

The Metropolitan Water District of Southern California

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

LEG Committee

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

Legislation and Communications Committee

Meeting with Board of Directors *

July 8, 2024

12:00 p.m.

Monday, July 8, 2024 Meeting Schedule

**09:00 a.m. EOT
11:30 a.m. Break
12:00 p.m. LEG
01:30 p.m. Legal
03:30 p.m. OWS**

Agendas, live streaming, meeting schedules, and other board materials are available here:

**<https://mwdh2o.legistar.com/Calendar.aspx>. Written public comments received by 5:00 p.m. (business days) before the meeting is scheduled will be posted under the Submitted Items and Responses tab available here:
<https://mwdh2o.legistar.com/Legislation.aspx>.**

If you have technical difficulties with the live streaming page, a listen-only phone line is available at 1-877-853-5257; enter meeting ID: 873 4767 0235. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference.

**To participate via teleconference 1-833-548-0276 and enter meeting ID: 876 9484 9772 or click
[https://us06web.zoom.us/j/87694849772?
pwd=V3dGZGRYUjJ3allqdUxXTIJRM044Zz09](https://us06web.zoom.us/j/87694849772?pwd=V3dGZGRYUjJ3allqdUxXTIJRM044Zz09)**

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

Teleconference Locations:

3214 Colchester Street • Douglasville, GA 30135

Cedars-Sinai Imaging Medical Group • 8700 Beverly Blvd., Suite M 313 • Los Angeles, CA 90048

City Hall • 303 W. Commonwealth Avenue • Fullerton, CA 92832

Conference Room • 1545 Victory Blvd. 2nd Floor • Glendale, CA 91201

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

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

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

2. **CONSENT CALENDAR OTHER ITEMS - ACTION**

- A. Approval of the minutes of the Legislation and Communications Committee for June 10, 2024 (copies have been submitted to each Director, any additions, corrections, or omissions) [21-3569](#)

Attachments: [07082014 LEG 2A \(06102024\) Minutes](#)

3. **CONSENT CALENDAR ITEMS - ACTION**

NONE

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

4. **OTHER BOARD ITEMS - ACTION**

NONE

5. **BOARD INFORMATION ITEMS**

- 9-3 Report on SB 1255 (Durazo, D – Los Angeles): Public water systems: needs analysis: water rate assistance program (June 3, 2024) [21-3590](#)

Attachments: [07092024 LEG 9-3 B-L](#)
[07082024 LEG 9-3 Presentation](#)

6. **COMMITTEE ITEMS**

- a. Update on Social Media Influencer Projects [21-3576](#)

Attachments: [07082024 LEG 6a Presentation](#)

- b. Presentation on CAMP4W Outreach and Engagement [21-3570](#)

Attachments: [07082024 LEG 6b Presentation](#)

- c. Quarterly State and Federal Regulatory Matrices **21-3591**

Attachments: [07082024 LEG 6c Quarterly State Regulatory Matrix](#)
[07082024 LEG 6c Quarterly Federal Regulatory Matrix](#)
[07082024 LEG 6c Presentation](#)

- d. Report on Activities from Sacramento **21-3578**

Attachments: [07082024 LEG 6d State Legislative Matrix](#)
[07082024 LEG 6d Presentation](#)

- e. Report on Activities from Washington, D.C. **21-3579**

Attachments: [07082024 LEG 6e Federal Legislative Matrix - REVISED](#)
[07082024 LEG 6e Presentation](#)

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. External Affairs activities **21-3577**

Attachments: [07082024 LEG 7a External Affairs Report](#)
[07082024 LEG 7a Presentation](#)

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <https://mwdh2o.legistar.com/Calendar.aspx>.

Requests for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGISLATION AND COMMUNICATIONS COMMITTEE

June 10, 2024

Chair Ortega called the meeting to order at 9:06 a.m.

Members present: Directors Ackerman, Dennstedt, Fellow (teleconference posted location), Gray (teleconference posted location), Jung (teleconference posted location, entered after rollcall), McMillan, and Pressman (teleconference posted location)

Members absent: Directors Abdo, Garza, Kassakhian, Luna, Phan, Ramos, and Smith.

Other Board Members present: Directors Armstrong, Bryan, Camacho, Dick, Erdman, Faessel, Fong-Sakai, Goldberg, Kurtz, Lefevre, Miller, Morris, Ortega, Peterson, and Seckel.

Committee Staff present: Hagekhalil, Novoa, Sims, Stites, and Zinke, .

Items were taken out of order due to lack of quorum

6. COMMITTEE ITEMS

b. Subject: Report on Activities from Sacramento

Presented by: Jay Jefferson, Executive Legislative Representative

Mr. Jefferson provided an update on the state budget, proposed budget cuts, budget deficit, climate bond advocacy: support for climate resilient water infrastructure, Appropriations suspense files, and legislation for a low income water rate assistance program.

c. Subject: Report on Activities from Washington, D.C.

Presented by: Abby Schneider, Executive Legislative Representative

Ms. Schneider provided a bill update: House Natural Resources Subcommittee on Water, Wildlife, and Fisheries hearing, Water Resources Development Act, Appropriations Update: Senate Energy and Water Appropriations Subcommittee Hearing and Senate budget committee hearing.

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. Subject: External Affairs Management Announcements and Highlights

Presented by: Dee Zinke, Assistant General Manager

Ms. Zinke provided an update on federal funding announcement for large-scale water recycling projects, mwdh2o.com website updates, Water Quality Lab 50th anniversary, water awareness month, Tap Water Day and Drinking Water Week video.

1. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMITTEE ON MATTERS WITHIN THE COMMITTEE’S JURISDICTION

- 1.) Mr. Matthew Carillo – Officer Vulnerability

6. COMMITTEE ITEMS (Continue)

- a. Subject: Report on Permissible Activities Related to Ballot Measures

Presented by: Catherine Stites, Principal Deputy General Counsel

Ms. Stites reported on how citizens may engage in campaign activities, the use of public funds for campaign activities or express advocacy is prohibited by courts and by statute, and how local agencies may expend public funds to provide accurate, fair, and impartial presentations of the presentations of the relevant facts to educate voters.

3. CONSENT CALENDAR ITEMS – ACTION

- 7-8 Subject: Express support for ballot measure ACA 1: Local government financing: affordable housing and public infrastructure: voter approval

Presented by: Jay Jefferson, Executive Legislative Representative

Motion: Express support for ballot measure ACA 1: Local Government financing: affordable housing and public Infrastructure: voter approval.

The following Directors provided a comment or asked a question:

- 1.) Seckel
- 2.) Dick

Staff responded to the Directors' comments or questions.

Director Fellow made a motion, seconded by Director Jung to approve item 7-8

7-9 Subject: Express opposition to Initiative 1935: The Taxpayer Protection and Government Accountability Act and express support for ballot measure ACA 13: Voting thresholds.

Presented by: Jay Jefferson, Executive Legislative Representative

Motion: Express opposition to Initiative 1935: The Taxpayer Protection Government Accountability Act and express support for ballot measure ACA 13: Voting thresholds.

The following Directors provided a comment or asked a question:

- 1.) Dick
- 2.) Fellow
- 3.) Dennstedt

Staff responded to the Directors' comments or questions.

4. OTHER BOARD ITEMS – ACTION

- 8-3 Subject: Authorize entering into a three-year contract with We Are RALLY, LLC for media placement services related to drought awareness and water conservation not to exceed \$10.5 million.
- Presented by: Teresa Gonzalez Robertson, Principal Public Affairs Representative
- Motion: Authorize entering into a three-year contract with We Are Rally, LLC for media placement services related to drought Awareness and water conservation not to exceed \$10.5 million.

Vice Chair of the Board Camacho chaired the meeting.

The following Directors provided a comment or asked a question:

- 1.) Peterson
- 2.) Fellow
- 3.) Dennstedt
- 4.) Morris
- 5.) Dick
- 6.) Seckel
- 7.) Pressman
- 8.) Gray

Staff responded to the Directors' comments or questions.

Director Jung made a motion, seconded by Director McMillan to approve items 8-3.

Ayes: Directors Ackerman, Camacho, Dennstedt, Gray, Jung, McMillan.

Noes: Directors Fellow and Pressman

Abstentions: None

Absent: Directors Abdo, Garza, Kassakhian, Luna, Phan, Ramos, and Smith.

The motion for item 8-3 passed by a vote of 6 ayes, 2 noes, 0 abstain, and 7 absent.

CONSENT CALENDAR ITEMS – ACTION

2. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Meeting of the Legislation and Communications Committee held May 13, 2024

Director Fellow made a motion, seconded by Director Jung to approve items 2A, 7-8, and 7-9.

Ayes: Directors Ackerman, Camacho, Dennstedt, Fellow, Gray, Jung, McMillan, and Pressman.

Noes: None

Abstentions: None

Absent: Directors Abdo, Garza, Kassakhian, Luna, Phan, Ramos and Smith.

The motion for item 2a passed by a vote of 8 ayes, 0 noes, 0 abstain, and 7 absent.

The motion for items 7-8 and 7-9 failed by a vote of 2 ayes, 0 noes, 5 abstain, and 7 absent.

END OF CONSENT CALENDAR ITEMS

5. BOARD INFORMATION ITEMS

None

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

10. ADJOURNMENT

Meeting adjourned at 10:50 a.m.

Michael Camacho
Vice Chair of the Board



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Board Information

● **Board of Directors** ***Legislation and Communications Committee***

7/9/2024 Board Meeting

9-3

Subject

Report on SB 1255 (Durazo, D – Los Angeles): Public water systems: needs analysis: water rate assistance program (June 19, 2024)

Executive Summary

SB 1255 (Durazo) (**Attachment 1**), as amended on June 19, 2024, seeks to address the affordability of drinking water in California by establishing a water rate assistance program for low-income households. SB 1255 would require the State Water Resources Control Board to conduct regular needs analysis updates for community water systems with fewer than 3,300 service connections by July 1, 2026, and every three years thereafter. This analysis will determine the necessary funds to provide a 20 percent discount to low-income households served by smaller community water systems.

Further, qualified systems which serve over 3,300 residential service connections would be mandated to implement a low-income rate assistance (LIRA) program by July 1, 2027, for their eligible ratepayers based on available information. The intent is to provide a 20 percent monthly credit for qualified low-income households or, if contributions are insufficient to meet that intent, at least a credit of 10 percent or \$5 (whichever is greater). If the system cannot sustain a 10 percent or \$5 monthly credit, then the water systems are required to establish a crisis assistance fund to assist eligible ratepayers with bill arrearages.

The LIRA program as currently drafted includes a number of provisions, including but not limited to the following:

- Mandated automatic enrollment of eligible, low-income ratepayers.
- Outreach and communication by qualified water systems regarding the implementation of the program.
- Funding by voluntary contributions; if available, state or federal funding sources may be used to offset or supplement contributions.
- The requirement that voluntary contributions from ratepayers be made on an opt-out basis.

Metropolitan staff convened and met with a Member Agency LIRA Working Group (May 15, 2024, and June 14, 2024) to solicit member agency feedback and better understand the benefits, concerns and impacts at the local level.

Fiscal Impact

The bill does not apply to Metropolitan, and there is no direct fiscal impact to Metropolitan.

Applicable Policy

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 53500, dated January 9, 2024, the Board adopted the Metropolitan Legislative Priorities and Principles, Legislative Priority 7 and Sections I.B.1, I.B.2, and I.B.3.

Related Board Actions/Reports

Equity, Inclusion and Affordability, Water Affordability Expert Panels: Discussion of Member Agency Programs (August 14, 2023), Metropolitan's Role in Household Water Affordability (October 24, 2023), Regulatory Requirements Impacting Affordability (November 13, 2023).

Equity, Inclusion and Affordability Committee Report on Water Affordability Panels and Recommended Actions (April 23, 2024)

Details and Background

Background

Previous State Legislative Efforts

The State of California has long recognized the importance of providing safe and affordable drinking water to all residents. Previous legislative efforts include Assembly Bill (AB) 685, which established state policy that declares that every human being has the right to safe, clean, affordable, and accessible water, chaptered on September 25, 2012. AB 401 (Dodd, D-Napa) directed the State Water Board to develop recommendations for a statewide LIRA program; this bill was chaptered on October 9, 2015. Most recently, in 2021, Senate Bill (SB) 222 (Dodd) attempted to establish a statewide water rate assistance program to help eligible residential water ratepayers, but it was vetoed by Governor Newsom. At the time, he cited a lack of funding to support the program and noted that SB 222 would impose ongoing requirements on community water and wastewater systems, potentially straining the general fund by billions annually.

Proposed Legislation

SB 1255 continues the State's efforts to address water affordability challenges and proposes a structured assistance program to aid low-income households. This bill would amend Section 116772 and add Chapter 6.5 to Part 12 of Division 104 of the Health and Safety Code relating to public water systems and the establishment of a water rate assistance program.

Actions

If passed as drafted, SB 1255 mandates that the State Water Resources Control Board update the needs analysis for public water systems by July 1, 2026, and every three years thereafter to determine the level of funding required to provide a 20 percent bill discount to low-income households served by community water systems with fewer than 3,300 service connections.

Further, qualified systems serving over 3,300 residential connections must implement a water rate assistance program by July 1, 2027, providing automatic enrollment for eligible ratepayers based on available information to ensure that those in need receive assistance without navigating complex application processes. To facilitate and streamline the automatic enrollment for eligible ratepayers, the Public Utilities Commission must establish a mechanism for data sharing between electrical and gas corporations and qualified water systems. The bill also includes a reporting component: qualified systems must report on voluntary contributions, administrative costs, and the number of households receiving assistance and an evaluation of available relevant information regarding any arrearages that remain after application of bill assistance. The Attorney General can enforce compliance.

On or before September 1, 2026, qualified systems serving over 3,300 residential connections may begin to include a recommended voluntary contribution amount on the bill of each ratepayer to fund their respective LIRA program. Voluntary contributions will be used to fund the program, with clear notifications in advance of the implementation start date and opt-out options for ratepayers. SB 1255 requires that the water agency recommend a voluntary contribution amount on the bill of each ratepayer, other than a low-income ratepayer, at a level that

will raise funding sufficient to provide a credit of not less than 20 percent for eligible ratepayers and to cover the costs of administering the program. However, the recommended amount may not exceed 5 percent of a ratepayer's charges for water and wastewater. When setting the initial contribution level, the system is to assume that 60 percent of ratepayers not eligible for assistance will provide contributions. If the voluntary contributions are insufficient to provide a minimum 10 percent discount or \$5 monthly credit, the water system shall use the funds for crisis assistance to eligible ratepayers facing delinquency on their water bill, with limitations on frequency and amount.

Funds are to be used for the purposes below:

1. Provide a discount to low-income residential ratepayers (or "eligible ratepayer"), defined as having annual household incomes not exceeding 200 percent of the federal poverty guideline level.
2. Pay for "reasonable" administrative costs to implement the program, capped at 10 of voluntary contributions received.
3. Establish a balancing account to manage fluctuations in voluntary contributions and granting of bill credits, if the qualified system chooses to do so.

The bill would also authorize a qualified system to use any state or federal funds that are available to support a ratepayer assistance program by offsetting or supplementing the funds collected from voluntary contributions.

Finally, the bill would also require a qualified system to engage in outreach and notify ratepayers of the voluntary contribution on the water bill and provide an option and method to "opt out" of the voluntary contribution, amongst other provisions. Qualified systems that offer an existing LIRA program that meets the minimum bill credit and enrollment criteria are exempted. The bill would prohibit a qualified system from sanctioning or holding liable a ratepayer in any manner for not paying the voluntary contribution.

Impacts to Metropolitan and Member Agencies

SB 1255 applies to retail water agencies and seeks to improve water affordability for low-income households in California. The use of voluntary contributions can leverage positive community support and goodwill and add flexibility to the funding mechanism, potentially addressing issues (i.e., Proposition 218 and 26 restrictions) that other similar initiatives may face. The bill also aims to simplify the process for low-income households by ensuring automatic enrollment based on available data.

The implementation of SB 1255 presents several challenges, as articulated by member agency staff and Metropolitan's staff analysis, including but not limited to:

Administrative Burden

Fundamentally, retail billing systems will need to be updated to facilitate the programmatic requirements for automatic enrollments, multiple contribution levels, and opt-out options. These levels of complexity can be costly and time-consuming, and confusing to customers. Additionally, the contributions received may not justify the cost outlay required to sustain the program long term. The external coordination to optimize the data-sharing provisions add to the administrative burden and complexity, especially because retail water systems do not have ready access to income data.

Long-Term Stability and Public Trust

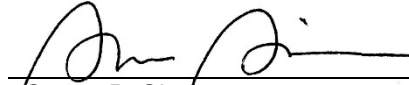
Functionally, the bill's reliance on voluntary contributions raises concerns regarding the long-term stability and viability of this funding strategy. Contributions may fluctuate significantly, especially during economic downturns when they may be needed the very most, potentially leaving the program underfunded. Furthermore, member agencies identified the opt-out mechanism as a significant cause of concern, citing confusion, and a general perception of a lack of transparency that could result in a deterioration of customer relations and trust in the retail water utility, which would undermine the program's long-term success and acceptance.

Regional Disparity

Equity concerns are also prominent. The eligibility criteria may exclude some families in need, particularly those just above the income threshold. The variability in voluntary contributions could result in unequal resource

distribution, exacerbating regional disparities. Moreover, privacy concerns regarding data sharing require stringent protection measures to ensure customer information security, further complicating the program's administration.

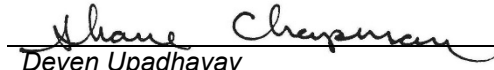
While SB 1255, as currently drafted, raises a number of concerns, water affordability remains an important objective for Metropolitan. The rising costs of water treatment and delivery and the investments required to adapt the region's infrastructure to climate change will likely necessitate some form of assistance program to maintain access to drinking water. Staff will continue to monitor this legislation and research options to address affordability through LIRA programs and other policies.



Susan B. Sims
Group Manager, External Affairs

7/2/2024

Date

for 
Deven Upadhyay
Interim General Manager

7/3/2024

Date

**Attachment 1 – Bill Text of SB 1255 (Durazo): Public Water Systems: Needs Analysis:
Water Rate Assistance Program (as amended June 19, 2024)**

Ref# ea12696240

AMENDED IN ASSEMBLY JUNE 19, 2024

AMENDED IN ASSEMBLY JUNE 3, 2024

AMENDED IN SENATE APRIL 1, 2024

SENATE BILL**No. 1255**

Introduced by Senator Durazo

(~~Coauthor: Senator Dodd~~)

(Coauthors: Senators Dodd and Smallwood-Cuevas)

*(Coauthors: Assembly Members Arambula, Bennett, Connolly, Kalra,
Ortega, and Ting)*

February 15, 2024

An act to amend Section 116772 of, and to add Chapter 6.5 (commencing with Section 116930) to Part 12 of Division 104 of, the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1255, as amended, Durazo. Public water systems: needs analysis: water rate assistance program.

(1) The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various responsibilities and duties relating to the regulation of drinking water to protect public health. Existing law establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long terms. Existing law requires the state board to annually adopt a fund expenditure plan, as provided, and requires expenditures from the fund to be consistent with the fund expenditure plan. Existing law requires the state board to

base the fund expenditure plan on data and analysis drawn from a specified drinking water needs assessment.

This bill would require the state board to update a needs analysis of the state's public water systems to include an assessment, as specified, of the funds necessary to provide a 20% bill credit for low-income households served by community water systems with fewer than 3,300 service connections and for community water systems with fewer than 3,300 service connections to meet a specified affordability threshold on or before July 1, 2026, and on or before July 1 of every 3 years thereafter.

(2) Existing law requires the state board, by January 1, 2018, to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program. Existing law requires the plan to include, among other things, a description of the method for collecting moneys to support and implement the program and a description of the method for determining the amount of moneys that may need to be collected from water ratepayers to fund the program.

This bill would require qualified systems, defined as any retail water supplier that serves over 3,300 residential connections, to begin providing water rate assistance to eligible ratepayers, defined to mean a low-income residential ratepayer with an annual household income that is no greater than 200% of the federal poverty guideline level, on or before ~~April~~ July 1, 2027. The bill would require a qualified system to automatically enroll an eligible ratepayer in the water rate assistance program if available information, which includes, among other things, authorizing a ratepayer to confirm eligibility by self-certification made under penalty of perjury, indicates that they are qualified to receive assistance and provide a water bill credit, as specified. By expanding the crime of perjury, the bill would impose a state-mandated local program.

The bill would require a qualified system, on or before ~~July~~ September 1, 2026, to provide an opportunity for each ratepayer to provide a voluntary contribution as part of the ratepayer's water bill to provide funding for the qualified system's water rate assistance program. The bill would require a qualified system to recommend a voluntary contribution amount on the bill of each ratepayer, other than an eligible ratepayer, at a level ~~that will intended to~~ raise sufficient funding to provide a ~~discount bill credit~~ to eligible ratepayers, pay for the qualified system's administrative costs to implement the ~~program, program~~ *beginning January 1, 2025*, and establish a balancing account if the

qualified system chooses to do so. The bill would require a qualified system to notify ratepayers of the voluntary contribution on the water bill and provide each ratepayer the option and method of opting out of the voluntary contribution, as specified. The bill would also prohibit a qualified system from sanctioning or holding liable a ratepayer in any manner for not paying the voluntary contribution. The bill would authorize a qualified system to use any state or federal funds that are available to support a ratepayer assistance program by offsetting or supplementing the funds collected from voluntary contributions. The bill would authorize the Attorney General to bring an action in state court to restrain the use of any method, act, or practice in violation of these provisions, except as provided.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Existing state law declares that it is the established policy
4 of the state that every human being has the right to safe, clean,
5 affordable, and accessible water adequate for human consumption,
6 cooking, and sanitary purposes.

7 (b) In 2015, the Legislature passed Assembly Bill 401 (Chapter
8 662 of *the Statutes of 2015*) that required the State Water Resources
9 Control Board to develop a plan, informed by the public and the
10 State Board of Equalization, for a statewide low-income rate
11 assistance for water.

12 (c) In 2020, the state board released a report pursuant to
13 Assembly Bill 401, which is entitled "Recommendations for
14 Implementation of a Statewide Low-Income Water Rate Assistance
15 Program," that found that it would take over \$140,000,000 annually
16 to create a low-income water rate assistance program.

1 (d) However, the cost of water has continued to rise, outpacing
2 the rate of inflation and putting too many California families at
3 risk of water shutoffs.

4 (e) Many larger systems in California could provide ratepayer
5 assistance, but are limited by Proposition 218. The Legislature
6 should develop tools for larger water systems to provide more
7 assistance to ratepayers without violating Proposition 218.

8 (f) Further, the options available to aid small water systems vary
9 from those available to larger water systems, and include ongoing
10 operations and maintenance assistance for some systems that serve
11 all or nearly all low-income households.

12 (g) Therefore, to inform future legislation, the state board should
13 develop regularly updated data on resources needed to support
14 small water systems to guide the creation of a future program to
15 fulfill the right of customers of these systems to affordable drinking
16 water and wastewater.

17 SEC. 2. Section 116772 of the Health and Safety Code is
18 amended to read:

19 116772. (a) (1) By January 1, 2021, the board, in consultation
20 with local health officers and other relevant stakeholders, shall use
21 available data to make available a map of aquifers that are at high
22 risk of containing contaminants that exceed safe drinking water
23 standards that are used or likely to be used as a source of drinking
24 water for a state small water system or a domestic well. The board
25 shall update the map annually based on new and relevant data.

26 (2) The board shall make the map of high-risk areas, as well as
27 the data used to make the map, publicly accessible on its internet
28 website in a manner that complies with the Information Practices
29 Act of 1977 (Chapter 1 (commencing with Section 1798) of Title
30 1.8 of Part 4 of Division 3 of the Civil Code). The board shall
31 notify local health officers and county planning agencies of
32 high-risk areas within their jurisdictions.

33 (b) (1) By January 1, 2021, a local health officer or other
34 relevant local agency shall provide to the board all results of, and
35 data associated with, water quality testing performed by a
36 laboratory that has accreditation or certification pursuant to Article
37 3 (commencing with Section 100825) of Chapter 4 of Part 1 of
38 Division 101 for a state small water system or domestic well that
39 was collected after January 1, 2014, and that is in the possession
40 of the local health officer or other relevant local agency.

(2) By January 1, 2022, and by January 1 of each year thereafter, all results of, and data associated with, water quality testing performed by a laboratory that has accreditation or certification pursuant to Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101 for a state small water system or domestic well that is submitted to a local health officer or other relevant local agency shall also be submitted directly to the board in electronic format.

(c) (1) On or before July 1, 2026, and on or before July 1 of each three years thereafter, the board, in consultation with the advisory group established pursuant to Section 116768.5 and appropriate stakeholders, shall update the needs analysis of the state's public water systems to include an assessment of the funds necessary to provide a 20-percent bill credit for low-income households served by community water systems with fewer than 3,300 service connections and for community water systems with fewer than 3,300 service connections to meet the affordability threshold established pursuant to Section 116769.

(2) To develop this assessment, the board shall do all of the following:

(A) Collect arrearage data from water systems not regulated by the Public Utilities Commission and request data from the Public Utilities Commission on those systems they regulate.

(B) Estimate the number of households in need of assistance using arrearage data as well as information provided by the United States Census *Bureau* or other comparable data source.

(C) Identify available data on water rates charged by community water systems with fewer than 3,300 service connections.

(D) Where data is unavailable for a water system, use an average of existing data to estimate the level of need for that system.

SEC. 3. Chapter 6.5 (commencing with Section 116930) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6.5. WATER RATE ASSISTANCE PROGRAMS

116930. For purposes of this chapter, the following definitions apply:

(a) "Affordability programs" means any of the following programs:

6

- 1 (1) CalWORKs.
- 2 (2) CalFresh.
- 3 (3) General assistance.
- 4 (4) Medi-Cal.
- 5 (5) Supplemental Security Income or the State Supplementary
- 6 Payment Program.
- 7 (6) California Special Supplemental Nutrition Program for
- 8 Women, Infants, and Children.
- 9 (7) California Alternate Rates for Energy program.
- 10 (8) Family Electric Rate Assistance program.
- 11 (b) "Available information" means any of the following:
- 12 (1) Information provided pursuant to an agreement entered into
- 13 pursuant to Section 116933 for the purposes of documenting the
- 14 residential ratepayer's participation in an affordability program.
- 15 (2) A benefits award letter provided by the residential ratepayer
- 16 documenting that the customer is an enrollee in, or is a recipient
- 17 of, an affordability program.
- 18 (3) Self-certification of eligibility, under penalty of perjury, by
- 19 the residential ratepayer.
- 20 (c) "Balancing account" means a reserved amount of sufficient
- 21 funding to address fluctuations in voluntary contributions received
- 22 or changes in eligible ratepayers, not to exceed 25 percent of the
- 23 annual expenditures of the program.
- 24 (d) "Crisis assistance" means direct bill credits to accounts of
- 25 eligible ratepayers to reduce accrued arrearages.
- 26 (e) "Eligible ratepayer" means a low-income residential
- 27 ratepayer with an annual household income that is no greater than
- 28 200 percent of the federal poverty guideline level.
- 29 (f) "Program" means a water rate assistance program established
- 30 pursuant to this chapter.
- 31 (g) "Qualified system" means any retail water supplier that
- 32 serves over 3,300 residential connections.
- 33 (h) "Residential ratepayer" means an accountholder of a
- 34 qualified system who resides in a single-family or multifamily
- 35 residence and who receives a bill from a qualified system for water
- 36 service.
- 37 (i) "State board" means the State Water Resources Control
- 38 Board.
- 39 (j) "Voluntary contributions" means funds voluntarily remitted
- 40 by ratepayers to qualified systems that are not derived from fees

1 or assessments pursuant to Section 4 or 6 of Article XIII D of the
2 California Constitution.

3 116931. (a) On or before ~~April~~ July 1, 2027, a qualified system,
4 other than a system meeting the requirements of subdivision (f),
5 shall establish a program meeting the minimum requirements of
6 subdivision (b) and begin providing water rate assistance to eligible
7 ratepayers in compliance with this chapter.

8 (b) A program offered pursuant to this chapter shall, at a
9 minimum, include both of the following:

10 (1) Automatic enrollment of eligible ratepayers if available
11 information indicates that they are qualified to receive assistance.

12 (2) (A) Provision of a bill credit for eligible ratepayers of no
13 less than 20 percent of the *total* water charges, and, if present on
14 the bill, ~~wastewater charges:~~ *charges, for a volume of water similar*
15 *to that identified in Section 10609.4 of the Water Code or, if the*
16 *eligible ratepayer uses less, the actual volume used.* In the event
17 there is not sufficient funding, including any balancing account
18 funds, to support a 20-percent bill credit, the program shall provide
19 the maximum bill credit available that funding is able to ~~support.~~
20 *support, unless the maximum bill credit available that funding is*
21 *able to support is less than 10 percent, in which case the qualified*
22 *system shall instead provide crisis assistance to the extent funds*
23 *are available consistent with subdivision (j). The bill credit may*
24 *be applied pursuant to subparagraph (B).*

25 (B) *The qualified system may select the element or elements of*
26 *the water charges, pursuant to subparagraph (C), upon which the*
27 *bill credit is applied or may elect to provide a bill credit as a set*
28 *percentage of the total water bill, provided that the total bill credit*
29 *is equivalent in value to the bill credit required by this paragraph.*

30 (C) *Element, or elements, of the drinking water charges upon*
31 *which the bill credit may be applied include, but are not limited*
32 *to, the fixed, volumetric, or fixed and volumetric charges levied*
33 *by the system.*

34 (c) (1) ~~Beginning July~~ On or before September 1, 2026, for the
35 reasonable costs associated with the administration of this chapter
36 and to establish initial program funding, a qualified system may
37 begin collecting voluntary contributions. Reasonable costs include
38 administrative costs associated with this chapter and for providing
39 notice to ~~customers:~~ *ratepayers pursuant to this chapter.*

(2) Beginning ~~April~~ July 1, 2027, the reasonable costs associated with the administration of this chapter shall not exceed 10 percent of voluntary contributions collected pursuant to this section.

(d) In establishing a program pursuant to this section, a qualified system may establish a balancing account to manage fluctuations in voluntary contributions and the granting of bill credits to eligible ratepayers.

(e) This section does not require a qualified system to use ~~other~~ funds *other than voluntary contributions collected pursuant to Section 116932* to provide rate assistance to eligible ratepayers or to pay for associated administrative costs. ~~Only voluntary contributions collected pursuant to Section 116932 shall be used to implement this program, unless the~~ A qualified system ~~has~~ may use other funds available for this purpose that are not derived from fees or assessments pursuant to Section 4 or 6 of Article XIID of the California Constitution.

(f) (1) Any qualified system that offers an existing water rate assistance program on or before ~~July~~ September 1, 2026, that meets the minimum enrollment and bill credit requirements specified in subdivision (b) *by July 1, 2027*, shall not be required to comply with this chapter, but may collect voluntary contributions pursuant to Section 116932 to supplement or expand the existing program or to provide crisis assistance.

(2) *Nothing in this chapter shall prohibit a qualified system from offering assistance to residential ratepayers that does either, or both, of the following:*

(A) *Provides a greater bill credit benefit.*

(B) *Exceeds the definition of low income as specified in this chapter for ratepayer eligibility.*

(g) Any public water system that is not a qualified system may collect voluntary contributions to fund a water affordability program, but is not required to comply with this chapter.

(h) A qualified system may require verification of eligibility from a sample of ~~up to 5 percent~~ of enrolled eligible ratepayers on an annual basis to verify the ratepayer's low-income status and eligibility for assistance. *A qualified system may remove any ratepayers found to not be eligible for assistance from this program.*

(i) A qualified system shall continue to have a program pursuant to this chapter as long as there is sufficient funding available

1 pursuant to Section 116932 to provide water rate assistance or
2 crisis assistance, pay for the qualified system's reasonable costs
3 for administration of the program, and establish a balancing account
4 if the qualified system chooses to do so.

5 (j) (1) If, after three months of accepting voluntary
6 contributions, the qualified system can demonstrate there will not
7 be sufficient funds to support a program at a minimum of a
8 10-percent discount or five dollars (\$5) per month, whichever
9 amount is greater and adjusted for the consumer price index after
10 July 1, 2027, *and pay for the qualified system's reasonable costs*
11 *for administration of the program*, the system shall *instead* use
12 the collected contributions to provide ongoing crisis ~~assistance~~.
13 ~~assistance and pay for the qualified system's reasonable costs for~~
14 ~~administration of crisis assistance. Crisis assistance shall be~~
15 ~~offered on or before July 1, 2027.~~ Crisis assistance shall be offered
16 to eligible ratepayers, at a minimum, when a qualified system
17 provides notice pursuant to Section 116908 or when the eligible
18 customer contacts the qualified system about a delinquent account.

19 (2) Crisis assistance shall only be provided to an eligible
20 ratepayer once per year and limited to an amount determined by
21 the qualified system, taking into account the overall past due
22 amount and available funding. To the extent the amount of crisis
23 assistance provided does not eliminate an eligible ratepayer's
24 arrearages, the ratepayer shall enter into an amortization agreement,
25 alternative payment schedule, or plan for deferred or reduced
26 payment, pursuant to Section 116910, to be eligible for crisis
27 assistance.

28 116932. (a) On or before ~~July~~ *September* 1, 2026, a qualified
29 system shall provide an opportunity for each ratepayer of the
30 system to provide a voluntary contribution as part of the ratepayer's
31 water bill to provide funding for the qualified system's program.

32 (b) A qualified system shall establish a recommended voluntary
33 contribution amount on the bill of each ratepayer other than an
34 eligible ratepayer based on available information as of ~~March~~ *July*
35 *1, 2026*, at a level ~~designed~~ *intended* to raise sufficient funding to
36 provide a ~~discount~~ *bill credit* to eligible ratepayers pursuant to
37 paragraph (2) of subdivision (b) of Section 116931, pay for the
38 qualified system's administrative costs to implement this ~~chapter~~,
39 *chapter beginning January 1, 2025*, and establish a balancing
40 account if the qualified system chooses to do so. When setting the

1 ~~initial level of the~~ *recommended* voluntary contribution, a qualified
2 system shall assume that 60 percent of ratepayers other than eligible
3 ratepayers will provide the contribution. ~~After March~~ *On or before*
4 *July 1, 2027*, a qualified system may adjust the voluntary
5 contribution, as necessary, considering the previous year's actual
6 participation rate. The *recommended* voluntary contribution shall
7 not exceed 5 percent of the charges for water and wastewater *on*
8 *the water bill* for any residential ratepayer.

9 (c) A bill from a qualified system shall label the voluntary
10 contribution in a way that describes the purpose of the funds. The
11 qualified system shall notify their ratepayers of the voluntary
12 contribution and, in a visually accessible manner and using clear
13 and unambiguous language, shall provide each ratepayer the option
14 and method of opting out of providing the voluntary contribution
15 at least three months prior to beginning collection of the voluntary
16 contribution, and thereafter on at least an annual basis. Voluntary
17 contributions shall commence on the qualified system's subsequent
18 billing cycle from the notice. The qualified system may choose to
19 include alternative amounts for contributions. A qualified system
20 shall also provide this information on its internet website in
21 English, the other languages listed in Section 1632 of the Civil
22 Code, and any other language spoken by at least 10 percent of the
23 people residing in its service area.

24 (d) A ratepayer may opt out of the voluntary contribution at any
25 time in a manner that may be specified by the qualified system
26 and shall be included in the notice in subdivision (c), with voluntary
27 contributions terminating on the qualified system's subsequent
28 normal billing cycle.

29 (e) A ratepayer may only request a refund for contributions
30 made since the last notice of opportunity to opt out of the program
31 was provided or for the period of the last billing cycle prior to the
32 date the ratepayer opts out, whichever time period is greater.
33 Qualified systems may provide refunds in the form of a bill credit.

34 (f) ~~(f)~~ A qualified system shall not sanction, take any
35 enforcement or collection action against, impose any late charge
36 or penalty against, or otherwise hold liable a ratepayer in any
37 manner for exercising the option of not paying a voluntary
38 contribution described in this section.

11

1 ~~(2) Nothing in this chapter shall prohibit a qualified system from~~
2 ~~offering assistance to residential ratepayers that do either, or both,~~
3 ~~of the following:~~

4 ~~(A) Provides a greater bill credit benefit.~~

5 ~~(B) Exceeds the definition of low income as specified in this~~
6 ~~chapter for ratepayer eligibility.~~

7 (g) The voluntary ~~contribution~~ *contributions* shall be used only
8 to provide rate assistance to eligible ratepayers, pay for associated
9 administrative costs to implement the program, and establish a
10 balancing account. Administrative costs of establishing the program
11 may be reimbursed from ~~initial~~ voluntary contributions.

12 (h) A qualified system may ~~coordinate~~ *contract* with a third
13 party to receive the voluntary contributions and comply with this
14 section.

15 (i) Any partial payment made by a ratepayer that is insufficient
16 to pay for charges on the bill shall be used to pay the qualified
17 system's ~~fees~~ *charges* shown on the ratepayer's bill before being
18 attributed to a voluntary contribution.

19 (j) No penalty or late fee may be assessed by a qualified system
20 for the failure of a ratepayer to make timely payment of a voluntary
21 contribution described in this section, regardless of whether the
22 ratepayer has exercised the option of not paying a voluntary
23 contribution.

24 (k) A qualified system may use any state or federal funds that
25 are available to support a program by offsetting or supplementing
26 the funds collected from voluntary contributions.

27 116933. (a) On or before January 1, 2026, the Public Utilities
28 Commission shall establish a mechanism for electrical corporations
29 and gas corporations to ~~regularly~~ provide data to all qualified
30 systems *no later than April 1, 2026, and annually by April 1*
31 *thereafter*, regarding ratepayers enrolled in, or eligible to be
32 enrolled in, the California Alternate Rates for Energy (CARE)
33 program established pursuant to Section 739.1 of the Public
34 Utilities Code and the Family Electric Rate Assistance (FERA)
35 program established pursuant to Section 739.12 of the Public
36 Utilities Code.

37 (b) All qualified systems may enter into agreements with local
38 publicly owned electric utilities and local publicly owned gas
39 utilities, including, but not limited to, municipal utility districts
40 and irrigation districts, for the purpose of regularly receiving data

12

1 regarding ratepayers enrolled in, or eligible to be enrolled in,
2 affordability programs benefiting eligible ratepayers.

3 (c) Data provided pursuant to subdivision (a) or (b) is subject
4 to Section 7927.410 of the Government Code and the Information
5 Practices Act of 1977 (Chapter 1 (commencing with Section 1798)
6 of Title 1.8 of Part 4 of Division 3 of the Civil Code).

7 (d) Data provided pursuant to subdivision (a) or (b) shall not
8 be considered a disclosure under Section 1798.83 of the Civil
9 Code.

10 116934. ~~The Beginning in 2028, the~~ state board shall require
11 qualified systems, in technical reports required by the state board
12 pursuant to Section 116530, to *annually* report the following:

13 (a) The total amount of voluntary contributions collected, the
14 administrative costs of operating the program, the number of
15 eligible households that were provided rate assistance or crisis
16 assistance, and the total amount of rate assistance or crisis
17 assistance provided to eligible households.

18 (b) An evaluation of available relevant information regarding
19 any arrearages that remain after application of bill assistance.

20 116935. (a) The Attorney General may bring an action in state
21 court to restrain, by temporary or permanent injunction, the use
22 of any method, act, or practice in violation of this chapter by a
23 qualified system, other than a system that meets the requirements
24 of subdivision (f) of Section 116931, including nonparticipation
25 by a qualified system pursuant to this chapter.

26 (b) The Attorney General shall not bring an action against a
27 qualified system for failing to meet the requirements of subdivision
28 (f) of Section 116931, as long as the qualified system makes a
29 good faith effort to raise sufficient funding pursuant to Section
30 116932.

31 116936. The provisions of this chapter are severable. If any
32 provision of this article or its application is held invalid due to a
33 conflict with federal requirements, that invalidity shall not affect
34 other provisions or applications that can be given effect without
35 the invalid provision or application.

36 SEC. 4. No reimbursement is required by this act pursuant to
37 Section 6 of Article XIII B of the California Constitution because
38 the only costs that may be incurred by a local agency or school
39 district will be incurred because this act creates a new crime or
40 infraction, eliminates a crime or infraction, or changes the penalty

13

- 1 for a crime or infraction, within the meaning of Section 17556 of
- 2 the Government Code, or changes the definition of a crime within
- 3 the meaning of Section 6 of Article XIII B of the California
- 4 Constitution.

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Legislation and Communications Committee



Report on SB 1255 (Durazo) : Public water systems: needs analysis: water rate assistance program

Item 9-3

July 8, 2024

Report on SB 1255

Subject

Report on SB 1255 (Durazo, D – Los Angeles): Public water systems: needs analysis: water rate assistance program.

Purpose

To provide a legislative update on a legislative proposal regarding low-income water rate assistance.

Report on SB 1255

Summary

Sponsor: CA Water Foundation, Community Water Center, Clean Water Action and Leadership Council for Justice and Accountability

Summary: Would require an urban retail water agency to establish a low-income rate assistance program through voluntary contributions.

Status: Language introduced June 3, currently in legislative committee.

Report on SB 1255

Key Provisions

- LIRA program for urban retail water suppliers with at least 3,300 connections
- Voluntary contributions, opt-out basis
- Goal of 20% bill credit, minimum 10% or \$5/mo
- Automatic enrollment based on public assistance program data
- Electric and gas utilities to share data

Report on SB 1255

Key Provisions

- Assumption that 60% of non-eligible ratepayers will contribute
- 10% cap on administrative costs
- Crisis Assistance Program for contributions below minimum
- Existing LIRA programs must conform to bill credit and enrollment requirements
- Flexibility in assigning bill credits

Report on SB 1255

Implementation Timeline

January 1, 2025 – System may begin using ratepayer funds to cover initial administrative costs for the program

September 1, 2026 - System may begin collecting voluntary contributions

July 1, 2027 - Date to establish LIRA program or crisis assistance program if cannot fund LIRA

Report on SB 1255

Member Agency Concerns

Opt-out Provision (No. 1 Priority): Undermines customer trust. Importance of transparency.

Administrative Burden: 10% cap is too low. Reimbursement administration and bill credit processing will be staff intensive. Litigation risk.

Equity: Unequal benefit across the state. Regressive in nature.

Report on SB 1255

Legislative Process and Stakeholders

Committee Status

- Assembly Utilities and Energy: July 1, 2024
- Assembly Appropriations Committee
- July Recess

Next Steps

- Continue work with water community/sponsors to resolve conflicts





Legislation and Communications Committee

Update on Social Media Influencer Projects

Item 6a
July 8, 2024

Report on Activities from External Affairs

Subject Social Media Influencers

Purpose
To provide an update on how
Metropolitan is using social media
influencers to promote water conservation
and sustainability, and reach diverse
audiences

Social Media Influencer Campaign

Why Use Influencers?

- They bring the ability to reach new audiences who don't typically engage with Metropolitan
- Their communities trust their opinions and choices, so the information influencers share brings credibility and visibility to our programs

Social Media Influencer Campaign

Working with Influencers is Cost Effective

- We work directly with the influencers for a fee far below industry standard because they largely view their participation as a public service
- In-house staff conduct the interviews, filming, editing and production for the influencers (a rarity where most prefer to create their own content)

Using Unique Voices to Carry our Messages

Legislation & Communications
Committee

Social Media Influencer Campaign



Social Media Influencer Campaign

Results

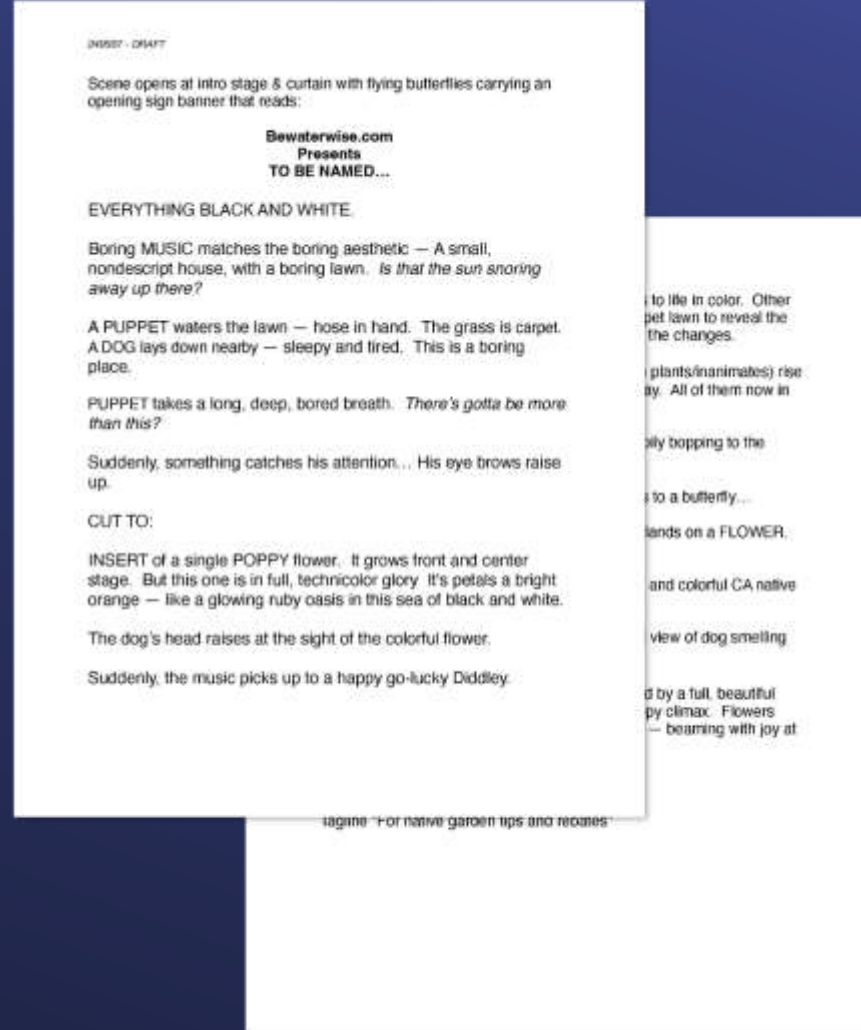
- Worked with 9 influencers and 2 players from the Angel City Football Club to produce more than 20 video vignettes
- Generated nearly 8 million total impressions
- Found footing with new followers who are younger and more diverse in interests, ethnicities, and lifestyles among other unique qualities

Legislation & Communications
Committee

BBMT +bewaterwise: Creative Process



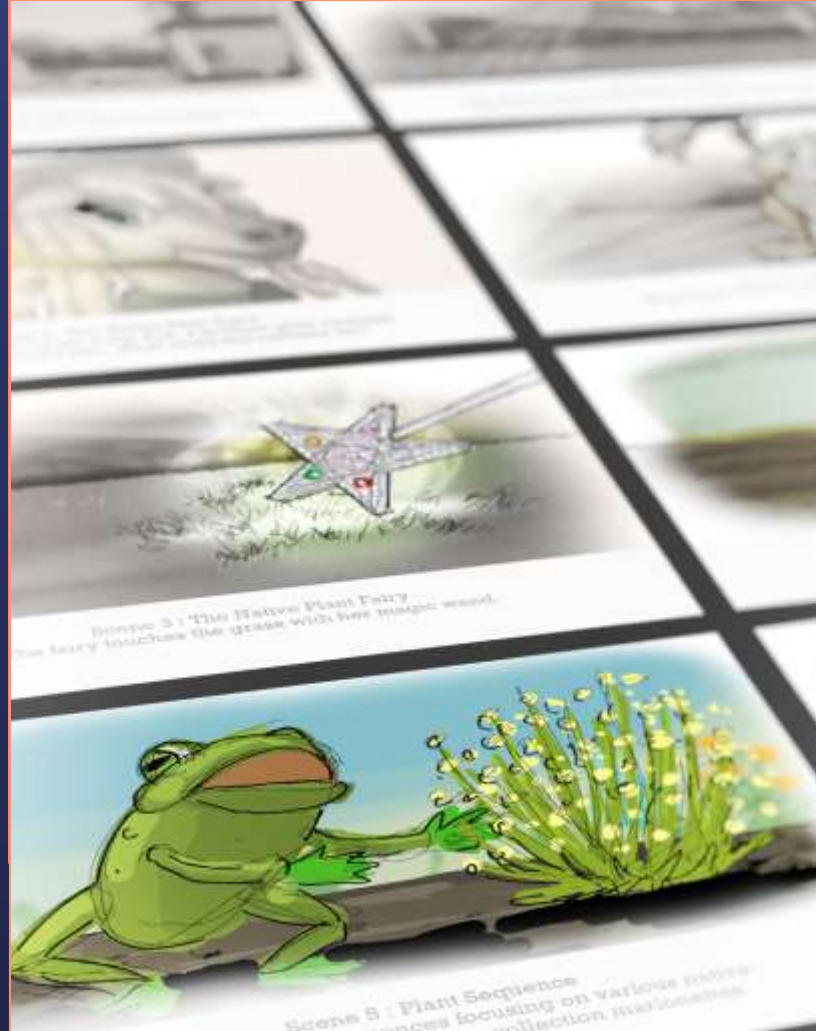
BBMT +bewaterwise: Creative Process



Scripting & Ideation

- Determine message
- Establish theme and narrative
- Form initial story ideas

BBMT +bewaterwise: Creative Process



Storyboard & Visualization

- Pairing script with imagery
- Story development
- Build-in tangibles
- Establish shot list

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Committee

BBMT +bewaterwise: Creative Process



Project: BBMT - Title Page
Date: 06.14.2024
Artist: Andrew Au | andrew@co.com

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

BBMT +bewaterwise: Creative Process



Pre-Production & Planning

- Identify production needs
- Performer Casting
- Permits & Logistics
- Set Crafting

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BBMT +bewaterwise: Creative Process



BBMT +bewaterwise: Creative Process



Production & Post-Production

- Filming
- Editing, coloring & special effects
- Sound & audio

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Committee

BBMT +bewaterwise: Creative Process



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Legislation and Communications Committee

Climate Adaptation Master Plan for Water: Outreach and Engagement

Item 6b
July 8, 2024

CAMP4W Outreach and Engagement

Subject

Overview of outreach and engagement activities for the Climate Adaptation Master Plan for Water

Purpose

Provide an update on activities completed to date and future plans

Communication and Engagement

Public's Role in CAMP4W



Objectives

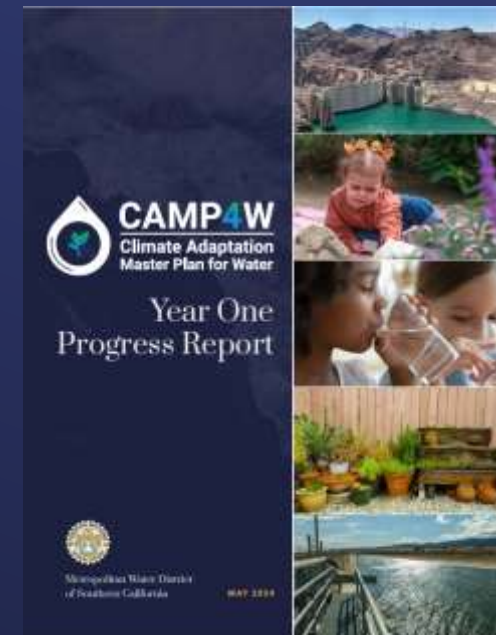
- Demonstrate transparency
- Allow public voice in planning process
- Hear and understand priorities and concerns
- Explore partnership and program ideas
- Build relationships and trust

Strategies and Tools

Reaching Various Audiences

Sharing Information

- Website: mwdh2o.com/camp4w
- Fact sheet, video, Year 1 Report
- Social media, MWD e-newsletter



Audiences and Preferences

Strategies and Tools

Sharing Information

- Post card
- On-demand public survey
- In-person community events with Pure Water So Cal



Addressing Key Interests

Presentations and Panel Discussions

- Water industry groups
- Business organizations
- Legislative updates



Engaging Diverse Interests

Focused Conversations

Engaging Diverse Interests

Environmental Listening Sessions

- June 2023: introduce CAMP4W, discuss themes and public engagement
- Key takeaways
 - Need to understand local water-related vulnerabilities
 - Consider new regional approaches for affordability
 - Important to reach renters and HOAs



Engaging Diverse Interests

Focused Conversations

Environmental Listening Sessions

- Dec. 2023: CAMP4W update, proposed evaluative criteria
- Key takeaways
 - Need for holistic, multi-benefit solutions
 - Consequences if fail to consider how elements are inter-related
 - Need involvement of environmental justice communities



Focused Conversations

Engaging Diverse Interests



Environmental Listening Sessions

- March 2024: CAMP4W update, Community Equity in Time-bound Targets
- Key takeaways
 - Local needs assessments important
 - Need to consider social-cultural implications of change
 - Need to integrate real value of open/green space in process

Generating Interest

Introducing a Complex Process

Community-based Organizations

- LA Waterkeeper MWD Advocacy Training
- LA Neighborhood Initiative Community Forum
- Council for Watershed Health ReDesign LA
- Young Adults Forum



Creating Trust

Long-term Dialogue

Future Plans

- Events with member agencies
 - Listening sessions with constituent groups
 - Engaging community-based organizations
- In-person workshop at Met
- Environmental Listening Sessions
- Information tables at community events
- Building relationships with CBOs, engaging their communities
- Tribal engagement



The Metropolitan Water District of Southern California

July 8, 2024– State Regulatory Matrix

| Agency | Regulation | Summary | Potential Impacts | Regulatory Status |
|----------|---|--|---|---|
| Cal/OSHA | <u>Proposed Indoor Heat Illness Prevention Standard</u> | On June 20, 2024, Cal/OSHA adopted its Indoor Heat Illness Prevention Standard. The rule applies when indoor workplaces temperatures meet or exceed 82 °F while employees are present. Key actions include providing water access, promoting hydration and breaks in cool areas, monitoring for signs of heat illness, and comprehensive training for acclimatization, monitoring, and response. | The rule requires industry to develop written indoor heat illness prevention procedures, assess areas impacted by excessive heat, and determine appropriate control measures (e.g., provide cooling, breaks, and training). Staff are combining both the existing Outdoor Heat Illness Standard with the new requirements of the Indoor Heat Illness standard into one MWD Heat Illness Prevention Program. | Adopted on June 20, 2024. If approved by the Office of Administrative Law, the rule is anticipated to go into effect in early August 2024. |
| Cal/OSHA | <u>Proposed Updates on Lead Standards for General Industry and Construction</u> | On March 3, 2023, Cal/OSHA published new lead standards for general industrial and construction work areas. The proposal lowers the eight-hour time-weighted average Permissible Exposure Level for lead from 50 to 10 ug/m ³ and lowers the Action Level from 30 to 2 ug/m ³ . The standard also increases the need for blood lead level (BLL) testing when an employee's BLL is at or above 10 ug/dL, among other requirements. | The rule requires industry to conduct new lead exposure assessments and update written procedures, training, and potentially implement additional engineering controls (e.g., HEPA-equipped vacuum, containment, and ventilation). Staff provided input to through PRR over the feasibility of the proposed standards—namely the engineering controls. | Adopted on February 15, 2024 with an effective date of January 1, 2025. |
| CARB | <u>Zero-Emission Forklift Rulemaking</u> | On May 21, 2024, CARB released a 15-day rule modification package. The rule prohibits fleet operators from purchasing new propane or gasoline-fueled Class IV (any lift capacity) and Class V forklifts (lifting capacity up to 12,000 lbs.) starting in 2026. Fleets would need to phase-out 2018 model year (MY) and older forklifts starting in 2028. Fleet operators would be allowed to purchase used 2025 MY or older forklifts so long as the MY has not been phased out. | The rule requires industry, including Metropolitan and member agencies, to develop a forklift replacement strategy. Staff are working on a forklift replacement strategy for Metropolitan's 17 propane- and one gas-powered forklifts. Metropolitan staff submitted comments addressing concerns with provisions in the latest rulemaking package. | Final rule adoption tentative for late June 2024. |

ACWA – Association of California Water Agencies
 Cal/OSHA – California Occupational Safety and Health Administration
 CARB – California Air Resources Board
 CCEEB – California Council for Environmental and Economic Balance
 CMUA – California Municipal Utilities Association

CUWA – California Urban Water Agencies
 DDW – Division of Drinking Water
 OEHA – Office of Environmental Health Hazard Assessment
 PRR – Phylmar Regulatory Roundtable
 SWRCB – State Water Resources Control Board
 CDFW – Cal. Dept. of Fish & Wildlife

The Metropolitan Water District of Southern California

July 8, 2024– State Regulatory Matrix

| Agency | Regulation | Summary | Potential Impacts | Regulatory Status |
|--------|---|--|---|---|
| DTSC | <u>Generator Improvements Rule</u> | On March 24, 2023, DTSC released its revised Generator Improvements Rule (GIR) for public comment. The new rule aligns the state with federal requirements. | By aligning with federal standards, the new GIR may clarify and simplify hazardous waste/material handling procedures. Staff will need to update standard operating procedures to correctly cross-reference the renumbered rule sections. Staff commented through CCEEB to help streamline rule compliance (e.g., how best to submit Contingency Plans and associated quick reference guides?). | Phase I adopted. Staff are awaiting Phase II of GIR rulemaking. |
| SWRCB | <u>California Ocean Plan Amendments for Seawater Desalination</u> | The SWRCB will update the Ocean Plan to include new seawater desalination siting criteria and assorted changes to the regulations. Preliminary meetings are expected to start in 2024. | Changes to the Ocean Plan could impact existing and planned member agency seawater desalination projects, as well as any future Metropolitan partnerships on desalination. | Rulemaking expected to start in 2024. |
| SWRCB | <u>Conservation as a California Way of Life</u> | On June 17, 2024, SWRCB released its fourth draft of the rulemaking text in response to AB 1668 and SB 606 -- Making Water Conservation a California Way of Life. The regulation establishes standards for components of the urban water use objective for urban water retailers. These components include residential indoor and outdoor water use, commercial-industrial-institutional (CII) landscapes with dedicated irrigation meters, as well as for retail water loss, variances for unique water uses (e.g., seasonal populations, etc.), and a bonus incentive for potable reuse. | The regulatory framework affects retail water suppliers. Since 2021, Metropolitan has submitted seven comment letters addressing technical components of the regulation and compliance matters. Staff are working with ACWA and the Regional Water Authority to express our comments. | If adopted, the rule becomes effective January 1, 2025 with the compliance deadline extended to 2027. |

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The Metropolitan Water District of Southern California

July 8, 2024– State Regulatory Matrix

| Agency | Regulation | Summary | Potential Impacts | Regulatory Status |
|--------|---|--|---|--|
| SWRCB | <u>Direct Potable Reuse Regulations</u> | On December 19, 2023, the SWRCB adopted its proposed Direct Potable Reuse regulations. The regulations provide the regulatory framework by which highly treated recycled water can be introduced either immediately upstream of a water treatment plant or directly into a public water system. | Metropolitan collaborated with the Los Angeles County Sanitation Districts on both written and oral comments on the proposed regulations, advocating for flexibility to accommodate diverse project partnerships and governance structures, ensuring that DPR initiatives can effectively serve a broad range of agencies and communities while complying with regulatory requirements. | Adopted December 19, 2023. Subject to further review by the Office of Administrative Law. Effective date to be determined. |
| SWRCB | <u>Drought and Conservation Reporting Order</u> | On January 1, 2024, DDW issued a new annual reporting Order titled the <i>Clearinghouse Annual Inventory Report</i> (CAIR) that consolidates section 6 of the <i>Electronic Annual Report</i> (eAR) and the 2023 <i>Drought and Conservation Reporting Order</i> into a centralized location. The Order requires Metropolitan and its member agencies to provide volumetric flow and groundwater and/or lake elevation data for each source water on a quarterly basis using monthly data. | On December 22, 2023, Metropolitan submitted comments requesting the removal of three Metropolitan small water systems from the drought reporting requirements under the CAIR 2024 Order and offered technical fixes to help streamline data reporting. | Order is final, but DDW is open to revisions. |
| SWRCB | <u>Manganese Notification and Response Levels</u> | On February 16, 2023, DDW proposed new notification and response levels (NL and RL) for manganese at 20 parts per billion (ppb) and 200 ppb, respectively. | The proposed NL and RL are significantly lower than the current NL and RL (0.5 parts per million (ppm) and 5.0 ppm, respectively). Thus, water agencies may need to report more instances of NL and RL exceedances in their Consumer Confidence Reports and/or make operational changes. | Awaiting further action by DDW. |

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The Metropolitan Water District of Southern California

July 8, 2024– State Regulatory Matrix

| Agency | Regulation | Summary | Potential Impacts | Regulatory Status |
|--------|--|---|--|---|
| SWRCB | <u>Maximum Contaminant Level (MCL) for Hexavalent Chromium</u> | On April 17, 2024, DDW adopted a 10 mg/L maximum contaminant level (MCL) for hexavalent chromium. The rule was adopted as proposed (with minor language changes) – 10 mg/L MCL; detection limit for purposes of reporting (DLR) of 0.1 µg/L; 2-4 yr compliance timelines depending on system size; need for a compliance plan, among other provisions. | On August 15, 2023, Metropolitan provided comments in support of the 10 µg/L MCL, compliance timelines, and the use of stannous chloride as a best available technology. Metropolitan also expressed concerns over the cost of compliance and asked for additional funding to help offset treatment costs. | If approved by the Office of Administrative Law, the rule will be effective on October 1, 2024. |
| SWRCB | <u>MCL for Perchlorate</u> | In 2017, DDW announced it would review the MCL established in 2007 for perchlorate at 6 µg/L. On October 6, 2020, DDW lowered the DLR from 4 µg/L to 2 µg/L starting in January 2021, and decreasing to 1 µg/L in January 2024. These actions were in response to OEHHA lowering the Public Health Goal (PHG) for perchlorate from 6 µg/L to 1 µg/L in February 2015. | DDW’s perchlorate MCL review and changes to the DLR could result in the MCL being lowered in the near future, as a MCL must be set as close to the PHG as is technologically and economically feasible. On August 6, 2020, Metropolitan submitted comments expressing concerns that a DLR of 1 µg/L was premature and that DDW should hold off implementing the lower DLR until such time that adequate laboratory capacity is determined and perchlorate occurrence data at the 2 µg/L DLR are collected and evaluated. | The DLR of 1 µg/L went into effect January 1, 2024. Awaiting further action by DDW on revising the MCL. |
| SWRCB | <u>MCLs for Perfluoro-octanoic acid (PFOA) and perfluoro-octane sulfonic acid (PFOS)</u> | On April 5, 2024, OEHHA adopted PHGs of 0.007 ppt for PFOA and 1 ppt for PFOS. A PHG is the level of a drinking water contaminant that does not pose a significant risk to health with lifetime exposure. DDW will use the PHGs to develop drinking water standards for PFOA and PFOS that are as close to the PHGs as possible but still technically and economically achievable for drinking water systems. | Once announced, staff will evaluate impacts and potential comments. | Awaiting official release of regulation. |

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July 8, 2024– State Regulatory Matrix

| Agency | Regulation | Summary | Potential Impacts | Regulatory Status |
|--------|--|---|---|--|
| SWRCB | <u>Statewide General Permit for Drinking Water System Discharges</u> | Provides a categorical exception to water purveyors for short-term or seasonal planned and emergency (unplanned) discharges resulting from essential operations and maintenance activities undertaken to comply with the federal and state drinking water regulations. | Metropolitan uses this permit for its dewatering operations. Staff would like to expand coverage to include “on-spec” highly treated tertiary water (i.e., post advanced water treatment water prior to either spreading/injection or another drinking water facility. Early talks indicate SWRCB is amenable to this change. | Permit renewal in about 2 years. |
| SWRCB | <u>Water Quality Control Plan</u> | In September 2023, SWRCB release a draft Staff Report/Substitute Environmental Document for Phase 2 of the Water Quality Control Plan (WQCP) for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. The WQCP establishes the water quality objectives and proposed flow regime of the estuary, and water rights decisions for the Bay-Delta. | On January 19, 2024. Metropolitan provided comments individually and through the State Water Contractors on Phase 2 of the WQCP. The Draft Staff Report’s Proposed Action flow objective is predicted to result in an annual average reduction of 446,000 acre-feet for southern California municipal supplies. SWRCB has encouraged all stakeholders to work together to reach one or more Voluntary Agreements for consideration by the SWRCB that could implement the proposed amendments to the WQCP through a variety of tools, including non-flow habitat restoration for sensitive salmon and smelt species, while seeking to protect water supply reliability. Metropolitan is participating in the Phase 2 proceedings and Voluntary Agreement negotiations. | The SWRCB staff will release for public review and comment a draft Program of Implementation in summer 2024. The SWRCB staff will consider public comments, finalize the Staff Report, and adopt plan updates in mid-2025. |

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July 8, 2024– State Regulatory Matrix

| Agency | Regulation | Summary | Potential Impacts | Regulatory Status |
|---------------------------------|---|---|--|---|
| Fish and Game Commission | Petition to list the White Sturgeon as threatened under the California Endangered Species Act (CESA) | On November 29, 2023, San Francisco Baykeeper, The Bay Institute, Restore the Delta and the California Sportfishing Protection Alliance filed a petition with the California Fish & Game Commission to list the White Sturgeon as a threatened under CESA. Among other threats, they allege that inadequate river flows and entrainment cause by operation of the CVP and SWP are major drivers of alleged population declines. They list Sites Reservoir, the Delta Conveyance Project and the Agreements to Support Healthy Rivers and Landscapes as threats. | When a Petition is accepted for further evaluation, the species is identified as a candidate and will be protected from “take.” This means that during the candidacy period, the SWP will need incidental take authority and will be required to mitigate accordingly. Listing could lead to additional operational constraints on the existing SWP operations and on operations of Sites Reservoir and the Delta Conveyance Project. | The SWC and SLDMWA sent a comment letter to the Commission in June 2024. The Commission accepted the Petition on June 19, 2024. |
| CDFW | Proposed rule governing suspension and revocation of Fish & Game Code section 1602 Lake or Streambed Alteration Agreements | On May 3, 2024, CDFW proposed a regulation specifying the procedures for CDFW to suspend or revoke Lake or Stream Alteration Agreements (LSAAs). Fish and Game Code section 1612 authorizes CDFW to suspend or revoke an LSAA if it determines the permittee is not in compliance with its terms or has failed to provide required status reports. The proposed process provides notice and an opportunity to cure any alleged violations before CDFW would suspend or revoke an LSAA. | While Metropolitan has never faced a notice of suspension or revocation, it is considering commenting on the proposed regulation because the notice provisions may put agencies with LSAAs in a bind if the notice is erroneous or if the notice does not provide sufficient time to cure alleged violations (or explain why no violation has occurred) before suspension or revocation would be required under the regulation. | Written comments were due June 18, 2024. . |

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July 8, 2024 – Federal Regulatory Matrix

| Agency | Issue | Summary | Potential Impacts | Regulatory Status |
|--------|---|--|--|---|
| EPA | <u>Asbestos and Chlorine</u> | On March 18, 2024, EPA published its final rule under the Toxic Substances Control Act (TSCA) that bans the production, importation, and distribution of chrysotile asbestos, the only known form of asbestos that is currently imported into the United States. To date, there are still eight chlor-alkali plants (about one-third of the production capacity) in the United States that still use asbestos diaphragms for the manufacture of chlorine and caustic soda. | While the chlor-alkali industry has committed to stop the importation of asbestos and phase out the use of asbestos-diaphragms, this action could potentially increase the costs of chlorine and caustic soda used for water and wastewater treatment. | The asbestos ban for the chlor-alkali industry is effective immediately. |
| EPA | <u>Consumer Confidence Reports (CCRs)</u> | On May 24, 2024, EPA published the final revisions to the Consumer Confidence Report (CCR) regulation. The regulation requires public water systems serving 10,000 or more people to deliver CCRs twice a year, encourage modern electronic delivery options, clarify information regarding lead in drinking water, and provide translation for customers with limited English proficiency. | The biennial requirement is only for community water systems that serve 10,000 or more persons. Such systems that have a violation or action level exceedance between January 1 and June 30 of the current year, or have new Unregulated Contaminant Monitoring Rule (UCMR) results must include a 6-month update with the second report explaining any violations. It is unclear how the second CCR requirement would be met given sampling schedules and compliance with running annual averages. As a wholesaler, Metropolitan is not required to do a CCR, but will be required to provide water quality data to our member agencies twice per year. Staff worked with AMWA, AWWA, and CMUA on comments. | The rule is effective June 2024, with the new content and delivery requirements starting in 2027. |
| EPA | <u>Maximum Contaminant Levels for Perchlorate</u> | On January 5, 2024, per a Consent Decree in the <i>NRDC v. EPA</i> case, the court announced that EPA will be required to propose a maximum contaminant level goal (“MCLG”) and a national primary drinking water regulation | Previously, staff have commented in support of EPA promulgating a federal perchlorate standard to protect public health and help with long-term remediation of perchlorate contamination in the Colorado River Basin. | Rulemaking expected to start in 2025. |

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July 8, 2024 – Federal Regulatory Matrix

| Agency | Issue | Summary | Potential Impacts | Regulatory Status |
|--------|--|--|--|---|
| | | (“NPDWR”) for perchlorate by November 21, 2025, and publish the final MCLG and NPDWR by May 21, 2027. | | |
| EPA | <u>Maximum Contaminant Levels for Six PFAS</u> | On April 26, 2024, EPA published final drinking water standards for six (6) PFAS. EPA set individual maximum contaminant levels (MCLs) for PFOA and PFOS at 4.0 parts per trillion (ppt), and 10 ppt for PFNA, PFHxS, and GenX Chemicals. EPA will also regulate PFAS mixtures containing at least two or more PFHxS, PFNA, GenX Chemicals, and PFBS using a unitless Hazard Index of one (1). Lastly, EPA finalized health-based, non-enforceable Maximum Contaminant Level Goals (MCLGs) for PFOA and PFOS at 0 ppt and 10 ppt for PFNA, PFHxS, and GenX Chemicals.. | Metropolitan submitted comments on May 30, 2023 in support of regulating PFOA and PFOS in drinking water. However, staff commented that regulating the remaining PFAS is premature as these compounds did not follow the full regulatory process and may have unintended economic impacts. | <p>Rule will be effective on June 25, 2024 with a three-year compliance timeline from the rule's effective date.</p> <p>On June 7, 2024, AWWA and AMWA filed a Petition for Review asking a federal court to review EPA’s final National Primary Drinking Water Regulation and decide whether EPA acted appropriately in setting MCLs and MCLGs for six PFAS. This petition is pending.</p> |

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July 8, 2024 – Federal Regulatory Matrix

| Agency | Issue | Summary | Potential Impacts | Regulatory Status |
|--------|--|--|--|--|
| EPA | PFAS and CERCLA Part I | On May 8, 2024, EPA published its final rule designating perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS), including their salts and structural isomers, as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). | Despite EPA’s April 19, 2024, “PFAS Enforcement Discretion and Settlement Policy Under CERCLA” that emphasized that EPA will not target water utilities, staff are still concerned that the final rule may encumber water utilities with potential liability under CERCLA for the disposal of water treatment residuals that may contain PFAS. Metropolitan submitted comments on November 7, 2022 to this affect and worked with ACWA, AMWA, AWWA, and WUWC on comments seeking an exemption under CERCLA for the water industry. | Rule is final and will go into effect on July 8, 2024. On June 10, 2024, the Chamber of Commerce of the United States of America, Associated General Contractors of America, Inc., and National Waste & Recycling Association, filed a Petition for Review asking a federal court to review EPA’s final CERCLA rule and decide whether EPA acted appropriately in designating PFOA and PFOS as CERCLA Hazardous Substances. This petition is pending. |
| EPA | PFAS and CERCLA | On April 13, 2023, EPA requested public “input and data” regarding whether to designate the | Metropolitan submitted comments on August 3, 2023 that EPA should consider updated occurrence | Awaiting EPA’s decision whether to |

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July 8, 2024 – Federal Regulatory Matrix

| Agency | Issue | Summary | Potential Impacts | Regulatory Status |
|--------|--|---|--|---|
| | <u>Part II</u> | precursors to PFOA and PFOS, as well as seven additional PFAS, as hazardous substances under CERCLA. The seven additional PFAS are PFBS, PFHxS, PFNA, Gen X, PFBA, PFHxA, and PFDA. The notice also requested input on regulating groups or categories of PFAS as hazardous substances. | data and develop robust and reliable analytical methods before making any regulatory determination for the affected PFAS. In addition, staff requested that EPA explore other regulatory pathways for PFAS rather than CERCLA, as well as follow the "Polluter Pays" principle and make additional funding available for treatment and cleanup costs. | propose regulating these PFAS as hazardous substances under CERCLA. |
| EPA | <u>PFAS and RCRA Part I</u> | On February 8, 2024, EPA released a proposed rule to revise the definition of “hazardous waste” under the Resource Conservation and Recovery Act (RCRA) such that PFAS can be included in corrective actions for treatment, storage, and disposal facilities (TSDFs). | On March 26, 2024, staff submitted a comment letter expressing concern that while the rule is focused on TSDFs, the rule could raise the disposal costs of PFAS-laden materials sent to TSDFs and that this was not included in the cost analysis. Staff also asked that EPA adopt formal RCRA enforcement guidance for TSDFs, such that water utilities are protected against future liability; and that EPA follow the “polluter pays” principle and/or make additional funding available for treatment and cleanup. | Awaiting final rule. |
| EPA | <u>PFAS and RCRA Part II</u> | On February 8, 2024, EPA released a proposed rule to list nine PFAS (PFOA, PFOS, PFBS, HFPO-DA or GenX Chemicals, PFNA, PFHxS, PFDA, PFHxA, and PFBA) and their salts and isomers as “hazardous constituents” under RCRA. | On April 8, 2024, staff submitted a comment letter addressing EPA’s proposal to list nine PFAS and their salts and isomers as “hazardous constituents” under RCRA. A hazardous constituent listing is the first step towards a potential “hazardous waste” listing. If these nine PFAS were to be classified as hazardous wastes under RCRA, then they would automatically be classified as “hazardous substances” under CERCLA. Similar to our comments on the PFAS-CERCLA regulatory effort, Metropolitan emphasized that while we support | Awaiting final rule. |

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July 8, 2024 – Federal Regulatory Matrix

| Agency | Issue | Summary | Potential Impacts | Regulatory Status |
|--------|--|---|--|--------------------------|
| | | | regulating PFAS, the regulatory community needs guardrails in place (e.g., analytical methods, regulatory limits, and cleanup standards) prior to regulating these compounds. Staff also reiterated that EPA should follow the polluters pay principle. | |
| | | | | |
| EPA | <u>Lead and Copper Rule Improvements</u> | On December 6, 2023, EPA published its proposed Lead and Copper Rule Improvements. The proposed rule focuses on identifying and replacing lead service lines within 10 years; lowering the lead action level from 0.015 to 0.010 milligrams per liter (mg/L); removing the lead trigger level; improving tap sampling procedures; and improving public education and outreach materials to include renters and individuals with limited English proficiency. | As drafted, the rule will result in additional sampling at Metropolitan’s desert housing, but is not applicable to the main water treatment system. Staff partnered with trade associations to provide comments. | Awaiting final rule. |
| EPA | <u>County of Maui v. Hawaii Wildlife Fund Guidance</u> | On November 20, 2023, EPA released its second version of draft guidance on how to apply the “functional equivalency” test found in the <i>County of Maui v. Hawaii Wildlife Fund</i> decision. In the <i>Maui</i> decision, the Supreme Court set forth seven factors to help determine if a NPDES permit is required when a point source pollutant discharged to groundwater has the same “functional equivalency” as a direct discharge to a navigable water. | On December 21, 2023, Metropolitan submitted comments expressing support for the draft guidance. Metropolitan operations are not expected to be impacted by the new guidance, but the guidance is expected to help protect source water quality throughout the Colorado River Basin. Discharges by Metropolitan to groundwater in California are already covered by state permitting requirements, and the new guidance is not expected to trigger any additional permitting requirements for Pure Water Southern California and Delta operations. | Awaiting final guidance. |

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| Agency | Issue | Summary | Potential Impacts | Regulatory Status |
|--------|---|---|---|-----------------------------|
| EPA | <u>Water System Restructuring Assessment Rule</u> | On May 30, 2024, EPA released a draft Water System Restructuring Assessment Rule. The proposed rule provides a regulatory framework for a new mandated authority requiring states to identify and assess restructuring options for public water system (PWS). A state may mandate a restructuring assessment of a PWS if it finds that: (1) the PWS has repeatedly violated one or more National Primary Drinking Water Regulations (NPDWRs) and such violations are likely to adversely affect human health; (2) the PWS is unable or unwilling to implement restructuring activities, or already has attempted to implement such activities but has not achieved compliance; (3) restructuring of the PWS, including a form of consolidation or a transfer of ownership, is feasible; and (4) restructuring of the PWS could result in greater compliance with drinking water standards. The rule does not authorize a state to mandate any form of restructuring. Individual states may decide to mandate restructuring, but only under state laws and regulations, not under the proposed rule. | EPA was directed to develop the rule under Title I of the 2018 America's Water Infrastructure Act. Staff are evaluating the rule for potential impacts to determine how it will impact California's water system consolidations rules that are already in place. ; however the State of California already has rules in regards to <u>water system consolidations</u> . | Comments due July 29, 2024. |

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July 8, 2024 – Federal Regulatory Matrix

| Agency | Issue | Summary | Potential Impacts | Regulatory Status |
|--------------|--|--|--|---|
| FWS and NMFS | <u>Regulations for Interagency Cooperation</u> | On June 22, 2023, FWS and NMFS proposed to amend portions of Section 7 of the Endangered Species Act to clarify and improve the interagency consultation processes, while continuing to provide for the conservation of listed species. The proposed rule would revise and expand the scope of reasonable and prudent measures that could be included as part of an incidental take statement in a biological opinion. | Metropolitan submitted comments on August 21, 2023 requesting that FWS and NMFS reconsider their revised interpretation of the use of reasonable and prudent measures to offset remaining impacts of an incidental take. This rule changes the standard by which applicants must mitigate an incidental take from only implementing avoidance and minimization measures to also include full mitigation of the impact. | FWS and NMFS published the final rule in April 2024 and it went into effect on May 6, 2024. |

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Legislation and Communications Committee

Quarterly State and Federal Regulatory Matrices

Item 6c
July 8, 2024

Quarterly Update on Regulatory Matrices

Subject

Quarterly Update on State and Federal Regulatory Matrices

Purpose

Provide update on state and federal regulatory matrices

Next Steps

Regulatory matrices will be updated quarterly and posted on Metropolitan's website.

Key rules will be presented at their respective committees.

Recently Adopted Rules

Federal

- Consumer Confidence Reports
- Six PFAS MCLs
- PFAS and CERCLA

State

- Indoor Heat Illness Prevention Standard
- Hexavalent Chromium
- Zero-Emission Forklift Rule
- Conservation as a California Way of Life (pending)

Recent Highlights

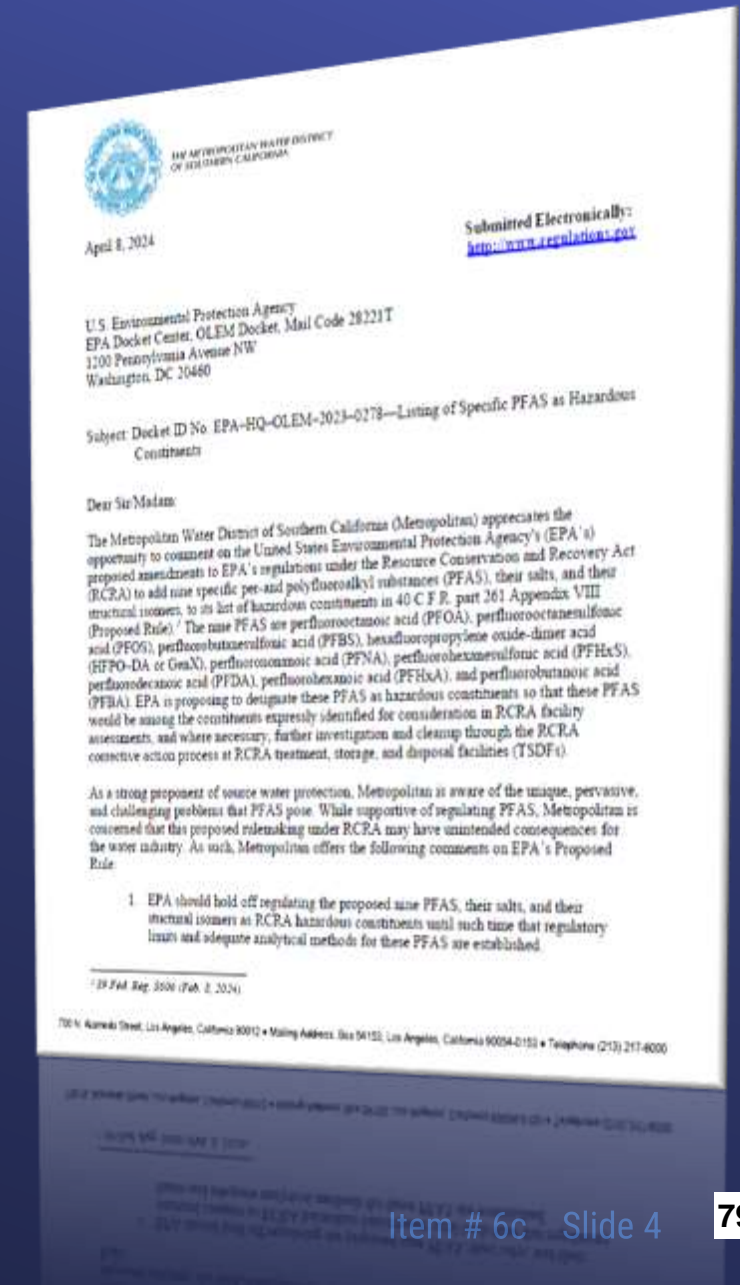
Metropolitan Comment Letters

Federal

- PFAS and RCRA Part 1
- PFAS and RCRA Part II

State

- Conservation as a California Way of Life



Next Steps

- Regulatory matrices updated quarterly and posted publicly on Metropolitan's Legislative Services webpage
- Key rules presented at their respective Board Committees



Quarterly Update on Federal and State Regulatory Activities

Questions



Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|--|--|--|
| AB 400 B. Rubio (D – Baldwin Park) Sponsors: California State Association of Counties, League of California Cities | Chaptered Signed by Governor Chapter 201, Statutes of 2023 | Local agency design-build projects: authorization. This measure would extend the existing sunset date to January 1, 2031, for the use of design-build as a delivery method for public works contracts. | Support Based on October 2021 Board Action | Metropolitan’s current authority to use design-build under AB 1845 (Calderon, CH. 275, 2022) will sunset on January 1, 2028. The provisions of this bill allow Metropolitan to use design-build for future projects through January 1, 2031. |
| AB 460 Bauer-Kahan (D – Orinda) | Amended 6/12/2024 Two-year bill Senate Judiciary Committee | State Water Resources Control Board: water rights and usage: civil penalties. This bill would require the State Water Resources Control Board to adjust for inflation, by January 1 of each year, beginning in 2025, the amounts of civil and administrative liabilities or penalties imposed by the board in water right actions, as specified. | Support Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023 | The bill now would provide for enhanced civil penalties for violations of any State Board regulation or curtailment order. |
| AB 1337 Wicks (D – Oakland) | Amended 5/18/23 Two-year bill Senate Natural Resources and Water Committee | State Water Resources Control Board: water diversion curtailment. This bill would authorize SWRCB to adopt regulations for various water conservation purposes and implement these regulations through orders curtailing the diversion or use of water under any claim of right. | Oppose Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023 | Regardless of whether there is a drought emergency, this bill would allow the State Board, by regulation, to permanently reduce permit rights (including SWP, Colorado River pre-1914 rights, or Delta Island license, pre-1914 or riparian right diversions) upon a finding that current diversions result in a waste or unreasonable use of water or that they harm public trust (fish and wildlife) resources. This would be a new broad power to the State Board that could permanently reallocate any water rights under any water year conditions without the protection or process of individual adjudications. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|---|---|---|---|--|
| AB 1567 Garcia (D-Coachella) | Amended 5/26/2023 Two-year bill Senate Natural Resources and Water Committee | Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024. This measure would authorize a \$15.995 billion general obligation bond for the March 5, 2024, ballot to fund a broad range of resource-based programs that will assist California to improve its climate resiliency. | Support, if Amended Based on June 2023 Board Action | This measure is consistent with Metropolitan’s current policy priorities and supports the objectives of Metropolitan’s Climate Adaptation Master Plan. Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought and conservation projects. |
| AB 1572 Friedman (D - Glendale) Co-sponsors: Metropolitan, Heal the Bay, National Resources Defense Council | Chaptered Signed by Governor Chapter 849, Statutes of 2023 | Potable water: nonfunctional turf. This measure prohibits the use of potable water for the irrigation of non-functional turf located on commercial, industrial, institutional. This measure provides the State Water Resources Control Board with the authority to postpone compliance dates as prescribed. | Co-sponsor Based on April 2023 Board action | Based on input from the Board and member agencies, Metropolitan secured amendments to exclude multi-family residential buildings and protect the authority and local control of public water systems. Metropolitan is a co-sponsor of this measure. |
| AB 1573 Friedman (D - Glendale) Sponsor: Earth Advocacy and California Native Plant Society | Amended on 9/1/2023 Two Year Bill Senate Floor – Inactive File | Water conservation: landscape design: model ordinance. This measure would update the model water efficient landscape ordinance for new or renovated nonresidential areas to require at least 25% local native plants beginning January 1, 2026. This measure would also prohibit the use of nonfunctional turf in nonresidential landscape projects after January 1, 2026. | Support Based on 2023 Legislative Priorities and Principles, adopted December 2022 | This measure is consistent with Metropolitan’s effort to reduce nonfunctional turf within its service area. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|---|---|--|--|
| AB 1648 Bains (D - Bakersfield) | Amended 3/16/2023 Dead | Water: Colorado River Conservation This measure would specifically prohibit Metropolitan and LADWP to offset federally required reductions on Colorado River resources with increased water deliveries from other regions of California, including the Delta, retroactively as of January 1, 2023. | Oppose Based on 2023 Legislative Priorities and Principles, adopted December 2022 | This measure would impair Metropolitan’s flexibility with its entire water portfolio, including the Integrated Water Resources Plan and the Annual Operating Plan. Metropolitan’s reliability and its ability to meet demands would also be impaired by restrictions on partnerships with its State Water Project and Colorado River Basin stakeholders. |
| SB 122 Senate Committee on Budget and Fiscal Review | Chaptered Signed by the Governor Chapter 51, Statutes of 2023 | Flood Flow Streamlining Provisions in this trailer bill provide that diversion of flood flows for groundwater recharge do not require an appropriative water right if specified conditions regarding the diversion are met. These provisions exempt from the California Environmental Quality Act (CEQA) specified actions related to the implementation of Colorado River water conservation agreements with the US Bureau of Reclamation. | Seek Amendments Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 | The no-permit authorization poses a significant concern to Metropolitan’s State Water Project supplies. There is no protest process, no requirement that diverters avoid harm to other legal water users with water rights senior to the flood flow diverter, and no protection of SWP and CVP rights to divert “excess flows” when they exist in the system up to the full capacity of the projects. Metropolitan will work with the Administration to address these issues as the program is implemented. |
| SB 124 Senate Committee on Budget and Fiscal Review | Chaptered Signed by the Governor Chapter 53, Statutes of 2023 | Green Financing Programs for Federal IRA Funding This measure contains various provisions to implement the 2023 State Budget Act, which includes authorizing the State Infrastructure and Economic Development Bank and the Department of Water Resources (DWR) to access and utilize federal funding in the Inflation Reduction Act to finance projects that reduce greenhouse emissions. | Support Based on 2023 Legislative Priorities and Principles, adopted December 2022 | For the State Water Project, DWR’s direct investment in qualifying projects could lower its capital costs, which would ultimately be passed on to Metropolitan and other SWP contractors. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|---|---|---|---|---|
| SB 146 Gonzalez (D-Long Beach) | Chaptered Signed by the Governor Chapter 58, Statutes of 2023 | Public resources: infrastructure: contracting. This measure is part of the negotiated infrastructure trailer bill package and authorizes DWR to use the progressive design-build (PDB) project delivery method for up to eight public works projects that exceed \$25 million. The Delta conveyance facilities and seawater desalination are expressly prohibited under this measure. | Support Based on October 2021 Board Action | By utilizing PDB and awarding a project contract prior to the completion of all design work, DWR can potentially reduce overall costs and execute shorter project delivery schedules. This could lead to reduced costs for SWP-related projects-resulting in cost savings being passed on to Metropolitan. |
| SB 147 Ashby (D- Sacramento) | Chaptered Signed by the Governor Chapter 59, Statutes of 2023 | Fully protected species: California Endangered Species Act: authorized take This measure is part of the negotiated infrastructure trailer bill package and authorizes the take of fully protected species for certain infrastructure projects if specified conditions are met. Eligible projects include the maintenance, repair and improvement of the State Water Project, as well as critical regional and local water infrastructure. | Support and Amend Based on 2023 Legislative Priorities and Principles, adopted December 2022 | While this alternative may have benefits over current FPS regulations, the requirements are extensive and may make permit terms infeasible or cost prohibitive and could create other litigation risks for permittees. |
| SB 149 Caballero (D- Merced) | Chaptered Signed by the Governor Chapter 60, Statutes of 2023 | California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining. This measure is part of the negotiated infrastructure trailer bill package and makes various changes to CEQA. This bill provides clarification for what is considered as part of the administrative record, as well as allowing a public agency to deny a request to prepare the record of proceedings. This bill also provides for expedited judicial review for specified energy and transportation projects. | Support and Amend Based on 2023 Legislative Priorities and Principles, adopted December 2022 | Administrative Records Streamlining: Overall, the provisions would be beneficial to Metropolitan as they could lower CEQA litigation costs and shorten litigation timelines. Expedited Judicial Review: The process for preparing the administrative record for any governor-certified infrastructure project must follow certain extensive and potentially costly specifications. While expedited judicial review is beneficial in concept, unless amended, the prerequisites may be infeasible or costly to implement. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|---|--|--|
| SB 150 Durazo (D-Los Angeles) | Chaptered Signed by the Governor Chapter 61, Statutes of 2023 | Construction: workforce development: public contracts. This measure is part of the negotiated infrastructure trailer bill package and focuses on strengthening the state's workforce and community benefits with infrastructure investments through California's share of federal funds. | Support Based on 2023 Legislative Priorities and Principles, adopted December 2022 | This bill is intended to help develop procurement models to enhance the state's training and access pipeline for jobs while ensuring community benefits on infrastructure and manufacturing investments. This bill is consistent with Metropolitan's policy and practice and could benefit the district by helping build the next generation of the state's construction workforce. |
| SB 366 Caballero (D - Merced) Sponsors: California Municipal Utilities Association, California Council for Environmental and Economic Balance, California State Association of Counties | Amended 6/13/2024 Assembly Water, Parks, and Wildlife Committee | The California Water Plan: long-term supply targets. This measure would revise the California Water Plan to require the DWR to update the California Water Plan by December 31, 2028, and every five years after, to include a long-term water supply target for 2050 and discussion on the development of specified water supply sources to meet demand. | Support, if Amended Based on 2023 Legislative Priorities and Principles, adopted December 2022 | 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 is seeking amendments that include, but are not limited to, ensuring the 2050 target reflects statewide, regional, and local planning efforts and clarifying that the CA Water Plan should not establish a separate plan for complying with the Delta Plan, but should be complimentary and focus on supporting the co-equal goals of the Delta. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|--|--|--|
| SB 659 Ashby (D – Sacramento) Sponsors: Sacramento Regional Water Authority | Chaptered Signed by the Governor Chapter 624, Statutes of 2023 | California Water Supply Solutions Act of 2023. This bill would require DWR to develop a groundwater recharge plan by January 1, 2026, to create additional groundwater recharge capacity and include the plan as part of the 2028 update to the California Water Plan. | Support, if Amended Based on 2023 Legislative Priorities and Principles adopted December 2022. | This bill intends to elevate the importance of groundwater in the state’s planning efforts. Additional recharge capacities developed through implementation of this bill could potentially help in the successful implementation of projects such as Metropolitan’s Pure Water project, LADWP’s Operation Next project, and the Pure Water San Diego, potentially helping to maximize stormwater capture and increase sustainability of groundwater basins within Metropolitan’s service area. |
| SB 687 Eggman (D - Stockton) | Amended 5/2/2023 Dead | Water Quality Control Plan: Delta Conveyance Project. This measure will require the State Water Resources Control Board to adopt a final update of the Bay-Delta Water Quality Control Plan before the Board considers a change in the point of diversion or any other water rights permit or order for the Delta Conveyance Project. | Oppose Based on 2023 Legislative Priorities and Principles, adopted December 2022 | Metropolitan supports updating the Water Quality Control Plan to protect beneficial uses in the Delta. This bill would result in halting or delaying planning efforts on the Delta Conveyance Project and potentially prevent the project from operating if approved. |
| SB 706 Caballero (D-Merced) Sponsors: CA State Association of Counties; County of San Diego; Design Build Institute of America Western Pacific Chapter; League of California Cities | Chaptered Signed by the Governor Chapter 500, Statutes of 2023 | Public contracts: progressive design-build: local agencies. This bill would provide additional authority, until January 1, 2023, for cities, counties, and special districts to use progressive design-build (PDB) authority for up to 10 public works projects that are in excess of \$5 million. In addition, any local agency that uses this authorized progressive-design build process must submit a report to the Legislature. | Support Based on 2023 Legislative Priorities and Principles, adopted December 2022 | Currently, PDB-eligible projects are limited to wastewater treatment facilities, park and recreational facilities, solid waste management facilities and water recycling facilities. This bill now authorizes cities, counties and special districts, including Metropolitan, to use PDB for public works projects. This supports Metropolitan’s priority of ensuring reliable water supply deliveries throughout its service area. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|---|---|---|
| SB 867 Allen (D-Santa Monica) | Amended 6/22/2023 Assembly Natural Resources Committee | Drought, Flood and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024. This measure would authorize a \$15.5 billion general obligation bond for a range of resource- based programs that will improve California's climate resiliency. If approved, this measure would be on the March 5, 2024 statewide ballot. | Support, if Amended Based on June 2023 Board Action | This measure is consistent with Metropolitan's current policy priorities and supports the objectives of Metropolitan's Climate Adaptation Master Plan. Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought, and conservation projects. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|---|---|---|
| AB 2610 E. Garcia (D – Coachella) | Amended 4/10/2024 Senate Natural Resources and Water Committee | Protected species: authorized take: Salton Sea Management Program: System Conservation Implementation Agreement. Current law authorizes the Department of Fish and Wildlife, if certain conditions are fulfilled, to authorize the take of species, including fully protected species, resulting from impacts attributable to implementation of the Quantification Settlement Agreement on specified lands and bodies of water, including the Salton Sea. This bill would additionally authorize the department, if certain conditions are fulfilled, to authorize the take of species resulting from impacts attributable to the implementation of the Salton Sea Management Program or implementation of any System Conservation Implementation Agreement between the United States Bureau of Reclamation and the Imperial Irrigation District to implement the Lower Colorado River Basin System Conservation and Efficiency Program, as provided, on the specified lands and bodies of water. | Support Based on 2024 Legislative Priorities and Principles, adopted January 2024 | This bill will help to advance conservation agreements and collective conservation goals related to reducing reliance of the Colorado River in order to account for changes in climate and low water supplies by allowing IID to advance their short-term conservation goals between 2024 – 2026. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|--|---|---|
| AB 1827 D. Papan (D – San Mateo) | Amended 4/4/2024 Senate Local Government Committee | Local government: fees and charges: water: higher-consumptive water parcels. The Legislature passed the Proposition 218 Omnibus Implementation Act in 1997 to provide guidance for implementation of the new constitutional provisions. AB 1827 (Papan) proposes to add Government Code section 53750.6 to the Act to clarify that the costs that may be recovered through retail water service fees may include the incrementally higher costs of water service due to (1) the higher water usage demand of parcels, (2) the maximum potential water use of parcels, or (3) projected peak water usage. | Support Based on 2024 Legislative Priorities and Principles, adopted January 2024. | Metropolitan’s wholesale water service rates to its co-op members are not subject to Proposition 218 and therefore, the bill does not have an effect on Metropolitan. It will, however, provide clearer guidance for its member agencies that provide retail water service and any retail water service provider within Metropolitan service area. |
| AB 2257 L. Wilson (D – Suisun City) | Amended 4/23/2024 Senate Judiciary Committee | Local government: property-related water and sewer fees and assessments: remedies. AB 2257 establishes a process for objections to be submitted by any party objecting to the proposed fee or assessment, notice to the public of the requirements, and prerequisites for suing an agency on the basis of the validity of the fee or assessment. The bill requires exhaustion of the administrative procedures provided therein before a plaintiff may file suit and it limits the administrative record that may be reviewed in that litigation to evidence presented to or available to the agency prior to the adoption of the fee or assessment. | Support Based on 2024 Legislative Priorities and Principles, adopted January 2024 | Metropolitan does not currently collect any fee or assessment on properties within its service area that is subject to Article XIII D. It does, however, have the authority to do so. Should it decide to adopt such a fee or assessment, it would be required to follow these proposed additional procedural requirements. Any litigation challenging such a fee or assessment would also be subject to the administrative remedy exhaustion and evidence limitation provided for by AB2257. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|---|----------------------------------|---|---|---|
| AB 2409 D. Papan (D – San Mateo) | Amended 4/11/2024 Dead | Office of Planning and Research: permitting accountability transparency dashboard. Would require the Office of Planning and Research, on or before January 1, 2026, to create and maintain, as specified, a permitting accountability transparency internet website (dashboard). The bill would require the dashboard to include a display for each permit to be issued by specified state agencies for all covered projects. The bill would define various terms for these purposes. The bill would also require the dashboard to include, but not be limited to, information for each permit to be issued by a state agency that is required for the completion of the project, including, among other requirements, the permit application submission date. The bill would require each state agency with a responsibility for issuing a permit for a covered project to provide information in the appropriate time and manner as determined by the office. The bill would also make related findings and declarations. | Support Based on 2024 Legislative Priorities and Principles, adopted January 2024 | AB 2409 requires the Governor’s Office of Planning and Research (OPR) to create and maintain a permitting transparency website with a project dashboard showing the status of each state permit for specific projects with an estimated cost of \$100 million or more. AB 2409 would be beneficial to Metropolitan by making environmental permitting more transparent and would help the public understand why large projects take years to permit (e.g., Pure Water Southern California or Delta Conveyance). |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|--|---|--|
| AB 2060 E. Soria (D – Fresno) | Amended 5/16/2024 Senate Natural Resources and Water Committee | Lake and streambed alteration agreements: exemptions. This bill would exempt qualifying temporary permit diversions of water from streams at or near flood stage to groundwater storage from the requirements of Fish & Game Code section 1602. Section 1602 requires anyone proposing to substantially alter the bed, banks or natural flows of a stream, river or lake to notify the California Department of Fish and Wildlife (CDFW). If CDFW determines the proposed activity may have a significant adverse impact on fish or wildlife, it will require a Lake or Stream Alteration Agreement (LSAA) that functions as a permit for the activity, and which always requires mitigation, monitoring and reporting to CDFW. It is designed to prevent harm to fish and wildlife from covered activities. AB 2060 would exempt qualifying diversions from this requirement. The only “mitigation” required to qualify is installation of basic fish screens, with no requirement that they meet any standards, including those adopted by CDFW and the federal fish services. | Support if Amended Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 and 2024 Legislative Priorities and Principles, adopted January 2024 | This bill was amended to ensure the temporary permit authorization is consistent with existing law on diversion authorizations for current water rights holders. Metropolitan is seeking additional amendments to ensure the inclusion of fish screens on all intakes, not just “temporary pump” intakes, and that the screens minimize both entrainment <i>and</i> impingement. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|---|----------------------------------|---|--|---|
| SB 903 N. Skinner (D – Berkeley) | Amended 4/11/2024 Dead | <p>Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.</p> <p>Starting January 1, 2025, certain substances called perfluoroalkyl and polyfluoroalkyl substances (PFAS) will be prohibited in new textiles, cosmetics, food packaging, and juvenile products in the state. This means that manufacturers and sellers cannot add PFAS to these products. A new bill, starting January 1, 2032, will also require the Department of Toxic Substances Control to determine if using PFAS in a product is necessary and unavoidable before it can be offered for sale. The department will keep a list of these determinations on its website and use any penalties collected for administering and enforcing these laws. By January 1, 2027, the department will adopt regulations to carry out this bill, including setting an application fee and creating an appeal process for penalties and decisions made under this law. A PFAS Oversight Fund will be created from the application fees to cover the department's expenses for administering this act, with funds allocated by the legislature.</p> | <p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p> | <p>From a source water protection standpoint, the bill creates provisions to reduce PFAS contamination and enhance protection of water quality and public health. By limiting PFAS in consumer products, the bill indirectly aims to reduce PFAS contamination in water sources, potentially decreasing treatment costs and complexity for water providers. The bill encourages the development and adoption of PFAS alternatives, potentially impacting the types of materials and products used within the water industry and by consumers, promoting safer water handling and packaging materials.</p> |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|---|---|---|--|--|
| SB 1072 S. Padilla (D – San Diego) | Amended 4/24/2024 Assembly Local Government Committee | Local government: Proposition 218: remedies. The California Constitution has rules for imposing taxes at a local level. It excludes certain fees and assessments if they meet certain criteria, such as not exceeding the benefit given to a property or the cost of the service provided. There is also a law known as the Proposition 218 Omnibus Implementation Act that outlines how local agencies must comply with these requirements. This bill, if passed, would require local agencies to correct any fees or charges for property-related services that violate these constitutional provisions and credit the amount of the violation against the revenues needed for the service. This bill supports the purposes and intent of Proposition 218 and the Omnibus Implementation Act. | Support Based on 2024 Legislative Priorities and Principles, adopted January 2024 | Metropolitan does not currently collect any revenue from any property related fees or assessments subject to Articles XIII C or D. However, Metropolitan does have statutory authority to collect such fees. If Metropolitan were to adopt such a fee or assessment in the future, the revenues from those fees or assessment would be subject to the limitation added by SB 1072. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|---|---|--|--|---|
| SB 1169 H. Stern (D – Los Angeles) | Amended 3/18/2024 Assembly Desk | <p>Los Angeles County Flood Control District: finances.</p> <p>This law, known as the Los Angeles County Flood Control Act, sets up a district responsible for managing and preserving flood and wastewaters in the county. It permits the district to borrow money from certain sources to fund flood control work and repay the loan within 20 years with a maximum interest rate of 4.25% annually. The district must also collect enough taxes from property owners each year to cover the loan payments. Currently, the district is limited to borrowing a maximum of \$4.5 million and issuing bonds up to the same amount. This proposed bill would extend the loan repayment period to 35 years with a maximum interest rate of 5.5% annually. It would also remove the borrowing and bond limits for the district. The bill justifies these changes by stating the need for a special law for the Los Angeles County Flood Control District.</p> | <p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p> | Support for this bill will help with Los Angeles County’s flood control program and is consistent with the Board’s policy to support development of local resources and conservation efforts. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

| Bill Number Author | Amended Date Location | Title-Summary | MWD Position | Effects on Metropolitan |
|--|--|--|--|--|
| SB 1390 A. Caballero (D – Merced) | Amended 4/24/2024 Assembly Water, Parks, and Wildlife Committee | Groundwater recharge: floodflows: diversion. Under current law, all water in the state belongs to the people, but individuals can gain the right to use it through a legal process. This process requires the water to be used for a purpose that is helpful or beneficial. However, if certain conditions are met, using floodwater for groundwater recharge does not require a specific legal right. These conditions include receiving notice from a local or regional agency that there is a risk of flooding, and filing a report with the State Water Resources Control Board once the diversion is finished. This applies to diversions that began before January 1, 2029. This bill would extend these requirements to diversions that began before June 1, 2032. It would also add additional conditions that must be met for the diversion to be allowed, such as the local agency declaring that the diversion is in line with specific plans or emergency operations plans. The diversion must also stop within 90 days unless it is renewed, and the final report must include information about the methods used to predict and prevent flooding. Finally, the diversion must not harm any prior water rights holders in the area. | Support Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 and 2024 Legislative Priorities and Principles, adopted January 2024 | SB 1390 has been amended to clarify which agencies may make the declaration that flood flow conditions exist and when they are required to declare they no longer exist. The amendments include language to protect Metropolitan’s SWP supplies, which also supports our operations to maintain water quality standards in the Delta. . |



Legislation and Communications
Committee

Report on Activities from Sacramento

July 8, 2024
Item 6d

Report on Activities from Sacramento

Subject

Report on Activities from Sacramento

Purpose

To provide an update on relevant state legislative issues

Sacramento Legislative Calendar

Legislative Calendar

- July 3 Last day for policy committees to meet.
Beginning of summer legislative recess.
- Aug 3 Legislature reconvenes from recess.

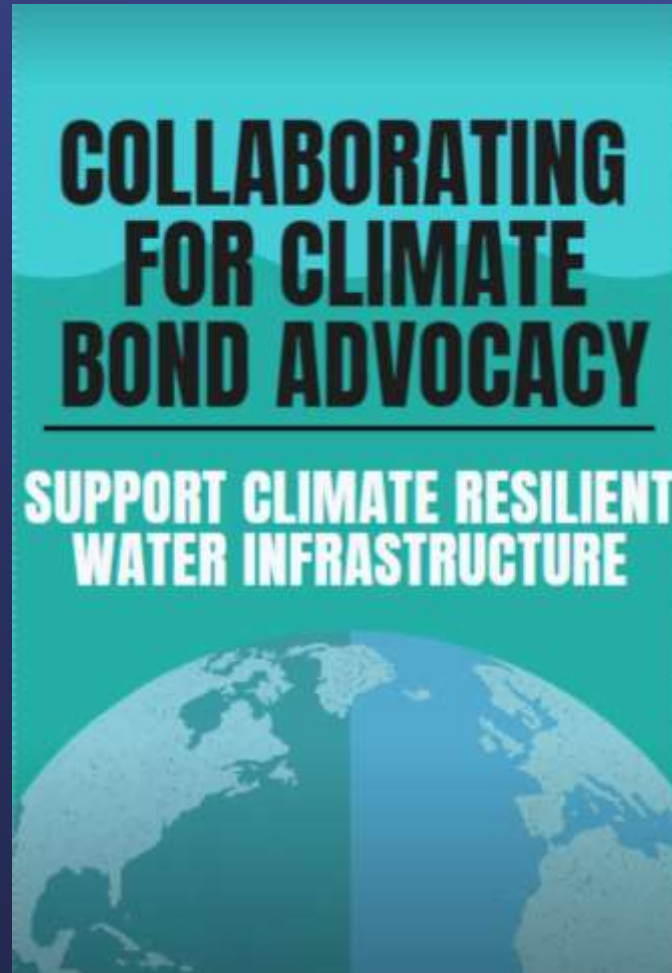
State Budget Update

Sacramento Budget Update



Climate Resilience Bond

Sacramento Legislative Highlights



November 2024 Ballot

Sacramento Legislative Highlights



Sacramento Legislative Highlights

Flood Flow Streamlining: Support

- SB 1390 (Caballero): Groundwater recharge: floodflows: diversion.

California Water Plan: Support if Amended

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



Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|--|---|---|--|--|---|
| Assistance for Disadvantaged Communities | H.R. 8032 (Sorenson, D-IL) S. 3830 (Padilla, D-CA) | 4/16/24: Referred to the House Committees on Energy and Commerce and Transportation and Infrastructure. 2/28/24: Referred to the Senate Committee on Health, Education, Labor, and Pensions. | Low-Income Household Water Assistance Program (LIHWAP) Establishment Act Establishes a permanent, nationwide water assistance program to help low-income households with their water and wastewater bills. | SUPPORT Based upon 2024 Legislative Priorities and Principles, adopted January 2024 | This bill makes the temporary low-income household water assistance program established at the height of the COVID-19 pandemic permanent. Sustained federal assistance to help low-income household afford their water and wastewater bills would help residents in Metropolitan’s service area and Metropolitan’s member agencies. |
| Conservation | H.R. 3490 (Gallego, D-AZ) | 5/19/23: Referred to the House Transportation and Infrastructure Subcommittee on Water Resources and Environment. | Water Infrastructure Modernization Act of 2023 Authorizes a new grant program to help wastewater and drinking water systems detect leaks and reduce water loss. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This bill directly benefits Metropolitan and its member agencies by creating a grant program to help cover the costs for conveyance leak detection and reduce supplier-side water loss. It could be used for a variety of investments including smart water network technologies, real-time sensing technologies, real-time decision support, and advanced metering infrastructure. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|--------------|--|--|--|--|---|
| Conservation | S. 2166 (Padilla, D-CA) | 7/19/23: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power. | Voluntary Agricultural Land Repurposing Act Authorizes a grant program at the Bureau of Reclamation to provide States and Indian Tribes with funding to establish programs to voluntarily repurpose agricultural land to reduce consumptive water use. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This new program would provide federal funding to support California’s Multi-benefit Land Repurposing Program. It would provide funding to help agriculture lands transition out of production and instead be used for habitat restoration, renewable energy projects, or other purposes. The program would support Metropolitan’s work in the Central Valley and along the Colorado River. |
| Conservation | H.R. 5016 (Levin, D-CA) S. 2654 (Padilla, D-CA) | 7/27/23: Referred to the House Committee on Energy and Commerce. 7/27/23: Referred to the Senate Committee on Environment and Public Works. | Water Efficiency, Conservation, and Sustainability Act of 2023 Creates new US EPA grant programs for water efficiency and conservation measures, water loss control programs, and water efficient plumbing code adoption. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This bill directly benefits Metropolitan and its member agencies by creating new grant programs to help both water agencies and consumers reduce water loss. The new programs will supplement on-going work by Metropolitan and its member agencies and promote water conservation throughout Metropolitan’s service area. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|---|---|---|---|--|--|
| Endangered Species Act Oversight | H.R. 872 (Calvert, R-CA) | 2/21/23: Referred to the House Natural Resources Subcommittee on Water, Wildlife and Fisheries. | Federally Integrated Species Health Act or the “FISH Act” Transfers the authority to oversee ESA-related responsibilities for anadromous fish from the Secretary of Commerce to the Secretary of the Interior. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This would simplify ESA consultations by consolidating those functions/authorities to one federal agency (US Fish and Wildlife Service) rather than two under the current law (the second being National Marine Fisheries Service). This would directly benefit Metropolitan's interests in the Delta related to SWP operations and facilities, as well as Delta islands activities. |
| Financing Tools for Water Infrastructure Projects | H.R. 1837 (Kustoff, R-TN) S. 1453 (Wicker, R-MS) | 3/28/23: Referred to the House Committee on Ways and Means. 5/4/23: Referred to the Senate Committee on Finance. | House Title: Investing in Our Communities Act Senate Title: Lifting Our Communities through Advance Liquidity for Infrastructure Act or the LOCAL Infrastructure Act Both bills amend the Internal Revenue Code of 1986 to restore the tax exemption for advance refunding bonds. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | The ability to advance refund bonds on a tax-exempt basis would benefit Metropolitan and its member agencies by allowing municipal issuers to lower borrowing costs to take advantage of favorable interest rates. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|---|--------------------------------------|---|--|---|---|
| Financing Tools for Water Infrastructure Projects | S. 2162 (Feinstein, D-CA) | 7/19/23: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power. | <p>Support To Rehydrate the Environment, Agriculture, and Municipalities Act” or the “STREAM Act</p> <p>Authorizes funding for a variety of Bureau of Reclamation infrastructure investments including storage, water recycling, desalination, and ecosystem restoration projects for 5 years. It also authorizes a new assistance to provide drinking water to disadvantaged communities and creates a new low interest loan program to help finance western water projects.</p> | <p>SUPPORT</p> <p>Based upon 2023 Legislative Priorities and Principles, adopted December 2022</p> | <p>This bill would benefit Metropolitan and its member agencies by providing more funding for water infrastructure projects and ecosystem restoration projects. For example, the bill would accelerate the development of local water recycling projects by authorizing \$300 million for the Title XVI- WIIN water reuse grants program and raising the per-project funding cap from \$20 million to \$50 million. Additionally, the bill authorizes \$250 million for environmental restoration projects, including helping imperiled species adapt to climate change. This new program could support Metropolitan’s science projects in the Delta.</p> |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|---|---|--|---|---|--|
| Financing Tools for Water Infrastructure Projects | H.R. 7776 (Lee, D-NV) S. 4016 (Sinema, I-AZ) | 5/22/24: 6/12/24: Reported out favorably by the House Natural Resources Committee. 3/21/24: Referred to the Senate Committee on Energy and Natural Resources. | Help Hoover Dam Act Amends the Boulder Canyon Project Act to authorize the Secretary of the Interior to expend money in the Colorado River Dam fund. | SUPPORT Based upon 2024 Legislative Priorities and Principles, adopted January 2024 | This legislation gives the Bureau of Reclamation authority to utilize stranded funds paid by the Hoover Dam power contractors for operations, maintenance, repair, and clean up actions at Hoover Dam. The bill would benefit Metropolitan and its member agencies by providing a new source of funding for needed work on Hoover Dam. |
| Financing Tools for Water Infrastructure Projects | H.R. 7990 (Napolitano, D-CA) | 4/15/24: Referred to the House Natural Resources Committee. | Large Scale Water Recycling Reauthorization and Investment Act of 2024 Extends Reclamation’s large-scale recycled water program for six years, increases the cost threshold for large-scale projects from \$500M to \$1 B, and authorizes \$1B for the program. | SUPPORT Based upon 2024 Legislative Priorities and Principles, adopted January 2024 | This bill would benefit Metropolitan and our member agencies by re-authorizing Reclamation’s large-scale recycled water program. This program provides federal assistance for large regional recycled water projects. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|---|---|--|---|--|--|
| Financing Tools for Water Infrastructure Projects | H.R. 8030 (Peters, D-CA) S. 4134 (Padilla, D-CA) | 04/16/24: Referred to the House Committees on Transportation and Infrastructure, and Energy and Commerce. 04/16/24: Referred to the Senate Committee on Environment and Public Works. | Drought Relief Obtained Using Government Help Today Act of 2024 (DROUGHT Act) Increases the maximum WIFIA loan a project can receive from 49% to 90% of the total cost if it is being built in either a state that has experienced D2 level droughts for 4 weeks in the past 3 years, a county for which a Governor has declared a drought emergency during the last 3 years, or serves a historically disadvantaged community. | SUPPORT Based upon 2024 Legislative Priorities and Principles, adopted January 2024 | This legislation would benefit Metropolitan and our member agencies by increasing the cap on WIFIA loans from 49% of a total project's costs to 90% under some circumstances. WIFIA is an EPA program that provides low interests loans for water projects that cost over \$20 million. |
| Source Water Protection | H.R. 1181 (Garamendi, D-CA) | 2/27/23: Referred to the House Transportation and Infrastructure Subcommittee on Water Resources and Environment | Federal Water Pollution Control Permitting Terms Amends the Federal Water Pollution Control Act (Clean Water Act) with respect to permitting terms. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This legislation would extend the maximum term for National Pollutant Discharge Elimination System (NPDES) permits issued under the Clean Water Act from 5 to 10 years, for public agencies that have demonstrated compliance with existing permit conditions. This change is designed to better reflect the construction schedules for public agencies. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|-------------------------|--|--|--|--|--|
| Source Water Protection | H.R. 3439 (Panetta, D-CA) S. 1715 (Feinstein, D-CA) | 6/23/23: Referred to the House Committees on Agriculture, Education and Workforce, Energy and Commerce and Natural Resources. 5/18/23: Referred to the Senate Committee on Agriculture, Nutrition and Forestry. | Wildfire Emergency Act of 2023 To direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This bill has water supply, water quality, and ecosystem benefits for the Colorado River watershed and State Water Project watershed. Proper forest management and wildfire prevention promotes runoff, helps protect water quality, and improves habitat. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|-------------------------|---|--|---|--|--|
| Source Water Protection | H.R. 1236 (Crow, D-CO) S. 540 (Bennet, D-CO) | 3/22/23: Referred to the House Committees on Agriculture and Natural Resources. 2/28/23: Referred to the Senate Committee on Agriculture, Nutrition and Forestry. | Protect the West Act of 2023 Establishes a \$60 billion fund at the Treasury Department for use by the Secretary of Agriculture for restoration and resilience projects, wildfire risk reduction projects and habitat restoration projects. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This bill would benefit Metropolitan and its member agencies by funding projects to improve watershed health. It creates a grant program for restoration and resilience projects to improve forest conditions, rangeland health, watershed functions, or wildlife habitat. Additional grants would provide funding for partnership projects to reduce wildfire risk, restore habitat, and expand access to the outdoors. State agencies, local and tribal governments, and special districts may use these funds along with partner organizations. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|------------------------------|---|---|---|--|---|
| Source Water Protection | H.R. 7872 (Curtis, R-UT) S. 2514 (Bennett, D-CO) | 6/12/24: Reported out favorably by the House Natural Resources Committee. 7/26/23: Referred to the Senate Committee on Agriculture, Nutrition, and Forestry. | Colorado River Salinity Control Fix Act Amends the Colorado River Basin Salinity Control Act to modify certain requirements applicable to salinity control units, and for other purposes. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | The bill directly benefits Metropolitan and its member agencies by ensuring continued federal funding for salinity control projects along the Colorado River. This bill increases the federal cost share for projects to reduce the salt load in the Colorado River. The states have insufficient funds to meet the current cost share requirements because project costs are increasing, and the state contribution is funded by hydropower power revenue which is declining. The cost share change is needed to maintain the current program. |
| Water Project Authorizations | H.R. 924 (Harder, D-CA) | 2/10/23: Referred to the House Transportation and Infrastructure Subcommittee on Water Resources and the Environment. | Stop the Tunnels Act Prohibits the Corps of Engineers from issuing a permit for the Delta Conveyance Project. | OPPOSE Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This bill prevents the Army Corps from issuing a Clean Water Act section 404 permit for the Delta Conveyance Project. Metropolitan has invested in the planning and permitting process for this project and if enacted this bill would stop the permitting process from moving forward. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|------------------------------|--|--|---|--|--|
| Water Project Authorizations | H.R. 2419 (Costa, D-CA) S. 2161 (Feinstein, D-CA) | 5/8/23: Referred to the House Natural Resources Subcommittee on Water, Wildlife and Oceans. 7/19/23: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power. | Canal Conveyance Capacity Restoration Act This bill authorizes the Bureau of Reclamation to provide financial assistance to mitigate the impacts of subsidence on California’s water delivery system. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | This legislation would authorize repairs to the Friant-Kern Canal, Delta-Mendota Canal, and California Aqueduct to restore conveyance capacity lost due to subsidence. |
| Water Science | S. 466 (Peters, D-MI) | 2/16/23: Referred to the Committee on Commerce, Science, and Transportation | Federal PFAS Research Evaluation Act Directs the National Academy of Sciences to study and report on a federal research agenda to advance the understanding of PFAS. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | Metropolitan supports research studies to understand the occurrence of PFAS in the environment. This bill directs the National Academy of Sciences to conduct studies to determine the research efforts needed to further the understanding of human exposure to, and toxicity of PFAS, as well as treatment of PFAS contamination in the environment, and the development of safe alternatives to PFAS. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|---------------|--|---|---|---|--|
| Water Science | H.R. 2429 (Lee, D-NV) S. 1118 (Cortez-Mastro, D-NV) | <p>5/8/23: Referred to the House Natural Resources Subcommittee on Water, Wildlife and Oceans.</p> <p>12/14/23: Reported out favorably by the Senate Committee on Energy and Natural Resources.</p> | <p>Open Access Evapotranspiration Data Act</p> <p>Establishes the Open Access Evapotranspiration (OpenET) Data Program to provide satellite-based evapotranspiration data from across the western U.S. to Federal agencies, States, and Indian Tribes. Authorizes \$23 million per year for five years for this program.</p> | <p>SUPPORT</p> <p>Based upon 2023 Legislative Priorities and Principles, adopted December 2022</p> | <p>The OpenET platform is currently supported by NASA and private philanthropy. Dedicated federal funding and support will improve the quantification of evaporation and consumptive water use and help provide data users with field- scale estimates of evapotranspiration over user- defined time periods. This information will help Metropolitan measure consumptive water use in Palo Verde and throughout the Colorado River basin, including areas where there is currently little data available.</p> |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|---------------|-------------------------------------|---|---|--|---|
| Water Science | H.R. 3027 (Porter, D-CA) | 6/14/23: Hearing held before the House Natural Resources Subcommittee on Water, Wildlife and Fisheries. | Reclamation Climate Change and Water Program Reauthorization Act of 2023 Extends the authorization for Reclamation’s basin studies program for ten years. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | The Basin studies bring together technical experts, state and local water managers, conservation groups, and other stakeholders to assess water supply and demand imbalances at the river basin level. This benefits Metropolitan and its member agencies by ensuring consistent operations using science and awareness of the. In addition to the Colorado River basin, Reclamation has conducted these studies in other watersheds across the West including the Los Angeles and Santa Ana basins in Metropolitan’s service area and the Sacramento-San Joaquin system. |

Metropolitan Water District of Southern California
Federal Legislative Matrix
July 8, 2024 118th Congress, Second Session

| Topic | Bill/Author | Status | Title – Summary | MWD Position | Effects on MWD |
|-----------------------|---|---|---|--|--|
| Water System Security | H.R. 1367 (Schakowsky, D-IL) S. 660 (Markey, D-MA) | 3/6/23: Referred to the House Energy and Commerce Subcommittee on Water Resources and Environment. 3/6/23: Referred to the Senate Committee on Environment and Public Works. | Water System Threat Preparedness and Resilience Act of 2023 Establishes a new EPA grant program to increase drinking water and wastewater system threat preparedness and resilience, by helping cover the dues to join the Water Information Sharing and Analysis Center (WaterISAC). | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | The WaterISAC is a source of information and best practices for water systems to protect against, mitigate, and respond to natural hazards, as well as physical and cyber security threats. Metropolitan, and many of our member agencies, are members of WaterISAC. This new program could help cover our dues or be used to help smaller agencies who lack access to WaterISAC participate in the program. |
| Water System Security | H.R. 7944 (Curtis, R-UT) S.1430 (Lummis, R-WY) | 4/11/24: Referred to the House Committees on Energy and Commerce, and Transportation and Infrastructure. 5/3/23: Referred to the Senate Committee on Environment and Public Works. | Water Systems PFAS Liability Protection Act Provides exemptions to drinking water and wastewater facilities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) for PFAS chemicals designated as hazardous substances. | SUPPORT Based upon 2023 Legislative Priorities and Principles, adopted December 2022 | The bill follows the “polluters pay” principle for cleanup of PFAS under CERCLA by shielding drinking water and wastewater systems from cleanup liability when they properly dispose of water treatment byproducts containing PFAS. |



Legislation and Communications Committee

Report on Activities from Washington, D.C.

Item 6e
July 8, 2024

Report on Activities from Washington, D.C.

Subject

Report on Activities from Washington, D.C.

Purpose

To provide a legislative update

Legislation & Communications Committee

Water Resources and Development Act



House Transportation and Infrastructure Committee Markup

Legislation & Communications Committee

Appropriations Update



Interior & Environment Subcommittee



Energy & Water Subcommittee

National Defense Authorization Act

House

- Passed Chamber on June 14
- Limited PFAS provisions, no additional funding
- Report language on PFAS

Senate

- Passed Committee on June 13
- Increases funding for PFAS work
- Report language not yet released





External Affairs Group

- External Affairs Monthly Activities Report for June 2024

Summary

This report provides a summary of External Affairs' group activities for June 2024

Purpose

Informational

Detailed Report

Highlights

Chief of Staff Mortada and staff welcomed the Embassy of Spain, U.S. Trade Commissioner, and Board of Directors for the Andalucía, Spain, Agricultural Cooperative. (June 3)

Metropolitan sponsored and GM Hagekhalil and Chief of Staff Mortada attended the Andres y Maria Cardenas Family Foundation Scholar event. (June 8)

Chair Ortega, GM Hagekhalil, AGM Upadhyay, and Chief SRI Officer Crosson presented to Foothill MWD board (June 4), Western Water Board (June 5) and the Beverly Hills City Council. (June 13)



Metropolitan's leadership continued its visits to member agencies. Shown here at Foothill Municipal Water District and Western Water.

Metropolitan sponsored and staff attended the Central City Association Annual Treasures of Los Angeles event, commemorating the organization's 100th anniversary. (June 5)

Metropolitan attended the Inland Empire Utilities Agency's exploratory boring and monitoring wells groundbreaking ceremony. The project will provide data to advance local efforts to produce and store more purified recycled water. (June 10)



Groundbreaking ceremony at Inland Empire Utilities Agency

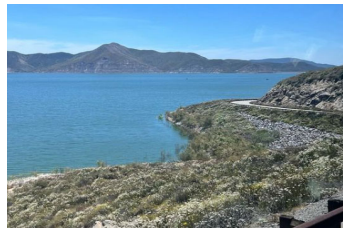
GM Monthly Report June 2024

Metropolitan staff, including Asst. Group Manager for Treatment and Water Quality and incoming AWWA president Heather Collins, participated in the ACE24/AWWA conference including supporting California-Nevada Section with a sponsored reception, presentations on Pure Water Southern California, and tours of Weymouth and Diemer



Tour of Weymouth Plant for conference attendees and group photo of Metropolitan staff at ACE24/AWWA

Treatment Plants. Staff also coordinated presentations/discussions for a World Bank delegation with officials from Burkina Faso, Ivory Coast, Lesotho, Argentina, Barbados, Brazil, Jamaica, and Paraguay, and provided a tour of Weymouth for Korean Water and Wastewater Works Association. (June 11-14)



Community leaders participated in an inspection trip of Diamond Valley Lake, the surrounding ecological reserve and the Western Science Center

In partnership with Western Water and the San Diego County Water Authority, Metropolitan provided an inspection tour of the Santa Rosa Ecological Preserve, Wadsworth Pumping Plant at Diamond Valley Lake, and the Western Science Center for community leaders and stakeholders. (June 10)

Metropolitan GM Hagekhalil participated in Singapore Int'l Water Week, providing updates to a global audience on strategies to adapt to climate change, infrastructure investments, CAMP4W, and Pure Water Southern California. (June 18-22)

Metropolitan sponsored and Director Douglas and Chief of Staff Mortada attended a Los Angeles Area

Chamber of Commerce reception welcoming new Los Angeles Department of Water and Power GM Jannise Quiñones. (June 26)

Metropolitan hosted and sponsored the BizFed Institute Water Resilience Forum, which featured DWR Director Nemeth as the keynote speaker. AGM Zinke provided welcome remarks and Bay-Delta Initiatives Group Manager Hawk participated in a panel discussion. (June 26)

Federal

The House Natural Resources committee advanced two Metropolitan-supported bills by unanimous consent:

- The Help Hoover Dam Act, H.R. 7776, allows the Bureau of Reclamation to tap into funds paid by Hoover power contractors for operations, maintenance, repair, and clean-up work at Hoover Dam.
- The Colorado River Salinity Control Fix Act, H.R. 7872, increases the federal cost share for salinity control projects. Both bills now await a vote by the House of Representatives.

State

Metropolitan partnered with Delta Counties Coalition, sending a letter to Legislative leaders supporting the inclusion of \$250 million in the proposed climate bond for the Delta Levee Maintenance Subvention Program.

GM Monthly Report June 2024

Metropolitan continues to advocate for passage of legislation to place a climate resilience bond on the November ballot with adequate funding for water infrastructure.

Following a legal challenge by the California Legislature, the California Supreme Court has opined that Initiative 1935, the Taxpayer Protection and Accountability Act, shall not move forward on the November 2024 ballot.

The Legislature passed and sent to the Governor a \$211 billion budget for FY 2024/25. The proposed budget restores funding to support implementation of the Agreements to Support Healthy Rivers and Landscapes, which is a priority for the Newsom Administration.

Significant progress has been made on water rights policy bills, with changes to two legislative proposals:

- AB 460 (Bauer-Kahan) would have given the State Board authority to issue injunctive relief orders for regulatory violations. The bill now is limited to simply increasing fines and fees for violations of board regulations or curtailment orders. With this change, Metropolitan has taken a “support” position.
- AB 1337 (Wicks) would have expanded the State Board’s authority to issue curtailment orders, but the author will not move the bill forward this legislative session. Metropolitan had an “oppose” position.

Local

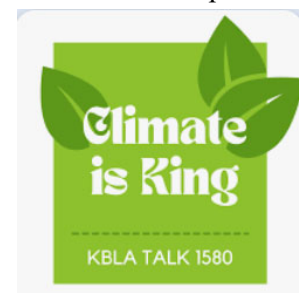
Interim GM Upadhyay joined representatives from LA Department of Water and Power and LA City Sanitation to provide a quarterly recycled water update to the Los Angeles City Council Energy & Environment Committee. (June 28)

This month, Metropolitan staff presented, monitored, and participated in 70 webinars, meetings, and events with community organizations and trade associations, board members, and federal or state elected officials including:

- United Chamber of Commerce Small Business Breakfast honoring San Fernando businesses.
- Western Riverside Council of Governments’ annual General Assembly.

Media and Communications

- Coordinated interview between KNX-AM radio and GM Adel Hagekhalil on the recently announced federal funding for Pure Water Southern California.
- Arranged separate interviews between Colorado River Resources Manager Hasencamp and The Nevadan reporter Casey Harrison on the potential partnership with Nevada and Arizona for Pure Water Southern California project and Circle of Blue reporter Brett Walton on the latest Lower Basin water use report.
- Coordinated interviews between Chair Ortega and LA Times reporter Ian James, Politico reporter Camille von Kaenel, and KNX reporter Karen Adams regarding board action to place GM Hagekhalil on administrative leave.
- Arranged tour of Pure Water Southern California and interview with External Affairs’ Team Manager Soni with Courthouse News reporter Ed Pettersson.
- Set up interview with External Affairs’ Soni and KBLA-AM Talk Radio on Pure Water Southern California for the station’s Climate Justice Campaign.



Press Releases

- New directors representing Las Virgenes, Central Basin joining Metropolitan board
- Board decision to place general manager on administrative leave
- Statement from Chair Ortega. Clarifying the Board’s decision to put general manager on administrative leave



Commemorative 2024 Water Quality Report

Creative Design

- Produced Annual Water Quality Report with special insert commemorating 50th anniversary of Metropolitan's Water Quality Lab.
- Displayed START exhibit in headquarters rotunda to elevate the district's vision and values.
- Issued first e-newsletter about Webb Tract projects.
- Collaborated with ACWA on a targeted digital marketing campaign to increase public awareness of the district's investments to bring new water sources to State Water Project-dependent areas.
- Videotaped GM introduction to district's Workplace Violence Prevention training and Chief DEI Officer Thomas on DEI initiatives.

Website

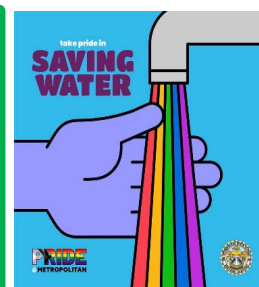
- Received 70,000 visits to mwdh2o.com with careers and the Board of Directors pages the most visited.
- Generated 21,000 visits to bewaterwise.com, with pages on turf replacement, native plants profiles and a watering calculator receiving the most traffic.
- Worked with IT to migrate the IntraMet site servers to new servers, which included testing pages and links to confirm programs, content and functionality.
- Expanded content on the Securing Our Imported Supplies section with information on the Delta.
- Added new photo galleries to the Our Story page to spotlight the history of the Colorado River Aqueduct and construction, surveying and people.
- Posted a new homepage feature on the One Water Awards.



New content highlighting employees who worked on the CRA has been posted on mwdh2o.com

Social Media

- Featured photos of the Rachel Carson Tunnel Boring Machine and Wadsworth Bypass projects
- Produced Instagram reel of a drill by employees at the Eagle Rock Emergency Operations Center
- Supported BEA celebration of Juneteenth and Pride @Met's participation in San Fernando Pride March



Social Media Posts for June 2024, highlighting the Apprentice Program, BEA Juneteenth celebration and Pride @Met outreach

GM Monthly Report June 2024

- For Father's Day, showcased employees Keegan Clemens and Derek Lee who recently spoke at their respective children's career day programs, highlighting their dedication at work and inside the classroom.
- In recognition of World Environment Day, produced an Instagram reel featuring Facilities Management's Sr. Administrative Analyst Donayre on the district's sustainability efforts.
- Continued the 50th anniversary celebration of the Water Quality Section by featuring extraordinary journeys of three Metropolitan employees.



Highlighting Metropolitan's Derek Lee and Keegan Clemens on Fathers Day

Community Outreach

- Met with city of Mission Viejo on relining of the Allen-McColloch Pipeline, Package 4; Notified homes and businesses for street restoration associated with Second Lower Feeder Reach 3B; Met with LA Council District 14 staff on encroachments and addressed Upper Feeder encroachments with residents.
- Hosted meetings on CAMP4W with Council for Watershed Health and ReDesign LA Partners. (June 5)
- Sponsored East Yard Communities for Environmental Justice Fighting for Life Celebration (June 6)
- Provided tours of Garvey Reservoir for Monterey Park City Council (June 10, 13) and presented on reservoir improvements to City Council. (June 18)
- Provided Community Partnering grants for Paradise Hills Native Garden and Long Beach Utilities Watershed Mural.
- Conducted five director inspection trips to the State Water Project, Hoover Dam, the Colorado River Aqueduct, and local infrastructure.

Education

- Conducted a workshop in South Gate for Soil and Water Conservation Merit Badge (June 1); Water Journeys field trips for Venice High (June 3) and Algin Sutton Recreation Center (June 26); and tour of Three Valleys MWD Plant for University of La Verne REACH program. (June 20)
- Virtually visited science classes at Garfield High in San Diego and Haynes Charter School in West Valley to share information on Metropolitan, water conservation, and careers in water.
- Provided conservation and education booth at safety fairs at Lake Mathews (June 6) and DVL (June 26).



SouthgatePark Troop 468 participated in a workshop for the Boy Scouts of America Soil & Water Conservation Merit Badge. Scouts took part in a discussion and hands-on learning to complete the seven required badge elements.

Pure Water Southern California

- Provided tours for LACSD's Industry Advisory Council (June 4), Courthouse News (June 20), LA County Public Works (June 24), and International Right of Way Association (June 25).
- Provided program overview and updates for Long Beach Unified School District (June 4), Valley Industry and Commerce Association (June 6), Warren Facility Citizens Advisory Committee (June 18).
- Met with city of Whittier to discuss program and conveyance system (June 17).
- Staffed information tables on Pure Water Southern California and conservation at Lakewood Concert in the Park (June 27) and Samoan Heritage Festival (June 29).



Legislation and Communications Committee

External Affairs Activities

Item 7a
July 8, 2024

Report on Activities from External Affairs

Subject

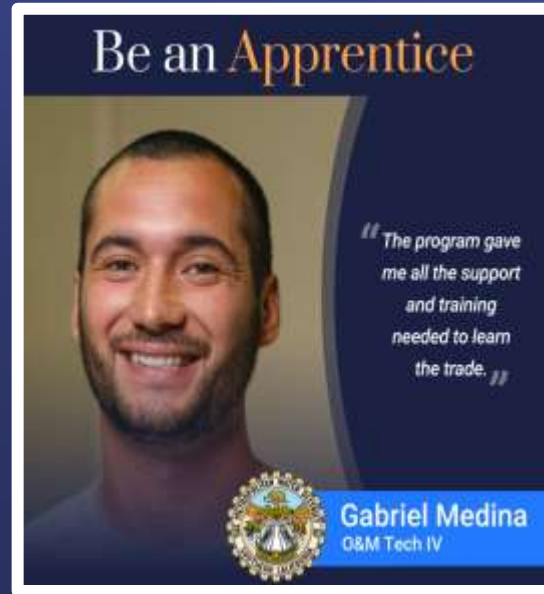
Report on Activities from External Affairs

Purpose

To provide management announcements and highlights for External Affairs

Events and Outreach

- Social media to support apprenticeship program and workforce development
- San Fernando Pride March and Angel City Football Club Fan Fest
- Annual Water Quality Report with commemorative supplement
- Hosted BizFed Water Forum



Year-End Recap of Key Activities



News stories and interviews about Metropolitan appeared in more than **820 news clips and stories** with an audience of **4.4 billion views** and a value of more than **\$47 million**



Conducted **150 briefings**, meetings presentations, community booths, and plant **tours** at our Pure Water Southern California facility, directly reaching more than **10,000 people**

Year-End Recap of Key Activities



bewaterwise.com®
FOR WATER-SAVING TIPS & REBATES

Local outreach included meeting with **125 district offices** of elected officials and participating in **750 events with business, local and community groups**

The multi-lingual water conservation advertising campaign generated **577 million media impressions** and drove **288,000 users to bewaterwise.com**

Year-End Recap of Key Activities



The Community Partnering Program provided **46 sponsorships** for **community and educational events** focused on water conservation and California Friendly® gardens, including two **sustainability pilots** for underserved communities



Conducted **36 inspection trips**, and interacted with more than **25,000 students** in K–college through community events, Scout workshops, presentations, and field trips

