

The Metropolitan Water District of Southern California

Agenda

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

LEG Committee

J. Lewitt, Chair
A. Fellow, VC
Communication
A. Kassakhian, VC
Legislation
L. Ackerman
M. Camacho
B. Dennstedt
G. Gray
F. Jung
M. Katz
M. Luna
M. Ramos

Legislation and Communications Committee

Meeting with Board of Directors *

April 7, 2025

11:00 a.m.

Monday, April 7, 2025 Meeting Schedule

**09:00 a.m. EOT
11:00 a.m. LEG
12:30 p.m. Break
01:00 p.m. OPE
02:30 p.m. OWA**

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

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

If you have technical difficulties with the live streaming page, a listen-only phone line is available at 1-877-853-5257; enter meeting ID: 873 4767 0235.

Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 876 9484 9772 or to join by computer [click here](#).

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

Teleconference Locations:

3008 W. 82nd Place • Inglewood, CA 90305

SDCWA • Lobby Conference Room • 4677 Overland Avenue • San Diego, CA 92123

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

525 Via La Selva • Redondo Beach, CA 90277

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

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

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

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

- A. Approval of the minutes of the Legislation and Communications Committee for March 10, 2025 [21-4433](#)

Attachments: [04072025 LEG 2A \(03102025\) Minutes](#)

3. **CONSENT CALENDAR ITEMS - ACTION**

- 7-9 Express support if amended for AB 523 (Irwin) Metropolitan water districts: alternate representative; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-4432](#)

Attachments: [04082025 LEG 7-9 B-L](#)
[04072025 LEG 7-9 Presentation](#)

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

4. **OTHER BOARD ITEMS - ACTION**

NONE

5. **BOARD INFORMATION ITEMS**

NONE

6. **COMMITTEE ITEMS**

- a. Report on Activities from Washington, D.C. [21-4434](#)

Attachments: [04072025 LEG 6a Federal Legislative Matrix](#)
[04072025 LEG 6a Federal Regulatory Matrix](#)
[04072025 LEG 6a Presentation](#)

- b. Report on Activities from Sacramento [21-4435](#)

Attachments: [04072025 LEG 6b State Legislative Matrix](#)
[04072025 LEG 6b State Regulatory Matrix](#)
[04072025 LEG 6b Presentation](#)

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

- a. External Affairs activities

[21-4436](#)

Attachments: [04072025 LEG 7a External Affairs activities](#)
[04072025 LEG 7a Presentation](#)

8. FOLLOW-UP ITEMS

NONE

9. FUTURE AGENDA ITEMS

10. ADJOURNMENT

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

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

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

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

LEGISLATION AND COMMUNICATIONS COMMITTEE

March 10, 2025

Chair Lewitt called the meeting to order at 11:00 a.m.

Members present: Directors Dennstedt, Fellow, Garza (entered after roll call), Gray (entered after roll call, teleconference posted location), Kassakhian, Lewitt, McMillan, Morris, Pressman (teleconference posted location), and Ramos.

Members absent: Directors Ackerman, Luna, and Phan.

Other Board Members present: Directors Alvarez, Armstrong, Bryant, Cordero, Dick, Erdman, Faessel, Kurtz, McCoy, Miller, Ortega, and Seckel.

Committee Staff present: Novoa, Rubin, Stites, Upadhyay, and Zinke

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 Legislation and Communications Committee held February 10, 2025.

3. CONSENT CALENDAR ITEMS – ACTION

None

Director Fellow made a motion, seconded by Director Morris to approve item 2A.

Ayes: Directors Dennstedt, Fellow, Kassakhian, Lewitt, McMillan, Morris, Pressman, and Ramos

Noes: None

Abstentions: None

Absent: Directors Ackerman, Garza, Gray, Luna, and Phan

The motion for item 2A passed by a vote of 8 ayes, 0 noes, 0 abstain, and 5 absent.

END OF CONSENT CALENDAR ITEMS

4. OTHER BOARD ITEMS – ACTION

None

5. BOARD INFORMATION ITEMS

None

6. COMMITTEE ITEMS

a. Subject: Construction Outreach: Updates and Insights

Presented by: Lizeth Martinez, Community Relations Team Manager

Ms. Martinez presented a report on construction outreach, highlighting recent projects, early collaboration efforts, and proactive engagement with communities through door-to-door visits and social media. She also emphasized the use of visible and informative on-site banners, as well as the importance of listening, responding, and building trust with the community.

The following Directors provided a comment or asked a question:

- 1.) Ortega
- 2.) Fellow
- 3.) Garza

Staff responded to the Directors' comments or questions.

Director Garza and Gray entered the meeting.

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

Presented by: Abby R. Schneider, Executive Legislative Representative

Ms. Schneider provided an update on federal actions related to the California wildfires, the status of Army Corps of Engineers civil works programs, discussions to avoid a federal government shutdown, the budget resolution for both the Senate and House, President Trump's nominations for Assistant Secretary of Water and Science and Assistant Administrator for Water, as well as the reductions in the federal workforce.

The following Directors provided a comment or asked a question:

- 1.) Fellow
- 2.) Lewitt

Staff responded to the Directors' comments or questions.

- c. Subject: Report on Activities from Sacramento

Presented by: Jay L. Jefferson II, Executive Legislative Representative

Mr. Jefferson provided an update on the legislative calendar, Metropolitan's sponsored bill AB 580 (Wallis) regarding an exemption from the Surface Mining and Reclamation Act. He also discussed several member agency proposals, including AB 259 (Rubio) on open meetings and local agencies' teleconferences, SB 394 (Allen) addressing water theft on fire hydrants, and Eastern MWD's proposal AB 523 (Irwin) regarding alternate representatives for Metropolitan Water Districts.

The following Directors provided a comment or asked a question:

- 1.) Armstrong
- 2.) Fellow
- 3.) Ortega

Staff responded to the Directors' comments or questions.

7. MANAGEMENT ANNOUNCEMENTS AND HIGHLIGHTS

a. Subject: External Affairs activities

Presented by: Dee Zinke, Assistant General Manager

Ms. Zinke provided an update on the "Discover Diamond Valley Lake" virtual game mission "Agents of Discovery" which received first-place honors. She also highlighted the Youth STEM Symposium at CSU Dominguez Hills, the Virtual Earth Day Competition co-sponsored with AQMD and Southern California Gas, and internal communications efforts, including publications and newsletters. Additionally, she discussed new videos on safety matters, infrastructure, workforce development, innovation and Pure Water Southern California to support EIR release.

The following Directors provided a comment or asked a question:

- 1.) Ortega
- 2.) Armstrong
- 3.) Garza
- 4.) Morris
- 5.) Fellow
- 6.) Cordero
- 7.) Dennstedt

Staff responded to the Directors' comments or questions.

8. FOLLOW-UP ITEMS

None

9. FUTURE AGENDA ITEMS

None

10. ADJOURNMENT

Meeting adjourned at 12:02 p.m.

Chair Lewitt



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

4/8/2025 Board Meeting

7-9

Subject

Express support if amended for AB 523 (Irwin) Metropolitan water districts: alternate representative

Executive Summary

As proposed to be amended, AB 523 (Irwin) (**Attachment 1**) would allow any Metropolitan member agency with only one representative on the Metropolitan Board of Directors the ability to appoint a proxy to vote on behalf of the member agency representative whenever they are unavailable to attend a meeting or meetings of the Board of Directors.

AB 523 seeks to ensure that member agencies with only one board representative are able to have a seat at the table and provide equity and continuity of voting at meetings of the Board of Directors.

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

Staff Recommendation: Option #1

Option #1

Express support if amended for AB 523 (Irwin) Metropolitan water districts: alternate representative

Fiscal Impact: Absorbable administrative costs for processing of proxy vote authority.

Business Analysis: Ensure member agencies with only one Metropolitan director maintain the opportunity to vote on issues before the Board in the absence of their director.

Option #2

Take no action

Fiscal Impact: Unknown

Business Analysis: May affect the ability of member agencies with only one Metropolitan director to maintain the opportunity to vote on issues before the Board in the absence of their director.

Alternatives Considered

A prior version of this measure would have authorized member agencies with only one board seat the ability to appoint an alternate representative to the Board of Directors for the purpose of participating, deliberating, and voting when the primary member is absent. This authority provided much broader discretion to member agencies, but raised several concerns that led to the sponsors adopting a proxy approach.

Applicable Policy

Metropolitan Water District Act Section 52 [Additional Directors]

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

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

Minute Item 47538, dated June 24, 2008, Metropolitan's Board approved a similar proxy proposal that was passed by the Legislature but vetoed by then-Governor Schwarzenegger.

Summary of Outreach Completed

This concept was discussed at the Metropolitan Board of Directors Legislation and Communications Committee, Member Agency Manager Meeting, Member Agency Legislative Coordinators meetings, and several regional member agency venues.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves organizational, or administrative activities; personnel-related actions; and/or general policy and procedure making that will not result in direct or indirect physical changes in the environment. (Public Resources Code Section 21065; State CEQA Guidelines Section 15378(b)(2) and (5).

CEQA determination for Option #2:

None required

Details and Background

Background

AB 523 (Irwin) is sponsored by Eastern Municipal Water District and seeks to allow any member agency that only has one representative on the Metropolitan Board of Directors the ability to appoint a proxy to vote for the member agency when their primary representative is unable to attend a meeting or meetings of the Board.

This concept originated out of discussions through the Climate Adaptation Master Plan for Water process, which is intended to serve as a foundation for Metropolitan's policy and investment decisions to strengthen resilience and reliability of water supplies collectively and for individual member agencies. Through these discussions, governance and equity have been a key topic of conversation, where board composition and representation have been raised as an area of focus. In exploring this issue in more depth, the opportunity to allow for proxy members on the Metropolitan Board of Directors elevated as a solution that would allow for greater participation and engagement, without delving into the issues of changing the weighted vote allocations or broader changes to board governance.

Purpose

Metropolitan's current board structure provides that each member of the Board is entitled to cast one vote for each ten million dollars, or major fractional part thereof, of assessed valuation of property taxable for district purposes in the member public agency service area. Each member agency gets one member on Metropolitan's Board of Directors, plus additional members for each full 5 percent share of Metropolitan's total assessed valuation. This weighed vote structure has resulted in an outcome where 21 of Metropolitan's 26 member agencies currently only have one board representative. For member agencies with more than one board representative, as long as one representative is present, that member's vote carries the entire weighted share of votes for that member agency. However, when a member agency only has one board representative, if that one representative is not present, the entire member agency's vote share is unaccounted for. This proposal would ensure that member agencies with only one representative maintain their ability to have representation while supporting the continuity of board engagement.

Specific Provisions

As proposed to be amended, AB 523 (Irwin) would allow member agencies with only one board seat the ability to appoint a proxy to vote on behalf of the primary representative when that representative is absent. Specific provisions include:

1. A proxy designation could only be assigned to an existing member of the Metropolitan Board of Directors.
2. The bill provides that in order for a proxy vote to be authorized, the member agency must notify Metropolitan of the proxy designation in writing at least one business day prior to a meeting.
3. Proxy participation does not include assuming any board officer positions. If the chair were to send a proxy in their place, the vice chair would assume the chair's role.
4. Any proxy appointed to serve on behalf of a member agency representative also assumes any conflicts of interest of the representative they are voting on behalf of.
5. This measure also does not include a sunset date and will ensure that the MWD Act is not required to be reopened for purposes of future amendments.

Considerations of Future Amendments

Staff's recommended support position would narrowly apply to the version of the bill with the promised amendments (**Attachment 1**). Any hostile amendments adopted that go beyond the scope of this proposal would lead Metropolitan to adopt an oppose position. Metropolitan's position would therefore be a "support if amended" as shown in the March 19, 2025 amendments (**Attachment 1**).

Metropolitan staff had meetings with the author's office, and they are fully aware of the importance of maintaining the limited scope of this proposal. The author has committed to not allowing hostile amendments to be adopted and Eastern stated that it would also oppose any language that went beyond the intended scope.

While the chance of hostile amendments being forced into the bill is highly unlikely, there is a consensus amongst the parties involved to protect against any expansion to the scope of this proposal.

Benefits of this Amended Version

Limiting this authority to a proxy vote assigned to another member of the Board removes concerns about eroding board continuity and confidentiality of closed session meetings.

The proxy option also reduces cost pressure for agencies by ensuring that only existing board members can participate, which also reduces logistical challenges of making arrangements for a completely separate member.

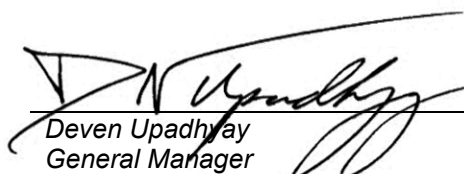
The proxy option avoids concerns about expanding the Board of Directors and, because of this reduced risk, does not warrant a sunset provision.

Highlight of Concerns

Significant concerns were expressed with the prior version of this bill. At this time, no concerns have been expressed about allowing for the appointment of a proxy as defined by the bill. The only remaining concern stated is the risk of opening Metropolitan's Act to potentially hostile bill amendments, which the author and sponsor agreed to oppose.



Sue Sims
Group Manager-External Affairs
4/1/2025
Date



Deven Upadhyay
General Manager
4/1/2025
Date

**Attachment 1 –Amendments to AB 523 (Irwin) Metropolitan water districts:
alternate representative (dated March 19, 2025)**

Ref# 12704277

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RN 25 13050 PAGE 1
Substantive

AMENDMENTS TO ASSEMBLY BILL NO. 523

Amendment 1

On page 2, in line 16, strike out “Each” and insert:

A representative of a

Amendment 2

On page 2, in line 17, strike out “to the board of”, strike out lines 18 to 21, inclusive, and insert:

may assign a proxy vote authorization to a representative of another member public agency that shall be exercised when the assigning representative is unable to attend a meeting or meetings of the board of directors.

Amendment 3

On page 2, in line 22, strike out “Alternate representative participation does not include”, strike out line 23 and insert:

A proxy vote authorization assigned pursuant to this subdivision shall be memorialized by a written instrument as required by the metropolitan water district that is filed with the district board’s secretary at least one business day in advance of the meeting and the written instrument shall be maintained with the district records.

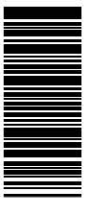
Amendment 4

On page 2, in line 24, strike out “(A) All provisions of this act shall apply to the alternate”, strike out line 25 and insert:

A proxy vote authorization that is assigned pursuant to this subdivision permits the assigned representative to cast votes on behalf of the assigning representative only for the assigned meeting or meetings. A proxy vote authorization shall not authorize the assumption of the assigning representative’s officer position at that meeting.

(3) (A) All provisions of this act, including Section 56, apply to the representative assigned a proxy vote authorization pursuant to this subdivision. All provisions of law relating to conflicts of interest that apply to the assigning representative also apply to the representative that is authorized to cast a proxy vote pursuant to this subdivision.

(B) Any conflict of interest of either the assigning representative or the representative that is assigned a proxy vote authorization pursuant to this subdivision applies to that assigned representative for any conflicted item.



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Substantive

Amendment 5
On page 2, strike out lines 26 to 31, inclusive, and strike out page 3

- 0 -

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PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 523

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 523

Introduced by Assembly Member Irwin

February 10, 2025

An act to amend Section 52 of the Metropolitan Water District Act (Chapter 209 of the Statutes of 1969), relating to metropolitan water districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 523, as introduced, Irwin. Metropolitan water districts: ~~alternate representative.~~ *proxy vote authorization.*

Under the Metropolitan Water District Act, the board of a metropolitan water district is required to consist of at least one representative from each member public agency, as prescribed. The act authorizes each member public agency to appoint additional representatives not exceeding one additional representative for each 5% of the assessed valuation of property taxable for district purposes within the entire district that is within the boundaries of that member public agency.

The bill would authorize each member public agency that is entitled to designate or appoint only one representative to the board of directors to designate or appoint one alternate representative for the limited purpose of participating in a meeting of the board of directors when the member public agency's designated or appointed representative will be absent from the meeting; assign a proxy vote authorization to a representative of another member public agency that permits the assigned representative to cast votes on behalf of the assigning representative for an assigned meeting or meetings, as provided. The bill would prohibit the alternate representative from assuming any



AB 523

— 2 —

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SUBSTANTIVE

~~officer position at that meeting, would require the member public agency to be responsible for any additional costs of the alternate representative's meeting participation, and would condition the alternate representative's participation in a meeting of the board of directors on the corresponding member public agency providing the district notice by 5 p.m. on the 5th business day prior to the meeting. The bill would make these provisions inoperative on January 1, 2031. require a proxy vote authorization to be memorialized by a written instrument, as specified. The bill would apply all provisions of law relating to conflicts of interest that apply to the assigning representative to the representative authorized to cast a proxy vote. The bill would also apply any conflict of interest of the assigning representative or the representative that is assigned a proxy vote authorization to that assigned representative for any conflicted item.~~

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

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

Page 2 1 SECTION 1. Section 52 of the Metropolitan Water District
2 Act (Chapter 209 of the Statutes of 1969), as amended by Section
3 1 of Chapter 71 of the Statutes of 2019, is amended to read:
4 Sec. 52. (a) In addition to one representative, any member
5 public agency may designate and appoint one additional
6 representative for each full 5 percent of the assessed valuation of
7 property taxable for district purposes within the entire district that
8 is within the member public agency, in which event all
9 representatives present at a meeting of the board of directors when
10 a vote is taken shall cast, or may abstain from casting, an equal
11 share of the total vote to which the member public agency is
12 entitled.
13 (b) A member public agency shall not have fewer than the
14 number of representatives the member public agency had as of
15 January 1, 2019. This subdivision does not affect Section 55.
16 (c) (1) (A) ~~Each~~ *A representative of a member public agency*
17 ~~that is entitled to designate or appoint only one representative to~~
18 ~~the board of directors may designate or appoint one alternate~~
19 ~~representative for the limited purpose of participating in a meeting~~
20 ~~of the board of directors when the member public agency's~~
21 ~~designated or appointed representative will be absent from the~~

Amendment 1
Amendment 2

+ ~~meeting~~ may assign a proxy vote authorization to a representative
 + of another member public agency that shall be exercised when the
 + assigning representative is unable to attend a meeting or meetings
 + of the board of directors.

Page 2 22 (B) ~~Alternate representative participation does not include~~
 23 ~~assuming any officer position at that meeting. A proxy vote~~
 + authorization assigned pursuant to this subdivision shall be
 + memorialized by a written instrument as required by the
 + metropolitan water district that is filed with the district board's
 + secretary at least one business day in advance of the meeting and
 + the written instrument shall be maintained with the district records.

24 (2) (A) ~~All provisions of this act shall apply to the alternate~~
 25 ~~representative of the member public agency. A proxy vote~~
 + authorization that is assigned pursuant to this subdivision permits
 + the assigned representative to cast votes on behalf of the assigning
 + representative only for the assigned meeting or meetings. A proxy
 + vote authorization shall not authorize the assumption of the
 + assigning representative's officer position at that meeting.

+ (3) (A) All provisions of this act, including Section 56, apply
 + to the representative assigned a proxy vote authorization pursuant
 + to this subdivision. All provisions of law relating to conflicts of
 + interest that apply to the assigning representative also apply to
 + the representative that is authorized to cast a proxy vote pursuant
 + to this subdivision.

+ (B) Any conflict of interest of either the assigning representative
 + or the representative that is assigned a proxy vote authorization
 + pursuant to this subdivision applies to that assigned representative
 + for any conflicted item.

26 (B) ~~The alternate representative may participate in a meeting~~
 27 ~~of the board of directors provided that the corresponding member~~
 28 ~~public agency provides the district notice by 5 p.m. on the fifth~~
 29 ~~business day prior to the meeting.~~

30 (3) ~~The member public agency is responsible for any additional~~
 31 ~~costs of the alternate representative's meeting participation.~~

Page 3 1 (d) ~~Subdivision (c) shall become inoperative on January 1, 2031.~~

Amendment 3

Amendment 4

Amendment 5

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Legislation and Communications Committee



Express support if
amended for AB 523 (Irwin)
Metropolitan water
districts: alternate
representative

Item 7-9

April 7, 2025

AB 523 (Irwin) MWD Act Amendment

Subject

Express support if amended for AB 523 (Irwin) Metropolitan Water Districts: Alternate Representative. The proposed action is not defined as a project under CEQA.

Purpose

To deliberate and vote on the Board's position on active legislation impacting the Metropolitan Board of Directors.

AB 523
(Irwin)
MWD Act
Amendment

Summary

Author: Assemblymember Irwin (D-Thousand Oaks)

Sponsor: Eastern Municipal Water District

Current bill text: Authorizes the appointment of an alternate board representative.

As proposed to be amended: This bill would allow board members to designate a proxy.

AB 523
(Irwin)
MWD Act
Amendment

Proposed Amendment

As proposed to be amended, would allow each member agency that only has one representative the ability to designate a proxy representative to vote in their place when the primary representative is unavailable.

Proxy must be another current Metropolitan board member.

This would not include a sunset provision.

AB 523 (Irwin) MWD Act Amendment

Specific Provisions

Participation of the proxy does not include assuming any board officer positions.

The proxy designation shall be memorialized by a written instrument and filed with the board secretary one business day in advance of the meeting.

Any conflict of interest that applies to the designating representative also applies to the proxy for purposes of voting on any conflicted items.

Consideration for Future Amendments

AB 523 (Irwin) MWD Act Amendment

Assemblymember Irwin committed to protecting the limited scope of this bill.

Metropolitan and Eastern MWD to oppose hostile amendments.

AB 523 (Irwin) MWD Act Amendment

Benefits of Proposed Amendments

Assigning the proxy to another member of the Board removes concerns with eroding board continuity and confidentiality.

Proxy option reduces cost pressure on designating member agencies.

Avoids concerns about expanding the Board of Directors and removes need to reopen MWD Act via a sunset provision

AB 523
(Irwin)
MWD Act
Amendment

Concerns with Proposal

Opening up the MWD Act exposes Metropolitan to risk of hostile amendments.

AB 523 (Irwin) MWD Act Amendment

Options

Option 1:

Express support if amended for AB 523 (Irwin)
Metropolitan water districts: alternative
representative

Option 2:

Take no action



Metropolitan Water District of Southern California
Federal Legislative Matrix: 119th Congress, First Session
April 2025

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Conservation	H.R. 1871 Huffman (D-CA) Moore (R-UT) S. 857 Curtis (R-UT) Padilla (D-CA)	3/05/25: Referred to the House Committee on Ways and Means. 3/05/25: Referred to the Senate Committee on Finance.	Water Conservation Rebate Tax Parity Act Amends the Internal Revenue Code of 1986 to expand the exclusion for conservation subsidies to include water conservation or efficiency measures and stormwater management measures.	SUPPORT Based upon 2025 Legislative Priorities and Principles.	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: 119th Congress, First Session
April 2025

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Endangered Species Act Oversight	H.R. 831 Calvert (R-CA) Lee (D-NV) Titus (D-NV) Horsford (D-NV) Stanton (D-AZ) Ciscomoni (R-AZ) S. 291 Padilla (D-CA) Schiff (D-CA) Cortez Masto (D-NV) Rosen (D-NV) Kelly (D-AZ) Gallego (D-AZ)	1/31/25: Referred to the House Committee on Natural Resources. 1/29/25: Referred to the Senate Committee on Energy and Natural Resources.	Lower Colorado River Multi-Species Conservation Program Amendment Act of 2025 Establishes an interest-bearing account for the non-federal contributions to the Lower Colorado River Multi-Species Conservation Program (LCR MSCP).	SUPPORT Based upon 2025 Legislative Priorities and Principles.	The LCR MSCP program addresses the needs of threatened and endangered species and provides reliability for water deliveries and hydropower production. The bill will allow the Bureau of Reclamation to hold the non-federal funds for the LCR MSCP in an interest-bearing account. The interest collected will be reinvested in LCR MSCP projects, contributing to the continued success of this program and helping offset the impact of inflation. This bill would benefit Metropolitan because we are a member of California’s LCR MSCP participant group.

Metropolitan Water District of Southern California
Federal Legislative Matrix: 119th Congress, First Session
April 2025

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Endangered Species Act Oversight	H.R. 1894 Calvert (R-CA) Costa (D-CA) McClintock (R-CA) Issa (R-CA)	3/06/25: Referred to the House Committee on Natural Resources.	Federally Integrated Species Health Act or the “FISH Act” Transfers the authority to oversee Endangered Species Act (ESA) related responsibilities for anadromous fish from the Secretary of Commerce to the Secretary of the Interior.	SUPPORT Based upon 2025 Legislative Priorities and Principles.	This bill would consolidate the management and regulation of anadromous fish under the ESA at the Fish and Wildlife Service. Currently, ESA authority is split between FWS and the National Marine Fisheries Service (NMFS). California’s water delivery system and its fisheries would benefit from having a single federal agency responsible for anadromous species management.
Source Water Protection	S. 350 Padilla (D-CA) Daines (R-MT)	1/30/25: Referred to the Senate Committee on Energy and Natural Resources.	Wildfire Emergency Act of 2025 To direct the Secretary of Agriculture to select and implement landscape-scale forest restoration projects, to assist communities in increasing their resilience to wildfire, and for other purposes.	SUPPORT Based upon 2025 Legislative Priorities and Principles.	This bill has water supply, water quality, and ecosystem benefits for the Colorado River watershed and State Water Project watershed. Proper forest management and wildfire prevention promotes runoff, helps protect water quality, and improves habitat.

Metropolitan Water District of Southern California
Federal Legislative Matrix: 119th Congress, First Session
April 2025

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Source Water Protection	H.R. 1267 Perez (D-WA) Maloy (R-UT)	2/12/25: Referred to the House Committees on Energy and Commerce and Transportation and Infrastructure.	Water Systems PFAS Liability Protection Act Provides exemptions to drinking water and wastewater facilities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) for PFAS chemicals designated as hazardous substances.	SUPPORT Based upon 2025 Legislative Priorities and Principles.	The bill follows the “polluters pay” principle for cleanup of PFAS under CERCLA by shielding drinking water and wastewater systems from cleanup liability when they properly dispose of water treatment byproducts containing PFAS.

Metropolitan Water District of Southern California
Federal Legislative Matrix: 119th Congress, First Session
April 2025

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Source Water Protection	H.R. 1459 Crow (D-CO) S. 670 Bennet (D-CO) Wyden (D-OR) Hickenlooper (D-CO) Gallego (D-AZ) Rosen (D-NV)	2/20/25: Referred to the House Committees on Agriculture and Natural Resources. 2/20/25: Referred to the Senate Committee on Agriculture, Nutrition and Forestry.	Protect the West Act of 2023 Establishes a \$60 billion fund at the Treasury Department for use by the Secretary of Agriculture for restoration and resilience projects, wildfire risk reduction projects and habitat restoration projects.	SUPPORT Based upon 2025 Legislative Priorities and Principles.	This bill would benefit Metropolitan and its member agencies by funding projects to improve watershed health. It creates a grant program for restoration and resilience projects to improve forest conditions, rangeland health, watershed functions, or wildlife habitat. Additional grants would provide funding for partnership projects to reduce wildfire risk, restore habitat, and expand access to the outdoors. State agencies, local and tribal governments, and special districts may use these funds along with partner organizations.

Metropolitan Water District of Southern California
Federal Legislative Matrix: 119th Congress, First Session
April 2025

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Source Water Protection	H.R. 2093 Calvert (R-CA) Garamendi (D-CA) Rouzer (R-NC)	3/14/25: Referred to the House Committee on Transportation and Infrastructure.	Federal Water Pollution Control Permitting Terms Amends the Federal Water Pollution Control Act (Clean Water Act) with respect to permitting terms.	SUPPORT Based upon 2025 Legislative Priorities and Principles.	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.
Water Project Authorizations	H.R. 338 Costa (D-CA) Valadao (R-CA)	1/13/25: Referred to the House Committee on Natural Resources.	Every Drop Counts Act Amends the Infrastructure Investment and Jobs Act to raise the cap for eligible groundwater storage projects from 30,000 AF per year to 150,000 AF per year.	SUPPORT Based upon 2025 Legislative Priorities and Principles.	Increasing the size of groundwater storage projects eligible to apply for this funding could benefit Metropolitan and our member agencies. The proposed cap of 150,000 AF per year is more than twice the annual storage capacity of the AVEK High Desert Water Bank. The revised program would create a new funding opportunity for larger scale groundwater storage projects in the Central Valley.

Metropolitan Water District of Southern California
Federal Legislative Matrix: 119th Congress, First Session
April 2025

Topic	Bill/Author	Status	Title – Summary	MWD Position	Effects on MWD
Water Project Authorizations	H.R. 1311 Harder (D-CA)	2/13/25: Referred to the House Transportation and Infrastructure.	Stop the Tunnels Act Prohibits the Corps of Engineers from issuing a permit for the Delta Conveyance Project.	OPPOSE Based upon 2025 Legislative Priorities and Principles.	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.

The Metropolitan Water District of Southern California

April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
DHS	<u>Cyber Incident Reporting for Critical Infrastructure Act (CIRCIA) Reporting Requirements</u>	On April 4, 2024, the Cybersecurity and Infrastructure Security Agency (CISA) established a draft rule proposing reporting requirements for critical infrastructure entities that experience cybersecurity incidents. The draft rule proposes limiting reporting requirements to medium, large, and very large Community Water Systems and Publicly Owned Treatment Works (POTWs) that serve populations greater than 3,300.	The CIRCIA Reporting Requirements affect all water and wastewater agencies serving more than 3,300 customers. On July 3, 2024, ACWA submitted comments asking CISA to 1) refine the definition of “substantial cyber incident” to focus on capturing truly disruptive incidents, 2) align CISA reporting and data retention requirements with other federal cybersecurity requirements, 3) consider using the 50,000-person threshold in place of 3,300 for regulating water and wastewater operators, and 4) provide financial assistance to aid in compliance; among other comments.	Awaiting further action by CISA.
EPA	<u>Consumer Confidence Reports (CCRs)</u>	On May 24, 2024, EPA published the final revisions to the Consumer Confidence Report (CCR) regulation. The regulation requires public water systems serving 10,000 or more people to deliver CCRs twice a year, encourage modern electronic delivery options, clarify information regarding lead in drinking water, and provide translation for customers with limited English proficiency.	The biennial requirement is only for community water systems that serve 10,000 or more persons. Such systems that have a violation or action level exceedance between January 1 and June 30 of the current year, or have new Unregulated Contaminant Monitoring Rule (UCMR) results must include a 6-month update with the second report explaining any violations. As a wholesaler, Metropolitan is not required to do a CCR but provides water quality data to our member agencies twice per year to support the development of their CCRs.	The rule is effective June 2024, with the new content and delivery requirements starting in 2027.

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April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<u>Fluoride</u>	In a September 24, 2024, ruling, a federal judge found that EPA is required to provide a regulatory response under the Toxic Substances Control Act (TSCA) because fluoridation of water at 0.7 parts per million (ppm) -- the level presently considered “optimal” in the United States - poses an unreasonable risk of reduced IQ in children. The judge’s order does not dictate precisely what EPA’s regulatory response must be. On January 17, 2025, EPA appealed the lower court's order.	California law requires water systems with 10,000 or more connections to fluoridate if funding is available. This court ruling does not require Metropolitan to change its current treatment operations. Per Metropolitan’s Board-adopted Drinking Water Fluoridation Policy, Metropolitan has adjusted the natural fluoride levels in its treated water supplies since 2007, in full compliance with federal and state drinking water regulations. It is important to note that drinking water is regulated under the Safe Drinking Water Act, and not TSCA.	Awaiting any further action by EPA and/or the California Division of Drinking Water with respect to fluoride.
EPA	<u>Maximum Contaminant Level for Perchlorate</u>	At the January 10, 2025, National Drinking Water Advisory Council (NDWAC) meeting, EPA said it is “evaluating occurrence and treatment information to inform development of regulatory options,” and is also considering “monitoring options, treatment technology, feasibility, and public notification” for any future regulation. This action is in response to a January 5, 2024, Consent Decree in the <i>NRDC v. EPA</i> case that required EPA to propose a maximum contaminant level goal (MCLG) and NPDWR for perchlorate by November 21, 2025, and publish the final MCLG and NPDWR by May 21, 2027.	Staff are working with AWWA and AMWA on pre-rulemaking comments to inform any proposed perchlorate regulation. Previously, staff have commented in support of EPA promulgating a federal perchlorate standard to protect public health and help with long-term remediation of perchlorate contamination in the Colorado River Basin.	Awaiting further action by EPA.

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April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<u>Maximum Contaminant Levels for Six PFAS</u>	<p>On April 26, 2024, EPA published final drinking water standards for six (6) PFAS. EPA set individual maximum contaminant levels (MCLs) for PFOA and PFOS at 4.0 parts per trillion (ppt), and 10 ppt for PFNA, PFHxS, and GenX Chemicals. EPA will also regulate PFAS mixtures containing at least two or more PFHxS, PFNA, GenX Chemicals, and PFBS using a unitless Hazard Index of one (1). Lastly, EPA finalized health-based, non-enforceable MCLGs at 0 ppt for PFOA and PFOS and 10 ppt for PFNA, PFHxS, and GenX Chemicals.</p> <p>On June 7, 2024, AWWA and AMWA filed a Petition for Review asking a federal court to decide whether EPA acted appropriately in setting MCLs and MCLGs for six PFAS. Subsequently, several industry groups filed Petitions for Review, and NRDC and several community groups filed motions to intervene in support of EPA's final rule. The court has set a briefing schedule, with final briefs due March 25, 2025.</p> <p>On February 7, 2025, the D.C. Circuit Court granted EPA a 60-day stay on legal challenges to review the April 2024 PFAS rule.</p>	<p>Metropolitan submitted comments on May 30, 2023, in support of regulating PFOA and PFOS in drinking water. However, staff commented that regulating the remaining PFAS is premature as these compounds did not follow the full regulatory process and may have unintended economic impacts.</p>	<p>Rule became effective on June 25, 2024, with a three-year compliance timeline from the rule's effective date.</p>

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The Metropolitan Water District of Southern California

April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<u>PFAS and CERCLA Part I</u>	<p>On May 8, 2024, EPA published its final rule designating PFOA and PFOS, including their salts and structural isomers, as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).</p> <p>On June 10, 2024, several industry groups filed a Petition for Review, asking a federal court to decide whether EPA acted appropriately in designating PFOA and PFOS as CERCLA hazardous substances. NRDC and other groups have moved to intervene in defense of EPA’s rule. A group of passive receivers, including drinking water organizations, filed an <i>amici</i> brief explaining why EPA’s assessment of costs and benefits failed to take into account the effects on passive receivers. The court has set a briefing schedule, with final briefs due April 2, 2025.</p> <p>On February 24, 2025, the D.C. Circuit Court granted EPA a 60-day stay on legal challenges to give the new Administration time to review the May 2024 CERCLA rule.</p>	Despite EPA’s April 19, 2024 “PFAS Enforcement Discretion and Settlement Policy Under CERCLA” that emphasized that EPA will not target water utilities, staff are still concerned that the final rule may encumber water utilities with potential liability under CERCLA for the disposal of water treatment residuals that may contain PFAS. Metropolitan submitted comments on November 7, 2022, to this effect and worked with ACWA, AMWA, AWWA, and WUWC on comments seeking an exemption under CERCLA for the water industry.	Rule is final and went into effect on July 8, 2024.

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The Metropolitan Water District of Southern California

April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<u>PFAS and CERCLA Part II</u>	On April 13, 2023, EPA requested public “input and data” regarding whether to designate the precursors to PFOA and PFOS, as well as seven additional PFAS, as hazardous substances under CERCLA. The seven additional PFAS are PFBS, PFHxS, PFNA, Gen X, PFBA, PFHxA, and PFDA. The notice also requested input on regulating groups or categories of PFAS as hazardous substances.	Metropolitan submitted comments on August 3, 2023, that EPA should consider updated occurrence data and develop robust and reliable analytical methods before making any regulatory determination for the affected PFAS. In addition, staff requested that EPA explore other regulatory pathways for PFAS rather than CERCLA, as well as follow the "polluter pays" principle and make additional funding available for treatment and cleanup costs.	EPA had previously planned to propose a rule listing other PFAS as CERCLA hazardous substances in April 2025, but it now lists the date of the proposed rule as “To Be Determined.”
EPA	<u>PFAS and RCRA Part I</u>	On February 8, 2024, EPA released a proposed rule to revise the definition of “hazardous waste” under the Resource Conservation and Recovery Act (RCRA) such that PFAS can be included in corrective actions for treatment, storage, and disposal facilities (TSDFs).	On March 26, 2024, staff submitted a comment letter expressing concern that while the rule is focused on TSDFs, the rule could raise the disposal costs of PFAS-laden materials sent to TSDFs and that this was not included in the cost analysis. Staff also asked that EPA adopt formal RCRA enforcement guidance for TSDFs, such that water utilities are protected against future liability; and that EPA follow the “polluter pays” principle and/or make additional funding available for treatment and cleanup.	EPA anticipated finalizing the rule in December 2024 though there have been no further updates as to when the final rule will be released.

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The Metropolitan Water District of Southern California

April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<u>PFAS and RCRA Part II</u>	On February 8, 2024, EPA released a proposed rule to list nine PFAS (PFOA, PFOS, PFBS, HFPO-DA or GenX Chemicals, PFNA, PFHxS, PFDA, PFHxA, and PFBA) and their salts and isomers as “hazardous constituents” under RCRA.	On April 8, 2024, staff submitted a comment letter addressing EPA’s proposal to list nine PFAS and their salts and isomers as “hazardous constituents” under RCRA. A hazardous constituent listing is the first step towards a potential “hazardous waste” listing. If these nine PFAS were to be classified as hazardous wastes under RCRA, then they would automatically be classified as “hazardous substances” under CERCLA. Like our comments on the PFAS-CERCLA regulatory effort, Metropolitan emphasized that while we support regulating PFAS, the regulatory community needs guardrails in place (e.g., analytical methods, regulatory limits, and cleanup standards) prior to regulating these compounds. Staff also reiterated that EPA should follow the polluters pay principle.	EPA anticipates finalizing the rule in July 2025.

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April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	<u>Lead and Copper Rule Improvements</u>	<p>On October 30, 2024, EPA published the final Lead and Copper Rule Improvements (LCRI). The LCRI builds on the 2021 Lead and Copper Rule Revisions (LCRR) and the original Lead and Copper Rule. The final rule focuses on identifying and replacing lead service lines within 10 years; lowering the lead action level from 0.015 to 0.010 parts per million (ppm); removing the lead trigger level; improving tap sampling procedures; and improving public education and outreach materials to include renters and individuals with limited English proficiency.</p> <p>On December 13, 2024, AWWA filed a petition with the D.C. Court of Appeals challenging the LCRI. AWWA contends that the requirement that water systems must replace lead service lines on private property and owned by entities other than the systems if the systems can “access” such lines is neither feasible nor lawful. AWWA is also concerned about the impact of the final rule on water affordability.</p> <p>On February 19, 2025, the D.C. Circuit Court granted EPA a 60-day stay on legal challenges to give the new Administration time to review the December 2024 LCRI.</p>	The rule will result in additional sampling at Metropolitan’s desert villages but is not applicable to Metropolitan’s large water system. Under the 2021 LCRR, water systems were required to provide an initial inventory of their lead service lines by October 16, 2024. Under the final LCRI, all water systems must submit a baseline inventory by November 1, 2027, and will be required to regularly update their inventories, create a publicly available service line replacement plan, and identify the materials of all service lines of unknown material. Staff partnered with trade associations to provide comments.	The final rule went into effect on December 30, 2024.

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The Metropolitan Water District of Southern California

April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
EPA	Waters of the United States	On March 24, 2025, EPA and the U.S. Army Corps of Engineers published their intent to review and revise the definition of “waters of the United States” (WOTUS) in response to the Supreme Court’s 2023 decision in <i>Sackett v. EPA</i> . Towards this end, the agencies issued: (1) a guidance memo regarding applying the WOTUS definition; and (2) announced 6 listening sessions in late March-April 2025 and a 30-day comment period to solicit feedback from stakeholders.	In <i>Sackett v. EPA</i> , the Supreme Court found that the definition of WOTUS, which defines the scope of the Clean Water Act, only refers to “geographic[al] features that are described in ordinary parlance as ‘streams, oceans, rivers, and lakes’ ” and to adjacent wetlands that are “indistinguishable” from those bodies of water due to a continuous surface connection. Staff have previously submitted comments asking for a more inclusive definition of WOTUS during each of the three preceding Administrations (i.e., the 2015 Clean Water Rule, the 2020 Navigable Waters Protection Rule, the 2023 Rule, and the Amended 2023 Rule).	Comments are due April 23, 2025.

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The Metropolitan Water District of Southern California

April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
USFWS	<u>Proposed Listing of Santa Ana Speckled Dace as Threatened Species</u>	On August 13, 2024, the USFWS proposed listing the Santa Ana Speckled Dace as a threatened species under the Federal Endangered Species Act (FESA) with protective regulations under Section 4(d) of the Act (“4(d) rule”). The 4d rule would include exceptions from take prohibition for forest and wildland management activities, habitat restoration and enhancement activities (including dam operations where they benefit the species), and removal of non-native species. If the USFWS finalizes this rule as proposed, FESA protections would apply. Due to the lack of sufficient data, Critical Habitat is not being designated at this time.	This fish currently occurs in isolated populations in Southern California in the headwaters of the Los Angeles, San Gabriel, Santa Ana, and San Jacinto River watersheds. Metropolitan has facilities that cross lower reaches of these streams. Listing could add additional constraints on maintenance and construction activities if the species were to migrate and/or get flushed downstream into areas with Metropolitan facilities. Presence of this listed species could also potentially affect operations of water supply facilities for local agencies. Staff evaluated the listing for potential impacts on Metropolitan. Known populations of Dace occur in very few locations near, and downstream of, Metropolitan facilities.	Awaiting further action by USFWS.

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The Metropolitan Water District of Southern California

April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
USFWS	<u>Proposed Listing of Monarch Butterfly</u>	<p>On December 12, 2024, the USFWS proposed listing the monarch butterfly (<i>Danaus plexippus</i>) as a Threatened Species under the Federal Endangered Species Act (FESA) with protective regulations under Section 4(d) of the Act (“4d rule”). The 4d rule would include exceptions from take prohibition for activities conducted for the benefit of monarch butterflies that enhance milkweed and nectar plants within the breeding and migratory range; implementation of a comprehensive conservation plan; maintenance or improvement of monarch overwintering habitat; monarch mortality due to vehicle strikes; small-scale (250 or fewer butterflies) collection, possession, captive-rearing, and release of monarchs; scientific research; educational activities; possession of dead monarchs; and sale of captive reared monarchs.</p> <p>If the USFWS finalizes this rule as proposed, FESA protections would apply, and Critical Habitat would be designated in limited areas along the coast of California from Alameda County south to Ventura County.</p>	<p>While the proposed designated Critical Habitat for the monarch butterfly is outside of Metropolitan’s service area, there are a few known overwintering sites mapped within Metropolitan’s service area, mostly along the coast with a few locations inland in Los Angeles County. Listing could add additional constraints on maintenance and construction activities in limited areas if overwintering habitat is affected and/or if they are present and seasonal avoidance or incidental take authorization is needed.</p>	<p>Awaiting further action by USFWS.</p>

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April 7, 2025 – Federal Regulatory Matrix

Agency	Issue	Summary	Potential Impacts	Regulatory Status
White House Council on Environmental Quality	<u>Repeal of National Environmental Policy Act Regulations</u>	On January 20, 2025, the President issued Executive Order 14154, “Unleashing American Energy,” directing the White House Council on Environmental Quality (CEQ) to rescind its National Environmental Policy Act (NEPA) regulations. In response, on February 25, 2025, CEQ published an interim final rule, “Removal of National Environmental Policy Act Implementing Regulations.”	The water industry believes the rescission of the NEPA rules will introduce delays and uncertainties in environmental reviews, increase litigation risk, and increase costs for critical water infrastructure projects. In light of the uncertainty created, rescinding the NEPA rules is counterproductive to the President’s stated goal of expediting permitting approvals.	Comment letters were due March 27, 2025.

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Legislation & Communication Committee

Report on Activities From Washington, D.C.

Item 6a

April 7, 2025

Report on Activities from Washington, D.C.

Subject

Report on Activities from Washington, D.C.

Purpose

To provide a legislative update.

FY 25 Appropriations Update



Impacts to
Water
Funding

Government Funding Continued to September 30

- SRF Allotment to States
- WINN Title XVI Water Recycling Projects
- WIIN Storage Act

House Transportation & Infrastructure Subcommittee Hearing



Water Infrastructure Financing: WIFIA and the Clean Water State Revolving Fund



Senate Environment and Public Works Nomination Hearing



Jessica Kramer
Nominee to be EPA's
Assistant Administrator
for Water



Sean Donahue
Nominee to be
EPA's General
Council

President Trump Nominations and Appointments



Adam Telle
Assistant
Secretary
of the Army for
Civil Works



Aubrey
Bettencourt
NRCS Chief



Josh Cook
EPA Region 9
Administrator



Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
April 7, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	MWD Position	Effects on Metropolitan
AB 259 B. Rubio (D – West Covina) Sponsors: California Special Districts Association, Three Valleys Municipal Water District	Introduced Assembly Local Government Committee	Open meetings: local agencies: teleconferences. This bill eliminates the sunset on provisions added to the Brown Act by AB 2449, a bill that provided additional flexibility with Brown Act meeting procedures in the event of a board member’s physical absence in connection with a “just cause” or “emergency circumstances,” allowing those members to participate in the meeting remotely consistent with the process detailed in the bill.	Support Based on Board Action from April 2021	By removing the sunset on the Brown Act provisions, AB 259 preserves flexibility for Metropolitan and Member Agency board members to meet remotely and continue providing the public with essential services.
AB 532 R. Ransom (D – Stockton) Sponsor: California Municipal Utilities Association	Introduced Assembly Environmental Safety and Toxic Materials Committee	Water rate assistance program This bill seeks to revamp the State’s Low Income Household Water Assistance Program (LIHWAP), upon appropriation by the Legislature, to provide water rate assistance to ratepayers of water systems with under 3,000 connections, or systems serving disadvantaged communities. The bill also would expressly allow urban retail water suppliers to establish a local low-income rate assistance (LIRA) program using voluntary contributions or other non-ratepayer funds.	Support Based on 2025 Legislative Policies and Principles, adopted December 2024	This bill would provide clarity in existing law to ensure that water agencies are able to establish local LIRA programs without fear of legal consequences given the provisions of Prop 218. The bill would also establish a path to revamp the LIHWAP program to ensure statewide resources are provided for small and disadvantaged communities.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
April 7, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	MWD Position	Effects on Metropolitan
AB 580 G. Wallis (R – Rancho Mirage) Sponsor: Metropolitan Water District of Southern California	Amended in Assembly Natural Resources Committee on 3/24/2025. Passed out of committee and referred to Assembly Water, Parks, and Wildlife Committee.	Surface Mining: Metropolitan Water District of Southern California This bill removes the sunset date on Metropolitan’s ability to operate under a single Master Reclamation Plan for repairs using earth-moving activities under the Surface Mining and Reclamation Act for the maintenance of the Colorado River Aqueduct.	Sponsor Based on December 2024 Board Action	Ensuring Metropolitan can continue operating under a single Master Reclamation Plan will maintain environmental oversight without delays and prevent duplicative compliance.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
April 7, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	MWD Position	Effects on Metropolitan
AB 794 J. Gabriel (D – Encino) Sponsors: Clean Water Action, Environmental Working Group	Introduced Assembly Environmental Safety and Toxic Materials Committee	California Safe Drinking Water Act: emergency regulations This bill would authorize the State Water Resources Control Board (SWRCB) to adopt an emergency regulation for water quality based on federal regulations in effect on January 19, 2025, regardless of whether the requirements were repealed or amended to be less stringent. The bill would prohibit an emergency regulation adopted pursuant to these provisions from implementing less stringent drinking water standards, as provided, and would authorize the regulation to include requirements that are more stringent than the requirements of the federal regulation. The bill would require, on or before January 1, 2026, the SWRCB to adopt an emergency regulation and to initiate a primary drinking water standard for perfluoroalkyl and polyfluoroalkyl substances or PFAS.	Oppose unless Amended Based on 2025 Legislative Policies and Principles, adopted December 2024	While AB 794 aims to protect public health, its approach circumvents the established regulatory process for setting Maximum Contaminant Levels (MCLs). Metropolitan’s Legislative Priorities and Principals call for using the best available science to protect public health and improve water quality when setting MCLs. The broad scope of this bill, which would allow the SWRCB to set through emergency action primary and secondary MCLs for any chemical with a federal MCL, sets a dangerous precedent and fails to align with well-established regulatory principles.
SB 31 J. McNerney (D – Stockton) Sponsor: WaterReuse California	Amended 2/10/2025. Senate Natural Resources and Water Committee	Water quality: recycled water SB 31 aims to enhance California’s water sustainability by increasing the use of recycled water in non-potable applications. This bill modernizes outdated regulations and expands the permissible uses of recycled water to reduce dependence on potable sources. The bill would make updates to Title 22 of the Code of Regulations to expand the use of recycled water in parks, schools, and food handling and processing facilities.	Support Based on 2025 Legislative Policies and Principles, adopted December 2024	Supporting the use of recycled water in non-potable applications such as irrigation, decorative water features, and industrial processes reduces the demand for potable water while enhancing drought resilience.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
April 7, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	MWD Position	Effects on Metropolitan
SB 72 A. Caballero (D – Fresno) Sponsor: California Municipal Utilities Association	Amended 3/18/2025. Senate Natural Resources and Water Committee	The California Water Plan: long-term supply targets This measure would revise the California Water Plan to require the Department of Water Resources to update the California Water Plan by December 31, 2028, and every five years after, to include a long-term water supply target for 2050 and discussion on the development of specified water supply sources to meet demand.	Support Based on 2025 Legislative Policies and Principles, adopted December 2024	The intent of this bill is to help modernize California’s water management practices and provide long-term reliable supplies in response to the current climate challenges. Metropolitan supported a similar version of this bill in 2024, SB 366 (Caballero), which passed the Legislature and was vetoed by the Governor.
SB 394 B. Allen (D – Santa Monica) Sponsor: Las Virgenes Municipal Water District	Introduced Senate Judiciary Committee	Water theft: fire hydrants SB 394 would allow a local agency that provides water service the ability to increase fines and penalties for water theft from fire hydrants. The bill also adds tampering with a fire hydrant, fire hydrant meter, or fire detector check, or the unauthorized diversion of water from a fire hydrant to the list of acts for which a utility may bring a civil cause of action.	Support Based on 2025 Legislative Policies and Principles, adopted December 2024	Metropolitan Member Agencies and subagencies that provide local water services could adopt ordinances with enhanced penalties for water theft from a fire hydrant.
SB 454 J. McNerney (D – Stockton) Sponsor: Association of California Water Agencies	Introduced Senate Environmental Quality Committee	State Water Resources Control Board: PFAS Mitigation Program SB 454 would establish a PFAS Mitigation Fund to address PFAS contamination in California's drinking water and wastewater systems. Administered by the SWRCB, the fund will provide financial support through grants, loans, and contracts to water suppliers and wastewater operators to cover or reduce treatment and disposal costs, ensuring safe and clean water across the state with a focus on disadvantaged communities.	Support Based on 2025 Legislative Policies and Principles, adopted December 2024	The proposed bill would be highly beneficial to Metropolitan, its Member Agencies, and other water and wastewater agencies currently grappling with increased PFAS-related regulations and source contamination issues. By allowing for grants, loans, and contracts through the PFAS Mitigation Fund, and the provision of assistance services, the bill provides much-needed financial relief and assistance to support treatment and mitigation efforts.

Metropolitan Water District of Southern California
State Legislative Matrix: First Year of Legislative Session
April 7, 2025

Bill Number and Author	Amended Date and Location	Title – Summary	MWD Position	Effects on Metropolitan
SB 601 B. Allen (D – Santa Monica) Sponsors: California Coastkeeper Alliance, Defenders of Wildlife	Introduced Senate Environmental Quality Committee	Water: waste discharge The intent of this bill is to restore Clean Water Act protections in California that were removed per the U.S. Supreme Court’s 2023 Sackett v. Environmental Protection Agency decision. However, the bill goes far beyond restoring pre-Sackett water body designations and would lead to a significant expansion of the state’s regulatory authority, exposing agencies to increased compliance, costs, and litigation.	Oppose Based on 2025 Legislative Policies and Principles, adopted December 2024	Currently, AB 601 poses risks to Metropolitan and its member agencies by: adopting EPA’s drinking water standards for PFAS/PFOS, bypassing the state rulemaking process; increasing costs of waste discharge requirements and permits for discharges of water when dewatering or operating water supply infrastructure, potentially requiring all such water to be recycled regardless of cost to comply; exposing Metropolitan and its Member Agencies to citizen suits in state court, and, for certain nexus waters, both state and federal court; and creating uncertainty in discharge permitting as the bill’s ambiguous provisions and implications are likely to be litigated.

The Metropolitan Water District of Southern California

April 7, 2025 – State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
Cal/OSHA	<u>Workplace Violence Prevention in General Industry</u>	SB 553 (Cortese, 2023), which took effect on July 1, 2024, included minimum employer requirements for Workplace Violence Prevention Plans (WVPPs) and required Cal/OSHA to propose by December 31, 2025, and the Occupational Safety & Health Standards Board to adopt by December 31, 2026, regulations regarding WVPPs. In response, Cal/OSHA released a draft WV regulation on July 15, 2024, which included the WVPP requirements, as well as new engineering controls, communication requirements, recordkeeping, and post-incident procedures.	Metropolitan has implemented SB 553 WVPPs requirements and will continue to update our WVPP as necessary. Staff is monitoring revisions to the draft WV regulations.	Awaiting final rule by December 31, 2026.
Cal/OSHA	<u>Enterprise-Wide and Egregious Violations Rulemaking</u>	In July 2024, Cal/OSHA proposed regulations providing definitions of an “egregious violation” (i.e., willful) and an “enterprise-wide violation” (i.e., violations at more than one worksite). Employers cited for enterprise-wide violations associated with workplace safety won’t be eligible for penalty adjustments except for size. The proposed penalty for enterprise-wide violations will be multiplied by the number of worksites covered by the citation at the time of the inspection. The proposed regulations also increase the lookback period for assessing serious, repeat, or willful violations from three years to five years.	Cal/OSHA’s proposed rules are in response to SB 606 (Gonzalez, 2021) that expanded Cal/OSHA’s authority to issue citations, requirement of abatement, and seek court orders that address workplace safety law violations. For those employers labeled as “egregious,” especially with multiple work locations, the financial penalties can be more severe. Staff is monitoring the proposed regulations.	Awaiting revised draft of the regulations.

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April 7, 2025 – State Regulatory Matrix

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CARB	<u>Advanced Clean Fleets</u>	<p>On October 1, 2024, CARB released a discussion draft on amendments to the Advanced Clean Fleets Regulation brought on by the passage of AB 1594 (Garcia, 2023). The draft introduces a definition for “traditional utility-specialized vehicles” and alters exemption requirements, potentially allowing utilities to add internal combustion engine vehicles over 8,500 lbs. to their fleets when zero-emission trucks are not available in similar configurations or suitable for utility-specific operations.</p> <p>On January 14, 2025, CARB withdrew its request for a waiver from the U.S. Environmental Protection Agency (EPA) to implement its Advanced Clean Fleets regulation. CARB staff has stated they have authority to enforce the State and Local Government Agency Fleet portion of the rule—which Metropolitan falls under— regardless of the status of the EPA waiver.</p>	Metropolitan provided comments that CARB should expand the definition of “traditional utility-specialized vehicle” to include vehicles with towing capacities exceeding 30,000 lbs., develop criteria for low-use vehicles, and refine the exemptions for both replacement and addition of new qualified internal-combustion engine powered vehicles. Lastly, staff asked CARB to delay the compliance date for Class 8 ZEVs used to transport extremely hazardous materials, such as chlorine, until 2030 or exempt this application altogether.	In response to comments from utility stakeholders, CARB delayed the May 22 nd Board hearing for the AB 1594 Amendments to an unspecified future date.
CARB	<u>Proposed Zero-Emission Appliance Standards</u>	CARB is developing zero-emission (ZE) appliance standards to require California sales of ZE space and water heaters by 2030 for new construction or renovating existing buildings. The potential regulation would not require existing non-ZE space and water heaters to be replaced before 2030.	These standards are in line with CARB’s climate and air quality strategy as laid out in the 2022 Scoping Plan and State Strategy for the State Implementation Plan. These standards may impact regional requirements for grid capacity, access to electricity and building retrofit costs.	CARB anticipates adopting the regulation in 2025 with implementation beginning in 2030.

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April 7, 2025 – State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
CARB	<u>Zero-Emissions Forklift Rule</u>	On September 16, 2024, OAL approved CARB’s Zero-Emission Forklift Regulation. The rule prohibits fleet operators from purchasing new propane or gasoline-fueled Class IV (any lift capacity) and Class V forklifts (lifting capacity up to 12,000 lbs.) starting in 2026. Fleets would need to phase-out 2018 model year (MY) and older forklifts starting in 2028. Fleet operators would be allowed to purchase used 2025 MY or older forklifts so long as the MY has not been phased out.	The rule requires industry, including Metropolitan and member agencies, to develop a forklift replacement strategy. Staff are working on a forklift replacement strategy for Metropolitan’s 17 propane- and one gas-powered forklifts. Metropolitan submitted comments addressing concerns with provisions in the latest rulemaking package.	The rule goes into effect January 1, 2026.
CDFW	<u>Proposed rule governing suspension and revocation of Fish & Game Code section 1602 Lake or Streambed Alteration Agreements</u>	On November 19, 2024, CDFW circulated revisions to the proposed regulation specifying the procedures for CDFW to suspend or revoke Lake or Stream Alteration Agreements (LSAAs). Fish and Game Code section 1612 authorizes CDFW to suspend or revoke an LSAA if it determines the permittee is not in compliance with its terms or has failed to provide required status reports. The proposed process provides notice and an opportunity to cure any alleged violations before CDFW would suspend or revoke an LSAA.	While Metropolitan has never faced a notice of suspension or revocation, on June 18, 2024, Metropolitan provided comments that the proposed regulation may be problematic to agencies with LSAAs if the notice is erroneous or if the notice does not provide sufficient time to cure alleged violations (or explain why no violation has occurred) before suspension or revocation would be required under the regulation. Metropolitan also provided clarification language to address these concerns.	Awaiting final rule.

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April 7, 2025 – State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
Fish and Game Commission	<u>Emergency regulation to add golden mussel to the list of restricted animals</u>	On December 12, 2024, the Fish and Game Commission adopted an emergency regulation that adds golden mussel to its list of restricted animals or regulated invasive species. Adding golden mussel to the list of restricted animals will immediately prohibit the importation, transportation, and possession of live golden mussels; as well as allow water managers operating mussel prevention programs grounds to refuse watercraft from launching into waterways. Additionally, it will allow law enforcement to detain vessels or equipment until such time as they no longer pose a threat to the environment.	If golden mussels are detected in Metropolitan’s water supplies, Metropolitan will work with Fish and Game to adopt control measures or a plan to avoid infesting other regulated water bodies. On December 17, 2024, staff submitted comments to the OAL requesting that Fish and Game either amend or delay implementation of the emergency regulation until it is clarified that affected water agencies may operate using control measures or a control plan to avoid infesting other regulated water bodies—similar to how quagga mussels are dealt with.	The regulation went into effect on December 19, 2024, without change.
Fish and Game Commission	<u>Petition to list the White Sturgeon as Threatened under the California Endangered Species Act</u>	On June 19, 2024, the California Fish and Game Commission approved White Sturgeon as a candidate species under the California Endangered Species Act. As such, any activity that causes a “take” of White Sturgeon will require an incidental take permit from CDFW.	The listing may impact operation of the Central Valley Project (CVP) and State Water Project (SWP), as well as Sites Reservoir, the Delta Conveyance Project, and the Agreements to Support Healthy Rivers and Landscapes. The State Water Contractors and San Luis & Delta Mendota Water Authority sent comment letters in June and October 2024 emphasizing that the listing is not warranted as the White Sturgeon population is stable, the petition does not use the best available science, and that incidental take from operation of the SWP and CVP has been historically low, especially relative to take from recreational fishing and the recent die off due to red tides in San Francisco Bay.	By July 12, 2025, CDFW must prepare and submit to the Fish and Game Commission a peer-reviewed status report on the species that is based on the best scientific information.

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The Metropolitan Water District of Southern California

April 7, 2025 – State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
			White Sturgeon were listed as a state Candidate Species pending the outcome of the process. The SWP received incidental take authority under the 2024 ITP at a cost of more than a million dollars, and with a potential water supply impact.	
Fish and Game Commission	<u>Petition to list Western Burrowing Owl as Threatened or Endangered under the California Endangered Species Act</u>	On October 25, 2024, the Fish and Game Commission (FGC) determined that the Western Burrowing Owl is a candidate for listing under the California Endangered Species Act, primarily due to loss of habitat. As a candidate for listing, the species is afforded the same regulations and protections as if it were listed as threatened or endangered.	The Western Burrowing Owl exists in Metropolitan’s service area in Southern California. Presence of the species can affect timing of maintenance and construction projects with additional constraints, permitting, and mitigation requirements now that it is a candidate for listing.	CDFW has until October 25, 2025, to conduct a status review to inform the FGC final decision of whether to list the Western Burrowing Owl as Threatened or Endangered.
Fish and Game Commission	<u>Petition to list the Quino Checkerspot Butterfly as Endangered under the California Endangered Species Act</u>	On December 18, 2024, the California Fish and Game Commission received a petition to list Quino checkerspot butterfly (<i>Euphydryas editha quino</i>) as an endangered species under the California Endangered Species Act.	Quino checkerspot exists in Metropolitan’s service area in Western San Bernardino, Western Riverside, Orange, Eastern Los Angeles, and San Diego Counties. If the species becomes a candidate and/or listed as endangered, presence of the species could affect timing of maintenance and construction projects with additional constraints, permitting, and mitigation requirements.	The Fish and Game Commission is expected to receive the Department of Fish and Wildlife’s evaluation and recommendation by April 16-17, 2025.

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April 7, 2025 – State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
SCAQMD	<u>PAR 1171-- Solvent Cleaning Operations</u>	Proposed Amended Rule (PAR) 1171 regulates the use of solvents used for cleaning during the production, repair, maintenance, or servicing of parts, products, tools, machinery, equipment, and general work areas within the SCAQMD's jurisdiction.	Parts of PAR 1171 would be beneficial to Metropolitan and other water agencies by allowing for use of liquid denatured alcohol to clean electrical equipment, and ozone and chlorine systems. However, the proposal to limit the use of aerosol solvents (160 oz/year) for general parts cleaning may hamper basic maintenance and repair activities. Staff are working with SCAQMD staff to address these critical solvent applications.	The rule is tentatively scheduled for adoption at the June 6, 2025, Board meeting.
SCAQMD	<u>Rule 1146 Series, Zero Emission Water Heaters, Boilers and Process Heaters</u>	SCAQMD is proposing a series of rules to require all industrial, institutional, and commercial natural gas-powered water heaters, boilers, and process heaters to be replaced or retrofitted with zero-emission technologies such as all-electric heat pumps, or electric resistance units. The rules pertain to equipment with a heat input capacity greater than 5 million British thermal units per hour (MBtu/hr) (Rule 1146), 2 to 5 MBtu/hr (Rule 1146.1), and less than 2 MBtu/hr (Rule 1146.2).	The Rule 1146 series of rules are designed to reduce nitrogen oxide (NOx) emissions in accordance with SCAQMD's 2022 Air Quality Management Plan. Of the three rules, 1146.2 was adopted and has a phased implementation plan between January 1, 2026, and January 1, 2033. To help offset transition costs, SCAQMD is developing a Zero-Emission Rebate Program that will assist residential and some commercial buildings to transition to zero NOx emission space and water heating, with a focus on overburdened communities.	Rule 1146 rulemaking started November 13, 2024. Rule 1146.1 rulemaking started November 13, 2024. Rule 1146.2 adopted on June 7, 2024.

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April 7, 2025 – State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
SCAQMD	<u>Proposed Rule 1445, Control of Toxic Metal Particulate Emissions from Laser and Plasma Cutting</u>	The proposed regulation would control metal particulate emissions from both portable and stationary laser and plasma cutting operations. Toxic emissions would be reduced from point source emissions by establishing higher efficiency control device requirements, and fugitive emissions would be addressed by requirements for building enclosures, housekeeping, and best management practices.	While this rule is limited in scope to laser and plasma cutting operations, it may set precedent for future toxics regulations (e.g., welding operations). Staff are working with Clean Water SoCal to ensure the proposed regulation reflects the existing exemption for portable plasma cutters performing maintenance and repair activities. Staff has also asked that additional control devices not be required for existing permitted equipment that have already been shown to meet health risk requirements, among other technical issues.	Final adoption on hold pending rule refinements per public comments.
SWRCB	<u>California Ocean Plan Amendments for Seawater Desalination</u>	On October 29, 2024, the SWRCB held a scoping session to launch the regulatory process for the Ocean Plan. The SWRCB seeks to expand the use of an integrated water resource management and needs assessment, such as an Urban Water Management Plan, for determining the need for seawater desalination facilities; consider tribal interests, human right to water, racial equity, and environmental justice in permitting decisions; and enhance permitting efficiency. The Ocean Plan will also include guidance for slant well studies, mitigation, coastal hazards, and other topics.	On November 13, 2024, Metropolitan submitted comments on the potential amendments to Ocean Plan. Staff commented that local water agencies should determine the need for seawater desalination, rather than a needs assessment; a permitting pathway should be provided for new technologies such as offshore desalination; and desalination should be developed in concert with alternative supplies and at the discretion of locally elected officials and water agency managers.	Awaiting regulatory draft language.

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April 7, 2025 – State Regulatory Matrix

Agency	Regulation	Summary	Potential Impacts	Regulatory Status
SWRCB	<u>Maximum Contaminant Level for Perchlorate</u>	<p>In 2017, DDW announced it would review the maximum contaminant level (MCL) established in 2007 for perchlorate at 6 parts per billion (ppb). On October 6, 2020, DDW lowered the detection limit for purposes of reporting (DLR) from 4 ppb to 2 ppb starting in January 2021, and further decreased the DLR to 1 ppb in January 2024. These actions were in response to OEHHA lowering the Public Health Goal (PHG) for perchlorate from 6 ppb to 1 ppb in February 2015.</p> <p>Perchlorate was not included in DDW’s 2025 regulatory priorities. As such, no action is expected this year.</p>	DDW’s perchlorate MCL review and changes to the DLR could result in the MCL being lowered soon, as an MCL must be set as close to the PHG as is technologically and economically feasible. On August 6, 2020, Metropolitan submitted comments expressing concerns that a DLR of 1 ppb was premature and that DDW should hold off implementing the lower DLR until such time that adequate laboratory capacity is determined and perchlorate occurrence data at the 2 ppb DLR are collected and evaluated.	The DLR of 1 ppb went into effect January 1, 2024. Awaiting further action by DDW on revising the MCL.
SWRCB	<u>Maximum Contaminant Levels for PFOA and PFOS</u>	<p>On April 5, 2024, OEHHA adopted PHGs of 0.007 parts per trillion (ppt) for PFOA and 1 ppt for PFOS. A PHG is the level of a drinking water contaminant that does not pose a significant risk to health with lifetime exposure. DDW will use the PHGs to develop drinking water standards for PFOA and PFOS that are as close to the PHGs as possible but still technically and economically achievable for drinking water systems.</p> <p>On February 19, 2025, DDW stated as part of their 2025 regulatory priorities that regulating PFAS was their top priority. DDW intends to adopt the federal PFAS MCL standards in 2025 and work on additional PFAS thereafter.</p>	Once announced, staff will evaluate impacts and potential comments.	Awaiting official release of proposed regulation.

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SWRCB	<u>Maximum Contaminant Level for NDMA</u>	On December 4, 2024, OEHHA proposed lowering the PHG for N-nitrosodimethylamine (NDMA) in drinking water from 3 parts per trillion (ppt) to 0.5 ppt. The development of a PHG is an important step that informs the establishment of an enforceable maximum contaminant level (MCL) for drinking water. Currently, NDMA has a non-enforceable Notification Level (NL) of 10 ppt and a Response Level (RL) of 300 ppt which were established in 2002. One of DDW's regulatory priorities for 2025 is to evaluate a potential MCL for NDMA.	NDMA is a byproduct of chloramination and other industrial processes. For calendar year 2024, Metropolitan's treated water effluents and systemwide distribution system have consistently been below the current NL of 10 ppt. Staff worked on a comment letter with ACWA questioning OEHHA's toxicological assumptions that led to the new proposed PHG for NDMA.	Awaiting further action by OEHHA formalizing the proposed PHG.
SWRCB	<u>Notification Level for PFHxA</u>	On September 18, 2024, OEHHA recommended a Notification Level (NL) for PFHxA at 1 part per billion (ppb). NLs are nonregulatory, health-based advisory levels that DDW establishes for contaminants for which regulatory standards have not been set. DDW will now take this recommendation under advisement when potentially setting a NL for PFHxA.	While Metropolitan has sporadically detected PFHxA in source and treated water samples, they were at very low parts per trillion (ppt) levels, whereas the proposed NL is far higher at 1 ppb. Hence, this proposed NL should have minimal impact on Metropolitan.	Awaiting further action by DDW.
SWRCB	<u>Notification and Response Levels for Manganese</u>	On February 16, 2023, DDW proposed new notification and response levels (NL and RL) for manganese at 20 parts per billion (ppb) and 200 ppb, respectively. Revising the manganese NL and RL is one of DDW's 2025 regulatory priorities.	The proposed NL and RL are significantly lower than the current NL and RL (0.5 parts per million (ppm) and 5.0 ppm, respectively). Thus, water agencies may need to report more instances of NL and RL exceedances in their Consumer Confidence Reports and/or make operational changes.	Awaiting further action by DDW.

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SWRCB	<u>Underground Storage Tank Regulations</u>	On November 22, 2024, SWRCB released draft language that significantly rewrites the underground storage tank (UST) regulations. The draft language deletes all reference to single-walled USTs as they must be permanently closed by December 31, 2025; proposes streamlined construction, monitoring, and testing requirements; utilizes performance goals over prescriptive methods where possible; and reorders the sections within the UST regulations.	The revised regulation affects all water agencies that store hazardous substances (e.g., gasoline or diesel) in USTs. On January 17, 2025, staff submitted comments focused on technical concerns with specific operating, monitoring, closure, and inspection form requirements within the UST regulations.	Awaiting formal adoption of the regulations, with an anticipated effective date of January 1, 2026.
SWRCB	<u>Water Quality Control Plan</u>	On October 25, 2024, SWRCB released a revised Draft Sacramento/Delta Updates to the Water Quality Control Plan (WQCP) for the San Francisco Bay/Sacramento-San Joaquin Delta Watershed (Bay-Delta Plan). The draft updates include options for the program of implementation for incorporating a regulatory pathway, based on the proposed Plan amendments in the draft Staff Report, or a pathway based on the Healthy Rivers and Landscapes Program. Additionally, the draft updates include options for two modular alternatives (Alternatives 5a and 6a) that were described in the draft Staff Report. The SWRCB has not yet selected a pathway for updating the Bay-Delta Plan.	On January 19, 2024, Metropolitan provided comments individually and through the State Water Contractors on Phase 2 of the WQCP. The Draft Staff Report's Proposed Action flow objective is predicted to result in an annual average reduction of 446,000 acre-feet for southern California municipal supplies. SWRCB has encouraged all stakeholders to work together to reach one or more Voluntary Agreements for consideration by the SWRCB that could implement the proposed amendments to the WQCP through a variety of tools, including non-flow habitat restoration for sensitive salmon and smelt species, while seeking to protect water supply reliability. Metropolitan is participating in the Phase 2 proceedings and Voluntary Agreement negotiations.	Awaiting further action by SWRCB.

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SWRCB	<u>Water Diversion Measurement and Reporting</u>	On February 28, 2025, SWRCB circulated a set of draft amendments to the regulations implementing the statutes that require water rights holders to measure and report diversions known as SB 88. The proposed amendments are intended to clarify provisions to facilitate compliance and, of concern, to make it easier for diverters to submit and follow Alternative Compliance Plans (ACPs) that do not measure diversions, but purport to provide “useful” information in lieu of measuring and reporting actual diversions.	<p>The amendments authorizing ACPs that fail to measure or report diversions will hamstring the SWRCB’s ability to monitor and enforce water rights, complicating or frustrating implementation of the Healthy Rivers and Landscapes Program, enforcement of curtailments during droughts, and potential unlawful diversion of State Water Project supplies. This conflicts with Metropolitan’s water rights policies and policies supporting the Healthy Rivers and Landscapes Program.</p> <p>Staff is currently reviewing the draft amendments and will provide comments by the specified due dates. In late 2024, staff and SWC provided comments on a pre-rulemaking draft of the amendments, but the SWRCB made no changes to the proposed regulations and did not respond to comments.</p>	Written comments on the proposed amendments are due April 23, 2025; oral comments may be made at the April 16, 2025, hearing.

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Legislation and Communications Committee

Report on Activities from Sacramento

Item 6b
April 7, 2025

Report on Activities from Sacramento

Subject

Report on Activities from Sacramento

Purpose

To provide an update on relevant state legislative issues

Sacramento Legislative Highlights

Legislative Calendar

Apr 10: Spring Recess

Apr 21: Legislature reconvenes from recess

Sacramento Legislative Highlights

Invasive Golden Mussel in the Delta

Adverse impacts to infrastructure, ecosystems and water quality.

Policy Considerations:

- Legislation: Liability and regulatory protection
- Budget: Funding for control efforts



Sacramento Legislative Highlights

Legislative Update

Metropolitan Sponsored Bill

- AB 580 (Wallis) Surface Mining and Reclamation Act Exemption.

Member Agency Proposals

- AB 259 (Rubio) Open meetings: local agencies: teleconferences.
- SB 394 (Allen) Water theft: fire hydrants.

Sacramento Legislative Highlights

Legislative Update

- AB 810 (Irwin) Local government: internet websites and email addresses.
- AB 874 (Farias) Mitigation Fee Act: waiver of fees: affordable rental housing.
- SB 72 (Caballero) The California Water Plan: long-term supply targets.
- SB 454 (McNerney) State Water Resources Control Board: PFAS Mitigation Program.
- SB 496 (Hurtado) Advanced Clean Fleets Regulation: appeals advisory committee: exemptions.

Sacramento Legislative Highlights

Legislative Update

- AB 794 (Gabriel) California Safe Drinking Water Act: emergency regulations.
- AB 1146 (Papan) Water infrastructure: dams and reservoirs: water release: false pretenses.
- AB 1319 (Schultz) Protected species: California Endangered Species Act.
- SB 601 (Allen) Water: waste discharge.





THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Board Report

External Affairs

- External Affairs Monthly Activities Report for March 2025

Summary

This report provides a summary of External Affairs' group activities for March 2025.

Purpose

Informational

Detailed Report

Highlights

Metropolitan named the San Jacinto Tunnel in honor of former board chair and director Randy Record in tribute to his longtime service and leadership. In attendance were Chair Ortega, former Chairwoman Gray, Vice Chair Camacho, Directors Armstrong, Dennstedt, Erdman, Faessel, Fellow, Kurtz and McMillan, GM Upadhyay, Chief Counsel Scully, Ethics Officer Salinas, AGMs Bednarski, Chapman and Zinke and many other local officials, water industry leaders and Metropolitan staff. The event garnered press coverage, including KABC-TV and the Los Angeles Times. (March 13)

Metropolitan sponsored, and GM Upadhyay served as the keynote for the Municipal Water District of Orange County's Water Policy Forum. Directors Ackerman, Alvarez, Camacho, Dennstedt, Dick, Erdman, Garza, Kurtz, McCoy, McMillan and Miller attended, as did General Counsel Scully and AGM Zinke. (March 20).



Former Board Chair Randy Record at the naming of the San Jacinto tunnel in his honor.



Chair Ortega, GM Upadhyay and SRI Officer Crosson at the Anaheim Public Utilities Commission meeting.

Chair Ortega, GM Upadhyay, and Chief SRI Officer Crosson attended the Anaheim Public Utilities Commission meeting to discuss regional and local community priorities, including water supply conditions, the Climate Adaptation Master Plan for Water, and financial planning.

AGM Zinke attended the Public Policy Institute of California's Water Policy Center council meeting. (March 26)

Metropolitan sponsored and Directors Luna and Sutley, and SRI Officer Liz Crosson attended Climate Resolve's Coolest in LA event honoring LADWP CEO & Chief Engineer Janise Quiñonez- (March 27)

Date of Report: 4/7/2025

GM Monthly Report March 2025

Federal

A continuing resolution funding the government for the remainder of FY25 was enacted into law (March 14).

Josh Cook, a veteran California GOP staffer and consultant, was appointed by President Trump to head EPA's Region 9 office.

State

AB 580 (Wallis) to extend Metropolitan's alternate authority under the Surface Mining and Reclamation Act successfully passed out of the Assembly Natural Resources Committee.

Metropolitan advanced nine new legislative positions, including support for SB 394 (Allen) increasing penalties for fire hydrant water theft, SB 72 (Caballero) to improve future planning of California water supplies, and AB 532 (Ransom) for local water agencies to establish low-income rate assistance programs. Metropolitan adopted an oppose position on SB 601 (Allen), increasing the State Water Board authority to regulate wastewater discharges, and an oppose unless amended position on AB 794 (Gabriel), which would allow for an emergency regulatory process for the State Water Board's PFAS regulations on drinking water standards.

Local

This month, staff presented, monitored and/or participated in 59 webinars, meetings, and events with community organizations and trade associations on Metropolitan activities, issues, and other topics.

Metropolitan staff met with district office staff for the following elected officials: Assemblymember Caloza (D-Los Angeles), Assemblymember Gipson (D-Carson), Assemblymember Lowenthal (D-Long Beach), Assemblymember Petrie-Norris (D-Irvine), Assemblymember Rubio (D-Baldwin Park), Assemblymember Sanchez (R-Rancho Santa Margarita), Sen. Allen (D-Santa Monica), Sen. Umberg (D-Santa Ana), Rep. Cisneros (D-CA-31), Rep. Friedman (D-CA-30), Rep. Lieu (D-CA-36), and Rep. Torres (D-CA-36).

Media and Communications

Press Releases and Statements

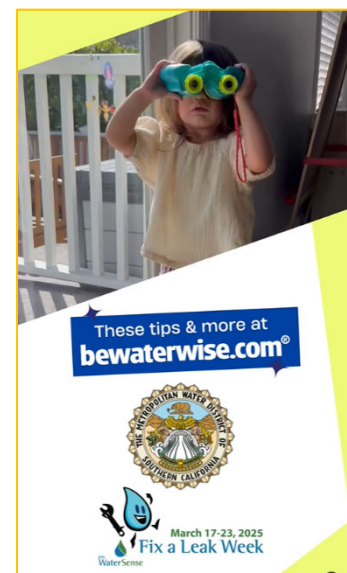
- Award of funding for State College Stormwater Tank Project in Anaheim as part of Metropolitan's Stormwater Pilot Program.
- Naming San Jacinto Tunnel after former Chair Randy Record.
- Opening of the Wildflower Trail at Diamond Valley Lake.
- State Water Project allocation increasing to 35 percent.

Coordinated interview between Politico reporter Annie Snider and Colorado Resources Manager Hasencamp regarding Metropolitan's role in providing "emergency water" supplies to Tijuana, Mexico.

Supported podcast interview of Chair Ortega on Watershed Moments podcast with San Bernardino Valley Municipal Water District GM Heather Dyer.

Coordinated interview with Associated Press reporter Amy Taxin regarding Metropolitan's efforts during the Palisades Fire to support the needs of LADWP and other member agencies.

Highlighted Fix a Leak Week and provided water-saving tips.



GM Monthly Report March 2025

Began posting Goodbye, Grass, a water conservation campaign series on LinkedIn, targeting those in the commercial, industrial and institutional sectors, generating more than 21,000 impressions to date.

Highlighted cultural events, including a video of Engineer Arman Motavvef wishing everyone a Happy Nowruz on behalf of the Persian American Employees Organization and recognizing Women's History Month with collaborative posts created in coordination with Women at Metropolitan and the Society of Women Engineers.

The Water Champions employee social media series continues to receive strong engagement. This month, employees in Business Management Gale Arnold-Long and the Board Support Team Rosalind Atkins were among those featured.



Community Outreach

Supported five Member Agency meetings.

Met with six Member Agencies to introduce Member Services and Public Outreach services and section: Three Valleys, city of Santa Ana, city of Glendale, Long Beach Utilities, Upper San Gabriel MWD and Calleguas MWD (March 6-26).

Led State Water Project inspection trips with Directors Ackerman and Douglas (March 7-8) and Directors Quinn and Phan. (March 20-22)

DVL Inspection Trip with Directors Fellow and DeJesus (March 20) and Pure Water Southern California Inspection Trip with Directors Dennstedt and Armstrong (March 28).



Tour of Diamond Valley Lake for Elsinore Valley Water District's Fostering Leadership Program (March 14)

Palos Verdes Reservoir Site Visit with LA County Fire, Cal Water, and West Basin MWD (March 17)

Tour of Diemer Plant for Orange County Health Agency staff (March 26)

Sponsored Events

- Tarzana Community Center Native Plant Fair
- San Diego Festival of Science and Engineering Expo
- Los Angeles County Science and Engineering Fair
- Westwood Greenway Native Plant Habitat
- Rancho Santa Ana Botanic Garden Native Plant Festival
- Monte Vista Water District Splash into Waterwise Spring

Bewaterwise exhibit table at Tarzana Native Plant Fair

GM Monthly Report March 2025

Pure Water Southern California

Tours: UCLA Nursing Students (March 5); City of Irwindale (March 19); Central Basin (March 20); State Water Resources Control Board (March 28).

Meetings: Three Valleys Municipal Water District Board of Directors (March 5); LACSD Citizens Advisory Council (March 11), East Yard Communities for Environmental Justice (March 17); Irwindale City Council (March 26)

Outreach material provided to the State of California in support of the SB 149 application (March 12)

Staff attended the opening of the Harbor-Gateway Worksource & Youthsources Center (March 17)

Hosted exhibit booth at South Bay Council of Governments Assembly (March 27)

Education

Interacted with 3,900 teachers, students and adults through field trips, community events and meetings.

Organized or participated in meetings with the CSU Dominguez Hills Youth Summit, Cal Poly Pomona Career Day, SEI Virtual Earth Day Contest, Hemet Unified School District's Career Technical Education Advisory Committee, Member Agency Education Coordinators, Menifee's Wildlife Appreciation Day, Morris Elementary for Read Across America Day and Gates Elementary School.

Career & Conservation Outreach

Provided information on water industry careers and conservation for 10 schools at the Inland Empire Construction Careers and Apprenticeships Resource Fair.

Water Engineering 4 Good (WE4G) teams made their final presentations.

Showcased student art at Rowland Water District.



Social Media post featured Gates Elementary students taking a water conservation pledge.



Legislation and Communications Committee

External Affairs Activities

Item 7a

April 7, 2025

Report on Activities from External Affairs

Subject

Report on Activities from External Affairs

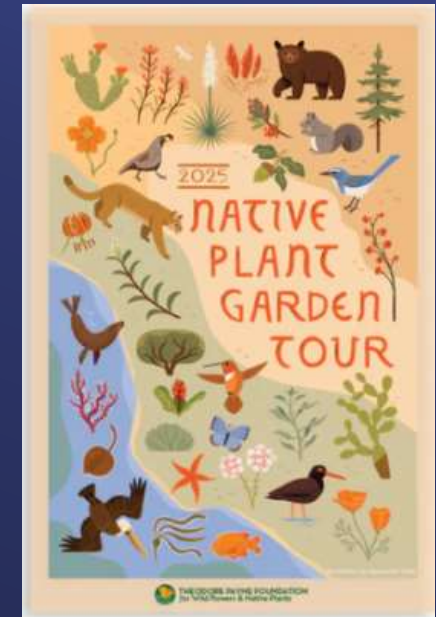
Purpose

To provide management announcements and highlights for External Affairs

Community Outreach

Legislation & Communications
Committee

External Affairs Activities

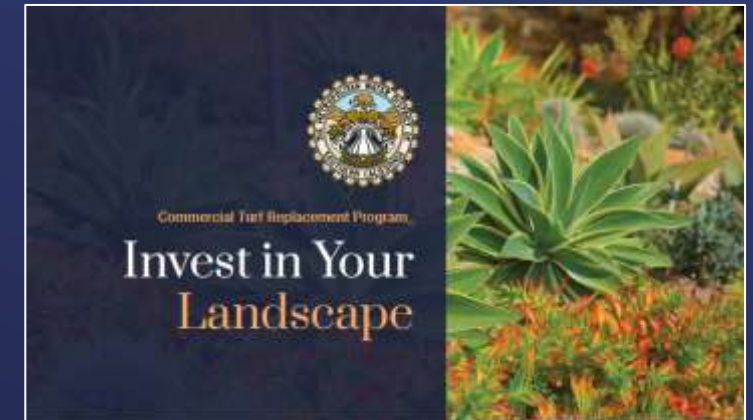
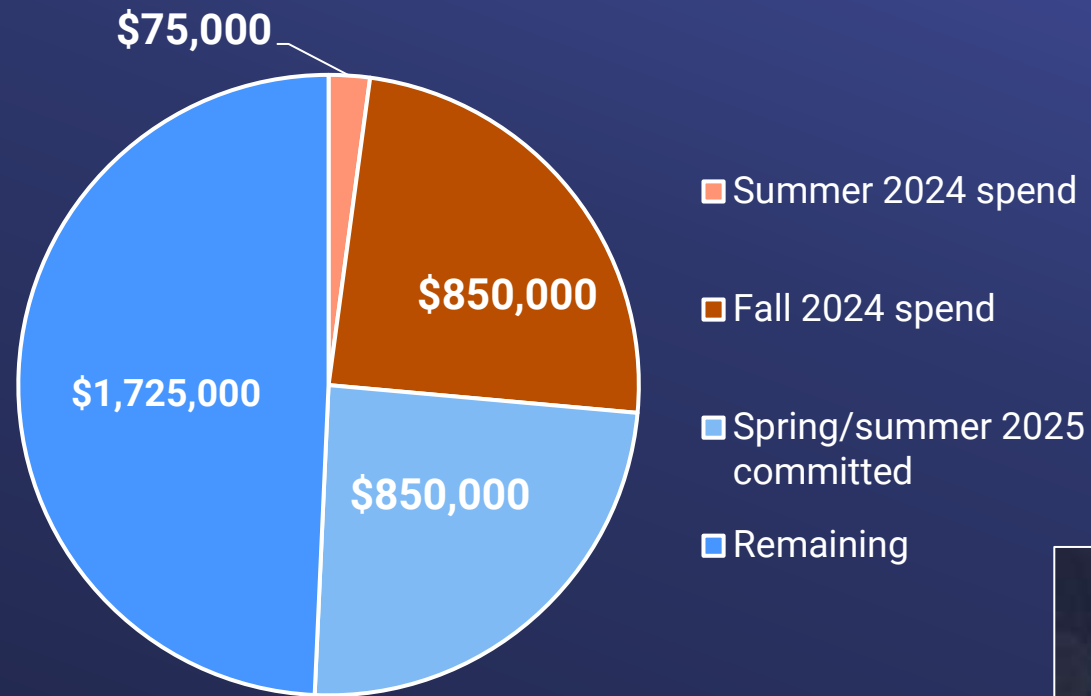


Legislation and Communication
Committee

Conservation Advertising Spend.

Fiscal Year 2024-2025

Budget Expenditures



Conservation Campaign_
**Spring &
Summer
2025**
Media Plan.
Fiscal Year 2024-2025

Multimedia, Multilingual & Community-based Messaging for California Friendly Landscapes

Audio

Broadcast, traffic and
weather, Dodgers radio
News segments, podcast
and streaming audio

Digital

Emphasis on reaching
commercial, industrial and
institutional sector
customers

Outdoor

Digital billboards and
transit shelters in high
visibility locations, in-
language

Print

Community newspapers and ethnic
grocery stores in-language

Experiential

Interactive California native plant
exhibit featured at community events



