

**AGENDA
IRVINE RANCH WATER DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING**

July 14, 2014

PLEDGE OF ALLEGIANCE

CALL TO ORDER

5:00 P.M., Board Room, District Office
15600 Sand Canyon Avenue, Irvine, California

ROLL CALL

Directors Matheis, Reinhart, Swan, Withers and President LaMar

NOTICE

If you wish to address the Board on any item, including Consent Calendar items, please file your name with the Secretary. Forms are provided on the lobby table. Remarks are limited to five minutes per speaker on each subject. Consent Calendar items will be acted upon by one motion, without discussion, unless a request is made for specific items to be removed from the Calendar for separate action.

COMMUNICATIONS TO THE BOARD

1. A. Written:

B. Oral:

2. **ITEMS RECEIVED TOO LATE TO BE AGENDIZED**

Recommendation: Determine that the need to discuss and/or take immediate action on item(s) introduced come to the attention of the District subsequent to the agenda being posted.

CONSENT CALENDAR

Resolution No. 2014-33

Items 3-8

3. **MINUTES OF REGULAR BOARD MEETING**

Recommendation: That the minutes of the June 23, 2014 Regular Board meeting be approved as presented.

4. **RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS**

Recommendation: That the Board ratify/approve meetings and events for Steven LaMar, Mary Aileen Matheis, Douglas Reinhart, John Withers, and Peer Swan.

CONSENT CALENDAR - Continued

Items 3-8

5. ELECTION OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION SOUTHERN NETWORK/REGION 6 SEAT C BOARD MEMBER

Recommendation: That the Board review and discuss the candidates for the Southern Network/Region 6 Seat C representative on the California Special Districts Association (CSDA) Board of Directors, and authorize the District to cast its ballot in favor of Costa Mesa Sanitary District Director Arlene Schafer and submit its ballot to CSDA no later than the August 1, 2014, deadline.

6. ACWA BUSINESS DEVELOPMENT COMMITTEE APPOINTMENT NOMINEES FOR THE 2014-15 TERM

Recommendation: That the Board authorize staff to submit the Association of California Water Agencies Committee Consideration Form signed by the General Manager nominating Director Peer Swan for appointment to the ACWA Business Development Committee for the 2014-15 term.

7. METER READING SERVICES CONTRACT

Recommendation: That the Board authorize the General Manager to execute the contract addendum and extension with Alexander's Contract Services (ACS) effective July 1, 2014 based on the rates established, not to exceed \$1,272,000 in FY 2014-15.

8. LUMP SUM PAYMENT OPTION FOR EMPLOYER CONTRIBUTIONS FOR FY 2014-15 TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM

Recommendation: That the Board approve the lump sum payment for employer contributions to the California Public Employees Retirement System (CalPERS) by making a one-time contribution of \$4,524,420 for the District's FY 2014-15 employer contribution.

ACTION CALENDAR

9. SETTING CONNECTION FEES AND PROPERTY TAXES FOR FISCAL YEAR 2014-15

Recommendation: That the Board approve identified increases in connection fees and 1) adopt a resolution amending changes to connection fees as set forth in the schedule of rates and charges in Exhibit "B" to the Rules and Regulations of IRWD for water, sewer, recycled water and Natural Treatment System service, 2) adopt a resolution establishing ad valorem tax revenues for Fiscal Year 2014-15, and 3) adopt a resolution amending Allocation of Ad Valorem Property Taxes to Debt Service, subject to pledge.

Reso. No. 2014-

Reso. No. 2014-

Reso. No. 2014-

ACTION CALENDAR - Continued

10. ON-CALL INFORMATION SERVICES PROFESSIONAL PROGRAMMING AND NETWORK CONSULTANTS

Recommendation: That the Board authorize the General Manager to execute three On-call Professional Services Agreements with Outsource Technical in the amount of \$300,000, Software Management Consultants Inc. in the amount of \$60,000, and Robert Half Technology in the amount of \$60,000 for On-call Programming, Analysis, and Network Services for miscellaneous projects.

11. 2014 STATE LEGISLATIVE UPDATE

Recommendation: That the Board change IRWD's position from "*OPPOSE*" to a "*WATCH*" position on AB 543 (Campos), and authorize staff to work with IRWD's association and industry partners to ensure that the proposed changes to the CEQA guidelines are workable for the District; and take a "*SEEK AMENDMENTS*" position on the Governor's Sustainable Groundwater Management Proposal, SB 868, SB 1168 (Pavley) and AB 1739 (Dickinson) and authorize staff to seek inclusion of IRWD's Groundwater Management Policy Principles in any sustainable groundwater management legislation that is put forward as a result of the stakeholder process.

12. PROPOSED REVISIONS TO THE IRWD STORMWATER AND DRY WEATHER RUNOFF MANAGEMENT AND CAPTURE POLICY PRINCIPLES

Recommendation: That the Board approve the proposed revised Stormwater and Dry Weather Runoff Management and Capture Policy Principles paper.

OTHER BUSINESS

Pursuant to Government Code Section 54954.2, members of the Board of Directors or staff may ask questions for clarification, make brief announcements, make brief reports on his/her own activities. The Board or a Board member may provide a reference to staff or other resources for factual information, request staff to report back at a subsequent meeting concerning any matter, or direct staff to place a matter of business on a future agenda. Such matters may be brought up under the General Manager's Report or Directors' Comments.

OTHER BUSINESS - Continued

13. A. General Manager's Report

B. Directors' Comments

C. CLOSED SESSION Conference with legal counsel relative to anticipated litigation pursuant to Government Code Section 54956.9(d)(4) initiation of litigation (one potential case), and

CLOSED SESSION Conference with legal counsel relative to existing litigation - Government Code Section 54956.9(d)(1) – Capistrano Taxpayers Association v. City of San Juan Capistrano, Appellant.

D. Open Session

E. Adjourn

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Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the Irvine Ranch Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Board Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance to the Board of Directors Room of the District Office.

The Irvine Ranch Water District Board Room is wheelchair accessible. If you require any special disability-related accommodations (e.g., access to an amplified sound system, etc.), please contact the District Secretary at (949) 453-5300 during business hours at least seventy-two (72) hours prior to the scheduled meeting. This agenda can be obtained in alternative format upon written request to the District Secretary at least seventy-two (72) hours prior to the scheduled meeting.

July 14, 2014
Prepared and
Submitted by: L. Bonkowski
Approved by: P. Cook



CONSENT CALENDAR

MINUTES OF BOARD MEETING

SUMMARY:

Provided are the minutes of the June 23, 2014 Regular Board Meeting for approval.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

Not applicable.

RECOMMENDATION:

THAT THE MINUTES OF THE JUNE 23, 2014 REGULAR BOARD MEETING BE APPROVED AS PRESENTED.

LIST OF EXHIBITS:

Exhibit "A" – Minutes of June 23, 2014 Regular Board Meeting

EXHIBIT "A"

MINUTES OF REGULAR MEETING – JUNE 23, 2014

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order at 5:00 p.m. by Vice President Swan on June 23, 2014 in the District office, 15600 Sand Canyon Avenue, Irvine, California. President LaMar, via teleconference, asked that Vice President Swan chair tonight's meeting.

Directors Present: Reinhart, LaMar, Withers, Matheis, and Swan

Directors Absent: None.

Also Present: General Manager Cook, Executive Director of Engineering and Planning Burton, Executive Director of Water Resources Weghorst, Director of Water Resources Sanchez, Director of Risk Management and Treasury Jacobson, Director of Public Affairs Beeman, Director of Administrative Services Mossbarger, Director of Human Resources Roney, Assistant Director of Maintenance Drake, Assistant Director of Recycling Operations Lee, Ms. Christine Compton, Ms. Shannon Reed, Legal Counsel Arneson (by teleconference), Secretary Bonkowski, Ms. Gina Jackson, Mr. Jim Reed, Mr. Bruce Newell, Mr. Randy Heiman, Mr. Parker Schweich, and other members of the public and staff.

WRITTEN COMMUNICATION: None.

ORAL COMMUNICATION

1) Mrs. Joan Irvine Smith's assistant addressed the Board of Directors with respect to the Dyer Road Wellfield. She said it was her understanding that currently wells 1, 2, 4, 6, 7, C-8, C-9, 10, 12, 13, 14, 15, 17 and 18 will operate in accordance with the District's annual pumping plan. Wells 3, 5, 11 and 16 will be off. This was confirmed by Mr. Cook, General Manager of the District.

On October 31, 2013, the District received its fully executed copy of the Annexation Agreement with the Orange County Water District. This was confirmed by Mr. Cook.

With respect to the Groundwater Emergency Service Plan, IRWD has an agreement in place with various south Orange County water agencies, MWDOC and OCWD, to produce additional groundwater for use within IRWD and transfer imported water from IRWD to south Orange County in case of emergencies. This was confirmed by Mr. Cook.

2) Mr. Randy Herman and Mr. Parker Schweich, both relative to Item No. 3 (see page 3).

ITEMS TOO LATE TO BE AGENDIZED: None.

PUBLIC HEARING

PROPOSED CHANGES TO THE SCHEDULE OF RATES AND CHARGES EFFECTIVE JULY 1, 2014

General Manager Cook reported that the Fiscal Year (FY) 2014-15 Operating Budget was adopted by the Board at the public workshop held on April 28, 2014. Mr. Cook said that pursuant to the requirements of Proposition 218, a Public Hearing on the rates and charges is required.

Vice President Swan declared this to be the time and place for a hearing on the proposed changes to the rates and charges. He asked the Secretary how the hearing was noticed.

Secretary Bonkowski reported that the hearing was noticed by an independent processing firm, PSB Integrated Mark, by mail. She then presented the affidavit of mailing to be received and filed.

On MOTION by Reinhart, seconded and unanimously carried on a roll call vote (5-0) (Reinhart, Swan, LaMar, Withers and Matheis voting aye), **THE AFFIDAVIT OF MAILING BY AN INDEPENDENT PROCESSING FIRM AS PRESENTED BY THE SECRETARY WAS RECEIVED AND FILED.**

Vice President Swan asked Legal Counsel Arneson to describe the nature of the proceedings. Legal Counsel Arneson said that the public hearing is held, pursuant to Proposition 218 and Article XIII D of the Constitution of the State of California, for all persons interested to be heard, to present objections or protests, including any written comments submitted, concerning the increase in property-related rates and charges and any proposed new property-related rates and charges.

Vice President Swan asked for a staff report on the proposed rates and charges and inquired whether there have been any written communications.

Mr. Christopher Smithson said for the noticing procedure, notices were mailed including separate notices for the Irvine rate area for residential, commercial, and landscape customers; for the Los Alisos rate area for residential, commercial, and landscape customers; and for the Orange Park Acres rate area. He said that as of today, six written protest letters were received which represents 0.01% of the total customers, substantially less than the 50% which would have been required to prevent the Board from adopting the current proposed rates and charges. In response to Director Matheis' inquiry concerning public comments where the District may wish to make a detailed written response, staff will prepare a response, and then determine who will respond, either Director of Water Resources Sanchez, or a Board member.

Using a PowerPoint presentation, Mr. Smithson said that the proposed changes were reviewed at three Finance and Personnel Committee meetings and two Board workshops. He reviewed the proposed rate adjustments and made a comparison from the current to the proposed charges in the various rate areas for water, sewer and recycled service for the three rate areas. He then reviewed a typical residential customer's rates from the current rate to the proposed rate for FY 2014-15 for the three separate rate areas. He further discussed the mitigation measures staff was

implementing to encourage conservation and control rate increases, and also reviewed the customer outreach programs.

Vice President Swan inquired whether there was anyone present who wishes to address the Board regarding the proposed changes to the rates and charges.

Mr. Randy Herman made comments relative to the fixed charges on his bill which he felt were unfair since he is a low volume user. In response to his suggestion that fixed charges should be implemented for *tiers* used, Director Swan said that he would like an item added to a future Finance and Personnel Committee meeting to explore this idea. Director Reinhart further explained the cost for the infrastructure in place for services which need to be shared amongst the user in a fair and equitable manner.

Vice President Swan inquired if there was anyone else who wished to address the Board, and Mr. Parker Schweich asked to speak. In response to Mr. Schweich's comment on the San Juan Capistrano lawsuit, Director Reinhart explained the lawsuit and noted the reclaimed water component in place which was not applicable to all residents causing the lawsuit. Legal Counsel Arneson commented that other tiered rate cases as well as this suit had challenged alleged flaws in implementing the rate structure, and did not mean that tiered rate structures were invalid per se under Proposition 218. In response to Mr. Schweich's inquiry for information on the cost of delivering water to higher *tiers*, General Manager Cook said he will obtain the data to provide him.

Vice President Swan inquired whether there were any comments or questions from members of the Board of Directors. There were none.

On MOTION by Matheis, seconded and unanimously carried on a roll call vote (5-0) (Reinhart, Swan, LaMar, Withers and Matheis voting aye), THE HEARING WAS CLOSED AND THE FOLLOWING RESOLUTION WAS ADOPTED BY TITLE:

RESOLUTION NO. 2014 - 32

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT, ORANGE COUNTY, CALIFORNIA RESCINDING RESOLUTION NO. 2013- AND ADOPTING CHANGES TO THE SCHEDULE OF RATES AND CHARGES AS SET FORTH IN EXHIBIT "B" TO THE RULES AND REGULATIONS OF IRVINE RANCH WATER DISTRICT FOR WATER, SEWER AND RECYCLED WATER SERVICE

CONSENT CALENDAR

On MOTION by Withers, seconded and unanimously carried on a role call vote (5-0) (Reinhart, Swan, LaMar, Withers and Matheis voting aye), CONSENT CALENDAR ITEMS 4 THROUGH 11 WERE APPROVED AS FOLLOWS:

4. MINUTES OF REGULAR BOARD MEETING AND ADJOURNED REGULAR BOARD MEETING

Recommendation: That the minutes of the June 9, 2014 Regular Board Meeting and June 16, 2014 Adjourned Regular Board Meeting be approved as presented.

5. MAY 2014 TREASURY REPORTS

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report, the Monthly Interest Rate Swap Summary for May 2014, and Disclosure Report of Reimbursements to Board members and staff; approve the May 2014 Summary of Payroll ACH Payments in the total amount of \$2,139,905 and approve the May 2014 Accounts Payable Disbursement Summary of Warrants 348232 through 349246, workers' compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$16,165,585.

6. APPROVAL OF IRWD'S SHARE OF SOCWA'S FISCAL YEAR 2014-15 OPERATING BUDGET

Recommendation: That the Board recommend approval of IRWD's share of SOCWA's Operations and Maintenance Fiscal Year 2014-15 budget in the amount of \$255,208.

7. SYPHON RESERVOIR INTERIM FACILITIES BUDGET INCREASE, EXPENDITURE AUTHORIZATION, AND VARIANCE

Recommendation: That the Board authorize a budget increase for Project 30374 (3729) in the amount of \$189,100 from \$2,732,300 to \$2,921,400; approve an Expenditure Authorization for Project 30374 (3729) in the amount of \$189,100; and authorize the General Manager to execute Variance No. 5 in the amount of \$10,500 with URS Corporation, Inc. for the Syphon Reservoir Interim Facilities, Project 30374 (3729).

8. SAN JOAQUIN RESERVOIR ACTUATOR REPAIR/REPLACEMENT EXPENDITURE AUTHORIZATION

Recommendation: That the Board approve an Expenditure Authorization in the amount of \$155,700 for the San Joaquin Reservoir Actuator Repair/Replacement, Project 30455 (5153).

CONSENT CALENDAR (CONTINUED)

9. MICHELSON WATER RECYCLING PLANT PHASE 2 EXPANSION VARIANCE

Recommendation: That the Board authorize the General Manager to execute Variance No. 9 in the amount of \$52,390 with Delta Systems Engineering for supplemental services associated with the remaining start-up and commissioning activities for the Michelson Water Recycling Plant Phase 2 Expansion, Projects 20214 (1599) and 30214 (1706).

10. FISCAL YEAR 2014-15 EXPENDITURE AUTHORIZATIONS

Recommendation: That the Board approve Expenditure Authorizations for FY 2014-15 in the amount of \$198,000 for Engineering Planning Study Reserve (water), project 11056 (1790); \$171,600 for Engineering Planning Study Reserve (sewer), project 21056 (1366); \$176,000 for Engineering Planning Study Reserve (recycled), project 31056 (1593); \$1,391,000 for OCSD Solids Handling, project 20812 (1410); \$110,000 for raise manholes to grade 14/15, project 20947 (5299); \$39,000 for Great Park Coordination and Sub-area Master Plan update, project 11469 (1520); and \$39,000 for Great Park Coordination and SAMP update, project 21469 (1167).

11. FISCAL YEAR 2014-15 OPERATIONS EXPENDITURE AUTHORIZATIONS

Recommendation: That the Board approve Expenditure Authorizations for projects 10392 (1409) \$445,000; 11652 (3770) \$336,600; 11646 (5149) \$916,900; 11648 (3768) \$190,300; 11649 (3769) \$203,500; 11653 (5492) \$130,200; 11703 (4422) \$660,000; 20914 (4438) \$332,200; 20959 (5482) \$330,000; 21010 (4420) \$132,000; 21646 (5490) \$218,900; 21703 (4432) \$400,000; 31646 (3781) \$342,100; 31648 (5485) \$82,500; and 31703 (4429) \$440,000 included in the FY 2014-15 Capital Budget for the total budgeted amount of \$5,160,200.

ACTION CALENDAR

SILVERADO CANYON DOMESTIC WATER PIPELINE CONSTRUCTION AWARD

General Manager Cook reported that Silverado Canyon is served by an existing 8-inch steel pipeline that was installed in 1964 that extends from Fleming Booster Pump Station into the canyon. Mr. Cook said that this project will replace and upsize approximately 7,100 linear feet of the existing pipeline with a 12-inch PVC pipeline from Fleming Booster Pump Station to the first bridge over Santiago Creek as recommended in the Santiago County Water District Facilities Integration Study. The replacement will improve the system reliability and fire flow to Silverado Canyon.

Executive Director of Engineering Burton reported that the design was completed and the project was advertised for construction on May 16, 2014 to a select list of 13 contractors. Mr. Burton said that the bid opening was held June 5, 2014 with bids received from Sully-Miller, GCI Construction, WA Rasic Construction, Leatherwood Construction, L&S Construction, Vido Artukovich & Son, and Kennedy Pipeline. He said that Sully-Miller was the apparent low bidder with a bid amount of \$1,742,143. The engineer's estimate is \$2,148,481.

Mr. Burton said that staff reviewed Sully-Miller's bid and identified a minor irregularity in the construction schedule consisting of a project duration that exceeds the contract time of 210 calendar days as stated in the Bid Documents. He said that this is an apparent clerical error as the submitted schedule equals approximately 210 *work* days. The contract time of 210 *calendar* days will be binding. Staff conferred with legal counsel and legal counsel concurred that there is a sufficient basis for a factual finding by the Board that the irregularity in Sully-Miller's bid was inconsequential and cannot have affected the bid amount or given the bidder a competitive advantage over the other bidders. Staff recommends waiving the bid irregularity and awarding the construction contract to Sully-Miller in the amount of \$1,742,143. On MOTION by Reinhart, seconded and unanimously carried on a role call vote (5-0) (Reinhart, Swan, LaMar, Withers and Matheis voting aye), THE BOARD APPROVED AN EXPENDITURE AUTHORIZATION IN THE AMOUNT OF \$2,000,300 FOR PROJECT 11743 (4919); FOUND THAT THE IRREGULARITY IN THE BID SUBMITTED BY SULLY-MILLER CONTRACTING COMPANY ON JUNE 5, 2014 DID NOT AFFECT THE AMOUNT OF THE BID OR AFFORD SULLY-MILLER A COMPETITIVE ADVANTAGE OVER THE OTHER BIDDERS AND WAIVED THE IRREGULARITY; AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH SULLY-MILLER CONTRACTING COMPANY IN THE AMOUNT OF \$1,742,143 FOR THE SILVERADO CANYON DOMESTIC WATER PIPELINE, PROJECT 11743 (4919).

PORTOLA SPRINGS 16-INCH RECYCLED WATER PIPELINE CONSTRUCTION AWARD

General Manager Cook reported that this project will construct a permanent 16-inch recycled water pipeline to replace an existing above-ground 16-inch temporary pipeline located on the University of California's Agriculture & Natural Resources' South Coast Field Station between Ridge Valley and Lambert Road.

Executive Director of Engineering Burton reported that the design was completed and the project was advertised for construction on May 5, 2014 to a select list of 12 contractors. Mr. Burton said that the bid opening was held June 5, 2014 with four bids received from GCI Construction, Inc., Kennedy Pipeline Company, L&S Construction, Inc. and TE Roberts, Inc. TE Roberts is the apparent low bidder with a bid amount of \$184,665.90. Staff reviewed TE Roberts' bid and has determined that it is responsive. The engineer's estimate was \$222,407. Mr. Burton said that TE Roberts was recently added to the list of prequalified contractors and wanted to be very competitive as this would be their first project bid for IRWD.

On MOTION by Matheis, seconded and unanimously carried on a role call vote (5-0) (Reinhart, Swan, LaMar, Withers and Matheis voting aye), THE BOARD AUTHORIZED A BUDGET INCREASE FOR PROJECT 30433 (4951) IN THE AMOUNT OF \$40,200, FROM \$284,500 TO \$324,700; APPROVED AN EXPENDITURE AUTHORIZATION IN THE AMOUNT OF \$285,000; AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH TE ROBERTS, INC. IN THE AMOUNT OF \$184,665.90 FOR THE PORTOLA SPRINGS 16-INCH RECYCLED WATER PIPELINE, PROJECT 30433 (4951).

STRAND RANCH WELL OPTIMIZATION AND MONITORING PROJECT BUDGET INCREASE, EXPENDITURE AUTHORIZATION, CHANGE ORDERS AND VARIANCES

General Manager Cook reported that on March 10, 2014, the Board approved the Strand Ranch Well Optimization and Monitoring Project (Project) to lower the pumps and install wellhead monitoring and remote telemetry equipment at six Strand Ranch extraction wells which is currently under construction. In March 2014, the Compromise and Release Agreement with Bakersfield Well & Pump (BWP) for the replacement of SREX-4 was executed and they are preparing to drill and construct a new SREX-4 well (SREX-4R). He said that an additional budget increase and Expenditure Authorization are required for change order work and to fund the cost of design, construction and construction management for the reconnection and start-up of SREX-4R, as well as to perform work related to lowering of the pump and installation of the wellhead telemetry equipment for the new SREX-4R.

Executive Director of Water Resources Weghorst described the Contract Change Orders in the total amount of \$100,331 with BWP as follows: 1) No. 1 in the amount of \$12,349 includes the cost of adding enclosures with panel louvers and relays for the telemetry units on the six Strand wells. It also includes additional cost to transport the bowl assemblies for SREX-1, 2 & 6 to BWP's shop to disassemble, inspect and reassemble the equipment; 2) No. 2, in the amount of \$6,400 includes the additional cost to provide and install 316 stainless steel couplings on the line shafts of the six wells; and 3) No. 3 includes the work associated with repairing and reinstalling the pump, motor and well enclosure for the new SREX-4R, establishing electrical connections, as well as testing the wellhead equipment and discharge piping (which was excluded in the Agreement). It also includes the work to lower the pump, install the instrumentation for SREX-4R, and shop inspection of the SREX-6 motor.

Mr. Weghorst said that a variance in the amount of \$14,536 to Kennedy/Jenks Consultants (KJC) agreement is needed to provide additional design services for SREX-4R to lower the pumps and install telemetry equipment as well as to provide record drawings.

Mr. Weghorst also said that a variance in the amount of \$28,630 with Dee Jaspar & Associates (DJA) is required to perform daily site inspections, safety monitoring, processing requests for information and submittals, preparing field inspection reports and reviewing record drawings for the drilling and replacement of well SREX-4.

Director Reinhart said that this item was reviewed and approved by the Engineering and Operations Committee on June 17, 2014. On MOTION by Reinhart, seconded and unanimously carried on a roll call vote (5-0) (Reinhart, Swan, LaMar, Withers and Matheis voting aye), THE BOARD AUTHORIZED A NET INCREASE TO THE FY 2014-15 CAPITAL BUDGET IN THE AMOUNT OF \$153,100 WHICH INCLUDES AN INCREASE TO PROJECT 11794 IN THE AMOUNT OF \$211,500, FROM \$501,600 TO \$713,100, AND A DECREASE TO PROJECT 11289 IN THE AMOUNT OF \$58,400, FROM \$17,739,700 TO \$17,681,300; APPROVED AN EXPENDITURE AUTHORIZATION FOR PROJECT 11794 FOR \$211,500; AUTHORIZE THE GENERAL MANAGER TO EXECUTE CHANGE ORDER NOS. 2 AND 3 WITH BAKERSFIELD WELL & PUMP IN THE AMOUNT OF \$106,731 FOR ADDITIONAL COST OF STAINLESS STEEL COUPLINGS, WORK AND TO LOWER THE PUMP AND INSTALL WELLHEAD MONITORING EQUIPMENT ON SREX-4R, AND TO START UP SREX-4R; AUTHORIZED THE GENERAL MANAGER TO EXECUTE VARIANCE NO. 2 WITH

KENNEDY/JENKS CONSULTANTS IN THE AMOUNT OF \$14,536 FOR ADDITIONAL DESIGN SERVICES TO ADD SREX-4R TO THE STRAND RANCH WELL OPTIMIZATION AND MONITORING PROJECT AND PREPARE RECORD DRAWINGS; AND APPROVED VARIANCE NO 1 WITH DEE JASPAR & ASSOCIATES IN THE AMOUNT OF \$28,630 FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE REPLACEMENT OF SREX-4R AND FOR THE PUMP LOWERING AND INSTRUMENTATION INSTALLATION FOR SREX-4R.

GENERAL MANAGER'S REPORT

General Manager Cook reported that SB 848 failed on the Senate Floor by a 22-9 vote with re-submittal expected in the future. He updated the Board on SB 26 and said that both Senator Correa and OCWD have been meeting, and that OCWD is taking a "Watch" position on the bill which is evolving with amendments.

Mr. Cook said that amicus briefs were filed on the San Juan Capistrano rate case. He said that an item on allocation rate structure may be submitted for discussion at a future WRP Committee meeting. Legal Counsel Arneson said that she would follow-up with information on the filing date for any responsive briefing.

Mr. Cook reported on last Friday's chlorine leak which occurred due to a faulty cylinder gasket at the primary disinfection facility in Santa Ana. He said that Assistant Director of Maintenance Ken Drake and 15 employees responded and performed very well with the OCFA.

Mr. Cook reported on the District receiving the Diamond Rideshare award from the OCTA as well as the Comprehensive Annual Financial Report from the Government Finance Officers Association.

DIRECTORS' COMMENTS

Director Matheis reported on today's media clips from staff relative to the 1922 Colorado River Compact as well as an article on the Governor's position on two proposed tunnels under the Delta that would deliver water to Central Valley, Los Angeles and other cities.

Director Withers reported on his attendance at a LAFCO meeting last week with the Commissioners appointing Mr. Derick McGregor as its Public Member as well as a Lake Forest community event. He said that this Wednesday he will be attending an OCSD Board meeting.

Director Reinhart reported that he, Mr. Paul Cook and Ms. Christine Compton met with Mr. Bill Campbell, IRWD's representative candidate for the MWDOC appointment on the MWD Board, and noted the proposed schedule for interviews. He noted that MWDOC is holding a Special Board meeting on Wednesday to provide candidates with a review and understanding of the MWD role as MWDOC's Director. He said that interviewing by MWDOC was premature and was not intended at this point in the process. He further said that he attended a MWDOC Board meeting.

Director Swan reported on his attendance at the ACWA Finance Committee meeting via teleconference; an ACWA meeting relative to bonds with Director Matheis; a WACO Planning meeting, and an OCWD Board meeting.

ADJOURNMENT

Vice President Swan adjourned the meeting at 6:22 p.m.

APPROVED and SIGNED this 14th day of July, 2014.

President, IRVINE RANCH WATER DISTRICT

Secretary, IRVINE RANCH WATER DISTRICT

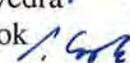
APPROVED AS TO FORM:

Legal Counsel - Bowie, Arneson, Wiles & Giannone

July 14, 2014

Prepared and

Submitted by: N. Savedra 

Approved by: P. Cook 

CONSENT CALENDAR

RATIFY/APPROVE BOARD OF DIRECTORS' ATTENDANCE AT MEETINGS AND EVENTS

SUMMARY:

Pursuant to Resolution 2006-29 adopted on August 28, 2006, approval of attendance of the following events and meetings are required by the Board of Directors.

Events/Meetings

Steven LaMar

7/09/14 Monthly meeting w/Paul Cook regarding District activities
7/17/14 ACWA Headwaters Task Force Committee Meeting
7/30/14 MWDOC Water Policy Forum

Mary Aileen Matheis

6/13/14 Luncheon Urban Water Institute w/Congressman Ken Calvert
6/24/14 Urban Water Institute Executive & Planning Meeting
7/17/14 Association of California Cities-OC City Leader Reception Event
7/21/14 Shadetree Partnership Board Meeting
7/30/14 MWDOC Water Policy Forum

Douglas Reinhart

6/17/14 Meeting w/Bill Campbell regarding MWD Director Seat
6/19/14 Santiago Aqueduct Commission Meeting
6/20/14 South County Met Representative Nomination Committee Meeting
6/24/14. South County Agencies Meeting
7/07/14 MWD Candidate Selection Meeting at Moulton Niguel Water District
7/30/14 MWDOC Water Policy Forum

Peer Swan

6/17/14 WACO Planning Committee Meeting
6/25/14 Southern California Water Dialogue Meeting
7/24-25/14 ACWA Board of Directors Meeting
7/30/14 MWDOC Water Policy Forum

John Withers

7/16/14	OCWA July Meeting
7/17/14	Association of California Cities-OC City Leader Reception Event
7/30/14	MWDOC Water Policy Forum

RECOMMENDATION:

THAT THE BOARD RATIFY/APPROVE THE MEETINGS AND EVENTS FOR STEVEN LaMAR, MARY AILEEN MATHEIS, DOUGLAS REINHART, PEER SWAN, AND JOHN WITHERS AS DESCRIBED.

LIST OF EXHIBITS:

None.

July 14, 2014

Prepared by: C. Compton

Submitted by: P. Weghorst

Approved by: Paul Cook 

CONSENT CALENDAR

ELECTION OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION SOUTHERN NETWORK/REGION 6 SEAT C BOARD MEMBER

SUMMARY:

An election has been called for the Southern Network/Region 6 Seat C representative on the California Special Districts Association (CSDA) Board of Directors. Five candidates have been nominated for the position, and ballots are due to CSDA by 5:00 p.m. on August 1, 2014. Staff recommends that the Board review and discuss the candidates for the Southern Network/Region 6 Seat C representative, and authorize IRWD to cast its ballot in favor of Costa Mesa Sanitary District Director Arlene Schafer, the only candidate from an Orange County special district, before the August 1 deadline.

BACKGROUND:

The CSDA Board of Directors is comprised of representatives from its six regions. Each region has three seats on the CSDA Board of Directors. IRWD is located within the Southern Network/Region 6. One of the three seats, Seat C, in the Southern Network/Region 6, is up for election, and CSDA has accepted nominations for the seat.

CSDA received five nominations for the Southern Network/Region 6 Seat C representative. The candidates are Leucadia Wastewater District Director Elaine Sullivan, Costa Mesa Sanitary District Director Arlene Schafer, Bighorn-Desert View Water Agency President Judy Corl-Lorono, Resource Conservation District of Greater San Diego County District Manager Sheryl Landrum, and San Gabriel Valley Mosquito and Vector Control District President Dan Kirby. Director Sullivan is currently serving as the Seat C representative.

An election for the Seat C representative has been called, and ballots have been mailed. The ballot and candidate information mailed by CSDA is attached as Exhibit "A". Additional correspondence received from the candidates is attached as Exhibit "B".

Ballots for the Southern Network/Region 6 Seat C representative must be received at CSDA's office by 5:00 p.m. on August 1, 2014, to be counted. Staff recommends that IRWD proceed with submitting its ballot by the August 1 deadline, and cast its ballot in favor of Costa Mesa Sanitary District Director Arlene Schafer, the only candidate on the ballot from an Orange County special district.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

Due to timing, this item was not reviewed by a committee.

RECOMMENDATION:

THAT THE BOARD REVIEW AND DISCUSS THE CANDIDATES FOR THE SOUTHERN NETWORK/REGION 6 SEAT C REPRESENTATIVE ON THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) BOARD OF DIRECTORS, AND AUTHORIZE THE DISTRICT TO CAST ITS BALLOT IN FAVOR OF COSTA MESA SANITARY DISTRICT DIRECTOR ARLENE SCHAFFER AND SUBMIT ITS BALLOT TO CSDA NO LATER THAN THE AUGUST 1, 2014, DEADLINE.

LIST OF EXHIBITS:

Exhibit "A" – CSDA Sent Ballot and Candidate Information
Exhibit "B" – Additional Candidate Correspondence

EXHIBIT "A"



**California Special
Districts Association**
Districts Stronger Together

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION

2014 BOARD ELECTIONS

MAIL BALLOT INFORMATION

Dear Member:

A mail ballot has been enclosed for your district's use in voting to elect a representative to the CSDA Board of Directors in your Region for Seat C. Each of CSDA's six (6) regional divisions has three seats on the Board. Each of the candidates is either a board member or management-level employee of a member district located in your geographic region. Each Regular Member (district) in good standing shall be entitled to vote for one (1) director to represent its region.

We have enclosed the candidate information for each candidate who submitted one. Please vote for **only one** candidate to represent your region in Seat C and be sure to sign, date and fill in your member district information (*in some regions, there may only be one candidate*). If any part of the ballot is not complete, the ballot will not be valid and will not be counted.

Please utilize the enclosed return envelope to return the completed ballot. Ballots must be received at the CSDA office at 1112 I Street, Suite 200, Sacramento, CA 95814 by **5:00pm on Friday, August 1, 2014**.

If you do not use the enclosed envelope, please mail in your ballot to:

California Special Districts Association
Attn: 2014 Board Elections
1112 I Street, Suite 200
Sacramento, CA 95814

Please contact Charlotte Lowe toll-free at 877.924.CSDA or charlottel@cdda.net with any questions.

CSDA BOARD OF DIRECTORS 2014 ELECTION



**SOUTHERN
NETWORK**
REGION 6

SEAT C
term ends 2018

Please vote for only one.

- Elaine Sullivan*
Leucadia Wastewater District
- Arlene Schafer
Costa Mesa Sanitary District
- Judy Corl-Lorono
Bighorn-Desert View Water Agency
- Sheryl Landrum
Resource Conservation District of Greater San Diego
- Dan Kirby
San Gabriel Valley Mosquito & Vector Control District

COPY

All fields must be completed for ballots to be counted.

Incumbent running for re-election

SIGNATURE:	DATE:
MEMBER DISTRICT:	

Must be received by **5pm, August 1, 2014**. CSDA, 1112 I Street, Suite 200, Sacramento, CA 95814



CSDA Region 6 Candidate Statement

Elaine Sullivan

**Leucadia Wastewater District (LWD) Board Member
Carlsbad, CA 92009**

I am seeking CSDA member's votes to re-elect me to represent Region 6 because I have a passion for special districts and I believe that I can use that passion to continue serving CSDA members. I have been on the CSDA Board of Directors since 2013 and serve on their Membership and Education Committees.

I believe that I bring a unique and proven set of skills from my 26 years of experience as past President, and a member of various committees with the LWD Board of Directors and the Encina Wastewater Authority's (EWA) Board. I have held these positions, with over 98% attendance.

During my tenure, both agencies have been recognized for numerous recognitions and awards, such as:

- LWD is a Special District Leadership Foundation (SDLF) District of Distinction (since 2008),
- LWD received SDLF District Transparency Certificate of Excellence,
- LWD received California Water Environment Association's (CWEA) 2012 Small Collection System of the Year Award,
- LWD received the California Society of Municipal Finance Officers 2013 Outstanding Financial Reporting Award (since 2010),
- EWA Outstanding Compliance with EPA regulations,
- EWA received CWEA's 2013 Treatment Plant of the Year Award.

LWD is currently debt-free and maintains one of the lowest rates in San Diego County.

Other public service experience includes:

- Serving 12 years as a member of the California Water Reuse Finance Authority Board,
- Serving 16 years with CSDA San Diego Chapter's Scholarship Committee and;
- Serving the Carlsbad Chamber of Commerce Ambassador Committee,

I have enjoyed committing my time and energy to CSDA's various continuing goals and engaging in new projects being launched. I would appreciate the opportunity to continue to contribute and serve the Special District Region 6; therefore, I ask for your ongoing support and vote.

ELECT ARLENE SCHAFFER CALIFORNIA SPECIAL DISTRICTS ASSOCIATION REGION 6, SEAT C

Arlene Schaffer—Director Costa Mesa Sanitary District



PREVIOUS CSDA EXPERIENCE

- ◆ Board President (2009)
- ◆ Board Vice President
- ◆ Board Secretary
- ◆ Finance Corporation
- ◆ Task Force Committee
- ◆ Legislation Committee
- ◆ Fiscal Committee
- ◆ Membership Committee
- ◆ Recruitment & Planning Committee

I would be honored to serve as your representative on the California Special Districts Association (CSDA) Board of Directors Region 6, Seat C. I believe my 24 years of experience as a local government leader that includes 15 years serving on CSDA in a variety of different capacities makes me the best candidate. In recent years, special districts have been scrutinized by the State legislature, grand juries and the press, which is why I believe it's important for CSDA to continue serving as an advocate for special districts by informing the legislature and the public the important and essential services we provide to our communities. Furthermore, I believe it's important for special districts to demonstrate good governance that will help earn the public's trust. If elected, I will work with the Board and staff to ensure cost efficient programs, education and training seminars are still available to you.

Currently, I am serving on the Board of Directors for the Costa Mesa Sanitary District (CMSD) where I have been a Board member for 16 years. CMSD provides solid waste and wastewater collection services to over 116,000 residents residing in the City of Costa Mesa and portions of Newport Beach and the unincorporated Orange County. I am proud to be part of an organization that has been a District of Distinction since 2009, earned the Transparency Certificate of Excellence and most recently, CMSD received Gold Recognition in Special District Governance.

If elected, I will continue to promote CSDA benefits to special districts and I will work collaboratively with CSDA Board of Directors on finding partnership opportunities for different services to help avoid membership dues from increasing. I believe my experience, knowledge and commitment to special districts will enable me to represent you well. Please vote for Arlene Schaffer by **August 1, 2014**.

April 17, 2014

Candidate Statement

When I was first elected in 2007, I realized I knew nothing about being an elected official.

California Special Districts offered the Governance Academy. I graduated your classes and feel the opportunity allowed me to be a better citizen as well as a better Director for my water agency and my community. I have since taken your numerous online classes to keep up to date.

It would be my Honor to be the Candidate for our region and be able to contribute to the CSDA and therefore my constituents.

Thank you for this opportunity.

Sincerely,

A handwritten signature in cursive script that reads "Judy Corl-Lorono".

Judy Corl-Lorono

President of Board of Directors

Bighorn Desert View Water Agency



Resource Conservation District of Greater San Diego County
11769 Waterhill Rd., Lakeside, CA 92040
Phone: (619) 562-0096 Fax: (619) 562-4799
Website: www.rcdsandiego.org

**ELECT SHERYL LANDRUM
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
REGION 6, SEAT C**



**Sheryl Landrum
District Manager**

CSDA member since 2009
CARCD member since 2009
RCD Employee since 2009
Small business owner 2004-2009
Controller/Accountant/Office Manager 1986-2012

My name is Sheryl Landrum and I am the District Manager of the Resource Conservation District of Greater San Diego and an Executive Director of the Fire Safe Council of San Diego County. It would be a privilege to serve as your representative on the CSDA Board of Directors for Region 6 and I promise to work hard to fulfill the CSDA's vision and goals.

As the District Manager of the RCD, our programs provide San Diego communities with educational and technical assistance in conservation/resource management. The RCD also manages the programs and funds of the Fire Safe Council of SD County which strives to keep San Diego fire safe.

For the past eighteen months, I have been working with the California Association of Resource Conservation Districts to develop a strong vision, standards of excellence, and messaging for RCDs to deliver to our communities and our legislators. I would like to aid the CSDA in its quest for respected acknowledgment as well.

This May I gave testimony before the Assembly and Senate Budget Committees for the release of 10 million dollars in State Responsibility Area fees. I also met with numerous other legislators to promote funding for Special District work as well. I am honored to advocate for Special Districts and to ask for funding for our much needed programs and services.

I am hard working and dedicated to excellence. My RCD's management of USFS grant funds is held as the standard of excellence by the USFS grant clearing house and my work with the SD County Fire Authority led them to ask for a long term MOU between our two agencies. I will bring the same level of excellence to the Board of the CSDA and respectively ask for your vote.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Sheryl Landrum".

Sheryl Landrum, District Manager and Executive Director

Dan Kirby

President, San Gabriel Valley Mosquito and Vector Control District

Dan Kirby is a life-long Southern Californian and was appointed to the Monrovia City Council in March of 2003. After serving for two years, he was elected outright by a margin of three to one in 2005. He was appointed to the San Gabriel Valley Mosquito and Vector Control District (SGVMVCD) in 2004 and now serves as its Board President. During his time in public office, Dan has built solid relationships with lawmakers locally and in Sacramento.



In addition to serving as President of the board, Dan serves as the Chair of the Personnel and Legislative Committees at the District. He participates regularly at the MVCAC Legislative days in Sacramento and represents SGVMVCD at state conferences.

Dan often refers to himself a life-long learner and demonstrates that with his passion is youth and education. He has worked with children at Kare Youth League in Southern California for over 35 years and has taught in the classroom at Rio Hondo Preparatory School in Arcadia since 1985.

As a youth counselor, Dan has travelled with students on educational tours, visiting no less than 48 states, six Canadian Provinces, and Baja California, Mexico.

Dan also has business experience. In 1985 Dan opened a graphic design, commercial printing and sign company, which he still manages today.



EXHIBIT "B"

LEADERS IN ENVIRONMENTAL PROTECTION

BOARD OF DIRECTORS

DAVID KULCHIN, PRESIDENT
ALLAN JULIUSSEN, VICE PRESIDENT
JUDY K. HANSON, DIRECTOR
DONALD F. OMSTED, DIRECTOR
ELAINE SULLIVAN, DIRECTOR
PAUL J. BUSHEE, GENERAL MANAGER

June 25, 2014

Mr. Paul Cook
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, CA 92618-3102

REF: 14-4126

Dear Mr. Cook:

On behalf of the Leucadia Wastewater District (LWD) Board of Directors, we are requesting your support to re-elect Elaine Sullivan to the California Special District Association (CSDA) Board of Directors, Region 6, Seat C.

Elaine has served on the CSDA Board since 2013 and, in this capacity, has also served on the CSDA's Membership and Education Committees. She has been very actively engaged in her duties at CSDA and has had near perfect attendance at all Board and subcommittee meetings.

In addition to her involvement at CSDA, Elaine has a long history of public service. She has served on the LWD Board of Directors since 1988, serving as president in 2004, 2008, and 2013. She also serves as Chair of the Employee Recognition Committee and as a member of the Community Affairs Committee. Furthermore, Elaine serves as LWD's representative on the Encina Wastewater Authority's Board of Directors, a regional joint powers authority that provides wastewater treatment to LWD and other public agencies.

During Elaine's 26 years of public service, she has always been an ardent supporter of CSDA and its role of supporting special districts through cost-effective programs and legislative advocacy at the State Capital. She clearly recognizes the role CSDA plays in providing information that is crucial to special district management.

For these reasons, the LWD Board of Directors urges your Board's support for the re-election of Elaine Sullivan to the CSDA Board of Directors. Attached please find Elaine's candidate statement for your review.

Thank you for your consideration.

Best regards,

Paul J. Bushee
General Manager

Attachment



CSDA Region 6 Candidate Statement

Elaine Sullivan

**Leucadia Wastewater District (LWD) Board Member
Carlsbad, CA 92009**

I am seeking CSDA member's votes to re-elect me to represent Region 6 because I have a passion for special districts and I believe that I can use that passion to continue serving CSDA members. I have been on the CSDA Board of Directors since 2013 and serve on their Membership and Education Committees.

I believe that I bring a unique and proven set of skills from my 26 years of experience as past President, and a member of various committees with the LWD Board of Directors and the Encina Wastewater Authority's (EWA) Board. I have held these positions, with over 98% attendance.

During my tenure, both agencies have been recognized for numerous recognitions and awards, such as:

- LWD is a Special District Leadership Foundation (SDLF) District of Distinction (since 2008),
- LWD received SDLF District Transparency Certificate of Excellence,
- LWD received California Water Environment Association's (CWEA) 2012 Small Collection System of the Year Award,
- LWD received the California Society of Municipal Finance Officers 2013 Outstanding Financial Reporting Award (since 2010),
- EWA Outstanding Compliance with EPA regulations,
- EWA received CWEA's 2013 Treatment Plant of the Year Award.

LWD is currently debt-free and maintains one of the lowest rates in San Diego County,

Other public service experience includes:

- Serving 12 years as a member of the California Water Reuse Finance Authority Board,
- Serving 16 years with CSDA San Diego Chapter's Scholarship Committee and;
- Serving the Carlsbad Chamber of Commerce Ambassador Committee,

I have enjoyed committing my time and energy to CSDA's various continuing goals and engaging in new projects being launched. I would appreciate the opportunity to continue to contribute and serve the Special District Region 6; therefore, I ask for your ongoing support and vote.

July 14, 2014

Prepared by: C. Compton

Submitted by: P. Weghorst

Approved by: Paul Cook 

CONSENT CALENDAR

ACWA BUSINESS DEVELOPMENT COMMITTEE APPOINTMENT NOMINEES FOR THE 2014-15 TERM

SUMMARY:

IRWD has been an active participant in the Association of California Water Agencies (ACWA) with a high level of participation in ACWA's various standing committees. A new Business Development Committee was recently formed by ACWA and Director Swan has expressed his interest in participating on this committee for the 2014-15 term. ACWA's nomination process requires that a Committee Consideration Form be submitted for an individual to be considered for appointment to the committee. Staff recommends that the Board authorize staff to submit the Committee Consideration Form to ACWA nominating Director Peer Swan for appointment to ACWA's Business Development Committee for the 2014-2015 term.

BACKGROUND:

ACWA recently formed the Business Development Committee to review non-dues revenue and revenue generation opportunities. Staff recently received information regarding ACWA's formation of the Committee and the process by which Committee appointments will be made. The appointment process allows for ACWA member agencies to submit nominees for consideration by ACWA President John Coleman for appointment to the Committee. In order to nominate a candidate, the ACWA member agency must submit the ACWA Committee Consideration Form signed an authorized representative of the agency.

Director Swan has indicated his interest in serving on the Committee. A copy of the draft ACWA Committee Consideration Form nominating Director Swan for consideration to be appointed to the Committee is attached as Exhibit "A". Staff recommends that the Board authorize staff to submit the form to ACWA nominating Director Swan for appointment to the Committee for the 2014-2015 term.

FISCAL IMPACTS:

As with other ACWA committees on which the District participates, IRWD will be responsible for all costs associated with representative participation on the ACWA Business Development Committee.

ENVIRONMENTAL COMPLIANCE:

Not Applicable.

Consent Calendar: ACWA Business Development Committee Appointment Nominees for the
2014-15 Term
July 14, 2014
Page 2

COMMITTEE STATUS:

Due to the timing of this request, this item was not reviewed by a committee.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE STAFF TO SUBMIT THE ASSOCIATION OF CALIFORNIA WATER AGENCIES COMMITTEE CONSIDERATION FORM SIGNED BY THE GENERAL MANAGER NOMINATING DIRECTOR PEER SWAN FOR APPOINTMENT TO THE ACWA BUSINESS DEVELOPMENT COMMITTEE FOR THE 2014-15 TERM.

LIST OF EXHIBITS:

Exhibit "A" –ACWA Committee Consideration Form

EXHIBIT "A"



Association of California Water Agencies

Since 1910

Leadership • Advocacy • Information • Service

**COMMITTEE CONSIDERATION FORM
ASSOCIATION OF CALIFORNIA WATER AGENCIES**

910 K Street, Suite 100
Sacramento, California 95814-3577
(916) 441-4545 Fax (916) 325-4849

NAME/TITLE <small>Please print legibly</small>	COMMITTEE	Rank* <small>1= 1st choice 2= 2nd choice 3= 3rd choice</small>
Peer Swan	Business Development Committee	

QUESTIONS? Please call Paula Quinn at ACWA (916) 441-4545 or email at paulaq@acwa.com.

FORM MUST BE COMPLETE TO BE PROCESSED.

RECOMMENDATION SUBMITTED BY:

District/Company Name Irvine Ranch Water District

Phone (949) 453-5590

SIGNATURE: _____ Title General Manager

Either the Agency/District General manager or Board President must sign this form.

July 14, 2014

Prepared by: Tony Mossbarger

Submitted by: Cheryl Clary

Approved by: Paul Cook 

CONSENT CALENDAR

METER READING SERVICES CONTRACT

SUMMARY:

The District's contract meter reading service with Alexander's Contract Services (ACS) expires June 30, 2014. The contract allows for an annual addendum and extension that includes the term and an annual increase based on the Consumer Price Index (CPI). To retain the consistency of ACS's experience and knowledge of the District's utility billing system during the replacement of the utility billing software, staff recommends execution of the extension for Fiscal Year (FY) 2014-15. The contract addendum and extension for ACS to perform contract meter reading in Fiscal Year (FY) 2014-15 is \$1,272,000.

BACKGROUND:

The District awarded the contract for meter reading service to ACS in March 2009. The contract allows for an annual extension and addendum for the term and annual increase. The term is for one year and the annual increase is based on CPI for the Southern California region for the previous fiscal year. Since the CPI for 2013 was less than 1%, the per meter price remains at \$0.99 per meter for FY 2014-15.

ACS has provided excellent meter reading services to the District. It has utilized web-based and mobile technology to provide District staff with transparent access to meter read information. Attached is Exhibit "A" which lists the rate per meter and meter reading accuracy for the five past years.

The District is in the process of implementing the Oracle Customer Care and Billing (CC&B) software to replace the existing legacy Utility Billing System. The implementation required an extensive amount of interface programming and configuration to allow ACS to send and receive meter read information to CC&B for billing customers. Delaying the bidding process for the meter reading contract will greatly reduce the risk of a delay and additional cost to the project. Staff intends to place the meter reading service contract out for bid next year.

Staff recommends execution of the contract addendum and extension for ACS to perform contract meter reading services in FY 2014-15.

FISCAL IMPACTS:

Contract Meter Reading Services are included in the approved FY 2014-15 operating budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE CONTRACT ADDENDUM AND EXTENSION WITH ALEXANDER'S CONTRACT SERVICES (ACS) EFFECTIVE JULY 1, 2014 BASED ON THE RATES ESTABLISHED, NOT TO EXCEED \$1,272,000 IN FY 2014-15.

LIST OF EXHIBITS:

Exhibit "A" – ACS Rates and Performance

Exhibit "A"

ALEXANDER'S CONTRACT SERVICES (ACS) CONTRACT METER READING FISCAL YEAR RATES AND PERFORMANCE

FISCAL YEAR	RATE PER METER	TOTAL METERS	INCORRECT READS	ACCURACY*
2009/2010	.95 cents	98,052	Unknown**	Unknown**
2010/2011	.95 cents	100,533	1,764	0.017
2011/2012	.97 cents	101,695	2,194	0.021
2012/2013	.98 cents	103,415	1,872	0.018
2013/2014	.99 cents	105,658	1,761	0.017
2014/2015	.99 cents	108,000 estimated		

*Accuracy is measured by the number of meter reading errors per thousand. Acceptable goal was agreed to be less than 0.020 errors per thousand based on Southern California Edison's reading history.

** Incorrect reads were not tracked initially due to the change over from Southern California Edison. ACS was "shadow reading" along with SCE for most of the fiscal year until formal reporting began.

July 14, 2014
Prepared and
Submitted by: Cheryl Clary
Approved by: Paul Cook 

CONSENT CALENDAR

LUMP SUM PAYMENT OPTION FOR EMPLOYER
CONTRIBUTIONS FOR FY 2014-15 TO THE
CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM

SUMMARY:

Beginning in FY 2009-10, the District elected to utilize the lump sum payment option for employer contributions to the California Public Employees Retirement System (CalPERS) because it benefited from the assumed actuarial interest rate. Staff recommends the Board authorize the selection of the lump sum payment option for the District's FY 2014-15 employer contributions to CalPERS by making a one-time contribution of \$ 4,524,420. This recommendation is consistent with the "pre-funding approach" developed by the Finance and Personnel Committee and the Board during the operating budget process.

BACKGROUND:

CalPERS-required employer contributions can be made in two ways: a) a lump sum payment option made between July 1 and July 15 in the beginning of the new fiscal year, or b) payments based on each semi-monthly payroll total based on a payroll percentage established annually by CalPERS actuaries. Beginning in FY 2009-10, the District elected to utilize the lump sum payment option because it benefited from the assumed actuarial interest rate, which is currently at 7.50%. The District can avoid incurring these interest expenses by paying its employer contribution using the lump sum method. In order to participate in the pre-payment method, the total contribution must be completed and returned to CalPERS Fiscal Services Division by July 17, 2014.

CalPERS shows that IRWD's lump sum payment would be \$4,524,420. If the District elected to make payments each semi-monthly payroll, the total contribution is estimated at \$4,691,018. Electing the lump sum payment option would result in an estimated savings of \$166,598.

The calculation from CalPERS establishing the amount of the lump sum prepayment option is attached as Exhibit "A".

The approved operating budget for FY 2014-15 also includes an additional contribution of \$2.1 million in excess of its annual required CalPERS contribution to the *Irvine Ranch Water District Post-Employment Benefits Trust* ("Trust") which will further reduce its pension liability. This contribution will be made on a monthly basis as directed by the Retirement Plan Committee in June 2014. Staff is not recommending an additional contribution at this time and will continue to evaluate the potential for future additional contributions to the Trust.

Consent Calendar: Lump Sum Payment Option for Employer Contributions for FY 2014-15 to the California Public Employees Retirement System

July 14, 2014

Page 2

FISCAL IMPACTS:

The District's approved operating budget for FY 2014-15 includes an employer contribution of \$5,161,000 for the CalPERS requirement. The payments to the California Public Employees Retirement System are consistent with the impacts identified in setting rates for FY 2014-15.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD APPROVE THE LUMP SUM PAYMENT FOR EMPLOYER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS) BY MAKING A ONE-TIME CONTRIBUTION OF \$4,524,420 FOR THE DISTRICT'S FY 2014-15 EMPLOYER CONTRIBUTION.

LIST OF EXHIBITS:

Exhibit "A" – Letter from CalPERS regarding Lump Sum Prepayment



California Public Employees' Retirement System
P.O. Box 942709
Sacramento, CA 94229-2709
(888) CalPERS (or 888-225-7377)
TTY: (877) 249-7442
www.calpers.ca.gov

Reference No.:
Circular Letter No.: 200-027-14
Distribution: VI
Special:

RECEIVED
JUN 12 11:14
HUMAN RESOURCES

Circular Letter

June 2, 2014

TO: **ALL PUBLIC AGENCY EMPLOYERS**

SUBJECT: **ANNUAL LUMP SUM PREPAYMENT OPTION NOW AVAILABLE THROUGH my|CalPERS**

The purpose of this Circular Letter is to inform you of the availability to make your Annual Lump Sum Prepayments through my|CalPERS.

Fiscal Year 2014-15 commences on July 1, 2014. Instead of making regular monthly payroll contributions, CalPERS offers all public agencies the option to prepay their annual employer contribution in a lump sum at the beginning of each fiscal year.

In previous years, special documentation and wire transfer instructions were needed. For your convenience, we have simplified the process and annual Lump Sum Prepayments can now be made directly through my|CalPERS in the Billing and Payment Summary area under the Reporting tab.

Amount & Timing

This year the Annual Lump Sum Prepayment amount can be found in two places:

- In my|CalPERS choose the **Retirement Contract Local Navigation** tab then select your **Effective Employer Rate** in the **Rate Summary** section; see information in the **Current Rate Details** section
- In the **June 30, 2012 Actuarial Valuation Report**; on page 4 for pooled plans and on page 6 for non-pooled plans

If you elect this option, the payment must be received by CalPERS after June 30 but before the first payroll of the new fiscal year is reported to CalPERS.

If you have any questions, please call our CalPERS Customer Contact Center at **888 CalPERS** (or 888-225-7377), or if you need assistance with this process.

ALAN MILLIGAN
Chief Actuary

The use of this report for any other purposes may be inappropriate. In particular, this report does not contain information applicable to alternative benefit costs. The employer should contact their actuary before disseminating any portion of this report for any reason that is not explicitly described above.

Required Employer Contribution

	Fiscal Year 2013-14	Fiscal Year 2014-15
Actuarially Determined Employer Contributions		
1. Contribution in Projected Dollars		
a) Total Normal Cost	\$ 4,156,906	\$ 3,898,872
b) Employee Contribution ¹	2,131,200	2,115,790
c) Employer Normal Cost [(1a) – (1b)]	2,025,706	1,783,082
d) Unfunded Contribution	2,448,610	2,907,936
e) Required Employer Contribution [(1c) + (1d)]	\$ 4,474,316	\$ 4,691,018
Projected Annual Payroll for Contribution Year	\$ 26,640,002	\$ 26,447,375
2. Contribution as a Percentage of Payroll		
a) Total Normal Cost	15.604%	14.742%
b) Employee Contribution ¹	8.000%	8.000%
c) Employer Normal Cost [(2a) – (2b)]	7.604%	6.742%
d) Unfunded Rate	9.191%	10.995%
e) Required Employer Rate [(2c) + (2d)]	16.795%	17.737%
Minimum Employer Contribution Rate²	16.795%	17.737%
Annual Lump Sum Prepayment Option ³	\$ 4,315,414	\$ 4,524,420

¹This is the percentage specified in the Public Employees Retirement Law, net of any reduction from the use of a modified formula or other factors. Employee cost sharing is not shown in this report.

²The Minimum Employer Contribution Rate under PEPRA is the greater of the required employer rate or the employer normal cost.

³Payment must be received by CalPERS before the first payroll reported to CalPERS of the new fiscal year and after June 30. If there is contractual cost sharing or other change, this amount will change.

Plan's Funded Status

	June 30, 2011	June 30, 2012
1. Present Value of Projected Benefits	\$ 197,760,282	\$ 209,865,147
2. Entry Age Normal Accrued Liability	170,392,041	183,095,607
3. Actuarial Value of Assets (AVA)	140,715,942	151,193,086
4. Unfunded Liability (AVA Basis) [(2) – (3)]	\$ 29,676,099	\$ 31,902,521
5. Funded Ratio (AVA Basis) [(3) / (2)]	82.6%	82.6%
6. Market Value of Assets (MVA)	\$ 128,752,914	\$ 129,952,800
7. Unfunded Liability (MVA Basis) [(2) – (6)]	\$ 41,639,127	\$ 53,142,807
8. Funded Ratio (MVA Basis) [(6) / (2)]	75.6%	71.0%
Superfunded Status	No	No

July 14, 2014

Prepared by: Christopher Smithson

Submitted by: Cheryl Clary

Approved by: Paul Cook 

ACTION CALENDAR

SETTING CONNECTION FEES AND PROPERTY TAXES FOR FISCAL YEAR 2014-15

SUMMARY:

Staff recommends updates to the existing connection fees and tax rates based on updating data within the Districts improvement districts (ID). The long-term capital funding plan (LTFP), completed in November 2013, established connection fees and formed new IDs for funding capital requirements and setting tax rates. The District's financial model was updated in May 2014 to include the following factors:

- Adjustments to the capital improvement program;
- Additional unit approvals;
- Updated assessed valuations; and
- Additional general obligation (GO) authority bonds.

The fees proposed are the result of the changes identified above within each of the IDs and are included in the Proposed Connection Fees and Property Tax Rates Summary included as Exhibit "A". Staff recommends that the Board:

- Adopt a resolution amending the Rates and Charges, included as Exhibit "B", with revised Rates and Charges for connection fees, included as Exhibit "E";
- Adopt a resolution amending the Ad Valorem Property Tax Rates, included as Exhibit "C"; and
- Adopt a resolution amending Allocation of Ad Valorem Property Taxes to Debt Service providing for the annual allocation of 1% tax revenue, included as Exhibit "D".

BACKGROUND:

A fundamental concept in the District's capital funding plan is that the cost of new capital facilities is shared equally between the connection fees paid by the developer and property taxes paid by property owners when possible. The District uses a comprehensive financial model to incorporate regional capital costs, future development, growth rates, inflation, and other variables in order to determine connection fees. Connection fee increases were modeled for both residential and commercial development, and a consolidated tax rate was also identified.

Most recently, connection fees were established for the IDs in November 2013, with the intention of recommending periodic updates based on an updated capital budget and other changing assumptions. The proposed changes, all of which include increases since November 2013 to the Engineering News Record (ENR) construction cost index, are discussed below.

IDs 112/212 – Great Park Neighborhoods:

The fees established in IDs 112/212 include additional capital demands for more units than initially approved in November 2013. The general plan addition of 4,600 units, approved in calendar year 2015, in exchange for some of the commercial development provided a wider base to allocate capital costs. The shift in development results in a consolidated water and sewer connection fee decrease from \$5,725 to \$4,800 per unit. Staff recommends reducing the current consolidated tax rate from \$0.1062 to \$0.7500 per \$1,000 of land assessed value in order to maintain the 50/50 split.

Improvement Districts	Connection Fees		Property Tax	
	Current	Proposed	Current	Proposed
112/212 (Great Park)	\$5,725	\$4,800	\$0.1062	\$0.0750

IDs 185/285 – Opportunity Study Area, Excluding Portola

Fees established in IDs 185/285 were set based upon the future development being funded entirely from connection fees. In March 2014 GO bonding authority was voted in for these IDs which provides for a sharing of the capital costs between connection fees and property taxes. The proposed connection fees also take into consideration the updated development and assessed value projections. The changes identified above result in a consolidated water and sewer connection fee decrease from \$6,878 to \$4,400 per residential unit.

Improvement Districts	Connection Fees		Property Tax	
	Current	Proposed	Current	Proposed
185/285 (Opportunity Study)	\$6,878	\$4,400	\$0.0000	\$0.0000

IDs 153/253 – Developing IDs

There have been no significant changes in the assumptions from the November 2013 approved connection fees. Staff continues to work with the Irvine Company to review the projected native water yield from Irvine Lake and how these future revenues impact the connection fees for these IDs. Staff will return to the Finance and Personnel Committee for further discussion of the assumptions associated with native water yield of Irvine Lake. The recommendation for IDs 153/253 is a 1.5% increase to connection fees applied to the capital program, attributable to construction cost increases due to inflation.

Improvement Districts	Connection Fees		Property Tax	
	Current	Proposed	Current	Proposed
153/253 (Undeveloped ID)	\$3,970	\$4,030	\$0.0000	\$0.0000

All Other IDs

These areas experienced no significant changes in funding requirements. The recommendation for these areas is a 1.5% increase to connection fees applied to the capital program, attributable to construction cost increases due to inflation. The change results in:

Improvement Districts	Connection Fees		Property Tax	
	Current	Proposed	Current	Proposed
113/213 (Tustin)	\$6,695	\$6,795	\$0.15	\$0.0640
188/288 (Portola)	\$3,800	\$3,860	\$0.2254	\$0.2254 ¹
125/225(Developed)	\$5,200	\$5,280	Varies	\$0.028
101/201(Developed no GO Authority) ²	\$8,630	\$8,760	NA	NA

1. Maintain current rate because there is no other source of funding for existing debt service.

2. Identifies the consolidated connection fee for a density between 5.9 to 10.8 dwelling units (DU) per acre

Staff recommends the Board:

- Adopt a resolution amending changes to Rates and Charges, included in Exhibit “B”, with the changes identified in Exhibit “E”, the Developer Services portion of the Rates and Charges, and
- Adopt a resolution amending Allocation of Ad Valorem Property Taxes Rates, included as Exhibit “D”.

Allocation of One Percent Property Tax Revenue

One percent property tax revenue is allocated annually among the District’s Improvement Districts. As in prior years, the Fiscal Year (FY) 2014-15 allocation will include a split between the new capital (72%) and replacement fund (28%) contemplated by the Board during the connection fee and property tax setting process of the LTFP process. Staff recommends the Board adopt a resolution amending Allocation of Ad Valorem Property Taxes to Debt Service included as Exhibit “D”.

FISCAL IMPACTS:

Impact is consistent with changes identified through LTFP process expected for the FY2014-15.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD APPROVE IDENTIFIED INCREASES IN CONNECTION FEES AND ADOPT THE FOLLOWING RESOLUTIONS BY TITLE:

RESOLUTION NO. 2014-___

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT, ORANGE COUNTY, CALIFORNIA ADOPTING CHANGES TO CONNECTION FEES AS SET FORTH IN THE SCHEDULE OF RATES AND CHARGES IN EXHIBIT "B" TO THE RULES AND REGULATIONS OF IRVINE RANCH WATER DISTRICT FOR WATER, SEWER, RECYCLED WATER AND NATURAL TREATMENT SYSTEM SERVICE

RESOLUTION NO. 2014-___

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT, ORANGE COUNTY, CALIFORNIA ESTABLISHING AD VALOREM TAX REVENUES FOR FISCAL YEAR 2014-15

RESOLUTION NO. 2014-___

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT AMENDING ALLOCATION OF AD VALOREM PROPERTY TAXES TO DEBT SERVICE, SUBJECT TO PLEDGE

LIST OF EXHIBITS:

Exhibit "A" – Proposed Connection Fees and Property Tax Rates by ID

Exhibit "B" – Resolution Adopting Changes to Rates and Charges

Exhibit "C" – Resolution Adopting Ad Valorem Property Tax Rates

Exhibit "D" – Resolution Amending Allocation of Ad Valorem Property Taxes to Debt Service

Exhibit "E" – Rates and Charges

Exhibit "A"

**Proposed Connection Fees and Property Tax Rates
Fiscal Year 2014-15**

CONNECTION FEES

Improvement District	Current			Proposed			Change	
	Water	Sewer	Total	Water	Sewer	Total	\$	%
	101/201	\$3,092	\$5,538	\$8,630	\$3,138	\$5,621	\$8,759	\$129
112/212	\$1,000	\$4,725	\$5,725	\$1,330	\$3,470	\$4,800	(\$925)	-16.2%
113/213	\$2,435	\$4,260	\$6,695	\$2,472	\$4,324	\$6,796	\$101	1.5%
125/240	\$2,500	\$3,433	\$5,933	\$2,538	\$3,484	\$6,022	\$89	1.5%
125/225	\$2,500	\$2,700	\$5,200	\$2,538	\$2,741	\$5,279	\$79	1.5%
153/253	\$1,836	\$2,134	\$3,970	\$1,864	\$2,166	\$4,030	\$60	1.5%
153/253 PA 30	\$3,431	\$3,581	\$7,012	\$3,482	\$3,635	\$7,117	\$105	1.5%
101/256 OPA	\$3,092	\$24,500	\$27,592	\$3,138	\$24,868	\$28,006	\$414	1.5%
185/285	\$2,468	\$4,410	\$6,878	\$1,580	\$2,820	\$4,400	(\$2,478)	-36.0%
188/288	\$1,400	\$2,400	\$3,800	\$1,421	\$2,436	\$3,857	\$57	1.5%
101/OPA1 (Ridgeline)	\$3,092	\$4,200	\$7,292	\$3,138	\$4,263	\$7,401	\$109	1.5%

PROPERTY TAX RATES ⁽¹⁾

Improvement District	Current	Proposed
112/212	\$0.1062	\$0.0750
113/213	\$0.1466	\$0.0680
125/225	Between \$0.02 & \$0.06	\$0.0280
153/253 ⁽²⁾	\$0.0000	\$0.0000
185/285 ⁽²⁾	\$0.0000	\$0.0000
188/288	\$0.2254	\$0.2254

(1) Based on \$100 of land assessed value.

(2) No current or proposed tax rate because debt has not been issued in these IDs.

Exhibit "B"

RESOLUTION NO. 2014-

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE
RANCH WATER DISTRICT, ORANGE COUNTY, CALIFORNIA
ADOPTING CHANGES TO CONNECTION FEES AS SET FORTH IN
THE SCHEDULE OF RATES AND CHARGES IN EXHIBIT "B" TO THE
RULES AND REGULATIONS OF IRVINE RANCH WATER DISTRICT
FOR WATER, SEWER, RECYCLED WATER, AND NATURAL
TREATMENT SYSTEM SERVICE

WHEREAS, the Irvine Ranch Water District (IRWD) is a California Water District organized and existing under the California Water District Law, and all of the lands within the boundaries of said District are located in the County of Orange, State of California; and

WHEREAS, Section 35423, 35470, and Section 35501 of the California Water Code empower the District to establish, print and distribute equitable rules and regulations and prescribe and collect rates or other charges for water and sewer service, and such authority to prescribe and collect rates or other charges for water and sewer service includes connection fees for connection and service capacity; and

WHEREAS, the Board of Directors of IRWD, by adoption of Resolution No. 2009-4 approved and adopted amended "Rules and Regulations of Irvine Ranch Water District for Water, Sewer, Recycled Water, and Natural Treatment System Service effective February 9, 2009"; and

WHEREAS, Exhibit "B" of said Rules and Regulations sets forth Rates and Charges, which Exhibit "B" may be changed from time to time by adoption of changes to any of the rates and charges or any new rates and charges as may be established and set forth therein; and

WHEREAS, Section 21080(b) (8) of the Public Resources Code provides that the establishment, modification, structuring, restructuring or approval of rates, tolls, fares, or other charges by public agencies are exempt from the requirements of the California Environmental Quality Act (CEQA) provided that certain findings are made specifying the basis for the claim of exemption; and

WHEREAS, Article XIII B of the Constitution of the State of California, limiting local agencies' appropriations of proceeds of taxes, excludes user charges or fees or regulatory fees from the definition of proceeds of taxes, as long as such fees and charges do not produce revenue exceeding the costs reasonably borne in providing the regulation, product or service, and further excludes appropriations for debt service and appropriations for qualified capital outlay projects from appropriations subject to limitation; and

WHEREAS, the Board of Directors of IRWD deems it advisable and finds that it would be in the best interest of the District to amend or establish connection fees, consistent with applicable constitutional and statutory requirements; and

WHEREAS, the proposed revisions to the connection fees, as set forth in Exhibit “A” to this resolution, do not modify or establish any property-related fees or charges subject to the notice and hearing procedures of Article XIID of the Constitution of the State of California; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of IRWD as follows:

Section 1. It is hereby found and determined that the proposed changes to the Schedule of Rates and Charges are within the purposes set forth in Section 21080(b) of the Public Resources Code including but not by way of limitation, the purposes of (1) meeting operating expenses, (2) purchasing or leasing supplies, equipment or materials, (3) meeting financial reserve needs and requirements, and (4) obtaining funds for capital projects necessary to maintain service within existing areas, and therefore, that such changes are exempt from CEQA.

Section 2. It is hereby found and determined that relative to Article XIII B of the Constitution of the State of California, the charges or fees or regulatory fees established or increased hereby do not produce revenues exceeding the costs reasonably borne in providing the regulation, product or service and/or are used for debt service or qualified capital outlay projects and accordingly do not constitute proceeds of taxes, the appropriation of which is limited under Article XIII B, and that the documentation used in making such determinations has been on file in the office of IRWD for not less than 15 days prior to the date hereof, pursuant to Section 7910 of the Government Code of the State of California. It is hereby further found and determined that relative to the requirements of Sections 66013 and 66016 of the Government Code of the State of California, the availability of such documentation also satisfies the requirement to make publicly available the data indicating the estimated cost and revenue sources to provide the service for which the fee is imposed at least 10 days prior to the meeting at which this resolution is adopted, and that the connection fees established or increased hereby do not exceed the estimated reasonable cost of providing the service for which they are imposed.

Section 3. The new and/or revised connection fees as set forth in Exhibit “A” attached to this resolution and by this reference incorporated herein are hereby adopted, and the corresponding rate(s), fee(s) or charge(s), if any, as set forth in Rules and Regulations Exhibit “B” currently in effect, are hereby superseded. Staff is directed to incorporate the hereby adopted new and/or revised connection fee(s) into Exhibit “B” to the Rules and Regulations.

Section 4. That the provisions of this Resolution shall be effective upon adoption.

Section 5. That the Secretary is hereby ordered and directed to post a certified copy of this Resolution in a public place within the Irvine Ranch Water District.

ADOPTED, SIGNED and APPROVED this 14th day of July, 2014.

President, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

Secretary, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

APPROVED AS TO FORM:
BOWIE, ARNESON, WILES & GIANNONE
Legal Counsel - IRWD

By: _____

Exhibit "C"

RESOLUTION NO. 2014-

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT, ORANGE COUNTY, CALIFORNIA ESTABLISHING AD VALOREM TAX REVENUES FOR FISCAL YEAR 2013-14

WHEREAS, the Board of Directors of the Irvine Ranch Water District (IRWD) has duly considered the financial needs of the IRWD and its Improvement District Nos. 112, 113, 125, 153, 185, 188, 212, 213, 225, 240, 253, 285, and 288, for the fiscal year 2014-15 and the funds available and established to become available for meeting said financial needs; and

WHEREAS, pursuant to Section 37206 of the Water Code of the State of California, the Board of Directors annually shall furnish to the Board of Supervisors of Orange County and to the County Auditor, an estimate in writing of the amount of money needed to be raised by the District during the fiscal year for the payment of its proportion of the amount required for the purposes of the District; and

WHEREAS, Article XIII B of the Constitution of the State of California provides that the appropriations of local agencies will be limited each year to those of the previous year with specified adjustments permitted; and

WHEREAS, Section 9(a) of Article XIII B specifically excludes appropriations required to pay the cost of interest and redemption charges, including the funding of any reserve or sinking fund required in connection therewith, on indebtedness existing or legally authorized as of January 1, 1979, or on bonded indebtedness thereafter approved according to law by a vote of electors; and

WHEREAS, the ad valorem tax revenues established by IRWD are used entirely for debt service and are therefore exempt from the appropriations formula established by Article XIII B.

WHEREAS, the ad valorem tax revenues received by IRWD pursuant to this Resolution will provide a portion of the funds needed to pay principal and interest with respect to the General Obligation Bonds referenced below, and this Board wishes to specify the sources of the remainder of the amounts needed therefor in the current year.

NOW, THEREFORE, the Board of Directors of IRWD does hereby RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 125 of IRWD for fiscal year 2014-15 is .01300 percent (.0001300) of full value.

Section 2. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 153 of IRWD for fiscal year 2013-14 is .00001 percent (.0000001) of full value.

Section 3. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 185 of IRWD for fiscal year 2014-15 is .00001 percent (.0000001) of full value.

Section 4. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 225 of IRWD for fiscal year 2014-15 is .01500 percent (.0001500) of full value.

Section 5. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 240 of IRWD for fiscal year 2014-15 is .01500 percent (.0001500) of full value.

Section 6. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 253 of IRWD for fiscal year 2014-15 is .00001 percent (.0000001) of full value.

Section 7. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 285 of IRWD for fiscal year 2014-15 is .00001 percent (.0000001) of full value.

Section 8. That the tax to be levied for servicing Improvement District No. 252's just proportion of liability determined pursuant to Resolution No. 2005-41, for the General Obligation Bonds of Improvement District No. 225 of IRWD for fiscal year 2014-15 is .00001 percent (.0000001) of full value.

Section 9. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 188 of IRWD for fiscal year 2014-15 is .21540 percent (.0021540) of full value.

Section 10. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 288 of IRWD for fiscal year 2014-15 is .01000 percent (.0001000) of full value.

Section 11. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 113 of IRWD for fiscal year 2014-15 is .03000 percent (.0003000) of full value.

Section 12. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 213 of IRWD for fiscal year 2014-15 is .0380 percent (.000380) of full value.

Section 13. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 112 of IRWD for fiscal year 2014-15 is .03000 percent (.00030000) of full value.

Section 14. That the tax to be levied for servicing the General Obligation Bonds of Improvement District No. 212 of IRWD for fiscal year 2014-15 is .04500 percent (.0004500) of full value.

Section 15. The taxes levied by Section 1 through 17 of this Resolution are for bonds approved before January 1, 1989. The taxes levied by Section 18 through 25 are for bonds approved after January 1, 1989.

Section 16. That the Secretary and Treasurer of the District are hereby directed to furnish a certified copy of this resolution to the Auditor of the County of Orange.

Section 17. That the ad valorem tax revenues established by IRWD hereby for the fiscal year 2014-15 are in compliance with the provisions of Article XIII B of the constitution of the State of California.

Section 18. That principal and interest with respect to the General Obligation Bonds of IRWD shall be paid from (1) the ad valorem assessments received by IRWD pursuant to this Resolution; (2) any amounts held in bona fide debt service funds; (3) other monies, if any, required to be applied to the payment of debt service by the applicable indenture or resolution of issuance; (4) tax revenues applied pursuant to Resolution Nos. 1992-48 and 2002-10 (pledge of the 1% levy), as such application may be modified by resolution amending the allocation of tax revenues; and (5) to the extent additional amounts are necessary for such purpose, revenues which are received by IRWD within twelve months of being applied to the payment of debt service and which are legally available therefor, including income from the investment of such revenues where both the investment income and the revenues on which it is earned are received by IRWD within twelve months of being applied to the payment of debt service.

ADOPTED, SIGNED and APPROVED this 14th day of July, 2014.

President, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

Secretary, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

APPROVED AS TO FORM:
BOWIE, ARNESON, WILES AND GIANNONE

Legal Counsel

Exhibit “D”

RESOLUTION NO. 2014 –

RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRVINE RANCH WATER DISTRICT AMENDING ALLOCATION OF *AD VALOREM* PROPERTY TAXES TO DEBT SERVICE, SUBJECT TO PLEDGE

WHEREAS, the Board of Directors of the Irvine Ranch Water District (“IRWD”) has adopted Resolution Nos. 1992-48 and 2002-10, relating to IRWD’s appropriation and pledge of revenues from the general 1% *ad valorem* property tax; and

WHEREAS, such resolutions authorized and directed the Treasurer to annually allocate the general 1% *ad valorem* property tax revenues received by IRWD among the debt service requirements of the issues of bonds specified in said resolution (“Secured Bonds”) in accordance with a formula set forth therein, with the 2002 pledge formula to be applied in lieu of the 1992 pledge formula to the extent provided in Resolution No. 2002-10; and

WHEREAS, no Secured Bonds that received a pledge of general 1% *ad valorem* property tax revenues under Resolution No. 1992-48 currently remain outstanding, and;

WHEREAS, IRWD’s revenues from the general 1% *ad valorem* property tax have, to the extent not applied to pay principal and interest on the Secured Bonds, been pledged by IRWD to certain parity obligations (the “Parity Obligations”) identified by the Indenture of Trust, dated April 1, 2011, as amended and supplemented (the “2011 Indenture”), relating to the Bonds of Irvine Ranch Water District, Refunding Series 2011A-1; and

WHEREAS, on November 11, 2013, pursuant to Section 36454 *et seq.* of the California Water Code, the Board of Directors adopted Resolution No. 2013-43, ordering the consolidation of Improvement District Nos. 102, 105, 106, 121, 130, 135, 140, 161, 182, 184 and 186, as modified by certain annexations and detachments ordered by the Board, into a single improvement district designated “Improvement District No. 125” and the consolidation of Improvement District Nos. 2(202), 206, 221, 230, 235, 250, 261, 282, 284 and 286, as modified by certain annexations and detachments ordered by the Board, into a single improvement district designated “Improvement District No. 225”; and

WHEREAS, the consolidation is one of several actions taken by IRWD based upon its comprehensive evaluation and study of its long-term financial requirements, including: a detailed planning, engineering and financial assessment of the total costs of existing and future facilities in the water and wastewater systems; available bond authorization and other revenue sources to finance facilities to serve future development, augment system reliability and meet upgraded regulatory requirements for both existing and future demands and replace and refurbish the existing systems; debt service; simplification of the improvement district structure; and assurance of equitable and fair sharing of regional and local cost between existing and future

users and among the areas that have comprised the various existing improvement districts and other geographic areas served by the system; and

WHEREAS, pursuant to Section 36454.1 of the California Water Code, the included amounts and/or included percentages of each series of the Secured Bonds or Parity Obligations that constituted the general obligation of one or more of Improvement District Nos. 105, 121, 130, 135, 140, 161, 182, 184 and 186 were assumed by and became the liability of Improvement District No. 125, and the included amounts and/or included percentages of the respective series of the Secured Bonds or Parity Obligations that constituted the general obligation of one or more of Improvement District Nos. 221, 230, 235, 250, 261, 282, 284 and 286 were assumed by and became the liability of Improvement District No. 225; and

WHEREAS, the Board deems it to be appropriate, in the interest of IRWD and consistent with the pledges contained in Resolution No. 2002-10 and the 2011 Indenture (collectively, the "Pledges"), to modify the allocation of the revenues from the general 1% *ad valorem* property tax received during the 2014-15 fiscal year (the "Fiscal Year"), subject to the availability of other revenues for debt service on Secured Bonds and Parity Obligations in such year; and

WHEREAS, the proposed modifications consist of substitution of an allocation of 1% tax revenues among debt service obligations that is different from the allocation that would be calculated under the formulas specified in the Pledges; in addition, by separate resolution adopting the capital budget, this Board has allocated a portion of the 1% tax revenues for the Fiscal Year to one or both of IRWD's Replacement Fund or Enhancement Fund; and

WHEREAS, Article XIII B of the Constitution of the State of California provides that the appropriations of local agencies will be limited each year to those of the previous year, adjusted for changes in population, cost of living and transfers in sources of funding; and

WHEREAS, Section 9 of Article XIII B excludes from the appropriations subject to limitation appropriations for debt service and appropriations for all qualified capital outlay projects; a qualified capital outlay projects is defined by statute as an appropriation for a fixed asset (including land and construction) with a useful life of 10 or more years and a value which equals or exceeds one hundred thousand dollars (\$100,000).

NOW, THEREFORE, the Board of Directors of the Irvine Ranch Water District DOES HEREBY RESOLVE, DETERMINE and ORDER as follows:

Section 1. Subject in all respects to the Pledges, the Treasurer is hereby authorized and directed to implement a modified allocation of the pledged amounts (as defined in the Pledges) of the general 1% *ad valorem* property tax revenues for the Fiscal Year in the manner set forth as follows:

- (a) the amount to be allocated to the Replacement Fund shall be as specified in the resolution adopting the capital budget for the Fiscal Year;

(b) the amount to be allocated to the Enhancement Fund shall be as specified in the resolution adopting the capital budget for the Fiscal Year;

(c) the amount to be allocated to the sharing of regional and local cost by existing and future users of the areas known as "110" and 210" shall be as set forth in Exhibit "A," which exhibit is attached to this resolution and by this reference made a part hereof;

(d) the allocation among the Improvement Districts' debt service obligations shall be as set forth in Exhibit "A," subject to adjustments as may be necessary to reflect actual tax revenues received by IRWD;

(e) the amount allocated to each Improvement District or combination of Improvement Districts specified in Exhibit "A" shall be further allocated by the Treasurer among the various outstanding bond issues based upon their debt service requirements and/or other criteria as he deems appropriate;

(f) the amounts to be allocated pursuant to paragraphs (d) and (e) from the pledged amount of the general 1% *ad valorem* property tax revenues received by IRWD shall be held unallocated until such allocations are made, and each such amount shall be deposited into the appropriate debt service fund or account for the respective bond issue as and when determined by the Treasurer.

The applications described in this section shall be made only if and to the extent there is not a deficiency at the time of application in the amounts available to pay debt service for any Secured Bonds or Parity Obligations.

Section 2. Nothing contained in this resolution is intended to impair or modify in any way the pledge of the general 1% *ad valorem* property tax revenues as stated in the Pledges. Nothing contained in this resolution is intended to create any entitlement with respect to the use of general 1% *ad valorem* property tax revenues for any particular purpose, it being intended that such revenues are unrestricted except by such Pledges and are subject to application as determined in the discretion of the Board of Directors from time to time.

Section 3. It is hereby found and determined that relative to appropriations subject to limitation under Article XIII B of the Constitution of the State of California, the applications of revenues described in this resolution are for debt service, and accordingly do not constitute proceeds of taxes the appropriation of which is limited under Article XIII B, and that the documentation used in making such determinations has been on file in the office of IRWD for not less than 15 days prior to the date hereof, pursuant to Section 7910 of the Government Code of the State of California

Section 4. The President, Secretary, Treasurer and each other officer of IRWD, acting singly, be and hereby is authorized and directed to execute and deliver any and all documents or instruments and to do and perform any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution.

ADOPTED, SIGNED AND APPROVED this 14th day of July, 2014.

President/Vice President
IRVINE RANCH WATER DISTRICT
and of the Board of Directors
thereof

Secretary/Assistant Secretary
IRVINE RANCH WATER DISTRICT
and of the Board of Directors
thereof

APPROVED AS TO FORM:

BOWIE, ARNESON,
WILES & GIANNONE
Legal Counsel - IRWD

By _____

jea/ 00106535/ 061114

EXHIBIT A

ID or Area (Water)	2002 Pledge Formula Allocation of 1% General Tax Revenue ^a	2014-15 Allocation of 1% General Tax Revenue	ID or Area (Sewer)	2002 Pledge Formula Allocation of 1% General Tax Revenue ^a	2014-15 Allocation of 1% General Tax Revenue
112	0	0	1	0	0
113	0	0	212	0	0
125 ^{b c}	17%	25%	213	0	0
153	0	0	225 ^{d e}	23%	35%
154	0	0	240	3%	2%
185	0	0	252	0	0
188	0	0	253	0	0
			288	0	0
“110”	NA	5%	“210”	NA	5%

Fund	Allocation of 1% Revenue, Per 2014-15 Capital Budget Resolution
Replacement Fund	28%
Enhancement Fund	0

^a No Secured Bonds that received a pledge of 1% general tax levy revenues under Resolution No. 1992-48 remain outstanding. The pledge made by Resolution No. 2002-10 secured the outstanding **Consolidated Series 1993 Bonds** (consisting of the included percentages of Improvement District Nos. 105 (14.67%), 140 (15.20%), 240 (43.73%) and 250 (26.40%) and **Consolidated Series 1995 Bonds** (consisting of the included percentages of Improvement District Nos. 105 (25.26%), 140 (11.61%), 240 (25.26%) and 250 (37.87%).

^b Improvement District No. 125 assumed the liability for the included amounts and/or included percentages of debt service for each series of the Secured Bonds or Parity Obligations that constituted the general obligation of one or more of the improvement districts consolidated as Improvement District No. 125: Nos. 105, 121, 130, 135, 140, 161, 182, 184 and 186.

^c After the formation of Improvement District No. 125, with respect to the **Series 1993 Bonds**, the aggregated included percentages of Improvement District Nos. 105 and 140 (36.87%) were assumed by Improvement District No. 125, and with respect to the **Series 1995 Bonds**, the aggregated included percentages of Improvement District Nos. 105 and 140 (36.87%) were assumed by Improvement District No. 125.

^d Improvement District No. 225 assumed the liability for the included amounts and/or included percentages of debt service for each series of the Secured Bonds or Parity Obligations that constituted the general obligation of one or more of the improvement districts consolidated as Improvement District No. 125: Nos. 2(202), 206, 221, 230, 235, 250, 261, 282, 284 and 286.

^e After the formation of Improvement District No. 225, with respect to the **Series 1993 Bonds**, the included percentage of Improvement District No. 250 (26.40%) was assumed by Improvement District No. 225, and with respect to the **Series 1995 Bonds**, the included percentage of Improvement District No. 250 (37.87%) was assumed by Improvement District No. 125.

Section 3 Developer Services

Water Connection Fees

Residential

	IMPROVEMENT DISTRICT	0-5.8 DUs/acre	5.9-10.8 DUs/acre	10.9-25.8 DUs/acre	25.9-40.0 DUs/acre
Connection Fees Per Dwelling Unit	101*	\$3,557 \$3,505	\$3,138 \$3,092	\$2,658 \$2,618	\$2,245 \$2,212
	112	\$1,330 \$1,000	\$1,330 \$1,000	\$1,330 \$1,000	\$1,330 \$1,000
	113	\$2,472 \$2,435	\$2,472 \$2,435	\$2,472 \$2,435	\$2,472 \$2,435
development shall be gross	125	\$2,538 \$2,500	\$2,538 \$2,500	\$2,538 \$2,500	\$2,538 \$2,500
acres excluding private parks.	153	\$1,864 \$1,836	\$1,864 \$1,836	\$1,864 \$1,836	\$1,864 \$1,836
	153 PA 30	\$3,482 \$3,431	\$3,482 \$3,431	\$3,482 \$3,431	\$3,482 \$3,431
	185	\$1,580 \$2,468	\$1,580 \$2,468	\$1,580 \$2,468	\$1,580 \$2,468
	188	\$1,421 \$1,400	\$1,421 \$1,400	\$1,421 \$1,400	\$1,421 \$1,400
	All others*				

Commercial, Industrial and Public Authority – Office Building

	IMPROVEMENT DISTRICT	Commercial	Industrial	Public Authority
Connection Fees Per Gross Acre	101*	\$19,738 \$19,446	\$30,062 \$29,618	\$19,738 \$19,446
	112	\$8,645 \$6,500	\$8,645 \$6,500	\$8,645 \$6,500
	113	\$18,052 \$17,785	\$0 \$0	\$9,026 \$8,892
	125	\$12,586 \$12,400	\$17,867 \$17,603	\$12,586 \$12,400
	153	\$9,793 \$9,648	\$13,901 \$13,696	\$9,793 \$9,648
	PA 30	\$17,280 \$17,025	\$24,530 \$24,167	\$17,280 \$17,025
	185	\$7,381 \$11,533	\$7,381 \$11,533	\$7,381 \$11,533
	188	\$5,608 \$5,526	\$5,608 \$5,526	\$5,608 \$5,526
	All others*			

Parks, Churches and Commercial Recreational Facilities

	IMPROVEMENT DISTRICT	Indoor Water Use	Outdoor ⁽¹⁾ Water Use
Connection Fees Per Fixture Unit	101*	\$61.82 \$60.90	\$217.53 \$214.31
(1) As calculated per UPC as revised.	125	\$41.83 \$41.22	\$146.62 \$144.45
	153	\$32.59 \$32.11	\$114.23 \$112.54
	PA 30	\$57.47 \$56.62	\$201.44 \$198.46
	185	\$42.46 \$66.34	\$149.13 \$233.01
	188	\$28.02 \$27.61	\$98.58 \$97.13
	All others*		

*Connection fees will be set by the Board of Directors upon request for initial service for each such improvement

Schools (Public and Private)

	IMPROVEMENT DISTRICT	Primary & Intermediate	Secondary	Primary Intermediate & Secondary
Connection Fees Per	101*	\$4,871 \$4,799.18	\$6,533 \$6,436.40	\$209 \$206.17
100 Students Average Daily Attendance	125	\$3,290 \$3,241.25	\$4,417 \$4,352.01	\$147 \$145.07
	153	\$2,563 \$2,525.16	\$3,441 \$3,390.52	\$115 \$113.02
(2) Minimum required	PA 30	\$4,520 \$4,453.08	\$6,069 \$5,979.12	\$202 \$199.39
	185	\$3,203 \$5,005.35	\$4,490 \$7,015.21	\$144 \$224.91

188	\$2,563	\$2,524.95	\$3,429	\$3,378.72	\$109	\$107.82
All others*						

*Connection fees will be set by the Board of Directors upon request for initial service for each such improvement district.

High Volume User – Commercial and Industrial

This section shall apply to all non-residential applicants in addition to standard connection fees in all improvement districts.

Connection Fee Formula Additional High Volume Water User Connection Fee =

$$\frac{[\text{Est. GPD use} - (\text{no. acres} \times \text{use factor}^*)] \times \$1,11095,229657/\text{cfs}}{646,320 \text{ gal/day/cfs}}$$

*Non-Residential Water Use Factor	<u>Land Use Category</u>	<u>Water Use Factors (Gal/Acre/Day)</u>
	Commercial	2,000.00
	Industrial	4,000.00
	UCI	Special Contract

Definitions Commercial: Commercial development including retail and offices
Industrial: Industrial development including manufacturing, research and development, and distributorships

Service Installations by District

1. The District may install individual domestic or fire services upon request. The cost for each service will be based on an estimate prepared by District personnel. The requestor will provide a written request accompanied by a drawing to show the location of the proposed service. The District will provide an estimate to the requestor and when the check is received from the requestor the work order will be forwarded to the District crews for installation and coordination.

Meter installation charges are as follows: (customer provides the service and the meter box)

Meter size	Cost
5/8" x 3/4"	\$130.00*
3/4"	\$200.00
1"	\$250.00
1-1/2"	\$450.00
2" Disc	\$750.00
2" Turbo	\$1,300.00
3" Turbo	\$1,500.00
4" Turbo	\$2,800.00

*(Developer installed-Residential only)

Costs for larger meters will have to be determined at the time of request from Purchasing Dept. Cost of meter includes the strainer if not already built-in to the meter.

2. If a meter is downsized on a 2" or smaller service lateral there will be no additional charge or refund. If the meter is downsized from a 3" or larger meter, the charge will be based on the service installation charge less the salvage value of the materials recovered from the larger service. Customer will be responsible for any plumbing modifications downstream of the water meter.
3. If a meter is to be upsized from 5/8" X 3/4" to 1", the angle stop will need to be replaced. The cost for District staff to do this work is \$2,000.00 and will be collected along with the standard 1" meter cost. Customer will be responsible for any plumbing modifications downstream of the water meter.

Plan Check and Inspection Fees

Plan check and inspection fees for water systems shall be calculated as 8% of the bondable cost for the off-site, public, potable or recycled water system or a fixed fee as described below:

1. Installation of a 1" or 2" service	\$400.00
2. Removal of a 1" or 2" service	\$400.00
3. Installation of a 4" or larger service	\$700.00
4. Installation or replacement of Fire DDCA	\$500.00

A non-refundable deposit of 5% of the estimated cost of the public potable or recycled water system is required with the submittal of the first plan check to cover the costs of plan checking. The total fee is due and payable prior to final plan approval.

Non-Digital Submittal Surcharge

A surcharge fee, calculated as 2% of the bondable cost for the potable or recycled water system will be charged for any plans not submitted with a digital format. The fee is due and payable prior to final approval of the plans.

Interim Water Service Charge – New Developments

A one-time charge of \$35.10 per connection to each pad in a new tract and/or development will be made to builders and developers for unmetered water service available for that period of time after in-tract lines have been connected to the District's water system until the new customer begins metered water service.

Unmetered water service is not permitted for custom lots. Developers for custom lots will be required to apply for a domestic water construction meter prior to starting construction.

Sewer Connection Fees

Residential

	IMPROVEMENT DISTRICT	0-5.8 DUs/acre	5.9-10.8 Dus/acre	10.9-25.8 Dus/acre	25.9-40.0 Dus/acre
Connection Fees Per Dwelling Unit	1 (201)*	\$6,316 \$6,223	\$5,621 \$5,538	\$4,626 \$4,558	\$3,650 \$3,596
	212	\$3,470 \$4,725	\$3,470 \$4,725	\$3,470 \$4,725	\$3,470 \$4,725
	213	\$4,324 \$4,260	\$4,324 \$4,260	\$4,324 \$4,260	\$4,324 \$4,260
Total acreage for any given development shall be gross acres excluding private parks.	240	\$3,484 \$3,433	\$3,484 \$3,433	\$3,484 \$3,433	\$3,484 \$3,433
	225	\$2,741 \$2,700	\$2,741 \$2,700	\$2,741 \$2,700	\$2,741 \$2,700
	253	\$2,166 \$2,134	\$2,166 \$2,134	\$2,166 \$2,134	\$2,166 \$2,134
Parks.	253 PA 30	\$3,635 \$3,581	\$3,635 \$3,581	\$3,635 \$3,581	\$3,635 \$3,581
	256	\$24,868	\$24,868	\$24,868	\$24,868
		\$24,500	\$24,500	\$24,500	\$24,500
	285	\$2,820 \$4,410	\$2,820 \$4,410	\$2,820 \$4,410	\$2,820 \$4,410
	288	\$2,436 \$2,400	\$2,436 \$2,400	\$2,436 \$2,400	\$2,436 \$2,400
	OPA1 (Ridgeline)	\$4,263 \$4,200	\$4,263 \$4,200	\$4,263 \$4,200	\$4,263 \$4,200
	All others*				

Commercial, Industrial and Public Authority – Office Building

	IMPROVEMENT DISTRICT	Commercial	Industrial	Public Authority
Connection Fees Per Gross Acre	1 (201)*	\$35,397 \$34,874	\$61,757 \$60,845	\$35,397 \$34,874
	212	\$20,728 \$28,240	\$20,728 \$28,240	\$20,728 \$28,240
	213	\$25,761 \$25,380	\$0 \$0	\$13,320 \$12,597
	240	\$15,913 \$15,678	\$0 \$0	\$15,913 \$15,678
	225	\$13,398 \$13,200	\$15,849 \$21,904	\$9,551 \$13,200
	253	\$9,941 \$9,794	\$16,496 \$16,252	\$9,941 \$9,794
	253 PA 30	\$16,205 \$15,966	\$26,890 \$26,493	\$16,205 \$15,966
	285	\$5,643 \$8,931	\$5,643 \$8,931	\$5,643 \$8,931
	288	\$9,616 \$9,474	\$9,616 \$9,474	\$9,616 \$9,474
	All others*			

Parks, Churches and Commercial Recreational Facilities

	IMPROVEMENT DISTRICT	Fee
Connection Fees Per Fixture Unit	1 (201)*	\$391.63 \$385.84
	240	\$236.74 \$233.24
	225	\$209.99 \$206.80
	253	\$155.80 \$153.50
	253 PA 30	\$253.99 \$250.23
	288	\$63.81 \$62.86
	All others*	

*Connection fees will be set by the Board of Directors upon request for initial service for each such improvement district.

Schools (Public and Private)

	IMPROVEMENT DISTRICT	Primary & Intermediate	Secondary
Connection Fees Per	1 (201)*	\$18,557 \$18,283	\$24,746 \$24,381
100 Students Average Daily Attendance	240	\$11,189 \$11,024	\$14,921 \$14,701
	225	\$9,866 \$9,720	\$13,155 \$12,960
	253	\$7,320 \$7,212	\$9,760 \$9,616
	253 PA 30	\$11,933 \$11,757	\$15,911 \$15,676
	288	\$3,072 \$3,026	\$4,093 \$4,033

July 14, 2014

Prepared by: Tony Mossbarger

Submitted by: Cheryl Clary

Approved by: Paul Cook 

ACTION CALENDAR

ON-CALL INFORMATION SERVICES PROFESSIONAL PROGRAMMING AND NETWORK CONSULTANTS

SUMMARY:

The current workload for capital projects and operational support continues to exceed a level that can be supported by the District's Information Services staff. Staff proposes to retain the services of three consultant agencies to provide programming, analysis, project management, and networking services on an on-call basis. Staff recommends that the Board authorize the General Manager to execute three Professional Services Agreements with Outsource Technical in the amount of \$300,000, Software Management Consultants in the amount of \$60,000, and Robert Half Technology in the amount of \$60,000.

BACKGROUND:

Staff currently utilizes three programming and analysis resources from Outsource Technical to provide backfill for regular positions that are assigned full time to the CC&B implementation project. There is an ongoing need for programming, analysis, project management, and network assistance related to the District's software systems and networks as a result of several major capital projects the District has recently undertaken, such as the Oracle Customer Care and Billing (CC&B) software implementation project, as well as smaller scale software and networking projects. In addition, consultants with the required skills could be retained to fill in for staff vacancies due to backfilling regular positions, terminations, or leaves of absence. Staff proposes to retain Programmers, Analysts, Project Managers, and Network consultants through consultant agencies that would provide services on an on-call basis.

Consultant Selection Process:

Staff requested proposals from three consultants who have provided excellent service and responsiveness on previous District projects. The three consultants requested to propose for the services were Outsource Technical, Software Management Consultants, and Robert Half technology. Proposals with related fee schedules were received from all three consultants and are attached in a summary matrix in Exhibit "A". The consultants' proposals are attached as Exhibits "B", "C", and "D", respectively.

Staff recommends that the Board authorize the General Manager to execute three Professional Services Agreements with Outsource Technical in the amount of \$300,000, Software Management Consultants in the amount of \$60,000, and Robert Half Technology in the amount of \$60,000. The requested amount for Outsource Technical is higher than the other consultants as staff currently utilizes resources from Outsource Technical and would like to retain the existing on-call resources. The requested service agreements cover through fiscal year ended June 30, 2015.

FISCAL IMPACTS:

The cost of the three Professional Services Agreements with Outsource Technical for \$300,000, Software Management Consultants for \$60,000, and Robert Half Technology for \$60,000 are budgeted in the current fiscal year's budget or in the current Expenditure Authorizations of affected projects. These professional services will be charged to the appropriate projects or expense account.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA) as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15378.

COMMITTEE STATUS:

This item was reviewed by the Finance and Personnel Committee on July 1, 2014.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE THREE ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH OUTSOURCE TECHNICAL IN THE AMOUNT OF \$300,000, SOFTWARE MANAGEMENT CONSULTANTS IN THE AMOUNT OF \$60,000, INC., AND ROBERT HALF TECHNOLOGY IN THE AMOUNT OF \$60,000 FOR ON-CALL PROGRAMMING, ANALYSIS, AND NETWORK SERVICES FOR MISCELLANEOUS PROJECTS.

LIST OF EXHIBITS:

- Exhibit "A" – Consultant Summary Matrix
- Exhibit "B" – Outsource Technical Proposal
- Exhibit "C" – Software Management Consultants Proposal
- Exhibit "D" – Robert Half Technology Proposal

Exhibit "A"

On-Call Professional Programming and Network Consultant Selection Matrix

	Outsource Technical	Software Management Consultants, Inc.	Robert Half Technology
PERSONNEL			
Project Manager	TBD		
Oracle Analyst	Sarada Amirnan		
Oracle Developer	Sattish Vaddey		
Software Quality Assurance (QA)	Margesh Patel		
IT Network & Systems Support	TBD		
FEE SCHEDULE			
Project Management	\$140	\$140	\$220
Oracle Analyst	\$125	\$120	\$180
Oracle Developer	\$150	\$150	\$220
Software QA Analyst	\$100	\$120	\$125
IT Network & SystemSupport	\$85	\$95	\$95
Best Value	1	2	3

Exhibit "B"



2 Corporate Plaza Drive, Suite 125 Newport Beach, CA 92660
P: 949.442.1980 F:949.757.0164

April 15, 2014

Irvine Ranch Water District
Attn: Tony Mossbarger, Director of Information Technology
15600 Sand Canyon Avenue
Irvine, CA 92619-7000

Dear Mr. Mossbarger,

Proposal for Information Technology (IT) Professional Services and Consulting

OST Technical (OST) is pleased to submit this proposal to provide Information Technology Professional Services and Consulting in response to your request.

OST is an IT consulting firm providing professional services to both public and private sector clientele. Our emphasis is providing experienced technical consultants on an on-demand basis to support enterprise software projects. OST has been in business for over 15 years and is headquartered in Newport Beach, CA. We have extensive experience providing IT professional services and consultants to numerous clients who continue to do business with us year over year. A few of our clients are Newport Corporation, County of Orange, Irvine Company, PIMCO, Pacific Life and CareMore among others.

OST has been providing IT professional services and consulting for Irvine Ranch Water District (the District) since February 2013 with an emphasis on Oracle R-12 E-Business Suite. During this time we have provided subject matter expertise to support enterprise software implementations, customizations and quality assurance. Services include:

- Attending project meetings as requested by the District
- Producing monthly billings in a form acceptable to the District
- Participating in weekly project status phone calls with Joan Gronek, the Project Lead for the District
- Providing IT Professional Services and Consulting as requested by the District

Our staff executing the delivery of IT professional services and consulting will consist of:

Mr. Steven Shwam, Senior Account Executive ~ Mr. Shwam has been with OST for 6 years. He has provided IT professional services and consultants for enterprise software projects for clientele including CareMore, Forever 21, and ICU Medical among others. Steven will be the primary point of contact for the District, providing delivery of IT professional services and consulting per the direction of the District.



Ms. Janet Chung, Recruiting Manager – Ms. Chung has been working with OST for 3 years. Janet has over 14 years of experience sourcing and screening technical professionals for deployment on enterprise software projects. Her competencies include Oracle EBS, .Net and Java.

Irvine Ranch Water District
December 24, 2013
Page two

Work will be billed at the following hourly rate ranges:

Hourly Rates

Project Management	\$128.00 - \$140.00
Oracle DBA	\$120.00 - \$135.00
Oracle Analyst	\$115.00 - \$125.00
Oracle Developer	\$105.00 - \$150.00
Software QA	\$90.00 - \$100.00
IT Network & Systems Support	\$65.00 - \$85.00

Our project delivery teams are paid current prevailing wage rates and we have insurance coverage that meets or exceeds the minimum District requirements.

If you have any questions, or I can be of further assistance, please call.

Sincerely,

Steven Shwam
Sr. Account Executive
OS Technical

Exhibit "C"

January 14, 2014

Irvine Ranch Water District
Attn: Tony Mossbarger, Director of Information Technology
15600 Sand Canyon Avenue
Irvine, CA 92619-7000

Dear Mr. Mossbarger,

Proposal for Information Technology (IT) Professional Services and Consulting

Software Management Consultants, Inc is pleased to submit this proposal to provide Information Technology Professional Services and Consulting in response to your request.

SMCI is an IT consulting firm providing professional services to both public and private sector clientele. Our emphasis is providing experienced technical consultants on an on-demand basis to support enterprise software projects. SMCI has been in business for over 31 years and is headquartered in Glendale, CA. We have extensive experience providing IT professional services and consultants to numerous clients who continue to do business with us year over year. A few of our clients are (Allergan, QBE First, BMS) among others.

Work will be billed at the following hourly rate ranges:

Bill Rates

Project Management	\$110-140
Oracle Analyst	\$90-120
Oracle Developer	\$110-150
Software QA	\$90-120
IT Network & Systems Support	\$65-95

Our project delivery teams are paid current prevailing wage rates and we have insurance coverage that meets or exceeds the minimum District requirements.

If you have any questions, or I can be of further assistance, please call.

Sincerely,

Suzy Jarrett
Sr. Account Executive
Software Management Consultants, Inc.

Exhibit "D"



June 24, 2014

Irvine Ranch Water District
Attn: Tony Mossbarger, Director of Administrative Services
15600 Sand Canyon Avenue
Irvine, CA 92618

Dear Mr. Mossbarger,

Proposal for Information Technology (IT) Professional Services and Consulting

Robert Half Technology is pleased to submit this proposal to provide Information Technology Professional Services and Consulting in response to your request.

Robert Half Technology is an IT consulting firm providing professional services to both public and private sector clientele. Our emphasis is providing experienced technical consultants on an on-demand basis to support enterprise software projects. Robert Half Technology has been in business for over NN years and is headquartered in Irvine, CA. We have extensive experience providing IT professional services and consultants to numerous clients who continue to do business with us year over year.

Robert Half Technology has been providing IT professional services and consulting since February 1996 with an emphasis on Oracle R-12 E-Business Suite. During this time we have provided subject matter expertise to support enterprise software implementations, customizations and quality assurance. Services include:

- Attending project meetings as requested by the District
- Producing monthly billings in a form acceptable to the District
- Participating in weekly project status phone calls with Joan Gronek, the Project Lead for the District
- Providing IT Professional Services and Consulting as requested by the District

Our staff executing the delivery of IT professional services and consulting will consist of:

Account Executive – Kristen Glenn

Recruiting Manager – Ahmed Rahmatullah



Irvine Ranch Water District
June 24, 2014
Page two

Work will be billed at the following hourly rate rages:

Hourly Rates

Oracle Project Management	\$150.00 - \$220.00
Oracle R12 Analyst	\$120.00 - \$180.00
Oracle R12 Developer	\$140.00 - \$220.00
Oracle Testing & Software QA	\$85.00 - \$125.00
IT Network & Systems Support	\$45.00 - \$95.00

Our project delivery teams are paid current prevailing wage rates and we have insurance coverage that meets or exceeds the minimum District requirements.

If you have any questions, or I can be of further assistance, please call.

Sincerely,

Kristen Glenn
Account Executive
Robert Half Technology
Office: (949) 476-0879

July 14, 2014

Prepared by: C. Compton 

Submitted by: P. Weghorst 

Approved by: Paul Cook

ACTION CALENDAR

2014 STATE LEGISLATIVE UPDATE

SUMMARY:

This report provides an update on the 2014 legislative session and IRWD priorities. As legislation develops, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate. Staff recommends that the Board consider the following actions/positions:

- AB 543 (Campos): CEQA: Translation – Change IRWD’s position from “*OPPOSE*” to a “*WATCH*” position, and authorize staff to work with IRWD’s association and industry partners to ensure that the proposed changes to the CEQA guidelines are workable for the District.
- Governor’s Sustainable Groundwater Management Proposal, SB 868, SB 1168 (Pavley) & AB 1739 (Dickinson) – “*SEEK AMENDMENTS*” and authorize staff to seek inclusion of IRWD’s Groundwater Management Policy Principles in any sustainable groundwater management legislation that is put forward as a result of the stakeholder process.

BACKGROUND:

On June 16, 2014, Senator Kevin de León was elected the next President pro Tem of the State Senate. He has stated that his top priority as Senate President pro Tem will be restoring the public trust in the Legislature. Senator de León is the first legislator from Los Angeles to lead the State Senate in two decades and the first Latino to hold the Senate’s top leadership position since 1883.

With the State budget adopted and the June 27 policy committee deadline having passed, the California Legislature is enjoying its summer recess. The Legislature will be on recess from July 3 to August 4. When the Legislature returns, the fiscal committee deadline will be immediately around the corner. Fiscal committees have until August 15 to meet and report bills to the floor. The last day for each house to pass bills in this legislative session is August 31, which is the day the final legislative recess begins.

A copy of the 2014 State Legislative Matrix is attached as Exhibit “A”.

State Budget:

May’s Revenue Numbers:

On June 10, 2014, State Controller John Chiang released his monthly report on the State’s finances. He announced that the State took in \$6.7 billion during the month of May. This

amount was \$389.1 million, or 5.5 percent below budget. Personal income taxes accounted for \$254 million of this shortfall and sales taxes comprised \$99 million. Despite May's disappointing receipts, total year-to-date revenues have exceeded expectations by \$1.8 billion, or 2.1 percent.

The State Controller's revenue report stated that "May's revenue numbers should not be viewed with undue alarm. The leading three revenue sources in May usually account for about 7 percent of the year's total based on the performance of the past five years. June is a much more important period as it typically represents about 13 percent of the total."

The State ended the month with a General Fund cash deficit of \$8.5 billion, which was covered by borrowing.

Fiscal Year 2014-2015 State Budget

On June 20, 2014, Governor Jerry Brown signed the Fiscal Year 2014-2015 budget, which was approved by the Legislature on June 15, into law. The budget, as adopted, authorizes \$108 billion in General Fund expenditures, approves the use of \$4 billion in prior year balances, projects \$105 billion in General Fund revenues and directs \$1.6 billion into the Rainy Day Fund. Of interest to IRWD, the budget also includes an agreement on long-term Cap-and-Trade revenue expenditures, relocates the Drinking Water Program to the State Water Resources Control Board (SWRCB), provides additional funding for emergency drought response activities, and allocates funding for groundwater management in California. More information on each of these areas is included below.

The budget also pays down the Wall of Debt by \$10 billion by paying down the deferral of payments to schools, paying off the Economic Recovery Bonds, repaying a variety of special fund loans and paying \$100 million of the \$900 million in pre-2004 state mandate reimbursements owed to local governments. If state revenues for Fiscal Year 2014-2015 come in higher than projections, the approved budget requires that those funds be used to pay down the remaining \$1 billion owed for school deferrals and the remaining \$800 million owed in pre-2004 state reimbursement mandates claims. The budget assumes full repayment of the Wall of Debt by Fiscal Year 2017-2018. Despite this investment, beyond the Wall of Debt, the state faces more than \$300 billion in liabilities comprised of unfunded retirement liabilities, deferred maintenance and other long-term liabilities.

Cap-and-Trade Expenditures: In February, \$40 million in Cap-and-Trade revenues were appropriated towards drought-related activities; \$19 million of the \$40 million were allocated for water-energy nexus grants through the Department of Water Resources (DWR). The approved budget appropriates an additional \$832 million in Cap-and-Trade auction proceeds and includes an agreement on long-term Cap-and-Trade revenue expenditures. The action taken on Cap-and-Trade revenues is summarized in the table below.

Investment Category	Department	Program	FY 2014-15	Ongoing
Sustainable Communities and Clean Transportation	High-Speed Rail Authority	High-Speed Rail (\$250 million)	\$250,000,000	25% continuously appropriated
	State Transit Assistance	Low Carbon Transit Operations Program	\$25,000,000	5% continuously appropriated
	Caltrans	Transit and Intercity Rail Capital Program	\$25,000,000	10% continuously appropriated
	Strategic Growth Council	Affordable Housing and Sustainable Communities Program	\$130,000,000	20% continuously appropriated
	Air Resources Board	Low Carbon Transportation	\$200,000,000	Annual Appropriation
Energy Efficiency and Clean Energy	Department of Community Services and Development	Energy Efficiency Upgrades/Weatherization	\$ 75,000,000	Annual Appropriation
	Energy Commission	Energy Efficiency for Public Buildings	\$ 20,000,000	Annual Appropriation
	Department of Food and Agriculture	Agricultural Energy and Operational Efficiency	\$ 15,000,000	Annual Appropriation
Natural Resources and Waste Diversion	Department of Fish and Wildlife	Wetlands and Watershed Restoration	\$ 25,000,000	Annual Appropriation
	Department of Forestry and Fire Protection	Fire Prevention and Urban Forestry Projects	\$ 42,000,000	Annual Appropriation
	Cal Recycled	Waste Diversion	\$ 25,000,000	Annual Appropriation
TOTAL			\$832,000,000	

Drinking Water Program Relocation: The Legislature approved the relocation of the State's Drinking Water Program from the Department of Public Health (DPH) to the SWRCB as part of the budget. The approved budget transfers \$313.6 million and 302.2 positions to the SWRCB for the administration of the Drinking Water Program. The official transfer took place on July 1.

Emergency Drought Response: In addition to the \$687.4 million approved to support drought relief in February, the Fiscal Year 2014-2015 budget includes \$157 million in additional one-time funding to continue immediate drought-related activities. The funding is allocated to the following:

- \$66 million was appropriated to the Department of Forestry and Fire Protection to continue firefighter surge capacity, retain seasonal firefighters beyond the budgeted fire season, provide additional defensible space inspectors and enhance air attack capabilities to suppress wildfires. A total of \$10 million of the \$66 million is available for local grants for fire prevention projects or public education efforts that benefit owners of habitable structures in state responsibility areas.

- \$38.8 million was appropriated to the Department of Fish and Wildlife to implement enhanced salmon monitoring, restore sensitive habitat, improve water infrastructure for wildlife refuges, expand the fisheries restoration grant program and remove barriers for fish passage.
- \$18.1 million was appropriated to the DWR to assess current surface and groundwater conditions, expedite water transfers, provide technical guidance to local water agencies, assist local water agencies with emergency water supply projects and provide additional public outreach through the Save Our Water campaign.
- \$20 million was appropriated to the Department of Social Services to provide food assistance to communities impacted by the drought.
- \$4.4 million was appropriated to the Office of Emergency Services for the State Operations Center to continue provided local communities with technical guidance and disaster recovery support related to the drought.
- \$5.4 million was appropriated to the Department of General Services to implement water efficiency and conservation measures in state-owned facilities.
- \$4.3 million was appropriated to the SWRCB to continue enforcement of drought-related water rights and water curtailment actions.

As part of the \$687 million approved in February, \$19 million was appropriated to DWR for the Water-Energy Efficiency Grant Program. DWR has issued draft guidelines and eligibility criteria for the grants and is currently accepting public comments on the documents. Staff is reviewing the draft guidelines and eligibility criteria, and will participate in the public comment process. Staff will continue to monitor DWR's progress on these guidelines and update the Committee, as appropriate.

Groundwater Management Funding: The budget also appropriated funds for groundwater management activities as the Administration and the Legislature focus on continuing discussions surrounding groundwater management legislation in the last few weeks of the 2013-14 legislation session. The funding allocated toward groundwater management activities in the budget includes:

- Sustainable Groundwater Management: \$1.9 million and ten positions for the SWRCB to act as a backstop when local or regional agencies are unable or unwilling to sustainably manage groundwater basins.
- Technical Assistance to Local Agencies: \$2.5 million in 2014-15 and \$5 million annually for four additional years for DWR to support local groundwater efforts.
- Groundwater Data Collection and Evaluation: \$2.9 million and 12 positions for DWR to continue current groundwater monitoring efforts and develop an online well completion report submission system.

IRWD 2014 Legislative Priorities:

2014 Water Bond:

The water bond continues to be an active topic of discussion in and around the State Capitol. As previously reported, there were five active water bond bills in the June. Since that report a substantial amount of activity has taken place on the water bond including SB 848 (Wolk, D-Vacaville) failing passage in the Senate, Assemblymembers Rendon (D-Lakewood), Perea (D, Fresno) and Bigelow (R- Placerville) beginning negotiations on the Assembly version of the water bond, and the Governor engaging in bond discussions. Most importantly is the Governor's engagement. The Governor has proposed a \$6 billion bond. His proposal would allocate the \$6 billion bond in the following manner:

- Water Quality and Water Supply Reliability – includes \$1.5 billion for:
 - Drought management (DWR, DFW, SWRCB);
 - Preventing and reducing groundwater contaminants and providing sustainable groundwater management support (technical assistance and planning grants for locals);
 - Providing clean, safe and reliable drinking water to all Californians (with minimum to leverage federal funds for safe drinking water and clean water programs);
 - Integrated regional water management (with minimum for direct expenditure for disadvantaged communities); and
 - Water conservation, wastewater treatment, water recycling and stormwater capture.
- Watershed Protection, Watershed Ecosystem Restoration, State Settlements – includes \$1.5 billion for water-related habitat and water quality in watersheds and for state settlement obligations.
- Storage – includes \$2 billion for water storage projects continuously appropriated.
- Sacramento-San Joaquin Delta – includes \$500 million for Delta levee subvention programs/delta flood protection projects/ecosystem restoration and science related to the Delta Plan and Delta Reform Act.
- Statewide Flood Management – includes \$500 million for statewide flood management projects and activities.

General provisions of the Governor's informal \$6 billion proposal include that the bond be Bay Delta Conservation Plan neutral, require that funding eligibility be conditioned on existence of urban or agricultural water management plans and compliance with 2009 Water Conservation Act, and that it protect existing water rights and reaffirm area of origin protections.

Since the Governor's engagement on the water bond and SB 848's failed passage on the Senate Floor, negotiations on the water bond have increased. Amendments have been made to SB 848 (Wolk) and were expected in at least one of the three Assembly water bond bills (AB 1331 (Rendon), AB 2043 (Bigelow/Conway) and AB 2688 (Perea)) towards the end of June. No agreement was reached before the legislature left on summer recess.

IRWD has continued to engage with members of the Assembly and State Senate and with IRWD's association and industry partners on the water bond to ensure that the adopted bond reformulation is beneficial for the state and the District. Staff will provide the Board with an update on the latest developments.

Updates on Legislation of Interest to IRWD:

AB 52 (Gatto): Tribal Cultural Resources:

AB 52 (Gatto, D-Los Angeles) would mandate consultation with Native American Tribes at various stages of CEQA review, prescribe CEQA processes related to the treatment of tribal cultural resources and define mitigation measures which may be considered by a lead agency if tribal cultural resources will be impacted by a project. At the end of session, AB 52 remained in the Senate Environmental Quality Committee and became a two-year bill. On June 25, 2014, AB 52 was heard in the Senate Environmental Quality Committee. The Committee passed the bill on a 6 to 0 vote after a lengthy discussion of the bill. As a condition of its passage, the author took a number of amendments to address the opposition's concern. The bill was amended to address some of these concerns on July 2.

AB 543 (Campos) – CEQA: translation:

AB 543 (Campos, D-San Jose), which would have required a lead agency to translate certain CEQA notices when a project is proposed and would impact a community comprised of a substantial number of non-English-speaking people, was heard in the Senate Environmental Quality Committee on June 18, 2014. The Committee passed the bill, as amended. As amended, the bill now requires the Governor's Office of Planning and Research, on or before July 1, 2016, to prepare and develop recommended amendments to the CEQA guidelines to establish criteria for a lead agency to assess the need for translating CEQA notices into non-English languages. IRWD currently has an "OPPOSE" position on this bill. As a result of these amendments, much of the opposition has moved to a neutral position on the bill. At this time staff recommends that IRWD change its position from "OPPOSE" to a "WATCH" position, and authorize staff to work with IRWD's association and industry partners to ensure that the proposed changes to the CEQA guidelines are workable for the District. A copy of AB 543 is attached as Exhibit "B".

SB 26 (Correa): Orange County Water District: Land Use

SB 26, authored by Senator Lou Correa (D, Santa Ana), would have prohibited the Orange County Water District (OCWD) from entering into a real property lease agreement with a non-governmental entity for purposes not useful or necessary to replenish the underground water basin within the district, or to augment and protect the quality of the common water supplies of the district, unless the agreement is approved by the city council in which the real property is located, if the real property is located within a city. SB 26 was amended on June 17, 2014, and would now require OCWD to comply with the Government Code provisions which require districts to comply with building and zoning ordinances; require OCWD to provide a notice of intent to develop real property owned by the district to the city in which the property is located at least 30 days in advance of any action of the board to approve the development; and would require the district to conduct at least one public meeting in a city where a water facility is proposed for development by OCWD but would be exempt from the application of zoning and building ordinances. On June 20, the OCWD Board of Directors took a "WATCH" position on SB 26, as amended. A copy of SB 26 is attached as Exhibit "C".

SB 985 (Pavley, D-Calabasas): Stormwater Resource Planning

SB 985, introduced by Senator Fran Pavley (D-Calabasas), would establish requirements for stormwater resource plans, and provide that a stormwater resource plan shall be required to receive grants for stormwater and dry weather runoff capture projects from any bond act approved by the voters after January 1, 2014. The bill would also require the SWRCB to establish a policy by July 1, 2016, to determine compliance with the requirements of SB 985. On June 17, 2014, the Assembly Water, Parks and Wildlife Committee passed the bill on a 8-to-6 vote, as amended.

IRWD has a "SUPPORT IF AMENDED" position on SB 985. On June 12, IRWD wrote to Senator Pavley seeking specific amendments to the bill. A copy of the letter sent to Senator Pavley is attached as Exhibit "D". A copy of SB 985, as amended on June 24, is attached as Exhibit "E". Staff has continued to advocate for the amendments proposed by the District. The amendments are still under consideration by the author's office. Staff will provide the Board an update on any new developments.

Sustainable Groundwater Management Legislation:

The Administration and the Legislature remain interested in pursuing legislation related to sustainable groundwater management in California. Earlier this year, the Administration put forward its proposal for modifying groundwater management, and has reserved SB 868, if it requires a budget trailer bill to enact its proposal. In the Legislature, Senator Fran Pavley and Assemblymember Roger Dickinson (D, Sacramento) have authored legislation on sustainable groundwater management. Senator Pavley has pursued SB 1168 on behalf of the California Water Foundation. Assemblymember Dickinson has pursued AB 1739 working with the Association of California Water Agencies.

Both SB 1168 and AB 1739 were heard in and passed by policy committees on June 24, 2014. At each hearing, the authors stated that their bills were works in progress and that discussions

were taking place with the administration, stakeholders and each other on how to bring these proposals together. As a means of engaging stakeholders in these discussions, the Administration, Senator Pavley and Assemblymember Dickinson will be hosting a “Groundwater Legislation Stakeholder Process on the Sustainable Groundwater Management Bills.” Each party has agreed to work through the stakeholder process and not move their bill forward until this process is completed. Staff has participated in the stakeholder meetings, and has discussed the legislation with Assemblymember Dickinson and Senator Pavley’s consultant on SB 1168, Dennis O’Connor. Staff will provide the Board with an oral update on any new developments.

Since neither the Governor’s proposal, SB 868, SB 1168 nor AB 1739 will be moving forward as currently drafted, staff recommends that the Board take a “SEEK AMENDMENTS” position on these proposals and authorize staff to seek inclusion of IRWD’s Groundwater Management Policy Principles in any sustainable groundwater management legislation that is put forward as a result of the stakeholder process. A summary of chart of the Governor’s proposal, SB 1168, and AB 1739 is attached as Exhibit “F”.

Other 2014 State Actions:

Emergency Drought Regulations: The SWRCB has directed its staff to develop draft emergency drought response regulations. The draft regulations were released on July 8, 2014, and will be reviewed by the SWRCB at its July 15 meeting. IRWD submitted a letter to the SWRCB providing comments for the SWRCB’s consideration as the emergency regulations were being drafted, and will submit comments during the public review period. A copy of the draft regulations is attached as Exhibit “G”. Staff will provide an overview of the draft regulations at the Board meeting.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on July 3, 2014.

RECOMMENDATION:

THAT THE BOARD CHANGE IRWD’S POSITION FROM “*OPPOSE*” TO A “*WATCH*” POSITION ON AB 543 (CAMPOS), AND AUTHORIZE STAFF TO WORK WITH IRWD’S ASSOCIATION AND INDUSTRY PARTNERS TO ENSURE THAT THE PROPOSED CHANGES TO THE CEQA GUIDELINES ARE WORKABLE FOR THE DISTRICT; AND TAKE A “SEEK AMENDMENTS” POSITION ON THE GOVERNOR’S SUSTAINABLE

GROUNDWATER MANAGEMENT PROPOSAL, SB 868, SB 1168 (PAVLEY) AND AB 1739 (DICKINSON) AND AUTHORIZE STAFF TO SEEK INCLUSION OF IRWD'S GROUNDWATER MANAGEMENT POLICY PRINCIPLES IN ANY SUSTAINABLE GROUNDWATER MANAGEMENT LEGISLATION THAT IS PUT FORWARD AS A RESULT OF THE STAKEHOLDER PROCESS.

LIST OF EXHIBITS:

Exhibit "A" – 2014 IRWD Legislative Matrix

Exhibit "B" – Copy of AB 543 (Campos)

Exhibit "C" – Copy of SB 26 (Correa)

Exhibit "D" – June 12, 2014 Letter to Senator Pavley on SB 985

Exhibit "E" – Copy of SB 985 (Pavley)

Exhibit "F" – Summary of chart of Sustainable Groundwater Management Proposals

Exhibit "G" – SWRCB Draft Emergency Conservation Regulations

EXHIBIT "A"
IRWD 2014 LEGISLATIVE MATRIX
Updated June 25, 2014

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
AB 25 Campos (D)	Employment: Social Media		Applies existing law that prohibits a private employer from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media to public employers. Provides that these provisions apply to public employers generally, including charter cities and counties.	09/13/2013 - In SENATE. Held at desk.	
AB 52 Gatto (D)	Native Americans: California Environmental Quality Act		Specifies, under the California Environmental Quality Act, that a project with an effect that may cause substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant environmental effect. Requires the lead agency to consult with Native American tribe that is traditionally and culturally connected with the project's geographic area. Specifies examples of mitigation measures that may be considered to avoid or minimize impacts on those resources.	06/16/2014 - From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.;06/16/2014 - In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.	
AB 69 Perea (D)	Groundwater: Drinking Water: Nitrate at Risk Fund		Establishes the Nitrate at Risk Fund to be administered by the State Department of Public Health for loans, principal forgiveness loans, or grants to certain water systems operating in a high-nitrate at-risk area for specified purposes. Requires fertilizer sellers to pay a materials charge for deposit in the Fund.	08/12/2013 - From SENATE Committee on AGRICULTURE with author's amendments.;08/12/2013 - In SENATE. Read second time and amended. Re-referred to Committee on AGRICULTURE.	
AB 79 Skinner (D)	Budget Act of 2013		Amends the Budget Act of 2013 by revising items of appropriation and making other changes for the purpose of addressing drought conditions in the State.	03/06/2014 - In SENATE. From third reading. To Inactive File.	
AB 80 Skinner (D)	Drought Relief		Provides provisions regarding drought relief to include fines for violations of permits and licenses issued by the State Water Resources Control Board, the disbursement of disaster assistance, civil fines for the improper water diversion, emergency regulations regarding the diversion of water and the fines for a related infraction and for groundwater replenishment, rental space for those with economic hardship, the employment training tax, and the providing of funds for water management grants.	03/06/2014 - In SENATE. From third reading. To Inactive File.	
AB 145 Perea (D)	State Water Resources Control Board: Drinking Water		Transfers to the State Water Resources Control Board the various duties and responsibilities imposed on the State Department of Public Health by the State Safe Drinking Water Act and the Safe Drinking Water State Revolving Fund Law of 1997. Requires the State Environmental Protection Agency to prepare a project initiation document for the transfer of the state drinking water program from the State Department of Public Health to a Division of Drinking Water Quality.	08/30/2013 - In SENATE Committee on APPROPRIATIONS: Held in committee.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
AB 194 Campos (D)	Open Meetings: Actions For Violations		Amends the Ralph M. Brown Act that forbids a legislative body from prohibiting public criticism of the policies, procedures, or services of the agency, or the acts or omissions of the body. Expand that prohibition to forbid the body, and its presiding officer or staff, from prohibiting, limiting, or otherwise preventing public criticism as well as certain other designated activities related to public comment.	06/17/2014 - From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.;06/17/2014 - In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.	
AB 229 Perez J (D)	Infrastructure and Revitalization Financing Districts		Authorizes the creation by a city, county, city and county, and joint powers authority, of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes the creation of a district and the issuance of debt. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases.	09/11/2013 - In ASSEMBLY. From Unfinished Business. To Inactive File.	
AB 243 Dickinson (D)	Local Government: Infrastructure Financing Districts		Authorizes the creation of an infrastructure and revitalization financing district and the issuance of debt with voter approval. Authorizes a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases if special conditions are met. Authorizes a district to fund various projects, including watershed land used for the collection and treatment of water for urban uses, flood management, open space, habitat restoration and development purposes.	09/11/2013 - In ASSEMBLY. To Inactive File.	
AB 371 Salas (D)	Sewage Sludge: Kern County		Requires the State Water Resources Board to require, for pathogens and endotoxins, additional testing on the effects of sewage sludge or other biological solids to occur on properties in Kern County. Authorizes the Board to identify pathogens, endotoxins, and other hazards for testing based on the potential for contamination and potential to adversely affect human health originating from such sludge and solids. Requires the testing of shallow groundwater of a biological solids application site.	06/23/2014 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 436 Jones-Sawyer (D)	Inverse Condemnation: Comparative Fault		Applies the doctrine of comparative fault to inverse condemnation actions. Requires a court or arbitrator to reduce the compensation paid to a plaintiff in an inverse condemnation proceeding in direct proportion to his or her percentage of fault, if any, in the damaging of property that constitutes a taking. Provides the circumstances under which the plaintiff shall not recover his or her postoffer costs and shall pay the defendant's postoffer costs, including expert witness costs.	07/02/2013 - In SENATE Committee on JUDICIARY: Not heard.	
AB 515 Dickinson (D)	State Environmental Quality Act: Writ of Mandate		Amends the State Environmental Quality Act that requires a court, if it finds that a public agency has violated the requirements of the Act, to issue an order, in the form of a peremptory writ of mandate. Authorizes the court to require the public agency to prepare and file an initial return of the writ and to issue a determination if the actions taken are adequate to comply with the peremptory writ of mandate within a specified time period of the filing of the return.	06/05/2014 - From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.;06/05/2014 - In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.	
AB 543 Campos (D)	California Environmental Quality Act: Translation	Oppose	Requires a lead agency to translate certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated	06/24/2014 - In SENATE. Read second time and	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			negative declaration, or environmental impact report when a group of non-English-speaking people comprises at minimum percentage of the population within the lead agency's jurisdiction and the proposed project is to be located at or near an area where the group of non-English-speaking people comprises that same percentage of residents of the area.	amended. Re-referred to Committee on APPROPRIATIONS.	
AB 616 Bocanegra (D)	Local Public Employee Organizations: Dispute: Panels		Relates to local public employee organizations. Requires an organization request for submit a dispute to a factfinding panel to be in writing. Provides if either party disputes that a genuine impasse has been reached, the issue of whether the impasse exists may be submitted to the Public Employees Relations Board for resolution before the dispute is submitted to a factfinding panel. Authorizes each party to select a person to serve as its member of the factfinding panels.	08/30/2013 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
AB 687 Hernandez R (D)	Electricity		Requires the Public Utilities Commission, when authorizing additional direct transactions for retail nonresidential end-use customers, to provide the highest priority to acquire electric services from other providers to entities treating and remediating groundwater that is identified as contaminated on a site listed as a Superfund site in a disadvantaged or severely disadvantaged community or a public drinking water system of such communities. Requires the treatment and remediation using certain moneys.	02/04/2014 - From SENATE Committee on APPROPRIATIONS with author's amendments.;02/04/2014 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 993 Linder (R)	Contractors: Arbitration		Amends the Contractors' State License Law. Provides a party that submits a dispute with contractor to arbitration waives any right to recover attorney's fees or to challenge the arbitrator's award attorney's fees in a related civil action. Relates to the setting of the time, date, and location for a arbitration related hearing. Requires good cause to exclude any person from a hearing. Revises requirements regarding the recording of the hearing. Authorizes the reopening of a hearing prior to any award.	06/17/2013 - From SENATE Committee on BUSINESS, PROFESSIONS & ECON. DEVELOPMENT: Do pass to Committee on JUDICIARY.	
AB 1043 Chau (D)	Drinking Water, Quality, Flood, River Protection		Amends the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Eliminates the requirement to develop and adopt regulations and requires that cost subsequently recovered from a party responsible for the contamination be repaid to the State Department of Public Health and deposited in the Groundwater Contamination Cleanup Project Fund which would be created in this bill. Provides the procedures to the issuance of related grants.	06/23/2014 - Re-referred to SENATE Committee on APPROPRIATIONS.	
AB 1080 Alejo (D)	Community Revitalization & Investment Authorities		Authorizes certain public entities of a community revitalization and investment area to form a community revitalization plan within a community revitalization and investment authority to carry out the Community Redevelopment Law in a specified manner. Requires the authority to adopt a community revitalization plan for a community revitalization and investment area and authorizes the authority to include in that plan a provision for the receipt of tax increment funds.	08/30/2013 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
AB 1249 Salas (D)	Regional Water Management Plans: Contamination		Requires an integrated regional water management plan to include an explanation of how the plan addressed nitrate contamination, or an explanation of why the plan does not address such concentration, if an area within the boundaries of the plan has been identified as a nitrate high-risk areas. Imposes those same requirements regarding perchlorate, or hexavalent chromium contamination, irrespective of whether the area has been identified as high risk for those contaminants.	06/18/2014 - In SENATE Committee on ENVIRONMENTAL QUALITY: Heard, remains in Committee.	
AB 1331	Clean, Safe, and Reliable Drinking		Repeals the provisions that would create the Safe, Clean and Reliable Drinking Water	06/18/2014 - Withdrawn	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
Rendon (D)	Water Act of 2014		Supply Act of 2012. Enacts the Clean, Safe and Reliable Drinking Water Act of 2014, which, if adopted by the voters, would authorize the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law to finance a clean and safe drinking water program.	from SENATE Committee on GOVERNANCE AND FINANCE.;06/18/2014 - Re-referred to SENATE Committee on RULES.	
<u>AB 1434</u> Yamada (D)	Low-Income Water Rate Assistance Program		Requires the Department of Community Services and Development to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program which would include specified elements. Requires the Department to report to the Legislature on its findings regarding the feasibility and desired structure of the program.	06/23/2014 - From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass to Committee on APPROPRIATIONS.	
<u>AB 1445</u> Logue (R)	Water Infrastructure Act of 2014		Repeals the provisions that would create the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the State Water Infrastructure Act of 2014. Authorizes the issuance of bonds in a specified amount to finance a public benefit associated with water storage and water quality improvement projects.	02/14/2014 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;02/14/2014 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;02/14/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.	
<u>AB 1448</u> Mullin (D)	Local Government: Part-Time Elected Officials		Prohibits the legislative or governing body of a city, county, city and county, school board, special district, or any other entity of local government from granting lifetime healthcare benefits to an elected official who serves part time. Specifies that these provisions do not prevent the award of, or continuation of, health care benefits that are entirely paid for by the individual.	03/06/2014 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;03/06/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	
<u>AB 1506</u> Perea (D)	San Joaquin River Conservancy: Regulation Adoption		Makes a person who violates any of the posted regulations adopted by the San Joaquin River Conservancy governing lands owned or managed by the conservancy guilty of an infraction punishable by a maximum fine.	06/24/2014 - In SENATE. Read second time. To Consent Calendar.	
<u>AB 1522</u> Gonzalez (D)	Employment: Paid Sick Days		Enacts the Healthy Workplaces, Healthy Families Act of 2014, provides that any employee works for a specified number of days in a calendar year is entitled to paid sick days. Provides the formula for the accrual of such sick days. Authorizes an employer to limit an employee's use of paid sick days. Provides the authorized reasons to be used for taking such sick days. Prohibits discrimination or retaliation against an employee for requesting such sick days. Requires the posting of related notices.	06/24/2014 - From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
<u>AB 1527</u> Perea (D)	Public Water Systems: Drinking Water		Requires the Strategic Growth Council to manage and award financial assistance to a city, county, local agency formation commission, special district, nonprofit organization or joint powers authority or agency for the preparation, planning, and implementation of a public water system consolidation, merger, or extension of service project for the purposes of promoting water conservation. Requires the assistance to be provided from available moneys pursuant to a specified bond act.	06/18/2014 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.	
<u>AB 1600</u> Gomez (D)	Service Contracts: Outsourcing Alternatives		Establishes, as a condition for a State agency to use personal services contracts, a requirement that the contractor's wages be the higher of the industry's level or the prevailing wage, if applicable.	04/23/2014 - In ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY: Not heard.	
<u>AB 1615</u> Gatto (D)	Claims Against the State: Payment		Appropriate funds from the State Board of Chiropractic Examiner's Fund in a prescribed amount to settle claims against the State arising from specified legal action and from the General Fund in a prescribed amount to settle claims against the State arising from a separate legal action. Provides that any appropriated funds in excess of the amount required to pay those claims revert to the fund from which the proceeds were taken.	06/24/2014 - In SENATE. Read second time. To third reading.	
<u>AB 1632</u> Olsen (R)	Water Rights: Appropriation		Makes a technical, nonsubstantive change in provisions regarding the State Water Resources Control Board allowing permits and licenses appropriations for beneficial purposes of unappropriated water under terms and conditions as in its judgment will best develop, conserve, and utilize in the public interest the water sought to be appropriated.	02/10/2014 - INTRODUCED.	
<u>AB 1636</u> Brown (D)	Water Conservation		Prohibits a city or county, during a drought emergency declared by the Governor, from enforcing a law or ordinance requiring a resident to water his or her lawn. Provides that a requirement imposed by a governmental entity or a public utility to limit, restrict, or conserve water during a drought emergency declared by the Governor does not constitute a diminution of rent or value of a premise or property.	04/24/2014 - Re-referred to ASSEMBLY Committee on LOCAL GOVERNMENT.	
<u>AB 1639</u> Grove (R)	Global Warming Solutions Act of 2006:Greenhouse Gas		Relates to the California Global Warming Solutions Act of 2006 and the Greenhouse Gas Reduction Fund. Amends existing law that creates the High-Speed Rail Authority. Provides that cap-and-trade revenues shall not be appropriated from the fund for purposes of the high-speed rail system, and would make legislative findings and declarations in that regard.	05/29/2014 - From ASSEMBLY Committee on NATURAL RESOURCES without further action pursuant to JR 62(a).	
<u>AB 1671</u> Frazier (D)	Sacramento-San Joaquin Delta:Water Conveyance System	Oppose	Prohibits the Department of Water Resources from constructing water facilities as part of a specified water conveyance system unless specifically authorized by the Legislature.	04/08/2014 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	
<u>AB 1705</u> Williams (D)	Public Contracts: Payment	Oppose	Amends existing law that authorizes the retention proceeds withheld from any payment by an awarding entity from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor, to exceed a specified percentage on projects that are substantially complex. Requires that the bid documents include details explaining the basis for the finding in addition to the actual retention amount. Defines projects that are not substantially complex.	06/11/2014 - In SENATE. Read second time and amended. To third reading.	
<u>AB 1707</u>	Water Quality: Scientific Peer		Amends existing law that requires the State Water Resources Control Board and the	06/18/2014 - From	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
Wilk (R)	Review		regional water quality control boards to prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system permit program. Relates to an external scientific peer review. Requires the Board to post on its Internet Web site a copy of the external scientific peer review for proposes rules of the State Board or a regional board.	SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.	
<u>AB 1728</u> Garcia (D)	Political Reform Act of 1974		Relates to the Political Reform Act of 1974. Revises the definition of agency to include a local government agency formed pursuant to provision of the Water Code. Revises the definition of license, permit, or other entitlement for use with respect to proceedings before a local government agency formed pursuant to the Water Code to apply to all contracts that are not competitively bid.	06/24/2014 - From SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Do pass to Committee on APPROPRIATIONS.	
<u>AB 1729</u> Logue (R)	Local Government: Agricultural Land: Payments		Appropriates a specified amount of money from the General Fund to make subvention payments to counties to reimburse the counties for property tax revenues not received as a result of contracts between the counties and owners of agricultural land in which the owners agree, under the Williamson Act, to continue using such property as agricultural for purposes of property taxation.	03/20/2014 - To ASSEMBLY Committee on APPROPRIATIONS.;03/20/2014 - From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.;03/20/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
<u>AB 1731</u> Perea (D)	Integrated Regional Water Management Plans: Funding		Requires, in each integrated regional water management region, that not less than a specified percentage of any funding for integrated regional water management planning purposes be used to facilitate and support the participation of disadvantaged communities in integrated regional water management planning and for projects that address critical water supply or water quality needs for disadvantaged communities.	06/10/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.	
<u>AB 1739</u> Dickinson (D)	Groundwater Management		Requires specified groundwater basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans. Requires such plan to be coterminous and augment a groundwater management plan. Relates to groundwater extraction facilities. Requires the consideration of such plans by local entities when amending their general plan. Requires certain action on the part of a public water system regarding the implementation of a groundwater sustainability plan.	06/24/2014 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.	
<u>AB 1741</u> Frazier (D)	Public Works: Prevailing Wage Rates: Assessments		Relates to the issuance by the Labor Commissioner of a civil wage and penalty assessment for violating laws regulating public works contracts, including the payment of prevailing wages. Specifies that a contractor, subcontractor, or surety may deposit the full amount of the assessment or notice with the Department of Industrial Relations in the form of cash or a bond issued by a surety company admitted to do business in the State in a form acceptable to the Department.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1782</u> Chesbro (D)	Wires: Unlawful Removal		Makes it a crime for any person to unlawfully and maliciously disconnect or cut a line of telegraph, telephone, or cable television, or any line used to conduct electricity, or any part thereof, or appurtenance or apparatus connected therewith. Makes the crime	06/19/2014 - In SENATE. Read second time and amended. Re-referred to	

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			punishable by imprisonment in a county jail, a fine, or both.	Committee on APPROPRIATIONS.	
<u>AB 1799</u> Gordon (D)	Land Use: Mitigation Lands	Support	Specifies, where a governmental entity or specified district is the transferee of property, that an endowment or other financial mechanism is not required if the entity or district provides evidence to the local or State agency that it possesses an investment-grade credit rating by a nationally recognized rating organization or other equivalent evidence of financial responsibility and enters into a contractual agreement enforcing mitigation requirements. Requires related reporting.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1849</u> Logue (R)	California Environmental Quality Act: Exemptions		Relates to the California Environmental Quality Act. Exempts from the requirements of CEQA, the maintenance, repair, or replacement of an existing levee.	02/27/2014 - To ASSEMBLY Committee on NATURAL RESOURCES.	
<u>AB 1874</u> Gonzalez (D)	Integrated Regional Water Management Plans: Funding		Requires the Department of Water Resources to develop a streamlined application process for certain regional water management groups. Requires, in order to get water management grant funds through the process, the group must file a streamlined application including specified information. Requires awarding funds according to a statutory formula and covers regions. Requires the group to provide a list of projects to be funded and the Department to award the funding within a specified time period.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1905</u> Alejo (D)	Water Rights: Appropriation: Livestock Stockpond Use		Provides that impoundment for incidental fire protection purposes is included within livestock stockpond use.	06/24/2014 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.	
<u>AB 1933</u> Levine (D)	Local Government: Investments		Authorizes the legislative body of a local agency to invest in United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by certain banks. Requires these investments to be rated AA or better and to not exceed a specified percentage of the agency's moneys that may be invested.	06/20/2014 - *****To GOVERNOR.	
<u>AB 1961</u> Eggman (D)	Land Use: Planning: Sustainable Farmland Strategy		Requires each county to develop a sustainable farmland strategy. Requires the sustainable farmland strategy to include, among other things, a map and inventory of all agriculturally zoned land within the county, a description of the goals, strategies, and related policies and ordinances, to retain agriculturally zoned land where practical and mitigate the lose of such land to other uses or zones.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1970</u> Gordon (D)	Global Warming Solutions Act: Community Investment		Creates the Community Investment and Innovation Program and requires moneys to be available from the Greenhouse Gas Reduction Fund for purposes of awarding grants and other financial assistance to eligible applicants who submit plans to develop and implement integrated community-level greenhouse gas emissions reductions in their region. Requires the Strategic Growth Council to administer the program.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 1983</u> Gray (D)	Water Meters: Multiunit Structures		Authorizes the owner or operator of a building containing residential units to install equipment to determine or use an economic allocation methodology to approximate the quantity of water that is provided to the tenants and used in the common areas of that building and to charge tenants separately for water and wastewater service based on usage as determined through the use of that equipment or allocation methodology if certain requirements are met.	03/03/2014 - To ASSEMBLY Committees on HOUSING AND COMMUNITY DEVELOPMENT and WATER, PARKS AND WILDLIFE.	

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<u>AB 2040</u> Garcia (D)	Public Official Compensation		Requires a local agency to report to the Controller the annual compensation of its public officials. Requires a local agency that is required to report and that maintains an Internet Web site to post that information on the Controller's Government Compensation in California Internet Web site. Requires the entities to consult regarding the reporting requirements for such disclosure.	06/18/2014 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass as amended to Committee on APPROPRIATIONS.	
<u>AB 2043</u> Bigelow (R)	Safe Clean and Reliable Drinking Water Supply Act		Repeals provisions of the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Safe, Clean, and Reliable Water Supply Act of 2014, which, if adopted by votes, would authorize the issuance of bonds in a specified amount to finance a safe drinking water and water supply reliability program.	06/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.	
<u>AB 2045</u> Rendon (D)	Energy Improvements and Financing		Enacts the Non-Residential Real Property Energy Retrofit Financing Act of 2014. Provides financial assistance through the issuance of revenue bonds, to owners of eligible real properties. Requires that the bonds be secured by the recording of an energy remittance repayment agreement lien. Requires the Energy Resources Conservation and Development Commission to collect installment payments from owners of eligible real properties whose applications it has approved.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
<u>AB 2049</u> Dahle (R)	Drinking Water: Point-of-Entry: Point-of-Use Treatment		Limits the use of point-of-entry and point-of-use treatment to water systems with less than 500 service connections.	05/08/2014 - To SENATE Committee on ENVIRONMENTAL QUALITY.	
<u>AB 2067</u> Weber (D)	Urban Water Management Plans		Requires an urban retail water supplier and an urban wholesale water supplier to provide narratives describing the supplier's water demand management measures. Requires the narrative to address the nature and extent of each water demand management measure implemented to describe the water demand management measures that the supplier plans to implement. Provides the deadline for the 2015 plan submission. Relates to the determination of future water use reductions.	06/24/2014 - In SENATE. Read second time. To Consent Calendar.	
<u>AB 2071</u> Levine (D)	Recycled Water: Pasture Animals		Requires the State Department of Public Health to determine whether the use of disinfected tertiary treated recycled water for the purpose of providing water to pasture animals would be safe for public and animal health. Requires the establishment of statewide recycling criteria for the use of recycled water for such purposes. Prohibits the use of such water in the water supply for dairy animals that are currently producing dairy products for human consumption.	06/11/2014 - Re-referred to SENATE Committee on ENVIRONMENTAL QUALITY.	
<u>AB 2097</u> Morrell (R)	Homeowners Exemption and Renters Credit		Increases the homeowners' property tax exemption. Increases the personal income tax credit for a qualified renter.	03/03/2014 - To ASSEMBLY Committee on REVENUE AND TAXATION.	
<u>AB 2100</u> Campos (D)	Common Interest Developments: Yard Maintenance: Drought		Prohibits a common interest development association from imposing a fine or assessment against a member of a separate interest for reducing or eliminating watering of vegetation or lawns during any period for which the Governor has declared a state of emergency, or a local government has declared a local emergency, due to drought.	06/19/2014 - In SENATE. Read second time. To third reading.	
<u>AB 2104</u> Gonzalez (D)	Common Interest Developments: Water Efficient Landscapes	Support	Relates to the Davis-Stirling Common Interest Development Act. Provides that a provision of the governing documents or of the architectural or landscaping guidelines or polices shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, low water-using plants as a group or as a replacement of existing turf, or if the provisions have the effect of prohibiting or restricting	06/12/2014 - In SENATE. Read second time. To third reading.	

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			compliance with local water conservation measures.		
AB 2114 Pan (D)	Taxation: Qualified Heavy Equipment		Imposes a tax on every qualified renter for the privilege of renting qualified heavy equipment. Requires a renter to collect the tax from the qualified rentee at the time of rental. Provides that this tax shall be in lieu of any personal property tax on qualified heavy equipment. Requires the county auditor to increase the total amount of ad valorem property tax revenue and to decrease the amount of ad valorem property tax required to be allocated to the county Educational Revenue Augmentation Fund.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
AB 2126 Bonta (D)	Meyers Miliias Brown Act Mediation		Amends the Meyers-Miliias-Brown Act. Permits either party to contract negotiations to request mediation and agree upon a mediator. Authorizes the Public Employee Relations Board to appoint a mediator upon request. Relates to a waiver of such request if the public agency has a impasse procedure. Authorizes certain collective bargaining negotiation differences to apply to these provisions.	06/23/2014 - From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass to Committee on APPROPRIATIONS.	
AB 2189 Garcia (D)	Water Replenishment Districts: Replenishment Assessment		Requires a water replenishment district board to make specified findings and determinations before holding a public meeting and to identify water-producing facilities within the district that would be subject to a proposed replenishment assessment and give written notice by mail to owners of those facilities. Authorizes the facility owner to submit a written protection in opposition of the assessment. Provides the condition that would prohibit the imposition of the assessment.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
AB 2211 Ting (D)	Counties: Database: Information Regarding Property Tax		Requires each county to make available to taxpayers on its Internet Web site a graph visualization of how general ad valorem property tax revenues are allocated countywide. Requires the Internet Web site to provide taxpayers with certain information about general ad valorem property tax revenues and the types of programs and services funded with general ad valorem property tax revenues, and a link to a final budget document where information about specific programs and services is detailed.	06/18/2014 - From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.;06/18/2014 - In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.	
AB 2231 Gordon (D)	State Controller: Property Tax Postponement		Relates to claims for postponement under the Senior Citizens and Disabled Citizens Property Tax Postponement Law to include the process for filing the claim, excluding mobilehomes and houseboats, surviving spouse procedures, a related fund, an increase in the related implementation fee, the lien for postponed property taxes and recording thereof, the equity requirement for program participation, the updating of repayment of the postponed taxes, tax-default sales, and nonresidential commercial property.	06/19/2014 - From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.;06/19/2014 - In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.	
AB 2257 Cooley (D)	Tax-Defaulted Property: Excess Proceeds from Sale		Eliminates the requirement that any excess proceeds from the sale of tax-defaulted property not claimed be distributed among taxing agencies. Authorizes any excess proceeds to be transferred to the county general fund at the expiration of a specified time period. Relates to the distribution and claim process of any excess proceeds from the sale.	06/05/2014 - To SENATE Committee on GOVERNANCE AND FINANCE.	
AB 2259	Water Replenishment: Assessments		Requires that a judicial action or proceeding to attack, review, set aside, void, or annul	06/24/2014 - From	

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Ridley-Thomas S (D)			a resolution or motion levying a water replenishment assessment by a water replenishment district pursuant to certain provisions to be connected within a certain number of days of the adoption of the resolution or motion. Requires that an action regarding the replenishment assessment be brought pursuant to specified provisions regarding civil proceedings.	SENATE Committee on JUDICIARY: Do pass as amended.	
<u>AB 2282</u> Gatto (D)	Building Standards: Recycled Water Infrastructure		Requires the Department of Housing and Community Development to conduct research to assist in the development of and to propose adoption, amendment or repeal by the State Building Standards Commission of mandatory building standards for the installation of recycled water infrastructure for newly constructed single-family and multifamily residential buildings. Limits the mandate to install recycled water piping to certain areas within a local jurisdiction. Regards green building standards.	06/17/2014 - From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on ENVIRONMENTAL QUALITY.	
<u>AB 2312</u> Nestande (R)	Metal Theft	Support	Relates to theft of wire, cable, copper, lead, solder, mercury, iron, or brass. Requires a junk dealer or recycler to request to receive theft alert notifications regarding the theft of commodity metals in the junk dealer's or recycler's geographic region from the theft alert system maintained by the Institute of Scrap Recycling Industries, Inc. Requires a junk dealer or recycler who is an applicant for a new weighmaster license or renewal to also include a statement on theft alert notifications.	06/24/2014 - From SENATE Committee on PUBLIC SAFETY: Do pass to Committee on APPROPRIATIONS.	
<u>AB 2353</u> Waldron (R)	Environmental Quality: Water Storage Facilities		Exempts a project to expand the storage capacity of an existing surface water storage facility, or to replace an existing surface water storage facility, that is owned and operated by a public entity if that public entity adopts, by resolution, findings and declarations that the project meets specified criteria from the requirements of the California Environmental Quality Act.	05/29/2014 - From ASSEMBLY Committee on NATURAL RESOURCES without further action pursuant to JR 62(a).	
<u>AB 2403</u> Rendon (D)	Local Government: Assessments, fees, and charges		States that provisions of the State Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provisions of written notice and the holding of a public hearing. Modifies the definition of water to mean water from any source.	06/24/2014 - *****To GOVERNOR.	
<u>AB 2417</u> Nazarian (D)	California Environmental Quality Act: Recycled Water		Amends the California Environmental Quality Act, which exempt specified pipeline projects from certain requirements. Exempts from the Act, a project for the construction and installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline, not exceeding a specified length, for the distribution of recycled water within a public street, highway, or right-of-way. Requires the filing of a notice of exemption.	06/18/2014 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.	
<u>AB 2420</u> Nazarian (D)	Well Stimulation Treatments: Local Prohibition		Authorizes a city or county to adopt and enforce a local ordinance prohibiting well stimulation treatments.	04/30/2014 - In ASSEMBLY Committee on LOCAL GOVERNMENT: Failed passage.;04/30/2014 - In ASSEMBLY Committee on LOCAL GOVERNMENT: Reconsideration granted.	
<u>AB 2434</u> Gomez (D)	Income Taxes: Exclusion	Support	Provides, under the Personal Income Tax and Corporation Tax laws, an exclusion from gross income for any amount received as a rebate, or financial incentive issued by a local water agency or or supplier for participation in a turf removal water	06/05/2014 - To SENATE Committee on GOVERNANCE AND	

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			conservation program.	FINANCE.	
AB 2442 Gordon (D)	Porter Cologne Water Quality Control Act		Prohibits the State Water Resources Control Board, a regional board, and any authorized person, from being civilly liable for damages or penalties for any act or omission of the state board, regional board, or any authorized person in connection with any investigation, cleanup, abatement, or other remedial work, unless the act or omission was performed in a reckless manner. Prohibits those entities from incurring any obligation to undertake those actions. Applies to a related claim or cause of action.	06/24/2014 - From SENATE Committee on JUDICIARY: Do pass.	
AB 2443 Rendon (D)	Duplication of Service: Mutual Water Companies		Makes inapplicable the provision that a mutual water company is a private utility entitled to just compensation for a taking in a territory it services at the time of the taking when a political subdivision constructs facilities to provide or extend recycled water service to the territory of the mutual water company.	06/24/2014 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass.	
AB 2446 Waldron (R)	San Luis Rey Municipal Water District		Prohibits a standby assessment or availability charge levied for the San Luis Rey Municipal Water District from exceeding a specified amount per acre for land on which the charge is levied or a specified amount per year for a parcel less than a specified size. Requires the proceeds from the assessment or charge to be used for the purposes of management of local water supply and its quality.	06/24/2014 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass.	
AB 2463 Dickinson (D)	Water: Plans		Requires the Department of Water Resources to partner with the Regional Water Authority, water suppliers in El Dorado, Placer, Sacramento, and Placer counties, and other interested agencies to develop a plan for investing in water supplies and other facilities in order to contribute to the reliability of water supplies for the Sacramento region's communities and environmental resources while also generating statewide benefits.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
AB 2471 Frazier (D)	Public Contracts: Change Orders		Requires a public entity, when authorized to order changes or additions in the work in a public works contract awarded to the lowest bidder, to issue a change order promptly. Requires if this requirement is not met, the public entity to be liable to the original contractor for the work that has already been performed, a documentation is submitted. Authorizes the submission of a change order for extra work performed by a subcontractor. Authorizes subcontractor request. Requires subcontractor notification.	06/24/2014 - From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass as amended to Committee on APPROPRIATIONS.	
AB 2492 Jones-Sawyer (D)	Controlled Substances: Sentencing		Amends existing law prohibits a person from using or being under the influence of certain controlled substances. Deletes the requirement that a person convicted under this provision serve at least a certain number of days in a county jail, and would delete the requirement that, as a condition of granting probation, the person serve time in a county jail.	06/24/2014 - From SENATE Committee on PUBLIC SAFETY: Do pass.	
AB 2507 Bocanegra (D)	Public Records Act: Exemptions		Provides that outside attorney billing records, when they are prepared in connection with a pending civil action in which a public agency is the defendant, are exempt from the State Public Records Act disclosure provisions during the pendency of the litigation.	04/22/2014 - In ASSEMBLY Committee on JUDICIARY: Not heard.	
AB 2516 Gordon (D)	Sea Level Rise Planning: Database		Requires the Natural Resources Agency to post on its Internet Web site a Planning for Sea Level Rise Database describing steps being taken throughout the state to prepare for, and adapt to, sea level rise. Requires public and private entities to provide input. Requires the Agency to determine the information for database, and to organize the database by geographic area and to provide an entry for each city, county, and city and county within the coastal zone and San Francisco Bay area.	06/24/2014 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on APPROPRIATIONS.	
AB 2554	Clean, Safe, and Reliable Drinking		Repeals the Safe, Clean, and Reliable Drinking Water Act of 2012 that would	04/29/2014 - From	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
Rendon (D)	Water Act of 2014		authorize the issuance of bonds to finance a safe drinking water and water supply reliability program via a bond act if passed by the voters at a statewide general election. Enacts the Clean, Safe, and Reliable Drinking Water Act of 2014 to authorize bonds in a specified amount to finance a clean, safe, and reliable drinking water program if passed by the voters at a statewide general election.	ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	
AB 2619 Gaines B (R)	Dams: Fish: Critically Dry Year		Amends existing law which requires a dam owner to allow sufficient water to pass through a fishway or over, around, or through the dam and which authorizes the Department of Fish and Game to grant permission to the dam owner to allow sufficient water to pass through a culvert, waste gate, or over or around the dam, to keep in good condition any fish that may be planted or exist below the dam. Prohibits such provisions from applying during a critically dry year.	03/28/2014 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;03/28/2014 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/28/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.	
AB 2636 Gatto (D)	CalConserve Water Use Efficiency Revolving Fund		Transfers to the CalConserve Water Use Efficiency Revolving Fund from the Costa-Machado Water Act of 2000 specified bond proceeds issued and available for agricultural water projects. Requires the Department of Water Resources to use these moneys for loans and grants to local agencies to acquire and construct agricultural water conservation projects consistent with the bond act. Prohibits any funds until specified information regarding such projects is provided to the Legislature.	06/24/2014 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on APPROPRIATIONS.	
AB 2676 Rendon (D)	Controller Reports		Changes the definition of a special district included in the reporting requirements of the Controller to include a public entity, agency, or board provided for by a joint powers agreement that is separate from the parties to the agreement and is responsible for the administration of the agreement. Relates to auditing local redevelopment agencies. Relates to forfeiture requirements local agency officers that fail or refuse to file a financial report to the Controller.	05/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
AB 2680 Nazarian (D)	Water Quality		Makes technical, nonsubstantive changes to the legislative findings and declarations in The Porter-Cologne Water Quality Control Act.	02/21/2014 - INTRODUCED.	
AB 2686 Perea (D)	Clean, Safe, and Reliable Water Supply Act of 2014		Repeals the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Clean, Safe, and Reliable Water Supply Act of 2014, which, if adopted by the voters, would authorize the issuance of bonds in an unspecified amount, to finance a clean, safe, and reliable water supply program. Provides for the submission of the bond act to the voters at a statewide general election.	06/23/2014 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.	
AB 2701 Gonzalez (D)	Groundwater Basins: Investigation and Report		Makes a technical, nonsubstantive change to existing law that requires the Department of Water Resources, in conjunction with other public agencies, to conduct an investigation of the state's groundwater basins and to report its findings to the Governor and the Legislature.	02/21/2014 - INTRODUCED.	
AB 2712 Daly (D)	Hazardous Materials: Orange County Water District		Requires the Orange County Water District in order to obtain the recovery of the costs of cleaning up or containing contamination, abating the effects of contamination or pollution, or taking other emergency, removal, or remedial action to provide notice of	06/24/2014 - From SENATE Committee on JUDICIARY: Do pass as	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			the action to the regional water quality control board and the Department of Toxic Substances Control, to meet and confer with agencies and any responsible party, and to comply with the National Contingency Plan.	amended to Committee on APPROPRIATIONS.	
AB 2725 Brown (D)	Urban Waterway Restoration		Requires the Department of Water Resources to release assumptions and estimates relating to water use for urban waterway restoration. Includes urban waterway restoration that increases water supplies for any beneficial use, as a regional project or program. Includes an urban waterway restoration project as an eligible project for the grant program under the Environmental Water Fund.	03/17/2014 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.	
AB 2738 Alejo (D)	Safe Drinking Water State Revolving Fund: Accounts		Relates to notification of an action on a business that discharged a specified chemical. Establishes the fees and charges account within the Safe Drinking Water State Revolving Fund Law of 1997 for deposit of prescribed administrative fees to be expended for certain administrative costs. Authorizes such fees to reimburse the costs for application processing and a loan disbursement fee and an annual adjustment to the fee schedule. Deletes a requirement for payment of charges by the Attorney General.	06/11/2014 - To SENATE Committee on ENVIRONMENTAL QUALITY.	
ACA 8 Blumenfield (D)	Local Government Financing: Voter Approval		Proposes an amendment to the Constitution to create an additional exception to the 1% limit for an ad valorem tax rate imposed by a city, county, city and county, or special district, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district.	06/27/2013 - To SENATE Committees on GOVERNANCE AND FINANCE and ELECTIONS AND CONSTITUTIONAL AMENDMENTS.	
HR 29 Gomez (D)	Outsourcing Public Services	Oppose	Opposes outsourcing of public services and assets, which harms transparency, accountability, shared prosperity, and competition, and supports processes that give public service workers the opportunity to develop their own plan on how to delivery cost-effective, high-quality services.	04/03/2014 - In ASSEMBLY. Read third time and amended. To third reading.;04/03/2014 - In ASSEMBLY. Read third time. Adopted by ASSEMBLY.	
SB 1 Steinberg (D)	Sustainable Communities Investment Authority		Authorizes certain public entities of a Sustainable Communities Investment Area to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law. Provides for tax increment funding receipt under certain economic development and planning criteria. Establishes prequalification requirements for receipt of funding. Requires monitoring and enforcement of prevailing wage requirements within the area. Excludes certain types of farmland.	09/12/2013 - In SENATE. To Inactive File.	
SB 26 Correa (D)	Orange County Water District: Land Use	Watch	Requires the Orange County Water District to comply with provisions of existing law relating to building and zoning ordinances. Requires the District to provide notice of intent to develop real property owned by the District that is located within the boundaries of a city to the planning agency of that city in advance of any District Board approval. Requires the conduction of a public meeting in a city where a water facility exempt from building and zoning ordinances would be located or constructed.	06/17/2014 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;06/17/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	

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SB 33 Wolk (D)	Infrastructure Financing Districts: Voter Approval		Revises provisions governing infrastructure financing districts. Eliminates the requirement of voter approval for creation of the district and for bond issuance, and authorizes the legislative body to create the district subject to specified procedures. Authorizes the creation of such district subject to specified procedures. Authorizes a district to finance specified actions and project. Prohibits financing until a certain requirement is met. Prohibits assistance to a vehicle dealer or big box retailer.	09/11/2013 - In ASSEMBLY. To Inactive File.	
SB 64 Corbett (D)	Global Warming Solutions: Clean Technology Investment		Creates the Clean Technology Innovation Account within the Greenhouse Gas Reduction Fund. Requires appropriations of moneys in the fund or other funds to the account in the Budget Act. Makes such funds available for evaluating the efficacy of a new technology or product to potentially reduce greenhouse gas emission, provide grants for technologists and products that have been confirmed to have greenhouse gas emission reduction potential, and grants to entities that operate such technologies and products.	06/23/2014 - In SENATE. Joint Rule 62(a) suspended.	
SB 103 Budget and Fiscal Review Cmt	Budget Act of 2013		Amends the Budget Act of 2013 by revising items of appropriation and making other changes for the purpose of addressing drought conditions in the State.	03/01/2014 - Signed by GOVERNOR.;03/01/2014 - Chaptered by Secretary of State. Chapter No. 2	
SB 104 Budget and Fiscal Review Cmt	Drought Relief		Provides provisions regarding drought relief to include fines for violations of permits and licenses issued by the State Water Resources Control Board, the disbursement of disaster assistance, civil fines for the improper water diversion, emergency regulations regarding the diversion of water and the fines for a related infraction and for groundwater replenishment, rental space for those with economic hardship, the employment training tax, and the providing of funds for water management grants.	03/01/2014 - Signed by GOVERNOR.;03/01/2014 - Chaptered by Secretary of State. Chapter No. 3	
SB 176 Galgiani (D)	Administrative Procedures		Requires the Office of Administrative Law to allow electronic submission to the Office by a state agency of notices required to be published and information required to be submitted pursuant to specified provisions of existing law. Expands the public discussion required described in existing law to require a state agency proposing to adopt regulations, prior to publication of a notice of proposed adoption, amendment, or repeal, to involve parties that would be subject to the regulations in such discussions.	08/30/2013 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.;08/30/2013 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.	
SB 193 Monning (D)	Hazard Evaluation System and Information Service		Relates to the repository of data on toxic materials and harmful physical agents in places of employment. Requires chemical manufacturers, formulators, suppliers, distributors, importers, and their agents to provide Hazard Evaluation System and Information Service the names and addresses of their customers who have purchased specified chemicals or commercial products containing those chemicals, and certain other information upon a request from the Service. Exempts the names and address from disclosure.	08/06/2013 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 266 Lieu (D)	Prevailing Wages		Requires the body awarding a contract for public work to furnish a copy of the valid notice of completion for the public work or a document evidencing the awarding body's acceptance of the public work on a particular date, whichever occurs later. Requires that body to notify the Labor Commissioner if there has been no valid notice of completion filed, and no document evidencing the acceptance of the public work on a particular date. Requires civil wage assessments until an applicable document is received.	04/24/2014 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.	
SB 536	Property-Related Services		Provides that a county shall not be obligated to provide subsidies to cure any	06/17/2013 - To	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
Berryhill T (R)			deficiencies in funding of property-related services provided within the jurisdiction of a defined district, under any of certain specified circumstances. Provides that this prohibition would not apply if the county's governing board had agreed to subsidize the district's services before the completion of a majority protest proceeding or election.	ASSEMBLY Committee on LOCAL GOVERNMENT.	
SB 556 Corbett (D)	Agency: Ostensible: Nongovernmental Entities		Relates to third person contracts and ostensible agencies. Prohibits a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform labor or services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo that reasonably could be interpreted as implying the labor or services are being performed by employees of a public agency, unless the vehicle and uniform displays a specified disclosure.	09/11/2013 - In ASSEMBLY. To Inactive File.	
SB 605 Lara (D)	California Global Warming Solutions Act: Scoping Plan		Requires the Controller to determine the amount of moneys collected and deposited in the Greenhouse Reduction Fund by the State Air Resources Board. Appropriates moneys from the fund for projects and programs in disadvantaged communities. Authorizes expenditures for administrative purposes. Requires the Board, when updating a greenhouse gas emissions reduction scoping plan, to include specified criteria, and to submit that criteria to the Joint Legislative Budget Committee.	08/30/2013 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.	
SB 628 Beall (D)	Infrastructure Financing: Transit Priority Projects		Eliminates the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit priority project. Requires a specified percentage of the revenue for increasing, improving, and preserving the supply of lower and moderate-income housing. Requires a low-income housing replacement ordinance.	06/16/2014 - In SENATE. Action rescinded whereby SENATE concurred in ASSEMBLY amendments. To unfinished business.;06/16/2014 - In SENATE. Ordered returned to ASSEMBLY. *****To ASSEMBLY.	
SB 633 Pavley (D)	CEQA		Amends the California Environmental Quality Act. Specifies, for purposes of new information exception to the prohibition on requiring a subsequent or supplement environmental impact report, that a specified exception applies if new information was not known and could not have been known by the lead or any responsible agency at the time the report was certified as complete. Authorizes the development of guidelines to exempt projects involving minor temporary uses of land and public gatherings.	06/24/2014 - From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.;06/24/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 731 Steinberg (D)	Environment: California Environmental Quality Act		Relates to the State Environmental Quality Act. Provides that certain impacts of a residential, mixed-use, or employment center project within a transit priority area shall not be considered significant impacts. Requires guidelines for thresholds of significance for noise and transportation impacts to be made available. Requires preparation of environmental impact reports. Extends the tolling of time for judicial actions and mitigation measures. Relates to sustainable communities planning and grants.	09/11/2013 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass as amended.	
SB 735 Wolk (D)	Sacramento-San Joaquin Delta Reform Act		Amends existing law that establishes the Delta Stewardship Council to create a Delta management plan. Authorizes prescribed local entities to enter into a memorandum of understanding or other written agreement with the council and the Department of Fish and Wildlife regarding multispecies conservation plans that describes how the parties	08/13/2013 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			would ensure that multispecies conservation plans that have been adopted or are under development are consistent with the Delta Plan.		
SB 750 Wolk (D)	Building Standards: Water Meters: Multiunits		Requires a water purveyor providing water service to new multiunit residential or mixed use structures to require water measurement to each unit and to permit measurement to be by water meters or submeters. Requires submeters to comply with existing laws and regulations. Prohibits purveyor fees for submeters installed by the owner. Imposes certain requirements on landlords in related to the submetered water service. Relates to separate charge notification to tenant. Authorizes damages for violations.	08/13/2013 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Failed passage.;08/13/2013 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Reconsideration granted.	
SB 757 Berryhill T (R)	Junk Dealers		Relates to junk dealers and recyclers. Permits a seller to use a passport from any country or a Matricula Consular issued by Mexico, along with another form of identification bearing an address, or an identification card issued by the United States, as identification. Specifies that the provisions governing secondhand dealers and coin dealers do not apply to junk dealers.	09/06/2013 - In ASSEMBLY. To Inactive File.	
SB 785 Wolk (D)	Design-Build		Repeals certain authorizations and enacts provisions that would authorize the Department of General Services, the Department of Corrections and Rehabilitation, and certain local agencies to use the design-build procurement process for specified public works. Authorizes the use of such process by the Marin Healthcare District when contracting for building and improvements construction to a hospital or health facility. Requires specified moneys to be deposited into the State Public Works Enforcement Fund.	06/17/2014 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;06/17/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	
SB 848 Wolk (D)	Safe Drinking Water, Water Quality, and Water Supply		Repeals the provisions of existing law that created the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Safe Drinking Water, Water Quality, and Flood Protection Act of 2014 which would authorize the issuance of bonds pursuant to the State General Obligation Bond Law to finance a safe drinking water, water quality and water supply program. Provides for the submission of the bond act to the voters.	06/23/2014 - From SENATE Committee on RULES with author's amendments.;06/23/2014 - In SENATE. Read second time and amended. Re-referred to Committee on RULES.;06/23/2014 - Withdrawn from SENATE Committee on RULES.;06/23/2014 - In SENATE. Ordered to third reading.;06/23/2014 - In SENATE. Read third time, urgency clause refused adoption.;06/23/2014 - In SENATE. Motion to reconsider.;06/23/2014 - In	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				SENATE. Reconsideration granted.	
SB 927 Cannella (R)	Safe, Clean, and Reliable Drinking Water Supply Act		Renames the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 as the Safe, Clean, and Reliable Drinking Water Supply Act of 2014 and makes conforming changes. Authorizes the issuance of bonds in a specified amount by reducing the amount available for projects related to drought relief and water supply reliability.	04/22/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.;04/22/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Reconsideration granted.	
SB 938 Galgiani (D)	Water Rights: Reconsideration of a Decision or Order		Makes a technical, nonsubstantive change to existing law that specifies procedures under which a person may be subject to administrative civil liability for unauthorized diversion or use of water, specifies procedures under which the State Water Resources Control Board is authorized to order a reconsideration of all or part of its decision or order.	02/20/2014 - To SENATE Committee on RULES.	
SB 946 Huff (R)	Community Facilities: Orange County Sanitation District		Revises the governing body of the Orange County Sanitation District to include one member of the city council of each city, except the City of Yorba Linda, and one member of the governing body of the Yorba Linda Water District.	06/19/2014 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence.	
SB 985 Pavley (D)	Stormwater Resource Planning	Support_Amen d	Amends the Stormwater Resource Planning Act. Requires a stormwater resources plan to identify and prioritize the use of lands or easements in public ownership for stormwater and dry weather runoff on- of off-site projects. Eliminates the requirement such a plan be consistent with any applicable integrated regional water management plan. Requires an entity developing a plan to identify opportunities to use existing publicly owned lands and easements to capture, clean, store, and use stormwater and runoff.	06/24/2014 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 992 Nielsen (R)	Common Interest Developments: Property and Maintenance		Prohibits a common interest development association from imposing a fine or assessment on separate interest owners for reducing or eliminating watering of vegetation or lawns during any period for which the Governor has declared a state of emergency due to drought.	06/19/2014 - In ASSEMBLY. Read second time. To third reading.	
SB 1014 Jackson (D)	Pharmaceutical Waste: Home Generated: Collection		Requires the adoption of regulations to authorize a participant of a model drug waste disposal program to establish a program to collect and properly dispose to establish a program to collect and properly dispose of home-generated pharmaceutical waste. Deems a participant to be in compliance with state laws and regulations concerning the handling, management, and disposal of such waste. Allows the continued operation of a home-generated pharmaceutical waste program.	06/24/2014 - From ASSEMBLY Committee on BUSINESS, PROFESSIONS & CONSUMER PROTECTION: Do pass as amended to Committee on APPROPRIATIONS.	
SB 1036 Pavley (D)	Urban Water Management Plans		Authorizes an urban water supplier to include within an urban water management plan certain energy-related information, including, but not limited to, an estimate of the amount of energy used to extract or divert water supplies. Requires the Department of Water Resources to include in its guidance for the preparation of such plans, a methodology for the voluntary calculation or estimation of the energy intensity of urban water systems.	06/17/2014 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
SB 1049 Pavley (D)	Integrated Regional Water Management Plans		Amends the Integrated Regional Water Management Planning Act. Includes projects or programs that reduce energy used to acquire, transport, treat, or distribute water, or that develop and and maintain computer models and analytic tools to model regional water management strategies as a regional project or program. Requires a regional water management group to include all water suppliers that are within a watershed area, the area over a groundwater basin or subbasin, or the area within a county's boundaries.	05/23/2014 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
SB 1080 Fuller (R)	Safe, Clean, and Reliable Drinking Water Supply Act		Relates to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012, which, if approved by the voters, would authorize the issuance of bonds in a specified amount. Declares the intent of the Legislature to enact legislation to reduce the bond amount.	02/27/2014 - To SENATE Committee on RULES.	
SB 1113 Knight (R)	Property Taxation: Disabled Veterans Exemption: Refunds		Relates to veterans with disabilities. Provides that if a claim for a refund is filed for a disabled veterans' property tax exemption, the period of time for which a refund is required to be made shall be extended.	06/02/2014 - To ASSEMBLY Committee on REVENUE AND TAXATION.	
SB 1144 Galgiani (D)	Common Interest Developments		Prohibits an association from imposing a fine or assessment on separate interest owners for yard maintenance issues related to under watered plants and lawns during any period for which the governor has declared a state of emergency due to drought. Prohibits a city, county, or city and county from imposing a fine or assessment on separate interest owners for yard maintenance issues.	03/06/2014 - To SENATE Committee on TRANSPORTATION AND HOUSING.	
SB 1168 Pavley (D)	Groundwater Management		Enacts the Sustainable Groundwater Management Act. Requires basins and subbasins to be categorized. Authorizes a groundwater management agency to collect fees and set up a system for allocating groundwater, and to monitor and manage groundwater levels. Requires a groundwater management plan. Requires a local general plan to be referred to such agency, of the State Water Resources Control Board.	06/24/2014 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	
SB 1214 Anderson (R)	State Controller and Property Tax Postponement		Amends the Senior Citizens and Disabled Citizens Property Tax Postponement Law. Extends the prohibition against a person filing a claim for postponement and the Controller from accepting application for postponement under the program. Creates a related fund. Increases the equity interest requirement. Provides additional procedures regarding the filing of a related claim. Regards procedures relating to tax defaulted property. Requires notification of all tax defaulted properties.	05/23/2014 - In SENATE Committee on APPROPRIATIONS: Held in committee.	
SB 1216 Morrell (R)	Homeowners' Exemption and Renter's Credit		Increases the homeowners' property tax exemption to a specified amount of the full value of a dwelling. Requires the County Assessor to adjust the amount of the homeowners' exemption. Provides for an increase in the renter's tax credit based on a specified adjusted gross income amount.	04/22/2014 - Re-referred to SENATE Committee on GOVERNANCE AND FINANCE.	
SB 1250 Hueso (D)	Safe, Clean and Reliable Drinking Water Supply Act		Repeals the Safe, Clean and Reliable Drinking Water Supply Act of 2012 that would authorize the issuance of bonds to finance a safe drinking water and water supply reliability program. Enacts the Safe, Clean, and Reliable Drinking Water Supply Act of 2014, which, if adopted by voters would authorize the issuance of State General Obligation Bonds in a specified amount to finance a safe drinking water and water supply program.	05/13/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.	
SB 1281 Pavley (D)	Oil and Gas Production: Water Use Reporting		Requires the monthly statement by a well owner to the State Oil and Gas Supervisor to include the source and amount of fluid or gas injected into each well, and the source and amount of water used to generate injected fluid or gas. Requires the use of recycled water during a drought. Prohibits the use of unmanaged groundwater. Requires the statement to include additional information, including the treatment of	06/23/2014 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
SB 1292 Hueso (D)	Safe Drinking water State Revolving Fund		water and the use of treated or recycled water in oil and gas field activities. Relates to the Safe Drinking Water State Revolving Fund. Increases the maximum amount of a construction grant award for a water system serving severely disadvantaged communities.	APPROPRIATIONS. 06/17/2014 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.	
SB 1323 Lieu (D)	Pet Lover's License Plate Program		Requires the Department of Motor Vehicles to deposit additional fees for a specialty license plate issued under the Pet Lover's License Plate Program into the Pet Lover's Specialized License Plate Fund which this act will establish. Requires the funds to be appropriated to the Veterinary Medical Board for the purpose of funding grants to providers of no-cost or low-cost animal sterilization services.	06/19/2014 - Re-referred to ASSEMBLY Committee on TRANSPORTATION.	
SB 1362 Correa (D)	Hazardous Waste: Disposal: Exemption		Excludes from the definition of the term disposal from existing law that regulates the disposal of hazardous waste, the onsite movement of soil at an active outdoor sport shooting range, if the movement is done to facilitate the removal and recycling of spent ammunition materials existing on the site as a result of the normal use of the range and the residual soil is replaced within the are from which it was originally removed.	04/21/2014 - From SENATE Committee on RULES with author's amendments.;04/21/2014 - In SENATE. Read second time and amended. Re-referred to Committee on RULES.	
SB 1370 Galgiani (D)	Reliable Water Supply Bond Act of 2014		Repeals the Safe, Clean, and Reliable Drinking Water Supply Act of 2012. Enacts the Reliable Water Supply Bond Act of 2014 to finance surface water storage projects.	04/08/2014 - In SENATE Committee on NATURAL RESOURCES AND WATER: Heard, remains in Committee.	
SB 1390 Correa (D)	Santa Ana River Conservancy Program		Establishes the Santa Ana River Conservancy Program to acquire interests and options in real property and would prescribe the management, powers, and duties of the conservancy. Creates the Santa Ana River Conservancy Program Account in the State Coastal Conservancy Fund. Requires a report.	06/23/2014 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass as amended to Committee on APPROPRIATIONS.	
SB 1420 Wolk (D)	Urban Water Management Plans		Requires an urban water management plan to quantify and report on distribution system water loss. Authorizes water use projections to display and account for the water savings estimated to result from adopted codes, standards, ordinances, or transportation and land use plans, when the information is available and applicable to the supplier. Requires the plan, or amendments to be submitted electronically to the Department of Water Resources and include department forms, tables, or displays.	06/17/2014 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	
SB 1451 Hill (D)	Environmental Quality: Judicial Review: Standing		Relates to the California Environmental Quality Act. Requires that the alleged grounds for Act noncompliance shall have been presented to a public agency prior to the close of a public hearing on the project under certain conditions. Limits the standing of a person objecting to the project prior to the close of the hearing before the filing of notice of determination for which no public comment period was provided by the Act. Extends related preclusion provisions.	05/06/2014 - In SENATE Committee on JUDICIARY: Not heard.	
SB 1462 Wolk (D)	Local Government: Omnibus Bill		Relates to the duties of the Sacramento County clerk. Authorizes the legislative body to include the maturity or maturities of the bonds in the ordinance, resolution.	06/19/2014 - In ASSEMBLY. Read	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			indenture, agreement, or other instrument providing for issuance. Specifies that the description of the boundaries of the proposed district may be accomplished by reference to a map on file in the office of the clerk of either the city or county that is proposing to establish the district.	second time. To Consent Calendar.	
<u>SCA 11</u> Hancock (D)	Local Government: Special Taxes: Voter Approval		Proposes an amendment to the Constitution to condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements.	06/27/2013 - Re-referred to SENATE Committee on APPROPRIATIONS.	

EXHIBIT "B"

AMENDED IN SENATE JUNE 24, 2014

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY MAY 6, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 8, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 543

Introduced by Assembly Member Campos

February 20, 2013

An act to add Section ~~21097~~ *21083.02* to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 543, as amended, Campos. California Environmental Quality Act: translation.

Existing law, the California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. *CEQA requires a lead agency to provide and post*

specified notices. CEQA requires the Office of Planning and Research to prepare and develop guidelines for the implementation of CEQA and the Secretary of the Natural Resources Agency to certify and adopt those guidelines.

This bill would require a lead agency to translate, as specified, certain notices required by the act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. the office, on or before July 1, 2016, to prepare and develop recommended amendments to the guidelines and the secretary, on or before January 1, 2017, to certify and adopt those amendments to the guidelines to establish criteria for a lead agency to assess the need for translating those notices into non-English languages, as specified. By requiring a lead agency to translate these notices and documents, consider the criteria for translating those notices, this bill would impose a state-mandated local program.

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

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

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

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

1 ~~SECTION 1. Section 21097 is added to the Public Resources~~
 2 ~~Code, to read:~~
 3 ~~21097. (a) When a group of non-English-speaking people~~
 4 ~~comprises at least 25 percent of the population within a lead~~
 5 ~~agency's jurisdiction, and a project is proposed to be located at or~~
 6 ~~near an area where the group of non-English-speaking people~~
 7 ~~comprises at least 25 percent of the residents of that area, a lead~~
 8 ~~agency shall translate each of the following into the language~~
 9 ~~spoken by that group of non-English-speaking people:~~

1 ~~(1) Any notice required pursuant to Section 21083.9, 21092,~~
2 ~~21152, 21161 or any notice authorized pursuant to subdivision (b)~~
3 ~~of Section 21108 or subdivision (b) of Section 21152.~~

4 ~~(2) A summary of any negative declaration, mitigated negative~~
5 ~~declaration, or environmental impact report.~~

6 ~~(b) For the purposes of this section, “group of~~
7 ~~non-English-speaking people” means a group whose members~~
8 ~~either do not speak English or who are unable to effectively~~
9 ~~communicate in English because it is not their native language.~~

10 *SECTION 1. Section 21083.02 is added to the Public Resources*
11 *Code, to read:*

12 *21083.02. On or before July 1, 2016, the Office of Planning*
13 *and Research shall prepare, develop, and transmit to the Secretary*
14 *of the Natural Resources Agency recommended amendments to*
15 *the guidelines to establish criteria for a lead agency to assess the*
16 *need for translating notices required pursuant to Sections 21083.9,*
17 *21092, 21108, and 21152 into non-English languages for projects*
18 *considered pursuant to this division and requirements for posting*
19 *these notices in non-English languages. The secretary shall certify*
20 *and adopt those amendments on or before January 1, 2017.*

21 *SEC. 2. No reimbursement is required by this act pursuant to*
22 *Section 6 of Article XIII B of the California Constitution because*
23 *a local agency or school district has the authority to levy service*
24 *charges, fees, or assessments sufficient to pay for the program or*
25 *level of service mandated by this act, within the meaning of Section*
26 *17556 of the Government Code.*

O

EXHIBIT "C"

AMENDED IN ASSEMBLY JUNE 17, 2014

AMENDED IN ASSEMBLY MAY 19, 2014

SENATE BILL

No. 26

Introduced by Senator Correa

December 3, 2012

An act to amend Section 27 of the Orange County Water District Act (Chapter 924 of the Statutes of 1933), relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 26, as amended, Correa. Orange County Water ~~District Act~~: ~~district powers~~. *District: land use.*

Existing law, the Orange County Water District Act, prescribes the powers of the Orange County Water District. Existing law grants the district the power to perform actions useful or necessary to replenish the underground water basin within the district, or to augment and protect the quality of the common water supplies of the district.

~~This bill would prohibit the district from entering into a real property lease agreement with a nongovernmental entity for purposes not useful or necessary to replenish the underground water basin within the district, or to augment and protect the quality of the common water supplies of the district, unless the agreement is approved by the city council in which the real property is located, if the real property is located within a city.~~

Existing law generally requires a local agency to comply with all applicable building ordinances and zoning ordinances of the county or city in which the territory of the local agency is situated. Existing law prohibits the application of the building ordinances and zoning ordinances of a county or city to the location or construction of specified water facilities.

This bill would require the district to comply with the above-described provisions relating to building and zoning ordinances. This bill would require the district to provide notice of intent to develop real property owned by the district that is located within the boundaries of a city to the planning agency of that city at least 30 days in advance of any action to approve the development by the district's board. This bill would require the district to conduct at least one public meeting in a city where a water facility exempt from the application of building ordinances and zoning ordinances would be located or constructed.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Orange.

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

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. *It is the intent of the Legislature that the Orange*
2 *County Water District adopt a policy to address the process for*
3 *development of property owned by the district that is located within*
4 *the boundaries of a city, with the following goals:*

5 (a) *To clarify, by amending the Orange County Water District*
6 *Act (Chapter 924 of the Statutes of 1933), that Article 5*
7 *(commencing with Section 53090) of Chapter 1 of Part 1 of*
8 *Division 2 of Title 5 of the Government Code, related to the*
9 *regulation of local agencies by counties and cities, applies to any*
10 *property owned by the district.*

11 (b) *To foster greater collaboration between the district and a*
12 *city on the development of real property owned by the district*
13 *located within the boundaries of that city.*

14 (c) *To provide increased transparency to the community in land*
15 *use decisions with respect to the development of real property*
16 *owned by the district located within the boundaries of a city.*

1 *SEC. 2. Section 7 of the Orange County Water District Act*
2 *(Chapter 924 of the Statutes of 1933) is amended to read:*

3 *Sec. 7. (a) The legal title to all property acquired under the*
4 *provisions of this act shall immediately and by operation of law*
5 *vest in said the district, and shall be held by said the district, in*
6 *trust for, and is hereby dedicated and set apart to, the uses and*
7 *purposes set forth in this act. The board of directors is hereby*
8 *authorized and empowered to hold, use, acquire, manage, occupy*
9 *and possess said the property, as herein provided, and said provided*
10 *in this act. The board of directors may determine, by resolution*
11 *duly entered in their minutes that any property, real or personal,*
12 *held by said the district is no longer necessary to be retained for*
13 *the uses and purposes thereof of the district, and may thereafter*
14 *sell or otherwise dispose of said the property.*

15 *(b) The district shall comply with Article 5 (commencing with*
16 *Section 53090) of Chapter 1 of Part 1 of Division 2 of Title 5 of*
17 *the Government Code for any property owned by the district.*

18 *(c) The district shall provide notice of intent to develop real*
19 *property owned by the district that is located within the boundaries*
20 *of a city to the planning agency of that city at least 30 days in*
21 *advance of any action to approve the development by the district's*
22 *board.*

23 *(d) For the location or construction of a facility specified in*
24 *subdivision (e) of Section 53091 of the Government Code that is*
25 *proposed to be located within the boundaries of a city, the district*
26 *shall conduct at least one public meeting in that city.*

27 *SEC. 3. The Legislature finds and declares that a special law*
28 *is necessary and that a general law cannot be made applicable*
29 *within the meaning of Section 16 of Article IV of the California*
30 *Constitution because of the unique parcels of land in the County*
31 *of Orange and the need to ensure that the development of real*
32 *property by the Orange County Water District not subject to local*
33 *planning and zoning ordinances is open to public scrutiny.*

34 *SEC. 4. If the Commission on State Mandates determines that*
35 *this act contains costs mandated by the state, reimbursement to*
36 *local agencies and school districts for those costs shall be made*
37 *pursuant to Part 7 (commencing with Section 17500) of Division*
38 *4 of Title 2 of the Government Code.*

1 SECTION 1. ~~Section 2 of the Orange County Water District Act~~
2 ~~(Chapter 924 of the Statutes of 1933), as amended by Chapter 802~~
3 ~~of the Statutes of 1989, is amended to read:~~

4 ~~Sec. 2. The “Orange County Water District” shall have the~~
5 ~~following powers:~~

6 ~~(1) To have perpetual succession.~~

7 ~~(2) To sue and be sued, except as otherwise provided herein or~~
8 ~~by law, in all actions and proceedings in all courts and tribunals.~~

9 ~~(3) To adopt a seal and alter it at pleasure.~~

10 ~~(4) To take by grant, purchase, gift, devise, or lease, to hold,~~
11 ~~use and enjoy, and to lease, convey, or dispose of, real and personal~~
12 ~~property of every kind, within or without the district, necessary or~~
13 ~~convenient to the full exercise of its powers.~~

14 ~~(5) Within or outside of the district to construct, purchase, lease,~~
15 ~~or otherwise acquire, and to operate and maintain necessary~~
16 ~~waterworks and other works, machinery, facilities, canals, conduits,~~
17 ~~waters, water rights, spreading grounds, lands, rights and privileges~~
18 ~~useful or necessary to replenish the underground water basin within~~
19 ~~the district, or to augment and protect the quality of the common~~
20 ~~water supplies of the district, and purposes incidental thereto. The~~
21 ~~district shall not enter into a real property lease agreement with a~~
22 ~~nongovernmental entity for purposes not useful or necessary to~~
23 ~~replenish the underground water basin within the district, or to~~
24 ~~augment and protect the quality of the common water supplies of~~
25 ~~the district, unless the agreement is approved by the city council~~
26 ~~in which the real property is located, if the real property is located~~
27 ~~within a city.~~

28 ~~(6) For the common benefit of the district and for the purpose~~
29 ~~of managing the groundwater basin and managing, replenishing,~~
30 ~~regulating, and protecting the groundwater supplies within the~~
31 ~~district, to exercise the following powers:~~

32 ~~(a) Provide for the conjunctive use of groundwater and surface~~
33 ~~water resources within the district area.~~

34 ~~(b) Store water in underground water basins or reservoirs within~~
35 ~~or outside of the district.~~

36 ~~(c) Regulate and control the storage of water and the use of~~
37 ~~groundwater basin storage space in the groundwater basin within~~
38 ~~the district and pursuant to the provisions set forth in Section 2.1~~
39 ~~to (1) determine the amount of storage space available in the~~
40 ~~groundwater basin within the district, (2) allocate that available~~

1 groundwater storage space, and (3) enter into groundwater storage
2 agreements, provided that the district shall have no authority under
3 the provisions of this section, except the provisions of paragraph
4 (f) of this subdivision, to limit the extraction of groundwater within
5 the district, except to the extent that a party may agree thereto
6 under the groundwater storage or other agreement.

7 (d) ~~Appropriate and acquire water and water rights within or~~
8 ~~outside of the district.~~

9 (e) ~~Purchase and import water into the district.~~

10 (f) ~~Conserve and reclaim water within or outside of the district.~~

11 (g) ~~Buy and sell water at rates as shall be determined by the~~
12 ~~board of directors.~~

13 (h) ~~Exchange water.~~

14 (i) ~~Distribute water to persons in exchange for ceasing or~~
15 ~~reducing groundwater extractions.~~

16 (j) ~~Transport, reclaim, purify, treat, inject, extract, or otherwise~~
17 ~~manage and control water for the beneficial use of persons or~~
18 ~~property within the district and to improve and protect the quality~~
19 ~~of the groundwater supplies within the district.~~

20 (k) ~~Fix the terms and conditions of any contract under which~~
21 ~~owners or operators of water-producing facilities within the district~~
22 ~~may agree to use water from an alternative nontributary source in~~
23 ~~lieu of groundwater, and to that end, the district may become a~~
24 ~~party to that contract and may pay from district funds that portion~~
25 ~~of the cost of water from an alternate source as will encourage the~~
26 ~~purchase and use of the same in lieu of producing groundwater,~~
27 ~~as long as persons or property within the district are directly or~~
28 ~~indirectly benefited by the resulting replenishment.~~

29 (l) ~~Fix the terms and conditions of any contract under which the~~
30 ~~owner or operator of a water-producing facility within the district~~
31 ~~may agree to increase the production of groundwater in lieu of~~
32 ~~water from an alternative nontributary source for the purpose of~~
33 ~~removing contaminants or pollutants from the groundwater basin.~~
34 ~~The district may become a party to that contract and may pay from~~
35 ~~district funds that portion of the cost of the groundwater production~~
36 ~~as will encourage the production for beneficial use of polluted or~~
37 ~~contaminated groundwater, as long as that pollution or~~
38 ~~contamination is impairing the quality of the water supplies within~~
39 ~~the district and the quality of the water supplies within the district~~
40 ~~will be improved by that production.~~

1 ~~(m) Determine in the manner herein provided the amount and~~
2 ~~percentage of water produced from the groundwater supplies within~~
3 ~~the district to the total amount of water produced within the district~~
4 ~~by all persons and operators, including the total amount of water~~
5 ~~from supplemental sources; require that persons and operators~~
6 ~~produce more or less of their total water needs from the~~
7 ~~groundwater within the district than the basin production~~
8 ~~percentage determined by the district as provided herein; levy a~~
9 ~~basin equity assessment, which may be uniform or nonuniform in~~
10 ~~amount as determined by the board of directors of the district, on~~
11 ~~each person and operator who produces more water from the~~
12 ~~groundwater within the district; and to compensate other persons~~
13 ~~and operators who are directed by the district to produce less than~~
14 ~~the basin production percentage from groundwater within the~~
15 ~~district.~~

16 ~~(7) To provide for the protection and enhancement of the~~
17 ~~environment within and outside the district in connection with the~~
18 ~~water activities of the district.~~

19 ~~(8) To provide, by agreement with other public agencies or~~
20 ~~private persons or entities or otherwise, for the recreational use of~~
21 ~~the lands, facilities, and works of the district which shall not~~
22 ~~interfere, or be inconsistent, with the primary use and purpose of~~
23 ~~the lands, facilities, and works by the district.~~

24 ~~(9) To carry out the purposes of this act, to commence, maintain,~~
25 ~~intervene in, defend, and compromise, in the name of the district,~~
26 ~~or otherwise, and to assume the costs and expenses of any and all~~
27 ~~actions and proceedings now or hereafter begun to prevent~~
28 ~~interference with water or water rights used or useful to lands~~
29 ~~within the district, or diminution of the quantity or pollution or~~
30 ~~contamination of the water supply of the district, or to prevent~~
31 ~~unlawful exportation of water from the district, or to prevent any~~
32 ~~interference with the water or water rights used or useful in the~~
33 ~~district which may endanger or damage the inhabitants, lands, or~~
34 ~~use of water in the district; provided, however, that the district~~
35 ~~shall not have power to intervene or take part in, or to pay costs~~
36 ~~or expenses of, actions or controversies between the owners of~~
37 ~~lands or water rights all of which are entirely within the boundaries~~
38 ~~of the district and which do not involve pollution or contamination~~
39 ~~of water within the district or exporting water outside of the~~
40 ~~district's boundaries or any threat thereof.~~

1 ~~(10) To exercise the right of eminent domain to take any~~
2 ~~property necessary to the exercise of any of the powers granted~~
3 ~~by this act, except that the district shall not have the right of~~
4 ~~eminent domain as to water, water rights, reservoirs, pipelines,~~
5 ~~water distributing systems, waterworks, or powerplants, all or any~~
6 ~~of which are already devoted to beneficial or public use and located~~
7 ~~within the watershed of the Santa Ana River, and excepting further~~
8 ~~from the exercise of the right of eminent domain by the district~~
9 ~~any property maintained and actually used for the scientific~~
10 ~~propagation and study of plantlife. No language or provision of~~
11 ~~this act, or of this subdivision, shall be interpreted or construed so~~
12 ~~as to limit or abridge the right of the district, or its board of~~
13 ~~directors, to exercise its right of eminent domain to condemn~~
14 ~~property at any place within the Santa Ana River watershed for~~
15 ~~rights-of-ways upon and across and under which to construct~~
16 ~~pipelines, conduits, tunnels, aqueducts, or any combination thereof,~~
17 ~~necessary or convenient for any of the purposes of the district~~
18 ~~provided the property sought to be condemned for the purposes is~~
19 ~~not already being used by other corporations, municipalities,~~
20 ~~districts, or individuals for similar purposes; providing, however,~~
21 ~~that neither the district nor its board of directors shall have power~~
22 ~~to enter in or upon the Mojave River or any of its tributaries or~~
23 ~~appropriate, take, or condemn any of the water or the right to the~~
24 ~~use of any of the water of the Mojave River or any of its tributaries;~~
25 ~~nor shall anything in this act be deemed as authorizing or~~
26 ~~empowering the district or its board of directors to so do.~~

27 ~~(11) The district shall, in addition to the other powers granted~~
28 ~~by this act, have the following rights and powers: to act jointly~~
29 ~~with or cooperate with the United States or any agency of the~~
30 ~~United States, the State of California or any agency of the state,~~
31 ~~any county of the State of California, districts of any kind, public~~
32 ~~and private corporations, and any person or persons, to carry out~~
33 ~~the provisions and purposes of this act. In those joint or cooperative~~
34 ~~activities, the district may act within or outside of its boundaries.~~

35 ~~(12) To cause assessments or charges, or both, to be levied as~~
36 ~~provided in this act to accomplish the purposes of this act.~~

37 ~~(13) To make contracts, to employ labor, and to do all acts~~
38 ~~necessary for the full exercise of the foregoing powers.~~

39 ~~(14) To carry on technical and other investigations of all kinds,~~
40 ~~necessary to carry out this act, and for this purpose the district~~

1 shall have the right of access through its authorized representative
2 to all properties within the district.

3 ~~SEC. 2.—The Legislature finds and declares that a special law~~
4 ~~is necessary and that a general law cannot be made applicable~~
5 ~~within the meaning of Section 16 of Article IV of the California~~
6 ~~Constitution because of the unique parcels of land in the County~~
7 ~~of Orange and the need to ensure that the land is properly leased.~~

O

EXHIBIT "D"



IRVINE RANCH WATER DISTRICT

15600 Sand Canyon Avenue • P.O. Box 57000 • Irvine, California 92619-7000 • (949) 463-5300 • www.irwd.com

June 12, 2014

The Honorable Anthony Rendon
Chairman, Assembly Water, Parks and Wildlife Committee
State Capitol, Room 2136
Sacramento, California 95814

RE: SB 985 (Pavley): Stormwater Resource Planning– SUPPORT IF AMENDED

Dear Chairman Rendon:

On behalf of the Irvine Ranch Water District, I am writing to inform you that the District could support SB 985 (Pavley), regarding stormwater resource planning, if amended to address our concerns. The bill, as amended June 10, 2014, would establish requirements for stormwater resource plans and provide that a stormwater resource plan is required for stormwater and dry weather runoff capture projects to receive grants from any bond act approved by the voters after January 1, 2014. SB 985 would also require the State Water Resources Control Board to establish a compliance policy for the planning provisions of the bill by July 2016.

For nearly twenty years, IRWD has actively treated dry weather urban runoff from the San Diego Creek Watershed through the reconstruction of wetlands at the San Joaquin Marsh and Wildlife Sanctuary in Irvine, and through the District's Natural Treatment System, or NTS. We have worked with local partners to protect the watershed by using natural vegetation to remove nutrients and other contaminants in the local urban runoff before it reaches the ocean. The NTS wetlands are multi-benefit and, in addition to water quality improvements, provide additional neighborhood open space and wildlife habitat.

IRWD agrees that achieving multi-benefit and sustainable solutions for California's water supply problems require that the water community evaluate stormwater and dry weather runoff management and capture as one method to enhancing water quality and supply within the state. Stormwater and dry weather runoff have traditionally been under-used resources, too often viewed as a source of flooding or a nuisance that needs to be disposed of—instead of a potential water source. While this change in perspective and treatment of stormwater remains critical, the management of these flows must be adapted to include capturing this water for beneficial uses where appropriate and stormwater resource plans should be tailored to local needs.

On May 27, 2014, IRWD adopted "Stormwater and Dry Weather Runoff Management and Capture Policy Principles," which states that stormwater and dry weather runoff capture planning should be encouraged on a regional, watershed or sub-watershed-specific basis allowing for consideration of regional variations that impact the appropriateness of stormwater and dry weather runoff capture, infiltration and use within a region. We caution against statutes or State Water Resource Control Board (SWRCB) policies that do not consider the complex nature of stormwater capture planning or that

discourage voluntary regional planning by establishing stormwater resource plan requirements that are inflexible, prescriptive and burdensome.

We encourage Senator Pavley and the Committee to consider the importance of flexibility in stormwater planning, and urge incorporation of the attached policy principles into SB 985 or state policies on stormwater and dry weather runoff management and capture. We also ask that Senator Pavley and the Committee consider the following specific amendments to SB 985.

1. *Amendment 1: Section 3 (page 6, lines 1-3)*

IRWD agrees with the desire that measurable factors be used to identify, quantify and prioritize potential stormwater and dry weather runoff capture projects; we do not want this practice to create the expectation that cities, counties and water districts can pursue projects in priority order. Implementation of stormwater and dry weather runoff capture projects is based upon getting multiple parties to work together to plan, fund and maintain *any project at all*. Implementation of capture projects occurs when these diverse groups agree that a project will provide each participant enough benefits to justify the spending of scarce local funds to complete the project.

In order to take this reality into account the feasibility of projects should be evaluated. IRWD asked that Section 3, subsection (e) be amended to read:

“(e) A stormwater resource plan shall use measurable factors to identify, quantify, and *determine the feasibility of* ~~prioritize~~ potential stormwater and dry weather runoff capture projects.”

2. *Amendment 2: Section 5*

State policy should encourage, not discourage, the creation of stormwater resource plans. Section 3 of the bill contains significant requirements for any stormwater resource plan. Additionally, policies that further dictate how planning for stormwater and dry weather runoff capture projects must occur are likely to make an already challenging task more difficult.

IRWD is concerned that Section 5, as currently drafted, will only add to the requirements of Section 3 and discourage the creation of stormwater resource plans rather than encourage them. While our preference would be that Section 5 be amended to direct the SWRCB to establish *guidelines* for the funding of stormwater resource plans, we understand that the Senate Environmental Quality Committee prefers that the SWRCB be directed to establish a policy for compliance. With the Senate committee’s preference in mind, we urge the author and the Committee to amend Section 5 in the following manner to encourage greater flexibility:

“10565. By July 1, 2016, the board shall establish a policy for compliance with this part that shall include, ~~but is not limited to,~~ the following:”

(a) Identifying typical local agencies and nongovernmental organizations that ~~need to~~ *should be* consulted in developing a stormwater resource plan.

(b) Defining appropriate quantitative methods for identifying and prioritizing opportunities for stormwater and dry weather runoff capture projects. *In defining appropriate quantitative*

methods the board shall take into account the importance of smaller-scale stormwater and dry weather runoff capture projects that may assist in compliance with TMDL implementation plans or target removal of a single pollutant creating benefits for the environment or a receiving water.

(c) Defining the appropriate geographic scale of watersheds *or subwatersheds* for stormwater resource planning.

(d) Other guidance the board deems appropriate to achieve the objectives of this part, *consistent with Section 10562.*

(e) In developing a policy for compliance with this part, the board shall provide local agencies flexibility to the greatest extent possible.

A policy that encourages creation of stormwater resource plans, rather than implying that only certain plans are acceptable only if they comply with specific, yet-to-be-developed, policy requirements benefits everyone and will result in a greater chance that the stormwater resource plans will be developed.

3. Amendment 3: Define "Subwatershed"

We also ask the author and the Committee to add an additional definition to the bill. We asked that subwatershed be defined as follows:

"Subwatershed" means a smaller geographic drainage area that is a portion of an entire watershed."

Many watersheds in California are hundreds of square miles and contain numerous important subwatersheds. Given the size of many California watersheds, stormwater resource planning on purely a watershed-basis would require agreement to be reached among an unmanageable number of cities, counties and water districts. Stormwater resource planning should be permitted on a subwatershed basis. Defining subwatershed and including it in Section 5, as noted above, and in Section 3 will allow stormwater resource planning to be done on the subwatershed basis and allow for a manageable number of cities, counties and water districts to participate in each plan.

Additional Alternative Approaches

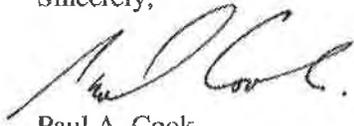
Finally, IRWD would like to suggest several concepts for your consideration that would place a stronger emphasis on incentive-based approaches to stormwater resource planning in California. We encourage the author and the Committee to consider the following:

- 1) Directing the SWRCB to look internally at potential barriers as a result of regional board and state board policies that make it more difficult to plan, construct and operate stormwater and dry weather runoff capture projects.
- 2) Direct the SWRCB to develop a program to recognize and support— possibly award— successful stormwater and dry weather runoff capture projects.

- 3) Direct the SWRCB to develop a list of BMPs for the most successful stormwater and dry weather runoff capture projects, and provide local agencies a “how to” guide for projects. The list and guide should be published on the SWRCB website.
- 4) Direct the SWRCB to budget for and create a stormwater and dry weather runoff capture assistance group in its staff to facilitate projects statewide.
- 5) Consider including single-benefit projects in the language. There should be a balance between the emphasis stormwater resource planning places on multiple-benefit projects with the benefits single-benefit projects can provide. Multiple-benefit projects have their place and should be encouraged; however, such a great emphasis should not be placed on “multiple” that good single benefit projects are disregarded. For example, a dry weather runoff project that removes or lowers a single pollutant (e.g. nutrients or selenium) can still be very valuable to the environment or receiving water.

IRWD supports the intent behind SB 985, which is to encourage planning and implementation of stormwater capture projects, and appreciates that the bill maintains the voluntary nature of stormwater resource planning. We offer these comments so that SB 985 will encourage even greater planning and use of stormwater. Please do not hesitate to contact me at (949) 453-5590 or IRWD’s Sacramento Advocate, Maureen O’Haren, at (916) 498-1900 if we can be of assistance to you and your staff.

Sincerely,



Paul A. Cook
General Manager

Enclosure:

cc: The Honorable Fran Pavley, Member, California State Senate
Honorable Members, Assembly Water, Parks & Wildlife Committee
Tina Cannon-Leahy, Consultant, Assembly Water, Parks & Wildlife Committee
Steve McCarthy, Assembly Republican Caucus
Dennis O’Connor, Consultant, Senate Natural Resources & Water Committee
Martha Guzman-Aceves, Office of the Governor
Board Members, State Water Resources Control Board

Stormwater and Dry Weather Runoff Management and Capture Policy Principles

Issue Summary:

Achieving multi-benefit and sustainable solutions for California's water supply issues requires that the water community evaluate stormwater and dry weather runoff management and capture as one method to enhancing water quality and water supplies within the state. As a leader in state and federal water resources public policy and governance, the Irvine Ranch Water District (IRWD) promotes policy initiatives that allow the District, along with other water purveyors in California, to enhance the quality and reliability of local water supplies throughout the state. As a means of providing input into the discussions surrounding stormwater and dry weather runoff management and capture in California, and in order to guide the District's advocacy efforts related to these discussions, the following policy principles have been adopted by the IRWD Board of Directors.

Policy Principles:

- Urban water is regulated as a waste and is comprised of both stormwater and non-stormwater. California policy should be amended to treat stormwater and dry weather runoff as a resource wherein flood protection, water quality, and water supply improvements are complementary goals.
- Regional, watershed-specific stormwater and dry weather runoff planning efforts that engage key stakeholders in the planning process, and allow for consideration of local factors that may impact the appropriateness of stormwater and dry weather runoff capture, infiltration and use within a region should be encouraged.
- Stormwater and dry weather runoff capture, use and recharge of groundwater should be encouraged where appropriate and cost effective.
 - Factors such as pollutant loading, local hydrology and geology, land use conditions, environmental impacts, water quality effects and the amounts and variability of precipitation and runoff should be considered in determining the appropriateness of stormwater and dry weather runoff capture and use projects.
 - Stormwater and dry weather runoff capture, use and recharge projects should not be pursued where the project may impact ongoing pollution clean-up efforts or where the risk of spreading underground contaminants is present.
 - Stormwater and dry weather runoff capture, use and recharge projects should be implemented only when there is no impact to existing water rights.
- Low-impact development (LID) standards, as it applies to stormwater, should be implemented where site appropriate and should be balanced with other treatment options such as regional natural treatment systems. LID standards should not be encouraged where they would exacerbate pollution clean-up efforts, where there is a risk of spreading contaminants, where development would occur over bedrock, where infiltration would result in perched water, or where they would exacerbate the challenges associated with high levels of naturally occurring constituents such as selenium.

- Stormwater and dry weather runoff management and capture planning should be done regionally and not on a parcel-by-parcel basis. Regional boards should move away from parcel-by-parcel water quality requirements, and focus on regional compliance in order to encourage large-scale regional stormwater and dry weather runoff capture, retention, diversion, use and recharge.
- State policy should encourage and prioritize stormwater and dry weather runoff management and capture projects which seek to obtain multiple public benefits. Stormwater and dry weather runoff capture projects should be coordinated with habitat, recreation, transportation and other infrastructure improvements to ensure that cost effective solutions are optimized.
 - State and federal agencies should be directed to develop streamlined environmental review and permitting requirements which would accelerate the development and construction of regional stormwater and dry weather runoff capture and use projects. The processes for obtaining a Streambed Alteration Agreement should be examined to ensure that the process does not discourage stormwater and dry weather runoff capture projects.
 - The State should work with the appropriate federal agencies to streamline federal permit requirements to accelerate the development and construction of stormwater and dry weather runoff capture and use projects.
 - In order to encourage stormwater and dry weather runoff capture, use and recharge projects, which also enhance habitat and other environmental resources, state and federal law should clearly provide that maintenance of stormwater and runoff capture facilities is exempt from the California Environmental Quality Act, additional environmental review and additional permitting and mitigation requirements.
 - MS4 water quality permits should consider broader public benefits in order to allow for multi-benefit projects and not only water quality goals. Language should be added to State law to encourage regulatory incentives for stormwater and dry weather runoff capture, infiltration and use to facilitate the application of resource towards these projects.
 - State law should take a “no penalty” approach to overflows from stormwater and dry weather runoff impoundments that release water into the same watershed in which the water was captured.
 - State water policy should encourage and recognize wetland treatment processes in removing contaminants in stormwater and dry weather runoff. Recognition could come in the form of offset credits for upstream discharges.
- *Griffiths v. Parajo Water District* should be codified to clarify that all costs associated with stormwater and dry weather runoff capture and recharge projects, for the purpose of water supply augmentation, are costs associated with providing “water service.”
- State funds for regional water supply enhancement and other public funds should be made available for stormwater and dry weather runoff capture projects including associated data collections efforts and programs to improve stormwater quality. Stormwater and dry weather runoff management programs should be sufficiently flexible to focus limited local, state and federal resources on actions that support community priorities and produce measurable results. This will increase opportunities to pool and leverage scarce resources among permittees, and garner additional resources from other stakeholders and partners.
- The State should encourage research on long-term maintenance and anti-clogging measures to ensure stormwater and dry weather runoff capture and infiltration facilities continue to operate at maximum capacity. Clogging of the infiltrating surface and resulting reductions in infiltration rates are a challenge of all artificial recharge systems. Recharge facilities need to be designed and maintained with biological and sediment clogging in mind.

IRWD Contacts:

Paul Cook, General Manager: Phone: (949) 453-5590 / E-mail: cook@irwd.com

Maureen O'Haren, Sacramento Representative: Phone: (916) 769-5491 / E-mail: maureen@oharen.com



EXHIBIT "E"

AMENDED IN ASSEMBLY JUNE 24, 2014

AMENDED IN ASSEMBLY JUNE 10, 2014

AMENDED IN SENATE MAY 7, 2014

AMENDED IN SENATE APRIL 9, 2014

SENATE BILL

No. 985

Introduced by Senator Pavley

February 11, 2014

An act to amend Sections 10561, 10562, 10563, and 10573 of, and to add Sections 10561.5 and 10565 to, the Water Code, relating to stormwater.

LEGISLATIVE COUNSEL'S DIGEST

SB 985, as amended, Pavley. Stormwater resource planning.

Existing law, the Stormwater Resource Planning Act, authorizes a city, county, or special district, to develop a stormwater resource plan that meets certain standards.

This bill would expand those standards to include dry weather runoff. This bill would require a stormwater resource plan to identify and prioritize stormwater and dry weather runoff capture projects for implementation in a prescribed quantitative manner and to prioritize the use of lands or easements in public ownership for stormwater and dry weather runoff projects. This bill would eliminate the requirement that a stormwater resource plan be consistent with any applicable integrated regional water management plan. This bill would require an entity developing a stormwater resource plan to identify in the plan opportunities to use existing publicly owned lands and easements to capture, clean, store, and use stormwater and dry weather runoff *either onsite or offsite*. This bill would require the State Water Resources

Control Board, by July 1, 2016, to establish a policy for compliance with these provisions. This bill would require the development of a stormwater resource plan and compliance with these provisions to receive grants for stormwater and dry weather runoff capture projects from a bond act approved by the voters after January 1, 2014, *except as provided*. This bill would define dry weather runoff and stormwater for the purposes of the act and conform the definition of stormwater in the Rainwater Capture Act of 2012.

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

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

- 1 SECTION 1. Section 10561 of the Water Code is amended to
- 2 read:
- 3 10561. The Legislature hereby finds and declares all of the
- 4 following:
- 5 (a) In many parts of the state stormwater and dry weather runoff
- 6 are underutilized sources of surface water and groundwater
- 7 supplies. Instead of being viewed as a resource, they are often seen
- 8 as a problem that must be moved to the ocean as quickly as possible
- 9 or as a source of contamination, contributing to a loss of usable
- 10 water supplies and the pollution and impairment of rivers, lakes,
- 11 streams, and coastal waters.
- 12 (b) Improved management of stormwater and dry weather
- 13 runoff, including capture, treatment, and reuse by using the natural
- 14 functions of soils and plants, can improve water quality, reduce
- 15 localized flooding, and increase water supplies for beneficial uses
- 16 and the environment.
- 17 (c) Most of California’s current stormwater drainage systems
- 18 are designed to capture and convey water away from people and
- 19 property rather than capturing that water for beneficial uses.
- 20 (d) Historical patterns of precipitation are predicted to change
- 21 and an increasing amount of California’s water is predicted to fall
- 22 not as snow in the mountains, but as rain in other areas of the state.
- 23 This will likely have a profound and transforming effect on
- 24 California’s hydrologic cycle and much of that water will no longer
- 25 be captured by California’s reservoirs, many of which are located
- 26 to capture snow melt.

1 (e) When properly designed and managed, the capture and use
2 of stormwater and dry weather runoff can contribute significantly
3 to local water supplies through onsite storage and use, or letting
4 it infiltrate into the ground to recharge groundwater, either onsite
5 or at regional facilities, thereby increasing available supplies of
6 drinking water.

7 (f) New developments and redevelopments should be designed
8 to be consistent with low-impact development principles to improve
9 the retention, use, and infiltration of stormwater and dry weather
10 runoff onsite or at regional facilities.

11 (g) Stormwater and dry weather runoff can be managed to
12 achieve environmental and societal benefits such as wetland
13 creation *and restoration*, riverside habitats, instream flows, and
14 an increase in *park and recreation lands*, and urban green space.

15 (h) Stormwater and dry weather runoff management through
16 multiobjective projects can achieve additional benefits, including
17 augmenting recreation opportunities for communities, increased
18 tree canopy, reduced urban heat island effect, and improved air
19 quality.

20 (i) Proper planning and implementation is vital to ensure that
21 the water supply and other benefits potentially available through
22 better management of stormwater and dry weather runoff do not
23 come at the expense of diminished water quality.

24 (j) The capture and use of stormwater and dry weather runoff
25 is not only one of the most cost-effective sources of new water
26 supplies, it is a supply that can often be provided using significantly
27 less energy than other sources of new water supplies.

28 SEC. 2. Section 10561.5 is added to the Water Code, to read:

29 10561.5. Solely for the purposes of this part, and unless the
30 context otherwise requires, the following definitions govern the
31 construction of this part:

32 (a) “Dry weather runoff” means surface waterflow and
33 waterflow in storm drains, flood control channels, or other means
34 of runoff conveyance produced by nonstormwater resulting from
35 irrigation, residential, commercial, and industrial activities.

36 (b) “Stormwater” means temporary surface water runoff and
37 drainage generated by immediately preceding storms. This
38 definition shall be interpreted consistent with the definition of
39 “stormwater” in Section 122.26 of Title 40 of the Code of Federal
40 Regulations.

- 1 SEC. 3. Section 10562 of the Water Code is amended to read:
2 10562. (a) A city, county, or special district, either individually
3 or jointly, may develop a stormwater resource plan pursuant to
4 this part.
- 5 (b) A stormwater resource plan shall:
6 (1) Be developed on a watershed basis.
7 (2) Identify and prioritize stormwater and dry weather runoff
8 capture projects for implementation in a quantitative manner, using
9 a metrics-based and integrated evaluation and analysis of multiple
10 benefits to maximize water supply, water quality, flood
11 management, environmental, and other community benefits within
12 the watershed.
13 (3) Provide for multiple benefit project design to maximize
14 water supply, water quality, and environmental and other
15 community benefits.
16 (4) Provide for community participation in plan development
17 and implementation.
18 (5) Be consistent with, and assist in, compliance with total
19 maximum daily load (TMDL) implementation plans and applicable
20 national pollutant discharge elimination system (NPDES) permits.
21 (6) Be consistent with all applicable waste discharge permits.
22 (7) Prioritize the use of lands or easements in public ownership
23 for stormwater and dry weather runoff projects.
- 24 (c) The proposed or adopted plan shall meet the standards
25 outlined in this section. The plan need not be referred to as a
26 “stormwater resource plan.” Existing planning documents may be
27 utilized as a functionally equivalent plan, including, but not limited
28 to, watershed management plans, integrated resource plans, urban
29 water management plans, or similar plans. If a planning document
30 does not meet the standards of this section, a collection of local
31 and regional plans may constitute a functional equivalent, if the
32 plans collectively meet all of the requirements of this part.
- 33 (d) An entity developing a stormwater resource plan shall
34 identify in the plan all of the following:
35 (1) Opportunities to augment local water supply through
36 groundwater recharge or storage for beneficial use of stormwater
37 and dry weather runoff.
38 (2) Opportunities for source control for both pollution and
39 stormwater and dry weather runoff volume, onsite and local
40 infiltration, and use of stormwater and dry weather runoff.

1 (3) Projects to reestablish natural water drainage treatment and
2 infiltration systems, or mimic natural system functions to the
3 maximum extent feasible.

4 (4) Opportunities to develop, restore, or enhance habitat and
5 open space through stormwater and dry weather runoff
6 management, including wetlands, riverside habitats, parkways,
7 and parks.

8 (5) Opportunities to use existing publicly owned lands and
9 easements, including, but not limited to, parks, public open space,
10 community gardens, farm and agricultural preserves, schoolsites,
11 and government office buildings and complexes, to capture, clean,
12 store, and use stormwater and dry weather runoff *either onsite or*
13 *offsite*.

14 (6) Design criteria and best management practices to prevent
15 stormwater and dry weather runoff pollution and increase effective
16 stormwater and dry weather runoff management for new and
17 upgraded infrastructure and residential, commercial, industrial,
18 and public development. These design criteria and best
19 management practices shall accomplish all of the following:

20 (A) Reduce effective impermeability within a watershed by
21 creating permeable surfaces and directing stormwater and dry
22 weather runoff to permeable surfaces, retention basins, cisterns,
23 and other storage for beneficial use.

24 (B) Increase water storage for beneficial use through a variety
25 of onsite storage techniques.

26 (C) Increase groundwater supplies through infiltration, where
27 appropriate and feasible.

28 (D) Support low-impact development for new and upgraded
29 infrastructure and development using low-impact techniques.

30 (7) Activities that generate or contribute to the pollution of
31 stormwater or dry weather runoff, or that impair the effective
32 beneficial use of stormwater or dry weather runoff.

33 (8) Projects and programs to ensure the effective implementation
34 of the stormwater resource plan pursuant to this part and achieve
35 multiple benefits. These projects and programs shall include the
36 development of appropriate decision support tools and the data
37 necessary to use the decision support tools.

38 (9) Ordinances or other mechanisms necessary to ensure the
39 effective implementation of the stormwater resource plan pursuant
40 to this part.

1 (e) A stormwater resource plan shall use measurable factors to
2 identify, quantify, and prioritize potential stormwater and dry
3 weather runoff capture projects.

4 SEC. 4. Section 10563 of the Water Code is amended to read:

5 10563. (a) Nothing in this part interferes with or prevents the
6 exercise of authority by a public agency to carry out its programs,
7 projects, or responsibilities.

8 (b) Nothing in this part affects requirements imposed under any
9 other provision of law.

10 (c) (1) The development of a stormwater resource plan and
11 compliance with this part in accordance with Section 10565 shall
12 be required to receive grants for stormwater and dry weather runoff
13 capture projects from a bond act approved by the voters after
14 January 1, 2014.

15 (2) *This subdivision does not apply to funds provided for the*
16 *purpose of developing a stormwater resource plan.*

17 SEC. 5. Section 10565 is added to the Water Code, to read:

18 10565. By July 1, 2016, the board shall establish a policy for
19 compliance with this part that shall include, but is not limited to,
20 the following:

21 (a) Identifying local agencies and nongovernmental
22 organizations that need to be consulted in developing a stormwater
23 resource plan.

24 (b) Defining appropriate quantitative methods for identifying
25 and prioritizing opportunities for stormwater and dry weather
26 runoff capture projects.

27 (c) Defining the appropriate geographic scale of watersheds for
28 stormwater resource planning.

29 (d) Other guidance the board deems appropriate to achieve the
30 objectives of this part.

31 SEC. 6. Section 10573 of the Water Code is amended to read:

32 10573. Solely for the purposes of this part, and unless the
33 context otherwise requires, the following definitions govern the
34 construction of this part:

35 (a) “Developed or developing lands” means lands that have one
36 or more of the characteristics described in subparagraphs (A) to
37 (C), inclusive, of paragraph (4) of subdivision (b) of Section
38 56375.3 of the Government Code.

1 (b) “Rain barrel system” is a type of rainwater capture system
2 that does not use electricity or a water pump and is not connected
3 to or reliant on a potable water system.

4 (c) “Rainwater” means precipitation on any public or private
5 parcel that has not entered an offsite storm drain system or channel,
6 a flood control channel, or any other stream channel, and has not
7 previously been put to beneficial use.

8 (d) “Rainwater capture system” means a facility designed to
9 capture, retain, and store rainwater flowing off a building rooftop
10 for subsequent onsite use.

11 (e) “Stormwater” has the same meaning as defined in Section
12 10561.5.

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EXHIBIT “F”

June 19, 2014

Groundwater Management – Language Comparison Summary Table

AB 1739 (Dickinson)	SB 1168 (Pavley)	Administration
Definition of Sustainable Groundwater Management (p. 4)		
<ul style="list-style-type: none"> Emphasizes the management and use of groundwater resources without “causing unreasonable adverse environmental, economic, and social consequences.” 	<ul style="list-style-type: none"> Mirrors language proposed by the Administration; adds section 113 to the Water Code. Emphasizes the management of groundwater resources without causing “significant economic, social, or environmental” impacts. (similar to AB 1739) 	<ul style="list-style-type: none"> Adds section 113 to the Water Code, defining sustainable groundwater management. Emphasizes the protection of groundwater resources for future generations; otherwise does not expressly mention economic or social impacts.
Local Authorities and Governance (p. 5)		
<ul style="list-style-type: none"> Grants local agencies the power to manage groundwater under the Water Code, by: <ul style="list-style-type: none"> Adopting rules and regulations (p. 5) Conducting investigations, mirrors large portion of Admin’s proposed language. (p. 17) Enforcing regulations for non-registered extraction facilities. (p.18) Includes <i>de minimus</i> exclusion (p. 8) Provides guidelines for identifying groundwater sustainability agencies. (p. 11) <ul style="list-style-type: none"> If there is no local agency in place: authorizes a local agency to form a commission to provide technical assistance in GW agency formation. (pp. 19-20) Outlines local reimbursement and financial/fees authorities. (p. 22) 	<ul style="list-style-type: none"> Grants local agencies the power to manage groundwater, in addition to other powers granted by law, by: <ul style="list-style-type: none"> Developing a sustainable GW plan (p. 5) Establishing a monitoring program. (p. 5) Requiring reports on GW extraction (p. 5) Establishing an allocation system (p. 5) Collecting fees for GW management (p. 5) Establishing an approval system for voluntary transfers. (p. 5) Provides guidelines for identifying groundwater management agencies. (p. 11) Outlines local reimbursement. (p. 22) 	<ul style="list-style-type: none"> Grants local agencies the authority to manage groundwater under the Water Code, by: <ul style="list-style-type: none"> Adopting local rules and regulations. (p. 6) Conducting investigations needed to prepare and adopt a groundwater management plan, propose fees, and for compliance monitoring and enforcement. (p. 17) <ul style="list-style-type: none"> Bringing judicial actions. Enforcing regulations (p. 18) Amends the Water Code specify that local agencies may only apply Section 10750 to critically overdrafted basins or designated basins. (p. 15) Outlines local reimbursement and financial/fees authorities. (p. 22)
Planning Process, Elements of Plans, Timeline, and Milestones (p. 29)		
<ul style="list-style-type: none"> Details sustainable GW management plan creation and implementation at local agency level. (p. 29) <ul style="list-style-type: none"> Local agency must make written statement publically available prior to plan 	<ul style="list-style-type: none"> Details sustainable GW management plan creation and implementation at local agency level. (p. 29) <ul style="list-style-type: none"> Local agency must convene scoping session prior to plan development. (p.30) 	<ul style="list-style-type: none"> Details reporting and monitoring timetable for local groundwater management plans. (p. 29) <ul style="list-style-type: none"> Provides timeline. (p. 29-30) Local agency shall prepare a plan to involve other agencies and shall prepare a map that

AB 1739 (Dickinson)	SB 1168 (Pavley)	Administration
<p>development. (p. 31)</p> <ul style="list-style-type: none"> ▪ Outlines monitoring protocols. (p. 31) ▪ Timetable: Plans must be complete no later than January 30, 2020 and every 5 years thereafter by submitting to DWR: 1) a copy of judicial order or decree; 2) report presenting a balanced water budget, among other requirements. (p. 32) • Grants authority to regulate GW extractions under GW plan; mirrors Admin’s proposed language. (pp. 34-5) • Requires all high or medium priority basins be managed under GW plan. (p. 35) 	<ul style="list-style-type: none"> ▪ DWR and the Water Board shall establish minimum standards for the development of the GW plan, including: identifying basin boundaries, providing basin map, water budget, interim milestones, etc. (pp. 29-30) ▪ Plan components: 1) water budget; 2) sustainable yield; 3) measurable objectives; 4) milestones and targets. (p. 30) ▪ Outlines monitoring protocols; mirrors Admin’s language. (p. 31) • Grants authority to regulate GW extractions under GW plan; mirrors Admin’s proposed language. (pp. 34-5) • Categorizes designated basins under the GW management plan. (p. 35) 	<p>details the GW basin area. (p. 30)</p> <ul style="list-style-type: none"> ▪ Outlines monitoring protocols. (p. 31) • Grants local authority to regulate GW extractions under GW plan. <ul style="list-style-type: none"> ▪ Exception: States that GW management plans do not apply to GW extraction used for <u>single-unit residences</u>, except for designated basins subject to critical conditions. (p. 35-6) <ul style="list-style-type: none"> ▫ Relates to AB 1739’s <i>de minimus</i> exception (See p. 8)
Review, Audits, and Reporting (p. 37)		
<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Details well reporting requirements as a technical provision. (p. 37)
SWB Intervention (State Backstop) (p. 37)		
<ul style="list-style-type: none"> • State shall intervene if local agencies are unable to adopt plan to reach sustainability goal. (p. 38) • SWB authority to designate basins. (p. 42) 	<ul style="list-style-type: none"> • State shall intervene if local agencies have not initiated a sustainable GW plan for a high-or-medium priority basin. (p. 40) 	<ul style="list-style-type: none"> • Phased authority to adopt state-wide groundwater management plan. (p. 38-41) • SWB authority to designate basins. (p. 42) • Details SWB procedures. (p. 45) • SWB authority to require reports. (p. 46-8) • CEQA does not apply if SWB fails to act. (p. 48) • SWB Fee authority. (p. 48-50) • SWB cease and desist authority. (p. 50-51) • Provides definition of a “person” (p. 51)
DWR Technical Support (p. 52)		
<ul style="list-style-type: none"> • DWR may provide technical assistance to 	<ul style="list-style-type: none"> • DWR shall provide technical assistance to 	<ul style="list-style-type: none"> • Authorizes DWR to provide technical support to

AB 1739 (Dickinson)	SB 1168 (Pavley)	Administration
<ul style="list-style-type: none"> • entities extracting or using GW. (p. 52) • DWR shall develop and publish best management practices (BMPs) for sustainable management of GW. (p. 52) <ul style="list-style-type: none"> ▪ DWR shall develop BMPs in consultation with stakeholder task force. (p. 52) • Local agencies may consider BMPs developed by this task force and DWR in preparing GW plan. (p. 52) 	<p>GW management agencies, including:</p> <ul style="list-style-type: none"> ▪ Developing BMPs and guidelines. (p. 52) ▪ Reporting on statewide groundwater characterization. (p. 52) ▪ Initiating monitoring and assessment program with USGS. (p. 52) 	<p>local agencies in the preparation and implementation of groundwater management plans. (p. 52)</p>
Land Use (p. 54)		
<ul style="list-style-type: none"> • Imposes limitations of GW extraction in high priority basins. (p. 54) <ul style="list-style-type: none"> ▪ Includes issuance of well-drilling permit by land use agency. (p. 54) • Lists entities that must receive notice before agency adopts or amends a general plan; mirrors Admin’s language. (pp. 56-8) • Requires a standardized process for determining adequacy of water supplies for future projects; mirrors a large portion of the Admin’s language. (pp. 59-60) • When amending to a city or county’s general plan, planning agency must review: (p. 63) <ul style="list-style-type: none"> ▪ Updates to GW plan ▪ Adjudication of water rights ▪ Order by SWRCB. 	<ul style="list-style-type: none"> • Requires monitoring of designated basins and subbasins. (p. 53) • Lists entities that must receive notice before a planning agency adopts or amends a general plan; mirrors Admin’s language. (pp. 56-8) • Requires standardized process for determining adequacy of water supplies for future projects; mirrors a large portion of the Admin’s language. (pp. 59-61) • When amending to a city or county’s general plan, planning agency must review: (p. 63) <ul style="list-style-type: none"> ▪ Updates to GW plan ▪ Adjudication of water rights ▪ Any limitations on extracting/pumping GW by local agency. 	<ul style="list-style-type: none"> • Proposes to place limitations on priority basins if a GW plan is not place by 2020. (p. 54) • Lists entities that must receive notice before a planning agency adopts or amends a general plan. (pp. 56-8) • Requires standardized process for determining adequacy of water supplies for future projects. (pp.59-61) • When amending to a city or county’s general plan, planning agency must review: <ul style="list-style-type: none"> ▪ Updates to GW plan ▪ Any limitations on extracting/pumping GW by local agency. ▪ Adjudication of water rights ▪ Declaration by SWRCB concerning affects on beneficial uses of the GW basin.
Adjudication (p. 64)		
<ul style="list-style-type: none"> • Authority for local agency that adopts GW sustainability plan to adjudicate. (p. 63) • Local agency actions subject to judicial review. (p. 65) • Includes expedited adjudication procedures. (p. 65) <ul style="list-style-type: none"> ▪ Actions by landowners or other water rights holders may be brought under expedited adjudication procedures. (p. 63) 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Authority for local agencies to bring actions against GW plan violators. (p. 64) <ul style="list-style-type: none"> ▪ Temporary restraining order, preliminary injunction, or permanent injunction may be granted. (p. 64)

AB 1739 (Dickinson)	SB 1168 (Pavley)	Administration
Groundwater Recharge as Beneficial Use (p. 67)		
<ul style="list-style-type: none"> Adds section to Water Code to declare GW storage a beneficial use of water. (p. 67) Includes section on water reliability and value of GW storage. (p. 67-8) 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Amends Water Code to include GW storage as a beneficial use of water. (p. 67)
Legislative Intent (p. 69)		
<ul style="list-style-type: none"> Includes: (pp. 69-70) <ul style="list-style-type: none"> Enhancement of local GW management. Establishment of minimum standards for GW management. Improvement of data collection. Increase in GW storage. State technical and financial assistance. GW management through local governmental agencies to greatest extent feasible. 	<ul style="list-style-type: none"> Mirrors majority of Admin's proposed language. (pp. 69-70) 	<ul style="list-style-type: none"> States interest and purpose of GW management. (pp. 69-70) Provides list of legislative intent, includes: <ul style="list-style-type: none"> Grant local and regional agencies the authority to sustainably manage GW resources. (p. 70) Statutory determination of water rights. (p. 70) State intervention for critical/designated basins. (pp. 70-71) Monitoring and recording GW extractions. (pp. 70-71)
Definitions (p. 72)		
<ul style="list-style-type: none"> Provides list of legislative definitions. 	<ul style="list-style-type: none"> Provides list of legislative definitions. 	<ul style="list-style-type: none"> N/A

I. Sustainable Groundwater Management

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
Definition: Sustainable Groundwater Management		
(See Chap. 2. Definitions, subd. (t)) "Sustainable groundwater management" means the management and use of groundwater in a manner that can be	SEC. 5 Section 113 is added to the Water Code, to read: 113. (a) It is the policy of the state that	SEC. G2. Section 113 is ADDED to the Water Code to read: 113. It is the policy of the state that groundwater resources be managed

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>maintained during the planning and implementation horizon without causing unreasonable adverse environmental, economic, or social consequences through the development, implementation, and updating of plans and programs based on the best available science, monitoring, forecasting, and use of technological resources, as determined by a groundwater sustainability agency.</p>	<p>(b) Sustainable groundwater management means the management of a groundwater basin to provide for multiple long-term benefits without resulting in or aggravating conditions that cause significant economic, social, or environmental impacts such as long-term overdraft, land subsidence, ecosystem degradation, depletions from surface water bodies, and water quality degradation, in order to protect the resource for future generations.</p>	<p>sustainably. Sustainable groundwater management means the management of groundwater to provide for multiple long-term benefits without resulting in or aggravating conditions that cause significant long-term overdraft, land subsidence, ecosystem degradation, depletions from surface water bodies, and water quality degradation, in order to protect the resource for future generations.</p>

KEY	
Dickinson and Admin:	BLUE
Pavley and Admin:	GREEN
Dickinson and Pavley:	ORANGE
All three:	YELLOW

II. Local Authorities and Governance

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
Expanded Authority for Local Agencies		
<p>CHAPTER 6. Management Tools</p> <p>10728.</p> <p>(a) A groundwater sustainability agency may exercise any of the powers described in this chapter in implementing this part, in addition to, and not as a limitation on, any existing authority, if the groundwater sustainability agency adopts and submits to the department a groundwater sustainability plan or prescribed alternative documentation in accordance with Section 10736.</p> <p>(b) A groundwater sustainability agency has and may use the powers in this chapter to provide the maximum degree of local control and flexibility consistent with the sustainability goals of this part.</p> <p>10728.5.</p> <p>(a) A groundwater sustainability agency may perform any act necessary or proper to carry out the purposes of this part, including, but not limited to, the performance of an agreement, acting jointly or in cooperation with the United States, any state, county, city, district of any kind, public or private corporation, association, firm, or</p>	<p>10740. In addition to other powers granted by law, a groundwater management agency that meets the requirements of Chapter 3 (commencing with Section 10730) may do all of the following:</p> <p>(a) Develop a sustainable groundwater plan pursuant to this part.</p> <p>(b) Establish a program for the monitoring, measuring, and reporting on groundwater conditions.</p> <p>(c) Require reports on groundwater extraction.</p> <p>(d) Establish a system for allocating groundwater based on sustainable yield of the basin and manage pumping with public notice and sound technical studies.</p> <p>(e) Establish and collect fees for the management of groundwater.</p> <p>(f) Establish a system for the approval of +local voluntary transfers within a basin or subbasin.</p> <p>10741. Commencing January 1, 2018, the groundwater management agency shall prepare an annual report and provide public notice of the annual report. The report shall include a summary of the agency's characterization of the basin, water budget, sustainable yield, and status of the groundwater management plan</p>	<p>SEC. L5. Chapter 2.5 (commencing with Section 10752) is ADDED to Part 2.75 of Division 6 of the Water Code, to read:</p> <p>Chapter 2.5 Local Groundwater Management Authority</p> <p>10752. A local agency shall have any powers that may be necessary or convenient for the local agency to implement this part, including, but not limited to, the authority to do the following:</p> <p>(a) Enter into a joint powers authority, participate in a memorandum of understanding among existing agencies, participate in an integrated regional water management planning group, any of which may include a locally authorized watermaster, or establish another form of appropriate local or regional sustainable groundwater management entity.</p> <p>(b) Act jointly or in cooperation with the United States or any agency thereof, an Indian tribe, the State of California or any agency thereof, a city, county, city and county or other public agency.</p> <p>(c) Raise funds.</p> <p>(d) Provide technical assistance to persons who extract or use</p>

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>individual, or any combination of them.</p> <p>(b) A groundwater sustainability agency may perform any acts necessary or proper for the performance of an agreement with the United States, any state, county, city, district of any kind, public or private corporation, association, firm, or individual, or any combination of them, for the joint acquisition, construction, leasing, ownership, disposition, use, management, maintenance, repair, or operation of any rights, works, or other property of a kind that may be useful in implementing the purposes of this part.</p> <p>(c) A groundwater sustainability agency may adopt rules and regulations for the purpose of this part, in compliance with any procedural requirements applicable to the adoption of rules and regulations by the groundwater sustainability agency. In addition to any other applicable procedural requirements, the groundwater sustainability agency shall provide notice of the proposed adoption of the groundwater sustainability agency on its Internet Web site and provide for electronic notice to any person who requests electronic notification.</p> <p>(d) This part shall apply to the United</p>	<p>development or implementation, and associated data.</p>	<p>groundwater to promote water conservation and protect groundwater resources.</p> <p>(e) Regulate groundwater pumping.</p> <p>(f) Establish, assume, or cooperatively manage a program for registration or permitting of wells.</p> <p>(g) Establish reasonable requirements for monitoring, installation and operation of water measurement devices, maintaining records, and reporting by persons or entities that extract groundwater or divert water to underground storage.</p> <hr/> <p>ADDED: 10752.1 A local agency may adopt rules and regulations for purposes of this part, in compliance with any procedural requirements applicable to the adoption of regulations by the local agency. In addition to any other applicable procedural requirements, the local agency shall provide notice of the proposed adoption on its internet website and provide for electronic notice to any person who requests electronic notification.</p>

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>States and an Indian tribe to the extent authorized under federal or tribal law.</p> <p>(e) This part shall apply to the state and its agencies and departments and to local agencies to the same extent as a person regulated by a groundwater sustainability plan. A groundwater sustainability agency shall not impose a penalty pursuant to this part on the state or its agencies, departments, or officers.</p> <p>(f) Notwithstanding any other law, in any judicial action authorized by this part, the court shall direct that a prevailing party that is a groundwater sustainability agency, or owner or operator of a groundwater extraction facility, shall be awarded the reasonable attorney's fees and costs relating to an action authorized pursuant to this part.</p> <p>10730.</p> <p>(a) A groundwater sustainability agency may require through its groundwater sustainability plan that the use of every groundwater extraction facility within the groundwater sustainability agency be measured no less than 60 days after registration by a water-measuring device satisfactory to the groundwater sustainability</p>		

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>agency. If water-measuring devices are required by the groundwater sustainability plan, an owner or operator of a groundwater extraction facility that fails to install a satisfactory water-measuring device within the 60-day time period shall be jointly and severally liable to the groundwater sustainability agency for a penalty of one thousand dollars (\$1,000) per groundwater extraction facility lacking a water-measuring device.</p> <p>(b) All costs associated with the purchase and installation of the water-measuring device shall be borne by the owner or operator of each groundwater extraction facility. The water measuring devices shall be installed by the groundwater sustainability agency or, at the groundwater sustainability agency's option, by the owner or operator of the groundwater extraction facility. Water-measuring devices shall be calibrated on a reasonable schedule as may be determined by the groundwater sustainability agency.</p> <p>(c) A groundwater sustainability agency may require, through its groundwater sustainability plan, that the owner or operator of a groundwater extraction facility within the groundwater</p>		

AB 1739 (Dickinson)	SB 1168 (Pavelly)	Administration
<p>sustainability agency file an annual statement with the groundwater sustainability agency setting forth the total extraction in acre-feet of groundwater from the facility during the previous year. If filing of groundwater extraction statements is required by the groundwater sustainability plan, an owner or operator of a groundwater extraction facility that fails to file a timely groundwater extraction statement shall be jointly and severally liable to the groundwater sustainability agency for a penalty of one thousand dollars (\$1,000) per groundwater extraction facility without a filed groundwater extraction statement per each month since the date the first penalty could have been imposed by the groundwater sustainability agency.</p> <p>(d) In addition to the measurement of groundwater extractions pursuant to subdivision (a), a groundwater sustainability agency may use any other reasonable method to determine groundwater extraction.</p> <p>(e) This section does not apply to de minimus extractors.</p> <p>10730.5. An entity within the area of a groundwater sustainability plan shall only divert surface water to underground storage consistent with the plan and shall</p>		

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>report the diversion to underground storage to the groundwater sustainability agency for the relevant portion of the basin.</p> <p>10731. A groundwater sustainability agency may do the following:</p> <ul style="list-style-type: none"> (a) Acquire by grant, purchase, lease, gift, devise, contract, construction, or otherwise, and hold, use, enjoy, sell, let, and dispose, of real and personal property of every kind, including lands, water rights, structures, buildings, rights-of-way, easements, and privileges, and construct, maintain, alter, and operate any and all works or improvements, within or outside the agency, necessary or proper to carry out any of the purposes of this part. (b) Appropriate and acquire surface water or groundwater and surface water or groundwater rights, import surface water or groundwater into the agency, and conserve and store within or outside the agency that water for any purpose necessary or proper to carry out the provisions of this part, including, but not limited to, the spreading, storing, retaining, or percolating into the soil of the waters for subsequent use or in a manner consistent with the provisions of Section 10735. As part of this authority, the agency may validate an existing groundwater conjunctive use or storage program 		

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>upon a finding that the program would aid or assist the agency in developing or implementing a groundwater sustainability plan.</p> <p>(c) Provide for a program of voluntary fallowing of agricultural lands or validate an existing program.</p> <p>(d) Perform any acts necessary or proper to enable the agency to purchase, transfer, deliver, or exchange water or water rights of any type with any person that may be necessary or proper to carry out any of the purposes of this part, including, but not limited to, providing surface water in exchange for a groundwater extractor's agreement to reduce or cease groundwater extractions. The agency shall not deliver retail water supplies within the service area of a public water system without either the consent of that system or authority under the agency's existing authorities.</p> <p>(e) Transport, reclaim, purify, desalinate, treat, or otherwise manage and control polluted water, wastewater, or other waters for subsequent use in a manner that is necessary or proper to carry out the purposes of this part.</p> <p>(f) Whenever, in the opinion of the agency's governing board, the public interest or convenience may require, it may order any work or improvement that it is authorized to</p>		

AB 1739 (Dickinson)	SB 1168 (Pavelly)	Administration
<p>undertake to be done in accordance with the procedures and pursuant to the provisions of the Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code), the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code), or the Municipal Improvement Act of 1913 (Division 12 (commencing with Section 10000) of the Streets and Highways Code).</p> <p>(g) Commence, maintain, intervene in, defend, compromise, and assume the cost and expenses of any and all actions and proceedings.</p> <p>10731.5. A groundwater sustainability agency shall have the following additional authority and may regulate groundwater pumping using that authority by means of ordinance or resolution:</p> <p>(a) To impose spacing requirements on new groundwater well construction to minimize well interference and impose reasonable operating regulations on existing groundwater wells to minimize well interference, including requiring pumpers to operate on a rotation basis.</p> <p>(b) To control groundwater extractions by regulating, limiting, or suspending</p>		

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<p>extractions from individual groundwater wells or extractions from groundwater wells in the aggregate, the construction of new groundwater wells, the enlarging of existing groundwater wells, the reactivation of abandoned groundwater wells, or otherwise establishing groundwater extraction allocations. A limitation on extractions by a groundwater sustainability agency shall not be construed to be a final determination of rights to extract groundwater from the basin or any portion of the basin. A groundwater sustainability agency may use the expedited adjudication procedures in Chapter 10 (commencing with Section 10742) in establishing groundwater extraction allocations.</p> <p>(c) To authorize temporary and permanent transfers of groundwater extraction allocations within the agency's boundaries, if the total quantity of groundwater extracted in any year is consistent with the provisions of the groundwater sustainability plan.</p>		

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<p>(d) To establish accounting rules to allow unused groundwater extraction allocations issued by the agency to be carried over from one year to another and voluntarily transferred, if the total quantity of groundwater extracted in any five-year period is consistent with the provisions of the groundwater sustainability plan.</p>		
Identification of Groundwater Sustainability/Management Agencies		
<p>10725. To the extent practicable, a groundwater sustainability plan developed in accordance with this part shall be coterminous and augment groundwater management plans developed pursuant to Part 2.75 (commencing with Section 10750).</p> <p>10725.5. (a) A groundwater management agency that has adopted a groundwater management plan that meets the requirements of Part 2.75 (commencing with Section 10750) prior to January 1, 2014, shall be presumed to be the groundwater sustainability agency to develop a basin sustainability plan in accordance with this part. The groundwater sustainability agency may adopt a resolution of intent to prepare a groundwater sustainability</p>	<p>CHAPTER 3. Groundwater Management Agency Formation</p> <p>10730. It is the intent of the Legislature that the groundwater subbasin, or basin when no subbasin is defined, as identified by Bulletin 118, is the most appropriate geographic boundary for groundwater management.</p> <p>10730.1. Any local agency or combination of local agencies may establish a groundwater management agency.</p> <p>10730.2. Before establishing a groundwater management agency, and after publication of notice pursuant to Section 6066 of the Government Code, the local agency or agencies shall hold a public hearing in the county or counties overlying the subbasin or</p>	<p>N/A</p>

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<p>plan in accordance with this part no later than January 1, 2016. The groundwater sustainability agency shall submit an adopted resolution of intent to the department within 30 days of its adoption.</p> <p>(b) If a resolution of intent is not adopted and submitted as provided in subdivision (a), the county that the groundwater management plan area is located in may, by January 1, 2017, do either of the following:</p> <p>(1) Adopt and submit to the department a resolution of intent to adopt a groundwater sustainability plan for the area.</p> <p>(2) Request any other local agency or joint powers authority providing water or water management services within the groundwater management plan areas to adopt and submit to the department a resolution of intent to adopt a groundwater management plan for that area.</p> <p>(c) If a resolution of intent is not adopted and submitted as provided in subdivision (a) or (b), any local agency or joint powers authority in the basin may adopt and submit to the department a resolution of intent to adopt a groundwater sustainability plan for the basin.</p> <p>(d) (d) If no resolution of intent is adopted and submitted as provided in subdivision (a), (b), or (c),</p>	<p>basin to discuss requirements of this part.</p> <p>10730.3. The groundwater management agency shall be formed and managed to provide that the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing sustainable groundwater management plans, are appropriately considered. These interests include, but are not limited to, all of the following:</p> <p>(a) Holders of overlying groundwater rights, including:</p> <p>(1) Agricultural users.</p> <p>(2) Domestic well owners.</p> <p>(3) Municipal well operators.</p> <p>(4) Local land use planning agencies.</p> <p>(5) Environmental users of groundwater.</p> <p>(6) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.</p> <p>10730.4. The groundwater management agency shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents. Any person may request, in writing, to be placed on the list of</p>	

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<p>subdivision (a) of Section 10726 shall apply.</p> <p>(e) If a groundwater sustainability agency or other local agency submits prescribed alternative documentation in accordance with Section 10736, the agency also shall adopt a resolution of intent to comply with this part not later than January 1, 2016. The resolution of intent shall be provided to the department within 30 days of adoption of the resolution.</p> <p>10726. If any portion of a basin is outside the jurisdictional boundary of any groundwater sustainability plan as adopted or as intended to be prepared according to a resolution of intent pursuant to Section 10725.5, that portion of the basin shall be coordinated with the nearest groundwater sustainability plan in any of the following ways:</p> <p>(a) (1) The landowners and other groundwater users in the unmanaged area may elect to form a new public agency or private corporation for the purpose of cooperating in the groundwater management plan or may petition to be annexed into an existing public agency.</p> <p>(2) If the landowners and other groundwater users choose to form a new public agency or request to be annexed into an existing agency,</p>	<p>interested persons.</p> <p>10730.5. A combination of local agencies may form a groundwater management agency by using any of the following methods:</p> <p>(a) A joint powers agreement.</p> <p>(b) A memorandum of agreement or other legal agreement.</p> <p>10730.6.</p> <p>(a) A local agency may request a change to the boundaries of a groundwater basin or subbasin to the department in order to form groundwater management agencies.</p> <p>(b) The department shall establish procedures and standards for local agencies and groundwater management agencies regarding the determination and modification of basin and subbasin boundaries for the implementation of this part.</p> <p>10730.7. A groundwater management agency shall inform the state board of the formation of the groundwater management agency and its intent to undertake</p>	

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<p>the local agency formation commission shall complete proceedings on the formation of the agency or the annexation of the area and serve as the conducting authority within six months from the date the landowners and other groundwater users file a formation or annexation application with the commission.</p> <p>(b) A groundwater sustainability agency may utilize existing authority to annex or otherwise bring any unmanaged land into its boundaries for purposes of the agency's plan or to otherwise extend the geographic reach of the plan to include unmanaged areas of the basin. In the event that a local agency seeks to annex lands for the purpose of developing a groundwater sustainability plan, the local agency formation commission shall complete proceedings in accordance with the schedule set forth in paragraph (2) of subdivision (a).</p> <p>(c) If a groundwater sustainability agency cannot or elects not to annex or otherwise extend boundaries to include the unmanaged areas, a county that overlies the basin may utilize existing authority to cause the development of a groundwater sustainability plan for the unmanaged areas. A county may, by resolution or ordinance, delegate this authority to a local agency, in which case the</p>	<p>sustainable groundwater management. The notification shall include the following information:</p> <p>(a) The service area boundaries, the basin or subbasin the agency is managing, and the other groundwater management agencies operating within the subbasin.</p> <p>(b) A copy of the resolution forming the new agency.</p> <p>(c) A copy of the bylaws, ordinances, and new authorities.</p> <hr/> <p>SEC. 8. Section 10927 of the Water Code is amended to read:</p> <p>10927. Any of the following entities may assume responsibility for monitoring and reporting groundwater elevations in all or a part of a basin or subbasin in accordance with this part:</p> <p>(a) A watermaster or water management engineer appointed by a court or pursuant to statute to administer a final judgment determining rights to groundwater.</p> <p>(b) ((1) A groundwater management agency with statutory authority to manage groundwater pursuant to its principal act that is monitoring groundwater elevations in all or a part of a groundwater basin or subbasin on or before January 1,</p>	

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<p>local agency formation commission shall take appropriate action to ensure that all areas overlying a groundwater basin are within the boundaries of one or more of the agencies developing the groundwater sustainability plan. The local agency formation commission shall complete actions pursuant to this subdivision no later than January 1, 2017.</p> <p>(d) If by January 1, 2017, an area overlying a basin is not within the jurisdiction of a local agency that is participating in the development of a groundwater sustainability plan, the board may, after notice and a hearing, order one or more local agencies developing a groundwater sustainability plan to include the area within the plan.</p> <p>10726.5.</p> <p>(a) If more than one groundwater sustainability plan exists or is developed for a basin, the plans shall be coordinated through a joint powers agreement, memorandum of understanding, or similar agreement. The agreement or memorandum of understanding shall ensure that multiple groundwater sustainability plans advance sustainable groundwater management of the basin as a</p>	<p>2010.</p> <p>(2) A water replenishment district established pursuant to Division 18 (commencing with Section 60000). This part does not expand or otherwise affect the authority of a water replenishment district relating to monitoring groundwater elevations.</p> <p><u>(3) A groundwater management agency with statutory authority to manage groundwater pursuant to Part 2.74 (commencing with Section 10720).</u></p> <p>(c) A local agency that is managing all or part of a groundwater basin or subbasin pursuant to Part 2.75 (commencing with Section 10750) and that was monitoring groundwater elevations in all or a part of a groundwater basin or subbasin on or before January 1, 2010, or a local agency or county that is managing all or part of a groundwater basin or subbasin pursuant to any other legally enforceable groundwater management plan with provisions that are substantively similar to those described in that part and that was monitoring groundwater elevations in all or a part of a groundwater basin or subbasin on or before January 1, 2010.</p> <p>(d) A local agency that is managing all</p>	

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<p>whole.</p> <p>(b) If by July 1, 2017, the groundwater sustainability agencies within a basin cannot come to an agreement to coordinate groundwater sustainability plans, a groundwater sustainability agency may petition the board, no later than June 30, 2017 to do either of the following:</p> <p>(1) Appoint a single groundwater sustainability agency to develop the groundwater sustainability plan for the basin.</p> <p>(2) Impose an alternative governance structure with a governing board that is representative of the local agencies within the basin.</p> <p>(c) If the board appoints a groundwater sustainability agency or imposes a governance structure pursuant to subdivision (b), the board may consider factors that will best foster sustainable groundwater management as a whole, including, but not limited to, the following:</p> <p>(1) The geographic extent and governmental authorities of existing groundwater management agencies, local agencies, and any relevant county.</p> <p>(2) The financial and technical</p>	<p>or part of a groundwater basin or subbasin pursuant to an integrated regional water management plan prepared pursuant to Part 2.2 (commencing with Section 10530) that includes a groundwater management component that complies with the requirements of Section 10753.7.</p> <p>(e) A local agency that has been collecting and reporting groundwater elevations and that does not have an adopted groundwater management plan, if the local agency adopts a groundwater management plan in accordance with Part 2.75 (commencing with Section 10750) by January 1, 2014. The department may authorize the local agency to conduct the monitoring and reporting of groundwater elevations pursuant to this part on an interim basis, until the local agency adopts a groundwater management plan in accordance with Part 2.75 (commencing with Section 10750) or until January 1, 2014, whichever occurs first.</p> <p>(f) A county that is not managing all or a part of a groundwater basin or subbasin pursuant to a legally enforceable groundwater management plan with provisions that are substantively similar to</p>	

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<p>resources available to the relevant public agencies to implement a groundwater sustainability plan. (3) The technical groundwater information and data available to the relevant local agencies. (4) The relevant local agencies' history of groundwater management.</p> <p>(d) The board may utilize available processes and authorities to appoint the groundwater sustainability agency or impose a governance structure pursuant to subdivision (b), and may conduct hearings, workshops, and other information gathering processes to inform its determination.</p> <p>(e) The board shall appoint a groundwater sustainability agency or impose a governance structure pursuant to subdivision (b) no later than June 30, 2018.</p> <p>(f) If multiple groundwater sustainability plans cover different portions of a basin, each plan shall not conflict with or impede sustainable groundwater management relating to any other plan in the basin.</p> <p>10727. A groundwater sustainability plan may include criteria to exempt small domestic pumping of groundwater for use on overlying lands in unmanaged areas of the basin if the</p>	<p>those described in Part 2.75 (commencing with Section 10750).</p> <p>(g) A voluntary cooperative groundwater monitoring association formed pursuant to Section 10935.</p>	

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groundwater sustainability agency determines that the exclusion of the pumping will not otherwise affect sustainable management of the basin pursuant to this part.		
Long-Term Overdraft Designated Basins		
N/A	N/A	<p>SEC L1. Section 10750.7 of the Water Code is AMENDED to read:</p> <p>10750.7 (a) A local agency may not manage groundwater pursuant to this part within the service area of another local agency, a water corporation regulated by the Public Utilities Commission, or a mutual water company without the agreement of that other entity. (b) This section applies only to groundwater basins that are not critically overdrafted <i>basins or designated basins</i>.</p> <p>SEC L2. Section 10750.8 of the Water Code is AMENDED to read:</p> <p>(a) A local agency may not manage groundwater pursuant to this part within the service area of another local agency without the agreement of that other entity. (b) This section applies only to groundwater basins that are critically overdrafted <i>basins or designated basins</i>.</p> <p>SEC. L3. Section 10750.10 of the Water Code is repealed:</p>

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		<p>10750.10. This part is in addition to, and not a limitation on, the authority granted to a local agency pursuant to other provisions of law.</p> <p>SEC. L4. Section 10752 of the Water Code is AMENDED and renumbered to read:</p> <p>10752 10751. Unless the context otherwise requires, the following definitions govern the construction of this part:</p> <ul style="list-style-type: none"> (a) <i>"Designated basin" has the same meaning as under Section 5200.</i> (b) "Groundwater" means all water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water, but does not include water that flows in known and definite channels. (c) "Groundwater basin" means any basin or subbasin identified in the department's Bulletin No. 118, dated September 1975, and any amendments to that bulletin, but does not include a basin in which the average well yield, excluding domestic wells that supply water to a single-unit dwelling, is less than 100 gallons per minute. (d) "Groundwater extraction facility" means a device or method for the extraction of groundwater within a groundwater basin. (e) "Groundwater management plan" or "plan" means a document that describes

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		the activities intended to be included in a groundwater management program.
Investigations		
<p>10729.</p> <p>(a) A groundwater sustainability agency may conduct an investigation for the purposes of this part, including, but not limited to, investigations for the following:</p> <ol style="list-style-type: none"> (1) To determine the need for groundwater management. (2) To prepare and adopt a groundwater sustainability plan and implementing rules and regulations. (3) To propose and update fees. (4) To monitor compliance and enforcement. <p>(b) An investigation may include surface waters and surface water rights as well as groundwater and groundwater rights.</p> <p>(c) In connection with an investigation, a groundwater sustainability agency may inspect the property or facilities of a person or entity to ascertain whether the purposes of this part are being met and compliance with this part. The local agency may conduct an inspection pursuant to this section upon obtaining any necessary consent or obtaining an inspection warrant pursuant to the</p>	<p>N/A</p>	<p>ADDED:</p> <p>10752.2. A local agency may conduct an investigation for purposes of this part, including but not limited to an investigation to determine the need for groundwater management, to prepare and adopt a groundwater management plan and implementing rules and regulations, to propose and updating fees, and for compliance monitoring and enforcement. In connection with that investigation, the local agency may inspect the property or facilities of a person or entity to ascertain whether the purposes of this part are being met and to ascertain compliance with this part. The local agency is authorized to obtain an inspection warrant pursuant to the procedure set forth in Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure for purposes of an inspection under this subdivision.</p>

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<p>procedure set forth in Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure.</p>		
Enforcement		
<p>10729.5. (a) Each groundwater extraction facility within a groundwater sustainability agency shall be registered with the groundwater sustainability agency if the groundwater sustainability plan provides for establishing a groundwater charge pursuant to this part or for otherwise regulating groundwater extractions. The groundwater sustainability agency may, by resolution or ordinance, establish reasonable requirements for the registration of a groundwater extraction facility. (b) Any form used to register a groundwater extraction facility pursuant to this section shall not be made available for inspection by the public. The groundwater sustainability agency may use information from the form to develop or implement a groundwater sustainability program or plan pursuant to this part.</p>	<p>N/A</p>	<p>ADDED: 10752.4. (a) A person who violates a regulation adopted under section 10753.9 or a regulation implementing subdivision (g) or (h) of section 10752.1 shall be liable for a civil penalty not to exceed one thousand dollars (\$1000) plus one hundred dollars (\$100) for each additional day on which the violation continues if the person fails to comply within 30 days after the local agency has called the violation to the attention of that person. (b) A person who extracts groundwater in excess of the amount that person is authorized to extract under a rule or regulation adopted under section 10753.9, shall be liable for a civil penalty not to exceed five hundred (\$500) per acre foot extracted in excess of the amount that person is authorized to extract. Liability under</p>

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<p>(c) An owner or operator of a groundwater extraction facility that fails to register the facility within a time period provided for in a groundwater sustainability plan shall become jointly and severally liable to the groundwater sustainability agency for a penalty of one thousand dollars (\$1,000) per unregistered groundwater extraction facility.</p>		<p>this subdivision is in addition to any liability imposed under subdivision (a) and any fee imposed for the extraction.</p> <p>(c) A local agency may bring an action in superior court to determine whether the violation occurred and impose a penalty under this section. In determining the amount of the penalty, the court shall take into consideration all relevant circumstances, including, but not limited to, the nature and persistence of the violation, the extent of the harm caused by the violation, the length of time over which the violation occurs, and any corrective action taken by the violator.</p> <p>(d) Penalties imposed under this section shall be paid to the local agency and shall be expended solely for purposes of this part.</p> <p>(e) Penalties under this section are in addition to any civil penalty or criminal fine under any other law.</p>
Limitation of Existing Authorities		
<p>N/A</p>	<p>N/A</p>	<p>ADDED: 10752.5.</p> <p>(a) This part is in addition to, and not a limitation on, the authority granted to a local agency under any other law, and the local agency may use the</p>

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		<p>local agency's authority under any other law to apply and enforce any requirements of this part, including, but not limited to, collection of fees.</p> <p>(b) Nothing in this part is a limitation on the authority of the board, the department or the Department of Public Health.</p> <p>(c) This part applies to the United States or an indian tribe to the extent authorized under federal or tribal law.</p> <p>(d) This part does not authorize a local agency to impose any requirement or impose any penalty or fee on the state or any agency, department or officer of the state. State agencies and departments shall work cooperatively with a local agency on a voluntary basis.</p> <p>(e) After January 1, 2020, a local agency that does not have a groundwater management plan that meets all requirements of Section 10753.7 for a qualifying groundwater management plan may exercise the authority provided in this part only for purposes necessary or convenient for the agency to prepare and adopt a plan that meets those requirements.</p>
Authorities for Counties Without Existing Authority		

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<p>SECTION 1. Section 56878 is added to the Government Code to read:</p> <p>56878. If there is no local and regional groundwater management agency existing in a groundwater basin, as defined in subdivision (b) of Section 10720 of the Water Code, the commission may provide special technical assistance and an expedited timeline to facilitate the formation of a local and regional groundwater management agency.</p>	<p>N/A</p>	<p>SEC. L6. Section 10753 of the Water Code is AMENDED to read:</p> <p>10753.</p> <p>(a) Any local agency, whose service area includes a groundwater basin, or a portion of a groundwater basin, that is not subject to groundwater management pursuant to other provisions of law or a court order, judgment, or decree, may, by ordinance, or by resolution if the local agency is not authorized to act by ordinance, adopt and implement a groundwater management plan pursuant to this part within all or a portion of its service area.</p> <p>(b) Notwithstanding subdivision (a), a local public agency, other than an agency defined in subdivision (g) of Section 10752, that provides flood control, groundwater management, or groundwater replenishment, or a local agency formed pursuant to this code for the principal purpose of providing water service that has not yet provided that service, or a county may exercise the authority of this part within a groundwater basin that is located within its boundaries within areas that are either of the following:</p> <ol style="list-style-type: none"> (1) Not served by a local agency. (2) Served by a local agency whose

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		<p>governing body, by a majority vote, declines to exercise the authority of this part and enters into an agreement with the local public agency <i>or county</i> pursuant to Section 10750.7 or 10750.8.</p> <p>(c) Except as provided in subdivision (b), this chapter does not authorize a local agency to manage groundwater planning within the service area of another local agency.</p> <p>(d) Except as otherwise provided in this part, the process for developing and adopting a revised groundwater management plan shall be the same as the process for developing and adopting a new groundwater management plan.</p>
Provided Local Authority is Not a Limitation on Existing Authorities		
N/A	N/A	<p>ADDED: 10752.5.</p> <p>(a) This part is in addition to, and not a limitation on, the authority granted to a local agency under any other law, and the local agency may use the local agency's authority under any other law to apply and enforce any requirements of this part, including, but not limited to,</p>

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		<p>collection of fees.</p> <p>(b) Nothing in this part is a limitation on the authority of the board, the department or the Department of Public Health.</p> <p>(c) This part applies to the United States or an Indian tribe to the extent authorized under federal or tribal law.</p> <p>(d) This part does not authorize a local agency to impose any requirement or impose any penalty or fee on the state or any agency, department or officer of the state. State agencies and departments shall work cooperatively with a local agency on a voluntary basis.</p> <p>(e) After January 1, 2020, a local agency that does not have a groundwater management plan that meets all requirements of Section 10753.7 for a qualifying groundwater management plan may exercise the authority provided in this part only for purposes necessary or convenient for the agency to prepare and adopt a plan that meets those requirements.</p>

III. Local Financial Authority

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Reimbursement		
<p>SEC. 7. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.</p> <p>However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.</p>	<p>SEC. 10. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.</p>	<p>ADDED: SEC. T2.</p> <p>(a) No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution.</p> <p>(b) Except as provided in subdivision (c), this act does not mandate a new program or higher level of service on any local government. Local agencies are provided additional authority and incentives to manage groundwater sustainability, but are not required to exercise that authority or take advantage of those incentives. Requirements of this act that apply to persons who extract groundwater apply equally to private parties and public agencies, and therefore do not mandate a new program or higher level of service on any local government.</p> <p>(c) With respect to LU1 through LU4, No reimbursement is required by this act pursuant to Section 6 of Article XIII of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.</p>

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Financial Authority		
<p>CHAPTER 7. Financial Authority</p> <p>10732.</p> <p>(a) A groundwater sustainability agency may impose fees, including, but not limited to, permit fees and fees on groundwater extraction or other regulated activity, to fund the costs of a groundwater sustainability program, including, but not limited to, preparation, adoption, and amendment of a groundwater sustainability plan, and program administration, investigations, inspections, compliance assistance, and enforcement. A groundwater sustainability agency shall not impose a fee pursuant to this subdivision on a de minimus producer unless the agency has regulated the users pursuant to this part.</p> <p>(b) Prior to imposing or increasing a fee, a groundwater sustainability agency shall hold at least one open and public meeting, at which oral or written presentations may be made as</p>	<p>N/A</p>	<p>Regulatory Fee Authority to be Utilized Consistent with Prop 26</p> <p>SEC. L12. Section 10754.3 is ADDED to the Water Code, to read:</p> <p>10754.3.</p> <p>(a) In addition to the powers granted to the local agency under any other law, the local agency may impose fees on groundwater extraction or other activities regulated by a groundwater management plan adopted pursuant to this part including, but are not limited to, costs incurred in connection with investigations, technical assistance, inspections, planning, implementing groundwater management plans, mitigating the effect of activities affecting groundwater, and enforcement. Recoverable costs do not include costs recovered under Section 10754.5.</p> <p>(b) Fees imposed under this section shall be set to recover the estimated costs set forth in subdivision (a), taking into</p>

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<p>part of the meeting.</p> <p>(1) Notice of the time and place of the meeting shall include a general explanation of the matter to be considered and a statement that the data required by this section is available. The notice shall be mailed at least 14 days prior to the meeting to each record owner of property within the basin and to any interested party who files a written request with the agency for mailed notice of the meeting on new or increased fees. A written request for mailed notices shall be valid for one year from the date that the request is made and may be renewed by making a written request on or before April 1 of each year.</p> <p>(2) At least 10 days prior to the meeting, the groundwater sustainability agency shall make available to the public data upon which the proposed fee is based.</p> <p>(c) Any action by a groundwater sustainability agency to impose or increase a fee shall be taken only by ordinance or resolution.</p> <p>(d) (1) As an alternative method for the collection of fees imposed pursuant to this section, a groundwater management agency may adopt a resolution requesting collection of the fees in the same manner as ordinary</p>		<p>account the amounts recovered from other sources. If the fees collected exceed the actual costs for the period for which the fees were imposed, the fees may be held in reserve for future costs, and shall not be used for general revenue purposes. The local agency shall adjust the fees as necessary to assure that program revenues do not exceed program costs, including maintenance of a prudent reserve as determined to be necessary by the local agency, over the long term.</p> <p>(c) The fees shall allocate costs among fee payers in a manner that bears a fair or reasonable relationship to fee payers' burdens on, or benefits received from, the local agency's activities. Factors that may be considered in establishing a fair and reasonable allocation among fee payers include, but are not limited to, the contribution of their activities on the need for groundwater management, the local agency's costs related to monitoring or oversight of their activities, and the policies of Sections 100, 106.3, and 113.</p> <p>(d) (1) Except as provided in paragraphs (2) and (3), a local agency is not authorized to impose fees under this section unless the local agency has adopted a groundwater management</p>

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<p>municipal ad valorem taxes. (2) A resolution described in paragraph (1) shall be adopted and furnished to the county auditor and board of supervisors on or before August 1 of each year that the alternative collection of the fees is being requested. The resolution shall include a list of parcels and the amount to be collect for each parcel.</p> <p>(e) The power granted by this section is in addition to any powers a groundwater sustainability agency has under any other law.</p> <p>10732.5. (a) A groundwater sustainability agency that adopts a groundwater sustainability plan pursuant to this part may impose fees on the extraction of groundwater from the basin to fund costs of groundwater management, including, but not limited to, the costs of the following: (1) Administration, operation, maintenance, and acquisition of lands or other property, facilities, and services. (2) Supply, production, treatment, or distribution of water. (3) Other activities necessary or convenient to implement the plan.</p> <p>(b) Fees may be implemented pursuant to</p>		<p>plan that meets all requirements of Section 10753.7 for a qualifying groundwater management plan. (2) A local public agency may impose fees under this section to recover costs incurred in connection with preparing and adopting a groundwater management plan that meets all requirements of Section 10753.7 for a qualifying groundwater management plan. (3) In an action seeking to invalidate a fee imposed under this section or for refund of a fee, the court shall not invalidate the fee or order a refund based on a failure to comply with subparagraph (A) of paragraph (1) of subdivision (a) of Section 10753.7.</p> <p>Fee Authority for Water Service-Related Fees Pursuant to Prop 28:</p> <p>SEC. L13. Section 10754.4 is ADDED to the Water Code, to read:</p> <p>10754.4. (a) In addition to the powers granted to the local agency under any other law, a local agency that adopts a groundwater management plan that meets all requirements of Section 10753.7 for a qualifying groundwater management plan may impose fees on the extraction of groundwater to</p>

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<p>Part 2.75 (commencing with Section 10750) in accordance with the procedures provided in this section.</p> <p>(c) Fees imposed pursuant to this section shall be adopted in accordance with subdivisions (a) and (b) of Section 6 of Article XIII D of the California Constitution.</p> <p>(d) Fees imposed pursuant to this section may include fixed fees and fees charged on a volumetric basis, including, but not limited to, fees that increase based on the quantity of groundwater produced annually, the year in which the production of groundwater commenced from a groundwater extraction facility, and impacts to the basin.</p> <p>(e) The power granted by this section is in addition to any powers a groundwater sustainability agency has under any other law.</p> <p>10733. A groundwater sustainability agency may fund activities pursuant to Part 2.75 (commencing with Section 10750) and may impose fees pursuant to 10732.5 to fund activities undertaken by the agency pursuant to Part 2.75 (commencing with Section 10750).</p> <p>10733.5.</p> <p>(a) A groundwater fee levied pursuant to this chapter shall be due and payable to the groundwater sustainability</p>		<p>recover costs of groundwater management, including, but are not limited to, costs for acquisition of replenishment water or deliveries in lieu of groundwater extractions, land acquisition costs, costs for construction and operation of facilities, technical assistance, and related administrative costs. Recoverable costs do not include any costs for which fees are recovered under Section 10754, 10754.2, or 10754.3.</p> <p>(b) Fees imposed under this section shall be adopted and implemented in accordance with Subdivisions (a) and (b) of Section 6 of Article XIID of the California Constitution.</p> <p>(c) In an action seeking to invalidate a fee imposed under this section or for refund of a fee, the court shall not invalidate the fee or order a refund based on a failure to comply with subparagraph (A) of paragraph (1) of subdivision (a) of Section 10753.7.</p> <p>Notice Fees and Authority to Collect</p> <p>SEC. L14. Section 10754.5 is ADDED to the Water Code, to read:</p> <p>10754.5.</p> <p>(a) Except as otherwise provided by the local agency when it imposes the fee,</p>

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<p>agency by each owner or operator on a day established by the groundwater sustainability agency.</p> <p>(b) If an owner or operator knowingly fails to pay a groundwater charge within 30 days of it becoming due, the owner or operator shall be liable to the groundwater sustainability agency for interest at the rate of 1 percent per month on the delinquent amount of the groundwater charge and a 10 percent penalty.</p> <p>(c) The groundwater sustainability agency may bring a suit in the court having jurisdiction against any owner or operator of a groundwater extraction facility within the area covered by the plan for the collection of any delinquent groundwater charges, interest, or penalties imposed under this chapter. If the groundwater sustainability agency seeks an attachment against the property of any named defendant in the suit, the groundwater sustainability agency shall not be required to furnish bond or other undertaking as provided in Title 6.5 (commencing with Section 481.010) of Part 2 of the Code of Civil Procedure.</p>		<p>a fee imposed under this part is due within 30 days after the fee payer is notified of the fee imposed.</p> <p>(b) A local agency may exercise the authority set forth in Sections 75615 and 75616 and Article 5 (commencing with Section 75630) of Chapter 3 of Part 9 of Division 21 to collect delinquent fees.</p>

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<p>(d) In the alternative to bringing a suit pursuant to subdivision (c), a groundwater sustainability agency may collect any delinquent groundwater charge and any civil penalties and interest on the delinquent groundwater charge pursuant to the laws applicable to the local agency or, if a joint powers authority, to the entity designated pursuant to Section 6509 of the Government Code. The collection shall be in the same manner as it would be applicable to the collection of delinquent assessments, water charges, or tolls.</p> <p>(e) As an additional remedy, a groundwater sustainability agency, after a public hearing, may order an owner or operator to cease extraction of groundwater until all delinquent fees are paid. The groundwater sustainability agency shall give notice to the owner or operator by certified mail not less than 15 days in advance of the public hearing.</p> <p>(f) The remedies specified in this section for collecting and enforcing fees are cumulative and may be pursued alternatively or may be used consecutively as determined by the governing</p>		

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<p>body.</p> <p>10734.</p> <p>(a) Nothing in this chapter shall affect or interfere with the authority of a groundwater sustainability agency to levy and collect taxes, assessments, charges, and tolls as otherwise provided by law.</p> <p>(b) For the purposes of Section 6254.16 of the Government Code, persons subject to payment of fees pursuant to this chapter are utility customers of a groundwater sustainability agency.</p> <p>10734.5.</p> <p>(a) If there is reasonable cause to believe that the production of groundwater from any groundwater extraction facility is in excess of that disclosed by the statements covering the facility or if no statement is filed covering the facility, then the governing body may cause an investigation and report to be made concerning the production of groundwater from that groundwater extraction facility that includes, but is not limited to, the accuracy of the water-measuring device. The governing body may make a determination fixing the amount of groundwater production from the groundwater extraction</p>		

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<p>facility at an amount not to exceed the maximum production capacity of the facility for purposes of levying a groundwater charge. If a water-measuring device is permanently attached to the groundwater extraction facility, the record of production as disclosed by the water-measuring device shall be presumed to be accurate unless the contrary is established by the groundwater management agency after investigation.</p> <p>(b) After the governing body makes a determination fixing the amount of groundwater production pursuant to subdivision (a), a written notice of the determination shall be mailed to the owner or operator of the groundwater extraction facility at the address as shown by the groundwater management agency's records. A determination made by the governing body shall be conclusive on the owner or operator and the groundwater charges, based on the determination together with any interest and penalties, shall be payable immediately unless within 10 days after the mailing of the notice the owner or operator files with the governing body a written protest setting forth the ground for protesting the amount of production or the groundwater</p>		

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<p>charges, interest, and penalties. If a protest is filed pursuant to this subdivision, the governing body shall hold a hearing to determine the total amount of the groundwater production and the groundwater charges, interest, and penalties. The determination by the governing body at the hearing shall be conclusive if based upon substantial evidence. Notice of the hearing shall be mailed to each protestant at least 10 days before the date fixed for the hearing. Notice of the determination of the governing body hearing shall be mailed to each protestant. The owner or operator shall have 20 days from the date of mailing of the determination to pay the groundwater charges, interest, and penalties determined by the governing body.</p>		

IV. Planning Process, Elements of Plans, Timeline, and Milestones

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Local Groundwater Management Plan		
<p>CHAPTER 8. Groundwater Sustainability Plans</p> <p>10735. (a) A groundwater sustainability plan shall be adopted for each medium or high priority basin by an overlying groundwater sustainability agency. The plan may incorporate, extend, or be based on a plan adopted pursuant to Part 2.75 (commencing with Section 10750) and shall include all of the following: (1) A description of the physical setting and characteristics of the aquifer system underlying the basin that includes the following: (A) Historical data, to the extent available. (B) Groundwater levels, groundwater quality, subsidence, and groundwater-surface water interaction. (C) Known issues of concern with respect to the data described in this paragraph. (D) A general discussion of historical and projected water demands and supplies. (E) A map that details the area of the basin and the boundaries of the groundwater sustainability</p>	<p>Chapter 3. Sustainable Groundwater Management Plans</p> <p>10735. (a) A sustainable groundwater management plan shall be developed by a groundwater management agency to meet the requirements of this part. (b) A sustainable groundwater management plan shall encompass an entire basin or subbasin. If more than one groundwater management agency is managing within a basin or subbasin, the agencies shall jointly develop a plan to ensure all agencies are coordinated and a common set of objectives to address the management of the basin or subbasin are in place. (c) A sustainable groundwater management plan shall describe how the groundwater management agency will achieve sustainable groundwater management in the basin or subbasin within the following timeframes: (1) For basins and subbasins identified by the department as high and medium priority, a sustainable groundwater</p>	<p>SEC. L7. Section 10753.7 of the Water Code is AMENDED to read:</p> <p>10753.7. (a) For the purposes of qualifying as a groundwater management plan under this section, a plan shall contain the components that are set forth in this section. In addition to the requirements of a specific funding program, a local agency seeking state funds administered by the department for groundwater projects or groundwater quality projects, including projects that are part of an integrated regional water management program or plan, and excluding programs that are funded under Part 2.78 (commencing with Section 10795), shall do all of the following: (1) (A) Prepare and implement a groundwater management plan that includes basin management objectives for the groundwater basin that is subject to the plan. The plan shall include components relating to the monitoring and management of groundwater levels within the groundwater basin, groundwater quality degradation, inelastic land surface subsidence, changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin, and a</p>

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<p>agencies that overlie the basin that have or are developing groundwater sustainability plans.</p> <p>(F) A map identifying existing and potential recharge areas for the basin. The map or maps shall identify the existing recharge areas that substantially contribute to the replenishment of the groundwater basin. The map or maps shall be provided to the appropriate local planning agencies after adoption of the groundwater sustainability plan.</p> <p>(2) Groundwater management objectives to achieve the sustainability goal in the basin within 20 years of the implementation of the plan. The plan shall include a description of how the plan helps meet each objective and how each objective is intended to achieve the sustainability goal for the basin for long-term beneficial uses of groundwater. The department, at the request of the groundwater management agency, may grant an extension of up to 10 years beyond the 20 year sustainability time frame if necessary based on groundwater basin circumstances.</p> <p>(3) A planning and implementation</p>	<p>management plan shall be completed and submitted to the department by January 1, 2020. The plan shall be designed to achieve sustainable groundwater management within 20 years of the plan's adoption, with progress reports submitted to the department and the board every five years.</p> <p>(2) For basins and subbasins identified by the department as low or very low priority, sustainable groundwater management plans may be submitted to the department.</p> <p>(d) The department, in consultation with the board, shall establish the minimum standards for development of sustainable groundwater management plans, which shall include:</p> <p>(1) An identification of the geographic boundaries, physical characteristics of the basin, and mapping of those features that affect groundwater management.</p> <p>(2) Identification of physical interactions of impacts across subbasin boundaries.</p> <p>(3) A water budget and sustainable yield of the subbasin.</p> <p>(4) Data identifying the extent of the impacts and measurable objectives to reduce the impacts associated with long-term overdraft, water quality, subsidence, surface water</p>	<p>description of how recharge areas identified in the plan substantially contribute to the replenishment of the groundwater basin.</p> <p>(B) On or before January 1, 2020, these components of the groundwater management plan required under subparagraph (A) shall be consistent with sustainable groundwater management, as provided in Section 113.</p> <p>(C) (i) On January 1, 2018, and annually on January 1 thereafter, a local agency that has prepared a groundwater management plan pursuant to this part shall include an annual addendum to the groundwater management plan that reports the aggregated groundwater extraction from the preceding water year for the area subject to the plan. The plan shall, at a minimum, identify extraction amounts for the period of October 1 through March 31, and April 1 through September 30.</p> <p>(ii)[Placeholder for DWR role].</p> <p>(2) For purposes of implementing paragraph (1), the local agency shall prepare a plan to involve other agencies that enables the local agency to work cooperatively with other public entities whose service area or boundary overlies the groundwater basin.</p>

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<p>horizon of at least 50 years.</p> <p>(4) As applicable to the basin, components relating to the following:</p> <p>(A) The monitoring and management of groundwater levels within the basin.</p> <p>(B) The monitoring and management of groundwater quality, groundwater quality degradation, inelastic land surface subsidence, and changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin.</p> <p>(C) Mitigation of overdraft.</p> <p>(D) How recharge areas identified in the plan substantially contribute to the replenishment of the basin.</p> <p>(5) A summary of the type of monitoring sites, type of measurements, and the frequency of monitoring for each location monitoring groundwater levels, groundwater quality, subsidence, streamflow, precipitation, evaporation, and tidal influence. The plan shall include a summary of monitoring information such as well depth, screened intervals, and aquifer</p>	<p>flows and groundwater dependent ecosystems in the subbasin.</p> <p>(5) Interim milestones and final targets with measurable objectives that demonstrate progress toward achieving sustainable groundwater management.</p> <p>(6) Descriptions of management objectives to achieve sustainability in the groundwater basin or subbasin, including monitoring and management actions.</p> <p>(c) The department, in consultation with the board, shall establish a process to certify a groundwater management plan which was in place before January 1, 2015, and has been established by local agencies or through adjudication, if the plan substantially meets the purposes and goals of this part. The department in consultation with the board, shall identify amendments or additions necessary to certify a groundwater management plan which was in place before January 1, 2015, under this subdivision wherever feasible. Final certification shall be provided by the board.</p> <p>10736. Before initiating the plan development, a groundwater management agency preparing a groundwater management plan shall convene a scoping session of all</p>	<p>(3) For purposes of implementing paragraph (1), the local agency shall prepare a map that details the area of the groundwater basin, as defined in the department’s Bulletin No. 118, and the area of the local agency, that will be subject to the plan, as well as the boundaries of other local agencies that overlie the basin in which the agency is developing a groundwater management plan.</p> <p>(4) (A) Commencing January 1, 2013, for purposes of implementing paragraph (1), the groundwater management plan shall include a map identifying the recharge areas for the groundwater basin.</p> <p>(B) The local agency shall provide the map required pursuant to subparagraph (A) to the appropriate local planning agencies after adoption of the groundwater management plan.</p> <p>(C) Upon submitting a map pursuant to subparagraph (B), the local agency shall notify the department and all persons on the list established and maintained pursuant to subdivision (c) of Section 10753.4.</p> <p>(D) For purposes of this paragraph, “map identifying the recharge areas” means a map that identifies, or maps that identify, the current recharge areas that substantially contribute to the replenishment of the groundwater</p>

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<p>zones monitored, and a summary of the type of well relied on for the information, including public, irrigation, domestic, industrial, and monitoring wells.</p> <p>(6) Monitoring protocols that are designed to detect changes in groundwater levels, groundwater quality, inelastic surface subsidence for basins for which subsidence has been identified as a potential problem, and flow and quality of surface water that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin. The monitoring protocols shall be designed to generate information that promotes efficient and effective groundwater management.</p> <p>10735.5.</p> <p>(a) Prior to initiating the development of a groundwater sustainability plan, the groundwater sustainability agency shall make available to the public and the department a written statement describing the manner in which interested parties may participate in the development and implementation of the groundwater sustainability plan. The groundwater sustainability agency may appoint and consult with an advisory committee consisting of interested</p>	<p>interested parties, including, but not limited to, those described in Section 10730.3.</p> <p>10737.</p> <p>(a) A local agency shall do the following to meet this part:</p> <p>(1) Prepare and implement a sustainable groundwater management plan that includes basin management objectives for the groundwater basin that is subject to the plan. The plan shall include components relating to the monitoring and management of groundwater levels within the groundwater basin, groundwater quality degradation, inelastic land surface subsidence, changes in surface flow and surface water quality that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin, and a description of how recharge areas identified in the plan substantially contribute to the replenishment of the groundwater basin. For purposes of implementing this paragraph, all of the following shall apply:</p> <p>(A) The local agency shall prepare a plan to work cooperatively with other public entities whose service area or boundary overlies the</p>	<p>basin.</p> <p>(5) The local agency shall adopt monitoring protocols that are designed to detect changes in groundwater levels, groundwater quality, inelastic surface subsidence for basins for which subsidence has been identified as a potential problem, and flow and quality of surface water that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin. The monitoring protocols shall be designed to generate information that promotes efficient and effective groundwater management.</p> <p>(6) Except as provided in paragraph (8), the groundwater management plan, in combination with areas cooperatively managed by other entities consistent with subdivisions (a) and (b) of Section 10752, shall encompass an area no smaller than a subbasin, and shall include all areas within that subbasin, as defined in Section 10925, on or before January 1, 2020.</p> <p>(7) (A) If the plan is for a critically overdrafted groundwater basin, as identified in the department's Bulletin 118 on or before July 1, 2014, the plan shall provide for the elimination of long-term overdraft, with programs in place on or before</p>

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<p>parties for the purposes of developing and implementing a sustainable groundwater management plan. The groundwater management agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the groundwater basin prior to and during the development and implementation of the groundwater management plan. The groundwater sustainability agency shall encourage the active involvement of diverse social, cultural, and economic elements of the population within the basin prior to and during the development and implementation of the groundwater sustainability plan.</p> <p>(b) The groundwater sustainability agency shall establish and maintain a list of persons interested in receiving notices regarding plan preparation, meeting announcements, and availability of draft plans, maps, and other relevant documents. A person may request, in writing, to be placed on the list of interested persons.</p> <p>10736.</p> <p>(a) Except as provided in subdivision (b), a groundwater sustainability agency shall certify that its plan complies with this part no later than</p>	<p>groundwater basin.</p> <p>(B) The local agency shall prepare a map that details the area of the groundwater basin, as defined in the department's Bulletin No. 118, and the area of the local agency, that will be subject to the plan, as well as the boundaries of other local agencies that overlie the basin in which the agency is developing a groundwater management plan.</p> <p>(C) The groundwater management plan shall include a map identifying the recharge areas for the groundwater basin. The local agency shall provide the map to the appropriate local planning agencies after adoption of the groundwater management plan and shall notify the department and all persons on the list established and maintained pursuant to Section 10730.4. For purposes of this subparagraph, "map identifying the recharge areas" means a map that identifies, or maps that identify, the current recharge areas that substantially contribute to the replenishment of the</p>	<p>January 1, 2035, that effectively correct the critically overdrafted condition of the groundwater basin.</p> <p>(B) If a plan will not correct the condition of critical overdraft or correct a condition that is a basis for a designation pursuant to Section 5200, within five years after the plan is adopted, the plan shall include interim objectives establishing levels of progress towards achieving full compliance. The dates for achieving interim objectives shall be no more than five years apart.</p> <p>(8) Local agencies that are located in areas outside the groundwater basins delineated on the latest edition of the department's groundwater basin and subbasin map shall prepare groundwater management plans incorporating the components in this subdivision, and shall use geologic and hydrologic principles appropriate to those areas.</p> <p>(b) (1) (A) A local agency may receive state funds administered by the department for groundwater projects or for other projects that directly affect groundwater levels or quality if it prepares and implements, participates in, or consents to be subject to, a groundwater management plan, a basinwide management plan, or other integrated</p>

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<p>January 31, 2020, and every five years thereafter. A groundwater sustainability agency shall submit this certification to the department within 30 days of the certification.</p> <p>(b) A basin shall be in compliance with this part if a groundwater sustainability agency for a basin or other local agency submits to the department no later than January 31, 2020, and every five years thereafter, any of the following documents:</p> <p>(1) A copy of a governing final judgment or other judicial order or decree establishing a groundwater sustainability program for the basin.</p> <p>(2) A report approved by a groundwater sustainability agency that shows that current management or operations activities have been consistent with the sustainable yield of the basin over a period of at least 10 years. The report shall be prepared by a registered professional engineer or geologist who is licensed by the state and submitted under that engineer's or geologist's seal. The report may demonstrate compliance with the sustainability goal in the basin by presenting a balanced water budget for the basin, a technical analysis demonstrating</p>	<p>groundwater basin.</p> <p>(2) Adopt monitoring protocols that are designed to detect changes in groundwater levels, groundwater quality, inelastic surface subsidence for basins for which subsidence has been identified as a potential problem, and flow and quality of surface water that directly affect groundwater levels or quality or are caused by groundwater pumping in the basin. The monitoring protocols shall be designed to generate information that promotes efficient and effective groundwater management.</p> <p>(3) Upon the adoption of a groundwater management plan in accordance with this part, the local agency shall submit a copy of the plan to the department, in an electronic format approved by the department, if practicable. The department shall make available to the public copies of the plan received pursuant to this part.</p>	<p>regional water management program or plan that meets, or is in the process of meeting, the requirements of subdivision (a). A local agency with an existing groundwater management plan that meets the requirements of subdivision (a), or a local agency that completes an update of its plan to meet the requirements of subdivision (a) within one year of applying for funds, shall be given priority consideration for state funds administered by the department over local agencies that are in the process of developing a groundwater management plan. The department shall withhold funds from the project until the update of the groundwater management plan is complete.</p> <p>(B) Notwithstanding subparagraph (A), a local agency that manages groundwater under any other provision of existing law that meets the requirements of subdivision (a), or that completes an update of its plan to meet the requirements of subdivision (a) within one year of applying for funding, shall be eligible for funding administered by the department. The department shall withhold funds from a project until the update of the groundwater management plan is complete.</p> <p>(C) Notwithstanding subparagraph (A),</p>

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<p>stable groundwater levels over the relevant period, or other sufficient technical analyses.</p> <p>(c) (1) The department may review the submissions made pursuant to this section and may request the supporting information on which the certification pursuant to subdivision (a) or the other documentation pursuant to subdivision (b) relied. The department may issue findings concerning the validity of the certification or other submission.</p> <p>(2) Before issuing findings pursuant to paragraph (1), the department shall transmit a draft of its findings to the submitting agency and shall consult with that agency. The submitting agency may submit a response to the department within 60 days of receiving the department's draft findings.</p> <p>(3) If the department's finding issued pursuant to paragraph (1) concern the compliance of a plan with requirements for sustainable groundwater management or the operation of a basin consistent with the basin's sustainable yield, the submitting agency, within 90 days of receipt, shall consider amendments to its plan or technical analysis to address the department's findings.</p> <p>(d) The Antelope Valley basin at issue in the Antelope Valley Groundwater Cases (Judicial Council Coordination Proceeding Number 4408) shall be</p>	<p>SEC. 7. Section 10750.11 is added to the Water Code, to read:</p> <p>10750.11. Commencing January 1, 2015, a new plan shall not be adopted and an existing plan shall not be renewed pursuant to this part. A plan adopted before January 1, 2015, shall remain in effect until a sustainable groundwater management plan is adopted pursuant to Part 2.74 (commencing with Section 10720).</p>	<p>a local agency that conforms to the requirements of an adjudication of water rights in the groundwater basin is in compliance with subdivision (a). For purposes of this subparagraph, an "adjudication" includes an adjudication under Section 2101, an administrative adjudication, and an adjudication in state or federal court. (D) Subparagraphs (A) and (B) do not apply to proposals for funding under Part 2.78 (commencing with Section 10795), or to funds authorized or appropriated prior to September 1, 2002.</p> <p>(E) A local agency may request state funds to map groundwater recharge areas pursuant to paragraph (4) of subdivision (a) to the extent that the request for state funds is consistent with eligibility requirements that are applicable to the use of the requested funds.</p> <p>(2) Upon the adoption of a groundwater management plan in accordance with this part, the local agency shall submit a copy of the plan to the department, in an electronic format, if practicable, approved by the department. The department shall make available to the public copies of the plan received pursuant to this part.</p>

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<p>treated as an adjudicated basin pursuant to this section if the superior court's final judgment, order, or decree is submitted to the department consistent with this section.</p> <p>10736.5. A groundwater management agency shall periodically evaluate its groundwater sustainability plan, assess changing conditions in the basin that may warrant modification of the plan or management objectives, and may adjust components in the plan. An evaluation of the plan shall focus on determining whether the actions under the plan are meeting the plan's management objectives and whether those objectives are meeting the sustainability goal in the basin.</p> <p>10737. A groundwater sustainability agency preparing a groundwater sustainability plan or a plan amendment shall notify any city or county within the area of the proposed plan or amendment at least 90 days before a public hearing on the plan where the agency will be reviewing the plan or amendment and considering its adoption or amendment. The groundwater sustainability agency shall obtain comments from any city or county that receives notice pursuant to this section and shall consult with a city or county that requests consultation within 30 days of receipt</p>		

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<p>of the notice. Nothing in this section is intended to preclude an agency and a city or county from otherwise consulting or commenting regarding the adoption or amendment of a plan.</p>		
Groundwater Management Plan Authority to Regulate Groundwater Extractions		
<p>10735. A groundwater sustainability plan may include all of the following, where appropriate:</p> <ol style="list-style-type: none"> (1) Control of saline water intrusion. (2) Wellhead protection areas and recharge areas. (3) Migration of contaminated groundwater. (4) A well abandonment and well destruction program. (5) Replenishment of groundwater extractions. (6) Activities implementing, opportunities for, and impediments to, conjunctive use. (7) Well construction policies. (8) Measures addressing groundwater contamination cleanup, recharge, diversion to storage, conservation, water recycling, conveyance, and extraction projects. (9) Efficient water management 	<p>10738. In addition to the elements required under Section 10737, a sustainable groundwater management plan shall include provisions for the following components. If one or more elements are not relevant to the specific basin or subbasin, the plan shall explain why that element is unnecessary.</p> <ol style="list-style-type: none"> (a) Controlling of saline water intrusion. (b) Identifying and managing wellhead protection areas and recharge areas. (c) Regulating the migration of contaminated groundwater. (d) Administering a well abandonment and well destruction program. (e) Mitigating or avoiding conditions of overdraft. (f) Replenishing groundwater extracted by water producers. (g) Regulating groundwater extractions. (h) Monitoring and reporting, including 	<p>SEC. L8 Section 10753.8 of the Water Code is AMENDED to read:</p> <p>10753. 8. A groundwater management plan may include components relating to all of the following:</p> <ol style="list-style-type: none"> (a) The control Control of saline water intrusion. (b) Identification and management of wellhead protection areas and recharge areas. (c) Regulation of the migration of contaminated groundwater. (d) The administration Administration of a well abandonment and well destruction program. (e) Mitigation or avoidance of conditions of overdraft. (f) Regulation of groundwater extractions. (g) Replenishment of groundwater extracted by water producers. (h) Monitoring and reporting, including but not limited to reasonable requirements

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<p>practices, as defined in Section 10902, for the delivery of water and water conservation methods to improve the efficiency of water use.</p> <p>(10) Efforts to develop relationships with state and federal regulatory agencies.</p> <p>(11) Processes to review land use plans and efforts to coordinate with land use planning agencies to assess activities that potentially create risks to groundwater quality or quantity.</p>	<p>but not limited to, reasonable requirements for monitoring and reporting by persons or entities that extract groundwater or divert water to underground storage, of groundwater extractions, levels, and storage.</p> <p>(i) Facilitating conjunctive use operations.</p> <p>(j) Establishing well construction policies.</p> <p>(k) Constructing and operating by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling, and extraction projects.</p> <p>(l) Developing relationships with state and federal regulatory agencies.</p> <p>(m) Reviewing land use plans and coordination with land use planning agencies to assess activities that create a reasonable risk of groundwater contamination.</p> <p>(n) Establishing and implementing a dispute resolution processes.</p>	<p>for monitoring and reporting by persons or entities that extract groundwater or divert water to underground storage, of groundwater extractions, levels, and storage.</p> <p>(i) Facilitating conjunctive use operations.</p> <p>(j) Identification of well Well construction policies.</p> <p>(k) The construction Construction and operation by the local agency of groundwater contamination cleanup, recharge, storage, conservation, water recycling, and extraction projects.</p> <p>(l) The development Development of relationships with state and federal regulatory agencies.</p> <p>(m) The review Review of land use plans and coordination with land use planning agencies to assess activities which create a reasonable risk of groundwater contamination.</p>
Management of Designated Over-Draft Basins in Management Plans		
<p>10721. Subject to Section 10736, by January 31, 2020, all basins designated as high- or medium-priority basins by the department pursuant to Section 10933 shall be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans pursuant to</p>	<p>CHAPTER 2.5. Basin and Subbasin Priority</p> <p>10726.</p> <p>(a) Pursuant to Section 10933, the department shall categorize each basin and subbasin as one of the following priorities:</p>	<p>SEC. L15. Section 10755.4 of the Water Code is AMENDED to read:</p> <p>10755.4. Except in those groundwater basins that are <i>designated basins or are</i> subject to critical conditions of groundwater overdraft, as identified in the department’s Bulletin 118–80,</p>

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<p>this part. The Legislature encourages basins designated as low priority basins by the department pursuant to Section 10933 to be managed under groundwater sustainability plans pursuant to this part as soon as possible.</p> <p>10721.5. Groundwater management pursuant to this part shall be consistent with Section 2 of Article X of the California Constitution. Nothing in this part modifies rights or priorities to use or store groundwater consistent with Section 2 of Article X of the California Constitution, except that in medium- and high-priority basins, no extraction of groundwater between January 1, 2015, and December 31, 2020, or the date of adoption of a groundwater sustainability plan pursuant to this part, whichever is sooner, may be used as evidence of, or to establish or defend against, any claim of prescription.</p>	<ul style="list-style-type: none"> (1) High priority. (2) Medium Priority (3) Low Priority (4) Very low priority <p>(b) (1) No later than January 1, 2018, the Department of Fish and Wildlife, in collaboration with the department, shall identify those basins and subbasins where species and ecosystems are vulnerable to existing or future groundwater conditions.</p> <p>(2) The department shall revise the priorities for those basins and subbasins identified in paragraph (1) as appropriate.</p>	<p>revised on December 24, 1982, the requirements of a groundwater management plan that is implemented pursuant to this part do not apply to the extraction of groundwater by means of a groundwater extraction facility that is used to provide water for domestic purposes to a single-unit residence and, if applicable, any dwelling unit authorized to be constructed pursuant to Section 65852.1 or 65852.2 of the Government Code.</p>

V. Review, Audits, and Reporting

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
Well Reports		
N/A	N/A	<p>SEC. T1. Section 13752 of the Water Code is AMENDED to read:</p> <p>13752. Reports made in accordance with paragraph (1) of subdivision (b) of Section 13751 shall not be made available for inspection by the public, but shall be made available to governmental agencies for use in making studies and to the board or department for use in any investigation or proceeding under this division, Division 2 (commencing with Section 1000), or Part 2.11 (commencing with Section 10920) of Division 6, or to any person who obtains a written authorization from the owner of the well. However, a report associated with a well located within two miles of an area affected or potentially affected by a known unauthorized release of a contaminant shall be made available to any person performing an environmental cleanup study associated with the unauthorized release, if the study is conducted under the order of a regulatory agency. A report released to a person conducting an environmental cleanup study shall not be used for any purpose other than for the purpose of conducting the study.</p>

VI. SWB Intervention (State Backstop)

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
State Intervention and Phased State Authority		
<p>Chapter 9. State Intervention</p> <p>10738. The intent of the Legislature to amend this measure to provide that one or more state agencies act to ensure that all basins in California are on track to achieve the sustainability goal if local agencies are unable to adopt or implement groundwater sustainability plans that achieve that goal.</p>	<p>10745. If, by January 1, 2018, a local agency or agencies has not initiated a sustainable groundwater management plan for a groundwater basin that the department has determined is a high- or medium-priority basin pursuant to Section 10726, the department shall:</p> <p>(a) Contact those local agencies that are authorized by law to provide water service or whose land use jurisdiction overlays the groundwater basin and offer to assist in the establishment of a local groundwater management agency.</p> <p>(b) If, within 60 days of the department's initial notice pursuant to subdivision (a), a local agency or agencies has not agreed to establish a local groundwater management agency, the department shall refer the matter to the board, indicating the priority the department gives to the establishment of sustainable groundwater management of the subbasin.</p> <p>10746.</p> <p>(a) Each groundwater agency that is</p>	<p>ADDED to Water Code:</p> <p>5201.</p> <p>(a) The board, after notice and a public hearing, may adopt a groundwater management plan for a designated basin.</p> <p>(1) The board is not authorized to adopt a plan under this section before January 1, 2017.</p> <p>(2) If a local public agency or joint powers authority has a governance structure in place on or before January 1, 2017, that applies to all areas within a subbasin, as defined in Section 10925, and includes authority consistent with Part 2.5 (commencing with Section 10750) of Division 6 throughout that subbasin, the board is not authorized to adopt a plan for that subdivision under this section before January 1, 2020. If the designated basin includes areas outside the subbasin, this paragraph is not a limitation on the authority of the board to adopt a plan for those portions of the designated basin that are outside the subbasin.</p> <p>(b) (1) Before adopting a plan under</p>

	<p>required to complete a groundwater management plan pursuant to paragraph (1) of subdivision (c) of Section 10735 shall submit the plan to the department for review by January 1, 2020, and shall submit a progress report every 5 years thereafter.</p> <p>(b) Upon receipt of the plan on or before January 1, 2020, or the progress report, the department shall provide a selected review and analysis of the sustainable groundwater management plan, or progress report, and shall submit a report of compliance to the state board.</p> <p>10747.</p> <p>(a) The board, after written notice and public hearing, may initiate a process to have a qualified third party develop a groundwater management plan for the basin or subbasin, including monitoring and reporting, restrictions on groundwater extraction, and the collection of fees, for a groundwater basin based on either of the following:</p> <p>(1) The groundwater basin has been identified as a high- or medium-priority basin by the department and a local agency has not initiated the development of a sustainable groundwater management plan on or</p>	<p>this section, the board shall first determine whether any local public agency overlying all or a part of the designated basin has initiated a process to adopt a groundwater management plan, or undertake an adjudication of water rights, that will lead to the elimination of the condition of long-term overdraft or condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters. To provide an opportunity for a local public agency to initiate preparation of an adequate local groundwater management plan or to initiate an adjudication of water rights, the board shall provide a period of at least one hundred and eighty days after it issues a declaration under Section 5200 before making a determination under this paragraph.</p> <p>(2) If the board determines that a plan will be adopted or an adjudication will be initiated as provided in paragraph (1), the board shall take no further action under this section, except that the board may become a party to the adjudication or accept a reference under Part 3 (commencing with Section 2000).</p> <p>(3) The board may periodically review a determination made under paragraph (2), and may</p>
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	<p>before January 1, 2018.</p> <p>(2) The groundwater basin has been identified as a high- or medium-priority basin by the department and the board finds that the sustainable groundwater management plan submitted on or before January 1, 2020, fails to meet the standards and requirements of this part.</p> <p>(b) The board may adopt and enforce the sustainable groundwater management plan developed pursuant to subdivision (a).</p> <p>10748. The board, after written notice and public hearing, may initiate enforcement of a sustainable groundwater management plan adopted by the groundwater management agency, including monitoring and reporting, restrictions on groundwater extraction, and the collection of fees, for a groundwater basin if the groundwater basin has been identified as a high- or medium-priority basin by the department and the groundwater management agency has not made progress to meet its five-year milestone and measurable objectives identified in its plan.</p> <p>10749. Before adoption or enforcement of a sustainable</p>	<p>revoke the determination if the board determines that the local agency is not diligently pursuing the adoption of a groundwater management plan or the initiation and prosecution of an adjudication of water rights, or finds that the groundwater management plan or adjudication will not lead to the elimination of long-term overdraft or condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters.</p> <p>(c) The groundwater management plan shall include:</p> <p>(1) Identification of the actions which are necessary to correct a condition of long-term overdraft or a condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters, including recommendations for appropriate action by any entity, public or private;</p> <p>(2) A time schedule for the actions to be taken;</p> <p>(3) A description of the monitoring to be undertaken to determine effectiveness of the plan.</p> <p>(d) The groundwater management plan may include:</p> <p>(1) Restrictions on groundwater pumping or extraction;</p> <p>(2) A physical solutions;</p> <p>(3) Principles and guidelines for the</p>
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	<p>groundwater management plan pursuant to Section 10747 or 10748, respectively, the board shall identify the measures necessary to bring the plan or the plan's implementation into compliance with this part and allow the groundwater management agency to correct the deficiencies within a reasonable period of time. The department shall provide technical assistance as needed for this purpose.</p> <p>10749.5. The board, in consultation with the department, shall make all reasonable efforts to transfer management of a groundwater basin back to local agencies in compliance with this part at the earliest feasible date.</p>	<p>administration of rights to surface waters that are connected to the groundwater basin.</p> <p>(e) To the extent feasible consistent with Sections 100 and 275 and subdivision (f), the plan shall be consistent with water right priorities.</p> <p>(f) Where, in the judgment of the board, a local groundwater management plan or program or an adjudication of water rights can be relied on as part of the plan, either throughout the groundwater basin or in an area within the groundwater basin, the board may rely on or incorporate elements of that plan, program or adjudication into the plan adopted by the board.</p> <p>(g) State offices, departments and boards, in carrying out activities that may affect the designated basin, shall comply with a groundwater management plan adopted by the board under this section unless otherwise directed or authorized by statute, in which case they shall indicate to the board in writing their authority for not complying with the groundwater management plan.</p> <p>(h) (1) After the board adopts a groundwater management plan under this section, board shall determine if a local groundwater management plan or an adjudication of water rights is</p>
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		<p>adequate to eliminate the condition of long-term overdraft or condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters, upon petition of either of the following:</p> <ul style="list-style-type: none">(A) a local public agency that has adopted a groundwater management plan for the designated basin; or(B) a person authorized to file the petition by a judicial order or decree entered in a proceeding to adjudicate water rights in the designated basin. <p>(2) The board shall act on a petition filed paragraph (1) within 90 days after the petition is complete. If the board determines that the local public agency's groundwater management plan or the adjudication of water rights is adequate, the board shall rescind the groundwater management plan adopted by the board for the designated basin, except as provided in paragraphs (3) and (4).</p> <p>(3) Upon request of the petitioner, the board may amend a groundwater management plan adopted under this section to eliminate portions of the plan, while allowing other portions to continue in effect.</p> <p>(4) The board may decline to</p>
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		<p>rescind a groundwater management plan adopted in this section if the board determines that the petitioner has not provided adequate assurances that the local public agency's groundwater management plan or adjudication decree will be implemented. (5) This subdivision is not a limitation on the authority of the board to rescind or amend a groundwater management plan adopted under this section based on the progress made by local public agency or in a proceeding for adjudication of water rights, even if the board cannot make a determination of adequacy under paragraph (1).</p>
<p>State Water Board Authority to Designate Basins</p>		
<p>Chapter 4. Basin Boundaries</p> <p>10723. Unless other basin boundaries are established pursuant to this chapter, a basin's boundaries shall be as identified in Bulletin 118.</p> <p>10723.5. (a) The department shall consider proposals to adjust the</p>	<p>N/A</p>	<p>SEC. B1. Part 5.2 (commencing with Section 5200) is ADDED to Division 2 of the Water Code to read:</p> <p>Part 5.2: State Groundwater Management Pending Establishment of Sustainable Groundwater Management Locally</p> <p>5200.</p>

<p>boundaries of a basin in accordance with the following:</p> <p>(1) A proposal shall be supported by the following information:</p> <p>(A) Information to demonstrate that the proposed adjusted basin can be the subject of sustainable groundwater management. It shall not be necessary that the information show that a proposed adjusted basin currently is subject to sustainable groundwater management.</p> <p>(B) A technical report concerning the boundaries of, and conditions in, the proposed adjusted basin that is stamped by a registered civil engineer or certified hydrologist.</p> <p>(C) Information demonstrating that the entity proposing the basin boundary adjustment consulted with interested local agencies and public water systems in the basin before filing the proposal with the department.</p> <p>(2) A proposal may be supported by information concerning historic management of the proposed adjusted basin.</p> <p>(3) The department shall circulate a draft decision by the department no fewer than 60 days before the department adopts that decision.</p> <p>(b) The department shall require anyone who proposes a basin boundary adjustment to serve the basin boundary adjustment proposal on other interested parties and to submit responses to</p>		<p>(a) (1) The board, after notice and a public hearing, may declare a groundwater basin to be in a condition of long-term overdraft or in a condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters.</p> <p>(2) The department shall provide information and recommendations to assist the board in prioritizing and making determinations under paragraph (1).</p> <p>(b) A declaration that a groundwater basin is in a condition of long-term overdraft or in a condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters shall include the following findings:</p> <p>(1) The long-term average annual amount of water extracted from the basin exceeds the long-term average supply of water to the basin, or groundwater extractions affect interconnected surface waters in a manner that unreasonably affects the beneficial uses of interconnected surface waters;</p> <p>(2) There is a need for groundwater management in the basin; and</p> <p>(3) There is no groundwater management program in effect that has eliminated or is making progress that will lead to the</p>
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<p>proposals for basin boundary adjustments to the department.</p> <p>(c) (1) All proposals to adjust basin boundaries pursuant to this section shall be filed with the department by July 1, 2016. (2) The department shall issue all decisions concerning adjustments to basin boundaries pursuant to this section by January 1, 2018. (3) The department may provide for expedited processing to consider proposals to adjust basin boundaries if necessary to expedite consideration of the boundaries of a basin that is subject to an adjudication action.</p> <p>(d) The adjustment of boundaries pursuant to this section includes the subdivision of a basin.</p> <p>(e) (1) By January 1, 2016, the department shall adopt emergency regulations to implement this section in an open and public process that includes the following: (A) An opportunity for the public to submit proposals for the regulations to the department by April 1, 2015. (B) Circulation of draft regulations by the department by August 1, 2015, for public review and comment. (2) The department shall adopt emergency regulations pursuant to this section in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of</p>		<p>elimination of long-term overdraft or condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters in interconnected surface waters.</p> <p>(c) The declaration shall include identification of the boundaries of the groundwater basin.</p> <p>(d) The declaration shall set an amount of groundwater extractions, for purposes of establishing the amount for which reports of groundwater extraction are required under Section 10753.7.</p> <p>(e) Upon its own motion or upon petition of any interested person or entity, the board may revoke or revise the declaration that a groundwater basin is in a condition of longterm overdraft or in a condition where groundwater extractions unreasonably affect the beneficial uses of interconnected surface waters.</p> <p>(f) As used in this part, "designated basin" means a ground water basin for which the board has issued a declaration under this section.</p> <p>(g) As used in this part, "person" means any person, firm, association, organization, partnership, business trust, corporation, limited liability company, or public agency, including any city, county, city and county, district, joint powers</p>
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<p>Division 3 of Title 2 of the Government Code. The adoption of these regulations shall be deemed to be an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health, safety, and general welfare. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, any emergency regulation adopted by the department pursuant to this section shall remain in effect until revised by the department.</p> <p>10724. (a) The department shall review all of the basin boundaries identified in Bulletin 118 and publish any necessary revisions to those boundaries by January 1, 2023, in an update of Bulletin 118. As indicated by the best available technical information, including the groundwater sustainability plans that groundwater sustainability agencies submitted to the department in 2020, the department shall adjust the</p>		<p>authority, state, or any agency or department thereof. "Person" includes, to the extent authorized by federal law, the United States, a department, agency or instrumentality of the federal government, an Indian Tribe or an authorized Indian tribal organization, or interstate body.</p>
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<p>boundaries of basins and define any subdivisions of existing basins as new basins. In adjusting a basin's boundaries and defining any subdivisions of an existing basin as a new basin, the department shall determine whether those adjustments would result in a basin that would support sustainable groundwater management. In revising basin boundaries for an update of Bulletin 118, the department shall favor definitions of basins that enable the most practical and effective groundwater management.</p> <p>(b) In updating basin boundaries pursuant to this section, the department shall comply with the procedures applicable to a formal rulemaking under the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).</p>		
State Water Board Procedures		
N/A	N/A	<p>ADDED to Water Code:</p> <p>5203. (a) The board shall adopt or amend a declaration, plan or limitation under Section 5200, 5201 or 5202 in accordance with procedures for</p>

		<p>quasi-legislative action.</p> <p>(b) The board shall provide notice of a hearing under subdivision (a) of Section 5200, subdivision (a) of Section 5201 or subdivision (a) of Section 5202 as follows:</p> <p>(1) At least 90 days before the hearing, the board shall publish notice on its internet website;</p> <p>(2) At least 90 days before the hearing, the board shall notify the department and each city, county, or city and county in which any part of the groundwater basin is situated; and</p> <p>(3) At least 60 days before the hearing, the notice shall be mailed or sent by e-mail to all persons and entities known to the board who extract or who propose to extract water from the groundwater basin, or who have made written or e-mail request to the board for special notice of hearing pursuant to this part. If any portion of the groundwater basin is within a board-designated local area, the records made available to the board by the local agency under subdivision (d)(4) of Section 5009 shall include the names and addresses of persons and entities known to the local agency who extract water from the groundwater</p>
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		<p>basin, and the board shall mail or e-mail the notice to those persons and entities. For purposes of this paragraph, "board-designated local area" and "local agency" shall have the same meaning as in Section 5009.</p> <p>(c) The board shall provide notice of proceedings to amend or repeal of a declaration, plan or limitation under Section 5200, 5201, 5202 as appropriate to the proceedings, taking into account the nature of the proposed revision and the person and entities likely to be affected. If the board proposes to modify the boundaries identified under Section 5200, subdivision (c), amend a plan to include additional restrictions on pumping or extraction, or expand the scope of a limitation, the board shall provide notice under subdivision (b) with respect to any areas proposed to be added or any person or entity subject to the additional restrictions or expanded limitation.</p> <p>(d) (1) Except as provided in paragraphs (2) and (3), Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 2 of Title of the Government Code does not apply to any action authorized under Section 5200, 5201, or 5202.</p> <p>(2) The board may adopt a regulation setting procedures for</p>
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		<p>adopting a declaration, plan or limitation.</p> <p>(3) The board may adopt a regulation pursuant to Section 1530 applying or interpreting this part if the board determines that the regulation is reasonably necessary for the allocation, administration or collection of fees authorized under Section 1529.5.</p>
State Water Board Authority to Require Reports		
N/A	N/A	<p>ADDED to Water Code:</p> <p>5205.</p> <p>(a) The board may order any person or entity that extracts or uses water from a groundwater basin that is subject to an investigation or proceeding under this part to prepare and submit to the board any technical or monitoring program reports related to that person's or entity's extraction or use of water as the board may specify. The costs incurred by the person or entity in the preparation of those reports shall bear a reasonable relationship to the need for the report and the benefit to be obtained from the report. If the preparation of individual reports would result in a duplication of effort, or if the reports are necessary to evaluate the cumulative effect of several diversions or uses of water, the</p>

		<p>board may order any person or entity subject to this subdivision to pay a reasonable share of the cost of preparing reports.</p> <p>(b) (1) An order issued under this section shall be served by personal service or registered mail on the party required to submit technical or monitoring program reports or to pay a share of the costs of preparing reports. Unless the board issues the order after a hearing, the order shall inform the party of the right to request a hearing within 30 days after the party has been served. If the party does not request a hearing within that 30-day period, the order shall take effect as issued. If the party requests a hearing within that 30-day period, the board may adopt a decision and order after conducting a hearing.</p> <p>(2) In lieu of adopting an order directed at named persons or entities under the procedures specified in paragraph (1), the board may adopt a regulation applicable to a category or class of persons or entities in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 2 of Title of the Government Code.</p> <p>(c) Upon application of any person or entity or upon its own motion, the board may review and revise an order or regulation issued pursuant</p>
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		<p>to this section, in accordance with the procedures set forth in subdivision (b).</p> <p>(d) In conducting an investigation or proceeding under this part, the board may inspect the property or facilities of a person or entity to ascertain whether the purposes of this part are being met and to ascertain compliance with this part. The board is authorized to obtain an inspection warrant pursuant to the procedure set forth in Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure for purposes of an inspection under this subdivision.</p>
CEQA Applicability to Groundwater Plans		
N/A	N/A	<p>ADDED to Water Code:</p> <p>5206. Division 13 (commencing with Section 21000) of the Public Resources Code does not apply to any action or failure to act by the board under this part, other than adoption or amendment of a groundwater management plan under Section 5201.</p>
Reconsideration of Board Groundwater Decisions		
N/A	N/A	<p>SEC. B2. Section 1120 of the Water Code is AMENDED to read:</p> <p>1120. This chapter applies to any decision or order issued under this part or Section 275, Part 2 (commencing with Section 1200), Part 5.2 (commencing with Section 5200), Part 2 (commencing with Section</p>

		<p>10500) of Division 6, Article 7 (commencing with Section 13550) of Chapter 7 of Division 7, or the public trust doctrine.</p>
State Water Board Fee Authority		
<p>N/A</p>	<p>N/A</p>	<p>SEC. B3. Section 1529.5 is ADDED to the Water Code to read:</p> <p>1529.5.</p> <p>(a) The board shall adopt a schedule of fees pursuant to Section 1530 to recover costs incurred in administering Part 5.2 (commencing with Section 5200). Recoverable costs include, but are not limited to, costs incurred in connection with investigations, monitoring, hearings, enforcement, and administrative costs in carrying out these actions.</p> <p>(b) The fee schedule adopted under this section may include, but is not limited to:</p> <p>(1) A fee for participation as a petitioner or party to an adjudicative proceeding.</p> <p>(2) A fee for the filing of a report pursuant to Chapter 4 (commencing with Section 10940) of Part 2.11 of Division 6 for extractions from a source within the boundaries of a designated basin under Section</p>

		<p>5200.</p> <p>(c) To the extent consistent with Article XIII A of the California Constitution, the board shall set the fees under this section in an amount sufficient to cover all costs incurred under Part 5.2 (commencing with Section 5200), excluding any funds appropriated from sources other than the Water Rights Fund for this purpose. In setting these fees, the board is not required to fully recover these costs in the year or the year immediately after they are incurred, but may provide for recovery over a period of years.</p> <p>(d) [PLACEHOLDER- Coordination with local or DWR extraction or use information.]</p>
SWB Authority to Issue Cease and Desist Orders		
<p>N/A</p>	<p>N/A</p>	<p>SEC. B4. Section 1831 of the Water Code, as amended by Stats. 2014, ch. 3, is AMENDED to read:</p> <p>1831.</p> <p>(a) When the board determines that any person is violating, or threatening to violate, any requirement described in subdivision (d), the board may issue an order to that person to cease and desist from that violation.</p> <p>(b) The cease and desist order shall require that person to comply forthwith or in accordance with a time schedule set by the board.</p>

		<p>(c) The board may issue a cease and desist order only after notice and an opportunity for hearing pursuant to Section 1834.</p> <p>(d) The board may issue a cease and desist order in response to a violation or threatened violation of any of the following:</p> <ul style="list-style-type: none">(1) The prohibition set forth in Section 1052 against the unauthorized diversion or use of water subject to this division.(2) Any term or condition of a permit, license, certification, or registration issued under this division.(3) Any decision or order of the board issued under this part, Section 275, Part 5.2 (commencing with Section 5200), or Article 7 (commencing with Section 13550) of Chapter 7 of Division 7, in which decision or order the person to whom the cease and desist order will be issued, or a predecessor in interest to that person, was named as a party directly affected by the decision or order.(4) A regulation adopted under Section 1058.5.(5) Any pumping restriction, limitation, order or regulation adopted or issued under Part 5.2 (commencing with Section 5200). <p>(e) This article shall does not authorize the board to regulate, in any manner, the diversion or use of water not otherwise subject to regulation of by the board under this division or section 275 part.</p>
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Definition of Person		
N/A	N/A	<p>SEC. B5. Section 2002 is ADDED to the Water Code to read:</p> <p>2002. As used in this part and Part 5.2 (commencing with Section 5200), "person" means any person, firm, association, organization, partnership, business trust, corporation, limited liability company, or public agency, including any city, county, city and county, district, joint powers authority, state, or any agency or department thereof. "Person" includes, to the extent authorized by federal law, the United States, a department, agency or instrumentality of the federal government, an Indian Tribe or an authorized Indian tribal organization, or interstate body.</p>

VII. DWR Technical Support

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
State/DWR Technical Assistance		
<p>10737.5.</p> <p>(a) The department or a groundwater sustainability agency may provide technical assistance to entities that extract or use groundwater to promote water conservation and protect groundwater resources.</p> <p>(b) The department may provide technical assistance to any groundwater sustainability agency in response to that agency's request for assistance in the development and implementation of a groundwater sustainability plan. The department shall use its best efforts to provide the requested assistance.</p> <p>(c) (1) By January 1, 2017, the department shall submit to the Legislature and publish on its Internet Web site best management practices for the sustainable management of groundwater. (2) Best management practices to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code. (3) The department shall develop the best management practices in consultation with a representative task force of interested entities. The department shall ensure that</p>	<p>10742. The department shall provide technical assistance to groundwater management agencies and develop and manage statewide groundwater information. This shall include, but is not limited to, the following:</p> <p>(a) Developing of best management practices and guidelines to assist groundwater agencies in the development and implementation of sustainable groundwater management plans.</p> <p>(b) Reporting on statewide groundwater basin characterization.</p> <p>(c) Initiating a subsidence monitoring and assessment program in coordination with the United States Geological Survey.</p>	<p>SEC. G3. Section 148 is ADDED to the Water Code to read:</p> <p>148. The department is authorized to provide technical assistance in the preparation and implementation of groundwater management and conjunctive use plans, to review and comment on the adequacy of those plans, and to make recommendations for when preparation of update of those plans is necessary.</p>

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<p>the task force's members are broadly representative of stakeholders who are interested in groundwater. The task force shall have no more than 25 stakeholder members. The task force also shall include at least three licensed engineers who have extensive experience with groundwater issues. The department shall convene the task force's first meeting by July 1, 2015. All meetings of the task force shall be open to the public.</p> <p>(4) A groundwater sustainability agency may consider the best management practices developed by the department in preparing a groundwater sustainability plan consistent with the requirements of this chapter.</p>		

VIII. Land Use (CEQA)

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
Limitations on High Priority Basins		
<p>CHAPTER 11. Land Use</p> <p>10745.</p> <p>(a) After January 31, 2020, until a groundwater sustainability agency or the board complies with this part for a basin, a person shall not increase groundwater extractions on a property within the basin from the average of the extractions on that property during the period of January 1, 2020, to December 31, 2024, inclusive, unless the person submits to the county a report that meets all of the following requirements:</p> <p>(1) A registered professional engineer or geologist licensed by the state prepared the report and submitted it under the engineer's or geologist's seal.</p> <p>(2) It includes a technical analysis demonstrating stable groundwater levels over the relevant period in the area where the increased extraction would occur.</p> <p>(3) It demonstrates that the increased extractions would not cause undesirable results in the basin.</p> <p>(b) A land use agency shall issue a well-drilling permit only if the</p>	<p>SEC. 9. Section 10933 of the Water Code is amended to read:</p> <p>10933.</p> <p>(a) On or before January 1, 2012, the department shall commence to identify the extent of monitoring of groundwater elevations that is being undertaken within each basin and subbasin.</p> <p>(b) The department shall prioritize groundwater basins and subbasins for the purpose of implementing this section and Part 2.74 (<u>commencing with Section 10720</u>). The department shall review available groundwater data and update the groundwater basins and subbasins in 2020 and every five years thereafter. In prioritizing the basins and subbasins, the department shall, to the extent data are available, consider all of the following:</p> <p>(1) The population overlying the basin or subbasin.</p> <p>(2) The rate of current and projected growth of the population overlying the basin or subbasin.</p> <p>(3) The number of public supply wells that draw from the basin or subbasin.</p> <p>(4) The total number of wells that draw from the basin or subbasin.</p>	<p>SEC. LU1. Section 53087.7 is ADDED to the Government Code, to read:</p> <p>[PLACEHOLDER – For basins designated high or medium priority by DWR there would be automatic limitations on extractions if a sustainable groundwater management plan is not in place by 2020. The intent is to avoid making the situation worse and to encourage the development of sustainable groundwater management plans. The administration is interested in exploring options that do not create a rush to drill and that protect unexercised, overlying correlative water rights, while not exacerbating the condition of overdraft.]</p>

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<p>extractions from the new or refurbished well satisfy the limit established pursuant to subdivision (a).</p> <p>(c) This section does not apply to the following:</p> <ul style="list-style-type: none"> (1) Monitoring wells. (2) Wells used for groundwater remediation under a cleanup or remedial action plan approved by a public agency with authority to oversee groundwater remediation or by a court of competent jurisdiction. (3) A well that is subject to judicial oversight and control pursuant to a final judgment governing extractions from the groundwater basin. <p>(d) This section shall not be construed as an exemption from any adjudication of rights to use groundwater whether that adjudication occurs in a court of California, the United States, or under procedures provided in Chapter 10 (commencing with Section 10742)</p>	<ul style="list-style-type: none"> (5) The irrigated acreage overlying the basin or subbasin. (6) The degree to which persons overlying the basin or subbasin rely on groundwater as their primary source of water. (7) Any documented impacts of the groundwater within the basin or subbasin, including overdraft, subsidence, saline intrusion, and other water quality degradation. (8) Any other information determined to be relevant by the department. <p>(c) If the department determines that all or part of a basin or subbasin is not being monitored pursuant to this part, the department shall do all of the following:</p> <ul style="list-style-type: none"> (1) Attempt to contact all well owners within the area not being monitored. (2) Determine if there is an interest in establishing any of the following: <ul style="list-style-type: none"> (A) A groundwater management plan pursuant to Part 2.75 (commencing with Section 10750). (B) An integrated regional water management plan pursuant to Part 2.2 (commencing with Section 10530) 	

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	<p>that includes a groundwater management component that complies with the requirements of Section 10753.7.</p> <p>(C) A voluntary groundwater monitoring association pursuant to Section 10935.</p> <p>(d) If the department determines that there is sufficient interest in establishing a plan or association described in paragraph (2) of subdivision (c), or if the county agrees to perform the groundwater monitoring functions in accordance with this part, the department shall work cooperatively with the interested parties to comply with the requirements of this part within two years.</p> <p>(e) If the department determines, with regard to a basin or subbasin, that there is insufficient interest in establishing a plan or association described in paragraph (2) of subdivision (c), and if the county decides not to perform the groundwater monitoring and repmiing functions of this part, the department shall do all of the following:</p> <p>(1) Identify any existing monitoring wells that overlie the basin or subbasin that are owned or operated by the department or any other</p>	

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	<p>state or federal agency.</p> <p>(2) Determine whether the monitoring wells identified pursuant to paragraph (1) provide sufficient information to demonstrate seasonal and long-term trends in groundwater elevations.</p> <p>(3) If the department determines that the monitoring wells identified pursuant to paragraph (1) provide sufficient information to demonstrate seasonal and long-term trends in groundwater elevations, the department shall not perform groundwater monitoring functions pursuant to Section 10933.5.</p> <p>(4) If the department determines that the monitoring wells identified pursuant to paragraph (1) provide insufficient information to demonstrate seasonal and long-term trends in groundwater elevations, the department shall perform groundwater monitoring functions pursuant to Section 10933.5.</p>	
Notice to Groundwater Agencies during General Planning Process		
<p>SEC. 2. Section 65352 of the Government Code is amended to read: 65352.</p>	<p>SEC. 3. Section 65352 of the Government Code is amended to read:</p>	<p>SEC. LU2. Section 65352 of the Government Code is AMENDED to read:</p>

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<p>(a) Prior to action by a legislative body to adopt or substantially amend a general plan, the planning agency shall refer the proposed action to all of the following entities:</p> <ol style="list-style-type: none"> (1) A city or county, within or abutting the area covered by the proposal, and any special district that may be significantly affected by the proposed action, as determined by the planning agency. (2) An elementary, high school, or unified school district within the area covered by the proposed action. (3) The local agency formation commission. (4) An areawide planning agency whose operations may be significantly affected by the proposed action, as determined by the planning agency. (5) A federal agency, if its operations or lands within its jurisdiction may be significantly affected by the proposed action, as determined by the planning agency. (6) (A) The branches of the United States Armed Forces that have provided the Office of Planning and Research with a California mailing address pursuant to subdivision (d) of Section 65944 when the proposed action is 	<p>65352.</p> <p>(a) Prior to action by a legislative body to adopt or substantially amend a general plan, the planning agency shall refer the proposed action to all of the following entities:</p> <ol style="list-style-type: none"> (1) A city or county, within or abutting the area covered by the proposal, and any special district that may be significantly affected by the proposed action, as determined by the planning agency. (2) An elementary, high school, or unified school district within the area covered by the proposed action. (3) The local agency formation commission. (4) An areawide planning agency whose operations may be significantly affected by the proposed action, as determined by the planning agency. (5) A federal agency, if its operations or lands within its jurisdiction may be significantly affected by the proposed action, as determined by the planning agency. (6) (A) The branches of the United States Armed Forces that have provided the 	<p>65352.</p> <p>(a) Prior to action by a legislative body to adopt or substantially amend a general plan, the planning agency shall refer the proposed action to all of the following entities:</p> <ol style="list-style-type: none"> (1) A city or county, within or abutting the area covered by the proposal, and any special district that may be significantly affected by the proposed action, as determined by the planning agency. (2) An elementary, high school, or unified school district within the area covered by the proposed action. (3) The local agency formation commission. (4) An areawide planning agency whose operations may be significantly affected by the proposed action, as determined by the planning agency. (5) A federal agency if its operations or lands within its jurisdiction may be significantly affected by the proposed action, as determined by the planning agency. (6) (A) The branches of the United States Armed Forces that have provided the Office of Planning and Research with a California mailing address pursuant to subdivision (d) of Section 65944 when the proposed action is within 1,000 feet of a military installation, or lies within special use

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<p>within 1,000 feet of a military installation, or lies within special use airspace, or beneath a low-level flight path, as defined in Section 21098 of the Public Resources Code, provided that the United States Department of Defense provides electronic maps of low-level flight paths, special use airspace, and military installations at a scale and in an electronic format that is acceptable to the Office of Planning and Research.</p> <p>(B) Within 30 days of a determination by the Office of Planning and Research that the information provided by the Department of Defense is sufficient and in an acceptable scale and format, the office shall notify cities, counties, and cities and counties of the availability of the information on the Internet. Cities, counties, and cities and counties shall comply with subparagraph (A) within 30 days of receiving this notice from the office.</p> <p>(7) A public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more service connections, that serves water to customers within the area</p>	<p>Office of Planning and Research with a California mailing address pursuant to subdivision (d) of Section 65944-whett if the proposed action is within 1,000 feet of a military installation, or lies within special use airspace, or beneath a low-level flight path, as defined in Section 21098 of the Public Resources Code, provided that the United States Department of Defense provides electronic maps of low-level flight paths, special use airspace, and military installations at a scale and in an electronic format that is acceptable to the Office of Planning and Research.</p> <p>(B) Within 30 days of determination by the Office of Planning and Research that the information provided by the Department of Defense is sufficient and in an acceptable scale and format, the office shall notify cities, counties, and cities and counties of the availability of the information on the Internet. Cities, counties, and cities and counties shall comply with subparagraph (A)</p>	<p>airspace, or beneath a low-level flight path, as defined in Section 21098 of the Public Resources Code, provided that the United States Department of Defense provides electronic maps of low-level flight paths, special use airspace, and military installations at a scale and in an electronic format that is acceptable to the Office of Planning and Research.</p> <p>(B) Within 30 days of a determination by the Office of Planning and Research that the information provided by the Department of Defense is sufficient and in an acceptable scale and format, the office shall notify cities, counties, and cities and counties of the availability of the information on the Internet. Cities, counties, and cities and counties shall comply with subparagraph (A) within 30 days of receiving this notice from the office.</p> <p>(7) A public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more service connections, that serves water to customers within the area covered by the proposal. The public water system shall have at least 45 days to comment on the proposed plan, in accordance with subdivision (b), and to provide the planning agency with the information set forth in Section 65352.5.</p>

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<p>covered by the proposal. The public water system shall have at least 45 days to comment on the proposed plan, in accordance with subdivision (b), and to provide the planning agency with the information set forth in Section 65352.5.</p> <p>(8) Any local agency or joint powers authority that has adopted a groundwater sustainability plan pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code or that otherwise manages groundwater pursuant to other provisions of law or a court order, judgment, or decree within the planning area of the proposed general plan.</p> <p>(9) State Water Resources Control Board if it has adopted a groundwater sustainability plan pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code that includes territory within the planning area of the proposed general plan.</p> <p>(10) The Bay Area Air Quality Management District for a proposed action within the boundaries of the district.</p> <p>(11) On and after March 1, 2005, a California Native American tribe,</p>	<p>within 30 days of receiving this notice from the office.</p> <p>(7) A public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more service connections, that serves water to customers within the area covered by the proposal. The public water system shall have at least 45 days to comment on the proposed plan, in accordance with subdivision (b), and to provide the planning agency with the information set forth in Section 65352.5.</p> <p>(8) A groundwater management agency or local agency that has adopted a groundwater management plan or sustainable groundwater management plan, or that otherwise manages groundwater pursuant to other provisions of law or a court order, judgment, or decree, or the State Water Resources Control Board if it has adopted a groundwater management plan pursuant to Section 10747 of the Water Code, that includes territory within the planning area of</p>	<p>(8) Any local agency that has adopted a groundwater management plan, or that otherwise manages groundwater pursuant to other provisions of law or a court order, judgment, or decree, or the State Water Resources Control Board if it has adopted a groundwater management plan pursuant to Section 5201 of the Water Code, that includes territory within the planning area of the proposed general plan.</p> <p>(9) The Bay Area Air Quality Management District for a proposed action within the boundaries of the district.</p> <p>(10) (9) On and after March 1, 2005, a California Native American tribe, that is on the contact list maintained by the Native American Heritage Commission, with traditional lands located within the city or county's jurisdiction.</p> <p>(11) (10) The Central Valley Flood Protection Board for a proposed action within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code.</p> <p>(b) Each entity receiving a proposed general plan or amendment of a general plan pursuant to this section shall have 45 days from the date the referring agency mails it or delivers it in which to comment unless a longer</p>

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<p>that is on the contact list maintained by the Native American Heritage Commission, with traditional lands located within the city or county's jurisdiction.</p> <p>(12) The Central Valley Flood Protection Board for a proposed action within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code.</p> <p>(b) Each entity receiving a proposed general plan or amendment of a general plan pursuant to this section shall have 45 days from the date the referring agency mails it or delivers it in which to comment unless a longer period is specified by the planning agency.</p> <p>(c) (1) This section is directory, not mandatory, and the failure to refer a proposed action to the other entities specified in this section does not affect the validity of the action, if adopted. (2) To the extent that the requirements of this section conflict with the requirements of Chapter 4.4 (commencing with Section 65919), the requirements of Chapter 4.4 shall prevail.</p>	<p>the proposed general plan.</p> <p>(9) The Bay Area Air Quality Management District. for a proposed action within the boundaries of the district.</p> <p>(10) On and after March 1, 2005, a California Native American tribe, that is on the contact list maintained by the Native American Heritage Commission, with traditional lands located within the city or county's jurisdiction.</p> <p>(11) The Central Valley Flood Protection Board. for a proposed action within the boundaries of the Sacramento and San Joaquin Drainage District, as set forth in Section 8501 of the Water Code.</p> <p>(b) An entity that receives a proposed general plan or amendment of a general plan pursuant to this section shall have 45 days from the date the referring agency mails it or delivers it in which to comment unless a longer period is specified by the planning agency.</p> <p>(c) (1) This section is directory, not mandatory, and the failure to refer a proposed action to the other entities specified in this section does not affect the validity of the action, if adopted. (2) To the extent that the requirements of this section conflict with the requirements of Chapter 4.4</p>	<p>period is specified by the planning agency.</p> <p>(c) (1) This section is directory, not mandatory, and the failure to refer a proposed action to the other entities specified in this section does not affect the validity of the action, if adopted. (2) To the extent that the requirements of this section conflict with the requirements of Chapter 4.4 (commencing with Section 65919), the requirements of Chapter 4.4 shall prevail.</p>

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	(commencing with Section 65919), the requirements of Chapter 4.4 shall prevail.	
Requirement: Provide Groundwater Information During General Planning Process		
<p>SEC. 3. Section 65352.5 of the Government Code is amended to read: 65352.5.</p> <p>(a) The Legislature finds and declares that it is vital that there be close coordination and consultation between California's water supply or management agencies and California's land use approval agencies to ensure that proper water supply and management planning occurs in order to accommodate projects that will result in increased demands on water supplies or impact water resource management.</p> <p>(b) It is therefore, the intent of the Legislature to provide a standardized process for determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies and the impact of land use decisions on the management of</p>	<p>SEC. 4. Section 65352.5 of the Government Code is amended to read: 65352.5.</p> <p>(a) The Legislature finds and declares that it is vital that there be close coordination and consultation between California's water supply agencies and California's land use approval agencies to ensure that proper water supply planning occurs in order to accommodate projects that will result in increased demands on water supplies.</p> <p>(b) It is, therefore, the intent of the Legislature to provide a standardized process for determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.</p> <p>(c) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a public water system, as defined in Section 116275 of the Health and</p>	<p>SEC. LU3. Section 65352.5 of the Government Code is AMENDED to read: 65352.5.</p> <p>(a) The Legislature finds and declares that it is vital that there be close coordination and consultation between California's water supply agencies and California's land use approval agencies to ensure that proper water supply planning occurs in order to accommodate projects that will result in increased demands on water supplies.</p> <p>(b) It is, therefore, the intent of the Legislature to provide a standardized process for determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.</p> <p>(c) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more</p>

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<p><u>California's water supply resources.</u></p> <p>(c) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a public water system, as defined in Section 116275 of the Health and Safety Code, with 3,000 or more service connections, shall provide the planning agency with the following information, as is appropriate and relevant:</p> <p>(1) The current version of its urban water management plan, adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code.</p> <p>(2) The current version of its capital improvement program or plan, as reported pursuant to Section 31144.73 of the Water Code.</p> <p>(3) A description of the source or sources of the total water supply currently available to the water supplier by water right or contract, taking into account</p>	<p>Safety Code, with 3,000 or more service connections, shall provide the planning agency with the following information, as is appropriate and relevant:</p> <p>(1) The current version of its urban water management plan, adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code.</p> <p>(2) The current version of its capital improvement program or plan, as reported pursuant to Section 31144.73 of the Water Code.</p> <p>(3) A description of the source or sources of the total water supply currently available to the water supplier by water right or contract, taking into account historical data concerning wet, normal, and dry runoff years.</p> <p>(4) A description of the quantity of surface water that was purveyed by the water supplier in each of the previous five years.</p> <p>(5) A description of the quantity of groundwater that was purveyed by the water supplier in each of the previous five years.</p>	<p>service connections, shall provide the planning agency with the following information, as is appropriate and relevant:</p> <p>(1) The current version of its urban water management plan, adopted pursuant to Part 2.6 (commencing with Section 10610) of Division 6 of the Water Code.</p> <p>(2) The current version of its capital improvement program or plan, as reported pursuant to Section 31144.73 of the Water Code.</p> <p>(3) A description of the source or sources of the total water supply currently available to the water supplier by water right or contract, taking into account historical data concerning wet, normal, and dry runoff years.</p> <p>(4) A description of the quantity of surface water that was purveyed by the water supplier in each of the previous five years.</p> <p>(5) A description of the quantity of groundwater that was purveyed by the water supplier in each of the previous five years.</p> <p>(6) A description of all proposed additional sources of water supplies for the water supplier, including the estimated dates by which these additional sources should be available and the quantities of additional water</p>

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<p>historical data concerning wet, normal, and dry runoff years.</p> <p>(4) A description of the quantity of surface water that was purveyed by the water supplier in each of the previous five years.</p> <p>(5) A description of the quantity of groundwater that was purveyed by the water supplier in each of the previous five years.</p> <p>(6) A description of all proposed additional sources of water supplies for the water supplier, including the estimated dates by which these additional sources should be available and the quantities of additional water supplies that are being proposed.</p> <p>(7) A description of the total number of customers currently served by the water supplier, as identified by the following categories and by the amount of water served to each category:</p> <p>(A) Agricultural users.</p> <p>(B) Commercial users.</p> <p>(C) Industrial users.</p> <p>(D) Residential users.</p> <p>(8) Quantification of the expected reduction in total</p>	<p>(6) A description of all proposed additional sources of water supplies for the water supplier, including the estimated dates by which these additional sources should be available and the quantities of additional water supplies that are being proposed.</p> <p>(7) A description of the total number of customers currently served by the water supplier, as identified by the following categories and by the amount of water served to each category:</p> <p>(A) Agricultural users.</p> <p>(B) Commercial users.</p> <p>(C) Industrial users.</p> <p>(D) Residential users.</p> <p>(8) Quantification of the expected reduction in total water demand, identified by each customer category set forth in paragraph (7), associated with future implementation of water use reduction measures identified in the water supplier's urban water management plan.</p> <p>(9) Any additional information</p>	<p>supplies that are being proposed.</p> <p>(7) A description of the total number of customers currently served by the water supplier, as identified by the following categories and by the amount of water served to each category:</p> <p>(A) Agricultural users.</p> <p>(B) Commercial users.</p> <p>(C) Industrial users.</p> <p>(D) Residential users.</p> <p>(8) Quantification of the expected reduction in total water demand, identified by each customer category set forth in paragraph (7), associated with future implementation of water use reduction measures identified in the water supplier's urban water management plan.</p> <p>(9) Any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.</p> <p>(d) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a local agency that has adopted a groundwater management plan, or that otherwise manages groundwater pursuant to other provisions of law or a court order, judgment, or decree, or</p>

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<p>water demand, identified by each customer category set forth in paragraph (7), associated with future implementation of water use reduction measures identified in the water supplier's urban water management plan.</p> <p>(9) Any additional information that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.</p> <p><u>(10) A report on the anticipated effect of proposed action to adopt or substantially amend a general plan on implementation of a groundwater sustainability plan pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code.</u></p> <p>(d) <u>Upon receiving, pursuant to Section 65352, notification of a city's or county's proposed action to adopt or substantially amend a general plan, a groundwater sustainability agency, as</u></p>	<p>that is relevant to determining the adequacy of existing and planned future water supplies to meet existing and planned future demands on these water supplies.</p> <p><u>(d) Upon receiving, pursuant to Section 65352, notification of a city's or a county's proposed action to adopt or substantially amend a general plan, a local agency that has adopted a groundwater management plan, or that otherwise manages groundwater pursuant to other provisions of law or a court order, judgment, or decree, or the State Water Resources Control Board if it has adopted a groundwater management plan pursuant to Section 10747 of the Water Code, shall provide the planning agency with maps of recharge basins, percolation ponds, and any other information that is appropriate and relevant.</u></p>	<p><i>the State Water Resources Control Board if it has adopted a groundwater management plan pursuant to Section 5201 of the Water Code, shall provide the planning agency with maps of recharge basins, percolation ponds, and any other information that is appropriate and relevant.</i></p>

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<p><u>defined in Section 10720.5 of the Water Code, shall provide the planning agency with the following information, as is appropriate and relevant:</u></p> <p><u>(1) The current version of its groundwater sustainability plan adopted pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code.</u></p> <p><u>(2) If the groundwater sustainability agency manages groundwater pursuant to a court order, judgment, decree, or agreement among affected water rights holders, or if the State Water Resources Control Board has adopted a groundwater sustainability plan pursuant to Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code, the groundwater sustainability agency shall provide the planning agency with maps of recharge basins and percolation ponds, extraction limitations, and other relevant information. or the court order. judgment. or decree.</u></p> <p>(e) A groundwater sustainability</p>		

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<p><u>agency that has given notice of intention to adopt a groundwater sustainability plan, but has not adopted a plan, shall provide a report to the planning agency on the anticipated effect of proposed action to adopt or substantially amend a general plan on adoption of the groundwater sustainability plan and on the impacts of the proposed action on sustainable management of groundwater.</u></p>		
Updating General Plan		

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>SECTION 1. Section 65302.12 is added to the Government Code, to read: county's general plan, the planning agency shall review, and if necessary, revise the land use, conservation, open space, or any other element of the general plan to address any of the following:</p> <ul style="list-style-type: none"> (a) An adoption of, or update to, a groundwater sustainability plan or groundwater management plan pursuant to Part 2.74 (commencing with Section 10720) or Part 2.75 (commencing with section 10750) of Division 6 of the Water Code or groundwater management court order, judgment, or decree. (b) An adjudication of water rights such as an adjudication pursuant to Chapter 10 (commencing with Section 10738) of Part 2.74 of Division 6 of the Water Code. (c) An order by the State Water Resources Control Board pursuant to Chapter 9 (commencing with Section 10738) of Part 2.74 of Division 6 of the Water Code. 	<p>SEC. 2. Section 65350.5 is added to the Government Code, to read:</p> <p>65350.5. Before the adoption of or any substantial amendment to a city or county's general plan, the planning agency shall review and, if necessary, revise the land use, conservation, open space, or any other element as appropriate to address all of the following:</p> <ul style="list-style-type: none"> (a) Any adoption of, or update to, a groundwater management plan by a groundwater management agency or local agency pursuant to Part 2.74 (commencing with Section 10720) or Part 2.75 (commencing with Section 10750) of the Water Code or other provisions of law or a court order, judgment, or decree, or the State Water Resources Control Board if it has adopted a groundwater management plan pursuant to Section 10747. (b) Any limitation on pumping of groundwater by a local groundwater management agency. (c) An adjudication of water rights. 	<p>SEC. LU4. Section 65302.2.5 is ADDED to the Government Code, to read:</p> <p>65302.2.5. Prior to the adoption or any substantial amendment of a city or county's general plan, the planning agency shall review and, if necessary, revise the land use, conservation, open space or any other element as appropriate to address the following:</p> <ul style="list-style-type: none"> (a) Any adoption of, or update to, a groundwater management plan by a local agency pursuant to Water Code section 10753 or other provisions of law or a court order, judgment, or decree, or the State Water Resources Control Board if it has adopted a groundwater management plan pursuant to Water Code sec 5201. (b) Any limitation on pumping by a local groundwater management agency. (c) An adjudication of water rights, or an interim allocation of rights to a groundwater basin by the State Water Resources Control Board pursuant to Article 2.5 (commencing with Section 2530) of Chapter 3 of Part 3 of Division 2 of the Water Code. (d) Any declaration by the State Water Resources Control Board that a groundwater basin is in a condition of long-term overdraft or in a condition where groundwater extractions unreasonably affect the beneficial

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
		uses of interconnected surface waters pursuant to Section 5200 of the Water Code.

IX. Adjudication

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
Adjudication Authority		
<p>10722.</p> <p>(a) A groundwater sustainability agency that adopts a groundwater sustainability plan may file an action to determine the validity of the plan pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.</p> <p>(b) Subject to Sections 394 and 397 of the Code of Civil Procedure, the venue for an action pursuant to this section shall be the county in which the principal office of the groundwater management agency is located.</p> <p>(c) Any judicial action or proceeding to attack, review, set aside, void, or annul the ordinance or resolution imposing a new, or increasing an existing, fee imposed pursuant to Section 10732, 10732.5, or 10733 shall be brought pursuant to Section 66022 of the Government Code.</p> <p>(d) Any person may pay a fee imposed pursuant to Section 10732, 10732.5, or 10733 under protest and bring an action against the governing body in the superior court to recover any money that the governing body refuses to refund. Payments made and actions</p>	<p>N/A</p>	<p>ADDED:</p> <p>10752.3. The local agency may bring an action in superior court against any person engaged in or about to engage in any acts or practices that violate or will violate a groundwater management plan or regulation adopted by the local agency under this part. The superior court may issue a temporary restraining order, preliminary injunction or permanent injunction to enjoin those acts or practices or to require compliance.</p>

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>brought under this section shall be made and brought in the manner provided for the payment of taxes under protest and actions for refund of that payment in Article 2 (commencing with Section 5140) of Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code, as applicable.</p> <p>(e) Any action by a landowner or other water right holder to attach, review, set aside, void, or annul an extraction allocation established by a groundwater sustainability plan shall be brought pursuant to the expedited adjudication procedures of Chapter 10 (commencing with Section 10742).</p> <p>(f) Except as otherwise provided in this section, actions by a groundwater sustainability agency are subject to judicial review pursuant to Section 1085 of the Code of Civil Procedure.</p> <p>10722.5. Except for Chapter 10 (commencing with Section 10742), this part does not apply to any of the following agencies that are implementing basin-specific management plans:</p> <ul style="list-style-type: none"> (a) Desert Water Agency. (b) Fox Canyon Groundwater Management Agency. (c) Honey Lake Valley Groundwater Management District. 		

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>(d) Long Valley Groundwater Management District. (e) Mendocino City Community Services District. (f) Mono County Tri-Valley Groundwater Management District. (g) Monterey Peninsula Water Management District. (h) Ojai Groundwater Management Agency. (i) Orange County Water District. (j) Pajaro Valley Water Management Agency. (k) Santa Clara Valley Water District. (l) Sierra Valley Water District. (m) Willow Creek Groundwater Management Agency.</p>		
Expedited Adjudication		

AB 1739 (Dickinson)	SB 1168 (Pavelly)	Administration
<p>CHAPTER 10. Expedited Adjudication</p> <p>10742. It is the intent of the Legislature to amend this measure to provide for expedited adjudications of rights to extract and store water from and in basins by enacting, and directing the Judicial Council to develop, innovative judicial procedures to manage those adjudications as quickly as reasonably feasible so as to enable the sustainable management of groundwater in the state.</p>		

X. Groundwater Recharge as a Beneficial Use

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
Groundwater Recharge as a Beneficial Use		
<p>SEC. 4. Section 1242.1 is added to the Water Code, to read: 1242.1. It is the policy of the state to encourage conjunctive use of surface and groundwater. To that end, the Legislature declares that the storage of water underneath the ground is a beneficial use of water.</p>	N/A	<p>SEC. G4. Section 1242 of the Water Code is AMENDED to read:</p> <p>1242. The storing of water diversion of water to underground storage, including diversion for groundwater recharge, constitutes a diversion for beneficial use of water for which an appropriation may be made if the water so stored is thereafter put to beneficial use consistent with this division. The beneficial uses of water diverted to underground storage may include protection of water quality or other beneficial uses made while the water is in underground storage, in addition to uses requiring subsequent extraction or release of the stored water. applied to the beneficial purposes for which the appropriation for storage was made. The forfeiture periods in sections 1240 and 1241 do not include any period when the water is being used in the aquifer or storage area or is being held in storage for later use.</p>
Water Supply Reliability		
<p>CHAPTER 12. Water Supply Reliability 10748. Sustainable groundwater management in California depends upon creating more opportunities for robust conjunctive management of surface water resources. Climate change will intensify the need to recalibrate and reconcile surface and groundwater</p>	N/A	N/A

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>management strategies. It is the intent of the Legislature to amend this measure to provide that the State Water Resources Control Board and the regional water quality control boards weigh the value of surface water for groundwater replenishment and recharge to promote the state's interest in groundwater sustainability.</p> <p>SEC. 6. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.</p> <p>SEC. 8. The Legislature finds and declares that Section 5 of this act, which adds Sections 10729.5 and 10734 to the Water Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:</p> <p>In order to allow this act to fully accomplish its goals, it is necessary to protect proprietary information</p>		

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
submitted pursuant to this act as confidential. Therefore, it is in the state's interest to limit public access to this information.		

XI. Legislative Intent

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>SEC. 5. Part 2.74 (commencing with Section 10720) is added to Division 6 of the Water Code, to read:</p> <p>PART 2.74. GROUNDWATER SUSTAINABILITY PLANNING</p> <p>Chapter 1. Title and Policy</p> <p>10720. This part shall be known, and may be cited, as the "Sustainable Groundwater Management Act of 2014."</p> <p>10720.1. In enacting this part, it is the intent of the Legislature that all of the following occur:</p> <ul style="list-style-type: none"> (a) The enhancement of local management of groundwater consistent with rights to use or store groundwater and Section 2 of Article X of the California Constitution. It is the intent of the Legislature to preserve and enhance the security of water rights in the state to the greatest extent possible consistent with the sustainable management of groundwater. (b) The establishment of minimum standards for groundwater management together with the requisite authority and funding. (c) The avoidance or minimization of 	<p>SECTION 1.</p> <p>(a) The Legislature finds and declares as follows:</p> <ul style="list-style-type: none"> (1) The people of the state have a primary interest in the protection, management, and reasonable beneficial use of the water resources of the state, both surface and underground, and that the integrated management of the state's water resources is essential to meeting its water management goals. (2) Groundwater provides a significant portion of California's water supply. Groundwater accounts for more than one-third of the water used by Californians in an average year and more than one-half of the water used by Californians in a drought year when other sources are unavailable. (3) Excessive groundwater pumping can cause overdraft, failed wells, deteriorated water quality, environmental damage, and irreversible land subsidence that damages infrastructure and diminishes the capacity of aquifers to store water for the future. (4) When properly managed, groundwater resources will help 	<p>LEGISLATIVE INTENT</p> <p>SECTION G1.</p> <p>(a) The Legislature finds and declares:</p> <ul style="list-style-type: none"> (1) The people of the state have a primary interest in the protection, management, and reasonable beneficial use of the water resources of the state, both surface and underground, and that the integrated management of the state's water resources is essential to meeting its water management goals; (2) Groundwater provides a significant portion of California's water supply. Groundwater accounts for more than one-third of the water used by Californians in an average year and more than one-half in drought years, when other sources are unavailable; (3) Excessive groundwater pumping can cause overdraft, failed wells, deteriorated water quality, environmental damage, and irreversible land subsidence that damages infrastructure and diminishes the capacity of aquifers to store water for the future; (4) When properly managed,

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<p>subsidence.</p> <p>(d) The improvement of data collection and understanding about groundwater.</p> <p>(e) The increase in groundwater storage and removal of impediments to recharge.</p> <p>(f) The provision of state technical and financial assistance.</p> <p>(g) The management of groundwater basins through the actions of local governmental agencies to the greatest extent feasible, while minimizing state intervention to only when necessary to ensure that local agencies manage groundwater in a sustainable manner. The intervention by the state when necessary to ensure that local agencies manage groundwater in a sustainable manner.</p>	<p>protect communities, farms, and the environment against prolonged dry periods and climate change, preserving water supplies for existing and potential beneficial use.</p> <p>(5) Failure to manage groundwater to prevent long-term overdraft infringes on groundwater rights.</p> <p>(6) Groundwater resources are most effectively managed at the local or regional level.</p> <p>(7) Groundwater management will not be effective unless local actions to sustainably manage groundwater basins and subbasins are taken.</p> <p>(8) Local and regional agencies need to have the necessary support and authority to manage groundwater sustainably.</p> <p>(9) In those circumstances where a local groundwater management agency is not managing its groundwater sustainably, the state needs to protect the resource until it is determined that that a local groundwater management agency can sustainably manage the groundwater basin or subbasin.</p> <p>(10) Information on the amount of groundwater extraction, natural and artificial recharge, and groundwater evaluations are critical for effective</p>	<p>groundwater resources will help protect communities, farms and the environment against prolonged dry periods, and climate change, preserving water supplies for existing and potential beneficial use;</p> <p>(5) Failure to manage groundwater to prevent long-term overdraft infringes on groundwater rights.</p> <p>(6) Groundwater resources are most effectively managed at the local or regional level;</p> <p>(7) Some local agencies manage their groundwater sustainably, either through local management structures or pursuant to an adjudication of water rights, while others have not done so, leading to a variety of serious local groundwater problems;</p> <p>(8) Groundwater management will not be effective unless local actions to sustainably manage groundwater basins are taken;</p> <p>(9) Local and regional agencies need to have the necessary support and authorities to manage groundwater sustainably;</p> <p>(10) In those circumstances where a local groundwater management agency is not managing its groundwater sustainably, the state needs to protect the resource until</p>

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
	<p>management of groundwater.</p> <p>(b) It is therefore the intent of the Legislature to do all of the following:</p> <p>(1) To provide local and regional agencies the authority to sustainably manage groundwater.</p> <p>(2) To provide that if no local groundwater agency or agencies provide sustainable groundwater management for a groundwater basin or subbasin, the state has the authority to develop and implement a sustainable groundwater management plan until the time the local groundwater management agency or agencies can assume management of the basin or subbasin.</p> <p>(3) To require the development and reporting of those data necessary to support sustainable groundwater management, including those data that help describe the basin's geology, the short- and long-term trends of the basin's water balance, and other measures of sustainability, and those data necessary to resolve disputes regarding sustainable yield, beneficial uses, and water rights.</p> <p>(4) To respect overlying and other proprietary rights to groundwater.</p> <hr/> <p>Amendment 6</p>	<p>it is determined that a local groundwater management agency can sustainably manage the groundwater basin;</p> <p>(11) Information on the amount of groundwater extractions is necessary to effective management of groundwater, and reporting of groundwater extractions is essential to provide the information needed to identify and protect groundwater rights, in a manner consistent with water right priorities, when those rights are adjudicated.</p> <p>(b) It is therefore, the intent of the Legislature:</p> <p>(1) To provide local and regional agencies the authority to sustainably manage groundwater;</p> <p>(2) To make the statutory procedures for determination of water rights available where a local agency decides to manage a groundwater basin through an adjudication of water rights;</p> <p>(3) To provide that when local agencies have been unable to sustainably manage groundwater and an area experiences serious groundwater problems, the State Water Resources Control Board may designate those groundwater basins with serious problems, and</p>

AB 1739 (Dickinson)	SB 1168 (Pavelly)	Administration
	<ul style="list-style-type: none">(a) To provide for the sustainable management of groundwater basins.(b) To provide local groundwater agencies with the authority and assistance necessary to sustainably manage groundwater.(c) To provide that if no local groundwater agency or agencies provide sustainable groundwater management for a groundwater basin or subbasin, the state has the authority to develop and implement a sustainable groundwater management plan until the time the local groundwater management agency or agencies can assume management of the basin or subbasin	<p>if local action is not taken after sufficient time, the board may develop an interim groundwater management plan to remedy the problem until a local agency undertakes sustainable groundwater management; and</p> <ul style="list-style-type: none">(4) To provide for recordation of groundwater extractions, for use in groundwater management and adjudications of water rights.(5) To respect overlying and other proprietary rights to groundwater and avoid creating incentives to initiate or expand pumping while plans are developed to manage groundwater basins sustainably

XII. Legislative Definitions

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>CHAPTER 2. Definitions</p> <p>10720.5. Unless the context otherwise requires, the following definitions govern the construction of this part:</p> <ul style="list-style-type: none"> (a) "Adjudication action" means an action filed in the superior court to determine the rights to extract groundwater from a basin or store water within a basin, including, but not limited to, actions to quiet title respecting rights to extract or store groundwater or an action brought to impose a physical solution on a basin. (b) "Agricultural water supplier" has the same meaning as defined in Section 10608.12. (c) "Basin" means a groundwater basin or subbasin identified and defined in Bulletin 118 or as modified pursuant to Chapter 10 (commencing with Section 10742). (d) "Bulletin 118" means the department's report entitled "California's Groundwater: Bulletin 118" updated in 2003, as it may be subsequently updated or revised in accordance with Section 12924 or Chapter 4 (commencing with Section 	<p>Chapter 2. Definitions</p> <p>10725. Unless the context otherwise requires, the following definitions govern the construction of this part:</p> <ul style="list-style-type: none"> (a) "Groundwater" means all water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water, but does not include water that flows in known and definite channels. (b) "Groundwater basin" means any basin or subbasin identified in the department's Bulletin No. 118, dated September 1975, and any amendments to that bulletin, but does not include a basin in which the average well yield, excluding domestic supply wells that supply water to a single-unit dwelling, is less than 100 gallons per minute. (c) "Groundwater extraction facility" means a device or method for the extraction of groundwater within a groundwater basin. (d) "Groundwater recharge" means the augmentation of groundwater, by natural or artificial means, with surface water or recycled water. (e) "Local groundwater management entity" means _____. 	<p>N/A</p>

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>10723).</p> <p>(e) "De minimus producer" means a person who extracts, for domestic purposes, 2 acre feet or less per year.</p> <p>(f) "Governing body" means the legislative body of a groundwater sustainability agency.</p> <p>(g) "Groundwater" means water beneath the natural surface of the ground, in fully saturated pore spaces within the soil or rock, excluding those waters that are flowing through natural known and definite channels.</p> <p>(h) "Groundwater extraction facility" means a pump or other mechanism for extracting groundwater from within a basin.</p> <p>(i) "Groundwater sustainability agency" means either a local agency or a joint powers authority formed by local agencies that implements the provisions of this part with respect to a groundwater sustainability plan. For purposes of imposing fees pursuant to Chapter 7 (commencing with Section 10732) or taking action to enforce a groundwater management plan,</p>	<p>(f) "Recharge area" means the area that supplies water to an aquifer in a groundwater basin and includes multiple wellhead protection areas.</p> <p>(g) "Sustainable groundwater management" means the management of a groundwater basin to provide for multiple long-term benefits without resulting in or aggravating conditions that cause significant economic, social, or environmental impacts such as long-term overdraft, land subsidence, ecosystem degradation, depletions from surface water bodies, and water quality degradation, in order to protect the resource for future generations.</p> <p>(h) "Sustainable groundwater management plan" or "plan" means a document that describes the activities intended to be included in a groundwater management program.</p> <p>(i) "Sustainable groundwater management program" or "program" means a coordinated and ongoing activity undertaken for the benefit of a groundwater basin, or a portion of a groundwater basin, pursuant to a groundwater management plan adopted pursuant to this part.</p> <p>(j) "Watermaster" means a watermaster appointed by a court or pursuant to other provisions of law.</p>	

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<p>"groundwater management agency" also means each local agency comprising the groundwater management agency if the plan authorizes separate agency action.</p> <p>(j) "Groundwater sustainability plan" or "plan" means a plan of a groundwater sustainability agency proposed or adopted pursuant to this part.</p> <p>(k) "Groundwater sustainability program" means a coordinated and ongoing activity undertaken to benefit a basin, pursuant to a groundwater sustainability plan.</p> <p>(l) "Local agency" means a local public agency, including, but not limited to, a city, county, irrigation district, county water district, municipal water district, California water district, water storage district, reclamation district, or other special district that provides water or water management service within a groundwater basin.</p> <p>(m) "Monitoring entity" means an entity identified by the department pursuant to Section 10930.</p> <p>(n) "Operator" means a person</p>	<p>(k) "Wellhead protection area" means the surface and subsurface area surrounding a water well or well field that supplies a public water system through which contaminants are reasonably likely to migrate toward the water well or well field.</p> <hr/> <p>Amendment 11</p> <p>(f) "Local agency" means a local public agency that has water management or land use responsibilities within the groundwater basin.</p> <p>(g) "Overdraft" means the condition of the groundwater basin where the average annual amount of water extracted exceeds the average annual supply of water to groundwater.</p> <hr/> <p>Amendment 16</p> <p>(l) "Sustainable yield" means the average annual quantity of groundwater that can be withdrawn over a specified planning timeframe from a groundwater basin without resulting in or aggravating conditions of sustainable groundwater management.</p> <p>(m) "Water budget" means an accounting of the total groundwater and surface entering and leaving a basin including the changes in the</p>	

AB 1739 (Dickinson)	SB 1168 (Pavely)	Administration
<p>operating a groundwater extraction facility. The owner of a groundwater extraction facility shall be conclusively presumed to be the operator unless a satisfactory showing is made to the governing body of the groundwater sustainability agency that the groundwater extraction facility actually is operated by some other person.</p> <p>(o) "Owner" means a person owning a groundwater extraction facility or an interest in a groundwater extraction facility other than a lien to secure the payment of a debt or other obligation.</p> <p>(p) "Planning and implementation horizon" means a 50-year time period over which a groundwater sustainability agency determines that plans and measures will be implemented in a basin to ensure that the basin is operated within its sustainable yield.</p> <p>(q) "Public water system" has the same meaning as defined in Section 116275 of the Health and Safety Code.</p> <p>(r) "Recharge" means the process by which a basin is replenished with water whether by natural</p>	<p>amount of water stored.</p>	

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<p>or artificial means or in-lieu.</p> <p>(s) "Sustainability goal" means the existence and implementation of one or more groundwater sustainability plans that achieve sustainable groundwater management by identifying and causing the implementation of measures targeted to ensure that the applicable basin is operated within its sustainable yield.</p> <p>(t) "Sustainable groundwater management" means the management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing unreasonable adverse environmental, economic, or social consequences through the development, implementation, and updating of plans and programs based on the best available science, monitoring, forecasting, and use of technological resources, as determined by a groundwater sustainability agency.</p> <p>(u) "Sustainable yield" means the maximum quantity of water, calculated over a base period representative of long-</p>		

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<p>term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result.</p> <p>(v) "Undesirable result" means one or more of the following effects occurring after January 1, 2015, and caused by groundwater conditions occurring throughout the basin:</p> <ol style="list-style-type: none"> (1) Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon, excluding lowering groundwater levels caused by a drought. (2) Significant and unreasonable reduction of groundwater storage. (3) Significant seawater intrusion. (4) Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies. (5) Significant land subsidence that substantially interferes with surface uses. 		

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<p>(6) Surface water depletions that have significant adverse impacts on species listed under the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code).</p> <p>(w) "Water year" means the period from October 1 through the following September 30, inclusive.</p>		

EXHIBIT "G"
PROPOSED TEXT OF EMERGENCY REGULATIONS

**Article X. Prohibition of Activities and Mandatory Actions During Drought
Emergency**

Sec. X Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

- (1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;
- (2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;
- (3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;
- (4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and
- (5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. X.1 Prohibited Activities in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- (1) The application of water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
- (2) The use of a hose to wash an automobile, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- (3) The application of water to any hard surface, including but not limited to driveways, sidewalks, and asphalt; and
- (4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

EXHIBIT "G"
PROPOSED TEXT OF EMERGENCY REGULATIONS

Sec. X.2 Mandatory Actions by Water Suppliers

(a) The term "urban water supplier," when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617.

(b) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including treated water provided by a wholesaler, in the preceding calendar month. The monitoring report shall also estimate the gallons of water per person per day used by the persons it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.

July 14, 2014

Prepared by: C. Compton

Submitted by: P. Weghorst

Approved by: Paul Cook

ACTION CALENDAR

PROPOSED REVISIONS TO THE IRWD STORMWATER AND DRY WEATHER RUNOFF MANAGEMENT AND CAPTURE POLICY PRINCIPLES

SUMMARY:

Irvine Ranch Water District policy position papers are reviewed periodically to determine if the positions are still valid, need to be revised or if new papers should be written on different issues. Based on the discussions taking place in Sacramento and around the state regarding ways to improve California's water supply through stormwater and dry weather runoff capture and use, the Board adopted the IRWD Stormwater and Dry Weather Runoff Management and Capture Policy Principles Paper on May 27, 2014. Per the Board's direction and as a result of recent discussion surrounding stormwater planning in California, the Stormwater and Dry Weather Runoff Management and Capture Policy Principles paper has been revised. Staff recommends that the Board approve the revised policy principles paper on Stormwater and Dry Weather Runoff Management and Capture.

BACKGROUND:

In 2004, IRWD began producing policy "white papers" on topics of particular interest to the District. Because of IRWD's standing in the water industry, the opinion of the District is regularly solicited on issues of vital interest to the industry and the community. In order to keep these position papers current and usable for explaining the District's position, staff occasionally recommends that the Board review the papers and when appropriate, incorporate revisions or adopt new papers.

As California faces another drought, policy discussions throughout the state have again turned to identifying new ways to promote the planning, investment and development of new water resources. Achieving multi-benefit and sustainable solutions to California's water supply requires that the water community evaluate stormwater and dry weather runoff management and capture as one method to enhancing water quality and water supply within the state.

IRWD's Stormwater and Dry Weather Runoff Management and Capture Policy Principles paper was adopted by the Board on May 27, 2014. With its adoption of the paper, the Board asked that staff review and revise the paper for consistency with IRWD's position on recycled water impoundment overflows and that a revised paper be presented for consideration by the Water Resources Policy and Communications Committee at its July meeting. Per the Board's direction and as a result of recent discussion surrounding stormwater planning in California, the Stormwater and Dry Weather Runoff Management and Capture Policy Principles paper has been revised and was reviewed by the Committee. A draft of the proposed revised paper is attached as Exhibit "A". A redline version of the proposed revised policy paper is attached as Exhibit "B".

Action Calendar: Proposed Revisions to the IRWD Stormwater and Dry Weather Runoff
Management and Capture Policy Principles

July 14, 2014

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FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

None.

COMMITTEE STATUS:

This item was reviewed by the Water Resources and Policy Communications Committee on
July 3, 2014.

RECOMMENDATION:

THAT THE BOARD APPROVE THE PROPOSED REVISED STORMWATER AND DRY
WEATHER RUNOFF MANAGEMENT AND CAPTURE POLICY PRINCIPLES PAPER.

LIST OF EXHIBITS:

- Exhibit "A" – Proposed Revised IRWD Stormwater and Dry Weather Runoff Management and
Capture Policy Principles
- Exhibit "B" – Redline of the Proposed Revised IRWD Stormwater and Dry Weather Runoff
Management and Capture Policy Principles

EXHIBIT “A”
PROPOSED REVISED
IRWD STORMWATER AND DRY WEATHER RUNOFF
MANAGEMENT AND CAPTURE POLICY PRINCIPLES
JULY 3, 2014

ISSUE SUMMARY:

As California faces another drought, policy discussions throughout the state have again turned to identifying new ways to promote the planning, investment and development of new water resources. Achieving multi-benefit and sustainable solutions for California’s water supply issues require that the water community evaluate stormwater and dry weather runoff management and capture as one method to enhancing water quality and water supplies within the state.

Historically, California’s stormwater and dry weather runoff management have been designed to capture and convey water away from people and property. As a result, stormwater and dry weather runoff have traditionally been underutilized resources which are too often viewed only as a source of flooding or nuisance flows that needs to be disposed of instead of as a potential water source. While this objective remains critical, the management of these flows must be adapted to include capturing this water for beneficial uses.

As a leader in state and federal water resources public policy and governance, the Irvine Ranch Water District (IRWD) promotes policy initiatives that allow the District, along with other water purveyors in California, to enhance the quality and reliability of local water supplies throughout the state. As a means of providing input into the discussions surrounding stormwater and dry weather runoff management and capture in California, and in order to guide the District’s advocacy efforts related to these discussions, the following policy principles have been adopted by the IRWD Board of Directors.

POLICY PRINCIPLES:

- Urban water is regulated as a waste and is comprised of both stormwater and non-stormwater. California policy should be amended to treat stormwater and dry weather runoff as a resource wherein flood protection, water quality, and water supply improvements are complementary goals.
- Regional, watershed/subwatershed-specific stormwater and dry weather runoff planning efforts that engage key stakeholders in the planning process, and allow for consideration of local factors that may impact the appropriateness of stormwater and dry weather runoff capture, infiltration and use within a region should be encouraged.
- Stormwater and dry weather runoff capture, use and recharge of groundwater should be encouraged where appropriate and cost effective.
 - Factors such as pollutant loading, local hydrology and geology, land use conditions, environmental impacts, water quality effects and the amounts and variability of precipitation and runoff should be considered in determining the appropriateness of a stormwater and dry weather runoff capture and use projects.

- Stormwater and dry weather runoff capture, use and recharge projects should not be pursued where the project may impact ongoing pollution clean-up efforts or where the risk of spreading underground contaminants is present.
- Stormwater and dry weather runoff capture, use and recharge projects should be implemented only when there is no impact to existing water rights.
- Low-impact development (LID) standards, as it applies to stormwater, should be implemented where site appropriate and should be balanced with other treatment options such as regional natural treatment systems. LID standards should not be encouraged where they would exacerbate pollution clean-up efforts, where there is a risk of spreading contaminants, where development would occur over bedrock, where infiltration would result in perched water, or where they would exacerbate the challenges associated with high levels of naturally occurring constituents such as selenium.
- Stormwater and dry weather runoff management and capture planning should be done regionally and not on a parcel-by-parcel basis. Regional boards should move away from parcel-by-parcel water quality requirements, and focus on regional compliance in order to encourage large-scale regional stormwater and dry weather runoff capture, retention, diversion, use and recharge.
- While state and federal policy should encourage and prioritize stormwater and dry weather runoff management and capture projects which seek to obtain multiple public benefits, state and federal policy should take into account the importance of smaller-scale stormwater and dry weather runoff capture projects that may assist in compliance with TMDL implementation plans or target removal of a single pollutant creating benefits for the environment or a receiving water. Where possible stormwater and dry weather runoff capture projects should be coordinated with habitat, recreation, transportation and other infrastructure improvements to ensure that cost effective solutions are optimized.
- State policy should encourage, not discourage, the planning and development of stormwater and dry weather runoff capture, use and recharge projects.
 - Stormwater and dry weather runoff management and capture planning requirements and/or policies should consider the complex nature of stormwater capture planning and should not contain inflexible, prescriptive and burdensome requirements. Voluntary regional planning should be encouraged.
 - State and federal agencies should be directed to develop streamlined environmental review and permitting requirements which would accelerate the development and construction of regional stormwater and dry weather runoff capture and use projects. The processes for obtaining a Streambed Alteration Agreement should be examined to ensure that the process does not discourage stormwater and dry weather runoff capture projects.
 - The State should work with the appropriate federal agencies to streamline federal permit requirements to accelerate the development and construction of stormwater and dry weather runoff capture and use projects.

- In order to encourage stormwater and dry weather runoff capture, use and recharge projects, which also enhance habitat and other environmental resources, state and federal law should clearly provide that maintenance of stormwater and runoff capture facilities is exempt from the California Environmental Quality Act, the National Environmental Policy Act, additional environmental review, and additional permitting and mitigation requirements.
- MS4 water quality permits should consider broader public benefits in order to allow for multi-benefit projects and not only water quality goals. Language should be added to state and federal law to encourage regulatory incentives for stormwater and dry weather runoff capture, infiltration and use to facilitate the application of resource towards these projects.
- State and federal law should take a “no penalty” approach to overflows from stormwater and dry weather runoff impoundments that release water into the same watershed in which the water was captured. State and federal law should take a “no penalty” approach to overflows from recycled water impoundments if the overflow is due to the inflow and attempt to capture stormwater during a storm event.
- State and federal law and water policy should encourage and recognize wetland treatment processes in removing contaminants in stormwater and dry weather runoff. Recognition could come in the form of offset credits for upstream discharges.
- *Griffiths v. Parajo Water District* should be codified to clarify that all costs associated with stormwater and dry weather runoff capture and recharge projects, for the purpose of water supply augmentation, are costs associated with providing “water service.”
- State funds for regional water supply enhancement and other public funds should be made available for stormwater and dry weather runoff capture projects including associated data collections efforts and programs to improve stormwater quality. Stormwater and dry weather runoff management programs should be sufficiently flexible to focus limited local, state and federal resources on actions that support community priorities and produce measurable results. This will increase opportunities to pool and leverage scarce resources among permittees, and garner additional resources from other stakeholders and partners.
- The State should encourage research on long-term maintenance and anti-clogging measures to ensure stormwater and dry weather runoff capture and infiltration facilities continue to operate at maximum capacity. Clogging of the infiltrating surface and resulting reductions in infiltration rates are a challenge of all artificial recharge systems. Recharge facilities need to be designed and maintained with biological and sediment clogging in mind.

EXHIBIT “B”
REDLINE VERSION: PROPOSED REVISED
IRWD STORMWATER AND DRY WEATHER RUNOFF
MANAGEMENT AND CAPTURE POLICY PRINCIPLES
~~JULY 3, 2014~~ MAY 27, 2014

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