

**Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session**

| Topic | Bill Number Author | Status | Title – Summary | MWD Position | Effects on Metropolitan |
|------------------------------|--|---|---|---|---|
| Metropolitan-sponsored bills | SB 230 Portantino (D) Sponsors: Metropolitan and the California Municipal Utilities Association (CMUA) | Amended 6/22/2022 Assembly Appropriations Committee Hearing: August 3, 2022 | State Water Resources Control Board: Constituents of Emerging Concern Program Seeks to expand statewide knowledge of Constituents of Emerging Concern (CECs) in drinking water sources and recommend CECs for further regulatory action. | CO-SPONSOR Based on October 2019 Board Action | Metropolitan and CMUA are co-sponsoring legislation in response to growing public concern about CECs in drinking water. The bill would require the State Water Board to build its knowledge of Constituents of Emerging Concern (CECs) in drinking water and authorizes the Board to convene a Science Advisory Panel to review and provide information on CECs for further regulatory action. The bill authorizes the Board to establish a consistent and science-based approach for assessing the public health and drinking water consequences of CECs, with the intent to improve knowledge and future regulatory determinations. The bill requires the State Water Board to present a final report to the Legislature. The recent amendments add PFAS back into the program and gives the State Water board more flexibility to determine if they need to establish a Science Advisory Panel or if they can build on existing efforts to |

**Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session**

| | | | | | |
|------------------------------|---|---|---|---|---|
| | | | | | evaluate CECs in freshwater ecosystems. |
| Metropolitan-sponsored bills | AB 1845 Calderon (D) Sponsor: Metropolitan | Amended 6/16/2022 Senate Appropriations Committee Hearing: August 1, 2022 | Metropolitan Water District of Southern California: alternative project delivery methods Allows the Metropolitan Water District of Southern California to use alternative project delivery methods for the design and construction of a Regional Recycling Water Program and a limited set of drought-related projects. | SPONSOR | Metropolitan is limited to the traditional Design-Bid-Build method for delivery of public works construction contracts which can be inefficient and inflexible for large, time-sensitive, and complex projects like its Regional Recycled Water Program and emergency drought mitigation projects. The bill would amend the Public Contracting Code to permit Metropolitan to use Design-Build, Progressive Design-Build, and Construction Manager/General Contractor. These methods have the potential to expedite construction of critical new water infrastructure projects and reduce their overall costs. The recent amendments seek to clarify the process for progressive design build and specify liability protections for subcontractors and designers. |
| Delta/State Water Project | SB 832 Dodd (D) Sponsor: Author | Amended 4/6/2022 Senate Appropriations | Water rights: measurement of diversion Clarifies existing law that a person diverting 10 acre-feet or more of water per year under a | SUPPORT Based upon Board-adopted 2022 Legislative | Metropolitan supports metering and reporting of diversions to prevent unlawful diversion of State Water Project supplies in the Delta and other locations that may lead to additional regulatory burdens. Metropolitan is |

**Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session**

| | | | | | |
|--------------|--|---|---|--|---|
| | | Committee - Suspense File Held in Committee | registration is subject to existing water diversion measurement, recording, and reporting requirements. Also, authorize the State Water Board to modify water diversion measurement requirements to allow open satellite data methods to estimate evapotranspiration if the board makes certain findings regarding use of water for irrigation. | Priorities and Principles | installing meters on its Delta Islands to comply with existing statutory requirements. While OpenET would be a useful tool for water management and could be used as an indicator of unlawful diversions in the Delta, it is a new methodology for California. The bill requires the State Water Board to conduct a five-year study to determine the adequacy of evapotranspiration methods as a substitute for conventional metering methods to comply with State Water Board reporting requirements. |
| Design-Build | SB 991 Newman (D) Sponsors: Water Collaborative Delivery Association (formerly Design Build Council) | Amended 6/20/2022 Assembly Appropriations Committee Hearing: August 3, 2022 | Public contracts: progressive design-build: local agencies Authorize local water and wastewater agencies to use the progressive design-build (PDB) project delivery method for public works projects in excess of \$5 million. | SUPPORT Based on April 2022 Board Action | SB 991 could benefit water agencies, including Metropolitan, by providing the option to use progressive design-build, which allows for greater collaboration between the project owner and the contractor through the design and construction phase thereby reducing project costs, risk, and schedules. The June 6 amendments clarify the process for amending a contract between the owner and the design build entity and specifies that, if the design build entity is replaced, the design professionals working for the design build entity have sole |

**Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session**

| | | | | | |
|------------|---|--|---|--|--|
| | | | | | responsibility for the any errors and omissions in the design. The recent amendments clarify that local agencies can use the progressive design build authority on up to 15 projects. |
| Governance | AB 2449 B. Rubio (D) Sponsor: Three Valleys Municipal Water District | Amended 6/30/2022 Senate Floor | Open meetings: local agencies: teleconferences Amends the Ralph M. Brown Act to allow a local agency to voluntarily use teleconferencing for public meetings during non-emergencies. Requires a quorum of the members meet in person at a noticed location that is open to the public and within the agency's jurisdiction. The bill prescribes requirements for this exception related to notice, agendas, means and manner of access, and procedures for disruptions. Requires procedures for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law. Requires a quorum of the legislative body present at the location noticed on the agenda, an | SUPPORT Based on April 2021 Board Action | Metropolitan currently hosts teleconferencing public meetings in accordance with Executive Order, N-29-20. AB 2449 allows the option to hold teleconferenced meetings into the future after the COVID-19 public health emergency is over and the Executive Order is lifted as long as a quorum of the Board's directors participate in person, give notice and post agendas as prescribed, ensure that directors attending meeting by teleconference participate through both audio and visual technology, and allow the public to address the Board in person or by teleconference. Waives the requirement to post an agenda at each teleconferenced location based on prescribed requirements. If there is a disruption to the call-in or streaming options, then no action can be taken by the board. The recent amendments to the bill are technical and clarifying in nature. |

Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session

| | | | | | |
|-------------------|--|--|---|---|---|
| | | | audio and video live-feed of the remote member of the legislative body during the meeting. | | |
| Regulatory Reform | AB 2313 Bloom (D) Sponsor: Author | Amended 6/30/2022 Senate Appropriations Committee | Water: judges and adjudications Would require the Judicial Council on or before January 1, 2025 to establish a program that provides training and education to judges in specified actions relating to water quality, groundwater, water transfers and water rights. Allows parties to file a notice for a water case to be assigned to a judge who has been through the training. Also requires the Judicial Council to identify independent and nonpartisan experts in water issues who will be available to any judge adjudicating a water dispute and authorizes judges to appoint special masters in water cases to investigate technical and legal issues among other duties. | SUPPORT Based upon Board-adopted 2022 Legislative Priorities and Principles | Metropolitan's interests in enforcement of water quality law and water rights would be better served by judges, court staff, and special masters who have received training in the legal, scientific, and technical issues involving water quality, water rights and water transfers. |
| Regulatory Reform | SB 1065 Eggman (D) | Amended 6/22/2022 | California Abandoned and Derelict Commercial Vessel Program | SUPPORT | SB 1065 will benefit water quality in the Bay Delta as abandoned and derelict vessels may cause sewage |

**Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session**

| | | | | | |
|-----------------------------------|---|---|--|---|---|
| | Sponsor: Author | Assembly Appropriations Committee Hearing: August 3, 2022 | Establishes the California Abandoned and Derelict Commercial Vessel Program within the Natural Resources Agency to bring federal, state, and local agencies together to identify, prioritize and, upon appropriation, fund the removal of abandoned and derelict commercial vessels from waters of the state. | | contamination and leakage of fuels and lubricants. Studies have shown that abandoned and derelict vessels are one of the stressors to the Delta and its species. SB 1065 would also provide protection to Metropolitan properties in the Delta in the event any vessel happens to be abandoned in any of the waters surrounding Metropolitan's Delta Islands. The recent amendments require the Natural Resources Agency develop a plan to address abandoned and derelict commercial vessels in state waters by July 1, 2025. |
| Water Bond Infrastructure Funding | SB 559 Hurtado (D) Sponsors: Friant Water Authority, San Luis & Delta Mendota Water Authority, and State Water Contractors | Amended 8/30/2021 Assembly Inactive Two-year bill | Department of Water Resources: water conveyance systems: Canal Conveyance Capacity Restoration Fund Establishes the Canal Conveyance Capacity Restoration Fund that would upon appropriation provide up to \$785 million for the Department of Water Resources (DWR) to help pay for subsidence repairs to the State Water Project and Central Valley Project water conveyance | WATCH Based upon Board adopted 2021 State Legislative Priorities and Principles | Portions of the California Aqueduct, the Friant Kern Canal and the Delta Mendota Canal have lost capacity due to subsidence. The Fund would upon appropriation provide funding to DWR to support a 10-year program to restore the capacity of the canals and ensure a more secure water supply. Funds could be used to cover one-third of the cost to restore the capacity of the canals. A federal companion bill is envisioned that would provide one-third the cost and local partners would contribute the remaining one-third of the cost. The creation of the Fund is |

Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session

| | | | | | |
|--------------------|--|--|---|---|--|
| | | | systems and for necessary road and bridge upgrades. | | contingent upon all the following: an appropriation of funds; an agreement is executed to provide for local cost share; and the provision of adequate cost share as determined by the DWR Director. The August 8 Assembly Amendments are problematic causing the State Water Contractors and Metropolitan to withdraw support for the bill. |
| Water Conservation | AB 2142 Gabriel (D) Sponsor: Association of California Water Agencies California Water Efficiency Partnership WaterNow Alliance | Amended 4/6/2022 Senate Appropriations Committee – Suspense File | Income taxes: exclusion: turf replacement water conservation program. Would provide an exclusion from gross income for any amount received as a rebate, voucher or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program during the taxable years of January 1, 2022 through January 1, 2027. | SUPPORT Based upon Board adopted 2022 Legislative Priorities and Principles | Metropolitan previously supported the Making Conservation a Way of Life legislation and is working hard to promote indoor and outdoor conservation. Conservation rebates are key to success. California law previously exempted turf rebates from taxable income, but those provisions were allowed to sunset in December 2019. This bill would reinstate an important tax exemption for turf replacement rebates from gross income in California, aligning it with certain other permanently exempt efficiency rebates. |
| Water Quality | AB 1817 Ting (D) | Amended 6/30/2022 | Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl (PFAS). | SUPPORT | Metropolitan supports the removal or reduction of PFAS in manufactured products in order to protect source |

**Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session**

| | | | | | |
|---------------|--|--|---|--|--|
| | <p>Sponsors:</p> <p>Breast Cancer Prevention Partners, Natural Resources Defense Council, and Clean Water Action</p> | Senate Third Reading | Prohibits as of January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in California any textile articles that contain “regulated PFAS” as defined, and requires the manufacturer to use the least toxic alternative to regulated PFAS. | Based upon Board adopted 2022 Legislative Priorities and Principles | water quality. The May 9 amendments excludes from the PFAS prohibition certain textiles, e.g. personal protective equipment, and requires a manufacturer of textiles that contains PFAS to provide a person selling the product a certificate of compliance stating the textile product complies with the PFAS prohibition. The Senate Environmental Quality Committee amended the bill to exempt certain textiles or grant longer compliance periods to address concerns regarding the lack of an adequate PFAS substitute for some textiles. |
| Water Quality | <p>AB 2247 Bloom (D)</p> <p>Sponsors:</p> <p>Environmental Working Group, Clean Water Action, and California Association of Sanitation Agencies</p> | <p>Amended 5/19/2022</p> <p>Senate Appropriations Committee</p> <p>Hearing: August 1, 2022</p> | <p>Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform.</p> <p>Requires the Department of Toxic Substances Control to develop a publicly accessible reporting platform to collect information about PFAS and products containing intentionally added PFAS by January 1, 2025. By</p> | <p>SUPPORT</p> <p>Based upon Board adopted 2022 Legislative Priorities and Principles</p> | Metropolitan supports the removal or reduction of PFAS in manufactured products to protect source water quality. The May 19 amendments reflect Metropolitan’s efforts to work with the sponsors to change the term “regulated PFAS” to “intentionally added PFAS.” |

Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session

| | | | | | |
|---------------|--|---|---|---|---|
| | | | July 1, 2025, manufactures will be required to register the PFAS or product containing intentionally added PFAS on the reporting platform. | | |
| Water quality | AB 2771 Friedman (D) Sponsors: Environmental Working Group, Breast Cancer Prevention Partners, The California Public Research Group (CALPIRG) | Amended 6/13/2022 Senate Third Reading | Cosmetic products: safety Prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains PFAS. | SUPPORT Based upon Board adopted 2022 Legislative Priorities and Principles | Metropolitan supports the removal or reduction of PFAS in manufactured products to protect source water quality. The recent amendments set January 1, 2025, when the prohibition would go into effect. |
| Water Quality | SB 1124 Archuleta (D) Sponsor: Author | Amended 6/23/2022 Assembly Appropriations Committee Hearing: | Public health goal: primary drinking water standard: manganese Requires, on or before July 1, 2023, the Office of Environmental Health Hazard Assessment (OEHHA) to prepare a public health goal for manganese. Requires the state board, after OEHHA publishes a | OPPOSE UNLESS AMENDED Based upon Board adopted 2022 Legislative Priorities and Principles | SB 1124, as introduced, sought to ensure safe and reliable water in the Central Basin. The bill was amended in the Senate to require the State Water Board develop a primary drinking water standard for manganese. There is currently a secondary drinking water standard for manganese of 0.05-mg/L to address aesthetics (discoloration) issues, not |

**Metropolitan Water District of Southern California
State Legislative Matrix
July 12, 2022 – Second Year of Legislative Session**

| | | | | | |
|--|--|----------------|---|--|---|
| | | August 3, 2022 | public health goal for manganese, to adopt a primary drinking water standard. | | <p>health concerns. Metropolitan supports efforts to ensure all communities have a safe and reliable water supply by setting drinking water standards through the normal regulatory process. The bill circumvents that process and could compromise a rigorous scientific process backed by data and stakeholder engagement.</p> <p>The recent amendments are clarifying and technical in nature.</p> |
|--|--|----------------|---|--|---|