Permit Revocation

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

906 TERMINATION OF SERVICE

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

907 EMERGENCY SUSPENSION

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

908 INJUNCTION

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

909 CIVIL FINES AND PENALTIES

A. Authority.

All users of sewerage facilities are subject to administrative or judicial enforcement actions by ETWD, EPA, State Regional Water Quality Control Board or the District Attorney of Orange County. Actions may be taken pursuant to the authority and provisions of several laws, including but not limited to:

1. Federal Water Pollution Control Act (Clean Water Act).
2. California Porter-Cologne Water Quality Act (California Water Code).
3. California Hazardous Waste Control Law.
4. Resource Conservation and Recovery Act (RCRA).

B. Recovery of Fines or Penalties.

1. Payment of fines or penalties by ETWD due to enforcement actions of other regulatory agencies based upon a violation by ETWD whose cause can be established as the discharge of any user which is in violation of any provisions of this ordinance or a wastewater discharge permit shall entitle ETWD to recover from the user all cost and expenses, including, but not limited to the full amount of fines and penalties which ETWD has been subjected to.
2. Each violation shall constitute a new and separate violation and shall be subject to the fines and penalties contained herein.

C. Civil Liability

1. Pursuant to the authority of California Government Code Sections 54739-54740, any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any order, compliance schedule, suspension or revocation shall be civilly liable for a sum not to exceed twenty-five thousand dollars (\$25,000) per violation for each day in which such violation occurs.
2. Pursuant to the authority of Act. 33 U.S.C. Section 1251 et seq., any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any order, compliance schedule, wastewater discharge permit suspension or revocation shall be civilly liable for a sum not to exceed twenty-five thousand dollars (\$25,000) per violation for each day in which such violation occurs.
3. ETWD may petition the superior court to impose, assess and recover penalties or other such penalties as ETWD may impose, assess and recover pursuant to federal and/or state legislative authorization.
4. Notwithstanding any other provisions of law, all civil penalties imposed by the court for a violation of this ordinance shall be distributed to ETWD.

5. Remedies under this section are in addition to and do not supersede or limit any and all other remedies, civil or criminal, but no liability shall be recovered under this section for any violation for which liability is recovered under Section 909 D. of this ordinance.

D. Administrative Complaint

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, ETWD may issue an administrative complaint to any user, permittee, discharger or other person who violates any provision of this ordinance, any wastewater discharge permit condition, prohibition or effluent limitation, or any administrative, suspension or revocation order or other control mechanism.
2. The administrative complaint shall be served by personal delivery or certified mail on such person and shall inform the person that a hearing shall be conducted, within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation(s), set forth the provisions of law authorizing civil liability to be imposed and the proposed civil penalty. The matter shall be heard by the General Manager or his designee. The person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing shall not be conducted.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by ETWD's General Counsel.
4. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions and a recommendation. Upon receipt of the written report, the General Manager shall make a determination and should they find that grounds exist for assessment of a civil penalty, the General Manager shall issue a decision and order in writing within thirty (30) calendar days after the conclusion of the hearing. If not appealed, the order shall be final thirty-one (31) days after it is served on the person.
5. A person dissatisfied with the decision of the General Manager may appeal to the Board pursuant to Section 913 of this ordinance within thirty (30) days of notice of the General Manager's decision.
6. If, after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements or other provisions of the this ordinance, the General Manager or Board may assess a civil penalty against that person.
7. In the determination of the amount of the civil penalty, all relevant circumstances may be taken into consideration, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violations, the length of time over which the violation occurs and the corrective action(s), if any, attempted or taken by the person.
8. Civil penalties may be assessed as follows:
 - a. In an amount which shall not exceed two thousand dollars (\$2,000) for each day for failing or refusing to furnish technical or monitoring reports.
 - b. In an amount which shall not exceed three thousand (\$3,000) for each day for failing or refusing to timely comply with any compliance schedule
 - c. In an amount which shall not exceed five thousand dollars (\$5,000) per violation for each day for discharges in violation of any waste discharge limitation, wastewater discharge permit condition, other control mechanism or requirement issued, reissued or adopted by ETWD.
 - d. In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any suspensions, cease and desist order or other orders, or prohibition issued, reissued or adopted by ETWD.
9. Payment of civil penalties shall be due within thirty (30) days of the date of the order assessing the penalties becomes final. The amount of any administrative civil penalties imposed which have remained delinquent for a period of sixty (60) days from the date they are due shall constitute a lien against the real property of the discharger from which the discharge resulting in the imposition of the penalty originated. The lien shall have no force and effect until recorded with the county recorder and when recorded shall have the force and effect and priority of a judgment lien and continue for ten (10) years and be renewable in accordance with law.

10. Copies of the administrative order shall be served by personal service or by registered mail upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy of the order.
11. Any party aggrieved by a final order issued by the Board after granting review of the order of the General Manager may obtain review of the order of the Board in the Superior Court, by filing in the court a petition for writ or mandate within thirty (30) days following the service of a copy of the decision and order issued by the Board.
12. Any party aggrieved by a final order issued by the General Manager, for which the Board denies review, may obtain review of the order of the General Manager in the Superior Court, by filing in the court a petition for writ of mandate within thirty (30) days following service of a copy of a decision and order denying review by the Board.
13. No administrative civil penalties shall be recoverable under this section for any violation for which civil liability is recovered under Section 909 C. of this ordinance.

910 CRIMINAL PENALTIES

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

911 PUBLIC NUISANCE

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

912 APPEALS TO THE GENERAL MANAGER

- A. General
 1. Any user affected by a decision, action or determination made by ETWD staff may file with the General Manager a written request for an appeal hearing.
 2. Request must be made within fifteen (15) days of the mailing of the original decision.
 3. Request for hearing shall set forth details of all facts supporting the appellant's request for hearing.
- B. Notice
 1. The General Manager shall, within fifteen (15) days of receiving the request for appeal provide written notice to the user of the hearing date, time, and place.
 2. The hearing time shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a later date is agreed to by the appellant.
 3. If the hearing is not held within the time set due to actions of the appellant, then ETWD's decision shall be deemed final.
- C. Hearing
 1. The appellate shall have the opportunity to present information supporting its position concerning ETWD's original decision, action or determination.
 2. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by ETWD's General Counsel.

D. Written Determination

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

E. Wastewater Discharge Permit Suspension/Revocation Appeals

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

913 APPEALS TO THE BOARD

A. General

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

B. Notice

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

C. Hearing

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

D. Written Determination

1. After the hearing, the Board shall make a determination whether to uphold, modify or reverse the original decision, action or determination as ordered by the General Manager.
2. The decision of the Board shall be reduced to writing within thirty (30) days after the hearing.

3. It shall contain a brief statement of facts found to be true, the determination of the issues presented, and the findings. The decision shall be submitted to the appellant.
4. The order of the Board shall be final upon its adoption.

914 JUDICIAL REVIEW

A. Purpose and Effect

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

B. Time Limit for Judicial Review

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

C. Preparation of Records

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

D. Extension

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

E. Notice

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

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

915 PAYMENT AND COLLECTION OF FEES AND CHARGES

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

- E. Payment of disputed fees and charges are still required by the due date during review of any appeal submitted by permittee.
- F. This section does not apply to Section 909 of this ordinance.

916 RECOVERY OF ENFORCEMENT COSTS

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

917 FINANCIAL SECURITY CONDITIONS

A. Compliance Deposit

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

B. Delinquent Accounts

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

C. Bankruptcy

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

D. Wastewater Discharge Permit Amendments

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

E. Security Deposit

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

F. Return of Security Deposit

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

918 REPORT OF ANALYSIS

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

919 DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS

- A. When a discharger of wastes causes an obstruction, interference, damage, or other impairment to sewerage facilities or to the operation of sewerage facilities, ETWD may assess the costs against the user for the work required to clean, replace or repair the sewerage facility together with expenses incurred to resume normal operations. This shall also be grounds for wastewater discharge permit revocation. A service charge of forty percent (40%) of costs shall be added to the costs and charges to cover ETWD's overhead, including administrative personnel and record keeping. The total amount shall be payable within forty-five (45) days of invoicing by ETWD.
- B. If it can be shown that the discharge of any user is the cause of ETWD violating its NPDES permit and pretreatment requirements established by any Regulatory Agency or incurring additional expenses or suffering losses or damage to ETWD sewerage facilities, then that user shall be responsible for any costs, expenses, or assessments incurred by ETWD, made by other agencies or a court.
- C. Where two or more dischargers cause a single and indivisible harm to sewerage facilities, each is jointly and severally liable for the damages. The burden of proof is on the dischargers to demonstrate that the harm is divisible.

920 INDUSTRIAL WASTE PASS THROUGH

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

921 BATCH DUMPS

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

922 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE (SNC)

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

**ARTICLE 10
FEES AND CHARGES**

1001 APPLICATION FEE

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

1002 ANNUAL WASTEWATER DISCHARGE PERMIT FEE

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

1003 INSPECTION, MONITORING AND SAMPLING CHARGES

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

1004 DELINQUENCY FEES

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

1005 ADDITIONAL FEES AND CHARGES

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

1006 RECORDING OF FEES AND CHARGES

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

**ARTICLE 11
SEVERABILITY**

1101 SEVERABILITY

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

**ARTICLE 12
REPEAL**

1201 REPEAL

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

**ARTICLE 13
EFFECTIVE DATE**

1301 EFFECTIVE DATE

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

EL TORO WATER DISTRICT

Dated _____

by _____
President

Dated _____

by _____
Secretary



STAFF REPORT

To: Board of Directors

Meeting Date: September 25, 2025

From: Dennis Cafferty, General Manager

Subject: Sewer System Management Plan Update

In December 2005 the El Toro Water District completed and submitted the District's Sewer System Management Plan (SSMP) to the Regional Water Quality Control Board (Region 8 – Santa Ana) in compliance with the Waste Discharge Requirements enacted by Region 8.

In 2006 the State Water Resources Control Board adopted Statewide General Waste Discharge Requirements (WDR) for Sanitary Sewer Systems as prescribed in the State Water Resources Control Board Sanitary Sewer Order No. 2006-0003-DWQ (Order). The Order required sanitary sewer systems enrolled under the Statewide General Waste Discharge Requirements to develop and implement a Sewer System Management Plan.

In 2009 the ETWD Board of Directors approved an update to the 2005 SSMP to comply with the Order. The Order required periodic updates to the SSMP. The District has previously updated the SSMP in 2014 and 2020.

In December 2022 the State Water Resources Control Board adopted a new General Order for Sanitary Sewer Systems (Order WQ 2022-0103-DWQ) effective on June 5, 2023. This General Order serves as statewide waste discharge requirements and supersedes the previous State Water Board Order 2006-0003-DWQ. The 2022 Order defines the current required elements of an SSMP and requires the submittal of an updated SSMP.

Staff, working collaboratively with a consultant (Fischer Compliance), developed an updated SSMP in compliance with the new Order and submitted the draft document to the State Water Board by the August 2, 2025 compliance date requirement for the District's Plan. The Order requires the District conduct an internal audit in three years and update the SSMP once again in six years.

The final SSMP must be approved by the ETWD Board of Directors. The updated SSMP document is current and compliant with the requirements of the Order. The following reference material is attached:

- Resolution No. 25-9-2 Approving the SSMP Update
- SSMP document (Exhibit A to Resolution 25-9-2)

Recommended Action:

Staff recommend that the Board of Directors adopt Resolution No. 25-9-2 which approves the updated El Toro Water District Sewer System Management Plan consistent with State Water Resources Control Board Order No. 2022-0103-DWQ. Staff further recommend that the Board of Directors receive and file the SSMP document.

RESOLUTION NO. 25-9-2

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
APPROVING THE UPDATED EL TORO WATER DISTRICT
SEWER SYSTEM MANAGEMENT PLAN (SSMP)
AS PRESCRIBED IN
SWRCB ORDER NO. 2022-0103-DWQ

RESOLUTION NO. 25-9-2

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE EL TORO WATER DISTRICT
APPROVING THE UPDATED EL TORO WATER DISTRICT
SEWER SYSTEM MANAGEMENT PLAN (SSMP)
AS PRESCRIBED IN
SWRCB ORDER NO. 2022-0103-DWQ**

WHEREAS, State Water Resources Control Board, per Order No. 2022-0103-DWQ, requires agencies operating sanitary sewer systems who are enrolled under the Statewide General Waste Discharge Requirements to develop and implement a Sewer System Management Plan; and

WHEREAS, the District last adopted an update to the Sewer System Management Plan consistent with a previous Order No. 2006-0003 on December 16, 2020; and

WHEREAS, Order No. 2022-0103-DWQ requires an update of the El Toro Water District Sewer System Management Plan by August 2, 2025 and that the SSMP be certified/approved by the governing board; and

WHEREAS, the District's staff have updated the El Toro Water District Sewer System Management Plan, consistent with Order No. 2022-0103-DWQ, as set forth and attached hereto as Exhibit A, which is incorporated herein by reference; and

WHEREAS, the draft El Toro Water District Sewer System Management Plan was submitted to the State Water Board in compliance with the August 2, 2025 requirement; and

WHEREAS, the District's Board of Directors has today reviewed the updated Sewer System Management Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the El Toro Water District hereby certifies and approves the updated Sewer System Management Plan in the form reviewed today which is attached to this Resolution.

ADOPTED, SIGNED AND APPROVED this 25th day of September 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MIKE GASKINS, President
El Toro Water District and the
Board of Directors thereof

ATTEST:

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

EXHIBIT A

RESOLUTION 25-9-2

Sewer System Management Plan

2025 Update

Sanitary Sewer Collection System (WDID #8SSO10570 and #9SSO10570)



REVIEWED AND APPROVED BY:

Dennis P. Cafferty, General Manager
Legally Responsible Official
El Toro Water District
Sanitary Sewer Collection System
(includes Element Development Plans & Schedules)

PREPARED BY:



Date Signed

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SSMP CHANGE LOG

Revision Date	SSMP Section	Approval Date	Description of Change/Revision Made	Initials

SSMP CHANGE LOG

Revision Date	SSMP Section	Approval Date	Description of Change/Revision Made	Initials



El Toro Water District
Attn: Scott Hopkins, Operations Superint.
Legally Responsible Official
24251 Los Alisos Blvd
Lake Forest, CA 92630

Dear Scott,

We are pleased to present the new 2025 Sewer System Management Plan (SSMP) Update developed in partnership with District management. The 2025 Update meets and exceeds compliance with the Reissued WDR (State Water Board, Water Quality Order No. 2022-0103-DWQ, Attachment D-10 and Specifications 5.4). The 2025 SSMP has been completely revised to harmonize with industry standard guidelines and incorporates the latest SSMP Audit findings.

The 2025 SSMP is a declaration of what the District is doing to demonstrate full compliance with the Reissued WDR. Attachment A of the Reissued WDR (page A-4), states "A sewer system management plan is a living document an Enrollee develops and implements to effectively manage its sanitary sewer system (s) in accordance with this General Order". This requires the District to periodically review and update the SSMP as necessary until its next 6-year SSMP Update is completed.

To support these ongoing review and update requirements, this document includes a sample change log that may be used as a reference if a system is not already in place. We encourage you to share this example with all relevant team members responsible for implementing or documenting SSMP revisions, to help ensure consistency, transparency, and continued compliance.

We look forward to assisting the District wherever necessary to fully implement the new 2025 SSMP Update.

Sincerely,

A handwritten signature in black ink that reads 'Jim Fischer'. The signature is written in a cursive, flowing style.

James Fischer, P.E.
Principal, Fischer Compliance LLC
Credentialed U.S. EPA NPDES Compliance Inspector

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Introduction

This Sewer System Management Plan (SSMP) or “Plan” has been prepared for the El Toro Water District (District) with technical assistance from Fischer Compliance LLC with the goal of meeting and exceeding compliance with the State Water Resources Control Board 2022 General Waste Discharge Requirements, Order WQ 2022-0103-DWQ for Sanitary Sewer Systems (referred to throughout this document as the WDR).

The District provided all details, information, and institutional insights for preparation of the SSMP. The document has been developed as required by the WDR to meet the size, scale, and complexity of the District’s sewer systems, serving as a “living document” and help readers improve understanding about the District’s systems, work programs, and efforts to reduce sewage spills.

The District is required to update this SSMP, at a minimum, every six years. The schedule for these updates is based on the WDR enrollment date deadlines for each sewer system established for populations served by the sewer system.

The District Board must approve the SSMP prior to 8/2/25 and upload it to the CIWQS database. The 2024 Sewer System Management Plan Guidance Manual published by the Bay Area Clean Water Agencies (BACWA) was utilized as a model for development of the Master document to harmonize formatting/content and incorporate recommended suggested guidance wherever possible.

SSMP Organization

This SSMP is organized into 11 core elements following Attachment D of the WDR, with inclusion of applicable Specifications requirements.

Each individual element in the SSMP includes the following technical contents.

1. Requirements – Provides the actual description of applicable requirements in the WDR.
2. Compliance – Describes the District’s approach to complying with the WDR requirements.
3. Effectiveness – As measured by Key Performance Indicators (KPIs.)
4. Implementation – Demonstrates how the District will ensure the SSMP will be carried out as described.
5. Resilience – Demonstrates the resilience that is addressed in the SSMP and built-in to the District’s collection system and procedures.
6. Appendix Inclusions – List the items included in the Appendix for each SSMP Element, if any.

District Historic Spill Performance

Figure 1 below provides key District spill metrics, (5/1/2015 to 5/1/2025) including data comparing the District’s spill record with state and regional system data. The District consistently performs better than both statewide and regional spill rate indices and net spill volumes for all categories of spills from its sanitary sewer collection system.

COLLECTION SYSTEM OPERATIONAL REPORT

Please see the [Glossary of Terms](#) for explanations of the search results column headings. [More information about the report is found at the bottom of this page.](#)

[Click to Print This Page \(Select Printer as Adobe PDF\)](#)

SEARCH CRITERIA: [\[REFINE SEARCH\]](#) [\[NEW SEARCH\]](#) [\[GLOSSARY\]](#)

Agency (**el toro**)

Date Range: Start_Date (**01/01/2010**) End_Date (**07/29/2025**)

DRILLDOWN HISTORY: [\[GO BACK TO LISTING OF COLLECTION SYSTEMS\]](#)

El Toro Water District R8 CS

Agency: El Toro Water District

General Information



Region	Place ID	Place Name	CS Category	Place Address	Place County
8	256423	El Toro Water District R8 CS	Municipal(Public)	23542 Moulton Parkway Laguna Woods CA	Orange



Collection System Spill Summary

Operational Indices: El Toro Water District R8 CS

Spill Rate Indice (spills/100mi/yr)							
	Category 1			Category 2		Category 3	
	Main System	Laterals	Other	Main System	Other	Main System	Other
El Toro Water District R8 CS	0.43	0.17	0.16	0.0	0.04	0.27	0.04
State Municipal(Public) Average	1.43	2.32	0.42	0.53	0.46	2.69	0.52
Region Municipal Average	0.33	0.21	0.08	0.21	0.14	0.67	0.18

Net Volume Spills Indice (gallons/1000 Capita/yr)							
	Category 1			Category 2		Category 3	
	Main System	Laterals	Other	Main System	Other	Main System	Other
El Toro Water District R8 CS	15.43	0.6	35.08	0.0	3.19	0.65	1.21
State Municipal(Public) Average	1514.82	23.18	3116.09	227.84	2938.02	26.68	7.78
Region Municipal Average	74.4	0.88	1338.18	42.81	8.5	0.83	0.13

Figure 1 – District Spill Metrics (2010-2025)

Abbreviations and Acronyms

BMP	Best Management Practices
CCTV	Closed Circuit Television
CF	Collections Foreman
CIP	Capital Improvement Program
CIWQS	California Integrated Water Quality System (State Water Board Online Spill Database)
CMMS	Computerized Maintenance Management System
Engr.	District Engineering Department
FOG	Fats, Oils and Grease
FSE	Food Service Establishment
GCD	Grease Control Device
GIS	Geographic Information System
I & I	Inflow and Infiltration
LRO	Legally Responsible Official
RWQCB	Regional Water Quality Control Board
SCADA	Supervisory Control and Data Acquisition
SERP	Spill Emergency Response Plan
SOP	Standard Operating Procedure
SSMP	Sewer System Management Plan
Spill	Sanitary Sewer Spill
Superint.	Operations Superintendent
WDR	Sanitary Sewer Systems General Wastewater Discharge Requirements Order issued by the State Water Board (Order No. 2022-0103-DWQ)
SWRCB	State Water Resources Control Board
WDID	Waste Discharge ID Number (CIWQS)

Table 1 – Abbreviations and Acronyms

1. Goal and Introduction

WDR REQUIREMENTS

[Att. D-1 \(pg. D-2\)](#)

“The goal of the Sewer System Management Plan (Plan) is to provide a plan and schedule to: (1) properly manage, operate, and maintain all parts of the Enrollee’s sanitary sewer system(s), (2) reduce and prevent spills, and (3) contain and mitigate spills that do occur.

The Plan must include a narrative Introduction section that discusses the following items:”

1.1. Regulatory Context

WDR REQUIREMENTS

[Att. D-1.1 \(pg. D-2\)](#)

“The Plan Introduction section must provide a general description of the local sewer system management program and discuss Plan implementation and updates.”

COMPLIANCE

The District is committed to fully implementing the WDR¹ which includes addressing all requirements by integrating a wide range of programs specifically designed for ensuring the integrity and efficiency of the District’s sanitary sewer collection system. Moreover, the District is dedicated to maintaining its collection system in a systematic manner by implementing various work programs, with a focus on critical areas, to prevent spills, allowing for a comprehensive approach to maintenance. Work programs include CCTV inspections, pipe cleaning, manhole inspections, lift station maintenance, root control, source control, FOG control and pipe repair, just to name a few. Work programs are described in more detail in Specifications 5.19- Operation and Maintenance, of this SSMP.

By prioritizing proactive measures and taking a comprehensive approach, the District is well-equipped with a proven track record of effectively operating its sanitary sewer collection system with the highest levels of service, complying with the WDR, and reducing/eliminating sewage spills.

EFFECTIVENESS

N/A

IMPLEMENTATION PLAN/SCHEDULE

N/A

¹ State Water Resources Control Board, Statewide Waster Discharge requirements, General Order for Sanitary Sewer Systems

1.2. SSMP Update Schedule

WDR REQUIREMENTS

[Att. D-1.2 \(pg. D-3\)](#)

“The Plan Introduction section must include a schedule for the Enrollee to update the Plan, including the schedule for conducting internal audits. The schedule must include milestones for incorporation of activities addressing prevention of sewer spills.”

COMPLIANCE

The District utilizes the State Water Board’s [Sewer System Management Plan & Audit Required Due Dates Online Tool](#) to ensure compliance with all required due dates for updating its SSMP and completing its required SSMP Audits.

Sewer System Management Plan & Audit Required Due Dates Transition from General Order 2006-0003-DWQ to Reissued General Order

Search by Waste Discharge Identification (WDID) Number

Enter your Waste Discharge Identification (WDID) number in the search field to retrieve the required Sewer System Management Plan (SSMP) Update and Audit due dates for your system.

Sewer System Management Plan & Subsequent Update Due Dates					
System Name	WDID Number	Original Plan Required Due Date	Required Plan Update Due Date	Required Plan Update Due Date	Required Plan Update Due Date*
El Toro Water District R9 CS	9SSO10570	8/2/2009	8/2/2014	8/2/2019	8/2/2025

Audit Due Dates								
System Name	WDID Number	Original Required Plan Audit Due Date	Required Plan Audit Due Date	Required Plan Audit Due Date	Required Plan Audit Due Date	Required Plan Audit Due Date	Required Plan Audit Due Date	End of Required 3-Year Audit Period**
El Toro Water District R9 CS	9SSO10570	8/2/2011	8/2/2013	8/2/2015	8/2/2017	8/2/2019	8/2/2021	8/2/2024

* Per Section 5.5 and Attachment E1, Section 3.11 of the General Order, Plan updates are due within six years after the required due date of the Enrollee's last Plan Update.

** Per Section 5.4 and Attachment E1, Section 3.10 of the General Order, the Audit Report is due within six months after the end of the required 3-year audit period.

Figure 2 – Sewer System Management Plan Update and Audit Due Dates

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Are SSMP Audits and SSMP Updates being performed as scheduled?
- Has the SSMP been approved by the governing board on the required schedule (i.e., every six years)?
- Are specific internally established sewer program milestones being monitored?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
1.2.1	Prepare for next SSMP Audit	Begin 8/2/2027	X	X	X
1.2.2	Complete and Upload next SSMP Audit	By 2/2/2028	X	X	
1.2.3	Incorporate Audit Findings, update Change Log and Update SSMP	Begin after completion of SSMP Audit		X	
1.2.4	Prepare for next SSMP Audit	Begin 8/2/2030	X	X	X
1.2.5	Complete and Upload next SSMP Audit	By 2/2/2031	X	X	
1.2.6	Incorporate Audit Findings, update Change Log and Update SSMP	Begin after completion of SSMP Audit		X	
1.2.7	Prepare for next SSMP Update	Begin 2/2/2031	X	X	
1.2.8	Board Approval deadline for SSMP Update	By 8/2/2031	X	X	

1.3. Sewer System Asset Overview

WDR REQUIREMENTS

Att. D-1.3 (pg. D-3)

“The Plan Introduction section must provide a description of the Enrollee-owned assets and service area, including but not limited to:

- Location, including District(ies);*
- Service area boundary;*
- Population and community served;*
- System size, including total length in miles, length of gravity mainlines, length of pressurized (force) mains, and number of pump stations and siphons;*
- Structures diverting stormwater to the sewer system;*
- Data management systems;*
- Sewer system ownership and operation responsibilities between Enrollee and private entities for upper and lower sewer laterals;*
- Estimated number or percentage of residential, commercial, and industrial service connections; and*
- Unique service boundary conditions and challenge(s).*

Additionally, the Plan Introduction section must provide reference to the Enrollee’s up-to-date map of its sanitary sewer system, as required in section 4.1 (Updated Map of Sanitary Sewer System) of this Attachment.”

COMPLIANCE

The District provides wastewater collection services to the residents and businesses in portions of southern Orange County. The District system currently consists of roughly 118 miles of gravity sewers and 6 miles of force main sewers. There are 10 siphons in the collection system, and no stormwater diversion structures in the system. The District owns 6,978 sewer laterals and is responsible for maintaining the lower portion only.

The District does not have any significant boundary area challenges currently. The District maintains up to date sewer system maps (see Element 4.1 - Updated Map of Sanitary Sewer System for more details).

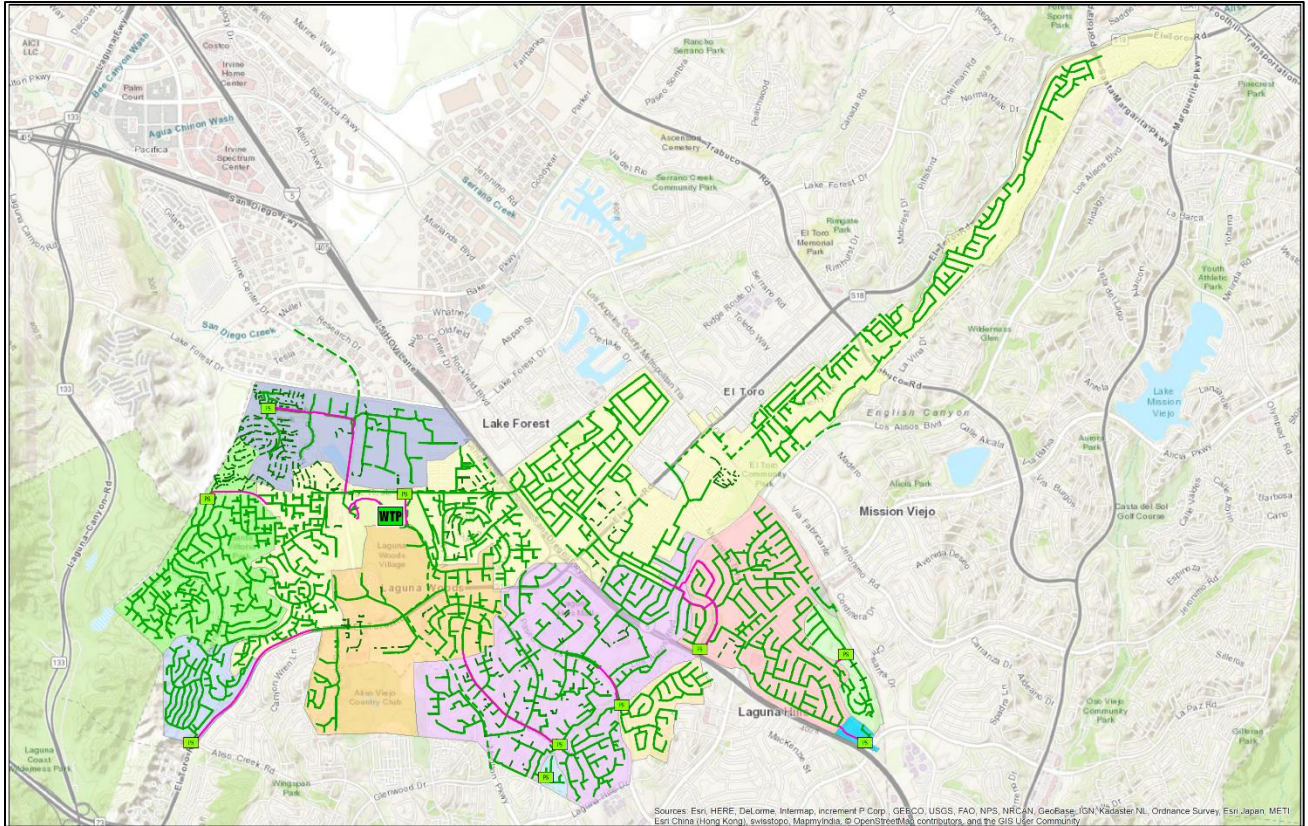


Figure 3 – District Sewer Service Area

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Are asset statistics periodically reviewed and updated as necessary?
- Are omissions or errors addressed in a timely manner?
- Are system maps up to date?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
1.3.1	Review District-owned asset statistics and element description; update as necessary	At the beginning of the audit cycle and when significant changes have been made.		X	X
1.3.2	Verify Maps Updates have been completed	Monthly		X	

RESILIENCE

Resilience is addressed in Element 1 by:

- Redundancy: More than one member of staff is trained and able to retrieve and manage the data.
- Implementing a QA/QC process to help ensure information is accurate.
- Using Calendar Reminders to ensure compliance deadlines are met.

APPENDIX 1 INCLUSIONS

- None

Specifications 5.2 – SSMP Development and Implementation

WDR REQUIREMENTS

[Specification. 5.2 \(pg. 18\)](#)

“To facilitate adequate local funding and management of its sanitary sewer system(s), the District shall develop and implement an updated Sewer System Management Plan. The scale and complexity of the Sewer System Management Plan, and specific elements of the SSMP, must match the size, scale, and complexity of the Enrollee’s sanitary sewer system(s). The Sewer System Management Plan must address, at minimum, the required Plan elements in Attachment D (Sewer System Management Plan – Required Elements) of this General Order. To be effective, the Sewer System Management Plan must include procedures for the management, operation, and maintenance of the sanitary sewer system(s). The procedures must: (1) incorporate the prioritization of system repairs and maintenance to proactively prevent spills, and (2) address the implementation of current standard industry practices through available equipment, technologies, and strategies.”

COMPLIANCE

This SSMP has been completely updated to meet the requirements of Order WQ 2022-0103-DWQ and addresses all required Elements and Specifications. The SSMP addresses management, operations and maintenance procedures specific to the District’s collection system. The District maintains a proactive O&M program to operate its system and identify defects, which are then prioritized for repair, replacement, rehabilitation, or placed on modified maintenance schedules. (See Elements 4 and 8 and Specifications 5.19 of this SSMP for more detail).

The District keeps up with current industry standards, technology and best practices by reviewing industry periodicals, networking and attending industry conferences, consulting training, vendor demonstrations, and collection system-related workshops. This includes continuously evaluating emerging practices, equipment, and technologies for consideration in enhancing system operations.

Specifications 5.7 – Allocation of Resources

WDR REQUIREMENTS

[Spec. 5.7 \(pg. 22\)](#)

“The District shall comply with the following requirements:

- *Establish and maintain a means to manage all necessary revenues and expenditures related to the sanitary sewer system; and*
- *Allocate the necessary resources to its sewer system management program for: (a) compliance with this General Order, (b) full implementation of its updated SSMP, (c) system operation, maintenance, and repair, and (d) spill responses.”*

COMPLIANCE

The District maintains various revenue sources to maintain financial stability, meet its operational needs and manage all necessary expenditures to operate its sewer system. Sources of revenue include:

- Sewer User Fees

The District owns the necessary equipment and employs the appropriate number of staff to properly manage the collections system.

Provisions 6.1 – Enforcement Provisions

WDR REQUIREMENTS

[Provisions 6.1 \(pg. 27\)](#)

“The following enforcement provisions are based on existing federal and state regulations, laws and policies, including the federal Clean Water Act, the state Water Code and the State Water Board Enforcement Policy.”

COMPLIANCE

The District is aware of the consequences for noncompliance including associated penalties for violations. The District maintains a proactive stance with full implementation of its SSMP.

Noncompliance with requirements of this General Order or discharging sewage without enrolling in this General Order constitutes a violation of the Water Code and a potential violation of the Clean Water Act and is grounds for an enforcement action by the State Water Board or the applicable Regional Water Board. Failure to comply with the notification, monitoring, inspection, entry, reporting, and recordkeeping requirements may subject the Enrollee to administrative civil liabilities of up to \$10,000 a day per violation pursuant to Water Code section 13385; up to \$1,000 a day per violation pursuant to Water Code section 13268; or referral to the Attorney General for judicial civil enforcement. Discharging waste not in compliance with the requirements of this General Order or the Clean Water Act may subject the Enrollee to administrative civil liabilities up to \$10,000 a day per violation and additional liability up to \$10 per gallon of discharge not cleaned up after the first 1,000 gallons of discharge; up to \$5,000 a day per violation pursuant to Water Code section 13350 or up to \$20 per gallon of waste discharged; or referral to the Attorney General for judicial civil enforcement.

Provisions 6.3 – Sewer System Management Plan Availability

WDR REQUIREMENTS

[Provisions 6.3 \(pg. 31\)](#)

“The Enrollee’s updated Sewer System Management Plan must be maintained for public inspection at the Enrollee’s offices and facilities and must be available to the public through CIWQS and/or on the Enrollee’s website, in accordance with section 3.8 (Sewer System Management Plan Reporting Requirements) of Attachment E1 (Notification, Monitoring, Reporting and Recordkeeping Requirements) of this General Order.”

COMPLIANCE

The District has uploaded this SSMP to the CIWQS database and published it on its website. In addition, the SSMP is available for public review at District offices, by appointment, during regular business hours.

2. Organization

WDR REQUIREMENTS

Att. D-2 (pg. D-3)

“The Plan must identify organizational staffing responsible and integral for implementing the local Sewer System Management Plan through an organization chart or similar narrative documentation that includes:

- The name of the Legally Responsible Official as required in section 5.1 (Designation of a Legally Responsible Official) of this General Order.*
- The position titles, telephone numbers, and email addresses for management, administrative, and maintenance positions responsible for implementing specific Sewer System Management Plan Elements.*
- Organizational lines of authority.*
- Chain of communication for reporting spills from receipt of complaint or other information, including the person responsible for reporting spills to the State and Regional Water Boards and other agencies, as applicable. (For example, District health officer, District environmental health District, and State Office of emergency Services.)*

COMPLIANCE

The above items are addressed in order below:

District’s Legally Responsible Officials (LRO) are listed below:

- Dennis Cafferty, General Manager
- Scott Hopkins, Operations Superint.

The District’s LRO meets the minimum requirements set forth in Specifications 5.1 of the WDR.

IMPLEMENTATION RESPONSIBILITIES

Sewer System Management Plan Elements	Responsible Position
1. SSMP Plan, Goal, and Introduction	General Manager/Operations Superint.
1.1. Regulatory Context	General Manager/Operations Superint.
1.2. SSMP Update Schedule	Compliance Program Coordinator
1.3. Sewer System Asset Overview	General Manager/Operations Superint.
2. Organization	General Manager/Operations Superint.
3. Legal Authority	General Manager/Operations Superint.
4. Operations and Maintenance Program	Collections Foreman
4.1. Updated maps of Sanitary Sewer System	Director of Engineering
4.2. Preventive Operation & Maintenance	Collections Foreman
4.3. Training	Compliance Program Coordinator
4.4. Equipment Inventory	Collections Foreman
5. Design/Performance	Director of Engineering
5.1. Updated Design Criteria & Construction Standards	Director of Engineering
5.2. Procedures and Standards	General Manager/Operations Superint.
6. Spill Emergency Response Plan	General Manager/Operations Superint.
7. Sewer Pipe Blockage Program	Collections Foreman
8. System Eval, Capacity Assurance, Capital Imp.	Director of Engineering
8.1. System Evaluation and Condition Assessment	Operations Superint. /Collections Foreman
8.2. Capacity Assessment and Design Criteria	Director of Engineering
8.3. Prioritization of Corrective Action	Operations Superint. /Collections Foreman
8.4. Capital Improvement Plan	Director of Engineering
9. Monitoring, Measurement & Program Modifications	Collections Foreman
10. Internal Audits	Compliance Program Coordinator
11. Communication Program	Compliance Program Coordinator

Table 2 – Implementation Responsibilities

RESPONSIBLE POSITION CONTACT INFORMATION

Responsible Position	Name	Phone	Email
General Manager	Dennis Cafferty	(949) 837-7050, ext. 223	dcafferty@etwd.com
Operations Superint.	Scott Hopkins	(949) 837-7050, ext. 217	shopkins@etwd.com
Chief Plant Operator	Michael Snow	(949) 837-7050, ext. 112	msnow@etwd.com
Collections Foreman	Ed Peterson	(949) 837-7050, ext. 115	epeterson@etwd.com
Collections Crew Chief	Chris Goodchild	(949) 837-7050	cgoodchild@etwd.com
Industrial Waste Inspector	Edward Peterson	(949) 837-7050, ext. 115	epeterson@etwd.com
Foreman – Pump Stations	Garth Botha	(949) 837-7050, ext. 243	gbotha@etwd.com
Foreman – Operations	Jeff Webster	(949) 837-7050, ext. 213	jwebster@etwd.com
Director of Engineering	Hannah Ford	(949) 837-7050, ext. 247	hford@etwd.com
Compliance Program Coordinator	Vincent Coppola	(949) 837-7050, ext. 228	vcoppola@etwd.com

Table 3 – Responsible Position Contact Information

2.1. District Organization Chart

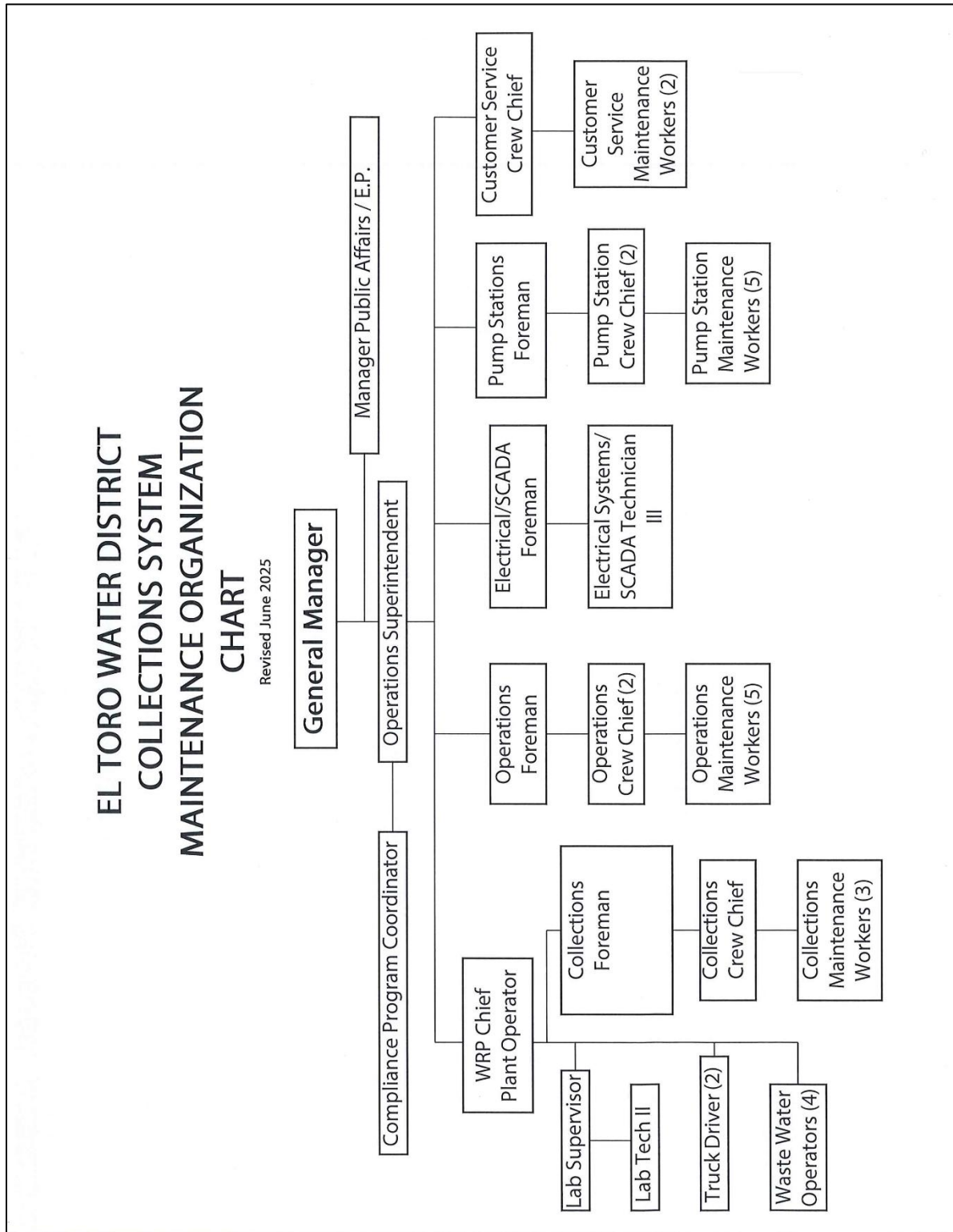


Figure 4 – District Organization Chart

2.2. Organizational Staffing Responsibilities

Board of Directors

ETWD is governed by a Board of Directors consisting of five board members. The directors are elected by registered voters within the District boundaries. The Board of Director's establish policy and make decisions based on the district's mission, goals, and operations. The Board's policies are administered and implemented by the General Manager, who is appointed by the Board. Public elections are held every two years and Directors serve four-year terms. Terms are staggered to ensure continuity.

General Manager

Under the direction of the Board of Directors, the General Manager serves as agent of the Board of Directors in planning, directing, managing and overseeing the services, activities, and operations of the District; serves as chief executive officer of the District ensuring that services and operations are delivered in an efficient and effective manner; implements policy decisions made by the Board of Directors; facilitates the development and implementation of District goals and objectives.

Operations Superintendent

Under the direction of the General Manager, the Operations Superintendent plans, organizes, manages, and directs all District field staff in the construction, maintenance, repair and operation of the District water, wastewater and recycled water system. The incumbent exercises significant authority and independence in implementing a broad range of services and programs in coordination with other District executives and managers.

Compliance Program Coordinator

Under the direction of the Operations Superintendent, the Compliance Program Coordinator is responsible for keeping abreast of applicable legislative and regulatory requirements and coordinating District-wide administrative and operational compliance with local, County, State and Federal rules and industry standards related to water quality, air quality, OCFA/CUPA hazardous material handling/reporting, OSHA safety programs, and the DOT Class A license program. Responsible for organizing District-wide health and safety training programs necessary to ensure that the District is in compliance with applicable Federal, State and local regulations and standards.

Collections Foreman

Under the direction of the Operations Superintendent, plan, assign, coordinate and review the work of sewer line maintenance crews; enforce safety rules and regulations. Requisition supplies and materials as authorized; interpret work plans and equipment requirements; coordinate work with other utilities; prepare reports of work in progress. Inspect industrial customers to ensure permit compliance, set up sampling and measuring devices, facilitate the collection and testing of wastewater samples and serve as liaison between the District and its customers concerning sewage problems. Maintain and enforce the ETWD Pretreatment program, the ETWD Fats, Oils and Grease (FOG) program and ETWD standards.

Collections Crew Chief

Under the direction of the Collections Foreman, maintain, clean and repair sewage collection lines, manholes, lift stations and other sewage facilities and equipment. Operate television inspection vehicle and

equipment, sewer vactor and hydro-cleaner vehicles. Function as lead person, supervising and directing the work of the collection system maintenance crew.

Collections Maintenance Worker

Under the direction of the Collections Crew Chief, maintain, clean and repair sewage collection lines, manholes, lift stations and other sewage facilities and equipment. Operate television inspection vehicle, sewer vactor and hydro-cleaner vehicles.

2.3. Chain of Communication for Reporting Spills

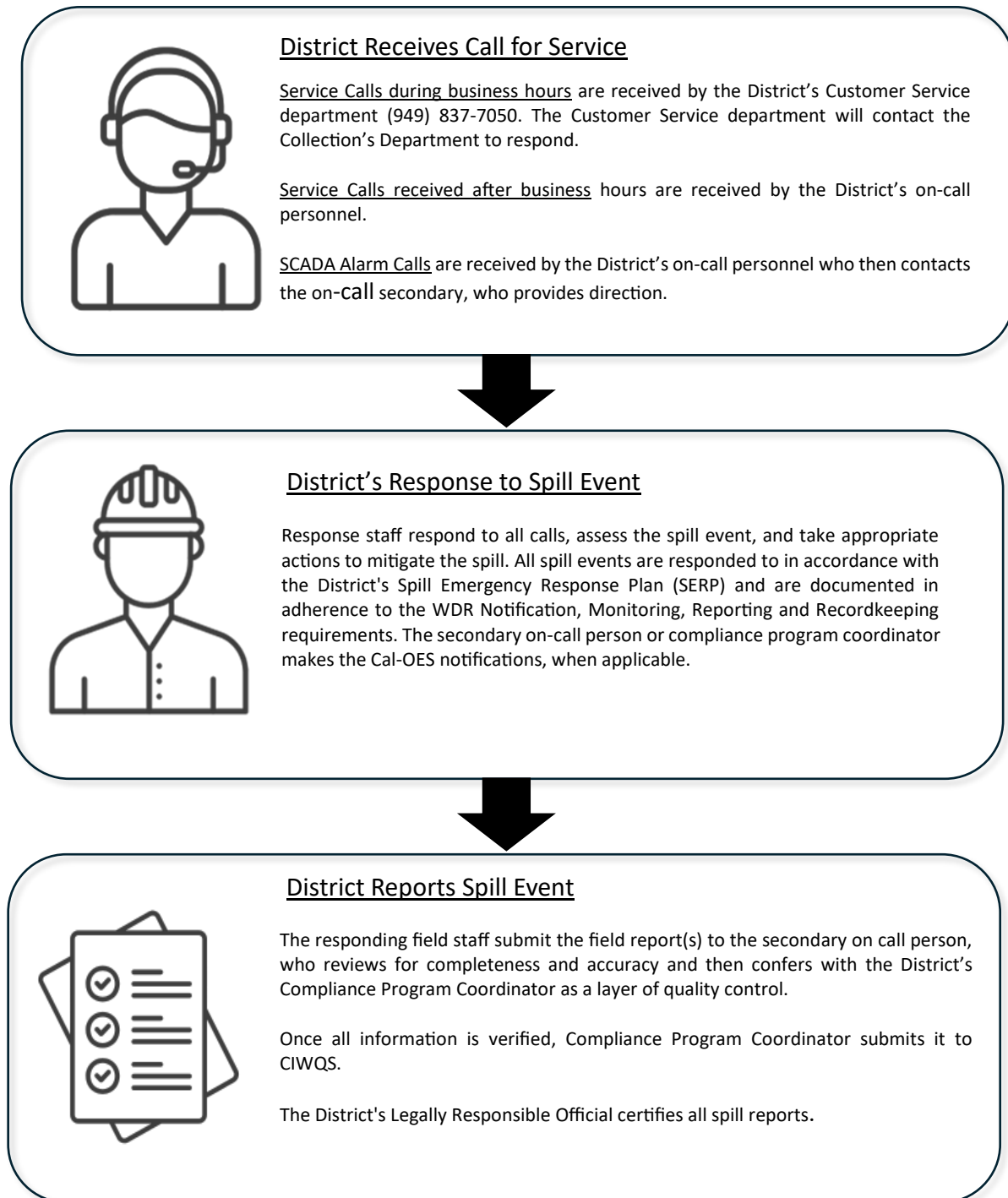


Figure 5 – District Spill Overview Chain of Communication

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Have there been any changes requiring updates to the Organizational Chart?
- Have there been instances when a service call for a spill was not properly routed to response personnel?
- Were all spill response activities documented and forwarded to the LRO?
- Have there been any changes in assigned responsibilities for implementing the SSMP?
- Is there a process in place to ensure all contact information remains up to date?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
2.1	Review names, contact information and position responsibilities. Update, as necessary.	Semi-Annually		X	X
2.2	Review Chain of Communication outcomes for all spill responses	Each Spill Event	X	X	X
2.3	Review Organizational Chart for any changes. Update, as necessary.	Semi-Annually		X	X

RESILIENCE

Resilience is addressed in Element 2 by:

- Ensuring that more than one person is capable and responsible for specific duties for SSMP implementation, e.g., back-up personnel.
- Designation of more than one LRO to help ensure full and continuous coverage of duties.
- Testing the phone notification system to ensure calls are received and routed to appropriate personnel.

APPENDIX 2 INCLUSIONS

- None

3. Legal Authority

WDR REQUIREMENTS

Att. D-3 (pg. D-4)

“The Plan must include copies or an electronic link to the Enrollee’s current sewer system use ordinances, service agreements and/or other legally binding procedures to demonstrate the Enrollee possesses the necessary legal authority to:

- Prevent illicit discharges into its sanitary sewer system from inflow and infiltration (I&I); unauthorized stormwater; chemical dumping; unauthorized debris; roots; fats, oils, and grease; and trash, including rags and other debris that may cause blockages;*
- Collaborate with storm sewer agencies to coordinate emergency spill responses, ensure access to storm sewer systems during spill events, and prevent unintentional cross connections of sanitary sewer infrastructure to storm sewer infrastructure;*
- Require that sewer system components and connections be properly designed and constructed;*
- Ensure access for maintenance, inspection, and/or repairs for portions of the service lateral owned and/or operated by the Enrollee;*
- Enforce any violation of its sewer ordinances, service agreements, or other legally binding procedures; and*
- Obtain easement accessibility agreements for locations requiring sewer system operations and maintenance, as applicable.”*

COMPLIANCE

The above items are addressed below in order:

- Authority for preventing illicit discharges into the District’s sanitary sewer collection system is provided by District Ordinance No. 2025-3. The purpose of this section is to prevent the discharge or any pollutant or any combination of pollutants into the sewers that would obstruct or damage the collection system, interfere with treatment or threaten harm to human health or the environment.
- The District does not own any storm drain assets located within the District service area. As such, the District has de facto authority to access storm drains during and after spill events should the need arise from the cities of Lake Forest, Laguna Hills, Mission Viejo, Laguna Woods, and Aliso Viejo. Historically, the District has accessed storm drains owned by other agencies when needed, retrieved the sewage and returned it to the sewer system, cleaned the storm drain system, and notified the storm drain owner. The District collaborates with storm drain system owners to further formalize procedures and address expectations for complying with this requirement.
- The District’s authority to require sewer system components and connections to be properly designed and constructed is provided in District Ordinance No. 2004-1 adopted by the El Toro Water District Board of Directors on April 22, 2004.
- The District’s legal authority to enforce any violation of its sewer ordinances, service agreements, or other legally binding procedures is provided in District Ordinance No. 2025-3 including specific enforcement provisions, penalties, notices of non-compliance, and other legally binding procedures and authority.
- The District’s authority to obtain easement accessibility agreements for locations requiring sewer system operations and maintenance is provided in District Ordinance No. 2025-3.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Are the District ordinances and standards adequate for fulfilling the SSMP Plan legal requirements?
- Does the District have a process in place for periodic review and evaluation of ordinances?
- Have there been instances when the code or ordinance did not address a need or circumstance?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint. + Engr.	CF
3.1	Review Ordinance(s) to confirm all documents provide necessary required legal authority.	Once per 6-year SSMP Update Cycle	X	X	
3.2	Confer with storm drain owners to ensure current practices and contact information are up to date.	Annually		X	
3.3	Monitor and document occasions when Ordinance(s) failed to address issues as intended.	Continuously	X	X	X

RESILIENCE

Resilience is addressed in Element 3 by:

- Keeping abreast of industry trends and local ordinances that may affect operations.

APPENDIX 3 INCLUSIONS

- 3.1 District Ordinance 2025-3

4. Operation and Maintenance Program

WDR REQUIREMENTS

[Att. D-4 \(pg. D-4\)](#)

“The Plan must include the items listed below that are appropriate and applicable to the Enrollee’s system.”

4.1. Updated Map of Sewer System

WDR REQUIREMENTS

[Att. D-4.1 \(pg. D-4\)](#)

“An up-to-date map(s) of the sanitary sewer system, and procedures for maintaining and providing State and Regional Water Board staff access to the map(s). The map(s) must show gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities within the sewer system service area boundaries.”

COMPLIANCE

Knowledge of the locations and physical attributes of all District facilities is essential to effective operation and maintenance of the system. The District has informal internal procedures utilizing its Geographical Information System (GIS) of all District mainlines, manholes and other facilities to maintain sewer maps in GEOVIEWER software.

The District utilizes a computerized maintenance management system (CMMS), [Geoviewer](#), to schedule and track all field work. The CMMS has a mapping feature that shows the sewer collection system including pump stations, force mains, gravity lines, manholes and other conveyance facilities and surrounding reference features. The CMMS the District is utilizing also provides field access to record drawings for District Operations personnel. District sewer maintenance staff utilize I-pads to access the CMMS, assign work through a work order function, complete work orders and close them out.

Additional District mapping resources available to field staff include the following:

- Sewer System Atlas Map Book
- Sewer System Geodatabase (GIS)
- Maps contained in District Water and Sewer System Master Plan Final Report, September 2023

District sewer system maps will be made available to State and Regional Water Board staff upon request.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Were all map updates completed in a timely manner?
- Are all staff trained in the procedure for providing map update information?
- Are newly installed sewer assets incorporated into the system maps?
- Are there terrain features or assets that should be incorporated in future map updates (e.g. exposed pipe, siphons, ARVs, surface water, etc.)?

IMPLEMENTATION PLAN/SCHEDULE

No	Plan	Schedule	Responsible Party		
			LRO	Superint	CF
4.1.1	Review map update procedures with all affected staff.	Annually		X	X
4.1.2	Review/ensure all newly installed facilities have been updated and included in the system maps	Annually		X	X

4.2. Preventive Operation and Maintenance Activities

WDR REQUIREMENTS

Att. D-4.2 (pgs. D-4/D-5)

“A scheduling system and a data collection system for preventive operation and maintenance activities conducted by staff and contractors. The scheduling system must include:

- *Inspection and maintenance activities;*
- *Higher-frequency inspections and maintenance of known problem areas, including areas with tree root problems;*
- *Regular visual and closed-circuit television (CCTV) inspections of manholes and sewer pipes.*

The data collection system must document data from system inspection and maintenance activities, including system areas/components prone to root-intrusion potentially resulting in system backup and/or failure.”

COMPLIANCE

The purpose of a work order system is to program and track all required inspection and maintenance activities within the collection system to help proactively prevent blockages/operational problems or spills. The District utilizes the Computerized Maintenance Management System (CMMS), [GEOVIEWER](#), which allows the District to make informed decisions regarding its assets and infrastructure by using the collected data from field work orders and documented inspections.

The District utilizes for its CMMS, [GEOVIEWER](#), that includes scheduling, work orders and asset management. The scheduling system allows staff to put certain activities on a preventive schedule where the CMMS will automatically create work orders on a prescribed interval. Work orders for other activities are generated by supervisory personnel on an as-needed basis.

District uses a Computerized Maintenance Management System (CMMS, GEOVIEWER) to assist in the management and maintenance of the District’s facilities. The CMMS stores and enables staff to retrieve data such as maintenance history, service calls, comments and complaints. In addition, the CMMS interfaces with the District’s GIS mapping program. The District utilizes several resources and tools to provide information which enables the District to prioritize maintenance activities required on each specific District asset. CCTV, manhole inspections, work order history, spill history, site risk assessment and observations from maintenance crews are examples of these resources. The CMMS capabilities include ability to produce scheduled and unscheduled work orders for all the District’s assets. Literally anything that requires any form of routine maintenance is included. Schedules for maintenance activities are input into the system by District staff based on information found using methods discussed above. Following the completion of the scheduled task the completed work order is then entered into the CMMS. The database keeps a history of each work order and any related findings during that event. District Field staff also have access to create work orders and request scheduling work for management review directly in the CMMS (GEOVIEWER).

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Are the District's maintenance, operations, and engineering work orders periodically audited for accuracy and completeness?
- Does the District monitor "open," "overdue," or "not yet completed" work orders to ensure completion of tasks?
- Annually verify districts inspection and maintenance activities are continuing to reduce the number of spills.
- Is maintenance work being completed as scheduled?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
4.2.1	Monitor "Past Due" work orders to ensure critical work is being completed	Quarterly		X	X
4.2.2	Review scheduled PMs to ensure the prescribed schedule remains appropriate.	Annually		X	X

4.3. Training

WDR REQUIREMENTS

Att. D-4.3 (pg. D-5)

“In-house and external training provided on a regular basis for sanitary sewer system operations and maintenance staff and contractors. The training must cover:

- *The requirements of this General Order;*
- *The Enrollee’s Spill Emergency Response Plan procedures and practice drills;*
- *Skilled estimation of spill volume for field operators; and*
- *Electronic CIWQS reporting procedures for staff submitting data.”*

COMPLIANCE

The District’s training program covers numerous areas involving or associated with wastewater collection systems and serves to develop and maintain highly qualified, knowledgeable, and capable staff. This training is provided through a variety of modes (self-study, seminars, conferences, on-the-job, etc.) and begins from the first day on the job and continues regularly thereafter.

Staff involved in responding to customer service calls, including sewage spills, receive annual training on the District’s Spill Emergency Response Plan. This training is part classroom and part hands-on exercises and drills for responding to spill events and includes containment, restoring flow, spill volume, recovered, spill start time estimations, cleanup and completing the spill event data collection forms.

The District has developed spill response procedures for its personnel who perform work for the District. The District personnel are required to:

- Immediately notify the District of any sewage spill they encounter.
- Make attempts to contain the spill.
- Take photos of the:
 - o Spilling structure
 - o The affected area
- 10-second video of spilling structure
- Cordon off the area to keep the public safe; and
- Remain onsite until District staff arrives and relieves them.

This language is included in service agreements and discussed during pre-job meetings. This includes routine maintenance schedules in GEOVIEWER for performing necessary maintenance and work activities to maintain the entire collection system.

As a condition of employment all collection system employees are certified in collection system maintenance through the technical certification program of the [California Water Environment Association \(CWEA\)](#).

The District is highly committed to ensuring highly trained and knowledgeable staff. The District requires employees to pursue professional development, and all expenses incurred are reimbursed by the District. The collection system staff holds CWEA Collection System Maintenance Certifications in addition to other various professional wastewater related certifications and credentials. Staff regularly attend vocational

training provided by industry vendors and professionals. The Legally Responsible Official and Designated Data Submitters regularly attend Waste Discharge Requirement update training courses to ensure the SSMP is up to date and in compliance with the General Order, as well as CIWQS reporting procedures. The entire staff attends regularly scheduled meetings to discuss safety, emergency response and receive training in collection system operations and maintenance. All training courses are documented.

To support high-quality outcomes, the District maintains active oversight during its construction projects. District staff routinely observe and monitor contractor activities to help confirm that work is performed in accordance with project specifications and industry standards.

The District's standard construction documents include special provisions outlining the contractor's responsibilities for proper qualifications, experience, and conduct. These provisions also reserve the District's right to reject work that does not meet requirements and require corrective action. Additionally, the work is subject to general guarantee and warranty provisions, reinforcing the expectation that improvements will last and function as intended.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Has all training been completed as scheduled?
- Have records of training and attendance been documented and maintained?
- Have all staff demonstrated ability and knowledge after each training event?
- Have contractors received, at a minimum, direction for reporting and responding to spills?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
4.3.1	Review training documentation to ensure all staff have received required training	Quarterly		X	X
4.3.2	Review agreements with contractors and/or pre-job meeting minutes to ensure contract personnel have received instruction for responding to sewage spills	Each Contract		X	X

4.4. Equipment Inventory

WDR REQUIREMENTS

Att. D-4.4 (pg. D-5)

“An inventory of sewer system equipment, including the identification of critical replacement and spare parts.”

COMPLIANCE

The District maintains a host of equipment and spare parts for both routine maintenance and for contingency or emergency operations and has identified spare parts and components considered to be critical for the operation of pump stations and gravity sewers.

The parts and equipment can be categorized as follows:

- Parts needed for sewer pipe maintenance and repair.
- Parts needed for sewer pump station maintenance and repair.
- Equipment needed to maintain both sewer lines and sewage pump stations.

The District has invested in several pieces of equipment dedicated to maintenance of the sewer collection system.

- 2015 Freightliner Hydrocleaner (Unit #31) – The District continues to operate the 2500 psi hydrocleaner with a 500-foot reel. The hydrocleaner is utilized for the majority of the sewer line cleaning operations.
- 2004 Hydrocleaner (Unit# 32) – The District continues to operate the 2000 psi hydrocleaner with a 500-foot reel. The hydrocleaner is utilized for the majority of the sewer line cleaning operations. This unit is used to supplement the sewer line cleaning operation as well as fill in when the primary hydrocleaner is down for service or repairs.
- 2008 Sterling Vactor (Unit #61) – The Vactor Combination Machine is used for multiple applications. The Vactor is equipped with a 9-yard debris tank, a 1,200-gallon water tank and a 500-foot hose. The Jetter function is used at 2500 psi to supplement the line cleaning operation. The District attempts to extend the useful life of the various lines cleaning equipment by splitting service where possible. The vacuum function is used for maintenance at lift station wet wells as well as to remove debris from the sewer line that accumulates during the line cleaning operation.
- 1993 Peterbilt Vactor (Unit #80) – The district continues to operate a second Vactor Combination Machine and is used for multiple applications. The Vactor is equipped with a 9-yard debris tank, a 1,200-gallon water supply and a 500-foot hose. This unit is used at 2500 psi to supplement the sewer line cleaning operation as well as the vacuum function. This unit is used to supplement the sewer line cleaning operation as well as fill in when the primary Vactor is down for service or repairs.
- Trailer Mounted Mini Jetter (Unit #310) – Portions of the District sewer system are outside of the right of way in heavily developed areas or landscaped areas. The mini Jetter is used for cleaning sewer lines that are not accessible to the larger hydro cleaners and Vactor. The mini Jetter is equipped with a 500-foot hose reel. The hose reel can also be attached to the hydro cleaners or Vactors to extend the useable hose length on those units to as much as 1,000 feet.
- CCTV Inspection Van (Unit #52) – The District’s Sewer Closed Circuit TC (CCTV) Inspection Program is accomplished primarily via the use of a 2014 Freightliner Utility Master Panel Van. The CCTV Van is equipped with an operator control station and a camera staging area. The CCTV equipment is

comprised of a tractor driven 459 pan & tilt Cues color sewer camera with digital capability. The system includes 1,300-feet of cable. The tractor and camera are controlled from a control console equipped with the tractor and camera controls as well as a computer and equipment for recording. The CCTV Inspection Van is used for the video inspection of the sewer main lines ranging in size from 6 inches to 21 inches in diameter.

- Small CCTV Van (Unit #29) – The District utilizes a 2008 Ford E-350 Van for smaller CCTV operations. The small CCTV van includes a “Push-Pull” color sewer camera with 300 feet of cable. The small CCTV system is equipped with Secure Digital or SD Card recording capability. The small CCTV Van is used either on smaller pipe (4 inches to 6 inches in diameter) or in areas that are not easily accessible to the larger CCTV Inspection Van.
- Spartan Cutters – The District has two Spartan Cutters to be used in root cutting operations. One of the Spartan Cutters is carried in the Small CCTV Van.
- Bypass Pumping Equipment – In the event of a system failure the District will immediately mobilize equipment and personnel to affect a repair. The District Sewer Spill Response Plan directs District personnel to implement containment measures simultaneously with the repair effort. The District has invested in bypass pumping equipment that would allow emergency pumping of sewage around the repair area to a downstream manhole.

If additional equipment is needed, it can be rented or supplemented by outside contracted services. Further, the District participates in a formal mutual aid agreement with neighboring agencies that includes sharing equipment in emergencies. Additionally, the District utilizes on-call service agreements to supplement staff on an as-needed basis.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Have inventory lists been audited as scheduled?
- Have any inventory deficiencies or omissions been discovered and rectified?
- Has the District experienced any equipment failure that inhibited a spill response?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
4.4.1	Audit inventory lists to ensure stock is adequate	Annually		X	X
4.4.2	Check with vendors to ensure lead times for critical parts are as expected.	Annually		X	X
4.2.3	Ensure contracts with emergency support services are current	Annually			X

RESILIENCE

Resilience is addressed in Element 4 by:

- Developing an SOP for updating maps when errors are discovered.
- Developing and using forms (paper or electronic) for data collection to help ensure all pertinent information is consistently collected.
- Periodically evaluating inspection cycle intervals to help ensure they are optimized.
- Requiring staff to demonstrate ability and/or knowledge for all training activities.
- Monitoring equipment and critical spare parts usage for and trends.
- Performing periodic audits of the vehicle and equipment inventory List.

APPENDIX 4 INCLUSIONS

- None

Specifications 5.19 - Operations and Maintenance

WDR REQUIREMENTS

Specification. 5.19 (pg. 27)

"To prevent discharges to the environment, the Enrollee shall maintain in good working order, and operate as designed, any facility or treatment and control system designed to contain sewage and convey it to a treatment plant."

COMPLIANCE

A summary of the current Preventative Operation and Maintenance Programs for the District's sewer system is summarized below:

Gravity Main Cleaning

Cleaning the gravity pipe is what prevents a buildup of roots, debris and grease from blocking the sewer and causing a spill. The cleaning is typically done with a sewer cleaning truck which uses high pressure water sent through a hose that is pushed up the sewer line. A nozzle at the end of the hose scours the inside of the sewer pipe washing debris and grease down to the lower manhole where it is vacuumed into the truck for disposal. In the case of roots and grease, a rotating cutter can be attached to the nozzle that will cut away the roots intruding into the pipe through a joint or crack.

The District cleans the entire collection system on a rotating basis on average every 24 months. The line cleaning operation is accomplished utilizing the hydrocleaner unit operated by two trained District operators. The program is typically conducted in a progressive manner meaning that the system is cleaned from manhole to manhole continuing each successive day at the manhole following that at which work was ceased on the previous day. During the course of the line cleaning operation every manhole is inspected for deterioration, infiltration or insect infestation. If manhole deterioration is severe or water intrusion is significant the condition is noted in the comments section of the Line Cleaning Log, and the manhole is referred to the Manhole Repair Program. Manholes with significant insect infestation are scheduled for pest control treatment. The actual cleaning operation is conducted by the insertion of the Jetter and hose into the pipe on the upstream direction. The line is then cleaned by the application of water at approximately 1,200 psi directed back in the downstream direction. The nozzle and hose are pulled back to the insertion manhole bringing any debris with it. If the operators notice irregularities such as significant color changes or root debris the pipe is referred to the CCTV Inspection Program for further analysis. If debris is accumulated during the line cleaning operation the Vactor unit will be used to remove the debris. More significant amounts of debris may warrant further analysis as part of the CCTV Inspection Program. The Collection Foreman maintains all maintenance records, schedules and supervises the collection system maintenance program.

Hot Spots

The District currently has 54 Hot Spot locations targeting specific reaches of sewer pipes that have a history of grease-related problems of posing higher than normal risk of a spill. The Hot Spots are cleaned on a more frequent basis ranging from weekly to quarterly depending on the severity of the problem. Cleaning of Hot Spots may require multiple passes with the Jetter depending on the condition as well as previous experience.

Root Treatment

When an excessive number of roots are found entering a gravity sewer, the roots are chemically treated so they die back from the sewer pipe. Herbicide foam (Root X) is flushed down the sewer pipe, attaches to the roots, and is absorbed into them. Within a few weeks, they die back from the sewer joint or crack, eliminating growth for two or more years. During the inspection and maintenance of the system areas that have experienced are susceptible to root intrusion are referred to the Root Abatement Program. These areas are then corrected either by physical root cutting or chemical treatment.

Condition Assessments

Pipelines

The District visually inspects the entire collection system on a rotating basis every 5 years. The pan and tilt feature of the District camera system is also used to investigate lateral connections to assess any visible deficiencies. The Collections Foreman maintains all video inspection records and supervises the video inspection program. Any problems identified during the video inspection are scheduled for correction depending on the severity. Copies of the video recording are made and supplied to the Department charged with implementing a repair or correction.

The sewer collection system is broken down into ten (10) maintenance zones. A spot audit program is conducted independently but, in an effort, to supplement the normal Line Cleaning, CCTV Inspection and Root Abatement programs. Line Cleaning and CCTV devote two days per month conducting spot audit CCTV inspections and line cleaning work throughout the system such that representative portions of each maintenance zone are inspected and cleaned at least twice per year.

Condition Assessment – Manholes

The corrosive environment inherent in sewer systems can lead to the deterioration of the concrete in sewer manholes. Left unabated this deterioration can result in addition to debris in the pipeline as concrete breaks off or ultimately a complete collapse of the manhole. During its inspection of each manhole District personnel observe the structural condition of the manhole itself. Manholes that exhibit structural distress are scheduled for repair. Typically, the repair entails a coating of the manhole to prevent further deterioration. The District includes funds to accommodate anticipated manhole coating requirements in its annual maintenance in its annual maintenance budget.

Pump Stations Inspections

The District has an established and comprehensive pump station inspection program including the following details:

- SCADA Monitoring – The District operates an extensive SCADA Monitoring System. The SCADA system provides a real time view of the operating condition of each sewage lift station. Each lift station is equipped with a variety of alarm points that allow District operators to closely monitor the operating status of each facility. Alarm points such as high wet well levels, pump fails, power fails, and check valve fails will allow the District to quickly respond to any problem in an effort to restore operation prior to an overflow. The ability to monitor the operation also positions the operators to target maintenance where appropriate. The SCADA system is equipped with an automatic dialer that will notify the District's on-call personnel in the event of an alarm after normal business hours.

- Regular Inspections – The District Pump Stations Department is responsible for the maintenance of the District’s network of sewage lift stations. Pump Stations personnel visit each lift station on regularly scheduled rounds twice each week. The District also has a manhole inspection and rehabilitation program in place. Typically, 7 to 10 manholes with problems identified are rehabilitated each year.
- Inspection Logs – Lift stations inspections (rounds) are completed twice a week. During rounds, inspection logs in GEOVIEWER are maintained to document the condition of the facility. Station data such as pump run hours, discharge pressures and wet well levels are also recorded.
- Regular Maintenance – Any problems or maintenance requirements observed during the sewer lift station inspections are forwarded to the Pump Stations Foreman for correction. The Pump Stations Foreman will prioritize and implement any necessary repairs or corrections in a timely manner. Those maintenance issues with the potential to cause a spill will be repaired with the greatest urgency.
- Check Valve Program – Each pump discharge line at each lift station is equipped with a check valve and limit switch. Whenever a check valve does not fully open or close an alarm is sent via the PLC to the District SCADA system. The Pump Stations Foreman will direct an operator to “de-rag” the check valve in a timely manner.
- Valve Maintenance Program – One of the lift station suction, discharge and check valves is exercised through a full range of motion once each year.
- Pump and Motor Maintenance Program – Lift Station pumps and motors are serviced on a rotating basis at a minimum of a biannual basis. The service includes motor stator insulation surge testing, a bake and dip of the motors to recoat the motor windings, a coating of exterior body of the pump and motor and a replacement of all bearings, O-rings, and pump seal. The exterior electrical power cords and pump impellers are visually inspected during the service and replaced as needed.
- Pump Sequencing – Each sewer lift station is equipped with a minimum of two pumps. The operating hours for each pump are monitored and reported by the SCADA system. This data is reviewed daily by the Pump Stations Department to structure the pump sequencing at each facility such that the individual pump operating hours are approximately equal. The review of this data also serves as a valuable troubleshooting guide or as an indicator of a pump problem.
- Electrical Maintenance Program – Electrical maintenance of lift stations is performed on a regular schedule and as needed by the District’s Electrical Maintenance Department. The Electrical Maintenance Department performs an annual wire tightening program in each lift station panel. However, the district is migrating to a spring tight termination versus screw tightening to mitigate this issue.
- Component Replacement Program – Electrical and mechanical components are scheduled for replacement as they approach their predicted useful service life.
- Lift Station Redundancy Program – Each sewer lift station is equipped with a permanently installed back up pump in addition to the pumps necessary to meet the normal peak influent flow demand. The redundant pump is included in the normal “lead / lag” pump sequencing program to ensure it generates run hours similar to each of the other pumps. In the event of a failure of the lead pump the plc will automatically switch to the first lag pump. The PLC will also generate a SCADA system alarm so the Pump Stations Department may initiate corrective action.
- Wet Well Level Monitoring Redundancy – The wet well level monitoring functions is also equipped with a redundant backup. All lift stations are equipped with two sonic level meter units in the electrical control panel and redundant transponders mounted in the wet well. In the event of a failure of either the level sensor or the transponder the wet well level data will continue to be seamlessly transmitted to the PLC by the redundant sonic meter or transponder. Any failure of a

component of the level metering system will generate an alarm at the PLC which will be transmitted to the Central SCADA system at the District Operations Center. If the level sensing system has failed, the PLC would still receive high wet well level alarms from backup float balls installed in each wet well.

- PLC Power Supply – Each PLC is equipped with a redundant power supply. In the event of a failure of either the SCE power source or the backup generator, power the PLC will continue to seamlessly operate while also generating an alarm to the SCADA system.
- Spare Parts – The District maintains an inventory of spare parts for each lift station. The spare parts inventory includes one spare pump and motor for each lift station, spare flexible discharge piping and clamps for the submersible lift stations and spare drive shafts for the lift stations with drive shafts. In the event of a failure of any of these items the spare is immediately installed while the original components are repaired or replaced to restore the spare parts inventory.
- Backup Pumping System – The operation of the sewer lift stations is controlled by the stand-alone Programmable Logic Controllers (PLCs). In the event of a failure of the PLC, the sonic level meters mounted in each wet well are capable of controlling and staging the pumps based on predetermined level set points until operation of the PLC has been restored. A failure of a PLC will generate an alarm to the District SCADA system.
- Management Inspections – The Operations Superint. will randomly conduct inspections of the sewer lift stations. The inspections will be conducted such that every lift station in the District is inspected annually.

Pump Stations Backup Power

The operation of the District's network of sewer lift stations is dependent upon power supply from Southern California Edison. The interruption of the incoming power supply has the potential to disrupt the operation of sewer lift stations and hereby generate a spill. To mitigate the potential for a power failure to create a spill the District has made a significant investment in standby power facilities. The District has installed stationary generators complete with automatic transfer switches at 8 of its 11 lift stations. A ninth generator is installed, without a transfer switch, at another lift station. The remaining two stations have ample storage capacity to permit the mobilization of any of the District's two portable generators in the event of a power failure. The District's Operation Center is also equipped with a stationary generator and automatic transfer switch. This facility will ensure the Operations Center, and the SCADA system will function in the event of a power failure. Each station is equipped with alarm points to notify the Central monitoring station of any power interruptions.

Each station is also equipped with a portable power generator receptacle connection with Kirk Interlock Protection systems. In the unlikely event of a simultaneous power interruption and failure of a stationary generator the District will mobilize a portable generator to the site. Each stationary generator is equipped with an alarm point to notify the Central Monitoring System of a generator fail condition. The District maintains two portable generators equipped with cables and plugs for each size of Motor Control Center in the District system. At least one generator is connected to a vehicle at all times for purposes of immediate mobilization.

Preventative O/M (Rocks, Debris and Vandalism)

Locking Manhole Covers – In areas where the District has had problems with vandalism or debris in manholes, locking manhole covers have been installed. These covers prevent unauthorized opening of the manhole and reduced access to vent holes thereby mitigating against debris entering the manhole.

Repair Program – Pipelines

Pipeline breaks or structural failures in the collection system are typically identified by the CCTV Inspection Program. Any structural problems in sewer mains or the public portion of the sewer lateral resulting from root intrusion are referred to the District Operations Department for repairs. The Operations Superintendent prioritizes the repairs on a scale of 1-4. The Operations Department schedules repairs according to priority.

Grease Control – Refer to Element 7 below for details.

5. Design and Performance Provisions

5.1. Updated Design Criteria/Construction Standards/Specifications

WDR REQUIREMENTS

Attachment D-5.1 (pg. D-5)

“Updated design criteria, and construction standards and specifications, for the construction, installation, repair, and rehabilitation of existing and proposed system infrastructure components, including but not limited to pipelines, pump stations, and other system appurtenances. If existing design criteria and construction standards are deficient to address the necessary component-specific hydraulic capacity as specified in section 8 (System Evaluation, Capacity Assurance and Capital Improvements) of this Attachment, the procedures must include component-specific evaluation of the design criteria.”

COMPLIANCE

The District has specific design and construction standards in place. The District Design and Construction Standards for Sewer Facilities govern the design and construction of newly constructed sewer facilities and rehabilitations. These standards are updated periodically. Design and construction standards include specifications and details for all sewer facilities such as, pipe materials, minimum sizes, slopes and cover, pipe bedding and backfill, structure standards and many other factors.

The District has specific design and construction standards in place that govern the design and construction of newly constructed sewer facilities and rehabilitations. The District updates these standards periodically. General design and construction notes are available on the District’s website at [this link](#), and the District’s Sewer Standard Drawings are available upon request.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Are plan checking QA/QC processes helping to ensure adherence to the standards?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint. + Engr.	CF
5.1.1	Ensure all project plans are approved in accordance with the District’s Standard Specifications and Details.	Each Project		X	
5.1.2	Verify design standards and hydraulic model previously completed are adequate and consistent with current standards of practice.	2025		X	

5.2. Procedures and Standards

WDR REQUIREMENTS

[Attachment D-5.2 \(pg. D-5\)](#)

“Procedures, and standards for the inspection and testing of newly constructed, newly installed, repaired, and rehabilitated system pipelines, pumps, and other equipment and appurtenances.”

COMPLIANCE

The District adheres to the latest edition of the Greenbook Standard Specifications for Public Works Construction for testing all newly constructed sewer facilities. Testing is typically performed by the contractor and witnessed by a District inspector to verify compliance with District standards. Required tests may include vacuum testing of manholes, low-pressure air testing of sewer lines, mandrel testing for deflection, and closed-circuit television (CCTV) inspection. All newly constructed sewer assets must be designed, constructed, tested, and inspected in accordance with the District’s Standard Drawings and the latest Greenbook specifications.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Were any design or installation deficiencies found during warranty inspections?
- Are deviations from standard procedures and/or specs, testing, etc., justified and documented?
- Does the District stay abreast of industry design standards and technical advances in the industry?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
5.2.1	Verify inspection procedures are adequate and consistent with current standards of practice	Continuously			X
5.2.2	Verify design standards and hydraulic model previously completed are adequate and consistent with current standards of practice.	Continuously			X

RESILIENCE

Resilience is addressed in Element 5 by:

- Staying abreast of industry trends and standards.
- Performing warranty inspections of newly installed or repaired assets to evaluate design and installation practices.
- Evaluating as-built changes for trends and areas for design and performance improvements.

APPENDIX 5 INCLUSIONS

- None

6. Spill Emergency Response Plan

WDR REQUIREMENTS

Attachment D-6 (pg. D-6)

“The Plan must include an up-to-date Spill Emergency Response Plan to ensure prompt detection and response to spills to reduce spill volumes and collect information for prevention of future spills. The Spill Emergency Response Plan must include procedures to:

- Notify primary responders, appropriate local officials, and appropriate regulatory agencies of a spill in a timely manner;*
- Notify other potentially affected entities (for example, health agencies, water suppliers, etc.) of spills that potentially affect public health or reach waters of the State;*
- Comply with the notification, monitoring and reporting requirements of this General Order, State law and regulations, and applicable Regional Water Board Orders;*
- Ensure that appropriate staff and contractors implement the Spill Emergency Response Plan and are appropriately trained;*
- Address emergency system operations, traffic control and other necessary response activities;*
- Contain a spill and prevent/minimize discharge to waters of the State or any drainage conveyance system;*
- Minimize and remediate public health impacts and adverse impacts on beneficial uses of waters of the State;*
- Remove sewage from the drainage conveyance system;*
- Clean the spill area and drainage conveyance system in a manner that does not inadvertently impact beneficial uses in the receiving waters;*
- Implement technologies, practices, equipment, and inter District coordination to expedite spill containment and recovery;*
- Implement pre-planned coordination and collaboration with storm drain agencies and other utility agencies/departments prior, during, and after a spill event;*
- Conduct post-spill assessments of spill response activities;*
- Document and report spill events as required in this General Order; and*
- Annually, review and assess effectiveness of the Spill Emergency Response Plan, and update the Plan as needed.”*

COMPLIANCE

The District’s Spill Emergency Response Plan (SERP) is a stand-alone document that contains all the key elements necessary for an appropriate spill response: notification, emergency incident response, reporting, and impact mitigation. The current plan is being prepared by Fischer Compliance, LLC on contract, to meet and exceed the requirements of the WDR, which became effective on June 5, 2023, expected to be completed in August 2025. A copy of the SERP will be available for viewing at the District office upon request.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Have staffs' spill response efforts helped to prevent the discharge of sewage to surface waters?
- Do post-spill assessments indicate staff are following the procedures outlined in the SERP?
- Is SERP training effective and are trainees demonstrating adequate knowledge and abilities?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
6.1	Perform SERP training including practice drills.	Annually		X	X
6.2	Review Post Spill Assessments to ensure adherence with the SERP and to identify any trends that should be addressed.	Annually		X	X

RESILIENCE

Resilience is addressed in Element 6 by:

- Multiple staff are trained to respond to spill events.
- Post-spill assessments are conducted to evaluate staff's adherence to the SERP and to identify areas for improvement.
- Data collection forms are used to direct staff to collect all the required data to be submitted to CIWQS and are designed as a guide to a proper spill event response.
- The District employees several different spill volume estimation methods to account for different circumstances.

APPENDIX 6 INCLUSIONS

- None

7. Sewer Pipe Blockage Program

WDR REQUIREMENTS

Attachment D-7 (pg. D-7)

“The Sewer System Management Plan must include procedures for the evaluation of the Enrollee’s service area to determine whether a sewer pipe blockage control program is needed to control fats, oils, grease, rags and debris. If the Enrollee determines that a program is not needed, the Enrollee shall provide justification in its Plan for why a program is not needed.

The procedures must include, at minimum:

- *An implementation plan and schedule for a public education and outreach program that promotes proper disposal of pipe-blocking substances;*
- *A plan and schedule for the disposal of pipe-blocking substances generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of substances generated within a sanitary sewer system service area;*
- *The legal authority to prohibit discharges to the system and identify measures to prevent spills and blockages;*
- *Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, best management practices requirements, recordkeeping and reporting requirements;*
- *Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the fats, oils, and grease ordinance;*
- *An identification of sanitary sewer system sections subject to fats, oils, and grease blockages and establishment of a cleaning schedule for each section; and*
- *Implementation of source control measures for all sources of fats, oils, and grease reaching the sanitary sewer system for each section identified above.”*

COMPLIANCE

In many sanitary sewer collection systems, Fats, Oils, and Grease (FOG) is known to be a significant cause, and or contributor, of sewer blockages in pipe and the cause of operational disruptions and damage to sewage pump stations. Although service areas that include commercial and institutional food service establishments (FSEs) are obvious sources of FOG, residential communities, especially those of medium and high-density multi-family residences, can also be a significant source of FOG.

Plan/Schedule (Outreach)

The District has an established public education outreach program for Fats, Oils and Grease (FOG) related issues administered under the District’s industrial waste/pre-treatment program. The District makes an aggressive effort to educate its commercial and residential customers regarding the potential damage from grease in the sewer system. This effort is made up of articles in the District newsletter as well as presentations at homeowner’s group meetings and Community Advisory Group meetings.

Plan/Schedule (Disposal)

Pipe blocking substances collected during maintenance activities, primarily through cleaning, are collected and disposed of. The debris that is removed from the sewer mains is separated into solid and liquid waste tanks as it is vacuumed into a debris tank and dumped into bins at the Water Recycling Plant.

Legal Authority

Fats, Oils & Grease Control Regulations Applicable to Food Service Establishments, are required per [Section 13000 of the El Toro Water District Administrative Code](#), adopted June 26, 2025.

Requirements (Grease Removal Devices)

Fats, Oils & Grease Control Regulations Applicable to Food Service Establishments, are required per [Section 13000 of the El Toro Water District Administrative Code](#), adopted June 26, 2025, including grease removal devices.

Authority to Inspect

FOG inspections are conducted periodically by trained District staff at restaurants and other commercial FSE's.

Hot Spot Program

The District has identified portions of its collection system subject to excessive grease and other pipe blocking substances as part of its Hot Spot maintenance program (see Specification 5.19 above for more details).

Identification of Source Control Measures

The most important preventative maintenance practice related to grease control is the determined effort to minimize the amount of grease introduced into the system. The District Collections Foreman monitors the activities and inspects the facilities of each restaurant or food establishments within the District service area. Grease removal devices are required in all new food establishments. The Collections Foreman has the discretion to determine the adequacy of the grease removal device.

For additional information, the District maintains an internal FOG Control Program Operations Manual available for review upon request.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Have there been any blockages/spills from any identified problem area?
- Is the District receiving feedback on public outreach efforts?
- Are the debris and other sewage solids collected during cleaning activities being disposed of appropriately?
- Have there been spills due to excessive fats, oil, grease, roots, or non-dispersible wipes discovered in the sewer system during the audit period?
- Are there repeat offenders among FSEs?
- Are enforcement trends decreasing?
- Are Source Control and Collection staff included in the plan check process?

IMPLEMENTATION PLAN/SCHEDULE

No	Plan	Schedule	Responsible Party		
			LRO	Superint. + Engr.	CF
7.1	Review/evaluate enforcement and inspection findings and implement changes as necessary.	Annually		X	X
7.2	Review spill rates and causes and make changes to maintenance programs, as necessary.	Annually		X	X

RESILIENCE

Resilience is addressed in Element 7 by:

- Inspection of select assets directly downstream of grease producing businesses to ensure source control is effective.
- Residential FOG outreach and education program.
- Performance of regular assessments of system assets to monitor performance.
- QA/QA process for evaluating pipe cleaning effectiveness.
- Daily disposal of pipe blocking materials retrieved during maintenance activities.

APPENDIX 7 INCLUSIONS

- None

8. System Evaluation, Capacity Assurance, Capital Improvements

WDR REQUIREMENTS

[Attachment D-8 \(pg. D-7\)](#)

“The Plan must include procedures and activities for:

- *Routine evaluation and assessment of system conditions;*
- *Capacity assessment and design criteria.*
- *Prioritization of corrective actions; and*
- *A capital improvement plan.”*

8.1. System Evaluation and Condition Assessment

WDR REQUIREMENTS

[Attachment D-8.1 \(pgs. D-7/D-8\)](#)

“The Plan must include procedures to:

- *Evaluate the sanitary sewer system assets utilizing the best practices and technologies available;*
- *Identify and justify the amount (percentage) of its system for its condition to be assessed each year;*
- *Prioritize the condition assessment of system areas that:*
 - o *Hold a high level of environmental consequences if vulnerable to collapse, failure, blockage, capacity issues, or other system deficiencies;*
 - o *Are located in or within the vicinity of surface waters, steep terrain, high groundwater elevations, and environmentally sensitive areas;*
 - o *Are within the vicinity of a receiving water with a bacterial-related impairment on the most current Clean Water Act section 303(d) List.*
- *Assess the system conditions using visual observations, video surveillance and/or other comparable system inspection method;*
- *Utilize observations/evidence of system conditions that may contribute to exiting of sewage from the system which can reasonably be expected to discharge into a water of the State;*
- *Maintain documents and recordkeeping of system evaluation and condition assessment inspections and activities; and*
- *Identify system assets vulnerable to direct and indirect impacts of climate change, including but not limited to: sea level rise; flooding and/or erosion due to increased storm volumes, frequency, and/or intensity; wildfires; and increased power disruptions.”*

COMPLIANCE

The above requirements are addressed below:

- a. The assessment of a collection system involves every component of the District's collection system, including pipelines, manholes, and pump stations. It is of key importance to regularly perform asset condition assessments to initially establish a condition baseline and to monitor condition changes over time.

The District uses CCTV inspection equipment for spot checking for blockages and specific investigations of pipe blocking substances where necessary. This is made possible by maintaining historic records of inspection and maintenance activities and institutional knowledge.

- b. As discussed in Specifications 5.10, currently, the District's CCTV return interval is once every 5 years. The entire system has been inspected multiple times and staff has monitored pipe performance. Structural defects are a higher priority and are addressed in a prioritized manner. The District takes an adaptive approach and continuously monitors and evaluates pipe performance and assessment schedules to determine the optimal Assessment interval.
- c. A condition assessment of a sewer pipeline or manhole produces information regarding the deficiencies of those facilities. To prioritize the deficiencies, the District uses its Geoviewer Computerized Maintenance Management System (CMMS.) Each manhole in a sewer system is given an identification number and entered into the CMMS. Each portion of the sewer pipe between two manholes is identified by its upstream and downstream manhole numbers. As information is entered from televised (CCTV) logs of sewer pipelines and manholes, the CMMS uses its native software ratings to determine the severity of the deficiency or deficiencies. The CMMS is queried to prioritize the deficiencies using national standards.
- d. Once a condition assessment of all or a portion of a sewer system has been completed, identified deficiencies are prioritized, short/long-term rehabilitation and replacement measures determined, and a time schedule for such work can be developed.
- e. The District is not aware of any exiting of sewage from its system. However, it is recognized that where there are areas of infiltration, should the water tables drop below the pipe itself, there is the potential, even though unlikely in most cases, for exfiltration. Infiltration defects have been assigned a higher risk factor and are prioritized accordingly.
- f. Inspection and assessment activities are documented in the District's CMMS. All collected data is used for the purpose of documenting maintenance efforts, evaluating system performance, and making maintenance and corrective action decisions today and into the future.
- g. The District has determined that the collection system is not currently impacted by climate change impacts, as detailed in the WDR requirements listed above. The potential for these impacts will be periodically monitored, at least every three years during the SSMP audit cycle, so the District will be in a position to anticipate possible impacts and be prepared to act, as needed.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Has the District maintained its schedule for inspecting the sewer assets listed below and is data being reviewed in a timely manner?
 - CCTV Gravity Mains
 - Laterals
 - Manholes
 - Pump Stations
- Are inspection efforts discovering deficiencies in a timely manner?
- Are maintenance and inspection activities being properly performed as scheduled?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint. + Engr.	CF
8.1.1	Review/evaluate enforcement and inspection findings and implement changes as necessary.	Annually		X	X
8.1.2	Review spill rates and causes and make changes to maintenance programs, as necessary.	Annually		X	X
8.1.3	Hold meeting to discuss any issues that may result from climate changes.	Annually	X	X	X

8.2. Capacity Assessment and Design Criteria

WDR REQUIREMENTS

Attachment D-8.2 (pgs. D-8/D-9)

“The Plan must include procedures to identify system components that are experiencing or contributing to spills caused by hydraulic deficiency and/or limited capacity, including procedures to identify the appropriate hydraulic capacity of key system elements for:

- Dry-weather peak flow conditions that cause or contributes to spill events;*
- The appropriate design storm(s) or wet weather events that causes or contributes to spill events.*
- The capacity of key system components; and*
- Identify the major sources that contribute to the peak flows associated with sewer spills.*

The capacity assessment must consider:

- Data from existing system condition assessments, system inspections, system audits, spill history, and other available information;*
- Capacity of flood-prone systems subject to increased infiltration and inflow, under normal local and regional storm conditions;*
- Capacity of systems subject to increased infiltration and inflow due to larger and/or higher-intensity storm events as a result of climate change;*
- Increases of erosive forces in canyons and streams near underground and above-ground system components due to larger and/or higher-intensity storm events;*
- Capacity of major system elements to accommodate dry weather peak flow conditions, and updated design storm and wet weather events; and*
- Necessary redundancy in pumping and storage capacities.”*

COMPLIANCE

To evaluate the capacity of a given sewer system, a hydraulic model is needed. A hydraulic model is a calculation of the expected sewage flows in any given location of sewer system, based on assumed and/or measured design criteria. The Master Plan modeling (APP 8.1) shows that the District’s collection system does not spill at dry-weather flow conditions. The District did not specifically model to identify when spills would occur. Rather, the District simulated the 10-year, 24-hour storm condition to identify the peak flow event (see Appendix 8.1).

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Number of capacity-related spills or surcharge condition during the audit period.
- Has the system responded to rain events as indicated by the hydraulic model?
- Has there been any changes to zoning designations (residential, commercial, industrial)?

IMPLEMENTATION PLAN/SCHEDULE

No	Plan	Schedule	Responsible Party		
			LRO	Superint. + Engr.	CF
8.2.1	Monitor/evaluate significant rain events to see if they exceed the design storm in the hydraulic model.	Each significant rain event		X	X
8.2.2	Identify and monitor flood-prone areas susceptible to erosion from rain events	After each significant rain event		X	X
8.2.3	Monitor flows in each basin and update the hydraulic model	Per Engineering Department schedule			X

8.3. Prioritization of Corrective Action

WDR REQUIREMENTS

[Attachment D-8.3 \(pg. D-9\)](#)

“The findings of the condition assessments and capacity assessments must be used to prioritize corrective actions. Prioritization must consider the severity of the consequences of potential spills.”

COMPLIANCE

The District’s hydraulic analysis concluded that the existing sewer system has sufficient capacity to convey all anticipated dry weather flows. While minor surcharges may occur in isolated areas during wet weather events, these conditions are not expected to lead to sanitary sewer overflows.

To proactively address identified deficiencies and ensure continued system reliability, the District is moving forward with the following lift station improvement initiatives:

- Aliso Creek Lift Station: Recent pump performance testing identified inadequate firm capacity. The District is currently finalizing the design to resolve this issue, with construction scheduled to begin within approximately two years.
- Systemwide Electrical Upgrades: Electrical system improvement projects are underway at all lift stations. These upgrades will modernize aging infrastructure and ensure full compliance with updated electrical codes and arc flash safety requirements.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Has the District adhered to its system evaluation/condition assessment schedule?
- Has the District adhered to its prioritization/corrective procedures for sewer repair and capacity improvement projects?
- Have projects been completed before deficiencies caused failures?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
8.3.1	Utilize all available data for prioritizing corrective actions considering severity and consequences of potential spills.	Each CIP Update		X	X
8.3.2	Maintain documents and recordkeeping of system evaluation and condition assessment inspections and activities.	Continuously		X	X

8.4. Capital Improvement Plan

WDR REQUIREMENTS

[Attachment D-8.4 \(pg. D-9\)](#)

“The capital improvement plan must include the following items:

- *Project schedules include completion dates for all portions of the capital improvement program;*
- *Internal and external project funding sources for each project; and*
- *Joint coordination between operation and maintenance staff, and engineering staff/consultants during planning, design, and construction of capital improvement projects; and interagency coordination with other impacted utility agencies.”*

COMPLIANCE

The District’s Capital Improvement Plan (CIP) identifies these projects as well as their funding.

District Operations and Engineering staff meet bi-weekly to discuss and coordinate efforts in the planning, development and construction of all associated sewer system capital improvement projects.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Has the District’s capital improvement plan schedule been adhered to?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint. + Engr.	CF
8.4.1	Hold regular coordination meetings, with all parties, to help keep the projects on track and resolve issues that may arise in a timely manner.	Annually		X	X
8.4.2	For schedules that are not followed, justify and document the reason.	Each Delayed Project			X

RESILIENCE

Resilience is addressed in Element 8 by:

- Is there an annual review of the Capital Improvement Plan by all appropriate individuals including both Engineering and Operations?

APPENDIX 8 INCLUSIONS

- 8.1 Sewer Master Plan
- 8.2 Capacity Assessment and CIPs
- 8.3 El Toro Water District Annual Budget FY 2025-2026

9. Monitoring, Measurement, and Program Modifications

WDR REQUIREMENTS

[Attachment D-9 \(pg. D-9\)](#)

“The Plan must include an Adaptive Management section that addresses Plan-implementation effectiveness and the steps for necessary Plan improvement, including:

- Maintaining relevant information, including audit findings, to establish and prioritize appropriate Plan activities;*
- Monitoring the implementation and measuring the effectiveness of each Plan element;*
- Assessing the success of the preventive operation and maintenance activities;*
- Updating Plan procedures and activities, as appropriate, based on results of monitoring and performance evaluations; and*
- Identifying and illustrating spill trends, including spill frequency, locations, and estimated volumes.”*

COMPLIANCE

The above requirements are addressed below.

The District maintains accurate and relevant inspection and maintenance records for the collection system. Much of the documentation today is maintained electronically, which allows for ease of access and analysis. This helps District staff to make sound decisions and prioritize activities when dealing with the routine and the unexpected.

Monitoring of the District’s SSMP focuses on each element in terms of its implementation and effectiveness. The SSMP has been designed to include key performance indicators for each element, which are used to measure effectiveness. In addition, implementation responsibilities are included for each element to help ensure the SSMP is being implemented as intended.

The District assesses the success of maintenance and operation activities by ensuring activities are performed as expected, by monitoring actual outcomes compared to intended outcomes, as well as monitoring spill trends.

The District is committed to continuous improvement and monitors and evaluates performance of work programs and SSMP elements to ensure intended outcomes are achieved while looking for areas for improvement. Although the SWRCB requires that the SSMP be updated every six years, the SSMP should be considered as a dynamic document and may require updating on a more frequent basis. Routine changes to administrative information, notwithstanding, minor changes will likely be required to address improvements identified through the SSMP Audit or through modifications required as conditions change.

The District monitors spill trends, at a minimum every three years during required audits, utilizing the CMMS database, inspection records and CIWQS data. These resources are helpful in planning and programming work, and adjusting as needed, enabling the District to be adaptive and capitalize on lessons learned.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Are SSMP Elements being periodically evaluated for effectiveness?
- Are work activities and spill events being documented?
- Has a plan and schedule been established to address audit findings/deficiencies from the last audit?
- Is Trend Analysis being performed on spill causes?
- Have work programs been assessed and updated as necessary?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
9.1	Assess work programs to ensure outcomes are as intended.	Annually		X	X
9.2	Prepare updates to work programs and the SSMP based on assessments.	As Needed		X	X
9.3	Monitor and evaluate spill trends. Document efforts.	Annually		X	X

RESILIENCE

Resilience is addressed in Element 9 by:

- Development of key performance indicators to measure effectiveness of the SSMP.
- Performing periodic reviews of the SSMP to help ensure it is being properly implemented.
- Developing and adhering to a timeline to correct deficiencies found during the audit process.
- Periodically evaluating work programs to help ensure effectiveness.

APPENDIX 9 INCLUSIONS

- None

10. Internal Audits

WDR REQUIREMENTS

[Attachment D-10 \(pg. D-10\)](#)

“The Plan shall include internal audit procedures, appropriate to the size and performance of the system, for the Enrollee to comply with section 5.4 (Sewer System Management Plan Audits) of this General Order.”

COMPLIANCE

The District completed its last SSMP Audit in February 2025 (see Appendix 10.1) and will complete audits every three years moving forward. The objective of the audit is to evaluate compliance, implementation and effectiveness of the SSMP. Additionally, the SSMP includes a description of how the District will comply with the requirements of each WDR Element. The audit review includes an evaluation to determine whether the District is continuing to maintain compliance with the WDR.

Implementation is evaluated by determining whether the District is continuing to execute the SSMP as stated.

Effectiveness is evaluated by using key performance indicators, which have been developed specifically for each Element.

Resilience indicators have been developed for each Element. These indicators serve to demonstrate how resilience is built into the District's SSMP and inspection, maintenance and spill response activities. Any deficiencies discovered through the District's SSMP Audit process are noted and a plan and schedule to implement corrective measures are established.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Have audits been performed as required?
- Have the audits assessed compliance, implementation, and effectiveness?
- Have deficiencies been identified?
- Has a plan and schedule to rectify the deficiencies been established?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
10.1	Schedule audits in advance of due dates to ensure adequate time to complete. District has 6 months to complete the audit from the end of the audit period.	Beginning at end of audit period		X	X
10.2	Ensure a plan and schedule is developed to address deficiencies.	Once the Audit is completed		X	X

RESILIENCE

Resilience is addressed in Element 10 by:

- Periodically evaluating key performance indicators during the audit period to assess effectiveness and make corrections, if necessary, prior to the audit.
- Evaluating previous audits to ensure deficiencies have been rectified.
- Scheduling the audit due dates and completing the audit on time.

APPENDIX 10 INCLUSIONS

- 2021-2024 SSMP Audit Report (Fischer Compliance LLC)

11. Communication Program

WDR REQUIREMENTS

Attachment D-11 (pg. D-10)

“The Plan must include procedures for the Enrollee to communicate with:

- *The public for:*
 - o *Spills and discharges resulting in closures of public areas, or that enter a source of drinking water; and*
 - o *The development, implementation, and update of its Plan, including opportunities for public input to Plan implementation and updates.*
- *Owners/operators of systems that connect into the Enrollee’s system, including satellite systems, for:*
 - o *System operation, maintenance, and capital improvement-related activities.”*

COMPLIANCE

When the District experiences a spill, it is standard procedure to secure the affected area and keep the public away. This is generally done using barricades, cones and caution tape. Should the District experience a spill that may require closure of public areas or enter a source drinking of water, signs will be immediately placed indicating the issue and providing contact information. Staff will remain on site to provide an additional safety factor until appropriate authorities respond and direct otherwise. In all cases, the District will follow the advice of higher authorities, such as the local environmental health department and other regulatory authorities. The District has a Public Information Officer who is utilized when needed.

There are several opportunities for stakeholders and the public to participate and provide input into the development and update of the District’s SSMP. During its initial development stage, as with each SSMP update the SSMP and related documents are presented to the District Board of Directors review and approval. SSMP updates are now required every six years.

The District does not currently have satellite systems but maintains informal mutual partnerships with neighboring collection system agencies and also is a member of [WEROC](#) to improve ongoing communications with other collection system agencies, especially with supporting the District with emergency response operations for spills.

EFFECTIVENESS

The District utilizes the following Key Performance Indicators for measuring effectiveness of this Element:

- Does the District place all SSMP action items on the agenda for regular counsel/board meetings?
- Does the District have signage, or other means, readily available to notify the public of environmental or public risk factors related to a sewage spill?
- Does the District perform outreach to residential customers?

IMPLEMENTATION PLAN/SCHEDULE

No.	Plan	Schedule	Responsible Party		
			LRO	Superint.	CF
11.1	Ensure the Board of Directors approves the SSMP per schedule.	Every 6 years		X	X
11.2	Ensure the SSMP is posted on the District website and the link functions properly.	Annually		X	X
11.3	Ensure Sewage Spill Warning signs are readily available to communicate with the public when necessary	Annually			X

RESILIENCE

Resilience is addressed in Element 11 by:

- Use the SSMP as a tool to communicate to the public how the District is managing the system.
- Maintain a consistent presence in the service area by attending community events or issuing periodic newsletters or other communications to the public.
- Make it clear and easy for the public to contact the District.

APPENDIX 11 INCLUSIONS

- None

LIST OF APPENDICIES

APPENDIX 1	• None
APPENDIX 2	• None
APPENDIX 3	• 3.1 District Ordinance 2025-3
APPENDIX 4	• None
APPENDIX 5	• None
APPENDIX 6	• None
APPENDIX 7	• None
APPENDIX 8	• 8.1 Sewer Master Plan • 8.2 Capacity Assessment and CIPs • 8.3 El Toro Water District Annual Budget FY 2025-2026
APPENDIX 9	• None
APPENDIX 10	• 10.1 2021-2024 SSMP Audit Report (Fischer Compliance LLC)
APPENDIX 11	• None



STAFF REPORT

To: Board of Directors

Meeting Date: September 25, 2025

From: Sherri Seitz, Public Affairs Manager

Subject: WEROC Mobile Command Vehicle (MCV) Storage Agreement

WEROC serves as the Operational Area Water and Wastewater Mutual Aid Coordinator for Orange County, providing resource coordination and communication support during emergencies affecting water and wastewater utilities.

WEROC recently acquired a Mobile Command Vehicle (previously referred to as a Mobile EOC). The MCV is a specially equipped resource designed to serve as a mobile hub for communications and coordination during major incidents and emergencies.

As a longstanding partner with WEROC, staff is proposing ETWD accommodate a WEROC request to use a portion of the Main Office campus yard as a designated storage location for the MCV. The vehicle will be housed in a secured parking space adjacent to rear of the ETWD's Field Administration Office. By hosting the MCV, ETWD helps ensure that this regional asset is secure and available for rapid deployment in the event of an emergency.

Staff and legal counsel worked with WEROC to develop an Agreement for the subject use of the ETWD property. The key provisions of the Agreement include an initial term of ten (10) years from the effective date that may be extended in five (5) year increments upon mutual written agreement. MWDOC/WEROC agrees to indemnify, defend, and hold harmless ETWD, its officers, employees, and agents from claims or damages arising out of WEROC's use of the ETWD facility. ETWD is not liable for loss or damage to WEROC equipment except in cases of gross negligence or intentional misconduct by ETWD. There are no direct costs or revenues associated with this Agreement. ETWD is providing use of its facility at no charge, consistent with its commitment to mutual aid and emergency preparedness.

A copy of the agreement and Exhibit A, storage location map, follow this report.

Recommended Action:

Staff recommends the Board of Directors authorize the General Manager to execute the WEROC Mobile Command Vehicle Shared Facilities Agreement.

SHARED FACILITIES AND HOLD HARMLESS AGREEMENT
USE OF EL TORO WATER DISTRICT PROPERTY FOR
WATER EMERGENCY RESPONSE ORGANIZATION OF ORANGE COUNTY'S
MOBILE COMMAND VEHICLE

This SHARED FACILITIES AND HOLD HARMLESS AGREEMENT (this "Agreement"), dated as of XXXXX, is entered into by and between EL TORO WATER DISTRICT (ETWD), and MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) on behalf of the WATER EMERGENCY RESPONSE ORGANIZATION OF ORANGE COUNTY (WEROC).

RECITALS

WHEREAS, Water Emergency Response Organization of Orange County, WEROC, serves as the Operational Area Water and Wastewater Mutual Aid Coordinator for information sharing and resource coordination when disasters affect the water and wastewater utilities in Orange County. Municipal Water District of Orange County, MWDOC, provides management oversight for the program in coordination with the other WEROC funding agencies and with WEROC participants;

As a longstanding WEROC participant and dedicated partner, El Toro Water District, ETWD, has volunteered a portion of its facility grounds, located at 24251 Los Alisos Boulevard, Lake Forest, California, 92630 ("Facilities"), to serve as a designated storage site for WEROC's Mobile Command Vehicle ("MCV"). The MCV will be stored in a parking space adjacent to the rear entrance of the ETWD Field Administration Office as referenced in Exhibit A. The MCV is a specially equipped vehicle designed to serve as a centralized, mobile hub for communication and coordination. Said Facilities will provide a secure location housing the MCV, ensuring readiness for deployment to emergencies which affect the water and wastewater utilities in Orange County ("Activities");

ETWD and MWDOC on behalf of WEROC, desire to set forth their intentions and understandings as to the terms and conditions for use of the ETWD facility grounds.

ARTICLE I
DEFINITIONS

Section 1.1 Definitions. As used in this Agreement, the following terms shall have the following meanings:

"Agreement" shall have the meaning ascribed to such term in the preamble hereto.

“Facility” or “Facilities” shall mean facility grounds to be provided by or on behalf of ETWD to WEROC pursuant to the terms and conditions of this Agreement.

“Owner” shall mean ETWD who owns facility grounds located at 24251 Los Alisos Boulevard, Lake Forest, California, 92630, to be provided to WEROC.

“Parties” shall mean ETWD and MWDOC on behalf of WEROC.

“User” shall mean employees, agents, or representatives of WEROC who has requested the use and access of the facility grounds located at 24251 Los Alisos Boulevard, Lake Forest, California, 92630.

ARTICLE II

FACILITIES AND SERVICES

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

Purpose

WEROC has requested the use of the facility located at 24251 Los Alisos Boulevard, Lake Forest, California, 92630, for the purpose of safe storage for the MCV.

Terms and Conditions

Assumption of Risk

The User acknowledges and assumes all risks associated with the use of the facility, including but not limited to risks of injury, property damage, or loss.

This Agreement shall become effective on the date hereof and shall remain in force for ten (10) years from the Effective Date (“Term”), unless earlier terminated as provided herein. ETWD retains full ownership and control of the facility grounds and may terminate WEROC’s use of the facility at any time upon reasonable notice to MWDOC and the WEROC Director of Emergency Management. Notwithstanding the right of ETWD to terminate WEROC’s use at any time, it is the intention of the parties that ETWD will, if possible, afford WEROC a reasonable amount of time after notice of termination to secure an alternative WEROC MCV location and relocate its MCV.

Indemnification and Hold Harmless

Liability

MWDOC/WEROC agrees to indemnify, defend, and hold harmless the Owner (ETWD), its officers, employees, agents, and representatives from any and all claims, liabilities, damages, losses, or expenses arising out of or related to:

MWDOC/WEROC use of the facility;

Any acts or omissions by the User, its employees, agents, contractors, participants, or guests; or

Any accidental injury or damage occurring during the use of the facility.

Exclusions

This Agreement does not absolve the Owner from liability for acts of gross negligence or intentional misconduct.

ETWD shall not be liable for loss or damage to WEROC equipment, materials, caused by burglary, vandalism, fire, water damage, rodents, wind, earth movement or other natural or human causes other than the willful or intentional acts of ETWD's employees, officers or agents. MWDOC/WEROC shall be responsible for all their own employees', officers' or agents' activities while using the space allocated for WEROC use.

Insurance Requirement

The User agrees to provide a Certificate of Insurance evidencing general liability coverage with minimum limits of coverage, and Automotive Liability Insurance. Compliance with Laws. The User agrees to comply with all applicable laws, regulations, and ordinances during their use of the facility.

Termination

The term of this Agreement shall be from the date of full execution of this Agreement by both Parties ("Effective Date") to the date which is ten (10) years from the Effective Date ("Term"), unless earlier terminated as provided herein. Said Term may be extended for additional terms of five (5) years each ("Extended Term(s)") upon the mutual written agreement of both Parties, in their sole discretion, prior to expiration of the Term or any Extended Term which may be in effect. Both Parties have the right to terminate this Agreement at any time, for any reason or no reason, upon six (6) months prior written notice to the other Party. In the event of said termination by ETWD, it is the intention of the Parties that ETWD will, if possible, afford WEROC a reasonable amount of time to secure an alternative MCV storage location for relocation.

Use and Fees

Upon the Effective Date, no Facility/Service Fee shall be due or payable by MWDOC to ETWD.

Acknowledgment

AUTHORIZED REPRESENTATIVE: MWDOC represents and warrants that it is the Authorized Representative of WEROC and that it is authorized by WEROC and its participants to execute this Agreement on their behalf.

IN WITNESS WHEREOF, each of the Parties hereto has caused this instrument to be executed by its respective officials theretofore duly authorized by the legislative body thereof. By signing below, the Parties agree to the terms outlined in this Agreement.

El Toro Water District

Municipal Water District of Orange County

By: _____

By: _____

By: _____

By: _____

EXHIBIT A

El Toro Water District
24251 Los Alisos Blvd
Lake Forest CA 92630





STAFF REPORT

To: Board of Directors **Meeting Date: September 25, 2025**

From: Dennis Cafferty, General Manager

Subject: Strategic Plan Status Report

The District Strategic Plan was adopted by the Board of Directors at the November 2020 Board meeting. The Strategic Plan consists of 6 major goals intended to be accomplished through 19 strategies and 80 identified objectives. The Strategic Plan also identifies 25 Key Performance Indicators to help gauge the implementation of the Plan.

The 2020 Strategic Plan is now five years old. The District is in the process of developing a new Strategic Plan to provide direction for the next five year period.

The Strategic Plan Status Report represents the final update of the status of the implementation of the 2020 Strategic Plan. As has been the practice in previous reports, the most current updates are noted in red text while the updates from previous reports are maintained, for continuity, in blue text.

GOAL A

Water, Sewer, and Recycled Water Reliability

Provide the physical facilities and supply to meet the needs of the community.

ETWD will plan for and build the necessary facilities to meet the water, wastewater and recycled water needs of the community. The strategies below define the approach the organization will take to achieve the goal. Objectives are the measurable actions that track progress towards execution of the strategy.

Strategy A.1 Conduct planning to ensure long-term water infrastructure/demands are met.

Objective A.1.1 Evaluate level and adequacy of emergency water supply reliability
Completed. Staff will evaluate additional opportunities as they arise.

Objective A.1.2 Evaluate opportunities to maintain or improve water system operations
Staff continue to evaluate opportunities as they are identified. Current system improvements that have recently been completed within the Operations Department include:

- Switched the WRP Operations plan from seven days per week of manned operation to five days per week.
- The R-3 Mixer System Improvement has improved chlorine residuals in the R-3 Reservoir.
- Replacement of the aging R-6 Inlet Meter was completed during the outage of the R-6 Reservoir.
- Pressure Sensors have been installed in four locations in the distribution system providing live pressure data to the maintenance management system.
Staff have updated the software to allow operators to monitor the current pressure transmitters remotely on mobile devices.
- System Sampling and Flushing Schedule Efficiency Improvements have been implemented to avoid holiday impacts to the sampling schedule as well as reduce distribution system flushing and the associated impacts on staff resources and water loss.
- The construction of the JTM Pump Station Project is complete and the new pump station is currently in operation with a beneficial impact on supply reliability and water quality in the northwest portion of the distribution system.
- Replaced the Boom Truck.
- Replaced the 18" magnetic meter on the R-6 Reservoir inlet pipeline.

- The replacement of the mixer at the R-4 Reservoir has significantly improved the efficiency and effectiveness of the maintenance of water quality in the R-4 Reservoir.
- Added month-end mileage readings, flooding meter readings and asphalt repair logs to the Geoviewer maintenance management system to further reduce paper-based recordkeeping.
- Replaced most metal potable water Air-Vac enclosures with composite material. The old metal enclosures without access doors required two people to lift them, whereas the composite enclosures do not rust and can be easily lifted by one person.
- Switched from metal air & vacuum valves in the recycled water system to a new plastic design which takes less maintenance and will have a longer life span.
- Built a concrete berm around the backfill material and spoils bins. Previously, staff used straw wattles to prevent runoff, which needed to be replaced every few months, became very heavy when wet, and had to be moved each time a vehicle needed to enter the area. Staff received a quote to complete the concrete berm for \$24,820, but instead did the work themselves for only \$600 in materials cost.
- Completed construction of the new warehouse facility that will allow for storage of generators and other equipment for protection from the elements. **Staff have completed moving designated equipment and inventory to the new warehouse.**
- The Pump Stations group installed a retaining wall at the Main PR site to keep dirt from washing down from the slope during rain events. Estimated cost for a contractor to perform similar work exceeded \$20k.
- Replaced R-5 Reservoir PLC with current technology.

Objective A.1.3

Complete the 2020 Urban Water Management Plan

Completed.

Objective A.1.4

Continue Moulton Niguel collaboration regarding South County Pipeline turnout to facilitate supply for Baker Water Treatment Plant

MNWD is proposing to locate the facility near the existing ETWD/MNWD interconnection from which ETWD currently receives its Baker water supply.

MNWD made an offer on the parcel of interest on Los Alisos Blvd near OC-79. The Property Owners Association that owns the parcel has been working through administrative requirements that had to be cleared before they can approve the transaction.

MNWD anticipates completing the transaction by the end of this calendar year. Staff at ETWD and MNWD are preparing to negotiate a cost sharing agreement. MNWD indicates they expect to issue a Request for Proposals for design in the 2026-27 fiscal year.

MNWD has also been tracking grant opportunities for this Project. Further developing the design will improve the Project's potential of receiving a grant.

Objective A.1.5

Evaluate merits of a well in the Sespe formation

Completed. The Board and staff concurred there does not appear to be merits in pursuing the Sespe formation.

Objective A.1.6

Provide periodic Board reports on water consumption and water use efficiency

Reports on water consumption and water use efficiency are provided to the Board monthly in standing Board meeting agenda items.

Strategy A.2 Expand use of recycled water as appropriate

Objective A.2.1

Evaluate potential recycled water projects to determine cost effective options for a Phase 3 recycled water expansion project

An alternatives analysis of Phase III Recycled Water project options was presented to the Board at the November 2021 Engineering Committee meeting.

Staff have budgeted and are seeking grant opportunities for an evaluation of potential Direct Potable Reuse options to determine the most appropriate beneficial use of the District's remaining effluent.

As a first step in exploring whether Direct Potable Reuse is appropriate for the District, staff would like to develop a planning/feasibility study. To fund this study, staff submitted a grant application to the Integrated Climate Adaptation Resiliency Program Adaptation Planning Grant Program. Unfortunately, the State cancelled the grant program due to insufficient funding. District staff are now pursuing alternative grant opportunities, such as the United States Bureau of Reclamation Title XVI and FEMA Building Resilient Infrastructure and Communities (BRIC) programs.

The existing recycled water system consists of 276 water meters and approximately 25 miles of recycled water distribution pipelines. Following two wet years and associated lower sales, recycled water sales in the 2024-25 fiscal year rebounded significantly and exceeded budget. The following table summarizes recycled water sales over the last five years.

	Recycled Water Sales (ac-ft)		
Fiscal Year	Total	Laguna Woods Village Golf Course	Recycled Water Distribution System
2020-2021	1,543.1	354.0	1,189.2
2021-2022	1,632.0	365.2	1,266.8
2022-2023	1,065.6	250.2	815.4
2023-2024	1,109.0	245.6	863.4
2024-2025	1,408.3	299.9	1,108.4

Objective A.2.2

Evaluate recycled water supply options to facilitate recycled water distribution system expansion

The Ocean Outfall Pump Station Backflow Prevention Project was completed in August 2023. The new check valve on the Ocean Outfall Pump Station discharge to the Effluent Transmission Main ensures the District can use 100% of the wastewater effluent as supply to the Tertiary Plant. Staff have implemented additional control system and operational changes and procedures to further mitigate the use of potable water in the recycled water system.

The installation of additional tertiary filter disks to maximize the capacity of the existing filtration system is complete. The installation of these disks will further minimize the potential for potable water supplement of the recycled water system.

The Tertiary Plant optimization study defined opportunities to maximize efficiency of the disinfection operation as well as potentially increase the amount of operational storage in the Recycled Water Storage Tank that would serve to further reduce the need for any potable supplement. Staff completed the required disinfection tracer study and submitted results to the Division of Drinking Water (DDW). DDW approved the tracer study results in May 2024, at which point the District revised and resubmitted the report documenting compliance with an alternative disinfection methodology. DDW returned comments on the revised report. District staff responded to DDW's comments and now waits for DDW's final review, which will likely be complete by the end of 2024.

Staff have received the DDW Conditional Acceptance Letter. Next steps include preparing the required Operations Plan and installing new chlorine analyzers and sample pump. Staff receive the analyzers and are preparing to install. The equipment installation is expected to be complete by end of October. Staff are working on the draft Operations Plan for subsequent submittal to DDW for approval.

The District has implemented several projects to maximize the available supply of recycled water. There will remain, however, scenarios where the need for supplemental potable water may be necessary on a limited basis. The use of potable water is an effective and efficient resource to maximize the distribution of recycled water in the District's service area. The potable supplement has historically represented only a small fraction of the total water produced and distributed at the Tertiary Treatment Plant as summarized in the following table.

Calendar Year	Recycled Water Production (ac-ft)	Potable Water Supplement (ac-ft)	%
2015-2019	6,380.2	120.0	1.9%
2020	1,496.8	12.5	0.8%
2021	1,715.8	38.1	2.2%
2022	1,623.4	39.3	2.4%
2023	1,238.9	34.1	2.8%
2024	1,423.3	1.2	0.1%
2025 (to date)	1,127.2	11.4	1.0%
Total	15,005.4	256.6	1.7%

Objective A.2.3

Pursue grant funding and other appropriate funding mechanisms for recycled water projects

Staff work with MWDOC and through the South Orange County Watershed Management Area to monitor for any grant opportunities that would help fund future recycled water projects.

As noted above, staff are pursuing grant opportunities to fund the proposed Regional Potable Reuse Implementation Plan.

Strategy A.3 Advance demand management and achieve State mandated water use efficiency targets

Objective A.3.1

Continue to promote drought tolerant and water efficient landscapes in the community

ETWD promotes water use efficient landscapes utilizing multiple outlets including the quarterly newsletter, website, bill messages, bill inserts, water wise tips flyer, ETWD's Permanent Water Conservation Requirements flyer, outdoor landscape rebate program, social media, Laguna Woods Village e-blast, Laguna Woods Globe and Laguna Woods Television.

The development of a new website page dedicated to water efficient landscapes will be included with the update and redesign of the ETWD website.

Objective A.3.2

Maintain water use efficiency programs

Staff provides a monthly report to the Board regarding the on-going Water Use Efficiency (WUE) program.

ETWD participates in the MWDOC Water Use Efficiency Choice Program that offers the MET/MWDOC regional indoor/outdoor device rebate program, turf removal rebates, landscape design assistance program and MET's online landscape courses. In addition to the regional rebate program, ETWD adds supplemental funding to specific rebates including toilets, clothes washers, turf removal, rain barrels and weather-based irrigation timers.

A strategic goal for ETWD's Water Use Efficiency (WUE) program is to enhance the customer database and expand analytical tools following the implementation of the new customer billing system.

Utilizing this database alongside Geographic Information System (GIS) technology will enable staff to develop more targeted WUE programs, improve customer engagement and outreach, and meet the urban water use efficiency standards, objectives, and performance measures outlined in the "Making Conservation a California Way of Life" regulatory framework. Furthermore, this initiative will streamline recordkeeping, ensuring compliance with reporting requirements from the State Water Resources Control Board and the Department of Water Resources.

With the billing system now fully implemented, ETWD is using Tableau's advanced reporting and analytical tools to transform data from the Springbrook software into meaningful insights. The WUE Customer Database allows staff to better understand customer demand and usage patterns, while also generating operational reports that support water use efficiency outreach. This data-driven approach not only streamlines recordkeeping and regulatory reporting to the State Water Resources Control Board and Department of Water Resources but also supports more informed decision-making to advance the District's long-term conservation goals.

Objective A.3.3

Phase implementation of Automated Meter Infrastructure to better manage demands as resources permit

Consideration of investment in AMI is currently paused as the District focuses financial resources on critical water, wastewater, and recycled water capital infrastructure improvements.

Strategy A.4 Implement the Capital Improvement Program to maintain water, sewer, and recycled water service

Objective A.4.1

Complete updated Water and Sewer Master Plan with an asset management component to better inform future capital planning

The Master Plan update is complete.

Carollo's evaluation of the water quality issues in the northwest portion of the District's distribution system confirms the water quality benefits of the construction of the JTM Pump Station.

District staff also included the following projects in the 10-Year capital plan budget as a result of the Master Plan effort:

- Four water pipe replacement or installation projects to provide adequate fire flow
- Rehabilitation of three water pump stations and one sewer lift stations to improve energy efficiency

Last fiscal year, District staff installed new pumps for the P-4 Pump Station to improve energy efficiency in accordance with the Master Plan.

The installation of new pumps at the Cherry Booster Station to improve energy efficiency in accordance with the Master Plan is complete.

Replacement pumps for the Shenandoah Booster Station were ordered in July following Board approval. Receipt of the new pumps is expected in November.

Objective A.4.2

Maintain and reinvest in the wastewater treatment and collection system to ensure reliable service

The continuous and on-going maintenance strategies including hydro cleaning, video inspection, root removal and mitigation and enforcement of the District's Fats Oils and Grease control program continue to successfully mitigate the potential for sewer overflows.

Since the adoption of the Strategic Plan the District has invested in a significant number of capital projects, as noted below, to ensure reliable service of the Water Recycling Plant and the sewer collection system. The total cost, including complete projects and those in progress, amounts to approximately \$29 million.

Project	Status
Oso Lift Station Improvement Project	Complete
Aliso Creek Lift Station Skid Pump	Complete
WRP Main Electrical Power Breaker Upgrade	Complete
WRP Aeration Basin No. 1 Diffusers	Complete
OOPS Emergency Generator Replacement	Complete
WRP Forklift	Complete
Grit Chamber Rehab/Re-Coating	Complete
Effluent Pump Station Improvement Project	Complete
DAF Unit #1 MCC Replacement Project	Complete
DAF Unit #2 Rehabilitation Project	Complete
Aliso Creek Lift Station Rehabilitation Project	The CEQA Mitigated Negative Declaration is complete. Design is at the 90% level with final design completion anticipated by the end of the year. Staff continue to pursue FEMA Hazard Mitigation Grant Program (HMGP) funding. A decision on grant funding is anticipated in 2028. Construction will commence thereafter.
WRP Headworks Wash Press	Complete
Sewer Lift Station PLC Upgrades	Construction in Progress (All WRP PLCs have been upgraded and lift stations are being replaced at a rate of 1 per year)
Sewer Station HMI Replacements	In progress at a rate of 1 lift station per year
Headworks and Secondary Clarifier No. 1 Rehabilitation	The construction contract was awarded to Filanc in June of 2025. The construction is in the submittal phase with project completion anticipated in 2028.
WRP Optimization Study	Complete
4920 Lift Station Siphon Stabilization	Complete
Freeway Lift Station Electrical Equipment Replacement	The electrical equipment has been received, and design is complete. Construction is anticipated in late 2025.
Northline Lift Station Coating Improvement Project	Complete

Mathis Lift Station Inlet Drop Piping Repair	Complete
Secondary Clarifier No. 3 Drive Replacement	Complete
Secondary Clarifier No. 4 Drive Replacement	Construction in progress with anticipated completion in September.
Standby Blower Replacement	Complete
OOPS MCC and Valve Rehabilitation Project	The equipment has been received, and in-house design is in progress. Construction award is anticipated in October 2025.
Westline Main Switchboard Replacement	The equipment has been received, and in-house design is complete. Construction is in progress with completion anticipated in October 2025.
WRP Generator Radiator Replacement	Complete

Objective A.4.3 Develop strategy for replacing R-6 Reservoir cover and/or liner
Construction is complete. The R-6 Reservoir is in full service.

KEY PERFORMANCE INDICATORS

1. Annual major Capital Improvement Program actual expenditures against planned

The District budgets for the Capital Improvement Program on an annual basis. These projects, however, are often not tied to nor completed in a single fiscal year. Many of these types of investment in the infrastructure require multiple steps to plan, design and ultimately implement or construct a project. The District uses a “carryover” category to account for project budgets over multiple fiscal years.

The annual capital budget, constrained by annual capital revenue, had been \$2.4 million for many years. Following adoption of the 2023-24 fiscal year budget the District implemented a plan to increase the capital revenue available to fund the Capital Improvement Plan to approximately \$5 million per year over a four-year period.

In the 2022-23 fiscal year the District invested in a variety of capital improvement projects funded by the annual capital budget as well as previous fiscal year funding carried over into the 2022-23 fiscal year. The total capital investment in the 2022-23 fiscal year amounted to approximately \$2.8 million.

In the 2023-24 fiscal year, the District executed \$11.43 million in capital investment through a combination of capital revenue (\$0.66 million), SOCWA Reserves (\$0.3 million), Carryover Capital Reserves (\$0.96 million), Recycled Reserves (\$0.27 million), Accumulated Capital Reserves (\$0.3 million) and Bond Funds (\$8.93 million).

In the 2024-25 fiscal year, the District budgeted to execute \$7.67 million in capital investment. The funding sources and actual capital expenditures are defined in the following table.

Funding Source	FY 24/25 Projected	FY 24/25 Actual	Explanation
Capital Budget	\$2,528,335	\$1,406,548	Projects that were started in FY 24/25 but are not yet complete
Accumulated Capital	\$1,247,278	\$347,331	Funded Grit Chamber Project through revenue bond instead of accumulated capital
Carryover	\$975,920	\$1,380,752	Wrapping up projects that carried over from the prior fiscal year
Recycled Reserves	\$224,000	\$95,161	Delay in implementation of Tertiary Disinfection Optimization and reduced costs for its implementation due to in-house efforts for design and installation
Bond Funds	\$2,243,944	\$1,745,496	Delay in Headworks/Secondary Clarifier No. 1 Project construction costs
Grant Funding	\$454,000	\$0	Lack of grant funding opportunities, delayed pursuit of a potable reuse study
Total	\$7,673,477	\$4,975,288	

In the 2025-26 fiscal year, the District plans to execute \$8.9 million in capital investment through the following funding sources.

Funding Source	FY 25/26 Projected
Capital Budget	\$3,823,982
Accumulated Capital	\$0
Carryover	\$852,215
Recycled Reserves	\$148,000
Bond Funds	\$2,213,259
MNWD RTP Payment	\$1,000,000
Grant Funding	\$869,750
Total	\$8,907,206

2. Progress to develop and implement an Asset Management Program

The on-going development of a formal Asset Management Program is underway

After the District prepared an inventory of all the assets in the Pump Stations Department, the District's consultant, Hazen and Sawyer (Hazen), prepared condition assessments of each facility and assigned a condition score representing the likelihood of failure to each asset. Hazen then conducted interviews with District staff to determine the criticality of failure. The combined likelihood and criticality of failure generates a risk score for each asset.

District staff used the analysis to prioritize projects that address the identified poor condition, high risk assets in the District's Capital Improvement Plan. Hazen is projecting 50-year needs to develop an average annual investment in Pump Stations assets for long-term budgeting purposes.

The Pump Stations Asset Management plan is complete and has been used to inform the ten-year Capital Improvement Plan.

The WRP Asset Management Plan is complete and has been used to inform the ten-year Capital Improvement Plan.

The asset management planning effort for the water distribution system is in progress. Staff are evaluating options for an asset management evaluation of the sewer force mains.

3. Sewer overflows and violations

- There have been no regulatory violations associated with the operation and maintenance of the sewer collection system.**
- In Calendar Year 2020 there were no sewer overflows in the ETWD maintained collection system.**
- In Calendar Year 2021 there were two sewer overflows in the ETWD maintained collection system. One was caused by an obstruction in the sewer pipeline resulting from a private lateral lining project with an estimated spill volume of 200 gallons. The second overflow was caused by apparent construction debris in the sewer line resulting in an estimated spill volume of 60 gallons.**

- **In Calendar Year 2022 there was only one unauthorized sewer discharge in the ETWD maintained collection system resulting from the failure of the Northline Lift Station force main.**
- **In Calendar Year 2023, there were no sewer overflows in the ETWD maintained collection system.**

There was one unauthorized discharge at the WRP that occurred when a section of Techite pipe failed during construction of the Effluent Transmission Main Backflow Prevention Project. The estimated spill volume was 132,800 gallons of which 72,800 gallons were contained on-site.

- **In Calendar Year 2024, there were no sewer overflows in the ETWD maintained collection system.**
- **In Calendar Year 2025 to date, there have been no sewer overflows in the ETWD maintained collection system.**

GOAL B

Water Quality and Environmental Compliance

Ensure ETWD meets or surpasses all water quality and environmental requirements.

The strategies below define the approach the District will take to achieve the goal. Objectives are the measurable actions that track progress towards execution of the strategy.

Strategy B.1 Achieve 100% compliance with all environmental regulations and standards

Objective B.1.1

Meet all applicable water quality and environmental regulations

The District typically meets all applicable water quality and environmental regulations.

The District received a single regulatory violation in the form of a Consent Order, executed in August of 2023, issued by the County of Orange Certified Unified Program Agency (OC CUPA) Hazardous Materials Surveillance Section (HMSS). The HMSS conducted an inspection of the underground fuel storage tank at the WRP in February of 2022. During the inspection it was identified that certain leak detection equipment on the tank was not located in the proper position. Upon identification of the problem, District staff immediately restored the sensor to its proper position. It wasn't until the 2023 annual inspection that the County noted the previous deficiency in a written inspection report. The Consent Order notes that the District has fully complied with the requirements to restore the leak detection equipment. The District was assessed a penalty of \$2,500 of which \$1,250 was waived due to the District's compliance with the requirements.

In an effort to comply with the Lead and Copper Rule Revision, the District recently completed a lead service line verification investigation where 1,434 utility service lines were inspected on either or both the District owned or customer owned portion of the pipe. No lead or galvanized service lines requiring replacement were identified. The District submitted the required Non-Lead statement to the Division of Drinking Water in October 2024.

The EPA recently issued the new Lead and Copper Rule Improvements (LCRI). Staff are evaluating the requirements and preparing for further service line verification investigations to comply with the LCRI by the 2027 compliance date requirement.

Objective B.1.2

Maintain licensing

The District is current on all applicable licenses.

Objective B.1.3

Track regulatory and statutory changes at both the federal and State levels pertaining to the Safe Drinking Water Act, the Clean Air Act, the Clean Water Act and other applicable requirements

District compliance staff continues to track regulatory and statutory changes for any applicable compliance requirements.

Objective B.1.4

Operate the laboratory to provide reliable and timely information to support operations

The District Laboratory has met completed all requirements for the full ELAP certification and has restarted testing of BOD at the District lab.

KEY PERFORMANCE INDICATORS

1. Completion of required Division of Drinking Water monitoring, sampling and analyses

The District potable water quality compliance program consists of thousands of annual samples and tests with frequencies that vary from weekly to quarterly to ensure compliance with all water quality requirements. The District continues to maintain full compliance with the Division of Drinking Water requirements.

2. Maintain compliance with Safe Drinking Water Act

The District performs thousands of annual tests to verify compliance with the Safe Drinking Water Act water quality compliance requirements. The District water quality maintenance program has successfully avoided any compliance violations.

3. Complete annual Consumer Confidence Report

- **The 2020 Consumer Confidence Report was distributed in June 2020 and is currently maintained on the District website.**
- **The 2021 Consumer Confidence Report was distributed in July 2021 and is currently maintained on the District website.**
- **The 2022 Consumer Confidence Report was distributed in June 2022 and is currently maintained on the District website.**
- **The 2023 Consumer Confidence Report was distributed in June 2023 and is currently maintained on the District website.**
- **The 2024 Consumer Confidence Report was distributed in June 2024 and is currently maintained on the District website.**
- **The 2025 Consumer Confidence Report was distributed in June 2025 and is currently maintained on the District website.**

4. Measure and report budget vs. expenditures

Staff provide an update of budget and expenditures on a monthly basis at the Finance Committee meeting.

5. Provide quarterly review of compliance activities and licensing status

The District annually prepares and submits several dozen different reports documenting compliance status for the water, wastewater and recycled water systems. These reports range in frequency from as often as monthly to triennial and as needed reports. The reports are submitted to various agencies including the Division of Drinking Water, State Water Resources Control Board, Regional Water Quality Control Board, Division of Safety of Dams, Department of Water Resources amongst others.

Staff have developed a log to provide a quarterly review of these compliance activities to the Board during regularly scheduled Board meetings. This log is included in the monthly Operations Report.

GOAL C

Finance

Prudently and transparently manage for long-term stability and affordability.

Provision of ETWD services is capital intensive. Managing the financial resources entrusted to ETWD in a prudent manner ultimately reduces the cost of service to the community. The strategies below define the approach the organization will take to achieve the goal. Objectives are the measurable actions that track progress towards execution of the strategy.

Strategy C.1 Improve financial risk management.

Objective C.1.1

Evaluate opportunities to improve the relationship between fixed costs and fixed revenues in rate and fee structures

Staff continue to evaluate the relationship between fixed costs and fixed revenues and present a description of that relationship during the annual budget process.

The relationship between fixed costs and fixed revenues in the 2025-26 fiscal year budget is defined as follows:

	Revenue	Expense
Fixed	49.3%	52.5%
Variable	50.7%	47.5%

The relationship between fixed costs and fixed revenues in the 2025-26 fiscal year budget indicates a stable revenue source without significant exposure to any external drivers that might reduce variable revenue.

Objective C.1.2

Continue to monitor 401(k) investments

Monitoring of the District's 401(k) investments is an on-going effort.

Strategy C.2 Ensure that adequate financial capacity exists to maintain District assets.

Objective C.2.1

Evaluate reserve policy

The District adopted an amendment to the Cash Reserve Policy in December 2023 and transferred the Cash Reserve Policy to the Administrative Code.

The categories defined in the revised Cash Reserve Policy provide for a more detailed presentation of reserves status to the Board in the monthly financial report.

During the 2024-25 budget process staff identified the long-term plan to restore reserves to the minimum amounts defined in the Cash Reserve Policy. Staff further noted during the budget discussions that the minimum reserve amounts will need to be

further evaluated as inflation continues to impact the relative value of the reserves compared to increasing operational and capital expenses.

In August 2025 the Cash Reserve Policy (Section 6040 of the Administrative Code) was updated to increase the minimum levels of the Committed Reserves to ensure they remain within the ranges defined in the policy. In addition, language was added to require staff to provide a monthly report to the Board that ETWD has an amount of reserves equivalent or greater to one half the sum of the current fiscal year Operations and Maintenance Budget and debt service obligations.

The long-term review of cash reserves will be further evaluated during the 2026-27 budget process.

Objective C.2.2

Develop and operate within an annual budget

The District develops an annual budget for each fiscal year and reports performance relative to budget to the Board on a monthly basis throughout the year.

Objective C.2.3

Evaluate implementation of a 2-year budget and or rate cycle

The current environment of inflation presents significant challenges for a 2-year budget cycle. Staff recommend the District maintain its current annual budget approach.

As part of the 2023-24 Fiscal Year budget process, the District issued a 3-year Proposition 218 Notice defining rate setting through the 2025-26 fiscal year.

Purchased water costs for the 2024-25 fiscal year budget increased greater than anticipated in the 2023 Proposition 218 Notice due to increasing O&M costs at the Baker Water Treatment Plant and an 11% increase in the Treated Water rated from MWD. The District issued a new 218 Notice for the potable water and recycled water commodity rates and proposes to implement the increases in the O&M and capital rates per the 2023 218 Notice.

The District issued a new 218 Notice for the 2025-26 fiscal year potable water and recycled water Commodity rates and the potable water, recycled water and private fire Operations and Maintenance Charge rates. The Capital Charge rates, and sewer O&M rates remained as defined in the 2023-24 3-year Proposition 218 Notice.

In preparation for the 2026-27 budget process, staff solicited a proposal from Raftelis Financial Consultants for the 2026-27 Rate Study and Cost of Service Analysis. The contract for this effort was presented to the Board at the September Finance Committee meeting. It is staff's intent that this proposed effort defines rates for the next three to five years.

Objective C.2.4

Fund OPEB to reduce liability

During the 2023-24 Fiscal Year budget development process the Board concurred with Staff's recommendation to defer further discussion of an OPEB trust during the current environment of inflationary impacts on rates and charges.

Strategy C.3 Maintain transparency of financial activities

Objective C.3.1 Publish and disseminate financial documents

The Annual Comprehensive Financial Report, Annual Budgets, Cost of Service Studies, and Proposition 218 Notices are all available on the District's website.

KEY PERFORMANCE INDICATORS

1. Meet reserve fund targets

Reserve fund targets are defined in the District's Cash Reserve Policy most recently updated in August of 2025. Reserves status is reported to the Board of Directors on a monthly basis at the Finance Committee meeting.

District staff continue to monitor reserve levels relative to the reserve fund targets. The long-term financial forecast will be updated during the 2026-27 budget process to address the efforts to continue to meet the reserve fund targets defined in the Cash Reserve Policy.

2. Actual costs compared to year-to-date budget

Staff provide an update of budget and actual expenditures on a monthly basis at the Finance Committee meeting.

The audit of the 2024-25 fiscal year is nearly complete. As the audit is complete staff are working on a reconciliation of the 2024-25 budget revenues and expense to actual. The results of that analysis will be presented to the Board at the October or November Finance Committee meeting.

3. Return on investments

Staff provide a monthly report to the Board documenting the performance of the investment portfolio of the District's reserve funds. In addition, the District's investment advisor, PFM, provides a semi-annual report to the Board.

Staff regularly engage with PFM to structure ETWD new investments, as existing investments mature, with the goal of first ensuring safety and necessary liquidity and then obtaining the highest returns available.

In the recently completed 2024-25 fiscal year the District revenue from Investment Income amounted to \$1,097,486 relative to the budgeted revenue of \$550,000.

Investment income in the 2025-26 fiscal year will be more challenged as principal declines due to on-going capital investment and interest rates fall as anticipated. The 2025-26 fiscal year budget for investment income is \$700,000. Very early returns, through only two months of the new fiscal year, project that investment income is on track to meet budget.

4. Continue to receive an unqualified audit outcome each year

Since the adoption of the Strategic Plan, the District received an unqualified audit outcome each year.

The audit report for the 2023-24 fiscal year, inclusive of the auditor's "unmodified opinion" identifying a clean audit, was presented to the Board at the November 2024 Finance Committee meeting.

Having completed five successful annual audits with CliftonLarsonAllen CPAs, Staff solicited proposals and with the approval of the Board awarded a contract to LSL CPAs to perform the 2024-25 audit

The audit report for the fourth quarter of the 2024-25 fiscal year, identifying no issues or challenges, will be presented to the Board at the September Finance Committee meeting.

Staff continue to work with LSL on the annual audit for the 2024-25 fiscal year and anticipate presenting the final report to the Board in October or November. Staff is currently not aware of any issues and anticipates an "unmodified opinion".

GOAL D

Organizational Effectiveness

Maintain a high-quality workforce and systems to foster excellence.

The strategies below define the approach the District will take to achieve the goal. Objectives are the measurable actions that track progress towards execution of the strategy.

Strategy D.1 Implement training programs.

Objective D.1.1 Review training programs (evaluate cross-training program, evaluate training approach for future supervisors, seminars, mentorship, supervisor and management training)

The District rotates employees for cross training in preparation to be on call. This Cross-training program will help ensure that the Operations Department is not solely reliant on certain individuals to perform specific tasks. If someone is out sick, on vacation or takes maternity leave, there will be someone ready to fill their role without interrupting productivity. Providing employees with opportunities to learn new skills will highlight the investment in their professional development which can make team members feel more valued, self-confident and enthusiastic at work. This can also keep them engaged and focused, which can increase motivation. This will help develop new skills for employees while also preparing the District in the event of an emergency or natural disaster. The cross-training program is important to management as well as the staff themselves. Staff also attend a variety of additional seminars to further education and cross training.

Staff also employs the cross-training program to identify and prepare existing staff for opportunities for internal position transfers when an employee retires or terminates.

On-going training efforts are described in the monthly Operations Report.

Two District supervisory staff recently completed a supervisor training program. Two additional staff are currently enrolled in different but similar supervisory training curriculums.

Objective D.1.2 Assess key succession vulnerabilities and develop/implement actions to improve staff transitions

The evaluation of succession opportunities and challenges is an on-going continuous process.

The District has recently successfully replaced the following two high level positions:

**Chief Financial Officer
Chief Plant Operator**

In addition, the District's Compliance Program Coordinator recently left the District and was successfully replaced by the transfer to that role of an existing ETWD employee.

Since the adoption of the 2020 Strategic Plan, the District has seen 21 employees leave the organization, 15 of which were retirements of long-standing employees.

Three positions were eliminated in a budget downsizing effort. The remaining 18 positions were all successfully replaced in reasonable timeframes. Of the 18 positions that were replaced, 12 were at a supervisory or department head level. More than half (7/12) of those positions were replaced with internal candidates. The other five were replaced with external candidates.

The District continues to maintain a thriving and successful workforce. The recent creation of the WRP Crew Chief and Water Resources Supervisor positions was part of the long-term strategy for retention and succession.

Staff have identified employees likely to retire in the near future and have actively prepared for replacement through the most appropriate path for each individual position. The goal is always to prepare existing staff for advancement but there will also be times where external replacement is the most effective path. Staff constantly prepare for on-going succession using both strategies as best fits the needs of the individual positions and the District.

Objective D.1.3

Review financial incentives for certifications and/or licenses

The Board approved changes to the Employee Handbook at the September 2024 Board meeting in which the District's incentive program for certifications and education was modified from a one-time lump sum bonus, at the time an employee achieves a certification exceeding their minimum job requirement, to a recurring annual award.

Strategy D.2 Improve administrative systems.

Objective D.2.1

Assess and implement opportunities, as appropriate, to streamline procurement system

Staff is evaluating potential options for a Purchasing software that could improve efficiency in the District procurement system.

Staff have acquired the Springbrook Purchasing Module. Staff are commencing a detailed training program to ensure the success of the implementation of the new purchasing /procurement system.

Objective D.2.2

Develop Standard Operating Procedures for key District procedures

Staff are in the process of developing SOPs for key administrative and financial procedures.

Objective D.2.3

Work with staff to review and improve performance evaluation process

Complete.

Strategy D3 Implement integrated technology and applications across the organization.

- Objective D.3.1 Develop an Information Technology Master Plan to improve technology and data risk management processes
- The IT Master Plan effort is currently underway. The project will develop and articulate a vision for the effective use of technology to support the work of ETWD. Client First is tasked with creating a well-documented plan to guide the IT team and ETWD's operational departments over the next five years in planning, procuring, implementing, and managing current and future technology investments, as well as resources related to operational technology and information technology service delivery.**
- Client First requested, received, and is reviewing a large amount of documentation regarding the District's hardware, software, network configurations, security and staffing of the current IT posture. They have also held 4 hours of detailed discussions with IT staff to go through best practices and review the current network and system configurations.**
- Client First provided a high-level presentation of the completed IT Master Plan to the Board at the July Board meeting. Staff are working on an implementation plan to define a schedule for the further development of appropriate components of the Master Plan. The implementation plan will be presented to the Board in the fourth quarter of the 2025 calendar year.**
- Objective D.3.2 Continue to analyze and evaluate network vulnerabilities
- In an effort to minimize cybersecurity vulnerabilities, the District has enacted an on-going continuous Cybersecurity defense strategy.**
- Objective D.3.3 Evaluate appropriateness (considering security and efficiencies) associated with providing remote Supervisory Control and Data Acquisition access for on-call responders
- The ability for on-call responders to remotely access the SCADA system to observe system data is complete for the water/wastewater systems maintained by the Pump Stations Department as well as for the Water Recycling Plant. The remote access system provides a secure client portal that enables operators to view SCADA data and system status remotely.**
- Objective D.3.4 Maintain computer replacement program and management of technology through an asset management approach
- The current computer replacement program is conducted on an as needed basis. The 2023-24 fiscal year budget includes \$30,000 for the replacement of aged desktop computers, laptops, tablets, computer monitors and printers.**
- Staff are working to develop an asset management approach to facilitate the development of a more detailed plan for future budget years.**
- An asset inventory has been developed that defines unique identifiers, purchase dates and assigned users for phones, iPads, laptop computers and desktop computers. Staff are working to add**

expected useful life and replacement values to complete the budget planning tool.

Objective D.3.5

Evaluate implementing a Laboratory Information Management System

The implementation of the Hach Water Information Management System (WIMS) at the Water Recycling Plant is complete. The Hach WIMS system functions as a Laboratory Information Management System that will help the Laboratory staff efficiently manage water and wastewater data.

Staff are working on final updates and new forms which will be integrated with the lab and will facilitate the full use of the reporting features of the system.

Staff are evaluating the addition of certain field devices to the HACH-WIMS and SCADA systems to enhance automation and control of WRP.

The Hach WIMS system supports day-to-day operations, compliance, and long-term planning at the WRP. Hach WIMS gives the wastewater operators and managers a clear, data-driven view of WRP performance. By reducing reporting time, supporting compliance, and uncovering process efficiencies, the Hach WIMS system strengthens decision-making and helps ensure reliable, cost-effective operations. The following is a summary of the Hach WIMS capabilities in supporting the operation of the WRP.

1. Centralized Data Management

- **Integrates data from SCADA, lab results, flow meters, and operator logs into a single secure database.**
- **Eliminates duplicate manual entry, reducing the chance of transcription errors.**
- **Provides quick access to all process and compliance data in one place.**

2. Regulatory & Compliance Reporting

- **Automates NPDES, ELAP, biosolids, and recycled water reports using pre-built templates.**
- **Maintains audit trails to demonstrate data integrity during inspections.**
- **Reduces staff time spent preparing monthly, quarterly, and annual compliance submittals.**

3. Process Optimization & Operations Support

- **Tracks and calculates critical process parameters such as:**
 - o **Solids Retention Time (SRT): Automatically calculates from MLSS, wasting, and influent data to support aeration basin management.**
 - o **Clarifier Performance: Monitors loading rates, blanket levels, and effluent quality to flag performance issues early.**

- o **Solids Handling: Compares pounds hauled vs. pounds generated, supporting cost tracking and sludge management decisions.**
- **Allows operators to quickly visualize plant trends and identify anomalies before they become compliance problems.**

4. Asset & Maintenance Planning

- **Connects process performance with equipment data, highlighting when pumps, blowers, or clarifier mechanisms are trending inefficient.**
- **Supports preventive maintenance scheduling based on real operating conditions.**
- **Helps extend equipment life and reduce unplanned downtime.**

5. Dashboards, Trends, and Forecasting

- **Custom dashboards display KPIs such as flow, energy use, chemical dosing, and effluent quality.**
- **Historical trends provide insight into seasonal patterns, process changes, or chemical efficiency.**
- **Forecasting tools help anticipate future plant needs, such as solids production or aeration demand, supporting budgeting and staffing plans.**

Objective D.3.6

Evaluate options to update Supervisory Control and Data Acquisition infrastructure and communications

Historically, the SCADA telemetry (communication) system transmitted data through AT&T digital phone lines. The telemetry system had become increasingly unreliable, and AT&T notified the District they would no longer support the phone telemetry system after June 2023. District staff completed the installation of cellular transmitters at each remote site as well as independent water and wastewater receivers at the District Field Office. The transition to the cellular telemetry for the entire water/wastewater SCADA system is complete. Staff are preparing to investigate options for long-term SCADA communications. Staff solicited proposals from a consultant to perform an alternatives analysis of radio communication options for SCADA. Staff anticipate commencing this work in October.

The SCADA software for the remote water distribution system and wastewater collection system was updated to the new version 15 including updated security software.

The Win911 Alarm system was also updated to the new version 14.

Strategy D.4 Promote an open and professional work environment.

Objective D.4.1

Continue to provide employees with “bottom-up” communication through all employee meetings (All Employees meetings, etc.)

The General Manager conducts “All Employee” meetings on a monthly basis.

Objective D.4.2

Evaluate and implement an appropriate innovation program to encourage, capture, and deploy new ideas/suggestions

The Director of Human Resources completed the process of conducting a phased Focus Group program to solicit feedback from employees. The program included meetings with groups of 5-7 employees from different departments. The focus groups included all employees who wanted to participate. The objectives of the program included:

- **Identify and evaluate proactive workplace policies and practices that help attract and retain talented and skilled employees**
- **Serve as a tool to gather feedback and to check the pulse of the workforce**
- **Involve and engage employees in the solutions**
- **Address any immediate concerns, i.e., safety issues, workplace issues, lack of proper tools to complete jobs etc.**

The General Manager and Executive Management team continue to evaluate the issues identified in the process to assess areas of concern, suggestions, what is working and what is not and any appropriate improvements. Several changes have been made to benefit the District and the employees addressing issues including:

- **On Call Stipend**
- **Vacation Accrual**
- **Boot Allowance**
- **Dental Insurance**
- **Certification Awards**
- **Uniform and Rain Gear Quality**
- **Boom Truck Replacement**
- **Retirement Plan Education**
- **Employee Tours of Major Facilities**
- **Timecard System**
- **Team Building Activities**
- **Cross Training Programs**
- **Leadership Training**

In November 2024 the Board approved staff's recommendation to add a Flexible Spending Account (FSA) program to the District's benefits package. The FSA provides tangible benefits for the employees at minimal cost to the District.

The District maintains "suggestion boxes" in multiple locations that employees are encouraged to use to provide ideas and suggestions.

The District maintains an "Open Door Policy" that is intended to foster an environment where employees are comfortable providing feedback, suggestions or airing any concerns they might have.

Staff are evaluating an Employee Suggestion / Recognition Program that would recognize and reward employees for cost saving, morale enhancing and innovative, ideas, actions, and suggestions.

The Operations Department conducts weekly all hands safety meetings as well as supervisor meetings with the Operations Superintendent to further provide opportunities for staff feedback and suggestions.

Strategy D.5 Maintain a safe and secure work environment.

- Objective D.5.1 Continue to provide all required and recommended safety training
On-going. This effort is documented in the monthly Operations Report.
- Objective D.5.2 Continue to emphasize safety through weekly tailgate and safety meetings
On-going.
- Objective D.5.3 Continue to conduct live confined space entry and rescue drills
The District conducts Confined Space Training annually. Training was last conducted in December 2024. Staff are working to schedule the next training for December of 2025.
- Objective D.5.4 Evaluate current chemical spill response training
The District maintains a spill prevention program for all chemicals utilized in District operations. The District staff participate in annual training regarding hazardous chemicals and materials.
Staff conduct an annual Spill Prevention Control Plan training for the District fuel tanks. The last training was performed through the District's online training platform in the second quarter of 2025.
The District also conducts an annual eight-hour live class on all relevant hazardous materials. The last HAZWOPR training was conducted in September 2024. The next training course is scheduled for October 2025.
- Objective D.5.5 Develop protocol for dealing with phone and in-person threats
The District Chief Financial Officer and Customer Service Supervisor have developed and implemented a form for the District's Customer Service Representatives to report and document any unacceptable customer behavior incidents.

Strategy D.6 Ensure the District operations are efficient and effective.

- Objective D.6.1 Continue to manage overtime use
Certain overtime expense results from customer calls or system alarms and is out of staff's control. Staff continue to work to efficiently manage scheduled overtime as a tool for the cost-effective operation of the water, wastewater and recycled water systems.
Staff recently contracted with ADP for its Payroll system which will allow staff to evaluate overtime use in a far more detailed fashion. Overtime utilization will be monitored following every payroll period going forward.
Overtime expense in the 2024-25 fiscal year was over budget but is a relatively small percentage of the overall salary budget as defined in the following table.

On Call Overtime	\$202,119.59
Other Overtime	\$177,496.69
Total Overtime	\$379,616.28
Overtime Budget	\$285,000.00
Overtime Relative to Total Salaries	5.5%

Overtime expense in the early stages of the 2025-26 fiscal year has trended lower as defined in the following table.

On Call Overtime	\$41,915.22
Other Overtime	\$27,691.72
Total Overtime	\$69,606.94
Overtime Budget	\$400,000.00
Overtime Budget (to date)	\$92,307.69
Overtime Relative to Total Salaries	4.2%

Staff will continue to conduct detailed monitoring and control of overtime expenses.

Objective D.6.2

Manage staffing to optimize performance

The District supervisory staff continues to work to optimize performance through cross training programs, utilization of interns and on-going efficiency analyses.

During the 2024-25 fiscal year budget process, staff identified opportunities to reduce the District staffing headcount by three positions to maximize cost efficiency.

Objective D.6.3

Continue to review manual processes for automation opportunities

The District relies on multiple automated systems through extensive use of on-site Programmable Logic Controllers that provide automatic operation of pumps, disinfection, and other processes throughout the water, sewer collection and WRP systems.

The WRP staff have completed the implementation of the Hach WIMS database management system. The Hach WIMS system automatically stores WRP process data in a central database for easy monitoring, analysis, reporting, and predictive modeling. The HACH WIMS system retrieves process data and populates it automatically into multiple compliance forms and spreadsheets. The system has over 100 industry-specific formulas and verification engines to perform complex calculations quickly and accurately with a button click. Such built-in equations help provide consistent results based on EPA requirements. The Hach WIMS system will significantly improve efficiency at the WRP.

The implementation of the Springbrook financial system will bring a great deal of automation of current manual processes to the Finance and Accounting Department.

Staff are in the process of implementing the Springbrook Purchasing and Fixed Assets modules.

The addition of remote monitoring capability of the SCADA systems has positioned the District to evaluate the potential to expand the system to allow remote adjustments to system setpoints and controls.

Objective D.6.4

Continue to proactively budget and manage expenses to maintain efficient operations

On-going.

Objective D.6.5

Pursue and document awards and recognition

Staff continue to pursue awards and recognition where opportunities are available. Staff report awards and recognition to the Board as they are received.

The District, in late 2022, was awarded the Award of Excellence from the Orange County Public Relations Society of America (PRSA) in the Collateral Materials External Audiences Category for the District's Water Views Newsletter.

Following receipt of the local PRSA award, staff entered the national PRSA Bronze Anvil Tactical Award competition in the Newsletter category. In June 2023 ETWD was honored to receive the PRSA Bronze Anvil Award.

The District subsequently applied for the 2023 CAPIO EPIC Awards program in the Newsletter or Magazine category. The District did not receive an award in this extremely competitive category.

The District received the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the District's 2021-22 Annual Comprehensive Financial Report.

On May 30th, the District will receive the 2023 Outstanding Roadway & Highway Project Award from American Society of Civil Engineers, Orange County Branch (ASCE OC) for its R-6 Reservoir Perimeter Road Repair Project.

The District received the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the District's 2022-23 Annual Comprehensive Financial Report. This is the eighth year in a row that the District has earned this award.

The District received the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting for the District's 2023-24 Annual Comprehensive Financial Report. This is the ninth year in a row that the District has earned this award.

On August 14 the District received the District Transparency Certificate of Excellence Award from the California Special Districts Association Special District Leadership Foundation.

In August 2024 the District achieved the platinum level of the California Special Districts Association Special District Leadership Foundation District of Distinction accreditation.

In August 2024 General Manager Dennis Cafferty achieved certification as a Certified Special District Manager through the California Special Districts Association Special District Leadership Foundation.

Strategy D.7 Implement the Strategic Plan.

Objective D.7.1 Track and report progress to the Board

Staff provide bi-annual updates regarding the implementation of the Strategic Plan.

KEY PERFORMANCE INDICATORS

1. Number and types of certified and licensed staff

The following table identifies the number and types of certifications and degrees that have been achieved by ETWD staff.

Certifications / Degrees	# Staff
D-2 Water Distribution Certification	12
D-3 Water Distribution Certification	6
D-4 Water Distribution Certification	6
D-5 Water Distribution Certification	4
T-2 Water Distribution Certification	26
AWWA Cross Connections Specialist Certification	1
Orange County Certified Backflow Tester	2
Grade III Wastewater Treatment Plant Operator	3
Grade V Wastewater Treatment Plant Operator	1
Grade II Collections System Maintenance Certificate	1
Grade IV Collections System Maintenance Certificate	3
Grade II Laboratory Technician	1
SCC Water Distribution Certificate	6
SCC Wastewater Operator Certificate	2
Professional Engineer License	3
UCI Human Resources Management Certificate	1
Certified Public Accountant	1
Associates Degree	7
Bachelors Degree	18
Masters Degree	6

2. On-time completion of annual performance evaluations

The District has completed 100% of the scheduled employee performance evaluations on time for each of the past six years.

During the performance evaluation process for fiscal year 2024-25 staff implemented a change in the allocation of the merit pool budget. The new process allocates the budget by individual departments, thereby removing the previous challenges of inconsistent performance evaluation scoring from one department to another. The change was quite successful and will be carried forward to future merit pool allocations.

3. El Toro Water District staff use of education reimbursement program (\$/employee)

Between calendar years 2020 and 2025 (to date), twelve District staff members have benefited from the District's education reimbursement program. To date, the program has provided \$78,662 in reimbursements. As a result of this support, three employees have earned degrees, including a Bachelors in Electronic Engineering Technology, a Master's in Public Administration, and a Master's in Environmental Engineering Systems. In addition, several other employees have utilized the program to pursue coursework and certifications that enhance their professional skills and career development.

4. Measure staff turnover (% annual turnover)

The following data defines staff turnover since the inception of the Strategic Plan.

	Separated Employees	Retirements	Total	%
2020	1	4	5	8.5%
2021	1	1	2	3.4%
2022	1	3	4	6.8%
2023	2	3	5	8.3%
2024	1	3	4	6.9%
2025 (To Date)	0	1	1	1.7%

5. Track staff training hours (annual hours/employee)

District operators spend between 40 and 100 hours per year training on a variety of required and recommended safety and operations training.

A log of quarterly training activities has been added to the new monthly Operations Report in the Engineering Committee Board Package.

Beginning in July 2024 Staff established a log to track training hours per employee to quantify total training hours.

In 2023 a total of 1,358 manhours of training was provided to the Operations Department.

In 2024 total of 1,852 manhours of training has been provided to the Operations Department.

In 2025, to date, 1,481 manhours of training have been provided to the Operations Department.

GOAL E

Relationships

Communicate and collaborate with customers, stakeholders, neighbors, and peer agencies in the region to further the water and wastewater interests of our community.

This goal establishes a commitment on the part of ETWD to align with the values of the customers and the community in fulfilling the organization's mission. ETWD will collaborate with our stakeholders, neighbors and peer agencies. The strategies below define the approach the organization will take to achieve the goal. Objectives are the measurable actions that track progress towards execution of the strategy.

Strategy E.1 Provide "best in class" customer service.

Objective E.1.1 Standardize customer service procedures across ETWD

On-going

Objective E.1.2 Consider phased implementation of Automated Meter Infrastructure

As noted in Objective A.3.3 consideration of an AMI project is currently paused while the District evaluates appropriate allocation of capital resources and capital project priorities.

Strategy E.2 Proactively communicate with and engage the community on water, sewer and recycled waters matters of importance to the region positioning ETWD as a leading resource and reliable authority on water issues.

Objective E.2.1 Increase public understanding of water issues (e.g. water quality, emergency preparedness, value of water, regulatory challenges, etc.)

Staff is working to re-develop the ETWD website and develop new pages and content dedicated to water use efficiency, emergency preparedness and water education – value of water & regulatory challenges.

Staff issued a Request for Proposals to solicit professional services for the website redesign. Staff interviewed eight Website Redesign Consultants and ultimately awarded a contract to Big Wig Monster Media. The website redesign effort is underway with an expected completion by end of 2025.

Staff have developed a list of topics for a variety of informative videos to use on social media, the website, CAG, etc. Staff received a proposal from Tripepi Smith to develop, produce and publish the videos. Staff are working with Tripepi to refine the proposal and begin the project.

The District continues to host quarterly Community Advisory Group meetings to further the District's customers' understanding of issues and challenges successfully managed by ETWD.

District staff are, once again, collaborating with Laguna Woods Television to coordinate monthly appearances by ETWD Board Members on the This Day television program to provide important information on current water and wastewater issues.

Similar to the event in 2023, Staff coordinated with MWDOC to make a presentation and provide a tour of the R-6 Reservoir to the Orange County Grand Jury as well as MWDOC staff, MET staff and MET Directors.

Staff coordinated with MWDOC to provide a tour of the Water Recycling Plant for both the Girl Scouts and Boy Scouts Programs.

Staff partnered with the Municipal Water District of Orange County to host a Scouts Boy Scouts of America (BSA) clinic and tour at ETWD's Water Recycling Plant on February 22, 2025.

Approximately 60 scouts and their families attended the event.

Objective E.2.2

Develop engagement tools to receive feedback from stakeholders (e.g., Customer Service Survey)

Staff have discussed survey options, procedures and costs with two companies that provide customer engagement surveys. Each proposes a bi-annual survey in which the District develops questions or topics about which it would like input from customers and the survey vendor then conducts the customer engagement through email, text or phone. The costs range from \$10,000 to \$28,000 with an anticipated response from 200 – 400 customers. The Board did not believe the value was commensurate with the expected cost. Staff are currently evaluating alternative lower cost approaches to soliciting feedback from the District's customers.

As part of the website redesign effort Staff developed a survey through the District's existing website to solicit input regarding website content and navigability.

Staff also distributed a consultant developed survey for the Multi-jurisdictional Hazard Mitigation Plan through the District's website and social media platforms and the recent CAG meeting to solicit comments on the draft plan. The online survey collected information and comments from community members about issues of importance to the MJHMP. The survey included questions about community members' experience and familiarity with emergency conditions, level of preparedness for future emergencies, and preferred actions for MWDOC and ETWD to take to increase community resilience.

Objective E.2.3

Continue to participate in community events

The District's Public Affairs Manager coordinates the District's participation in a significant variety of community events throughout the year. The District's participation includes some combination of attendance, staffing a booth, providing the ETWD water trailer, tours and speaking engagements.

The following is a detailed list of the events staff participated in during the 2023 calendar year.

Date	Event	Speaker
01/23/2023	SOCEC Panel Discussion	Dennis Cafferty
03/07/2023	Concerned Citizens of Laguna Woods	Mike Gaskins
03/20/2023	Children's Water Education Festival	Booth
03/22/2023	Lake Forest Chamber / City of Lake Forest Meet the Mayor / State of the City Event	Sponsor
04/15/2023	City of Lake Forest Southwest LF Improvement Project	Booth
04/20/2023	Concerned Citizens of Laguna Woods Earth Day	Dennis Cafferty
04/22/2023	City of Mission Viejo Earth Day / Arbor Day	Booth
04/27/2023	Third Mutual Water Conservation Committee	Kay Havens
07/12/2023	Prop 218 Notice Community Meeting	Dennis Cafferty
07/19/2023	Prop 218 Notice Community Meeting	Dennis Cafferty
08/01/2023	Mission Viejo National Night Out	Booth
08/22/2023	Golden Rain Foundation Landscape Committee	Dennis Cafferty
08/29/2023	Orange County Grand Jury Water Supply/Infrastructure Inspection Trip	Dennis Cafferty
09/20/2023	Laguna Woods Village College Club	Sherri Seitz Vu Chu
09/26/2023	Gate 11 Fall Meeting - LWV Third Mutual	Booth
10/18/2023	City of Lake Forest Leadership Academy	Dennis Cafferty
10/21/2023	South Orange County Disaster Preparedness Expo	Booth
10/26/2023	H2O for HOAs	Booth
11/04/2023	MWDOC / ETWD Girl Scout Patch Clinic and Tour	Tour
11/09/2023	Lake Forest Chamber – Legislative Luncheon	Sponsor
11/12/2023	City of Mission Viejo Teen Wellness Fair	Sherri Seitz Vu Chu
11/18/2023	Elf Yourself 5K - City of LF/LF Chamber of Commerce	Booth
12/9/2023	MWDOC/ETWD Boy Scout Merit Badge and Tour	Tour
01/25/2024	LWV Third Mutual Water Committee Meeting	Dennis Cafferty
03/21/2024	Lake Forest Chamber / City of Lake Forest Meet the Mayor / State of the City Event	Sponsor
03/27/2024	Children's Water Education Festival	Booth
03/28/2024	Children's Water Education Festival	Booth
03/22/2023	Laguna Woods Village Concerned Citizens Earth Day	Booth
04/20/2024	City of Mission Viejo Earth Day / Arbor Day	Booth
08/26/2024	Orange County Grand Jury Water Supply/Infrastructure Inspection Trip	Tour
09/09/2024	City of Laguna Woods 60 th Anniversary Event	Booth
09/24/2024	Gate 11 Fall Meeting	Booth
10/17/2024	H2O for HOA's	Booth
10/19/2024	City of Mission Viejo Disaster Preparedness Expo	Booth/Water Trailer
10/23/2024	City of Lake Forest Leadership Academy	Dennis Cafferty
10/29/2024	Lake Forest Chamber/City of Lake Forest Law and Order Event	Sponsor Centerpieces
11/23/2024	Lake Forest Chamber Elf Yourself 5K	Booth/Water Trailer

The following is a detailed list of the events staff participated in during the 2025 calendar year to date.

Date	Event	Speaker
01/30/2025	Third Mutual Water Conservation Committee	Dennis Cafferty/Sherri Seitz/Vu Chu
02/22/2025	Scouts BSA Clinic and Water Recycling Plant Tour	Tour
03/07/2025	Laguna Woods Village Republican Club	Dennis Cafferty
03/13/2025	Laguna Woods Village General Meeting	Dennis Cafferty
04/11/2025	Laguna Woods Village United Town Hall Meeting	Dennis Cafferty
04/17/2025	Laguna Woods Village Concerned Citizens Earth Day	Booth
04/23/2025	Children's Water Education Festival	Activity Booth
04/24/2025		
04/26/2025	City of Mission Viejo Earth Day	Booth
05/03/2025	City of Lake Forest Neighborhood Pop-up Event	Booth/Water Trailer
06/18/2025	Laguna Woods Village Third Mutual Gate 11 Meeting	Booth
08/05/2025	City of Lake Forest National Night Out	Booth/ Water Trailer

Objective E.2.4 Maintain conservation programs (e.g., public and school educational programs, participation at public events, ETWD web site, newsletter, social media, and self-guided demonstration garden tour, etc.)

A detailed description of the program is included in Objective A.3.2.

Objective E.2.5 Continue engagement in South Orange County Wastewater Authority (SOCWA) matters

The District maintains active participation in SOCWA matters. Director Freshley is the District's primary representative on the SOCWA Board. Director Gaskins and Dennis Cafferty, as alternate Board members, also regularly attend the SOCWA Board meetings. District staff meet with the District's SOCWA Board members each month to review the upcoming SOCWA Board agenda.

Dennis Cafferty is the District's representative on the SOCWA Finance Committee while Hannah Ford represents the District on the SOCWA Engineering Committee.

The District has maintained a high level of engagement with SOCWA and the Member Agencies as the Member Agencies have evaluated the reorganization of SOCWA. The transfer of the ownership and operation of the Regional Treatment Plant, from SOCWA to Moulton Niguel Water District is complete. District staff continue to engage with MNWD regarding the operations of the solids handling facilities at the Regional Treatment Plant.

At SOCWA the District currently represents itself but also represents IRWD and MNWD's interests in the Effluent Transmission Main and Aliso Creek Ocean Outfall.

Director Freshley remains thoroughly engaged at SOCWA and currently sits on the SOCWA Executive Committee as Vice Chair.

- Objective E.2.6 Educate customers to protect source sewer water quality
- Currently ETWD educates its customers regarding protecting source sewer water quality by avoiding flushing wipes and keeping FOG out of the sewer pipes through the website, newsletter, CAG meetings, social media and community events.**
- Objective E.2.7 Refresh the website (including featuring Key Performance Indicators & awards)
- Staff is working to re-develop the ETWD website and develop new pages and content dedicated to water use efficiency, emergency preparedness and water education – value of water & regulatory challenges.**
- Staff issued a Request for Proposals to solicit professional services for the website redesign. Staff interviewed eight Website Redesign Consultants and ultimately awarded a contract to Big Wig Monster Media. The website redesign effort is underway with an expected completion by end of 2025.**
- Objective E.2.8 Engage in Local Agency Formation Commission (LAFCO) proceedings as required
- Staff actively participates in the LAFCO Municipal Service Review (MSR) process. The District is included in MSRs for two separate LAFCO regions (Southwest and Southeast).**
- Staff engaged extensively with LAFCO and the LAFCO consultant in the production of the MSR for the Southwest Region. The Southwest Region MSR was approved by LAFCO in August 2023 and is posted on the LAFCO website.**
- The MSR process for the Southeast Region has not yet commenced.**
- Objective E.2.9 Continue to engage customers through the quarterly Community Advisory Group meetings
- The District continues to schedule and conduct CAG meetings on a quarterly basis.**

Strategy E.3 Work with local, regional, State and federal agencies, industry associations, and organizations to influence water policy for the benefit of our service area customers.

- Objective E.3.1 Engage in local, state and federal activities to further the interests of ETWD and its customers
- With the hiring of the District's Water Use Efficiency Analyst, Sherri Seitz, as the District's Public Affairs Manager, will devote additional time to evaluating and updating the General Manager and Board regarding local, state and federal activities and potential legislation.**
- The Board adopted a Legislative Advocacy Policy in May 2024 to help guide the District's engagement on local, state and federal legislative, regulatory and policy issues.**
- Objective E.3.2 Maintain strong working relationships with local agencies (water agencies, special districts, city, and local governments)
- The District continues to maintain strong working relationships with neighboring agencies, the cities served by the District as well as key customers within the District service area. These relationships**

include the District Board Members, the General Manager as well as staff at all levels as the District works to collaborate with a variety of other entities to maximize the service provided to the District's customers.

The District Board and Staff continue to engage with local agencies on a regular basis. The following is a summary of such activities.

The District hosts South Orange County Agencies Group meeting every other month in which elected officials and staff from nine south Orange County water agencies convene to discuss matters of mutual interest.

The Board and staff attend a variety of regional meetings and conferences at which they have the opportunity to hear from and engage with other elected officials and staff from local, state and federal levels including the following:

- MWDOC Policy Forum Dinner
- Conferences
 - ACWA
 - CASA
 - CSDA
 - Urban Water Institute
- South Orange County Economic Coalition Meet the Mayors Event
- State of the County Luncheon
- Chambers of Commerce Events

The General Manager attends a variety of meetings intended to foster relationships with other local agencies including the following:

- MWDOC Managers Meetings (Monthly)
- SOCWA Managers Meetings (Monthly)
- Meeting with SMWD, SOCWA, San Clemente and USBR
- Meetings with local General Managers and City Managers
- MWDOC MET Business Model Discussion
- MWDOC MET Treated Water Surcharge Agency Workshops
- Emergency Water Supplies to South Orange County Stakeholders Meeting
- OCFA Partnering Meeting
- Meeting with ACWA Executive Director
- Presentations
 - Third Mutual Water Conservation Committee
 - Laguna Woods Village Republican Club
 - Laguna Woods Village Garden Villa General Meeting

Objective E.3.3

Continue coordination with local, state, and federal elected officials and their staffs on legislative and policy issues

With the hiring of the District's Water Use Efficiency Analyst, Sherri Seitz, as the District's Public Affairs Manager, will devote additional time to evaluating and updating the General Manager and Board regarding local, state, and federal activities and potential legislation.

In May 2023 the General Manager participated in a roundtable of Special Districts at the office of Assemblywoman Diane Dixon.

In October 2024 the General Manager participated in a discussion at Santa Margarita Water District with representatives from the office of Congresswoman Young Kim.

The District has engaged on several legislative and policy issues with individual position letters or joint agency coalition letters. These letters have addressed the following issues:

Making Water Conservation a California Way of Life

**ACWA Coalition Letter to State Water Resources Control Board
March 30, 2023**

October 17, 2023

November 17, 2023

March 27, 2024

**ETWD Letter to the State Water Resources Control Board
March 26, 2024**

Senate Bill 34 / Senate Bill 229 - Surplus Lands Act

**CSDA Coalition Letters to the California State Senate and
Senate Committee on Governance and Finance
Oppose Unless Amended
April 13, 2023**

**CSDA Coalition Letters to Senate Committee on Appropriations
Oppose Unless Amended
April 25, 2023**

**CSDA Coalition Letters – California State Assembly Committee
on Local Government
Oppose Unless Amended
June 6, 2023**

**CSDA Coalition Letters to Assembly Local Government
Committee and Assembly Housing and Community
Development Committee
Oppose Unless Amended
June 22, 2023**

**CSDA Coalition Letters to Assembly Appropriations Committee
Oppose Unless Amended
July 31, 2023**

It should be noted that CSDA removed the opposition to both Senate Bills in August after both bills were amended to eliminate the impact on local agency cellular site leases.

Proposed Advanced Clean Fleets Rule

**ACWA – General Managers Comment Coalition Letter to the
California Air Resources Board
April 20, 2023**

**Assembly Bill 557 (Hart) - Emergency Remote Meeting Procedures
under the Ralph M. Brown Act**

**El Toro Water District Support Letter to the California State
Assembly
September 6, 2023**

**Senate Bill 1218 (Newman) – Emergency Water Supplies
Coalition Support Letter**

March 13, 2024

April 9, 2024

Senate Floor Alert

May 20, 2024

**MWDOC Water Conservation Field Services USBR Grant
Application**

**ETWD Letter of Support to the Bureau of Reclamation
May 21, 2024**

2024 Climate Resilience Bond

Joined the ACWA-led Coalition

May 23, 2024

AB 2257 (Wilson)

Joined the ACWA-led Coalition

May 23, 2024

**ETWD Letter to U.S. House of Representatives,
Representative Katie Porter, in Support of the Water Systems PFAS
Liability Protection Act (H.R. 7944)
June 27, 2024**

**ETWD Letter to U.S. House of Representatives,
Representative Young Kim, in Support of the Water Systems PFAS
Liability Protection Act (H.R. 7944)
June 27, 2024**

**ETWD Letter to the U.S Bureau of Reclamation in support of the
City of San Clemente Recycled Water Quality Improvement
Construction Project
October 8, 2024**

**ETWD Letter to the Bureau of Reclamation in Support of Santa
Margarita Water District's Drought Resiliency Funding Application
October 31, 2024**

**CSDA Coalition Letter "Open Meetings: Local Agencies:
Teleconferences Sunset Elimination for Modified Brown Act
Meeting Procedures
March 27, 2025**

**ACWA Coalition Letter - State Water Resources Control Board:
PFAS Mitigation Program
March 27, 2025**

**ETWD Letter to Senator Hurtado regarding Advanced Clean Fleets
Regulation: Appeals Advisory Committee (SB 496)
April 7, 2025**

**MWDOC Coalition Letter - 90 Signees
Support for Governor's Delta Conveyance Project Streamlining Bill
May 23, 2025**

**MWDOC Coalition Letter - 120 Signees
Support for Governor's Delta Conveyance Project Streamlining Bill
June 5, 2025**

KEY PERFORMANCE INDICATORS

1. Complaint log statistics

A log of all Customer Service activity is provided to the Board on a monthly basis. Incorporated into this customer service activity report are several categories that could be considered complaints, including water quality, sewer odor, water pressure checks, and high water use readings. Staff modified the customer service activity report to specifically reflect complaints. The following data describes the low level of complaints that have been logged by the District since the effort to explicitly track complaints began in November 2022.

	2022	2023	2024	2025 (To date)
Non-Bill Related Complaints	1	3	0	0
Billing Disputes	0	2	1	0

2. Number of ETWD scheduled and unscheduled emergency shut offs

Shutoffs of water service to customers typically results from the need to isolate the water distribution system during water main line repairs, service leak repairs, water valve replacements or meter replacements. The District strives to ensure these repairs and the associated service interruptions are scheduled with a minimum 48-hour notice to customers whenever possible. The following data describes the number of scheduled and unscheduled shutoffs for the last three calendar years.

	2020	2021	2022	2023	2024	2025 (To Date)
Scheduled	43	50	41	52	46	39
Unscheduled	1	2	1	2	1	1

3. Public awareness and opinion of ETWD

Staff are considering options for a customer survey regarding public awareness and opinion of ETWD as described in Objective E.2.2.

4. Number of Community Advisory Group participants

Live CAG meetings, suspended during the pandemic, resumed in December 2021. Eight CAG meetings have been held since that time with the following numbers of registrations.

December 9, 2021	24 Public Registrations
June 2, 2022	26 Public Registrations
August 31, 2022	26 Public Registrations
November 10, 2022	20 Public Registrations
February 9, 2023	30 Public Registrations
May 17, 2023	25 Public Registrations
August 10, 2023	29 Public Registrations
November 16, 2023	26 Public Registrations
February 8, 2023	24 Public Registrations
May 16, 2024	21 Public Registrations
August 8 , 2024	25 Public Registrations
November 14, 2024	28 Public Registrations
February 6, 2025	32 Public Registrations
May 8, 2025	25 Public Registrations
August 7, 2025	30 Public Registrations

GOAL F

Operations

Provide safe, cost-effective, and reliable operations while protecting the environment.

ETWD will provide reliable service while conducting operations with a focus on safety and cost-effectiveness. The District's operations will be sensitive to the environment and in compliance with environmental requirements. The strategies below define the approach the District will take to achieve the goal. Objectives are the measurable actions that track progress towards execution of the strategy.

Strategy F.1 Implement improved planning tools.

Objective F.1.1 Develop and implement an ETWD-wide asset management program with end user/operations level asset management tools to enhance performance

The Asset Management Plan for the water and wastewater pump stations is complete.

The Asset Management Plan for the WRP is complete.

Subsequent asset management studies are planned for the water distribution system and the sewer collection system in FY 2025/2026 and FY 2026/2027, respectively.

The District is evaluating CMMS solutions to integrate the asset management inventory with real-time work order completion.

Objective F.1.2 Assess current maintenance intervals on infrastructure and implement industry best practice as appropriate

Staff have been in the process of performing a detailed analysis of the preventive pump and motor maintenance program service intervals based on manufacturer's recommendations. Staff implemented changes to the service frequencies to find the balance between appropriate preventive maintenance and the cost of the program. Staff continue to evaluate the program and will continue to make updates and revisions as pumps are replaced.

Staff anticipate that the on-going asset management plan will further assist in the assessment of appropriate maintenance intervals on infrastructure and equipment.

Objective F.1.3 Continue to maintain as-built drawings

On-going.

Strategy F.2 Operate and maintain facilities.

Objective F.2.1 Maintain all facilities and appurtenances in a consistent fashion to achieve operational efficiency and functionality

On-going.

Objective F.2.2

Periodically exercise / replace water system valves as appropriate

The District operates an annual valve exercising program to maintain 5,607 valves in the potable water distribution system. The objective of the valve maintenance program is to operate the 627 valves in arterial streets annually while operating the remaining distribution system valves bi-annually. The total valve exercise program objective is 3,117 valves on an annual basis. The following reflects valve exercising production over the last five calendar years:

2020	871 valves exercised
2021	1,609 valves exercised
2022	1,568 valves exercised
2023	2,368 valves exercised
2024	3,336 valves exercised
2025 (To Date)	2,311 valves exercised

In addition, the Operations Department repairs and replaces valves as necessary. The following reflects the repairs and replacement of potable water valves over the last four calendar years:

	Valves Repaired	Valves Replaced
2021	9	12
2022	15	23
2023	14	15
2024	16	11
2025 (To Date)	19	14

Objective F.2.3

Continue to operate within the parameters of the Sewer System Management Plan

Staff continue to maintain the sewer collection system in compliance with the District's Sewer System Management Plan (SSMP).

Staff issued a contract to Fisher Compliance to provide and update the SSMP to comply with new regulatory requirements issued by the Regional Water Quality Control Board.

A draft of the updated SSMP was submitted to the Regional Water Quality Control Board in August 2025.

The updated SSMP as well as an updated Waste Discharge Pretreatment and Source Control Program Ordinance are being presented to the Board for approval at the September Board meeting. Upon approval of the update, training on the new Plan will be provided for appropriate District staff.

Objective F.2.4

Conduct an evaluation of system security

The installation of the security system at the R-6 Reservoir is complete.

The installation of security cameras at the Main Office/Field Office campus is complete.

The installation of the security system, inclusive of a new security camera, at the new Warehouse facility is complete.

Objective F.2.5

Manage system to minimize water losses

Service line leaks present a primary challenge in the effort to minimize water losses in the water distribution system. The District Operations Department swiftly responds to service leaks as they are identified.

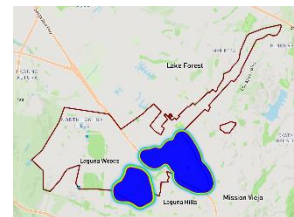
The District also operates a proactive on-going Leak Detection Program.

Acoustic leak detection has been completed for each single-family residential service connection in the ETWD system to identify leaks that may not have otherwise been obvious. District staff have conducted leak detection surveys on 6,600 service lines since May of 2020. Only seven leaks were identified with six of those on the customer side of the meter. The customers were notified of the potential leaks and the District staff repaired the one leak on the ETWD side of the meter.

District staff also worked with MWDOC, who received grant funding to assist with leak detection. MWDOC conducted a survey of approximately 2,150 services in the northwest portion of the ETWD service area. The MWDOC survey identified ten potential leaks. Two of the leaks were on the ETWD side of the meter and were repaired. Three of the locations were determined to not be a leak. The customers were notified of the remaining potential leaks on their side of the meter. The District understands at least three were subsequently repaired.

Having completed the first leak detection survey of the entire system, staff began a second cycle of leak detection surveys at the beginning of 2024.

In calendar year 2024 staff completed leak detection surveys at 2,274 services.



In calendar year 2025, to date, staff have completed leak detection surveys at 2,811 services.



Staff projects completion of the second leak detection cycle in the 2026 calendar year.

On-going progress of the leak detection program is reported to the Board in the monthly Operations Report.

Objective F.2.6

Complete the annual Water Loss Audit

The annual Water Loss Audit is due by January 1 of each year.

The analysis, preparation and validation step for the annual Water Loss Audit for calendar year 2022 is complete. The District submitted the 2022 Water Loss Audit to the State on November 15, 2023.

Starting in 2023, the District was also required to complete new water loss questionnaires administered by the State Water Resources Control Board every three years. These questionnaires include the following:

1. **Data Quality Questionnaire:** This system-level questionnaire asks for information on flow testing of production meters, electronic calibration, and flow testing of customer meters. Staff completed and submitted this questionnaire on 11/30/23.
2. **Pressure Management Questionnaire:** This system-level questionnaire asks for information on pressure control devices and high leakage zones. Staff completed and submitted this questionnaire on 11/30/23.
3. **Asset Management Questionnaire:** This system-level questionnaire asks for information on distribution infrastructure leak records maintenance and replacement prioritization. Staff completed and submitted this questionnaire on 5/21/24.

The District's Water Use Efficiency Analyst is now certified as an AWWA Water Loss Audit Validator. This certification allowed the District to complete the analysis and preparation of the Annual Water Loss Audit for the calendar year 2023 in-house saving on the cost of utilizing a consultant for this effort as has been done previously. **Staff completed the 2023 Water Loss Audit and submitted the report to DWR in December 2024.**

Staff will continue to utilize MWDOC staff for the validation step and will submit the Water Loss Audit report for calendar year 2024 to the Department of Water Resources by the end of December 2025.

Objective F.2.7

Assess use of automatic system flushing devices

The commencement of operations of the JTM Pump Station has had a positive impact on water quality in the northwest portion of the District's potable water distribution system. Scheduled flushing has been eliminated, reducing flushing requirements from once or more per week to less than once per month. In addition, flushing durations, when necessary, have been reduced from several hours to approximately 30 minutes. The improvement in water quality was sustained through the more challenging summer periods. Staff have therefore determined that automatic flushing devices are not necessary at this time. This analysis is complete.

Objective F.2.8

Evaluate building maintenance program and contract

Currently the District manages building maintenance needs through an efficient combination of outsourced support and in-house maintenance.

Objective F.2.9

Evaluate opportunity to repurpose the filtration plant site

The demolition of the Filter Plant is complete.

The construction of the warehouse/storage facility is complete and fully in service. Staff have completed moving designated equipment and inventory to the new warehouse.

Objective F.2.10	Implement preventative maintenance program on the recycled water system All of the 277 recycled water valves were exercised in the 2019-20 fiscal year and again in the 2021-22 fiscal year. The valves were scheduled to be exercised again in 2024. The effort to operate/exercise all of the recycled water system valves in 2024 is complete. The recycled water system valves will be exercised next in calendar year 2026. Staff has implemented a program of replacing air and vacuum relief valves on the recycled system, as they fail, with a plastic body model that reduces exposure to corrosion. To date, 13 of these valves have been replaced. WRP Staff maintain a detailed maintenance program for the Tertiary Treatment Plant processes and equipment. The WRP Maintenance Directory includes and tracks the maintenance on the following equipment: • Cloth Media Disk Filters • Tertiary Transfer Pumps • Recycled Water Pumps • Disinfection System
Objective F.2.11	Evaluate alternative solutions for root intrusion and fats, oil, and grease control The existing programs to mitigate the impacts of root intrusion and fats, oil and grease (FOG) consist of the following proactive components: • Sewer Line Cleaning Program (Two Year Cycle) • Sewer TV Inspection Program (Five Year Cycle) • Annual Root Cutting Program • Annual Root Foaming Program • Line Repairs or Pipeline Lining Projects as Necessary • On-going Hot Spots Program • Customer Education / Outreach • Restaurant FOG Inspection Program Staff, after careful consideration, concluded that the existing program is appropriate and effective.
Objective F.2.12	Consider efficient and sustainable wastewater solids handling options A previous alternatives analysis concluded that the current trucking alternative remained the most cost-effective solids handling option based on a 20-year life cycle cost analysis. Following completion of the Aeration Basin Diffuser Project staff implemented operational changes at the WRP that were intended to reduce solids production with a corresponding reduction in truck loads and solids costs at SOCWA. On July 26 staff placed Aeration Basin No. 1 in service. The simultaneous operation of all three aeration basins has increased the solids retention time by 32% (5.1 to 7.5 days) and reduced the amount of solids exported to SOCWA by 11% dry solids and 23% wet solids and truck trips.

During the Headworks and Secondary Clarifier No. 1 Rehabilitation Project, the District evaluated adding polymer to thicken sludge correspondingly reduce truck trips truck trips to the SOCWA Joint Regional Plant. Following full scale testing of polymer addition to the waste activate sludge, the District determined that adding polymer to minimize truck trips was not cost effective. The concentration of polymer required was too high for marginal reduction in truck trips.

Strategy F.3 Plan and prepare for emergencies.

Objective F.3.1 Update the Emergency Response Plan

The District's current Emergency Response Plan was updated in 2021. In order to comply with the America's Water Infrastructure Act of 2018, the next update must be completed by June 2026.

ETWD is participating in WEROC's regional contract to facilitate participating agency updates to the Multi-Jurisdictional Hazard Mitigation Plan / Local Hazard Mitigation Plan (MJHMP/LHMP), updates to the Risk Assessment required by the America's Water Infrastructure Act of 2018 (AWIA) and an update to the ETWD Emergency Response Plan (ERP) with the following anticipated completion dates:

MJHMP/LHMP	December 1, 2024	Complete
AWIA	December 31, 2025	Draft Complete Submit in December
ERP	June 30, 2026	Update to commence in January 2026

Objective F.3.2 Evaluate materials needs for emergency response

Staff recently replaced the emergency supplies storage bin at the Main Office campus as well as certain of the District's emergency response supplies.

Staff are transferring all viable emergency supply contents from the old emergency supply bin into the new bin. Staff are conducting a full inventory review to identify replenishment needs and evaluate appropriate and necessary supplies for additional orders. The existing food and water supply stored in the warehouse will also be relocated to the new bin to ensure centralized access.

Replacement of the food and water supply will be included in the 2026-27 budget with replenishment scheduled for November 2026, coinciding with the expiration of the current stock.

Objective F.3.3 Coordinate emergency response planning efforts with the regional water agencies, county, and cities

On-going.

Objective F.3.4 Conduct periodic emergency preparedness planning and training for all staff

The District conducted an extensive table-top emergency exercise, focused on a District-wide power interruption in October of 2022.

The District Public Affairs Manager, Chief Financial Officer and Accounting Supervisor attended the WEROC Recovery Training Series (Part I) which focused on the financial impacts, reporting and recovery from potential emergency scenarios.

The District, in coordination with Vicki Osborn with WEROC, conducted an ETWD employee Tabletop Exercise on October 30, 2024. The exercise focused on the District's two dams, Rossmoor No.1 (Effluent Holding Pond) and R-6 Reservoir. 43 employees were in attendance.

On November 12, 2024, the District's Public Affairs Manager and Operations Superintendent participated in the WEROC Orange County Regional Water Distribution Plan exercise that brought together water districts and cities to create a comprehensive Emergency Water Distribution Plan that can be tailored to their particular agency.

All new ETWD employees are required to take and complete the NIMS/SEMS 100 and 700 courses.

Staff are preparing training and planning an evacuation drill with all employees that will be conducted in the Fall 2025.

Staff are planning an emergency exercise for January 2026.

Objective F.3.5

Continue to implement the network, cybersecurity, and threat response plan

On-going.

Objective F.3.6

Evaluate need for additional diesel tank(s) and portable generator(s)

The District's 10 Year Capital Improvement Program includes rehabilitation and/or replacement of several aging generators, a new 275 kW portable generator, and a new stationary generator at the P-3 Pump Station. The new portable generator would enable the District to maintain service during an outage if an existing stationary or portable generator fails. The P-3 Pump Station generator would enhance firefighting capabilities during an outage in a high fire hazard zone. District staff are waiting for results from a grant application submitted for the P-3 Pump Station Project.

The 1,500-gallon Warehouse storage tank and 10,000-gallon WRP storage tank have adequate diesel to refill the generators necessary to support all ETWD facilities for 3.5 days. After 3.5 days, the WRP stationary generator runs out of fuel and requires 9,800 gallons for refuel. By the 4th day, the other facilities have consumed the diesel in the storage tanks and a refuel will be necessary of the Warehouse and WRP storage tanks. The District is considering whether an additional diesel storage facility is a worthwhile investment to extend the duration of time its facilities can remain online without an external fuel source.

ETWD is participating in the current WEROC Regional Fuel Plan evaluation as well as considering other potential opportunities to enhance emergency fuel supplies. Staff will include documentation of the response to a regional power outage in the upcoming Emergency Response Plan update.

Strategy F.4 Actively manage natural resource use consistent with environmental, social and governance (ESG) criteria.

Objective F.4.1

Conduct energy assessment to identify opportunities to reduce energy use

Staff have engaged with SoCalRen and Terre Verde to evaluate energy efficiency opportunities. Several projects have been started or included in the ten-year capital budget to improve energy efficiency.

Staff worked with SoCalRen to submit a grant application that could for the Headworks and Secondary Clarifier No. 1 Rehabilitation Project due to its reduction of aeration demand for the Waste Activated Cell. Staff were recently informed that the grant funding was no longer available. Staff have confirmed that a \$75,000 rebate from SCE remains available to support the project cost.

Staff pursued a hydro turbine energy efficiency system at the Main Pressure Reducing (MPR) Station but were recently informed that the grant funding that made the project financially viable is no longer available.

Staff issued a contract to TerraVerde to perform a third-party review of the efficacy of the WRP Battery System and to evaluate potential energy efficiency projects at the WRP and P-1 Pump Station.

TerraVerde developed a Request for Proposals for battery projects at the Ocean Outfall Pump Station and the P-1 Pump Station and a potential solar project at the WRP. Proposals are due at the end of September.

Objective F.4.2

Optimize facility operations to most efficiently use power, supplies, chemicals, and labor

Staff continue to pursue multiple efforts to optimize the efficiency of ETWD operations. Staff recently modified the work schedule at the WRP which allows more efficient staffing and a reduction in the headcount. Staff are further pursuing energy efficiency opportunities as noted above. The implementation of the Tertiary Treatment Optimization Project has the potential to reduce the amount of Sodium Hypochlorite required for recycled water disinfection.

Objective F.4.3

Evaluate opportunities for use of solar energy and other renewable energy sources

An evaluation of opportunities for the use of solar energy was completed as a component of the previous energy efficiency evaluation. Terre Verde's analysis of the District's solar opportunities indicated there is not sufficient energy production potential to justify the expected cost.

Since the last evaluation of solar options conditions have continued to evolve. Costs of electricity have risen but solar cost effectiveness has been negatively impacted with the change in the Net Energy Metering standard.

Staff authorized Terre Verde to perform an analysis of potential energy efficiency projects, including potential solar and battery

options, at the WRP and the P-1 Pump Station. TerraVerde developed a Request for Proposals for battery projects at the Ocean Outfall Pump Station and the P-1 Pump Station and a potential solar project at the WRP. Proposals are due at the end of September.

Staff worked with InPipe Energy and evaluated the potential for installing turbines at certain locations in the water or recycled water systems. InPipe determined the only viable site was the District's Main Pressure Reducing station. Staff signed a letter of support for InPipe Energy that could result in a hydro turbine energy efficiency system at the Main Pressure Reducing (MPR) Station with minimal capital investment. The vendor, InPipe Energy, was not selected for the California Energy Commission (CEC) grant, which would have covered 75 percent of the total Project cost. The capital budget planned on this funding for implementation. With the loss of CEC funding, payback is likely over 10 years for this Project. District staff recommend deferring project implementation until alternative funding is identified.

Objective F.4.4

Assess opportunities for electric fleet vehicles

The California Air Resources Board (CARB) has enacted new regulations that would phase in requirements to purchase zero emission vehicles rather than the traditional gasoline or diesel fueled vehicles as vehicles are replaced.

In March 2024 the District purchased an electric vehicle to replace an obsolete Administration Office pool vehicle. This purchase will help the District comply with the Advanced Clean Fleets (ACF) Rule regarding acquisition of new vehicles.

District staff set up a TRUCRS account to comply with CARB (California Air Resources Board) requirements for smog testing and reporting for diesel vehicles over 14,000 lbs.

Staff continue to evaluate the ACF Rule requirements and assess the District's vehicle replacement needs for both large and small equipment.

KEY PERFORMANCE INDICATORS

1. Compliance with applicable regulations

The District continues to comply with all applicable regulations. The occurrence of any regulatory violations is extremely rare for the District.

The District received a single regulatory violation in the form of a Consent Order, executed in August of 2023, issued by the County of Orange Certified Unified Program Agency (OC CUPA) Hazardous Materials Surveillance Section (HMSS). The HMSS conducted an inspection of the underground fuel storage tank at the WRP in February of 2022. During the inspection it was identified that certain leak detection equipment on the tank was not located in the proper position. Upon identification of the problem, District staff immediately restored the sensor to its proper position. It wasn't until the 2023 annual inspection that the County noted the previous deficiency in a written inspection report. The Consent Order notes that the District has fully complied with the requirements to restore the leak detection equipment. The District was assessed a penalty of \$2,500 of which \$1,250 was waived due to the District's compliance with the requirements.

2. Compliance with state requirements to improve urban water use efficiency

The State Water Resources Control Board adopted the final "Making Conservation a California Way of Life" regulation on July 3, 2024. The regulation implements Assembly Bill 1668 and Senate Bill 606, which were signed into law in 2018, to develop a regulatory framework to achieve long-term water use efficiency with the purpose of adapting to climate change and more intense and frequent droughts in California. Staff have been actively involved in the rulemaking process and provided public comments to the State Water Resources Control Board that highlighted how the regulations would impact the District and its customers.

The State Water Resources Control Board requirements include an annual reporting of the District's compliance with the Urban Water Use Objective (UWUO) defined in the Making Conservation a California Way of Life regulation. Staff submitted the initial report in December 2023 by the January 1, 2024 due date. Staff submitted the fiscal year 2023-2024 report by the January 1, 2025, due date, and the District met its calculated water use objectives for the reported fiscal year. Staff are currently working on the fiscal year 2024-2025 UWUO report that will be submitted before January 1, 2026.

Staff continue to focus on water use efficiency and will make adjustments to align these efforts with the specific urban water use efficiency standards, objectives, and performance measures specified in the regulations.

In addition, ETWD staff serve as member of the Department of Water Resources' SB 1157 Indoor Residential Water Use Working Group. This group was established to support DWR in quantifying the benefits and impacts of California's 2030 indoor residential water use standard on water supply, wastewater, and recycled water systems. Through active engagement in this process, ETWD ensures that the District's perspective is reflected in statewide analysis and that the interests of its ratepayers are considered in evaluating the impacts and implementation of the standards.

The AB 1572 Legislation was signed on October 13, 2023. The legislation prohibits 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.

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 staff have actively engaged with its customers to provide updates on the regulations, potential impacts and compliance

timelines. ETWD received appreciation and praise from several other agencies for staff's efforts to develop and distribute an informational flier and fact sheet regarding the AB 1572 requirements.

3. Monthly monitoring of production and consumption compared to historic months

On-going.

4. Water losses as defined in the annual Water Loss Audit

The standard, set by the State, for the District's annual water loss audit is 24.3 gallons per connection per day.

The 2022 calendar year water loss audit analysis identified the District's water loss as 24.1 gallons per connection per day, which complies with the standard.

The 2023 calendar year water loss audit analysis identifies the District's water loss as 23.1 gallons per connection per day, which complies with the standard.

The District Water Resources Supervisor is in the process of preparing the water loss audit for the 2024 calendar year. Preliminary results indicate the District complies with the standard. The final audit will be completed and submitted to DWR by December.

GENERAL MANAGER'S REPORT

September 2025

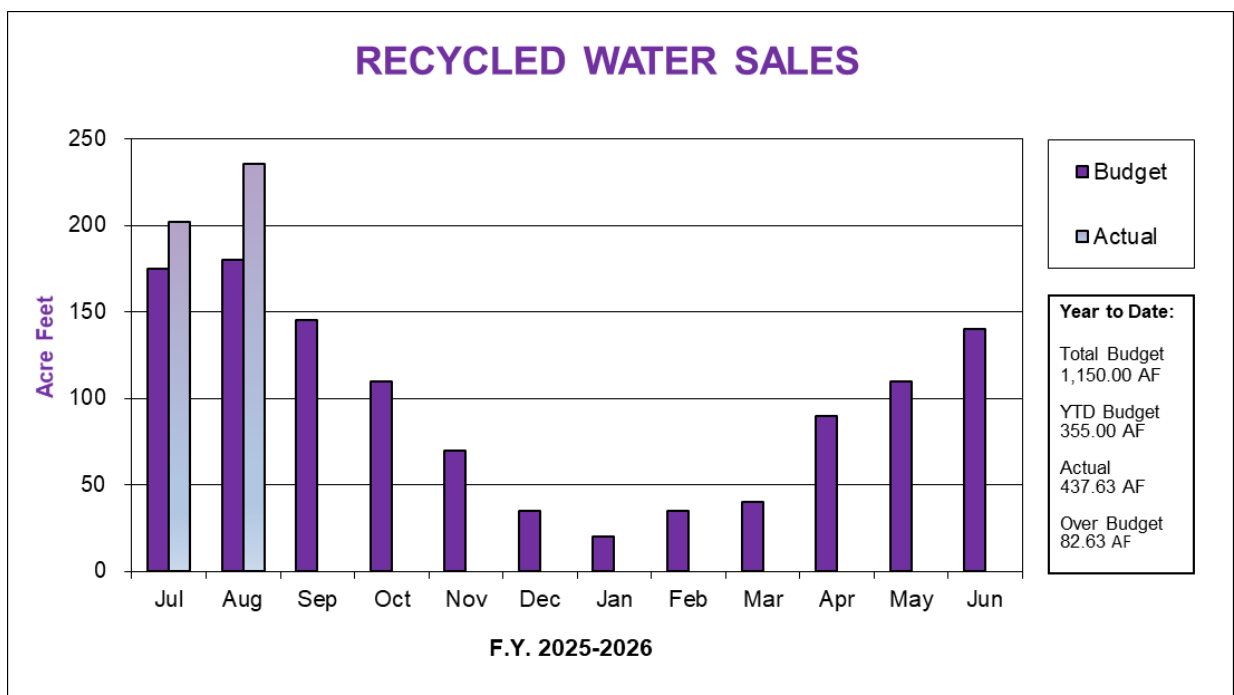
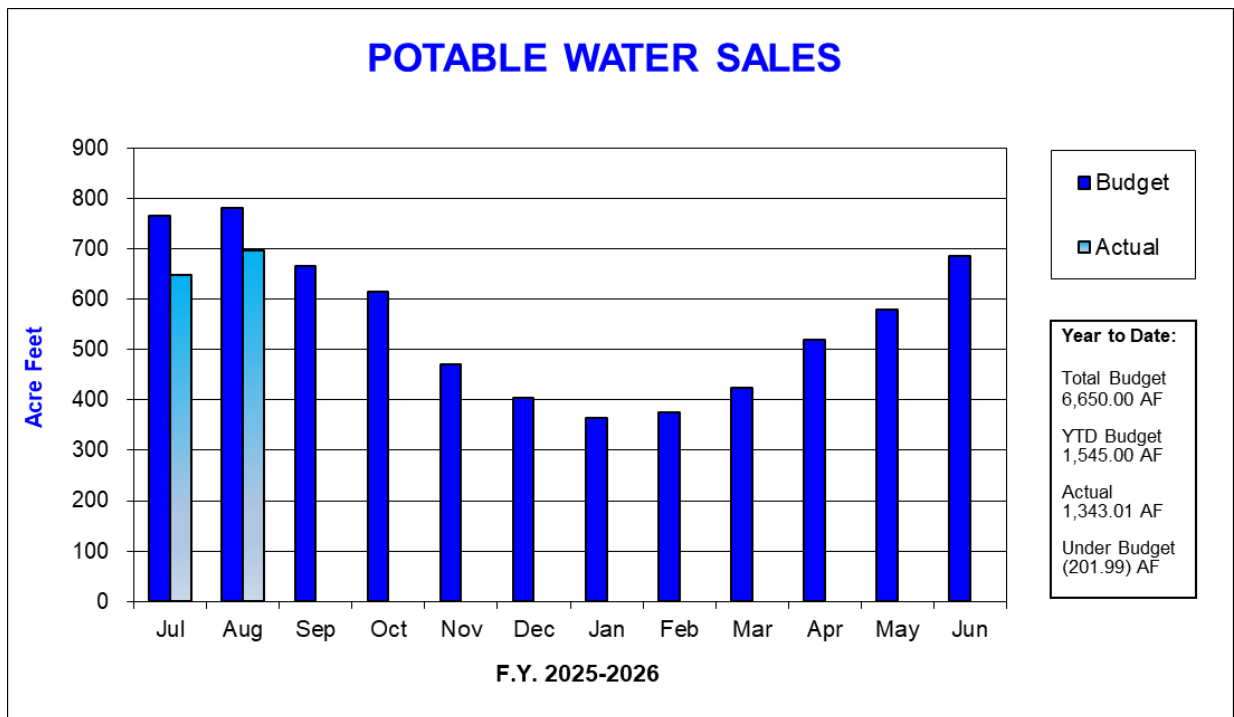
I. OFFICE OF THE GENERAL MANAGER

- MWDOC Board Meeting
- MWDOC A&F Committee Meeting
- MWDOC P&O Committee Meeting
- MWDOC Managers Meeting
- MWDOC / MET Directors Workshop
- MWDOC Treated Water Surcharge Member Agency Workshop
- SOCWA Board Meeting
- SOCWA Finance Committee Meeting
- Joint Regional Water Supply System Member Agency Meeting
- MNWD Regional Treatment Plant Update
- Meeting with Matt Collings – MNWD Assistant GM
- Strategic Plan Meeting with Ed Means
- Meeting with TerraVerde
- Meeting with GEI Consultants
- ETWD President/VP/GM Meetings
- 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 August 31, 2025, are 1,343.01 acre-feet. This compares to year-to-date budgeted domestic sales of 1,545.00 acre-feet. The year-to-date variation in actual to budgeted sales reflects a decrease of 201.99 acre-feet. Actual sales are 20.17 acre-feet lower than last year-to-date actual sales for the same period.

Actual recycled sales for the year-to-date as of August 31, 2025, are 437.63 acre-feet. This compares to year-to-date budgeted recycled sales of 355.00 acre-feet. The year-to-date variation in actual to budgeted sales reflects an increase of 82.63 acre-feet. Actual sales are 31.58 acre-feet higher than last year-to-date actual sales for the same period.

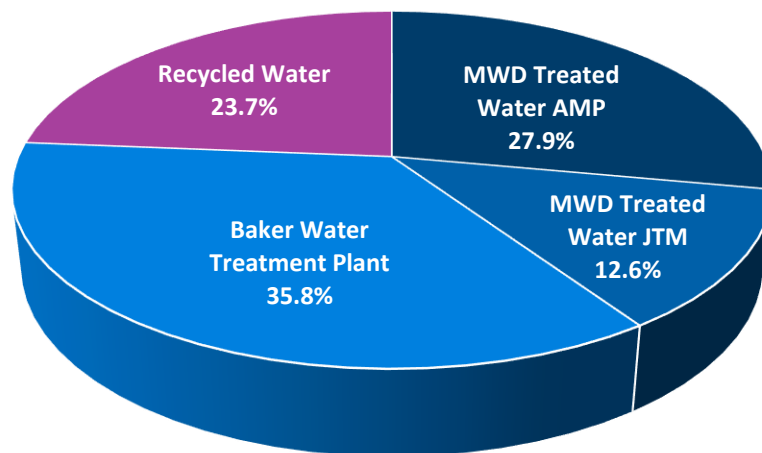


III. WATER SUPPLY SOURCES

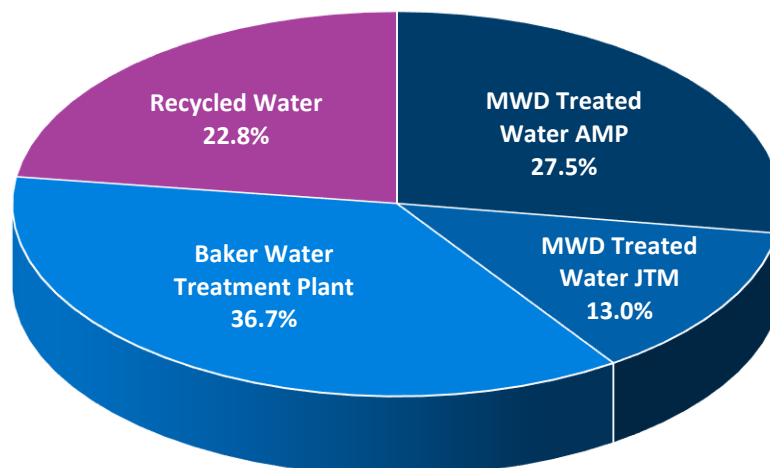
The charts below provide a summary of water supply sources for the month and fiscal year to date (FY 2025-2026). They illustrate the relative contribution of each supply source, including imported treated water from Metropolitan Water District (MWD) via the AMP and JTM connections, local production from the Baker Water Treatment Plant, interconnections with neighboring agencies, and recycled water. These charts help track supply trends and support planning and operational decisions.

Water Supply Sources (AF)				
	August 2025		FY 2025-2026 YTD	
MWD Treated Water AMP	278.1	27.9%	527.7	27.5%
MWD Treated Water JTM	125.3	12.6%	250.4	13.0%
Interconnections	0.0	0.0%	0.0	0.0%
Baker Water Treatment Plant	356.3	35.8%	705.2	36.7%
Recycled Water	235.9	23.7%	437.6	22.8%
TOTAL	995.6	100.0%	1,921.0	100.0%

Water Supply Sources
August 2025



Water Supply Sources
FY 2025-2026 YTD



Customer Service Activity Report

Regular Service Calls	AUG 2025	AUG 2024	Telephone Calls	AUG 2025	AUG 2024
Serviceman Dispatched to Read, Connect/Disconnect Service	107	71	Change of Service: Connections and Disconnections	104	51
Field Investigations:			Billing / Payments & Graph Inquires	183	313
Check for leaks - calls to CS Office:(irrigation,meter,street leaks) Customer Responsible	9	17	Assistance with online payments and ETWD's portal (cc, e-checks, other.)	27	21
District Responsible	1	1	Variance / Adjustment Inquiries	17	9
None found/other	15	4	Variance / Adjustment Requests Processed	5	8
High Reads Checked - High Consumption (Billing Dept.)			Ordinance Infraction / Water Waste Complaints	0	0
Cust Leaks: 8 No Leaks: 18	26	23			
Check Stopped Slowed Meters-Low Consumption (Billing)	2	0	Outside Utility Districts	53	44
Re-Check Read	5	3	Phone calls Transfer to other Departments within ETWD	34	50
Ordinance Infraction	0	0	Phone calls for the Board of Directors	2	1
Recycled Water	0	0	Recycled Water	0	0
Water Quality: Taste / Odor / Color Phone response: _1 Field response:_0	1	4	Water Quality Taste - Odor - Color Leaks / Breaks	0	3
Flooding (Hydrant) Meters issued	2	0	Flooding Meter calls (Hydrant)	14	15
Sewer - Odor/Stoppage/ Manhole Covers	0	0	Sewer Problems (odor / spills)	1	1
Meter Box: Lids / Covers/ Replaced	5	2		1	5
Meter Box Clean, Digout	1	0	Backflow / Cross Connection (questions or yearly testing forms)	0	1
Raised Meter Box	0	4	ETWD facilities inquiries: Boxes/Covers/Lids/Hydrants/Pump Stations/Graffiti/ "Gen. Maint"	0	2
Trim Bushes / Meter Obstruction	29	3			
General Maintenance Response	2	3	Tyco (ADT) Calls (Alarms to ETWD facilities)	0	0
Fire Hydrants: Hit / Leaks / Caps	1	1	ATT Calls (access to tower sites)	0	1
Pressure(psi) Checks / Reads	2	2	SCE Calls (access to tower sites)	0	0
CSSOV (Angle Meter/Ball Valve/Gate Valve/Globe Valve) chk,repair,replaced	8	19	Pager Calls specifically for Pump Stations - SCADA	0	0
AMS angle-meter-stop replace/repair	0	0			
Bees Removed	0	2			
Backflow / Cross Connection	0	1	Payment Extensions	43	14
Fogged Registers	38	5	Delinquent Payment Calls to Customer 's prior to shut off per billing calendar (automatic courtesy dialer)		
OMCOP: Old Meter Change - Out Program	0	2	Return Calls from customers left on our voice mail system. Ext. 500	11	0
Other: (uncommon non-maintenance calls)	4	0	Email Correspondence:	15	53
On-Call After Hrs. CS Response	11	24	Maintenance Service Order Requests (bees, psi, fogged-dirty registers)	6	14
# Posting Notice & 24 Hr. Door Hangers Hung	150	0	Misc. (other: employment, deliveries, sales calls)	27	13
#Shut Offs/Disconnect for Non-Payment (DNP)	25	0	Payment Processing Fee Complaints	0	0
Removed Meter	0	1	Customers Complaints non bill related.	0	0
New Meter	1	0	Billing Disputes	0	0
Unread Meters	4	3			
Total Field Investigations	449	195	Total Telephone Calls	543	619
Uncollectible Accounts:			Credit Card Payments	AUG 2025	AUG 2024
Budget YTD	\$ 3,250.00	\$ 3,250.00	REGULAR	1,924	\$356,999.11
Actual YTD	\$ -	\$ -		1,674	\$302,578.54



The Metropolitan Water District of Southern California's Water Supply Conditions Report (WSCR)

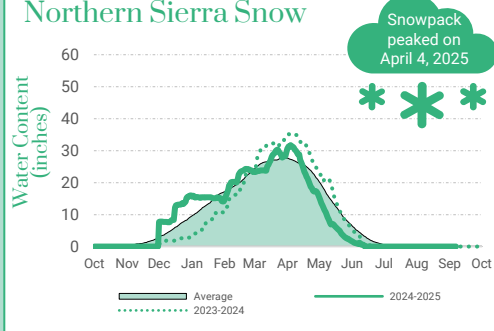
Water Year 2024-2025

As of: 09/07/2025

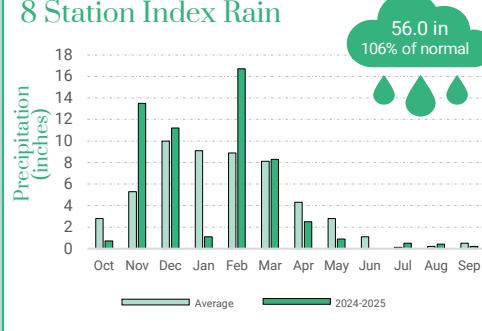
<https://www.mwdh2o.com/WSCR>

State Water Project

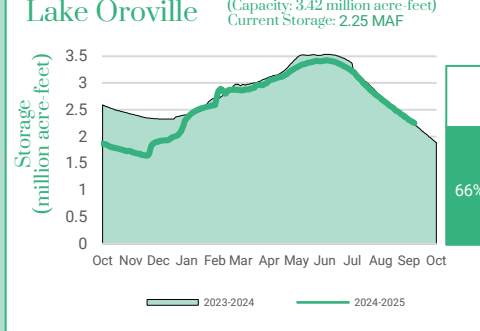
Northern Sierra Snow



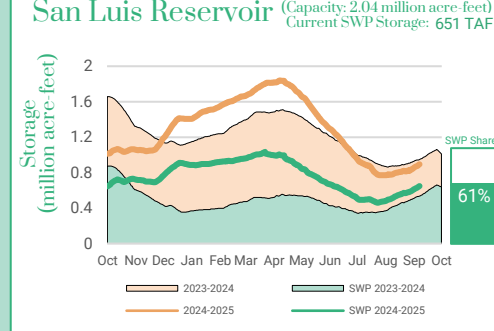
8 Station Index Rain



Lake Oroville

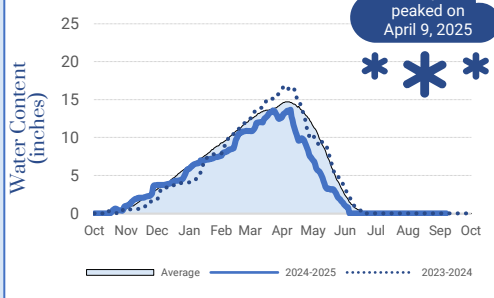


San Luis Reservoir

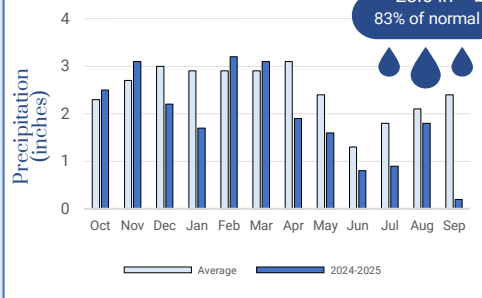


Colorado River

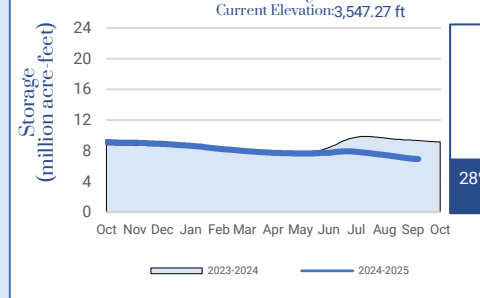
Colorado River Basin Snow



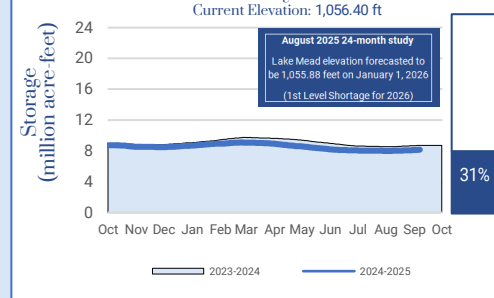
Colorado River Basin Rain



Lake Powell

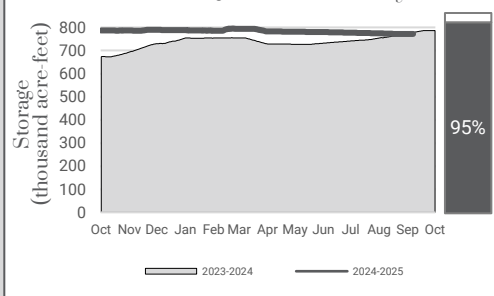


Lake Mead

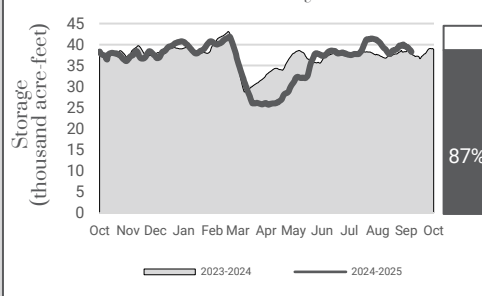


Metropolitan

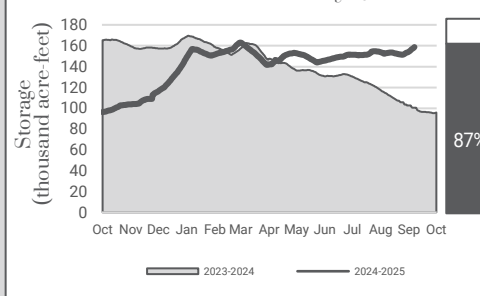
Diamond Valley Lake



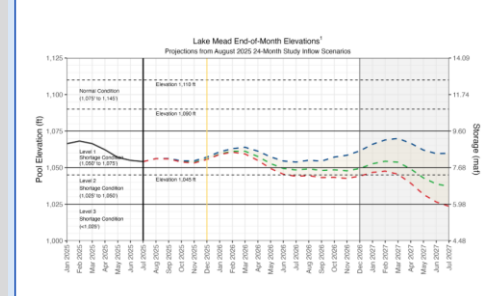
Lake Skinner



Lake Mathews



Lake Mead Forecast



This report 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.
Questions? Reach out via the form: <https://forms.office.com/g/Gj3aRcAuCm>

WILL SERVE SUMMARY REPORT

AUGUST 2025

PROJECT NAME	PROJECT DESCRIPTION	Will Serve Letter Date	PHASE	CFF
The Village at Laguna Hills (Retail Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Forthcoming	Plan Check	Not Yet Calculated
The Village at Laguna Hills (Central Residential Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Forthcoming	Plan Check	Not Yet Calculated
The Village at Laguna Hills (Southern Residential Phase)	Installation of various sized water, fire, and sewer services at the former mall site.	Forthcoming	Plan Check	Not Yet Calculated
Parentis Health Sewermain Relocation	Relocating an existing sewermain.	6/26/2025	Plan Check	Not Yet Calculated
Whoop Axe Water Service Upgrade	Upgrade of existing water service.	4/23/2025	Plan Check	Not Yet Calculated
Central Utilities Plant 24451 Health Center Drive	Additional domestic and fire services for a medical central utility plant.	12/20/2024	Construction	\$ 21,856
23272 & 23282 Mill Creek	Addition of a domestic backflow device	Forthcoming	Planning	Not Yet Calculated
23172 Plaza Pointe Dr and 23441 S Pointe Laguna Hills	Potential development of 100 Dus	Forthcoming	Planning	Not Yet Calculated
Laguna Woods Shell and Carwash	Removal of a DCDA and installation of a Blow Off Appurtenance	3/20/2025	Construction	\$ -
Casa De Empanada	Conversion of a vacuum repair into a restaurant	5/14/2025	Plan Check	\$ 8,291
23370 Moulton Pkwy Sewer Improvements	Modifications to the sewer lateral	5/8/2025	Construction	\$ -
Texas Roadhouse BBQ	Conversion of El Torito into Texas Roadhouse BBQ	Forthcoming	Planning	Not Yet Calculated
23161 Mill Creek	Residential development for 43 attached condo units	Forthcoming	Planning	Not Yet Calculated
24043 Gemwood Dr ADU	Addition of a 3/4" service	6/10/2025	Construction	\$ 5,284
OC Vet Animal Hospital	conversion of an adult day care to a vet clinic	Forthcoming	Plan Check	Not Yet Calculated
Burlington Backflow	Addition of a domestic backflow device	Forthcoming	Plan Check	\$ -
T-Mobile Backflow	Addition of a domestic backflow device	9/12/2025	Plan Check	\$ -
24012 Avenida De Carlotta Backflow	Addition of a domestic backflow device	Forthcoming	Plan Check	\$ -



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

From: Natural Resource Results

RE: Monthly Board Report – August 2025

Appropriations

With August recess ending, Congress will return to a difficult appropriations environment. With funding set to expire on September 30th, Congress won't have much time to complete the process, especially since there are significant differences between the two parties related to overall funding amounts for the federal government. Because of this, a CR of some duration (End of December? Sometime in 2026?) is almost assured.

However, the House will take up its version of the Energy and Water bill, which funds the Bureau of Reclamation, when it returns next week. While most agencies funded through that appropriations bill took significant cuts, Reclamation would actually see a very slight increase. The Senate has not yet unveiled its version of the Energy and Water bill.

Reclamation Invests in Water Reuse in the Colorado River Basin

The Bureau of Reclamation recently announce approximately \$200 million for water reuse projects in Arizona and Utah to bolster long-term sustainability in the Colorado River Basin.

- *Arizona:* A \$179 million agreement with the City of Phoenix will fund Phase 1 of the North Gateway Advanced Water Purification Facility, which will treat 8 million gallons per day of effluent for direct reuse—adding over 7,500 acre-feet of water annually.
- *Utah:* \$20.6 million will go to the Washington County Water Conservancy District to expand its regional wastewater reuse system, creating a drought-proof local supply.

The funding comes through Reclamation's Large-Scale Water Recycling Program, with a new \$130 million funding opportunity for additional projects to be announced soon. Officials say these efforts will improve water resilience, promote conservation, and strengthen the basin's water security.

To:	MWDOC Workshop
From:	Syrus Devers
Date:	September 3, 2025
Re:	State Legislative Report

Legislative/Administrative Report

The Legislature returned on August 18th and was quickly embroiled in Governor Newsom’s plan to put revised congressional districts that favor Democrats on the November ballot. To meet the constitutional deadline, the ballot measure had to be passed by August 21st, which it did despite controversy and litigation. The unfortunate side effect for water-related interests was that little, if any, work was done by the Governor and the Legislature on critical issues like the Delta Conveyance Project or Healthy River and Landscapes (Voluntary Agreements), which are discussed below.

Legislation:

Low Income Rate Assistance (LIRA): **AB 532 (Ransom)**--Just when you thought LIRA had dropped off the radar, the Senate Local Government Committee threw a wrench into the works. AB 532 is sponsored by the California Municipal Utilities Association (CMUA) and has flown under the radar with no opposition until the committee analysis on July 16th called for “opt out” provisions. Opt out means customers are automatically enrolled in contributing to a LIRA program unless they affirmatively opt out of it. Water districts are nearly unanimous in their opposition to opt out over fear of customer backlash. CMUA first asked the committee to remove opt out and was refused, and is now trying to work out a compromise with the committee.

Open Meetings: **SB 707 (Durazo)**--Early in the year, MWDOC took a support position on AB 259 (Rubio) which would simply have extended the sunset on current law on open meetings. AB 259 was held and the sunset extension was amended into SB 707. That bill, however, was intended to reform the Brown Act relative to cities and counties and contained several provisions that special districts opposed. Special districts do not have the budgets or contiguous borders that cities and counties have, and some of the requirements in SB 707 would be expensive and difficult to implement. CSDA and ACWA are seeking amendments and have been told the author is willing to address their concerns. According to Three Valleys Municipal Water District, who sponsored AB 259, the author is considering amendments that will apply the bill’s requirement to only the largest special districts that cover entire counties.

Syrus Devers Advocacy

Ongoing issues:

The Delta Conveyance Project (DCP) Budget Trailer Bill

The State Water Contractors Association and MWD worked together on another lobby day in Sacramento on August 20th. This effort was primarily focused on key members outside of southern California, although several follow up and “thank you” meetings for SoCal members did take place. The day kicked off with a press event and the release of a report detailing why the DCP is necessary. The report can be found here:

<https://www.gov.ca.gov/2025/08/19/governor-newsoms-delta-conveyance-project-is-single-most-effective-action-for-californias-sustainable-water-future-study-finds/>

The press event was well-attended although Newsom did not make an appearance.

Healthy Rivers and Landscapes “HRL” (Voluntary Agreements):

(Background: The Voluntary Agreements, or “VAs”, have been worked on for many years, but became a central issue when Newsom was elected. The VA process allows for a flexible and dynamic approach to managing water quality and water diversions in the Bay Delta, and is favored by the water community. Opposed to the VA’s is the “unimpaired flows” approach which requires that rigid water flow metrics determine water management criteria. Newsom became embroiled in the issue even before being sworn into office when he publicly criticized the then Chair of the State Water Resources Control Board (SWRCB) for favoring unimpaired flows.)

HRL will finally come to a head when it comes before the SWRCB on September 25th-26th. The Association of California Water Agencies (ACWA) and the State Water Contractors are organizing sign-on letters in support.

There is also an effort to pass a Budget Trailer Bill in support of HRL...maybe. First, the bill would not benefit HRL exclusively. The purpose is to give water plans relief under CEQA, which would obviously benefit HRL. The problem is that the water community is finding it somewhat difficult to coalesce behind the initial proposal. In the sole opinion of SDA, this lack of focus is potentially fatal to the effort due to the very short time available to identify and amend a trailer bill and move the legislation.

Proposition 4 Funding:

To the surprise of most, the Legislature has not prioritized a spending plan for the funds made available by Prop 4. Rumor in the halls is that the Senate has a spending plan, but the Assembly appears to have done nothing on the issue. This is surprising because legislators are typically not shy about spending money, and Prop 4 spending is outside of the overall budget process.

Legal and Regulatory

September 3, 2025

1. **Climate Change Impact:** A recent question arose regarding the Texas floods. Did climate change make it worse? Researchers use a theory called “attribution science” to determine if climate change had a significant or any impact on a weather event. They determined with a very low confidence level, that climate change may have increased the rainfall by 7%. They admit that the science behind this is somewhat tenuous. A review of similar events in the Texas area going back to 1950 showed over 30 events of similar intensity. Their conclusion, with all the disclaimers, was that the frequency of intense events is increasing.
2. **Wildfire Moonshot:** State and local firefighters recently met to discuss the future of forest firefighting. They met in front of an autonomous Black Hawk helicopter which could fight fires without humans. A satellite picks up a flame in the wilderness. That triggers the Black Hawk to fly to the area, locate the blaze, using AI analyze the situation, develop a plan. At the same time other Black Hawks are in the air carrying water to put out the flames. There are currently over 1100 mountain top cameras across California and satellites in the sky. A new satellite group from Google has been launched specifically to identify fires. These systems can also work in conditions where we would not send manned aircraft due to high wind or smoke conditions. One of the robot’s named Colossus was used to fight the Notre Dame fire in Paris. As you might guess, none of this is cheap. But comparing the potential loss of the recent Palisades fire, it may be worth it.
3. **Atmospheric River Update:** A recent study looked at atmospheric rivers on the west and east coast of the USA. ARs require tropical water vapor, jet streams, and good regional conditions like low pressure systems. Then you add “modes of variability” which means how much of each? The east coast is expected to get more activity in the next 20 years but not as much as the west. The east gets more rain from larger storms, hurricanes and the like. The frequency and intensity of ARs in the west will hold while diminishing over time in the 5% category.
4. **Ocean Creatures Measure Sewage:** LA County Sanitation District operates 11 treatment plants and utilizes the usual treatment methods. Much of their infrastructure is quite old and has had many serious incidents in the past few years. While they are constantly updating their component parts, their real test is a physical examination of the sea creatures close to the outfalls of the discharge pipes. Usually two times per year, the marine biologists gather and test these flora and fauna to see if they are healthy or contain higher than normal levels of various elements. After those tests, they take whatever action is required.

5. **Better Forecasts:** New York University researchers are pushing new ideas for analyzing water related events. They are using an “uncertainty-focused approach”. Instead of coming up with a single forecast, such as 80% change of storms, they are suggested an option method. This would mean instead of saying the river will rise 20 feet, saying there is a 70% chance of the river rising 20 feet, a 25% chance of the river rising 25 feet and a 5% chance of it rising 30 feet. They believe this is more realistic as 75% of flood fatalities occur from folks driving into or walking into flooded situations. Using these projections and applying them to the local conditions and topography will aid water managers in preparing and handling major events when they occur.
6. **Isotopes Clean Water:** The University of Texas is part of 10 country study (Argentina, Costa Rica, Ecuador, Ethiopia, India, Morocco, Nepal, Romania, Slovenia and USA) The countries were chosen due to the vastly different conditions and development in water world and lasted over 5 years. Traditional water processes use physical or chemical testing. This one used isotope in water molecules as unique identifiers. Their goals are to trace water, detect evaporation, located water source mixing, and identify contamination faster. The most significant impact will be in cities, where water often travels long distances from rural conditions to urban systems. They intend to share this global information to solve local problems.
7. **Tsunami Damage:** Most of the world dodged a very big bullet last month after the magnitude 8.8 earthquake off the Russian coast. Crescent City harbor took the biggest hit on the west coast of California suffering almost \$1 million damage. As a result of the offshore topography, it was exposed to 4 feet waves and surges which took out H Dock. However, this was a semi planned event. When the harbor was developed, the potential from far away tsunamis was known. They built H Dock to higher standards to protect the rest of the marina. And it worked. While H Dock was severely damaged, the rest of the marina was spared.
8. **Groundwater Rise:** We have previously reported on the growing concern in the coastal regions of America. As sea level rises, along with land subsidence in some areas, the groundwater level in areas close to the ocean is rising. This causes problems with roads, infrastructure, drinking water, septic tanks and many other elements. Lawmakers are pushing for a federal study to map groundwater conditions around the country. San Francisco and San Mateo are the most at-risk areas in California. A hodge podge network of wells, a complex coastal geography and mix of urban and rural uses makes the situation harder to assess and analyze. Stay tuned.
9. **Wildfires Damages Water Systems:** While fires in California wreak havoc with water infrastructure, other states like Washington have taken some big hits. The Yakima-Tieton Irrigation Canal which supplies water to the state’s most important farmland is in trouble. As a result of last year’s fires and subsequent rains, the land is falling apart. Boulders are falling.

Trees are falling. And the great heat from the fire has damaged the concrete structures. Sediment is filling storage areas, reducing electrical output and clogging fish screens. Plastic pipe has melted. This canal was completed 115 years ago and has joint ownership between the federal government and local irrigation districts. Getting money to repair all this is hard to come by. Unfortunately, this is not an isolated event for the State.

10. **Freshwater Decline:** Arizona State University has completed a study of the status of freshwater in the world. They have used 20 years of satellite data looking at climate change, groundwater overdraft and droughts to determine that we have experienced a severe loss of freshwater worldwide. The majority of the loss has come from groundwater use (68%). Serious droughts in the northern hemisphere have also occurred. The most serious areas of concern are: southwest North America and Central America, Alaska and northern Canada, northern Russian and the Middle East and northern Africa. Their conclusion was that groundwater management was the most important area of concern.
11. **Cost of Dam Removal:** For over 100 years, the Potter Valley Project has moved Eel River water to the Russian River area and Marin. Now they plan to drain Lake Pillsbury and remove two dams. Flows would return to original conditions of many years ago. Russian River farmers and residents would get substantially less water. The current migration patterns for many fish and fowl would be disrupted. The economic loss in sales and property values would be over \$1 million annually. Sometimes turning back the clock can create problems.
12. **Rhubarb Cleans Water:** Removing bacteria from wastewater is a constant issue. With all the new items, such as antibiotic medicine, entering the waste stream, finding an effective treatment solution is important. Now, scientists from Utah State University have discovered natural substances that look effective. As we have reported in the past, there has been great success in using natural ingredients to treat bacteria. This time curcumin from ginger and emodin from rhubarb has shown to be successful against bacteria and antibiotic resistance. Eleven other natural ingredients have been shown to work quite well. More testing and scaling up is being scheduled now.



TO: MWDOC Board of Directors

FROM: Whittingham Public Affairs Advisors

DATE: September 3, 2025

SUBJECT: September 2025 Local Legislative Report

Following are a few of the more notable developments and issues that have transpired in Orange County over the last several weeks:

- The Orange County (County) Board of Supervisors (Board) has approved updates to its code of ethics following revelations of former Supervisor Andrew Do's criminal misuse of COVID-19 meal program funds. Key changes include:
 - New protections for whistleblowers
 - A requirement that Supervisors review and sign the code of ethics when taking office
 - An explicit rule that county officials and employees "shall not act for personal gain"
- The same week the Board adopted the revised code of ethics, a federal judge ordered former 1st District Supervisor Andrew Do to repay about \$878,000 to the County. Do also reported to the federal penitentiary in Tucson, Arizona, to begin serving his five-year prison sentence.
- The Board of Supervisors recently approved a plan to fold the District Attorney's Human Resources (HR) Department into the County's Central Administration. The change follows a civil lawsuit in which a jury awarded \$3 million to a former prosecutor who claimed she was pushed out after trying to protect junior colleagues. Eight HR positions from the District Attorney's office will be transferred as part of the move.
- Melehat Rafiei, former head of the Orange County Democratic Party, was sentenced to six months in jail by a federal judge for attempted wire fraud. The longtime advisor to many local elected officials was arrested in 2019 and signed a plea deal in 2023, after cooperating with FBI investigators as part of their investigation of Anaheim Mayor Harry Sidhu related to negotiations with the Angels. Former Anaheim Chamber of Commerce CEO Todd Ament's sentencing, which was scheduled to occur the same day as Rafiei's, has been delayed again to November 14.

- Across the County, several cities are experiencing leadership changes. Former Laguna Hills City Manager Jared Hildebrand has taken the top role in Orange. In Fullerton, former Westminster City Manager Eddie Manfro has been appointed Interim City Manager after serving as the city's Human Resources Director. Longtime Cypress City Manager Peter Grant resigned from the post August 18, and Assistant City Manager and Finance Director Matt Burton has been named Interim City Manager. Mike Egan continues as Interim City Manager in La Palma.
- Elsewhere in the county, the Yorba Linda City Council is reviewing candidates to replace City Manager Mark Pulone, who will retire in September. In Newport Beach, the City Council announced that Assistant City Manager Seimone Jurjis will step into the City Manager role on January 1, 2026, succeeding Grace Leung.
- Negotiations continue between the County of Orange and a coalition of cities and sanitation districts regarding landfill tipping fees. The goal is to finalize an agreement by October, and the next County Waste Management Commission meeting is scheduled for Thursday, September 11.
- Longtime Costa Mesa Sanitary District (CMSD) Board member Arlene Schafer announced her retirement, effective August 1. Board member Schafer began her public service career in 1978 when she was elected to and served for eight years on the Costa Mesa City Council, including serving as Mayor from 1980-1982. She first served on the CMSD Board of Directors from 1994-2010, was subsequently appointed back to the Board in 2013 and was re-elected to serve three consecutive terms from 2014 through 2026.
- Phase II of Orange County's Climate Action Plan, a comprehensive roadmap detailing potential projects and programs to reduce greenhouse gas and other emissions from various sources, is on track to come to the Board of Supervisors on November 4. Key initiatives within CAP included increasing stormwater capture and infiltration, reducing the amount of organic waste going to landfills by 75 percent and improving edible food recovery by 20 percent, and exploring the feasibility of regional anaerobic digestion and conversion technology facilities.

As part of our scope of work, Whittingham Public Affairs Advisors has continued to monitor the agendas of the 26 cities and water district MWDOC members to identify items of relevance to MWDOC. We also continue to monitor activities at the South Coast Air Quality Management District and Orange County Water District.

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

Sincerely,



Peter Whittingham

MWDOC Workshop

Bill Matrix – Sept, 2025

Prepared by SDA Government Relations

A. High

AB 259 (Rubio, Blanca, D) Open meetings: local agencies: teleconferences.

Location: 07/17/2025 - Senate 2 YEAR

Summary: The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law requires a member to satisfy specified requirements to participate in a meeting remotely pursuant to these alternative teleconferencing provisions, including that specified circumstances apply. Current law establishes limits on the number of meetings a member may participate in solely by teleconference from a remote location pursuant to these alternative teleconferencing provisions, including prohibiting such participation for more than 2 meetings per year if the legislative body regularly meets once per month or less. This bill would extend the alternative teleconferencing procedures until January 1, 2030. (Based on 04/21/2025 text)

Position: support

Priority: A. High

Notes:

Support - March 5th Workshop; Provisions folded into SB 707

AB 523 (Irwin, D) Metropolitan water districts: proxy vote authorizations.

Calendar: 08/29/25 #71 S-ASSEMBLY BILLS - THIRD READING FILE (Floor Mgr.- Stern)

Location: 06/19/2025 - Senate THIRD READING

Summary: Under the Metropolitan Water District Act, the board of a metropolitan water district is required to consist of at least one representative from each member public agency, as prescribed. The act authorizes each member public agency to appoint additional representatives not exceeding one additional representative for each 5% of the assessed valuation of property taxable for district purposes within the entire district that is within the boundaries of that member public agency. This bill would, until January 1, 2030, authorize a representative of a member public agency that is entitled to designate or appoint only one representative to the board of directors to assign a proxy vote authorization to a representative of another member public agency to be exercised when the assigning representative is unable to attend a meeting or meetings of the board, as provided. The bill would require the proxy vote authorization to be memorialized by a written instrument, as specified. The bill would prohibit a proxy vote authorization from authorizing the assumption of the assigning representative's officer position at the designated meeting and would limit a proxy vote authorization's effectiveness to no more than 6 board meetings in a calendar year. (Based on 05/05/2025 text)

Position: B. Watch

Priority: A. High

AB 532 (Ransom, D) Water rate assistance program.

Calendar: 08/29/25 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Location: 08/18/2025 - Senate APPR. SUSPENSE FILE

Summary: Current federal law, the Consolidated Appropriations Act, 2021 requires the federal Department of Health and Human Services to carry out a Low-Income Household Drinking Water and

Wastewater Emergency Assistance Program, which is also known as the Low Income Household Water Assistance Program, for making grants to states and Indian tribes to assist low-income households that pay a high proportion of household income for drinking water and wastewater services, as provided. Current law requires the Department of Community Services and Development to administer the Low Income Household Water Assistance Program in this state, and to receive and expend moneys appropriated and allocated to the state for purposes of that program, pursuant to the above-described federal law. The Low Income Household Water Assistance Program was only operative until March 31, 2024. This bill would repeal the above-described requirements related to the Low Income Household Water Assistance Program. (Based on 07/17/2025 text)

Position: B. Watch

Priority: A. High

AB 580 (Wallis, R) Surface mining: Metropolitan Water District of Southern California.

Location: 08/25/2025 - Assembly DESK

Summary: The Surface Mining and Reclamation Act of 1975 prohibits a person, with exceptions, from conducting surface mining operations unless a permit is obtained from, a specified reclamation plan is submitted to and approved by, and financial assurances for reclamation have been approved by, the lead agency for the operation of the surface mining operation. Current law authorizes the Metropolitan Water District of Southern California (MWD) to prepare a master reclamation plan, as provided, that identifies each individual surface mining operation in specified counties and satisfies all reclamation plan requirements for each individual surface mining site. Current law requires the State Mining and Geology Board to act as the lead agency for surface mining operations conducted by the MWD and authorizes the board to conduct an inspection of an individual surface mining operation once every 2 calendar years during a period when that individual surface mining operation is idle or the site has no mineral production. Current law requires the MWD to be the lead agency for any environmental review of the master reclamation plan. Current law repeals the provisions authorizing the preparation and approval of the master reclamation plan for the MWD on January 1, 2026. This bill would extend the operation of those provisions until January 1, 2041. (Based on 07/17/2025 text)

Position: support

Priority: A. High

Notes:

Support - March 5th Workshop

SB 31 (McNerney, D) Water quality: recycled water.

Calendar: 08/29/25 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Location: 08/20/2025 - Assembly APPR. SUSPENSE FILE

Summary: The Water Recycling Law generally provides for the use of recycled water. Current law requires any person who, without regard to intent or negligence, causes or permits an unauthorized discharge of 50,000 gallons or more of recycled water in or on any waters of the state to immediately notify the appropriate regional water board. This bill would, for the purposes of the above provision, redefine "recycled water" and provide that water discharged from a decorative body of water during storm events is not to be considered an unauthorized discharge if recycled water was used to restore levels due to evaporation. (Based on 06/09/2025 text)

Position: B. Watch

Priority: A. High

Notes:

Sponsored by WaterReuse

SB 72 (Caballero, D) The California Water Plan: long-term supply targets.

Calendar: 08/29/25 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Location: 07/16/2025 - Assembly APPR. SUSPENSE FILE

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, and water transfers, that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to expand the membership of the advisory committee to include, among others, tribes, labor, and environmental justice interests. The bill would require the department, as part of the 2033 update to the plan, to update the interim planning target for 2050, as provided. The bill would require the target to consider the identified and future water needs for all beneficial uses, including, but not limited to, urban uses, agricultural uses, tribal uses, and the environment, and ensure safe drinking water for all Californians, among other things. The bill would require the plan to include specified components, including a discussion of the estimated costs, benefits, and impacts of any project type or action that is recommended by the department within the plan that could help achieve the water supply targets. (Based on 04/10/2025 text)

Position: support

Priority: A. High

Notes:

Support position taken on 2/5

SB 394 (Allen, D) Water theft: fire hydrants.

Location: 08/25/2025 - Senate ENROLLMENT

Summary: Current law authorizes a utility to bring a civil action for damages against any person who commits, authorizes, solicits, aids, abets, or attempts certain acts, including, diverting or causing to be diverted, utility services by any means whatsoever. Current law creates a rebuttable presumption that there is violation of these provisions if, on premises controlled by the customer or by the person using or receiving the direct benefit of utility service, certain actions occur, including that there is an instrument, apparatus, or device primarily designed to be used to obtain utility service without paying the full lawful charge for the utility. This bill would add to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or connecting to, diverting water from, or causing water to be diverted from, a fire hydrant without authorization from the utility that owns the fire hydrant, except as provided. (Based on 07/03/2025 text)

Position: support

Priority: A. High

Notes:

Support - March 5th Workshop

SB 601 (Allen, D) Water: waste discharge.

Calendar: 08/29/25 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Location: 08/20/2025 - Assembly APPR. SUSPENSE FILE

Summary: The State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the Porter-Cologne Water Quality Control Act (act) and the National Pollutant Discharge Elimination System (NPDES) permit program. Under the act, the State Water Resources Control Board is authorized to adopt water quality control plans for waters for which quality standards are required by the federal Clean Water Act, as specified, and that in the event of a conflict, those plans supersede regional water quality control plans for the same waters. This bill would authorize the state board to adopt water quality control plans for nexus waters, which the bill would define as all waters of the state that are not also navigable, except as specified. The bill would require any water quality standard that was submitted to, and approved by, or is awaiting approval by, the United States Environmental Protection Agency or the state board that applied to nexus waters as of May 24, 2023, to remain in effect, as provided. (Based on 07/10/2025 text)

Position: oppose
Priority: A. High
Notes:
Oppose adopted May 7th.

SB 707 (Durazo, D) Open meetings: meeting and teleconference requirements.

Calendar: 08/29/25 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Location: 08/20/2025 - Assembly APPR. SUSPENSE FILE

Summary: (1)Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. This bill would, until January 1, 2030, require an eligible legislative body, as defined, to comply with additional meeting requirements, including that, except as specified, all open and public meetings include an opportunity for members of the public to attend via a 2-way telephonic service or a 2-way audiovisual platform, as defined, and that the eligible legislative body take specified actions to encourage residents to participate in public meetings, as specified. (Based on 07/17/2025 text)

Position: B. Watch
Priority: A. High

B. Watch

AB 93 (Papan, D) Water resources: data centers.

Calendar: 08/29/25 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Location: 08/18/2025 - Senate APPR. SUSPENSE FILE

Summary: Would require a person who owns or operates a data center, prior to applying to a city or a county for an initial business license, equivalent instrument, or permit, to provide its water supplier, under penalty of perjury, an estimate of the expected water use. When applying to a city or county for an initial business license, the bill would require a person who owns or operates a data center to self-certify, under penalty of perjury, on the application that the person has provided its water supplier an estimate of the expected water use. When applying to a city or county for a renewal of a business license, equivalent instrument, or permit, the bill would require a person who owns or operates a data center to self-certify, under penalty of perjury, on the application, that they have provided the data center's water supplier with a report of the annual water use. By expanding the crime of perjury, the bill would impose a state-mandated local program. Beginning one year after the Department of Water Resources develops any efficiency guidelines or best management practices relevant to the data centers, the bill would require that a person who owns or operates a data center, as a condition for obtaining or renewing a business license, self-certify that the data center will meet guidelines and best practices to maximize the efficient use of natural resources. The bill would define terms for purposes of these provisions. (Based on 07/17/2025 text)

Position: B. Watch
Priority: B. Watch

AB 367 (Bennett, D) Water: County of Ventura: fire suppression.

Calendar: 08/29/25 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Location: 08/18/2025 - Senate APPR. SUSPENSE FILE

Summary: Would, beginning July 1, 2027, require a water supplier, as defined, to have access to sufficient backup energy sources to operate critical fire suppression infrastructure, as defined, needed to supply water for at least 24 hours for the purpose of fire suppression in high or very high fire hazard severity zones in the County of Ventura, as provided. The bill would require the water supplier to take various actions, including annually inspecting critical fire suppression infrastructure and backup energy sources and notifying the Ventura County Office of Emergency Services within 3 business days of any

reduction in its water delivery capacity that could substantially hinder firefighting operations or significantly delay the replenishment of reservoirs. The bill would require, if any fire damages and makes uninhabitable more than 10 residential dwellings within the service area of a water supplier, a report be made by the Ventura County Fire Department in cooperation with the water supplier, as specified. By levying new requirements on the Ventura County Fire Department, this bill would create a state-mandated local program. This bill would make legislative findings and declarations as to the necessity of a special statute for County of Ventura. (Based on 07/10/2025 text)

Position: B. Watch

Priority: B. Watch

AB 615 (Davies, R) Power facilities: emergency response and action plans.

Calendar: 08/29/25 #180 S-ASSEMBLY BILLS - THIRD READING FILE

Location: 08/20/2025 - Senate THIRD READING

Summary: Current law requires an application to be filed with the State Energy Resources Conservation and Development Commission for certification of a site and related facility that includes an electrical transmission line or thermal powerplant, or both. Current law requires the application to contain, among other information, a description of any electrical transmission lines, a map of the proposed route and existing transmission lines, justification for the proposed route, and a preliminary description of the effect of the proposed electrical transmission lines on the environment, ecology, and scenic, historic, and recreational values, as specified. This bill would remove the requirement that the application include the information described above, and would require that the application also contain an emergency response and action plan, to be paid for by the applicant, that incorporates impacts to the surrounding areas in the event of an emergency and that would be conducted and coordinated with local emergency management agencies, unified program agencies, and local first response agencies. (Based on 07/14/2025 text)

Position: B. Watch

Priority: B. Watch

AB 794 (Gabriel, D) California Safe Drinking Water Act: emergency regulations.

Location: 06/12/2025 - Assembly INACTIVE FILE

Summary: The California Safe Drinking Water Act (state act) requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The state board's duties include, but are not limited to, enforcing the federal Safe Drinking Water Act (federal act) and adopting and enforcing regulations. Current law authorizes the state board to adopt as an emergency regulation, a regulation that is not more stringent than, and is not materially different in substance and effect than, the requirements of a regulation promulgated under the federal act, with a specified exception. This bill would provide that the authority of the state board to adopt an emergency regulation pursuant to these provisions includes the authority to adopt requirements of a specified federal regulation that was in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent. The bill would prohibit an emergency regulation adopted pursuant to these provisions from implementing less stringent drinking water standards, as provided, and would authorize the regulation to include monitoring requirements that are more stringent than the requirements of the federal regulation. The bill would prohibit maximum contaminant levels and compliance dates for maximum contaminant levels adopted as part of an emergency regulation from being more stringent than the maximum contaminant levels and compliance dates of a regulation promulgated pursuant to the federal act. (Based on 04/10/2025 text)

Position: B. Watch

Priority: B. Watch

AB 1146 (Papan, D) Water infrastructure: dams and reservoirs: water release: false pretenses.

Calendar: 08/29/25 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Location: 08/18/2025 - Senate APPR. SUSPENSE FILE

Summary: Would prohibit the release of stored water from a reservoir owned and operated by the United States in this state if the release is done under false pretenses, which the bill would define to

mean a release of water from a reservoir owned and operated by the United States in a manner that is knowingly, designedly, and intentionally under any false or fraudulent representation as to the purpose and intended use of the water. The bill would authorize the State Water Resources Control Board or the Attorney General, as provided, to bring an action for injunctive relief for a violation of the above-described prohibition. By expanding the scope of a crime, the bill would impose a state-mandated local program. (Based on 06/23/2025 text)

Position: B. Watch

Priority: B. Watch

AB 1413 (Papan, D) Sustainable Groundwater Management Act: groundwater adjudication.

Calendar: 08/29/25 S-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 2200 CABALLERO, ANNA, Chair

Location: 08/25/2025 - Senate APPR. SUSPENSE FILE

Summary: The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Current law requires the department to periodically review the groundwater sustainability plans developed by groundwater sustainability agencies pursuant to the act to evaluate whether a plan conforms with specified laws and is likely to achieve the sustainability goal for the basin covered by the plan. Current law authorizes a groundwater sustainability agency that adopts a groundwater sustainability plan to file a court action to determine the validity of the plan no sooner than 180 days following the adoption of the plan, as provided. Current law provides that actions by a groundwater sustainability agency are subject to judicial review, except as provided. This bill would instead authorize groundwater sustainability agencies to file those actions within 180 days following the adoption of the plan. The bill would also authorize, for any groundwater basin in which a comprehensive groundwater adjudication was filed prior to January 1, 2025, a party that has timely appeared in that adjudication to file an action on or before March 2, 2026, under specified circumstances. (Based on 07/17/2025 text)

Position: B. Watch

Priority: B. Watch

SB 224 (Hurtado, D) Department of Water Resources: water supply forecasting.

Calendar: 08/29/25 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Location: 08/20/2025 - Assembly APPR. SUSPENSE FILE

Summary: Current law requires the Department of Water Resources to gather and correlate information and data pertinent to an annual forecast of seasonal water crop. Current law also requires the department 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." This bill would require the department, on or before January 1, 2027, to update its water supply forecasting models and procedures to address the effects of climate change and implement a formal policy and procedures for documenting the department's operational plans and the department's rationale for its operating procedures, including the department's rationale for water releases from reservoirs. The bill would also require the department to establish, and publish on the department's internet website, the specific criteria that it will employ to determine when its updated water supply forecasting model has demonstrated sufficient predictive capability to be ready for use in each of the watersheds. The bill would require the department, on or before January 1, 2028, and annually thereafter, to prepare and submit to the Legislature a report on its progress toward implementing the new forecasting model and to post the report on the department's internet website. The bill would also require the department, on or before January 1, 2028, and annually thereafter, to prepare and submit to the Legislature a report that explains the rationale for the department's operating procedures specific to the previous water year. (Based on 07/17/2025 text)

Position: B. Watch

Priority: B. Watch

SB 239 (Arreguín, D) Open meetings: teleconferencing: subsidiary body.

Location: 06/05/2025 - Senate 2 YEAR

Summary: The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as specified. Current law, until January 1, 2026, authorizes specified neighborhood city councils to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if, among other requirements, the city council has adopted an authorizing resolution and 2/3 of the neighborhood city council votes to use alternate teleconference provisions, as specified This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. The bill would require the subsidiary body to post the agenda at each physical meeting location designated by the subsidiary body, as specified. The bill would require the members of the subsidiary body to visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, as specified. (Based on 04/07/2025 text)

Position: B. Watch

Priority: B. Watch

SB 614 (Stern, D) Carbon dioxide transport.

Calendar: 08/29/25 A-APPROPRIATIONS SUSPENSE Upon adjournment of Session - 1021 O Street, Room 1100 WICKS, BUFFY, Chair

Location: 08/20/2025 - Assembly APPR. SUSPENSE FILE

Summary: Under the Elder California Pipeline Safety Act of 1981, the State Fire Marshal exercises safety regulatory jurisdiction over intrastate pipelines used for the transportation of hazardous or highly volatile liquid substances. The act imposes various requirements in relation to the regulation of these intrastate pipelines. The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the statewide greenhouse gas emissions limit, as defined, no later than December 31, 2030. This bill would revise the definition of "pipeline," for purposes of the act, to include intrastate pipelines used for the transportation of carbon dioxide. The bill would require the State Fire Marshal, by April 1, 2026, to adopt regulations governing the safe transportation of carbon dioxide in pipelines that are equivalent to certain draft regulations issued by the federal Pipeline and Hazardous Materials Safety Administration on January 10, 2025. The bill would authorize the State Fire Marshal to amend those regulations, as provided. The bill would authorize the State Fire Marshal, for a pipeline transporting carbon dioxide, to order a pipeline shutdown for violations of state or federal laws, or if continued pipeline operations present an immediate danger to the public health, welfare, or the environment. Because a violation of the above provisions would be a crime, this bill would impose a state-mandated local program. The bill would require the State Fire Marshal, at least once every 5 years, to assess the additional safety standards and to amend the regulations to increase the safety standards. (Based on 07/10/2025 text)

Position: B. Watch

Priority: B. Watch

SB 742 (Pérez, D) Water systems and water districts.

Location: 02/21/2025 - Senate Rules

Summary: The California Water District Law provides for the establishment of water districts, and grants a district the power to acquire, plan, construct, maintain, improve, operate, and keep in repair the necessary works for the production, storage, transmission, and distribution of water for irrigation, domestic, industrial, and municipal purposes. This bill would state the intent of the Legislature to enact

subsequent legislation related to the regulation of water systems and water districts. (Based on 02/21/2025 text)

Position: B. Watch

Priority: B. Watch

Total Measures: 19

Total Tracking Forms: 19

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 259 B. Rubio (D – Baldwin Park) Sponsors: California Special Districts Association, Three Valleys Municipal Water District	Amended in Assembly Local Government Committee on 4/21/2025. Two-Year Bill	Open meetings: local agencies: teleconferences. This bill eliminates the sunset on provisions added to the Brown Act by AB 2449, a bill that provided additional flexibility with Brown Act meeting procedures in the event of a board member’s physical absence in connection with a “just cause” or “emergency circumstances,” allowing those members to participate in the meeting remotely consistent with the process detailed in the bill.	Support Based on 2025 Legislative Policies and Principles.	By removing the sunset on the Brown Act provisions, AB 259 preserves flexibility for Metropolitan and Member Agency board members to meet remotely and continue providing the public with essential services.
AB 532 R. Ransom (D – Stockton) Sponsor: California Municipal Utilities Association	Amended in Senate Local Government Committee on 7/17/2025. Senate Appropriations Committee	Water rate assistance program This bill seeks to revamp the State’s Low Income Household Water Assistance Program (LIHWAP), upon appropriation by the Legislature, to provide water rate assistance to ratepayers of public water suppliers, or systems serving disadvantaged communities. The bill also would expressly allow urban retail water suppliers to establish a local low-income rate assistance (LIRA) program using voluntary contributions or other non- ratepayer funds.	Support Based on 2025 Legislative Policies and Principles.	This bill would provide clarity in existing law to ensure that water agencies are able to establish local LIRA programs without fear of legal consequences given the provisions of Proposition 218. Recent amendments remove a provision to revamp the state LIHWAP program for small and disadvantaged communities due to fiscal concerns.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 580 G. Wallis (R – Bermuda Dunes) Sponsor: Metropolitan Water District of Southern California	Amended in Senate Natural Resources and Water Committee on 7/17/2025. Senate Appropriations Committee	Surface Mining: Metropolitan Water District of Southern California This bill extends the sunset date for 15 years or until January 1, 2041, on Metropolitan’s ability to operate under a single Master Reclamation Plan for repairs using earth-moving activities under the Surface Mining and Reclamation Act for the maintenance of the Colorado River Aqueduct (CRA).	Sponsor Based on December 2024 Board Action.	Ensuring Metropolitan can continue operating under a single Master Reclamation Plan will maintain environmental oversight without delays and prevent duplicative compliance.
AB 638 C. Rodriguez (D – San Fernando) Sponsor: Natural Resources Defense Council	Amended in Senate on 7/3/2025. Senate Appropriations Committee	Stormwater: uses: irrigation This bill would require the State Water Resources Control Board (Board) to establish guidance for stormwater capture, and its use for the irrigation of public urban lands by July 1, 2026. Public lands include parks, street medians, parkways, and golf courses owned by the state, city, county, or designated for public use. The Board would be required to solicit public comment before establishing recommendations.	Support Based on 2025 Legislative Policies and Principles.	The use of stormwater for non-potable irrigation of public lands reduces the demand for potable water while enhancing drought resilience.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 794 J. Gabriel (D – Encino) Sponsors: Clean Water Action, Environmental Working Group	Amended in Assembly Environmental Safety and Toxic Materials Committee on 4/10/2025. Assembly Inactive File	California Safe Drinking Water Act: emergency regulations This bill would authorize the State Water Resources Control Board (SWRCB) to adopt an emergency regulation for water quality based on federal regulations in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent. The bill would prohibit an emergency regulation adopted pursuant to these provisions from implementing less stringent drinking water standards, as provided, and would authorize the regulation to include requirements that are more stringent than the requirements of the federal regulation. The bill would require, on or before January 1, 2026, the SWRCB to adopt an emergency regulation and to initiate a primary drinking water standard for perfluoroalkyl and polyfluoroalkyl substances (PFAS).	Oppose Unless Amended Based on 2025 Legislative Policies and Principles.	While AB 794 aims to protect public health, its approach circumvents the established regulatory process for setting Maximum Contaminant Levels (MCLs). Metropolitan's Legislative Priorities and Principles call for using the best available science to protect public health and improve water quality when setting MCLs. The broad scope of this bill, which would allow the SWRCB to set through emergency action primary and secondary MCLs for any chemical with a federal MCL, sets a dangerous precedent and fails to align with well-established regulatory principles.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 1146 D. Papan (D – San Mateo)	Amended in Senate Natural Resources and Water Committee on 6/23/2025. Senate Appropriations Committee	Water infrastructure: dams and reservoirs; water release: false pretenses This bill adds language to the Water Code prohibiting the release of stored water from a reservoir owned and operated by the United States if the release is done under false pretenses and would authorize the State Water Resources Control Board to issue an injunctive relief order for violation of such release of stored water. This bill would define “false pretenses” as a release of water from a reservoir in a manner that is knowingly, designedly, and intentionally under a false or fraudulent representation or assumption as to the purpose and intended use of the water.	Watch Based on 2025 Legislative Policies and Principles.	Amendments have narrowed the scope of this bill to reservoirs owned and operated by the United States, which would exclude Metropolitan’s and Member Agency owned and operated reservoirs. The bill’s definition of “false pretenses” remains unclear and does not specify what would qualify as “false or fraudulent representation,” nor does it indicate how intent would be determined.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
AB 1319 N. Schultz (D – Burbank)	Amended in Senate Natural Resources and Water Committee on 7/10/2025. Senate Appropriations Committee	Protected species: California Endangered Species Act. This bill would amend the California Endangered Species Act (CESA) to authorize the California Fish and Game Commission (Commission) to adopt an emergency regulation that adds a federally listed species that is native to California to the list of endangered or threatened species on an emergency basis if it finds, in consultation with the California Department of Fish and Wildlife (CDFW), that a federal action that occurs after January 19, 2025, results in a decrease in protection for that species and listing under CESA could provide protection for that species. If the Commission lists a species by emergency regulation, CDFW would be required to promptly commence a status review, and the Commission would be required to determine whether to list the federally listed species beyond the duration of the emergency. This bill would provide that in authorizing the take of any species listed during the emergency regulation, the Commission or CDFW may apply the protections provided by federal terms of the Endangered Species Act (ESA) unless the Commission or CDFW determines that those protections do meet CESA standards.	Oppose Unless Amended Based on 2025 Legislative Policies and Principles.	This bill could have profound impacts on Metropolitan's activities and its State Water Project and Colorado River imported supplies. The time and cost to get CESA permits after emergency listings would be high, and while permit applications are pending, opponents could litigate to halt or modify projects, including ongoing operations of the State Water Project and Colorado River water deliveries and power production. Recent amendments add a permit shield from liability for project proponents for the take of an emergency-listed species as long as the permittee complies with all terms and conditions in a federal permit, but the permit must have been issued (and remain unchanged) on or before President Trump's second term began. The latest amendments are an improvement; however, the permit shield would be of limited use because federal incidental take authorizations are regularly amended or superseded. Metropolitan is seeking additional amendments to limit the applicability of this bill to species that are federally delisted.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
SB 31 J. McNerney (D – Stockton) Sponsor: WateReuse California	Amended in Assembly Water, Parks, and Wildlife Committee on 6/9/2025. Assembly Appropriations Committee	Water quality: recycled water SB 31 aims to enhance California’s water sustainability by increasing the use of recycled water in non-potable applications. This bill modernizes outdated regulations and expands the permissible uses of recycled water to reduce dependence on potable sources. The bill would make updates to Title 22 of the Code of Regulations to expand the use of recycled water in parks, schools, and food handling and processing facilities.	Support Based on 2025 Legislative Policies and Principles.	Supporting the use of recycled water in non-potable applications such as irrigation, decorative water features, and industrial processes reduces the demand for potable water while enhancing drought resilience.
SB 72 A. Caballero (D – Merced) Sponsor: California Municipal Utilities Association	Amended in Senate Appropriations Committee on 4/10/2025. Assembly Appropriations Committee	The California Water Plan: long-term supply targets This measure would revise the California Water Plan to require the Department of Water Resources (DWR) to update the California Water Plan by December 31, 2028, and every five years after, to include a long-term water supply target for 2050 and discussion on the development of specified water supply sources to meet demand.	Support Based on 2025 Legislative Policies and Principles.	The intent of this bill is to help modernize California’s water management practices and provide long-term reliable supplies in response to the current climate challenges. Metropolitan supported a similar version of this bill in 2024, SB 366 (Caballero), which passed the Legislature and was vetoed by the Governor.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
SB 394 B. Allen (D – Santa Monica) Sponsor: Las Virgenes Municipal Water District	Amended in Assembly Judiciary Committee on 7/2/2025. Senate Floor	Water theft: fire hydrants SB 394 would allow a local agency that provides water service the ability to increase fines and penalties for water theft from fire hydrants. The bill also adds tampering with a fire hydrant, fire hydrant meter, or fire detector check, or the unauthorized diversion of water from a fire hydrant to the list of acts for which a utility may bring a civil cause of action.	Support Based on 2025 Legislative Policies and Principles.	Metropolitan Member Agencies and subagencies that provide local water services could adopt ordinances with enhanced penalties for water theft from a fire hydrant.
SB 454 J. McNerney (D – Stockton) Sponsor: Association of California Water Agencies	Amended in Senate Appropriations Committee on 5/23/2025. Assembly Appropriations Committee	State Water Resources Control Board: PFAS Mitigation Program SB 454 would establish a PFAS Mitigation Fund to address PFAS contamination in California's drinking water and wastewater systems. Administered by the SWRCB, the fund will provide financial support through grants, loans, and contracts to water suppliers and wastewater operators to cover or reduce treatment and disposal costs, ensuring safe and clean water across the state with a focus on disadvantaged communities.	Support Based on 2025 Legislative Policies and Principles.	The proposed bill would be highly beneficial to Metropolitan, its Member Agencies, and other water and wastewater agencies currently grappling with increased PFAS-related regulations and source contamination issues. By allowing for grants, loans, and contracts through the PFAS Mitigation Fund, and the provision of assistance services, the bill provides much-needed financial relief and assistance to support treatment and mitigation efforts.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
August 18, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	Metropolitan Position	Effects on Metropolitan
SB 601 B. Allen (D – Santa Monica) Sponsors: California Coastkeeper Alliance, Defenders of Wildlife	Amended in Assembly Environmental Safety and Toxic Materials Committee on 7/10/2025. Assembly Appropriations Committee	Water: waste discharge The intent of this bill is to restore Clean Water Act protections in California that were removed per the U.S. Supreme Court's 2023 Sackett v. Environmental Protection Agency (EPA) decision. However, the bill goes beyond restoring statute and includes several provisions that expand regulatory requirements without the benefit of scientific analysis.	Oppose Based on 2025 Legislative Policies and Principles.	Currently, AB 601 poses risks to Metropolitan and its member agencies by: adopting EPA's drinking water standards for PFAS/PFOs, bypassing the state rulemaking process; increasing costs of waste discharge requirements (WDRs) permits for discharges of water when dewatering or operating water supply infrastructure, potentially requiring all such water to be recycled regardless of cost to comply; exposing Metropolitan and its Member Agencies to citizen suits in state court, and, for certain nexus waters, both state and federal court; and creating uncertainty in discharge permitting as the bill's ambiguous provisions and implications are likely to be litigated.



STAFF REPORT

To: Board of Directors

Meeting Date: September 25, 2025

From: Sherri Seitz, Public Affairs Manager

Subject: Public Education and Outreach Report

Laguna Woods Village Television (LWVT)

Staff is scheduling the next Director for an LWVT interview for October. Director Havens LWVT "This Day" August 26, 2025 interview can be found here:

<https://youtu.be/hUEBYUH39rc?si=WxpJ-vxpwwELqxXj>. President Gaskins June 24, 2025 LWVT "This Day" interview can be found here: <https://youtu.be/lHuRVG7AX6E>.

ETWD Website

Staff will present a draft version of the new ETWD website to the Board at the September Board meeting. The demonstration will provide an opportunity for Board members to preview the site's updated design, navigation structure, and key features prior to the website's final launch.

ETWD Newsletter

ETWD's Fall Newsletter and is currently being distributed to customer's and a copy follows this report.

Community/Speaking Engagement Events

City of Lake Forest Citizen Civic Academy – October 1, 2025

Dennis Cafferty will present at the annual City of Lake Forest Citizen Civic Academy on Tuesday, October 1, 2025 from 6:00 pm to 8:00 pm at the City of Lake Forest. Dennis will be presenting along with IRWD and SCE.

South Coast REC Open House and Pumpkin U-Pick – October 11, 2025

Staff will host a booth and distribute water with the water trailer to attendees at the UC ANR South Coast Research and Extension Center on Saturday, October 11, 2025 from 9:00 am to 2:00 pm. This family friendly event hosts landscape industry experts,

demonstration landscapes which provides an outdoor classroom promoting better gardening practices to reduce landscape water use and improve water quality within the local watershed. They are expecting approximately 1,000 attendees.

City of Mission Viejo/Orange County Sheriff's Department South County Disaster Preparedness Expo – October 18, 2025

ETWD staff will host a booth at the City of Mission Viejo and Orange County Sheriff's Department South County Disaster Preparedness Expo at Oso Viejo Community Park, 24932 Veterans Way, Mission Viejo from 8:00 am – 12:00 pm.

Laguna Hills Chamber of Commerce – Car Show & Business Expo – November 15, 2025

ETWD staff will host a booth and distribute water with the water trailer to attendees at the Laguna Hills Chamber of Commerce Car Show & Business Expo on Saturday, November 15, 2025 from 8:00 am to 2:00 pm. The event will take place in the Laguna Hills Mall parking lot.

Lake Forest Chamber of Commerce – Elf Yourself 5k – November 22, 2025

ETWD staff will host a booth and distribute water with the water trailer to attendees at the Lake Forest Chamber of Commerce Elf Yourself 5k on Saturday, November 22, 2025 from 8:00 am to 12:00 pm.



El Toro Water District • Fall 2025

WATER VIEWS

SERVING THE PUBLIC, RESPECTING THE ENVIRONMENT

YOU CAN PREVENT FOG CLOGS THIS THANKSGIVING



Keep the festivities flowing when you gather with family and friends this year by keeping **FOG (fats, oils and grease)** out of your drain. Holiday cooking, baking and parties mean that FOG is often present in the kitchen, but pouring it down the drain can lead to clogged pipes and sewer blockages. These messy clogs can cause sewer backups that can damage your home and the environment.

What is FOG?

FOG refers to fats, oils and grease. Here are a few examples:



Gravy



Sour cream



Meat drippings



Salad dressing and mayonnaise



Bacon grease



Butter, margarine, shortening and lard



Cooking oil



How Can I Properly Dispose of FOG and Keep My Pipes Clean this Season?



- ▶ **COOL IT:** After cooking, allow FOG to cool. Then, pour it into a container, such as an empty can or jar, and dispose of it in your green waste container or in the trash if you do not have organic recycling in your area.
- ▶ **SCRAPE IT:** Scrape FOG off pots and pans before washing, and wipe pans and dishes with a paper towel before washing to remove residual grease.
- ▶ **WATCH OUT FOR WIPES:** Kitchen and bathroom cleanup is an important part of hosting, but even wipes marked “disposable” are not safe for our sewer system. Toss cleaning wipes, personal wipes, baby wipes and any other wipe products directly in the trash. Do not flush them down the toilet. The only thing safe to flush are the three Ps – pee, poop and (toilet) paper.



Join Us for the next ETWD Community Advisory Group Meeting

Mark your calendar for Wednesday, November 13th from 11:30 am - 1:30 pm! ETWD invites you to our quarterly Community Advisory Group (CAG) Meeting, where we'll share the latest updates on water, wastewater, and recycled water with our community. Lunch will be provided. **Scan the QR code to sign up for CAG Meeting.**



EL TORO WATER DISTRICT



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FROM THIRSTY TURF TO WATER-WISE WONDER: A CUSTOMER'S LANDSCAPE TRANSFORMATION



A Success Story of Sustainability and Style

When Mr. and Mrs. Whitesell looked out at their lawn, they didn't just see grass—they saw an opportunity. With a vision of conservation and curb appeal, and support from ETWD staff, Metropolitan Water District of Southern California, the Municipal Water District of Orange County and the regional Water Use Efficiency Rebate Program, the Whitesells reinvented their landscape.

Turning Vision Into Reality

Over the course of six months, the Whitesells worked with a local designer/installer to create a vibrant, climate-friendly landscape. First, they removed their water-thirsty lawn and installed a weed barrier of mesh material to help suppress regrowth and set the stage for the new design. Next, they installed water-wise plants and a drip irrigation system to deliver the right amount of water to each plant type based on its needs.

A Diverse and Colorful Plant Palette

The new landscape features approximately 100 plants from 20 different species, selected for their low water use and vibrant aesthetic.

A sample of the plant palette includes:

- ▶ **Penstemon**
- ▶ **Butterfly Bush**
- ▶ **Campanula**
- ▶ **Sedum Confusum**
- ▶ **Lavender Trumpet Vine**
- ▶ **Evolvulus 'Beach Bum Blue'**
- ▶ **Paprika Yarrow**
- ▶ **Mandevilla**
- ▶ **Bower Vine**
- ▶ **Crape Myrtle**
- ▶ **Agapanthus 'Baby Pete'**
- ▶ **Salvia 'Big Pink' (Autumn Sage)**

These selections offer year-round color and habitat for pollinators and thrive in south Orange County's climate, reducing long-term maintenance needs.



Before



After

Design That Blends Beauty and Efficiency

The updated landscape includes flower beds bursting with seasonal blooms and a central area that utilizes bark mulch instead of turf—a creative and sustainable alternative that enhances visual texture and reduces runoff.

Rebates at Work

ETWD's partnership in the regional Water Use Efficiency Rebate Program helped the Whitesells offset the cost of removing turf and installing water-smart features. The program empowers customers to make eco-friendly changes and celebrates their creativity.

"We're proud of the yard we created," Mr. Whitesell said. "It looks beautiful, saves water, and fits our lifestyle."

ETWD applauds the Whitesells for their commitment to sustainability. "The Whitesells' efforts show how water stewardship and landscape beauty can go hand in hand," said Vu Chu, ETWD Water Resources Supervisor.

Ready to Transform Your Yard?

ETWD is here to help you save water, enhance your outdoor space, and make the most of available rebates. Whether you're dreaming of a drought-tolerant garden or a complete turf removal, we can connect you with resources and guidance to get started. Learn more at etwd.com/conservation/gardendesign or contact Vu Chu, ETWD Water Resource Supervisor, at VChu@etwd.com or (949) 837-7050 ext. 253.



Tree Rebate

Thinking about starting a turf replacement project? El Toro Water District customers participating in the Turf Replacement Program will be eligible for a Tree Rebate. This incentive provides \$100 per tree installed, with a maximum rebate of \$500 for up to 5 trees per turf replacement project. The Tree Rebate is not a standalone program. You must apply to the Turf Replacement Program to qualify. For more information on the program, please visit etwd.com/conservation/rebates.





FALL GARDEN GLOW UP



Fall is the best time to plant in Orange County, and ETWD can help you transform your yard!

Free Virtual Landscape Workshops

Refresh your landscape with free virtual workshops and classes in landscape design and irrigation principles to help you plant, care for and maintain a stunning, water efficient garden. The workshops are offered in partnership with Metropolitan Water District of Southern California and led by the Green Media Creations virtual instructors.

- Sign up at for upcoming workshops and view additional classes at etwd.com/conservation/landscape-workshops.

Landscape Design and Maintenance Assistance Programs

- Get landscape design and maintenance guide from a qualified professional. This program is free for turf removal rebate participants.
- Get started at etwd.com/conservation/gardendesign.

California Friendly Landscape Design Plans

- ETWD customers can access free OC friendly landscape designs.
- Learn more at etwd.com/conservation/gardendesign.

FLUORIDATION IN YOUR DRINKING WATER: WHAT YOU SHOULD KNOW



Protecting public health and delivering safe, high-quality drinking water remains ETWD's highest priority. Community water fluoridation began in the U.S. in 1945, and today, about 72% of Americans served by community water systems receive fluoridated drinking water.

Fluoridation in California and Our Region

California law requires water systems with more than 10,000 service connections to fluoridate when funding is available. While ETWD does not interdependently add fluoride to the water, Metropolitan Water District of Southern California (MWDSC) where our water comes from does. MWDSC began fluoridation in 2007 after approval by the California Department of Public Health.

Naturally occurring fluoride in drinking water amounts to .3 -.4 mg/L. MWDSC adjusts this fluoride level to the recommended optimum level of 0.7 milligrams per liter (mg/L)—a concentration shown to provide dental health benefits while remaining far below both state and federal safety limits. For comparison:

- ▶ U.S. EPA primary limit: 4.0 mg/L
- ▶ California limit: 2.0 mg/L

Safety and Scientific Review

This optimal U.S. level of 0.7 mg/L is well below both state and federal safety limits and is recognized as safe and effective by the U.S. Centers for Disease Control and Prevention (CDC) and the California Department of Public Health.

Looking Ahead

While some states have moved to ban or reconsider fluoridation, the State of California continues to support the practice as a key tool for improving oral health.

Our Commitment

ETWD is committed to delivering safe and reliable drinking water to our community. Your water continues to meet or surpasses all state and federal safety standards and we will continue to follow all state and federal regulations, monitoring any new water fluoridation developments and provide updates to our customers as needed.

For more information, please visit:



Metropolitan Water District of Southern California
Community Water Fluoridation FAQ:
<https://bit.ly/4fUD0mx>



Metropolitan Water District of Southern California
Fluoridation Facts: <https://bit.ly/4mZoPtN>



State Water Board's fluoridation page:
www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/Fluoridation.html



IN THE COMMUNITY



Laguna Woods Village Third Mutual Gate 11 Meeting June 18

ETWD Staff hosted a booth at the Third Mutual Gate 11 Meeting in Clubhouse 1 on June 18, 2025.



Lake Forest National Night Out August 5

ETWD hosted a booth and distributed water with ETWD's water trailer at the City of Lake Forest National Night Out on Tuesday, August 5, 2025.



BEHIND THE SCENES AT ETWD

NEW EMPLOYEE SPOTLIGHT

Mark Roche MAINTENANCE WORKER I



Top priorities

Inspection, maintenance and operation of all equipment, generators and facilities related to ETWD's drinking water pump stations and sewer lift stations.

Tenure at ETWD

Mark started as an intern in collections in 2024 and was hired as a pump station crew member the following year.

Favorite parts of the job

Mark enjoys the people and the culture of teamwork and camaraderie at ETWD, along with the mechanical side of diagnosing and fixing problems with pumps and motors.

BOARD OF DIRECTORS



PRESIDENT

Mike Gaskins

DIRECTOR

Kay Havens

VICE PRESIDENT

Kathryn Freshley

DIRECTOR

Wyatt McClean

DIRECTOR

Mark Monin

GENERAL MANAGER

Dennis P. Cafferty

The Board of Directors meeting takes place on the fourth Thursday of the month, and the Engineering and Finance Committee meets on the Monday before the Board of Directors meeting at 7:30 a.m. in person and via Zoom teleconference.

We encourage you to join us. Meeting agendas are posted on our website and include teleconference access and instructions. Learn more: etwd.com/governance/meetings-agendas-minutes

ETWD delivers drinking water, recycled water and wastewater services to customers in the City of Laguna Woods and portions of the cities of Lake Forest, Mission Viejo, Laguna Hills and Aliso Viejo

Have questions? Call us at (949) 837-7050 or email us at district@etwd.com.





STAFF REPORT

To: Board of Directors

Meeting Date: September 25, 2025

From: Vu Chu, Water Resources Supervisor

Subject: Water Use Efficiency Report

Rebate Programs:

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

Eligible device purchases may qualify for rebates, contingent on meeting eligibility criteria and subject to fund availability. Detailed residential and commercial rebate information is accessible at:

www.etwd.com/conservation/rebates

www.etwd.com/commercial-rebates

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 in August 2025.

The table below also shows the ETWD residential and commercial rebates approved for August 2025 and FY 2025-2026.

Rebate Program	August 2025	FY 2025/26
High Efficiency Clothes Washer	2	3
Irrigation Controller (Residential)	2	3
Spray to Drip – Commercial	13,831 sq/ft	13,831 sq/ft

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 August 2025, residential customers accounted for 64.2% of Tier 3 usage and dedicated irrigation accounted for 35.8%. For Tier 4, residential customers accounted for 50.0% and dedicated irrigation accounted for 50.0% during the same period.

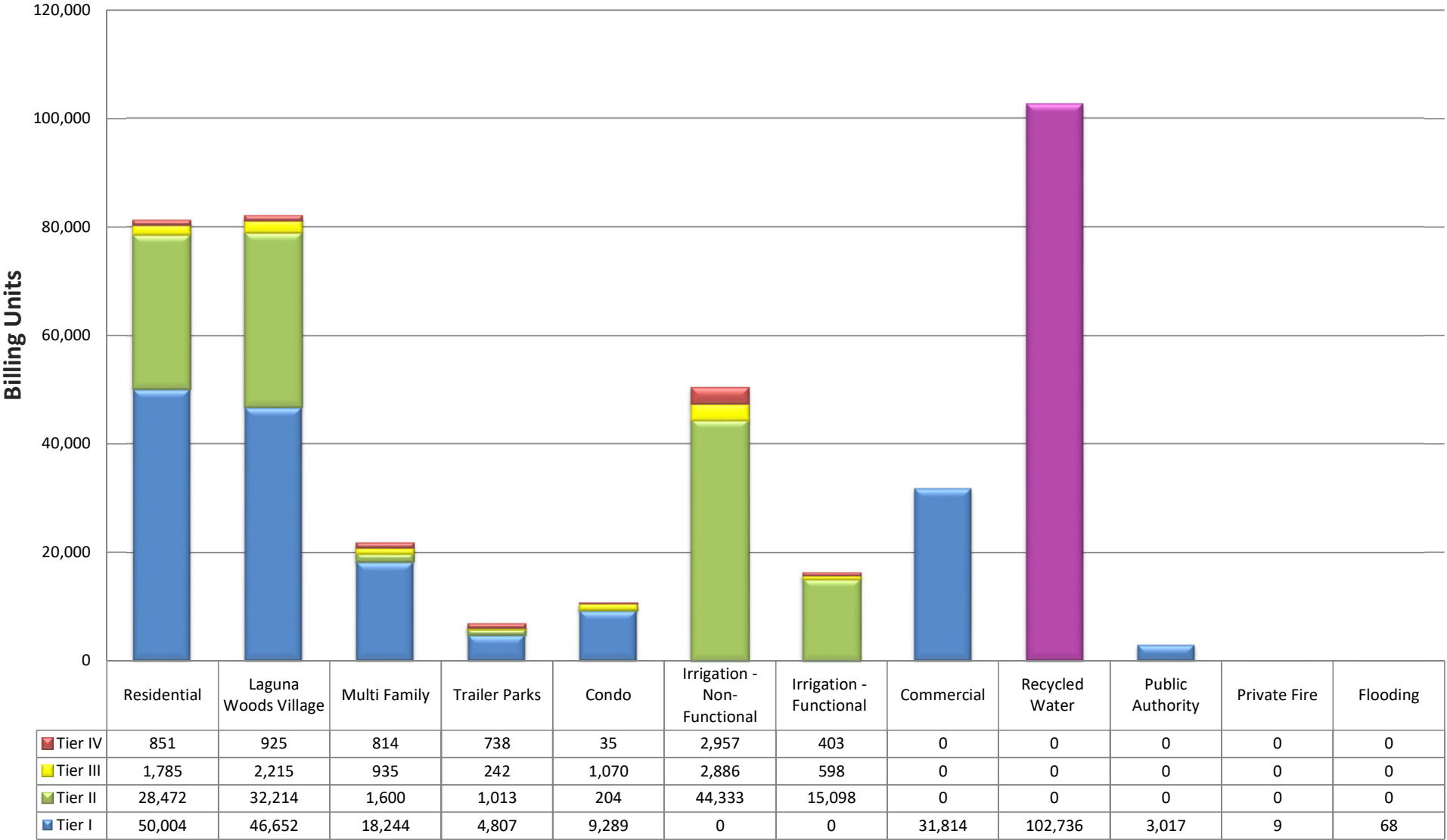
Total Consumption Comparison to Evapotranspiration (ET) Factor:

Included in this month's Water Use Efficiency Report is a chart comparing the current fiscal year consumption and ET factor to the fiscal 2024/25 consumption and ET factor. Total potable water consumption decreased by 5.36% in August 2025 compared to August 2024. On a year-to-date basis, potable water consumption through August decreased 1.48% compared to FY 2024–2025. During the same period, the ET factor decreased from 6.81 to 6.58.

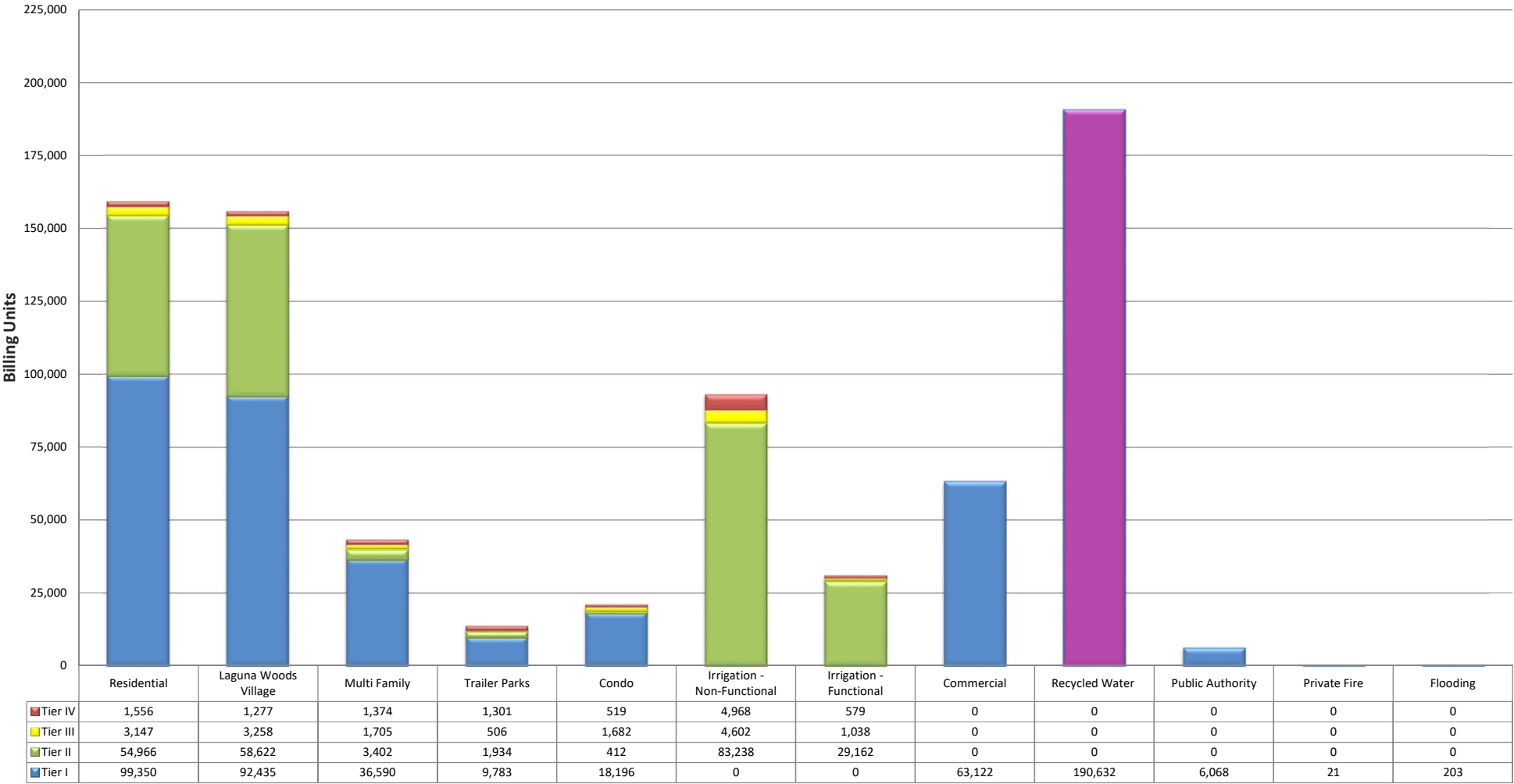
ETWD Tier Consumption Information and Usage Information Compared to Previous Years:

The following graphs highlight ETWD year-to-date consumption and consumption by tier for the current fiscal year compared to the 2024-2025 fiscal year. ETWD water consumption compared to 2013 and 2020 are also included.

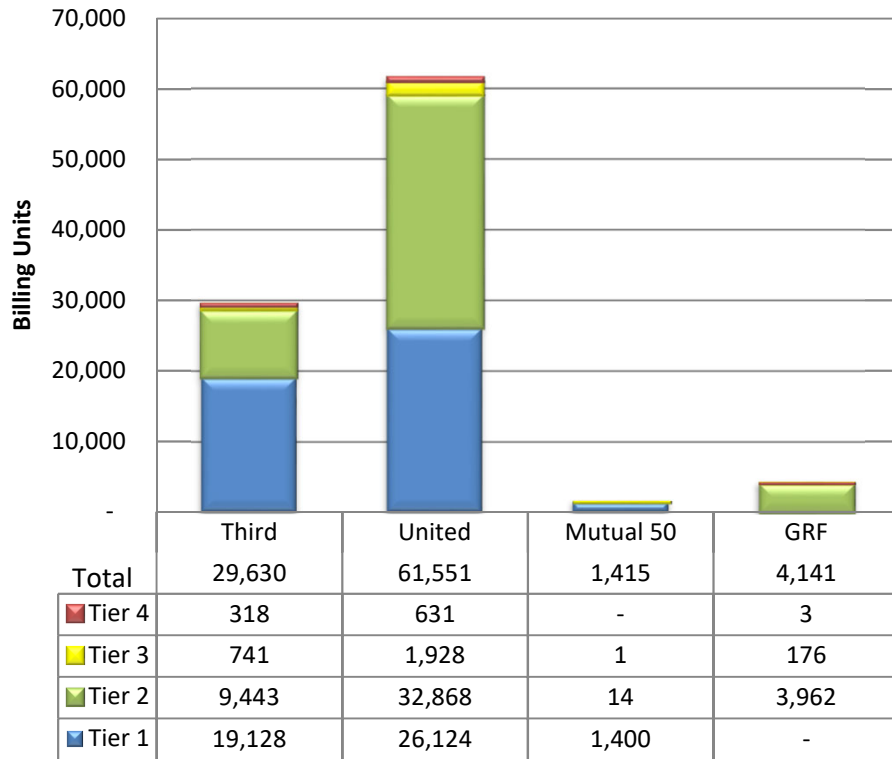
August 2025 Water Sales



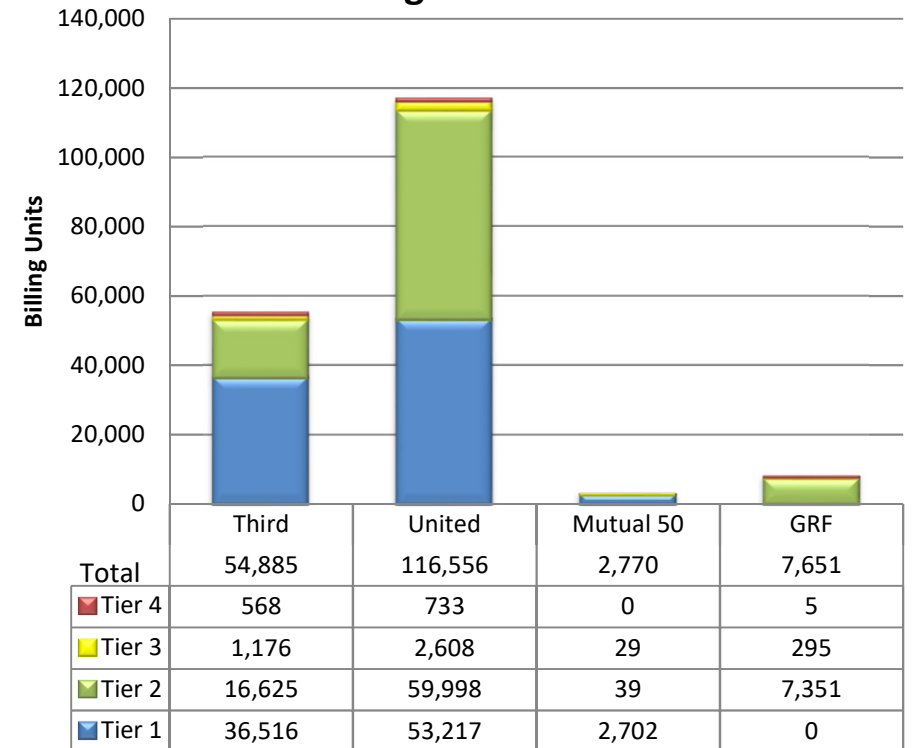
Year-to-Date Water Sales as of August 2025



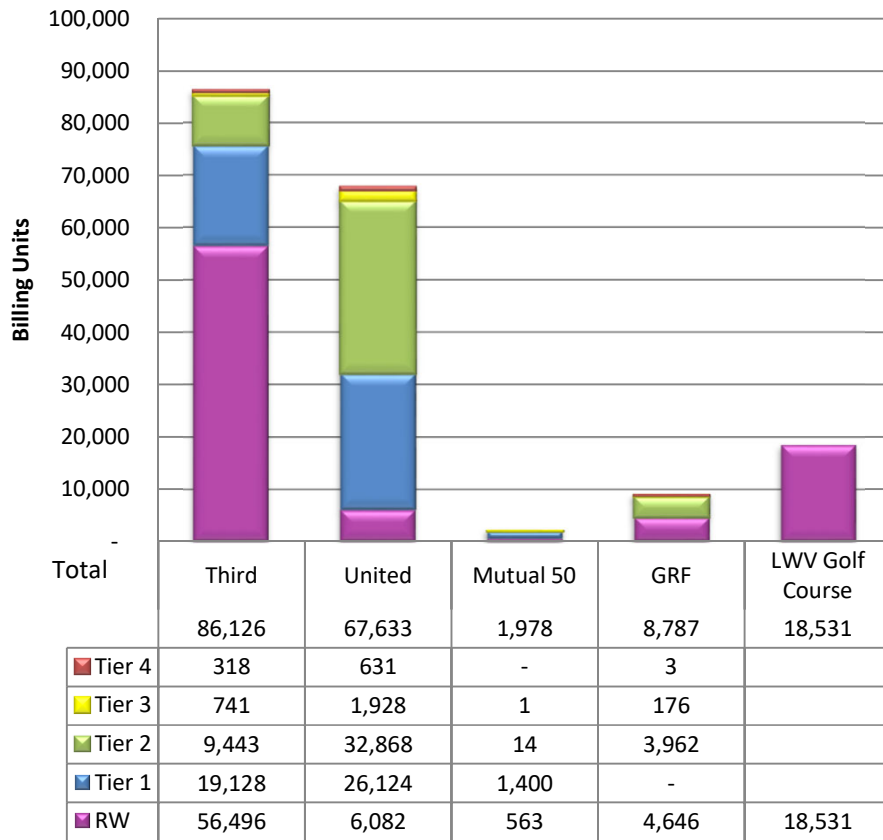
Laguna Woods Village August 2025 Water Sales



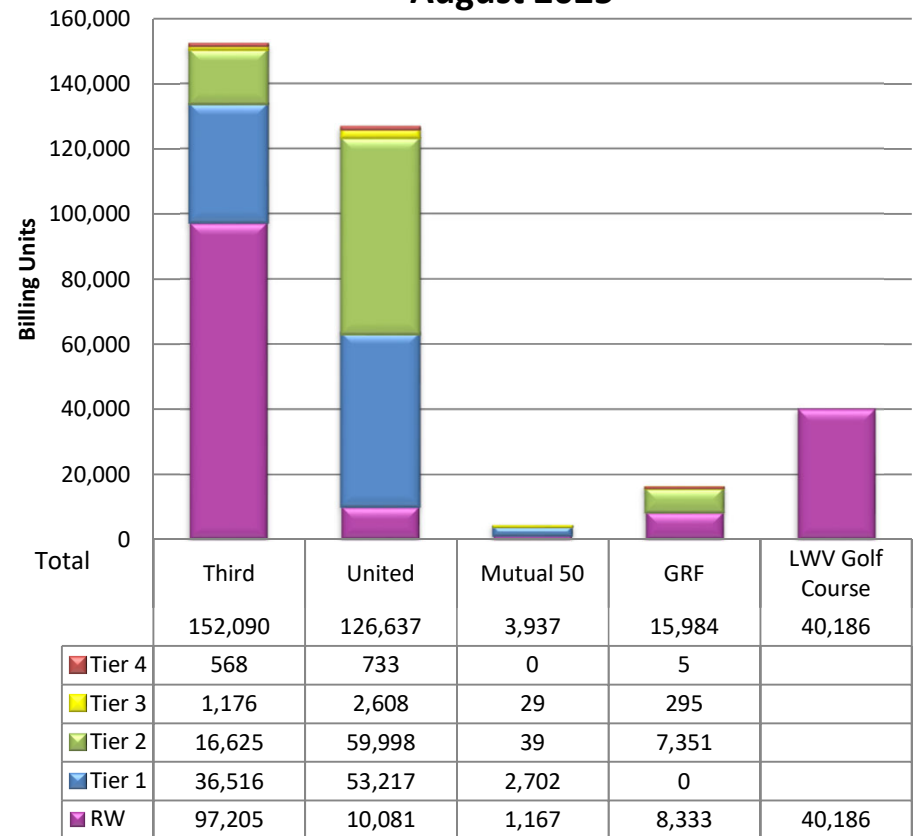
Laguna Woods Village Year-to-Date Water Sales August 2025



Laguna Woods Village August 2025 Water & RW Sales



Laguna Woods Village Year-to-Date Water & RW Sales August 2025



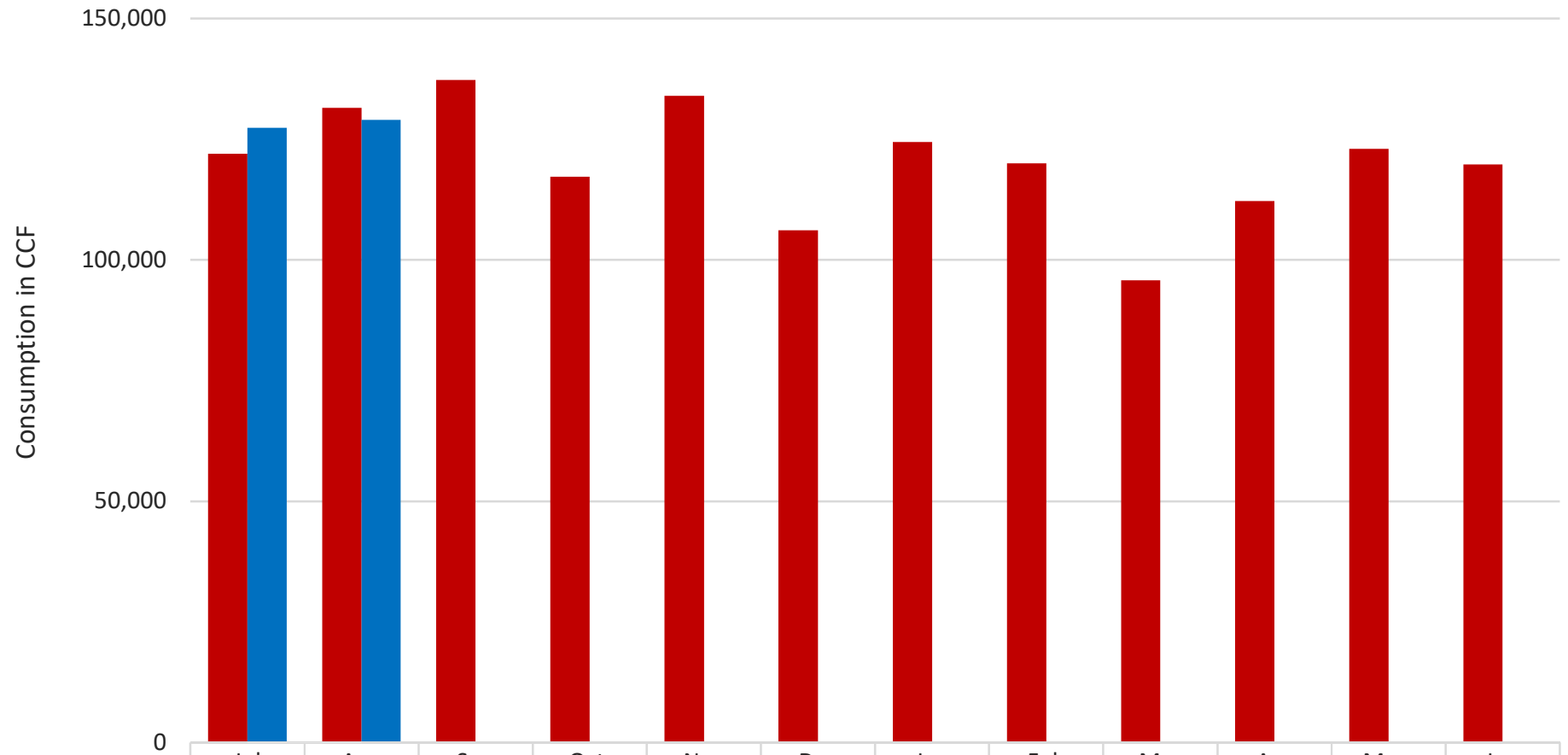
FY 2025-26 vs FY 2024-25

[illegible]

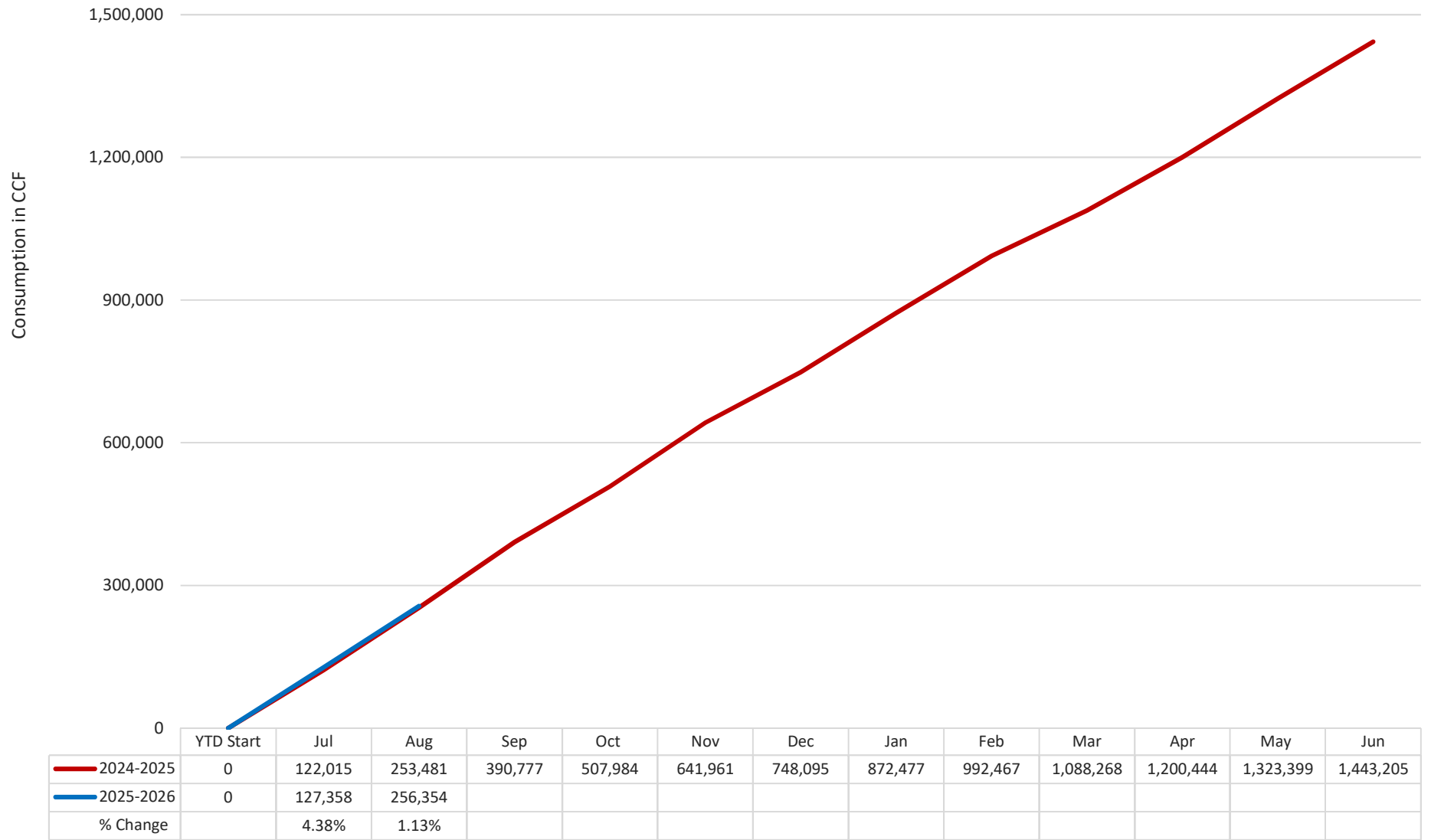
ETWD Fiscal YTD Consumption

[illegible]

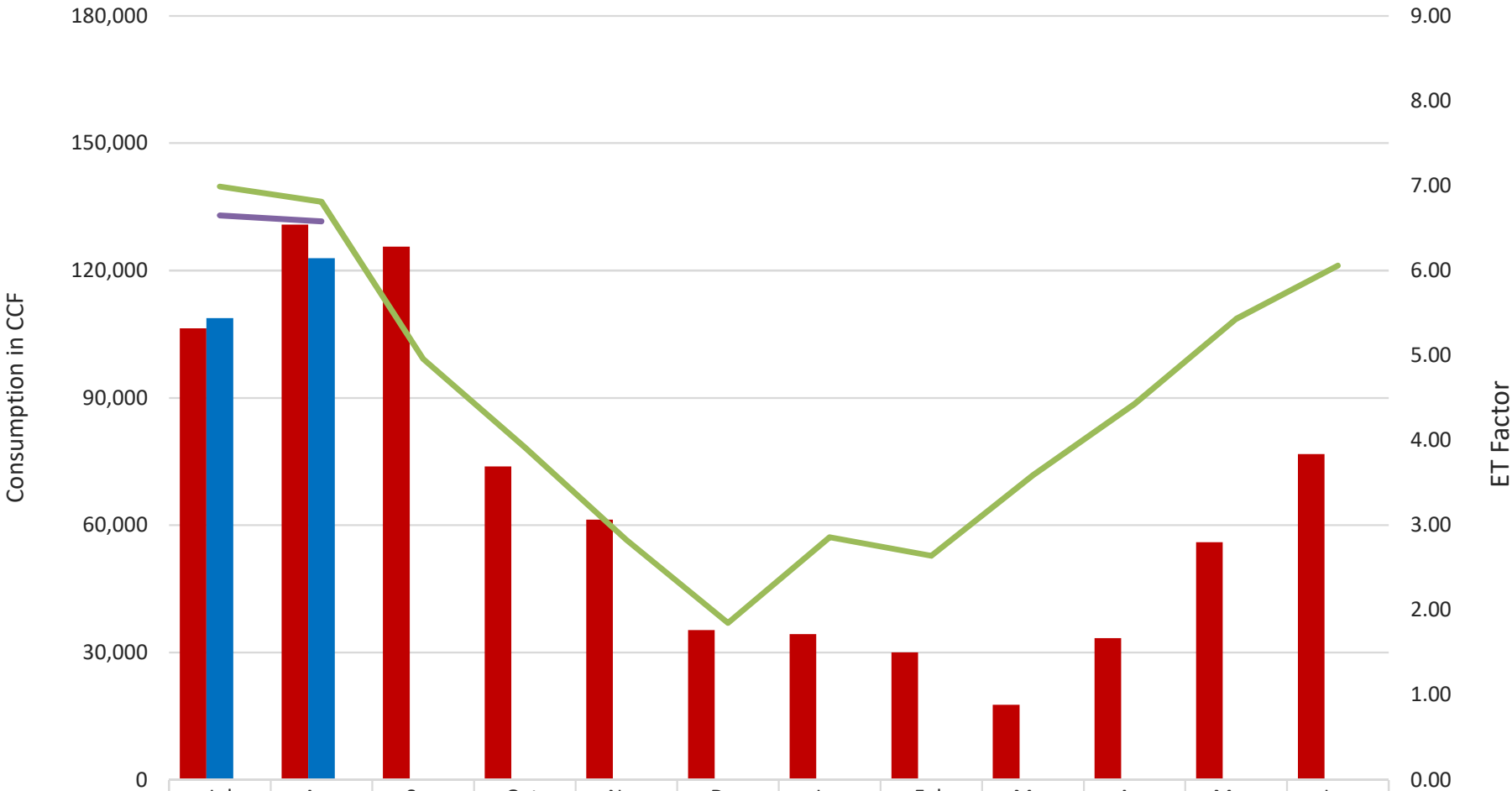
Tier I Consumption

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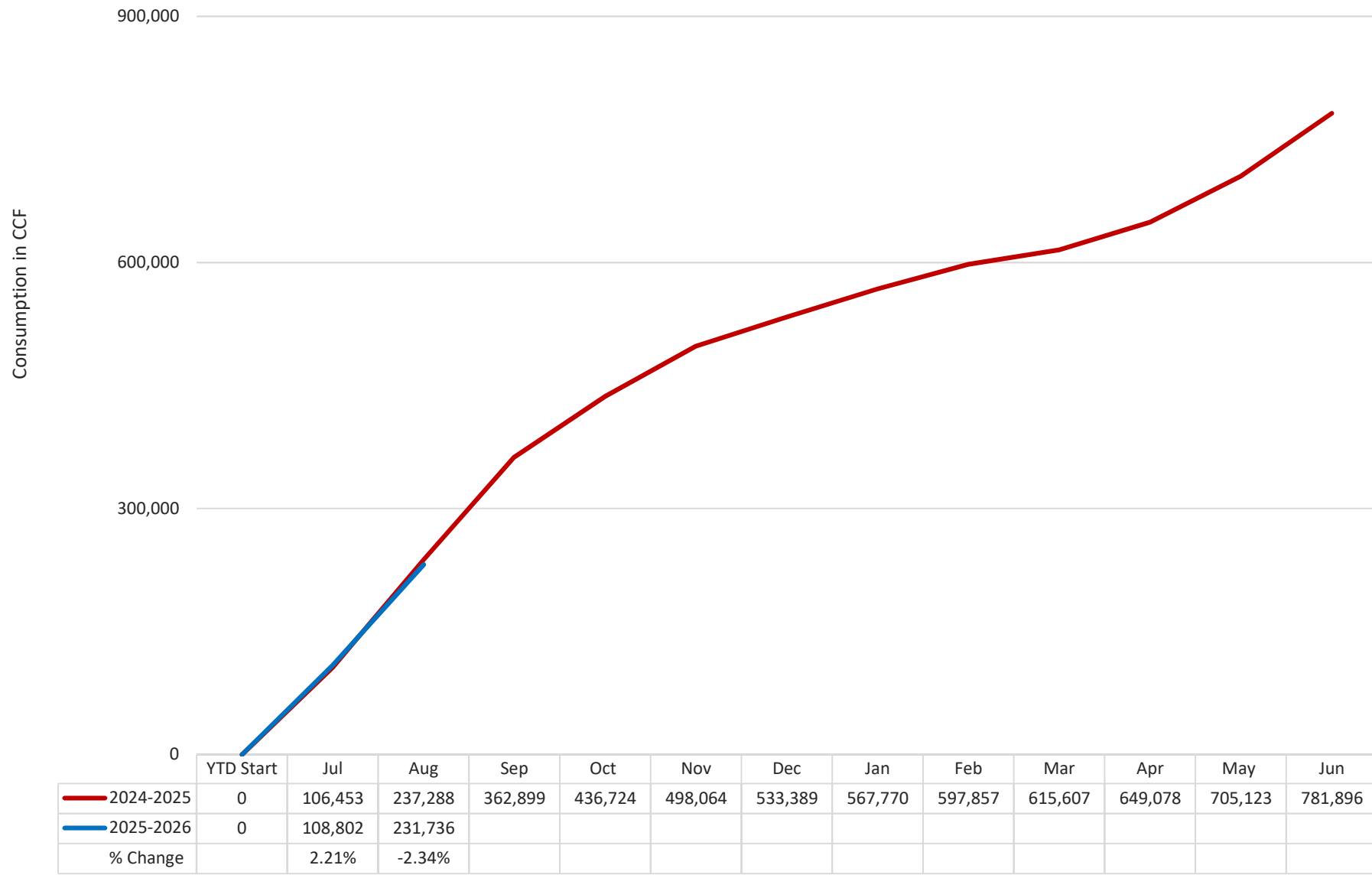
Tier I Fiscal YTD Consumption



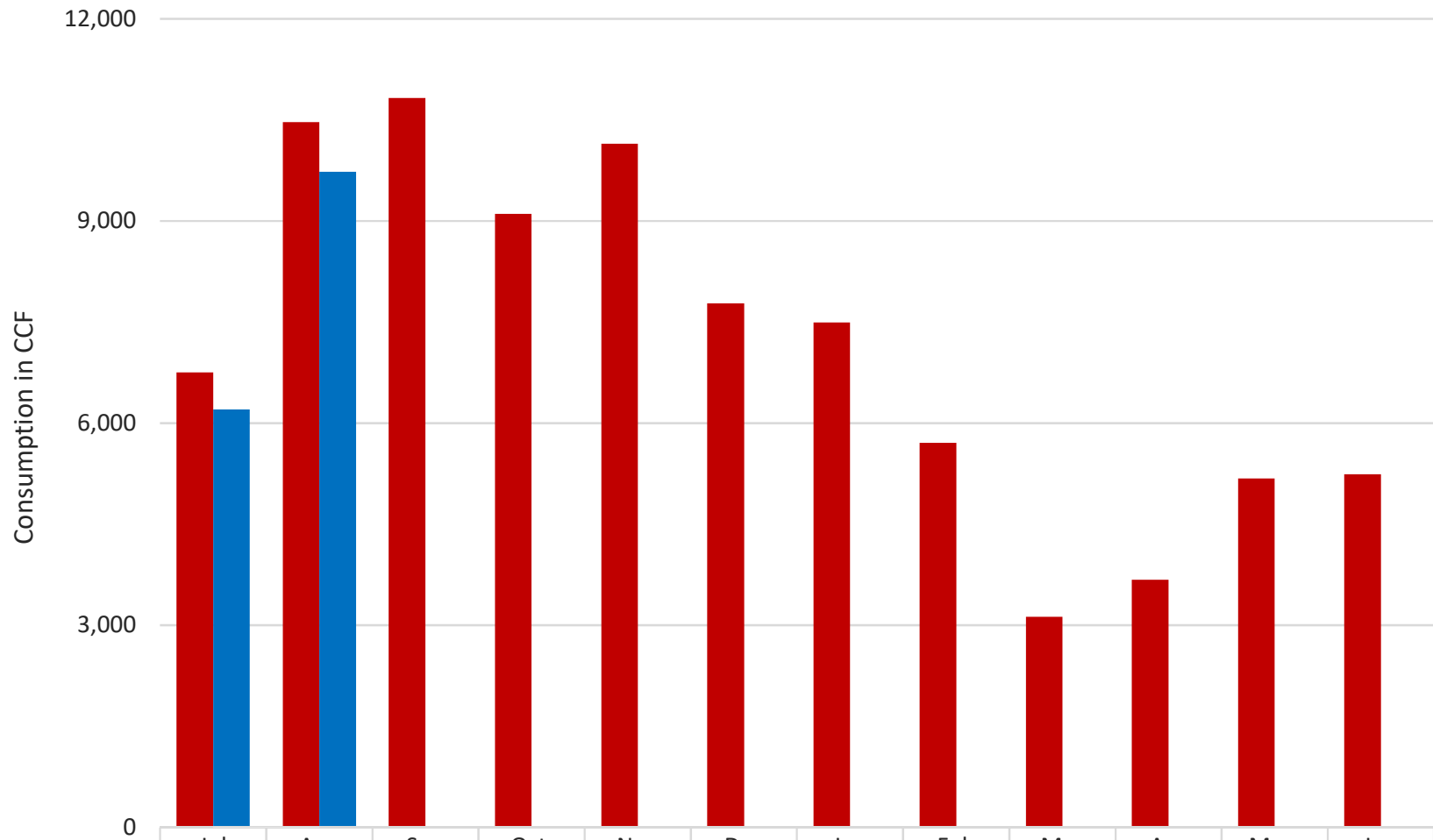
Tier II Consumption

[illegible]

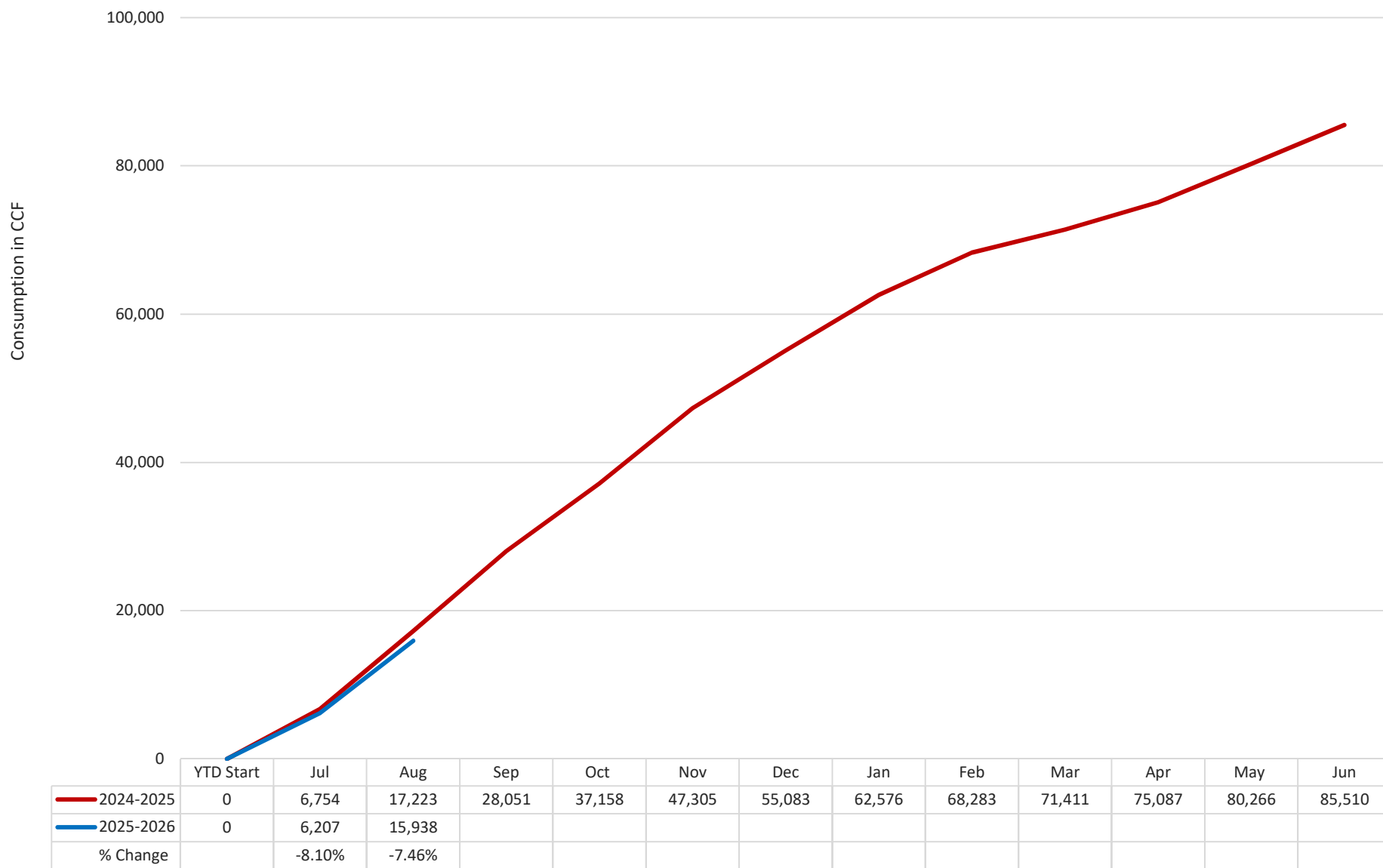
Tier II Fiscal YTD Consumption



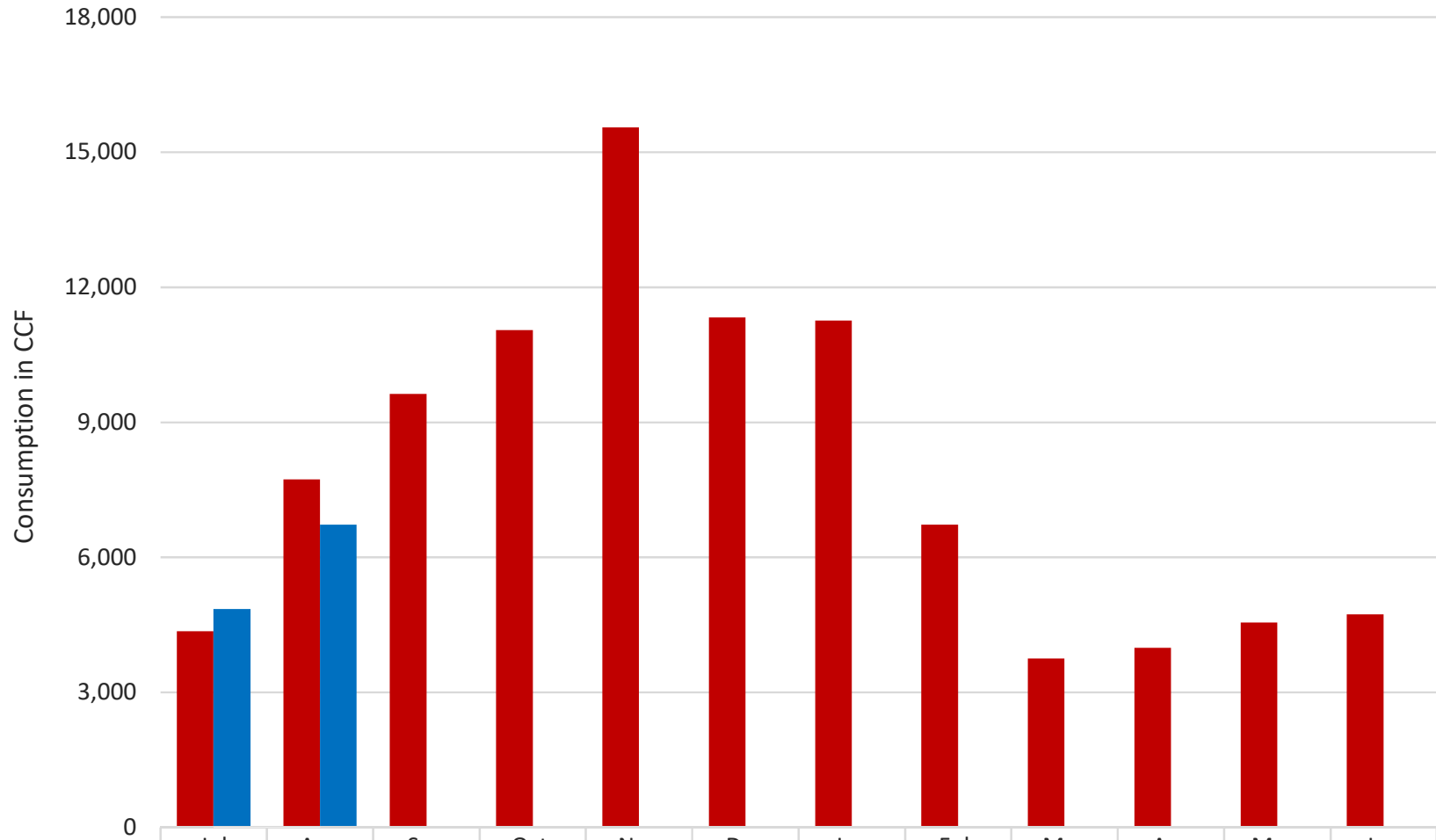
Tier III Consumption

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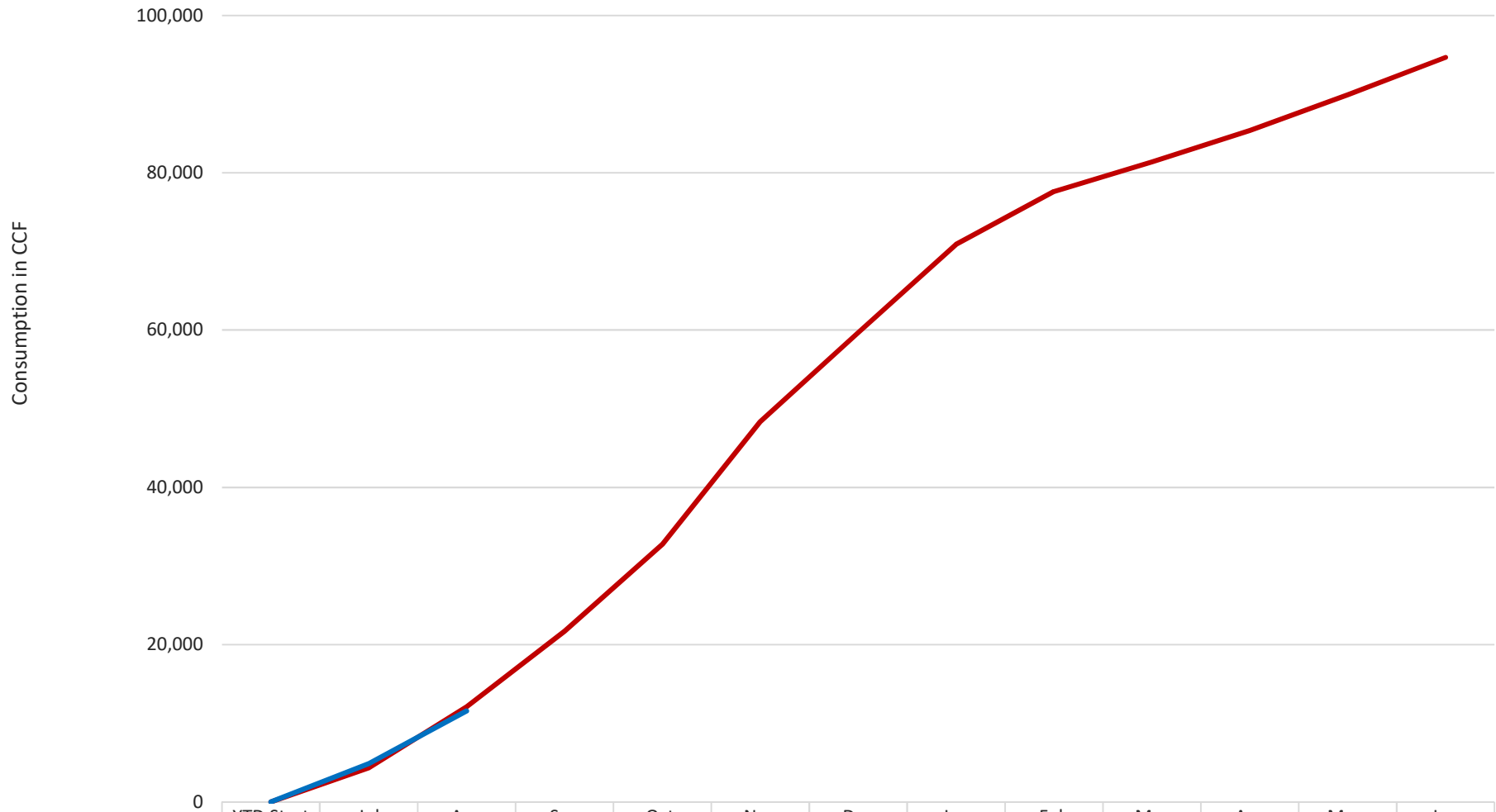
Tier III Fiscal YTD Consumption



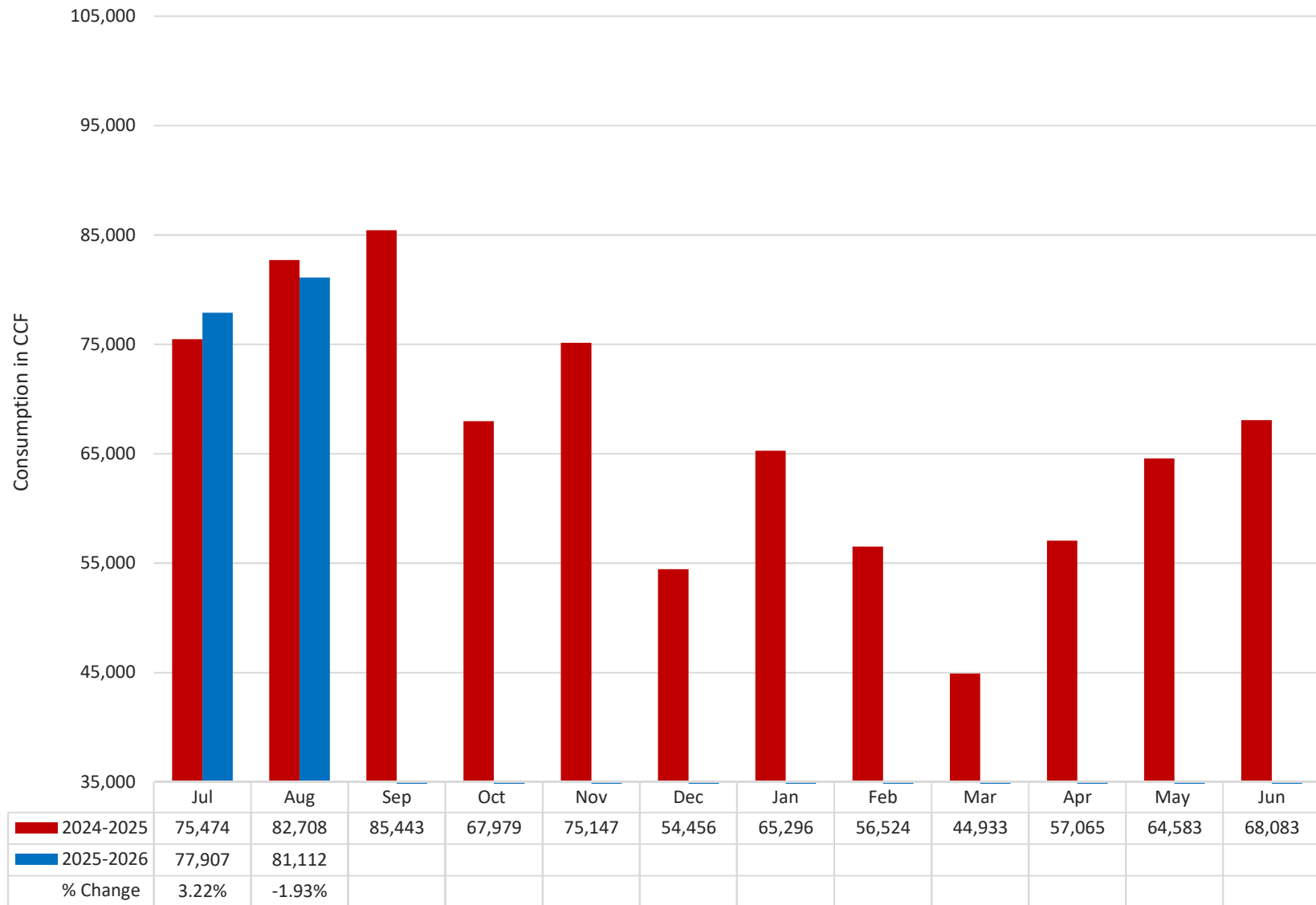
Tier IV Consumption

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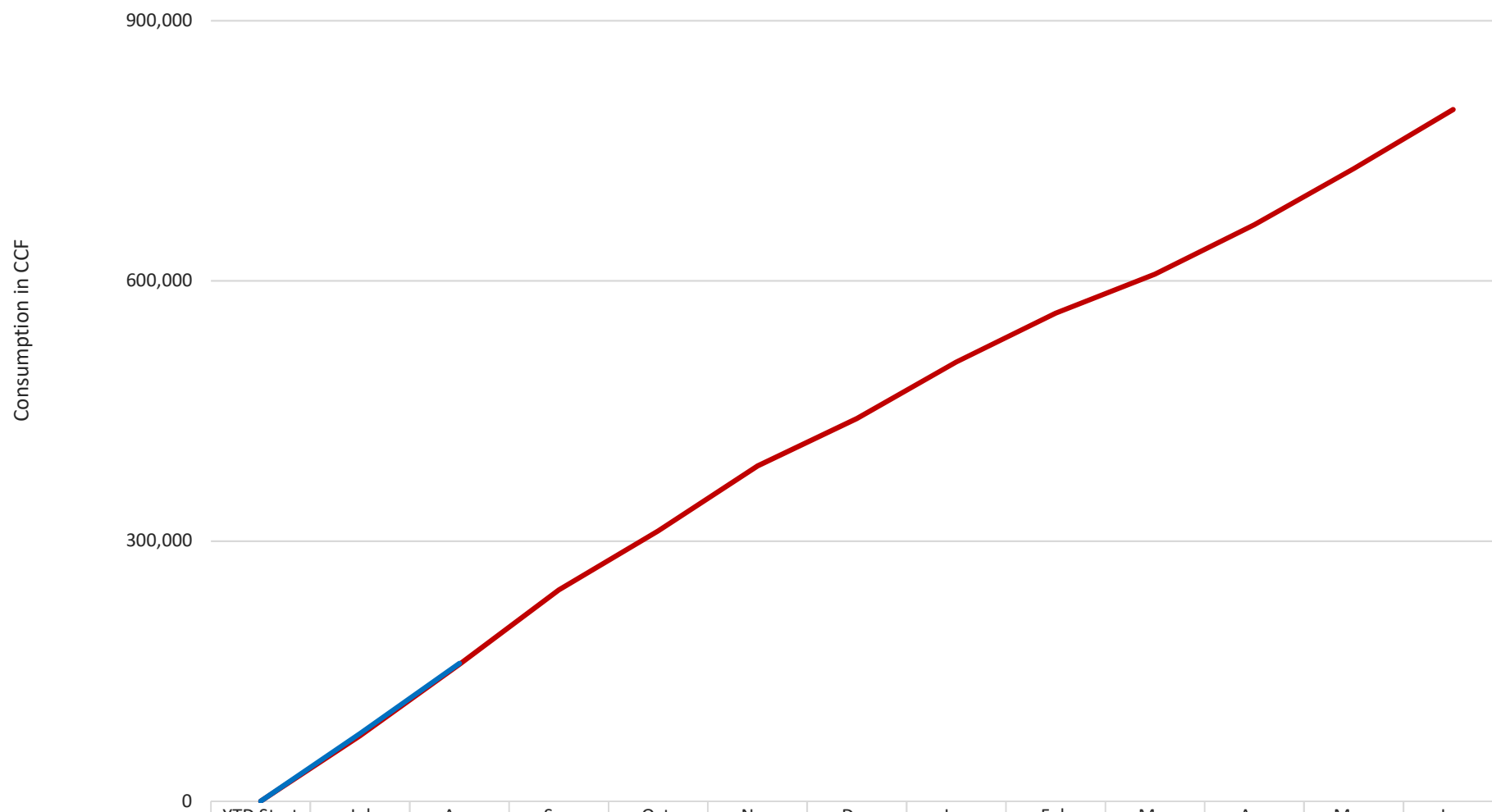
Tier IV Fiscal YTD Consumption

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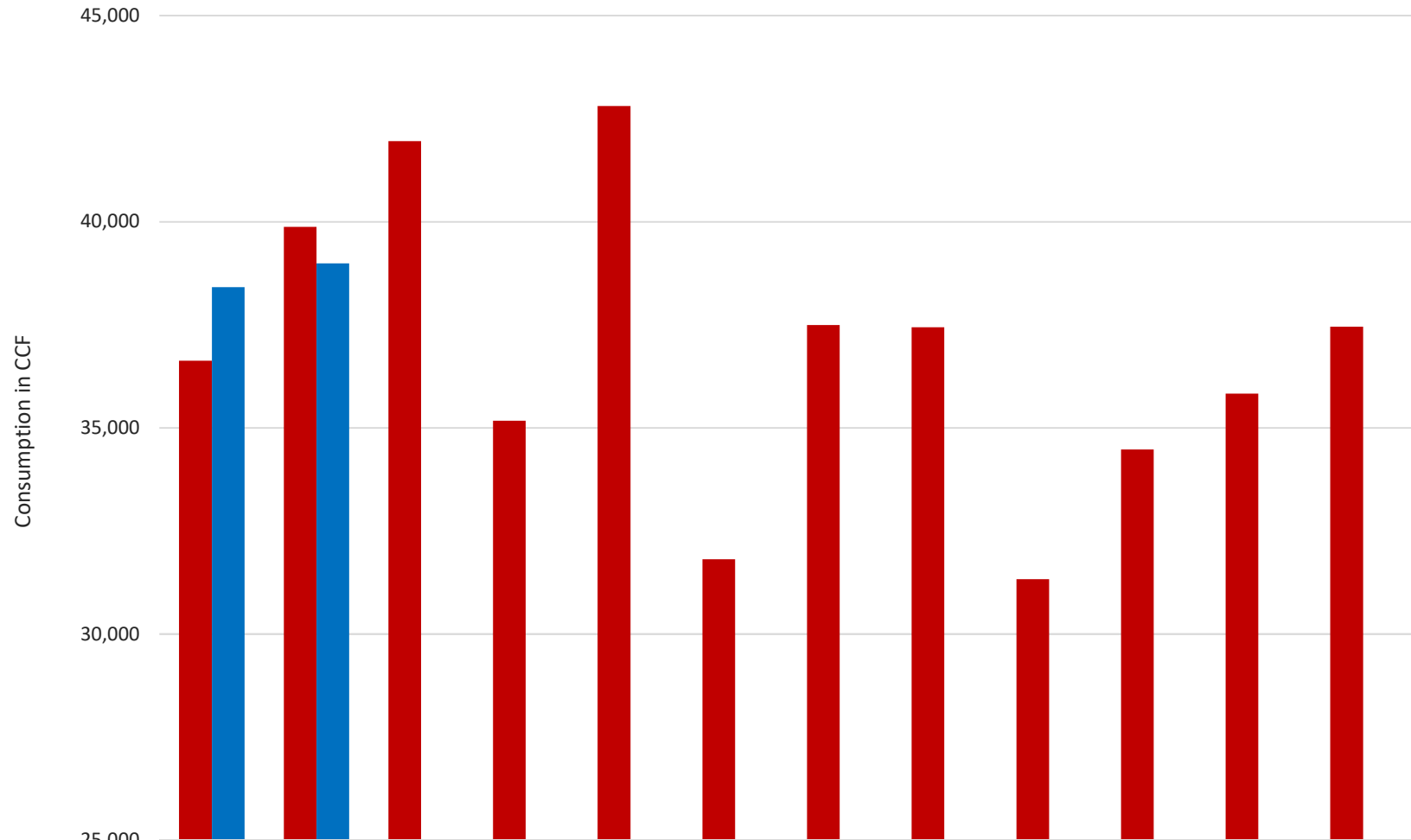
Single Family Residents Consumption



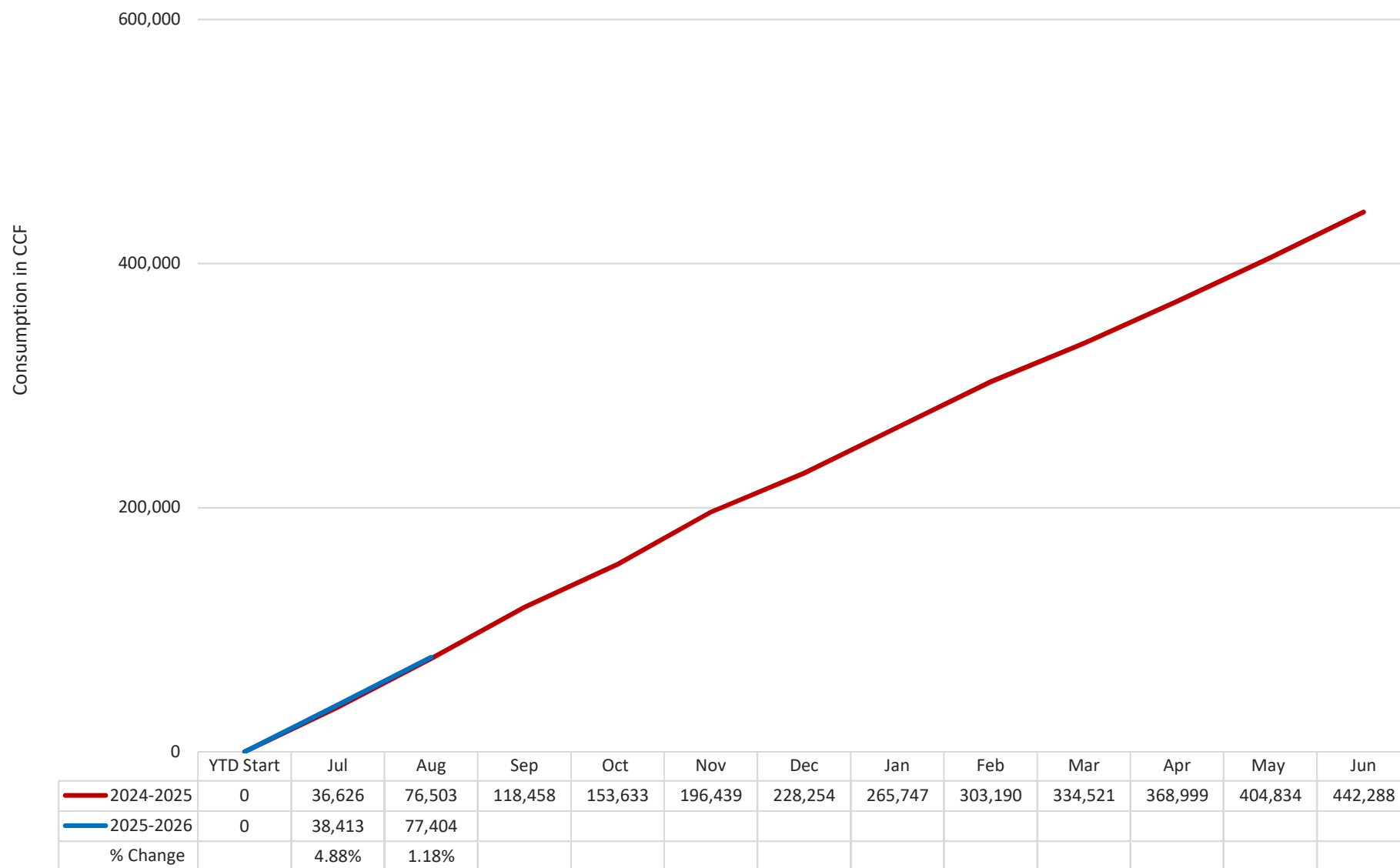
Single Family Residents YTD Consumption

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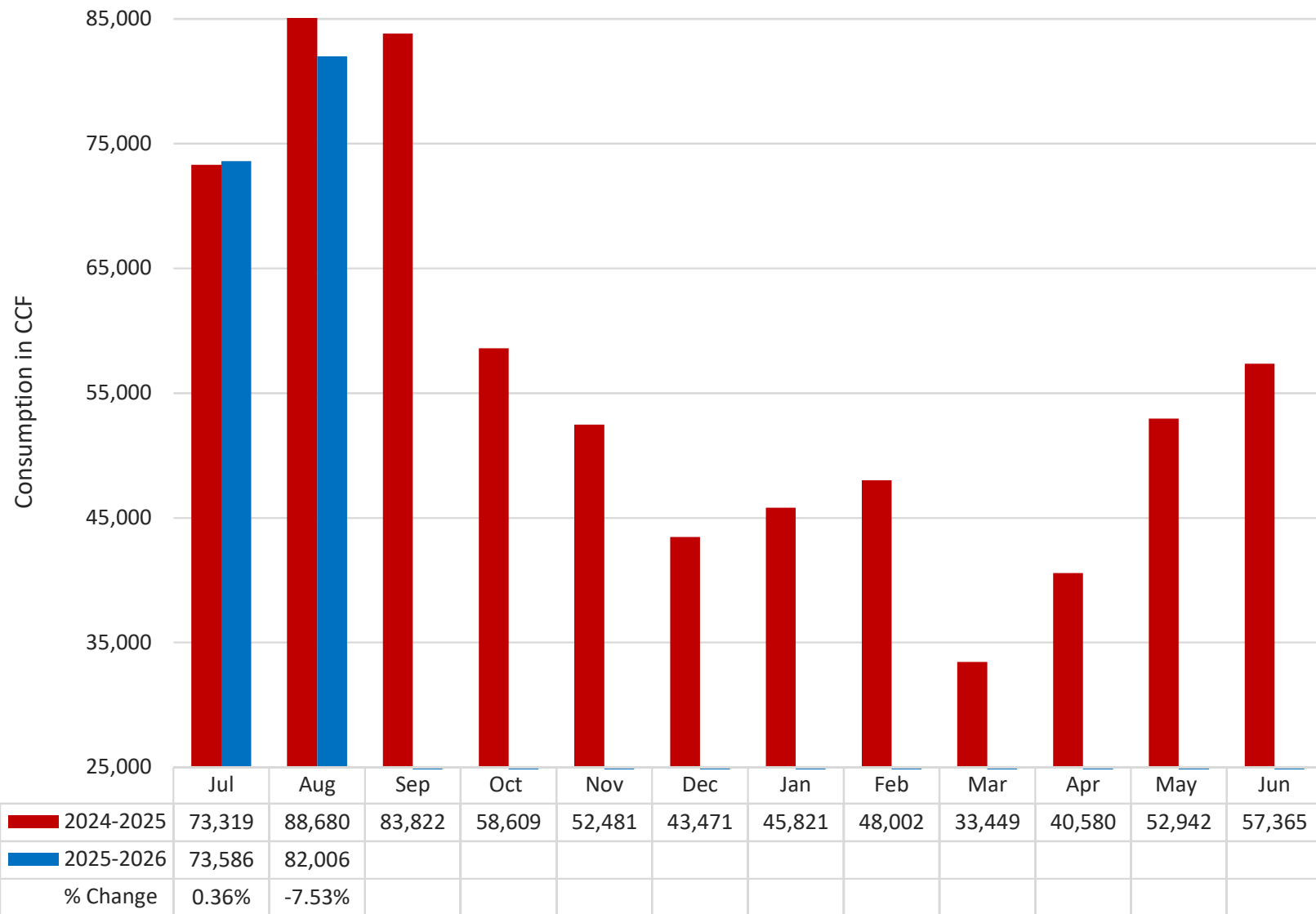
Multi Family Residents Consumption

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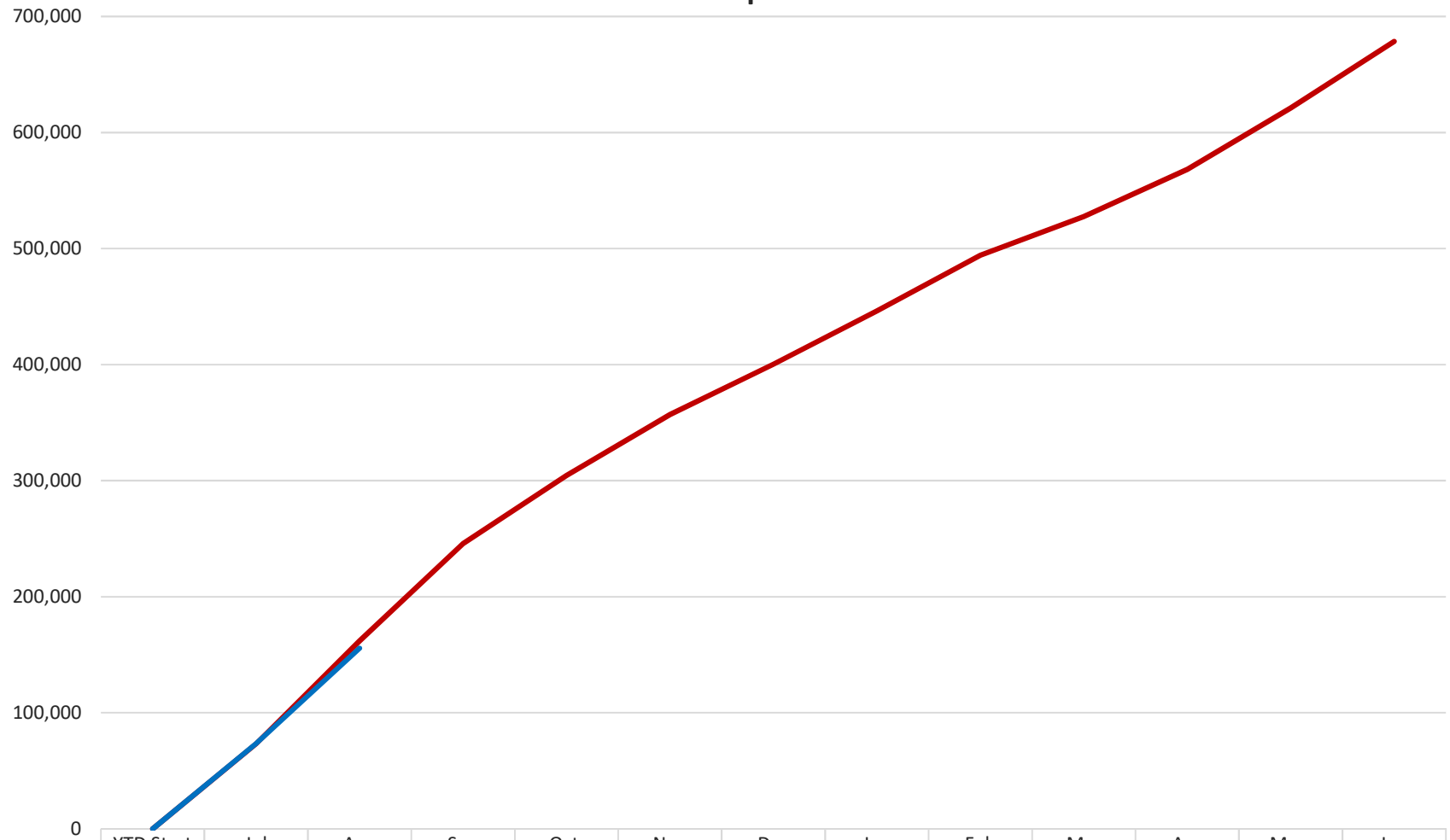
Multi Family Residents YTD Consumption



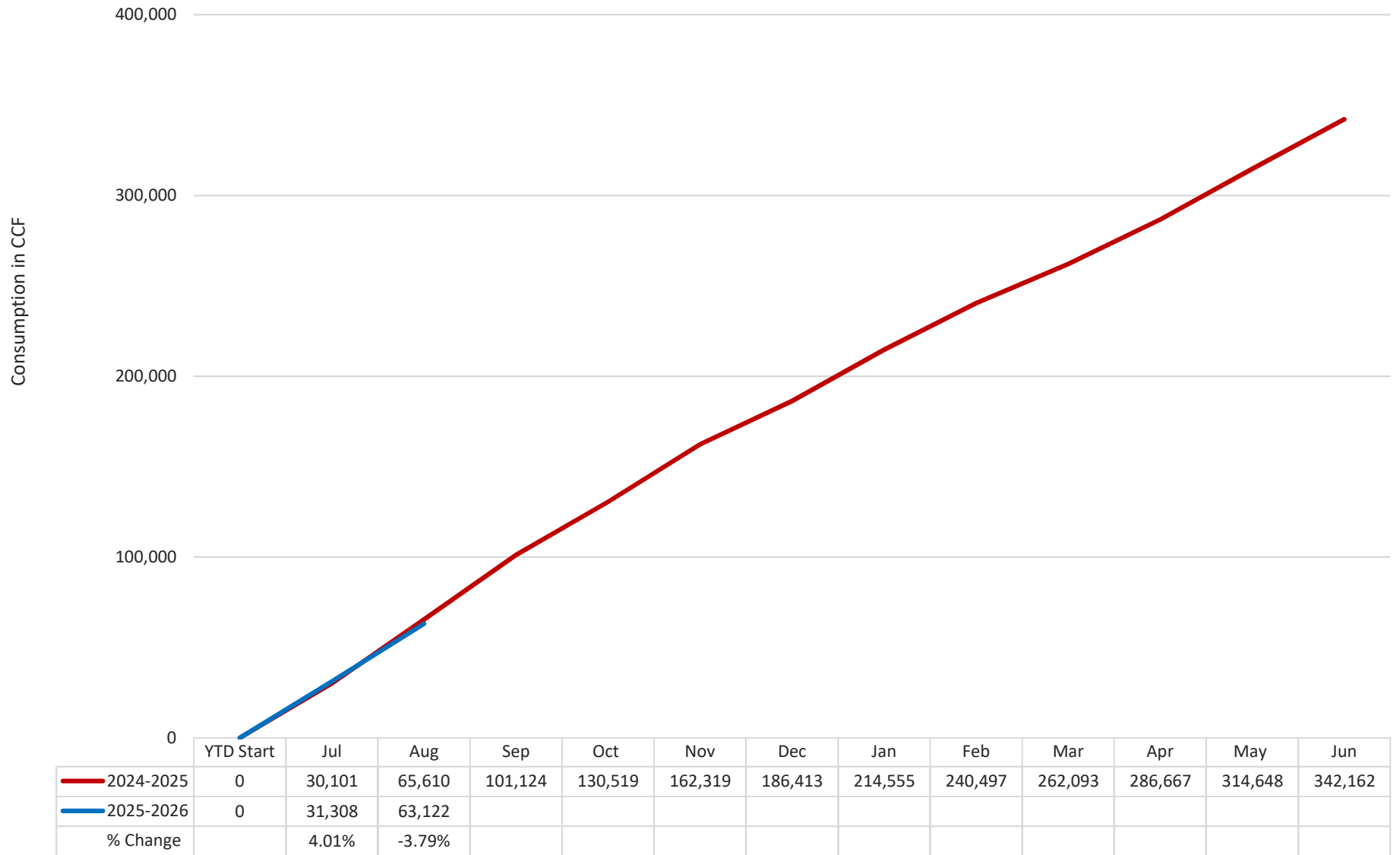
Laguna Woods Village Consumption (Excluding Dedicated Irrigation)



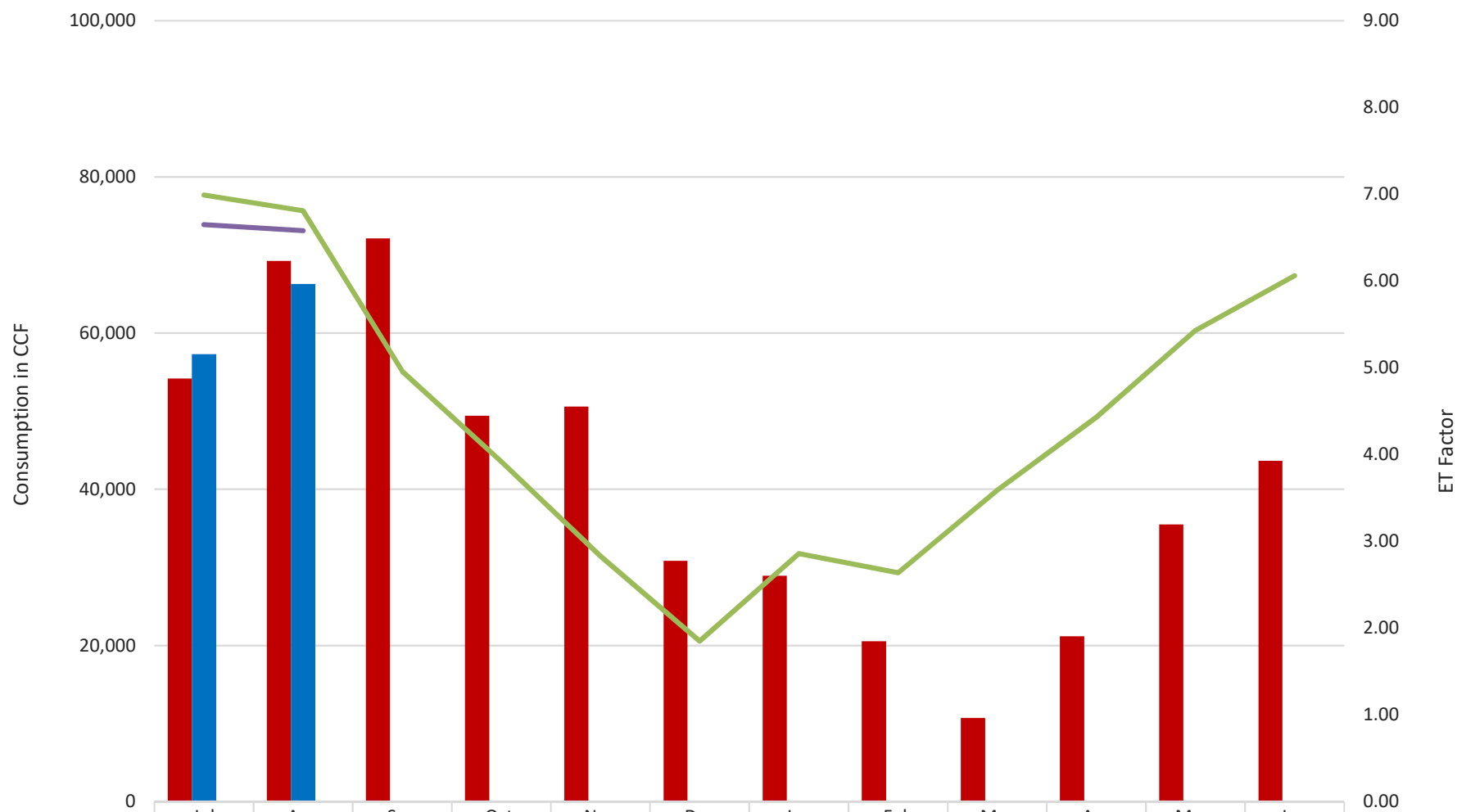
Consumption in CCF

[illegible]

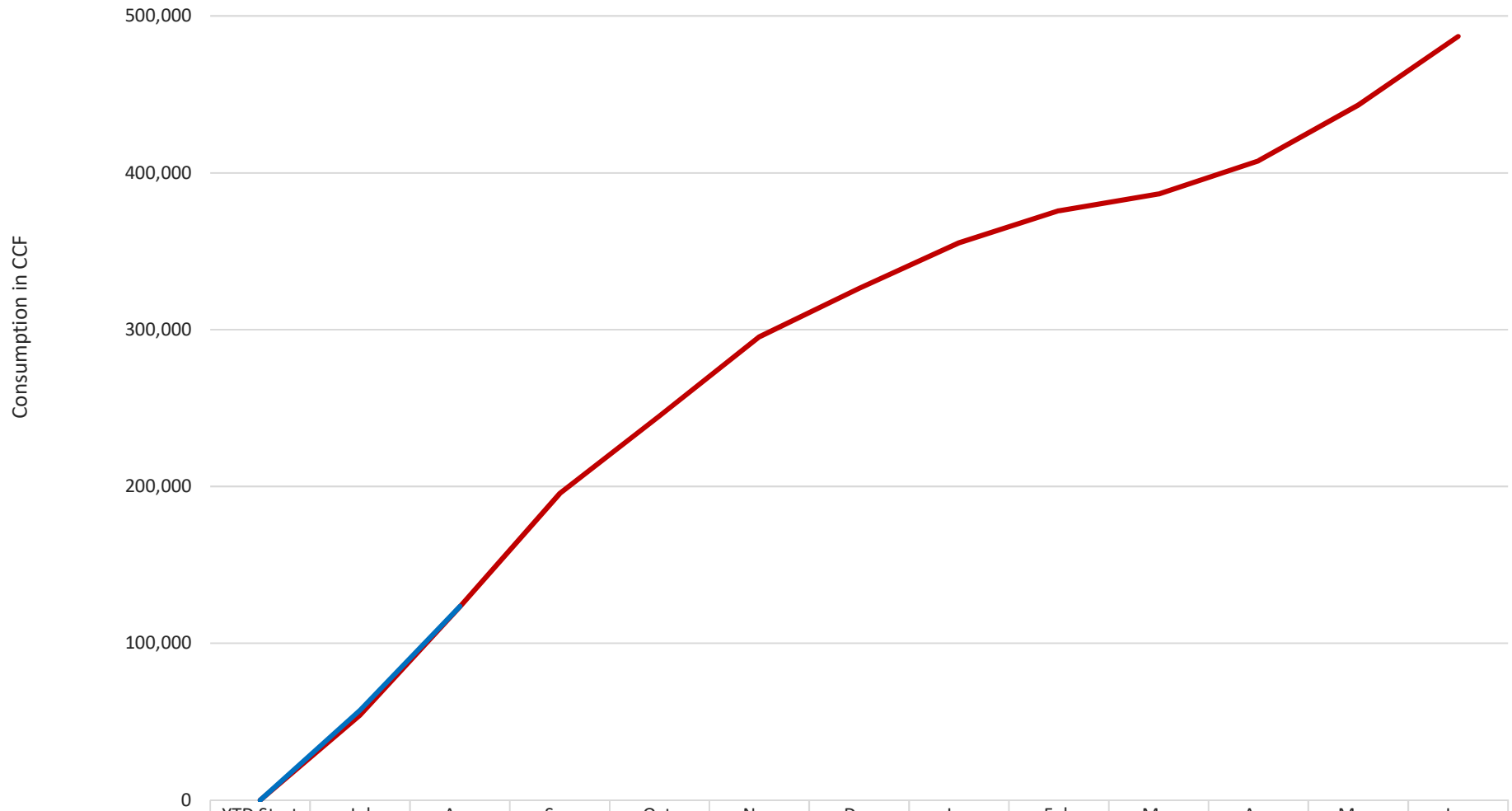
Commercial YTD Consumption



Dedicated Irrigation Consumption (including LWV)

[illegible]

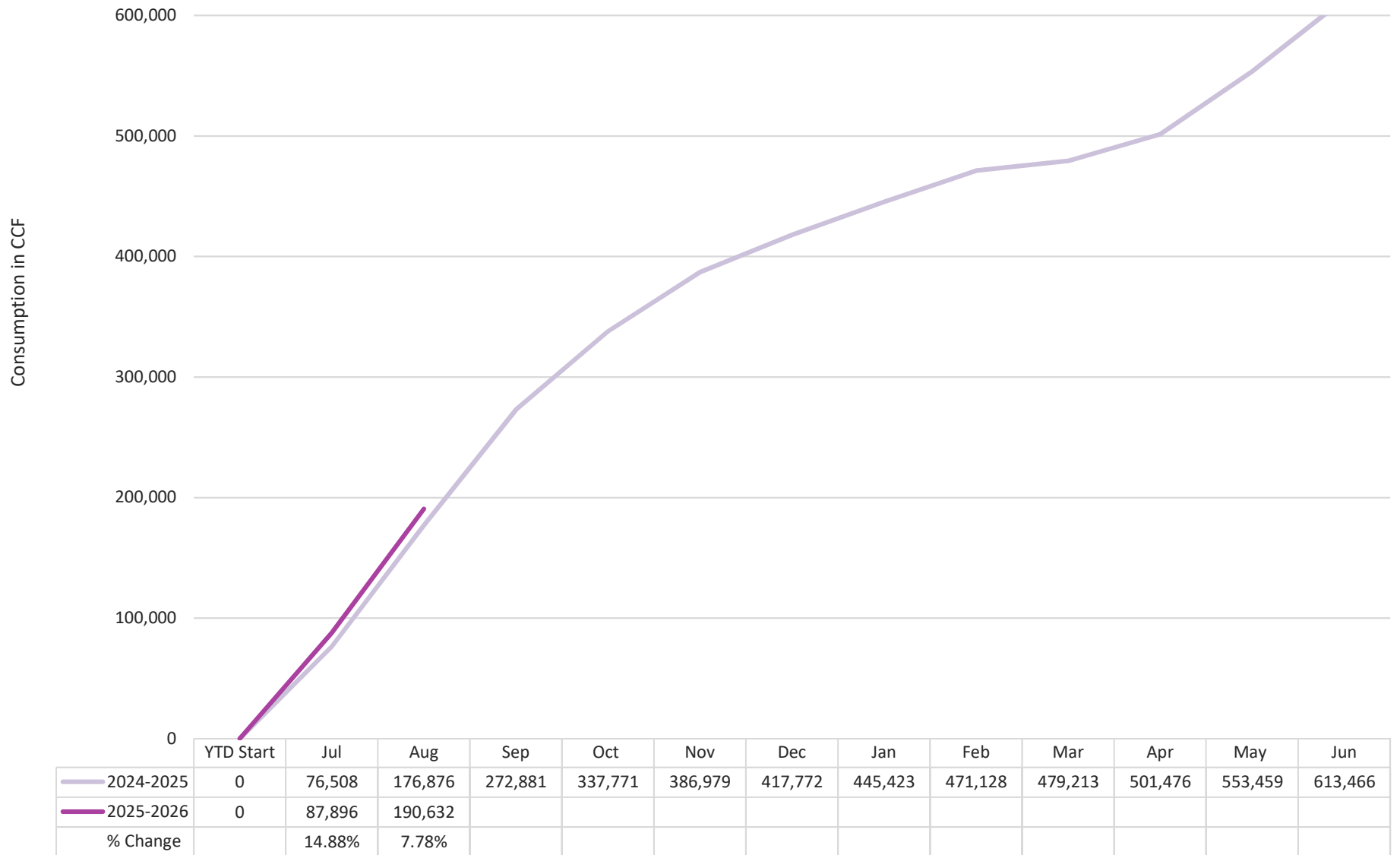
**Dedicated Irrigation Consumption (including LWV)
YTD Consumption**

[illegible]

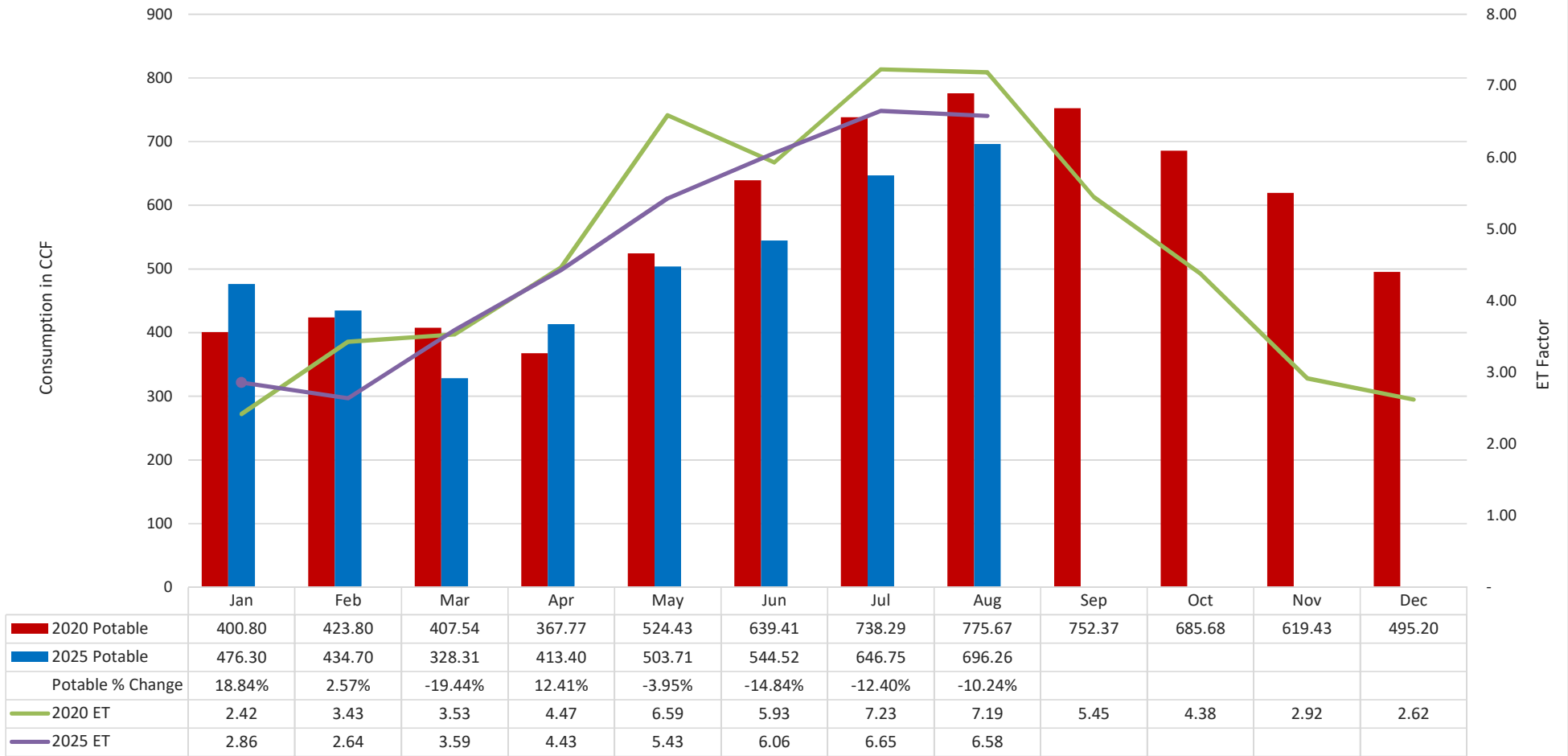
FY 2025-26 vs FY 2024-25



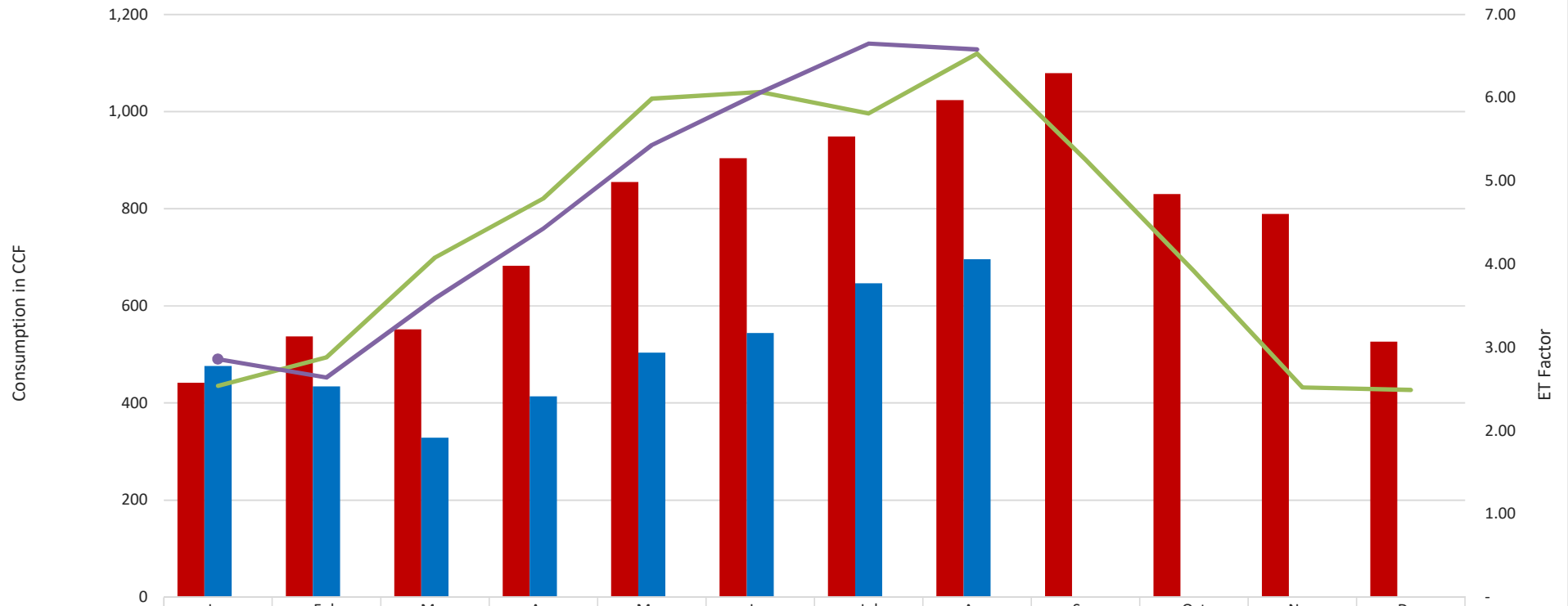
Recycled Water YTD Consumption



ETWD Customer Consumption vs 2020 (Potable AF)

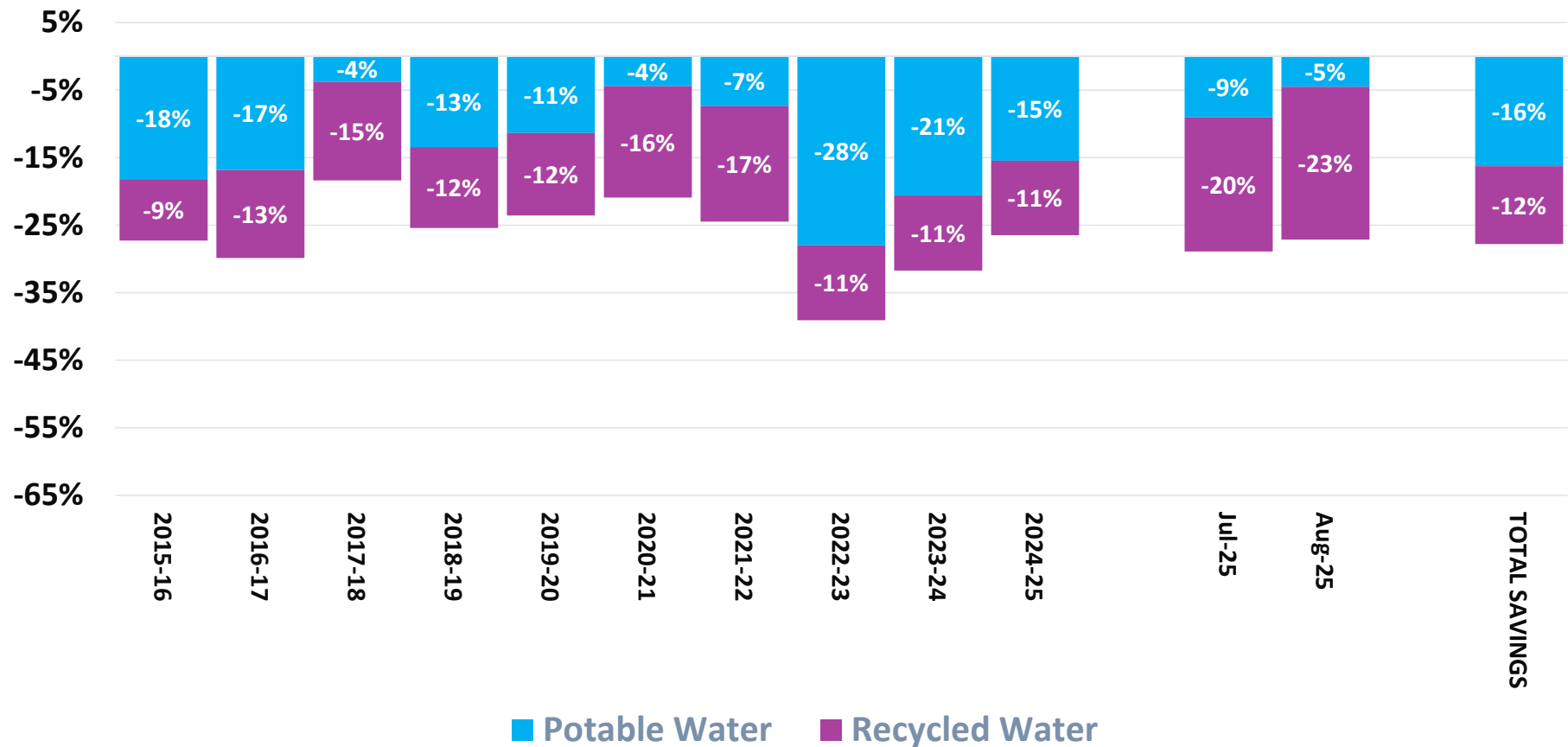


ETWD Customer Consumption vs 2013 (Potable AF)



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2013 Potable	441.82	537.37	551.75	682.75	855.14	903.87	948.61	1023.72	1079.11	830.36	789.23	526.37
2025 Potable	476.30	434.70	328.31	413.40	503.71	544.52	646.75	696.26				
Potable % Change	7.80%	-19.11%	-40.50%	-39.45%	-41.10%	-39.76%	-31.82%	-31.99%				
2013 ET	2.54	2.88	4.08	4.79	5.99	6.07	5.81	6.53	5.26	3.92	2.52	2.49
2025 ET	2.86	2.64	3.59	4.43	5.43	6.06	6.65	6.58				

ETWD WATER USAGE COMPARED TO 2013



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



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

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

September 4, 2025
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 UNMUTE 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 UNMUTE 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

<https://socwa.zoom.us/>

Meeting ID: 838 0331 5164

Passcode: 003033

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/j/kcQnfc1Cq2>

South Orange County Wastewater Authority
Board of Directors Meeting
September 4, 2025

Agenda

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ORAL COMMUNICATIONS

Members of the public may address the Board regarding an item on the agenda or may reserve this opportunity during the meeting at the time the item is discussed by the Board. There will be a three-minute limit for public comments.

4. APPROVAL OF BOARD MEMBER REQUEST FOR REMOTE PARTICIPATION

ACTION Board Discussion/Direction and Action.

PAGE NO.

5. CONSENT CALENDAR

- A. Minutes of Board of Directors..... 1

- Board of Directors Regular Meeting of August 7, 2025

ACTION The Board will be requested to approve the subject Minutes.

- B. Minutes of Finance Committee 6

- Finance Committee Meeting of June 17, 2025

ACTION The Board will be requested to receive and file the subject Minutes.

- C. Minutes of Executive Committee 9

- Executive Committee Special Meeting of July 29, 2025

ACTION The Executive Committees will be requested to approve the subject Minutes, and the Board will be requested to receive and file the subject Minutes.

- D. Financial Reports for the Months of May & June 2025..... 11

The reports included are as follows:

- a. Budget vs. Actual Expenses:
 - Operations and Environmental Summary (Exhibit A-1)
 - Operations and Environmental by PC (A-1.2)
 - Residual Engineering, after transfer to Capital (Exhibit A-2)
 - Administration (Exhibit A-3)
 - Information Technology (IT) (Exhibit A-4)

South Orange County Wastewater Authority
Board of Directors Meeting
September 4, 2025

Agenda

ACTION The Finance Committee recommends that the Board of Directors receive and file the May 2025 & June 2025 Financial Reports.

- E. July 2025 Operations Report 39
1. Monthly Operational Report
 2. SOCWA Ocean Outfall Discharges by Agency
 3. Beach Ocean Monitoring Report
 4. Recycled Water Report

ACTION The Board will be requested to receive and file subject reports as submitted.

- F. Capital Improvement Program Status Report and Construction Projects Progress and Construction Projects Progress and Change Order Report (August) [Project Committees 2 and 15] 80

ACTION Staff recommends that the PC 15 Board of Directors to approve an additional \$40,000 to the existing project budget of \$160,000. This will result in a revised total project budget of \$200,000 for the CTP Aeration Deck Grating Replacement Project.

6. ENGINEERING MATTERS

- A. Contract Award for Coastal Treatment Grit Tank Coating Replacement.....92

ACTION Staff recommends that the PC 15 Board of Directors:

1. Authorize execution of a contract with Murphy Industrial Coatings in the amount of \$113,894 for the CTP Grit Tank Coating Replacement project.
2. Approve a construction contingency of \$11,390 to address any unforeseen conditions encountered during the work, for a total project budget of \$125,284.

- B. Water Research Foundation Proposal 97

ACTION Board Discussion/Direction or Action.

7. GENERAL MANAGER'S REPORT

- A. General Counsel's Report

ACTION Board Discussion/Direction and Action.

South Orange County Wastewater Authority
Board of Directors Meeting
September 4, 2025

Agenda

B. General Manager's Report 103

ACTION Board Discussion/Direction and Action.

C. Ocean Institute Partnership Proposal 104

ACTION Board Discussion/Direction and Action.

D. Upcoming Meetings Schedule:

- September 4, 2025 – Board of Directors Regular Meeting
- September 11, 2025 – Engineering Committee Meeting
- September 16, 2025 – Finance Committee Meeting
- September 23, 2025 – Executive Committee Special Meeting
- October 2, 2025 – Board of Directors Regular Meeting

ACTION Information Item.

8. OTHER MATTERS

Determine the need to take action on the following item(s) introduced by the General Manager, 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.]

9. ADJOURNMENT

THE NEXT SOCWA BOARD MEETING
October 2, 2025

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

REVISED

**September 11, 2025
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 **September 11, 2025, 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.

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Passcode: 379713

One Tap Mobile
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+16699006833,,82927699880#,,,379713# US (San Jose)

AGENDA

1. Call Meeting to Order

2. Public Comments

THOSE WISHING TO ADDRESS THE ENGINEERING COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.

3. Approval of Committee Member Request for Remote Participation (Standing Item)

Recommended Action: Committee Discussion/Direction and Action.

PAGE NO.

4. Approval of Minutes..... 1

- Engineering Committee Minutes of June 12, 2025

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

5. General Manager's Status Report (Bylaws Update) 5

Recommended Action: The Engineering Committee recommends that the Board of Directors approve Resolution No. 2025-12, A Resolution of the Board of Directors of the South Orange County Wastewater Authority Amending "Exhibit A" Bylaws revising the Engineering Committee membership from six (6) members to four (4) members with the meeting quorum requirements updated to three (3) members.

6. FY 24-25 Use Audit Flows and Solids 10

Recommended Action: The Engineering Committee recommends that the Board of Directors approve the Use Audit calculated results for the close of the Use Audit for disbursement or collection of additional funds in FY 24-25.

7. Operations Report.....

Recommended Action: Information Item.

8. Capital Improvement Construction Projects Progress and Change Order Report (September)
[Project Committees 2 and 15] 14

Recommended Action: Information item.

9. Regional Lab Feasibility Study 25

Recommended Action: Committee Discussion/Direction or Action.

10. Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Engineering Committee at least 72 hours prior to the scheduled time of the Regular Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 72 hours prior to the time of the above-referenced Engineering Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 4th day of September 2025.

Revised this 8th day of September 2025.



Danita Hirsh, Assistant Board Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

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

**September 16, 2025
10:30 a.m.**

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Finance Committee was called to be held on **September 16, 2025, at 10:30 a.m.** SOCWA staff will be present and conducting the meeting at the SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

THE SOCWA MEETING ROOM IS WHEELCHAIR ACCESSIBLE. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST SUCH ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING. MEMBERS OF THE PUBLIC HAVE THE OPTION TO PARTICIPATE IN AND MAY JOIN THE MEETING REMOTELY VIA VIDEO CONFERENCE FOR VISUAL INFORMATION ONLY (USE ZOOM LINK BELOW) AND BY TELECONFERENCE FOR AUDIO PARTICIPATION (USE PHONE NUMBERS BELOW). THIS IS A PHONE-CALL MEETING AND NOT A WEB-CAST MEETING, SO PLEASE REFER TO AGENDA MATERIALS AS POSTED ON THE WEBSITE AT WWW.SOCWA.COM, ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. FOR PARTIES PARTICIPATING REMOTELY, PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO PUBLIC COMMENTS RECEIVED BY PARTIES PARTICIPATING IN PERSON. COMMENTS MAY BE SUBMITTED PRIOR TO THE MEETING VIA EMAIL TO ASSISTANT SECRETARY DANITA HIRSH AT DHIRSH@SOCWA.COM WITH THE SUBJECT LINE "REQUEST TO PROVIDE PUBLIC COMMENT." IN THE EMAIL, PLEASE INCLUDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER YOU WILL BE CALLING FROM SO THAT THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. THOSE MAKING PUBLIC COMMENT REQUESTS REMOTELY VIA TELEPHONE IN REAL-TIME WILL BE ASKED TO PROVIDE YOUR NAME, THE ITEM YOU WISH TO SPEAK ABOUT, AND THE TELEPHONE NUMBER THAT YOU ARE CALLING FROM SO THE COORDINATOR CAN UN-MUTE YOUR LINE WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK AND ASK THE COORDINATOR TO UN-MUTE YOUR LINE AT THE APPROPRIATE TIME.

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

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

Join Zoom Meeting
<https://socwa.zoom.us>

Meeting ID: 846 3266 0752
Passcode: 053142

One Tap Mobile
+16694449171,,84632660752#,,,,*053142# US
+16699006833,,84632660752#,,,,*053142# US (San Jose)

AGENDA

1. Call Meeting to Order

2. Public Comments

THOSE WISHING TO ADDRESS THE FINANCE COMMITTEE ON ANY ITEM LISTED ON THE AGENDA WILL BE REQUESTED TO IDENTIFY AT THE OPENING OF THE MEETING AND PRIOR TO THE CLOSE OF THE MEETING. THE AUTHORITY REQUESTS THAT YOU STATE YOUR NAME WHEN MAKING THE REQUEST IN ORDER THAT YOUR NAME MAY BE CALLED TO SPEAK ON THE ITEM OF INTEREST. THE CHAIR OF THE MEETING WILL RECOGNIZE SPEAKERS FOR COMMENT AND GENERAL MEETING DECORUM SHOULD BE OBSERVED IN ORDER THAT SPEAKERS ARE NOT TALKING OVER EACH OTHER DURING THE CALL.

3. Approval of Committee Member Request for Remote Participation (Standing Item)

Recommended Action: Committee Discussion/Direction and Action.

PAGE NO.

4. Approval of Minutes..... 1

- Finance Committee Meeting of August 19, 2025

Recommended Action: Staff recommend that the Finance Committee approve the subject minutes as submitted.

5. Financial Policies Update..... 4

Recommended Action: Committee Discussion/Direction or Action.

6. Quarterly Investment Report Update..... 36

Recommended Action: Committee Discussion/Direction or Action.

7. Ocean Institute Partnership Proposal..... 39

Recommended Action: Committee Discussion/Direction or Action.

8. Adjournment

FINANCE COMMITTEE MEETING
September 16, 2025

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the SOCWA Finance Committee at least 24 hours prior to the scheduled time of the Special Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced Finance Committee meeting at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 11th day of September 2025.



Lynda May, Assistant
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

**NOTICE OF SPECIAL MEETING
OF THE
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

EXECUTIVE COMMITTEE**

September 23, 2025

9:00 a.m.

NOTICE IS HEREBY GIVEN that a Special Meeting of the South Orange County Wastewater Authority (SOCWA) Executive Committee was called to be held on **September 23, 2025, at 9:00 a.m.** SOCWA staff will be present and conducting the meeting at SOCWA Administrative Office located at 34156 Del Obispo Street, Dana Point, California.

THE SOCWA MEETING ROOM IS WHEELCHAIR ACCESSIBLE. IF YOU REQUIRE ANY SPECIAL DISABILITY RELATED ACCOMMODATIONS, PLEASE CONTACT THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY SECRETARY'S OFFICE AT (949) 234-5452 AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING TO REQUEST SUCH ACCOMMODATIONS. THIS AGENDA CAN BE OBTAINED IN ALTERNATE FORMAT UPON REQUEST TO THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY'S SECRETARY AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE SCHEDULED MEETING.

THIS MEETING WILL BE HELD IN PERSON. ON YOUR REQUEST, EVERY EFFORT WILL BE MADE TO ACCOMMODATE PARTICIPATION. FOR PARTIES PARTICIPATING, PUBLIC COMMENTS WILL BE TAKEN DURING THE MEETING FOR ORAL COMMUNICATION IN ADDITION TO 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 SO THAT THE COORDINATOR CAN ACKNOWLEDGE YOU WHEN YOU ARE CALLED UPON TO SPEAK. ONCE THE MEETING HAS COMMENCED, THE CHAIR WILL INVITE YOU TO SPEAK ON THE ITEM OF INTEREST.

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 EXECUTIVE COMMITTEE IN CONNECTION WITH A MATTER SUBJECT FOR DISCUSSION OR CONSIDERATION AT AN OPEN MEETING OF THE EXECUTIVE 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 EXECUTIVE COMMITTEE LESS THAN TWENTY-FOUR (24) HOURS PRIOR TO THE MEETING, THEY WILL BE AVAILABLE IN THE RECEPTION AREA OF THE AUTHORITY OFFICE AT THE SAME TIME AS THEY ARE DISTRIBUTED TO THE EXECUTIVE COMMITTEE AND SENT TO ANY 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 THE REQUESTING PARTIES.

AGENDA

1. **Call Meeting to Order**
2. **Public Comments**

THOSE WISHING TO ADDRESS THE EXECUTIVE 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.

3. **SOCWA Goals for 2025 and 2026**

- Open discussion on the potential organizational goals for 2025 and 2026.

Recommended Action: Committee Discussion/Direction and Action.

4. Support Resources Discussion

- Open discussion on the ongoing and needed organization staffing and consulting needs.

Recommended Action: Committee Discussion/Direction and Action.

5. Website Redesign

- Open discussion for reviewing potential updates needed for the SOCWA website.

Recommended Action: Committee Discussion/Direction and Action.

6. General Discussion

- Open discussion for any governance matters, upcoming deadlines, initiatives, or member concerns.

Recommended Action: Committee Discussion/Direction and Action.

7. Adjournment

I hereby certify that the foregoing Notice was personally emailed or mailed to each member of the Executive Committee at least 24 hours prior to the scheduled time of the Special Meeting referred to above.

I hereby certify that the foregoing Notice was posted at least 24 hours prior to the time of the above-referenced Executive Committee at the usual agenda posting location of the South Orange County Wastewater Authority and at www.socwa.com.

Dated this 29th day of July 2025.



Danita Hirsh, Assistant Secretary
SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

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

Jointly with the

PLANNING & OPERATIONS COMMITTEE

18700 Ward Street, Conference Room 101, Fountain Valley, CA 92708

September 2, 2025, 8:30 a.m.

Teleconference Sites:

25652 Paseo De La Paz, San Juan Capistrano, CA 92675

17420 Walnut Street, Fountain Valley, CA 92708

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

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

<https://zoom.us/j/8828665300>

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

Webinar ID: 882 866 5300#

P&O Committee:

Director Seckel, Chair
Director Yoo Schneider
Director Dick

Staff: H. De La Torre, M. Baum-Haley,
A. Crespi, V. Osborn, C. Busslinger,
K. Pham

Ex Officio Member: President McVicker

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 need and take action to agendize item(s), which arose 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 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 Website, accessible at <http://www.mwdoc.com>.

PRESENTATION ITEM

1. WATER EMERGENCY RESPONSE ORGANIZATION OF ORANGE COUNTY (WEROC)
REGIONAL FUEL PLANNING PROJECT

ACTION ITEM

2. WEB-BASED REBATE PROCESSING AND DATABASING PLATFORM CONTRACT AWARD

INFORMATION ITEMS

3. OC WATER SUMMIT UPDATE
4. ESRI ARCGIS SOLE SOURCE
5. METROPOLITAN'S ASSESSED VALUATION FOR MWDOC AND ORANGE COUNTY FOR FISCAL YEAR 2025–26
6. PUBLIC AFFAIRS HIGHLIGHTS
7. DEPARTMENT ACTIVITIES REPORTS
 - a. Ongoing MWDOC Reliability and Engineering/Planning Projects
 - b. WEROC
 - c. Water Use Efficiency Projects
 - d. Public and Government Affairs
8. REVIEW OF ISSUES RELATED TO PLANNING OR ENGINEERING PROJECTS, WEROC, WATER USE EFFICIENCY, FACILITY AND EQUIPMENT MAINTENANCE, WATER STORAGE, WATER QUALITY, CONJUNCTIVE USE PROGRAMS, EDUCATION, PUBLIC AFFAIRS PROGRAMS AND EVENTS, PUBLIC INFORMATION PROJECTS, PUBLIC INFORMATION CONSULTANTS, DISTRICT FACILITIES, AND MEMBER AGENCY RELATIONS

ADJOURNMENT

NOTE: At the discretion of the Committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated, and may be subject to action by the Committee. On those items designated for Board action, the Committee reviews the items and makes a recommendation for final action to the full Board of Directors; final action will be taken by the Board of Directors. Agendas for Committee and Board meetings may be obtained from the District Secretary. Members of the public are advised that the Board consideration process includes consideration of each agenda item by one or more Committees indicated on the Board Action Sheet. Attendance at Committee meetings and the Board meeting considering an item consequently is advised.

Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning Angela Crespi, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at 18700 Ward Street, Unit B, Fountain Valley, CA 92708. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

WORKSHOP MEETING OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
BOARD OF DIRECTORS WITH MET DIRECTORS
18700 Ward Street, Conference Room 101, Fountain Valley, California
September 3, 2025, 8:30 a.m.

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

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

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Telephone Audio: (669) 900 9128 fees may apply
(877) 853 5247 Toll-free
Webinar ID: 882 866 5300#

AGENDA

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS

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 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 Website, accessible at <http://www.mwdoc.com>.

NEXT RESOLUTION NO. 2162

PRESENTATION ITEM

1. SAN DIEGO COUNTY WATER AUTHORITY (SDCWA)

Recommendation: Receive and file the presentation.

DISCUSSION ITEMS**2. LEGISLATIVE ACTIVITIES**

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

Recommendation: Review and discuss the information presented.

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

Recommendation: Receive input and discuss the information presented.

INFORMATION ITEMS**4. MET ITEMS CRITICAL TO ORANGE COUNTY**

- 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

5. MET BOARD AND COMMITTEE AGENDA DISCUSSION ITEMS

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

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 Angela Crespi, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at 18700 Ward Street, Unit B, Fountain Valley, CA 92708. 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

18700 Ward Street, Conference Room 101, Fountain Valley, CA 92708

September 10, 2025, 8:30 a.m.

Teleconference Sites:

25652 Paseo De La Paz, San Juan Capistrano, CA 92675

17420 Walnut Street, Fountain Valley, CA 92708

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

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Telephone Audio: (669) 900 9128 fees may apply

(877) 853 5247 Toll-free

Webinar ID: 882 866 5300#

A&F Committee:

Director Crane, Chair

Director Thomas

Director Nederhood

Staff: H. De La Torre, M. Baum-Haley,

A. Crespi, C. Harris, H. Chumpitazi,

K. Pham

Ex Officio Member: President McVicker

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 need and take action to agendize item(s), which arose 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 THE 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 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 Website, accessible at <http://www.mwdoc.com>.

PROPOSED BOARD CONSENT CALENDAR ITEMS

1. TREASURER'S REPORT

- a. Revenue/Cash Receipt Report – August 2025
 - b. Disbursement Approval Report for the month of September 2025
 - c. Disbursement Ratification Report for the month of August 2025
 - d. GM Approved Disbursement Report for the month of August 2025
 - e. Consolidated Summary of Cash and Investment – July 2025
 - f. OPEB and Pension Trust Fund statement
2. FINANCIAL REPORT
 - a. Combined Financial Statements and Budget Comparative for the Period Ending July 31, 2025

PRESENTATION ITEM

3. SUMMARY OF ORANGE COUNTY FISCAL YEAR 2024–25 USAGE AND MWDOC ANNUAL SALES

INFORMATION ITEMS

4. WATER USE EFFICIENCY TURF REPLACEMENT PROGRAM STAFFING EVALUATION
5. DISPOSAL OF FIXED ASSETS FOR FY 2024–25 AND SURPLUS PERSONAL PROPERTY PURSUANT TO DISTRICT ADMINISTRATIVE CODE SECTION 9500
6. 2026 HEALTH INSURANCE RATES (MEDICAL, DENTAL, AND VISION)
7. DEPARTMENT ACTIVITIES REPORTS
 - a. Administration
 - b. Finance and Information Technology
8. MONTHLY WATER USAGE DATA AND WATER SUPPLY INFORMATION

OTHER ITEMS

9. 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 Angela Crespi, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County at 18700 Ward Street, Unit B, Fountain Valley, CA 92708. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that District staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the District to provide the requested accommodation.

REGULAR MEETING
OF THE BOARD OF DIRECTORS
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
18700 Ward Street, Boardroom, Fountain Valley, California
September 17, 2025, 8:30 a.m.

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

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

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<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

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 THE 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 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 website, accessible at <http://www.mwdoc.com>.

NEXT RESOLUTION NO. 2162

CONSENT CALENDAR (Items 1 to 4)

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. August 4, 2025 Planning & Operations Committee Meeting
- b. August 6, 2025 Workshop Board Meeting
- c. August 13, 2025 Administration & Finance Committee Meeting
- d. August 20, 2025 Regular Board Meeting
- e. August 20, 2025 Special Executive Committee Meeting

Recommendation: Approve as presented.

2. TREASURER'S REPORTS

- a. MWDOC Revenue/Cash Receipt Register as of August 31, 2025
- b. Disbursement Registers (August/September)

Recommendation: Ratify and approve as presented.

- c. Summary of Cash and Investment and Portfolio Master Summary Report (Cash and Investment report) as of July 31, 2025
- d. PARS Monthly Statement (OPEB Trust)

Recommendation: Receive and file as presented

3. FINANCIAL REPORT

- a. Combined Financial Statements and Budget Comparative for the Period Ending July 31, 2025

Recommendation: Receive and file as presented.

4. WEB-BASED REBATE PROCESSING AND DATABASING PLATFORM CONTRACT AWARD

Recommendation: Authorize the General Manager to enter into a five-year professional services agreement with Submittable, for the development and implementation of MWDOC's web-based rebate processing platform, at a total cost not to exceed \$192,100 across five years (\$54,100 in year one and \$34,500 for years two through five) and extend the current vendor agreement with Droplet Technologies for six months to June 30, 2026 to allow for any transition work to be completed, at the cost not to exceed \$10,750.

End Consent Calendar**PRESENTATION ITEM****5. AGENCY SPOTLIGHT – CITY OF FULLERTON**

Recommendation: Receive and file presentation.

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

6. GENERAL MANAGER'S REPORT, SEPTEMBER (ORAL AND WRITTEN)

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

7. MWDOC GENERAL INFORMATION ITEMS

- a. Board of Directors - Reports re: Conferences and Meetings
- b. Requests for Future Agenda Topics

Recommendation: Receive and file as presented.

ADJOURNMENT

Note: Accommodations for the Disabled. Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by contacting Angela Crespi, District Secretary, at (714) 963-3058, or writing to Municipal Water District of Orange County 18700 Ward Street, Unit B, Fountain Valley, CA 92708. 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.

**LOCAL AGENCY FORMATION COMMISSION OF
ORANGE COUNTY**

REGULAR MEETING AGENDA

**Wednesday, September 17, 2025
8:15 a.m.**

**Orange County Transportation Authority
Conference Room 07**

550 South Main Street, Orange, CA 92868

Members of the public may access the audio live-streamed meeting at

https://youtube.com/live/OVwx6oE_xqo?feature=share

***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. CLOSED SESSION

a.) Public Employee Appointment

Pursuant to Government Code Section 54957(b)(1)

Title: Executive Officer (permanent position)

7. CONSENT CALENDAR

a.) July 9, 2025 – Regular Commission Meeting Minutes

The Commission will consider approval of the July 9, 2025 meeting minutes.

b.) Local Agency Investment Fund (LAIF) Account Update

The Commission will consider adopting the revised resolution authorizing designated staff to process transactions for the LAIF account.

c.) Bi-Annual News (“The Pulse”)

The Commission will receive a report on the fifth edition of the OC LAFCO Bi-Annual Newsletter.

8. PUBLIC HEARING

a.) Municipal Service Review and Sphere of Influence Reviews for Central Region (MSR 24-01 and SOI 24-02)

The Commission will consider the Municipal Service Review and Sphere of Influence reviews for agencies within the Central MSR Region prepared in accordance with Government Code Sections 56425 and 56430. As the lead agency, the Commission will consider the Notices of Exemption prepared for the MSR and SOIs in compliance with the California Environmental Quality Act (CEQA).

9. COMMISSION DISCUSSION AND ACTION

a.) Professional Consultant Services Agreement with RSG, Inc.

The Commission will consider approval of a professional services agreement with RSG, Inc. to conduct a Municipal Service Review and Sphere of Influence review for the North MSR Region.

b.) Legislative Report (September 2025)

The Commission will receive a report on the status of bills previously reviewed by the Commission and an update on the Alliance of California Local Agency Formation Commissions Legislative Committee’s activities.

c.) Request to Join an Amicus Brief

The Commission will consider the approval to join the effort with other Local Agency Formation Commissions as a party to an Amicus Brief in the appeal of *the Monterey Peninsula Water Management District (MPWMD) v. Monterey LAFCO*.

10. 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.

11. INTERIM EXECUTIVE OFFICER'S REPORT

Interim Executive Officer's announcement of upcoming events and brief report on activities of the Interim Executive Officer since the last meeting.

12. INFORMATIONAL ITEMS & ANNOUNCEMENTS

No informational items and announcements.

13. ADJOURNMENT OF REGULAR COMMISSION MEETING

The next Regular Commission Meeting will be held on Wednesday, October 8, 2025 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) **In-person** 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) **Audio Live Streaming:** The public may listen to the meeting live on YouTube using the link provided on the website homepage (www.oclafco.org). However, LAFCO cannot guarantee that the public's access will be uninterrupted, and technical difficulties may occur from time to time. The meeting will continue despite technical difficulties for participants using audio live streaming unless otherwise prohibited by State open meeting laws.
- 3) **Written** general comments or comments on specific agenda items may be submitted by email to the Commission Clerk at ccarter-benjamin@oclafco.org. Comments received no less than twenty-four (24) hours prior to the regular meeting will be distributed to the Commission and included in the record.

Pursuant to Government Code Section 54957.5, public records that relate to open session agenda items that are distributed to a majority of the Commission less than seventy-two (72) hours prior to the meeting will be made available to the public on the OC LAFCO website at www.oclafco.org.

"Pursuant to State law, 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 may be required to disclose the contribution. If you are affected, please notify the Commission's staff before the hearing in order to determine whether disclosure is warranted."

AMERICANS WITH DISABILITIES ACT (ADA)

All regular meeting agendas and associated reports are available at www.oclafco.org. Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or associated reports upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, to participate in a public meeting. Requests for copies of meeting documents and accommodations shall be made with OC LAFCO staff at (714) 640-5100 at least three business days prior to the respective meeting.

2025 MEETING AND EVENTS CALENDAR

Approved November 14, 2024

2025



January						
S	M	T	W	T	F	S
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- OC LAFCO Regular Meeting (*begins at 8:15 a.m.*)
Location: County Administrative North, First Floor Multipurpose Room 101, 400 W. Civic Center Dr., Santa Ana, CA 92701.
- No Scheduled Regular Meeting.
- Strategic Planning Workshop (9:00 a.m. to 1:00 p.m.)
Location: To be determined.
- Office closure due to legal holidays and flexible work schedule.
- 2025 CALAFCO Annual Conference - October 22 - 24, San Diego, CA.
- August 13, 2025 Regular Meeting Cancelled. (Approved by Commission on July 9, 2025).
- Meeting rescheduled from September 10, 2025 to **Wednesday, September 17, 2025.**



Executive Committee Meeting

Tuesday, September 2, 2025
7:30 a.m.

Mailing Address

18700 Ward Street
Fountain Valley, CA 92708

Meeting Location

MWDOC/OCWD
18700 Ward Street
Fountain Valley, CA 92708

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

www.isdoc.net

Join Zoom Meeting

<https://mwdoc.zoom.us/j/83420776167>

Dial by your location
669 900 9128 US (San Jose)
877 853 5247 US Toll-free
888 788 0099 US Toll-free

Executive Committee

President

Hon. Bob McVicker
*Municipal Water District of
Orange County*

1st Vice President

Hon. Paul Mesmer
*Surfside Colony Community Services
District*

2nd Vice President

Hon. Marilyn Thoms
East Orange County Water District

3rd Vice President

Vacant

Secretary

Vacant

Treasurer

Hon. Sandra Jacobs
Santa Margarita Water District

Immediate Past President

Hon. Greg Mills
Serrano Water District

Staff Administration

Heather Baez

*Municipal Water District of
Orange County*

Tina Dubuque

*Municipal Water District of
Orange County*

AGENDA

I. Welcome

II. Approval of Minutes

- Approval of Minutes: August 5, 2025

III. Public Comments on items not on the agenda

IV. New Business

- Letter of Support for MWDOC Director Al Nederhood's Candidacy for the CSDA Board of Directors

V. Old Business

- ACTION: Appointment of 3rd Vice President

VI. Treasurer's Report – Director Jacobs

- Report on accounts

VII. CSDA Report – Chris Palmer

- Receive, discuss, and file the CSDA Report

VIII. LAFCO Report – Director Jim Fisler

- Receive, discuss, and file the LAFCO report

IX. ACWA Report – Director Sandra Jacobs

- Receive, discuss, and file the ACWA report

X. OCCOG Report – Director Mike Scheafer

- Receive, discuss, and file the OCCOG report

XI. Operational Area (OA) Executive Board Report – Director Larry Dick

- Receive, discuss, and file the OA report

XII. California Association of Sanitation Agencies (CASA) Report – SOCWA Representative

- Receive, discuss, and file the CASA report

XIII. Subcommittee Reports

- Programs – Director Mesmer
 - October Luncheon Update
- Membership – Director Thoms
 - Update on website photo refresh
 - Update on Associate Membership Renewals
- Legislative – Vacant

XIV. Adjourn

DATES TO REMEMBER
SEPTEMBER/OCTOBER 2025

1. Sep 25 – 12:00 p.m. – SOCAG
2. Sep 25 – 1:00 p.m. – South OC Watershed Management Area Committee Meeting
3. Sep 26 – 12:00 p.m. – Pres/VP/GM Meeting
4. Sep 30 – 10:00 a.m. – RRC Meeting
5. Oct 1 – 8:30 a.m. – MWDOC Met Directors Workshop
6. Oct 2 – 8:30 a.m. – SOCWA Board meeting
7. Oct 3 – DISTRICT OFFICE CLOSED
8. Oct 3 – 7:30 a.m. – WACO meeting
9. Oct 6 – 8:30 a.m. – MWDOC P&O
10. Oct 7 – 7:30 a.m. – ISDOC Executive Meeting
11. Oct 8 – 8:15 a.m. – LAFCO
12. Oct 8 – 8:30 a.m. – MWDOC Admin/Finance
13. Oct 9 – 8:30 a.m. – SOCWA Engineering meeting
14. Oct 10 – 11:30 a.m. – Lake Forest Chamber Legislative Luncheon
15. Oct 13 – 10:00 a.m. – Agenda Review Meeting
16. Oct 14 – 9:00 a.m. – SOCWA Executive meeting
17. Oct 15 – 8:30 a.m. – MWDOC Board Meeting
18. Oct 16 – 11:30 a.m. – OC WateReuse Meeting
19. Oct 17 – DISTRICT OFFICE CLOSED
20. Oct 20 – 7:30 a.m. – Regular Finance and Engineering Meeting
21. Oct 21 – 10:30 a.m. – SOCWA Finance meeting
22. Oct 22 – 8:30 a.m. – MWDOC/OCWD Joint Planning meeting
23. Oct 23 – 7:30 a.m. – Regular Board Meeting
24. Oct 24 – 12:00 p.m. – Pres/VP/GM Meeting
25. Oct 30 – 11:30 a.m. – ISDOC Quarterly Meeting
26. Oct 31 – 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 bacteria film (biofilm) on fragile reverse osmosis membrane surfaces.

Biosolids: Solid organic matter recovered from a sewage treatment process and used especially as fertilizer.

BMP: Best Management Practice. An engineered structure or management activity, or combination of these, that eliminates or reduces adverse environmental effects.

Brackish water: A mixture of freshwater and saltwater

Brown Act: Ralph M. Brown Act enacted by the State legislature governing all meetings of legislative bodies. Also known as 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 process, 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 1970's. As stated in section 2 of the act, it was designed to protect critically imperiled species from extinction as a "consequence of economic growth and development untended by adequate concern and conservation.

Ecosystem: Where living and non-living things interact (coexist) in order to survive.

Effluent: Wastewater or other liquid, partially or completely treated or in its natural state, flowing from a treatment plant.

Evaporation: The process that changes water (liquid) into water vapor (gas).

Estuary: Where fresh water meets salt water.

Evapotranspiration: The quantity of water transpired (given off), retained in plant tissues, and evaporated from plant tissues and surrounding soil surface. Quantitatively, it is expressed in terms of depth of water per unit area during a specified period of time.

FCH: Federal Clearing House – Environmental Review/Processing

FEMA: Federal Emergency Management Agency

Filtration: The process of allowing water to pass through layers of a porous material such as sand, gravel or charcoal to trap solid particles. Filtration occurs in nature when rain water soaks into the ground and it passes through hundreds of feet of sand and gravel. This same natural process of filtration is duplicated in water and wastewater treatment plants, generally using sand and coal as the filter media.

Flocculation: A chemical process involving addition of a coagulant to assist in the removal of turbidity in water.

Forebay: A reservoir or pond situated at the intake of a pumping plant or power plant to stabilize water level; also, a portion of a groundwater basin where large quantities of surface water can recharge the basin through infiltration.

Gray water reuse: Reuse, generally without treatment, of domestic type wastewater for toilet flushing, garden irrigation and other non-potable uses. Excludes water from toilets, kitchen sinks, dishwashers, or water used for washing diapers.

Green Acres Project (GAP): A 7.5 million gallons per day (MGD) water reclamation project that serves tertiary treated recycled water to irrigation and industrial users in Costa Mesa, Fountain Valley, Huntington Beach, Newport Beach, and Santa Ana.

God Squad: A seven-member committee that is officially called the “Endangered Species Committee”. Members consist of Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Council of Economic Advisers, the Administrator of the National Oceanic and Atmospheric Administration and one individual from the affected state. The squad was established in 1978 by an amendment to the 1973 Endangered Species Act (ESA). It has only been called into action three times to deal with proposed federal agency actions that have been determined to cause “jeopardy” to any listed species.

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 1000,000 acre-feet of reclaimed water annually. The high-quality water will be used to expand an existing underground seawater intrusion barrier and to replenish the groundwater basin underlying north and central Orange County.

Groundwater table: The upper surface of the zone of saturation (all pores of subsoil filled with water), except where the surface is formed by an impermeable body.

GPM: Gallons per minute.

Ground Water Replenishment System (GWRS): Orange County Water District's state of the art, highly advanced, waste-water treatment facility.

Hydrologic balance: An accounting of all water inflow to, water outflow from, and changes in water storage within a hydrologic unit over a specified period.

Hydrologic cycle: The process of water constantly circulating from the ocean, to the atmosphere, to the earth in a form of precipitation, and finally returning to the ocean.

Imported water: Water that has originated from one hydrologic region and is transferred to another hydrologic region.

Inflatable rubber dams: Designed to replace temporary sand levees that wash out during heavy storm flow, the dams hold back high-volume river flows and divert the water into the off-river system for percolation.

Influent: Water or wastewater entering a treatment plant, or a particular stage of the treatment process.

Irrigation: Applying water to crops, lawns or other plants using pumps, pipes, hoses, sprinklers, etc.

JPIA: Joint Powers Insurance Authority. A group of water agencies providing self-insurance to member of the ACWA.

LAI: 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

OCBD: 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 homeowners 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 of 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 Publicity. 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 the 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 form 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

SRE: 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 of opaque with matter in suspension; muddy water

Ultraviolet light disinfection: A disinfection method for water that has received either secondary or tertiary treatment used as an alternative to chlorination.

VE: Value Engineering

VOC: Volatile organic compound; a chemical compound that evaporates readily at room temperature and contains carbon.

Wastewater: Water that has been previously used by a municipality, industry or agriculture and has suffered a loss of quality as a result.

Water Cycle: The continuous process of surface water (puddles, lakes, oceans) evaporating from the sun's heat to become water vapor (gas) in the atmosphere. Water condenses into clouds and then falls back to earth as rain or snow (precipitation). Some precipitation soaks into the ground (percolation) to replenish groundwater supplies in underground aquifers.

Water rights: A legally protected right to take possession of water occurring in a natural waterway and to divert that water for beneficial use.

Water-use Efficiency: The water requirements of a particular device, fixture, appliance, process, piece of equipment, or activity.

Water year (USGS): The period between October 1st of one calendar year to September 30th of the following calendar year.

Watermaster: A court appointed person(s) that has specific responsibilities to carry out court decisions pertaining to a river system or watershed.

Water Reclamation: The treatment of wastewater to make it suitable for a beneficial reuse, such as landscape irrigation. Also called water recycling.

Watershed: The total land area that from which water drains or flows to a river, stream, lake or other body of water.

Water table: The top level of water stored underground.

WEF: Water Environment Federation. Formerly – Water Pollution Control Federation (WPCF). International trade group advising members of sewage treatment techniques and their effect on the environment.

Weir box: A device to measure/control surface water flows in streams or between ponds.

Wellhead treatment: Water quality treatment of water being produced at the well site.

Wetland: Any area in which the water table stands near, at, or above the land surface for a portion of the year. Wetlands are characterized by plants adapted to wet soil conditions.

Xeriscape: Landscaping that requires minimal water.