

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

February 14, 2022

CALL TO ORDER 5:00 p.m.

ROLL CALL Directors Reinhart, McLaughlin, Swan, and Withers, and President LaMar

This meeting will be held in-person at the District’s headquarters located at 15600 Sand Canyon Avenue, Irvine, California. The meeting will also be broadcasted via Webex for those wanting to observe the meeting virtually.

To observe this meeting virtually, please join online using the link and information below:

Via Web:

<https://irwd.webex.com/irwd/j.php?MTID=m1eb25b1d6bd8ef848ca99e0f48643c08>

Meeting Number (Access Code): 2486 585 8778

Meeting Password: 7M8CeSfyhj8

PLEASE NOTE: Webex observers of the meeting will be placed into the Webex lobby when the Board enters closed session. Participants who remain in the “lobby” will automatically be returned to the open session of the Board once the closed session has concluded. Observers joining the meeting while the Board is in closed session will receive a notice that the meeting has been locked. They will be able to observe the meeting once the closed session has concluded.

PUBLIC COMMENT NOTICE

Public comments are limited to three minutes per speaker on each subject. If you wish to address the Board of Directors on any item, you may attend the meeting in person and submit a “speaker slip” to the Secretary. Forms are provided outside of IRWD’s Board Room. If attending via Webex, please submit your request to speak, or your comment, via the “chat” feature and your remarks will be read into the record at the meeting. You may also submit a public comment in advance of the meeting by emailing comments@irwd.com before 12:00 p.m. on Monday, February 14, 2022.

COMMUNICATIONS TO THE BOARD

1. A. Written:
2. B. Oral:
3. ITEMS RECEIVED TOO LATE TO BE AGENDIZED

Recommendation: Determine the need to discuss and/or take immediate action on item(s).

PUBLIC HEARING

4. 2021 REDISTRICTING: COMPOSITION OF REDISTRICTED DIVISIONS, PROPOSED DRAFT DIVISION MAP AND CONSIDERATION OF ADOPTION OF FINAL MAP

- a) Declare the Board meeting to be the time and place for a third Public Hearing;
- b) Secretary to announce where the hearing was noticed by publication;
- c) Receive and file the Affidavits of Posting and Proof of Publication;
- d) Request staff to describe the nature of the proceedings and purpose;
- e) Secretary to notify the Board of any written communications;
- f) Inquire if there are any persons present who wish to provide comments
- g) Inquire if there are any comments or questions from the Board members who wish to be heard; and
- h) Close the hearing by taking the following recommended action:

Recommended Motion: That the Board adopt a resolution adjusting the boundaries of divisions for election of members of the Board following the 2020 decennial census.

Reso. No. 2022-4

WORKSHOP

5. CAPITAL IMPROVEMENT PROGRAM ASSET MANAGEMENT

Staff will provide an overview of IRWD's facilities, the District's Capital Improvement Plan asset management processes, and the five-year Capital Improvement Plan and discuss next steps.

CONSENT CALENDAR, ITEMS 6-10

6. BOARD MEETING MINUTES

Recommendation: That the minutes of the January 24, 2022, Regular Board meeting be approved as presented.

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

Recommendation: That the Board ratify/approve the meetings and events for Steven LaMar, Karen McLaughlin, Douglas Reinhart, Peer Swan, and John Withers, as described.

CONSENT CALENDAR, ITEMS 6-10 - Continued

8. 2022 LEGISLATIVE AND REGULATORY UPDATE

Recommendation: That the Board adopt a “watch” position on AB 1001 (Christina Garcia).

9. REHABILITATION OF IRWD WELL 51 FINAL ACCEPTANCE

Recommendation: That the Board accept construction of Rehabilitation of IRWD Well 51, authorize the General Manager to file a Notice of Completion, and authorize the release of retention 35 days after filing of the Notice of Completion.

10. RESOLUTION FOR SYPHON RESERVOIR IMPROVEMENT PROJECT APPLICATIONS FOR TITLE XVI GRANT FUNDING

Recommendation: That the Board adopt a resolution authorizing submission of grant applications for the Bureau of Reclamation WaterSMART – Title XVI WIIN Water Reclamation and Reuse Program for up to 25% of the total project costs, up to \$30 million, for the Syphon Reservoir Improvement Project, and authorize the General Manager to execute a related agreement to receive grant funding.

Reso. No. 2022-5

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, and 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.

11. General Manager’s Report

12. Receive oral update(s) from District liaison(s) regarding communities within IRWD’s service area and provide information on relevant community events.

13. Directors’ Comments

OTHER BUSINESS - Continued

14. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *Kern County Water Agency v. Groundwater Banking Joint Powers Authority, Rosedale-Rio Bravo Water Storage District, Irvine Ranch Water District*, Kern County Superior Court Case No. BCV-21-100223.

15. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *City of Bakersfield v. Groundwater Banking Joint Powers Authority, Rosedale-Rio Bravo Water Storage District, Irvine Ranch Water District*, Kern County Superior Court Case No. BCV-21-100221.

16. Open Session

17. Adjournment

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 above-named Board in connection with a matter subject to discussion or consideration at an open meeting of the Board 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 electronically via the Webex meeting noted. Upon request, the District will provide for written agenda materials in appropriate alternative formats, and reasonable disability-related modification or accommodation to enable individuals with disabilities to participate in and provide comments at public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, or alternative format requested at least two days before the meeting. Requests should be emailed to comments@irwd.com. Requests made by mail must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

February 14, 2022
Prepared and
submitted by: C. Compton
Approved by: Paul A. Cook 

PUBLIC HEARING

2021 REDISTRICTING: COMPOSITION OF REDISTRICTED DIVISIONS, PROPOSED DRAFT DIVISION MAP AND CONSIDERATION OF ADOPTION OF FINAL MAP

SUMMARY:

Every 10 years, local governments with by-division elections must redistrict and redraw their division boundaries using the new census data to reflect how local populations have changed, and to ensure that the divisions are, as far as practicable, equal in population. In California, Elections Code Sections 22000-22002 govern how special districts, such as IRWD, redistrict after each federal decennial census. The IRWD Board of Directors is responsible for approving new division boundaries which, once approved, will become effective for the next election of the IRWD Board of Directors in November 2022.

The Board held a public hearing on December 13, 2021, before the drawing of draft maps of proposed division boundaries. The purposes of that hearing were to invite and solicit public comment on the criteria for, and the composition of, the redistricted divisions, and for the Board of Directors to discuss the criteria to be used by the District in the drawing of proposed Director division boundaries.

A second public hearing was held after the drawing of draft maps. The purpose of the hearing was to invite and solicit public comments on the composition of redistricted divisions and the proposed draft division maps, Draft Map Plan 1 and Draft Map Plan 2, which were published by the District on its website. At the close of the public hearing, the Board authorized staff to agendaize at a third public hearing consideration of adoption of a final map of division boundaries based on requested revisions to Draft Map Plan 1.

A third public hearing is now being held after a revised draft map, Draft Map Plan 1A, has been drawn and published on the District's website. The purpose of this hearing is to invite and solicit public comments on the composition of redistricted divisions, the revised draft division map, and the Board's consideration of adoption of a final map.

RECOMMENDED HEARING PROCEDURE:

President: Declare the Board meeting of February 14, 2022, to be the time and place for a hearing on the redistricting of the Irvine Ranch Water District Board of Directors Division Boundaries, and to receive public comments on the composition of the redistricted divisions, the revised draft map, and the Board's consideration of adoption of a final map. Ask the Board Secretary to announce how the hearing was noticed.

Secretary: The revised public hearing was noticed by publication in the *Orange County Register* on January 30 and February 6, 2022; by publication in Spanish in the

Excelsior Unidos on February 4, 2022; by publication in Korean in the *Korea Times* on January 28 and February 4, 2022; by publication in Traditional Chinese in the *World Journal* on January 30 and February 6, 2022; by publication in Farsi in *Hafteh Bazaar* on January 28 and February 4, 2022; by electronic posting in English, Farsi, Korean, Traditional Chinese, and Spanish on the IRWD website, which can be translated into approximately 20 languages; and by physical posting at IRWD's headquarters. The Board Secretary presents affidavits of posting and proof of publication to the Board related to the hearing.

President: Ask the Board for a motion to receive and file the Affidavit of Posting and Proof of Publication.

President: Request staff to describe the nature of the proceedings, explain the purpose of the hearing as being the opportunity to invite and solicit public comment on the revised draft division map, which has been published by the District on its website at least seven days prior to the hearing, and present to the Board.

President: Inquire of the Secretary whether there have been any written communications.

Secretary: Respond.

President: Inquire whether there is any person present who wishes to provide comments.

President: Inquire whether there are any comments or questions from members of the Board of Directors. After comments or questions, state that the hearing will be closed.

Board: Close the hearing and adopt a final map of redistricted division boundaries based on Draft Map Plan 1A by taking the following recommended action:

RECOMMENDED MOTION: THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2022-4

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
ADJUSTING THE BOUNDARIES OF DIVISIONS FOR ELECTION OF
MEMBERS OF THE BOARD FOLLOWING THE 2020 DECENNIAL CENSUS

BACKGROUND:

Prior to 2020, IRWD used an at-large method to elect the members of its Board of Directors. The at-large method allowed for voters from the entire service area to elect each of the five members of the Board of Directors. After undertaking a year-long public process to evaluate moving from an at-large election process to division-based elections, the IRWD Board of Directors voted to transition the election of the IRWD Board of Directors to division-based elections.

A by-division method divides a service area into separate divisions and allows the voters from each division to elect a member of the Board of Directors for that division. In a by-division method of election, the elected individual serves as the division's representative on the Board and must reside in that division. The November 2020 election was the first election in which the IRWD Board of Directors were elected through division-based elections.

Current IRWD Division Map:

On May 13, 2019, the IRWD Board of Directors adopted the current [IRWD Division Boundary Map](#). The Board Members from Divisions 1 and 4 were elected in 2020 and the Board Members from Divisions 2, 3 and 5 will be elected in 2022.

To help the community better understand the divisions and the division in which each village is located, a reference map that has an overlay of the villages located in each division, the [Village Reference Map](#), was made available for the public. The District also made an [Interactive Division Map](#) available to the public.

Statutorily Mandated Process for Redistricting:

Every 10 years, local governments with by-division elections must redistrict and redraw their division boundaries using the new census data to reflect how local populations have changed, and to ensure that the divisions are, as far as practicable, equal in population.

Elections Code Sections 22000-22002 govern how special districts like IRWD redistrict after each federal decennial census. That process requires, at a minimum, that a special district hold at least two public hearings to discuss division maps, prior to adopting a final redistricted map. The IRWD Board of Directors is responsible for approving new division boundaries which, once approved, will become effective for the next election of the IRWD Board of Directors in November 2022.

Legally Required Factors Considered When Evaluating Division Boundaries:

While many federal and state laws govern the drawing of division boundaries, the United States Constitution establishes the fundamental principle which governs the drawing of division boundaries. Above all else, the Constitution requires that divisions be equal, or nearly equal, in total population. Federal courts have ruled that this means that the population difference between the most and least populous divisions may not exceed ten percent. California Elections Code section 22000 further states that divisions should be drawn to be, "as far as practicable, equal in population" using the population numbers from the last federal decennial census.

Provided that the equality in population, based on the last decennial census, requirement is met, the Elections Code also requires the revised boundaries comply with Section 10301 of Title 52 of the United States Code, as amended, to the extent those provisions apply.

Public Hearing: 2021 Redistricting: Composition of Redistricted Divisions, Proposed Draft Division Map and Consideration of adoption of final map

February 14, 2022

Page 4

The Elections Code also allows for consideration of: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity, and compactness of territory, and (4) communities of interests of the division when determining where division boundaries are placed.

Staff presented proposed criteria for the Board's consideration and for use by the District when redrawing proposed director division boundaries at the first public hearing on December 13, 2021. Staff also provided a summary of the census data on the population characteristics of IRWD's service area, and discussed the criteria proposed to be used as the District redraws the division boundaries. Additionally, staff presented information on how the public could submit additional comments on the composition of possible divisions and how the public could submit conceptual maps for consideration as the potential division area maps are drawn.

The staff report, presentation and existing conditions presented to the Board at the first public hearing can be viewed at https://www.irwd.com/images/pdf/about-us/district-election-process/december_13_2021_public_hearing_materials.pdf.

Public Comment Period:

Prior to the drawing of potential division maps, the District invited the public to submit additional comments on the composition of possible divisions and to submit conceptual maps for consideration as the potential division area maps are drawn. The deadline to submit these additional comments and conceptual maps was January 6, 2022, at 5:00 p.m. The District received no comments or conceptual maps.

Draft Division Maps:

IRWD conducted a second public hearing on January 24, 2022, to invite and solicit public comment on the draft division maps, which were published by the District on its website: Plan 1 and Plan 2. The staff report, presentation and materials presented to the Board at the second public hearing can be viewed at https://www.irwd.com/images/pdf/about-us/district-election-process/january_24_2022_public_hearing_materials.pdf.

At the close of the second public hearing, the Board eliminated Plan 2 from consideration and authorized staff to create a Plan 1A, a modification of Plan 1, which would move all of Newport Coast into Division 5. The Board authorized staff to agendize a third public hearing for February 14, 2022, to invite and solicit public comment of the revised draft division map and for the Board to consider adoption of a final map of division boundaries based on requested revisions to Draft Map Plan 1.

The revised draft map, Draft Map 1A, which was published on the District's website more than seven days prior to the third public hearing, is provided as Exhibit "A". Staff will present the revised draft map to the Board for its consideration and possible adoption. The draft PowerPoint presentation is provided as Exhibit "B".

To adopt a final map of redistricted division boundaries based on Draft Map Plan 1A, staff recommends the Board adopt the proposed resolution, provided as Exhibit "C", by title.

FISCAL IMPACTS:

The District is incurring costs of a demographer and special legal counsel to redraw division boundaries.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was not reviewed by a Committee.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE:

RESOLUTION NO. 2022-4

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
ADJUSTING THE BOUNDARIES OF DIVISIONS FOR
ELECTION OF MEMBERS OF THE BOARD
FOLLOWING THE 2020 DECENNIAL CENSUS

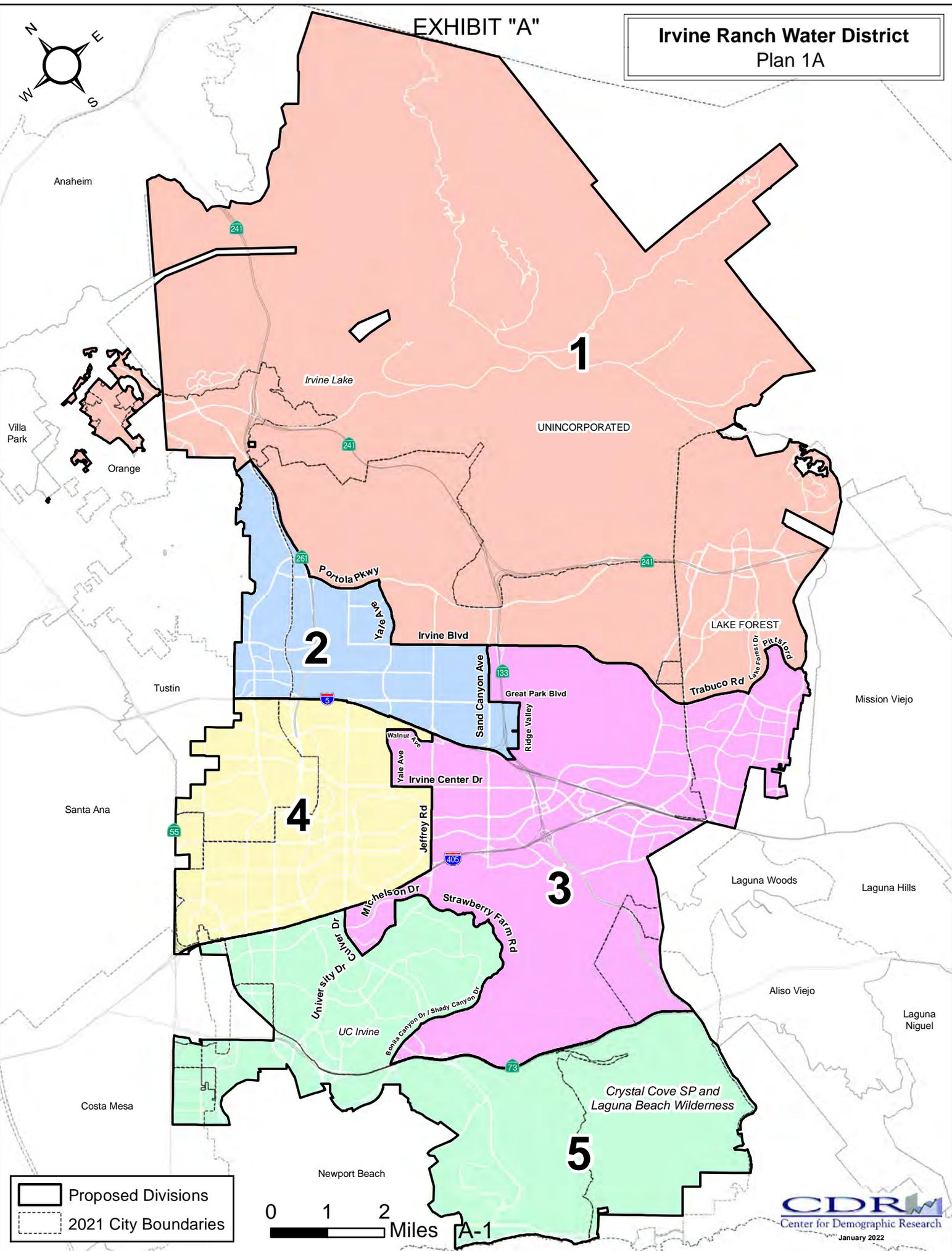
LIST OF EXHIBITS:

Exhibit "A" –Draft Division Map 1A
Exhibit "B" – Draft PowerPoint Presentation
Exhibit "C" – Proposed Resolution No. 2022-4

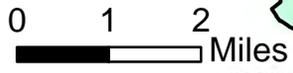
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EXHIBIT "A"

Irvine Ranch Water District
Plan 1A



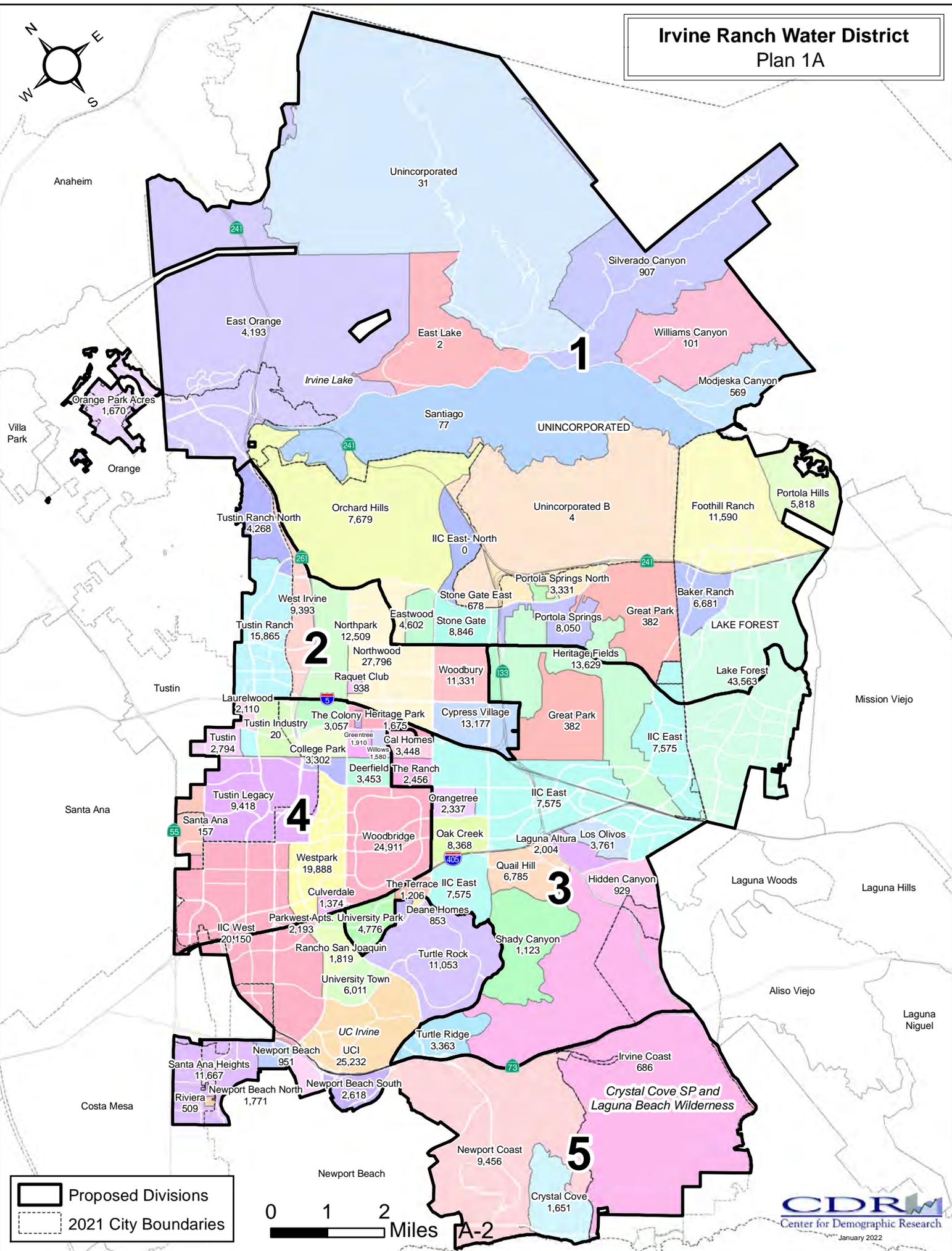
Proposed Divisions
 2021 City Boundaries



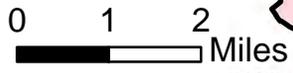
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Irvine Ranch Water District Plan 1A



Proposed Divisions
 2021 City Boundaries



A-2



**Irvine Ranch Water District Redistricting 2022
Plan 1A**

Table 1. Population by Division and Race/Ethnicity

	DIVISION					Total
	1	2	3	4	5	
Total Population	90,350	91,611	88,053	89,087	88,067	447,168
Hispanic or Latino of any Race	11,209	10,698	13,362	11,849	14,951	62,069
Non-Hispanic White	32,920	29,800	38,863	33,890	40,267	175,740
Non-Hispanic Black or African-American	1,238	1,713	1,421	1,826	2,467	8,665
Non-Hispanic American Indian or Alaska Native	142	72	113	81	94	502
Non-Hispanic Asian	39,513	43,944	28,648	35,748	24,427	172,280
Non-Hispanic Native Hawaiian or Other Pacific Islander	109	111	104	127	65	516
Non-Hispanic Some Other Race	446	415	547	580	490	2,478
Non-Hispanic Two or More Races	4,773	4,858	4,995	4,986	5,306	24,918
Population 18 Years and Older	67,412	69,648	69,211	70,506	76,275	353,052
Hispanic or Latino of any Race	7,905	7,720	9,669	8,665	13,154	47,113
Non-Hispanic White	26,712	24,384	32,619	28,333	34,956	147,004
Non-Hispanic Black or African-American	958	1,261	1,152	1,413	2,264	7,048
Non-Hispanic American Indian or Alaska Native	110	45	72	53	84	364
Non-Hispanic Asian	28,742	33,135	22,116	28,395	21,328	133,716
Non-Hispanic Native Hawaiian or Other Pacific Islander	95	76	89	92	58	410
Non-Hispanic Some Other Race	292	286	402	430	396	1,806
Non-Hispanic Two or More Races	2,598	2,741	3,092	3,125	4,035	15,591
Citizen Voting Age Population (CVAP)	44,760	52,335	53,083	54,214	57,522	261,914
Hispanic or Latino of any Race	4,912	5,315	6,508	6,841	8,509	32,085
Non-Hispanic White	24,601	22,808	30,808	28,137	33,158	139,512
Non-Hispanic Black or African-American	1,100	864	655	1,000	1,164	4,783
Non-Hispanic American Indian or Alaska Native	159	0	94	89	122	464
Non-Hispanic Asian	12,627	21,562	13,113	15,869	12,772	75,943
Non-Hispanic Native Hawaiian or Other Pacific Islander	32	75	2	172	28	309
Non-Hispanic Two or More Races	1,288	1,429	1,627	2,008	1,623	7,975
Target Division Population	89,434					
Division Difference from Target Population	916	2,177	-1,381	-347	-1,367	
Percent Difference from Target Population	1.02%	2.43%	-1.54%	-0.39%	-1.53%	
Percentage Spread	3.98%					

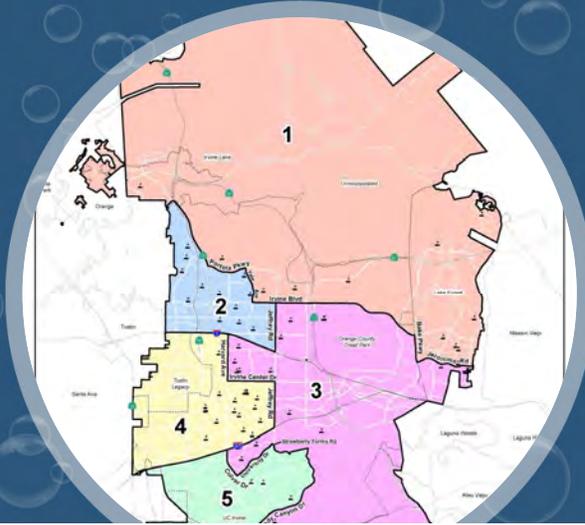
**Irvine Ranch Water District Redistricting 2022
Plan 1A**

Table 2. Share of Division Populations

	DIVISION				
	1	2	3	4	5
Total Population	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic or Latino of any Race	12.4%	11.7%	15.2%	13.3%	17.0%
Non-Hispanic White	36.4%	32.5%	44.1%	38.0%	45.7%
Non-Hispanic Black or African-American	1.4%	1.9%	1.6%	2.0%	2.8%
Non-Hispanic American Indian or Alaska Native	0.2%	0.1%	0.1%	0.1%	0.1%
Non-Hispanic Asian	43.7%	48.0%	32.5%	40.1%	27.7%
Non-Hispanic Native Hawaiian or Other Pacific Islander	0.1%	0.1%	0.1%	0.1%	0.1%
Non-Hispanic Some Other Race	0.5%	0.5%	0.6%	0.7%	0.6%
Non-Hispanic Two or More Races	5.3%	5.3%	5.7%	5.6%	6.0%
Population 18 Years and Older	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic or Latino of any Race	11.7%	11.1%	14.0%	12.3%	17.2%
Non-Hispanic White	39.6%	35.0%	47.1%	40.2%	45.8%
Non-Hispanic Black or African-American	1.4%	1.8%	1.7%	2.0%	3.0%
Non-Hispanic American Indian or Alaska Native	0.2%	0.1%	0.1%	0.1%	0.1%
Non-Hispanic Asian	42.6%	47.6%	32.0%	40.3%	28.0%
Non-Hispanic Native Hawaiian or Other Pacific Islander	0.1%	0.1%	0.1%	0.1%	0.1%
Non-Hispanic Some Other Race	0.4%	0.4%	0.6%	0.6%	0.5%
Non-Hispanic Two or More Races	3.9%	3.9%	4.5%	4.4%	5.3%
Citizen Voting Age Population (CVAP)	100.0%	100.0%	100.0%	100.0%	100.0%
Hispanic or Latino of any Race	11.0%	10.2%	12.3%	12.6%	14.8%
Non-Hispanic White	55.0%	43.8%	58.3%	52.0%	57.8%
Non-Hispanic Black or African-American	2.5%	1.7%	1.2%	1.8%	2.0%
Non-Hispanic American Indian or Alaska Native	0.4%	0.0%	0.2%	0.2%	0.2%
Non-Hispanic Asian	28.2%	41.4%	24.8%	29.3%	22.3%
Non-Hispanic Native Hawaiian or Other Pacific Islander	0.1%	0.1%	0.0%	0.3%	0.0%
Non-Hispanic Two or More Races	2.9%	2.7%	3.1%	3.7%	2.8%

Notes: Percent shares calculated using unrounded numbers, but table displays only to tenths; therefore, percents displayed may not sum to 100%.
CVAP percentages are calculated from sum of individual categories, not Total Estimated CVAP.

EXHIBIT "B"

REDISTRICTING PUBLIC HEARING #3:

REDISTRICTING MAP PROPOSALS

FEBRUARY 14, 2022

1

AGENDA

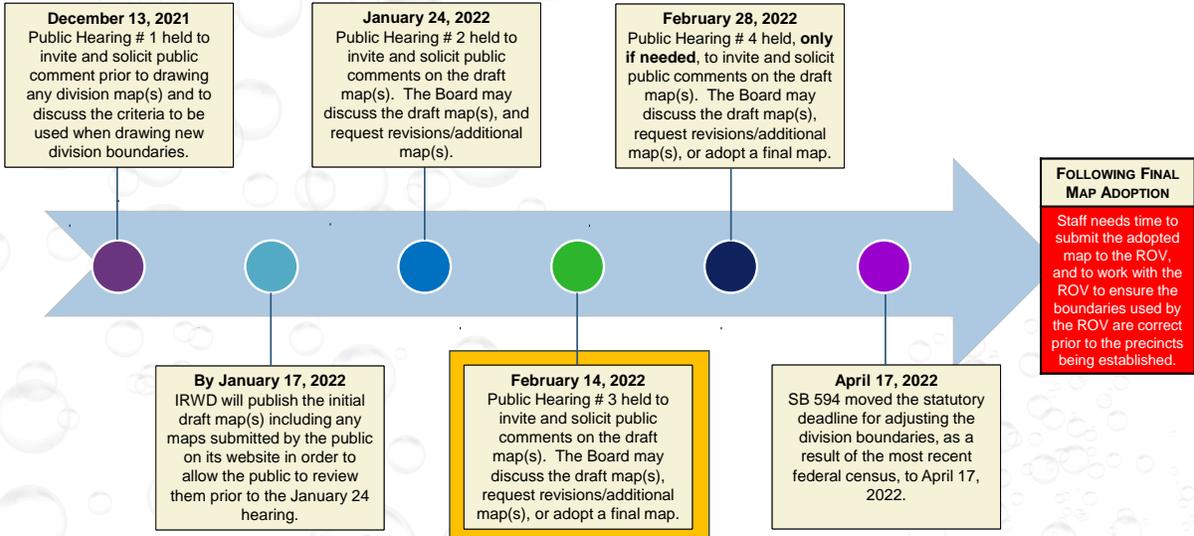
- Review of Redistricting Process & Timeline
- Review of Existing Conditions
- Redistricting Criteria
- Draft Map Plans
- Discussion & Next Steps




2

2

IRWD REDISTRICTING PROCESS



3



4

REDISTRICTING DATA & EXISTING CONDITIONS

Redistricting Data:

- 2020 Census Public Law 94-171 Redistricting Data
- Citizen Voting Age Population from American Community Survey 2015-2019 5-Year Estimates
- IRWD 2020 Population: 447,168
- Target Division Population = 89,434

Complied population data for IRWD's service area is available at:

www.irwd.com/about-us/district-election-process



5

REQUIRED AND PERMISSIBLE REDISTRICTING CRITERIA

- Equal population between divisions
 - ✓ Viable plans must have a spread of under 10%
- Must meet the Federal Voting Rights Act
- Consideration may be given to the following factors:
 - ✓ Topography
 - ✓ Geography
 - ✓ Cohesiveness, contiguity, integrity, and compactness of territory
 - ✓ Communities of interest



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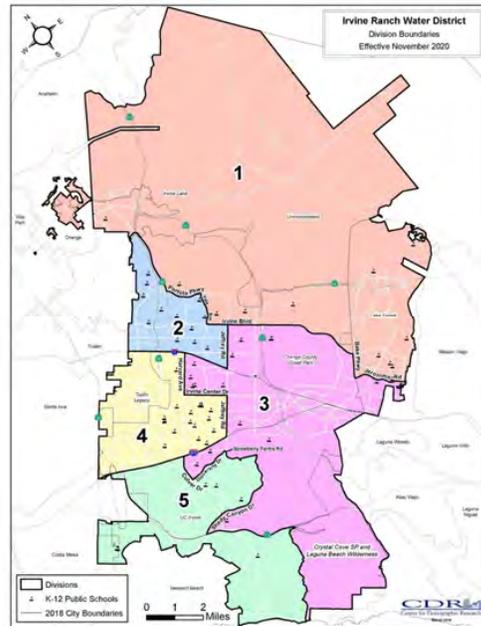
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DIFFERENCES WITH TARGET DIVISION POPULATION

Division #	2019 Population		2021 Population	Difference	
	Population	% of Target		Population	% of Target
4	43,671	66.64%	109,202	19,768	22.10%
5	82	0.12%	67,103	-22,331	-24.97%
6	38,356	57.94%	104,558	15,124	16.91%
7	10,732	15.51%	79,927	-9,507	-10.63%
8	17,176	24.82%	86,378	-3,056	-3.42%

Target Division Population= 89,434

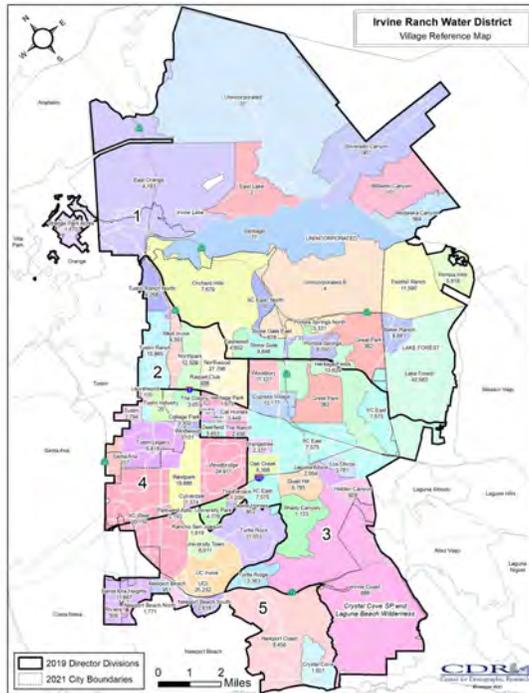
Percent Spread: 47.1%



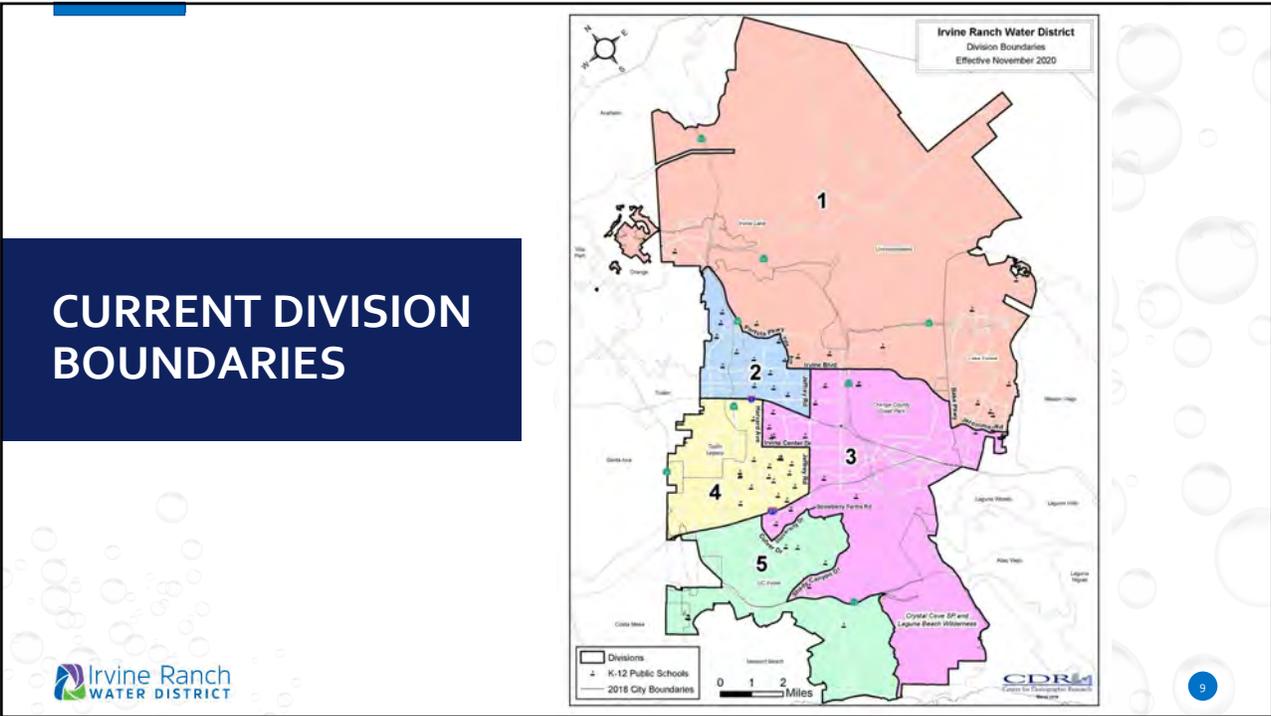
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CURRENT DIVISION BOUNDARIES

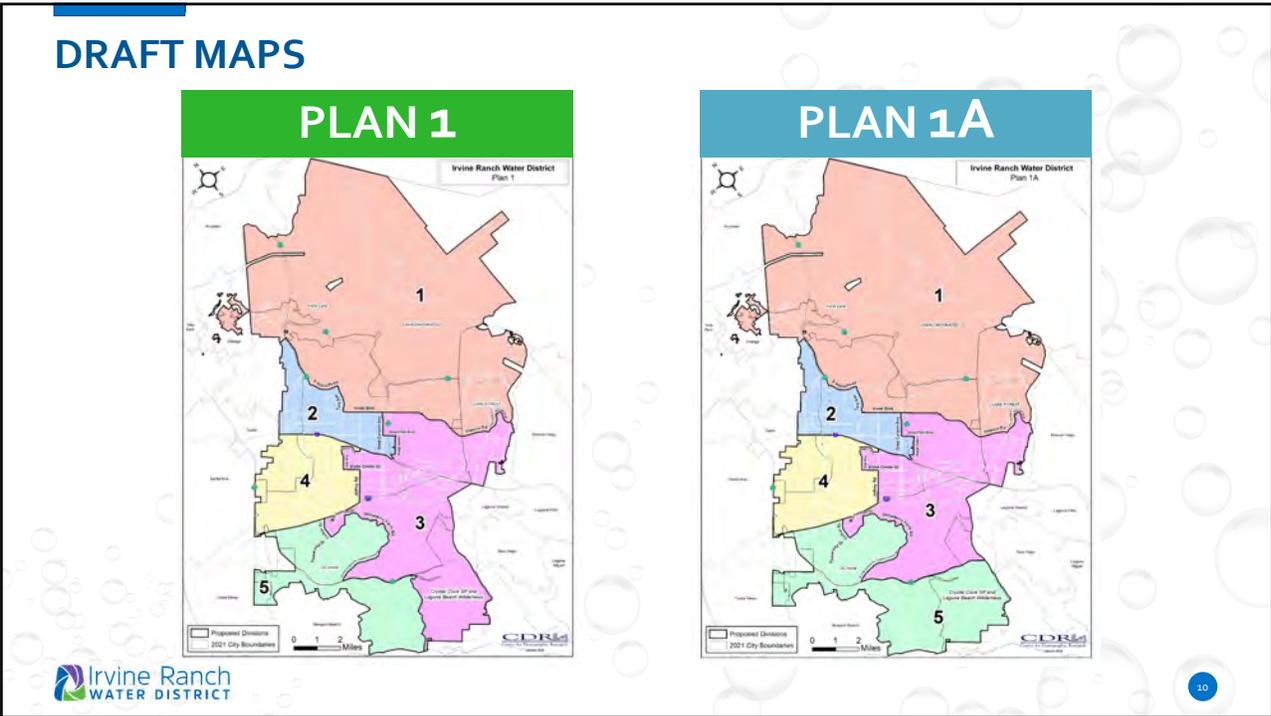
IRWD VILLAGE MAP



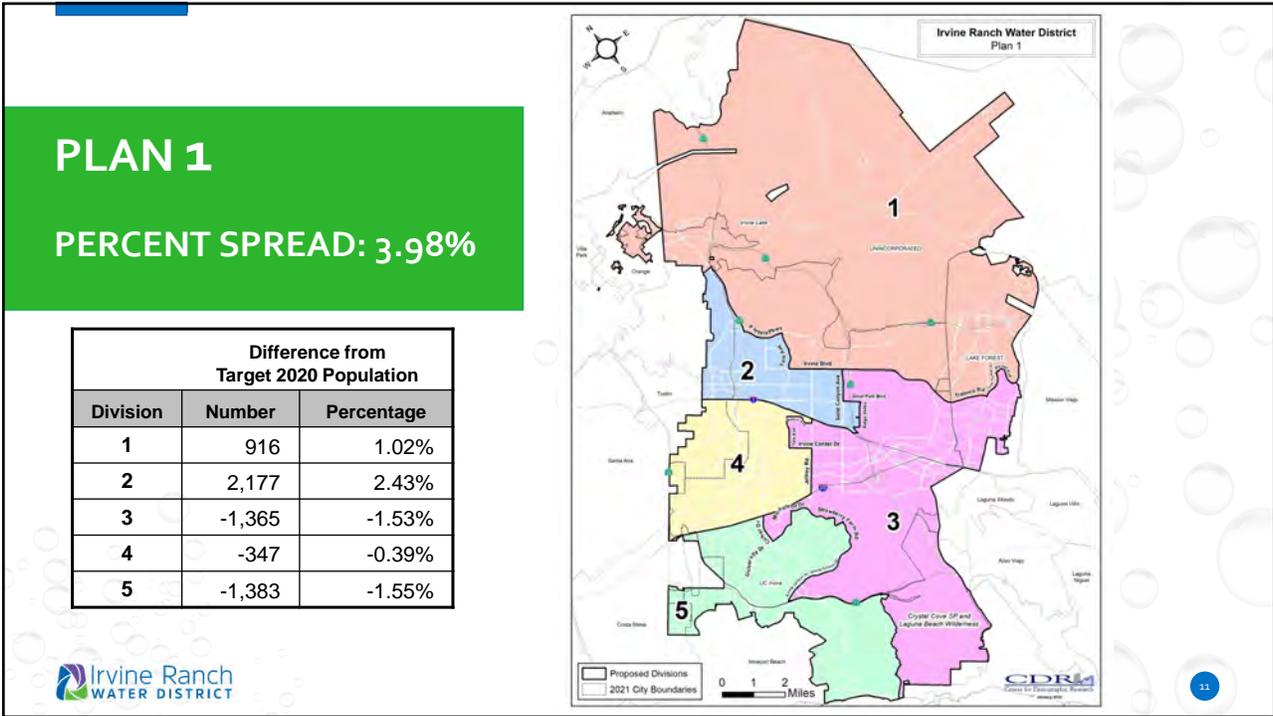
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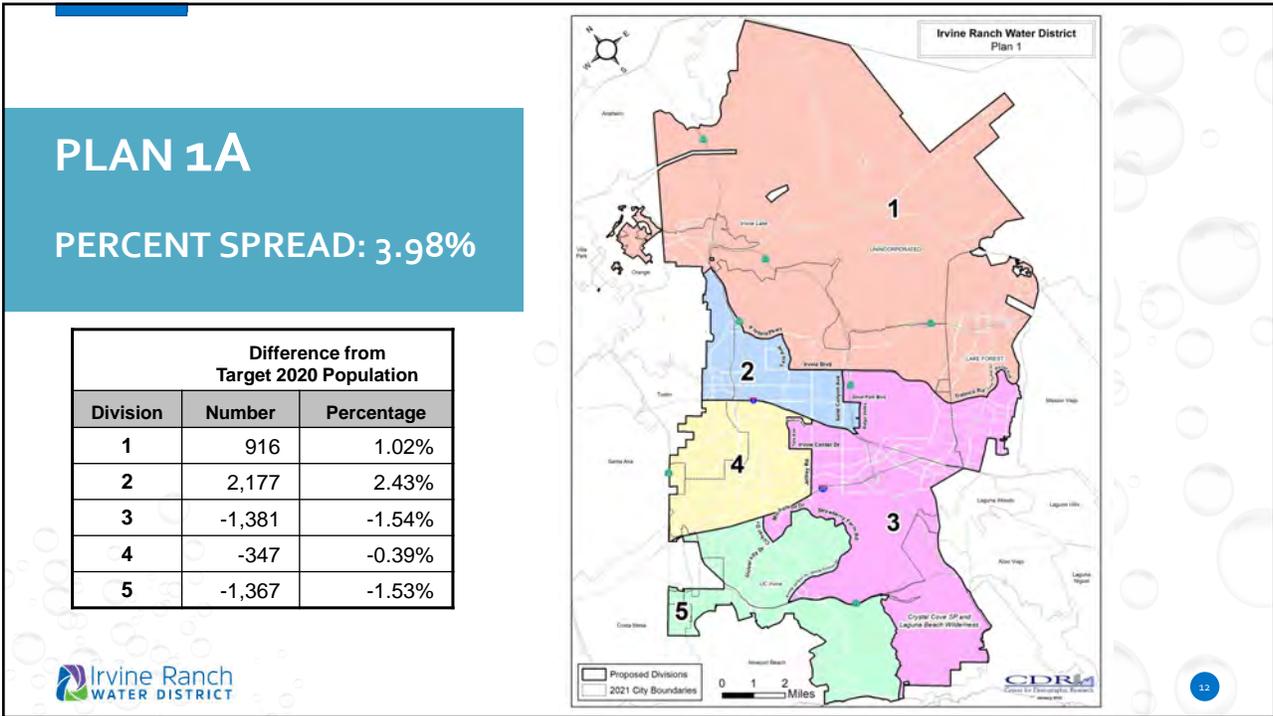
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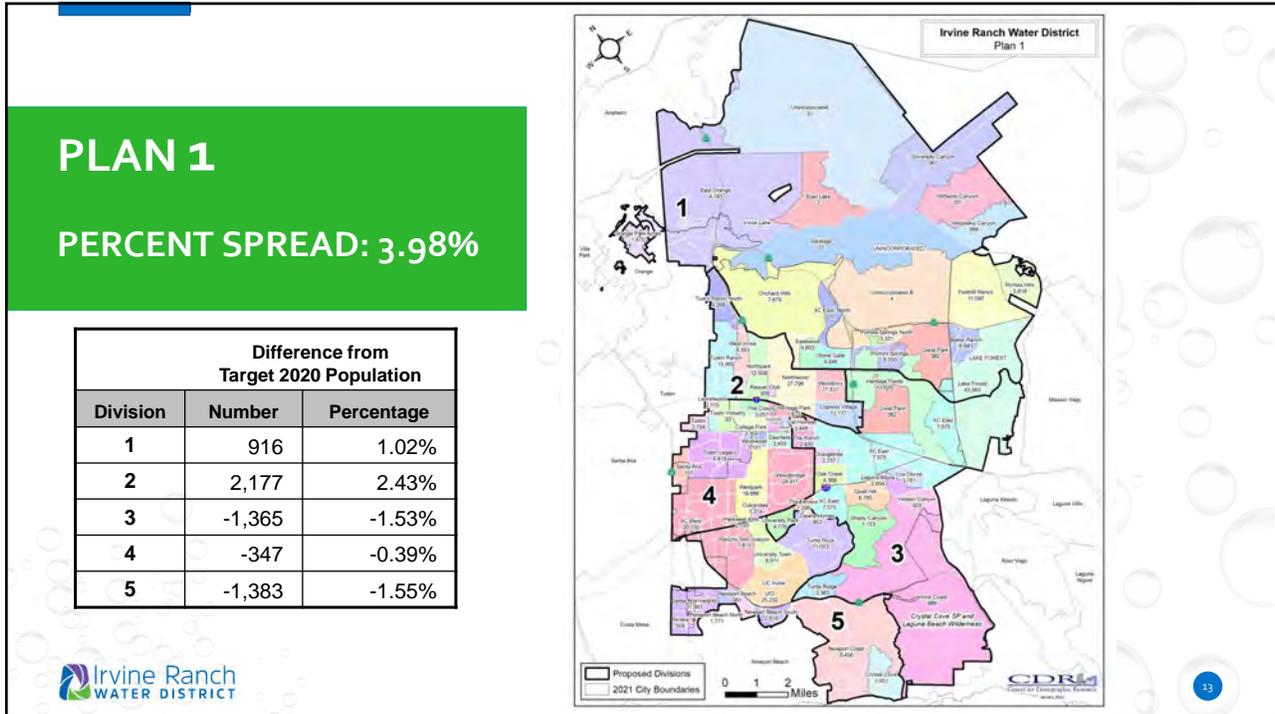
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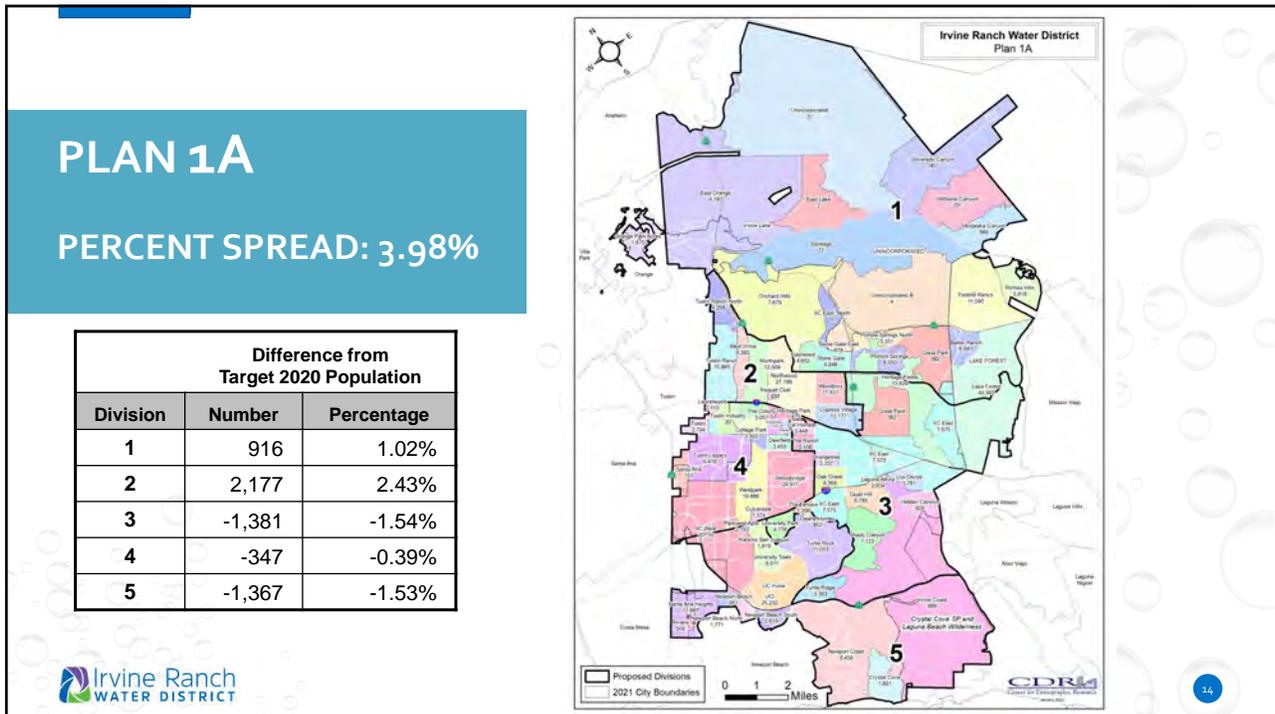
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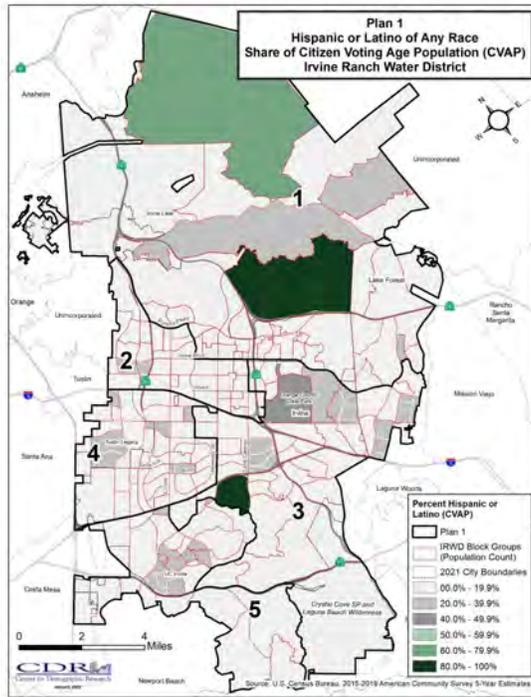
13



14

PLAN 1

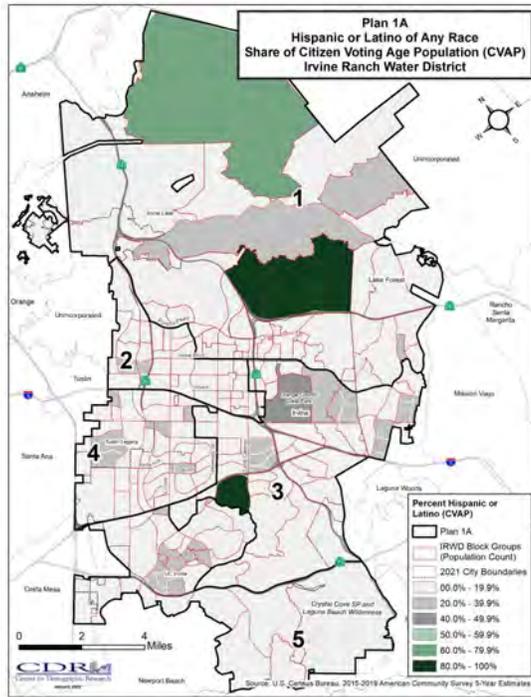
HISPANIC OR LATINO OF ANY RACE (CVAP)
PERCENT SHARE OF 2020 IRWD BLOCK
GROUP POPULATION



15

PLAN 1A

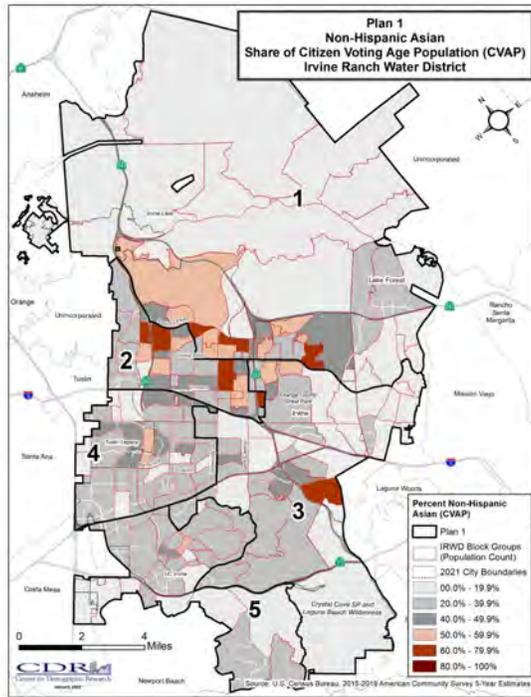
HISPANIC OR LATINO OF ANY RACE (CVAP)
PERCENT SHARE OF 2020 IRWD BLOCK
GROUP POPULATION



16

PLAN 1

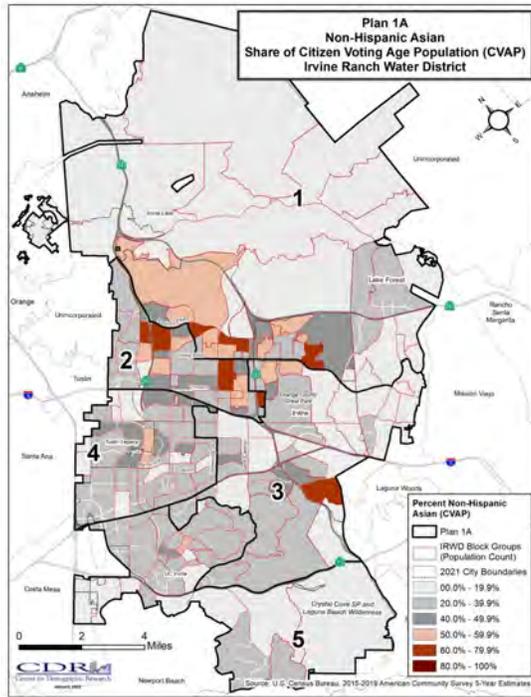
NON-HISPANIC ASIAN (CVAP)
PERCENT SHARE OF 2020 IRWD BLOCK
GROUP POPULATION



17

PLAN 1A

NON-HISPANIC ASIAN (CVAP)
PERCENT SHARE OF 2020 IRWD BLOCK
GROUP POPULATION



18

PLAN 1: CITIZEN VOTING AGE POPULATION (CVAP)

Proposed Division	Total Population	Hispanic or Latino of any Race	Non-Hispanic White	Non-Hispanic Black or African-American	Non-Hispanic American Indian or Alaska Native	Non-Hispanic Asian	Non-Hispanic Native Hawaiian or Other Pacific Islander	Non-Hispanic Two or More Races
1	100.0%	11.0%	55.0%	2.5%	0.4%	28.2%	0.1%	2.9%
2	100.0%	10.2%	43.8%	1.7%	0.0%	41.4%	0.1%	2.7%
3	100.0%	12.3%	58.3%	1.2%	0.2%	24.8%	0.0%	3.1%
4	100.0%	12.6%	52.0%	1.8%	0.2%	29.3%	0.3%	3.7%
5	100.0%	14.8%	57.8%	2.0%	0.2%	22.3%	0.0%	2.8%
IRWD TOTAL	100.0%	12.3%	53.4%	1.8%	0.2%	29.1%	0.1%	3.1%



Source: Statewide Database 2015-2019 Citizen Voting Age Population on 2020 Census Blocks, Revised 9/27/2021

19

19

PLAN 1A: CITIZEN VOTING AGE POPULATION (CVAP)

Proposed Division	Total Population	Hispanic or Latino of any Race	Non-Hispanic White	Non-Hispanic Black or African-American	Non-Hispanic American Indian or Alaska Native	Non-Hispanic Asian	Non-Hispanic Native Hawaiian or Other Pacific Islander	Non-Hispanic Two or More Races
1	100.0%	11.0%	55.0%	2.5%	0.4%	28.2%	0.1%	2.9%
2	100.0%	10.2%	43.8%	1.7%	0.0%	41.4%	0.1%	2.7%
3	100.0%	12.3%	58.3%	1.2%	0.2%	24.8%	0.0%	3.1%
4	100.0%	12.6%	52.0%	1.8%	0.2%	29.3%	0.3%	3.7%
5	100.0%	14.8%	57.8%	2.0%	0.2%	22.3%	0.0%	2.8%
IRWD TOTAL	100.0%	12.3%	53.4%	1.8%	0.2%	29.1%	0.1%	3.1%



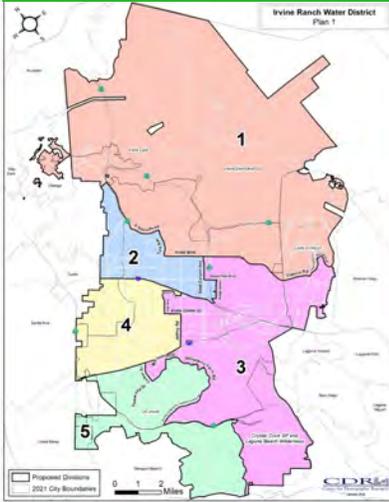
Source: Statewide Database 2015-2019 Citizen Voting Age Population on 2020 Census Blocks, Revised 9/27/2021

20

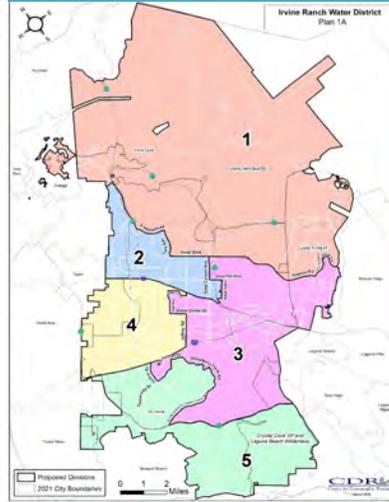
20

DRAFT MAPS

PLAN 1



PLAN 1A



21

21

DRAFT MAPS WITH IRWD VILLAGE REFERENCE MAP

PLAN 1



PLAN 1A



22

22

RECOMMENDATION

Following public comment and Board discussion, staff recommends that the Board close the hearing and adopt a final map of redistricted division boundaries based on Draft Map Plan 1A by adopting the following resolution by title:

RESOLUTION NO. 2022-__

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
ADJUSTING THE BOUNDARIES OF DIVISIONS FOR ELECTION OF MEMBERS OF THE BOARD
FOLLOWING THE 2020 DECENNIAL CENSUS



23

23

QUESTIONS & PUBLIC COMMENTS

www.irwd.com/about-us/district-election-process



24

24

EXHIBIT "C"

RESOLUTION NO. 2022-4

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT ADJUSTING THE BOUNDARIES OF DIVISIONS FOR ELECTION OF MEMBERS OF THE BOARD FOLLOWING THE 2020 DECENNIAL CENSUS

Irvine Ranch Water District Resolution No. 2019-12, "Resolution Changing the Method of Election of Directors from At-Large to By-Division, and Adopting a Map Establishing Initial Divisions for the Election of Members of the Board of Directors, Division Numbering and the Sequence of Elections," provides that the Board of Directors will consider adjusting its division boundaries following each decennial federal census to assure compliance with all applicable provisions of law.

Elections Code section 22000 requires the Board of Directors to examine division boundaries after each federal decennial census using that census to adjust the boundaries so that the divisions are as equal as possible in population and in compliance with Section 10301 of Title 52 of the United States Code, as amended.

Elections Code section 22000 further authorizes the Board of Directors to give consideration to topography, geography, cohesiveness, contiguity, integrity and compactness of territory as well as communities of interest.

The Board of Directors has conducted duly noticed public hearings with published notice in English, Spanish, Chinese, Farsi and Korean on December 13, 2021 and January 24, 2022 seeking public input on this process. The December 13 public hearing was held prior to the drawing of draft maps and the January 24 hearing was held after draft maps had been drawn and published.

The Board of Directors has conducted a duly noticed public hearing with published notice in English, Spanish, Chinese, Farsi and Korean on this date, February 14, 2022, with the intent to consider adoption of Plan 1A, which was published on the District's website more than seven days prior to the public hearing.

The Board of Directors has determined that Plan 1A adjusts the division boundaries to be as equal as possible in population considering the factors provided in Elections Code section 22000 and that Plan 1A complies with Section 10301 of Title 52 of the United States Code, as amended.

NOW, THEREFORE, the Board of Directors of IRVINE RANCH WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE and ORDER that:

Section 1. The Board of Directors hereby finds the foregoing recitals to be true and correct.

Section 2. The Board of Directors adopts the map identified as Plan 1A, attached hereto as Exhibit “1” and incorporated herein by this reference, as the map setting forth the adjusted Director Divisions to be used commencing with the regularly-scheduled election of November, 2022 for the election of members of the Board of Directors.

Section 3. Pursuant to Elections Code section 22000, the Board of Directors will consider adjustments of the Division boundaries following each decennial federal census to assure compliance with all applicable provisions of law.

Section 4. The District General Manager, or his designee, is authorized to take any ministerial actions necessary to implement this resolution.

Section 5. If necessary to facilitate the implementation of this resolution as determined by the County Registrar of Voters, the General Manager, or his designee, is authorized to make technical adjustments to Division boundaries that do not substantially affect the population in the Divisions, the eligibility of candidates, or the residence of any elected Director within any Division.

ADOPTED, SIGNED AND APPROVED this 14th day of February 2022.

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

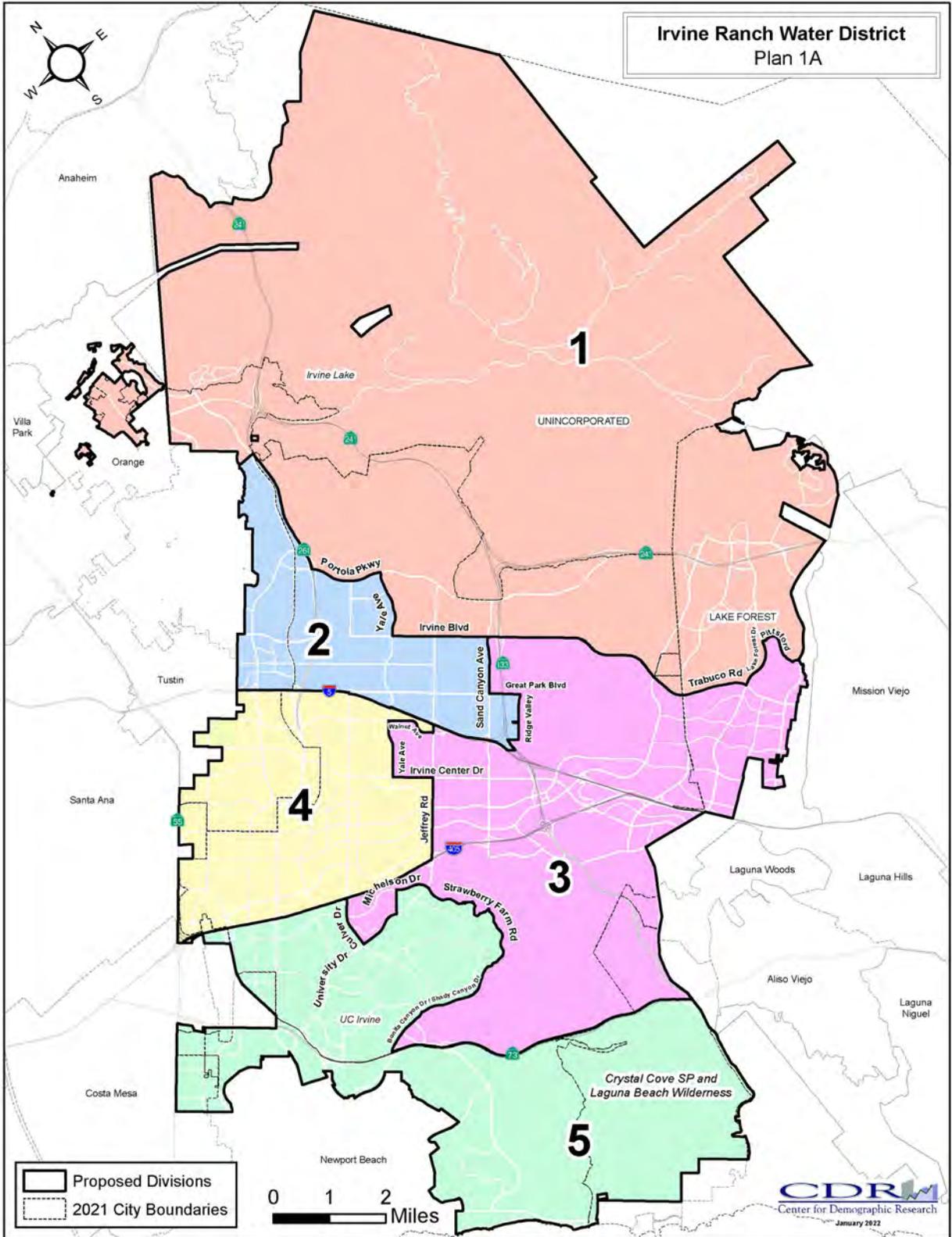
Secretary, IRVINE RANCH WATER DISTRICT
and the Board of Directors there of

APPROVED AS TO FORM:
Hanson Bridgett LLP

By: _____
Legal Counsel

ATTACHMENT 1: Map of Adopted Director Division Boundaries Following the 2020
Decennial Federal Census

ATTACHMENT 1



Plan 1A-1

Note: This page is intentionally left blank.

February 14, 2022
Prepared by: E. Akiyoshi / M. Robinson
Submitted by: K. Burton
Approved by: Paul A. Cook 

BOARD WORKSHOP

CAPITAL IMPROVEMENT PROGRAM ASSET MANAGEMENT

SUMMARY:

IRWD is developing a more proactive approach to capital-focused asset management. The District's Capital Improvement Program (CIP) Asset Management project used risk-based analyses to develop preliminary repair and rehabilitation recommendations for the most critical pump stations, storage tanks, wells, and sewage lift stations. At the Board meeting, staff will present details of the analysis.

BACKGROUND:

Since 1961, IRWD has largely focused on planning based on future growth and development. As the District's facilities mature, there is a growing need for replacement and rehabilitation of existing facilities. Over the past year, an interdepartmental team completed the first phase of IRWD's CIP Asset Management project. The team used a risk-based approach and conducted high-level condition assessments at 158 facilities in the potable, non-potable, and sewage collection systems. The field condition assessments helped identify the Likelihood of Failure and evaluated remaining useful life expectancies at all facilities. Concurrently, a multi-faceted Consequence of Failure analysis looked at social, environmental, and financial factors to identify the most critical pump stations, storage tanks, wells, and sewage lift stations. The Likelihood of Failure and Consequence of Failure analyses helped develop a preliminary list of facilities that will be more closely evaluated for specific repair and rehabilitation projects.

The CIP Asset Management project is a multi-phased program, with Phase 1 focusing on pump stations, lift stations, tanks, and wells, and future phases focusing on pipelines and treatments plants. Phase 1 also developed powerful and sustainable business intelligence (i.e., reporting and data analysis) tools in the Microsoft Power Business Intelligence (BI) environment. Phase 2 will focus on the 3,700 miles of potable, non-potable, and sewage collection pipelines. Subsequent phases will develop approaches for IRWD's potable and recycled water treatment plants.

The project incorporated data from enterprise systems, such as the Geographic Information System (GIS), Replacement Planning Model (RPM), and the Maximo Computer Maintenance and Management System (CMMS). BI and data analytics were created that allowed staff to quickly view results and update facility data as needed. The Microsoft Power BI environment provides for a seamless integration with future phases of the project and sustainability by IRWD staff.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

California Environmental Quality Act (CEQA) as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15262 provides exemption for planning studies.

COMMITTEE STATUS:

This item was reviewed by the Engineering and Operations Committee on December 6, 2021.

RECOMMENDATION:

RECEIVE AND FILE.

LIST OF EXHIBITS:

Exhibit "A" – Capital Improvement Program Asset Management Draft PowerPoint Presentation

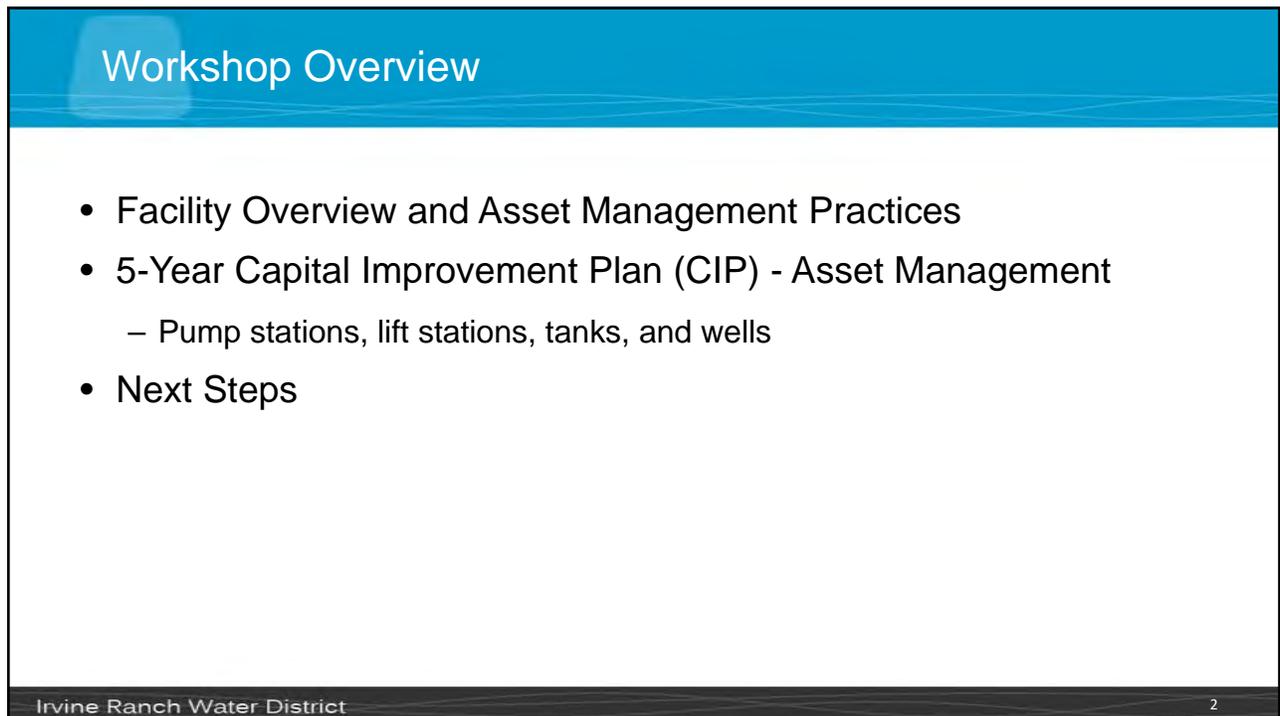


Capital Improvement Plan Asset Management

Board of Directors - Workshop
February 14, 2022



1



Workshop Overview

- Facility Overview and Asset Management Practices
- 5-Year Capital Improvement Plan (CIP) - Asset Management
 - Pump stations, lift stations, tanks, and wells
- Next Steps

Irvine Ranch Water District

2

Asset Management Practices

Replacement Planning Model

- Addresses long term planning financial needs over the next 50 years

Maximo

- Addresses short term maintenance activities

3

Asset Management Practices

Capital Improvement Program

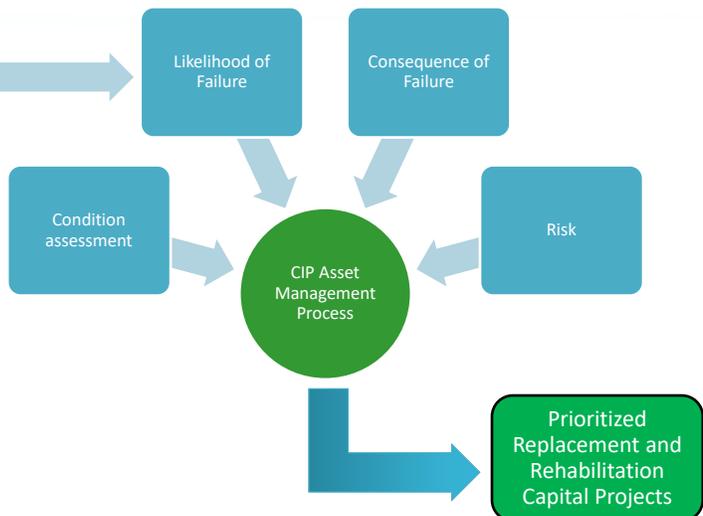
- Addresses near term capital planning needs

Replacement Planning Model

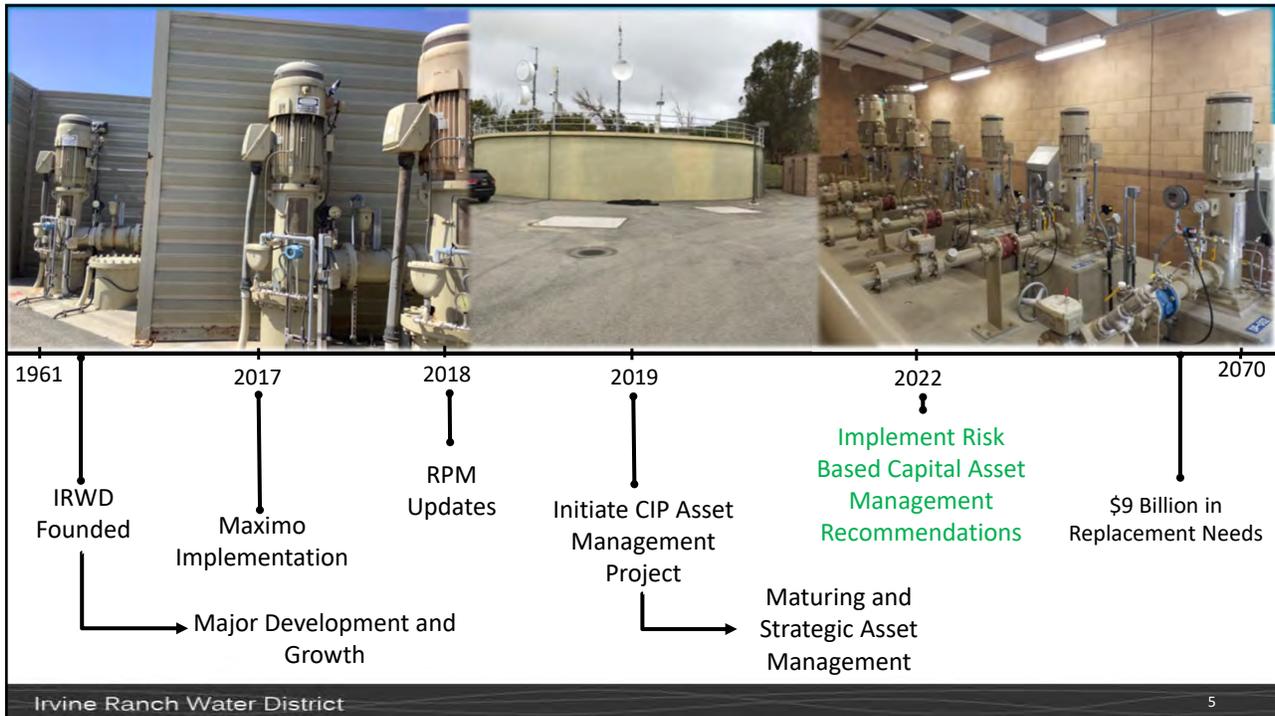
- Addresses long term planning financial needs over the next 50 years

Maximo

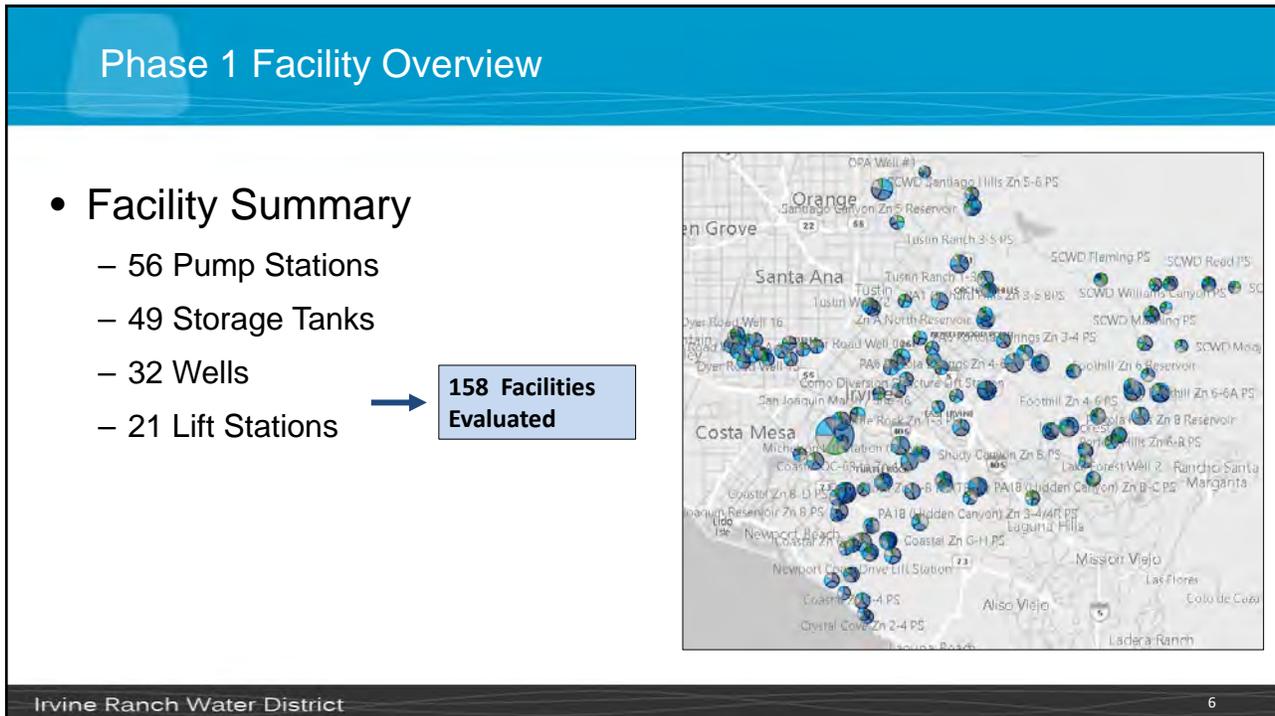
- Addresses short term maintenance activities



4



5



6

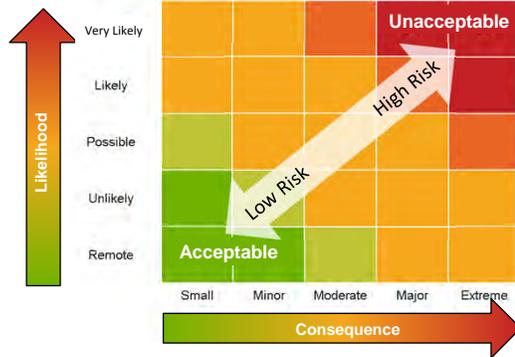
Probability and Risk Based Asset Management and Capital Planning

- **Risk based Asset Management and Capital Planning**

- Utilizes modern data driven analyses to help prioritize capital focused repair and rehabilitation (R&R) projects
- Uses Likelihood of Failure (LoF), Consequence of Failure (CoF), and Risk concepts
- Matures the approach, IRWD understanding, and integration as facilities continue to age

- **Benefits**

- Optimizes R&R CIP expenditures
- Identifies financial, social, and environmental consequences of failure
- Includes Level of Service
- Integrates the entire capital system for a more holistic approach to planning



7

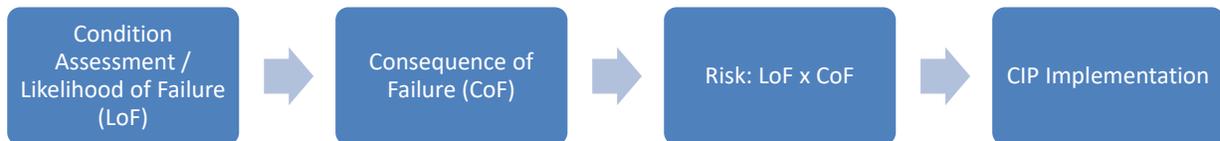
5-Year Capital Improvement Plan



8

CIP Asset Management Process Overview

The CIP Asset Management project uses a risk-based integrated approach that is comprehensive, considers levels of service, and assesses and prioritizes the replacement and life-cycle costs of system improvements



9

Likelihood / Probability of Failure

Likelihood of Failure (LoF) incorporates data from field and desktop condition assessment scores, facility chronological age, and applies this to service life estimates using industry standard curves to determine the Likelihood of Failure.



10

Condition Assessment Scores

Facility **Condition** is a combination of Physical Condition (C), Performance (P), and Reliability (R), resulting in a CPR score.



Cloud based approach to facility condition assessments

Scoring Process

- ✓ Facilities scored by major discipline: Mechanical, Electrical, Instrumentation and Control, Site, Structural, Emergency Power
- ✓ Assessed Physical Condition (C) based on visual inspection
- ✓ Addressed Performance (P) and Reliability (R) scores based on input from Operations
- ✓ Cascaded to Assets Types within each Facility-Discipline
- ✓ Cascaded to Assets within each Asset Type
- ✓ Used Maximo data to provide additional Performance (P) and Reliability (R) scoring



11

Consequence of Failure

Criticality factors:

- Environmental
 - Proximity to waterways, environmental impact, water quality
- Economic
 - Repairability and access constraints, total cost
- Social
 - Containment and diversion (odor complaints), retention time, facility function, water flow rate, facility size
- Redundancy
 - Based on the number of facilities serving a pressure zone



12

Risk

Combining Likelihood of Failure and Consequence of Failure

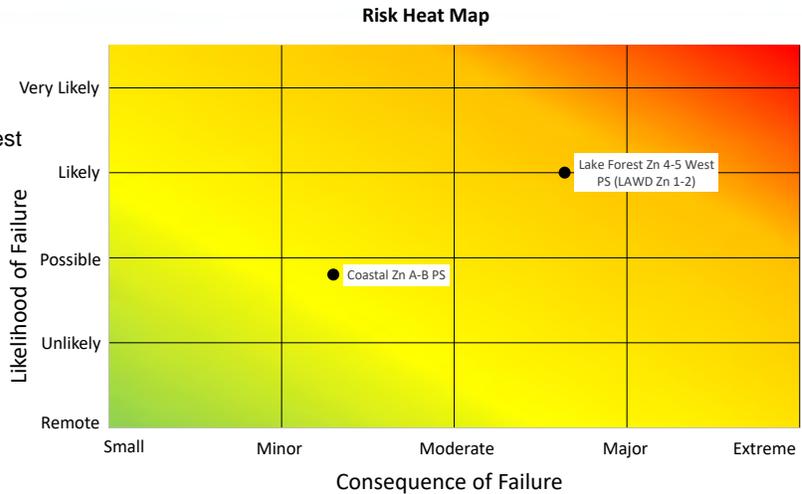
Risk = CoF x LoF

Example 1

- Facility: Lake Forest Zn 4-5 West
- Discipline: Electrical
- CoF = Moderate
- LoF = Likely
- Risk = Medium-High

Example 2

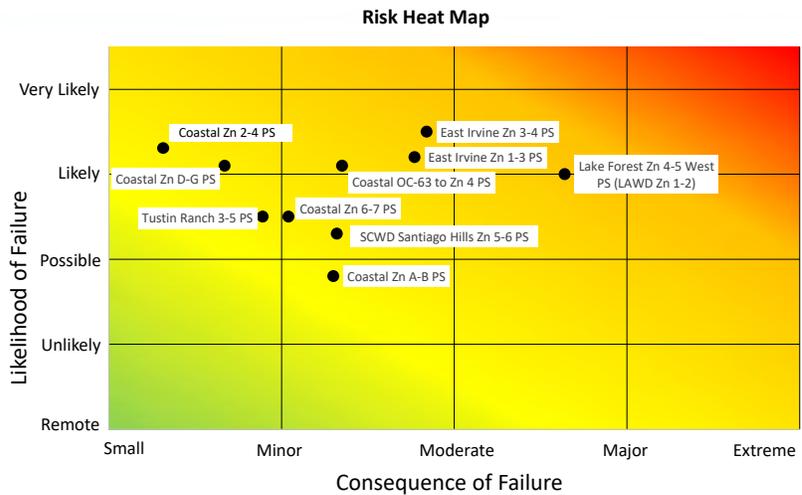
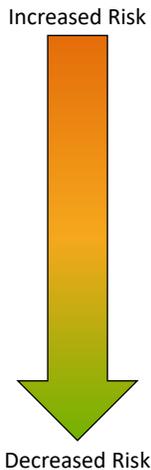
- Facility: Coastal Zn A-B
- Discipline: Electrical
- CoF = Minor
- LoF = Possible
- Risk = Medium-Low



13

5-Year CIP Top Projects: Pump Stations

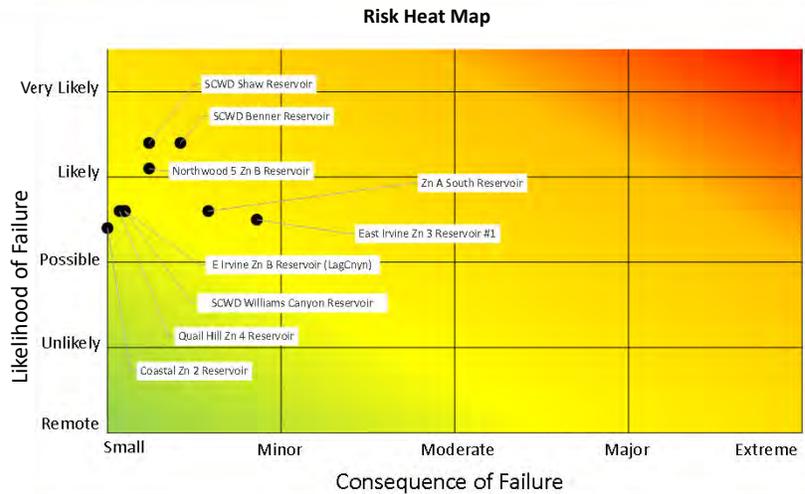
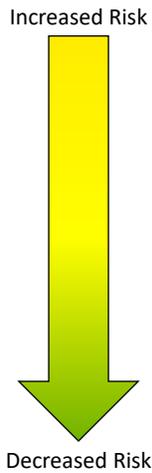
Facility Name
East Irvine Zn 3-4
East Irvine Zn 1-3
Coastal OC-63 to Zn 4
Coastal Zn 1-2
SCWD Santiago Hills Zn 5-6 PS
Coastal Zn 6-7
Coastal Zn D-G
Tustin Ranch 3-5
Coastal Zn A-B
Coastal Zn 2-4



14

5-Year CIP Top Projects: Tanks

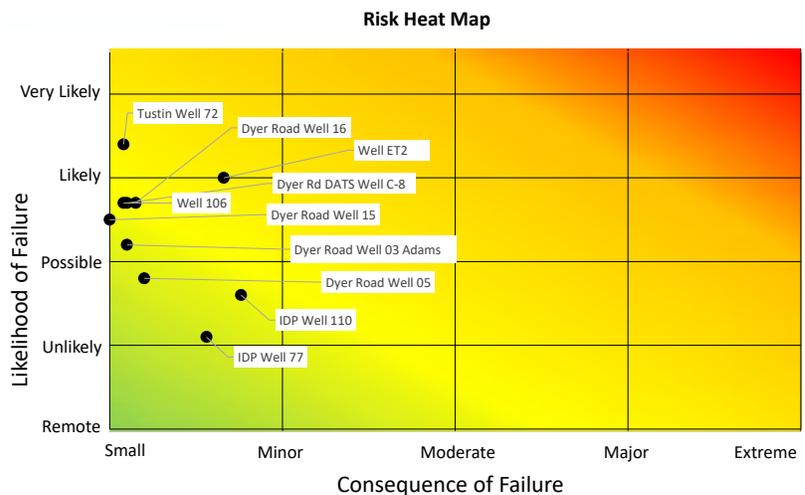
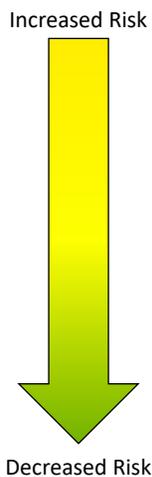
Facility Name
East Irvine Zn 3 Reservoir #1
SCWD Benner Reservoir
Zn A South Reservoir
SCWD Shaw Reservoir
Northwood 5 Zn B Reservoir
E Irvine Zn B Reservoir (LagCnyn)
SCWD Williams Canyon Reservoir
Quail Hill Zn 4 Reservoir
Coastal Zn 2 Reservoir



15

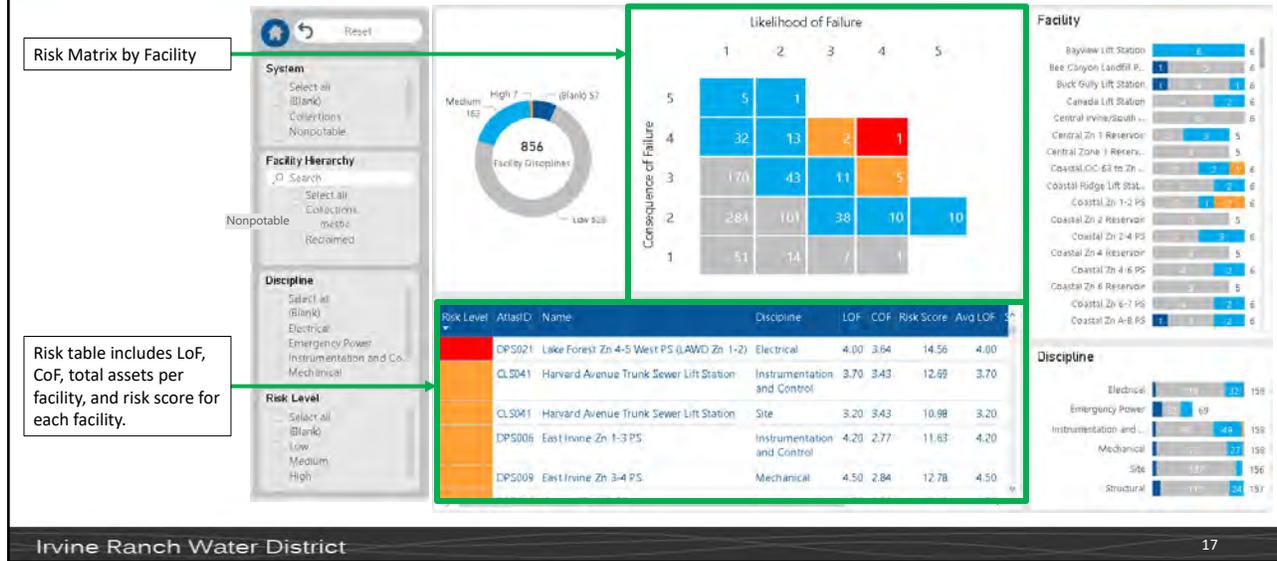
5-Year CIP Top Projects: Wells

Facility Name
Well ET2
Tustin Well 72
IDP Well 110
DRWF Well 16
DRWF Well 8
Well 106
DRWF Well 3
DRWF Well 15
DRWF Well 5
IDP Well 77



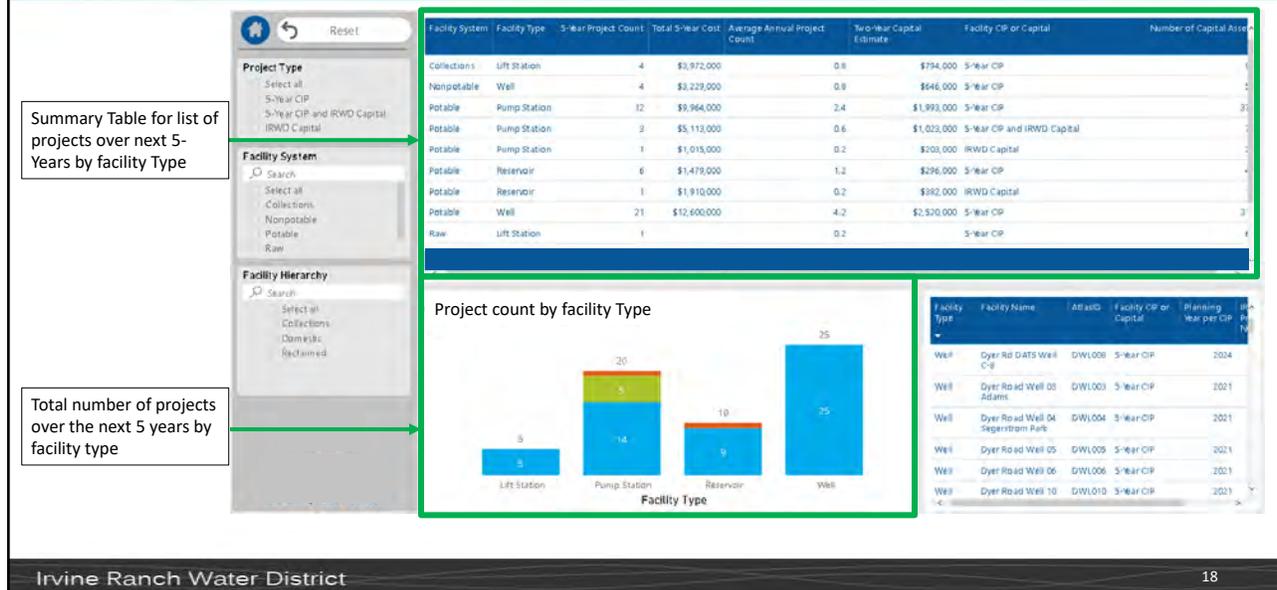
16

Risk Dashboard



17

5-Year CIP Dashboard



18

Next Steps

- Include top projects into the FY 2022-23 and FY 2023-24 Capital Budget Update
- Complete condition assessment at the asset level for the top projects
- Proceed with Phase II for pipelines

February 14, 2022
Prepared and
submitted by: L. Bonkowski
Approved by: Paul A. Cook 

CONSENT CALENDAR

BOARD MEETING MINUTES

SUMMARY:

Provided are the minutes of the January 24, 2022, Regular Board meeting for approval.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

Not applicable.

RECOMMENDATION:

THAT THE MINUTES OF THE JANUARY 24, 2022 REGULAR BOARD MEETING BE APPROVED AS PRESENTED.

LIST OF EXHIBITS:

Exhibit "A" – January 24, 2022 Minutes

Note: This page is intentionally left blank.

Exhibit A

MINUTES OF REGULAR MEETING –JANUARY 24, 2022

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 President LaMar on January 24, 2022. Due to the ongoing COVID pandemic and the recent surge in Omicron Variant cases, the Board meeting was held remotely under the provisions of AB 361.

Directors Present: LaMar, Withers, Swan (arrived at 5:12 p.m.), McLaughlin, and Reinhart.

Directors Absent: None.

Written and Oral Communications: None.

Also Present: General Manager Cook, Executive Director of Technical Services Burton, Executive Director of Operations Chambers, Executive Director of Finance and Administration Clary, Director of Treasury and Risk Management Jacobson, Executive Director of Water Policy Weghorst, Director of Recycling Operations Zepeda, Director of Water Resources Sanchez, Director of Human Resources Mitcham, Director of Water Quality and Regulatory Compliance Colston, Director of Strategic Communications and Advocacy/Deputy General Counsel Compton, Director of Safety and Security Choi, Secretary Bonkowski, Assistant Secretary Swan, General Counsel Collins, Special Legal Counsel DeMayo, Consultant Diep, Special Legal Counsel Robinson, Consultant Newell, and members of the public and other staff.

FORMAT OF IRWD BOARD AND COMMITTEE MEETINGS DURING COVID-19
OMICRON SURGE

With the current omicron-driven surge in COVID-19 cases, General Manager Cook said that staff recommends the Board affirm that meetings of the full Board and the standing Board committees will temporarily be conducted via teleconference following the restrictions and rules outlined in AB 361. On MOTION by Reinhart, seconded by Withers and carried by a roll call vote (4-0) Withers, Reinhart, McLaughlin, and LaMar voting aye, and Swan absent, the following resolution was adopted by title:

RESOLUTION NO. 2022-1

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
MAKING FINDINGS THAT THE PROCLAIMED STATE OF EMERGENCY
IMPACTS THE ABILITY TO MEET SAFELY IN PERSON

PUBLIC HEARINGS

PROPOSED CHANGES TO THE SCHEDULE OF RATES AND CHARGES EFFECTIVE FEBRUARY 1, 2022

Pursuant to the requirements of Proposition 218, a Public Hearing on the rates and charges is required. Director Swan arrived at 5:12 p.m. President LaMar declared this to be the time and place for a hearing on the proposed changes to the rates and charges and asked the Secretary how the hearing was noticed.

Secretary Bonkowski said that the hearing was noticed by mail and presented an affidavit of mailing. On MOTION by Swan, seconded by Withers, and unanimously carried by a roll call vote (5-0) Withers, Reinhart, McLaughlin, Swan and LaMar voting aye, **THE AFFIDAVIT OF MAILING BY AN INDEPENDENT PROCESSING FIRM AS PRESENTED BY THE SECRETARY WAS RECEIVED AND FILED.**

President LaMar asked Legal Counsel to describe the nature of the proceedings. Legal Counsel Collins said that the public hearing is held, pursuant to Proposition 218, Article XIID 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.

President LaMar asked for a staff report from the Executive Director of Finance or her designee on the proposed rates and charges and inquired whether there have been any written communications. Using a PowerPoint presentation, Manager of Strategic Planning and Analysis Smithson reviewed the budget and rate setting calendar, the Proposition 218 notice noting that 116,077 notices were mailed to customers and property owners, and that written protests were directed to be mailed to a separate post office box from the rest of the District's mail and were received by the District's Independent auditors, Davis Farr. Mr. Smithson reviewed the five letters received protesting the increase, which do not meet the 50% +1 protest threshold for preventing rate increases from being adopted.

Mr. Smithson then reviewed the proposed potable water, recycled water, and sewer rates and charges, along with the water shortage contingency plan rates. He further reviewed a typical residential customer bill, rate history, a rate comparison with other water agencies along with a recommendation to adopt the rates effective February 1, 2022.

President LaMar asked whether there was anyone present who wished to address the Board regarding the proposed changes to the rates and charges. No one wished to be heard.

President LaMar asked whether there are any comments or questions from members of the Board of Directors. There were none. Director LaMar closed the public hearing, and on MOTION by Swan, seconded by McLaughlin, unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, **THE HEARING WAS CLOSED, AND THE FOLLOWING RESOLUTION WAS ADOPTED BY TITLE:**

RESOLUTION NO. 2022-2

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
ADOPTING CHANGES TO THE SCHEDULE OF RATES AND CHARGES
FOR WATER, SEWER AND RECLAIMED WATER SERVICE

2021 REDISTRICTING CRITERIA AND THE COMPOSITION OF REDISTRICTED DIVISIONS

President LaMar declared this to be the time and place for a public hearing on redistricting the Irvine Ranch Water District Board of Directors Division Boundaries, and to receive public comments on the criteria for and the composition of the redistricted divisions and draft maps. He asked the Board Secretary how the hearing was noticed.

Secretary Bonkowski said that the public hearing was noticed by publication in the *Orange County Register* on January 9 and January 16, 2022; by publication in Spanish in the *Excelsior Unidos* on January 7 and January 14, 2022; by publication in Korean in the *Korea Times* on January 7 and January 14, 2022; by publication in Traditional Chinese in the *World Journal* on January 9 and January 16, 2022; by publication in Farsi in *Hafteh Bazaar* on January 7 and January 14, 2022; by electronic posting in English, Farsi, Korean, Traditional Chinese, and Spanish on the IRWD website, which can be translated into approximately 20 languages; and by physical posting at IRWD's headquarters. She presented the affidavits of posting and proof of publication to the Board related to the hearing. On MOTION by Swan, seconded by Reinhart and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, **THE BOARD RECEIVED AND FILED THE AFFIDAVITS OF POSTING AND PROOF OF PUBLICATION.**

President LaMar asked staff to describe the nature of the proceedings. Using a PowerPoint presentation, Director of Strategic Communications and Advocacy/Deputy General Counsel Compton reviewed the IRWD redistricting process, the public comment and map submission period noting that the public comment period was from December 2, 2021 to January 6, 2022, and said that no maps were received. Consultant Diep then reviewed the data and existing conditions noting that the data was obtained from the 2020 Consensus Law 94-171 redistricting data. Ms. Diep reviewed the required and permissible redistricting criteria said that there must be equal population between divisions with a spread under 10 percent. She said that the goal is for equal population of the current 447,168 with a target division equaling 89,434 for each division. Using maps, she reviewed the differences with target division population, current division boundaries, along with two draft maps identified as Plans 1 and 2. Following discussion, it was the consensus of the Board to eliminate Plan 2 and to create a Plan 1A which will include all of the Newport Coast area into the Division 5. There being no further comments, on MOTION by Reinhart, seconded by Swan, and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes **THE SECOND PUBLIC HEARING WAS CLOSED AND THE BOARD AUTHORIZED STAFF TO AGENDIZE THE THIRD PUBLIC HEARING ON FEBRUARY 14, 2022, FOR CONSIDERATION OF ADOPTION OF A FINAL MAP OF DIVISION BOUNDARIES BASED ON MAP 1 AS MODIFIED.**

CONSENT CALENDAR

On MOTION by Withers, seconded by McLaughlin, and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, ITEMS 7 THROUGH 15 WERE APPROVED AS FOLLOW:

7. BOARD MEETING MINUTES

Recommendation: That the minutes of the December 13, 2021, Regular Board meeting be approved as presented.

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

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

9. MEMORANDUM ON OFFICERS OF THE BOARD, COMMITTEE APPOINTMENTS AND OTHER ASSIGNMENTS

Recommendation: That the Board receive and file the memorandum dated January 10, 2022, titled Officers of the Board, Committee Appointments and Other Assignments and approve attendance for meetings and events for the Board's representation for calendar year 2022 as delineated.

10. IRWD OPERATIONAL PERFORMANCE MEASURES

Recommendation: Receive and file.

11. DECEMBER 2021 TREASURY REPORT

Recommendation: That the Board receive and file the Treasurer's Investment Summary report, the Summary of Fixed and Variable Rate Debt, and Disclosure Report of reimbursements to Board members and staff, approve the December 2021 summary of Payroll ACH payments in the total amount of \$3,346,735, and approve the December 2021 accounts payable disbursement summary of Warrants 423100 through 423983, Workers' Compensation distributions, wire transfers, payroll withholding distributions and voided checks in the total amount of \$24,151,186.

12. 2022 INDEX TENDER NOTES REMARKETING

Recommendation: That the Board of Directors approve the 2022 Index Tender Notes Remarketing Statement, and adopt the following resolution by title:

RESOLUTION NO. 2022-3

RESOLUTION OF THE BOARD OF DIRECTORS OF
THE IRVINE RANCH WATER DISTRICT APPROVING THE REMARKETING
STATEMENT RELATING TO UNSCHEDULED MANDATORY TENDERS
(REFUNDING SERIES 2011A-1 AND REFUNDING SERIES 2011A-2)

CONSENT CALENDAR (continued)

13. SILVERADO CANYON BRIDGE 175 TEMPORARY DOMESTIC WATER BYPASS
FINAL ACCEPTANCE

Recommendation: That the Board accept construction of the Silverado Canyon Bridge 175 Temporary Domestic Water Bypass, Project 11587, authorize the General Manager to file a Notice of Completion, and authorize the payment of the retention 35 days after the date of recording the Notice of Completion.

14. MICHELSON WATER RECYCLING PLANT TERTIARY FILTER
IMPROVEMENTS VARIANCE

Recommendation: That the Board authorize the General Manager to execute Variance No. 3 in the amount of \$81,430 with HDR Engineering, Inc. for additional engineering design services to rehabilitate the backwash supply tank for the MWRP Tertiary Filter Improvements, Project 07892

15. 2022 LEGISLATIVE AND REGULATORY UPDATE

Recommendation: That the Board adopt an “oppose/oppose unless amended” position on AB 1434 (Friedman).

ACTION CALENDAR

IRVINE LAKE – MASTER AGREEMENT FOR RESOLUTION OF REAL PROPERTY
MATTERS

Using a PowerPoint presentation, Director of Treasury and Risk Management Jacobson said that as a result of the land transfer from the Irvine Company to the County of Orange, commitments from previous agreements related to land use, road access and recreation rights between IRWD, Serrano Water District, and the Irvine Company require modification. He said that a new Irvine Lake Property and Recreation Rights Umbrella Agreement (Master Agreement) has been prepared along with its related documents with IRWD, Serrano, the County, and the Irvine Company which intend to resolve outstanding real property matters at Irvine Lake. He then reviewed key points of the agreement including: 1) terminating the Irvine Company’s reversionary rights interest in Irvine Lake (and replacing it with a covenant requiring the lake to be used for reservoir and approved recreation purposes); 2) approving reciprocal road easements providing unrestricted use by all parties of the existing access road (the “Haul Road”) from Santiago Canyon Road to the lake; 3) terminating prior lake management agreements including the Haul Road Agreement, Reciprocal License Agreement and other ancillary agreements related to Irvine Lake and adjacent land (originally between IRWD, Serrano, and the Irvine Company); 4) approving the transfer of the Irvine Company’s 75% recreation rights interest to the County; and 5) defining permitted and prohibited recreational uses in and around the lake.

Mr. Jacobson reviewed future recreational uses and said that the County has provided a draft Letter of Intent (LOI) between the County, Serrano, and IRWD, which includes the issuance of a request for proposal, the process to select a lessee (to include IRWD's and Serrano's input), and future management and permitted recreational uses within Irvine Lake and adjacent land owned by the County. He said that a final lease agreement of the Flats property would include terms allowing for the temporary or permanent use of the property for reservoir purposes at the discretion of the water districts. He said that the County's Orange County Parks will take the lead for management and that the net revenue split would be 50% County, 30% Serrano, and a 20% IRWD split. He said that the top priorities would include IRWD's operations, maintenance, and construction projects for Irvine Lake. Following discussion on liability issues, on MOTION by Reinhart, seconded by Withers and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, THE BOARD APPROVED THE IRVINE LAKE PROPERTY AND RECREATION RIGHTS UMBRELLA AGREEMENT SUBJECT TO NON-SUBSTANTIVE CHANGES, AUTHORIZED THE GENERAL MANAGER TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS, AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A LETTER OF INTENT TO ISSUE A JOINT REQUEST FOR PROPOSAL TO SELECT A LESSEE TO OPERATE RECREATIONAL ACTIVITIES AT IRVINE LAKE.

IRWD POLICY POSITION PAPER ON REGIONAL WATER SHORTAGE RESPONSE ACTIONS

Executive Director of Water Policy Weghorst reported that following the 2012-2017 statewide drought, legislation was enacted in 2018 to strengthen local water supplier water management and water shortage planning, and that Assembly Bill 1668 and Senate Bill 606 require water suppliers to undertake additional drought planning, include projected water shortage information in their Urban Water Management Plans and enhance their Water Shortage Contingency Plans. Mr. Weghorst said that these plans are updated and submitted to the Department of Water Resources (DWR) at least every five years, with the most recent plans submitted in 2021. He said that additionally, beginning in 2022, water suppliers are required to prepare and submit to DWR an Annual Water Supply and Demand Assessment.

Mr. Weghorst said that IRWD has actively engaged in state and regional policy discussions regarding potential drought responses, including mandatory reductions and given that discussions regarding drought responses are likely to continue, staff recommends the Board adopt a policy position paper regarding regional water shortage actions. He then reviewed the proposed position paper with the Board highlighting its six policy principles.

Director Withers said that this item was reviewed by the Water Resources Policy and Communications Committee on January 17, 2022.

On MOTION by Withers, seconded by McLaughlin and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, THE BOARD ADOPTED THE IRWD REGIONAL WATER SHORTAGE RESPONSE ACTIONS POLICY POSITION PAPER.

TERMS FOR WATER STORAGE AND TRANSFER PILOT PROGRAM WITH MOJAVE WATER AGENCY

Executive Director of Water Resources Policy Weghorst said that the Mojave Water Agency is a State Water Project (SWP) Contractor that currently has Table A water supplies in excess of demands. These supplies also exceed Mojave's water banking capacities that were developed through its Mojave Basin Conjunctive Use Program. Mr. Weghorst said that in December 2021, staff met with Mojave to discuss implementing a mutually beneficial pilot program that would allow Mojave to deliver excess SWP water into storage at the IRWD Water Bank, with Mojave transferring one-half of the water to IRWD. Mojave's main objective of implementing such a program is to store its share of the water to be recovered later and transferred to another SWP Contractor consistent with the amendments to the SWP Contract that went into effect in February 2021. The SWP contract amendments provide additional water management tools related to transfers and exchanges that provide increased flexibility in managing SWP supplies.

Mr. Weghorst said that as a follow-up to the December 2021 meeting with Mojave, staff prepared terms for implementation of a Water Storage and Transfer Pilot Program between IRWD and Mojave. He said that the pilot program would allow Mojave to deliver its SWP supplies to IRWD's Water Bank for storage with Mojave transferring one-half of the water to IRWD. He said that since the water source would be SWP supplies, the California Department of Water Resources (DWR) will need to approve the program and prepare the appropriate point of delivery and transfer agreements. He said that the transfer of SWP water will also require an SWP Contractor willing to act on IRWD's behalf. The proposed terms for this pilot program, which are a slight variation from IRWD's traditional unbalanced exchange programs and are provided in the exhibit would allow Mojave, at its discretion, to deliver up to 20,000 acre-feet (AF) of SWP Table A water to IRWD's Water Bank through the end of 2030. Mojave would have the ability to deliver up to 7,000 AF per year for recharge on a first-priority basis. Any additional deliveries in the same year would be subject to Buena Vista Water Storage District and/or Antelope Valley – East Kern Water Agency opting to not deliver water into IRWD's Water Bank in the same year. Mojave would be required to deliver a minimum of 13,000 AF over the course of the pilot program. Additionally, when requested by Mojave, IRWD would recover Mojave's share of the stored water using IRWD's first priority rights to the use of IRWD's Water Bank wells. The recovery of Mojave's water would be at a rate not to exceed 3,250 AF per year (with IRWD's annual recovery capacity in the IRWD Water Bank is currently 17,900 AF per year.) This would allow Mojave to recover its share of the minimum delivery requirement within two years. Mojave could request to recover more water should IRWD determine that capacity is available. The requirement for Mojave to deliver a minimum of 13,000 AF of water into storage equitably offsets the first priority recovery commitments to Mojave. Mr. Weghorst said that staff believes that with IRWD already having some extraordinary supply water stored in the Metropolitan system, IRWD's need for first-priority recovery capacity is reduced in the short-term.

Director Reinhart said that this item was reviewed and approved by the Supply Reliability Programs Committee on January 20, 2022. Following discussion, on MOTION by Reinhart, seconded by Withers and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes, **THE BOARD AUTHORIZED THE GENERAL MANAGER TO DEVELOP AND EXECUTE A WATER STORAGE AND TRANSFER PILOT PROGRAM AGREEMENT BETWEEN IRWD AND MOJAVE WATER AGENCY BASED ON THE TERMS PRESENTED.**

OTHER BUSINESS

GENERAL MANAGER'S REPORT

General Manager Cook provided an update on COVID-19 activity and said there were only two new cases since last Thursday. He said that 1,000 rapid test kits along with additional masks have been ordered and will be arriving this week.

Mr. Cook said that the status of delinquent accounts is at 4,200 outstanding amounting to \$4.4 million, and he will continue to keep the Board posted on this debt.

Mr. Cook introduced Mr. Steve Choi, the District's new Director of Safety & Security, who formerly worked for the port of Long Beach, and is a UCI graduate. He also introduced Mr. Jason Manning, the District's new Reliability Engineer, who formerly worked for SOCWA.

COMMUNITY UPDATE

Mr. Bruce Newell provided an update on the activities in the canyon.

DIRECTORS COMMENTS

Director Reinhart said he attended his regular meetings listed and highlighted his attendance at an OCWD Board meeting and a Southern California Water Coalition lunch meeting.

Director Withers said he attended his meetings listed and said he will be attending an OCSD meeting this Wednesday.

Director Swan reported on his attendance at a City of Lake Forest 30th anniversary celebration, a Groundwater Banking JPA Special Board meeting, a MWDOC Planning and Operations Committee meeting, a MWDOC Board meeting, a MWDOC Administration and Finance Committee meeting, a WACO Planning Committee meeting, a WACO monthly meeting, a Southern CA Steering Committee meeting, an OCBC Infrastructure meeting, Newport Beach Chamber of Commerce meeting, and a Kern Fan JPA meeting.

Director McLaughlin reported on her attendance at a Chapman University Economic Forecast event and a South Orange County Watershed Management Area Executive Committee meeting.

Director LaMar reported on his attendance at a Chapman University Economic Forecast event, an OCWD Communications and Legislative Liaison Committee meeting, a WACO meeting, and a Southern California Coalition meeting.

CLOSED SESSION

Legal Counsel Collins said that the following Closed Session would be held:

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1): *Kessner, et al. v. City of Santa Clara, IRWD, et al.*, Santa Clara County Superior Court Case No. 20CV364054.

OPEN SESSION

The meeting reconvened with Withers, McLaughlin, Reinhart, Swan, Reinhart and LaMar present. The following action was reported with votes and abstentions as follows:

Director Swan made a motion to agree to the settlement / dismissal which was seconded by Withers and unanimously carried by a roll call vote (5-0) Withers, McLaughlin, Swan, LaMar and Reinhart voting aye, and 0 noes.

ADJOURNMENT

There being no further business, Director LaMar adjourned the meeting at 7:05 p.m.

APPROVED and SIGNED this 14th day of February 2022.

President, IRVINE RANCH WATER DISTRICT

Secretary IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

Claire Hervey Collins, General Counsel
Hanson Bridgett LLP

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February 14, 2022
Prepared and
submitted by: K. Swan
Approved by: Paul A. Cook



CONSENT CALENDAR

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

SUMMARY:

Pursuant to Resolution 2006-29 adopted on August 28, 2006, the following events and meetings require approval by the Board of Directors:

Steven LaMar

January 12	FIRO Workshop Webinar with Scripps Institution of Oceanography
January 21	Southern California Water Coalition Quarterly Meeting & Luncheon, Newport Beach
February 16-18	Urban Water Institute Virtual Winter Conference
February 23	MWDOC Water Policy Dinner
March 10	ACWA 2022 Virtual Legislative Symposium
March 21-22	OCBC Sacramento Advocacy Trip

Karen McLaughlin

January 27	ISDOC Quarterly Luncheon Webinar
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Douglas Reinhart

January 31	SOCWA ETM Prep Meeting
February 16-18	Urban Water Institute Virtual Winter Conference

Peer Swan

January 27	WaterUCI Webinar
February 16-18	Urban Water Institute Virtual Winter Conference
February 23	MWDOC Water Policy Dinner
February 27 – March 1	CASA 2022 Washington, D.C. Conference

John Withers

January 19	Orange County Water Association's Monthly Industry Insight Webinar
January 27	ISDOC Quarterly Luncheon Webinar
February 23	MWDOC Water Policy Dinner
February 16	Orange County Water Association's Monthly Industry Insight Luncheon

RECOMMENDATION:

THAT THE BOARD RATIFY/APPROVE THE MEETINGS AND EVENTS FOR STEVEN LAMAR, KAREN MCLAUGHLIN, DOUGLAS REINHART, PEER SWAN, AND JOHN WITHERS, AS DESCRIBED HEREIN.

LIST OF EXHIBITS:

None.

February 14, 2022
Prepared and
submitted by: C. Compton
Approved by: Paul A. Cook 

CONSENT CALENDAR

2022 LEGISLATIVE AND REGULATORY UPDATE

SUMMARY:

This report provides an update on the 2021-2022 legislative session, regulatory issues, and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate.

Staff recommends the Board receive and file this report.

- *AB 1001 (Christina Garcia) — Mitigation Measures: Disadvantaged Communities: “WATCH.”*

BACKGROUND:

January 28, 2022, was the last day for bills to be submitted to the Office of the Legislative Counsel, and January 31 was the last day for bills introduced in 2021 to be passed out of their house of origin. The bill introduction deadline this year is February 18, although resolutions and constitutional amendments can be introduced after that date. The first policy committee deadlines are in late April and early May.

A copy of the 2022 Legislative Matrix is provided as Exhibit “A”.

2022 State Legislative Update:

AB 1001 (Christina Garcia, D-Bell Gardens) – Mitigation Measures: Disadvantaged Communities

Assembly Bill 1001 (Christina Garcia, D-Bell Gardens) authorizes mitigation measures, identified in an Environmental Impact Report or Mitigated Negative Declaration for a project that impacts the air or water quality of a disadvantaged community (DAC), to include measures for avoiding, minimizing or compensating adverse effects on disadvantaged communities. It requires that if the mitigation measures include compensating for adverse effects on the air or water quality of a disadvantaged community, the compensating measures shall mitigate those effects directly in the affected disadvantaged communities.

This two-year bill was passed through the Assembly Natural Resources Committee and the Assembly Appropriations Committee to the Assembly floor in January. The bill was amended on the Assembly floor on January 24. The recent amendments narrow the applicability of the requirement for measures “directly in” a DAC and stakeholders are reviewing the implications of those amendments. A number of statewide associations have been actively engaged on this bill to address the concern that requiring measures “directly in” a DAC limits discretion to address

the adverse effects of a project in the most efficient and effective manner. Given those ongoing discussion, staff recommends the Board adopt a “watch” position on the bill at this time to allow those discussion to continue.

Other 2022 Legislative Updates:

On February 3, 2022, staff provided an oral update to the Water Resources Policy and Communications (WRP) Committee on new developments related to the following:

- COVID-19-related Legislation;
- Extension of COVID-19 Financial Relief for Water and Wastewater bills;
- Income Tax Parity for Water Rebates;
- Indoor Residential Water Use Legislation;
- State Dam Safety Funding;
- Likely California Water Law and Rights Modernization Legislation; and
- Other legislative matters of interest to the District.

2022 State and Regional Regulatory Update:

The following is a list of some of the State regulations and agency reports staff is monitoring, tracking, or planning to engage in the next three to 12 months. As the next drafts of the regulations or reports are released for public review and comment, staff will engage, as appropriate. The pending regulations, administrative actions and reports actively being tracked include the:

- Executive and Regulatory Actions on COVID-19;
- Executive and Regulatory Actions related to the drought;
- California Air Resources Board (CARB) [AB 32 Climate Change Scoping Plan Update](#);
- CARB’s [Proposed Advanced Clean Regulation](#);
- CARB In-use Off-road Diesel-Fueled Fleets Regulation Amendments;
- California Fish and Wildlife California Endanger Species Act Petition for the Steelhead;
- California Natural Resources Agency (CNRA) [30 x 30 California Implementation](#);
- CNRA’s [2021 State Adaptation Strategy Update](#);
- CNRA’s [Water Resilience Portfolio Implementation](#);
- DWR’s 2023 California Water Plan Update, as outlined in DWR’s [2023 Update announcement](#);
- DWR’s [Groundwater Management Principles and Strategies to Monitor, Analyze and Minimize Impacts to Drinking Water Wells](#);

- DWR and the State Board’s implementation of the “[Making Water Conservation a California Way of Life](#)” legislation;
 - DWR and the State Board’s Indoor Water Use Study and Indoor Water Use Standard Recommendations;
 - DWR’s Outdoor Standard Recommendations;
 - DWR’s Work Group on Commercial, Industrial, and Institutional (CII) performance measures; and
 - State Board’s [Water Loss Performance Standards Regulations](#);
- State Board’s development of a “Cross Connection Policy Handbook”;
- State Board’s Direct Potable Reuse Regulations;
- State Board’s drought monitoring and emergency actions;
- State Board’s actions on lead service lines; and
- State Board’s [Safe and Affordable Funding for Equity and Resilience \(SAFER\) Drinking Water Program](#).

Staff also provided the WRP Committee with an update on other regulatory matters of interest to the District.

2022 Federal Legislative and Regulatory Update:

IRWD’s federal advocacy efforts in 2021 continue to largely focus on seeking federal funding for the Kern Fan Groundwater Storage Project and advocating for an increased funding authorization for the federal Water Storage Program. Staff updated the WRP Committee on these efforts and the ongoing efforts related to positioning the Kern Fan Groundwater Storage Project for federal funding, and other federal legislative and regulatory proposals of interest to the District.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on February 3, 2022.

RECOMMENDATION:

THAT THE BOARD ADOPT A “WATCH” POSITION ON AB 1001 (CHRISTINA GARCIA).

LIST OF EXHIBITS:

Exhibit “A” – IRWD Legislative Matrix

EXHIBIT “A”
IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1</u> Garcia (D)	Hazardous Waste		Creates the Board of Environmental Safety in the California Environmental Protection Agency. Provides requirements for the membership of the board and requires the board to conduct no less than 6 public meetings per year. Provides for the duties of the board, which would include, among others, reviewing specified policies, processes, and programs within the hazardous waste control laws.	06/09/2021 - To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.
<u>AB 84</u> Budget Cmt	Rehiring and Retention: Displaced Workers		Appropriates specified amount and make available through June 30, 2025, from the Labor and Workforce Development Fund to the Labor Commissioner for staffing resources to implement and enforce the provisions related to the rehiring and retention of workers displaced due to the Coronavirus pandemic.	05/18/2021 - Re-referred to SENATE Committee on BUDGET AND FISCAL REVIEW.
<u>AB 152</u> Budget Cmt	Elections		Authorizes a county that has previously conducted an all-mailed ballot election to conduct an all-mailed ballot election. Requires counties to conduct a voter education and outreach campaign.	08/16/2021 - Re-referred to SENATE Committee on BUDGET AND FISCAL REVIEW.
<u>AB 155</u> Budget Cmt	Public Resources Trailer Bill		Changes the name of the Healthy Stores Refrigeration Grant Program to the Healthy Refrigeration Grant Program. Expands the definition of qualified entity to include a tribal government or tribal organization under certain circumstances and would revise the criteria required for a city, county, tribal government, tribal organization, or nonprofit entity to qualify to apply for a grant.	01/06/2022 - In SENATE. From Inactive File. To second reading.;01/06/2022 - Re-referred to SENATE Committee on BUDGET AND FISCAL REVIEW.
<u>AB 170</u> Ting (D)	Budget Act of 2021		Amends the Budget Act of 2021 by amending, adding, and repealing items of appropriation and making other changes.	01/06/2022 - In SENATE. From Inactive File. To second reading.;01/06/2022 - Re-referred to

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 221</u> Santiago (D)	Emergency Food Assistance		Requires the department, in consultation with a workgroup, to author a report to provide recommendations and solutions for a permanent food assistance program for low-income California residents experiencing food insecurity, to complete that report by a specified date and to submit a copy of that report to the Legislature.	SENATE Committee on BUDGET AND FISCAL REVIEW. 08/26/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 252</u> Rivas R (D)	Multibenefit Land Repurposing Incentive Program		Establish the Multibenefit Land Repurposing Program, for purposes of assisting groundwater sustainability agencies in critically overdrafted basins achieve their groundwater sustainability goal by providing grants to public and private entities for projects and programs that reduce groundwater use by converting irrigated agricultural land to new uses that both reduce groundwater demand or use and provide some other measurable benefits to the environment or broader community.	09/07/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 255</u> Muratsuchi (D)	COVID-19 Emergency Small Business Eviction Relief Act		Requires a landlord, who receives a statement by a commercial tenant supported by documentary evidence that the commercial tenant has experienced a decrease in average monthly gross revenue attributable to the Coronavirus pandemic, to conduct a good faith negotiation to form a plan to allow the commercial tenant a reasonable opportunity to repay Coronavirus lease debt while minimizing the hardship to the landlord.	06/03/2021 - In ASSEMBLY. Reconsideration granted.;06/03/2021 - In ASSEMBLY. To Inactive File.
<u>AB 267</u> Valladares (R)	California Environmental Quality Act: Exemption		Extends the exemption from CEQA prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National	06/02/2021 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;06/02/2021 - In

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Environmental Policy Act of 1969 and the requirement on the Department of Forestry and Fire Protection to report to the relevant policy committees of the Legislature to specified date.	SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
<u>AB 284</u> Rivas R (D)	Global Warming Solutions Act of 2006: Climate Goal		Requires the state board, as part of the next scoping plan update, in collaboration with the Natural Resources Agency and other relevant state agencies and departments and no later than a specified date, to identify a 2045 climate goal, with interim milestones, for the state's natural and working lands, as defined, and to integrate into the scoping plan update recommendations developed by the Natural Resources Agency and the Department of Food and Agriculture.	09/02/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 318</u> Levine (D)	Hazardous Waste: Exclusion: Cannabis Waste		Requires the Department of Toxic Substances Control, in consultation with the Department of Resources Recycling and Recovery and the Department of Food and Agriculture, to provide guidance to certified unified program agencies on how to characterize cannabis waste, as defined, under the hazardous waste control laws and regulations.	06/03/2021 - In ASSEMBLY. To Inactive File.
<u>AB 343</u> Fong (R)	California Public Records Act Ombudsperson		Establishes, within the California State Auditor's Office, the California Public Records Act Ombudsperson. Requires the California State Auditor to appoint the Ombudsperson subject to certain requirements. Requires the Ombudsperson to receive and investigate requests for review, determine whether the denials of original requests complied with the California Public Records Act, and issue written opinions of its determination.	06/09/2021 - To SENATE Committees on JUDICIARY and GOVERNMENTAL ORGANIZATION.
<u>AB 350</u>	Cannella Environmental Farming Act of 1995		Requires the Department of Food and Agriculture to establish and administer a 3-year grant program to fund	09/02/2021 - In SENATE. From third reading. To Inactive File.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
Villapudua (D)			technical assistance to support landowners located in a critically overdrafted basin, as defined, in reaching water use reduction goals established pursuant to the Sustainable Groundwater Management Act. Authorizes the department to use specified guidelines to administer this program.	
<u>AB 363</u> Medina (D)	Carl Moyer Air Quality Standards Attainment Program		Requires the state board to establish or update grant criteria and guidelines for covered vehicle and infrastructure projects as soon as practicable, but not later than July 1, 2017. The state board's program guidelines describe the minimum criteria and requirements for on-road heavy-duty vehicles and the types of projects that can be incentivized to provide surplus emissions reductions from on-road heavy-duty vehicles through contracts or through the On-Road Heavy-Duty Voucher Incentive Program (VIP).	07/13/2021 - In SENATE Committee on TRANSPORTATION: Not heard.
<u>AB 386</u> Cooper (D)	Public Employees Retirement: Investments: Confidential		Exempts from disclosure under the California Public Records Act specified records regarding an internally managed private loan made directly by the Public Employees' Retirement Fund. Provides that these records would include quarterly and annual financial statements of the borrower or its constituent owners, unless the information has already been publicly released by the keeper of the information. Prescribes specified exceptions to this exemption from disclosure.	07/13/2021 - In SENATE Committee on JUDICIARY: Failed passage.;07/13/2021 - In SENATE Committee on JUDICIARY: Reconsideration granted.
<u>AB 404</u> Salas (D)	Workers' Compensation: Medical-Legal Expenses		Relates to Workers compensation. Requires that the medical-legal fee schedule be reviewed, and updated if necessary, to increase the conversion factor by the percentage increase in the most recent federal Medicare Economic Index.	08/26/2021 - In SENATE Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 522</u> Fong (R)	Forestry: Forest Fire Prevention Exemption		Provides that the Forest Fire Prevention Exemption is operative for a period of a specified years after the effective date of emergency regulations adopted by the board to implement the exemption and is inoperative after that specified year period. Provides that existing regulations implementing that exemption specify that it becomes inoperative on a specified year after a specified date.	01/27/2022 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<u>AB 649</u> Bennett (D)	Department of Resources Recycling and Recovery		Establishes the Office of Environmental Justice and Tribal Relations within the department. Prescribes the duties of the office, including, among others, ensuring that the department's programs effectively address the needs of disadvantaged communities, low-income communities, California Native American tribes, and farmworkers.	01/27/2022 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<u>AB 732</u> Quirk (D)	Hazardous Waste: Transportation: Registration		Provides that the Department of Toxic Substances Control generally regulates the management and handling of hazardous waste and hazardous materials. Prohibits a person from carrying on or engaging in the transportation of hazardous waste unless the person holds a valid registration issued by the department, and also prohibits a person from transferring custody of hazardous waste to a transporter who does not hold a valid registration issued by the department.	01/18/2022 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<u>AB 753</u> Grayson (D)	Barry Keene Underground Storage Tank Cleanup Trust Fund		Authorizes eligible owners and operators of underground storage tanks containing petroleum to file claims with the state board for reimbursement from the fund of corrective action costs, as provided, incurred to address releases of petroleum from these tanks.	08/26/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 754</u> Mathis (R)	Sustainable Groundwater Management		Authorizes the Department of Water Resources to extend the deadline for a high- or medium-priority basin not subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated plans upon request of a local agency or groundwater sustainability agency in the basin for an extension of a specified period of time.	07/12/2021 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.;07/12/2021 - In SENATE Committee on NATURAL RESOURCES AND WATER: Reconsideration granted.
<u>AB 814</u> Levine (D)	Personal Information: Contact Tracing		Authorizes a state or local health department to disclose, to the University of California or a nonprofit education institution conducting scientific research, data collected, received, or prepared for purposes of contact tracing only if certain requirements are met, including that the request for information is approved by the Committee for the Protection of Human Subjects for the California Health and Human Services Agency or an institutional review board.	08/26/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 854</u> Lee (D)	Residential Real Property: Withdrawal of Accommodations		Authorizes any public entity that has in effect any control or system of control on the price at which accommodations are offered for rent or lease to require by statute or ordinance, or by regulation, that the owner notify the entity of an intention to withdraw those accommodations from rent or lease, and to require that the notice contain specified statements.	01/27/2022 - In ASSEMBLY. Read third time and amended. To third reading.
<u>AB 897</u> Mullin (D)	Office of Planning and Research: Regional Climate		Authorizes eligible entities, as defined, to establish and participate in a regional climate network, as defined. Requires the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. Authorizes a regional climate network to engage in activities to address climate change, as specified.	08/26/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 972</u> Berman (D)	Elections: Deceptive Audio or Visual Media		Extends the repeal date of provisions relative to deceptive audio or visual media use in elections through a specified date.	01/20/2022 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<u>AB 975</u> Rivas (D)	Political Reform Act of 1974		Relates to the Political Reform Act of 1974. Allows a gift of admission to an invitation-only event to be returned, reimbursed, or donated within 30 days of the calendar quarter in which it was received, and would make other changes prescribing conditions for the donation, return, or reimbursement.	01/25/2022 - In ASSEMBLY. From Inactive File. To third reading.
<u>AB 995</u> Gonzalez (D)	Paid Sick Days: Accrual and Use		Modifies the employers alternate sick leave accrual method to require that an employee have no less than 40 hours of accrued sick leave or paid time off by the 200th calendar day of employment or each calendar year, or in each 12-month period.	06/03/2021 - In ASSEMBLY. To Inactive File.
<u>AB 1001</u> Garcia (D)	Mitigation Measures for Air and Water Quality Impacts		Authorizes mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air or water quality of a disadvantaged community, to include measures for avoiding, minimizing, or compensating for the adverse effects on that community. Requires compensating measures, included as mitigation measures, to mitigate those effects directly in the affected disadvantaged community.	01/24/2022 - In ASSEMBLY. Read second time. To third reading.;01/24/2022 - In ASSEMBLY. Read third time and amended. To third reading.
<u>AB 1017</u> Quirk-Silva (D)	Public Restrooms: Right to Restrooms Act of 2021		Requires each local government, as defined, to complete an inventory of public restrooms owned and maintained by the local government, either directly or by contract, that are available to the general population in its jurisdiction. Requires each local government to make its inventory available to agencies and service providers	08/26/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			that work directly with homeless populations within the local government' s jurisdiction and, with certain exceptions, to make the inventory available on its internet website.	
<u>AB 1037</u> Grayson (D)	Infrastructure Construction: Digital Construction		Requires the Department of General Services to develop guidance, policies, and procedures for the integration and development of digital construction technologies for use on a civil infrastructure project, as defined, that is developed by specified state entities and has a state project cost of greater than a specified amount.	08/23/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 1041</u> Wicks (D)	Leave Issues		Expands the population that an employee can take leave to care for to include a designated person. Defines "designated person" to mean a person identified by the employee at the time the employee requests family care and medical leave. Authorizes an employer to limit designation of a person, as prescribed.	09/09/2021 - In SENATE. To Inactive File.
<u>AB 1086</u> Aguiar-Curry (D)	Organic Waste: Implementation Strategy		Requests that the State Council on Science and Technology, in consultation with its academic and research partners and specified state agencies undertake and, within specified months of entering into a contract, complete a report that provides an implementation strategy to achieve the state's organic waste, and related climate change and air quality, mandates, goals, and targets. Requires the council to provide the report to the relevant state agencies after peer review.	08/26/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 1110</u> Rivas R (D)	Zero-Emission Vehicles; Clean Vehicles Ombudsperson		Establishes the Clean Vehicles Ombudsperson, to be appointed by and report directly to the Director of GO-Biz, and would require the ombudsperson to consult with appropriate entities in identifying available programs and incentives offered by the state that can	09/09/2021 - In ASSEMBLY. To Inactive File.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			help to reduce costs and increase participation in a statewide contract or leveraged procurement agreement, as described below. Requires the ombudsperson to convene 2 or more workshops of an advisory committee to aid ombudsperson.	
<u>AB 1164</u> Flora (R)	Dams and Reservoirs: Exclusions		Specifies that the exclusion from being considered a dam for a barrier that is not across a stream channel, watercourse, or natural drainage area and that has the principal purpose of impounding water for agricultural use applies only to a barrier owned or operated by a private entity. Provides that the structure is no greater than 20 feet in height, as measured from the lowest adjacent native ground elevation to the maximum achievable water surface impounded by the structure.	06/03/2021 - To SENATE Committee on NATURAL RESOURCES AND WATER.
<u>AB 1195</u> Garcia (D)	Drinking Water		Prohibits a public water system from transferring or abandoning a water right held by the public water system except upon approval of the state board.	06/17/2021 - In SENATE. Rescinds referral to Committee on NATURAL RESOURCES due to limitations concerning COVID-19 virus.
<u>AB 1218</u> McCarty (D)	Zero Emission New Passenger Vehicle		Declares that, to help achieve the state's climate and air quality goals and mandates, it is the goal of the state, as established in a specified Executive Order, that a specified percentage of in state sales of new passenger vehicles and light duty trucks be zero emission by 2035. Requires the state board, to the extent consistent with state and federal law, to develop and adopt passenger vehicle and light duty truck regulations requiring increasing volumes of new zero emission vehicles sold in the state.	01/24/2022 - In ASSEMBLY. Read second time. To third reading.
<u>AB 1255</u> Bloom (D)	Fire Risk Reduction Guidance: Local Assistance Grants		Requires the Natural Resources Agency to develop a guidance document that describes goals, approaches, opportunities, and best practices in each region of the	06/02/2021 - In ASSEMBLY. To Inactive File.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			state for ecologically appropriate, habitat-specific fire risk reduction.	
<u>AB 1384</u> Gabriel (D)	Resiliency Through Adaptation, Economic Vitality		Requires the agency to also coordinate with the Office of Planning and Research and identify, among other things, vulnerabilities to climate change for vulnerable communities, an operational definition of "climate resilience" for each sector and for vulnerable communities, special protections of vulnerable communities and industries that are disproportionately impacted by climate change, opportunities to improve policy and budget coordination across jurisdictions, and timetables and specific metrics.	09/10/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 1395</u> Muratsuchi (D)	The State Climate Crisis Act		Declares the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than a specified year, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by a specified year, statewide anthropogenic greenhouse gas emissions are reduced to at least 90% below the 1990 levels.	09/10/2021 - In SENATE. Read third time. Failed to pass SENATE.;09/10/2021 - In SENATE. Motion to reconsider.;09/10/2021 - In SENATE. Reconsideration granted.;09/10/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 1400</u> Kalra (D)	Guaranteed Health Care for All		Relates to Guaranteed Health Care for All Act. Creates the Guaranteed Health Care for All program, or CalCare, to provide comprehensive universal single payer health care coverage and a health care cost control system for the benefit of all residents of the state. Requires the board, on or before a specified date, to conduct and deliver a fiscal analysis to determine whether or not CalCare may be implemented and whether revenue is more likely than not to pay for program costs, as specified.	01/25/2022 - In ASSEMBLY. Read second time. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1431</u> Frazier (D)	Forestry: Forest Carbon and Resilience Goals		Establishes state goals for fuels treatment, vegetation management, and wildfire risk reduction, including, but not limited to, increasing vegetation management on nonfederal lands and urging the federal government to increase vegetation management on federal lands, as provided, and increasing the pace and scale of home hardening efforts to harden at least 100,000 existing homes per year by 2025.	08/26/2021 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 1434</u> Friedman (D)	Urban Water Use Objectives: Indoor Residential	OPPOSE/OPPOSE UNLESS AMENDED	Requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Establishes standards for indoor residential water use, unless the department and the board recommend more appropriate standards for indoor residential water use.	01/06/2022 - From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.;01/06/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1490</u> Chau (D)	California Privacy Rights Act of 2020: Agency		Requires appointments to the board which governs the California Privacy Protection Agency to be made from among Californians with expertise in the areas of privacy, technology, and consumer rights.	06/01/2021 - In ASSEMBLY. To Inactive File.
<u>AB 1500</u> Garcia E (D)	Safe Drinking Water, Wildfire Prevention	SUPPORT IF AMENDED	Enacts the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.	05/20/2021 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/20/2021 - From ASSEMBLY Committee on APPROPRIATIONS: Do pass to Committee on RULES.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1604</u> Holden (D)	The Upward Mobility Act of 2022: Boards and Commissions		Requires that, on or after January 1, 2023, all state boards and commissions consisting of one or more volunteer members have at least one board member or commissioner from an underrepresented community. Defines the term board member or commissioner from an underrepresented community as an individual who self-identifies as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or Alaska Native, or as defined.	01/14/2022 - To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
<u>AB 1610</u> Lackey (R)	State Mandates: Claims		Provides that no claim for reimbursement by a local government or school district for a state-mandated cost shall be made or paid unless it exceeds \$800.	01/14/2022 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<u>AB 1616</u> Petrie-Norris (D)	Public Contracts		Relates to existing law which generally regulates the formation and awarding, among other things, of a contract by a public entity and makes a nonsubstantive change to the definition of the term public entity.	01/06/2022 - INTRODUCED.
<u>AB 1640</u> Ward (D)	Office of Planning and Research: Climate Networks		Authorizes eligible entities to establish and participate in a regional climate network, as defined. Requires the Office of Planning and Research, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. Authorizes a regional climate network to engage in activities to address climate change.	01/20/2022 - To ASSEMBLY Committee on NATURAL RESOURCES.
<u>AB 1642</u> Salas (D)	California Environmental Quality Act: Well Projects		Exempts from CEQA a project that relates to a well that is part of a water system or to a domestic well that has been designated by the State Water Resources Control Board as high risk or medium risk in the state board's drinking water assessment and that is designed to	01/20/2022 - To ASSEMBLY Committee on NATURAL RESOURCES.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			mitigate or prevent a failure of the well or the domestic well that would leave residents that rely on the well, the water system to which the well is connected, or the domestic well without an adequate supply of safe drinking water.	
<u>AB 1660</u> Nguyen J (R)	Elections: Vote by Mail Ballots: Notifications		Requires an elections official to inspect a vote by mail ballot envelope for signs of tampering and, if any are found, notify the voter within seven business days. Allows a voter whose vote by mail ballot envelope shows signs of tampering to elect to receive a new vote by mail ballot or to vote in person at the voter's home precinct or at another voter location. Prohibits an elections official from processing a vote by mail ballot that arrives in an envelope that shows signs of tampering.	01/27/2022 - To ASSEMBLY Committee on ELECTIONS.
<u>AB 1676</u> Burke (D)	Greenhouse Gases: Carbon Capture, Utilization		States the intent of the Legislature to enact subsequent legislation that would facilitate the deployment of carbon capture, utilization, and sequestration in order to help meet the state's climate change goals and would make related findings and declarations.	01/20/2022 - INTRODUCED.
<u>AB 1687</u> Seyarto (R)	California Emergency Services Act: Governor's Powers		Provides that the Governor may only suspend a statute or regulation during a state of emergency or state of war emergency in connection with the specific conditions of emergency proclaimed by the Governor or state of war emergency, as applicable.	01/24/2022 - INTRODUCED.
<u>AB 1717</u> Aguiar-Curry (D)	Public Works: Definition		Expands the definition of public works, for purposes of requirements regarding the payment of prevailing wages, to include fuel reduction work paid for in whole or in part out of public funds performed as part of a fire mitigation project.	01/27/2022 - INTRODUCED.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1721</u> Rodriguez (D)	Emergency Medical Services Mutual Aid Program		Establishes the Emergency Medical Services Mutual Aid Program, to be administered by the Office of Emergency Services (OES), to support local government efforts in responding to surges in demand for emergency medical services and provide effective mutual aid during disasters. The bill would, upon appropriation by the Legislature, require OES to provide noncompetitive grant funding to local governments, special districts, and tribes for the purpose of acquiring medical services.	01/27/2022 - INTRODUCED.
<u>AB 1724</u> Stone (D)	Washing Machines: Microfiber Filtration		Requires, on or before January 1, 2024, that all washing machines sold as new in California contain a microfiber filtration system. The bill would also require all state-owned washing machines to contain a microfiber filtration system.	01/27/2022 - INTRODUCED.
<u>AB 1725</u> Smith T (R)	Illegal Cultivation of Cannabis		Amends the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA) to make it a felony, punishable by 16 months or 2 or 3 years in county jail, for a person over 18 years of age to plant, cultivate, harvest, dry, or process more than 6 living cannabis plants.	01/27/2022 - INTRODUCED.
<u>ACA 1</u> Aguiar-Curry (D)	Local Government Financing: Affordable Housing		Creates an additional exception to the 1% ad valorem tax rate limit on real property that would authorize a city, county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing the tax is approved by 55% of the voters of the city or county, and the proposition includes accountability requirements.	04/22/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 12</u> McGuire (D)	Local Government Planning and Zoning: Wildfires		Requires the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after a certain date, whichever occurs first, to be reviewed and updated as necessary to include a comprehensive retrofit strategy to reduce the risk of property loss and damage during wildfires, and would require the planning agency to submit the adopted strategy to the Office of Planning and Research for inclusion into the clearinghouse for climate adaptation.	07/12/2021 - In ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Failed passage.;07/12/2021 - In ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Reconsideration granted.
<u>SB 37</u> Cortese (D)	Contaminated Site Cleanup and Safety Act		Repeals the requirement for the State Department of Health Care Services to compile a list of all public drinking water wells. Provides that a project located on a site that is included on any list compiled by the state agencies specified above and posted on the California Environmental Protection Agency' s internet website is exempted from CEQA if the project meets specified conditions.	09/08/2021 - In ASSEMBLY. To Inactive File.
<u>SB 45</u> Portantino (D)	Short-lived Climate Pollutants: Organic Waste Reduction	SUPPORT IF AMENDED	Requires the State Air Resources Board, no later than January 1, 2018, to approve and begin implementing a short-lived climate pollutant strategy. Requires the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.	01/24/2022 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<u>SB 72</u> Rubio (D)	Property Insurance: Wildfire Risk		Requires the Insurance Commissioner to transmit to the Secretary of the Natural Resources Agency a report that makes geographic recommendations for vegetation management projects based on the commissioner's analysis of specified information, including nonrenewal	08/26/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			data on policies of residential property insurance, and to post that report on the Department of Insurance's internet website.	
SB 99 Dodd (D)	Community Energy Resilience Act of 2021		Requires the State Energy Resources Conservation and Development Commission to develop and implement a grant program for local governments to develop community energy resilience plans and expedite permit review of distributed energy resources by local governments.	08/26/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
SB 222 Dodd (D)	Water Rate Assistance Program	WATCH	Establishes the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income ratepayers and ratepayers experiencing economic hardship in State. Makes moneys in the fund available upon appropriation by the Legislature to the department to provide direct water bill assistance, water bill credits, and water crisis assistance, and would require 80% of total funds to be directly applied to customer assistance.	09/03/2021 - In ASSEMBLY. To Inactive File.
SB 230 Portantino (D)	State Water Resources Control Board: Constituents		Requires the State Water Resources Control Board to establish, maintain, and direct, a dedicated program called the Constituents of Emerging Concern in Drinking Water Program for a specified number of years to assess the state of information and recommend areas for further study on, among other things, the occurrence of Constituents of Emerging Concern in drinking water sources and treated drinking water, relates to appropriation.	01/26/2022 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 286</u> Min (D)	Elections: Orange County Board Of Education		Makes legislative findings and declarations as to the necessity of a special statute for the Orange County Board of Education. Provides 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 the statutory provisions noted above.	01/26/2022 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<u>SB 335</u> Cortese (D)	Workers' Compensation: Liability		Reduces the time periods after the date the claim form is filed with an employer in which the injury is presumed compensable and the presumption is rebuttable only by evidence discovered subsequent to the time period for certain injuries or illnesses, including hernia, heart trouble, pneumonia, or tuberculosis, among others, sustained in the course of employment of a specified member of law enforcement or a specified first responder.	07/13/2021 - In ASSEMBLY Committee on INSURANCE: Failed passage.
<u>SB 342</u> Gonzalez (D)	South Coast Air Quality Management District		Adds members to the South Coast Air Quality Management District board, appointed by the Senate Committee on Rules and the Speaker of the Assembly. Requires the additional members to reside in and work directly with communities in the South Coast Air Basin that are disproportionately burdened by and vulnerable to high levels of pollution and issues of environmental justice. Authorizes the district board to create a Labor Advisory Panel to provide feedback.	01/27/2022 - In SENATE. Read second time. To third reading.
<u>SB 396</u> Dahle (R)	Electrical Transmission or Distribution Line: Clearance		Revises and recast those provisions related to electrical lines and abatement activities for a person who owns, controls, operates, or maintains an electrical transmission or distribution line, specifying that abatement activities covered by this law include felling, cutting, or trimming trees. Requires all these line	01/11/2022 - In ASSEMBLY. From Inactive File. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			clearance and tree pruning and abatement activities to comply with the commission' s vegetation management rules, if applicable.	
<u>SB 410</u> Leyva (D)	Department of Industrial Relations		Exempts any occupational safety and health standard and order from the standardized regulatory impact analysis requirement. Requires an economic impact assessment to be prepared for the adoption, amendment, or repeal of any occupational safety and health standard and order, including for any such standard and order that is a major regulation proposed after a specified date.	09/08/2021 - In ASSEMBLY. To Inactive File.
<u>SB 426</u> Rubio (D)	Municipal Separate Storm Sewer Systems		Requires the State Water Resources Control Board to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions. Requires the state board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the costs of implementation.	06/01/2021 - In SENATE. From Special Consent Calendar. To Inactive File.
<u>SB 457</u> Portantino (D)	Public Employee Retirement Systems: Investments		Requires the boards of administration of the Public Employees Retirement System and the State Teachers Retirement System to provide employers that are school districts and cities that participate in the systems an option to elect an investment portfolio that does not contain investment vehicles that are issued or owned by the government of the Republic of Turkey.	05/28/2021 - To ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
<u>SB 459</u> Allen (D)	Political Reform Act of 1974: Lobbying		Requires lobbyists, lobbying firms, and lobbyist employers to include information in the periodic reports that identifies each bill or administrative action subject to lobbying activity, and the respective position	07/06/2021 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			advocated for, during that period. Requires additional specified disclosures for lobbying activity during a specified period before the Legislature is scheduled to adjourn in a calendar year.	
SB 463 Dahle (R)	Water: Landowner Or Water Right Holder Right		Authorizes a landowner or water right holder to, where a conduit is constructed across or buried beneath the lands of a specified number or more landowners, and the conduit is not under the control or management of any public agency or authority, modify, repair, or replace, as defined, the conduit on or beneath the land of any other landowner that the conduit is constructed across or buried beneath. Requires the landowner or water right holder making the change to receive written permission from a public.	01/10/2022 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;01/10/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
SB 505 Hertzberg (D)	Wages: Withholdings: Written Authorization		Requires a public employer, absent fraud, misrepresentation, or theft, to make a good faith effort to consult with an employee to obtain a written authorization to resolve a monetary obligation before utilizing third-party collection services or commencing a civil action. Requires the written authorization to include a mutual agreement between the public employer and employee and, to the extent possible, would prohibit that written authorization from placing an undue financial burden upon the employee.	06/17/2021 - In ASSEMBLY. Suspend Assembly Rule 96.;06/17/2021 - Re-referred to ASSEMBLY Committee on RULES.
SB 520 Wilk (R)	Water Resources: Permit to Appropriate: Applications		Requires the State Water Resources Control Board, if the board has not rendered a final determination on an application for a permit to appropriate water within 30 years from the date the application was filed, to issue a new notice and provide an opportunity for protests before rendering a final determination, with specified exceptions.	06/17/2021 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 542</u> Limon (D)	Vehicle License Fees for Zero-emission Vehicles: Sales		Provides an exemption from certain taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle. Defines qualified motor vehicle as a specified zero-emission truck. Provides that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund.	01/18/2022 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<u>SB 551</u> Stern (D)	California Zero-Emission Vehicle Authority		Establishes the California Zero-Emission Vehicle Authority within the Governor's Office of Business and Economic Development. Requires the authority to coordinate activities among state agencies to advance zero-emission vehicle infrastructure deployment, including charging stations and hydrogen refueling stations, as well as ensure related equity, workforce development, economic development, and other needs are addressed, as specified.	08/26/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>SB 559</u> Hurtado (D)	Water Conveyance Restoration Fund		Establishes the Water Conveyance Restoration Fund in the State Treasury to be administered by the Department of Water Resources in consultation with the State Water Resources Control Board and the Department of Fish and Wildlife.	09/08/2021 - In ASSEMBLY. To Inactive File.
<u>SB 582</u> Stern (D)	Climate Emergency Mitigation, Safe Restoration		Requires the Air Resources Board to ensure that statewide greenhouse gas emissions are reduced to at least a certain percentage and up to a certain percentage below the 1990 level by a specified year. Adopts a state policy to lead a global effort to restore oceanic and atmospheric concentrations of greenhouse gas emissions to preindustrial levels as soon as possible, and to restore	01/19/2022 - In SENATE. Read second time. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			community health and reverse the impacts from the damage and injustice climate change is causing.	
SB 649 Cortese (D)	Local Governments: Affordable Housing: Local Tenant		Establishes a state policy supporting local tenant preferences for lower income households, as defined, that are subject to displacement risk, and, further, permits local governments and developers in receipt of local or state funds, federal or state tax credits, or an allocation of tax-exempt private activity bonds designated for affordable rental housing to restrict occupancy by creating a local housing preference for lower income households subject to displacement risk.	06/17/2021 - In ASSEMBLY. Suspend Assembly Rule 96.;06/17/2021 - Re-referred to ASSEMBLY Committee on RULES.
SB 656 Eggman (D)	Stockton-East Water District: Water Rates		Defines groundwater assessment for purposes of the Water Conservation District Law of 1931 establishing the Stockton-East Water District to mean groundwater assessment or charge. Specifies the rates the district was authorized to impose in the 2020 calendar year under existing law, and would prohibit the rates for stream-delivered water and for domestic and agricultural groundwater assessments or charges for the 2022 calendar year and thereafter from exceeding the 2020 rates.	01/18/2022 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
SB 674 Durazo (D)	Public Contracts: Workforce Development		Requires the Labor and Workforce Development Agency to create 2 programs. Relates to State Jobs Plan Program and the United States Jobs Plan Program. Requires the programs to meet specified objectives, including supporting the creation and retention of quality, nontemporary full-time jobs, as specified, and the hiring of displaced workers and individuals facing barriers to employment. Requires all compliance reporting to be accessible to the public through the web-based portal.	09/09/2021 - In ASSEMBLY. To Inactive File.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 719</u> Min (D)	Exempt Surplus Land: Eligible Military Base Land		Deems certain land comprising of the Tustin Marine Corps Air Station to be exempt surplus land if specified requirements are met. Requires at least a certain percent of the residential units that are permitted after a certain date to be restricted to persons and families of low or moderate income, and at least a certain percent of those units to be restricted to lower income households. Requires a local agency that disposes of exempt surplus land under these provisions to comply with certain requirements.	06/10/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT.
<u>SB 733</u> Hueso (D)	Energy Storage: Pumped Storage Hydroelectric Facilities		Requires the chair of the Energy Resources Conservation and Development Commission to appear annually before the appropriate policy committees of the Legislature to report on activities of the commission, as specified.	06/21/2021 - In ASSEMBLY. Suspend Assembly Rule 96.;06/21/2021 - Re-referred to ASSEMBLY Committee on RULES.
<u>SB 746</u> Skinner (D)	Consumer Privacy Act of 2018: Personal Information		Grants a consumer the right to request that a business disclose to the consumer whether or not the business uses personal information collected about the consumer for a political purpose. Requires a business that collects and uses such information to disclose specified information upon receipt of a request from the consumer. Requires a business with gross revenue exceeding a certain amount that does not engage in such activities to submit a certain statement to the State Privacy Protection Agency.	01/24/2022 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
<u>SB 752</u> Allen (D)	Elections: Disclosure of Contributors		Requires an initiative, referendum, or recall petition to instruct voters to sign the petition only after viewing certain disclosures regarding the top contributors to the initiative, referendum, or recall, as specified. Revises the minimum contribution thresholds above which a	08/26/2021 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			contributor to a committee may be considered a top contributor, and requires identification of top campaign committee contributors in certain political advertisements without regard to any minimum contribution threshold.	
<u>SB 794</u> Glazer (D)	Elections: Secretary of State		Requires the Secretary of State to summon the candidates subject to the tie vote to the Secretary of States office.	06/17/2021 - In ASSEMBLY. Suspend Assembly Rule 96.;06/17/2021 - Re-referred to ASSEMBLY Committee on RULES.
<u>SB 832</u> Dodd (D)	Water Rights: Measurement of Diversion		Clarifies existing law that a person diverting 10 acre feet or more of water per year under a registration is subject to water diversion measurement, recording, and reporting requirements. Authorizes the state board to modify water diversion measurement requirements if the board finds that, among other things, the beneficial use of the water right is for irrigation, the water right is for direct diversion only and the runoff and tailwater from the application of the diverted water returns, as specified.	01/19/2022 - To SENATE Committee on NATURAL RESOURCES AND WATER.
<u>SB 833</u> Dodd (D)	Community Energy Resilience Act of 2022		Requires the State Energy Resources Conservation and Development Commission to develop and implement a grant program for local governments to develop community energy resilience plans and expedite permit review of distributed energy resources by local governments. Requires the plans to be consistent with the city, county, or city and county general plan and other local government planning documents.	01/19/2022 - To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
<u>SB 847</u> Hurtado (D)	COVID 19 Relief: Tenancy: Grant Program		Creates a grant program under the administration of the Department of Housing and Community Development and would require the department to award a program grant, as defined, to a qualified applicant who submits a	01/26/2022 - To SENATE Committees on HOUSING and JUDICIARY.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			complete application, as defined, on a first-come, first-served basis. Defines qualified applicant to mean a landlord who satisfies certain criteria, including that the landlord has applied for rental assistance funds pursuant to the State Rental Assistance Program, as specified.	
<u>SB 849</u> Umberg (D)	Surplus Land		Makes nonsubstantive changes to existing law which prescribes requirements for the disposal of surplus land by a local agency.	01/26/2022 - To SENATE Committee on RULES.
<u>SB 850</u> Laird (D)	Special Death Benefits: Additional Percentages		Requires that payment be made to the guardian of the member's child or children, with regard for the purpose of an additional percentage of the special death benefit paid under the Public Employees Retirement Law, as specified, if the member does not have a surviving spouse for purposes of determining the term during which the benefit is paid.	01/26/2022 - To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
<u>SB 852</u> Dodd (D)	Climate Resilience Districts: Formation: Funding		Authorizes a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. Defines eligible project to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified.	01/26/2022 - To SENATE Committees on GOVERNANCE AND FINANCE and NATURAL RESOURCES AND WATER.
<u>SB 867</u> Laird (D)	Sea Level Rise Planning: Database		Extends the sunset date of existing law which requires that various public agencies and private entities provide to the Natural Resources Agency, on a biannual basis, sea level rise planning information that is under the control or jurisdiction of the public agencies or private entities.	01/24/2022 - INTRODUCED.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 886</u> Wiener (D)	California Environmental Quality Act: Impact Reports		Makes a nonsubstantive change to the provision of the California Environmental Quality Act relating to the public review period for draft environmental impact reports.	01/27/2022 - INTRODUCED.
<u>SCA 1</u> Hertzberg (D)	Elections: Referenda		Requires that the ballot for a referendum measure provide that a Yes vote is in favor of the referendum and rejects the statute or part of the statute subject to the referendum, and a No vote is against the referendum and approves the statute or part of the statute subject to the referendum, thus requiring a majority vote in favor of the referendum to reject the statute or part of the statute subject to the referendum.	09/01/2021 - In SENATE. From third reading. To Inactive File.
<u>SCR 5</u> Melendez (R)	State of emergency: COVID-19: Termination		Declares that the state of emergency proclaimed by the Governor on a specified date, is at an end, thereby terminating the emergency powers granted to the Governor as a result of that proclamation.	02/10/2021 - Re-referred to SENATE Committee on GOVERNMENTAL ORGANIZATION.
<u>HR 535</u> Garamendi (D)	Coronavirus Relief Fund Special Districts		Amends the Social Security Act, includes special districts in the coronavirus relief fund, directs the Secretary to include special districts as an eligible issuer under the Municipal Liquidity Facility.	01/28/2021 - INTRODUCED.;01/28/2021 - To HOUSE Committee on OVERSIGHT AND REFORM.;01/28/2021 - To HOUSE Committee on FINANCIAL SERVICES.
<u>HR 616</u> Tlaib (D)	Water Shutoffs Prohibition		Prohibits water shutoffs during the Coronavirus disease 2019 emergency period, provides drinking and waste water assistance to households.	01/28/2021 - INTRODUCED.;01/28/2021 - To HOUSE Committee on ENERGY AND COMMERCE.;01/28/2021 - To HOUSE Committee on EDUCATION AND LABOR.
<u>HR 737</u> Valadao (R)	California Operational Flexibility and Drought Relief		Extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing	02/02/2021 - INTRODUCED.;02/02/2021 - To

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			operational flexibility, drought relief, and other benefits to the State of California.	HOUSE Committee on NATURAL RESOURCES.
HR 1015 Napolitano (D)	Water Recycling and Reuse Project Grants	SUPPORT	Establishes a grant program for the funding of water recycling and reuse projects.	02/11/2021 - INTRODUCED.;02/11/2021 - To HOUSE Committee on NATURAL RESOURCES.
HR 1352 Lawrence (D)	Trust Fund for Water and Sewer Infrastructure		Establishes a trust fund to provide for adequate funding for water and sewer infrastructure.	04/05/2021 - In HOUSE Committee on AGRICULTURE: Referred to Subcommittee on CONSERVATION AND FORESTRY.
HR 1848 Pallone (D)	National Infrastructure		Rebuilds and modernizes the Nation's infrastructure to expand access to broadband and Next Generation 9-1-1, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen health care infrastructure, create jobs, and protect public health and the environment.	03/11/2021 - To HOUSE Committee on ENERGY AND COMMERCE.;03/11/2021 - To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.;03/11/2021 - To HOUSE Committee on NATURAL RESOURCES.;03/11/2021 - To HOUSE Committee on SCIENCE, SPACE, AND TECHNOLOGY.;03/11/2021 - To HOUSE Committee on EDUCATION AND LABOR.;03/11/2021 - To HOUSE Committee on WAYS AND MEANS.;03/11/2021 - To HOUSE Committee on AGRICULTURE.;03/11/2021 - To HOUSE Committee on OVERSIGHT AND REFORM.
HR 1915 DeFazio (D)	Federal Water Pollution Control Act		Amends the Federal Water Pollution Control Act to reauthorize certain water pollution control programs.	06/22/2021 - From HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE: Reported

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				as amended.;06/22/2021 - In HOUSE. Placed on HOUSE Union Calendar.
<u>HR 2238</u> Lowenthal A (D)	Single Use Plastic Production Reduction		Amends the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways.	03/29/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<u>HR 2467</u> Dingell D (D)	Hazardous Substances		Requires the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.	07/22/2021 - In SENATE. Read second time.;07/22/2021 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<u>HR 2468</u> Garamendi (D)	Federal Infrastructure Aid Program Materials		Ensures that certain materials used in carrying out federal infrastructure aid programs are made in the United States.	06/07/2021 - In HOUSE Committee on AGRICULTURE: Referred to Subcommittee on COMMODITY EXCHANGES, ENERGY, AND CREDIT.
<u>HR 3291</u> Tonko (D)	Water System Assistance		Amends the Safe Drinking Water Act to provide assistance for states, territories, areas affected by natural disasters, and water systems and schools affected by PFAS or lead, and to require the Environmental Protection Agency to promulgate national primary drinking water regulations for PFAS, microcystin toxin, and 1,4-dioxane.	06/29/2021 - From HOUSE Committee on ENERGY AND COMMERCE: Reported as amended.;06/29/2021 - In HOUSE. Placed on HOUSE Union Calendar.
<u>HR 3292</u> Dingell D (D)	Residential Emergency Relief Program		Requires the Administrator of the Environmental Protection Agency to carry out a residential emergency relief program to provide payment assistance for households to retain water service.	05/18/2021 - INTRODUCED.;05/18/2021 - To HOUSE Committee on ENERGY AND COMMERCE.;05/19/2021 - In

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				HOUSE Committee on ENERGY AND COMMERCE: Referred to Subcommittee on ENVIRONMENT.
<u>HR 3293</u> Blunt Rochester (D)	Drinking Water and Wastewater Service Assistance		Amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish programs to assist low-income households in maintaining access to drinking water and wastewater services.	06/29/2021 - From HOUSE Committee on ENERGY AND COMMERCE: Reported as amended.
<u>HR 3404</u> Huffman (D)	Drought Preparedness	SEEK AMENDMENTS;SUPPORT IF AMENDED	Provides drought preparedness and improved water supply reliability to the nation.	05/20/2021 - INTRODUCED.;05/21/2021 - In HOUSE Committee on ENERGY AND COMMERCE: Referred to Subcommittee on ENVIRONMENT.;05/21/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<u>HR 3622</u> Pappas (D)	Water Quality Criteria		Requires the Administrator of the Environmental Protection Agency to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, provides Federal grants to publicly owned treatment works to implement such guidelines and standards.	06/01/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<u>HR 4099</u> Napolitano (D)	Water Recycling and Reuse Projects		Directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects.	06/29/2021 - Subcommittee on WATER, POWER AND OCEANS hearings held.

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>HR 4602</u> Lowenthal A (D)	Do Not Flush Labeling		Directs the Federal Trade Commission to issue regulations requiring certain products to have "Do Not Flush" labeling.	07/21/2021 - INTRODUCED.;07/21/2021 - To HOUSE Committee on ENERGY AND COMMERCE.;07/22/2021 - In HOUSE Committee on ENERGY AND COMMERCE: Referred to Subcommittee on DIGITAL COMMERCE AND CONSUMER PROTECTION.
<u>S 91</u> Sinema (D)	Coronavirus Relief Fund Special Districts		Amends the Social Security Act, includes special districts in the Coronavirus relief fund, directs the Secretary to include special districts as an eligible issuer under the Municipal Liquidity Facility.	01/28/2021 - INTRODUCED.;01/28/2021 - In SENATE. Read second time.;01/28/2021 - To SENATE Committee on FINANCE.
<u>S 914</u> Duckworth (D)	Safe Drinking Water Act		Amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts.	04/29/2021 - In SENATE. Amendment SA 1471 proposed by Senator Rubio to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1461 proposed by Senator Shaheen to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1469 proposed by Senator Kennedy to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1472 proposed by Senator Lee to Amendment SA 1460.;04/29/2021 - In SENATE. SA 1461 agreed to on SENATE floor.;04/29/2021 - In SENATE. SA 1469 agreed to on SENATE floor.;04/29/2021 - In SENATE. Passed SENATE. *****To HOUSE.
<u>S 1907</u> Gillibrand (D)	Water Quality Criteria		Requires the Administrator of the Environmental Protection Agency to develop effluent limitations	05/27/2021 - INTRODUCED.;05/27/2021 - In

IRWD 2022 LEGISLATIVE MATRIX
Updated 01/28/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, to provide Federal grants to publicly owned treatment works to implement such guidelines and standards.	SENATE. Read second time.;05/27/2021 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
S 2454 Padilla (D)	Alternative Water Source Projects		Amends the Federal Water Pollution Control Act to reauthorize the pilot program for alternative water source projects.	07/22/2021 - In SENATE. Read second time.;07/22/2021 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

February 14, 2022
Prepared by: C. Spangenberg / M. Cortez
Submitted by: K. Burton
Approved by: Paul A. Cook 

CONSENT CALENDAR

REHABILITATION OF IRWD WELL 51 FINAL ACCEPTANCE

SUMMARY:

The rehabilitation of IRWD Well 51 is complete. IRWD’s contractor Weber Water Resources, LLC completed the required rehabilitation work and all punch list items. Final inspection is complete, and staff recommends final acceptance of the project.

BACKGROUND:

IRWD Well 51 is near the northern corner of the intersection of Pullman and Daimler Streets in Irvine. This well was constructed in 1992 with a copper bearing steel casing and louvers and sat idle for nearly 30 years. The well was never equipped with a pump because the original project that included Wells 51, 52, and 53 was put on hold due to the development of the Deep Aquifer Treatment System and increased annual pumping from the principal aquifer within the Orange County Groundwater Basin.

An unsuccessful attempt was made to rehabilitate the well in 2009 using traditional mechanical methods. Rehabilitation methods improved significantly since then, and include the use of rigorous mechanical, chemical, and pumping development. A video of the well casing was reviewed by staff and Richard C. Slade & Associates, hydrogeologist for this project, and visual observation indicated that the well could be successfully rehabilitated using updated methods.

Slade completed the design in April 2021 and Weber Water Resources, LLC was awarded the construction contract on May 11, 2021. Weber Water Resources mobilized in July 2021. During the rehabilitation, four holes in the casing were discovered and two contract change orders were issued to install steel swage patches over the holes; the contract time was extended to complete the additional work. A summary of the construction change orders is provided in Exhibit “A”. Weber Water Resources completed construction of all improvements on December 31, 2021.

The rehabilitation of Well 51 was successful with a projected well flow rate of up to 2,000 gallons per minute with 83 feet of drawdown or a specific capacity of 24 gallons per minute per foot of drawdown. The only water quality constituent of concern is color with the concentration of 30 color units, which exceeds the secondary standard of 15 color units. The new well production will be added to the Groundwater Work Plan for planning purposes. Staff recommends the Board accept the construction of the Rehabilitation of IRWD Well 51.

Project Title:	Rehabilitation of IRWD Well 51
Project No.:	11827
Design Engineer:	Richard C. Slade and Associates, LLC
Construction Management by:	IRWD Staff
Contractor:	Weber Water Resources, LLC

Original Contract Cost:	\$304,950.89
Final Contract Cost:	\$361,248.27
Original Contract Days:	120
Final Contract Days:	234
Final Change Order Approved:	December 9, 2021

FISCAL IMPACTS:

Project 11827 is included in the FY 2021-22 Capital Budget. The existing budget and Expenditure Authorization are sufficient to complete the project.

COMMITTEE STATUS:

This item was not reviewed by a Committee.

ENVIRONMENTAL COMPLIANCE:

This project is exempt from the California Environmental Quality Act (CEQA) as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15301 which provides exemption for minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. A Notice of Exemption for IRWD Well 51 was filed with the Orange County Clerk Recorder on April 2, 2021.

RECOMMENDATION:

THAT THE BOARD ACCEPT CONSTRUCTION OF REHABILITATION OF IRWD WELL 51, AUTHORIZE THE GENERAL MANAGER TO FILE A NOTICE OF COMPLETION, AND AUTHORIZE THE RELEASE OF RETENTION 35 DAYS AFTER FILING OF THE NOTICE OF COMPLETION.

LIST OF EXHIBITS:

Exhibit "A" – Construction Change Order Summary

EXHIBIT "A"

Well No. 51 Rehabilitation
PR 11827
Construction Change Order Summary

Date: February 3, 2022
Contractor: Weber Water Resources, LLC
Design Engineer: Richard C. Slade & Associates

			Contract Amount						Contract Days				Original Completion Date:
			Original Contract Amount: \$304,950.89						Original Days: 120				9/8/2021
Change Order No.	Description	Category	Change Order Line Item Amount	Change Order Amount	Previous Change Orders	Cumulative Total of Change Orders	% of Original Contract Amount	Revised Contract Amount	Change Order Days	Previous Change Order Days	Cum. Change Order Days	Revised Total Contract Days	Revised Completion Date
1	Approved by Executive Director of Technical Services Approved on 9/29/2021 Additional costs for chemicals for redevelopment of well, installation of two patches to fill holes in casing and to perform a second round of air busting Non-Compensable Time Extension	B	\$78,010.54 \$0.00	\$78,010.54	\$ -	\$ 78,010.54	25.58%	\$382,961.43	80 0 80	0	80	200	11/27/2021
2	Approved by Executive Director of Technical Services Approved on 12/9/2021 Additional costs for installation of two additional patches to fill holes in casing not identified previously Non-Compensable Time Extension	B	\$16,430.00 \$0.00	\$16,430.00	\$ 78,010.54	\$ 94,440.54	30.97%	\$399,391.43	34 0 34	80	114	234	12/31/2021

Category	Total Amount	% of Original Contract
A - Owner Directed Change	\$0.00	0.00%
B - Differing/Unknown Condition	\$94,440.54	30.97%
C - External Agency, Regulatory, and/or Permit Required Change	\$0.00	0.00%
D - Design Oversight	\$0.00	0.00%
Total Change Order Amount (A + B + C + D)	\$94,440.54	30.97%

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February 14, 2022
Prepared by: N. Palacio / K. Welch
Submitted by: F. Sanchez / P. Weghorst
Approved by: Paul A. Cook 

CONSENT CALENDAR

RESOLUTION FOR SYPHON RESERVOIR IMPROVEMENT PROJECT APPLICATIONS FOR TITLE XVI GRANT FUNDING

SUMMARY:

The Bureau of Reclamation is accepting applications for grant funding under its WaterSMART – Title XVI Water Reclamation and Reuse Program, as amended by the Water Infrastructure Improvements for the Nation (WIIN) Act. In response to this opportunity, staff plans to submit a grant application for the Syphon Reservoir Improvement Project for 25% of total project costs that are planned to be incurred through September 30, 2025. The program allows project sponsors to reapply for funding multiple times until a project’s total funding award has reached 25% of the total project cost, up to \$30 million.

As part of the grant application process, the Bureau of Reclamation requires that an applicant’s governing body adopt a resolution designating an authorized representative to submit grant applications and to enter into an agreement to receive the funding. The resolution must confirm that the applicant has the ability to provide a cost share of up to 75% of the project costs. Staff recommends the Board adopt a resolution authorizing submission of grant applications for the WaterSMART – Title XVI WIIN Water Reclamation and Reuse Program for 25%, up to \$30 million, of the total Syphon Reservoir Improvement Project costs and authorize the General Manager to execute a related agreement to receive grant funding.

BACKGROUND:

Since 2018, IRWD has submitted separate grant funding applications for the Syphon Reservoir Improvement Project under Reclamation’s WaterSMART – Title XVI Program as amended by the WIIN Act. Eligible applicants for Title XVI funding are sponsors of water recycling projects that have completed a Feasibility Study that Reclamation has found to meet the requirements of Title XVI. Reclamation has already approved a Title XVI compliant Feasibility Study for the Syphon Reservoir Improvement Project.

Following notification that the Syphon Reservoir Improvement Project was not selected for funding under last year’s Funding Opportunity Announcement (FOA), staff met with Reclamation to discuss IRWD’s grant application. Reclamation indicated that it expects to award funding for a larger number of projects in the near future. Reclamation staff provided constructive feedback on areas of IRWD’s application that can be improved and encouraged IRWD to submit an application in response to the 2022 FOA.

2022 Title XVI Funding Opportunity:

In January 2022, Reclamation issued a new FOA for grants under the WaterSMART – Title XVI Program. This FOA will be used to allocate available Fiscal Year (FY) 2022-enacted

appropriations for Title XVI projects authorized under the WIIN Act and funding available under the new Bipartisan Infrastructure Law. Applications submitted under this FOA may also be considered for additional funding, should it become available in FY 2022 or thereafter. Applicants that are awarded funding under the Bipartisan Infrastructure Law will need to meet additional requirements, including Buy American and Wage Rate Requirements. Since the Syphon Reservoir Improvement Project has a previously approved Title XVI compliant Feasibility Study, it is eligible to request funding under the current 2022 FOA.

Grant Funding Application:

Based on the 2022 FOA, Title XVI Program grant funding can be applied to planning, design and/or construction costs incurred from February 7, 2018, through September 30, 2025. Staff will estimate eligible Syphon Reservoir Improvement Project costs that will be incurred by September 2025 and submit a grant application for 25% of those costs. In accordance with the Title XVI Program, IRWD would be required to provide at least 75% of total project costs. The program allows project sponsors to reapply for funding multiple times until a project's total funding award has reached 25% of the total project cost or a \$30 million maximum. Under previous Title XVI FOAs, funding was limited to a \$20 million maximum per project. Grant applications under this FOA are due to Reclamation by March 15, 2022.

Staff expects that the current grant application will be more competitive than previous applications. The Final Environmental Impact Report for the project, and the ongoing project design process, will improve the project's scoring relative to Reclamation's evaluation criteria. Reclamation has not specified the amount of funding available for this year's grant program but estimates that between 10 and 30 awards will be granted.

Board Resolution:

As part of the grant funding process, Reclamation requires that a resolution be adopted by an applicant's governing body. Reclamation allows resolutions to be submitted up to 30 days after the application deadline. The resolution must designate an authorized representative to submit applications for grant funding and to enter into an agreement to receive funding. It must also confirm that the applicant has the ability to provide the required cost share of up to 75% of the project costs. Accordingly, staff recommends the Board adopt a resolution, provided as Exhibit "A", supporting WaterSMART grant applications for the Syphon Reservoir Improvement Project.

FISCAL IMPACTS:

The Syphon Reservoir Improvement Project (Project 03808) is included in the FY 2021-22 and FY 2022-23 Capital Budget. On February 5, 2021, the Board approved an Expenditure Authorization in the amount of \$139,650,000 for the project, bringing the total project budget to \$146,000,000.

ENVIRONMENTAL COMPLIANCE:

This project is subject to the California Environmental Quality Act as authorized under the California Code of Regulations Title 14, Chapter 3, Section 15004. A Final Environmental Impact Report for the Syphon Reservoir Improvement Project was prepared and a Notice of Determination was filed on July 27, 2021.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on February 3, 2022.

RECOMMENDATION:

THAT THE BOARD ADOPT THE FOLLOWING RESOLUTION BY TITLE AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A RELATED AGREEMENT TO RECEIVE GRANT FUNDING.

RESOLUTION NO. 2022-5

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
AUTHORIZING SUBMISSION OF GRANT APPLICATIONS
FOR THE WATERSMART TITLE XVI WIIN
WATER RECLAMATION AND REUSE PROGRAM TO THE
DEPARTMENT OF THE INTERIOR, BUREAU OF
RECLAMATION, POLICY AND ADMINISTRATION

LIST OF EXHIBITS:

Exhibit "A" – Resolution Authorizing Submission of Grant Applications for the WaterSMART – Title XVI WIIN Water Reclamation and Reuse Program

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Exhibit “A”

RESOLUTION NO. 2022 -5

RESOLUTION OF THE BOARD OF DIRECTORS OF IRVINE RANCH WATER DISTRICT AUTHORIZING SUBMISSION OF GRANT APPLICATIONS FOR THE WATERSMART TITLE XVI WIIN WATER RECLAMATION AND REUSE PROGRAM TO THE DEPARTMENT OF THE INTERIOR, BUREAU OF RECLAMATION, POLICY AND ADMINISTRATION

The Department of the Interior, Bureau of Reclamation, Policy and Administration (“Reclamation”) has released a Funding Opportunity Announcement to provide federal grants under the WaterSMART: Title XVI WIIN Water Reclamation and Reuse Projects funding opportunity as amended by the Water Infrastructure Improvements for the Nation Act (“WIIN Act”).

Reclamation is seeking applications from water agencies with projects eligible under section 4009(c) of the WIIN Act for grant funding for the planning, design and/or construction of water reclamation and reuse projects.

The Irvine Ranch Water District is eligible to submit applications for grant funding for up to 25 percent of the total project cost, up to a maximum of \$30 million, for its Syphon Reservoir Improvement Project.

The Board of Directors of Irvine Ranch Water District therefore resolves as follows:

Section 1. The General Manager of the Irvine Ranch Water District or his designee is hereby authorized to submit applications to Reclamation for grant funding for up to 25 percent of the total project cost, up to a maximum of \$30 million, for its Syphon Reservoir Improvement Project.

Section 2. The Board of Directors of the Irvine Ranch Water District has reviewed and supports the applications for grants from Reclamation for the WaterSMART Title XVI WIIN Water Reclamation and Reuse Program.

Section 3. The Irvine Ranch Water District hereby confirms that it has the capability to provide 75 percent or more of the total project costs as specified in the applications’ project funding plan.

Section 4. The General Manager or his designee is hereby authorized to enter into a cooperative agreement and any amendments thereto with Reclamation on behalf of the Irvine Ranch Water District.

Section 5. The General Manager or his designee is hereby authorized to work with Reclamation to meet the established deadlines for entering into a cooperative agreement.

Section 6. The Secretary is hereby authorized to certify a copy of this resolution to accompany the grant application.

ADOPTED, SIGNED AND APPROVED this 14th day of February, 2022.

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

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

APPROVED AS TO FORM:
Hanson Bridgett, LLP

By: _____
District Counsel