

# 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.

## **C&L Committee**

G. Cordero, Chair  
C. Kurtz, Vice Chair  
J. Abdo  
L. Ackerman  
D. Erdman  
A. Kassakhian  
M. Luna  
J. Morris  
G. Peterson  
T. Quinn  
R. Record  
H. Repenning  
T. Smith

## **Communications and Legislation Committee**

Meeting with Board of Directors \*

**November 7, 2022**

**12:30 p.m.**

Live streaming is available for all board and committee meetings on [mwdh2o.com](https://mwdh2o.com) ([Click Here](#))

A listen only phone line is also available at 1-877-853-5257; enter meeting ID: 831 5177 2466. Members of the public may present their comments to the Committee on matters within the committee's jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference (833) 548-0276 and enter meeting ID: 815 2066 4276.

## **Monday, November 7, 2022 Meeting Schedule**

**09:30 a.m. F&I  
10:30 a.m. E&O  
12:30 p.m. C&L  
01:30 p.m. IW**

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

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\* 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 Communications and Legislation Committee Meeting held October 10, 2022 [\*\*21-1655\*\*](#)

**Attachments:** [11082022 CL 2A Minutes](#)

## **3. CONSENT CALENDAR ITEMS - ACTION**

NONE

**\*\* END OF CONSENT CALENDAR ITEMS \*\*****4. OTHER BOARD ITEMS - ACTION**

NONE

**5. BOARD INFORMATION ITEMS**

9-2 Legislative Priorities and Principles for 2023

[21-1638](#)

**Attachments:** [11082022 BOD 9-2 B-L](#)  
[11072022 CL 9-2 Presentation](#)

**6. COMMITTEE ITEMS**

a. Report on activities from Washington, D.C.

[21-1652](#)

**Attachments:** [11072022 CL 6a Legislative Matrix](#)

b. Report on activities from Sacramento

[21-1653](#)

**Attachments:** [11072022 CL 6b Legislative Matrix](#)

**7. MANAGEMENT REPORTS**

a. External Affairs Management Report

[21-1654](#)**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. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. 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 <http://www.mwdh2o.com>.

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**

**COMMUNICATIONS AND LEGISLATION COMMITTEE**

**October 10, 2022**

Chair Cordero called the teleconference meeting to order at 1:01 p.m.

Members present: Chair Cordero, Vice Chair Kurtz, Directors Abdo, Ackerman, Erdman, Morris, Peterson, Quinn (entered after roll call), Record and Smith.

Members absent: Directors Kassakhian, Luna, and Repenning.

Other Board Members present: Directors Abdo, Atwater, Blois, De Jesus, Dennstedt, Faessel, Fellow, Fong-Sakai, Jung, Lefevre, McCoy, Miller, Pressman, Ramos, Sutley, Tamaribuchi and Williams.

Committee Staff present: Hagekhalil, Zinke, Horton, 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**

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

A. Approval of the Minutes of the Meeting of the Communications and Legislation Committee held September 12, 2022.

**3. CONSENT CALENDAR ITEMS – ACTION**

None

Director Morris made a motion, seconded by Vice Chair Kurtz to approve item 2A

The vote was:

Ayes: Directors Abdo, Ackerman, Cordero, Erdman, Kurtz, Morris, Peterson, Record, and Smith.

Noes: None

Abstentions: None

Absent: Directors Kassakhian, Luna, Quinn and Repenning

The motion passed by a vote of 9 ayes, 0 noes, abstain, and 4 absent.

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

Director Quinn entered the meeting.

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

None

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

None

#### **6. COMMITTEE ITEMS**

- a. Subject: Update on Outreach and Research for Pure Water Southern California

Presented by: Rupam Soni, Team Manager-Community Relations

Ms. Soni provided a presentation on focus group and survey results about Pure Water Southern California and community support, messaging, the notice of preparation of an environmental impact report, and qualitative research.

The following Directors provided a comment or asked a question:

1. Quinn
2. Smith
3. Erdman
4. Morris
5. Fong Sakai
6. Tamarabuchi

Staff responded to the Directors' comments or questions.

- b. Subject: Report on Activities from Washington, D.C.

Presented by: Abby Schneider, Executive Legislative Representative

Ms. Schneider provided an oral report on Activities from Washington, D.C. including an update on FY 2022/2023 budget negotiations and appropriations, House Transportation & Infrastructure Committee; Clean Water Act and critical infrastructure preparedness and resilience.

- c. Subject: Report on Activities from Sacramento.

Presented by: Kathy Viatella, Executive Legislative Representative

Ms. Viatella provided a oral report on activities from Sacramento including an update on policy bills, the FY 2022/23 state budget, and the year in review: Delta/SWP, governance, regulatory reform, water conservation, water quality, affordability and water and drought resilience funding.

The following Directors provided a comment or asked a question:

1. Fellow
2. Sutley
3. Cordero

Staff responded to the Directors' comments or questions.

## **7. MANAGEMENT REPORTS**

- a. Subject: External Affairs Management Report

Presented by: Sue Sims, External Affairs Group Manager

Ms. Sims provided an update on Director inspection trips, the annual legislative planning meeting with member agencies, review of the legislative priorities and policies process for 2023, water conservation events, and social media "Saving Water is Spooky" videos.

The following Director provided a comment:

1. Cordero

**8. FOLLOW-UP ITEMS**

None

**9. FUTURE AGENDA ITEMS**

None

Next meeting will be held on November 07, 2022.

Meeting adjourned at 1:57 p.m.

Gloria Cordero  
Chair



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

11/8/2022 Board Meeting

9-2

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## Subject

Legislative Priorities and Principles for 2023

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## Executive Summary

This letter presents the 2023 legislative priorities and principles recommended by staff for the Board of Directors' consideration and discussion.

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## Details

This board letter presents the 2023 Legislative Priorities and Principles as recommended by staff for the Board's consideration. It lays 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. 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 funding. Updated legislative priorities and principles are presented annually to the Board of Directors. The current 2022 version was adopted in November 2021 (**Attachment 1**). Final legislative priorities and principles are publicly available on the Metropolitan Legislative Services webpage.

For the coming year, which is year one of new two-year state and federal legislative cycles, staff aligned the document to reflect changes in Metropolitan's organizational structure and to be consistent with the GM Business Plan, the Metropolitan Climate Action Plan, and the newly adopted Bay-Delta policies. The draft 2023 Legislative Priorities and Principles was presented at the Member Agency Legislative Coordinators Annual Planning Meeting on October 20, 2022, and at the Member Agency Managers' Meeting on October 28, 2022.

Recommended updates to the language can be seen in the attached redline of the 2022 Legislative Priorities and Principles (**Attachment 2**). This board action letter presents a clean version of the 2023 priorities and principles with staff's recommended revisions, incorporating technical and policy input received. Staff understands the interest in advancing a non-functional turf bill proposal, so that item is included as a priority, although contingent on receiving the necessary Board authorization.

The 2023 Legislative Priorities and Principles below are respectfully submitted for consideration and discussion; input from the Board will be incorporated into the final draft, which will be coming back in December 2022 for adoption by the Board.

## 2023 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 funding for the following priorities in 2023:

### A. Top Legislative Priorities:

1. Continue support for imported water supply resiliency and reliability, including progress on the Delta Conveyance Project, Sites Reservoir Project, Voluntary Agreements, and protecting critical elevations in Lake Powell and Lake Mead.
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. 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.
5. 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.
6. Implement Metropolitan's Climate Action Plan to reduce Metropolitan's greenhouse gas emissions and reach carbon neutrality by 2045.

### B. Metropolitan-Sponsored State Bill (contingent upon separate Board authorization)

1. Support administrative/legislative actions and funding for the long-term conversion of non-functional turf (NFT) in residential, commercial, industrial, and institutional (CII) existing landscapes and ban the installation of NFT in new construction.

## 2023 Legislative Policy Principles

The 2023 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 described below holistically address seven strategic areas of policy that inform Metropolitan's One Water Vision: drought response; drinking water; regional water resource management; imported water supply; sustainability, resiliency, innovation; infrastructure; and system resiliency.

- I. Drought Response –Southern California's two main sources of imported water are currently in severe drought conditions. Investments in additional conservation and local supplies are necessary as drought conditions continue or worsen, and the impacts of climate change are accelerating.
  - A. Support legislative/administrative actions and funding for local and regional drought resiliency projects and to improve system flexibility.
  - B. Support legislative/administrative actions and funding to accelerate new local supply development, including but not limited to recycled water, stormwater, groundwater remediation, water loss detection and repair, long-term conversion of non-functional turf, and other water conservation measures.



- C. 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 extended drought conditions.
  - D. 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 ongoing drought.
  - E. 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.
- II. 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 administrative/legislative actions, consistent with Board direction, to identify, evaluate, and prioritize constituents of emerging concern in drinking water.
    - 3. Support application of the “polluter pays” principle such that parties responsible for introducing contaminants 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.
    - 4. 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.
    - 5. Support administrative/legislative actions and funding to protect source water quality, reduce threats from invasive species, and mitigate harmful algal blooms
  - B. Water Governance and Funding: Metropolitan supports statewide efforts to provide access to safe and affordable drinking water to all residents.
    - 1. Support administrative/legislative actions that prioritize providing safe and affordable drinking water to disadvantaged communities.
    - 2. Support administrative/legislative actions that meaningfully improve water affordability throughout the region at both the individual and the water system level 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 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 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.

- III. Regional Water Resource Management – Metropolitan’s One Water Vision promotes 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. 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.
  - B. Support administrative/legislative actions and funding to expedite the development of new local resources (including recycled water and direct potable reuse, groundwater, stormwater, and desalination projects), without compromising the operational, financial, water quality, regulatory, environmental, and customer interests of Metropolitan and other water and wastewater agencies.
  - C. Support administrative/legislative actions and funding to facilitate the implementation of the Sustainable Groundwater Management Act and assist local agencies in maintaining long-term groundwater supply reliability, while upholding Metropolitan’s investments in groundwater banking partnerships.
  - D. Conservation
    - 1. Support tax exemptions and/or credits for water conservation or efficiency incentives including, but not limited to long-term conversion of 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 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); and potential impacts to wastewater operations and recycled water projects.
    - 4. Support administrative/legislative actions and funding to reduce water loss. Support the development and implementation of flexible water loss standards for both retail and wholesale water systems.
    - 5. Support administrative/legislative actions and funding for the long-term conversion of NFT in residential, commercial, industrial, and institutional landscapes and ban installation of NFT in new construction.
  - E. 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 Water Supply Strategy and MWD’s Climate Action Plan.
    - 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 that advance Metropolitan’s groundwater storage and/or recovery programs with member agencies.

4. Support administrative/legislative actions and funding for desalination research and technology development projects, and initiatives that encourage stakeholder coordination on these investments, such as with the National Alliance for Water Innovation.

F. 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 that facilitate the adoption of practical uniform water recycling criteria for direct potable reuse through raw water augmentation by December 31, 2023. These actions include but are not limited to funding: (a) for the planning, development, and implementation of local and regional potable reuse projects; and (b) 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.

G. Stormwater Capture

1. 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.

H. 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.

IV. 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.

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 2009 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 water rights priorities.
  6. Support administrative/legislative actions and funding to advance the Delta Freshwater Pathway, levee improvements, and secure flood-fighting materials and stockpiles.
  7. Support administrative/legislative actions in the Delta watershed to account for and administer the water rights system including protecting stored water releases.
  8. Support administrative/legislative actions and funding to advance Sites Reservoir and the 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 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 that reduces the risk of Lake Mead and Lake Powell falling below critical elevations.
  2. 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.
  3. Promote continued coordination between states for the Colorado River Basin Salinity Control Program. Support efforts to maintain and enhance the operation of the United States Bureau of Reclamation's Paradox Valley salinity control project at a safe level while working to develop a viable alternative that can provide long-term reductions in salt loads to the Colorado River.
  4. 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.

5. Support administrative/legislative actions and funding that advance binational water conservation programs that benefit Colorado River supply augmentation and habitat restoration objectives.
- 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 administrative/legislative actions and funding for new or expanded water infrastructure or programs that complement the SWP.
  3. 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.
  4. Support administrative/legislative actions and funding for the cleanup of contaminated groundwater storage basins used for Metropolitan water banking programs along the California Aqueduct.
  5. Support funding for the public share of costs, including recreation, flood protection, mitigation, environmental enhancement, and rehabilitation for multi-purpose SWP facilities.
- V. 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. Climate Action and Adaptation
1. Support administrative/legislative actions and funding to implement Metropolitan’s Climate Action Plan to reduce MWD’s greenhouse gas emissions and reach carbon neutrality by 2045.
  2. Support administrative/legislative actions and funding to assist the Department of Water Resources to reach carbon neutrality 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 research into the potential water resource and quality effects of climate change.
  5. Support administrative/legislative actions and funding that facilitate the integration of existing and planned local water supply, distribution systems, and regional water facilities.

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

- 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.
- VI. 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.
- VII. 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. Resiliency ensures the water supply and delivery system is strong, can return to service quickly, and is prepared to address future challenges.
  - A. Emergency Preparedness
    - 1. Support administrative/legislative actions that assist the water industry to prepare for, respond to, and recover 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 to secure and disburse funding to help public water systems defray the costs associated with COVID-19 (e.g., loss of revenue, deferred infrastructure maintenance, personal protective equipment, workplace health and safety improvements, and on-site testing) and for direct financial relief to low-income households facing substantial utility bill arrearages post COVID-19.
3. 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.
4. 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.

B. 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.

C. 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.



**Policy**

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Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

**Fiscal Impact**

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No direct fiscal impact.

  
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Susan Sims  
Group Manager, External Affairs  
11/3/2022  
Date

  
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Adel Hagekhalil  
General Manager  
11/3/2022  
Date

**Attachment 1 – Final 2022 Legislative Priorities and Principles**

**Attachment 2 – Redline 2022 Legislative Priorities and Principles**

Ref# ea12691003



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# **2022 LEGISLATIVE PRIORITIES AND PRINCIPLES**

The 2022 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 funding.

**Adopted November 9, 2021**



## 2022 Legislative Priorities

The legislative priorities for 2022 and the two Metropolitan-sponsored legislative initiatives for the 2022 state legislative session are as follows:

### A. Top Legislative Priorities

1. Support administrative/legislative actions and funding for demand management activities and new local supply projects to conserve existing supplies and prepare for a dry future.
2. Support funding to defray the costs of planning, financing, constructing, and rehabilitating all types of water infrastructure projects, including but not limited to, water recycling, storage, treatment, repairs to existing water delivery structures and environmental restoration projects.
3. Support actions to initiate, expedite and secure funding for the Regional Recycled Water Program and related projects.
4. Support administrative/legislative actions to ensure the reliability of imported water supplies including, but not limited to, ensuring progress on the Delta Conveyance Project and funding for Colorado River system water conservation projects, salinity control measures, and cleanup of contaminated sites.
5. Support administrative/legislative actions and funding to facilitate and expedite EcoRestore and non-mitigation habitat restoration projects that benefit water supply and/or endangered and threatened species.
6. Support administrative/legislative actions to secure and disburse funding to help public water systems defray the costs associated with COVID-19 (e.g., loss of revenue, deferred infrastructure maintenance, personal protective equipment, workplace health and safety improvements, and on-site testing) and for direct financial relief to low-income households facing substantial utility bill arrearages post COVID-19.
7. 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.
8. Support administrative/legislative actions to secure funding to help public water systems defray the costs of monitoring and/or remediation of per- and polyfluoroalkyl substances and ensure drinking water and wastewater facilities are not held liable for the cleanup of contamination.
9. Support tax exemptions and/or credits for water conservation or efficiency incentives for measures including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.

### B. Metropolitan-Sponsored State Bills

1. Support legislation, consistent with board direction, to create a statewide program to identify and evaluate constituents of emerging concern in drinking water.
2. Support for legislation, consistent with board direction, to grant Metropolitan alternative delivery methods for construction of the Regional Recycled Water Program and drought-related projects.



## 2022 Legislative Policy Principles

The 2022 Legislative Policy Principles 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 described below holistically address eight strategic areas of policy that inform Metropolitan's One Water Vision: drought response, drinking water, regional water resource management, imported water supplies, climate change and the environment, infrastructure, system resiliency, and innovation.

- I. Drought Response –Southern California's two main sources of imported water are currently in drought conditions. Thanks to sound planning, smart investments and a strong conservation ethic, the region is prepared to meet current year demands for water. However, investments in additional conservation and local supplies are necessary in the event drought conditions continue or worsen, and to prepare for the impacts of climate change on future hydrology.
  1. Support legislative/administrative actions and funding to accelerate new local supply development, including recycled water, water quality treatment, groundwater remediation and storage, water loss detection and repair, and water conservation measures.
  2. Support administrative/legislative actions and funding for imported source watershed protection and enhancement of water conservation projects to help offset the effects of extended drought conditions.
  3. Support administrative/legislative actions that recognize the significant variations in needs and opportunities among communities and regions regarding the capability of withstanding the impacts of drought and allow the State to provide additional assistance should current drought conditions worsen.
  4. 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.
- II. 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 administrative/legislative actions, consistent with Board direction, to identify and evaluate constituents of emerging concern in drinking water.
    3. Support application of the "polluter pays" principle such that parties responsible for introducing contaminants in drinking water sources are held liable for cleanup, and not drinking water and wastewater facilities that subsequently store, transport, or treat the water.



4. 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.
  5. Support administrative/legislative actions and funding to protect source water quality, reduce threats from invasive species, and mitigate harmful algal blooms.
- B. Water Governance and Funding: Metropolitan supports statewide efforts to provide access to safe and affordable drinking water to all residents.
1. Support administrative/legislative actions that prioritize providing safe and affordable drinking water to disadvantaged communities.
  2. Support administrative/legislative actions that meaningfully improve water affordability throughout the region at both the individual and the water system level without burdening existing ratepayers.
  3. Support funding to help water systems provide low-income ratepayer assistance programs without operational constraints.
  4. Support administrative/legislative actions that improve governance of non-compliant water systems and provide assistance for consolidations that improve their technical, managerial, or financial capacity.
  5. Support administrative/legislative action to ensure that all affected public water systems are consulted on changes of organization, including proposed consolidations or extension of service area.
  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.
- III. Regional Water Resource Management – Metropolitan’s One Water Vision promotes 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 managing imported water supplies and quality, supporting local resource development, advancing water use efficiency, and supporting ecosystem protection and restoration.
- A. Continue to support and promote integrated water resources development by advocating for clear, concise, and streamlined regulations/policies that are easily understandable by the regulated community and public.
  - B. Support administrative/legislative actions and funding to expedite the development of new local resources, including recycled water and direct potable reuse, groundwater, stormwater and desalination projects, without compromising the operational, financial, water quality, regulatory and customer interests of Metropolitan and other water and wastewater agencies.
  - C. Support administrative/legislative actions and funding to facilitate the implementation of the Sustainable Groundwater Management Act and assist local agencies in maintaining long-term groundwater supply reliability.



#### D. Conservation

1. Support tax exemptions and/or credits for water conservation or efficiency incentives including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
2. Support administrative/legislative actions and 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); and potential impacts to wastewater operations and recycled water projects.
4. Support administrative/legislative actions and funding to reduce water loss. Support the development and implementation of flexible water loss standards for both retail and wholesale water systems.
5. Support administrative/legislative actions and funding to improve water use efficiency through nonfunctional turf management.

#### E. Desalination & Groundwater Remediation

1. Support administrative/legislative actions and funding for seawater and groundwater desalination projects.
2. Support administrative/legislative actions and funding for salinity control projects including, but not limited to, source control, treatment and brine management.
3. Support administrative/legislative actions and funding that advance Metropolitan's groundwater storage and/or recovery programs with member agencies.
4. Support administrative/legislative actions and funding for desalination research and technology development projects, and initiatives that encourage stakeholder coordination on these investments, such as with the National Alliance for Water Innovation.

#### F. Recycled Water

1. Support actions to initiate, expedite and secure funding for the Regional Recycled Water Program and related projects.
2. 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.
3. Support administrative/legislative actions to help achieve recycled water goals and the California Water Reuse Action Plan while limiting one-size-fits-all mandates of recycled water uses and/or specific reduction of wastewater discharges without first considering the following factors: a cost-benefit analysis, current use and demand for recycled water, projected wastewater flows and water rights, status of the state's direct potable reuse regulations, location and site constraints for reuse of



wastewater discharges, existing plans for recycled water projects and available funding.

4. Support administrative/legislative actions that facilitate the adoption of practical uniform water recycling criteria for direct potable reuse through raw water augmentation by December 31, 2023. These actions include but are not limited to funding: (a) for the planning, development and implementation of local and regional potable reuse projects; and (b) initiatives to fill research gaps and advance the science to promote the further development of potable reuse.
5. Support administrative/legislative action 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 and limit restrictions on use of recycled water during water shortages and drought.

#### G. Stormwater Capture

1. Support administrative/legislative actions that promote stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects to augment local and regional water supplies without compromising the operational, water quality, financial, regulatory, and customer interests of local and regional water agencies.

#### H. 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, and other environmental improvements. Funding of watershed management programs should be based on the “beneficiaries pay” principle.
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, 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.

### IV. 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.

1. Support administrative/legislative action 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 action 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 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 2009 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 water rights priorities.
  6. Support administrative/legislative actions and funding to advance the Delta Emergency Freshwater Pathway and emergency response in the event of catastrophic levee failure that impedes delivery or degrades SWP supplies.
  7. Support administrative/legislative actions in the Delta watershed to account for and administer the water rights system including protecting stored water releases.
- B. Colorado River Resources – The Colorado River is a critical resource for the entire Southwest – supporting the economies of seven Basin States (Arizona, California, Colorado, Nevada, New Mexico, Wyoming and Utah) and many diverse ecosystems. Degradation of the River's water quality can cause significant economic, environmental and human health impacts across the West. Metropolitan, together with the other Basin States, Native American tribes and Mexico, works to ensure we can continue to supply our communities with a safe and reliable water supply.
1. Support administrative/legislative actions and funding for Colorado River System water conservation projects, including implementation of the Drought Contingency Plan and other necessary actions to reduce the risk of Lake Mead falling to critically low levels.
  2. 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.





3. Promote continued coordination between states for the Colorado River Basin Salinity Control Program. Support efforts to resume operation of USBR's Paradox Valley salinity control project at a safe level while working to develop a viable alternative that can provide long-term reductions in salt loads to the Colorado River.
  4. 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.
  5. Support administrative/legislative action and funding that advance binational water conservation programs that benefit Colorado River supply augmentation and habitat restoration objectives.
- 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 address threats to the project and address environmental needs and augment water supplies through 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 administrative/legislative action and funding for new or expanded water infrastructure that complements the SWP.
  3. 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.
  4. Support administrative/legislative actions and funding for the cleanup of contaminated groundwater storage basins used for Metropolitan water banking programs along the California Aqueduct.
  5. Support funding for the public share of costs, including recreation, flood protection, mitigation, environmental enhancement, and rehabilitation for multi-purpose SWP facilities.
- V. Climate Change and the Environment – Metropolitan is helping California reach its climate goals while adapting to a rapidly changing environmental landscape. Metropolitan supports policies and funding that encourage sustainable practices and environmental compliance, reduce greenhouse gas emissions, and improve energy sustainability.
- A. Climate Change Adaptation
1. Support research into the potential water resource and quality effects of climate change.
  2. Support administrative/legislative actions and funding that protect SWP, Colorado River Aqueduct (CRA), and local water supplies from the impacts of climate change and enhance their long-term reliability.



3. Support administrative/legislative efforts 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 sequestering carbon.
4. Support administrative/legislative actions that promote reasonable, economically viable, and technologically feasible efforts for reducing the potential impacts of climate change to water and power resources.
5. Support administrative/legislative actions and funding that facilitate the integration of existing and planned community water supply, distribution systems, and regional water facilities.

#### 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 supply options and oppose constraints on supply development such as water resource loading orders based 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 includes 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 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 that provide regulatory compliance flexibility, improve clarity and workability of the requirements, and promote consistency and reduce regulatory duplication, while protective of public health and the environment.
2. Support administrative/legislative actions and funding to facilitate other 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.
4. Support administrative/legislative actions and funding opportunities to help public water agencies update their portable, stationary, and mobile equipment fleets to help improve system reliability and resiliency in an environmentally responsible manner.

VI. 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, streamline project approval and reporting processes, and prevent project backlogs in state and federal funding or financing.
- C. Support "beneficiaries pay" approach as financing mechanism for statewide projects and programs and oppose public goods charge, 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.



VII. 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. Resiliency ensures the water supply system is strong, can return to service quickly, and is prepared to address future challenges.

A. Emergency Preparedness

1. Support administrative/legislative actions that assist the water industry to prepare for, respond to, and recover from natural disasters, including earthquakes and wildfires, catastrophic accidents, and 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 to secure and disburse funding to help public water systems defray the costs associated with COVID-19 (e.g., loss of revenue, deferred infrastructure maintenance, personal protective equipment, workplace health and safety improvements, and on-site testing) and for direct financial relief to low-income households facing substantial utility bill arrearages post COVID-19.
3. 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.
4. 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.

B. 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 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.



C. 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.

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

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



**~~2022~~**

**2023**

# **LEGISLATIVE PRIORITIES AND PRINCIPLES**

The ~~2022~~2023 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 funding.

~~Adopted November 9, 2021~~

2022



## **2023 Legislative Priorities**

~~The legislative priorities for 2022~~To help adapt to a changing climate, protect water resources, and the ~~two~~partner with communities we serve, Metropolitan-sponsored legislative initiatives for the 2022 state-legislative session are as follows:-

### ~~A. Top Legislative Priorities~~

~~will work to~~ support administrative/legislative actions and funding for ~~demand management activities and new local~~the following priorities in 2023:

#### A. Top Legislative Priorities:

1. Continue support for imported water supply projects to resiliency and reliability, including progress on the Delta Conveyance Project, Sites Reservoir Project, Voluntary Agreements and protecting critical elevations in Lake Powell and Lake Mead.
- 1.2. Conserve existing water supplies and prepare for a dry future, 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.
- ~~1. Support funding to defray the costs of planning, financing, constructing, and rehabilitating all types of water infrastructure projects, including but not limited to, water recycling, storage, treatment, repairs to existing water delivery structures and environmental restoration projects.~~
- ~~2. Support actions to initiate, expedite and secure funding for the Regional Recycled Water Program and related projects.~~
3. Advance Pure Water Southern California and other water recycling projects and long-term supply reliability improvements.
4. Protect drinking water quality and ensure access to safe and reliable drinking water for all Californians, including upholding the polluter pays principle and ensuring continued cleanup of sites along the Colorado River.
5. 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.
6. Implement Metropolitan's Climate Action Plan to reduce Metropolitan's greenhouse gas emissions and reach carbon neutrality by 2045.

#### B. Metropolitan-Sponsored State Bill (contingent upon separate Board authorization)

- ~~3. Support administrative/legislative actions to ensure the reliability of imported water supplies including, but not limited to, ensuring progress on the Delta Conveyance Project and funding for Colorado River system water conservation projects, salinity control measures, and cleanup of contaminated sites.~~
- ~~4. Support administrative/legislative actions and funding to facilitate and expedite EcoRestore and non-mitigation habitat restoration projects that benefit water supply and/or endangered and threatened species.~~
- ~~5. Support administrative/legislative actions to secure and disburse funding to help public water systems defray the costs associated with COVID-19 (e.g., loss of revenue, deferred infrastructure maintenance, personal protective equipment, workplace health and safety improvements, and on-~~





~~site testing) and funding for the long-term conversion of non-functional turf (NFT) in residential, commercial, industrial, and institutional (CII) existing landscapes and for direct financial relief to low-income households facing substantial utility bill arrearages post COVID-19.~~

- ~~1. 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.~~
- ~~6. Support administrative/legislative actions to secure funding to help public water systems defray the costs of monitoring and/or remediation of per- and polyfluoroalkyl substances and ensure drinking water and wastewater facilities are not held liable for the cleanup of contamination.~~
- ~~7. Support tax exemptions and/or credits for water conservation or efficiency incentives for measures including, but not limited to, turf removal, local stormwater capture (e.g., rain barrels, cisterns), and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.~~

#### ~~B. Metropolitan Sponsored State Bills~~

- ~~1. Support legislation, consistent with board direction, to create a statewide program to identify and evaluate constituents of emerging concern in drinking water.~~
- ~~8.1. Support for legislation, consistent with board direction, to grant Metropolitan alternative delivery methods for ban the installation of NFT in new construction of the Regional Recycled Water Program and drought-related projects.~~

**2022**



## **2023 Legislative Policy Principles**

The ~~2022~~2023 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 described below holistically address ~~eight~~seven strategic areas of policy that inform Metropolitan's One Water Vision: drought response<sub>;</sub> drinking water<sub>;</sub> regional water resource management<sub>;</sub> imported water ~~supplies, climate change and the environment, supply; sustainability, resiliency, innovation;~~ infrastructure<sub>;</sub> and system resiliency<sub>;</sub> ~~and innovation.~~

I. Drought Response –Southern California's two main sources of imported water are currently in severe drought conditions. ~~Thanks to sound planning, smart investments and a strong conservation ethic, the region is prepared to meet current year demands for water. However,~~ Investments in additional conservation and local supplies are necessary in the event as drought conditions continue or worsen, and ~~to prepare for~~ the impacts of climate change on future hydrology are accelerating.

- A. Support legislative/administrative actions and funding for local and regional drought resiliency projects and to improve system flexibility.
- B. Support legislative/administrative actions and funding to accelerate new local supply development, including but not limited to recycled water, ~~water quality treatment~~stormwater, groundwater remediation ~~and storage~~, water loss detection and repair, and long-term conversion of non-functional turf, and other water conservation measures.
- C. Support administrative/legislative actions and funding for imported source watershed protection and enhancement of water ~~conservation projects~~quality, supply, and demand-side management actions to help offset the effects of extended drought conditions.
- D. Support administrative/legislative actions and pursue funding opportunities that recognize and help mitigate the significant ~~variations~~differences in the capability and needs ~~and opportunities among of~~ communities and regions ~~regarding the capability of withstanding to withstand~~ the impacts of on-going drought ~~and allow the State to provide additional assistance should current drought conditions worsen.~~
- E. 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.

~~III-II.~~ II. ~~II.~~ 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 administrative/legislative actions, consistent with Board direction, to identify ~~and~~, evaluate, and prioritize constituents of emerging concern in drinking water.
  3. Support application of the “polluter pays” principle such that parties responsible for introducing contaminants 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.
  4. 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.
  5. Support administrative/legislative actions and funding to protect source water quality, reduce threats from invasive species, and mitigate harmful algal blooms~~-~~.
- B. Water Governance and Funding: Metropolitan supports statewide efforts to provide access to safe and affordable drinking water to all residents.
1. Support administrative/legislative actions that prioritize providing safe and affordable drinking water to disadvantaged communities.
  2. Support administrative/legislative actions that meaningfully improve water affordability throughout the region at both the individual and the water system level without burdening existing ratepayers.
  3. Support funding to help water systems provide low-income ratepayer assistance programs ~~without operational constraints~~.
  - ~~4.~~ Support administrative/legislative actions that improve governance and long-term sustainability of non-compliant water systems and provide assistance for consolidations that improve their technical, managerial, or financial capacity.
  4. ~~Support administrative/legislative action to ensure, while ensuring~~ that all ~~affected/receiving~~ public water systems are consulted on changes of organization, including proposed consolidations or ~~extension~~extensions of service area.
  5. 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.

~~IV.III.~~ ~~III.~~ Regional Water Resource Management – Metropolitan’s One Water Vision promotes 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 ~~managing~~protecting imported water supplies and quality, supporting local resource development, advancing water use efficiency, and supporting ecosystem protection and restoration.

- A. Continue to support and promote integrated water resources development by advocating for clear, concise, and ~~streamlined~~expedited regulations/policies that are easily understandable by the regulated community and public.



B. Support administrative/legislative actions and funding to expedite the development of new local resources, ~~(including recycled water and direct potable reuse, groundwater, stormwater, and desalination projects),~~ without compromising the operational, financial, water quality, regulatory, environmental and customer interests of Metropolitan and other water and wastewater agencies.

C. Support administrative/legislative actions and funding to facilitate the implementation of the Sustainable Groundwater Management Act and assist local agencies in maintaining long-term groundwater supply reliability, while upholding Metropolitan's investments in groundwater banking partnerships.

#### C.D. Conservation

1. Support tax exemptions and/or credits for water conservation or efficiency incentives including, but not limited to, ~~turf removal~~ long-term conversion of NFT, local stormwater capture ~~(e.g., rain barrels, cisterns),~~ and other measures to reduce consumption of water or enhance the absorption and infiltration capacity of the landscape.
2. Support administrative/legislative actions and 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); and potential impacts to wastewater operations and recycled water projects.
4. Support administrative/legislative actions and funding to reduce water loss. Support the development and implementation of flexible water loss standards for both retail and wholesale water systems.
5. Support administrative/legislative actions and funding ~~to improve water use efficiency through nonfunctional turf management~~ for the long-term conversion of NFT in residential, commercial, industrial, and institutional landscapes and ban installation of NFT in new construction.

#### D.E. Desalination & Groundwater Remediation

1. Support administrative/legislative actions ~~and~~ funding and partnerships for ~~seawater and brackish~~ groundwater and seawater desalination projects, consistent with the Governor's Water Resilience Portfolio and Water Supply Strategy and MWD's Climate Action Plan.
2. Support administrative/legislative actions and funding for salinity control projects including, but not limited to, source control, treatment and ~~brine~~ concentrate management.
3. Support administrative/legislative actions and funding that advance Metropolitan's groundwater storage and/or recovery programs with member agencies.
4. Support administrative/legislative actions and funding for desalination research and technology development projects, and initiatives that encourage stakeholder



coordination on these investments, such as with the National Alliance for Water Innovation.

#### E.F. Recycled Water

1. Support actions to ~~initiate, expedite~~advance and secure funding for the ~~Regional-RecycledPure~~ Water Southern California Program and related projects.
2. Support efforts to improve flexibility of the State's water recycling grant program.
- ~~2.3.~~ 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.
- ~~1. Support administrative/legislative actions to help achieve recycled water goals and the California Water Reuse Action Plan while limiting one-size-fits-all mandates of recycled water uses and/or specific reduction of wastewater discharges without first considering the following factors: a cost-benefit analysis, current use and demand for recycled water, projected wastewater flows and water rights, status of the state's direct potable reuse regulations, location and site constraints for reuse of wastewater discharges, existing plans for recycled water projects and available funding.~~
- ~~3.4.~~ Support administrative/legislative actions that facilitate the adoption of practical uniform water recycling criteria for direct potable reuse through raw water augmentation by December 31, 2023. These actions include but are not limited to funding: (a) for the planning, development, and implementation of local and regional potable reuse projects; and (b) initiatives to fill research gaps and advance the science to promote the further development of potable reuse.
- ~~4.5.~~ Support administrative/legislative ~~action~~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.
- ~~5.6.~~ Support administrative/legislative actions that maximize voluntary use of recycled water ~~and limit restrictions on use of recycled water during water shortages and drought.~~

#### F.G. Stormwater Capture

1. Support administrative/legislative actions that ~~promote~~advance stormwater as a beneficial resource and facilitate the funding and permitting of stormwater capture projects to augment local and regional water supplies ~~without compromising the operational, water quality, financial, regulatory, and customer interests of local and regional water agencies~~ and promote holistic watershed health.

#### G.H. 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. ~~Funding of watershed management programs should be based on the "beneficiaries pay" principle.~~



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.

~~V.~~IV. ~~IV.~~ 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.

1. Support administrative/legislative ~~action~~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 ~~action~~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, 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 2009 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 water rights priorities.
6. Support administrative/legislative actions and funding to advance the Delta ~~Emergency~~Freshwater Pathway~~and emergency response in the event of catastrophic~~levee failure that impedes delivery or degrades SWP supplies,  
improvements, and secure flood fighting materials and stockpiles.





7. Support administrative/legislative actions in the Delta watershed to account for and administer the water rights system including protecting stored water releases.
  8. Support administrative/legislative actions and funding to advance Sites Reservoir and the 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 ~~—supporting the economies of seven Basin States (Arizona, California, Colorado, Nevada, New Mexico, Wyoming and Utah) and and~~ many diverse ecosystems. Degradation of the River's water quality can cause significant economic, environmental, and human health impacts across the West. Metropolitan, ~~together with the and~~ other ~~Basin States, Native American tribes and Mexico, works~~ 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 ~~for Colorado River System water of~~ conservation and efficiency projects, ~~including implementation to enhance resiliency~~ of the ~~Drought Contingency Plan and other necessary actions to reduce Colorado River System and Metropolitan's Colorado River supplies that reduces~~ the risk of Lake Mead and Lake Powell falling ~~to critically low levels below critical elevations.~~
  2. 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.
  3. Promote continued coordination between states for the Colorado River Basin Salinity Control Program. Support efforts to ~~resume~~ maintain and enhance operation of ~~USBR's~~ United States Bureau of Reclamation's Paradox Valley salinity control project at a safe level while working to develop a viable alternative that can provide long-term reductions in salt loads to the Colorado River.
  4. 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.
  5. Support administrative/legislative ~~action~~ actions and funding that advance binational water conservation programs that benefit Colorado River supply augmentation and habitat restoration objectives.
- 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 ~~address~~ 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 administrative/legislative ~~action~~actions and funding for new or expanded water infrastructure or programs that ~~complements~~complement the SWP.
3. 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.
4. Support administrative/legislative actions and funding for the cleanup of contaminated groundwater storage basins used for Metropolitan water banking programs along the California Aqueduct.
5. Support funding for the public share of costs, including recreation, flood protection, mitigation, environmental enhancement, and rehabilitation for multi- purpose SWP facilities.

V. ~~V. Climate Change~~Sustainability, Resiliency, and ~~the Environment~~Innovation – Metropolitan ~~is helping California reach its climate goals while adapting to a rapidly changing environmental landscape. Metropolitan~~ supports policies and funding that encourage sustainable practices and environmental compliance,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. Climate Action and Adaptation

- 6.1. Support administrative/legislative actions and funding to implement Metropolitan's Climate Action Plan to reduce the District's greenhouse gas emissions, and improve energy sustainability-reach carbon neutrality by 2045.

#### A. Climate Change Adaptation

- 7.1. Support research into the potential water resource and quality effects of climate change.
- 8.2. Support administrative/legislative actions and funding that protect SWP, Colorado River Aqueduct (CRA), and local water supplies from the impacts of climate change and enhance their long-term reliability to assist the Department of Water Resources to reach carbon neutrality by 2045 in a cost-effective and environmentally responsible manner.
- 9.3. Support administrative/legislative ~~efforts~~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.
1. Support administrative/legislative actions that promote reasonable, economically viable, and technologically feasible efforts for reducing the potential impacts of climate change to water and power resources.





4. Support research into the potential water resource and quality effects of climate change.

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

D.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).

E.C. Renewable Energy

1. Support administrative/legislative actions that define hydropower generation as renewable energy irrespective of a facility's nameplate generating capacity and includes 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 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

##### ~~F.A. Environmental Stewardship~~

1. Support administrative/legislative actions for environmental compliance ~~that provide regulatory compliance flexibility to~~ improve clarity and workability of the requirements, and promote consistency and reduce regulatory duplication, while protective of public health and the environment.
2. Support administrative/legislative actions and funding to facilitate ~~other~~ 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.
2. ~~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.~~
4. Support administrative/legislative actions and funding ~~opportunities to help that~~ assists public ~~water~~ agencies ~~update their portable, stationary, and mobile in the transition to zero emission fleets and~~ equipment ~~fleets to help improve system reliability and~~.

~~G.E. Workforce Development—Metropolitan is committed to ensuring the resiliency in an environmentally responsible manner of its workforce, and to advancing diversity, equity, and inclusion to promote the physical and mental safety and wellbeing 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. ~~VI.~~—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.

- VI. 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, streamline~~expedite~~ project approval and reporting processes, and prevent project backlogs in state and federal funding or financing.
  - C. Support “beneficiaries pay” approach as financing mechanism for statewide projects and programs and oppose public goods charge, 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.



VII. ~~VII.~~ 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. Resiliency ensures the water supply and delivery system is strong, can return to service quickly, and is prepared to address future challenges.

A. Emergency Preparedness

1. Support administrative/legislative actions that assist the water industry to prepare for, respond to, and recover from extreme weather events, 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 to secure and disburse funding to help public water systems defray the costs associated with COVID-19 (e.g., loss of revenue, deferred infrastructure maintenance, personal protective equipment, workplace health and safety improvements, and on-site testing) and for direct financial relief to low-income households facing substantial utility bill arrearages post COVID-19.
3. 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.
4. 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.

B. 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 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.

C. 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.

~~D.A. VIII. Innovation Supporting and promoting innovation and emerging technologies continues Metropolitan's long tradition of creatively solving difficult challenges.~~

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

Communications & Legislation Committee



# Preview of Legislative Priorities & Principles for 2023

Item 9-2

November 7, 2022

## 2023 Legislative Priorities & Principles

## Purpose & Process

- Annual process
- Timely, relevant, topical
- Board guidance and direction
- Subject matter expert input
- Six MWD and regional priorities
- Seven policy areas
- One possible Metropolitan-sponsored legislative initiative



## Current Actions & Next Steps

- Present to Member Agency Legislative Coordinators (Oct 20)
- Present to Member Agency General Managers (Oct 28)
- Information Item to Board (Nov 2022)
- Action Item to Board (Dec 2022)



## Top Legislative Priorities

- A. Imported water supply resiliency & reliability
- B. Demand management and water use efficiency
- C. Pure Water Southern California & long-term supply reliability improvements
- D. Drinking water quality and access to safe and reliable water for all Californians; polluter pays principle
- E. Ecosystem restorations in imported sources, taking into consideration evolving climate and risk analyses
- F. Implement MWD Climate Action Plan

## 2023 Legislative Priorities & Principles

### Possible MWD- sponsored Initiative

- Support administrative/legislative actions and funding for the long-term conversion of non-functional turf (NFT) in residential, commercial, industrial, and institutional (CII) existing landscapes and ban the installation of NFT in new construction

*Note: bill sponsorship contingent on explicit Board authorization*

## 2023 Legislative Priorities & Principles

## Strategic Policy Areas

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

## I. Drought

- A. Local/regional drought resiliency projects
- B. Accelerate local supply development
- C. Imported source water protection
- D. Conservation and drought contingency planning
- E. Recognition of capacity differences & support for funding to help mitigate those differences

## II. Drinking Water

- A. Water Quality & Treatment
- B. Water Governance & Funding

### III. Regional Water Resource Management

#### General Principles

- A. Clear, concise, expedited regulations
- B. Expedite local resource development
- C. SGMA implementation

#### Specific Policy Principles for:

- D. Conservation
- E. Desalination and Groundwater Remediation
- F. Recycled Water
- G. Stormwater Capture
- H. Watershed Management

## IV. Imported Water Supply

- A. Bay Delta Initiatives
- B. Colorado River Resources
- C. State Water Project

V.  
Sustainability,  
Resiliency,  
& Innovation

- A. Climate Action and Adaptation
- B. Water/Energy Nexus
- C. Renewable Energy
- D. Environmental Stewardship
- E. Workforce Development
- F. Innovation



## VI. Infrastructure

- A. Funding and financing tools
- B. Equitable cost-sharing
- C. Expansion of funding
- D. Expedite approvals/reporting
- E. Funding for public share of costs

## VII. System Resiliency

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

Communications & Legislation Committee

# Preview of Legislative Priorities & Principles for 2023

Lana Haddad, Section Manager  
Legislative Services, External Affairs  
[lhaddad@mwdh2o.com](mailto:lhaddad@mwdh2o.com)



**Metropolitan Water District of Southern California**  
**Federal Legislative Matrix**  
**November 7, 2022 – 117<sup>th</sup> Congress, Second Session**

Topic	Bill / Author	Status	Title – Summary	MWD Position	Effects on MWD
Assistance for Disadvantaged Communities	<b>H.R. 3293</b> <b>(Rochester, D-DE)</b>	7/2/21: Passed the House as part of H.R. 3684 (DeFazio, D-OR), Invest in America Act.	<b>Low Income Water Customer Assistance Programs Act of 2021</b>  Establishes programs to assist low-income households with their drinking water and wastewater bills.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill does not directly impact Metropolitan but would help its member agencies. It creates a voluntary EPA grant program to help water systems expand the scope of their existing ratepayer assistance programs or create new ones.
Conservation	<b>H.R. 4647</b> <b>(Huffman, D-CA)</b>  <b>S. 2430</b> <b>(Feinstein, D-CA)</b>	11/19/21: Passed the House as part of H.R. 5376 (Yarmuth, D-KY), Build Back Better Act.  7/22/21: Referred to the Senate Committee on Finance.	<b>Water Conservation Rebate Tax Parity Act</b>  Amends the Internal Revenue Code of 1986 to expand the exclusion for conservation subsidies to include water conservation or efficiency measures and storm water management measures.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill makes rebates that homeowners receive for water conservation improvements to their home, including smart irrigation systems and turf removal, exempt from federal taxes. If enacted Metropolitan and its member agencies would no longer need to provide tax forms at the end of the year to customers that have received \$600 or more in water conservation rebates.

**Metropolitan Water District of Southern California**  
**Federal Legislative Matrix**  
**November 7, 2022 – 117<sup>th</sup> Congress, Second Session**

Topic	Bill / Author	Status	Title – Summary	MWD Position	Effects on MWD
Conservation	<b>H.R. 5438</b> <b>(Cartwright, D-PA)</b>	9/30/21: Referred to the House Committees on Energy and Commerce, Energy and Reform, and Ways and Means.	<b>Water Advanced Technologies for Efficient Resource Use Act of 2021</b>  Addresses federal procurement of WaterSense products, creates a grant program for water conservation incentives, and makes water conservation incentives federally non-taxable.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	This bill authorizes a new grant program to help water agencies provide financial incentives to consumers for the purchase of WaterSense products. It also includes tax parity for water conservation measures. If enacted there could be some considerable water conservation benefits in Metropolitan’s service territory. Grants could be used to increase rebate amounts for smart irrigation controllers and customers who receive rebates over \$600 will not be taxed.
Conservation	<b>H.R. 6088</b> <b>Gallego, D-AZ)</b>  <b>S. 3282</b> <b>(Kelly, R-WV)</b>	11/30/21: Referred to the House Committee on Energy and Natural Resources.  11/30/21: Referred to the Senate Committee on Environment and Public Works.	<b>Water Infrastructure Modernization Act of 2021</b>  Authorizes a new grant program to help wastewater and drinking water systems detect leaks and reduce water loss.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	This bill directly benefits Metropolitan and its member agencies by creating a grant program to help cover the costs for conveyance leak detection and reduce supplier-side water loss. It could be used for a variety of investments including smart water network technologies, real-time sensing technologies, real-time decision support, and advanced metering infrastructure.

**Metropolitan Water District of Southern California**  
**Federal Legislative Matrix**  
**November 7, 2022 – 117<sup>th</sup> Congress, Second Session**

Topic	Bill / Author	Status	Title – Summary	MWD Position	Effects on MWD
Conservation	<b>H.R. 7847</b> <b>(McNerney, D-CA)</b>  <b>S.4279</b> <b>(Padilla, D-CA)</b>	7/29/22: Passed the House as part of H.R.5118, the Wildfire Response and Drought Resiliency Act  5/19/22: Referred to the Senate Environment and Public Works Committee	<b>Water Efficiency, Conservation, and Sustainability Act of 2022</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 on Board-adopted January 2022 Federal Legislative Priorities	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. 866</b> <b>(Calvert, R-CA)</b>	3/3/21: Referred to the House Natural Resources Subcommittee on Water, Oceans and Wildlife.	<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 on Board-adopted January 2021 Federal Legislative Priorities	This would simplify ESA consultations by consolidating those functions/authorities to one federal agency (US Fish and Wildlife Service) rather than two under the current law (the second being National Marine Fisheries Service). This would directly benefit Metropolitan's interests in the Delta related to SWP operations and facilities, as well as Delta islands activities.
Financing Tools for Water Infrastructure Projects	<b>H.R. 535</b> <b>(Garamendi, D-CA)</b>  <b>S. 91</b> <b>(Sinema, D-AZ)</b>	1/28/21: Referred to the House Committees on Oversight Reform and Financial Services.  1/28/21: Referred to the Senate Committee on Finance.	<b>Special Districts Provide Essential Services Act</b>  Allows special districts to access future federal funding to help offset costs associated with responding to the COVID-19 pandemic. It also defines special districts in federal statute for the first time.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	Metropolitan and some of its member agencies would qualify as special districts under the Act. If additional funds are allocated to states to help offset costs associated with the COVID-19 pandemic, special districts would be eligible to receive funding.

**Metropolitan Water District of Southern California**  
**Federal Legislative Matrix**  
**November 7, 2022 – 117<sup>th</sup> Congress, Second Session**

Topic	Bill / Author	Status	Title – Summary	MWD Position	Effects on MWD
Financing Tools for Water Infrastructure	<b>H.R. 1848 (Pallone, D-NJ)</b>	11/15/21: Funding for PFAS removal and EPA’s State Revolving Funds included in the Infrastructure Investment and Jobs Act, Public Law 117-58.	<b>Leading Infrastructure for Tomorrow’s America Act or the LIFT America Act</b>  To rebuild and modernize the Nation's infrastructure, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would positively impact Metropolitan and its member agencies. It reauthorizes EPA’s drinking water state revolving loan fund and establishes a grant program to provide capital funding for PFAS remediation, and lead service line replacement. It creates DOE programs to provide funding for enhanced physical and cybersecurity, accelerate the use of renewable energy and transition to zero-emission vehicle fleets.
Financing Tools for Water Infrastructure Projects	<b>H.R. 1915 (DeFazio, D-OR)</b>	11/19/21: Clean water SRF funding included in the Infrastructure Investment and Jobs Act, Public Law 117-58. Other provisions included in House passed H.R. 5376 (Yarmuth, D-KY), Build Back Better Act.	<b>Water Quality Protection and Job Creation Act of 2021</b>  Authorizes \$50 billion in investment over 5 years for wastewater and stormwater infrastructure improvements.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would benefit Metropolitan and its member agencies by authorizing increased funding for EPA’s clean water state revolving fund and other wastewater and stormwater programs. It also authorizes \$1 billion in grants to implement treatment standards for PFAS and other emerging contaminants.
Financing Tools for Water Infrastructure Projects	<b>H.R. 3282 (McKinley, R-WV)</b>	5/17/21: Referred to the House Committees on Energy and Commerce and Transportation and Infrastructure.	<b>Drinking Water Funding for the Future Act of 2021</b>  To reauthorize funding for EPA drinking water programs under the Safe Drinking Water Act and America's Water Infrastructure Act of 2018.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would benefit Metropolitan and its member agencies by reauthorizing numerous EPA water infrastructure programs including the drinking water state revolving fund, WIFIA, the lead testing in school programs, and workforce development program.



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Financing Tools for Water Infrastructure Projects	<b>H.R. 3404 (Huffman, D-CA)</b>	5/21/21: Referred to the House Committees on Energy and Commerce, Judiciary, Natural Resources, Science, Space and Technology, and Transportation and Infrastructure.	<b>Furthering Underutilized Technologies and Unleashing Responsible Expenditures (FUTURE) Western Water Infrastructure and Drought Resiliency Act</b>  The bill authorizes funding for water infrastructure projects, including storage, recycling, and desalination projects, in Reclamation states. It also creates a new Reclamation program to help underserved communities have access to drinking water, authorizes investments to improve the use of technology and data in water forecasting, provides tax parity for water conservation and efficiency measures, and authorizes habitat restoration funding.	<b>SUPPORT AND AMEND</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	Metropolitan and its member agencies would benefit from numerous provisions in this bill including the additional funding for water recycling projects, tax parity for water conservation and efficiency measures, and new financing mechanisms for water projects including habitat restoration and dam safety. Metropolitan is seeking amendments to ensure groundwater and surface storage projects have access to federal funding.
Financing Tools for Water Infrastructure Projects	<b>H.R. 4099 (Napolitano, D-CA)</b>  <b>S. 2334 (Cortez Masto, D-NV)</b>	11/15/21: Included in the Infrastructure Investment and Jobs Act, Public Law 117-58.  5/25/22: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power.	<b>Large Scale Water Recycling Project Investment Act</b>  Directs the Secretary of the Interior to establish a competitive grant program for the planning, design, and construction of large-scale water recycling and reclamation projects that provide substantial water supply and other benefits to drought stricken regions within the Reclamation States.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would benefit Metropolitan and our member agencies by authorizing a new Reclamation program to provide funding for the Regional Recycled Water Project and other large-scale recycled water projects. This new program would provide more federal financial assistance for recycled water projects than is available through the current Title XVI, water recycling program.



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Financing Tools for Water Infrastructure Projects	<b>H.R. 7776 (DeFazio, D-OR)</b>  <b>S. 4136 (Carper, D-DE)</b>	6/9/22: Passed House 6/08/22, 392-28.  5/04/22: Approved by the Senate Environment and Public Works Committee.	<b>Water Resources Development Act of 2022</b>  Authorizes U.S. Army Corps of Engineers (Corps) to carry out water resources development projects and studies; and provides policy direction to the Corps for implementation of its civil works mission.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	While this bill does not impact Metropolitan directly, it authorizes projects and feasibility studies for some of our member agencies. Additionally, there are several provisions that could be beneficial to Metropolitan including a study of Corps reservoirs in arid Western states to evaluate opportunities to improve water supply, respond to drought, and prepare for climate change.
Financing Tools for Water Infrastructure Projects	<b>S. 479 (Wicker, R-MS)</b>	2/25/21: Referred to the Senate Committee on Finance.	<b>Lifting Our Communities through Advance Liquidity for Infrastructure Act or the LOCAL Infrastructure Act</b>  To amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	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.
Financing Tools for Water Infrastructure Projects	<b>S.914 (Duckworth, D-IL)</b>	4/29/21: Passed the Senate, 89-2.  11/15/21: Included in the Infrastructure Investment and Jobs Act, Public Law 117-58.	<b>Drinking Water and Wastewater Infrastructure Act of 2021</b>  Authorizes \$35 billion in investment over 5 years for drinking water and wastewater infrastructure improvements.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would benefit Metropolitan and its member agencies by authorizing increased funding for numerous EPA programs including the clean water and drinking water state revolving fund program, WIFIA, an infrastructure resiliency and sustainability program, and a grant program to remove lead service lines.

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Financing Tools for Water Infrastructure Projects	<b>S. 2454 (Padilla, D-CA)</b>	7/22/21: Referred to the Senate Committee on Environment and Public Works.	<b>Water Reuse and Resiliency Act of 2021</b>  Authorizes \$1 billion over five years for the EPA’s Pilot Program for Alternative Water Source Projects grants program.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would benefit Metropolitan and its member agencies by authorizing increased funding for an EPA program to provide grants for water recycling and stormwater management projects.
Financing Tools for Water Infrastructure Projects	<b>S. 4231 (Feinstein, D-CA)</b>	5/25/22: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power.	<b>Support To Rehydrate the Environment, Agriculture, and Municipalities Act” or the “STREAM Act</b>  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.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	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.

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Financing Tools for Water Infrastructure Projects	<b>S. 4494 (Cortez-Mastro, D-NV)</b>  <b>H.R. 8434 (Lee, D-NV)</b>	6/23/22: Referred to the House Committee on Energy and Natural Resources.  7/29/22: Passed the House as part of H.R.5118, the Wildfire Response and Drought Resiliency Act.	<b>Facilitating Large-Scale Water Recycling and Reuse Projects Act</b>  Amends the Infrastructure Investment and Jobs Act to provide for an additional authorization of appropriations for the large-scale recycled water program and repeal the termination of authority for that program.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	This bill permanently establishes Reclamation’s large-scale recycling water program. This change will allow Metropolitan to better utilize the program to help fund the Pure Water Southern California project. The Senate bill authorizes an additional \$500 million for the program, the House bill authorizes an additional \$700 million.
Source Water Protection	<b>H.R. 1881 (Garamendi, D-CA)</b>	3/15/21: 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 on Board-adopted January 2021 Federal Legislative Priorities	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.

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Source Water Protection	<b>H.R. 2008</b> <b>(Craig, D-MN)</b>  <b>S. 29</b> <b>(Klobuchar, D-MN)</b>	6/15/21: Passed the House, referred to the Senate Committee on Environment and Public Works.  1/22/21: Referred to the Senate Committee on Environment and Public Works.	<b>Local Water Protection Act</b>  Amends the Federal Water Pollution Control Act (Clean Water Act) to reauthorize through FY25 a grant program to help states manage nonpoint source water pollution or protect groundwater quality. Authorizes \$200 million per year for this program.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would benefit Metropolitan and its member agencies by providing funding to help address non-point source pollution. Pollutants commonly associated with non-point sources include nutrients and pesticides. According to EPA, more than 40 percent of all impaired waters were affected solely by nonpoint sources, while less than 10 percent of water quality criteria exceedances were caused by point source discharges alone.
Source Water Protection	<b>H.R. 2682</b> <b>(Crow, D-CO)</b>  <b>S. 1248</b> <b>(Bennet, D-CO)</b>	6/15/21: Referred to the House Agriculture Subcommittee on Conservation and Forestry.  4/20/21: Referred to the Senate Committee on Agriculture, Nutrition, and Forestry	<b>Outdoor Restoration Partnership Act</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 on Board-adopted January 2021 Federal Legislative Priorities	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.

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Source Water Protection	<b>H.R. 3534 (Panetta, D-CA)</b>  <b>S. 2806 Feinstein, D-CA)</b>	7/7/21: Referred to the House Agriculture Subcommittee on Conservation and Forestry.  10/21/21: Hearing held before the Senate Committee on Energy and Natural Resources.	<b>Wildfire Emergency Act of 2021</b>  Provides for programs and activities in support of forest restoration, wildfire mitigation, and energy resilience.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	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.
Water Infrastructure Improvements for the Nation (WIIN) Updates.	<b>H.R. 1015 (Napolitano, D-CA)</b>	11/15/21: \$500 million for water recycling projects included in the Infrastructure Investment and Jobs Act, Public Law 117-58.	<b>Water Recycling Investment and Improvement Act</b>  Authorizes an increase in federal funding for the water recycling program created in the WIIN Act from \$50M to \$500M, raises the cap in federal funding from \$20M to \$30M per project, makes the program permanent by removing the 2021 expiration date, and removes the requirement that approved projects to be specifically named in appropriation legislation.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	A ten-fold increase in federal funding for water recycling projects could have a significant effect on Metropolitan and its member agencies with funding to significantly accelerate the development of recycled water projects that, once completed, would reduce or offset the need for new imported water supplies.

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Water Infrastructure Improvements for the Nation (WIIN) Updates.	<b>H.R. 1563 (Garcia, R-CA)</b>	4/21/21: Referred to the House Natural Resources Subcommittee on Water, Oceans and Wildlife.	<b>To Extend Authorities Under the Water Infrastructure Improvements for the Nation Act</b>  Extends the WIIN Act programs funding storage projects, water recycling projects, and desalination projects for seven years. Authorizes these programs at funding levels consistent with prior years: \$134 million/year for storage, \$20 million/year for recycling, and \$12 million/year for desalination.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	This bill would benefit Metropolitan and its member agencies by providing funding for a variety of water infrastructure projects. Without an extension these Reclamation programs will expire at the end of the year.
Water Project Authorizations	<b>H.R. 2552 (Costa, D-CA)</b>  <b>S. 1179 (Feinstein, D-CA)</b>	6/8/21: Referred to the House Natural Resources Subcommittee on Water, Oceans, and Wildlife.  5/25/22: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power.	<b>Canal Conveyance Capacity Restoration Act</b>  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 on Board-adopted January 2021 Federal Legislative Priorities	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 Project Authorizations	<b>H.R. 8849 (Harder, D-CA)</b>	9/16/22: Referred to the House Transportation & Infrastructure Subcommittee on Water Resources and 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 on Board-adopted January 2022 Federal Legislative Priorities	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.

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Water Science	<b>H.R. 4832</b> <b>(Lee, D-NV)</b>  <b>S. 2568</b> <b>(Cortez-Mastro, D-NV)</b>	11/5/21: Hearing held before the House Natural Resources Subcommittee on Water, Oceans, and Wildlife.  6/7/22: Hearing held before the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests, and Mining.	<b>Open Access Evapotranspiration Data Act</b>  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 \$14 million per year for five years for this program.	<b>SUPPORT</b>  Based on Board-adopted January 2021 Federal Legislative Priorities	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. Metropolitan could use this data to study water use trends, verify partner compliance with the terms of new and existing agricultural conservation programs, and measure the water supply benefits from such programs.
Water Science	<b>H.R. 1437</b> <b>(Sherrill, D-NJ)</b>  <b>S. 3053</b> <b>(Booker, D-NJ)</b>	5/11/22: On motion to suspend the rules and pass the bill, (333-81).  5/11/22: Reported out favorably from the Senate Committee on Commerce, Science, and Transportation.	<b>Providing Research and Estimates of Changes in Precipitation Act or PRECIP Act</b>  Requires the Administrator of the National Oceanic and Atmospheric Administration to update its precipitation frequency estimates at least every five years and better incorporate climate change into its precipitation modeling.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	This bill will benefit Metropolitan and its member agencies by improving storm forecasting. Better storm forecasting helps with supply and demand management.

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Water Science	<b>H.R. 7289</b> <b>(Fletcher, D-TX)</b>  <b>S.4492</b> <b>(Peters, D-MI)</b>	7/27/22: Passed the House, referred to the Senate Committee on Environment and Public Works.  6/23/22: Referred to the Senate 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 on Board-adopted January 2022 Federal Legislative Priorities	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.
Water Science	<b>H.R. 7792</b> <b>(Stansbury, D-NM)</b>  <b>S. 4236</b> <b>(Heinrich, D-NM)</b>	7/29/22: Passed the House as part of H.R.5118, the Wildfire Response and Drought Resiliency Act  5/25/22: Hearing held before the Senate Energy and Natural Resources Subcommittee on Water and Power.	<b>Water Data Act</b>  Creates a national water data council composed of department heads of Federal agencies with water-related activities and directs the council to develop a national water data framework. Authorizes a water data grant program at the Department of Interior.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	The Water Data Act is a national version of California’s 2016 AB 1755 – Open and Transparent Water Data Act. Metropolitan supported AB 1755 and the development of the California Water Data Consortium.



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Water Science	<b>H.R. 8090</b> <b>(Porter, D-CA)</b>	7/29/22: Passed the House as part of H.R.5118, the Wildfire Response and Drought Resiliency Act.	<b>To reauthorize funding for the Reclamation Climate Change and Water Program</b>  Extends the authorization for Reclamation’s basin studies program for ten years.	<b>SUPPORT</b>  Based on Board-adopted January 2022 Federal Legislative Priorities	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.

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<b>Topic</b>	<b>Bill Number Author</b>	<b>Status</b>	<b>Title – Summary</b>	<b>MWD Position</b>	<b>Effects on Metropolitan</b>
Metropolitan-sponsored bills	<b>SB 230</b> <b>Portantino (D)</b>  Sponsors:  Metropolitan and the California Municipal Utilities Association (CMUA)	Amended 8/23/2022  CHAPTERED	<b>State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program</b>  Seeks to expand statewide knowledge of Constituents of Emerging Concern (CECs) in waters of the state and drinking water and recommend CECs for further regulatory action.	<b>CO-SPONSOR</b>  Based on October 2019 Board Action	Metropolitan and water agencies will benefit from State Water Board efforts to ensure CECs are addressed in a methodical and science-based manner, which will ultimately better protect public health. The bill would require the State Water Board to build its knowledge of CECs in drinking water and authorizes the Deputy Director to convene a Science Advisory Panel to review and provide information on CECs for further regulatory action.
Metropolitan-sponsored bills	<b>AB 1845</b> <b>Calderon (D)</b>  Sponsor:  Metropolitan	Amended 8/15/2022  CHAPTERED	<b>Metropolitan Water District of Southern California: alternative project delivery methods</b>  Allows Metropolitan to use alternative project delivery methods for the design and construction of Pure Water Southern California and a limited set of emergency drought mitigation projects.	<b>SPONSOR</b>  Based on October 2021 Board Action	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 Pure Water Southern California and emergency drought mitigation projects. Alternative delivery methods such as Design-Build, Progressive Design-Build, and Construction Manager/General Contractor have the potential to expedite construction of critical new water infrastructure projects and reduce their overall costs.

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Delta/State Water Project	<b>SB 832 Dodd (D)</b>  Sponsor:  Author	Amended 4/6/2022  Senate Appropriations Committee – Suspense File  Held in Committee	<b>Water rights: measurement of diversion</b>  Clarifies existing law that a person diverting 10 acre-feet or more of water per year under a registration is subject to existing water diversion measurement, recording, and reporting requirements. Authorizes 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.	<b>SUPPORT</b>  Based upon Board-adopted 2022 Legislative Priorities and Principles	Metropolitan is 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.
Delta/State Water Project	<b>SB 1020 Laird (D)</b>  Sponsor:  Author	Amended 8/29/2022  CHAPTERED	<b>Clean Energy, Jobs, and Affordability Act of 2022</b>  Establishes interim targets to the statewide 100 percent clean energy goal. Additionally, requires state agencies including the State Water Project to accelerate their 100 percent clean energy goal to 2035.	<b>WATCH</b>  Based on August 2022 Board Action	The bill as amended on August 29 now requires the Department of Water Resources (DWR) to accelerate the procurement of renewable resources to power the State Water Project with 100 percent clean energy by 2035. DWR estimates the cost to be \$1.2 billion rather than \$3.3 billion when the bill, as introduced, set a target date of 2030. Metropolitan and the State Water Contractors lifted their opposition after our amendments were

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					adopted. The cost to Metropolitan is less but still significant.
Design-Build	<b>SB 991 Newman (D)</b>  Sponsors:  Water Collaborative Delivery Association (formerly Design Build Council)	Amended 8/11/2022  CHAPTERED	<b>Public contracts: progressive design-build: local agencies</b>  Authorize local water and wastewater agencies to each use the progressive design-build (PDB) project delivery method for up to 15 public works projects each in excess of \$5 million.	<b>SUPPORT</b>  Based on April 2022 Board Action	SB 991 will benefit water agencies, including Metropolitan, by providing the option to use the Progressive Design-Build delivery method, 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.
Governance	<b>AB 2449 B. Rubio (D)</b>  Sponsor:  Three Valleys Municipal Water District	Amended 8/8/2022  CHAPTERED	<b>Open meetings: local agencies: teleconferences</b>  Amends the Ralph M. Brown Act to allow local agencies until January 1, 2026 to use teleconferencing during non-emergencies without noticing their teleconference locations and making them publicly accessible under certain conditions.	<b>SUPPORT</b>  Based on April 2021 Board Action	AB 2449 would allow Metropolitan to hold teleconferenced meetings after the COVID-19 public health emergency ends and the Executive Order is lifted if a quorum of the Board's directors participate in person; give notice and post agendas as prescribed; ensure that directors attending meeting participate through both audio and visual technology; and allow the public to address the Board in person or by teleconference. If there is a disruption to the call-in or streaming options, then no action can be taken by the board.

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Regulatory Reform	<b>AB 2313 Bloom (D)</b>  Sponsor:  Author	Amended 6/30/2022  Senate Appropriations Committee – Suspense File  Held in Committee	<b>Water: judges and adjudications</b>  Authorizes the Judicial Council of California to establish a program that provides training and education to judges in technical, scientific, legal, management, and infrastructure actions relating to water.	<b>SUPPORT</b>  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	<b>SB 1065 Eggman (D)</b>  Sponsor:  Author	Amended 8/23/2022  VETOED	<b>California Abandoned and Derelict Commercial Vessel Program</b>  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 commercially navigable waters.	<b>SUPPORT</b>  Based upon Board-adopted 2022 Legislative Priorities and Principles	SB 1065 will benefit water quality in the Bay Delta as abandoned and derelict vessels may cause sewage 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.

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Water Conservation	<b>AB 2142</b> <b>Gabriel (D)</b>  Sponsors:  Association of California Water Agencies  California Water Efficiency Partnership  WaterNow Alliance	Amended 4/6/2022   CHAPTERED	<b>Income taxes: exclusion: turf replacement water conservation program.</b>  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.	<b>SUPPORT</b>  Based upon Board adopted 2022 Legislative Priorities and Principles	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	<b>AB 1817</b> <b>Ting (D)</b>  Sponsors: Breast Cancer Prevention Partners  Natural Resources Defense Council  Clean Water Action	Amended 8/24/2022   CHAPTERED	<b>Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl (PFAS).</b>  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.	<b>SUPPORT</b>  Based upon Board adopted 2022 Legislative Priorities and Principles	Metropolitan supports the removal or reduction of PFAS in manufactured products in order to protect source water quality.

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Water Quality	<b>AB 2108</b> <b>R. Rivas (D)</b>  Sponsor:  California Coastkeeper Alliance	Amended 8/25/2022  CHAPTERED	<b>Water policy: environmental justice: disadvantaged and tribal communities.</b>  Requires the State Board and each regional board to begin addressing issues of environmental justice and social equity as early as possible in project planning processes and when issuing waste discharge permits or updating state or regional water quality control plans or policies.	<b>WATCH</b>  Based on July 2022 Board Action	Some provisions in the bill are ambiguous in ways that could be interpreted to authorize and require the State Board to reallocate water rights, including in the Bay-Delta watershed, to address injustices or inequities, jeopardizing the current and future Bay-Delta Water Quality Control Plan update processes and potentially diminishing State Water Project supplies. Author did not accept Metropolitan's requested amendments.
Water Quality	<b>AB 2247</b> <b>Bloom (D)</b>  Sponsors:  Environmental Working Group  Clean Water Action  California Association of Sanitation Agencies	Amended 8/25/2022  VETOED	<b>Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible reporting platform.</b>  Requires a manufacturer of PFAS or of a product containing intentionally added PFAS to register on or before July 1, 2026 and every year thereafter the PFAS or the product containing PFAS on a publicly accessible data collection website implemented by the Department	<b>SUPPORT</b>  Based upon Board adopted 2022 Legislative Priorities and Principles	Information about PFAS and products containing PFAS will help inform state and local decision making regarding PFAS management in order to protect source water quality.

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			of Toxic Substances and an existing multi-state chemical data collection entity.		
Water quality	<b>AB 2771</b> <b>Friedman (D)</b>  Sponsors:  Environmental Working Group  Breast Cancer Prevention Partners  The California Public Research Group (CALPIRG)	Amended 6/13/2022  CHAPTERED	<b>Cosmetic products: safety</b>  Prohibits as of January 1, 2025, any person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains PFAS.	<b>SUPPORT</b>  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.
Water Quality	<b>SB 1124</b> <b>Archuleta (D)</b>  Sponsor:  Author	Amended 6/23/2022  Assembly Appropriations Committee – Suspense File	<b>Public health goal: primary drinking water standard: manganese</b>  Requires, on or before July 1, 2023, the Office of Environmental Health Hazard Assessment (OEHHA) to prepare a public health goal for	<b>OPPOSE UNLESS AMENDED</b>  Based upon Board adopted 2022 Legislative Priorities and Principles	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.



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		Held in Committee	manganese. Requires the state board, after OEHHA publishes a public health goal for manganese, to adopt a primary drinking water standard.		
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