

# 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.

## LRA&C Committee

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

## **Legislation, Regulatory Affairs, and Communications Committee**

Meeting with Board of Directors \*

**January 8, 2024**

**2:00 p.m.**

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.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: 862 4397 5848. 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: 815 2066 4276 or click <https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmduUWpKR1c2Zz09>

## Monday, January 8, 2024 Meeting Schedule

09:30 a.m. EOT  
11:30 a.m. EIA  
01:30 p.m. Break  
02:00 p.m. LRAC  
03:00 p.m. OWS

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

Teleconference Locations:

Alandale Insurance Agency • 337 W. Foothill Blvd • Glendora, CA 91740

Taper Imaging • 8705 Gracie Allen Dr • Los Angeles, CA 90048

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

3008 W. 82nd Place • Inglewood, CA 90305

\* 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, Regulatory Actions, and Communications Committee for November 14, 2023 (copies have been submitted to each Director, any additions, corrections, or omissions) [21-2882](#)

**Attachments:** [01082024 LRAC 2A \(11142023\) Minutes](#)

**3. CONSENT CALENDAR ITEMS - ACTION**

- 7-11 Adopt Legislative Priorities and Principles for 2024; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-2928](#)

**Attachments:** [01092024 LRAC 7-11 B-L](#)  
[01092024 LRAC 7-11 Presentation](#)

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

**4. OTHER BOARD ITEMS - ACTION**

NONE

**5. BOARD INFORMATION ITEMS**

NONE

**6. COMMITTEE ITEMS**

- a. Report on Activities from Washington, D.C. [21-2929](#)

**Attachments:** [01082024 LRAC 6a Federal Legislative Matrix](#)  
[01082024 LRAC 6a Federal Regulatory Matrix](#)  
[01082024 LRAC 6a Presentation](#)

- b. Report on Activities from Sacramento [21-2930](#)

**Attachments:** [01082024 LRAC 6b State Legislative Matrix](#)  
[01082024 LRAC 6b State Regulatory Matrix](#)  
[01082024 LRAC 6b Presentation](#)

**7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS**

- a. External Affairs activities [21-2883](#)

**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, REGULATORY AFFAIRS AND COMMUNICATIONS COMMITTEE**

**November 14, 2023**

Vice Chair of the Board Camacho called the meeting to order at 1:33 p.m.

Director Peterson indicated that he is participating under AB 2449 “emergency circumstances” for a physical emergency that prevents them from attending in person.

Director Peterson appeared by audio and on camera.

Director Fellow made a motion, seconded by Director Dennstedt to approve Director Peterson participation by using AB2449 “emergency circumstances”.

The vote was:

Ayes: Directors Abdo, Dennstedt, Fellow, Garza, Kassakhian, McMillan, Pressman, Ramos, and Smith.

Noes: None

Abstentions: None

Absent: Directors Ackerman, Gray, Jung, Luna, and Phan.

The motion passed by a vote of 9 ayes, 0 noes, 0 abstain, and 5 absent

Members present: Directors Abdo, Ackerman, Dennstedt, Fellow, Garza, Jung (teleconference posted location, entered after roll call), Kassakhian, Luna, McMillan, Pressman (In Person and teleconference posted location at Cedar Sinai Medical Center), Ramos, and Smith.

Members absent: Directors Gray and Phan.

Other Board Members present: Directors Armstrong, Bryant, Camacho, Cordero, Dick, Erdman, Fong-Sakai, Goldberg, Kurtz, McCoy, Miller, Morris, Ortega and G. Peterson (AB2449 emergency circumstances).

Director Peterson indicated he is participating under AB 2449 “emergency circumstances” for a physical emergency that prevents them from attending in person.

Director Peterson appeared by audio and on camera.

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

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

None

**CONSENT CALENDAR ITEMS – ACTION**

Vice Chair of the Board Camacho indicated that item 6c would be heard prior to item 2.

**6. COMMITTEE ITEMS**

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

Presented by: Abby Schneider, Executive Legislative Representative

Ms. Schneider provided an update on the Speaker of the House, Appropriations update, NDAA, Farm Bills, PFAS and Water Assistance Program legislation.

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

A. Approval of the Minutes of the Legislation, Regulatory Actions, and Communications Committee for August 14, 2023

**3. CONSENT CALENDAR ITEMS – ACTION**

7-15 Subject: Authorize the General Manager to sponsor legislation to amend the Surface Mining and Reclamation Act to Eliminate the sunset date to allow Metropolitan to continue operating under its existing master reclamation plan; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Presented by: Chris Gabelich, Principal Environmental Specialist

Motion: Authorize the General Manager to sponsor legislation to amend the Surface Mining and Reclamation Act to eliminate the sunset date to allow Metropolitan to continue operating under its existing master reclamation plan.

The following Directors provided a comment or asked a question:

- 1) Luna
- 2) Garza

Staff responded to the Directors' comments or questions.

After completion of the presentation, Director Pressman made a motion, seconded by Director Fellow to approve items 2a and 7-15.

Ayes: Directors Abdo, Ackerman, Dennstedt, Fellow, Garza, Kassakhian, Luna, McMillan, Pressman, Ramos, and Smith.

Noes: None

Abstentions: None

Absent: Directors Gray, Jung, and Phan.

The motion passed by a vote of 11 ayes, 0 noes, 0 abstain, and 3 absent

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

#### **4. OTHER BOARD ITEMS – ACTION**

None

#### **5. BOARD INFORMATION ITEMS**

9-2 Subject: Legislative Priorities and Principles for 2024.

Presented by: Lana Haddad, Section Manager-Legislative Services

Ms. Haddad presented an update on the Legislative Priorities and Principles for 2024 and discussed the annual process, board guidance and direction, subject matter expert input, seven MWD and regional priorities, one proposed Metropolitan-sponsored legislative initiative and six overarching policy areas.

The following Directors provided a comment or asked a question:

- 1) Smith
- 2) Kurtz
- 3) Garza

Staff responded to the Directors' comments or questions.

**6. COMMITTEE ITEMS (Continue)**

a. Subject: Vista Del Lago Water Education Center Upgrades

Presented by: Mark Moss, Principal Public Affairs Representative

Mr. Moss presented an update on potential upgrade options for the Vista Del Lago Water Center including: 1) Upgrade room to multimedia approach consistent with DWR plans (\$1-1.2 million), or 2) to maintain low-cost investment and use in-house resources to update photos and static exhibits.

The following Directors provided a comment or asked a question:

- 1) Camacho
- 2) Peterson
- 3) Luna
- 4) Kassakhian
- 5) Pressman
- 6) Fellow
- 7) Dennstedt

Staff responded to the Directors' comments or questions.

b. Subject: Federal and State Regulatory Tracking Matrices

Presented by: Chris Gabelich, Principal Environmental Specialist

Mr. Gabelich provided an overview of the Federal and Regulatory Tracking Matrices and the Next Steps: Updated quarterly and posted publicly on Metropolitan's Legislative Services webpage and key rules presented at their respective Board Committees.

The following Directors provided a comment or asked a question:

- 1) Erdman

Staff responded to the Directors' comments or questions.

Director Jung entered the meeting.

d. Subject: Report on Activities from Sacramento

Presented by: Jay Jefferson, Executive Legislative Representative

Mr. Jefferson provided an update on legislative deadlines, non-functional turf, legislation supported by Metropolitan, legislation opposed by Metropolitan, water rights, climate bonds and a 2024 look ahead.

## **7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS**

a. Subject: External Affairs activities

Presented by: Dee Zinke, Assistant General Manager

Ms. Zinke provided an update on an evaluation of business opportunities associated with Solar Cup, shared a video of EA's Rupam Soni who received the Recycled Water Advocate of the Year award, and the student art calendar virtual art celebration.

## **8 SUBCOMMITTEE REPORT AND DISCUSSION**

a. Discuss and provide direction to Subcommittee on Public Affairs Engagement

Nothing to report.

## **9. FOLLOW-UP ITEMS**

None

## **10. FUTURE AGENDA ITEMS**

None

## **11. ADJOURNMENT**

Meeting adjourned at 2:57 p.m.

Michael Camacho  
Vice Chair of the Board





● **Board of Directors**  
***Legislation, Regulatory Affairs, and Communications Committee***

1/9/2024 Board Meeting

7-11

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**Subject**

Adopt Legislative Priorities and Principles for 2024; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

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**Executive Summary**

This letter presents the final 2024 legislative priorities and principles recommended by staff with input received for the Board of Directors’ consideration and adoption.

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**Proposed Action(s)/Recommendation(s) and Options**

**Staff Recommendation: Option #1**

**Option #1**

Adopt the Legislative Priorities and Principles for 2024

**Fiscal Impact:** None

**Business Analysis:** Adoption of these legislative priorities and principles supports staff’s ability to address matters in a timely fashion related to legislation in 2024.

**Option #2**

Take no action

**Fiscal Impact:** None

**Business Analysis:** Absence of these legislative priorities and principles could hinder staff’s ability to respond in a timely manner to legislation in 2024.

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**Alternatives Considered**

Not Applicable

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**Applicable Policy**

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

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**Related Board Action(s)/Future Action(s)**

The draft 2024 priorities and principles were presented to the Legislation, Regulatory Affairs, and Communication Committee as an information item on November 14, 2023.

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**Summary of Outreach Completed**

The draft 2024 Legislative Priorities and Principles (LPP) was presented to the Member Agency Legislative Coordinators Annual Planning Meeting on November 2, 2023, and to the Member Agency Managers’ Meeting on November 3, 2023. Feedback on the priorities and principles was requested and received and is provided to the Board in the Summary of Comments (December 2023) (**Attachment 1**). All input received was reviewed and

either incorporated or received a response from staff. The redline of changes to the draft 2024 LPP is also provided for reference (**Attachment 2**).

## **California Environmental Quality Act (CEQA)**

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### **CEQA determination for Option #1:**

The proposed action is not defined as a project under CEQA because it involves legislative proposals that do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Public Resources Code Section 21065 and Section 15378(b)(1) of the State CEQA Guidelines). The proposed action is also not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, where it can be seen with certainty that there is no possibility that the proposed action in question may have a significant effect on the environment, the proposed action is not subject to CEQA (Section 15061(b)(3) of the State CEQA Guidelines).

### **CEQA determination for Option #2:**

None required

## **Details and Background**

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### **Background**

This board letter presents the 2024 LPP as recommended by staff for the Board's adoption. It lays out an integrated "One Water" collaborative approach on legislatively active issues related to managing Southern California's watersheds, water resources, and water infrastructure to ensure long-term resilience and reliability for communities and ecosystems. Once adopted, staff uses this document to determine Metropolitan's positions and advocate for these priorities and principles at the state and federal level through Metropolitan-sponsored legislation, engaging on bills, or pursuing state and federal funding. Updated legislative priorities and principles are presented annually to the Board of Directors. Final, board-approved annual legislative priorities and principles are publicly available on the Metropolitan website.

For the coming year, which is year two of the two-year state and federal legislative cycles, staff updated the document to reflect developments and new laws on the state and federal arenas, and to be consistent with internal Metropolitan initiatives, including the General Manager's Business Plan, the Metropolitan Climate Action Plan, and the new Board-led planning effort on the Climate Adaptation Master Plan for Water. The body of this letter includes the staff-recommended 2024 draft document incorporating (or responding to) input received since November 1, 2023.

Recommended updates to the language presented in November, after feedback from the Board and member agencies, can be seen in the Summary of Comments (December 2023). This board action letter presents a clean version of the legislative priorities and principles for 2024 with staff's recommended revisions, incorporating technical and policy input received. In November 2023, the Board authorized a bill proposal for 2024 regarding an amendment to the Surface Mining and Reclamation Act.

The 2024 Legislative Priorities and Principles below are respectfully submitted for adoption by the Board.

### **2024 Legislative Priorities**

To help adapt to a changing climate, protect water resources, and partner with communities we serve, Metropolitan will work to support administrative/legislative actions and federal and state funding for the following priorities in 2024:

#### **A. Top Legislative Priorities:**

1. Continue support for imported water supply resiliency and reliability, including planning for the Delta Conveyance Project, Sites Reservoir Project, Agreements to Support Healthy Rivers and Landscapes (Voluntary Agreements), and the development of near-term and post-2026 Colorado River operating guidelines.

2. Conserve existing water supplies and prepare for climate change by supporting demand management and water use efficiency, long-term non-functional turf conversion, and a federal tax exemption for water conservation rebates.
3. Advance Pure Water Southern California and other water recycling projects and long-term supply reliability improvements.
4. Support funding for regional conveyance and water storage improvements to ensure the region's water supply reliability is equitable to all member agencies.
5. Protect drinking water quality and access to safe and reliable drinking water, including upholding the polluter pays principle and ensuring the continued cleanup of sites along the Colorado River.
6. Support adaptive management for ecosystem restoration in the Bay-Delta and Colorado River watersheds that takes into consideration evolving climate conditions, risk analyses, and best available science.
7. Improve water affordability throughout the region, especially for disadvantaged communities, without burdening existing ratepayers.

**B. Metropolitan-Sponsored State Bill (Board-approved in November 2023)**

1. Support administrative/legislative actions to amend the Surface Mining and Reclamation Act to eliminate the sunset date to allow Metropolitan to continue operating under its existing master reclamation plan.

**2024 Legislative Policy Principles**

The 2024 Legislative Policy Principles will guide and inform Metropolitan's engagement on state and federal legislative and regulatory activities. They were developed in consultation with subject matter experts at Metropolitan. The principles holistically address six strategic areas of policy that inform Metropolitan's One Water Vision and the Board-led process for developing the Climate Adaptation Master Plan for Water (CAMP4W). These policy areas include: (1) drinking water; (2) regional water resource management; (3) imported water supply; (4) sustainability, resiliency, and innovation; (5) infrastructure; and (6) system resiliency.

I. Drinking Water – Metropolitan provides to the Southern California region high-quality, reliable drinking water in an economically responsible way that surpasses all federal and state drinking water regulations.

**A. Water Quality and Treatment**

1. Support administrative/legislative actions that utilize best available science, occurrence and health effects data, and appropriate cost-benefit analyses or economic feasibility to protect public health and improve water quality. Apply these principles when setting maximum contaminant levels, health advisories, or notification/response levels, in addition to assessing laboratory capacity, analytical methods, and other regulatory standards or guidance levels.
2. Support application of the "polluter pays" principle such that parties responsible for introducing contaminants, such as per- and polyfluoralkyl substances, in or near drinking water sources are held liable for cleanup, and not drinking water and wastewater facilities that subsequently store, transport, or treat the water.
3. Support administrative/legislative actions and funding for treatment and mitigation measures to comply with any new regulatory standards, develop risk communication tools, as well as provide adequate time for implementation.
4. Support administrative/legislative actions and funding to protect source water quality, reduce threats from invasive species, and mitigate harmful algal blooms.

5. Support administrative/legislative actions and funding for the constituents of emerging concern (CEC) Action Fund to improve the State Water Resource Control Board's knowledge of CEC in waters of the state and drinking water.
- B. Water Governance, Affordability, and Funding -- Metropolitan supports efforts to provide access to safe, reliable and affordable drinking water to all residents.
1. Support administrative/legislative actions that prioritize providing safe, reliable and affordable drinking water to disadvantaged communities.
  2. Support administrative/legislative actions and funding that improve water affordability throughout the region, especially for disadvantaged communities, without burdening existing ratepayers.
  3. Support funding to help water systems provide low-income ratepayer assistance programs.
  4. Support administrative/legislative actions that improve governance and long-term sustainability of non-compliant water systems and provide assistance for voluntary consolidations that improve their technical, managerial, or financial capacity, while ensuring that all receiving public water systems are consulted on changes of organization, including proposed consolidations or extensions of service area.
  5. Support administrative/legislative actions that provide local agencies flexibility in determining fees for service and assessment amounts.
  6. Support administrative/legislative actions that ensure the limited resources of the Safe and Affordable Drinking Water Fund are allocated to advance projects, operation and maintenance costs, infrastructure improvements, and/or consolidation actions that will achieve long-term sustainability for water systems and the communities that rely on those systems.

II. Regional Water Resource Management – Metropolitan's One Water Vision and the Board-led CAMP4W process promote collaboration with member agencies to plan for future water supply needs and the challenges ahead in a reliable, cost-effective, and environmentally responsible manner. This involves protecting imported water supplies and quality, supporting local resource development, advancing water use efficiency, and supporting ecosystem protection and restoration.

A. Conservation

1. Support tax exemptions and/or credits for water conservation or efficiency incentives, including but not limited to long-term conversion of non-functional turf (NFT), local stormwater capture, and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
2. Support administrative/legislative actions and federal/state funding to encourage equitable water use efficiency and recycled water use among agricultural, industrial, and urban sectors.
3. Support administrative/legislative actions and funding to advance conservation as a California Way of Life in a manner that maintains flexibility and local control. Support efforts to ensure new statutes and regulations are based on science; recognize regional distinctions (i.e., climate, land use, population, and hydrology); water affordability; and potential impacts to wastewater operations and recycled water projects.
4. Support administrative/legislative actions and federal/state funding for leak detection and water loss reduction. Support the development and implementation of flexible water loss standards for both retail and wholesale water systems.

5. Support administrative/legislative actions and federal/state funding for the long-term conversion of NFT in residential, commercial, industrial, and institutional landscapes and ban installation of NFT in new construction.

#### B. Desalination & Groundwater Remediation

1. Support administrative/legislative actions, funding, and partnerships for brackish groundwater and seawater desalination projects, consistent with the Governor's Water Resilience Portfolio and 2022 Water Supply Strategy and Metropolitan's CAMP4W goals.
2. Support administrative/legislative actions and funding for salinity control projects, including but not limited to source control, treatment, and concentrate management.
3. Support administrative/legislative actions and funding for research, pilot tests, and demonstration studies to encourage the development of environmentally sustainable and climate-resilient desalination technologies.

#### C. Recycled Water

1. Support actions to advance and secure funding for the Pure Water Southern California Program and related projects.
2. Support efforts to improve flexibility of the State's water recycling grant program.
3. Support implementation of the National Water Reuse Action Plan and California Water Reuse Action Plan while protecting local flexibility and encouraging local, state, and federal coordination, research, and innovation.
4. Support administrative/legislative actions and funding that facilitate the adoption of direct potable reuse regulations by December 31, 2023. These actions include but are not limited to planning, development, and implementation of local and regional potable reuse projects; and initiatives to fill research gaps and advance the science to promote the further development of potable reuse.
5. Support administrative/legislative actions to promote voluntary on-site water treatment systems if they maintain compliance with Title 22 and do not negatively affect municipal water recycling systems.
6. Support administrative/legislative actions that maximize voluntary use of recycled water.

#### D. Local Supply Development

1. Support administrative/legislative actions that protect and advance local flexibility and responsiveness in developing locally appropriate, climate-resilient, diverse resource portfolios.
2. Continue to support and promote integrated water resources development by advocating for clear, concise, and expedited regulations/policies that are easily understandable by the regulated community and public.
3. Support administrative/legislative actions and funding to expedite the development of new local resources (including recycled water, direct potable reuse, groundwater, stormwater, desalination projects, and groundwater remediation) without compromising the operational, financial, water quality, regulatory, environmental, and customer interests of Metropolitan and other water and wastewater agencies.
4. Support administrative/legislative actions that advance stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects to augment local and regional water supplies and promote holistic watershed health.

5. Support administrative/legislative actions and funding that advance Metropolitan's surface and groundwater storage and/or recovery programs with member agencies.

E. Watershed Management

1. Support administrative/legislative actions and funding to enhance watershed management in Southern California, the Bay-Delta, and Colorado River watersheds that provide broad public benefits, including water quality and water supply reliability, reduced wildfire risks, greater scientific understanding, and other environmental improvements.
2. Support administrative/legislative actions that help advance implementation of watershed management plans, including watershed research and multi-benefit forestry management projects.
3. Support implementation of the California Water Resiliency Portfolio and the Water Supply Strategy, as consistent with Metropolitan goals and objectives, to ensure improved watershed-scale coordination, watershed management and planning, and programs and funding that provide water resilience and improve watershed functions.

III. Imported Water Supply – Metropolitan provides imported water supplies to its member agencies from two primary sources, the Colorado River via the Colorado Aqueduct and Northern California watersheds via the Sacramento-San Joaquin Delta and the State Water Project.

- A. Bay-Delta Initiatives– Metropolitan is involved in several key regulatory and planning processes in the Sacramento-San Joaquin Delta related to the operation of the State Water Project (SWP). The goal is to advance water supply reliability and ecosystem restoration concurrently by modernizing the state's water infrastructure with the proposed Delta Conveyance Project and improving the habitat and function of the Delta estuary for the benefit of threatened and endangered species. To advance these goals, Metropolitan supports collaborative scientific efforts to better understand how to restore and manage the Bay-Delta while reducing reliance consistent with the 2009 Delta Reform Act (Delta Reform Act).
1. Support administrative/legislative actions to advance Delta Conveyance and EcoRestore in support of California's coequal goals of water supply reliability and Delta ecosystem restoration and the Governor's California Water Resiliency Portfolio.
  2. Support administrative/legislative actions and funding to improve scientific understanding of listed Delta fish and wildlife species and water project operations in the Delta, including data collection, real-time monitoring, and modeling. Promote the use of best available science to protect and restore aquatic species and habitats, and enhance flexibility for water project operations while maintaining regulatory and statutory protections for species listed under the state and federal Endangered Species Act.
  3. Continue support for implementation of state policies adopted as part of the Delta Reform Act and water management package, including clarification of the monitoring, reporting, and enforcement provisions related to in-Delta diversions.
  4. Support administrative/legislative actions to consolidate review and oversight of anadromous species protection under the U.S. Department of the Interior.
  5. Support administrative/legislative actions that protect water quality for beneficial uses and that are implemented consistent with California water rights priorities.
  6. Support administrative/legislative actions and funding to advance the Delta Freshwater Pathway, levee improvements (including levee modernization for the existing Delta levee system), levee maintenance programs (including real-time

- monitoring for the existing Delta levee system), and secure Delta flood-fighting materials and stockpiles.
7. Support administrative/legislative actions in the Delta watershed to account for and administer the California water rights system, including protecting stored water releases.
  8. Support administrative/legislative actions and funding to advance Sites Reservoir and the Agreements to Support Healthy Rivers and Landscapes (Voluntary Agreements), consistent with the Board's action to advance these efforts.
- B. Colorado River Resources – The Colorado River is a critical resource for the entire Southwest and many diverse ecosystems. Degradation of the Colorado River's water quality can cause significant economic, environmental, and human health impacts across the West. Metropolitan and other interested parties work to ensure we can continue to supply our communities with a safe and reliable water supply.
1. Support administrative/legislative actions and funding of conservation and efficiency projects to enhance the resiliency of the Colorado River System and Metropolitan's Colorado River supplies.
  2. Support administrative/legislative actions and funding to ensure that sufficient water is stored and delivered from Lake Mead to meet regional water supply needs while acknowledging the evolving Law of the River.
  3. Support administrative/legislative actions and funding for the cleanup of contaminated sites along the Colorado River. This includes, but is not limited to, uranium remediation in Moab, Utah; perchlorate remediation in Henderson, Nevada; hexavalent chromium remediation near Topock, Arizona; and a waste disposal site near Hoover Dam.
  4. Promote continued coordination between states and federal agencies to further the Colorado River Basin Salinity Control Program (Program) and work to include water conservation as a criterion in the selection of salinity control projects. Support actions to stabilize the financial position of the Program. Maintain the operation of the United States Bureau of Reclamation's Paradox Valley Unit salinity control project at a safe level.
  5. Secure funding and support administrative/legislative actions for the implementation of the Lower Colorado River Multi-Species Conservation Program to promote the recovery of threatened and endangered species in a manner that allows the Lower Basin States to conserve Colorado River water.
  6. Support administrative/legislative actions and funding that advance binational water conservation programs that benefit Colorado River supply augmentation and habitat restoration objectives.
  7. Support administrative/legislative actions and funding for the U.S. Bureau of Reclamation to update and apply reasonable and beneficial use determinations while acknowledging the evolving Law of the River.
- C. State Water Project – About 30 percent of Southern California's water comes from the SWP in an average year. Metropolitan works with state and federal agencies as well as other SWP contractors to manage threats to the project and address environmental needs and augment water supplies through existing and potential collaborative transfers and groundwater banking agreements.

1. Support administrative/legislative actions and funding to address the impacts of subsidence on the SWP and prevent future damage caused by unsustainable groundwater pumping.
2. Support funding for joint state and federal facility repairs, rehabilitation, and improvements, and ensure funding is equitably distributed between partners while maintaining SWP supply reliability.
3. Support administrative/legislative actions and funding for the cleanup of contaminated groundwater storage basins used for Metropolitan water banking programs along the California Aqueduct.
4. Support funding for the public share of costs, including recreation, flood protection, mitigation, environmental enhancement, and rehabilitation for multi-purpose SWP facilities.

IV. Sustainability, Resiliency, and Innovation – Metropolitan supports policies and funding that encourage sustainable practices that improve water and power system resilience and adapt to a rapidly changing environmental landscape. Metropolitan strives to fulfill the needs of the current generation without compromising the needs of future generations in an environmentally and economically responsible way.

#### A. Carbon Neutrality

1. Support administrative/legislative actions and funding to implement Metropolitan's Climate Action Plan to reduce Metropolitan's greenhouse gas emissions and reach carbon neutrality by 2045.
2. Support administrative/legislative actions and funding to assist the Department of Water Resources in reaching carbon neutrality for the State Water Project by 2045 in a cost-effective and environmentally responsible manner.
3. Support administrative/legislative actions and funding to improve, develop, and promote innovative climate adaptation solutions and support science-based strategies and tools that benefit the environment by restoring healthy soils, conserving water, and capturing and/or sequestering carbon.
4. Support administrative/legislative actions and funding that assists public agencies in the transition to zero-emission fleets and equipment.

#### B. Water/Energy Nexus

1. Support administrative/legislative actions and funding for energy efficiency and storage projects, and programs to reduce greenhouse gases and develop renewable resources.
2. Support administrative/legislative actions that remove barriers and encourage energy sector investments in water conservation and energy management programs.
3. Support administrative/legislative or regulatory activities that preserve Metropolitan's ability to pursue a diverse set of supply options and oppose constraints on supply development, such as water resource loading orders based solely on energy intensity.
4. Support efforts to ensure power costs are appropriate and proportional to the benefits received, and that water system operations are not adversely affected by power-related legislation/administrative actions.
5. Support administrative/legislative actions that provide state funding from the Greenhouse Gas Reduction Fund for water/energy nexus projects and maintain Cap-



and-Trade allowances for Metropolitan and Department of Water Resources (i.e., State Water Contractors).

6. Support administrative/legislative actions that maintain Board authority over energy-related matters (e.g., system reserve margin or resource adequacy requirements).

#### C. Renewable Energy

1. Support administrative/legislative actions that define hydropower generation as renewable energy irrespective of a facility's nameplate generating capacity and include the provision of renewable energy credits for hydroelectric generation.
2. Work to ensure that administrative/legislative actions seeking to enhance or expand hydropower at existing dams do not adversely impact those dams, either financially or operationally, or entities with rights to the power from the existing resources that directly or indirectly impact Metropolitan's service area.
3. Support administrative/legislative actions to improve federal hydropower relicensing for existing facilities, including SWP resources.
4. Support administrative/legislative actions and funding for the SWP and the Colorado River Aqueduct (CRA) to incorporate renewable energy resources, such as pumped hydroelectric energy, that contribute to the state's climate goals without impacting the projects' primary purpose, provided consideration is given to transmission limitations, cost and portfolio availability, and unrelated impacts are not shifted to SWP or CRA facilities.

#### D. Environmental Stewardship

1. Support administrative/legislative actions for environmental compliance to improve clarity and workability of the requirements and promote consistency and reduce regulatory duplication, while protecting public health and the environment.
2. Support administrative/legislative actions and funding to facilitate non-mitigation habitat restoration projects that benefit endangered and threatened species.
3. Support administrative/legislative actions and funding for research and partnerships on water science, including snowpack and streamflow monitoring, runoff, drinking water quality, salinity control, source water protection, soil moisture monitoring, healthy soils, and watershed research.

#### E. Workforce Development – Metropolitan is committed to ensuring the resiliency of its workforce and to advancing diversity, equity, and inclusion to promote the physical and mental safety and well-being of its workforce and the communities it serves.

1. Support administrative/legislative actions, funding, and partnerships to improve educational opportunities in the water sector, including career technical education and workforce development.
2. Support administrative/legislative actions and funding that improve water system staff training and certification processes.

#### F. Innovation – Supporting and promoting innovation and emerging technologies continues Metropolitan's long tradition of creatively solving difficult challenges.

1. Support administrative/legislative actions and funding for the research and development of new and emerging technologies such as satellite- and computer-based technologies to monitor source water quality, ecosystem health, state- and federal-threatened and endangered fish species; measure and predict agricultural water use, urban outdoor water use, and reservoir evaporation; and expand

coordination with technology incubators, research institutions, and other stakeholder groups.

2. Support administrative/legislative actions and funding to promote open water data platforms and sharing, including improving access to agency data, streamlining the collection and submission of water agency data, and promoting collaboration among federal, state, and local stakeholders.

V. Infrastructure – Metropolitan has a strategic priority to invest in key capital projects in our region to enable long-term, reliable water deliveries. Key capital projects identified in Metropolitan’s Capital Investment Plan focus on improvements to the CRA, treatment plants, and distribution systems.

- A. Support administrative/legislative actions to initiate, expedite, and secure funding to defray the costs of planning, financing, constructing, repairing, and rehabilitating water infrastructure projects, including but not limited to general obligation bonds, tax-exempt municipal bonds, grants, low-interest loans, and direct appropriations. Ensure equitable cost-sharing of water infrastructure projects.
- B. Support administrative/legislative efforts to expand funding programs, expedite project approval and reporting processes, and prevent project backlogs in state and federal funding or financing.
- C. Support the “beneficiaries pay” approach as a financing mechanism for statewide projects and programs and oppose public goods charges, or other charges levied on water agencies for funding broader public benefits.
- D. Support funding for the public share of costs, including mitigation, rehabilitation, and recreation, for multi-purpose water infrastructure.
- E. Support administrative/legislative actions and funding for new or expanded water infrastructure or programs that complement existing water supplies to ensure reliability for all member agencies.

VI. System Resiliency – Metropolitan diligently maintains and significantly invests to safeguard a region-wide water supply system that is a cornerstone of Southern California’s \$1.6 trillion economy. Changes in the climate and accompanying weather extremes are serious challenges facing Metropolitan. Additionally, Metropolitan needs to be prepared to respond rapidly to natural disasters and security threats. Resiliency ensures the water supply and delivery system is strong, can return to service quickly, and is prepared to address future challenges

#### A. Climate Resiliency

1. Support legislative/administrative actions and funding for local and regional drought resiliency projects to improve system flexibility.
2. Support legislative/administrative actions and funding for planning and research into the potential water resource and quality effects of climate change.
3. Support administrative/legislative actions and funding for imported source watershed protection and enhancement of water quality, supply, and demand-side management actions to help offset the effects of climate change.
4. Support administrative/legislative actions and pursue funding opportunities that recognize and help mitigate the significant differences in the capability and needs of communities and regions to withstand the impacts of climate change.
5. Support administrative/legislative actions and funding for local drought contingency planning areas in the state that have increased concern about wholesale water system delivery constraints.

6. Support administrative/legislative actions and funding that facilitate the integration of existing and planned local water supply, distribution systems, and regional water facilities.

#### B. Emergency Preparedness

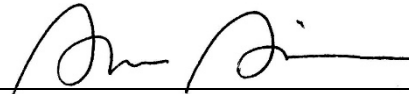
1. Support administrative/legislative actions that assist the water industry in preparing for, responding to, and recovering from extreme weather events and natural disasters, including earthquakes and wildfires, catastrophic accidents, and physical or cyber sabotage. These actions may include, but are not limited to, actions to provide funding for emergency responses and planning and post-emergency restoration of service.
2. Support administrative/legislative actions that assist the water industry to address the effects of wildfires and power outages, including the impacts of public safety power shutoff events.
3. Support additional funding for the Federal Emergency Management Agency programs to assist with emergency repairs and improvements, including but not limited to dam safety, spillway improvements, and erosion control repairs.

#### C. Physical and Cyber Security

1. Support continued U.S. Environmental Protection Agency oversight of water system security in coordination with other federal and state agencies with expertise in security, including the Governor's Office of Emergency Services, the Cybersecurity and Infrastructure Security Agency, and the Chemical Security Analysis Center.
2. Support administrative/legislative actions that would provide funding or reimbursement for enhanced physical security and cybersecurity for water and power infrastructure.
3. Support trade associations and coalition efforts to share information and develop standard guidance and best management practices to protect water and power critical infrastructure from cyber vulnerabilities.
4. Support administrative/legislative actions that ensure Metropolitan's ability to reliably operate and maintain its facilities, infrastructure, and real estate assets, including rights of way, and to protect against encroachment.

D. Chemical Security

1. Support administrative/legislative actions to improve supply chain reliability, achieve tax-exempt status for water treatment chemicals, and ensure access to water treatment chemicals.
2. Support administrative/legislative actions to ensure the continued use of gaseous chlorine to protect public health.

  
\_\_\_\_\_  
*Susan Sims*  
*Group Manager, External Affairs* 12/27/2023  
*Date*

  
\_\_\_\_\_  
*Adel Hagekhalil*  
*General Manager* 12/27/2023  
*Date*

**Attachment 1 – Summary of Comments (December 2023)**

**Attachment 2 – Redline Final Proposed 2024 Legislative Priorities and Principles**

Ref# ea12698677

Summary of Comments (December 2023)

Commenter	Comment	Response	Suggested Revision
<b>2024 LEGISLATIVE PRIORITIES</b>			
San Diego County Water Authority (SDCWA)	Legislative Priority 1 Reflect projects are still in the planning phases; Board has not determined participation in the implementation of the projects.	Noted.	Continue support for imported water supply resiliency and reliability, including <u>planning for</u> the Delta Conveyance Project, Sites Reservoir Project, Agreements to Support Healthy Rivers and Landscapes (Voluntary Agreements), and <u>the</u> development of near-term and post-2026 Colorado River operating guidelines.
Eastern Municipal Water District (EMWD)	Legislative Priority 4 EMWD supports the least expensive options to ensure equal reliability across the Metropolitan service area, especially for the SWPDA. We struggle with the concept that each member agency needs access to the exact same Met facilities as that approach appears very expensive and does not increase Met’s overall water supply reliability. It seems more prudent and more aligned with Met’s water affordability goals to invest in additional resource development in SWP dependent areas and continue water banking initiatives.	Initial language was taken from the Board’s policy adopted in August 2022. (Resolution 9318, M.I. 52946)  The definition of equitable access below is taken from the November 28, 2023 presentation, Item 3d, to the Subcommittee on PureWater Southern California and Regional Conveyance, as follows:  “Definition of Equitable Access (draft), ‘Member Agencies have adequate access to Metropolitan supply and storage assets and programs to provide uniform water supply reliability to prevent geographic-specific disparity, with fully operating infrastructure.’”	Support funding for regional conveyance <u>and water storage</u> improvements to ensure the region’s water <u>supply reliability storage</u> is equitable <u>ly accessible</u> to all member agencies.
EMWD	Legislative Priority 5 EMWD recognizes that Metropolitan is sensitive to the issue of ensuring equitable access to clean drinking water for all Californians, however, we believe that Metropolitan should limit the scope of their investment to their service area. For the sake of water affordability for member agencies and so as to not violate Prop 26, Metropolitan should limit this	Language had carried forward from 2023 LPP.  Metropolitan should not restrict investments to its service area because it needs to protect its imported water sources.	Protect drinking water quality and <u>ensure</u> access to safe and reliable drinking water <u>for all Californians</u> , including upholding the polluter pays principle and ensuring the continued cleanup of sites along the Colorado River.

Summary of Comments (December 2023)

Commenter	Comment	Response	Suggested Revision
	priority to the geographic scope of this priority to its service area.		
SDCWA	[C]onsider [adding] a priority seeking congressional exemptions for water utilities should PFAS be considered a hazardous substance under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).	This is addressed in Section I.A.2 in the Legislative Principles. Metropolitan has been advocating on this issue since 2020.	No change.
	<b>Section I: Drinking Water</b>		
EMWD	Drinking Water – introductory language This overarching principle should reference only Metropolitan’s service area, and not the greater Southern California region.	Noted.	No change.
	<b>Section I.A: Water Quality</b>		
EMWD	Section I.A.2. EMWD would recommend specifying that this principle is also targeting PFAS, and other constituents of emerging concern.	Noted.	Support application of the “polluter pays” principle such that parties responsible for introducing contaminants, <u>such as per- and polyfluoralkyl (PFAS) substances</u> , in or near drinking water sources are held liable for cleanup, and not drinking water and wastewater facilities that subsequently store, transport, or treat the water.
	<b>Section I.B. Water Governance, Affordability &amp; Funding</b>		
EMWD	Section I.B.2. EMWD would like clarification on Metropolitan’s intent to improve water affordability at the water-system level. EMWD maintains the opinion that Metropolitan should not establish an affordability program for the retail customers of member agencies. EMWD continues to support Metropolitan’s pursuit of grant funding to offset the cost burden of infrastructure investments. Eastern	Noted. Also revised Legislative Priority 7 for consistency.	Support administrative/legislative actions and funding that improve water affordability throughout the region <u>at both the individual and the water system level</u> , especially for disadvantaged communities, without burdening existing ratepayers.

Summary of Comments (December 2023)

Commenter	Comment	Response	Suggested Revision
	requests clarification on what is meant by “individual.”		
EMWD	Section I.B.3. This principle should specify that Metropolitan supports funding to help retail water systems provide low-income ratepayer assistance.	Adding the qualifier “retail” could narrow the advocacy efforts.	No change.
Cucamonga Valley Water District	Section I.B.3. Support in concept, but do not support a mandate or a general tax	Metropolitan includes language in I.B.2. to address this concern, “...without burdening existing ratepayers.”	No change.
<b>Section II: Regional Water Resource Management</b>			
Section II.A. Conservation			
EMWD	Section II.A.3. As part of Metropolitan’s efforts to support science-based conservation regulation, they should also encourage the regulations to consider the impacts to water affordability.	Noted.	Support administrative/legislative actions and funding to advance Conservation as a California Way of Life in a manner that maintains flexibility and local control. Support efforts to ensure new statutes and regulations are based on science; recognize regional distinctions (i.e., climate, land use, population, and hydrology); <u>water affordability</u> ; and potential impacts to wastewater operations and recycled water projects.
Section II.C. Recycled Water			
EMWD	Section II.C.6. EMWD believes that the word “voluntary” is unnecessary in this statement. By only promoting voluntary use, Metropolitan member agencies may be committing valuable potable water resources to uses where recycled water would be more appropriate.	Noted.  Removal of “voluntary” is inconsistent with Metropolitan’s position on SB 332 (Hertzberg, 2019) which would have mandated wastewater recycling.	No change.
Section II.D. Local Supply Development			
SDCWA	Section II.D.5. Suggest expanding storage to include surface storage to keep the door open for new forms of partnerships	Noted.	Support administrative/legislative actions and funding that advance Metropolitan’s <u>surface and</u> groundwater storage and/or recovery programs with member agencies.

Summary of Comments (December 2023)

Commenter	Comment	Response	Suggested Revision
	that MWD may consider and funding opportunities for surface storage.		
	<b>Section III: Imported Water Supply</b>		
	Section III.B Colorado River Resources		
SDCWA	Section III.B Suggest adding a principle supporting environmental protections as USBOR adopts and implements steps to address drought and climate change on the Colorado River.	Support is included in bullet III.B.5, “Secure funding and support administrative/legislative actions for the implementation of the Lower Colorado River Multi-Species Conservation Program to promote the recovery of threatened and endangered species in a manner that allows the Lower Basin States to conserve Colorado River water.”	No change.
SDCWA	Section III.B Suggest adding a principle supporting opportunities to store water in Lake Mead, which would benefit the whole Basin.	This is a fundamental principle, and support for increasing storage is incorporated throughout the principles.	No change.
Staff	III.B.1	Correction.	Support administrative/legislative actions and funding of conservation and efficiency projects to enhance the resiliency of the Colorado River System and Metropolitan’s Colorado River <del>supplies</del> <u>Aqueduct</u> .
SDCWA	Section III.B.2 Add language to specify: “while also recognizing and protecting the Law of the River.”	Noted.	Support administrative/legislative actions and funding to ensure that sufficient water is stored and delivered from Lake Mead to meet human health and safety needs <del>while acknowledging the evolving Law of the River</del> .
EMWD	Section III.B.2 EMWD would like for Metropolitan to maximize Lake Mead supply, as it is one of the more affordable imported supplies available. Limiting this storage to only meet health and safety needs may be problematic in the event of low or nonexistent SWP allocations in future years.	Noted.	Support administrative/legislative actions and funding to ensure that sufficient water is stored and delivered from Lake Mead to meet <del>regional water supply needs. human health and safety needs.</del>



Summary of Comments (December 2023)

Committer	Comment	Response	Suggested Revision
Staff	III.B.4., 5, 6, 7	Revised to eliminate duplication.	<p>4. Promote continued coordination between states and federal agencies to further the Colorado River Basin Salinity Control Program (Program) <u>and work to include water conservation as a criterion in the selection of salinity control projects</u>. Support actions to stabilize the financial position of the Program, <u>and</u> <del>5. Support efforts to maintain</del> <u>and enhance</u> the operation of the United States Bureau of Reclamation’s Paradox Valley Unit salinity control project at a safe level. <u>while working to develop a viable alternative that provides long-term reductions in salt loads to the Colorado River.</u></p> <p><del>6. Support legislative efforts to revise the salinity standard for Colorado River water delivered under the U.S. treaty with Mexico to increase water conservation.</del></p> <p><del>7. Support legislative action to include water conservation as a criterion for selecting salinity control projects in the upper Colorado River Basin.</del></p>
San Diego County Water Authority	Section III.B.10 Add language to specify “consistent with the Law of the River and priority system.”	Noted.	Support administrative/legislative actions and funding for the U.S. Bureau of Reclamation to update and apply reasonable and beneficial use determinations <u>while acknowledging the evolving the Law of the River.</u>
<b>Section VI – System Resiliency</b>			
Section VI.A. Climate Resiliency			
Eastern Municipal Water District	Section VI.A.1 It should be specified that local and regional drought resiliency projects developed for system flexibility should consider affordability, and limit impacts to member agencies when possible.	Noted.	No change.



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# 2024 LEGISLATIVE PRIORITIES & PRINCIPLES

The 2024 Legislative Priorities and Principles lay out an integrated “One Water” collaborative approach to managing Southern California’s watersheds, water resources, and water infrastructure to ensure long-term resilience and reliability for communities and ecosystems.

Staff use this document to advocate for these priorities and principles at the state and federal levels through advancing Metropolitan-sponsored legislation, engaging on bills or pursuing federal and state funding.



## 2024 Legislative Priorities

To help adapt to a changing climate, protect water resources, and partner with communities we serve, Metropolitan will work to support administrative/legislative actions and federal and state funding for the following priorities in 2024:

### A. Top Legislative Priorities:

1. Continue support for imported water supply resiliency and reliability, including ~~progress planning for~~ the Delta Conveyance Project, Sites Reservoir Project, Agreements to Support Healthy Rivers and Landscapes (Voluntary Agreements), and ~~the~~ development of near-term and post-2026 Colorado River operating guidelines.
2. Conserve existing water supplies and prepare for climate change by supporting demand management and water use efficiency, long-term non-functional turf conversion, and a federal tax exemption for water conservation rebates.
3. Advance Pure Water Southern California and other water recycling projects and long-term supply reliability improvements.
4. Support funding for regional conveyance ~~and water storage~~ improvements to ensure the region's water ~~storage is equitably accessible~~ supply reliability is ~~equitable~~ to all member agencies.
5. Protect drinking water quality and ~~ensure~~ access to safe and reliable drinking water ~~for all Californians~~, including upholding the polluter pays principle and ensuring the continued cleanup of sites along the Colorado River.
6. Support adaptive management for ecosystem restoration in the Bay-Delta and Colorado River watersheds that takes into consideration evolving climate conditions, risk analyses, and best available science.
7. Improve water affordability throughout the region, ~~especially for disadvantaged communities, at both the individual and water system level~~, without burdening existing ratepayers.

### B. Metropolitan-Sponsored State Bill (Board authorized in November 2023)

1. Support administrative/legislative actions to amend the Surface Mining and Reclamation Act to eliminate the sunset date to allow Metropolitan to continue operating under its existing master reclamation plan.



## 2024 Legislative Policy Principles

The 2024 Legislative Policy Principles will guide and inform Metropolitan’s engagement on state and federal legislative and regulatory activities. They were developed in consultation with subject matter experts at Metropolitan. The principles holistically address six strategic areas of policy that inform Metropolitan’s One Water Vision and the Board-led process for developing the Climate Adaptation Master Plan for Water (CAMP4W). These policy areas include: (1) drinking water; (2) regional water resource management; (3) imported water supply; (4) sustainability, resiliency, and innovation; (5) infrastructure; and (6) system resiliency.

I. Drinking Water – Metropolitan provides to the Southern California region high-quality, reliable drinking water in an economically responsible way that surpasses all federal and state drinking water regulations.

### A. Water Quality and Treatment

1. Support administrative/legislative actions that utilize best available science, occurrence and health effects data, and appropriate cost-benefit analyses or economic feasibility to protect public health and improve water quality. Apply these principles when setting maximum contaminant levels, health advisories, or notification/response levels, in addition to assessing laboratory capacity, analytical methods, and other regulatory standards or guidance levels.
2. Support application of the “polluter pays” principle such that parties responsible for introducing contaminants, such as per- and polyfluoralkyl substances, in or near drinking water sources are held liable for cleanup, and not drinking water and wastewater facilities that subsequently store, transport, or treat the water.
3. Support administrative/legislative actions and funding for treatment and mitigation measures to comply with any new regulatory standards, develop risk communication tools, as well as provide adequate time for implementation.
4. Support administrative/legislative actions and funding to protect source water quality, reduce threats from invasive species, and mitigate harmful algal blooms.
5. Support administrative/legislative actions and funding for the constituents of emerging concern (CEC) Action Fund to improve the State Water Resource Control Board’s knowledge of CEC in waters of the state and drinking water.

B. Water Governance, Affordability, and Funding -- Metropolitan supports efforts to provide access to safe, reliable and affordable drinking water to all residents.

1. Support administrative/legislative actions that prioritize providing safe, reliable and affordable drinking water to disadvantaged communities.
2. Support administrative/legislative actions and funding that improve water affordability throughout the region at both the individual and the water system level, especially for disadvantaged communities, without burdening existing



ratepayers.

3. Support funding to help water systems provide low-income ratepayer assistance programs.
4. Support administrative/legislative actions that improve governance and long-term sustainability of non-compliant water systems and provide assistance for voluntary consolidations that improve their technical, managerial, or financial capacity, while ensuring that all receiving public water systems are consulted on changes of organization, including proposed consolidations or extensions of service area.
5. Support administrative/legislative actions that provide local agencies flexibility in determining fees for service and assessment amounts.
6. Support administrative/legislative actions that ensure the limited resources of the Safe and Affordable Drinking Water Fund are allocated to advance projects, operation and maintenance costs, infrastructure improvements, and/or consolidation actions that will achieve long-term sustainability for water systems and the communities that rely on those systems.

II. Regional Water Resource Management – Metropolitan’s One Water Vision and the Board-led CAMP4W process promote collaboration with member agencies to plan for future water supply needs and the challenges ahead in a reliable, cost-effective, and environmentally responsible manner. This involves protecting imported water supplies and quality, supporting local resource development, advancing water use efficiency, and supporting ecosystem protection and restoration.

#### A. Conservation

1. Support tax exemptions and/or credits for water conservation or efficiency incentives, including but not limited to long-term conversion of non-functional turf (NFT), local stormwater capture, and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
2. Support administrative/legislative actions and federal/state funding to encourage equitable water use efficiency and recycled water use among agricultural, industrial, and urban sectors.
3. Support administrative/legislative actions and funding to advance Conservation as a California Way of Life in a manner that maintains flexibility and local control. Support efforts to ensure new statutes and regulations are based on science; recognize regional distinctions (i.e., climate, land use, population, and hydrology); water affordability; and potential impacts to wastewater operations and recycled water projects.
4. Support administrative/legislative actions and federal/state funding for leak detection and water loss reduction. Support the development and



implementation of flexible water loss standards for both retail and wholesale water systems.

5. Support administrative/legislative actions and federal/state funding for the long-term conversion of NFT in residential, commercial, industrial, and institutional landscapes and ban installation of NFT in new construction.

#### B. Desalination & Groundwater Remediation

1. Support administrative/legislative actions, funding, and partnerships for brackish groundwater and seawater desalination projects, consistent with the Governor's Water Resilience Portfolio and 2022 Water Supply Strategy and Metropolitan's CAMP4W goals.
2. Support administrative/legislative actions and funding for salinity control projects, including but not limited to source control, treatment, and concentrate management.
3. Support administrative/legislative actions and funding for research, pilot tests, and demonstration studies to encourage the development of environmentally sustainable and climate-resilient desalination technologies.

#### C. Recycled Water

1. Support actions to advance and secure funding for the Pure Water Southern California Program and related projects.
2. Support efforts to improve flexibility of the State's water recycling grant program.
3. Support implementation of the National Water Reuse Action Plan and California Water Reuse Action Plan while protecting local flexibility and encouraging local, state, and federal coordination, research, and innovation.
4. Support administrative/legislative actions and funding that facilitate the adoption of direct potable reuse regulations by December 31, 2023. These actions include but are not limited to planning, development, and implementation of local and regional potable reuse projects; and initiatives to fill research gaps and advance the science to promote the further development of potable reuse.
5. Support administrative/legislative actions to promote voluntary on-site water treatment systems if they maintain compliance with Title 22 and do not negatively affect municipal water recycling systems.
6. Support administrative/legislative actions that maximize voluntary use of recycled water.

#### D. Local Supply Development



1. Support administrative/legislative actions that protect and advance local flexibility and responsiveness in developing locally appropriate, climate-resilient diverse resource portfolios.
2. Continue to support and promote integrated water resources development by advocating for clear, concise, and expedited regulations/policies that are easily understandable by the regulated community and public.
3. Support administrative/legislative actions and funding to expedite the development of new local resources (including recycled water, direct potable reuse, groundwater, stormwater, desalination projects, and groundwater remediation) without compromising the operational, financial, water quality, regulatory, environmental, and customer interests of Metropolitan and other water and wastewater agencies.
4. Support administrative/legislative actions that advance stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects to augment local and regional water supplies and promote holistic watershed health.
5. Support administrative/legislative actions and funding that advance Metropolitan's surface and groundwater storage and/or recovery programs with member agencies.

#### E. Watershed Management

1. Support administrative/legislative actions and funding to enhance watershed management in Southern California, the Bay-Delta, and Colorado River watersheds that provide broad public benefits, including water quality and water supply reliability, reduced wildfire risks, greater scientific understanding, and other environmental improvements.
2. Support administrative/legislative actions that help advance implementation of watershed management plans, including watershed research and multi-benefit forestry management projects.
3. Support implementation of the California Water Resiliency Portfolio and the Water Supply Strategy, as consistent with Metropolitan goals and objectives, to ensure improved watershed-scale coordination, watershed management and planning, and programs and funding that provide water resilience and improve watershed functions.

III. Imported Water Supply – Metropolitan provides imported water supplies to its member agencies from two primary sources, the Colorado River via the Colorado Aqueduct and Northern California watersheds via the Sacramento-San Joaquin Delta and the State Water Project.

A. Bay-Delta Initiatives– Metropolitan is involved in several key regulatory and planning



processes in the Sacramento-San Joaquin Delta related to the operation of the State Water Project (SWP). The goal is to advance water supply reliability and ecosystem restoration concurrently by modernizing the state's water infrastructure with the proposed Delta Conveyance Project and improving the habitat and function of the Delta estuary for the benefit of threatened and endangered species. To advance these goals, Metropolitan supports collaborative scientific efforts to better understand how to restore and manage the Bay-Delta while reducing reliance consistent with the 2009 Delta Reform Act (Delta Reform Act).

1. Support administrative/legislative actions to advance Delta Conveyance and EcoRestore in support of California's coequal goals of water supply reliability and Delta ecosystem restoration and the Governor's California Water Resilience Portfolio.
2. Support administrative/legislative actions and funding to improve scientific understanding of listed Delta fish and wildlife species and water project operations in the Delta, including data collection, real-time monitoring, and modeling. Promote the use of best available science to protect and restore aquatic species and habitats, and enhance flexibility for water project operations while maintaining regulatory and statutory protections for species listed under the state and federal Endangered Species Act.
3. Continue support for implementation of state policies adopted as part of the Delta Reform Act and water management package, including clarification of the monitoring, reporting, and enforcement provisions related to in-Delta diversions.
4. Support administrative/legislative actions to consolidate review and oversight of anadromous species protection under the U.S. Department of the Interior.
5. Support administrative/legislative actions that protect water quality for beneficial uses and that are implemented consistent with California water rights priorities.
6. Support administrative/legislative actions and funding to advance the Delta Freshwater Pathway, levee improvements (including levee modernization for the existing Delta levee system), levee maintenance programs (including real-time monitoring for the existing Delta levee system), and secure Delta flood-fighting materials and stockpiles.
7. Support administrative/legislative actions in the Delta watershed to account for and administer the California water rights system, including protecting stored water releases.
8. Support administrative/legislative actions and funding to advance Sites Reservoir and the Agreements to Support Healthy Rivers and Landscapes





(Voluntary Agreements), consistent with the Board's action to advance these efforts.

- B. Colorado River Resources – The Colorado River is a critical resource for the entire Southwest and many diverse ecosystems. Degradation of the Colorado River's water quality can cause significant economic, environmental, and human health impacts across the West. Metropolitan and other interested parties work to ensure we can continue to supply our communities with a safe and reliable water supply.
1. Support administrative/legislative actions and funding of conservation and efficiency projects to enhance the resiliency of the Colorado River System and Metropolitan's Colorado River ~~Aqueducts~~supplies.
  2. Support administrative/legislative actions and funding to ensure that sufficient water is stored and delivered from Lake Mead to meet ~~human health and safety needs~~regional water supply needs while acknowledging the evolving Law of the River.
  3. Support administrative/legislative actions and funding for the cleanup of contaminated sites along the Colorado River. This includes, but is not limited to, uranium remediation in Moab, Utah; perchlorate remediation in Henderson, Nevada; hexavalent chromium remediation near Topock, Arizona; and a waste disposal site near Hoover Dam.
  - ~~4.~~Promote continued coordination between states and federal agencies to further the Colorado River Basin Salinity Control Program (Program) and work to include water conservation as a criterion in the selection of salinity control projects. Support actions to stabilize the financial position of the Program.
  - ~~5.~~Support efforts to maintain ~~and enhance~~ the operation of the United States Bureau of Reclamation's Paradox Valley Unit salinity control project at a safe level, ~~while working to develop a viable alternative that provides long term reductions in salt loads to the Colorado River.~~
  - ~~6.~~Support legislative efforts to revise the salinity standard for Colorado River water delivered under the U.S. treaty with Mexico to increase water conservation.
  - ~~7.4.~~Support legislative action to include water conservation as a criterion for selecting salinity control projects in the upper Colorado River Basin.
  - ~~8.5.~~Secure funding and support administrative/legislative actions for the implementation of the Lower Colorado River Multi-Species Conservation Program to promote the recovery of threatened and endangered species in a manner that allows the Lower Basin States to conserve Colorado River water.



9.6. Support administrative/legislative actions and funding that advance binational water conservation programs that benefit Colorado River supply augmentation and habitat restoration objectives.

7. Support administrative/legislative actions and funding for the U.S. Bureau of Reclamation to update and apply reasonable and beneficial use determinations while acknowledging the evolving Law of the River.

- C. State Water Project – About 30 percent of Southern California’s water comes from the SWP in an average year. Metropolitan works with state and federal agencies as well as other SWP contractors to manage threats to the project and address environmental needs and augment water supplies through existing and potential collaborative transfers and groundwater banking agreements.
1. Support administrative/legislative actions and funding to address the impacts of subsidence on the SWP and prevent future damage caused by unsustainable groundwater pumping.
  2. Support funding for joint state and federal facility repairs, rehabilitation, and improvements, and ensure funding is equitably distributed between partners while maintaining SWP supply reliability.
  3. Support administrative/legislative actions and funding for the cleanup of contaminated groundwater storage basins used for Metropolitan water banking programs along the California Aqueduct.
  4. Support funding for the public share of costs, including recreation, flood protection, mitigation, environmental enhancement, and rehabilitation for multi-purpose SWP facilities.

IV. Sustainability, Resiliency, and Innovation – Metropolitan supports policies and funding that encourage sustainable practices that improve water and power system resilience and adapt to a rapidly changing environmental landscape. Metropolitan strives to fulfill the needs of the current generation without compromising the needs of future generations in an environmentally and economically responsible way.

A. Carbon Neutrality

1. Support administrative/legislative actions and funding to implement Metropolitan’s Climate Action Plan to reduce Metropolitan’s greenhouse gas emissions and reach carbon neutrality by 2045.
2. Support administrative/legislative actions and funding to assist the Department of Water Resources in reaching carbon neutrality for the State Water Project by 2045 in a cost-effective and environmentally responsible manner.
3. Support administrative/legislative actions and funding to improve, develop,



and promote innovative climate adaptation solutions and support science-based strategies and tools that benefit the environment by restoring healthy soils, conserving water, and capturing and/or sequestering carbon.

4. Support administrative/legislative actions and funding that assists public agencies in the transition to zero-emission fleets and equipment.

#### B. Water/Energy Nexus

1. Support administrative/legislative actions and funding for energy efficiency and storage projects, and programs to reduce greenhouse gases and develop renewable resources.
2. Support administrative/legislative actions that remove barriers and encourage energy sector investments in water conservation and energy management programs.
3. Support administrative/legislative or regulatory activities that preserve Metropolitan's ability to pursue a diverse set of supply options and oppose constraints on supply development, such as water resource loading orders based solely on energy intensity.
4. Support efforts to ensure power costs are appropriate and proportional to the benefits received and that water system operations are not adversely affected by power-related legislation/administrative actions.
5. Support administrative/legislative actions that provide state funding from the Greenhouse Gas Reduction Fund for water/energy nexus projects and maintain Cap-and-Trade allowances for Metropolitan and Department of Water Resources (i.e., State Water Contractors).
6. Support administrative/legislative actions that maintain Board authority over energy-related matters (e.g., system reserve margin or resource adequacy requirements).

#### C. Renewable Energy

1. Support administrative/legislative actions that define hydropower generation as renewable energy irrespective of a facility's nameplate generating capacity and include the provision of renewable energy credits for hydroelectric generation.
2. Work to ensure that administrative/legislative actions seeking to enhance or expand hydropower at existing dams do not adversely impact those dams, either financially or operationally, or entities with rights to the power from the existing resources that directly or indirectly impact Metropolitan's service area.



3. Support administrative/legislative actions to improve federal hydropower relicensing for existing facilities, including SWP resources.
4. Support administrative/legislative actions and funding for the SWP and the Colorado River Aqueduct (CRA) to incorporate renewable energy resources, such as pumped hydroelectric energy, that contribute to the state's climate goals without impacting the projects' primary purpose, provided consideration is given to transmission limitations, cost and portfolio availability, and unrelated impacts are not shifted to SWP or CRA facilities.

D. Environmental Stewardship

1. Support administrative/legislative actions for environmental compliance to improve clarity and workability of the requirements and promote consistency and reduce regulatory duplication, while protecting public health and the environment.
2. Support administrative/legislative actions and funding to facilitate non-mitigation habitat restoration projects that benefit endangered and threatened species.
3. Support administrative/legislative actions and funding for research and partnerships on water science, including snowpack and streamflow monitoring, runoff, drinking water quality, salinity control, source water protection, soil moisture monitoring, healthy soils, and watershed research.

E. Workforce Development – Metropolitan is committed to ensuring the resiliency of its workforce and to advancing diversity, equity, and inclusion to promote the physical and mental safety and well-being of its workforce and the communities it serves.

1. Support administrative/legislative actions, funding, and partnerships to improve educational opportunities in the water sector, including career technical education and workforce development.
2. Support administrative/legislative actions and funding that improve water system staff training and certification processes.

F. Innovation – Supporting and promoting innovation and emerging technologies continues Metropolitan's long tradition of creatively solving difficult challenges.

1. Support administrative/legislative actions and funding for the research and development of new and emerging technologies such as satellite- and computer-based technologies to monitor source water quality, ecosystem health, state- and federal-threatened and endangered fish species; measure and predict agricultural water use, urban outdoor water use, and reservoir evaporation; and expand coordination with technology incubators, research institutions, and other stakeholder groups.



2. Support administrative/legislative actions and funding to promote open water data platforms and sharing, including improving access to agency data, streamlining the collection and submission of water agency data, and promoting collaboration among federal, state, and local stakeholders.

V. Infrastructure – Metropolitan has a strategic priority to invest in key capital projects in our region to enable long-term, reliable water deliveries. Key capital projects identified in Metropolitan’s Capital Investment Plan focus on improvements to the CRA, treatment plants, and distribution systems.

- A. Support administrative/legislative actions to initiate, expedite, and secure funding to defray the costs of planning, financing, constructing, repairing, and rehabilitating water infrastructure projects, including but not limited to general obligation bonds, tax-exempt municipal bonds, grants, low-interest loans, and direct appropriations. Ensure equitable cost-sharing of water infrastructure projects.
- B. Support administrative/legislative efforts to expand funding programs, expedite project approval and reporting processes, and prevent project backlogs in state and federal funding or financing.
- C. Support the “beneficiaries pay” approach as a financing mechanism for statewide projects and programs and oppose public goods charges, or other charges levied on water agencies for funding broader public benefits.
- D. Support funding for the public share of costs, including mitigation, rehabilitation, and recreation, for multi-purpose water infrastructure.
- E. Support administrative/legislative actions and funding for new or expanded water infrastructure or programs that complement existing water supplies to ensure reliability for all member agencies.

VI. System Resiliency – Metropolitan diligently maintains and significantly invests to safeguard a region-wide water supply system that is a cornerstone of Southern California’s \$1.6 trillion economy. Changes in the climate and accompanying weather extremes are serious challenges facing Metropolitan. Additionally, Metropolitan needs to be prepared to respond rapidly to natural disasters and security threats. Resiliency ensures the water supply and delivery system is strong, can return to service quickly, and is prepared to address future challenges

A. Climate Resiliency

1. Support legislative/administrative actions and funding for local and regional drought resiliency projects to improve system flexibility.
2. Support legislative/administrative actions and funding for planning and research into the potential water resource and quality effects of climate change.



3. Support administrative/legislative actions and funding for imported source watershed protection and enhancement of water quality, supply, and demand-side management actions to help offset the effects of climate change.
4. Support administrative/legislative actions and pursue funding opportunities that recognize and help mitigate the significant differences in the capability and needs of communities and regions to withstand the impacts of climate change.
5. Support administrative/legislative actions and funding for local drought contingency planning areas in the state that have increased concern about wholesale water system delivery constraints.
6. Support administrative/legislative actions and funding that facilitate the integration of existing and planned local water supply, distribution systems, and regional water facilities.

#### B. Emergency Preparedness

1. Support administrative/legislative actions that assist the water industry in preparing for, responding to, and recovering from extreme weather events and natural disasters, including earthquakes and wildfires, catastrophic accidents, and physical or cyber sabotage. These actions may include, but are not limited to, actions to provide funding for emergency responses and planning and post-emergency restoration of service.
2. Support administrative/legislative actions that assist the water industry to address the effects of wildfires and power outages, including the impacts of public safety power shutoff events.
3. Support additional funding for the Federal Emergency Management Agency programs to assist with emergency repairs and improvements, including but not limited to dam safety, spillway improvements, and erosion control repairs.

#### C. Physical and Cyber Security

1. Support continued U.S. Environmental Protection Agency oversight of water system security in coordination with other federal and state agencies with expertise in security, including the Governor's Office of Emergency Services, the Cybersecurity and Infrastructure Security Agency, and the Chemical Security Analysis Center.
2. Support administrative/legislative actions that would provide funding or reimbursement for enhanced physical security and cybersecurity for water and power infrastructure.



3. Support trade associations and coalition efforts to share information and develop standard guidance and best management practices to protect water and power critical infrastructure from cyber vulnerabilities.
4. Support administrative/legislative actions that ensure Metropolitan's ability to reliably operate and maintain its facilities, infrastructure, and real estate assets, including rights of way, and to protect against encroachment.

#### D. Chemical Security

1. Support administrative/legislative actions to improve supply chain reliability, achieve tax-exempt status for water treatment chemicals, and ensure access to water treatment chemicals.
2. Support administrative/legislative actions to ensure the continued use of gaseous chlorine to protect public health.

Legislation, Regulatory Affairs and Communication  
Committee



# Adopt Legislative Priorities and Principles for 2024

Item 7-11

January 8, 2024



**Item 7-11**  
Adopt  
Legislative  
Priorities &  
Principles for  
2024

**Subject**

Adopt Legislative Priorities and Principles for 2024

**Purpose**

Annual review of updates

**Next Steps**

Board adoption - January 2024

## Purpose & Process

- Annual update
- Provide Board guidance & direction on current, timely issues
- Seek & incorporate and/or respond to updated internal and external input
- Identify seven Metropolitan & regional priorities
- Identify one Metropolitan-sponsored legislative initiative
- After Board adoption, posted publicly on Metropolitan website

## Current Actions & Next Steps

- Present to Member Agency Legislative Coordinators (Nov 1)
- Board Information Item Posted (Nov 1)
- Present to Member Agency General Managers (Nov 3)
- Information Item to Board (Nov 14)
- Seek, receive & respond to input (Nov – Dec 2023)
- Action Item to Board for adoption (Jan 2024)

# Summary of High-Level Changes since November 2023

## Top Legislative Priorities Proposed Changes

- Priority 1. Specify support for **planning** of Delta conveyance, Sites Reservoir, etc.
- Priority 4. Add **water storage**, update with focus on supply **reliability**
- Priority 5. Simplify bullet and confirm CERCLA protections and ongoing advocacy included in Section I.A.2
- Priority 7. Update for consistency with principle I.B.2

# Summary of High-Level Changes since November 2023

## Proposed Changes to Legislative Principles

- I.A.2 - Specify PFAS, delete ambiguous language for clarity
- II.A.3 – Add water affordability as a consideration
- II.D. 5 - Add **surface storage**
- III.B. Colorado River Resources section
  - Eliminate duplication
  - Add **water conservation** as criterion
  - Provide for “regional water supply needs”
  - Recognize the evolving Law of the River

# Top Legislative Priorities - Updates since November 2023

1. Imported water supply resiliency & reliability
  - specifies “**planning for**” Delta, Sites, etc.
2. Demand management and water use efficiency
3. Pure Water Southern California & long-term supply reliability improvements
4. Support funding for regional conveyance **and water storage**; and ensure **supply reliability** is equitable

Top  
Legislative  
Priorities -  
Updates  
since  
November  
2023

5. Protection of drinking water quality & access to safe and reliable water for all Californians; polluter pays principle

\*confirmed CERCLA protections & advocacy

6. Ecosystem restorations accounting for evolving climate and risk analyses

7. Improve water affordability, especially for disadvantaged communities, without burdening existing ratepayers/customers

MWD-  
sponsored  
Initiative  
(authorized  
November  
2023)

- Support administrative/legislative actions to amend the Surface Mining and Reclamation Act to eliminate the sunset date to allow Metropolitan to continue operating under its existing master reclamation plan.



# Strategic Policy Areas

- I. Drinking Water
- II. Regional Water Resource Management
- III. Imported Water Supply
- IV. Sustainability, Resiliency & Innovation
- V. Infrastructure
- VI. System Resiliency

# I. Drinking Water

## A. Water Quality & Treatment

I.A.2 - specify PFAS

I.A.5 – update to support implementation of SB 230 (Portantino): State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program

## B. Water Governance, Affordability & Funding

I.B.5 - added to protect local agency flexibility in determining fees for service and assessments

## II. Regional Water Resource Management

### A. Conservation

- II.A.3 - add water affordability as a consideration

### B. Desalination and Groundwater Remediation

### C. Recycled Water

### D. Local Supply Development

- II.D.5 – add surface storage

### E. Watershed Management

# III. Imported Water Supply

## A. Bay-Delta Initiatives

## B. Colorado River Resources

- Reduce redundancies
- Add water conservation as criterion
- Provide for “regional water supply needs”
- Acknowledge the evolving Law of the River

## C. State Water Project

# IV. Sustainability, Resiliency, & Innovation

A. Carbon Neutrality

B. Water/Energy Nexus

C. Renewable Energy

D. Environmental Stewardship

E. Workforce Development

F. Innovation

## V. Infrastructure

- A. Funding and financing tools
- B. Equitable cost-sharing
- C. Expansion of funding; expedite approvals/reporting
- D. Funding for public share of costs
- E. Expanded water infrastructure principle to support infrastructure that complements existing water supplies to ensure reliability for all MAs (*former SWP focus*)

## VI. System Resiliency

- A. Climate Resiliency
- B. Emergency Preparedness
- C. Physical and Cyber Security
- D. Chemical Security

# Board Options

## Option #1

Adopt the Legislative Priorities and Principles for 2024

## Option #2

Take no action



Staff  
Recommendation

Option #1  
Adopt the Legislative Priorities and  
Principles for 2024

Legislation, Regulatory Affairs and Communication  
Committee

# Adopt Legislative Priorities & Principles for 2024

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**Metropolitan Water District of Southern California  
Federal Legislative Matrix  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

<b>Topic</b>	<b>Bill/Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on MWD</b>
Conservation	<b>H.R. 3490 (Gallego, D-AZ)</b>	5/19/23: Referred to the House Transportation and Infrastructure Subcommittee on Water Resources and Environment.	<b>Water Infrastructure Modernization Act of 2023</b>  Authorizes a new grant program to help wastewater and drinking water systems detect leaks and reduce water loss.	<b>SUPPORT</b>  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.
Conservation	<b>S. 2166 (Padilla, D-CA)</b>	7/19/23: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power.	<b>Voluntary Agricultural Land Repurposing Act</b>  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.	<b>SUPPORT</b>  Based upon 2023 Legislative Priorities and Principles, adopted December 2022	This new program would provide federal funding to support California’s Multibenefit 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.

**Metropolitan Water District of Southern California  
Federal Legislative Matrix  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

<b>Topic</b>	<b>Bill/Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on MWD</b>
Conservation	<b>H.R. 5016 (Levin, D-CA)</b>  <b>S. 2654 (Padilla, D-CA)</b>	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.	<b>Water Efficiency, Conservation, and Sustainability Act of 2023</b>  Creates new EPA grant programs for water efficiency and conservation measures, water loss control programs, and water efficient plumbing code adoption.	<b>SUPPORT</b>  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 territory
Endangered Species Act Oversight	<b>H.R. 872 (Calvert, R-CA)</b>	2/21/23: Referred to the House Natural Resources Subcommittee on Water, Wildlife and Fisheries.	<b>Federally Integrated Species Health Act or the “FISH Act”</b>  Transfers the authority to oversee ESA-related responsibilities for anadromous fish from the Secretary of Commerce to the Secretary of the Interior.	<b>SUPPORT</b>  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.

**Metropolitan Water District of Southern California  
Federal Legislative Matrix  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Financing Tools for Water Infrastructure Projects	<b>H.R. 1837 (Kustoff, R-TN)</b>  <b>S. 1453 (Wicker, R-MS)</b>	3/28/23: Referred to the House Committee on Ways and Means.  5/4/23: Referred to the Senate Committee on Finance.	<b>House Title: Investing in Our Communities Act</b>  <b>Senate Title: Lifting Our Communities through Advance Liquidity for Infrastructure Act or the LOCAL Infrastructure Act</b>  Both bills amend the Internal Revenue Code of 1986 to restore the tax exemption for advance refunding bonds.	<b>SUPPORT</b>  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  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Financing Tools for Water Infrastructure Projects	<b>S. 2162 (Feinstein, D-CA)</b>	7/19/23: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power.	<p><b>Support To Rehydrate the Environment, Agriculture, and Municipalities Act” or the “STREAM Act</b></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><b>SUPPORT</b></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  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

<b>Topic</b>	<b>Bill/Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on MWD</b>
Source Water Protection	<b>H.R. 1181 (Garamendi, D-CA)</b>	2/27/23: Referred to the House Transportation and Infrastructure Subcommittee on Water Resources and Environment	<b>Federal Water Pollution Control Permitting Terms</b>  Amends the Federal Water Pollution Control Act (Clean Water Act) with respect to permitting terms.	<b>SUPPORT</b>  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.
Source Water Protection	<b>H.R. 3439 (Panetta, D-CA)</b>  <b>S. 1715 (Feinstein, D-CA)</b>	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.	<b>Wildfire Emergency Act of 2023</b>  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.	<b>SUPPORT</b>  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  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Source Water Protection	<b>H.R. 1236 (Crow, D-CO)</b>  <b>S. 540 (Bennet, D-CO)</b>	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.	<b>Protect the West Act of 2023</b>  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.	<b>SUPPORT</b>  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**  
**January 9, 2024, 118<sup>th</sup> Congress, Second Session**

<b>Topic</b>	<b>Bill/Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on MWD</b>
Source Water Protection	<b>S. 2514 (Bennett, D-CO)</b>	7/26/23: Referred to the Senate Committee on Agriculture, Nutrition, and Forestry.	<b>Colorado River Salinity Control Fix Act</b>  Amends the Colorado River Basin Salinity Control Act to modify certain requirements applicable to salinity control units, and for other purposes.	<b>SUPPORT</b>  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	<b>H.R. 924 (Harder, D-CA)</b>	2/10/23: Referred to the House Transportation and Infrastructure Subcommittee on Water Resources and the Environment.	<b>Stop the Tunnels Act</b>  Prohibits the Corps of Engineers from issuing a permit for the Delta Conveyance Project.	<b>OPPOSE</b>  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  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

<b>Topic</b>	<b>Bill/Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on MWD</b>
Water Project Authorizations	<b>H.R. 2419 (Costa, D-CA)</b>  <b>S. 2161 (Feinstein, D-CA)</b>	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.	<b>Canal Conveyance Capacity Restoration Act</b>  This bill authorizes the Bureau of Reclamation to provide financial assistance to mitigate the impacts of subsidence on California’s water delivery system.	<b>SUPPORT</b>  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	<b>S. 466 (Peters, D-MI)</b>	2/16/23: Referred to the Committee on Commerce, Science, and Transportation	<b>Federal PFAS Research Evaluation Act</b>  Directs the National Academy of Sciences to study and report on a Federal research agenda to advance the understanding of PFAS.	<b>SUPPORT</b>  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  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Water Science	<p><b>H.R. 2429</b> (Lee, D-NV)</p> <p><b>S. 1118</b> (Cortez-Mastro, D-NV)</p>	<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><b>Open Access Evapotranspiration Data Act</b></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><b>SUPPORT</b></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  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Water Science	<b>H.R. 3027 (Porter, D-CA)</b>	6/14/23: Hearing held before the House Natural Resources Subcommittee on Water, Wildlife and Fisheries.	<b>Reclamation Climate Change and Water Program Reauthorization Act of 2023</b>  Extends the authorization for Reclamation’s basin studies program for ten years.	<b>SUPPORT</b>  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  
January 9, 2024, 118<sup>th</sup> Congress, Second Session**

<b>Topic</b>	<b>Bill/Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on MWD</b>
Water System Security	<b>H.R. 1367 (Schakowsky, D-IL)</b>  <b>S. 660 (Markey, D-MA)</b>	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.	<b>Water System Threat Preparedness and Resilience Act of 2023</b>  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).	<b>SUPPORT</b>  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	<b>S.1430 (Lummis, R-WY)</b>	5/3/23: Referred to the Senate Committee on Environment and Public Works.	<b>Water Systems PFAS Liability Protection Act</b>  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.	<b>SUPPORT</b>  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.

## The Metropolitan Water District of Southern California January 8, 2024 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<a href="#"><u>Asbestos and Chlorine</u></a>	On April 12, 2022, EPA proposed a rule under the Toxic Substances Control Act (TSCA) to ban the production, importation, and distribution of chrysotile asbestos, the only known form of asbestos that is currently imported into the United States. On March 16, 2023, EPA released additional data concerning chrysotile asbestos diaphragms used in the chlor-alkali industry, among other asbestos-containing products. EPA may use these data in developing its final rule.	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.	EPA hopes to finalize the regulation by early 2024 with the ban going into effect 180 days thereafter.
EPA	<a href="#"><u>Consumer Confidence Reports (CCRs)</u></a>	On April 5, 2023, EPA published proposed revisions to the Consumer Confidence Reports (CCRs). When finalized, EPA’s proposal would require public water systems serving over 10,000 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 exceed a maximum contaminant level (MCL), health advisory (HA), notification level (NL), or response level (RL). 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.	Final rule due by March 15, 2024.
EPA	<a href="#"><u>Maximum Contaminant Levels for PFAS</u></a>	On March 29, 2023, EPA published draft maximum contaminant levels (MCLs) for PFOA and PFAS at 4 parts per trillion (ppt) for each compound-- the detection limit of EPA's test method. The proposed rule also set maximum contaminant level goals (MCLGs) for both PFOA and PFOS at 0 ppt. Lastly, EPA proposed regulating PFNA, PFHxS, PFBS, and GenX as a	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.	EPA hopes to finalize the regulation by early 2024 with a three-year compliance timeline from the rule's effective date.

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 NMFS -- United States National Marine Fisheries Service  
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 WUWC – Western Urban Water Coalition

## The Metropolitan Water District of Southern California January 8, 2024 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
		mixture with a proposed MCL and proposed MCLG both set at a unitless Hazard Index of 1.0.		
EPA	<a href="#">National Cybersecurity Strategy</a>	On March 3, 2023, EPA issued a memorandum directing Safe Drinking Water Act state primacy agencies to assess cybersecurity resilience of public water systems as part of either the sanitary survey process or other state programs. When a primacy agency identifies a significant cybersecurity deficiency, the agency is instructed to use its authority to require the public water system to address the deficiency. This directive was not subject to the rulemaking process.	The water industry is concerned that the Sanitary Survey Program is not the right tool to address cybersecurity vulnerabilities or deficiencies. Many state primacy agencies lack both the resources and technical expertise to evaluate and address cybersecurity issues and additionally lack the ability to secure sensitive information. AWWA and NRWA joined several states in challenging the rule. Staff worked with AWWA on alternative compliance pathways.	On October 12, 2023, EPA withdrew its cybersecurity memorandum and now asks states to “voluntarily” review public water system cybersecurity programs.
EPA	<a href="#">PFAS and CERCLA Part I</a>	On September 6, 2022, EPA proposed to list perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).	Metropolitan submitted comments on November 7, 2022 that the rulemaking will greatly increase the potential liability under CERCLA for water treatment residuals. Staff also worked with ACWA, AMWA, AWWA, and WUWC on comments seeking an exemption under CERCLA for the water industry.	EPA intends to finalize the rule by February 2024.
EPA	<a href="#">PFAS and CERCLA Part II</a>	On April 13, 2023, EPA requested public “input and data” regarding whether to designate the 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 request input on regulating groups or categories of PFAS as hazardous substances.	Metropolitan submitted comments on August 3, 2023 that EPA should consider updated occurrence 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.	Awaiting EPA’s decision whether to propose regulating these PFAS as hazardous substances under CERCLA.

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## The Metropolitan Water District of Southern California January 8, 2024 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<a href="#">"Waters of the United States" (WOTUS)</a>	On September 8, 2023, the EPA and the Army Corps of Engineers published the final rule revising the January 2023 definition of WOTUS to conform to the 2023 Supreme Court ruling in <i>Sackett v. EPA</i> . The revised rule eliminates the significant nexus standard from the definitions of all navigable water types and clarifies that the CWA only applies to wetlands that have a “continuous surface connection” to another WOTUS. Furthermore, the CWA no longer applies to ephemeral streams—a common feature in the arid Southwest.	As California law covers all water types previously covered by WOTUS, Metropolitan will likely need to obtain state permits for activities that were previously covered by the CWA. The narrow scope of waters covered could also negatively impact source water quality in the Colorado River Basin.	Rule effective on September 8, 2023. No further comments will be taken.
EPA	<b>Lead and Copper Rule</b>	On December 6, 2023, EPA published its proposed Lead and Copper Rule Improvements <b>Rule</b> . The proposed rule focuses on identifying and replacing lead service lines <b>within 10 years—including full lead line replacement</b> ; lowering the lead action level from 0.015 to 0.010 milligrams per liter (mg/L); <b>removing the lead trigger level; improving tap sampling procedures</b> ; and improving public education and outreach materials to include renters and individuals with limited English proficiency.	Staff are reviewing the proposal to determine potential impacts on Metropolitan and its member agencies	EPA is hosting and virtual public hearing. Comments are Due February 5, 2024

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## The Metropolitan Water District of Southern California January 8, 2024 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
<b>EPA</b>	<p><a href="#"><u>County of Maui v. Hawaii Wildlife Fund Decision on Clean Water Act (CWA) Section 402 of the NPDES Permit Program:</u></a></p> <p><a href="#"><u>County of Maui Guidance</u></a></p>	<p>In <i>County of Maui v. Hawaii Wildlife Fund</i>, the Supreme Court held that a discharge from a point source to groundwater will be subject to NPDES permitting requirements if it is determined to be the functional equivalent of a discharge to a Water of the United States/navigable water. On November 20, 2023, EPA released its second version of draft guidance on how to apply the “functional equivalency” test found in the <i>Maui</i> decision. On December 21, 2023 Metropolitan submitted comments expressing support for the draft guidance.</p>	<p>This guidance is meant to provide clarity regarding existing CWA NPDES point source permit requirements. Metropolitan operations are not expected to be impacted by the ruling or the new guidance. Discharges by Metropolitan to groundwater that reach WOTUS are already covered by state permitting requirements, and the new rules are not expected to trigger any additional permitting requirements for PWSC and Delta operations. The <i>Maui</i> decision and EPA guidance are expected to help protect source water quality, both in California and throughout the Colorado River Basin.</p>	<p>The comment period for the Draft Guidance has closed. EPA has stated that it will not extend the comment period. Awaiting final Rule.</p>
<b>FWS and NMFS</b>	<p><a href="#"><u>Regulations for Interagency Cooperation</u></a></p>	<p>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.</p>	<p>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.</p>	<p>Awaiting final rule.</p>

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Legislation, Regulatory Affairs and Communications  
Committee

# Report on Activities from Washington, D.C.

Item 6a  
January 8, 2024

Item 6a  
Report on  
Activities  
from  
Washington,  
D.C.

Subject

Report on Activities from Washington, D.C.

Purpose

To provide an update on Congressional and Administrative actions.

# Appropriations Update.



Jan. 19

- Bureau of Reclamation
- Army Corps of Engineers
- Department of Agriculture

Feb. 2

- Environmental Protection Agency
- National Oceanic and Atmospheric Administration
- U.S. Geological Survey

## Other Legislation.



### NDAAs

- Enacted
- Limited PFAS language

### Farm Bill

- Current bill extended until Sept. 30, 2024

# WRDA 2024.







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

<b>Bill Number Author</b>	<b>Amended Date Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<p><b>AB 400</b> <b>B. Rubio (D – Baldwin Park)</b></p> <p>Sponsors: California State Association of Counties, League of California Cities</p>	<p>Chaptered</p> <p>Signed by Governor Chapter 201, Statutes of 2023</p>	<p><b>Local agency design-build projects: authorization.</b></p> <p>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.</p>	<p><b>Support</b></p> <p>Based on October 2021 Board Action</p>	<p>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.</p>
<p><b>AB 460 Bauer-Kahan (D – Orinda)</b></p>	<p>Amended 5/18/23</p> <p>Two-year bill</p> <p>Senate Natural Resources and Water Committee</p>	<p><b>State Water Resources Control Board: water rights and usage: interim relief: procedures.</b></p> <p>This bill grants the State Water Resources Control Board authority to issue an interim relief order to enforce the reasonable use doctrine, water rights, water quality standards, and other provisions of water law.</p>	<p><b>Oppose</b></p> <p>Based on 2023 Water Rights Principles, adopted April 2023</p>	<p>The stated intent of this bill is aimed at deterring unlawful diversions during a drought emergency with swift State Board action and stiff penalties for violations. This bill would give the State Board expansive new authority to assume control of the State Water Project, Metropolitan or its members’ use of imported or locally-sourced water, Metropolitan’s diversion and use of water on the Delta Islands, and a number of other projects and Metropolitan operations. This bill would give the Water Board the authority to assert such control with very short or no prior notice or an opportunity to be heard. The State Board also would not require the use of the California Evidence Code, meaning these expedited decisions could be made based on testimony that is hearsay or by people not qualified to testify as experts on scientific or technical issues in court.</p>

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

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>AB 1337 Wicks (D – Oakland)</b>	Amended 5/18/23  Two-year bill  Senate Natural Resources and Water Committee	<b>State Water Resources Control Board: water diversion curtailment.</b>  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.	<b>Oppose</b>  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.
<b>AB 1567 Garcia (D-Coachella)</b>	Amended 5/26/2023  Two-year bill  Senate Natural Resources and Water Committee	<b>Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.</b>  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.	<b>Support, if amended</b>  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.
<b>AB 1572 Friedman (D - Glendale)</b>  Co-sponsors: Metropolitan, Heal the Bay, National Resources Defense Council	Chaptered  Signed by Governor Chapter 849, Statutes of 2023	<b>Potable water: nonfunctional turf.</b>  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.	<b>Co-sponsor</b>  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.

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

<b>Bill Number Author</b>	<b>Amended Date Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>AB 1573 Friedman (D - Glendale)</b>  Sponsor: Earth Advocacy and California Native Plant Society	Amended on 9/1/2023  Two Year Bill  Senator Floor – Inactive File	<b>Water conservation: landscape design: model ordinance.</b>  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.	<b>Support</b>  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.
<b>AB 1648 Bains (D - Bakersfield)</b>	Amended 3/16/2023  Two Year Bill  Assembly Water, Parks, and Wildlife Committee	<b>Water: Colorado River Conservation</b>  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.	<b>Oppose</b>  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.

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

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 122</b> <b>Senate Committee</b> <b>on Budget and</b> <b>Fiscal Review</b>	Chaptered  Signed by the Governor Chapter 51, Statutes of 2023	<b>Flood Flow Streamlining</b>  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.	<b>Seek Amendments</b>  Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 Based on, 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.
<b>SB 124</b> <b>Senate Committee</b> <b>on Budget and</b> <b>Fiscal Review</b>	Chaptered  Signed by the Governor Chapter 53, Statutes of 2023	<b>Green Financing Programs for Federal IRA Funding</b>  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.	<b>Support</b>  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 Legislation Matrix  
January 8, 2024 – Second Year of Legislative Session**

<b>Bill Number Author</b>	<b>Amended Date Location</b>	<b>Title-Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
<b>SB 146 Gonzalez (D-Long Beach)</b>	Chaptered  Signed by the Governor Chapter 58, Statutes of 2023	<b>Public resources: infrastructure: contracting.</b>  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.	<b>Support</b>  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.
<b>SB 147 Ashby (D- Sacramento)</b>	Chaptered  Signed by the Governor Chapter 59, Statutes of 2023	<b>Fully protected species: California Endangered Species Act: authorized take</b>  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.	<b>Support and Amend</b>  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.
<b>SB 149 Caballero (D- Merced)</b>	Chaptered  Signed by the Governor Chapter 60, Statutes of 2023	<b>California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining.</b>  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.	<b>Support and Amend</b>  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 Legislation Matrix  
January 8, 2024 – Second Year of Legislative Session**

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<b>SB 150 Durazo (D-Los Angeles)</b>	Chaptered  Signed by the Governor Chapter 61, Statutes of 2023	<b>Construction: workforce development: public contracts.</b>  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.	<b>Support</b>  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.
<b>SB 366 Caballero (D - Merced)</b>  Sponsors: California Municipal Utilities Association, California Council for Environmental and Economic Balance, California State Association of Counties	Amended 6/29/2023  Two-year bill  Assembly Water, Parks, and Wildlife Committee	<b>The California Water Plan: long-term supply targets.</b> 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.	<b>Support, if amended</b>  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 Legislation Matrix  
January 8, 2024 – Second Year of Legislative Session**

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p><b>SB 659</b> <b>Ashby (D – Sacramento)</b></p> <p>Sponsors: Sacramento Regional Water Authority</p>	<p>Chaptered</p> <p>Signed by the Governor Chapter 624, Statutes of 2023</p>	<p><b>California Water Supply Solutions Act of 2023.</b></p> <p>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.</p>	<p><b>Support, if Amended</b></p> <p>Based on 2023 Legislative Priorities and Principles adopted December 2022.</p>	<p>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.</p>
<p><b>SB 687</b> <b>Eggman (D - Stockton)</b></p>	<p>Amended 5/2/2023</p> <p>Two-year bill</p> <p>Senate Appropriations Committee – Suspense File</p>	<p><b>Water Quality Control Plan: Delta Conveyance Project.</b></p> <p>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.</p>	<p><b>Oppose</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>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.</p>

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

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
<p><b>SB 706 Caballero (D-Merced)</b></p> <p>Sponsors: CA State Association of Counties; County of San Diego; Design Build Institute of America Western Pacific Chapter; League of California Cities</p>	<p>Chaptered</p> <p>Signed by the Governor Chapter 500, Statutes of 2023</p>	<p><b>Public contracts: progressive design-build: local agencies.</b></p> <p>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.</p>	<p><b>Support</b></p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>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 <a href="#">Metropolitan</a>, to use PDB for public works projects. This supports Metropolitan’s priority of ensuring reliable water supply deliveries throughout its service area.</p>
<p><b>SB 867 Allen (D-Santa Monica)</b></p>	<p>Amended 6/22/2023</p> <p>Two-Year Bill</p> <p>Assembly Natural Resources Committee</p>	<p><b>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.</b></p> <p>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.</p>	<p><b>Support, if amended</b></p> <p>Based on June 2023 Board Action</p>	<p>This measure is consistent with Metropolitan’s current policy priorities and supports the objectives of Metropolitan’s Climate Adaptation Master Plan.</p> <p>Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought, and conservation projects.</p>



## The Metropolitan Water District of Southern California January 8 ,2024– State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
Cal/OSHA	<a href="#"><u>Proposed Indoor Heat Illness Prevention Standard</u></a>	On March 31, 2023, Cal/OSHA proposed new indoor heat standards requiring employee access to water and cool down areas, as well as encouraged preventative cool-down breaks when the indoor temperature exceeds or equals 82°F. Employees must be trained on indoor heat illness prevention and employers should take additional steps to minimize the risk of heat illness. If the indoor temperature equals or exceeds 87°F, additional requirements are triggered.	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 provided input to PRR regarding the definition of indoor spaces and making the training consistent with outdoor heat illness prevention programs.	Third 15-day public comment draft released December 22, 2023. Occupational Safety and Health (OSH) Board has until March 2024 to adopt final rule.
Cal/OSHA	<a href="#"><u>Proposed Updates on Lead Standards for General Industry and Construction</u></a>	On March 3, 2023, Cal/OSHA published new lead standards for general industrial and construction work areas. The proposal lowers the Permissible Exposure Level (PEL) for lead from 50 ug/m <sup>3</sup> to 10 ug/m <sup>3</sup> and lowers the Action Level (AL) from 30 to 2 ug/m <sup>3</sup> . 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.	Awaiting final rule. OSH Board has until March 2024 to adopt final rule.
CARB	<a href="#"><u>Advanced Clean Fleets (ACF) Regulation</u></a>	On April 28, 2023, CARB adopted the ACF that mandates 50% of medium to heavy-duty (MHD) vehicle (i.e., > 8,500 lbs) purchases be zero-emission (ZE) starting in 2024, and 100% by 2027. The Rule includes an optional milestone compliance pathway and exemptions for infrastructure construction or electrification delays and mutual aid designated vehicles.	The rule requires public fleets, including Metropolitan and its member agencies, to develop a MHD vehicle replacement strategy. Metropolitan provided comments expressing concerns over the compliance timeline given the current lack of ZE vehicle availability and infrastructure, and higher unit costs—which may affect system reliability and emergency response in the interim. Metropolitan is implementing a transition plan for its fleet of 500 MHD vehicles.	Rule in effect as of Jan 1, 2024.. CARB providing enforcement discretion to Drayage and High Priority Fleets, not State and Government fleets.

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## The Metropolitan Water District of Southern California January 8 ,2024– State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
CARB	<a href="#"><u>In-Use Off Road Diesel-Fueled Fleets Regulation</u></a>	Beginning January 1, 2024, the In-Use Off Road Diesel-Fueled Fleets Regulation mandates the phase-out of older Tier 0-2 engines, bans adding Tier 3 & Tier 4i engines, requires the use of R99 or R100 renewable diesel, and requires affected entities to only hire compliant fleets.	The rule affects all off-road construction equipment using diesel engines with 25 horsepower or more. The rule requires the removal of older, dirtier engines, and encourages—not requires, the adoption of zero-emission engines. The rule also requires industry to meet a fleet-average NOx emission target based on horsepower and model year of each engine. Staff are working on a clean-vehicle deployment schedule which includes a phase-out plan for Metropolitan’s 47 Tier 0-2 engines.	Adopted November 17, 2022 with compliance starting on January 1, 2024.
CARB	<a href="#"><u>Zero-Emission Forklift Rulemaking</u></a>	On March 20, 2023, CARB released revised regulatory language prohibiting 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. On December 26, 2023 Metropolitan staff submitted comments addressing concerns with provisions in the latest rulemaking package.	CARB released 45-day rulemaking draft Nov 2023 with final adoption tentative for Summer 2024.
DTSC	<a href="#"><u>Generator Improvements Rule</u></a>	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.

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## The Metropolitan Water District of Southern California January 8 ,2024– State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
SWRCB	<a href="#"><u>California Ocean Plan Amendments for Seawater Desalination</u></a>	The SWRCB will update the Ocean Plan to include new seawater siting criteria. Preliminary meetings are related studies are expected to start in Q4 2023.	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	<a href="#"><u>Conservation as a California Way of Life</u></a>	On August 18, 2023, SWRCB released rulemaking text in response to AB 1668 and SB 606--Making 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 six comment letters addressing technical components of the regulation and compliance matters. The latest comment letter, dated October 16, 2023, addressed the outdoor residential water use standard, special landscape areas irrigated with recycled water, CII best management practices, variances, and funding sources for disadvantaged communities.	If adopted, the rule becomes effective on Oct. 1, 2024. Urban water retailer Annual Water Use reporting starts January 1, 2024.
SWRCB	<a href="#"><u>Direct Potable Reuse Regulations</u></a>	On July 21, 2023, SWRCB released its proposed Direct Potable Reuse regulations. The revised rule language was released on October 19, 2023. 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 and Los Angeles County Sanitation Districts provided oral comment supporting the adoption of the DPR regulations on December 19, 2023. .	Final regulations adopted by SWRCB December 19, 2023. Subject to further review by the Office of Administrative Law with an estimated effective date of April 1, 2024.

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## The Metropolitan Water District of Southern California January 8 ,2024– State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
SWRCB	<a href="#"><u>Draft Seawater Desalination Siting and Streamlining Report</u></a>	On July 12, 2023, the SWRCB, in conjunction with the California Coastal Commission and State Lands Commission, released draft siting and streamlining criteria for seawater desalination (desal) facilities. The criteria cover siting, intakes, outfalls, monitoring and mitigation requirements.	The guidelines could impact existing and planned member agency seawater desal projects, as well as any future Metropolitan partnerships on desal. Metropolitan submitted comments supporting concurrent state agency review for all seawater desal projects and the ability of water agencies to determine the need for a project. Metropolitan also commented that the criteria should not use loading orders to prioritize project type but should accommodate alternative projects such as offshore desal. Metropolitan supported CalDesal’s letter on the same issues, among others.	The guidelines will be finalized in Fall 2023.
SWRCB	<a href="#"><u>Drought and Conservation Reporting Order</u></a>	On December 5, 2023, DDW released for public comment: (1) new annual reporting requirements, titled the “Clearinghouse Annual Inventory Report (CAIR);” and (2) a draft Technical Reporting Order (Order No. DDW_HQ_2024_001) which combines all eAR and Clearinghouse reporting requirements into one streamlined document for public comment. The new CAIR replaces section 6 of the Electronic Annual Report (eAR) and serves as a centralized location for public water systems to report supply and demand data to the State Water Board every year.	Similar to the Drought and Conservation Reporting Order, the CAIR requires Metropolitan and its member agencies to provide volumetric flow and groundwater and 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 of Metropolitan’s small water systems from the drought reporting requirements under the 2024 Technical Reporting Order.	The Technical Reporting Order and CAIR went into effect on January 1, 2024.
SWRCB	<a href="#"><u>Manganese Notification and Response Levels</u></a>	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, respectfully.	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	Awaiting further action by DDW. DDW may adopt these NL and RL at any time.

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## The Metropolitan Water District of Southern California January 8 ,2024– State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
			<p>exceedances in their Consumer Confidence Reports and/or make operational changes.</p>	
<p><b>SWRCB</b></p>	<p><a href="#"><u>Maximum Contaminant Level (MCL) for Hexavalent Chromium</u></a></p>	<p>On June 16, 2023, DDW proposed an MCL for hexavalent chromium of 10 micrograms per liter (µg/L) and a detection limit for purposes of reporting (DLR) of 0.1 µg/L. Compliance timelines vary from 2-4 yrs. depending on system size. On November 22, 2023, DDW released proposed amendments. The proposed MCL is still at 10 µg/L. DDW modified language regarding the Hexavalent Chromium MCL Compliance Plan and added that a water system must give public notice of exceedances of the hexavalent chromium MCL prior to the applicable compliance deadline.</p>	<p>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.</p>	<p>DDW anticipates finalizing the rule in February 2024 with implementation starting in July 2024.</p>
<p><b>SWRCB</b></p>	<p><a href="#"><u>MCL for Perchlorate</u></a></p>	<p>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 OEHAA lowering the public health goal (PHG) for perchlorate from 6 µg/L to 1 µg/L in February 2015.</p>	<p>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. Metropolitan submitted comment letters supporting DDW’s review and a DLR of 2 µg/L. 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</p>	<p>The DLR of 1 µg/L went into effect January 1, 2024. Awaiting further action by DDW on revising the MCL.</p>

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## The Metropolitan Water District of Southern California January 8 ,2024– State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
			capacity is determined and perchlorate occurrence data at the 2 µg/L DLR are collected and evaluated.	
SWRCB	<a href="#"><u>MCLs for Perfluoro-octanoic acid (PFOA) and perfluoro-octane sulfonic acid (PFOS)</u></a>	On July 22, 2021, OEHHA released draft PHGs for two PFAS: 0.007 ppt for PFOA and 1 ppt for PFOS—the first step towards DDW proposing MCLs for these compounds. DDW also requested OEHHA to evaluate whether PFAS can be grouped together for regulatory purposes based on specific characteristics or features. On July 14, 2023, OEHHA released additional supporting documentation for the proposed PHGs for PFOA and PFOS.	Once announced, staff will evaluate impacts and potential comments.	Awaiting official release of regulation.
SWRCB	<a href="#"><u>Statewide General Permit for Drinking Water System Discharges</u></a>	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.

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Legislation, Regulatory Affairs and  
Communications Communications

# Report on Activities from Sacramento

Item 6b

January 8, 2024

Report on  
Activities  
from  
Sacramento

Subject

Report on Activities from Sacramento.

Purpose

To provide a legislative update as we begin legislative session.



# Sacramento Legislative Highlights

## Legislative Calendar

- Jan 3, 2024 – Legislative session reconvened
- Jan 10, 2024 – Budget must be submitted by the Governor
- Jan 31, 2024 – Last day for 2023 bills to pass out of their house of origin
- Feb 16, 2024 – Last day for new bills to be introduced

# Sacramento Legislative Leadership

## Legislative Leadership

Speaker  
Robert Rivas  
(D – Salinas)



Pro Tem Designee  
Mike McGuire  
(D – San Rafael)



Sacramento  
Legislative  
Highlights

# Assembly Committee Leadership

Budget  
Jesse Gabriel  
D–Encino



Appropriations  
Buffy Wicks,  
D - Oakland



Water, Parks and  
Wildlife Diane  
Papan, D–San  
Mateo



Sacramento  
Legislative  
Highlights

# Assembly Committee Leadership

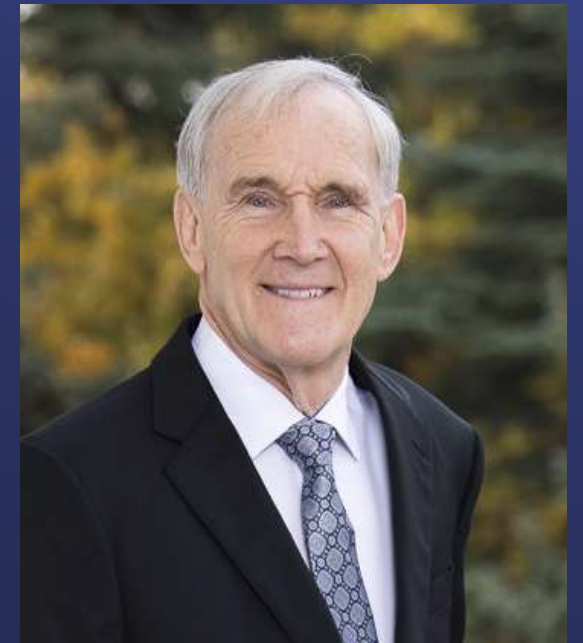
Natural  
Resources Isaac  
Bryan  
D-Culver City



Env. Safety and  
Toxic Materials  
Eduardo Garcia,  
D-Coachella



Budget Sub No. 4  
Steve Bennett,  
D-Oxnard

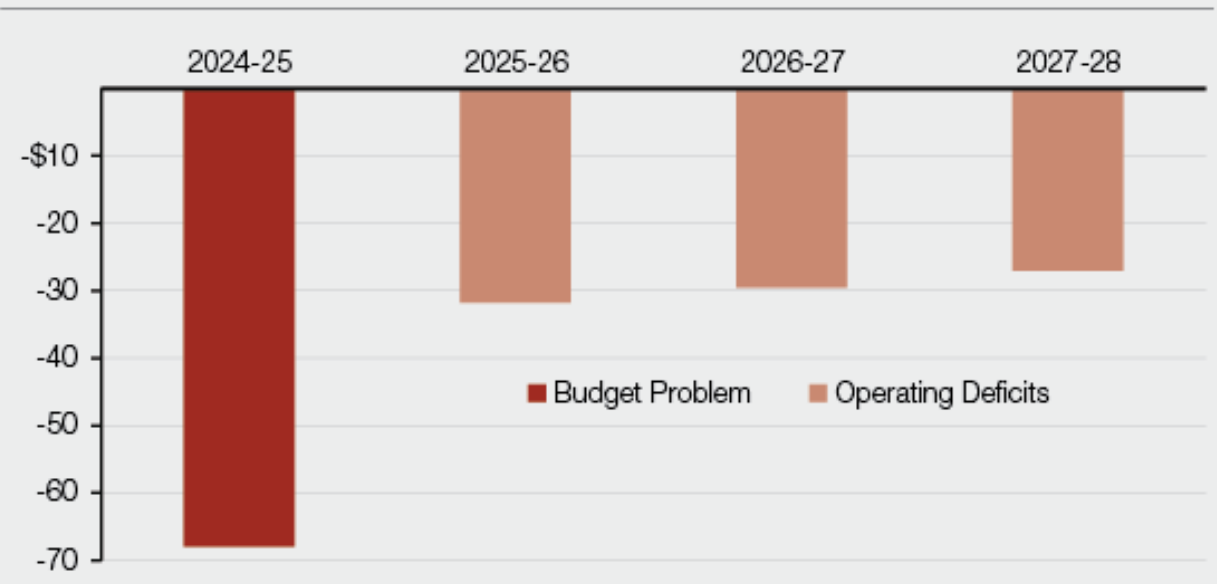


# Sacramento Budget

## State Fiscal Outlook

Figure 4

**State Faces Serious Budget Problem in 2024-25, and Significant Operating Deficits in Future Years**  
(In Billions)



LAOA

## 2-Year Bills of Interest: Climate Bonds

### Sacramento Legislative Highlights

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



## Sacramento Legislative Highlights

# 2-Year Bills of Interest: Climate Bonds (cont'd)

SB 867 (Allen): Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, and Clean Energy Bond Act of 2024.



# Sacramento Legislative Highlights

## 2-Year Bills of Interest: Water Rights

- AB 460 (Bauer-Kahan) State Water Resources Control Board: water rights and usage: interim relief: procedures
- MWD Position: Oppose
  
- AB 1337 (Wicks) State Water Resources Control Board: water diversion curtailment
- MWD Position: Oppose



# Sacramento Legislative Highlights

## 2 Year Bills of Interest: Water Plan

- SB 366 (Caballero) The California Water Plan: long-term supply targets
- MWD Position: Support if Amended



# Sacramento Legislative Highlights

## 2 Year Bills of Interest: Oppose

- AB 1648 (Baines) Water: Colorado River conservation
- MWD Position: Oppose



