

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

May 12, 2025

**CALL TO ORDER** 5:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL** Directors Ferons, Withers, Swan, LaMar, and President Reinhart

**PUBLIC COMMENT NOTICE**

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=mdf87c047fc4c39e59773d21f3c94b4d6>

Meeting Number (Access Code): 2488 589 3785

Meeting Password: NRmQaTMK328

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 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](mailto:comments@irwd.com) before 12:00 p.m. on Monday, May 12, 2025.

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**COMMUNICATIONS TO THE BOARD**

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

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

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**CONSENT CALENDAR, Items 4 through 8**

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4. BOARD MEETING MINUTES

Recommendation: That the minutes of the April 28, 2025 Regular Board meeting be approved as presented.

5. 2025 LEGISLATIVE AND REGULATORY UPDATE

Recommendation: That the Board adopt a “seek amendments” position on AB 25 (Aguiar-Curry) and a “support” position on H.R. 2093 (Calvert / Garamendi).

6. SYPHON RESERVOIR INTERSECTION AND ACCESS ROAD IMPROVEMENTS FINAL ACCEPTANCE AND APPROVAL OF ADDENDUM NO. 2 TO THE FINAL ENVIRONMENTAL IMPACT REPORT

Recommendation: That the Board accept construction of the Syphon Reservoir Improvement Project Portola Parkway and San Canyon Avenue Intersection and Access Road Improvements; authorize the payment of the retention 35 days after the date of recording the Notice of Completion for Project 03808; and approve the proposed Addendum No. 2 to the Syphon Reservoir Improvement Project Final Environmental Impact Report, including the Determinations set forth in Addendum No. 2, and authorize staff to post and file and Notice of Determination.

7. SECOND AMENDMENT TO WATER CONSERVATION PARTICIPATION AGREEMENT

Recommendation: That the Board authorize the General Manager to execute the Second Amendment to the Water Conservation Participation Agreement between Municipal Water District of Orange County and Irvine Ranch Water District, subject to non-substantive changes approved by legal counsel.

8. LEASE FOR PORTABLE GAS MONITORING EQUIPMENT

Recommendation: That the Board authorize the General Manager to execute an agreement with Industrial Scientific for a 48-month term in the amount of \$429,580.80 to lease portable gas monitoring equipment through their iNet Exchange Program.

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## ACTION CALENDAR

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9. TERMS FOR AGREEMENT WITH CITY OF TUSTIN FOR CROSS CONNECTION CONTROL

Recommendation: That the Board authorize the General Manager to execute an Agreement with the City of Tustin for Cross Connection Control based on the terms presented, subject to non-substantive changes approved by legal counsel.

10. SANTIAGO CREEK DAM IMPROVEMENTS CONSULTANT VARIANCE

Recommendation: That the Board authorize the General Manager to execute Variance No. 9 in the amount of \$893,473 with AECOM for additional engineering design services for the Santiago Creek Dam Improvements, Project 01813.

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## OTHER BUSINESS

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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 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. Pursuant to AB 1234 and Government Code Section 53232.3(d), a written draft report of the meetings that any Board member attended on behalf of IRWD since the last Board Meeting will be available at the table near the Board Room entrance, and will be amended verbally, if necessary, during Directors' Comments.

11. General Manager's Report
12. Receive oral update(s) from District liaison(s) regarding communities within IRWD's service area and interests.
13. Directors' Comments and Meeting Reports
14. Adjournment

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Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the 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](mailto: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.

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May 12, 2025  
Prepared and  
submitted by: K. Swan  
Approved by: Paul A. Cook 

## CONSENT CALENDAR

### BOARD MEETING MINUTES

#### SUMMARY:

Provided are the minutes of the April 28, 2025 Regular Board meeting for approval.

#### FISCAL IMPACTS:

None.

#### ENVIRONMENTAL COMPLIANCE:

Not applicable.

#### COMMITTEE STATUS:

Not applicable.

#### RECOMMENDATION:

THAT THE MINUTES OF THE APRIL 28, 2025 REGULAR BOARD MEETING BE  
APPROVED AS PRESENTED.

#### LIST OF EXHIBITS:

Exhibit "A" – April 28, 2025 Minutes

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## Exhibit "A"

### MINUTES OF REGULAR MEETING – APRIL 28, 2025

The regular meeting of the Board of Directors of the Irvine Ranch Water District (IRWD) was called to order by President Reinhart at 5:00 p.m. on April 28, 2025 at the District offices, 15600 Sand Canyon Avenue, Irvine.

Directors Present: Ferons, Swan, Withers, and President Reinhart.

Directors Absent: LaMar.

Oral and Written Communications: None.

Items too late to be agendized: None.

Also Present: General Manager Cook, Executive Director of Technical Services Burton, Executive Director of Water Policy Weghorst, Executive Director of Operations Chambers, Director of Water Resources Sanchez, Director of Financial Planning and Data Analytics Smithson, Director of Human Resources Mitcham, Director of Recycling Operations Zepeda, Director of Information Technology Kaneshiro, Director of Accounting and Treasury Lin, Director of Safety and Security Choi, Director of Strategic Communications & Advocacy Compton, Director of Maintenance Operations Manning, General Counsel Collins, Secretary Swan, members of the staff, and public.

### CONSENT CALENDAR

On MOTION by Withers, seconded by Swan and unanimously carried, CONSENT CALENDAR ITEMS FOUR THROUGH EIGHT WERE APPROVED AS FOLLOWS:

4. BOARD MEETING MINUTES

Recommendation: That the minutes of the April 14, 2025 Regular Board meeting be approved as presented.

5. MARCH 2025 TREASURY REPORT

Recommendation: That the Board receive and file the Treasurer's Investment Summary Report, the Summary of Fixed and Variable Rate Debt, and the Disclosure Report of Reimbursements to Board members and staff, approve the March 2025 Summary of Payroll ACH payments in the total amount of \$2,609,279, and approve the March 2025 accounts payable disbursement summary of warrants 448122 through 448651, Workers' Compensation distributions, ACH payments, virtual card payments, wire transfers, payroll withholding distributions, and voided checks in the net total amount of \$23,556,788.

6. GUIDING PRINCIPLES SCORECARD

Recommendation: Receive and file.

## CONSENT CALENDAR (CONTINUED)

### 7. DESIGNATION OF IRWD AUTHORIZED AGENTS FOR THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES

Recommendation: That the Board approve the California Governor's Office of Emergency Services Form 130 (IRWD Resolution No. 2025-9), designating IRWD authorized agents for the purpose of obtaining financial assistance for any existing and future grant programs.

### 8. IRWD 2025 SEWER SYSTEM MANAGEMENT PLAN UPDATE

Recommendation: That the Board approve the IRWD 2025 Sewer System Management Plan.

## ACTION CALENDAR

### 9. IRWD NATURAL TREATMENT SYSTEM LANDSCAPE MAINTENANCE SERVICES CONTRACT

Executive Director of Operations Chambers provided an overview of the District's essential needs for landscape maintenance services to maintain and preserve IRWD's Natural Treatment System.

On MOTION by Withers, seconded by Swan, and unanimously carried, THE BOARD AUTHORIZED THE GENERAL MANAGER TO EXECUTE FOUR, THREE-YEAR CONTRACTS FOR LANDSCAPE MAINTENANCE SERVICES, INCLUDING A PROVISION FOR A TWO-YEAR EXTENSION, WITH BEMUS LANDSCAPE, INC., FOR A TOTAL AMOUNT OF \$5,947,077.

### 10. ADOPTION OF 2025 ORANGE COUNTY WATER AND WASTEWATER MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

Director of Safety and Security Choi reported that the Federal Emergency Management Agency (FEMA) requires water and wastewater agencies to maintain a current and approved Hazard Mitigation Plan to be eligible for certain federal grant programs; this plan must also be updated every five years. IRWD's plan was adopted by the Board in October 2021 and was approved by the California Office of Emergency Services and FEMA through December 2026. IRWD has partnered with the Water Emergency Response of Orange County and fourteen other water and wastewater agencies to develop the 2025 Orange County Water and Wastewater Multi-Jurisdictional Hazard Mitigation Plan to allow for multi-agency collaboration and put all agencies on the same cycle. FEMA completed their review of the Orange County Water and Wastewater Multi-Jurisdictional Hazard Mitigation Plan on April 14, 2025.

Following statements of support, on MOTION by Swan, seconded by Ferons, and unanimously carried, THE BOARD ADOPTED THE RESOLUTION BY THE FOLLOWING TITLE:

#### RESOLUTION NO. 2025 – 10

RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE IRVINE RANCH WATER DISTRICT  
ADOPTING THE 2025 ORANGE COUNTY WATER AND WASTEWATER  
MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

## ACTION CALENDAR (CONTINUED)

### 11. LAKE FOREST WOODS SEWER IMPROVEMENTS BUDGET INCREASE, CONSULTANT SELECTION AND CONSTRUCTION AWARD

Executive Director of Technical Services Burton outlined the Lake Forest Woods Sewer Improvements project along with the staff recommendations. He further reported that the Homeowners Associations own the creek and have approved moving the sewers closer to the homes, away from the creek. To prevent further erosion, twelve check dams will be installed to slow runoff. Director Swan raised concerns about the excavation of the eucalyptus trees and roots. Mr. Burton relayed that 130-140 trees will be removed for the project, and the Homeowners Associations have committed to replanting all trees removed.

Following discussion by the Board and District staff, on MOTION by Feron, seconded by Withers, and unanimously carried, THE BOARD AUTHORIZED A BUDGET INCREASE IN THE AMOUNT OF \$1,707,000, FROM \$5,313,000 TO \$7,020,000 FOR PROJECT 11123; AUTHORIZED THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WOODARD & CURRAN IN THE AMOUNT OF \$248,903 FOR CONSTRUCTION PHASE ENGINEERING SERVICES; AND AUTHORIZED THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH GCI CONSTRUCTION, INC. IN THE AMOUNT OF \$4,643,784 FOR THE LAKE FOREST WOODS SEWER IMPROVEMENTS, PROJECT 11123.

### OTHER BUSINESS

#### 12. General Manager's Report

General Manager Cook had nothing to report for this evening's meeting.

#### 13. Receive oral update(s) from District liaison(s) regarding communities within IRWD's service area and interests.

Mr. Newell reported that all is well in the Canyons.

#### 14. Directors' Comments and Meeting Reports

Director Feron reported on his participation in the IRWD Community Tour of the Michelson Water Recycling Plant and the San Joaquin Marsh; the WACO monthly meeting; his attendance at the Southern California Water Coalition Board of Directors' meeting; and the Southern California Water Coalition's Quarterly Meeting and Luncheon in Temecula.

Director Swan reported on his participation in the WACO Planning Committee meeting; the MWDOC Board of Directors' Meeting; his attendance at the Orange County Water Association's Monthly Industry Insight meeting; and the Water Education Foundation's 2025 Central Valley Tour.

President Reinhart on his participation in the MWDOC Board of Directors' Meeting; the OCWD Board of Directors' Meeting; and the Monthly Discussion of District Activities with the General Manager.

Director Withers left the meeting at 5:20 p.m. but relayed that he attended the Orange County Water Association's Monthly Industry Insight meeting and the Southern California Water Coalition's Quarterly Meeting and Luncheon in Temecula.

OTHER BUSINESS (CONTINUED)

15. Closed Session

President Reinhart convened the meeting into Closed Session at 5:24 p.m. with General Counsel Collins announcing the following:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Government Code Section 54956.9(d)(1).

- *BKK Working Group, et al. v. 1700 Santa Fe LTD, et al.*, Central District of California Case No. 2:18-cv-05810-MWF-PLA

16. Open Session

Following the Closed Session, the meeting was reconvened in Open Session. General Counsel announced that there was no action to report.

17. ADJOURNMENT

At 5:35 p.m., President Reinhart adjourned the Board meeting.

APPROVED and SIGNED this 12<sup>th</sup> day of May 2025.

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President, IRVINE RANCH WATER DISTRICT

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District Secretary,  
IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:

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Claire Hervey Collins, General Counsel  
Hanson Bridgett LLP

May 12, 2025

Prepared and

submitted by: C. Compton

Approved by: Paul A. Cook



## CONSENT CALENDAR

### 2025 LEGISLATIVE AND REGULATORY UPDATE

#### SUMMARY:

This report provides an update on the 2025-2026 legislative session, regulatory issues, and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Board, as appropriate. Staff recommend the Board consider the following actions/positions:

- *AB 52 (Aguiar-Curry) – Native American Resources: “SEEK AMENDMENTS”*; and
- *H.R. 2093 (Calvert/Garamendi) – 10-Year Permit Terms: “SUPPORT”*.

#### BACKGROUND:

The last day for policy committees to hear fiscal bills was May 2; May 9 was the policy committee deadline for non-fiscal bills. The last day for fiscal committees to meet and report bills introduced in their house to the Floor is May 23. In advance of that deadline, the Senate and Assembly Appropriations Committees will act on their respective Suspense Files and decide which bills to hold in committee and which to advance this year.

A copy of the Legislative Matrix is provided as Exhibit “A”. Links to the bills discussed below are included within each discussion unless a separate exhibit is noted.

#### 2025 State Legislative Update:

##### *Low-Income Water Rate Assistance Legislation:*

- [AB 532 \(Ransom, D-Stockton\) - Water Rate Assistance Program](#): Assemblymember Rhodesia Ransom (D-Stockton) introduced AB 532 on behalf of the California Municipal Utilities Association (CMUA). AB 532, if enacted, would provide express statutory authority for urban retail water suppliers to have a low-income water rate assistance program, and would establish the California Low Income Household Water Rate Assistance Program for smaller systems under 3,000 connections and water systems serving predominantly disadvantaged communities. This bill also includes reporting requirements regarding the rate assistance programs, or what barriers exist that prevent them from being established. This report would be part of the annual reporting done by water suppliers to the State Water Resources Control Board.

AB 532 was heard and passed by the Assembly Environmental Safety and Toxic Materials Committee on April 29. The bill will be heard by the Assembly Utilities and Energy Committee on April 30. IRWD has a “support” position on AB 532.

- [SB 350 \(Durazo\) - Water Rate Assistance Program](#): State Senator María Elena Durazo (D-Los Angeles) is the author of SB 350, which is sponsored by Clean Water Action, the Community Water Center, and Leadership Counsel for Justice and Accountability. The bill was amended on April 10 and April 24.

As amended, SB 350 seeks to establish a statewide water rate assistance program at the State Board. The bill would require water suppliers to participate in the statewide program and automatically enroll households in the program. Water suppliers would also have to provide qualified low-income residential ratepayers with a bill credit of no less than 20 percent of the total water charges and, if present on the bill, wastewater charges, for the indoor volume of water defined in the “Making Conservation a California Way of Life” laws. If the ratepayer uses less than that volume, the bill would require the bill credit to be 20 percent of the actual volume of water used. As currently drafted, the bill does not identify a funding source for the statewide program.

The bill also authorizes the Attorney General to take legal action against practices that violate these provisions, with certain exceptions.

Because SB 350 seeks to create a statewide low-income rate assistance program without a funding source and presents some implementation challenges for local water suppliers, the District took an “oppose unless amended” position on the bill, and the Board authorized staff to seek amendments that make the bill more workable for water agencies.

On April 21, SB 350 was heard and passed by the Senate Energy, Utilities and Communications Committee on a vote of 13 to 3, with one member not voting. The bill is now in the Senate Appropriations Committee.

Staff will provide the Board with an update on the discussions taking place on each of these bills and the topic of low-income water rate assistance in Sacramento.

- [AB 52 \(Aguiar-Curry\) – Native American Resources](#): In 2014, then Assemblymember Mike Gatto (D, Glendale) authored [AB 52 \(Gatto, 2014\)](#). AB 52 (Gatto, 2014) mandated consultation with Native American Tribes at various stages of California Environmental Quality Act (CEQA) review, prescribe CEQA processes related to the treatment of tribal cultural resources, and define mitigation measures which shall be considered by a lead agency if tribal cultural resources will be impacted by a project. Specifically, the bill requires a lead agency, prior to determining whether a negative declaration, mitigated negative declaration, or Environmental Impact Report is required for a project, to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested consultation with the lead agency.

This year, Assemblymember Cecilia Aguiar-Curry (D, Davis) has introduced AB 52 (Aguiar-Curry, 2025), which seeks to modify and strengthen the consultation process and requirements enacted in AB 52 (Gatto, 2014). Specifically, this bill expands the timeline, purposes, and definition of consultation for the purposes of the CEQA review process. Particularly, AB 52 outlines different consultation requirements for federally recognized

California Native American Tribes and non-federal recognized California Native American Tribes. In addition, AB 52 (Aguiar-Curry, 2025) also, among other things, defines the measure that may be taken if a substantial adverse change to a tribal cultural resource would occur due to a project and mitigation measures are not otherwise identified during the tribal consultation process.

In 2014, IRWD engaged on AB 52 (Gatto, 2014) to seek modifications through its associations and industry partners to ensure the bill was workable while protecting tribal cultural resources. AB 52 (Aguiar-Curry, 2025) has garnered a large amount of discussion in Sacramento in the way it modifies AB 52 (Gatto, 2014). Although the bill is currently a two-year bill, staff recommends that the Board adopt a “seek amendments” position on the bill and authorize staff to again work with the District’s associations and industry partners to seek amendments to the bill to ensure it is workable to lead agencies, clearly outlines the consultation requirements, and appropriately protects tribal cultural resources.

- *AB 367 (Bennett, D-Oxnard) – County Water Districts: County of Ventura: Fire Suppression:* AB 367 is authored by Assemblymember Steve Bennett (D-Oxnard). The bill, as amended, would require water districts in the County of Ventura that supply water to more than 20 residential dwellings and that supply is used for fire suppression in a high or very high-risk fire hazard severity zone to:
  - Have a backup energy source with sufficient power to operate all wells and pumps servicing the high or very high-risk hazard severity zone at normal capacity for at least 24 hours, unless the relevant water delivery system is gravity fed and does not need any backup power to continue to operate during a power shutoff;
  - Have their facilities annually inspected by the Ventura County Fire Department to ensure critical water infrastructure serving a high or very high fire hazard zone meets fire safety standards developed by the fire department;
  - Begin to fill up water tanks that supply water for fire suppression, to the maximum extent practical, upon notification from the Ventura County Office of Emergency Services that weather conditions merit that action, and keep those water tanks filled, to the maximum extent;
  - Alert the Ventura County Office of Emergency Services within three business days of becoming aware that its water delivery capacity has been reduced due to equipment failure or maintenance; and
  - If any fire destroys more than 10 residential dwellings in the water district’s service area to develop a report, in collaboration with the fire department, assessing the appropriateness of the water delivery system. The report would be required to be presented to the Ventura County Board of Supervisors by the Ventura County Fire Department at a regularly scheduled board meeting.

While AB 367 is a Ventura County-specific bill, Assemblymember Bennett has stated that he intends to introduce a bill next year that would apply these same provisions to all water providers statewide. Because of the Assemblymember’s stated intent, the District

has a “concerns” position on this bill, and the Board authorized staff to work to improve the bill, through the District’s associations, to ensure it appropriately balances the needs and roles of water systems and firefighting entities.

Other 2025 State Legislative Updates:

Staff will also provide an oral update to the Board on new developments related to the following:

- [AB 514 \(Petrie-Norris, D-Irvine\) Water: Emergency Water Supplies;](#)
- [AB 1146 \(Papan, D-San Mateo\) – Dams and Reservoir Water Releases: False Pretense;](#)
- [AB 1413 \(Papan, D-San Mateo\)- Sustainable Groundwater Management Act: Groundwater Adjudication;](#)
- [SB 601 \(Allen\) – Waste Discharge Requirements;](#)
- [SB 707 \(Durazo\) – Brown Act: Meeting Requirements;](#)
- Labor and employment;
- Land and tenancy; and
- Other legislative matters of interest to IRWD.

2025 State and Regional Regulatory Update:

The following is a list of state and regional regulations and agency reports staff are monitoring, tracking, or planning to engage in over 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. Staff will also provide an oral update to the Board on any new developments related to these regulations and other regulations of interest to the District.

The pending regulations and reports actively being tracked include:

- California Natural Resources Agency (CNRA) [30 x 30 California Implementation;](#)
- CNRA’s [Water Resilience Portfolio Implementation and Resiliency 2.0 Implementation;](#)
- Department of Water Resources (DWR) [SB 1157 Indoor Water Use Studies;](#)
- State Board’s [Cross-Connection Control Policy Handbook revisions;](#)
- State Board implementation of the [Lead and Copper Rule;](#)
- State Board’s [Safe and Affordable Funding for Equity and Resilience \(SAFER\) Drinking Water Program;](#)
- State Board’s [Development of Maximum Contaminant Levels for PFAS](#) and other associated actions on PFAS;
- South Coast AQMD’s [Cumulative Impacts from Air Toxics for CEQA Projects;](#)
- South Coast AQMD’s [Tier 4 Emergency Generator Testing Policy;](#)

- South Coast AQMD's Proposed Rule 317.1 - Clean Air Act Nonattainment Fees for 8-Hour Ozone Standards;
- South Coast AQMD's [Proposed Amended Rule 1171 Solvent Cleaning Operations](#);
- South Coast AQMD's [Proposed Rule 1110.4, Emissions from Emergency Generators](#); and
- South Coast AQMD's [PAR 1146.2 Control of NOx from Large Water Heaters, Small Boilers and Process Heaters](#).

Staff will also provide the Board with an update on other regulatory matters of interest to the District.

2025 Federal Legislative and Regulatory Update:

*H.R. 2093 (Calvert/Garamendi) – 10-Year Permit Terms*: Representatives Ken Calvert (R-CA-41) and John Garamendi (D-CA-8) have introduced bipartisan legislation, H.R. 2093, to reform federal permitting standards for local wastewater treatment and water recycling projects. The legislation would extend the maximum term for certain permits issued under the National Pollutant Discharge Elimination System (NPDES) program to 10 years.

The District has supported past legislative efforts to extend the maximum permit term to 10 years. Staff recommends that the Board adopt a “support” position on H.R. 2093 again this year.

*Kern Fan Groundwater Storage Project Outreach:*

IRWD's federal advocacy priority in 2025 focuses on seeking federal funding for the South Valley Conveyance and Storage Project and advocating for a reauthorization of the Small Storage Grant Program. Staff will provide an update on those efforts and the District's next steps.

*U.S. Environmental Protection Agency PFAS Update:*

On April 28, U.S. Environmental Protection Agency (EPA) Administrator Lee Zeldin announced a series of actions aimed at addressing PFAS contamination. These actions include the appointment of an agency lead for PFAS, the establishment of effluent limitation guidelines (ELGs) for certain PFAS chemicals to prevent these "forever chemicals" from entering drinking water systems, and initiatives to engage with Congress and industry to create a clear liability framework that ensures polluters are held accountable while protecting passive receivers.

The EPA will also finalize the public comment period that started earlier under the Biden Administration concerning the biosolids risk assessment and will outline a plan of action based on the input received. The agency will also look for ways to better leverage the Resource Conservation and Recovery Act (RCRA) authorities to manage releases from manufacturing activities by both PFAS producers and consumers and intends to hasten the development of testing methodologies to improve detection and create strategies for more effective PFAS

management, concentrating on a risk-based evaluation of both new and existing PFAS compounds.

Staff will continue to provide the Board with updates as U.S. EPA moves forward with its planned actions.

*Other Federal Regulatory Updates:*

The following is a list of federal regulations and agency reports staff are monitoring, tracking, or planning to engage in over the next three to 12 months. Staff will also provide an oral update to the Board on any new developments related to these regulations and other regulations of interest to the District. The pending regulations and reports actively being tracked include:

- Revisions to Waters of the United States Definition
- EPA's [Preliminary PFAS Effluent Guidelines Program Plan](#);

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed by the Water Resources Policy and Communications Committee on May 5, 2025.

RECOMMENDATION:

THAT THE BOARD ADOPT A “SEEK AMENDMENTS” POSITION ON AB 25 (AGUIAR-CURRY) AND A “SUPPORT” POSITION ON H.R. 2093 (CALVERT / GARAMENDI).

LIST OF EXHIBITS:

Exhibit “A” – IRWD Legislative Matrix

**Exhibit “A”**  
**IRWD 2025 LEGISLATIVE MATRIX**  
**Updated: April 30, 2025**

<b>CA AB 1</b> (Connolly (D))	Residential Property Insurance: Wildfire Risk		Requires the Department of Insurance, on specified date to consider whether or not to update its regulations to include additional building hardening measures for property-level mitigation efforts and communitywide wildfire mitigation programs.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 5</b> (Berman (D))	Elections: Official Canvass		Requires elections officials, on or before the specified day following an election, to finish counting all ballots, with certain exceptions, including provisional ballots and ballots for which the voter must either verify or provide a signature, and release a vote count for those ballots. Authorizes the Secretary of State to grant an extension of that deadline to an elections official upon request.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 12</b> (Wallis (R))	Low-Carbon Fuel Standard: Regulations		Voids specified amendments to the Low-Carbon Fuel Standard regulations adopted by the State Air Resources Board on specified date.	02/18/2025: To ASSEMBLY Committee on NATURAL RESOURCES.
<b>CA AB 17</b> (Alanis (R))	Elections: Precinct Maps		Provides that existing law requires the county elections official to divide the area under their jurisdiction into precincts and to prepare detailed maps or exterior descriptions of the precincts. Requires the registrar of voters in each county to make available, upon request by any member of the public, a map in digital form provided free of charge that shows the effective boundaries of each precinct within the county.	04/24/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 34</b> (Patterson J (R))	Air Pollution: Regulations: Consumer Costs: Review		Prohibits the State Air Resources Board from adopting any standard, regulation, or rule that affects the Low Carbon Fuel Standard or the California Greenhouse Gas Cap and Trade Program until the Legislative Analyst has analyzed the cost to the consumer of the proposed standard, regulation, or rule, and submitted its analysis to the Legislature.	03/13/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b>CA AB 35</b> (Alvarez (D))	California Environmental Quality Act: Clean Hydrogen		Provides for a limited California Environmental Quality Act review of an application for a discretionary permit or authorization for a clean hydrogen transportation project by requiring the application to be reviewed through a clean hydrogen environmental assessment, unless otherwise requested by the	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			applicant. Requires the lead agency to determine whether to approve the clean hydrogen environmental assessment and issue a discretionary permit or authorization for the project within a certain period.	
<b>CA AB 41</b> (Macedo (R))	State Air Resources Board: Regulations: Impact Estimate		Require the State Air Resources Board, in consultation with the State Energy Resources Conservation and Development Commission, before adopting or amending a regulation that imposes costs on gasoline refiners, distributors, or retailers, to make available to the public, including on its internet website, an estimate of the impact on retail gasoline prices due to the proposed new regulation or the existing regulation and the proposed amendments to that regulation.	02/18/2025: To ASSEMBLY Committee on NATURAL RESOURCES.
<b>CA AB 43</b> (Schultz (D))	Wild and Scenic Rivers		Extends, indefinitely, the date by which the Secretary of the Natural Resources Agency is authorized to take the specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 52</b> (Aguilar-Curry (D))	Native American Resources		Provides that the Planning and Zoning Law requires a local planning agency to provide opportunities for the involvement of, among others, citizens, California Native American Indian tribes and public agencies during the preparation of a general plan. Requires tribal consultation for certain purposes, including to identify and determine tribal resources, places, features and objects. Imposes certain requirements when there are tribal consultations with federally recognized and nonfederally recognized tribes.	04/28/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.
<b>CA AB 62</b> (McKinnor (D))	Racially Motivated Eminent Domain		Requires the Office of Legal Affairs to review, investigate, and make certain determinations regarding applications from persons who claim they are the dispossessed owner of property taken as a result of racially motivated eminent domain. Requires, upon a determination that providing property or just compensation is warranted, the Office of Legal Affairs to certify that the	04/29/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.

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			dispossessed owner is entitled to the return of the taken property, or other publicly held property of equal value, or compensation.	
<b>CA AB 66</b> (Tangipa (R))	California Environmental Quality Act: Exemption: Egress		Exempts from the California Environmental Quality Act, until the specified date, egress route projects undertaken by a public agency to improve emergency access to and evacuation from a subdivision without a secondary egress route if the State Board of Forestry and Fire Protection has recommended the creation of a secondary access to the subdivision and certain conditions are met. Requires the lead agency to hold a noticed public meeting before determining that a project is exempt.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 69</b> (Calderon (D))	FAIR Plan Policy Renewals		Requires a broker of record to determine if a FAIR Plan policy can be moved to a voluntary market insurance company before the policy is renewed.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 70</b> (Aguilar-Curry (D))	Solid Waste: Organic Waste: Diversion: Biomethane		Provides that the Integrated Waste Management Act requires each city, county, and regional agency to develop a source reduction and recycling element of an integrated waste management plan, including solid waste diversion requirements. Provides that existing law requires the Department of Resources Recycling and Recovery to adopt regulations to achieve reduction in the organic waste disposed of in landfills. Requires the department to include pipeline biomethane converted exclusively from organic waste.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 76</b> (Alvarez (D))	Surplus Land: Exempt Surplus Land: Sectional Planning		Relates to the disposal of surplus land by a local agency. Defines exempt surplus land to mean land that is subject to a sectional planning area and that meets certain requirements. Requires that, at a minimum, a specified percent of units that are proposed by the sectional planning area document as adopted prior to the specified date and are not designated for students, faculty, or staff of an academic institution must be dedicated to lower income households.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 82</b> (Ward (D))	Health Care: Legally Protected Health Care Activity		Relates to the Confidentiality of Medical Information Act. States the intent of the Legislature to expand confidentiality protections for the exchange of health information to include gender affirming health care. Expands the Address Confidentiality Program to a gender affirming health care provider, employee, or volunteer who faces threats of violence or harassment for their affiliation with a gender affirming health facility. Prohibits reporting regarding testosterone or mifepristone prescriptions.	04/29/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 93</b> (Papan (D))	Water Resources: Demands: Data Centers		Requires the Department of Water Resources within the Natural Resources Agency and the State Energy Resources Conservation and Development Commission to develop guidelines and best practices to maximize the use of natural resources to address the developing and emerging needs of technology in the State that are consistent with urban water use objectives and specified federal law.	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA AB 94</b> (Bennett (D))	Recall Elections: Successors		Provides that when the local officer is recalled and removed, that officer may not be appointed to fill the vacancy.	04/01/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 226</b> (Calderon (D))	Insurance		Authorizes the California FAIR Plan Association, if granted prior approval from the commissioner, to request the California Infrastructure and Economic Development Bank to issue bonds, and would authorize the bank to issue those bonds to finance the costs of claims, to increase liquidity and claims-paying capacity of the association, and to refund bonds previously issued for that purpose.	04/01/2025: In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 232</b> (Calderon (D))	Natural Disasters: Catastrophe Savings Accounts		Relates to the Personal Income Tax Law. Allows a deduction from adjusted gross income for amounts contributed by a qualified taxpayer to a catastrophe savings account, in accordance with specified provisions. Defines catastrophe savings account to mean a regular savings account or money market account with a	04/21/2025: In ASSEMBLY Committee on REVENUE AND TAXATION: To Suspense File.

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			financial institution that, among other requirements, is established to pay for the qualified catastrophe expenses of a qualified taxpayer establishing the account.	
<b>CA AB 259</b> (Rubio (D))	Open Meetings: Local Agencies: Teleconferences	Support	Provides that existing law, until the specified date, authorizes the legislative body of a local agency to use alternative teleconferencing under certain conditions. Extends the alternative teleconferencing procedures until the specified date.	04/22/2025: In ASSEMBLY. Read second time. To third reading.
<b>CA AB 261</b> (Quirk-Silva (D))	Fire Safety: Fire Hazard Severity Zones		Authorizes the State Fire Marshal, in periods between the State Fire Marshal's review of areas of the State for recommendations regarding an area's fire hazard severity zone, to confer with entities on actions that may impact the degree of fire hazard in an area. Authorizes those entities to provide information to the State Fire Marshal on wildfire safety improvements or other actions the entity has taken or plans to take before the next review that may impact the degree of fire hazard in an area.	04/28/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 262</b> (Caloza (D))	California Individual Assistance Act		Requires the Director of Emergency Services, in administering the State Disaster Assistance Act, to prioritize local agencies that are not eligible for federal funding, pursuant to federal regulation, due to the agency's inability to meet minimum damage thresholds. Enacts the California Individual Assistance Act to establish a grant program to provide financial assistance to local agencies, community-based organizations, and individuals for specified costs related to a disaster. Appropriates funds.	04/07/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 263</b> (Rogers (D))	Scott River: Shasta River: Watersheds		Provides that specified emergency regulations adopted by the State Water Resources Control Board for the Scott River and Shasta River watersheds shall remain in effect until the specified date, or until permanent rules establishing and implementing long term instream flow requirements are adopted for those watersheds, whichever occurs first.	04/24/2025: In ASSEMBLY. Read second time. To third reading.

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<b>CA AB 269</b> (Bennett (D))	Dam Safety and Climate Resilience Local Assistance	Oppose	Includes the removal of project facilities as additional projects eligible to receive funding under the Dam Safety and Climate Resilience Local Assistance Program.	02/10/2025: To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b>CA AB 270</b> (Petrie-Norris (D))	Department of Forestry and Fire Protection		Requires the Department of Forestry and Fire Protection to establish a pilot project to equip the State with the nation's first testbed firefighting helicopter equipped with autonomous aerial suppression technology and the associated configuration, familiarization, and training activities to transition the aircraft into operational use. Requires the department to invite local, State, tribal, and federal fire agencies to participate in those familiarization and training activities.	04/07/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on PRIVACY AND CONSUMER PROTECTION.
<b>CA AB 272</b> (Aguilar-Curry (D))	Heavy-Duty Vehicle Inspection and Maintenance Program		Provides that existing law requires the State Air Resources Board to adopt and implement a regulation for a Heavy Duty Vehicle Inspection and Maintenance Program for non gasoline heavy duty on road motor vehicles with a gross vehicle weight rating of more than a specified number of pounds. Requires, within a specified number of years following the full implementation of the program, but not later than the specified date, the State Board to provide the first of the biennial reports on its internet website.	04/24/2025: In ASSEMBLY. Read second time. To Consent Calendar.
<b>CA AB 275</b> (Petrie-Norris (D))	Office of Emergency Services: Wildfire Aerial Response		Requires the Office of Emergency Services, in consultation with the Department of Forestry and Fire Protection, to establish a working group to evaluate and develop recommendations for implementing a wildfire aerial response program to provide year round, 24 hours per day, 7 days per week, rapid aerial suppression capabilities. Requires the working group to consider specified elements to ensure effective statewide aerial wildfire suppression and to develop recommendations.	04/28/2025: In ASSEMBLY Committee on EMERGENCY MANAGEMENT: Not heard.
<b>CA AB 286</b> (Gallagher (R))	Electricity: Mandatory Rate Reduction		Provides that existing law authorizes the Public Utilities Commission to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred

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			Requires the commission to generate a report outlining recommendations to decrease the kilowatt per hour rate for electricity charged to ratepayers by not less than a specified percent by the specified date. Requires the commission, in making those reduction recommendations, to take certain actions.	to Committee on UTILITIES AND ENERGY.
<b>CA AB 288</b> (McKinnor (D))	Employment: Labor Organization		Expands the Public Employment Relations Board's jurisdiction by authorizing a worker to petition PERB to vindicate specified prescribed rights. Specifies who is an authorized worker, including an individual who petitions the National Labor Relations Board to vindicate their rights to full freedom of association, self-organization, or designation of representatives of their own choosing but has not received a determination or remedy within specified statutory timeframes.	04/23/2025: From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 293</b> (Bennett (D))	Groundwater Sustainability Agency: Transparency		Requires each groundwater sustainability agency to publish the membership of its board of directors on its internet website, or on the local agency's internet website, as provided. Requires each groundwater sustainability agency to publish a link on its internet website or its local agency's internet website to the location on the Fair Political Practices Commission's internet website where the statements of economic interests, filed by the members of the board and executives of the agency, can be viewed.	04/01/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 294</b> (Gallagher (R))	Recovery from Disaster or Emergency: Funding Priority		Authorizes the Office of Emergency Services to prioritize funding and technical assistance under specified programs, including, but not limited to, for infrastructure and housing recovery projects, in communities that suffered a loss in population and businesses due to a major federal disaster, state of emergency, or local emergency and have unmet recovery needs as a result of a major federal disaster, state of emergency, or local emergency.	04/07/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 295</b> (Macedo (R))	Environmental Quality Act: Environmental Leadership		Extends the application of the Economic Improvement Through Environmental Leadership Act to water storage projects, water	02/10/2025: To ASSEMBLY Committees on NATURAL

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			conveyance projects, and groundwater recharge projects that provide public benefits and drought preparedness.	RESOURCES and WATER, PARKS AND WILDLIFE.
<b>CA AB 300</b> (Lackey (R))	Fire Hazard Severity Zones: State Fire Marshal		Provides that existing law requires the State Fire Marshal to identify areas in the State as moderate, high, and very high fire hazard severity zones. Requires the State Fire Marshal, at least once every specified number of years, to review areas in the State identified as moderate, high, and very high fire hazard severity zones, and to review lands within State responsibility areas classified as fire hazard severity zones.	04/28/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 301</b> (Schiavo (D))	Planning and Zoning: Housing Development Projects		Provides that existing law relating to housing development approval requires a local agency to compile a list of information needed to approve or deny a postentitlement phase permit. Requires a State department to comply with such provisions relating to postentitlement phase permits. Requires a State department to make the information list, examples of a complete, approved application, and a complete set of postentitlement phase permits available on the department's website by the specified date.	04/01/2025: In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 303</b> (Addis (D))	Battery Energy Storage Facilities		Specifies that energy storage systems do not include battery energy storage systems for purposes of certification by the Energy Commission. Requires the commission to deny applications for a battery energy storage system that are pending as of the effective date of the bill. Prohibits the authorization of a development project that includes a battery energy storage system capable of storing 200 megawatthours or more of energy if the development project is located within 3,200 feet of a sensitive receptor.	03/10/2025: To ASSEMBLY Committees on UTILITIES AND ENERGY, NATURAL RESOURCES, and LOCAL GOVERNMENT.
<b>CA AB 306</b> (Schultz (D))	Building Regulations: State Building Standards		Provides that existing law requires the governing body of a city or county, before making modifications or changes to green building standards, to make an express finding that those modifications or changes are reasonably necessary because of local climatic, geological, or topographical conditions. Prohibits a city or county	04/23/2025: Re-referred to SENATE Committees on HOUSING and LOCAL GOVERNMENT.

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			from making changes that are applicable to residential units to specified building standards unless a certain condition is met.	
<b>CA AB 307</b> (Petrie-Norris (D))	Safe Drinking Water, Wildfire Prevention, Drought Prep		Requires a specified amount of the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 to the Department of Forestry and Fire Protection be allocated for purposes of the ALERTCalifornia fire camera mapping system.	03/24/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.
<b>CA AB 311</b> (McKinnor (D))	Dwelling Units: Persons at Risk of Hness		Reinstates prior law which authorized a tenant to temporarily permit the occupancy of their dwelling unit by a person who is at risk of homelessness, with the written approval of the owner or landlord, and includes new provisions regarding occupancy. Defines person at risk of homelessness to include any person who is displaced from their residence as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor.	04/01/2025: In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 317</b> (Jackson (D))	California First Time Homeowner Dream Act		Exempts from CEQA the new construction of a single-family dwelling that meets specified conditions, including that the project contains one single-family dwelling that is 1,500 square feet or less with no more than 3 bedrooms, the property is intended to be sold to a first-time homebuyer, and the lead agency determines that the developer of the project or the property owner provided sufficient legal commitments to meet the requirements of the exemption.	04/29/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.
<b>CA AB 328</b> (Chen (R))	Indemnity		Makes a nonsubstantive change to existing law which specifies that one who indemnifies another against an act to be done by the latter, is liable jointly with the person indemnified, and separately, to every person injured by the act.	01/27/2025: INTRODUCED.
<b>CA AB 333</b> (Alanis (R))	Recycling: Glass Beverage Containers: Market		Provides that the State Beverage Container Recycling and Litter Reduction Act requires a distributor of beverage containers to pay	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred

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			to the Department of Resources Recycling and Recovery a monthly redemption payment for every beverage container sold or transferred. Requires the department to pay a market development payment to a person who purchases a product, other than a beverage container, that is made with empty glass beverage containers that would otherwise be sent to a landfill. Appropriates funds.	to Committee on NATURAL RESOURCES.
<b>CA AB 336</b> (Wallis (R))	Criminal Penalties: Wildfires		Makes unlawfully causing a fire by recklessly setting fire to, burning, or causing to be burned, any structure, forest land, or property, punishable only as a felony including a fine not to exceed a specified amount.	04/02/2025: From ASSEMBLY Committee on PUBLIC SAFETY without further action pursuant to JR 62(a).
<b>CA AB 337</b> (Bennett (D))	Greenhouse Gas Reduction Fund: Grant Program: Food		Expands a grant program under the Department of Resources Recycling and Recovery to provide financial assistance for the recovery of edible food, as specified. Specifies that eligible infrastructure projects includes the construction or expansion of facilities to help develop, implement, or expand edible food waste recovery operations.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 339</b> (Ortega (D))	Local Public Employee Organizations: Notice Requirement		Requires the governing body of a public agency, and boards and commissions designated by law or by the governing body of a public agency, to give the recognized employee organization no less than 120 days' written notice before issuing a request for proposals, request for quotes, or renewing or extending an existing contract to perform services that are within the scope of work of the job classifications represented by the recognized employee organization.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 340</b> (Ahrens (D))	Employer-Employee Relations: Confidential Communication		Prohibits a public employer from compelling a public employee, a representative of a recognized employee organization, or an exclusive representative to disclose confidential communications to a third party. Provides that this would not apply to a criminal	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

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			investigation or when a public safety officer is under investigation and certain circumstances exist.	
<b>CA AB 343</b> (Pacheco (D))	California Public Records Act: Officials		Includes in the definition of the term elected or appointed official, for purposes of the California Public Records Act, a retired judge or court commissioner, a retired federal judge or federal defender, a retired judge of a federally recognized Indian tribe, and an appointee of a court to serve as children's counsel in a family or dependency proceeding.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 351</b> (McKinnor (D))	Campaign Contributions: Agency Officers		Relates to the Political Reform Act of 1974 which prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than a specified amount from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final decision is rendered in the proceeding. Increases the contribution threshold as specified.	02/18/2025: To ASSEMBLY Committee on ELECTIONS.
<b>CA AB 357</b> (Alvarez (D))	Coastal Resources: Coastal Development Permit		Relates to the Coastal Act of 1976 which requires a person wishing to perform or undertake any development in the coastal zone to obtain a coastal development permit. Includes, as part of an exclusion, student housing projects and faculty and staff housing projects.	04/28/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 359</b> (Ramos (D))	Fair Political Practices Commission		Authorizes the Fair Political Practices Commission to conduct audits with respect to the local campaign finance or government ethics law. Deletes the requirement for the commission to report to the Legislature and remove the January 1, 2026 repeal date, thereby indefinitely extending the operation of the provisions.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 362</b> (Ramos (D))	Water Policy: California Tribal Communities		Requires the Water Quality Control Board to propose, and solicit tribal consultation and public comment on, water quality standards to achieve reasonable protection of tribal water uses	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS:

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			into the water quality control plan for the San Francisco Bay and Sacramento San Joaquin Delta watershed. Requires the Environmental Protection Agency and the Natural Resources Agency to amend a memorandum of understanding to incorporate participation from State tribal communities in the Water Quality Monitoring Council.	Do pass to Committee on APPROPRIATIONS.
<b>CA AB 364</b> (DeMaio (R))	Personal Information: Maintenance		Enacts the Stop Foreign Governments from Accessing Californians Sensitive Personal Information Act. Requires a business to disclose to a consumer if the business intends to maintain the consumer's personal information outside of the United States.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PRIVACY AND CONSUMER PROTECTION.
<b>CA AB 367</b> (Bennett (D))	Water: County of Ventura: Fire Suppression		Requires, beginning on the specified date, a water supplier that supplies water to more than a specified number of residential dwellings that is used for the suppression of fire in either a high or very high risk fire hazard severity zone in the County of Ventura to have a backup energy source with sufficient power to provide power within a specified number of minutes of loss of power and operate wells and pumps servicing the high or very high risk hazard severity zone at a specified capacity.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b>CA AB 370</b> (Carrillo J (D))	California Public Records Act: Cyberattacks		Provides that existing law requires each agency, within a certain number of days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records. Authorizes that time limit to be extended under unusual circumstances, including the inability of the agency, because of a cyberattack, to access its electronic servers or systems in order to search for and obtain a record that the agency believes is responsive to a request.	04/24/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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<b>CA AB 372</b> (Bennett (D))	Office of Emergency Services: State Matching Funds		Establishes, contingent on funding being appropriated pursuant to a specified bond act, the Rural Water Infrastructure for Wildfire Resilience Program within the Office of Emergency Services for the distribution of State matching funds to urban wildland interface communities in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 380</b> (Gonzalez Ma (D))	Price Gouging		Provides that under existing law, upon the proclamation of a state of emergency, it is a misdemeanor for a person, contractor, business, or other entity to sell goods or services for a price of more than a specified percent greater than the price charged by that person immediately prior to the proclamation or declaration of emergency. Makes that misdemeanor applicable for the duration of a proclamation and, for an entity other than a natural person, makes that misdemeanor punishable by a specified fine.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 395</b> (Gabriel (D))	Holidays		Requires, commencing with the specified school year, the governing board of a school district, a county office of education, or the governing body of a charter school to consider making efforts to avoid scheduling the first day of class and high school graduation, if applicable, on a date for which the governing board or county office of education knows, or has reason to know, that members of the public would be unable to participate due to the observance of a religious, cultural, or ancestral holiday.	04/29/2025: From ASSEMBLY Committee on HIGHER EDUCATION: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 399</b> (Boerner (D))	Coastal Resources: Coastal Development Permits		Authorizes the California Coastal Commission to authorize blue carbon demonstration projects in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

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<b>CA AB 404</b> (Sanchez (R))	Environmental Quality Act: Exemption: Prescribed Fire		Relates to existing law, until January 1, 2028, which exempts from the requirements of CEQA prescribed fire, reforestation, habitat restoration, thinning, or fuel reduction projects, or related activities, undertaken, in whole or in part, on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act. Extends the exemption and requirements on the lead agency indefinitely.	03/24/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.
<b>CA AB 410</b> (Wilson (D))	Bots: Disclosure		Requires a person who uses a bot to autonomously communicate with another to ensure that the bot discloses to any person with whom the bot communicates when the bot first communicates with the person that the bot is a bot and not a human being. Authorizes the Attorney General, a district attorney, a county counsel, a city attorney, or a city prosecutor to bring a civil action to punish noncompliance.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 413</b> (Fong M (D))	Department of Housing and Community Development: Guide		Requires the Department of Housing and Community Development to review all guidelines it has adopted or amended to determine whether those guidelines explain rights or services available to the public. Requires the department to translate those guidelines into any non-English languages spoken by a substantial number of non-English-speaking people, as defined.	04/24/2025: From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 414</b> (Pellerin (D))	Residential Tenancies: Return of Security		Provides that existing law limits the amount of security that a landlord may demand or receive. Requires the landlord to return the security by personal delivery or by check made payable to the tenant. Requires, if the landlord received the security or rental payments from the tenant electronically, the tenant to return the remainder of the security electronically, unless the landlord and tenant designated another method of return, by written agreement.	03/20/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 417</b> (Carrillo J (D))	Local Finance: Enhanced Infrastructure Financing		Provides that existing law authorizes the creation of community revitalization and investment authorities to carry out a community revitalization plan in a community revitalization and investment area. Requires an authority to consider adoption of a revitalization	04/01/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			plan at a specified number of public hearings. Requires a notice to be provided in English and in all other languages spoken jointly by a specified percent or more of the population in the jurisdiction of the county of the proposed authority.	
<b>CA AB 418</b> (Wilson (D))	Property Taxation: Tax Defaulted Property		Prohibits a board of supervisors from approving the sale of tax defaulted property, unless it conducts a hearing, with notice, and makes a specified finding that either the sale price is greater than or equal to the tax sale value of the property or the tax sale value of the property is less than the amount necessary to redeem the property. Authorizes the challenge of a board of supervisors' determination by the filing of a petition for judicial review in the superior court of the county.	04/24/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 426</b> (Dixon (R))	Impeding Emergency Response with Drone		Prohibits a person from operating or using an unmanned aerial vehicle, remote piloted aircraft, or drone at the scene of an emergency and thereby impeding firefighters, peace officers, medical personnel, military personnel, or other emergency personnel in the performance of their fire suppression, law enforcement, or emergency response duties, unless the person has a federal operational waiver. Authorizes the Attorney General or a county counsel or city attorney to bring civil action.	04/22/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 428</b> (Rubio (D))	Joint Powers Agreements: Water Corporations		Authorizes a water corporation, a mutual water company, and one or more public agencies to provide insurance by a joint powers agreement. Authorizes a water corporation, a mutual water company, and one or more public agencies to enter into a joint powers agreement for the purposes of risk pooling. Requires the joint powers agency to be 100 percent reinsured with no joint and several liability, no assessments, and no financial liability attributable to the participating members.	04/24/2025: In ASSEMBLY. Read second time. To third reading.
<b>CA AB 430</b> (Alanis (R))	State Water Resources Control Board: Regulations		Provides that existing law provides that an emergency regulation adopted by the State Water Resources Control Board following a	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Governor's proclamation of a state of emergency based on drought conditions may remain in effect for up to one year and may be renewed under certain conditions. Requires the Board, within a specified number of days of the second renewal, and any subsequent and consecutive renewal, of any nonfee emergency regulation or upon its repeal, to conduct a comprehensive economic study.	WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 434</b> (DeMaio (R))	Battery Energy Storage Facilities		Prohibits, until the specified date, a public agency from authorizing the construction of a battery energy storage facility. Requires the State Fire Marshal to adopt guidelines and minimum standards for the construction of a battery energy storage facility to prevent fires and protect nearby communities from any fire hazard posed by the facility. Requires an agency, when authorizing the construction of a facility, to require the facility to meet the guidelines and minimum standards adopted by the Marshal.	04/02/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b>CA AB 438</b> (Hadwick (R))	Authorized Emergency Vehicles		Authorizes the Commissioner of the State Highway Patrol to issue an emergency vehicle permit to any vehicle owned by a county, city, or city and county office of emergency services only while that vehicle is being used by a public employee in responding to any disaster.	04/21/2025: From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 439</b> (Rogers (D))	California Coastal Act of 1976: Local Planning		Makes de minimis amendments to local coastal programs and port master plans effective upon adjournment of a meeting of the Coastal Commission if specified number of members of the commission do not object to the de minimis determination.	04/28/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 441</b> (Hadwick (R))	Wildfire Prevention: Office of Wildfire Technology		Extends the repeal date of existing law which establishes the Office of Wildfire Technology Research and Development in state government within the Department of Forestry and Fire Protection to study, test, and advise regarding procurement of	04/07/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			emerging technologies and tools in order to more effectively prevent and suppress wildfires within the state.	
<b>CA AB 442</b> (Hadwick (R))	Z'berg-Nejedly Forest Practice Act of 1973		Provides that under the Z'berg-Nejedly Forest Practice Act of 1973, the Legislature finds and declares the policy of the State to encourage prudent and responsible forest management of nonindustrial timberlands by approving working forest management plans in advance. Provides that existing law requires the harvest area of a working forest management plan to be contained within a single hydrological area. Deletes that requirement.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b>CA AB 454</b> (Kalra (D))	Migratory Birds: CA Migratory Bird Protection Act		Relates to the Migratory Bird Treaty Act. Makes unlawful the taking or possessing of any migratory bird, as designated in the act before the specified date, any additional migratory nongame birds that may be designated in the act after that date, or any part of those migratory nongame birds, with specified exceptions.	04/10/2025: In ASSEMBLY. Read second time. To third reading.
<b>CA AB 455</b> (Ortega (D))	Real Estate: Environmental Hazards: Thirdhand Smoke		Makes it the sole responsibility of a seller of a single-family residential property who has actual knowledge of the existence of any residue from smoking or vaping tobacco or nicotine products, or any history of occupants smoking or vaping tobacco or nicotine products on the property, to disclose that knowledge to the buyer in writing.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 459</b> (DeMaio (R))	Initiatives: Qualification: Electronic Signatures		Relates to initiatives, referendums, or recall petitions. Requires the Secretary of State to develop a system that allows a proponent of a State or local initiative, referendum, or recall petition to have the petition posted on the Secretary of State's internet website where a voter can electronically sign the petition. Requires the Secretary of State and elections officials to perform specified tasks in connection with the electronic circulation of petitions, including verifying the electronic signatures.	04/08/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ELECTIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 462</b> (Lowenthal (D))	Land Use: Coastal Development Permits: Accessory		Provides that the California Coastal Act of 1976 requires any person wishing to perform or undertake any development in the coastal zone to obtain a coastal development permit from a local government or the California Coastal Commission. Exempts the construction of an accessory dwelling unit located within the County of Los Angeles, and in any county that is subject to a proclamation of a state of emergency made by the Governor on or after the specified date, from the need to obtain such permit.	04/23/2025: Re-referred to SENATE Committees on NATURAL RESOURCES AND WATER and HOUSING.
<b>CA AB 465</b> (Zbur (D))	Local Public Employees: Memoranda of Understanding		Requires, on or after the specified date, a memorandum of understanding between a public agency and a recognized employee organization to include specified provisions including, among other things, a provision providing for a system of progressive discipline that grants due process to an employee when they are disciplined, upon the request of the recognized employee organization.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 497</b> (Wilson (D))	San Francisco Bay/Sacramento-San Joaquin Delta Estuary		States the intent of the Legislature to enact future legislation relating to the Bay-Delta Water Quality Control Plan.	02/10/2025: INTRODUCED.
<b>CA AB 502</b> (Pellerin (D))	Elections: Certified Mail		Provides that existing law requires specified notices, affidavits, and communications regarding elections be delivered by registered mail. Requires delivery by certified mail or, for certain communications between local officials and the Secretary of State, by electronic delivery.	04/24/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 507</b> (Haney (D))	Adaptive Reuse: Streamlining: Incentives		Deems an adaptive reuse project a use by right in all zones, regardless of the zoning of the site, and subject to a streamlined, ministerial review process if the project meets specified requirements, subject to specified exceptions.	04/24/2025: From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on LOCAL GOVERNMENT.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 513</b> (Gonzalez Je (R))	California Global Warming Solutions Act of 2006: Plan		Requires the State Air Resources Board to include greenhouse gas emissions from wildlands and forest fires in the scoping plan of the California Global Warming Solutions Act of 2006.	02/24/2025: To ASSEMBLY Committee on NATURAL RESOURCES.
<b>CA AB 514</b> (Petrie-Norris (D))	Water: Emergency Water Supplies	Sponsor/ Support	Provides that the Urban Water Management Planning Act requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. Declares that it is the established policy of the State to encourage, but not mandate, the development of emergency water supplies by both local and regional water suppliers, and to support their use during times of drought or unplanned service or supply disruption.	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 532</b> (Ransom (D))	Water Rate Assistance Program	Support	Requires the Department of Community Services and Development to establish and administer the State Low Income Household Water Assistance Program to provide water rate assistance to residential ratepayers of covered water systems and urban retail water suppliers with a service area that is made up of at least a specified percent of disadvantaged communities, as measured by population.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on UTILITIES AND ENERGY.
<b>CA AB 550</b> (Petrie-Norris (D))	The California Endangered Species Act		Provides that under the State Endangered Species Act, the Department of Fish and Wildlife may authorize the take of listed species by certain entities through permits or memorandums of understanding for specified purposes. Authorizes the take, by permit, of declining or vulnerable species. Provides that an activity that results in a change in baseline conditions and specified renewable energy or decarbonization infrastructure projects are deemed fully mitigated.	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 566</b> (Lowenthal (D))	California Consumer Privacy Act of 2018: Opt-Out		Prohibits a business from developing or maintaining a browser that does not include a setting that enables a consumer to send an opt-out preference signal to businesses with which the consumer	04/24/2025: In ASSEMBLY. Read second time. To third reading.

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			interacts through the browser. Prohibits a business from developing or maintaining a mobile operating system that does not include a setting that enables a consumer to send an opt-out preference signal. Authorizes the Privacy Protection Agency to adopt regulations to implement and administer those provisions.	
<b>CA AB 569</b> (Stefani (D))	California Public Employees' Pension Reform Act of 2013		Relates to the California Public Employees' Pension Reform Act of 2013. Authorizes a public employer to bargain over contributions for supplemental retirement benefits administered by, or on behalf of, an exclusive bargaining representative of one or more of the public employer's bargaining units, subject to certain limitations.	04/28/2025: In ASSEMBLY. Read second time. To third reading.
<b>CA AB 580</b> (Wallis (R))	Surface Mining: Metropolitan Water District		Provides that existing law authorizes the Metropolitan Water District of Southern California to prepare a master reclamation plan that identifies each individual surface mining operation in specified counties and satisfies all reclamation plan requirements for each individual surface mining site. Provides that existing law requires the MWD to be the lead agency for any environmental review of the master reclamation plan. Extends the operation of those provisions until the specified date.	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 582</b> (Pacheco (D))	Administrative Procedure Act		Makes a nonsubstantive change to provisions of the Administrative Procedure Act.	02/12/2025: INTRODUCED.
<b>CA AB 596</b> (McKinnor (D))	Occupational Safety: Face Coverings		Provides that existing regulations promulgated by the Occupational Safety and Health Standards Board, until the specified date, prohibit an employer from preventing any employee from wearing a face covering, including a respirator, unless it would create a safety hazard. Prohibits an employer from preventing any employee from wearing a face covering, including a respirator, unless it would create a safety hazard.	04/28/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 599</b> (Connolly (D))	Hazardous Waste: Classification Standards		Requires the Department of Toxic Substances Control, if the department proposes to reclassify wastes or adopt alternative management standards for regulated waste, to take all necessary and authorized steps required by law to facilitate full public notification and review of state, regional, and local facility entitlements, to enable local community input regarding the proposed changes to the classification of wastes or the alternative management standards.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspend File.
<b>CA AB 612</b> (Rogers (D))	Transportation: Highway Design Manual: Emergency		Requires the Department of Transportation, on or before specified date, to update the Highway Design Manual to direct local governments to consult with local fire departments when making road improvements to ensure the improvements do not negatively impact emergency response times.	03/25/2025: In ASSEMBLY. Coauthors revised.
<b>CA AB 614</b> (Lee (D))	Claims Against Public Entities		Relates to the Government Claims Act. Requires a claim relating to any cause of action against a public entity to be presented not later than a specified time period after accrual of the cause of action, unless otherwise specified by law.	03/27/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 620</b> (Jackson (D))	Medium- and Heavy-Duty Zero-Emission Vehicle Fleet		Requires the State Air Resources Board, for any regulation adopted to develop or implement the Air Quality Improvement Program, or other regulations that are regarding the procurement or use of medium- and heavy-duty zero-emission vehicles by a public or private fleet, to consider specified things, including, among other things, the environmental and supply chain benefits of renting medium- and heavy-duty zero-emission vehicles compared to procuring them.	03/24/2025: From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 623</b> (Dixon (R))	Fire Prevention Projects		Exempts a fuel modification project to maintain defensible space of a specified distance from each side and from the front and rear of a building or structure and a fuel reduction project to prevent and contain the spread of wildfires from the requirements of the California Environmental Quality Act. Exempts an electrical grid resilience or hardening project from the requirements of CEQA.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 626</b> (Papan (D))	Underground Storage Tanks: Design and Construction		Provides that existing law requires the owner or operator of an underground storage tank to permanently close that UST if the UST meets specified conditions. Exempts an operator from the tank closure requirement if the operator of a single walled UST is acting in good faith to comply with the requirement to upgrade to a double walled UST by the specified date and the operator meets specified conditions.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspend File.
<b>CA AB 628</b> (McKinnor (D))	Hiring of Real Property: Dwellings: Untenantability		Adds a stove and refrigerator that are maintained in good working order and are capable of safely generating heat for cooking purposes and capable of safely storing food to the list of characteristics required for the dwelling unit to be tenantable for leases entered into, amended, or extended on or after the specified date. Prohibits the application of these new requirements for certain types of dwelling units, including permanent supportive housing.	04/07/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 632</b> (Hart (D))	Local Ordinances: Administrative Fines or Penalties		Authorizes, for specified administrative fines or penalties, a local agency to file a certified copy of a final administrative order or decision that directs payment of the administrative fine or penalty with the clerk of the superior court of any county and requires the clerk to enter judgment immediately in conformity with the decision or order. Authorizes a local agency to, by ordinance, establish a procedure to collect administrative fines or penalties by lien.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b>CA AB 638</b> (Rodriguez Ce (D))	Stormwater: Uses: Irrigation		Requires the State Water Resources Control Board to establish guidance for stormwater capture and use for the irrigation of urban public lands. Requires the guidance to include, but not be limited to, the use of captured stormwater for irrigation to offset the use of potable water and criteria for, among other things, pathogens and pathogen indicators and total suspended solids.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspend File.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 639</b> (Soria (D))	Dams: Exceptions		Provides that existing law requires the Department of Water Resources to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property. Excludes from the definition of a dam a barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of a specified number of feet of freeboard on the levee and is a weir.	04/21/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 643</b> (Wilson (D))	Climate Change: Short-Lived Climate Pollutants		Authorizes a local jurisdiction to include organic material used as a beneficial agricultural amendment towards its recovered organic waste procurement target if the material is processed at a facility authorized by the Department of Resources Recycling and Recovery using specified approved technologies, and if the material is licensed for end use as an agricultural fertilizer by the Department of Food and Agriculture.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b>CA AB 650</b> (Papan (D))	Planning and Zoning: Housing Element: Regional Housing		Provides that existing law authorizes at least 2 or more cities and a county, or counties, and at least a specified number of months prior to the scheduled housing element revision of a general plan, to form a subregional entity to allocate the subregion's existing and projected housing need among its members. Provides that existing law requires the Council of Governments to determine the share of regional housing need assigned to each delegate subregion within a certain timeline. Extends the timeline.	04/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA AB 660</b> (Wilson (D))	Planning and Zoning Law: Postentitlement Phase Permits		Relates to the Planning and Zoning Law. Relates to applications for postentitlement phase permits. Prohibits, if a local agency finds that a complete application is noncompliant, a local agency from requesting or requiring any action or inaction as a result of a building inspection undertaken to assess compliance with the applicable building permit standards that would represent a deviation from a previously approved building plan or similar approval for the building permit, with certain exceptions.	04/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 670</b> (Quirk-Silva (D))	Planning and Zoning: Housing Element		Provides that the Planning and Zoning Law requires each city, county, and city and county to adopt a general plan that includes, among other things, a housing element. Provides that existing law requires a planning agency to provide an annual report to specified entities that includes prescribed information. Authorizes a planning agency to include the number of units in an existing multifamily building that were converted to affordable housing by imposition of long term affordability covenants.	04/09/2025: From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 672</b> (Caloza (D))	Public Employment: Notifications		Requires a plaintiff or petitioner filing a civil action seeking injunctive relief against a strike, work stoppage, or other labor action by public employees whose labor relations are regulated by PERB, if PERB is not a party to the action, to serve a copy of the petition or complaint by electronic mail on the general counsel of PERB, in accordance with certain procedures.	04/08/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 683</b> (Davies (R))	Business Entities: Limited Liability Companies		Authorizes a limited liability company to present a certification of the LLC's existence and authority to any person to establish the present existence of the LLC and identify those with authority to act on its behalf. Requires the certification of LLC existence to confirm specified facts or contain certain information, including that its operating agreement or other governing documents have not been revoked, modified, or amended in a manner that would cause the representations to be incorrect.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on BANKING AND FINANCE.
<b>CA AB 692</b> (Kalra (D))	Employment: Contracts in Restraint of Trade		Authorizes the Labor Commissioner to enforce provisions related to a contract restraining a lawful profession, trade, or business. Authorizes a person, including a local government or a worker representative, to bring a civil action on behalf of the person or other persons similarly situated to establish liability against an employer. Provides that a person who violates these provisions is liable for specified civil penalties and relief.	04/22/2025: In ASSEMBLY. Coauthors revised.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 699</b> (Stefani (D))	Elections: Local Tax Measures		Provides that under existing law, if a proposed local measure imposes a tax or raises the rate of a tax, the ballot must include the amount of money to be raised annually by the tax and the rate and duration of the tax. Allows, if the measure imposes or increases a tax with more than one rate or authorizes the issuance of bonds, the local government or initiative proponents submitting the measure to the voters to direct the elections official to include on the ballot a specified statement.	04/01/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ELECTIONS.
<b>CA AB 706</b> (Aguiar-Curry (D))	Forest Organic Residue, Energy, and Safety		Establishes the FOREST and Wildfire Prevention Fund in the State Treasury to reduce organic fuel sources that increase fire risk by providing funding for the Fire Fuel Reduction Procurement Program to support sufficient procurement, transport, and beneficial use of forest biomass waste that reduces fuel for wildfires. Appropriates funds.	04/23/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b>CA AB 709</b> (Gonzalez Je (R))	Sustainable Groundwater Management Act		Provides that nothing in the Sustainable Groundwater Management Act relating to making submissions to the Department of Water Resources shall be construed to prohibit groundwater sustainability agencies that have developed multiple groundwater sustainability plans for a basin from amending the coordination agreement following department issuance of an assessment of the plans.	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass. To Consent Calendar.
<b>CA AB 717</b> (Aguiar-Curry (D))	Water Rights: Appropriation: Small Restoration Use		Provides that the Water Rights Permitting Reform Act of 1988 authorizes any person to obtain a right to appropriate water for a small domestic, small irrigation, or livestock stockpond use, upon registering the use with the State Water Resources Control Board. Authorizes any person to also obtain a right to appropriate water for a small restoration use. Authorizes a person to apply for a restoration management permit from the Department of Fish and Wildlife.	04/08/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 719</b> (Calderon (D))	County Emergency Plans		Requires each county to review and update its emergency plan at least every 2 years.	03/03/2025: To ASSEMBLY Committee on EMERGENCY MANAGEMENT.
<b>CA AB 726</b> (Avila Farias (D))	Planning and Zoning: Annual Report: Rehabilitated Units		Permits a local agency to include in its annual report the number of units of existing deed-restricted affordable housing within a specified affordability threshold that are at least specified number of years old and have been substantially rehabilitated with at least sixty thousand dollars per unit in funds awarded from the city or county. Prohibits any of the units included in the annual report from being considered when determining affordability requirements for the purposes of eligibility for approvals.	04/09/2025: From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 734</b> (Schultz (D))	Environmental Protection: Biological Resources Data		Requires any biological resources data submitted to the State Energy Resources Conservation and Development Commission in an application for certification or small powerplant exemption to be made publicly available on the commission's docket as part of the certification proceeding unless the Department of Fish and Wildlife makes a written determination that the data to be made public includes specified location data, the disclosure of which would pose a significant risk to individuals of the species.	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 737</b> (Quirk-Silva (D))	Energy: Building Decarbonization: Notice		Adds gas corporations to the definition of energy supplier for purposes of provisions related to the recorded notice of decarbonization charge.	04/02/2025: From ASSEMBLY Committee on UTILITIES AND ENERGY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 758</b> (DeMaio (R))	Wildfire: Vegetation Management		Requires the Department of Forestry and Fire Protection or a local entity to conduct an assessment of all undeveloped public lands for which it is primarily responsible for preventing and suppressing fires to ensure that the public land is not a severe fire hazard. Requires this assessment to be posted on the department's and local entity's internet website. Requires all of these lands, on or before the specified date, to have firebreaks of a specified size on all borders with private property.	04/21/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.

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<b>CA AB 773</b> (Dixon (R))	Marine Resources: Copper-Based Antifouling Paint		Relates to the California Ocean Resources Stewardship Act of 2000. Requires the Department of Pesticide Regulation to complete a reevaluation of copper-based antifouling boat paint products, and to make the determination to retain, modify, or suspend its standards or to place new appropriate standards on the chemical composition or use of copper-based antifouling paints.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 775</b> (Fong M (D))	Behested Payments: Reporting		Provides that existing law requires certain behested payment reports to be filed by the behesting officer or member of the Public Utilities Commission with the officer's or member's agency. Requires these reports to be filed using the commission's electronic filing system for behested payment reports. Requires the filing system to issue an electronic confirmation to the filer immediately upon receipt of the report.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 778</b> (Chen (R))	Local Agency Public Construction Act: Internet		Requires a local agency that maintains an internet website to post on its internet website specified information regarding payments for construction contracts. Exempts from specified provisions construction contracts valued below a specified amount. Prohibits a local agency that fails to comply with these provisions from withholding any retention proceeds from any remaining payment.	03/03/2025: To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b>CA AB 782</b> (Quirk-Silva (D))	Subdivision Map Act: Security		Prohibits a local agency from requiring the furnishing of security in connection with the performance of any act or agreement related to an improvement that will be privately owned and maintained, and from conditioning the subdivision or any approval necessary for the development or construction of the project as a whole on the furnishing of that security related to an improvement that will be privately owned and maintained.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA AB 783</b> (Caloza (D))	Public Contracts: Construction Materials: Disaster		Authorizes, until the specified date, the Department of General Services to negotiate and enter into contracts on a bid or negotiated basis for construction materials commonly used in	04/28/2025: From ASSEMBLY Committee on EMERGENCY

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			residential structures that may include price discounts, rebates, refunds, or other strategies aimed at lowering the cost of these materials. Requires the department to coordinate with local governments, housing agencies, and nonprofit organizations to establish sufficient distribution of the materials within certain areas.	MANAGEMENT: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 794</b> (Gabriel (D))	California Safe Drinking Water Act		Relates to the authority of the State Water Resources Control Board to administer emergency provisions relating to the regulation of drinking water. Authorizes a regulation to include monitoring requirements that are more stringent than federal requirements. Prohibits maximum contaminant levels and compliance dates for maximum contaminant levels adopted as part of an emergency regulation from being more stringent than regulations promulgated pursuant to the federal Safe Drinking Water Act.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 808</b> (Addis (D))	Campaign Statements and Other Reports: Submission		Provides that the Political Reform Act of 1974 authorizes specified campaign disclosure reports and statements of financial interest to be filed by fax, and authorizes other reports to be filed by various means, including personal delivery, guaranteed overnight delivery, facsimile transmission, and online transmission. Eliminates the option to file various statements and reports by facsimile transmission. Authorizes certain reports to be filed by email.	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 810</b> (Irwin (D))	Local Government: Internet Websites and Email Addresses		Provides that existing law requires that a local agency that maintains public email addresses to ensure that each email address provided to its employees uses a .gov domain name or a .ca.gov domain name. Requires a city, county, or city and county to comply with specified domain requirements. Requires a special district, joint powers authority, or other political subdivision to comply with similar domain requirements no later than the specified date.	04/22/2025: From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION: Do pass to Assembly Committee on APPROPRIATIONS.

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Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 816</b> (Flora (R))	Employment: Employees and Independent Contractors		Provides that existing law requires the ABC test to determine if workers are employees or independent contractors for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission. Creates an exemption from the ABC test for a merchandiser contracting with a bona fide business or hiring entity to provide stand alone in store inventory and product placement labor or services on behalf of retailers and brands in the consumer packaged goods industry.	03/13/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
<b>CA AB 818</b> (Avila Farias (D))	Permit Streamlining Act: Local Emergencies		Relates to the Permit Streamlining Act. Provides that the State Emergency Services Act authorizes a local emergency to be proclaimed by the governing body of a city, county, or city and county. Requires a local agency to approve or disapprove an application for a permit necessary to rebuild or repair an affected property. Requires a local agency to approve an application for a construction permit for any of the specified structures intended to be used by a person until the rebuilding or repair is complete.	04/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b>CA AB 823</b> (Boerner (D))	Solid Waste: Plastic Microbeads: Plastic Glitter		Prohibits a person from selling, offering for sale, distributing, or offering for promotional purposes in the State a personal care product containing plastic glitter, or a personal care product in a non rinse off product or a cleaning product containing one part per million or more by weight of plastic microbeads that are used as an abrasive. Adds such prohibitions to the Plastic Microbeads Nuisance Prevention Law. Imposes a civil penalty for violations of these prohibitions.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 827</b> (Berman (D))	Voting: Signature Verification		Provides that existing law requires an elections official who receives a vote by mail ballot to compare the signature on the identification envelope with the signature in the voter's registration record. Provides that the voter may verify their signature no later than 5 p.m. 2 days before certification of the election. Reduces this deadline. Permits an elections official to	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ELECTIONS.

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Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			use a vote by mail ballot drop box to receive the form used by the voter to verify their signature pursuant to these provisions.	
<b>CA AB 830</b> (Rogers (D))	State Highways: Encroachment Permits: Relocating		Relates to public utility districts with a ratepayer base of a specified number of households or fewer. Requires the Department of Transportation to bear the sole expense of relocating or removing such district's encroachment in the event a future improvement of the highway necessitates the relocation or removal of the encroachment and to notify the public utility district at each stage of a project that necessitates the relocation or removal of the public utility district's encroachment.	04/21/2025: From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 845</b> (Arambula (D))	Employment: Complaints: Agricultural Employees		Requires the Agricultural Labor Relations Board, Division of Labor Standards Enforcement, and Division of Occupational Safety and Health, upon intake of a complaint from an agricultural employee, to collaborate with each other and take all reasonable efforts to transmit the complaint to the appropriate entity for processing and investigation.	04/23/2025: From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 846</b> (Connolly (D))	Endangered Species: Incidental Take: Wildfire		Requires the Department of Fish and Wildlife, in consultation with the Office of the State Fire Marshal, and using existing data and information collected by the department and the office, to develop maps identifying critical habitats within specified fire hazard severity zones, and to update the maps at least once every specified number of years thereafter. Requires the maps to be made available to a city, county, city and county, special district, or other local agency.	04/21/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 854</b> (Petrie-Norris (D))	California Environmental Quality Act: Exemptions		Exempts from the California Environmental Quality Act projects that consist of the inspection, maintenance, repair, restoration, reconditioning, reconductoring with advanced conductors, replacement, or removal of a transmission wire or cable used to conduct electricity or other piece of equipment that is directly attached to the wire or cable and that meet certain requirements.	04/28/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Requires the lead agency to file a notice of exemption with the Office of Land Use and Climate Innovation.	
<b>CA AB 858</b> (Lee (D))	Employment: Rehiring and Retention: Displaced Workers		Provides that existing law requires an employer to offer its laid off employees specified information about job positions that become available and to offer positions to those employees based on a preference system. Expands the definition of laid off employee to include an employee who was employed for a specified number of months or more and whose most recent separation from active employment occurred on or after the specified date and was due to a reason related to a state of emergency.	04/23/2025: From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 859</b> (Macedo (R))	Civil Procedure: Recovery of Defense Costs		Relates to existing law whereby if the court determines that the proceeding was not brought in good faith or with reasonable cause, existing law requires the court to decide the reasonable and necessary defense costs incurred by party opposing the proceeding and to render judgment in favor of that party. Expands this provision to apply to a demurrer brought by a defendant or cross-defendant.	04/21/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 863</b> (Kalra (D))	Residential Rental Properties: Language Requirements		Requires landlords to provide notices to terminate leases and complaints in specified civil actions in Spanish, Chinese, Tagalog, Vietnamese, or Korean, as well as in English, if the lease was originally negotiated in one of those non-English languages or if the landlord has reason to believe that Spanish, Chinese, Tagalog, Vietnamese, or Korean is the tenant's primary language. Requires summonses in specified civil cases to be in certain languages.	03/25/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b>CA AB 872</b> (Rubio (D))	Environmental Health: Product Safety: Perfluoroalkyl		Prohibits a person from distributing, selling, or offering for sale a covered product that contains intentionally added PFAS unless the Department of Toxic Substances Control has issued a regulatory response for the covered product pursuant to the Green	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Chemistry Program or the prohibition is preempted by federal law. Authorizes a manufacturer of a covered product to petition the department to evaluate a covered product.	
<b>CA AB 874</b> (Avila Farias (D))	Mitigation Fee Act: Waiver of Fees		Requires a local agency to waive fees or charges that are collected by a local agency to fund the construction of public improvements or facilities for residential developments subject to a regulatory agreement with a public entity, as provided, that includes certain income and affordability requirements. Excludes from this requirement those fees or charges, as applicable, for the construction or reconstruction of school facilities.	03/10/2025: To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b>CA AB 883</b> (Lowenthal (D))	California Public Records Act: Personal Information		Provides that the State Public Records Act makes it a misdemeanor for a person to knowingly post the home address or telephone number of any elected or appointed official, or of the official's residing spouse or child, on the internet, knowing that person is an elected or appointed official and intending to cause imminent great bodily harm or threatening to cause imminent great bodily harm. Prohibits the disclosure of protected information under those provisions.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b>CA AB 889</b> (Hadwick (R))	Prevailing Wage: Per Diem Wages		Authorizes an employer to take full credit for the hourly amounts contributed to defined contribution pension plans that provide for both immediate participation and immediate vesting even if the employer contributes at a lower rate or does not make contributions to private construction. Requires the employer to prove that the credit for employer payments was calculated properly.	04/02/2025: From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 893</b> (Fong M (D))	Housing Development Projects: Objective Standards		Relates to the Affordable Housing and High Road Jobs Act, which makes a development that meets certain objective standards and affordability and site criteria a use by right and subject to a streamlined, ministerial review process. Expands the eligibility for the streamlined, ministerial approval to include	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			developments located in a campus development zone if the development meets certain affordability requirements and standards. Imposes a specified setback requirement only on parking that is aboveground.	
<b>CA AB 897</b> (DeMaio (R))	Trespassing: Removal of Trespassers		Provides for the Remove Illegal Squatters from Private Property Act. Makes a person guilty of unlawful squatting when they enter upon the land or premises of another and reside on that land or premises for any period of time, knowingly acting without the knowledge or consent of the owner, rightful occupant, or an authorized representative of the owner. Requires a law enforcement agency that receives a complaint of a violation to issue a citation. Provides a means for the person to show lawful entry.	04/22/2025: In ASSEMBLY Committee on PUBLIC SAFETY: Failed passage.
<b>CA AB 900</b> (Papan (D))	Environmental Protection: 30x30 Goals: Conservation		Provides that existing law provides that it is the goal of the State to conserve at least a specified percent of the State's lands and coastal waters by 2030, known as the 30x30 goal. Requires the Natural Resources Agency to update the Pathways to 30x30 Report, and for the update to include, among other things, recommendations to increase science based management and stewardship of 30x30 lands, including innovative ways to reduce barriers and increase federal, State, and local support.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 905</b> (Pacheco (D))	State General Obligation Bonds: Disclosure Requirements		Requires a bond act for any State general obligation bond measure that is approved by voters on and after the specified date to include specified information about the objectives of the bond expenditure and related data. Requires each State agency subject to these provisions to provide a written report to specified entities. Requires the report to include, among other information, whether the project, grant, or other expenditure of bond proceeds has been done in a timely manner.	04/23/2025: From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 914</b> (Garcia Ro (D))	Air Pollution: Indirect Sources: Toxic Air Contaminants		Requires the State Air Resources Board to adopt and enforce rules and regulations applicable to indirect sources of emissions. Requires, if the State Board elects to exercise that authority, the State Board to establish a schedule of fees on facilities and mobile sources to cover the reasonable costs of implementing and enforcing the regulations and requires the fees to be deposited in the Air Pollution Control Fund and made available to the State Board upon appropriation by the Legislature.	04/28/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 920</b> (Caloza (D))	Permit Streamlining Act: Housing Development Projects		Relates to the Permit Streamlining Act. Requires a city or county with a population of a specified number of persons or more that has an internet website to make a centralized application portal available on its website to applicants for housing development projects. Authorizes a city or county to make a centralized application portal available on its website no later than the specified date if the legislative body of the city or county takes certain actions.	04/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b>CA AB 921</b> (Castillo (R))	Generators: Air Pollution Regulations: Tax Credits		Exempts from specified regulations and other regulations adopted by the State Air Resources Board the sale and purchase of portable or emergency backup generators during the period of time for which the Governor has proclaimed a state of emergency based on an emergency resulting in a loss of electrical service to any part of the state.	03/10/2025: To ASSEMBLY Committees on NATURAL RESOURCES and REVENUE AND TAXATION.
<b>CA AB 924</b> (Davies (R))	Leases: Termination of Tenancy: Abuse or Violence		Requires a landlord to pay a calculated share of the security deposit, as provided, to the tenant who terminated tenancy according to the specified provisions if there are multiple tenants on the lease and a tenant states in their written notice that they are terminating tenancy because another tenant committed the specified crime.	03/03/2025: To ASSEMBLY Committee on JUDICIARY.
<b>CA AB 929</b> (Connolly (D))	Sustainable Groundwater Management: Managed Wetlands		Provides that existing law grants a groundwater sustainability agency specified authority and authorizes a groundwater sustainability agency to regulate groundwater extraction using	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			that authority. Prohibits a groundwater sustainability agency from using that authority regarding the establishment of groundwater extraction allocations for small community water systems serving disadvantaged communities from permitted public water supply wells and to managed wetland extractors, with specified exceptions.	WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 930</b> (Ward (D))	Elections and Voting Procedures		Provides that existing law provides that ballots cast in all mailed ballot elections are considered timely cast if they are received by the voter's election official by mail no later than 3 days after election day and additional, specified conditions are satisfied. Extends the deadline for mailed ballots to be timely cast to a specified number of days after election day.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ELECTIONS.
<b>CA AB 940</b> (Wicks (D))	Quantum Innovation Zones		Authorizes the establishment of a Quantum Innovation Zone by a specified number or more cities and counties upon the adoption of a resolution by the legislative body of each city and county that states the intent of the city or county to participate in the Quantum Innovation Zone. Requires a Quantum Innovation Zone to be governed by a board of directors with a specified membership. Tasks a Quantum Innovation Zone with various duties. Requires a zone to create and maintain a website.	04/22/2025: In ASSEMBLY. Coauthors revised.
<b>CA AB 942</b> (Calderon (D))	Net Energy Metering: Eligible Customer Generators		Provides that existing law requires each electrical utility to make a contract or tariff that provides for net metering available to eligible customer generators until the total rated generating capacity exceeds a specified percent of the utility's aggregate customer peak demand, commonly known as NEM 1.0. Provides that an eligible customer generator that has taken service pursuant to NEM 1.0 or 2.0 for a specified number or more years is no longer entitled to take service under that contract or tariff.	03/25/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 945</b> (Fong M (D))	Density Bonus Law: Incentives and Concessions: Housing		Requires a city or county to grant additional incentives or concessions when an applicant proposes to construct a green housing development, as defined. Requires that the number of incentives or concessions granted initially be set to 3. Requires the Department of Housing and Community Development (HCD), as specified, to evaluate and report on the number and type of units and developments entitled, permitted, and constructed pursuant to these provisions.	03/10/2025: To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b>CA AB 950</b> (Solache (D))	Political Reform Act of 1974: Advertisements		Relates to political advertisements. Provides that for certain video, print, electronic media, or text message advertisements, existing law permits the name of the committee that paid for the advertisement to be shortened. Clarifies that a print advertisement includes a yard sign or a billboard and an electronic media advertisement means a graphic, image, animated graphic, or animated image that the online platform hosting the advertisement allows to link to an internet website paid for by the committee.	04/22/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ELECTIONS.
<b>CA AB 956</b> (Quirk-Silva (D))	Accessory Dwelling Units: Ministerial Approval		Provides that the Planning and Zoning Law provided for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units in areas zoned for single family or multifamily dwelling residential use in accordance with specified standards and conditions. Increases the number of detached, new construction, accessory dwelling units that a local agency is required to ministerially approve on lots with a proposed or existing single family dwelling.	04/24/2025: From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on LOCAL GOVERNMENT.
<b>CA AB 961</b> (Avila Farias (D))	Hazardous Materials: California Land Reuse Act		Extends the repeal date of the California Land Reuse and Revitalization Act of 2004 to specified date, and would provide that a person who qualifies for immunity under the act before specified date, shall continue to have that immunity on and after specified date, if the person continues to be in compliance with the requirements of the former act.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 963</b> (Petrie-Norris (D))	Public Works: Prevailing Wages: Access to Records		Requires an owner or developer undertaking any public works project to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. Applies this requirement to an owner or developer that undertakes a development project that includes work subject to the requirements of public works.	04/23/2025: From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 964</b> (Hadwick (R))	Commission on State Mandates: State Mandates		Relates to the Commission on State Mandates. Provides that existing law establishes procedures for implementing the requirement that the State reimburse local agencies and school districts for certain costs. Provides that existing law makes a reimbursement claim filed by a local agency or district subject to an audit by the Controller. Requires the Controller to allow an agency or district, at the discretion of the agency or district, to offset any reduced reimbursement or to remit funds to the Controller.	04/23/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on EDUCATION.
<b>CA AB 975</b> (Gallagher (R))	Lake and Streambed Alteration Agreements: Exemptions		Provides that existing law prescribes various requirements for lake and streambed alteration agreements. Exempts, until the specified date, from these provisions projects to repair or reconstruct a bridge a specified number of feet long or less or a culvert of a specified number of feet long or less within the County of Sutter that has been damaged or destroyed as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, in, or after, the specified year.	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 977</b> (Ramos (D))	California Native American Graves Protection Act		Requires, as part of the California Native American Graves Protection and Repatriation Act of 2001, the California State University, in consultation with tribes, to develop a policy to identify available California State University-owned land for the burial of Native American human remains and designate 3 burial sites statewide.	04/09/2025: In ASSEMBLY. Coauthors revised.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 979</b> (Irwin (D))	California Cybersecurity Integration Center: Artificial		Requires the State Cybersecurity Integration Center to develop, in consultation with the Office of Information Security and the Government Operations Agency, a State AI Cybersecurity Collaboration Playbook to facilitate information sharing across the artificial intelligence community and to strengthen collective cyber defenses against emerging threats. Requires the center to review federal requirements, standards, and industry best practices, and to use those resources to inform the playbook.	04/23/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PRIVACY AND CONSUMER PROTECTION.
<b>CA AB 986</b> (Muratsuchi (D))	State of Emergency and Local Emergency: Landslides		Provides that the State Emergency Services Act authorizes the Governor to declare a state of emergency when specified conditions of disaster or extreme peril to the safety of persons and property exist. Provides that existing law defines 3 conditions or degrees of emergency for purposes of these provisions. Includes a landslide and preexisting conditions exacerbated by climate change among those conditions constituting a state of emergency or local emergency.	04/28/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 990</b> (Hadwick (R))	Public Water Systems: Emergency Notification Plan		Authorizes and encourages a public water system to provide notification to water users in their preferred language when updating the emergency notification plan, if resources are available.	04/24/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 1001</b> (Rubio (D))	Drought		Makes a nonsubstantive change to existing law which authorizes an implementing agency to provide advance payment of up to 25% of grant funds awarded to public agencies, nonprofit organizations, public utilities, mobilehome parks, mutual water companies, farmers and ranchers, federally recognized California Native American tribes, nonfederally recognized Native American tribes on the contact list maintained by the Native American Heritage Commission for specified purposes.	02/20/2025: INTRODUCED.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1003</b> (Calderon (D))	Public Health: Emergency Plans and Wildfire Research		Requires the Department of Public Health to convene a wildfire smoke mitigation task force to research specified topics and recommend best practices to minimize public health impacts of wildfire smoke. Requires the task force to include representatives with experience in wildfire response, air quality, public health, and emergency response. Requires the task force to report its recommendations by the specified date. Requires the department to publish those recommendations on its internet website.	04/28/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1004</b> (Wallis (R))	Tribal Financial Information: Public Records: Exemption		Makes any record that contains financial information provided by an Indian tribe to a State or local agency, as a condition of or requirement for receiving financial assistance, to be confidential, not a public record, and not open to public inspection. Requires each State or local agency agreement or contract with an Indian tribe related to financial assistance to contain a provision stating that any financial information disclosed pursuant to the agreement or contract shall remain confidential.	04/24/2025: In ASSEMBLY. Read second time. To Consent Calendar.
<b>CA AB 1007</b> (Rubio (D))	Land Use: Development Project Review		Provides that the Permit Streamlining Act requires a public agency, other than the State Coastal Commission, that is a responsible agency for specified development projects to approve or disapprove the project within a specified number of days. Reduces the time period that a responsible agency is required to approve or disapprove a project.	04/10/2025: In ASSEMBLY. Coauthors revised.
<b>CA AB 1015</b> (Patel (D))	Discrimination and Harassment Prevention Training		Authorizes an employer to satisfy the discrimination and harassment prevention training requirements by demonstrating that the employee possesses a certificate of completion within the past 2 years.	03/10/2025: To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<b>CA AB 1017</b> (Boerner (D))	Energy: Electrical and Gas Corporations: General Rate		Requires an electrical corporation or gas corporation, as a part of its general rate case, to provide to the Public Utilities Commission certain information, including, among other things, the authorized and actual rate of return and return on equity for the past specified	04/23/2025: From ASSEMBLY Committee on UTILITIES AND ENERGY: Do pass to Committee on APPROPRIATIONS.

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			number of years and projects related to the corporation's distribution capacity that include the forecast submitted in the prior general rate case of the corporation.	
<b>CA AB 1018</b> (Bauer-Kahan (D))	Automated Decision Systems		Relates to automated decision systems. Requires a deployer of a covered ADS to take certain actions, including providing certain disclosures to a subject of a consequential decision made or facilitated by the covered ADS, providing the subject an opportunity to opt out of the use of the covered ADS, providing the subject with an opportunity to appeal the outcome of the decision, and submitting the covered ADS to third party audits. Prescribes requirements for a third party to audit a covered ADS.	04/29/2025: From ASSEMBLY Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 1020</b> (Schiavo (D))	Public Utilities: Energy: Taxpayer Funding: Reporting		Requires each utility, defined as an investor owned electrical corporation or gas corporation, to report certain information for any taxpayer funding that the utility has applied for or received. Requires the Public Utilities Commission, for each application in which a utility is seeking ratepayer funding, to require the utility to report all relevant taxpayer funding the utility is pursuing or has secured.	04/23/2025: From ASSEMBLY Committee on UTILITIES AND ENERGY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1021</b> (Wicks (D))	Housing: Local Educational Agencies		Provides that the Housing Accountability Act prohibits a local agency from disapproving a housing development project for very low, low or moderate income households unless the agency makes written findings as to one set of specified conditions. Revises and recasts the provisions deeming a project an allowable use on any real property owned by a local educational agency. Provides that an affordable housing project for purposes of the California Environmental Quality Act exemption includes certain property.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA AB 1026</b> (Wilson (D))	Planning and Zoning: Housing Development Projects		Requires an electrical corporation to compile a list of information needed to approve or deny a postentitlement phase permit, to post an example of a complete approved application and an example of a complete set of permits for a housing development project, and	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.

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			to make those items available to all applicants. Establishes time limits for completing reviews regarding whether an application is complete and compliant. Makes any failure to meet such time limits a violation of the Housing Accountability Act.	
<b>CA AB 1029</b> (Valencia (D))	Statements of Financial interest: Digital Financial		Expands the definition of investment for purposes of the Political Reform Act of 1974 to include a digital financial asset. Requires public officials to disclose interests in their digital financial assets. Requires an agency's conflict of interest code to require designated employees to disclose interests in digital financial assets.	04/09/2025: From ASSEMBLY Committee on ELECTIONS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1033</b> (Lackey (R))	Eminent Domain: Appraisals: Compensation		Provides that the Eminent Domain Law authorizes a public entity to exercise the power of eminent domain to acquire property for a public use. Provides that existing law requires a public entity to pay reasonable costs, not to exceed a specified amount, of an independent appraisal ordered by the owner of a property that the public entity offers to purchase under the threat of eminent domain. Requires a public entity to pay reasonable costs of the independent appraisal for a partial taking of the property.	04/22/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1040</b> (Essayli (R))	Elections: Residency: Displacement by Disaster		Provides that a person who leaves their home for temporary purposes because of a natural disaster, and who intends to return to that home or to another address within the same jurisdiction, does not lose their domicile at that home.	03/10/2025: To ASSEMBLY Committee on ELECTIONS.
<b>CA AB 1043</b> (Wicks (D))	Age Verification Signals: Software Applications		Requires, among other requirements related to age verification on the internet, a covered manufacturer to provide an accessible interface for requiring account holders to indicate the birth date, age, or both, of the user of a device for the sole purpose of providing a signal regarding the user's age bracket to applications available in a covered application store. Requires the covered manufacturer to provide developers with a digital signal via a real-time application programming interface.	04/29/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.

## IRWD 2025 LEGISLATIVE MATRIX

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1044</b> (Macedo (R))	Tulare Basin Groundwater Sustainability Agency Act		Relates to the Tulare Basin Groundwater Sustainability Agency Act. Requires the agency to elect to be a groundwater sustainability agency under the Sustainable Groundwater Management Act for that portion of the Tule Subbasin that lies within the boundaries of the agency and would require the agency to develop and implement a groundwater sustainability plan to achieve sustainable groundwater management within the territory of the agency.	04/08/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on LOCAL GOVERNMENT.
<b>CA AB 1046</b> (Bains (D))	Short Lived Climate Pollutants: Recovered Organic Waste		Provides that existing law requires the Department of Resources Recycling and Recovery to adopt regulations to achieve organic waste reduction goals. Provides that such regulations require a commercial edible food generator to have a contract or written agreement with a food recovery organization. Exempts from these requirements an agricultural crop preparation service that demonstrates to the department that it has not disposed of organic waste in a landfill on or after the specified date.	04/21/2025: In ASSEMBLY. Joint Rule 10.5 suspended.
<b>CA AB 1050</b> (Schultz (D))	Unlawfully Restrictive Covenants: Housing Developments		Provides that existing law provides that specified recorded covenants, conditions, restrictions, or private limits on the use of land contained in specified instruments affecting the transfer or sale of any interest in real property are not enforceable against the owner of an affordable housing development. Makes these provisions applicable to covenants, conditions, restrictions, or private limits contained in a reciprocal easement agreement.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 1054</b> (Gipson (D))	Public Employees Retirement: Deferred Retirement Option		Establishes the Deferred Retirement Option Program as a voluntary program within the Public Employees Retirement System for employees of State Bargaining Units 5 (Highway Patrol) and 8 (Firefighters). Requires these State bargaining units to bargain with the Department of Human Resources to implement the program. Requires the program to result in a cost	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYMENT AND RETIREMENT.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			savings or be cost neutral. Requires the department to work with the Board of PERS to develop the program.	
<b>CA AB 1055</b> (Boerner (D))	Accessory Dwelling Units		Provides that the Planning and Zoning Law provides for the creation of an accessory dwelling unit by local ordinance or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards. Authorizes a local agency to require the property owner to certify that the accessory dwelling unit will be occupied as a residential dwelling unit for at least a specified number of months out of each calendar year.	04/24/2025: In ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Not heard.
<b>CA AB 1060</b> (Avila Farias (D))	Local Government: Legal Fee Disclosures		Requires all invoices for work by the city attorney, or by any other attorney who is seeking, or has sought, compensation from a city, to be made available, without redaction, to each member of the city council promptly upon that member's request. Requires a member of the city council who receives an invoice to maintain the confidentiality of any confidential information contained in the invoice.	03/10/2025: To ASSEMBLY Committees on LOCAL GOVERNMENT and JUDICIARY.
<b>CA AB 1061</b> (Quirk-Silva (D))	Housing Developments: Urban Lot Splits: Historical		Requires a local agency to consider ministerially a proposed housing development that is not located on a parcel individually listed as a historical resource included in the State Historical Resources Inventory or within a property individually designated or listed as a city or county landmark under a city or county ordinance. Prohibits the development from demolishing more than a specified percent of the exterior wall area or affecting the character defining exterior features of a contributing structure.	04/23/2025: From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1067</b> (Quirk-Silva (D))	Public Employees Retirement: Felony Convictions		Requires a public employer that is investigating a public employee for misconduct arising out of, or in the performance of, the public employee's official duties in pursuit of the office or appointment, or in connection with obtaining salary, disability retirement, service retirement, or other benefits, to continue the	04/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			investigation even if the public employee retires while under investigation.	
<b>CA AB 1072</b> (Pellerin (D))	Elections: Ballot Mistakes		Requires the Secretary of State, in consultation with county elections officials, to develop uniform standards and guidelines for a voter to correct mistakes made on the voter's ballot. Authorizes the Secretary of State to adopt regulations to ensure uniform application of the standards and guidelines.	04/24/2025: In ASSEMBLY. Read second time. To Consent Calendar.
<b>CA AB 1075</b> (Bryan (D))	Fire Protection: Privately Contracted Fire Prevention		Provides that the FIREScope Act requires the Office of Emergency Services to establish and administer the FIREScope program to maintain and enhance the efficiency and effectiveness of managing multiagency firefighting resources. Requires the office to develop regulations prohibiting privately contracted private fire prevention resources from hooking up their equipment to public water sources, unless approved by incident command or the authority having jurisdiction over the active fire incident.	04/23/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 1083</b> (Connolly (D))	Natural Resources: Agricultural Protection Program		Establishes the Agricultural Protection Planning Grant Program within the Department of Conservation. States that the purpose of the grant program is to assist any local government entity, nonprofit organization, authority, or joint powers authority to apply for, and cost-effectively use, grant funds available for farmland, grazing lands, and grasslands protection and preservation.	02/20/2025: INTRODUCED.
<b>CA AB 1096</b> (Connolly (D))	Water: Schoolsites: Lead Testing		Provides that existing law makes it a crime to knowingly make any false statement or representation in any application, record, report, or other document submitted, maintained, or used for purposes of compliance with the Safe Drinking Water Act. Requires the State Water Resources Control Board to adopt certain regulations. Requires the board to make specified information submitted by community water systems publicly available on its internet website.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1102</b> (Boerner (D))	Sea Level Rise and Groundwater Rise: Contaminated Sites		Provides that under existing law, the Department of Toxic Substances Control generally regulates the management and handling of hazardous substances, materials, and waste. Requires, on or before the specified date, the department and the State Water Resources Control Board to submit a report to the Legislature that includes specified information, including information relating to all contaminated sites that are vulnerable to sea level rise and groundwater rise.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1106</b> (Rodriguez Mi (D))	State Air Resources Board: Regional Air Quality		Requires the State Air Resources Board to expand its incident air monitoring program, subject to an appropriation by the Legislature for those purposes, to provide support for a regional network of air quality incident response centers operated by air districts, including at least one located in the South Coast Air Quality Management District, in order to facilitate emergency air monitoring response at the local and regional level.	04/28/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1109</b> (Kalra (D))	Evidentiary Privileges: Union Agent-Represented		Establishes a privilege between a union agent and a represented employee or represented former employee to refuse to disclose any confidential communication between the employee or former employee and the union agent made while the union agent was acting in the union agent's representative capacity, except as specified. Permits a represented employee or represented former employee to prevent another person from disclosing a privileged communication.	04/09/2025: In ASSEMBLY. Read second time. To third reading.
<b>CA AB 1139</b> (Rogers (D))	California Environmental Quality Act: Exemption		Provides that the California Environmental Quality Act requires a lead agency to prepare an environmental impact report on certain projects. Provides that CEQA exempts from its requirements a change in use approved by a park district or the Great Redwood Trail Agency. Requires the lead agency, if it determines that a change is not subject to CEQA, to file notice with the State Clearinghouse in the Office of Land Use and Climate Innovation	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.

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Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			and the county clerk. Extends the exemption to a county park agency.	
<b>CA AB 1146</b> (Papan (D))	Water Infrastructure: Dams and Reservoirs		Relates to the regulation and supervision of dams and reservoirs. Prohibits the release of stored water from a reservoir in the State if the release is done under false pretenses, defined as a release of water from a reservoir in a manner that is knowingly and designedly under any false or fraudulent representation or assumption as to the purpose and intended use of the water. Authorizes the State Water Resources Control Board to issue an interim relief order to prohibit the release of stored water.	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 1152</b> (Patterson J (R))	Housing Crisis Act of 2019: Development Policy		Provides that the Housing Crisis Act of 2019 authorizes certain counties and cities to enact a development policy, standard, or condition to prohibit the commercial use of land that is designated for residential use. Provides that development policy, standard, or condition does not mean an action by certain counties or cities related to allowing a conservation easement to preserve residentially zoned property if certain conditions are met.	04/24/2025: From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on LOCAL GOVERNMENT.
<b>CA AB 1154</b> (Carrillo J (D))	Accessory Dwelling Units: Junior Dwelling Unit		Prohibits a local agency from imposing any parking standards if the accessory dwelling unit is 500 square feet or smaller.	04/28/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 1159</b> (Addis (D))	Student Personal Information		Applies the provisions of the K-12 Pupil Online Personal Information Protection Act and the Early Learning Personal Information Protection Act to an operator of a website, online service, online application, or mobile application with actual knowledge that the site, service, or application is used for the applicable school purposes and was designed or marketed for those purposes. Enacts the Higher Education Student Information Protection Act. Authorizes a harmed student or pupil to bring a civil action.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PRIVACY AND CONSUMER PROTECTION.

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Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1163</b> (Elhawary (D))	Employees: Workplace Violence Prevention Plans		Requires a workplace violence prevention plan covering employees of a school district, county office of education, charter school, or community college district, to cover education related topics, and to be in person and allow for questions to be asked and answered by a natural person in real time. Requires the training to occur before a new employee begins their duties and as soon as practicable, and then annually for all employees.	04/23/2025: From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on EDUCATION.
<b>CA AB 1164</b> (Ransom (D))	Elections: Voter Bill of Rights		Requires the Voter Bill of Rights to inform voters that they have the right to receive a new ballot if they do not have a ballot. Requires the Voter Bill of Rights to inform voters that they may request a polling place ballot if they surrender their vote by mail ballot or if the elections official confirms that the voter has not voted.	04/22/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 1167</b> (Berman (D))	Electrical Corporations and Gas Corporations: Rate		Prohibits, with exceptions, an electrical corporation or gas corporation from recording various expenses associated with political influence activities or with promotional advertising to accounts that contain expenses that the electrical corporation or gas corporation recovers from ratepayers. Requires electrical and gas corporations to clearly and conspicuously disclose in all of its public messages whether the costs of the messages are paid for by the corporation's shareholders or ratepayers.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b>CA AB 1176</b> (Flora (R))	Energy: Renewable Energy Resources Program		Includes as a renewable electrical generation facility for purposes of the renewable energy resources program a facility that commenced initial commercial operation on January 1, 2005. Makes nonsubstantive changes.	03/13/2025: To ASSEMBLY Committees on UTILITIES AND ENERGY and NATURAL RESOURCES.
<b>CA AB 1183</b> (Lowenthal (D))	Residential Tenancy: Habitability: Inspection		Authorizes the landlord of a dwelling unit to elect to have an inspection performed to verify that the dwelling unit satisfies the specified habitability requirements before it is made available for hire. Establishes a presumption that, if the landlord has an inspection performed showing no violation of the habitability	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			requirements, the dwelling unit meets that standard for an unspecified period of time.	
<b>CA AB 1191</b> (Tangipa (R))	Renewables Portfolio Standard Program: Hydro Generation		Revises the definition of an eligible renewable energy resource for the purposes of the State Renewables Portfolio Standard Program to include all hydroelectric generating facilities.	04/02/2025: In ASSEMBLY Committee on UTILITIES AND ENERGY: Reconsideration granted.
<b>CA AB 1198</b> (Haney (D))	Public Works: Prevailing Wages		Requires the that if the Director of Industrial Relations determines that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works contract that is awarded or for which notice to bidders is published after specified date. Authorizes any contractor, awarding body, or specified representative affected by a change in rates on a particular contract to file with the director a verified petition to review the determination.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 1203</b> (Ahrens (D))	Water Conservation: Water Wise Designation		Requires the Department of Water Resources and the Office of Community Partnerships and Strategic Communications to include, within the Save Our Water Campaign, a statewide water wise designation to be awarded to businesses in the commercial, industrial, and institutional water use sector that meet or exceed the recommendations for CII water use best management practices.	03/10/2025: To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b>CA AB 1206</b> (Harabedian (D))	Single Family and Multifamily Housing Units		Provides that existing law requires each local agency to develop a program for the preapproval of accessory dwelling unit plans. Requires each agency to develop a program for the preapproval of single family and multifamily residential housing plans. Requires an agency to approve or deny an application for a single family or multifamily unit if the lot meets certain conditions and the application utilizes certain plans preapproved within the current State Building Standards Code rulemaking cycle.	04/24/2025: In ASSEMBLY. Read second time. To third reading.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1221</b> (Bryan (D))	Workplace Surveillance Tools		Regulates the use of workplace surveillance tools and an employer's use of worker data. Requires an employer, at least a certain number of days before introducing a workplace surveillance tool, to provide a worker who will be affected a written notice that includes, among other things, a description of the worker data to be collected, the intended purpose of the workplace surveillance tool, and how this form of worker surveillance is necessary to meet that purpose. Provides for civil actions and penalties.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.
<b>CA AB 1226</b> (Essayli (R))	Air Quality: Wildland Vegetation Management Burning		Requires the State Air Resources Board to designate public fire protection agencies to oversee agricultural burning activities and to adopt rules and regulations to ensure those activities are conducted safely and effectively. Exempts wildland vegetation management burning from the specified permit requirement if that activity is conducted by, or under the supervision of, the applicable agency designated by the State Board. Requires the State Board to develop guidelines and best practices.	04/11/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b>CA AB 1227</b> (Essayli (R))	California Environmental Quality Act: Exemption		Provides that the California Environmental Quality Act requires a lead agency to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. Exempts a wildfire prevention project from the requirements of the California Environmental Quality Act, with specified exceptions.	04/28/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 1232</b> (Avila Farias (D))	Administrative Procedure Act: Proposed Regulations		Provides that existing law requires a State agency proposing to adopt, amend, or repeal a regulation that is not a major regulation to prepare an economic impact assessment that includes to what extent the regulation will affect specified factors, including the creation or elimination of jobs within the State. Requires the assessment for nonmajor regulations to include to what extent it will affect the cost of living impacts on residents of the State.	04/29/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1234</b> (Ortega (D))	Employment: Nonpayment of Wages: Complaints		Provides that existing law authorizes the Labor Commissioner to investigate employee complaints and to provide for a hearing in any action to recover wages, penalties, and other demands for compensation. Requires certain administrative fees to be deposited into the Wage Recovery Fund. Requires the money in the fund to be disbursed by the Labor Commissioner only to persons determined by the Labor Commissioner to have been damaged by the failure to pay wages and penalties and for other damages by an employer.	04/23/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 1240</b> (Lee (D))	Single Family Residential Real Property: Corporate		Prohibits a business entity that has an interest in more than a specified number of single family residential properties from purchasing, acquiring, or otherwise obtaining an ownership interest in another single family residential property and subsequently leasing the property. Authorizes the Attorney General to bring a civil action for a violations.	04/09/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 1242</b> (Nguyen (D))	Language Access		Requires each State agency to conduct an assessment and survey of the language needs of non English speaking and limited English speaking people. Requires a State agency to utilize specified information in conducting the assessment and survey and in developing and updating the implementation plan regarding the Dymally Alatorre Bilingual Services Act, including, among other things, the most recent census data from the United States Census Bureau.	04/29/2025: From ASSEMBLY Committee on HUMAN SERVICES: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1243</b> (Addis (D))	Polluters Pay Climate Superfund Act of 2025		Enacts the Polluters Pay Climate Superfund Act of 2025. Establishes the Polluters Pay Climate Superfund Program to be administered by the Environmental Protection Agency to require fossil fuel polluters to pay their fair share of the damage caused by greenhouse gases released into the atmosphere. Requires the collected cost recovery demands to be deposited in the Superfund.	04/29/2025: In ASSEMBLY Committee on JUDICIARY: Not heard.

## IRWD 2025 LEGISLATIVE MATRIX

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Requires all interest earned on moneys that have been deposited into the fund to be retained in the fund for specified uses.	
<b>CA AB 1248</b> (Haney (D))	Hiring of Real Property: Fees and Charges		Requires, for residential tenancies that began before the specified date, that a tenant only be obligated to pay rent, the specified fees and charges, any fees or charges that were charged at the start of the tenancy, with specified exceptions, and fees or charges for specified utilities, including the use of a ratio utility billing system that meets specified criteria.	04/23/2025: In ASSEMBLY. Read second time. To third reading.
<b>CA AB 1249</b> (Wilson (D))	Early Voting: Satellite Locations		Permits a voter using a vote by mail ballot, beginning a specified number of days before the day of an election, to vote the ballot at the office of the elections official or a satellite location. Requires the elections official to provide notice of a satellite location not later than a specified number of weeks before voting may occur at the satellite location.	04/22/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 1250</b> (Papan (D))	Transit Operators: Paratransit: Recertification		Provides that, under existing law, revenues from a specified sales tax in each county are available for allocation to transit operators and community transit services. Prohibits operators from requiring a person who receives, or is eligible to receive, paratransit services based on a disability or medical condition, and whose condition cannot reasonably be expected to improve, to recertify their eligibility, unless the person has a temporary eligibility or there is a review to broaden eligibility.	04/28/2025: From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1259</b> (Essayli (R))	Vote by Mail Systems		Relates to vote by mail systems. Requires the Secretary of State to publish a report stating whether a system has been certified, conditionally approved, or denied certification publicly available within 60 days after the completion of an examination.	03/10/2025: To ASSEMBLY Committee on ELECTIONS.
<b>CA AB 1260</b> (Ward (D))	Electricity: Renewable Energy Subscription Programs		Imposes additional requirements that the program is required to meet, including requiring facilities participating in the program to have no more than 5 megawatts of generation capacity and no	04/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			more than 5 megawatts of storage, and capping the total program capacity at 5 gigawatts or ending program subscription after 7 years, when either limit is first reached.	
<b>CA AB 1266</b> (Solache (D))	Air Districts: Administrative Rulemaking		Provides that existing law requires State agencies, in adopting, amending, or repealing a major regulation, to prepare a standardized regulatory impact analysis. Requires certain air districts with jurisdiction over a geographic area with a certain population size, in adopting, amending, or repealing major regulations, to prepare the standardized regulatory impact analysis.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b>CA AB 1284</b> (Assembly Emergency Management Committee)	Emergency Services: Catastrophic Plans		Requires the Office of Emergency Services (OES) to develop state recovery frameworks for California's catastrophic plans, as provided. Requires the governing body of a political subdivision, as defined, to develop regional recovery frameworks for California's catastrophic plans and would require OES to provide technical assistance in this regard.	04/07/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1285</b> (Assembly Emergency Management Committee)	State Fire Marshal: Lithium-Ion Battery Facilities		Requires the State Fire Marshal, in consultation with the Office of Emergency Services, to develop fire prevention, response, and recovery measures for utility grade lithium ion battery storage facilities.	04/07/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1286</b> (Boerner (D))	Political Reform Act of 1974: Prospective Employment		Provides that existing law requires specified public officials to file statements disclosing their investments and interests in real property on the date they assume office, and income received during the specified number of months before assuming office, and to file subsequent statements at intervals specified by regulations of the Fair Political Practices Commission and upon leaving office. Requires those public officials to disclose	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			arrangements for prospective employment according to certain deadlines.	
<b>CA AB 1295</b> (Patterson J (R))	Public Utilities: Bills and Notices: Consolidation		Requires the Public Utilities Commission to evaluate all customer billing and noticing requirements existing on the specified date that apply to gas or electric utilities, and to identify and consider potential avenues to consolidate and enhance billing transparency, including avenues that clearly show the source and value of each charge within each customer's bill and use the most cost effective communications channels.	04/23/2025: In ASSEMBLY Committee on UTILITIES AND ENERGY: Not heard.
<b>CA AB 1308</b> (Hoover (R))	Residential Building Permits: Fees: Inspections		Requires a county's or city's building department to prepare a residential building permit fee schedule and post the schedule on the county's or city's internet website, if the county or city prescribes residential building permit fees. Specifies that certain provisions entitling a permittee to reimbursement of permit fees do not apply to certain inspections performed by a private professional provider.	04/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b>CA AB 1313</b> (Papan (D))	Water Quality: Permits		Requires the State Water Resources Control Board to establish a statewide commercial, industrial, and institutional national pollutant discharge elimination system order, for properties of a specified number of acres or more, regulating stormwater and authorized nonstormwater discharges from facilities with impervious surfaces that are significant contributors of pollutants to federally protected surface waters, as determined by the State Board.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1319</b> (Schultz (D))	Protected Species: California Endangered Species Act		Provides that the California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species. Requires the commission to consider whether to adopt a regulation to list a State native species as an emergency regulation if it determines that a federal action subsequent to the specified date results in a decrease in	04/29/2025: From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass as amended to Committee on APPROPRIATIONS.

## IRWD 2025 LEGISLATIVE MATRIX

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			protection for that species and listing under CESA could provide protection for that species.	
<b>CA AB 1326</b> (Ahrens (D))	Masks: Individual or Public Health		Provides that existing law sets forth various provisions on the wearing of a mask for health purposes. Provides that an individual would have the right to wear a mask on their face in a public place for the purpose of protecting their individual health or the public health, with regard to communicable disease, air quality, or other health factors.	04/29/2025: From ASSEMBLY Committee on HEALTH: Do pass.
<b>CA AB 1331</b> (Elhawary (D))	Workplace Surveillance		Limits the use of workplace surveillance tools by employers, including by prohibiting an employer from monitoring or surveilling workers in off duty areas. Provides workers with the right to disable or leave behind workplace surveillance tools that are on their person or in their possession during off duty hours. Provides for a civil penalty of a specified amount per employee for each violation. Authorizes an employee and a public prosecutor to bring specified enforcement actions.	04/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b>CA AB 1337</b> (Ward (D))	Information Practices Act of 1977		Provides that the Information Practices Act of 1977 prescribes a set of requirements, prohibitions, and remedies applicable to agencies with regard to their collection, storage, and disclosure of personal information. Provides that existing law exempts from such provisions counties, cities, school districts, municipal corporations, districts, political subdivisions, and other local public agencies. Removes that exemption for local agencies. Revises and expands the definition of personal information.	04/08/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 1353</b> (Haney (D))	State Real Property: Office Space: Consolidation		Requires, by the specified date, the Department of General Services to conduct an audit of the utilization of State office buildings to determine opportunities to consolidate the square footage of office space given to a State agency. Authorizes and requires the department, in accordance with the findings of the	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.

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			audit, to consolidate space within a State office building at the suite, floor, and building level.	
<b>CA AB 1355</b> (Ward (D))	Location Privacy		Prohibits a covered entity from collecting or processing the location information of an individual unless doing so is necessary to provide goods or services requested by that individual. Imposes various other restrictions on covered entities with regard to location information. Prohibits a State or local agency, including an agency as defined under the Information Practices Act, from monetizing location information.	04/29/2025: From ASSEMBLY Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA AB 1358</b> (Valencia (D))	Santa Ana River Conservancy Program: Lower Santa Ana		Provides that existing law authorizes the State Coastal Conservancy to fund projects to implement site improvements, upgrade deteriorating facilities or construct new facilities for outdoor recreation, public access, nature appreciation, and historic and cultural preservation. Requires at least a specified percent of such funds to be for projects in heavily urbanized areas of the lower Santa Ana River region to benefit disadvantaged communities, severely disadvantaged communities or vulnerable populations.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 1359</b> (Ahrens (D))	Planning and Zoning: Development Conditions: Housing		Authorizes a housing forward jurisdiction, defined to mean a city or county that is designated as a prohousing jurisdiction by the Department of Housing and Community Development and has met or exceeded its share of the regional housing need allocation, to impose certain conditions on a development project, including prohibiting a developer from using a density bonus benefit, to reduce the number of bicycle parking or storage spaces, and requiring an impact fee for specified accessory dwelling units.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
<b>CA AB 1367</b> (Gallagher (R))	The California Water Plan: Water Storage		Requires the Department of Water Resources to amend The California Water Plan to state that water storage is the preferred method to be used by the State to meet increased water demands by urban, agricultural, and environmental interests.	03/13/2025: To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1370</b> (Patterson J (R))	State Legislature: Nondisclosure Agreements		Provides that the Legislative Code of Ethics prohibits Members of the Legislature and legislative employees from having financial conflicts of interest and engaging in activities that are in substantial conflict with their official duties. Prohibits Members of the Legislature from entering into, or requesting that another party enter into, a nondisclosure agreement relating to the drafting, negotiation, or discussion of proposed legislation. Provides that a violation of the Code is punishable as a crime.	04/22/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1371</b> (Sharp-Collins (D))	Occupational Safety and Health: Employee Refusal		Allows an employee, acting in good faith, to refuse to perform a task assigned by an employer if it would violate safety standards or if the employee has a reasonable apprehension that the performance of the assigned task would result in injury or illness to the employee or other employees.	03/13/2025: To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<b>CA AB 1373</b> (Soria (D))	Water Quality: State Certification		Provides that the Porter Cologne Water Quality Control Act authorizes the State Water Resources Control Board to certify or provide a statement to a federal agency that there is reasonable assurance that an activity of any person subject to the jurisdiction of the board will not reduce water quality below applicable standards. Requires the board to hold a public hearing before taking action on an application for certification for a license to operate a hydroelectric facility.	04/29/2025: From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1383</b> (McKinnor (D))	Public Employees Retirement Benefits		Provides that the State Public Employees' Pension Reform Act requires each retirement system that offers a defined benefit plan for safety members of the Public Employees' Retirement System to use certain formulas for safety members. Establishes new retirement formulas. Authorizes a public employer and a recognized employee organization to negotiate a prospective increase to the retirement benefit formulas for members and new members, consistent with the formulas permitted under the act. Appropriates funds.	04/23/2025: In ASSEMBLY. Coauthors revised.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1385</b> (Petrie-Norris (D))	Unlawfully Restrictive Covenants: Housing Developments		Provides that existing law makes specified recorded covenants on the use of land contained in instruments affecting the transfer or sale of any interest in real property unenforceable against the owner of an affordable housing development if an approved restrictive covenant document has been recorded in the public record. Expands these provisions to apply to a development located on property that is the subject of a recorded restrictive covenant and is located in a county that experienced a major wildfire.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 1392</b> (Flora (R))	Employment: Documents		Relates to existing law which, in any instance in which an employer is required to physically post information, authorizes an employer to additionally distribute that information to employees by email with the documents attached. Authorizes an employer to additionally distribute that information to employees by mail.	04/10/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
<b>CA AB 1394</b> (Wallis (R))	Personal Opioid Drug Deactivation and Disposal System		Provides that existing law requires the Department of Public Health to award naloxone grant funding to local health departments, local government agencies, or others to reduce the rate of fatal overdose from opioids. Requires the department to establish a program to distribute personal opioid drug deactivation and disposal systems to individuals to encourage safe and environmentally responsible disposal practices and mitigate risks associated with unused or expired prescription and illicit opioids.	04/01/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH.
<b>CA AB 1395</b> (Harabedian (D))	Forestry: Internal Combustion Engines: Industrial		Relates to industrial operations located on or near any forest, brush, or grass-covered land. Requires a dedicated set of tools, including a sufficient number of fire extinguishers, to be located within the operating area and accessible in the event of a fire, so that, when added to any other tools on the industrial operation, each employee at the operation can be equipped to fight fire.	04/28/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 1404</b> (Ortega (D))	Electrical Corporations: Connections		Requires an electrical corporation to connect an affordable housing project to the electrical distribution grid within a specified number of days, with specified exceptions. Requires the Public Utilities Commission to streamline any necessary review on an affordable housing project that is ready to connect but sitting vacant and that has not been connected by an electrical corporation within the required specified number of days. Repeals these provisions on the specified date.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b>CA AB 1410</b> (Garcia Ro (D))	Public Utilities: Service Outages and Updates: Alerts		Requires each public utility to automatically enroll customers in alerts for service outages and updates. Requires each public utility to provide information on customer bills on how to update their preferred contact methods and to allow customers to update their contact information by email or telephone.	04/23/2025: From ASSEMBLY Committee on UTILITIES AND ENERGY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1411</b> (Sharp-Collins (D))	Voter Education and Outreach Plans		Requires counties that do not conduct an election as an all mailed ballot election to design and implement a voter education and outreach plan to identify and register qualified voters who are not registered to vote. Requires such plans to provide information to the public about specified topics, such as vote by mail procedures and options for military and overseas voters. Requires county elections officials to submit amendments to their plans to the Secretary of State.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>CA AB 1413</b> (Papan (D))	Sustainable Groundwater Management Act: Groundwater		Provides that existing law authorizes a groundwater sustainability agency that adopts a groundwater sustainability plan to file a court action to determine the validity of the plan no sooner than a specified number of days following the adoption of the plan. Authorizes groundwater sustainability agencies to file those actions within a specified number of days.	04/29/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1420</b> (Ta (R))	Surplus Land		Requires the report requiring each state agency, each year, to make a review of all proprietary state lands over which it has jurisdiction to determine what land is in excess of its foreseeable	04/23/2025: From ASSEMBLY Committee on GOVERNMENTAL

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			needs to include land that is not currently being utilized, or is currently being underutilized by the state agency for any ongoing state program regardless of whether the agency is currently prepared to dispose of the land by sale or otherwise.	ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1439</b> (Garcia Ro (D))	Public Retirement Systems: Development Projects: Labor		Prohibits the board of a public pension or retirement system from making any additional or new investments of public employee pension or retirement funds in development projects in the State or providing financing for those projects with public employee pension or retirement funds unless those projects include labor standards protections.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
<b>CA AB 1444</b> (Flora (R))	Publication: Newspapers of General Circulation		Requires any public notice that is legally required to be published in a newspaper of general circulation to be published in the newspaper's print publication, on the newspaper's internet website or electronic newspaper available on the internet, and on the statewide internet website maintained as a repository for notices by a majority of California newspapers of general circulation, as specified.	03/27/2025: In ASSEMBLY. Read second time. To third reading.
<b>CA AB 1447</b> (Gipson (D))	Unclaimed Property: Notice		Relates to the Unclaimed Property Law. Provides that existing law requires the Controller to mail a notice to each person who appears to be entitled to property valued at a specified dollar amount or more and whose address is listed in a specified report or is obtained from the Franchise Tax Board. Specifies that if the address listed in the report is not a valid deliverable address, but the Controller identifies a corrected valid address, the Controller must mail the notice to the corrected address.	04/09/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA AB 1452</b> (Ta (R))	State Mandates: Claims		Lowers the minimum claim amount that a local government can request under a state mandate to a specified sum.	03/13/2025: To ASSEMBLY Committee on LOCAL GOVERNMENT.

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<b>CA AB 1455</b> (Bryan (D))	California Environmental Quality Act		Requires the State Board of Forestry and Fire Protection to adopt regulations to implement defensible space requirements for an ember resistant zone required within a specified number of feet of a structure in a State responsibility area and a very high fire hazard severity zone. Requires the regulations to follow a specified rulemaking process and be adopted as emergency regulations.	04/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: To Suspend File.
<b>CA AB 1456</b> (Bryan (D))	California Environmental Quality Act		Requires the Board of Forestry and Fire Protection to update the Vegetation Treatment Program Final Program Environmental Impact Report to expand the area that is treatable landscape under the FPEIR to portions of the State suitable for vegetation treatment consistent with the FPEIR, regardless of fire suppression responsibility designation, and recognize cultural burning as a covered treatment activity. Authorizes a public agency to partner with a federally recognized California Native American tribe.	04/28/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1457</b> (Bryan (D))	Wildfires: Training Programs: Defensible Space		Requires the training program for individuals to support the Department of Forestry and Fire Protection to include training consistent with the Home Ignition Zone/Defensible Space Inspector course plan, established by the State Fire Marshal, to ensure that individuals are trained to conduct home ignition zone inspections.	04/28/2025: From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1459</b> (Assembly Environmental Safety and Toxic Materials Committee)	Hazardous Waste: Underground Storage Tanks		Provides that a generator that accumulates hazardous waste onsite is not a storage facility if a maximum of a specified number of kilograms of hazardous waste is accumulated. Authorizes the consolidation of containers holding not more than a specified number of kilograms or a specified number of gallons of hazardous waste into a consolidation container.	04/24/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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<b>CA AB 1466</b> (Hart (D))	Groundwater Adjudication: Burden of Proof		Provides that in any action to adjudicate groundwater rights, if a party to the action is seeking judicial review of an action taken by a groundwater sustainability agency pursuant to a groundwater sustainability plan that has been approved by the Department of Water Resources, that party has the burden of proof using the substantial evidence standard of review. Requires the court to, under certain circumstances, request that the groundwater sustainability agency provide a technical report.	04/22/2025: From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA AB 1467</b> (Hoover (R))	Residential Property Insurance: Tree Fire Risks		Exempts a residential property insurance policyholder from State and local laws, ordinances, fees, and fines associated with the removal of a tree if their insurer identifies the tree as a fire risk and the Department of Forestry and Fire Protection confirms that the tree is a fire risk.	03/13/2025: To ASSEMBLY Committee on INSURANCE.
<b>CA AB 1469</b> (Hart (D))	Disaster Preparedness: Public Water Systems		Makes nonsubstantive changes to provisions of the California Emergency Services Act relating to public water systems.	02/21/2025: INTRODUCED.
<b>CA AB 1480</b> (Valencia (D))	Local Government: County of Orange		Requires the local official in the County of Orange charged with the authority to execute decisions on the Orange County Investment Fund who is elected or appointed on or after the specified date to meet the same minimum qualifications of the Treasurer Tax Collector of the County of Orange.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA AB 1492</b> (Flora (R))	Elections: Vote by Mail Voters		Makes a nonsubstantive change to existing law which defines a vote by mail voter.	02/21/2025: INTRODUCED.
<b>CA AB 1499</b> (Essayli (R))	Vehicles: Accident Reports		Makes technical, nonsubstantive changes to existing law which requires the driver of a motor vehicle who is involved in an accident that results in damage to the property of a person in excess of a specified amount, or in death or bodily injury, to	02/21/2025: INTRODUCED.

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			report the accident to the Department of Motor Vehicles within a specified number of days after the accident.	
<b>CA ACA 1</b> (Valencia (D))	Public Finance		Relates to public finance. Changes the 1.5% required transfer to an undetermined percentage of the estimated amount of General Fund revenues for that fiscal year. Changes the 10% limit on the balance in the Budget Stabilization Account to 20% of the amount of the General Fund proceeds of taxes for the fiscal year estimate, as specified. Specifies that funds transferred under these provisions to the Budget Stabilization Account do not constitute appropriations subject to a specified appropriations limit.	12/02/2024: INTRODUCED.
<b>CA ACA 7</b> (Jackson (D))	Government Preferences		Limits government preferences prohibitions specified in Proposition 209 to the operation of public employment, higher education enrollment, and public contracting.	04/22/2025: From ASSEMBLY Committee on HIGHER EDUCATION: Be adopted and rerefer to Committee on JUDICIARY.
<b>CA ACR 36</b> (Wallis (R))	Special Districts Week	Support	Proclaims the week of May 18, 2025, to May 24, 2025, inclusive, to be Special Districts Week.	02/24/2025: To ASSEMBLY Committee on RULES.
<b>CA HR 10</b> (Bennett (D))	World Wetlands Day		Recognizes February 2, 2025, as World Wetlands Day.	02/06/2025: In ASSEMBLY. Read third time. Adopted by ASSEMBLY.
<b>CA SB 2</b> (Jones (R))	Low-Carbon Fuel Standard: Regulations		Voids specified amendments to the Low-Carbon Fuel Standard regulations adopted by the State Air Resources Board on the specified date, or as subsequently adopted.	03/19/2025: In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.
<b>CA SB 3</b> (Cervantes (D))	Elections: Signature Verification and Results		Provides that existing law requires an elections official, upon receiving a vote by mail ballot, to compare the signature on the identification envelope with either the signature appearing on the voter's affidavit or other signature appearing on a form that is part of the voter's registration record. Prohibits an elections official, when comparing signatures, from considering a voter's	04/29/2025: From SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Do pass to Committee on APPROPRIATIONS.

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			identifying information, including gender, name, and address, and the amount of time spent reviewing a signature.	
<b>CA SB 5</b> (Cabaldon (D))	Enhanced Infrastructure Financing Districts		Provides that existing law authorizes certain local agencies to form a Community Revitalization and Investment Authority to carry out a community revitalization plan and authorizes the plan to require a certain portion of specified taxes levied upon property within the area to be allocated to the authority to finance improvements. Excludes the taxes levied upon a parcel of land enrolled in or subject to a Williamson Act contract or a farmland security zone contract from such allocations.	04/24/2025: In SENATE. Read second time and amended. To third reading.
<b>CA SB 7</b> (McNerney (D))	Employment: Automated Decision Systems		Requires an employer, or a vendor engaged by the employer, to provide a written notice that an automated decision system, for the purpose of making employment related decisions, is in use at the workplace to all workers that will be directly or indirectly affected by the ADS. Requires the employer or vendor to maintain a list of all automated decision systems currently in use. Requires the notice to include the updated list.	04/29/2025: From SENATE Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 9</b> (Arreguin (D))	Accessory Dwelling Units: Owner Occupant Requirements		Prohibits a local agency from imposing an owner-occupant requirement or any additional standards, except as specified, when evaluating a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. Prohibits a local agency from imposing parking standards for an accessory dwelling unit, as specified, whether or not the local agency has adopted a local ordinance pursuant to these provisions.	04/28/2025: In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA SB 11</b> (Ashby (D))	Artificial Intelligence Technology		Provides that existing law creates a civil cause of action against any person who knowingly uses the name, voice, signature, photograph, or likeness of another person, without their consent, for specified purposes. Clarifies that, for purposes of this cause of action, a digital replication of a voice or likeness that a reasonable	04/29/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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			person would believe to be a genuine voice or likeness is deemed to be the voice or likeness of the person depicted.	
<b>CA SB 21</b> (Durazo (D))	Single Room Occupancy Units: Demolition and Replacement		Provides that the Housing Crisis Act of 2019 prohibits an affected city or an affected county from approving a housing development project that will require the demolition of occupied or vacant protected units, unless specified requirements are met. Permits, in the case of a rehabilitation or replacement of an existing single room occupancy building that meets prescribed criteria, an affected city or county to reduce the number of replacement units required if the project meets specified requirements.	04/29/2025: From SENATE Committee on HOUSING: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 31</b> (McNerney (D))	Water Quality: Recycled Water	Support	Provides that existing law prohibits the use of potable water for certain nonpotable uses. Provides that incidental amounts of spray, mist, or runoff are to be permitted to enter outdoor eating areas of parks and open spaces when irrigated with disinfected tertiary treated recycled water that complies with a specified regulation regarding irrigation. Provides that outdoor landscape irrigation of common areas operated by a homeowners association is not to be considered a dual plumbed system.	04/21/2025: In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.
<b>CA SB 39</b> (Weber (D))	Cosmetic Safety: Vaginal or Vulvar Products		Provides that existing law prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains any of several specified intentionally added ingredients except under specified circumstances. Exempts vaginal or vulvar products from the prohibitions if specified conditions are met, including that a product has passed definitive third party placebo controlled double blind safety trials.	04/28/2025: To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b>CA SB 42</b> (Umberg (D))	Political Reform Act of 1974: Public Campaign Financing		Permits a public officer or candidate to expend or accept public funds for the purpose of seeking elective office unless the funds are earmarked by a State or local entity for education, transportation, or public safety. Requires candidates to abide by	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspend File.

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			specified expenditure limits and meet strict criteria to qualify for funds. Provides that existing law prohibits a foreign government or principal from making certain contributions and expenditures. Provides that a violation is a misdemeanor. Specifies fines.	
<b>CA SB 45</b> (Padilla (D))	Recycling: Beverage Containers: Tethered Plastic Caps		Requires, if a beverage is subject to the State Beverage Container Recycling and Litter Reduction Act and offered for sale in a plastic beverage container with a plastic cap, beverage manufacturers to ensure that the container has a cap that is tethered to the container. Exempts a refillable plastic beverage container and a beverage manufacturer that sold or transferred a specified number or fewer plastic beverage containers during the previous calendar year from certain provisions.	04/07/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 52</b> (Perez S (D))	Housing Rental Rates and Occupancy Levels: Algorithmic		Prohibits a person engaged in the business of providing a rental pricing algorithm that is used to set rental rates, lease terms, or occupancy rates for residential premises and that is not otherwise prohibited from using nonpublic competitor data pertaining to residential premises in the State. Authorizes the Attorney General to file a civil action for a violation. Authorizes a person who is harmed by a violation to file a civil action.	04/24/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA SB 72</b> (Caballero (D))	The California Water Plan: Long Term Supply Targets	Support	Provides that existing law requires the Department of Water Resources to update The California Water Plan. Requires the department to update the interim planning target for the specified year. Requires the target to consider the identified and future water needs for all beneficial uses, including, but not limited to, urban uses, agricultural uses, tribal uses, and the environment, and to ensure safe drinking water for all Californians.	04/28/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 73</b> (Cervantes (D))	California Environmental Quality Act: Exemptions		Exempts from the California Environmental Quality Act from its requirements certain residential, employment center, and mixed-use development projects meeting specified criteria, including that the project is located in a transit priority area and that the	01/29/2025: To SENATE Committees on ENVIRONMENTAL QUALITY and HOUSING.

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			project is undertaken and is consistent with a specific plan for which an environmental impact report has been certified.	
<b>CA SB 74</b> (Seyarto (R))	Office of Land Use and Climate Innovation		Requires the Office of Land Use and Climate Innovation to establish the Infrastructure Gap Fund Program to provide grants to local agencies for the development and construction of infrastructure projects facing unforeseen costs after starting construction. Authorizes the office to provide funding for up to a specified percent of a project's additional projected cost after the project has started construction, subject to specified conditions. Relates to the allocation of existing local tax revenue.	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 77</b> (Grove (R))	State Vehicle Fleet: Zero-Emission Vehicles		Requires the Department of General Services to require a supplier of light duty vehicles purchased for the State vehicle fleet to certify that the raw materials used in the manufacturing of the light duty vehicles, including, but not limited to, aluminum, cobalt and lithium, come from mining operations that are free of child labor, with certain exceptions. Requires the supplier to provide to the department the locations where the raw materials used in the production of the light duty vehicles were mined.	04/07/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 79</b> (Wiener (D))	Local Government Land: Public Transit Use: Housing		Relates to the Housing Accountability Act. Requires that a housing development project, proposed within a specified distance of a transit oriented development stop, be an allowed use on any site zoned for residential, mixed, commercial, or light industrial development, if the development complies with certain requirements. Specifies that the project is required to comply with certain affordability requirements. Requires a proposed development to comply with specified requirements relating to demolition.	04/23/2025: In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA SB 88</b> (Caballero (D))	Air Resources: Carbon Emissions: Biomass		Requires the Air Resources Board to assess the suitability of developing a carbon credit or offset protocol for beneficial carbon removal products, including, but not limited to, biochar that are	04/22/2025: From SENATE Committee on NATURAL RESOURCES AND WATER: Do

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			generated from agricultural or forest biomass resources for inclusion in the State Board's compliance offset program. Requires the Department of Forestry and Fire Protection to require all State funded forest health projects to include an appropriate forest biomass resource disposal component with certain methods.	pass to Committee on APPROPRIATIONS.
<b>CA SB 89</b> (Weber (D))	Glyphosate: Prohibition on Sale		Prohibits, on and after the specified date, the sale of a product that contains glyphosate in the State, except to a person or business that holds a valid license or certificate issued by the Department of Pesticide Regulation. Requires the department to levy a specified civil penalty for each violation of this prohibition.	03/05/2025: Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and AGRICULTURE.
<b>CA SB 90</b> (Seyarto (R))	Safe Drinking Water		Provides that the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 authorized the issuance of bonds to finance projects for, among other things, safe drinking water, drought, flood, and water resilience, and wildfire and forest resilience. Includes in the list of eligible projects, among other things, grants for improvements to public evacuation routes in very high and high fire hazard severity zones, and mobile rigid dip tanks to support firefighting efforts.	04/22/2025: From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 92</b> (Blakespear (D))	Housing Development: Density Bonuses: Mixed Use		Provides that the Density Bonus Law requires a city or county to provide a developer that proposes a housing development within the city or county with a density bonus and other incentives or concessions, if the developer agrees to construct specified percentages of units for lower income households or very low income households. Defines mixed used developments to mean mixed used developments consisting of residential and nonresidential uses that meet specified conditions.	04/23/2025: In SENATE Committee on LOCAL GOVERNMENT: Not heard.
<b>CA SB 222</b> (Wiener (D))	Climate Disasters: Civil Actions		Provides that if a person suffers bodily harm or a loss of their property because of the unlawful act or omission of another, existing law authorizes them to recover compensation from the	04/08/2025: In SENATE Committee on JUDICIARY: Reconsideration granted.

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			person at fault, which is known as damages. Authorizes a person who suffered physical harm to their person or property totaling at least a specified amount to bring a civil action against a party responsible for a climate disaster or to recover damages, restitution, specified costs, and other appropriate relief.	
<b>CA SB 224</b> (Hurtado (D))	Department of Water Resources: Water Supply Forecasting		Provides that existing law requires the Department of Water Resources to update every specified number of years the State Water Plan. Requires the department to adopt a new water supply forecasting model and procedures that better address the effects of climate change and implement a formal policy and procedures for documenting the department's operational plans and the department's rationale for its operating procedures, including the department's rationale for water releases from reservoirs.	04/07/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 231</b> (Seyarto (R))	California Environmental Quality Act		Requires the Office of Land Use and Climate Innovation to consult with regional, local, State, and federal agencies to develop a technical advisory on thresholds of significance for greenhouse gas and noise pollution effects on the environment to assist local agencies. Requires the technical advisory to provide suggested thresholds of significance for all areas of the State.	04/07/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 232</b> (Seyarto (R))	California Environmental Quality Act: Guidelines: Study		Requires the Office of Land Use and Climate Innovation to conduct a study to, among other things, evaluate how locked in guidelines could impact regulatory certainty for future project proponents, lead agencies, and stakeholders and assess how locked in guidelines could affect the speed and efficiency of the environmental review process pursuant to the California Environmental Quality Act. Defines locked in guidelines as CEQA guidelines that apply to the project throughout the environmental review process.	04/07/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 234</b> (Niello (R))	Wildfires: Workgroup: Toxic Heavy Metals		Requires the Department of Forestry and Fire Protection, the Office of Emergency Services, and the Department of Toxic	04/09/2025: In SENATE. Read second time and amended. Re-referred to

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			Substances Control to form a workgroup related to exposure of toxic heavy metals after a wildfire. Requires the workgroup to establish best practices and recommendations for wildfire impacted communities, first responders, and other personnel engaged in wildfire response and cleanup to avoid exposure to heavy metals after a wildfire, including outreach.	Committee on ENVIRONMENTAL QUALITY.
<b>CA SB 238</b> (Smallwood-Cueva (D))	Workplace Surveillance Tools		Requires an employer to annually provide a notice to the Department of Industrial Relations, in the Labor and Workforce Development Agency, of all the workplace surveillance tools the employer is using in the workplace. Requires the notice to include, among other information, the data that will be collected from workers and consumers and whether they will have the option of opting out of the collection of personal data.	04/29/2025: From SENATE Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 239</b> (Arreguin (D))	Open Meetings: Teleconferencing: Subsidiary Body		Provides that the Ralph M. Brown Act requires that all meetings of a legislative body be open and public and that all persons be permitted to attend and participate. Authorizes a subsidiary body to use alternative teleconferencing provisions and imposes requirements for notice, agenda, and public participation. Requires the subsidiary body to post the agenda at each physical meeting location designated by the subsidiary body.	04/07/2025: In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b>CA SB 247</b> (Smallwood-Cueva (D))	State Agency Contracts: Bid Preference: Equity Metrics		Relates to bid preferences and participation goals in public contracting for certain types of bidders. Relates to the Small Business Procurement and Contract Act and the State Disabled Veteran Business Enterprise Program. Requires an awarding department, defined to include a State agency or department, to provide a bid preference of a prescribed percentage in the award of contracts to contractors that set equity metrics.	04/22/2025: From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 252</b> (Valladares (R))	Environmental Quality Act: Exemption: Powerlines		Exempts from the provisions of CEQA a project to underground powerlines.	02/14/2025: To SENATE Committees on ENVIRONMENTAL QUALITY

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				and ENERGY, UTILITIES AND COMMUNICATIONS.
<b>CA SB 256</b> (Perez S (D))	Electricity: Electrical Infrastructure: Wildfire		Provides that existing law requires a local publicly owned electric utility or electrical cooperative to annually prepare a wildfire mitigation plan that includes a description of preventive strategies and programs to minimize the risk of its electrical lines and equipment causing catastrophic wildfires. Requires electrical corporations, electrical cooperatives, and local publicly owned electric utilities to include the consideration of low risk areas.	04/29/2025: From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 266</b> (Cervantes (D))	Elections: Language Accessibility		Requires the Secretary of State to determine the number of residents of voting age in each precinct who are members of a single language minority group and lack sufficient skills in English to vote without assistance and to post on the Secretary of State's website a list of languages used by single language minority groups that make up a specified percent or more of the voting age residents of a particular county or precinct.	04/29/2025: From SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 270</b> (Ochoa Bogh (R))	Recall Elections: Notice of Intention		Provides that existing law requires proponents of a recall to serve, file, and publish a copy of the notice of intention to recall the elective officer. Requires the proponents' signatures and the street numbers and street names of their residence to be redacted or otherwise excluded from the notice of intention before it is made available to the public.	04/22/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 273</b> (Grayson (D))	Surplus Land		Makes a nonsubstantive change to existing law which declares that surplus government land should be made available for affordable housing, including near transit stations, and for parks and recreation or open-space purposes.	02/14/2025: To SENATE Committee on RULES.
<b>CA SB 280</b> (Cervantes (D))	Political Reform Act of 1974		Provides that the Political Reform Act of 1974 prohibits the receipt, delivery, or attempted delivery of a contribution in the State Capitol, any State office building, or any office for which the State pays the majority of the rent other than a legislative	04/22/2025: In SENATE. Read second time. To third reading.

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			district office. Expands that prohibition to apply to local government office buildings and offices for which the State or a local government pays rent. Eliminates the exception for legislative district offices.	
<b>CA SB 283</b> (Laird (D))	Energy Storage Systems		Requires the Building Standards Commission and the Fire Marshal to review and consider the National Fire Protection Associations Standard for the Installation of Stationary Energy Storage Systems for incorporation into the Building Standards Code. Authorizes a State or local entity to approve the construction of an energy storage management system with over a certain number of kilowatt hours of storage capacity if it is located in a noncombustible, dedicated use building or is a remote outdoor installation.	04/21/2025: From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass to Committee on LOCAL GOVERNMENT.
<b>CA SB 285</b> (Becker (D))	Net Zero Greenhouse Gas Emissions Goal: Carbon Dioxide		Authorizes, for the purpose of meeting, or tracking progress against, any State requirement to achieve net zero emissions of greenhouse gases, only qualified carbon dioxide removal to be used to counterbalance the State's or an entity's greenhouse gas emissions. Requires qualified carbon dioxide removal used for those purposes to meet certain requirements.	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 288</b> (Seyarto (R))	Property Tax: Tax-Defaulted Property Sales: Sales		Prohibits a property or property interest from being offered for sale under the provisions described above unless at least one of several conditions are met, including that the property has been offered for sale under the provisions specified authorizing a sale to any person, or that the assessed value of the property is a specified amount or less.	02/19/2025: To SENATE Committee on REVENUE AND TAXATION.
<b>CA SB 292</b> (Cervantes (D))	Electricity: Wildfire Mitigation: Deenergization Events		Requires electrical corporations, local publicly owned electric utilities, and electrical cooperatives to work with persons from the access and functional needs population to develop and make publicly available a plan to support that population during deenergization events. Requires electrical corporations, local	04/29/2025: From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass as amended to Committee on APPROPRIATIONS.

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			publicly owned electric utilities, and electrical cooperatives, after each deenergization event, to prepare a report containing certain information related to the deenergization event.	
<b>CA SB 336</b> (Wiener (D))	Real Property Tax: Welfare Exemption: Moderate-Income		Provides a partial welfare exemption in the case of residential rental property used for low- and moderate-income households and makes the partial exemption equal to that percentage of the value of the property that is equal to the percentage that the number of units serving low- and moderate-income households represents of the total number of residential units, as provided.	02/19/2025: To SENATE Committee on REVENUE AND TAXATION.
<b>CA SB 348</b> (Hurtado (D))	State Air Resources Board: Low Carbon Fuel Standard		Requires the State Air Resources Board, when it revises, adopts, or establishes any policy, standard, rule, or regulation that would have a direct financial impact to drivers in the State, to consider the financial burden on drivers and to prepare a thorough analysis and evaluation of the financial impact of the proposed action to drivers to ensure full transparency.	04/02/2025: Re-referred to SENATE Committee on ENVIRONMENTAL QUALITY.
<b>CA SB 350</b> (Durazo (D))	Water Rate Assistance Program		Establishes the Water Rate Assistance Program and the Water Rate Assistance Fund to provide water affordability assistance, for both residential water and wastewater services, to low-income residential ratepayers. Requires the State Water Resources Control Board to take various actions in administering the fund, including, among other things, tracking and managing revenue in the fund separately from all other revenue. Makes the implementation of such provisions contingent upon an appropriation.	04/24/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA SB 352</b> (Reyes (D))	Disaster Preparedness		Provides that if a state of emergency is proclaimed, the Emergency Services Act authorizes an eligible private nonprofit organization to receive State assistance for distribution of supplies and other disaster or emergency assistance activities. Requires eligible area agencies on aging and independent living centers that provide transportation and evacuation services to individuals	04/22/2025: From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.

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			with access and functional needs during a state of emergency to be prioritized for the State assistance.	
<b>CA SB 358</b> (Becker (D))	Mitigation Fee Act: Mitigating Vehicular Traffic Impact		Relates to the Mitigation Fee Act concerning mitigating vehicular traffic impacts. Deletes the provision about adopting findings after a public hearing for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee and would, instead, require the rate for housing developments that satisfy those specified characteristics be at least 50% less than the rate for housing developments without all of those characteristics.	02/19/2025: To SENATE Committee on LOCAL GOVERNMENT.
<b>CA SB 366</b> (Smallwood-Cueva (D))	Employment: Artificial Intelligence		Requires the Department of General Services to contract with the University of California, Los Angeles Labor Center to conduct a study evaluating the impact of artificial intelligence on worker well being, job quality, job types, different populations, and State revenues. Requires the department, on or before the specified date, to submit a report of the findings of the study to the Legislature. Repeals these provisions upon submission of that report.	04/09/2025: In SENATE. Read second time and amended. Re-referred to Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
<b>CA SB 375</b> (Grove (R))	Wildfire prevention activities: Endangered Species Act		Authorizes a city, county, city and county, special district, or other local agency to submit to the Department of Fish and Wildlife a wildfire preparedness plan to conduct wildfire preparedness activities on land designated as a fire hazard severity zone that minimizes impacts to wildlife and habitat for candidate, threatened, and endangered species.	02/26/2025: To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.
<b>CA SB 377</b> (Grayson (D))	Biomethane Procurement Targets		Provides that existing law requires the Public Utilities Commission to ensure that the biomethane available for any procurement program is either delivered to the State through a dedicated pipeline, or through a common carrier pipeline and meets specified requirements related to the injection of the biomethane and specified environmental benefits. Adds the	04/07/2025: In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard.

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			displacement of conventional natural gas that results in a reduction in greenhouse gas emissions as one of the benefits.	
<b>CA SB 381</b> (Wahab (D))	Residential Rental Properties: Fees		Enacts the Fair Rental Act of 2025. Prohibits a landlord or their agent from charging certain fees, including, any fee that is not specified in the rental agreement, a processing fee, including a convenience fee or a check cashing fee, for the payment of rent or any other fees or deposits, or a fee for a tenant to own a household pet.	02/26/2025: To SENATE Committees on JUDICIARY and APPROPRIATIONS.
<b>CA SB 390</b> (Becker (D))	Community Facilities District: Inclusion or Annexation		Concerns annexation of territory. Specifies that for territory that is located within the regional shoreline of the County of San Mateo, the consent of a landowner is not required, if specified conditions are met.	02/26/2025: To SENATE Committee on LOCAL GOVERNMENT.
<b>CA SB 394</b> (Allen (D))	Water Theft: Fire Hydrants		Adds to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or diverting water, or causing water to be diverted, from a fire hydrant with knowledge of, or reason to believe, that the diversion or unauthorized connection existed at the time of use for nonfirefighting purposes or without authorization from the appropriate water system or fire department.	04/22/2025: In SENATE. Read second time. To third reading.
<b>CA SB 401</b> (Hurtado (D))	Political Reform Act of 1974: State Employees		Prohibits an employee of a State agency from owning or controlling a financial interest in any business entity that is subject to the regulatory authority of the agency. Authorizes the head of an agency to grant a waiver only upon a finding that ownership or control of the financial interest is otherwise consistent with the Political Reform Act of 1974 and that the employee will not make, participate in, or attempt to influence a governmental decision in which the employee has a financial interest.	04/02/2025: Re-referred to SENATE Committees on ELECTIONS AND CONSTITUTIONAL AMENDMENTS and LABOR, P. E. & R.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA SB 406</b> (Choi (R))	Elections: Ballot Submission Deadline		Requires a vote-by-mail ballot to be returned to the applicable elections official no later than the close of the polls on election day, except that it requires a vote-by-mail ballot cast by a military or overseas voter to be counted if it is postmarked on or before election day and received no later than 7 days after election day.	04/01/2025: In SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Heard, remains in Committee.
<b>CA SB 419</b> (Caballero (D))	Hydrogen Fuel		Provides an exemption from the taxes imposed by the Sales and Use Tax Law for the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, hydrogen fuel. Provides that an exemption created, herein, does not apply to local sales and use taxes or transactions and use taxes.	02/26/2025: To SENATE Committee on REVENUE AND TAXATION.
<b>CA SB 420</b> (Padilla (D))	Automated Decision Systems		Relates to the State AI Transparency Act and providers of generative artificial intelligence systems. Relates to regulating developers or deployers of a high risk automated decision system. Requires a developer or a deployer to perform an impact assessment on the high risk automated decision system before making it publicly available or deploying it. Authorizes the Attorney General or the Civil Rights Department to bring a specified civil action to enforce compliance.	04/22/2025: From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 425</b> (Rubio (D))	Bonds: Public Entities as Beneficiaries		Specifies that if a statute provides for a bond to be given to or in favor of a beneficiary that is a public entity in connection with the purchase, construction, expansion, improvement, or rehabilitation of any real or other tangible personal property, that bond is not effective unless the beneficiary agrees to make all payments to the principal, or to the surety if the surety agrees to complete the work upon the principal's default, and perform all necessary obligations under the contract for the work.	04/29/2025: In SENATE Committee on JUDICIARY: Not heard.
<b>CA SB 426</b> (Alvarado-Gil (R))	CA Environmental Quality Act: Defensible Space		Exempts from CEQA projects undertaken or approved by a public agency for purposes of maintaining defensible space to comply with the above requirements.	02/26/2025: To SENATE Committees on ENVIRONMENTAL QUALITY

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				and NATURAL RESOURCES AND WATER.
<b>CA SB 430</b> (Cabaldon (D))	State Government: Efficiency of Public Sector		States the intent of the Legislature to enact legislation that would lessen the time, effort, money, and programmatic expertise of local public sector workers in compliance with state reporting and permit processing, as specified.	02/26/2025: To SENATE Committee on RULES.
<b>CA SB 431</b> (Arreguin (D))	Assault and Battery: Public Utility Employees		Makes an assault or battery committed against an employee of a public utility or a worker engaged in essential infrastructure work, punishable by imprisonment in a county jail not exceeding one year, by a specified amount of fine, or by both that fine and imprisonment. Expands the scope of these crimes.	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 436</b> (Wahab (D))	Unlawful Detainer: Right to Redeem Tenancy		Prohibits a tenant from exercising the right of redemption in response to an unlawful detainer action more than once in any specified period. Prohibits a landlord from filing an unlawful detainer action if, before the filing of the action, the tenant redeems their tenancy by making their required rental payments.	04/29/2025: From SENATE Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 441</b> (Hurtado (D))	State Air Resources Board: Membership: Removal		Authorizes any member of the State Air Resources Board to be removed from office by the Legislature, by concurrent resolution adopted by a majority vote of all members elected to each house, for dereliction of duty or corruption or incompetency.	04/23/2025: In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.
<b>CA SB 446</b> (Hurtado (D))	Data Breaches: Customer Notification		Provides that existing law requires an individual or a business that conducts business in the State and that owns or licenses computerized data that includes personal information to disclose a breach of the security of the system following discovery or notification of the breach in the security of the data. Requires that disclosure to be made within a specified number of days. Authorizes an individual or business to delay the disclosure to accommodate the legitimate needs of law enforcement.	04/22/2025: In SENATE. Read second time. To third reading.

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<b>CA SB 454</b> (McNerney (D))	State Water Resources Control Board: PFAS Mitigation	Support	Creates the PFAS Mitigation Fund in the State Treasury. Authorizes certain moneys in the fund to be expended by the State Water Resources Control Board. Authorizes the board to establish accounts within the PFAS Mitigation Fund. Authorizes the board to expend moneys from the fund to provide assistance services to water suppliers and sewer system providers to cover or reduce the costs for water suppliers associated with treating drinking water to meet the applicable contaminant levels. Appropriates funds.	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspend File.
<b>CA SB 463</b> (Alvarado-Gil (R))	Drought Planning: Resiliency Measures		Provides that existing law requires small water suppliers and nontransient noncommunity water systems that are schools to implement specified drought resiliency measures, including, among other things, metering each service connection and monitoring for water loss due to leakages. Exempts a small water supplier or nontransient noncommunity water system from these metering and monitoring requirements, under certain conditions.	04/28/2025: In SENATE Committee on APPROPRIATIONS: Not heard.
<b>CA SB 465</b> (Padilla (D))	Governor's Office of Emergency Services: California		Requires the Office of Emergency Services to establish a statewide emergency alert system called California Alert. Requires the California Alert to utilize Wireless Emergency Alerts authorized by the Integrated Public Alert Warning System, the Federal Emergency Management Agency's national system for local alerting that provides authenticated emergency information to the public through mobile phones within a designate cell tower's coverage area. Requires the office to contract with a private vendor.	04/22/2025: From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 466</b> (Caballero (D))	Drinking Water: Hexavalent Chromium: Civil Liability		Prohibits a public water system from being held liable in any civil action related to hexavalent chromium in drinking water while implementing a State Water Resources Control Board approved hexavalent chromium maximum contaminant level (MCL) compliance plan, or during the period between when it has submitted a hexavalent chromium MCL compliance plan for	04/29/2025: From SENATE Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS.

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			approval to the State Board and action on the proposed compliance plan by the State Board is pending, with specified exceptions.	
<b>CA SB 469</b> (Smallwood-Cueva (D))	Department of Industrial Relations		Requires the Department of Industrial Relations to establish the California Public Infrastructure Task Force, composed of representatives of specified agencies to promote employment in public infrastructure projects for underrepresented communities and to provide compliance assistance to contractors and subcontractors in public infrastructure projects regarding their nondiscrimination obligations, as specified.	03/26/2025: In SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Not heard.
<b>CA SB 470</b> (Laird (D))	Bagley-Keene Open Meeting Act: Teleconferencing		Authorizes an additional, alternative set of provisions under which a state body may hold a meeting by teleconference subject to specified requirements, that at least one member of the state body is physically present at each teleconference location that a majority of the members of the state body are physically present at the same teleconference location and that members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet.	04/29/2025: In SENATE. Read second time. To third reading.
<b>CA SB 473</b> (Padilla (D))	Water Corporations: Demand Elasticity: Rates		Relates to rates for water service. Requires that any changes to rates or implementation of surcharges on the Public Utilities Commission to ensure errors in estimates of demand elasticity or sales do not result in material overcollections or undercollections of water corporations do not result in revenues above those approved by the commission.	04/28/2025: In SENATE Committee on APPROPRIATIONS: Not heard.
<b>CA SB 474</b> (Niello (R))	State Air Resources Board: Regulatory Authority		Revokes all authority of the State Air Resources Board to adopt, revise, or repeal regulations and would declare that any law granting authority to or requiring the state board to adopt, revise, or repeal regulations, or take an action that requires exercising regulatory authority, instead be read as only authorizing the state	02/26/2025: To SENATE Committee on ENVIRONMENTAL QUALITY.

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			board to provide advice and propose measures to the Legislature for statutory enactment.	
<b>CA SB 482</b> (Weber (D))	Roster of Public Officials: Local Government		Requires, no more than a specified number of days of each general election, the governing body of each city, county, or city and county, or their delegated local entity, to submit to the Secretary of State an updated list of local elected or appointed officials for publication in the roster of the State and local public officials of the State.	04/29/2025: From SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 488</b> (Limon (D))	Safety Element: Local Hazard mitigation Plan		Makes nonsubstantive changes in the provision that authorizes a city or county to adopt a local hazard mitigation plan to a Safety element.	02/26/2025: To SENATE Committee on RULES.
<b>CA SB 489</b> (Arreguin (D))	Local Agency Formation Commissions: Written Policies		Requires that each local agency formation commission establish specified written policies and procedures. Requires that the policies and procedures include any forms necessary for a complete application to the commission concerning a proposed change of organization or reorganization. Requires each commission to provide access to its policies and procedures to the public through its website. Revises the definition of development project for purposes of the Permit Streamlining Act.	04/29/2025: From SENATE Committee on HOUSING: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 495</b> (Allen (D))	Insurance		Requires, on or before the specified date, an admitted insurer in a group with written premiums in the prior year from specified lines of insurance totaling a specified amount to submit a report to the Insurance Commissioner on its reinsurance placement data and use of probabilistic catastrophic models for the previous year. Requires the report to include data from the latest available reinsurance treaty year.	04/29/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 496</b> (Hurtado (D))	Advanced Clean Fleets Regulation: Appeals	Support	Exempts from the Advanced Clean Fleets Regulation or any similar regulation vehicles reasonably anticipated to respond to emergency situations. Prohibits the Air Resources Board from	04/22/2025: From SENATE Committee on TRANSPORTATION:

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			requiring a State or local government fleet owner to provide documentation showing an executed zero emissions vehicle purchase agreement in order to count an internal combustion engine vehicle as a zero emissions vehicle purchase for purposes of postponing a zero emissions vehicle transition mandate in the Regulation.	Do pass to Committee on APPROPRIATIONS.
<b>CA SB 499</b> (Stern (D))	Residential Projects: Fees and Charges: Emergency		Relates to the Mitigation Fee Act. Provides that existing law authorizes a local agency to require the payment of mitigation fees or charges earlier if the agency determines that the fees or charges will be collected for certain public improvements or facilities related to providing fire, public safety, and emergency services to a residential development. Specifies that such improvements or facilities include parkland and recreational facilities when identified in the local agency's hazard mitigation plan.	04/02/2025: Re-referred to SENATE Committee on LOCAL GOVERNMENT.
<b>CA SB 501</b> (Allen (D))	Household Hazardous Waste Producer Responsibility Act		Creates a producer responsibility program for products containing household hazardous waste and requires a producer responsibility organization to ensure the safe and convenient collection and management of covered products at no cost to consumers or local governments. Defines covered product to mean a consumer product that is ignitable, toxic, corrosive, or reactive, or that meets other specified criteria, with certain exceptions. Requires the PRO to prepare an initial statewide needs assessment.	04/22/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 509</b> (Caballero (D))	Office of Emergency Services: Training		Requires the Office of Emergency Services, through the California Specialized Training Institute, to develop transnational repression recognition and response training, as specified.	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 512</b> (McGuire (D))	Office of Emergency Services: State Fire Assistance		Relates to the State Assistance for Fire Equipment Act and sales of firefighting apparatus or equipment to local agencies. Requires that no fewer than 100 days pass after providing notice to the local agencies before the office may sell to public agencies outside of California, the federal government, and Indian tribes.	04/10/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

## IRWD 2025 LEGISLATIVE MATRIX

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA SB 513</b> (Durazo (D))	Personnel Records		Provides that that personnel records relating to the employee's performance include education and training records and would require an employer who maintains education and training records to ensure those records include specified information.	04/22/2025: In SENATE. Read second time. To third reading.
<b>CA SB 514</b> (Cabaldon (D))	Wildfire Prevention: Assessment: Accreditation		Requires the State Department of Forestry and Fire Protection to create a standardized accreditation framework to accredit local governments, fire safe councils, and neighborhoods for following wildfire prevention practices. Requires the department to publish on its internet website specified information, including a list of all accredited entities.	04/28/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 521</b> (Gonzalez (D))	Public Employment: Disqualification		Provides that existing law disqualifies a public employee from any public employment for a specified number of years if the employee is convicted of any felony involving, among other things, accepting or giving a bribe. Expands that provision to include any felony involving a conflict of interest. Disqualifies a city manager or city attorney, including an individual acting under contract with the city for those services, who is convicted of any of the specified felonies from future equivalent employment.	04/24/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA SB 522</b> (Wahab (D))	Housing: Tenant Protections		Provides that the Tenant Protection Act of 2019 prohibits an owner of residential real property from terminating the tenancy of certain tenants without just cause. Excludes housing built to replace a previous housing unit that was subject to the Tenant Protection Act, was substantially damaged or destroyed by a disaster, and was issued a certificate of occupancy before that housing unit was substantially damaged or destroyed, from the exemption from the just cause requirements and rental increase limits.	04/10/2025: In SENATE. Read second time. To third reading.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA SB 526</b> (Menjivar (D))	South Coast Air Quality Management District		Requires the South Coast Air Quality Management District Board to update Rule 1157 to improve air quality and increase data collection. Requires the owner or operator of a covered facility, as defined, on or before specified date, to take specified actions, including maintaining fencing around the entire property fenceline that is a specified height and maintaining open storage piles no taller than 8 feet high, as provided, if the covered facility is within 500 feet of a sensitive receptor.	04/29/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA SB 532</b> (Dahle M (R))	Air Basins		States the intent of the Legislature to enact future legislation related to clean air basins.	03/05/2025: To SENATE Committee on RULES.
<b>CA SB 543</b> (McNerney (D))	Accessory Dwelling Units and Junior Accessory Dwelling		Provides that existing law requires a local agency to consider ministerially a permit application for an accessory dwelling unit or a junior accessory dwelling unit within a specified number of days. Requires, if a local agency has not adopted a junior accessory dwelling unit ordinance, that a permit application for a JADU to be considered pursuant to this ministerial approval provision. Requires a permitting agency to determine whether an application for an ADU or JADU is complete.	04/23/2025: In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA SB 547</b> (Padilla (D))	Commercial Property Insurance Cancellation		Extends a prohibition against cancellation or nonrenewal and its exceptions to a policy of commercial property insurance.	04/23/2025: From SENATE Committee on INSURANCE: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 556</b> (Hurtado (D))	Habitat Enhancement and Restoration: Floodplains		Relates to the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. Appropriates a specified amount to the Wildlife Conservation Board to support projects in the Counties of Kern, Kings, and Tulare for floodplain acquisition, habitat restoration, and associated conservation on floodplains.	04/28/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA SB 557</b> (Hurtado (D))	Sustainable Groundwater Management: Boundaries		Makes a nonsubstantive change in the Sustainable Groundwater Management Act relating to basin boundaries.	03/05/2025: To SENATE Committee on RULES.
<b>CA SB 590</b> (Durazo (D))	Paid Family Leave: Eligibility		Provides that existing law establishes a family temporary disability insurance program, also known as the Paid Family Leave Program. Expands eligibility for benefits under the Paid Family Leave Program to include individuals who take time off work to care for a seriously ill designated person. Defines designated person to mean any individual related by blood or whose association with the claimant is the equivalent of a family relationship. Appropriates funds.	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 593</b> (Hurtado (D))	Voltage Changes: Consumer Protection		Requires the Public Utilities Commission to require electrical corporations to adjust their consumer protections to better protect customers from significant voltage changes that can result in damage to customers' equipment and appliances if the commission determines adjustments to the consumer protections are necessary. Specifies the factors that the commission would be required to evaluate when determining whether to adjust the consumer protections.	04/21/2025: Re-referred to SENATE Committee on APPROPRIATIONS.
<b>CA SB 595</b> (Choi (R))	Local Government: Investments and Financial Reports		Provides that existing law, beginning on the specified date, authorizes local agencies, regardless of the amount of investment assets they have under management, to invest no more than a specified percent of their moneys in eligible commercial paper. Postpones the operative date for such provisions until the specified date.	04/09/2025: In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA SB 598</b> (Durazo (D))	Public Contracts: Local Water Infrastructure Projects		Authorizes a local agency, upon approval of its governing body, to use the Construction Manager/General Contractor method for a regional recycled water project or other water infrastructure project undertaken by the Metropolitan Water District of Southern	04/23/2025: From SENATE Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			California to alleviate water supply shortages attributable to drought or climate change.	
<b>CA SB 599</b> (Caballero (D))	Atmospheric Rivers: Research: Forecasting Methods	Support	Relates to the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency Program in the Department of Water Resources. Provides that existing law requires the department to operate reservoirs in a manner that improves flood protection. Requires, for certain novel forecasting methods, the department to include the use of experimental tools that produce seasonal and subseasonal atmospheric river forecasts.	04/24/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA SB 601</b> (Allen (D))	Water: Waste Discharge		Relates to the Cologne Water Quality Control Act. Provides that waste discharge requirements include requirements issued for discharges to nexus waters, and discharge includes discharges from any point source to nexus waters. Provides that for purposes of compliance with the Federal Water Pollution Control Act, nexus waters shall be treated as though they are navigable waters and navigable waters of the U.S. Requires a person to file a report for discharges to nexus waters. Appropriates funds.	04/29/2025: From SENATE Committee on JUDICIARY: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 607</b> (Wiener (D))	California Environmental Quality Act		Provides that the California Environmental Quality Act requires the Office of Land Use and Climate Innovation to prepare and develop proposed guidelines, and requires the guidelines to include certain criteria, including a finding that a project may have a significant effect on the environment if one or more specified conditions exist. Requires those criteria to require that finding if the lead agency determines, based upon substantial evidence, that one or more of those specified conditions exist.	04/23/2025: From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on LOCAL GOVERNMENT.
<b>CA SB 610</b> (Padilla (D))	Disaster Assistance: Tenants		Prohibits the management of a mobilehome park from, over the course of any specified period from the date on which any federal, State, or local state of emergency is first declared, increasing the	04/29/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			gross rental rate for a tenancy in a mobilehome park by more than a specified percent plus the percentage change in the Consumer Price Index, or a specified percent of the lowest gross rental rate charged for the tenancy during a certain period. Relates to offering the previous homeowner a right of first refusal.	
<b>CA SB 613</b> (Stern (D))	Methane Emissions: Petroleum and Natural Gas		Requires state agencies to prioritize strategies to reduce methane emissions, including emissions from imported petroleum and natural gas, where feasible and cost effective. Requires the State Air Resources Board, no later than December 31, 2026, to establish a certification standard for petroleum and natural gas producing low methane emissions.	04/29/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>CA SB 618</b> (Reyes (D))	Electricity: Deenergization Events: Reimbursement		Provides that existing law requires each electrical corporation to annually prepare a wildfire mitigation plan that includes protocols for deenergizing portions of the electrical distribution system. Requires each electrical corporation to automatically provide a reimbursement credit to all customers affected by a deenergization event in a specified amount for every 24 hours that a customer experiences a deenergization event. Prohibits the credit from being funded with ratepayer moneys.	04/29/2025: From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 620</b> (Stern (D))	Energy Utility Data		Requires the State Energy Resources Conservation and Development Commission to create the Data Access Governance Committee, with specified membership, and requires the committee to provide initial recommendations on prescribed topics to the Energy Commission and the Public Utilities Commission. Authorizes the Energy Commission to work with certain gas corporations, electrical corporations, and local publicly owned utilities to enact cost effective energy utility data programs.	04/29/2025: In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard.
<b>CA SB 621</b> (Grove (R))	Voter Registration: Military and Overseas Voters		Provides that existing law provides that otherwise qualified military and overseas voters and voters with disabilities may complete a conditional voter registration and cast a provisional	04/29/2025: From SENATE Committee on ELECTIONS AND CONSTITUTIONAL

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			ballot or nonprovisional ballot. Provides that existing law permits a military or overseas voter to register after the closing date of registration, under certain conditions. Relates to the inclusion of military and overseas voters in the general conditional voter registration process.	AMENDMENTS: Do pass. To Consent Calendar.
<b>CA SB 625</b> (Wahab (D))	Housing Developments: Disasters: Reconstruction		Relates to the Planning and Zoning Law. Requires a local agency to expedite the review and approval of a nondiscretionary permit related to a housing development subject to a streamlined, ministerial approval process. Provides that an ordinance that precludes specified placements and uses of manufactured homes, mobilehomes, or recreational vehicles for use during the reconstruction or repair of any home damaged or destroyed in a disaster is unenforceable for a specified period following a disaster.	04/29/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 627</b> (McGuire (D))	Planning and Zoning: Housing: Postentitlement Phase		Deletes a provision for the applicant to appeal a decision to the director of the local agency, as specified, and, instead, would require a local agency to provide a process for the applicant to appeal that decision in writing to the governing body of the agency only.	04/29/2025: From SENATE Committee on HOUSING: Do pass to Consent Calendar.
<b>CA SB 629</b> (Durazo (D))	Wildfires: Fire Hazard Severity Zones: Defensible Space		Relates to fire hazard severity zones. Requires the factors on which the fire severity zones are based to include areas within the perimeter of a wildfire that burned a specified number or more acres, destroyed more than a specified number of structures, or resulted in a fatality, and to include areas at risk for an urban conflagration that accounts for the potential for structures to serve as a fuel source that extends the ember cast outside of wildland areas.	04/22/2025: From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on LOCAL GOVERNMENT.
<b>CA SB 636</b> (Menjivar (D))	Electrical or Gas Corporations: Deferment of Payments		Prohibits an electrical or gas corporation from disconnecting service of a customer for a specified number of months, if the customer meets certain requirements. Requires, upon the	04/28/2025: In SENATE Committee on APPROPRIATIONS: To Suspend File.

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			expiration of the deferment period, the customer to enroll in the electrical or gas corporation's arrearage management program or be enrolled in an available payment plan for which the customer is eligible, if the customer is not eligible for the arrearage management plan, for any and all debts on the customer's account.	
<b>CA SB 644</b> (Blakespear (D))	Political Reform Act of 1974: Contribution Limits		Relates to contribution limits under the Political Reform Act of 1974. Applies that contribution limit and certain provisions to candidates for judicial, school district, and community college district office. Authorize the Judicial Council, school districts, and community college districts to impose more restrictive contribution limits on candidates for judicial, school district, and community college district office. Provides that any person who willfully violates the Act is guilty of a misdemeanor.	04/29/2025: From SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Do pass to Committee on EDUCATION.
<b>CA SB 647</b> (Hurtado (D))	Low Income Energy Assistance Programs		Requires the Public Utilities Commission to ensure that all eligible low to moderate income electricity and gas customers are given the opportunity to participate in low to moderate income energy efficiency programs. Requires the Low Income Oversight Board to advise the PUC on low to moderate income electric, gas, and water customer issues. Requires the Energy Savings Assistance Program to serve households of low to moderate income instead of low income households.	04/29/2025: From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass as amended to Committee on APPROPRIATIONS.
<b>CA SB 650</b> (Cabaldon (D))	The Sacramento-San Joaquin Delta Reform Act of 2009		Relates to the Sacramento-San Joaquin Delta Reform Act of 2009. Provides certain deadlines for legal actions arising out of specified actions of the Delta Stewardship Council. Adds State and local public agencies to the entities authorized to appeal a certification of consistency. Makes the provisions of the Delta Plan severable.	04/29/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 653</b> (Cortese (D))	Wildfire Prevention: Environmentally Sensitive		Provides that the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act made a specified	04/22/2025: From SENATE Committee on NATURAL

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			amount available for forest health and watershed improvement projects in forests and other habitats that may include, among other things, environmentally sensitive vegetation management. Requires relevant State agencies, when funding an environmentally sensitive vegetation management project, to prioritize projects that use specified practices, including integrated pest management.	RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 655</b> (Stern (D))	Residential Building Standards: Indoor Temperature		Requires the State Building Standards Commission and the Department of Housing and Community Development to each submit a report to the Legislature that includes specified standards, including standards to achieve a maximum safe indoor air temperature for newly constructed residential dwelling units. States the intent of the Legislature to enact legislation relating to the consideration by State agencies and departments of a State policy on a safe maximum indoor temperature in all residential dwellings.	04/29/2025: From SENATE Committee on HOUSING: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 662</b> (Alvarado-Gil (R))	Wildfires: Defensible Space: Education Efforts		Extends a statewide program to allow qualifying entities to support and augment the Department of Forestry and Fire Protection in its defensible space and home hardening assessment and education efforts and requires the director to establish a common reporting platform that allows defensible space and home hardening assessment data, collected by qualifying entities, to be reported to the department, among other things until a specified date.	04/21/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 677</b> (Wiener (D))	Housing Development: Streamlined Approvals		Provides that existing law specifies that proposed housing developments and urban lot splits considered ministerially may be required to obtain a coastal development permit. Specifies that certain provisions do not relieve a proposed housing development's or urban lot split's requirement to obtain a coastal development permit if the activity would take place in the coastal zone. Expresses the intent of the Legislature to increase the	04/22/2025: In SENATE Committee on HOUSING: Reconsideration granted.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			supply of housing in the coastal zone while protecting coastal resources.	
<b>CA SB 678</b> (Niello (R))	Fire Prevention Activities: Challenges: Undertaking		Provides that, in a civil action brought to challenge a project that will engage in fire prevention activities, including those brought pursuant to the California Environmental Quality Act, a defendant may seek an order requiring the plaintiff to furnish an undertaking as security for costs and damages that may be incurred by the defendant if the bringing of the action or seeking by the plaintiff of particular relief, including injunctive relief, would result in preventing or delaying the project.	04/22/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 682</b> (Allen (D))	Environmental Health: Product Safety: Perfluoroalkyl	Support	Prohibits a person from distributing, selling, or offering for sale any other product that contains intentionally added PFAS unless the Department of Toxic Substances Control has determined that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used. Authorizes a person who submits information to the department to request that the department treat that information as confidential.	04/22/2025: In SENATE. Read second time and amended. Re-referred to Committee on HEALTH.
<b>CA SB 688</b> (Niello (R))	Office of Regulatory Counsel		Establishes the Office of Regulatory Counsel in State government within the Governor's office, under the direction and control of a director. Requires the office to draft and assist in the preparation, consideration, amendment, and repeal of regulations for a State agency, before the State agency submits a proposed action regarding that regulation to the Office of Administrative Law for publication in the State Regulatory Notice Register. Makes related legislative findings and declarations.	04/07/2025: In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>CA SB 693</b> (Cortese (D))	Employees: Meal Periods		Creates an exception from the prohibition against an employer from employing an employee for a work period of more than 5 hours per day without providing the employee with a meal period	03/05/2025: To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.

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			of not less than 30 minutes, for employees of a water corporation, as defined.	
<b>CA SB 697</b> (Laird (D))	Determination of Water Rights: Stream System		Revises provisions of the State Water Resources Control Board to hold proceedings to determine all rights to water of a stream system regarding the board's statutory adjudication of water rights during an investigation of a stream system to, among other things, require representatives of the board to investigate in detail the use of water with the authority, but no requirement, to conduct a field investigation.	04/22/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 707</b> (Durazo (D))	Open Meetings: Meeting and Teleconference Requirements		Provides that the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public. Provides that existing law authorizes a court to order a legislative body, upon a judgment of a violation of specified closed session provisions, to audio record closed sessions and preserve the recordings for a certain period and under certain terms. Expands the violations for specified closed sessions to include a violation of any provision under the act authorizing a closed session.	04/22/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 714</b> (Archuleta (D))	Zero-Emission Vehicles: Clean Energy Workforce Training		States the intent of the Legislature to enact legislation that would establish a zero-emission vehicle workforce development pilot project and a Clean Energy Workforce Training Council.	03/12/2025: To SENATE Committee on RULES.
<b>CA SB 715</b> (Allen (D))	Regional Housing Need: Methodology: Distribution		Provides that the Planning and Zoning Law requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region and requires the appropriate council of governments to adopt a final regional housing need plan. Provides for a proposed distribution methodology. Requires the draft methodology to allocate some or all of the housing need resulting from units lost during a state of emergency that was declared by the Governor.	04/29/2025: From SENATE Committee on HOUSING: Do pass as amended to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA SB 724</b> (Richardson (D))	Public Water Systems: Public Housing: Lead Testing		Requires a public water system, including community water systems and noncommunity water systems, that provides service to residents of public housing owned or managed by a city, county, city and county, or city, county, or city and county housing authority, to provide information to those residents regarding any applicable existing program that offers free testing of the water for lead.	03/12/2025: To SENATE Committee on ENVIRONMENTAL QUALITY.
<b>CA SB 730</b> (Hurtado (D))	Product Safety: Consumer Products: Perfluoroalkyl		Prohibits, beginning on the specified date, a person from distributing, selling, or offering for sale artificial turf, carpets or rugs, cleaning products, cookware, dental floss, fabric treatments, or upholstered furniture that contain intentionally added PFAS. Authorizes the Department of Toxic Substances Control to adopt regulations to designate additional consumer product categories to prohibit the distribution, selling, or offering for sale of consumer products containing intentionally added PFAS.	04/02/2025: Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and HEALTH.
<b>CA SB 732</b> (Ochoa Bogh (R))	Emergency Backup Generators: Critical Facilities		Requires an air district without a specified rule on emergency backup generators, as defined, as of January 1, 2026, that adopts such a rule to include in the rule provisions that allow the operator of a critical facility, as defined, to use a permitted emergency backup generator in exceedance of the applicable runtime and testing and maintenance limits if specified conditions are met.	03/12/2025: To SENATE Committee on ENVIRONMENTAL QUALITY.
<b>CA SB 740</b> (Rubio (D))	Municipal Wastewater Agency: New Agreement		Extends a filing agreement or amendment on a municipal wastewater agency, if the agency enters into a new agreement or amends an agreement pursuant to specified provisions, timeline to specified number of days.	04/02/2025: From SENATE Committee on LOCAL GOVERNMENT: Do pass to Committee on ENVIRONMENTAL QUALITY.
<b>CA SB 741</b> (Blakespear (D))	Coastal Resources: Coastal Development Permit		Relates to the California Coastal Act of 1976. Provides that existing law exempts from the coastal development permitting process certain emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore existing highways. Expands that exemption to include certain	04/22/2025: From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.

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			emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore existing railroad track along the Los Angeles-San Diego-San Luis Obispo Rail Corridor.	
<b>CA SB 742</b> (Padilla (D))	Water Systems and Water Districts		States the intent of the Legislature to enact subsequent legislation related to the regulation of water systems and water districts.	03/12/2025: To SENATE Committee on RULES.
<b>CA SB 746</b> (Alvarado-Gil (R))	Water: Urban Water Community Drought Relief Program		Establishes in the Department of Water Resources the Urban Water Community Drought Relief Program and the Small Community Drought Relief Program to provide grants for interim or immediate drought relief. Provides that these programs would authorize funding for benefits in addition to drought relief, including, among other projects, projects that reduce the risk of wildfire for entire neighborhoods and communities through water delivery system improvements for fire suppression purposes.	04/22/2025: From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 755</b> (Blakespear (D))	California Contractor Climate Transparency Act		Enacts the State Contractor Climate Transparency Act. Requires the State Air Resources Board, beginning on the specified date, a large contractor, and a significant contractor to report annually specified information, including, for large contractors, an annual disclosure of scope 1 emissions, scope 2 emissions, scope 3 emissions, and climate related financial risk, and for significant contractors, an annual disclosure of scope 1 emissions and scope 2 emissions.	04/02/2025: Re-referred to SENATE Committee on ENVIRONMENTAL QUALITY.
<b>CA SB 757</b> (Richardson (D))	Local Government: Nuisance Abatement		Provides that existing law authorizes the legislative body of a city or county to establish a procedure to use a nuisance abatement lien or a special assessment to collect abatement costs and related administrative costs. Authorizes, until the specified date, the legislative body of a city or county to also collect fines for specified violations related to the nuisance abatement using a nuisance abatement lien or a special assessment.	04/07/2025: In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b>CA SB 760</b> (Allen (D))	Behested Payments: Public Appeal for Payment		Relates to the Political Reform Act of 1974. Exempts a behesting officer or member of the Public Utilities Commission from	04/29/2025: From SENATE Committee on ELECTIONS AND

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			certain reporting obligations if they make a public appeal for payment, unless it is reasonably foreseeable that the payment will have a material financial effect, distinguishable from its effect on the public generally, on the officer or member of the Public Utilities Commission, or a member of their immediate family.	CONSTITUTIONAL AMENDMENTS: Do pass.
<b>CA SB 768</b> (Durazo (D))	Courts: Data Reporting		Requires courts to provide the Judicial Council each month with information regarding unlawful detainer cases aggregated by zip Code. Requires the Judicial Council to make that information publicly available online every specified months. Relates to the Sargent Shriver Civil Counsel Act, that requires legal counsel to be appointed to represent low-income parties in civil matters involving critical issues affecting basic human needs in courts selected by the Judicial Council.	04/22/2025: From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 782</b> (Padilla (D))	Enhanced Infrastructure Financing District: Climate		Provides that existing law authorizes a city, county, or special district to form a climate resilience district for the purposes of raising and allocating funding for eligible projects. Authorizes a city or county to adopt a resolution providing for the division of taxes of any participating entity. Requires the resolution to include specified information, including incremental property tax revenue that may be used to finance the district's activities.	04/02/2025: Re-referred to SENATE Committee on LOCAL GOVERNMENT.
<b>CA SB 795</b> (Richardson (D))	30x30 Goal: State Agencies: Plans		Relates to Executive Order No. N-82-20. Requires all state agencies, including their departments, boards, offices, commissions, and conservancies, to consider the 30x30 goal when adopting, revising, or establishing plans, policies, or regulations, and shall ensure, to the extent feasible, that the plan, policy, or regulation is not inconsistent with the 30x30 goal.	03/12/2025: To SENATE Committees on GOVERNMENTAL ORGANIZATION and NATURAL RESOURCES AND WATER.
<b>CA SB 809</b> (Durazo (D))	Employees and Independent Contractors: Construction		Establishes the Construction Trucking Employer Amnesty Program. Provides that an eligible construction contractor would be relieved of liability associated with the misclassification of construction drivers as independent contractors if the contractor executes a settlement agreement with the Labor Commissioner to	04/24/2025: In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			properly classify all drivers performing construction work. Requires the settlement agreement to contain an agreement by the construction contractor to pay all wages, benefits, and taxes owed.	
<b>CA SB 810</b> (Dahle M (R))	Electricity: Ratepayer-Funded Programs: Reports		Requires the Energy Commission and the PUC, by July 1, 2025, to each submit to the Legislature a report containing certain information required by Executive Order No. N-5-24.	03/12/2025: To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
<b>CA SB 815</b> (Allen (D))	Planning and Zoning: Very High Fire Hazard Areas		Requires a city or county that contains residential structures in a very high fire hazard area, upon each revision of a housing element of a general plan on or after the specified date, to amend the land use element of its general plan to consider, among other things, the goals contained in the most recent Strategic Fire Plan for the State prepared by the Department of Forestry and Fire Protection.	04/24/2025: In SENATE. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>CA SB 817</b> (Choi (R))	Political Reform Act of 1974		Declares the intent of the Legislature to enact future legislation relating to the Political Reform Act of 1974.	03/12/2025: To SENATE Committee on RULES.
<b>CA SB 827</b> (Gonzalez (D))	Local Agency Officials: Training		Provides that existing law imposes ethics training on specified local agency officials. Expands which local agency officials are required to complete the ethics training to include any managerial level employee with responsibility over the agency's finances and requires officials who commence service on or after the specified date to receive their initial training within a specified number of months of commencing service. Requires the local agency to publish the training records on its website.	04/02/2025: Re-referred to SENATE Committee on LOCAL GOVERNMENT.
<b>CA SB 831</b> (Limon (D))	Geologic Hazards: California Geological Survey		Expands the duties of the Department of Conservation to review and investigate geologic hazards to specifically include geologic hazards that may occur in relation to climate change and make other related changes.	04/22/2025: In SENATE. Read second time. To third reading.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA SB 833</b> (McNerney (D))	Critical Infrastructure: Automated Decision Systems		Requires an operator, defined as a State agency in charge of critical infrastructure, that deploys artificial intelligence to establish a human oversight mechanism to monitor the system's operations in real time and review and approve any plan or action proposed by the artificial intelligence system before execution, with specified exceptions. Requires the Department of Technology to administer specialized training in artificial intelligence safety protocols and risk management techniques.	04/22/2025: From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
<b>CA SB 838</b> (Durazo (D))	Housing Accountability Act: Housing Development Project		Provides that the Housing Accountability Act prohibits a local agency from disapproving a housing development project for very low, low, or moderate income households unless the agency makes certain findings. Revises the definition of housing development project to, in the case of mixed use developments with at least a specified fraction of the new or converted square footage designated for residential use, require that no portion of the project be designated for use as transient lodging, with exceptions.	04/22/2025: From SENATE Committee on HOUSING: Do pass to Committee on LOCAL GOVERNMENT.
<b>CA SB 842</b> (Stern (D))	Energy: Firm Zero Carbon Resources		Requires the State Energy Resources Conservation and Development Commission to identify programs it administers that provide, or could provide, financial support to deploy firm zero carbon resources, mechanisms to use uncommitted or new authorized funds in a manner that maximizes system and local reliability benefits and affordability outcomes, and the expected scope of energy resources that could be deployed based on current and expected funding availability.	04/02/2025: Re-referred to SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
<b>CA SCR 3</b> (Laird (D))	Safe Drinking Water Act: 50th Anniversary		Commemorates the 50th anniversary of the Safe Drinking Water Act, celebrates the achievements and progress made under this essential law, and expresses its commitment to the continued protection and improvement of California's drinking water resources.	02/06/2025: In SENATE. Read third time. Adopted by SENATE. *****To ASSEMBLY.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>CA AB 13 a</b> (Gonzalez Je (R))	California Global Warming Solutions Act of 2006		Requires the State Air Resources Board to include greenhouse gas emissions from wildlands and forest fires in its scoping plan.	01/30/2025: INTRODUCED.
<b>US H 231</b> (Hageman (R))	Energy and Water Development and Related Agencies		Amends the Energy and Water Development and Related Agencies Appropriations Act, to reauthorize the Colorado River System conservation pilot program.	02/12/2025: In HOUSE Committee on NATURAL RESOURCES: Ordered to be reported as amended.
<b>US H 331</b> (Fulcher (R))	Aquifer Recharge Flexibility Clarification Act		Amends the Aquifer Recharge Flexibility Act to clarify a provision relating to conveyances for aquifer recharge purposes.	04/17/2025: In HOUSE. Placed on HOUSE Union Calendar.
<b>US H 337</b> (Costa (D))	Groundwater Recharge and Water Supply Support Act		Provides technical and financial assistance for groundwater recharge, aquifer storage, and water source substitution projects.	01/13/2025: To HOUSE Committee on NATURAL RESOURCES.
<b>US H 338</b> (Costa (D))	Enhanced Surface and Groundwater Storage Act		Amends the Infrastructure Investment and Jobs Act to increase surface water and groundwater storage.	01/13/2025: To HOUSE Committee on NATURAL RESOURCES.
<b>US H 471</b> (Westerman (R))	Fix Our Forests Act		Expedites the National Environmental Policy Act of 1969; improves forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire prone forested lands, and for other purposes.	01/23/2025: In HOUSE. Passed HOUSE. *****To SENATE.
<b>US H 1267</b> (Perez (D))	CERCLA Liability Exemption for PFAS Releases		Exempts certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances.	02/12/2025: To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

## IRWD 2025 LEGISLATIVE MATRIX

Updated: April 30, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>US H 2093</b> (Calvert (R))	Federal Water Pollution Control Act		Amends the Federal Water Pollution Control Act with respect to permitting terms.	03/14/2025: To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
<b>US H 2269</b> (McClain (R))	Labeling of Products With Do Not Flush Warning	Support	Requires certain products to be labeled with "Do Not Flush" labeling.	03/21/2025: To HOUSE Committee on ENERGY AND COMMERCE.
<b>US H 2344</b> (Schakowsky (D))	Drinking Water and Wastewater Threat Preparedness		Establishes a program to increase drinking water and wastewater system threat preparedness and resilience.	03/25/2025: To HOUSE Committee on ENERGY AND COMMERCE.
<b>US H 2940</b> (LaHood D (R))	Internal Revenue Code		Amends the Internal Revenue Code of 1986 to allow an investment credit for certain water reuse projects.	04/17/2025: To HOUSE Committee on WAYS AND MEANS.
<b>US HJR 18</b> (Palmer (R))	National Primary Drinking Water Regulations		Provides for congressional disapproval under a specified chapter and title, United States Code, of the rule submitted by the Environmental Protection Agency relating to "National Primary Drinking Water Regulations for Lead and Copper: Improvements (LCRI)".	01/13/2025: To HOUSE Committee on ENERGY AND COMMERCE.
<b>US S 322</b> (Padilla (D))	Forecasts of Atmospheric Rivers		Improves the lead time, accuracy, and dissemination of forecasts of atmospheric rivers throughout the United States.	01/29/2025: To SENATE Committee on COMMERCE, SCIENCE, AND TRANSPORTATION.
<b>US S 1092</b> (Merkley (D))	Labeling of Products With Do Not Flush Warning	Support	Requires certain products to be labeled with Do Not Flush labeling.	03/24/2025: To SENATE Committee on COMMERCE, SCIENCE, AND TRANSPORTATION.
<b>US S 1118</b> (Markey (D))	Drinking Water and Wastewater Threat Preparedness		Establishes a program to increase drinking water and wastewater system threat preparedness and resilience.	03/25/2025: To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

**IRWD 2025 LEGISLATIVE MATRIX**  
**Updated:** *April 30, 2025*

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
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May 12, 2025

Prepared by: M. Lu / F. Sanchez

Submitted by: K. Burton / P. Weghorst

Approved by: Paul A. Cook



## CONSENT CALENDAR

### SYPHON RESERVOIR INTERSECTION AND ACCESS ROAD IMPROVEMENTS FINAL ACCEPTANCE AND APPROVAL OF ADDENDUM NO. 2 TO THE FINAL ENVIRONMENTAL IMPACT REPORT

#### SUMMARY:

The Syphon Reservoir Improvement Project Portola Parkway and Sand Canyon Avenue Intersection and Access Road Improvements project is complete. The contractor, Excel Paving Company, completed the required work and all punch list items, and the project has received final inspection. Staff continues to work on securing the permits for the Syphon Reservoir Improvement Project, including an Incidental Take Permit for Crotch's bumble bee. Crotch's bumble bee became a candidate for listing under the California Endangered Species Act (CESA) following the July 2021 certification of the Final Environmental Impact Report (FEIR) for the project. Addendum No. 2 to the FEIR has been prepared to describe and evaluate the potential environmental effects associated with the change in listing status of Crotch's bumble bee. Staff recommends that the Board:

- Accept construction of the Syphon Reservoir Improvement Project Portola Parkway and Sand Canyon Avenue Intersection and Access Road Improvements project, and
- Approve Addendum No. 2 to the FEIR, including the determinations set forth in the addendum and authorize staff to post and file a Notice of Determination.

#### BACKGROUND:

Syphon Reservoir is located east of Portola Parkway, between Bee Canyon Access Road and State Route 133. The proposed Syphon Reservoir Improvement Project will increase IRWD's seasonal recycled water storage capacity by approximately 4,500 acre-feet (AF). In anticipation for the Syphon Reservoir Improvement Project, staff identified the need to improve access to the existing reservoir site. Access to the existing reservoir site is currently through the Crean Lutheran High School Athletic Complex parking area. This existing access is not suitable for the anticipated construction traffic for the Syphon Reservoir Improvement Project. In addition, the existing Highline Canal Maintenance Road is not conducive to accommodating the anticipated traffic during construction of the Syphon Reservoir Improvement Project. As a result, this Syphon Reservoir Improvement Project Portola Parkway and Sand Canyon Avenue Intersection and Access Road Improvements project was proposed to construct a new access road along the alignment of the existing Highline Canal Road from the intersection of Portola Parkway and Sand Canyon Avenue to Syphon Reservoir.

Staff completed the design in July 2023, and Excel was awarded the construction contract in September 2023. Excel completed construction of all improvements on May 1, 2025. The project extended beyond the original construction duration largely due to procurement time for the new traffic signal poles, and recent wildfire events, which impacted Southern California

Edison's schedule to relocate two existing streetlights in the street median and consequently delayed the street median improvements work.

Project Title:	Syphon Reservoir Improvement Project Portola Parkway and Sand Canyon Avenue Intersection and Access Road Improvements
Project No.:	03808
Design Engineer:	AECOM
Construction Management by:	IRWD Staff
Contractor:	Excel Paving Company
Original Contract Cost:	\$4,398,989.08
Final Contract Cost:	\$4,514,491.65
Original Contract Days:	365
Final Contract Days:	407
Final Change Order Approved On:	May 2, 2025

Addendum No. 2 to the FEIR:

In September 2017, IRWD contracted with Environmental Science Associates to prepare an Environmental Impact Report (EIR) for the Syphon Reservoir Improvement Project. The Final EIR (FEIR) was certified by the IRWD Board of Directors on July 26, 2021. A Notice of Determination was filed with the Orange County Clerk-Recorder and the State Clearinghouse on July 27, 2021.

The FEIR determined that construction of the expanded reservoir would result in impacts to upland habitat, including various types of coastal sage scrub and other vegetation around the existing reservoir. Crotch's bumble bee may use this upland habitat and is currently a candidate for listing under the CESA. At the time the FEIR was certified in 2021, Crotch's bumble bee was not a candidate for listing. As a candidate, the Crotch's bumble bee receives protection under CESA until a final listing determination is made by the California Fish and Game Commission.

Because the Syphon Reservoir property has suitable habitat with potential to support this species, IRWD is required to obtain an Incidental Take Permit from the California Department of Fish and Wildlife (CDFW) for the species prior to construction of the Project, unless the California Fish and Game Commission decides not to list the species. The listing determination is expected to occur in summer 2025. In order to issue the permit, CDFW requires impacts to the species be disclosed in the FEIR. Addendum No. 2 to the FEIR has been prepared for the project to describe and evaluate the potential environmental effects associated with the change in listing status of Crotch's bumble bee from non-listed to a candidate for listing under the CESA. A copy of Addendum No. 2 is provided as Exhibit "B".

Findings of Addendum No. 2:

As described in the proposed Addendum No. 2, the change in listing status of Crotch's bumble bee would not result in new significant environmental impacts or a substantial increase in the severity of previously identified significant environmental impacts disclosed in the FEIR. The mitigation measures included in the current Mitigation Monitoring and Reporting Program adopted by IRWD as part of the FEIR, to establish compensatory mitigation, would be appropriate and sufficient to reduce impacts to Crotch's bumble bee to less-than-significant levels. No additional mitigation or compensation would be required. Based on the information and analysis presented in the proposed Addendum No. 2, the Determination section of the addendum sets forth IRWD's proposed determinations that none of the conditions described in California Environmental Quality Act (CEQA) Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred.

FISCAL IMPACTS:

Project 03808 is included in the Fiscal Year 2025-26 Capital Budget. The existing budget is sufficient to fund the final payment for the project.

ENVIRONMENTAL COMPLIANCE:

Section 15164 of the CEQA Guidelines provides for the preparation of an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. Based on the information and analysis presented in the proposed Addendum No. 2, the Determination section of the Addendum sets forth the determinations by IRWD that none of such conditions have occurred.

COMMITTEE STATUS:

This item was not reviewed by a Committee.

RECOMMENDATION:

THAT THE BOARD ACCEPT CONSTRUCTION OF THE SYPHON RESERVOIR IMPROVEMENT PROJECT PORTOLA PARKWAY AND SAND CANYON AVENUE INTERSECTION AND ACCESS ROAD IMPROVEMENTS; AUTHORIZE THE GENERAL MANAGER TO FILE A NOTICE OF COMPLETION; AUTHORIZE THE PAYMENT OF THE RETENTION 35 DAYS AFTER THE DATE OF RECORDING THE NOTICE OF COMPLETION FOR PROJECT 03808; AND APPROVE THE PROPOSED ADDENDUM NO. 2 TO THE SYPHON RESERVOIR IMPROVEMENT PROJECT FINAL ENVIRONMENTAL IMPACT REPORT, INCLUDING THE DETERMINATIONS SET FORTH IN ADDENDUM NO. 2, AND AUTHORIZE STAFF TO POST AND FILE A NOTICE OF DETERMINATION.

LIST OF EXHIBITS:

Exhibit “A” – Construction Change Order Summary

Exhibit “B” – Addendum No. 2 to the Syphon Reservoir Improvement Project Final EIR

# Exhibit "A"

## Syphon Reservoir Improvement Project Portola Parkway and Sand Canyon Avenue Intersection & Access Road Improvements PR 03808

### Construction Change Order Summary

Contractor: Excel Paving Company  
Design Engineer: AECOM  
Award Date: 9/12/2023

				Contract Amount					Contract Days				Original Completion Date:	
				Original Contract Amount: \$4,398,989.08					365				9/11/2024	
Change Order		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 Orders	Cum. Total C.O. days	Revised Total Contract Days	Revised Completion Date
1		Approved by Executive Director Approved on 08/15/2024 CR No. 1 - Reduction in Scope due to City of Irvine drawing changes	C	\$ (29,978.55)	-\$29,978.55	\$0.00	-\$29,978.55	-0.68%	\$4,369,010.53	0	0	0	365	9/11/2024
2		Approved by Executive Director Approved on 04/29/2025 CR No. 2 - Traffic Signal Gear Design Change (per City of Irvine's Request) CR No. 3 - Reconstruct V-Gutter at Back of Sidewalk CR No. 4 - Traffic Signal Foundations CR No. 5 - Detectable Warning Surface (per City of Irvine's Request) CR No. 7 - Median Irrigation System T&M	C D B C B	\$ 8,006.89 \$ 5,555.25 \$ 9,005.52 \$ 3,405.20 \$ 8,012.53	\$33,985.39	-\$29,978.55	\$4,006.84	0.09%	\$4,402,995.92	42 42	0	42	407	10/23/2024
3		Approved by Executive Director Approved on 05/02/2025 CR No. 6 - Quantity Overages (Bid Items 8, 18, 20, 24, 27, 46)	B	\$ 111,362.10	\$111,362.10	\$4,006.84	\$115,368.94	2.62%	\$4,514,358.02	0	42	42	407	10/23/2024

Category	Total Amount	% of Original Contract
A - Owner Directed Change	\$ -	0.00%
B - Differing/Unknown Condition	\$ 128,380.15	2.92%
C - External Agency, Regulatory, and/or Permit Required Change	\$ (18,566.46)	-0.42%
D - Design Oversight	\$ 5,555.25	0.13%
Total Change Order Amount (A + B + C + D)	\$ 115,368.94	2.62%

Note: This page is intentionally left blank.

Exhibit "B"

ADDENDUM NO. 2 TO THE SYPHON RESERVOIR  
IMPROVEMENT PROJECT FINAL  
ENVIRONMENTAL IMPACT REPORT

SCH #: 2019080009

Prepared for  
Irvine Ranch Water District

May 2025



# ADDENDUM NO. 2 TO THE SYPHON RESERVOIR IMPROVEMENT PROJECT FINAL ENVIRONMENTAL IMPACT REPORT

SCH #: 2019080009

Prepared for  
Irvine Ranch Water District

May 2025

420 Exchange, Suite 260  
Irvine, CA 92602  
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esassoc.com



Bend	Pasadena	San Francisco
Irvine	Pensacola	San Jose
Los Angeles	Petaluma	Santa Barbara
Mobile	Portland	Sarasota
Oakland	Rancho Cucamonga	Seattle
Orlando	Sacramento	Tampa
Palm Beach County	San Diego	Thousand Oaks

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# CHAPTER 1

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## Introduction

### 1.1 Overview

1. **Title:** Syphon Reservoir Improvement Project Regulatory Update (Addendum No. 2)
2. **Lead Agency Name and Address:** Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618
3. **Contact Person and Phone Number:** Fiona Sanchez, Director of Water Resources, 949-453-5325
4. **Location:** Northeast of Portola Parkway between Bee Canyon Access Road and State Route 133 (SR-133), Irvine, CA
5. **Sponsor's Name and Address:** Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618
6. **General Plan Designation(s):** Open Space Preserve
7. **Zoning:** General Agriculture
8. **Description:**

See Section 2.5, *Syphon Reservoir Improvement Project Regulatory Update* below.

#### 9. Surrounding Land Uses and Setting:

The Syphon Reservoir Improvement Project is being implemented at the existing recycled water storage reservoir located within the Irvine Ranch Water District (IRWD) service area. The site is northeast of Portola Parkway between Bee Canyon Access Road and SR-133 in the County of Orange. The Crean Lutheran High School Athletic Complex and the Stonegate Elementary School are located adjacent to the southern boundary of the site. Additionally, there are nearby residential communities, including Stonegate Village, Stonegate East, Woodbury and Woodbury East.

#### 10. Other public agencies whose approval is required:

The Syphon Reservoir Improvement Project requires approvals from the following agencies:

- See Table 1 in Section 2.6, *Proposed Approvals*, below.

## 1.2 Background and Purpose of the Addendum

IRWD prepared a Final Environmental Impact Report (FEIR) for the Syphon Reservoir Improvement Project (State Clearinghouse No. 2019080009), and a Notice of Determination (NOD) approving the project was filed in compliance with Sections 21108 and 21152 of the Public Resources Code on July 27, 2021. The Syphon Reservoir Improvement Project would increase the storage capacity of the Syphon Reservoir from 500 acre-feet to approximately 5,000 acre-feet to serve the community's seasonal and future recycled water needs. Increased use of recycled water will make more drinking water available and help withstand future water shortages.

The Syphon Reservoir Improvement Project FEIR evaluated the effects of construction and operation of the Syphon Reservoir Improvement Project and presented a comprehensive impact analysis. The Syphon Reservoir Improvement Project FEIR identified that expansion of the Syphon Reservoir would permanently displace or temporarily remove upland habitat, including various types of coastal sage scrub (CSS) and other vegetation around the existing reservoir. At the time the Syphon Reservoir Improvement Project FEIR was certified, Crotch's bumble bee (*Bombus crotchii*; CBB), which may utilize the upland habitat at the Syphon Reservoir Improvement Project site, was not a candidate for listing under the California Endangered Species Act (CESA).

In 2019, the California Fish and Game Commission advanced the CBB to "candidacy" status for listing under CESA. After a legal challenge was resolved, the candidacy was reinstated in 2022. As a result, the CBB is currently a candidate for State listing and is therefore subject to CESA provisions. The Syphon Reservoir Improvement Project site has suitable habitat with potential to support this species. This Addendum No. 2 is being prepared pursuant to CEQA Guidelines Section 15164 to assess potential impacts associated with the change in listing status of CBB. No other project modifications have been proposed.

## 1.3 Regulatory Background

Per CEQA Guidelines Section 15162, a subsequent EIR must be prepared if:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

- Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164(a) of the CEQA Guidelines provides that an addendum to a previously certified EIR is permissible if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. As described in detail below, the change in the listing status of the CBB would not result in any of the conditions listed in CEQA Guidelines Section 15162 requiring preparation of a Subsequent EIR. As a result, this Addendum No. 2 to the Syphon Reservoir Improvement Project FEIR has been prepared.

This Addendum No. 2 to the Syphon Reservoir Improvement Project FEIR relies on the significance criteria established in the CEQA Guidelines and the resource analysis methodology, described in the FEIR, to assess the potential impacts related to the change in the listing status of the CBB. Each resource section presents a summary and a determination as to whether the change in the listing status would result in new significant impacts, or a substantial increase in the severity of previously identified significant impacts. Any changes to mitigation measures resulting from preparation of this Addendum are presented in ~~strikeout~~ or underline text.

In compliance with CEQA Guidelines Section 15150, this Addendum No. 2 to the Syphon Reservoir Improvement Project FEIR has incorporated by reference the Draft EIR (DEIR) and FEIR for the Syphon Reservoir Improvement Project, certified by IRWD in 2021, which include all technical studies, analyses, and technical reports that were prepared as part of the DEIR and FEIR.

# CHAPTER 2

---

## Description

### 2.1 Syphon Reservoir Improvement Project Description

The Syphon Reservoir Improvement Project would allow IRWD to increase the storage capacity of the existing recycled water Syphon Reservoir to help IRWD become more self-sufficient by reducing its dependence on costly and less reliable imported water during summer months and supporting the increased use of recycled water for public landscaping, agricultural, business and industrial uses in IRWD's service area. Increased use of recycled water for these non-drinking water purposes would make more water available to the region to meet other treated or untreated demands, better withstand future water shortages, and improve water supply reliability and resiliency in southern California.

The Syphon Reservoir Improvement Project would replace the existing engineered dam with a new engineered dam, increasing the existing 59-foot dam height to 136 feet and increasing the elevation of the dam crest from the existing 388 feet above mean sea level to approximately 466 feet above mean sea level. A spillway would be included with the new dam to protect the reservoir from overtopping. The existing dam includes a spillway that has never been used during its 65-year history, including during IRWD's ownership and operation of Syphon Reservoir. The new engineered dam would result in an increase in the reservoir's maximum water surface elevation from the existing 376 feet above mean sea level to approximately 456 feet above mean sea level and increase the reservoir's approximate capacity from the existing 500 acre-feet to about 5,000 acre-feet. As part of the new design, the engineered embankment dam would include a seepage control drainage system and a circulation/aeration system for the reservoir. The existing strainer and disinfection facilities would be demolished, reconstructed and expanded at the toe of the new dam to provide filtration, chlorination and de-chlorination. Additional project features include new on-site access and maintenance roads; wetland and riparian mitigation areas; and potential recreational facilities.

Similar to existing operations, all recycled water flowing into and out of the Syphon Reservoir for storage would be controlled directly by IRWD. The delivery of recycled water to and from Syphon Reservoir would be accomplished by the addition of pumps within the off-site Eastwood Recycled Water Pump Station. The Eastwood pump station structure has been constructed to enhance IRWD's recycled water delivery systems. The pump station can accommodate the Syphon Reservoir Improvement Project with the installation of additional pump equipment. Installation of the equipment would be coordinated as a separate "equipping project" in parallel to the construction of the Syphon Reservoir Improvement Project. Existing off-site conveyance facilities would be used to deliver tertiary-treated recycled water from the Michelson Water Recycling Plant to the Eastwood Recycled Water Pump Station, and then to Syphon Reservoir via an existing 36-inch recycled water pipeline. The existing Highline Canal would be abandoned in place and no longer used to deliver water from Rattlesnake Reservoir to Syphon Reservoir. Under normal operating conditions, all flow out of Syphon Reservoir would be conveyed back to the Eastwood Recycled Water Pump Station through the same 36-inch recycled water pipeline, for

connection to IRWD's recycled water distribution system (see **Figure 1**). **Figure 2** shows the proposed conceptual layout of the Syphon Reservoir Improvements Project. These project description details have not changed since the certification of the FEIR.

## 2.2 Syphon Reservoir Improvement Project Objectives

As included in the FEIR, the primary objective of the Syphon Reservoir Improvement Project is to allow for an increase in IRWD's seasonal recycled water storage capacity. In implementing the Syphon Reservoir Improvement Project, IRWD would:

- Improve local water supply reliability by reducing the need to purchase costly imported water from the Metropolitan Water District of Southern California (MWD) by storing additional recycled water during low demand periods for use when needed during high demand periods;
- Ensure the new engineered dam and reservoir meet or exceed the current safety and design requirements established by the California Department of Water Resources, Division of Safety of Dams (DSOD), which is the governing state agency associated with this project;
- Reduce diversions of sewage to Orange County Sanitation District;
- Maximize the use of recycled water produced by IRWD for the benefit of IRWD customers; and
- Reduce recycled water discharges to the ocean.

## 2.3 Syphon Reservoir Improvement Project Public Participation and Project Approval

On August 2, 2019, IRWD published the Notice of Preparation (NOP) of an EIR for a 45-day review period. On August 21, 2019, in accordance with CEQA Guidelines Section 15082, IRWD held a public scoping meeting to describe the proposed Syphon Reservoir Improvement Project, identify the environmental topics that would be addressed, and describe the CEQA process for preparation of the EIR. To notify the public of the Scoping Meeting, IRWD published the legal notification in the *Orange County Register* in five languages, mailed a notification to area residents, and posted information about the meeting on IRWD's website.

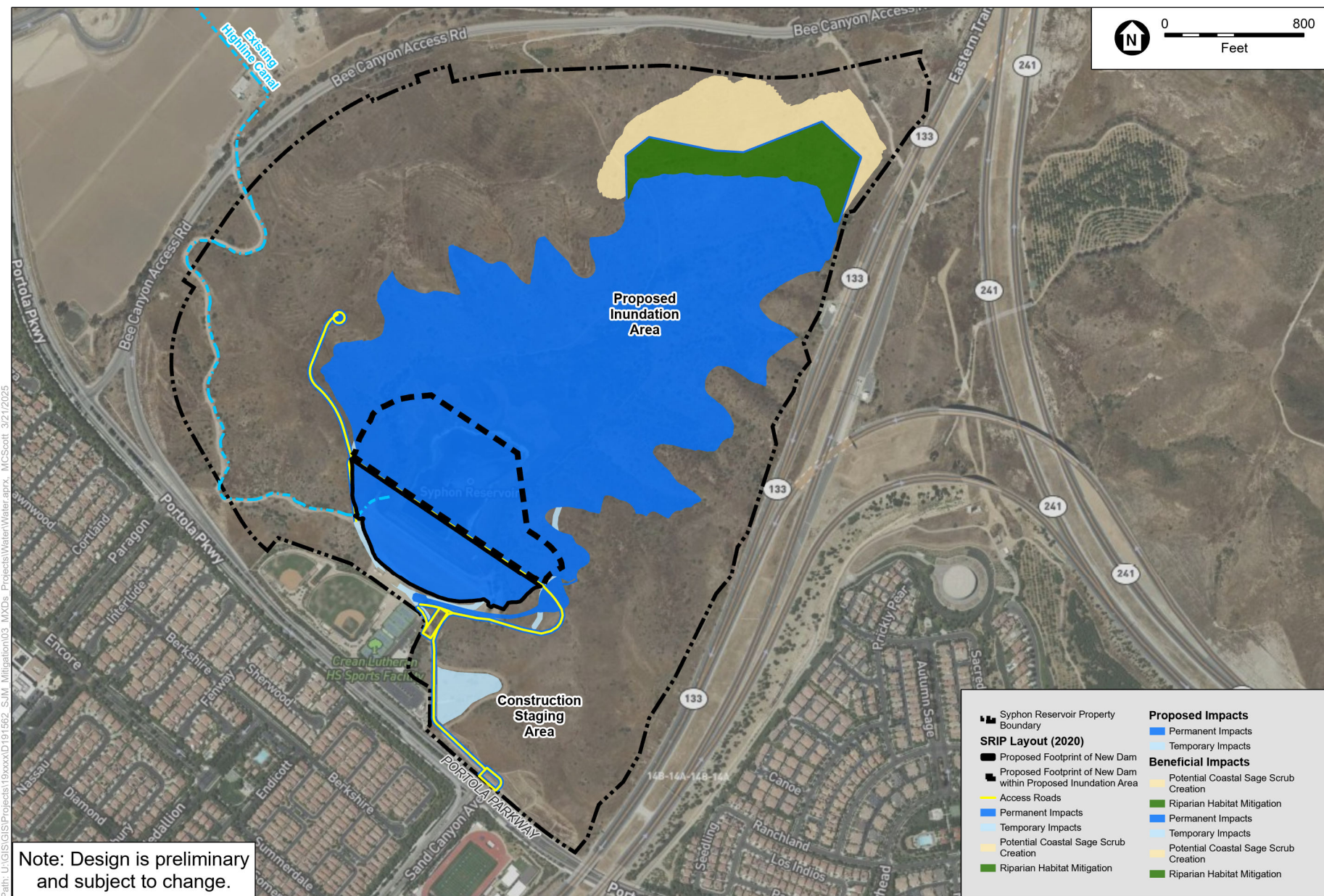
Once the Draft EIR (DEIR) was complete, a Notice of Completion was submitted to the Office of Planning and Research as required by CEQA Guidelines Section 15085, along with copies of the DEIR for distribution to public agencies via the State Clearinghouse (CEQA Guidelines Section 15087(f)). At the same time, a Notice of Availability of the DEIR was posted with the Orange County Clerk (CEQA Guidelines Section 15087(d)). The Notice of Availability also was published in the *Orange County Register* (per CEQA Guidelines Section 15087(d)). The Notice of Availability and DEIR were available at the following IRWD project website address: <http://www.syphonreservoir.com>. Printed copies of the DEIR were available for public review at the Heritage Park Library and the IRWD office as permitted if/when the restrictions due to facility closures and the need for social distancing required in response to the COVID-19 pandemic in effect at the time were lifted by the appropriate governmental agencies.



SOURCE: ESA, 2025; Mapbox, 2025

Syphon Reservoir Improvement Project Regulatory Update

**Figure 1**  
Syphon Reservoir Improvement Project Overview



SOURCE: ESRI, 2020; ESA, 2025.

Syphon Reservoir Improvement Project Regulatory Update

**Figure 2**  
Syphon Reservoir Improvement Project Site Activities

The DEIR was circulated for a 60-day public review period from March 19, 2021 to May 18, 2021. During this public review period, IRWD held one virtual public meeting via Zoom and telephonically, in accordance with State directives in effect at the time regarding public meetings held during the COVID-19 pandemic, to receive public comments on the environmental analysis in the DEIR.

During the public review period, public outreach and notification efforts were conducted to raise awareness about the availability and contents of the DEIR and to encourage public participation. Outreach efforts included the following:

- Information was included in an IRWD newsletter that was mailed or emailed to all 128,334 IRWD customer households;
- A Syphon Reservoir Improvement Project overview video, offered in English, Korean, and Chinese, was posted to YouTube and targeted to IRWD customers and surrounding residents (the videos received more than 41,000 views in a four-week timeframe);
- Individual postcard mailers were sent to more than 2,000 households;
- More than 100 email notifications were sent to elected officials and stakeholder organizations, including the offer for a briefing;
- Briefings with stakeholders;
- Coordination with the City of Irvine to notice the public meeting and comment period; and
- Social media and website notifications.

IRWD certified and approved the Final EIR and a NOD for the project was filed with the County Clerk in Orange County and State Clearinghouse on July 27, 2021. The Final EIR can be accessed at [www.syphonreservoir.com](http://www.syphonreservoir.com).

## **2.4 Syphon Reservoir Improvement Project Off-site Mitigation (Addendum No. 1)**

The Syphon Reservoir Improvement Project FEIR determined that construction of the expanded reservoir would result in impacts to woody riparian and freshwater marsh habitats and stipulated that both on-site riparian/wetland habitat creation and off-site habitat mitigation would be provided to assure that no net loss of such habitats would occur and also to provide appropriate compensation for temporary loss of habitat value. IRWD prepared Addendum No. 1 to the Syphon Reservoir Improvement Project FEIR after extensive consultation with the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) led to the selection of a 33.4-acre IRWD property in the San Joaquin Marsh to be utilized for the off-site riparian and wetland habitat mitigation component. Addendum No. 1 evaluated the potential effects associated with the proposed Syphon Reservoir Improvement Project Off-site Mitigation and verified that no new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur.

## 2.5 Syphon Reservoir Improvement Project Regulatory Update (Addendum No. 2)

The Syphon Reservoir Improvement Project FEIR identified that expansion of the Syphon Reservoir would permanently displace or temporarily remove upland habitat, including CSS, around the existing reservoir. At the time the Syphon Reservoir Improvement Project FEIR was certified, CBB, which may utilize the CSS and upland habitat at the Syphon Reservoir Improvement Project site, was not a candidate for listing under CESA. In 2022, after the Syphon Reservoir Improvement Project FEIR was certified, CBB became a candidate for State listing under CESA. This Addendum is being prepared to supplement the original Syphon Reservoir Improvement Project FEIR pursuant to CEQA Guidelines Section 15164 to assess potential impacts associated with the change in status of CBB to candidate for State listing.

## 2.6 Proposed Approvals

Table 1 presents a preliminary list of the agencies and entities in addition to IRWD that would use this Addendum No. 2 in their consideration of specific permits and other discretionary approvals.

**TABLE 1**  
**REGULATORY PERMITS AND AUTHORIZATIONS**

<b>Agency</b>	<b>Type of Approval</b>	<b>Needed for</b>
CDFW	Incidental Take Permit under Section 2081 of the California Fish and Game Code	Impacts to CBB

# CHAPTER 3

## Evaluation of Environmental Impacts

### 3.1 Aesthetics

Issues (and Supporting Information Sources):	Yes	No
I. <b>AESTHETICS</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

**a) Have a substantial adverse effect on a scenic vista?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would require the use of construction equipment for a temporary period of 41 months and would not affect the scale or quality of locally designated scenic vistas/viewscales, including Loma Ridge, Santa Ana Mountains, and the San Joaquin Hills. The Syphon Reservoir Improvement Project FEIR concluded that scenic vistas and viewscales in the project vicinity would not be substantially degraded during construction activities, and impacts would be less than significant. Once the Syphon Reservoir Improvement Project is built, the FEIR stated that a retaining wall would be installed that would introduce permanent features into a native landscape that is identified by the City of Irvine as a “major view,” resulting in implementation of Mitigation Measure AES-1, which would require design of the aboveground project structures to have color palettes that blend in with the surrounding character of the project site, reducing the impact to a less than significant level. Additionally, the Syphon Reservoir Improvement Project FEIR identified that the enlarged dam would extend higher than the natural ridgelines and could constitute a permanent impact to the viewscape of prominent ridgelines of Loma Ridge and the Santa Ana Mountains. The Syphon Reservoir Improvement Project FEIR included

revegetation of the dam face as a project design feature, allowing for the enlarged dam to blend into the surrounding hillsides, which reduced the impact to a less than significant level.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no changes to the visual landscape that could impact scenic vistas, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project was not located in the vicinity of a state designated or eligible scenic highway, and therefore no impacts would occur.

The changed listing status of CBB does not require modifications to project design or implementation methods. No changes to the visual landscape would occur that could impact scenic resources within a scenic highway, and no mitigation would be required. Therefore, the changed listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

The Syphon Reservoir Improvement Project FEIR identified that the project site and surrounding area have moderate to high visual quality but are not considered highly visually sensitive when affected viewers and viewer exposure conditions are taken into account. The low contrasting visual elements of construction (i.e., equipment) would be temporary and would not permanently affect the existing visual character and quality of the surrounding area. To ensure that all permanent aboveground project structures would not impact the visual character or quality of the project site or surrounding area, the Syphon Reservoir Improvement Project FEIR required Mitigation Measure AES-1 to design the aboveground project structures to have color palettes that blend in with the surrounding character of the project site, resulting in a less than significant impact with implementation of mitigation.

The changed listing status of the CBB does not require modifications to project design or implementation methods. No changes to the visual landscape would occur that could impact visual character or the quality of public views of the site and its surroundings; no additional mitigation would be required. Therefore, the changed listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?**

The Syphon Reservoir Improvement Project FEIR required nighttime lighting for the treatment facilities and new access road that could affect nighttime views. As a result, Mitigation Measure AES-2 was required for new permanent exterior lighting to be shielded or directed downward to minimize light cast on neighborhood residences directly adjacent to the project site. Additionally, the Syphon Reservoir Improvement Project FEIR specified that when reservoir levels are at their peak in the winter and spring months, the reservoir could create new sources of glare from an increased water surface area. However, this potential increase would be marginal, not in effect in the summer months when daytime hours are at their highest, and only noticeable to motorists travelling on SR-133 for brief periods of time (several seconds). As a result, impacts to nighttime and daytime glare would be less than significant.

The changed listing status of the CBB does not include modifications to project design or implementation methods. No new source of substantial light or glare would occur that would adversely affect views in the area, and no additional mitigation would be required. Therefore, the changed listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Aesthetics**

The changed CESA listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects with respect to aesthetics. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

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## 3.2 Agriculture and Forestry Resources

### *Issues (and Supporting Information Sources):*

	Yes	No
<b>II. AGRICULTURE AND FORESTRY RESOURCES</b> — In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site was classified by the California Department of Conservation Farmland Map for Orange County as "Other Land," which includes low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry or aquatic facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. The Syphon Reservoir Improvement Project FEIR indicated there is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance located within the project vicinity; therefore, there would be no conversion of farmland, and no impact would occur.

The changed listing status of the CBB does not include modifications to project design or implementation methods. No impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would occur, and no mitigation would be required. Therefore, the changed listing status of the CBB would not

result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site does not include land enrolled in a Williamson Act contract. However, the Syphon Reservoir Improvement Project site is zoned as General Agriculture by the County of Orange. Pursuant to Section 7-9-30.1 of the Orange County Zoning Code, the General Agricultural District is intended to “provide for agriculture, outdoor recreational uses, and those low intensity uses which have a predominantly open space character,” such as the Syphon Reservoir. The Syphon Reservoir Improvement Project FEIR identified that the site would not result in conflicts with the General Agriculture zoning designation because the Syphon Reservoir Improvement Project proposed similar uses; therefore, no impact would occur.

The changed listing status of the CBB does not include modifications to project design or implementation methods. No impacts to zoning for agricultural use or a Williamson Act contract would occur, and no mitigation would be required. Therefore, the changed listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site is currently zoned General Agriculture and the Syphon Reservoir Improvement Project would not affect lands that are zoned as forest land or timberland. Additionally, the Syphon Reservoir Improvement Project does not involve any changes to the current General Plan land use or zoning designations for forest land or timberland. Therefore, there would be no conversion of forest land, timberland, or cause rezoning of existing land uses. and no impact would occur.

The changed listing status of the CBB does not include modifications to project design or implementation methods. No impacts to zoning would occur for forest land or timberland, and no mitigation would be required. Therefore, the changed listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Result in the loss of forest land or conversion of forest land to non-forest use?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site and surrounding areas contain no forest land. Therefore, implementation of the Syphon Reservoir Improvement Project would result in no impacts related to the loss or conversion of forest land to non-forest use.

The changed listing status of the CBB does not include modifications to project design or implementation methods. No impacts related to the loss or conversion of forest land to non-forest use would occur, and no mitigation would be required. Therefore, the changed listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

- e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would not convert Farmland to non-agricultural use or forest land to non-forest use within the Project site and surrounding areas. Therefore, implementation of the Syphon Reservoir Improvement Project would result in no impacts related to the conversion of farmland to non-agricultural use or forest land to non-forest use.

The changed listing status of the CBB does not include modifications to project design or implementation methods. No farmland would be converted to non-agricultural use or forest land to non-forest use, and no mitigation would be required. Therefore, the changed listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## **Summary of Potential Effects on Agricultural and Forestry Resources**

The changed listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to agricultural and forestry resources. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

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### 3.3 Air Quality

#### Issues (and Supporting Information Sources):

#### III. AIR QUALITY —

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:

	Yes	No
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

#### a) Conflict with or obstruct implementation of the applicable air quality plan?

Forecast assumptions by the Southern California Association of Governments form the basis of the land use and transportation control portions of the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP). Projects that are consistent with the regional population, housing, and employment forecasts identified by the Southern California Association of Governments and which are generally consistent with land use designations in general plans from pertinent municipalities would not conflict with the AQMP growth projections. The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would result in an increase in short-term employment compared to existing conditions from construction. However, construction jobs would be temporary and as such would not conflict with the long-term employment projections upon which the AQMP is based. Operation of the Syphon Reservoir Improvement Project would neither result in a change in land use nor result in population, housing, or employment growth for the region.

The AQMP also includes control strategies applicable to short-term emissions from construction activities. The Syphon Reservoir Improvement Project FEIR determined that the Syphon Reservoir Improvement Project would be required to comply with the California Air Resources Board (CARB) Air Toxic Control Measure that limits heavy duty diesel motor vehicle idling to no more than five minutes at any given location with certain limited exceptions defined in the regulation for equipment in which idling is integral to the function of the equipment or activity (such as concrete trucks and concrete pouring). In addition, contractors would be required to comply with the CARB In-Use Off-Road Diesel Vehicle Regulation to use lower emitting equipment in accordance with the phased-in compliance schedule for equipment fleet operators. The Syphon Reservoir Improvement Project would also be required to comply with SCAQMD regulations for controlling fugitive dust pursuant to SCAQMD Rule 403. Compliance with these requirements would be

consistent with and would not conflict with AQMP control strategies intended to reduce emissions from construction equipment and activities.

Nonetheless, as discussed in Impact 3.2-2 of the Syphon Reservoir Improvement Project FEIR, construction of the Syphon Reservoir Improvement Project was found to exceed the significance threshold for nitrogen oxides (NO<sub>x</sub>). Therefore, impacts related to consistency with air quality plans during construction of the Syphon Reservoir Improvement Project were found to be potentially significant. Construction-related daily emissions would be reduced to below the SCAQMD threshold of significance for NO<sub>x</sub> with the implementation of Mitigation Measure AIR-1. Thus, with implementation of Mitigation Measure AIR-1, the Syphon Reservoir Improvement Project would not conflict with the AQMP, and impacts were reduced to a less than significant level.

The changed listing status of the CBB does not involve generation of additional air pollutant emissions, and as a result, would not conflict with any applicable air quality plans. No additional mitigation would be required. As a result, the changed listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Cumulatively considerable net increase of any criteria pollutant?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would generate air pollutant emissions from vehicle trips generated by construction workers, vendor trucks, and haul trucks traveling to and from the Syphon Reservoir Improvement Project site and the use of construction equipment. Operation of the Syphon Reservoir Improvement Project would not result in new or increased use of motor vehicles, aside from periodic maintenance vehicles. Air pollutant emissions were quantified using the California Emissions Estimator Model for off-road equipment and the On-Road Mobile Source Emissions Factors model for on-road vehicles. The maximum daily construction emissions for the Syphon Reservoir Improvement Project were estimated for each construction phase. Some individual construction phases could potentially overlap; therefore, the estimated maximum daily emissions include these potential overlaps by combining the relevant construction phase emissions. As indicated in the Syphon Reservoir Improvement Project FEIR, construction-related daily emissions were found to exceed the SCAQMD threshold of significance for NO<sub>x</sub>. For all other criteria pollutants, emission levels would be below the applicable thresholds of significance. Because maximum regional emissions from construction would exceed the regional threshold of significance for NO<sub>x</sub>, regional construction emissions impacts were found to be potentially significant. Construction-related daily emissions were reduced to below the SCAQMD threshold of significance for NO<sub>x</sub> with the implementation of Mitigation Measure AIR-1. Thus, the Syphon Reservoir Improvement Project regional construction emissions impacts were mitigated to less than significant.

Annual construction emissions were compared to the General Conformity *de minimis* levels for the National Ambient Air Quality Standard non-attainment areas. In the unmitigated scenario, annual construction emissions of NO<sub>x</sub>, were found to exceed the applicable General Conformity *de minimis* level of 10 tons per year. However, with implementation of Mitigation Measure AIR-1, annual construction emissions were found to be below applicable General Conformity *de minimis* levels and thus would not conflict with implementation

of the State Implementation Plan. Therefore, no further conformity analysis was required for any of the pollutants, and no significant adverse effect from the Syphon Reservoir Improvement Project would occur.

During Syphon Reservoir Improvement Project operations, no new permanent vehicle trips would occur because maintenance and recreational activities are anticipated to remain the same as the existing conditions. Operational regional criteria pollutant emissions were found to not exceed one pound per day for all criteria pollutants during operational activities, which would not exceed the SCAQMD thresholds of significance for any criteria pollutants. Therefore, regional operation-related emissions impacts were found to be less than significant. Annual operation-related emissions would be less than 0.2 ton per year, well below any of the applicable General Conformity *de minimis* thresholds. Therefore, no further conformity analysis was required for any of the pollutants because their emissions would be less than the conformity *de minimis* levels, and no significant adverse effect from Syphon Reservoir Improvement Project operations would occur.

The changed listing status of the CBB does not involve the generation of additional air pollutant emissions that would result in a net increase of any criteria pollutant. No additional mitigation would be required. As a result, the changed listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

The Syphon Reservoir Improvement Project FEIR identified that construction of the Syphon Reservoir Improvement Project would result in maximum localized construction emissions that would exceed the localized significance threshold for NO<sub>x</sub>, and impacts to sensitive receptors would be potentially significant. All other criteria pollutants of local concern (carbon monoxide, particulate matter measuring 10 microns or less in diameter, and particulate matter measuring 2.5 microns or less in diameter) would not exceed the localized significance thresholds. Construction-related emissions would be reduced to below the SCAQMD localized significance threshold for NO<sub>x</sub> with the implementation of Mitigation Measure AIR-1. Because the Syphon Reservoir Improvement Project FEIR maximum localized emissions from construction were found to be reduced to below the localized significance threshold, localized construction emissions impacts would be less than significant with the incorporation of Mitigation Measure AIR-1.

The Syphon Reservoir Improvement Project FEIR identified that construction of the Syphon Reservoir Improvement Project would result in a significant impact for lifetime cancer risk because the SCAQMD significance threshold for toxic air contaminant emissions of an incremental cancer risk greater than 10 in one million for any receptor would be exceeded. Implementation of Mitigation Measure AIR-1 would reduce diesel particulate matter emissions from Syphon Reservoir Improvement Project construction activities. The estimated incremental cancer risk for Syphon Reservoir Improvement Project construction activities with implementation of Mitigation Measure AIR-1 would be between 1.43 per million and 3.44 per million, depending on the level at which the mitigation is implemented, which would be well below the significance threshold of 10 in one million. Toxic air contaminant impacts would be less than significant with the incorporation of Mitigation Measure AIR-1. Both unmitigated and mitigated non-carcinogenic health risk impacts of the Syphon Reservoir Improvement Project would be below the

significance threshold of a chronic Hazard Index of 1.0 for the maximum impacted receptor. Therefore, the Syphon Reservoir Improvement Project FEIR found this impact to be less than significant.

The Syphon Reservoir Improvement Project FEIR identified that operation of the Syphon Reservoir Improvement Project would result in maximum daily localized emissions of less than one pound per day and therefore would not exceed localized significance thresholds. Because maximum localized operational emissions would not exceed the SCAQMD localized thresholds of significance for any pollutant, operational emissions impacts to sensitive receptors would be less than significant.

The changed listing status of the CBB does not involve generation of air pollutant emissions that would result in a net increase of any criteria pollutant. As such, the changed listing status of the CBB would not expose sensitive receptors to a substantial pollutant concentration. No additional mitigation would be required. As a result, the changed listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project may emit other emissions such as odors during construction. The Syphon Reservoir Improvement Project would comply with the applicable provisions of SCAQMD Rule 1113, which limits the amount of odor-causing volatile organic compound emissions in architectural coatings and solvents. In addition, the Syphon Reservoir Improvement Project would comply with the applicable provisions of the CARB Air Toxics Control Measure regarding idling limitations for diesel trucks. Furthermore, construction emissions for the Syphon Reservoir Improvement Project would not exceed the SCAQMD regional significance thresholds for attainment, maintenance, or unclassifiable criteria air pollutants (i.e., carbon monoxide and sulfur dioxide). Therefore, Syphon Reservoir Improvement Project construction activities were found to result in less than significant impacts with respect to other emissions, including those leading to odors.

Operation of the Syphon Reservoir Improvement Project would not include land uses associated with odor complaints, which, according to the SCAQMD *CEQA Air Quality Handbook*, typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Furthermore, operational emissions would not exceed the SCAQMD regional significance thresholds for attainment, maintenance, or unclassifiable criteria air pollutants (i.e., carbon monoxide and sulfur dioxide). Therefore, operation of the Syphon Reservoir Improvement Project would result in less than significant impacts with respect to other emissions, including those leading to odors.

The changed listing status of the CBB does not involve generation of air pollutant emissions. As such, the changed listing status of the CBB would not emit other emissions, including those leading to odors, that would adversely affect a substantial number of people and would have no impact. No additional mitigation would be required. As a result, the changed listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## Summary of Potential Effects on Air Quality

The changed listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to air quality. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

## References

SCAQMD. 2020c. Air Quality Analysis Handbook. Available at  
[www.aqmd.gov/home/rulescompliance/ceqa/air-quality-analysis-handbook](http://www.aqmd.gov/home/rulescompliance/ceqa/air-quality-analysis-handbook).

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## 3.4 Biological Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Yes</i>	<i>No Impact</i>
<b>IV. BIOLOGICAL RESOURCES</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

### ***Special-Status Plants***

The Syphon Reservoir Improvement Project FEIR noted that four special-status plant species - Catalina mariposa lily (California Rare Plant Rank [CRPR] 4.2, Central Subregion of the Orange County Central & Coastal Subregions Natural Community Conservation Plan/Habitat Conservation Plan [NCCP/HCP] Covered), intermediate mariposa lily (CRPR 1B.2), multi-stemmed dudleya (CRPR 1B.2), and San Diego viguiera (CRPR 4.3) - were observed during focused surveys of the project site in 2018 and 2019. The Syphon Reservoir Improvement Project was found to avoid removal or damage to any specimens of intermediate mariposa lily, multi-stemmed dudleya, and San Diego viguiera. Therefore, the Syphon Reservoir Improvement Project would not impact these special-status plant species, and no mitigation was required. The Syphon Reservoir Improvement Project was also found to avoid more than 90 percent of the Catalina mariposa lily specimens on-site and would remove approximately 24 of the total 309 Catalina mariposa lily individuals during construction. This loss was determined not to threaten the existence of the on-site population and would not be significant. Moreover, Catalina mariposa lily is a covered species under the NCCP/HCP provided that the Syphon Reservoir Improvement Project complies with the NCCP/HCP provisions; thus, impacts to this species are considered conserved because the

NCCP/HCP Reserve provides for the regional conservation for this and other covered species. Therefore, impacts to Catalina mariposa lily were found to be less than significant.

The changed CBB CESA listing status would not require modifications to project design or implementation methods. As such, no new impacts to special-status plant species would occur, and no mitigation would be required. As a result, the changed listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Special-Status Wildlife**

Special-status wildlife species observed, or considered to have a moderate or high potential to occur within the proposed project site, include the following NCCP/HCP Covered Species: coastal California gnatcatcher (*Poliophtila californica californica*), orange-throated whiptail (*Aspidoscelis hyperythra*), southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), red-shouldered hawk (*Buteo lineatus*), northern harrier (*Circus hudsonius*), American peregrine falcon (*Falco peregrinus anatum*), sharp-shinned hawk (*Accipiter striatus*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), San Diego desert woodrat (*Neotoma lepida intermedia*), and coyote (*Canis latrans*). One species that is Conditionally Covered under the NCCP/HCP, prairie falcon (*Falco mexicanus*), was also observed. Several other species that are not “covered species” under the NCCP/HCP were also identified, including grasshopper sparrow (*Ammodramus savannarum*), Vaux’s swift (*Chaetura vauxi*), and the California fully protected white-tailed kite (*Elanus leucurus*). It should be noted that the two falcons and Vaux’s swift may fly over the site but have virtually no potential to nest on-site. Likewise, white-tailed kite has only been observed foraging or flying over but is not known to nest in the study area.

The coastal California gnatcatcher, orange-throated whiptail, southern California rufous-crowned sparrow, red-shouldered hawk, northern harrier, prairie falcon<sup>1</sup>, American peregrine falcon, sharp-shinned hawk, coastal whiptail, San Diego desert woodrat, and coyote, as covered species under the NCCP/HCP, are considered to be conserved within the NCCP/HCP region provided that the project complies with the NCCP/HCP provisions. As a future infrastructure improvement that was originally recognized by the NCCP/HCP and for which IRWD has a credit allotment that can be “spent” or exchanged for the displacement of areas within the NCCP Reserve, the Syphon Reservoir Improvement Project is considered a permitted use within the Reserve System. Potential impacts to Covered Species within the Reserve are considered adequately covered under the NCCP/HCP provided that the proposed project complies with the NCCP/HCP provisions.

The Syphon Reservoir Improvement Project FEIR found that the Syphon Reservoir Improvement Project would permanently remove a total of up to approximately 28.5 acres of CSS communities and would temporarily impact an additional 0.85 acre upon which special-status species rely for habitat. Implementation of Mitigation Measures BIO-1 requires IRWD to utilize some of its allotted Incidental Take Credits for CSS impacts (as a participating landowner) in accordance with NCCP/HCP stipulations. Mitigation Measure BIO-1 also requires additional on- and/or off-site creation, restoration, and/or enhancement of areas containing natural communities suitable for special-status species and also

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<sup>1</sup> Prairie falcon is a conditionally covered under the NCCP/HCP. Planned activities are authorized if the habitat is more than one-half mile from an active or historically active nesting site, and this species is currently not known to nest within Orange County, and have not occurred within the county for over a decade (CDFW 2020, Catino-Davenport 2019).

mandates off-site land acquisition, preservation, creation, restoration, and/or enhancement of natural communities suitable for special-status species, as identified at the time the Syphon Reservoir Improvement Project FEIR was certified. Finally, Mitigation Measure BIO-1 requires that areas subject to temporary impacts be returned to pre-project conditions (i.e., pre-project elevation contours and revegetated with native upland scrub species) and stipulates planning and monitoring to achieve that objective. Thus, Mitigation Measure BIO-1 addresses all potential impacts involving loss or displacement of habitat for special-status wildlife species. Therefore, Mitigation Measure BIO-1, along with Mitigation Measures BIO-2 and BIO-3, which are designed to avoid or minimize potential direct impacts to special-status wildlife species, would reduce impacts to a less than significant level.

### **Least Bell's Vireo**

The least Bell's vireo (*Vireo bellii pusillus*) is listed as a federal and state Endangered species but is a Conditionally Covered species under the NCCP/HCP. This species is found in riparian habitat, and 17 least Bell's vireo individuals and/or territories were observed on the Syphon Reservoir Improvement Project site in 2019. The Wildlife Agencies (i.e., USFWS and CDFW) indicated that the NCCP/HCP conditional coverage would apply for the Syphon Reservoir Improvement Project's impacts to least Bell's vireo (subject to implementation of adequate mitigation). The Syphon Reservoir Improvement Project would displace approximately 6.41 acres of woody riparian communities but would also create woody riparian habitat that would provide replacement nesting habitat for the least Bell's vireo. The new riparian habitat areas would be maintained with supplemental irrigation and would not depend on whether the reservoir is full or nearly full to be sustained. Woody riparian habitat around the reservoir perimeter, once established, would provide both foraging and nesting opportunities that would benefit least Bell's vireo and other species. Nevertheless, there would be a temporary habitat loss until construction is completed and riparian habitat that the species can use again can be re-established. This temporary loss was found to be potentially significant in terms of the temporary reduction to the amount of habitat available in the local region. Implementation of Mitigation Measure BIO-1 requires on and/or off-site creation, restoration, and/or enhancement of areas containing natural communities suitable for special-status wildlife species and also mandates off-site land acquisition, preservation, creation, restoration, and/or enhancement of natural communities suitable for special-status wildlife species. Therefore, Mitigation Measure BIO-1, along with Mitigation Measures BIO-2 and BIO-3, which are designed to avoid or minimize potential direct impacts to special-status wildlife species, would reduce impacts to a less than significant level.

### **Yellow Warbler and Yellow-Breasted Chat**

Several yellow warbler (*Setophaga petechia*) and yellow-breasted chat (*Icteria virens*), which utilize woody riparian habitat similar to the least Bell's vireo, were observed on-site in 2019. Although the Syphon Reservoir Improvement Project FEIR found that there would ultimately be no net loss of riparian habitat for the yellow warbler and yellow-breasted chat with the creation of riparian habitat areas on the Syphon Reservoir Improvement Project site, the temporal loss of habitat for yellow warbler and yellow-breasted chat were found to potentially be considered significant because it would reduce the amount of available habitat for these species in the local region until an equivalent habitat area is reestablished. Implementation of Mitigation Measure BIO 1, which includes on-site riparian habitat creation at the Syphon Reservoir site and also the riparian habitat to be established via the Syphon Reservoir Improvement Project Off-Site Mitigation, along with Mitigation Measures BIO-2 and BIO-3, would reduce impacts to a less than significant level.

### **Avian Species**

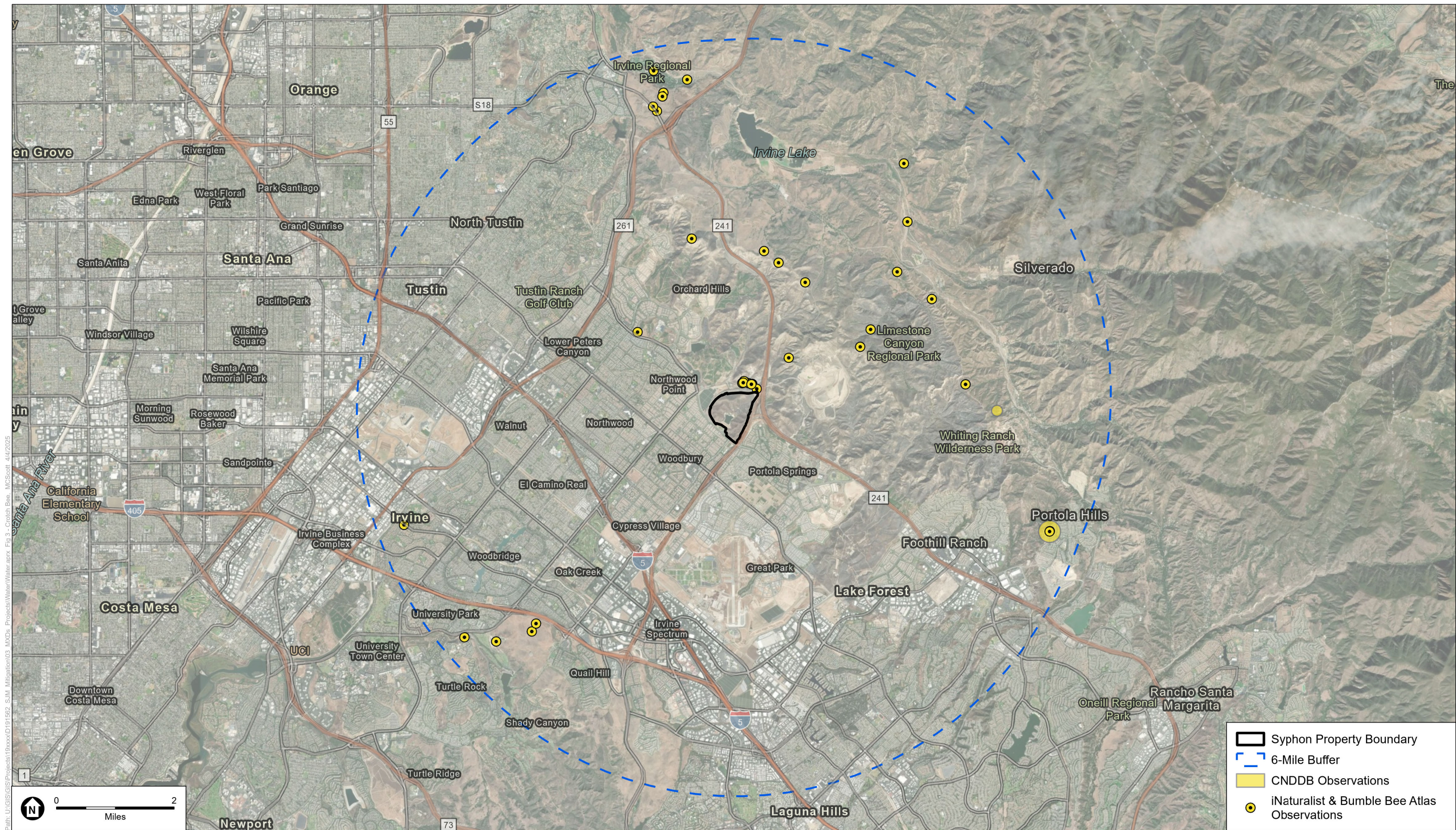
The Syphon Reservoir Improvement Project FEIR found that direct impacts to avian species during the non-breeding season would not be potentially significant because these species are mobile and would be expected to fly away from the construction area, if present. However, if construction and maintenance work cannot be scheduled outside of nesting season, impacts to nesting special-status bird species would be potentially significant. Implementation of Mitigation Measure BIO-3 was found to reduce impacts to a less than significant level.

### **Crotch's Bumble Bee**

In June 2019, the California Fish and Game Commission accepted a petition to list CBB as a candidate for listing as endangered under CESA. Agricultural interests challenged CDFW's ability to list the species, claiming that CESA's definition of a "species" does not cover insects. Due to this ongoing litigation, CBB was not analyzed in the Syphon Reservoir Improvement Project FEIR because it was not a State protected species at the time. In November 2020, the Sacramento Superior Court ruled that insects are not eligible for listing under CESA (*Almond Alliance of California v. California Fish and Game Commission*); however, in May 2022, the California Court of Appeal reversed the prior ruling, deciding that invertebrates are eligible for CESA listing. CDFW then reinstated candidate status for listing under CESA on September 30, 2022.

CBB is one of 26 bumble bee species found in California. CBB generally nests and forages in grassland and scrub habitats. According to CDFW's California Native Diversity Database (CNDDDB), iNaturalist, and the Xerces Society's Bumble Bee Atlas, over 70 CBB observations have been documented within 10 miles of the Syphon Reservoir Improvement Project site (CDFW 2025, iNaturalist 2025, Bumble bee Atlas 2025). **Figure 3** depicts CBB observations within a six-mile maximum flight radius from the Syphon Reservoir Improvement Project site. More than seven CBB observations were documented at the Irvine Ranch Conservancy Native Seed Farm, approximately 0.15 mile north of the Syphon Reservoir Improvement Project site, between 2023 and 2024. CBBs were not documented or analyzed at the time of biological surveys for the Syphon Reservoir Improvement Project because the candidacy status was being legally challenged (2018–2019). However, given the proximity of recent CBB observations as well as the presence of suitable CSS habitat and preferred nectar sources such as deerweed (*Acmispon glaber*), California brittlebush (*Encelia californica*), black sage (*Salvia mellifera*), and white sage (*Salvia apiana*), CBB has a high potential to occur within the Syphon Reservoir Improvement Project site.

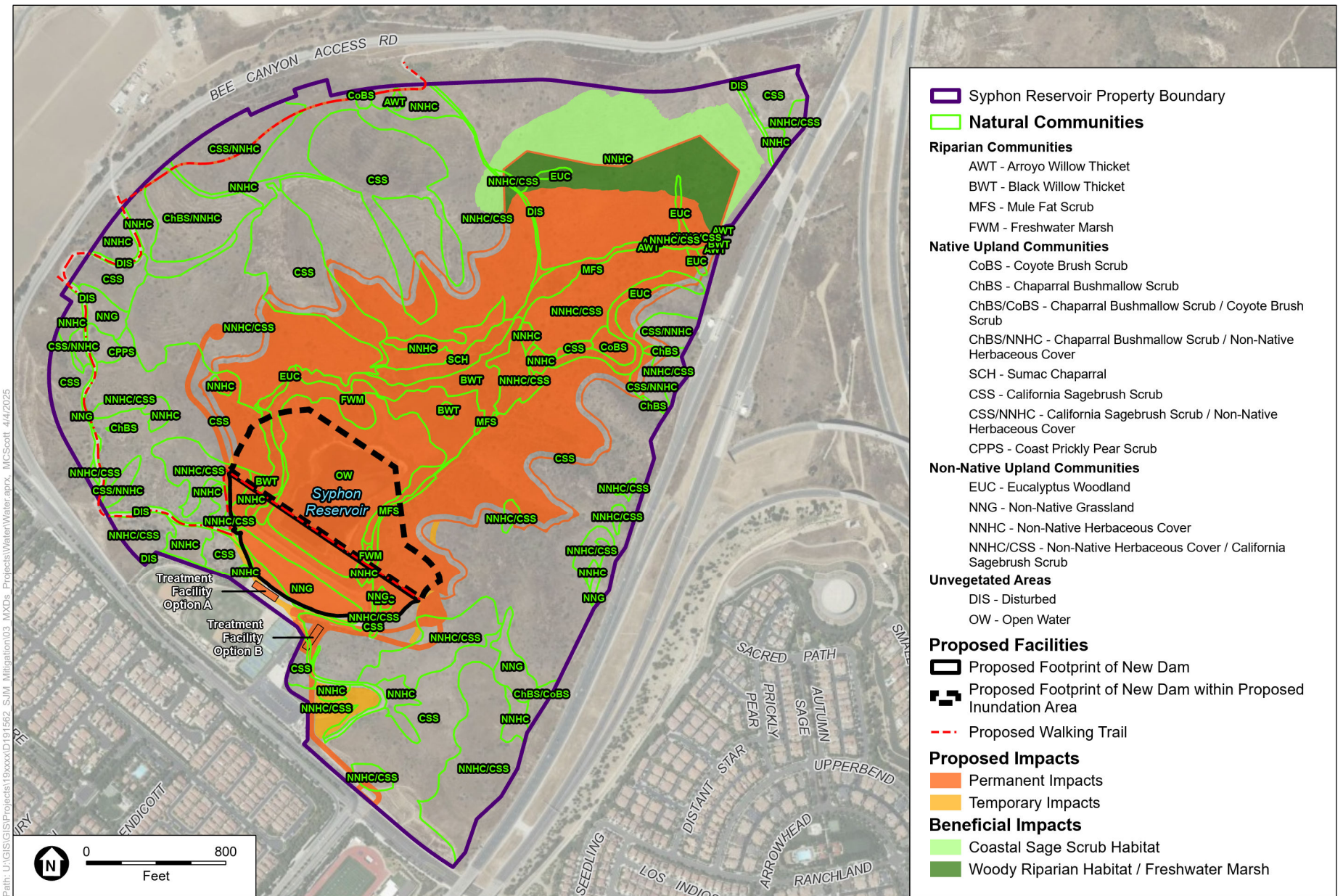
CNDDDB, iNaturalist, and Bumble Bee Atlas observation records indicate that CBB occurs in adjacent habitats. Suitable CBB foraging and nesting habitats within the Syphon Reservoir Improvement Project site are present in the 92.70 acres of native and non-native upland vegetation communities and disturbed land cover (**Figure 4**) identified for temporary adverse impacts, permanent adverse impacts, and permanent beneficial impacts as well as in adjacent surrounding lands.



SOURCE: ESA, 2025

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**Figure 3**  
Crotch's Bumble Bee Observations



SOURCE: ESRI, 2025

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The change in status of CBB does not include modifications to any project design or implementation method. Direct effects to CBB may occur during initial site preparation; heavy equipment operation; grading; excavation; trenching and backfilling; installation and/or removal of structures and equipment; vehicle and foot traffic; access road construction, repair and resurfacing; handling of stockpiles and stored materials; soil compaction; vegetation clearing and maintenance (grading, mowing, and grubbing); revegetation requiring disking and excavation; inundation of the lake during operation and maintenance, and creation of the woody riparian mitigation area.

Direct impacts to CBB during construction may occur because the proposed staging area, access roads, new dam footprint, inundation area, and creation of woody riparian mitigation area overlap with areas where CBB have the potential to forage and/or nest. Impacts could occur during pre-construction and construction from crushing nests in burrows in work areas and along access roads around the proposed dam and reservoir and vehicle/equipment strikes. Impacts could also occur during Syphon Reservoir Improvement Project operation from inundating and drowning nests in burrows and collisions with vehicles during operations and maintenance.

Indirect impacts to CBB include the temporal loss of suitable foraging and nesting habitat as a result of Syphon Reservoir Improvement Project implementation and operation, increased habitat fragmentation, edge effects, and the Syphon Reservoir Improvement Project's incremental contribution to cumulative impacts such as noise and vibrations from ground disturbance, the introduction or spread of invasive non-native species, and loss of foraging habitat.

Direct and indirect impacts to CBB would be potentially significant under CEQA. However, implementation of Mitigation Measure BIO-1 included in the Syphon Reservoir Improvement Project FEIR would offset the permanent and temporary impacts to sensitive natural communities suitable for CBB foraging and nesting by conserving off-site habitat and restoration of suitable on-site upland habitat. As part of the original mitigation requirement, IRWD is responsible for establishing CSS habitat, which would be appropriate for CBB, on-site as a permanent beneficial impact in the northeast corner of the Project site (**Figure 5**) in addition to off-site at the Irvine Lake North property (Assessor's Parcel Numbers 105-361-07 and 105-361-09), which has been acquired by IRWD for the purpose of restoration and long-term preservation (**Figure 6**). All mitigation areas associated with the Syphon Reservoir Improvement Project are shown on **Figure 7**.

The Irvine Lake North property currently supports a variety of CSS and chaparral communities which contain abundant floral resources suitable for CBB, including CSS - mixed sage scrub, chamise - sage scrub, black sage scrub, and mixed sage scrub - grassland communities, as shown in **Figure 6**. **Table 2** provides a list of the floral resources observed within the Irvine Lake North property during the site visit conducted on April 2, 2025 and depicts the corresponding bloom period in relation to the colony active period for CBB (April to August).

**TABLE 2**  
**IRVINE LAKE NORTH FLORAL RESOURCE INVENTORY**

Family Name	Latin Name	Common Name	Habit <sup>a</sup>	Duration <sup>b</sup>	Flower Color <sup>c</sup>	Bloom Period <sup>d</sup>											
						Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.
Anacardiaceae	<i>Rhus ovata</i>	sugar bush	S/T	P	W-P,R												
Apiaceae	<i>Sanicula arguta</i>	sharp-toothed sanicle	H	P	Y												
Asteraceae	<i>Baccharis pilularis</i> ssp. <i>consanguinea</i>	coyote brush	S	P	W												
Asteraceae	<i>Corethrogyne filaginifolia</i>	common sandaster	H	P	W - P - Pu												
Asteraceae	<i>Cynara cardunculus</i> var. <i>flavescens</i>	cardoon	H	P	B/Pu												
Asteraceae	<i>Eriophyllum confertiflorum</i> var. <i>confertiflorum</i>	golden yarrow	S	P	Y												
Asteraceae	<i>Gutierrezia californica</i>	California matchweed	SS	P	Y												
Asteraceae	<i>Hazardia squarrosa</i> var. <i>grindelioides</i>	saw-toothed goldenbush	S	P	Y												
Asteraceae	<i>Heterotheca grandiflora</i>	telegraph weed	H	A/P	Y												
Asteraceae	<i>Isocoma menziesii</i> var. <i>vernonioides</i>	coastal goldenbush	S	P	Y												
Asteraceae	<i>Lactuca serriola</i>	prickly lettuce	H	A	W												
Asteraceae	<i>Malacothrix saxatilis</i> var. <i>tenuifolia</i>	short-leaved cliff aster	H/SS	P	W												
Asteraceae	<i>Pseudognaphalium californicum</i>	Ladies' tobacco	H	A/P	W												
Asteraceae	<i>Pseudognaphalium microcephalum</i>	Wright's cudweed	H	P	W/Op												
Asteraceae	<i>Senecio vulgaris</i>	common groundsel	H	A	W – Y												
Asteraceae	<i>Silybum marianum</i>	milk thistle	H	A/P	P – Pu												
Asteraceae	<i>Sonchus asper</i> ssp. <i>asper</i>	sow thistle	H	A	W												
Boraginaceae	<i>Amsinckia menziesii</i>	common fiddleneck	H	A	OY												
Brassicaceae	<i>Hirschfeldia incana</i>	short-pod mustard	H	A/P	Y												
Convolvulaceae	<i>Calystegia macrostegia</i> ssp. <i>arida</i>	Southern California morning glory	V	P	W – P												
Cucurbitaceae	<i>Marah macrocarpa</i>	chilicothe	V	P	W												
Euphorbiaceae	<i>Euphorbia albomarginata</i>	rattlesnake sandmat	H	P	W												
Fabaceae	<i>Acmispon glaber</i> var. <i>glaber</i>	deerweed	SS	P	Y												
Fabaceae	<i>Lathyrus vestitus</i> var. <i>vestitus</i>	hillside pea	H	P	L – Pu												
Fabaceae	<i>Medicago polymorpha</i>	California burclover	H	A	Y												
Fabaceae	<i>Parkinsonia aculeata</i>	Mexican palo verde	T	P	Y												
Geraniaceae	<i>Erodium cicutarium</i>	redstem filaree	H	A	P – Pu												
Hydrophyllaceae	<i>Phacelia ramosissima</i>	branching phacelia	H	P	W/B/L												
Hydrophyllaceae	<i>Phacelia parryi</i>	Parry's phacelia	H	A	Pu												
Iridaceae	<i>Sisyrinchium bellum</i>	blue-eyed grass	H	P	B/Pu/V/W												
Lamiaceae	<i>Salvia apiana</i>	White sage	S	P	W												

Family Name	Latin Name	Common Name	Habit <sup>a</sup>	Duration <sup>b</sup>	Flower Color <sup>c</sup>	Bloom Period <sup>d</sup>											
						Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.
Lamiaceae	<i>Salvia mellifera</i>	black sage	S	P	W/B/L												
Liliaceae	<i>Calochortus catalinae</i>	Catalina mariposa lily	H	P	W – Pu												
Malvaceae	<i>Malacothamnus fasciculatus</i> var. <i>laxiflorus</i>	splendid bushmallow	S	P	P												
Myrtaceae	<i>Eucalyptus camaldulensis</i>	red gum	T	P	W												
Nyctaginaceae	<i>Mirabilis laevis</i> var. <i>crassifolia</i>	wishbone bush	S	P	P – Pu/R												
Onagraceae	<i>Clarkia botatae</i>	punch bowl godetia	H	A	L – P												
Orobanchaceae	<i>Castilleja exserta</i> ssp. <i>exserta</i>	purple owls' clover	H	A	W, Y, P - Pu												
Orobanchaceae	<i>Castilleja foliolosa</i>	woolly paintbrush	H/SS	P	O-R												
Papaveraceae	<i>Eschscholzia californica</i>	California poppy	H	A/P	O or Y												
Phrymaceae	<i>Diplacus auranticus</i>	orange bush monkeyflower	S	P	Y-O												
Plantaginaceae	<i>Plantago erecta</i>	California plantain	H	A	Op												
Plantaginaceae	<i>Antirrhinum coulterianum</i>	Coulter's snapdragon	H	A	W												
Polygonaceae	<i>Eriogonum fasciculatum</i> var. <i>foliosum</i>	California buckwheat	S	P	W												
Rosaceae	<i>Adenostoma fasciculatum</i> var. <i>fasciculatum</i>	chamise	S	P	W												
Rosaceae	<i>Heteromeles arbutifolia</i>	toyon	T	P	W												
Rubiaceae	<i>Galium angustifolium</i> ssp. <i>angustifolium</i>	narrow-leaved bedstraw	H	P	R – Y												
Rubiaceae	<i>Galium aparine</i>	goose grass	H	A	W												
Solanaceae	<i>Solanum umbelliferum</i> var. <i>umbelliferum</i>	blue witch nightshade	SS	P	L – B/Pu												
Viburnaceae	<i>Sambucus mexicana</i>	blue elderberry	T	P	W-B												

SOURCE: Blooming species observed on Irvine Lake North property as noted during the April 2, 2025 site visit. Floral information is noted as identified within the Jepson Flora Project (eds.) 2025. *Jepson eFlora*, <https://ucjeps.berkeley.edu/eflora/> [accessed on April 18, 2025].

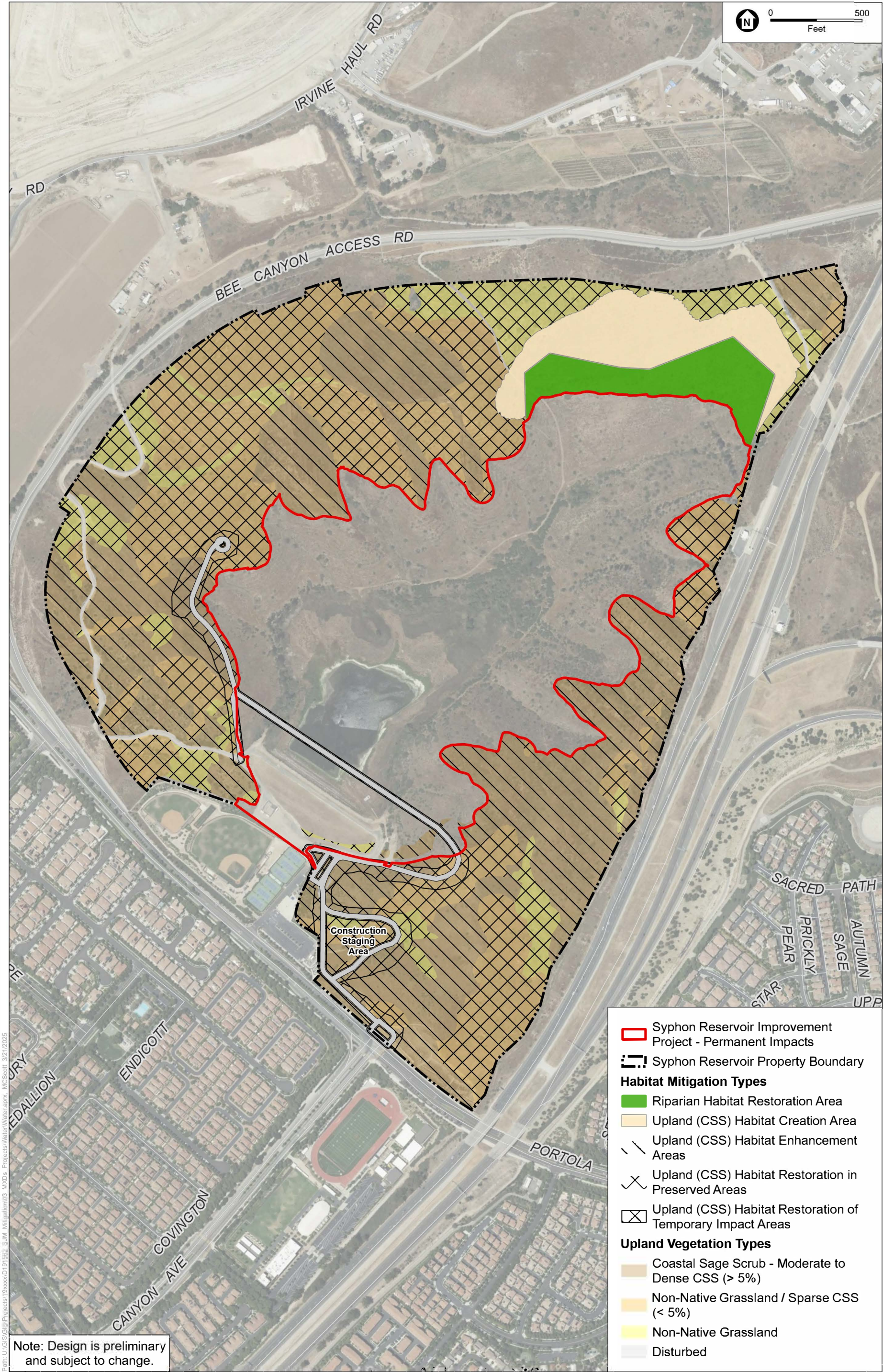
NOTES: Common names, habits, flower colors and bloom period as noted within the Jepson eFlora

a. Habit: Tree (T), Shrub (S), Subshrub (SS), Vine (V), Herbaceous (H)

b. Duration: Annual (A), Perennial (P)

c. Flower Color: White (W), Red (R), Yellow (Yellow), Violet (V), Lavender (L), Pink (P), Purple (Pu), Blue (B), Orange (O), Opaque (Op), - represents a range between the two colors.

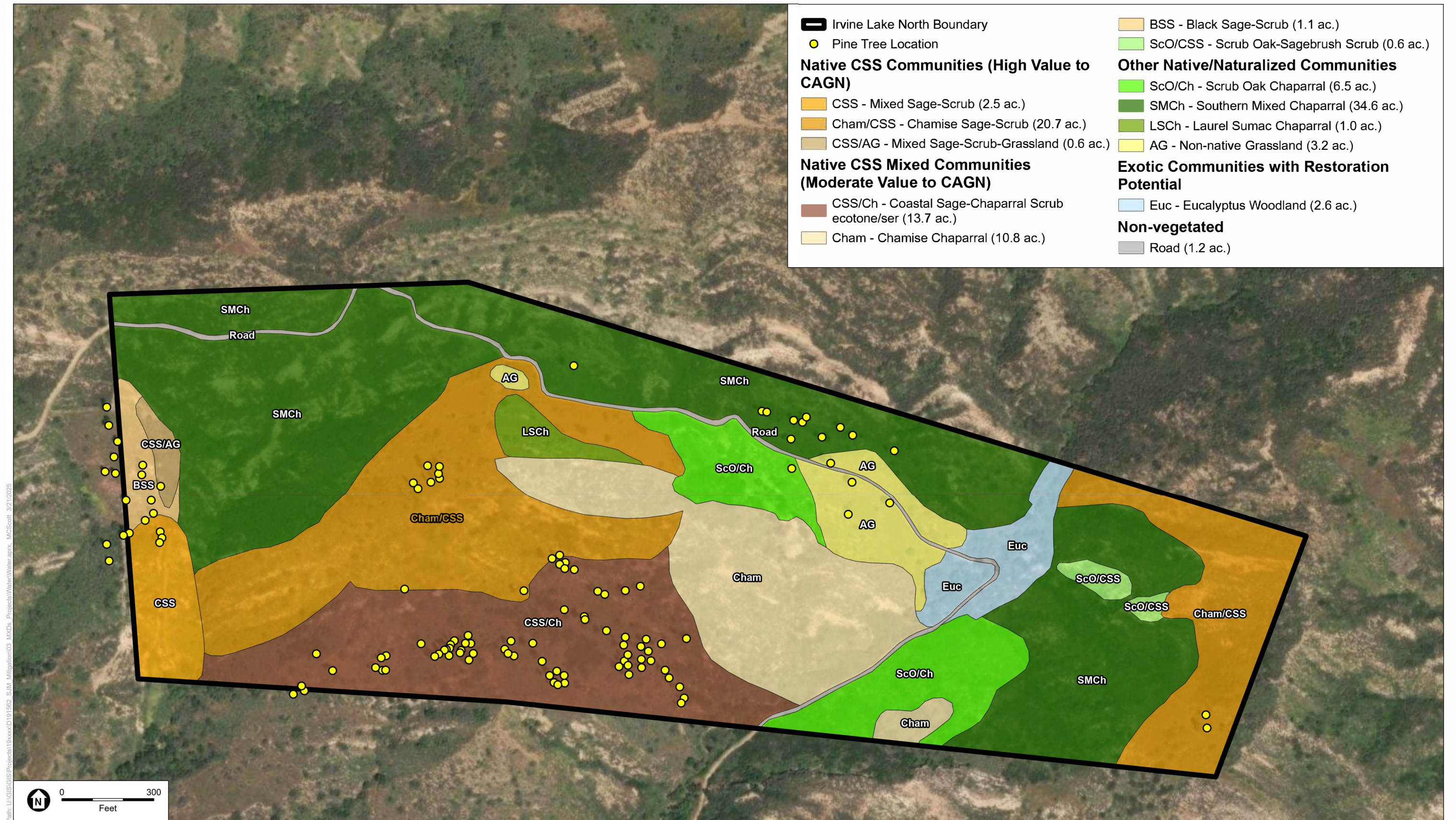
d. Bloom Period: Suitable bloom period for floral resources identified as February through November.



SOURCE: ESRI, 2020; ESA, 2024.

Syphon Reservoir Improvement Project Regulatory Update

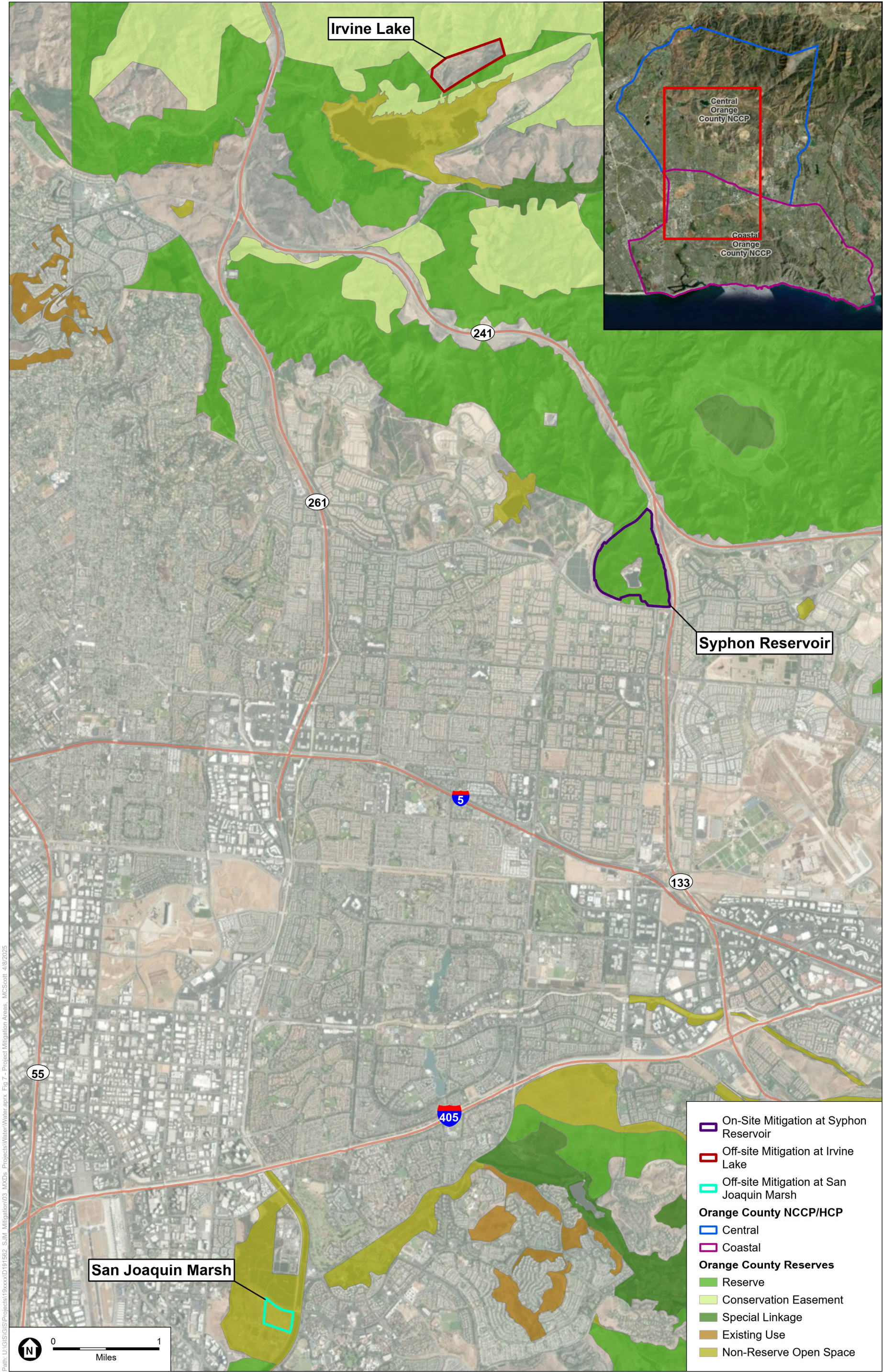
**Figure 5**  
Upland Habitat Mitigation Areas



Syphon Reservoir Improvement Project Regulatory Update

**Figure 6**

Irvine Lake (North) Property - Plant Communities



SOURCE: ESA, 2025

Syphon Reservoir Improvement Project Regulatory Update

As shown in Table 2, the Irvine Lake North property would provide ample suitable floral resources for CBB throughout the year and represents a floral diversity of at least 50 species across 26 plant families. Table 2 depicts a wide assortment of blooming plant species during the colony active period, which represents the most active foraging period for CBB. Table 2 also depicts floral resources that bloom year round. Approximately 73.5 acres of upland habitat would be preserved and managed at IRWD's Irvine Lake North property as part of fulfilling Mitigation Measure BIO-2, which would directly support CBB. To ensure continued management in perpetuity, IRWD would enter into a Conservation Easement for the Irvine Lake North off-site property and establish an endowment to ensure ongoing funding. IRWD would also prepare a Long-Term Management Plan to satisfy commitments associated with protection of CBB. By preserving this land in perpetuity, the Irvine Lake North property would support CBB year-round, including during critical life stages such as the colony active period through preservation of suitable habitat and suitable floral resources. Through implementation of their Long-Term Management Plan for the Irvine Lake North Property, IRWD would also confirm the ongoing presence of CBB on the Irvine Lake North property through wildlife surveys for CBB and other special-status species such as bald eagle and coastal California gnatcatcher, which are also present on the site. The Long-Term Management Plan for the Irvine Lake North Property would also include various management obligations, including biological monitoring, invasive species control, site maintenance, and adaptive management requirements, which would preserve the site in perpetuity and provide permanent long-term preservation of CBB habitat.

Mitigation Measure BIO-2 included in the Syphon Reservoir Improvement Project FEIR would also reduce the potential for impacts to CBB through the demarcation of limits of disturbance and restrictions on the number of vehicle/equipment transportation routes and staging areas during construction. Additionally, Mitigation Measure BIO-5 from the Syphon Reservoir Improvement Project FEIR would require posting of educational signage and monitoring requirements. With implementation of Mitigation Measures BIO-1, BIO-2, and BIO-5 from the Syphon Reservoir Improvement Project FEIR, potential impacts to the CBB would be reduced to a less than significant level, similar to the conclusions of the Syphon Reservoir Improvement Project FEIR for other special-status wildlife species that rely on affected habitat. No additional mitigation would be required to address impacts to CBB.

The changed listing status of the CBB requires that IRWD apply for an Incidental Take Permit from CDFW pursuant to Section 2081 of the California Fish and Game Code<sup>2</sup>. In compliance with the CESA, the Incidental Take Permit will include practicable take avoidance measures to minimize impacts to CBB and to support the successful conservation of CBB habitat both on-site and off-site. Issuance of the Incidental Take Permit will result in compliance with CESA.

The change in the listing status of the CBB would not in itself be a new significant impact or constitute a change in the project setting that could result in a new significant impact or a substantially more severe significant impact to special-status wildlife species. The Syphon Reservoir Improvements Project FEIR determined impacts to special-status wildlife species would be potentially significant and required implementation of Mitigation Measures BIO-1 through BIO-5. The mitigation measures included in the current Mitigation Monitoring and Reporting Program adopted by IRWD as part of the certified FEIR to

<sup>2</sup> CDFW is currently reviewing CBB's candidacy and will provide findings for a final decision sometime in 2025. Should CBB not become a candidate species with threatened species protections under CEQA, an Incidental Take Permit will not be required for the Syphon Reservoir Improvement Project.

establish both on-site and off-site compensatory mitigation would also be appropriate and sufficient to reduce impacts to CBB to less than significant levels. No additional mitigation or compensation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of a previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Mitigation Measures from the 2021 Syphon Reservoir Improvement Project FEIR**

The following mitigation measures are required to be implemented under this Addendum No. 2.

**BIO-1:** IRWD has been engaged in close coordination with the Wildlife Agencies (i.e., USFWS and CDFW) since 2018 to develop a multi-faceted mitigation strategy to address impacts to California gnatcatcher, as well as to address the additional mitigation the agencies mandate to compensate for displacement of habitat and land previously set aside for mitigation and subject to the restrictions and requirements imposed under the Mitigation Grant Deed, of which USFWS is a third party beneficiary. To date, IRWD has researched numerous off-site lands with high value habitat and biological resources, and initiated negotiations with landowners for possible acquisition. IRWD shall implement one, or a combination, of the following measures to mitigate permanent impacts to special-status wildlife species:

- a. Use of Incidental Take Credits for participating landowners (within the Reserve, or outside of the Reserve) to offset permanent impacts to coastal sage scrub (e.g., California sagebrush scrub, California sagebrush scrub/non-native herbaceous cover, coyote brush scrub, chaparral bushmallow scrub, chaparral bushmallow scrub/non-native herbaceous cover, and non-native herbaceous cover/California sagebrush scrub) at a 1:1 impact-to-mitigation ratio.
- b. On- and/or off-site creation, restoration, and/or enhancement containing natural communities suitable for special-status species or comparable, as determined acceptable by the USFWS and CDFW.
- c. Off-site land acquisition, preservation, creation, restoration, and/or enhancement containing natural communities suitable for special-status species or comparable, as determined acceptable by the USFWS and CDFW.
- d. Areas where temporary impacts occur would be returned to pre-project conditions (i.e., pre-project elevation contours and revegetated with native upland scrub species) within one-year after construction is completed, and will be monitored for three years, or until a qualified biologist determines that the project site has returned to pre-project conditions. A revegetation plan would be prepared to re-seed/re-plant the area with local species, and would include performance standards, success criteria, maintenance, and future monitoring.

**BIO-2:** In accordance with the NCCP/HCP, certain construction-related mitigation measures are required to minimize impacts to the coastal California gnatcatcher and other coastal sage scrub species. The removal of coastal sage scrub communities will be conducted in compliance with the NCCP/HCP's Construction Related Minimization Measures:

- a. To the maximum extent practicable, no grading of coastal sage scrub habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15).
- b. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of coastal sage scrub habitat to be avoided under the provisions of the NCCP/HCP shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of coastal sage scrub, a survey will be conducted to

locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities and the locations of any such species shall be clearly marked and identified on the construction/grading plans.

- c. A monitoring biologist, acceptable to USFWS/CDFW, will be on-site during any clearing of coastal sage scrub. IRWD will advise USFWS/CDFW at least seven calendar days (and preferably fourteen calendar days) prior to the clearing of any habitat occupied by Identified Species<sup>3</sup> to allow USFWS/CDFW to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist will flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Identified bird species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.
- d. Following the completion of initial grading/earth moving activities, all areas of coastal sage scrub habitat to be avoided by construction equipment and personnel will be marked with temporary fencing and other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials will be permitted within such marked areas.
- e. In areas bordering the NCCP Reserve System or Special Linkage/Special Management areas containing significant coastal sage scrub identified in the NCCP/HCP for protection, vehicle/equipment transportation routes and staging areas will be restricted to a minimum number during construction consistent with project construction requirements. Waste dirt or rubble will not be deposited on adjacent coastal sage scrub identified in the NCCP/HCP for protection. Pre-construction meetings involving the monitoring biologist, construction supervisors, and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.
- f. Coastal sage scrub identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.

**BIO-5:** IRWD shall implement the following measure to mitigate indirect impacts to special-status wildlife species:

- a. Educational signage shall be posted at the entrances of the proposed walking trail to inform the public about the sensitive biological resources in the area and local wildlife in the area (e.g., rattlesnakes, coyotes). Signage would also be posted periodically along the proposed trail to remind public to keep on the trail and out of sensitive habitat areas.
- a. The proposed trail shall only be open during daylight hours (e.g., dawn to dusk).
- b. A Resource Management Plan (RMP) shall be prepared to outline long-term maintenance and management responsibilities for the preservation of the biological resources on-site (e.g., invasive species management, monitoring access issues, off-trail use, erosion, trash). The RMP should also provide guidance to ensure that all operations and maintenance activities performed on-site must also comply with all applicable requirements of the NCCP/HCP and the

<sup>3</sup> NCCP/HCP Identified Species that occur, or have potential to occur, on-site include the following: coastal California gnatcatcher, coastal cactus wren, orange-throated whiptail, coastal western whiptail, red-diamond rattlesnake, coast horned lizard, northern harrier, sharp-shinned hawk, prairie falcon, American peregrine falcon, red-shouldered hawk, southern California rufous-crowned sparrow, San Diego desert woodrat, gray fox, and coyote.

preservation of the biological resources on-site. The RMP would also outline monitoring requirements for species populations for federal and state-listed species (i.e., least Bell's vireo and coastal California gnatcatcher).

**b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

The Syphon Reservoir Improvement Project FEIR found that the Syphon Reservoir Improvement Project would permanently impact up to 61.68 acres of sensitive natural communities, including 0.09 acre of arroyo willow thicket, 4.07 acres of black willow thicket, 0.77 acre of coyote brush scrub, 0.19 acre of chaparral bushmallow scrub, 0.06 acre of chaparral bushmallow scrub/non-native herbaceous cover, up to 27.34 acres of CSS, 0.98 acre of CSS/non-native herbaceous cover, and 28.18 acres of non-native herbaceous cover/CSS. The Syphon Reservoir Improvement Project would also temporarily impact an additional 0.85 acre of CSS. Impacts to sensitive natural communities that would result from the Syphon Reservoir Improvement Project were found to be potentially significant. Implementation of Mitigation Measure BIO-6 was required to reduce impacts to a less than significant level.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. The impacts to the CSS were previously analyzed under the Syphon Reservoir Improvement Project FEIR, and the change in the listing status of the CBB would result in no new impacts to sensitive natural communities. No additional mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

The Syphon Reservoir Improvement Project FEIR found that there were no waters of the United States on the Syphon Reservoir Improvement Project site because Syphon Reservoir is an intrastate isolated water with no apparent interstate or foreign commerce connection. Thus, jurisdictional features identified are only subject to the jurisdiction of the State (i.e., wetlands and non-wetland waters of the State, and CDFW lakes, streams, and associated vegetation). Impacts related to CDFW jurisdiction are addressed in item b) above. The Syphon Reservoir Improvement Project was found to permanently impact 18.28 acres of wetlands and waters of the State (4.33 acres of wetlands, 13.95 acres of non-wetland waters of the State). The Syphon Reservoir Improvement Project would also create 5.88 acres of freshwater marsh wetland habitat and enlarge the reservoir, which would expand the open water resources on-site. Thus, the Syphon Reservoir Improvement Project would result in a beneficial impact, which would increase the amount of potential Regional Water Quality Control Board jurisdictional wetlands and water of the State, and impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. No impacts to waters of the United States would occur, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new

significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

The Syphon Reservoir Improvement Project would impact 121.43 acres of natural communities during construction on-site. Of this total, 2.70 acres would be temporarily impacted, 95.84 acres would be permanently impacted, and 22.91 acres would be permanently impacted but would be replaced by the creation of riparian/upland areas on-site resulting in an equivalent or beneficial impact. These impacts could disrupt local movement and displace wildlife within the Syphon Reservoir Improvement Project's footprint, particularly within the on-site riparian habitats. The Syphon Reservoir Improvement Project would avoid 144.31 acres of surrounding natural communities; thus, displaced wildlife utilizing upland habitats could disperse to other upland areas on-site, and the impacted areas would not inhibit local or regional movement of wildlife within these avoided areas of the site, although wildlife that is more sensitive to human disturbances and noise may be deterred by the nearby construction activities. Once completed, the enlarged reservoir would provide greater water storage capacity and an expanded open water area for migrating birds. The Syphon Reservoir Improvement Project would create at least 6.58 acres of on-site riparian woodland and approximately 5.88 acres of additional on-site woody riparian and/or freshwater marsh habitat that would be maintained to consistently provide habitat year-round, which would be a benefit to migratory species. In addition, approximately 10.47 acres of CSS habitat would be created in an area northeast of the reservoir that currently exhibits predominantly low-value ruderal grassland. Therefore, with the creation of the on-site riparian and upland habitat, impacts to local movement are not expected to be significant. Thus, impacts to regional and local wildlife movement are considered less than significant, and no mitigation was required.

The change in the listing status of the CBB does not include modifications to project design or implementation methods, and as a result, would not result in impacts to regional and local wildlife movement. No mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

The Syphon Reservoir Improvement Project FEIR analyzed the Syphon Reservoir Improvement Project's potential to be in conflict with relevant general planning documents of the County of Orange. The County's General Plan's Land Use Element Policy 9, Enhancement of Environment, ensures that all land use activities seek to enhance the physical environment, including the air, water, sound levels, landscape, and plant and animal life, and recognizes the need to improve both the manmade and natural environments. Plant and animal life that may be disrupted by the Syphon Reservoir Improvement Project would be offset through the creation of riparian and upland habitat areas and proposed mitigation, so while these created habitat and mitigation areas may not enhance the physical environment, they would ensure the preservation of biologically equivalent plant and wildlife resources. Thus, the Syphon Reservoir Improvement Project was found to not conflict with this policy. The County's General Plan's Resources Element Policy 1, Wildlife and Vegetation, requires the identification and preservation of the significant wildlife and vegetation habitats of Orange County. Impacts to special-status wildlife species

and sensitive natural communities were analyzed, and mitigation was proposed for impacts that were determined to be potentially significant. Implementation of Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, and BIO-6 were found to reduce impacts to a less than significant level.

The change in the listing status of the CBB does not include modifications to project design or implementation methods, and as a result, would not conflict with the local policies and ordinances previously analyzed under the Syphon Reservoir Improvement Project FEIR. No additional mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

The Syphon Reservoir Improvement Project FEIR found that the Syphon Reservoir Improvement Project is a permitted use within the NCCP/HCP Reserve System. Compliance with specific conditions required for NCCP/HCP conditionally covered species (i.e., least Bell's vireo) are discussed in item a) above. However, the removal of CSS communities would be considered potentially significant. Implementation of Mitigation Measures BIO-1 and BIO-2 were determined to reduce impacts to a less than significant level. When maintenance of the riparian and upland habitat areas involves vegetation removal (e.g., weeding) and cannot be scheduled outside of nesting season, such work could impact nesting special-status bird species, which could also be potentially significant. Implementation of Mitigation Measure BIO-3 was found to reduce impacts to a less than significant level, and thus impacts related to the Central & Coastal Subregion NCCP/HCP were determined to be less than significant with mitigation incorporated.

The change in the listing status of the CBB does not include modifications to project design or implementation methods, and as a result, would result in no conflicts with the provisions of the NCCP/HCP. No additional mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## **Summary of Potential Effects on Biological Resources**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to biological resources. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

## References

- Bumble Bee Atlas. 2025. *Verified Observations of Bombus crotchii from Orange County, California, USA*, observed before March 12, 2025
- CDFW. 2025. *California Natural Diversity Database. Electronic database*. Sacramento, California. Accessed on March 12, 2025: <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>.
- County of Orange. 2015. *Land Use Element*. General Plan. Chapter III, Land Use Element. October 2015. <https://www.ocgov.com/civicax/filebank/blobdload.aspx?blobid=55705>.
- iNaturalist. 2025. *Research Grade Observations of Bombus crotchii from Irvine, California, USA*, observed before March 12, 2025. Exported from <https://www.inaturalist.org> on March 12, 2025.
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## 3.5 Cultural Resources

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>V. CULTURAL RESOURCES</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?**

The Syphon Reservoir Improvement Project FEIR identified a total of nine resources within the Syphon Reservoir Improvement Project site, including four prehistoric archaeological sites, an isolated prehistoric mano, a historic-period archaeological site consisting of an artifact scatter and foundation remnants, and three historic period built architectural resources. The Syphon Reservoir Improvement Project FEIR determined that with implementation of Mitigation Measure CR-1, which provides procedures for avoidance of two unevaluated resources, impacts would be less than significant. Four other resources were presumed likely to be impacted by the Syphon Reservoir Improvement Project; however, since none of these resources qualify for listing in the National Register of Historic Places or California Register of Historical Resources, none are historical resources as defined in CEQA Guidelines Section 15064.5, and impacts to the resources were determined to not be significant. Additionally, an analysis of indirect impacts to adjacent historical resources was conducted. It was determined that the Syphon Reservoir Improvement Project would not result in an indirect impact to historical resources and that impacts would be less than significant to known resources. The Syphon Reservoir Improvement Project FEIR also indicated that the presence of both historic-period and prehistoric archaeological sites within and in the vicinity of the Syphon Reservoir Improvement Project site indicates that the area is sensitive for archaeological resources. The Syphon Reservoir Improvement Project FEIR included Mitigation Measures CR-1 through CR-4, which require procedures for avoidance of two unevaluated resources at the Syphon Reservoir Improvement Project site, construction worker sensitivity training, cultural resources monitoring, and treatment of unanticipated discoveries, which would ensure that impacts associated with the Syphon Reservoir Improvement Project are reduced to a less than significant level.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. No adverse change in the significance of a historical resource would occur, and no additional mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

As previously mentioned in item a) above, the Syphon Reservoir Improvement Project FEIR identified a total of nine resources within the Syphon Reservoir Improvement Project site, including four prehistoric archaeological sites, an isolated prehistoric mano, a historic-period archaeological site consisting of an artifact scatter and foundation remnants, and three historic period built architectural resources. The Syphon Reservoir Improvement Project FEIR determined that with implementation of Mitigation Measure CR-1, which provides procedures for avoidance of two unevaluated resources, impacts to these known resources would be less than significant. The Syphon Reservoir Improvement Project FEIR also included Mitigation Measures CR-2 through CR-4, which require construction worker sensitivity training, cultural resources monitoring, and treatment of unanticipated discoveries, which would ensure that impacts to previously unknown archaeological resources, would be reduced to a less than significant level.

The change in the listing status of the CBB does not include modifications to project design or implementation methods or the potential to uncover buried prehistoric archaeological resources. No additional mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Disturb any human remains, including those interred outside of dedicated cemeteries?**

The Syphon Reservoir Improvement Project FEIR determined that the potential to disturb human remains is low and that state laws dictate appropriate treatment of any unearthed human remains. As a result, the Syphon Reservoir Improvement Project FEIR concluded a less than significant impact to human remains.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. As a result, there would be no potential to disturb human remains. No new mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## **Summary of Potential Effects on Cultural Resources**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to cultural resources. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

While preparing the 2021 Syphon Reservoir Improvement Project FEIR, IRWD engaged in a consultation process with the Gabrieleno Band of Mission Indians - Kizh Nation and other tribal entities pursuant to Public Resources Code Section 21080.3.1. No parties objected to the adequacy of the consultation process or the adequacy of adopted mitigation measures prior to the close of the public hearing in July 2021.

## 3.6 Energy

### *Issues (and Supporting Information Sources):*

	Yes	No
<b>VI. ENERGY</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

**a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would result in energy demand from the use of construction equipment for a temporary period of time for approximately 41 months. As discussed in the Syphon Reservoir Improvement Project FEIR, energy demand from the use of transportation fuels from construction activities would be generated by the operation of vehicles and equipment used for various construction activities, such as excavation and grading. Electricity would be consumed to power the construction trailers and exterior uses such as lights, conveyance of water for dust control, and any electrically-powered construction equipment. Construction-related energy and transportation fuel demand from construction equipment would vary depending on factors such as the type and number of equipment and the duration that each equipment is powered on and used. Construction equipment and trucks would be required to comply with applicable provisions of regulations to improve fuel efficiency. Therefore, construction of the Syphon Reservoir Improvement Project was found to not result in the wasteful, inefficient, or unnecessary consumption of transportation fuel resources, and impacts would be less than significant.

The Syphon Reservoir Improvement Project FEIR determined that the operational activities associated with the Syphon Reservoir Improvement Project would not increase the average daily traffic volumes along the major thoroughfares within the project vicinity. During operation of the Syphon Reservoir Improvement Project, electricity would be consumed for the operation of the Treatment Facility, which includes electricity for building lighting and electric-powered pumps and other equipment. Given the minimal energy consumption of the Syphon Reservoir Improvement Project, anticipated energy savings related to a reduction in imported water, and design with energy efficient lighting and equipment, operation of the Syphon Reservoir Improvement Project would not result in a substantial increase in energy consumption and would not result in the wasteful, inefficient, or unnecessary consumption of electricity resources; impacts were found to be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. Consumption of energy resources would not change, and no mitigation would

be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

The Syphon Reservoir Improvement Project FEIR determined that the Syphon Reservoir Improvement Project would be designed in a manner consistent with relevant energy efficiency plans, such as Integrated Energy Policy Report and the California Building Standards Code, designed to encourage development that results in the efficient use of water resources. The Syphon Reservoir Improvement Project would increase the capacity of the Syphon Reservoir, thereby providing a local, consistent supply of recycled water for the IRWD service area. This would reduce the energy consumption needed to provide water to IRWD's recycled water customers. Replacing imported water with recycled water stored under the Syphon Reservoir Improvement Project would reduce the electricity used for water supply and conveyance by approximately 3,699,000 kilowatt-hours annually. The Syphon Reservoir Improvement Project FEIR discussed the CARB 2017 Climate Change Scoping Plan, which provided the State strategy for reducing greenhouse gas (GHG) emissions at the time of the Syphon Reservoir Improvement Project FEIR and includes various energy efficiency strategies to achieve the GHG reduction goals, including recognition of the nexus between water and energy consumption. The water-energy nexus provides opportunities for reducing energy demand and reducing GHG emissions. The 2017 Climate Change Scoping Plan, states that "recycled water has the potential to reduce GHGs if it replaces, and not merely serves as an alternative to, an existing, higher-carbon water supply." Given the water-energy nexus, this means recycled water has the potential to reduce energy consumption if it replaces more energy-intensive water supplies. Thus, the Syphon Reservoir Improvement Project was found to be consistent with the 2017 Climate Change Scoping Plan's strategy to reduce water-related energy consumption. As a result, the Syphon Reservoir Improvement Project would not conflict with or obstruct a State or local plan for energy efficiency, and impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. No additional consumption of energy resources would be required that could conflict with any plans for renewable energy or energy efficiency; no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## Summary of Potential Effects on Energy

The change in the listing status of the CBB would not result new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to energy. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

## References

CARB. 2017. *California's 2017 Climate Change Scoping Plan: The strategy for achieving California's 2030 greenhouse gas target, November*. Available at [www.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](http://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf).

## 3.7 Geology and Soils

<b>Issues (and Supporting Information Sources):</b>	<b>Yes</b>	<b>No</b>
<b>VII. GEOLOGY AND SOILS</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:		
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:

- a.i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?
- a.ii) Strong seismic ground shaking?
- a.iii) Seismic related ground failure including liquefaction?
- a.iv) Landslides?

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would not be located on an active earthquake fault but would be located within a seismically active region. The Syphon Reservoir Improvement Project FEIR concluded that the Syphon Reservoir Improvement Project could be subject to seismic shaking and seismic-induced ground failures, such as liquefaction, and landslides. However, the Syphon Reservoir Improvement Project FEIR further explained that the DSOD would require a final geotechnical investigation to be prepared that would identify

geotechnical issues, including seismic-related issues, and provide recommendations to address geotechnical issues, if any. The preparation of a geotechnical investigation and implementation of geotechnical recommendations would ensure impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. As a result, there would be no change in activities that could increase the severity of impacts related to fault rupture, seismic ground shaking, liquefaction, or landslides, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Result in substantial soil erosion or the loss of topsoil?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site includes slopes that could be susceptible to erosion. Some of the local geologic units are rated as generally having very poor slope stability characteristics and are described as landslide-prone (and consequently also erosion-prone) units. Several existing potential landslide areas are present. However, the Syphon Reservoir Improvement Project FEIR further explained that a final geotechnical report would be prepared that would identify geotechnical issues, including geologic units susceptible to erosion, and would provide recommendations to address such geotechnical issues. The preparation of a geotechnical investigation and implementation of geotechnical recommendations would ensure impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. As a result, there would be no change in activities that could result in substantial soil erosion or loss of topsoil, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site includes geologic units and slopes that could be susceptible to landslides. In addition, the construction of the dam could be susceptible to subsidence due to settlement of the dam materials. However, the Syphon Reservoir Improvement Project FEIR further explained that a final geotechnical investigation would be prepared that would identify geotechnical issues, including landslides and settlement, and provide recommendations to address such geotechnical issues. The preparation of a geotechnical investigation and implementation of geotechnical recommendations would ensure impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. As a result, there would be no increase in severity of impacts relative to unstable geologic units or soil compared with the conclusions in the Syphon Reservoir Improvement Project FEIR, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Be located on expansive soil creating substantial direct or indirect risks to life or property?**

The Syphon Reservoir Improvement Project FEIR identified that the only expansive soils identified for the Syphon Reservoir Improvement Project would be lake bottom materials. However, these materials would not be used for construction of the dam and would remain at the bottom of the lake, and impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. As a result, there would be no increase in the severity of impacts related to expansive soil, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would not use septic tanks or other on-site wastewater disposal systems. Therefore, there would be no impact related to the adequacy of soils to support such systems.

The change in the listing status of the CBB would not involve use of septic tanks or other on-site wastewater disposal systems. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site includes geologic units that may contain paleontological resources. The Syphon Reservoir Improvement Project FEIR required implementation of Mitigation Measures GEO-1 through GEO-4 to ensure that impacts to paleontological resources are reduced to less than significant levels.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. As a result, there would be no potential to destroy a unique paleontological resource or geologic feature, and no additional mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## **Summary of Potential Effects on Geology and Soils**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to geology and soils. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

### 3.8 Greenhouse Gas Emissions

<i>Issues (and Supporting Information Sources):</i>	<i>Yes</i>	<i>No</i>
<b>VIII. GREENHOUSE GAS EMISSIONS</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would generate GHG emissions from vehicle trips generated by construction workers, vendor trucks, and haul trucks traveling to and from the Syphon Reservoir Improvement Project site and the use of construction equipment. Operation of the Syphon Reservoir Improvement Project was found to not result in new or increased use of motor vehicles, aside from periodic maintenance vehicles. The Syphon Reservoir Improvement Project was found to result in the additional electricity demand to power equipment, which would result in electricity-related GHG emissions. The objectives of the Syphon Reservoir Improvement Project include reducing the need to purchase supplemental imported untreated water from the MWD by storing recycled water that is already produced. Conveying imported untreated water from the State Water Project (SWP) and the Colorado River to Orange County requires energy for pumping. Replacing imported water with locally generated recycled water reduces the overall energy associated with imported water because there would be less energy needed for conveyance. This reduction in energy would result in district-wide energy savings. The Syphon Reservoir Improvement Project FEIR determined that the Syphon Reservoir Improvement Project’s annual GHG emissions would not exceed the threshold of significance. Therefore, impacts with respect to the generation of GHGs were found to be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no activities that would result in additional GHG emissions, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases**

The Syphon Reservoir Improvement Project FEIR determined that the Syphon Reservoir Improvement Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of

reducing the emissions of GHGs. The objectives of the Syphon Reservoir Improvement Project include reducing the need to purchase supplemental imported untreated water from MWD by storing recycled water that is already produced. Conveying imported untreated water from the SWP and the Colorado River to Orange County requires a tremendous amount of energy for pumping. Replacing imported water with locally generated recycled water reduces the overall energy associated with imported water because there would be less energy needed for conveyance. By providing IRWD customers with recycled water stored under the Syphon Reservoir Improvement Project, electricity used for water supply and conveyance from imported water would be offset by recycled water, thus reducing district-wide GHG emissions. The CARB 2017 Climate Change Scoping Plan, the State's plan to reduce GHG emissions at the time of the Syphon Reservoir Improvement Project FEIR, recognizes the nexus between water and energy consumption. The water-energy nexus provides opportunities for reducing energy demand and reducing emissions of GHGs. The 2017 Climate Change Scoping Plan states that "recycled water has the potential to reduce GHGs if it replaces, and not merely serves as an alternative to, an existing, higher-carbon water supply." Thus, the Syphon Reservoir Improvement Project would be consistent with and would not conflict with the Scoping Plan's strategy to reduce water-related GHG emissions. The Syphon Reservoir Improvement Project would also not result in employment growth in excess of regional projections by the Southern California Association of Governments. Therefore, the Syphon Reservoir Improvement Project was found to not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no activities that would result in conflicts with GHG emissions plans, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## Summary of Potential Effects on Greenhouse Gas Emissions

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to GHG emissions. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.).

## References

CARB. 2017. *California's 2017 Climate Change Scoping Plan: The strategy for achieving California's 2030 greenhouse gas target*, November. Available at [www.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](http://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf).

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## 3.9 Hazards and Hazardous Materials

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>IX. HAZARDS AND HAZARDOUS MATERIALS —</b> Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a, b) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

The Syphon Reservoir Improvement Project FEIR identified that construction equipment and materials may include fuels and chemicals commonly used in construction. These chemicals would be stored and used in accordance with all applicable laws and regulations. In addition, the construction contractor would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) for construction activities in compliance with the National Pollutant Discharge Elimination System (NPDES) General Construction Permit requirements. The SWPPP would list the hazardous materials proposed for use during construction; describe spill prevention measures, equipment inspections, equipment and fuel storage; outline protocols for responding immediately to spills; and describe best management practices for controlling site runoff. Finally, contractors would be required to prepare and implement Hazardous Materials Business Plans that would require that hazardous materials used for construction would be used properly and stored in appropriate containers with secondary containment to contain a potential release. During operation, sodium bisulfite would be used for water dechlorination, and sodium hypochlorite would be used for water treatment. As required by the State's Hazardous Materials Management Program, IRWD, as the operator of the proposed facility, would be required to prepare and submit a Hazardous

Materials Business Plan that would be required to include information on hazardous material handling and storage, including site layout, storage in appropriate containers with secondary containment to contain a potential release, and emergency response and notification procedures in the event of a spill or release. Compliance with laws, regulations, and manufacturers specifications would ensure impacts would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no change in activities that would utilize hazardous materials or create a significant hazard to the public or the environment, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The Syphon Reservoir Improvement Project FEIR identified that transport of hazardous materials during construction and operation of the Syphon Reservoir Improvement Project could use haul routes that pass by schools. As described under items a) and b) above, construction and operation activities would be required to comply with numerous hazardous materials regulations designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety and to reduce the potential for a release of construction-related fuels or other hazardous materials into the environment, including in proximity to schools. The required compliance with the numerous laws and regulations that govern the transportation, use, handling, and disposal of hazardous materials during construction and operation of the Syphon Reservoir Improvement Project would ensure the potential risks to schools related to emitting and handling hazardous substances remain less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would involve transportation or handling of hazardous materials or substances near schools, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

The Syphon Reservoir Improvement Project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List). Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR .

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

The Syphon Reservoir Improvement Project is located outside of the Airport Planning Areas for the operational airports in Orange County; therefore, there would be no impact. The change in the listing status of the CBB would not introduce new project components that would result in a safety hazard in proximity to an airport. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

- f) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site is bounded by two evacuation routes: Portola Parkway to the west and SR-133 to the southeast. The Syphon Reservoir Improvement Project would modify the existing intersection and associated traffic lights to allow construction access through the intersection directly into the Syphon Reservoir Improvement Project site. The intersection modification would not involve closure of any roadways; however, temporary lane closures could be required, for example to allow for restriping of lanes or creating the curb cut and entrance to the proposed access road. However, to ensure that impacts related to the circulation system do not occur as a result of the Syphon Reservoir Improvement Project, IRWD would implement Mitigation Measure TRA-1, which would require the preparation and implementation of a Traffic Control Plan. The Traffic Control Plan would include, but would not be limited to, signage, striping, delineated detours, flagging operations, changeable message signs, delineators, arrow boards, and K-Rails during construction to guide motorists, bicyclists, and pedestrians safely through the proposed construction area and allow for adequate emergency access and circulation to the satisfaction of the City of Irvine. Therefore, with implementation of Mitigation Measure TRA-1, impacts to the circulation system during the initial intersection improvement phase of the Syphon Reservoir Improvement Project would be reduced to a less than significant level, and project construction would not impair or physically interfere with emergency response teams or an evacuation plan. Operation of the Syphon Reservoir Improvement Project would be substantially similar to current conditions respective to emergency response and evacuation. No operation-related activities would occur within surrounding rights-of-way or along evacuation routes.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no change in construction or operational activities that would impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, no additional mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project is located within a moderate fire hazard severity zone (FHSZ) and is adjacent to areas mapped as a Very High FHSZ. The Syphon Reservoir Improvement Project includes slopes surrounding the existing reservoir that are susceptible to prevailing winds. Brush and grassland habitats within the Syphon Reservoir Improvement Project site are highly flammable. The primary fire hazards from construction of the Syphon Reservoir Improvement Project would involve the use of vehicles and equipment. Heat or sparks from construction vehicles and equipment could ignite dry vegetation and cause a fire. Syphon Reservoir Improvement Project construction could increase the risk of exposure of people or structures to significant loss, injury, or death involving wildland fires, which would result in a potentially significant impact. However, all personnel on the Syphon Reservoir Improvement Project site would have to comply with Public Resources Code Sections 4427, 4428, 4431, and 4442, which include regulations relating to the handling of combustible fuels and equipment that can exacerbate fire risks. During construction, strict adherence to Public Resources Code regulations would ensure that contractors are responsible for all monitoring and safety measures ensuring that any risk to exacerbate wildfires would be reduced. Additionally, all construction must comply with fire protection and prevention requirements specified by the California Code of Regulations and California Division of Occupational Safety and Health. This includes various measures such as easy accessibility of firefighting equipment, proper storage of combustible liquids, no smoking in service and refueling areas, and worker training for firefighter extinguisher use. Furthermore, implementation of Mitigation Measure WDF-1 would be required to ensure fire hazard reduction measures are implemented during Syphon Reservoir Improvement Project activities to further reduce the potential for wildfire impacts on project workers. As a result, the potential impact would be reduced to a less than significant level with mitigation.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no construction or operational activities that would expose people or structures to significant risk of loss, injury, or death involving wildland fires, and no additional mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## **Summary of Potential Effects on Hazards and Hazardous Materials**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to hazards and hazardous materials. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

## 3.10 Hydrology and Water Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Yes</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:		
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would include construction of access roads, clearing of vegetation, and other ground disturbing activities to expand the reservoir and construct the proposed dam. These construction-related activities would result in large stockpiles of soils and would require the use of hazardous materials (e.g., fuels, oil, lubricants for equipment), both of which could be mobilized and transported off-site, potentially degrading the water quality of nearby surface waters. However, the Syphon Reservoir Improvement Project would be required to obtain coverage under the NPDES Construction General Permit, which would require the preparation and implementation of a SWPPP. The SWPPP would describe best management practices such as settlement basins, silt fences, and straw wattles to prevent sediment and other pollutants from leaving the work site and entering waterways. With compliance with the Construction General Permit, impacts relative to water quality during construction would be less than significant.

For operation, the Syphon Reservoir Improvement Project would include a seepage control system to prevent erosion as required by the DSOD, an Emergency Action Plan as required by the DSOD to manage discharge from the reservoir in the event of an emergency, and various best management practices required by the Municipal Separate Storm Sewer System (MS4; i.e., regional stormwater permit) and Drainage Area Management Plan (DAMP) to manage outflow from the reservoir and prevent erosion of the dam, as required by both the DSOD and the Regional Water Quality Control Board. With compliance with the existing regulations, impacts relative to water quality during operations would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would violate any water quality standards or waste discharge requirements, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would include temporarily draining the reservoir, resulting in a temporary decrease in groundwater infiltration during this time. Impacts associated with construction dewatering would be negligible because the Syphon Canyon Basin is a relatively small portion of the greater Orange County Coastal Plain Groundwater Basin, and dewatering during construction would not have a long-term effect with respect to groundwater levels or supplies. Therefore, impacts to groundwater supplies and recharge would be negligible, and the impact would be less than significant during construction. Once construction is complete, the Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would result in an increase in the new reservoir's storage capacity and would provide for enhanced recharge to groundwater resources, consistent with strategies for sustainable management of groundwater. Thus, relative to groundwater supplies and sustainable management of the basin, the Syphon Reservoir Improvement Project would result in a beneficial impact.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would decrease groundwater supplies or interfere with groundwater recharge, and no mitigation would be required. Therefore, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c.i) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: result in substantial erosion or siltation on- or off-site?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would not significantly alter the existing drainage pattern of the project site during construction. Due to the bowl-shaped topography of the site and the Syphon Reservoir Improvement Project's planned settlement basins and other required best management practices, drainage within the Syphon Reservoir

Improvement Project site area east of the existing and proposed dam would continue to flow into the reservoir basin, as it does now. In addition, the implementation of a SWPPP as discussed in item a) above would prevent erosion and siltation during construction. Finally, compliance with the requirements of the MS4 and DAMP requirements would include design measures to prevent erosion and siltation. Once constructed, the drainage pattern of the Syphon Reservoir Improvement Project would be substantially the same as existing conditions. With compliance with the existing regulations, impacts relative to erosion or siltation during operations would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would alter the existing drainage pattern of the site or area or result in erosion, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c.ii) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

As discussed in the Syphon Reservoir Improvement Project FEIR and under items a), b), and c.i) above, compliance with the NPDES Construction General Permit with its required implementation of a SWPPP along with compliance with the design requirements of the MS4 and DAMP would prevent stormwater runoff that could cause flooding for the Syphon Reservoir Improvement Project. With compliance with the existing regulations, impacts relative to increased surface runoff resulting in flooding on-site or off-site during operations would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would alter the existing drainage pattern or result in surface runoff leading to flooding, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c.iii) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

As discussed in the Syphon Reservoir Improvement Project FEIR and under items a), b), and c.i) above, compliance with the design requirements of the MS4 and DAMP would prevent runoff that could exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. With compliance with the existing regulations, impacts relative to stormwater drainage systems or additional sources of polluted runoff during operations would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would create

or contribute runoff water resulting in an exceedance of stormwater drainage system capacity or polluted runoff, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c.iv) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: impede or redirect flood flows?**

As discussed in the Syphon Reservoir Improvement Project FEIR and under items b) and c.ii) above, the reservoir is bowl-shaped, and stormwater falling within the reservoir would be retained. Compliance with the design requirements of the MS4 and DAMP would manage surface water flow outside of the reservoir and would prevent runoff that could impede or redirect flood flows. With compliance with the existing regulations, impacts relative to flood flows would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would result in impeded or redirected flood flows, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

The Syphon Reservoir Improvement Project FEIR found that the Syphon Reservoir Improvement Project site is not located in an area subject to tsunamis, resulting in no impact. Impacts relative to the release of pollutants associated with flood hazards are analyzed in items c.ii) and c.iv) above, which concluded a less than significant impact. The new engineered dam and reservoir would meet or exceed the current safety and design requirements established by the DSOD. With compliance with existing regulations for the design and operation of the dam and adherence to the procedures in the Emergency Action Plan, the impacts relative to the release of pollutants during seiches and flooding due to breaches of the dam would be less than significant.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would risk the release of pollutants under flood, tsunami, or seiche conditions, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

The Syphon Reservoir Improvement Project FEIR found that, once operational, the new Syphon Reservoir would function as a closed system and would not interact with surface waters, eliminating any impact to surface waters. Thus, the Syphon Reservoir Improvement Project would not conflict with the Water Quality Control Plan for the Santa Ana River Basin (also referred to as the Basin Plan) or a

sustainable groundwater management plan, including Orange County Water District's Basin 8-1 Alternative Plan. In addition, the proposed Syphon Reservoir Improvement Project would reduce the flow of sediment and other pollutants in waterways and would increase recharge to groundwater (as discussed under item b) above), which would be consistent with the goals of the Basin Plan, resulting in a beneficial impact.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. There would be no new construction or operational activities that would conflict with the Water Quality Control Plan or a sustainable groundwater management plan, and no mitigation would be required. As a result, the change in the listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Hydrology and Water Quality**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to hydrology and water quality. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

### **References**

*Orange County Water District. 2017. Basin 8-1 Alternative Final Report. Available at <https://www.ocwd.com/media/4918/basin-8-1-alternative-final-report-1.pdf>.*

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## 3.11 Land Use and Planning

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>XI. LAND USE AND PLANNING</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Physically divide an established community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

**a) Physically divide an established community?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would not construct any physical structures that would impact mobility within the surrounding community or remove a means of access. Therefore, the Syphon Reservoir Improvement Project would result in no impact related to the physical division of an established community.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in any additional structures that could divide the surrounding community, and no mitigation would be required. Therefore, the conclusions in the Syphon Reservoir Improvement Project FEIR would not change. The change in the listing status of CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

The Syphon Reservoir Improvement Project FEIR identified that pursuant to California Government Code Section 53091, water supply facilities, such as those associated with the Syphon Reservoir Improvement Project, are exempt from building and zoning ordinances. The Syphon Reservoir is considered a water storage facility; thus, building and zoning ordinances of the County of Orange and City of Irvine, including the Orange County General Plan and the City of Irvine General Plan and its policies, do not apply to the Syphon Reservoir Improvement Project site. Additionally, the Syphon Reservoir Improvement Project does not propose development that would conflict with the Orange County General Plan, Orange County Zoning Code, the City of Irvine General Plan, or the City of Irvine Zoning Ordinance. Therefore, no impact would occur.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in any additional development that would conflict with any land use plan, policy or regulation, and no mitigation would be required. The change in

listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Land Use**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to land use. No further environmental review is required. (Public Resources Code § 21166; CEQA Guidelines § 15162).

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## 3.12 Mineral Resources

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>XII. MINERAL RESOURCES —</b> Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site is not a known mineral resource area and does not have a history of mineral extraction uses. Additionally, according to the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, no oil wells exist on the Syphon Reservoir Improvement Project site. Therefore, impacts would not occur to the loss of availability of a known mineral resource.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no additional activities that could affect loss of a known mineral resource, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site is not identified as a mineral resource zone, according to the County of Orange. Therefore, construction of the Syphon Reservoir Improvement Project FEIR would not result in the loss of a locally important mineral resource recovery site and no impacts would occur.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no additional activities that could affect loss of a locally important mineral resource, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## Summary of Potential Effects on Mineral Resources

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to mineral resources. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

## References

CCDC. 2020b. Division of Oil, Gas, and Geothermal Resources Well Finder. Available at <https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx>.

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### 3.13 Noise

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>XIII. NOISE</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) **Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would require the use of construction equipment for a temporary period of time. As discussed in the Syphon Reservoir Improvement Project FEIR, noise from construction activities would be generated by the operation of vehicles and equipment used for various construction activities, such as excavation and grading. Noise levels generated by construction equipment would vary depending on factors such as the type and number of equipment and the construction activities being performed. Noise levels at noise-sensitive receptor locations would also depend on the distance from the construction activities to the receptor location, as well as the presence of intervening terrain, vegetation, buildings, or other structures that would absorb or block the transmission of noise. The nearest noise-sensitive receptors are located approximately 55 feet from the Syphon Reservoir Improvement Project site (Crean Lutheran High School Athletic Complex), approximately 180 feet from the access road construction (residential uses), and approximately 700 feet from the dam, reservoir and treatment facilities (residential uses). The Syphon Reservoir Improvement Project FEIR determined that the Syphon Reservoir Improvement Project would comply with Irvine Municipal Code Section 6-8-205, which restricts construction to between the allowed hours of 7 a.m. to 7 p.m. Mondays through Fridays, and 9 a.m. to 6 p.m. on Saturdays. As such, construction activities would comply with the City's noise standards and would not result in significant impacts to nearby sensitive receptors. Impacts were found to be less than significant.

The Syphon Reservoir Improvement Project FEIR determined that the operational activities associated with the Syphon Reservoir Improvement Project would not increase the average daily traffic volumes along the major thoroughfares within the project vicinity. Additionally, the proposed inlet and outlet pipelines that would supply and drain the reservoir would be located underground and would not result in any operational noise. Furthermore, small pumps located on the site within the proposed treatment

facilities would be housed inside a masonry block wall building, which would block the transmission of noise and would not generate noise above ambient conditions at sensitive receptor property lines. Therefore, impacts from the operations of the Syphon Reservoir Improvement Project would be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in activities that increase ambient noise levels and or produce a violation of noise standards established in the local general plan or noise ordinance, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Generate excessive groundborne vibration or groundborne noise levels?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would require the use of construction equipment for a temporary period of 41 months. Construction activities have the potential to generate low levels of groundborne vibration and groundborne noise from the use of heavy equipment (i.e., backhoe, dozer, grader, loader, and haul trucks, etc.), which generate vibrations that propagate through the ground and diminish in intensity with distance from the source. No high-impact activities, such as pile driving or blasting, would be used during construction. The Syphon Reservoir Improvement Project FEIR determined that construction would not exceed the significance thresholds for groundborne vibration, which are the levels at which structural (i.e., building) damage or human annoyance in occupied buildings could occur because of the distance separating construction areas and receptor locations. Operation of the Syphon Reservoir Improvement Project would not result in new sources of groundborne vibration and groundborne noise compared to existing conditions. Thus, construction and operational groundborne vibration impacts were found to be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in new activities that generate excessive groundborne vibration or noise levels, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

The Syphon Reservoir Improvement Project FEIR determined that the project area is not located within the vicinity of a private airstrip. Furthermore, the nearest airport to the project area is the John Wayne Airport, located approximately 7.7 miles to the southwest of the project area. The Syphon Reservoir Improvement Project is not located within an airport land use plan or within two miles of a public airport or public use airport. Therefore, the FEIR determined no impact related to public or private airport/airstrip noise levels would occur.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in new activities that would expose people in the vicinity of an airport to excessive noise, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Noise**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to noise. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

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### 3.14 Population and Housing

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>XIV. POPULATION AND HOUSING</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

The Syphon Reservoir Improvement Project FEIR identified that the implementation of the Syphon Reservoir Improvement Project would not have a direct growth inducement effect because the Syphon Reservoir Improvement Project does not propose development of new housing that would attract additional population to the area. Additionally, the Syphon Reservoir Improvement Project would not introduce substantial permanent employment that could indirectly induce population growth in the City of Irvine and in the region. Construction activities associated with the construction of the Syphon Reservoir Improvement Project would introduce short-term construction employment opportunities and would not require persons outside of the Orange County workforce. Therefore, the Syphon Reservoir Improvement Project would not directly induce substantial unplanned population growth, and no impact would occur.

The change in the listing status of the CBB would not result in development that would introduce new permanent employees or residents to the area, and no impact would occur. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

The Syphon Reservoir Improvement Project FEIR identified that there are no existing residences within the project area, and the Syphon Reservoir Improvement Project would not displace existing housing. Therefore, the Syphon Reservoir Improvement Project would not displace people or housing, necessitating the construction of replacement housing elsewhere, and no impacts would occur.

The change in the listing status of the CBB would not result in development that would displace people or housing, and no impact would occur. Therefore, the change in listing status of the CBB would not result

in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Population and Housing**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to population and housing. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

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## 3.15 Public Services

### *Issues (and Supporting Information Sources):*

Yes

No

#### **XV. PUBLIC SERVICES —**

- a) Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts due to changed circumstances or new information for any of the following public services:
- i) Fire protection? ☐ Yes ☒ No
  - ii) Police protection? ☐ Yes ☒ No
  - iii) Schools? ☐ Yes ☒ No
  - iv) Parks? ☐ Yes ☒ No
  - v) Other public facilities? ☐ Yes ☒ No

## Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts due to changed circumstances or new information for any of the following public services:**

- a.i) Fire Protection?**
- a.ii) Police Protection?**
- a.iii) Schools?**
- a.iv) Parks?**
- a.v) Other Public Facilities?**

The Syphon Reservoir Improvement Project was found to not introduce substantial permanent employment that would indirectly induce population growth in the City of Irvine and in the region. Construction activities associated with the Syphon Reservoir Improvement Project would introduce short-term construction employment opportunities and would not require persons outside of the Orange County workforce. Therefore, the Syphon Reservoir Improvement Project would not substantially increase the need for new fire department staff or new facilities; require the expansion of new police stations to serve the Syphon Reservoir Improvement Project site; exceed enrollment capacity of the Irvine Unified School District; require new or expanded school facilities; result in the construction of new public parks or require the alteration of existing public parks; or otherwise require construction of new public facilities.

The change in the listing status of the CBB does not include modifications to project design or implementation methods. The listing status would not lead to population growth and would not increase the demand for public services; no mitigation would be required. The change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## **Summary of Potential Effects on Public Services**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to public services. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162.)

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3.16 Recreation

Issues (and Supporting Information Sources):	Yes	No
<b>XVI. RECREATION</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:

- a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

The Syphon Reservoir Improvement Project FEIR identified that the implementation of the Syphon Reservoir Improvement Project would not increase the use of existing neighborhood and regional parks or other recreational facilities. The Syphon Reservoir Improvement Project could include passive recreational facilities, such as a proposed walking trail installed east from the existing Highline Canal and would be located on ridges or other relatively gradual-sloped terrain. IRWD would moderate the use of a recreational trail at Syphon Reservoir by restricting entrance to daily or seasonal use. Therefore, impacts related to physical deterioration or nearby recreational facilities were found to be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no changes to the use of existing neighborhood and regional parks or other recreational facilities, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

- b) **Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

The Syphon Reservoir Improvement Project FEIR identified that the implementation of the Syphon Reservoir Improvement Project site would involve implementation of a passive trail in a manner that is compatible with the Syphon Reservoir Improvement Project site. Specifically, the Syphon Reservoir Improvement Project would include a proposed walking trail installed east from the existing Highline Canal and would be located on ridges or other relatively gradual-sloped terrain. The construction of the proposed trail would result in impacts to special-status species and sensitive natural communities that would be potentially significant. The Syphon Reservoir Improvement Project FEIR included Mitigation Measures BIO-1 through BIO-6 to ensure that impacts to special-status species and natural communities would be reduced to less than significant levels. Additionally, the construction of the walking trail along the Highline Canal would occur in close proximity to a historic-period archeological site. The Syphon Reservoir Improvement Project FEIR required implementation of Mitigation Measures CR-1 through CR-

4 to ensure that construction activities are monitored and assessed for unanticipated discoveries, and impacts to cultural resources were found to be reduced to a less than significant level with mitigation incorporated. Operation and maintenance of the Syphon Reservoir Improvement Project proposed recreational facilities was found to have a less than significant impact with mitigation related to expansion of recreational facilities.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no additional recreational facilities or expansion of existing facilities which might have an adverse physical effect on the environment, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Recreation**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to recreation. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

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## 3.17 Transportation

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>XVII. TRANSPORTATION</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

**a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

The Syphon Reservoir Improvement Project FEIR identified temporary and permanent vehicular trips associated with implementation of the Syphon Reservoir Improvement Project that could impact a plan addressing the circulation system. Impacts during construction would involve temporary lane closures that could create delays and/or detours for bikers and pedestrians traveling nearby. With the implementation of Mitigation Measure TRA-1, which would require the preparation and implementation of a Traffic Control Plan, impacts would be reduced to a significant level. On any given day during construction of the Syphon Reservoir Improvement Project, between 10 and 46 workers would be required on-site. Peak construction trip generation would be up to 232 daily construction vehicle trips. During operation of the Syphon Reservoir Improvement Project FEIR, maintenance of the proposed wetland/riparian area would require operational vehicle trips during the first five years of 12 to 24 round trips for 30 to 40 days per year. The increased traffic volume that would result from operating the Syphon Reservoir Improvement Project was found to have a nominal impact on local circulation system performance, and impacts during operation were found to be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no new activities that could increase roadway trips or conflict with the circulation system, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

The Syphon Reservoir Improvement Project FEIR determined that all phases of construction and operation would generate fewer than 250 daily weekday trips. Screening criteria in the City of Irvine's

adopted *CEQA VMT Impact Analysis Guidelines* exclude projects generating fewer than 250 weekday daily trips from further VMT impact analysis. Therefore, it was determined that construction of the Syphon Reservoir Improvement Project would meet the City of Irvine's daily trip screening threshold, and the Syphon Reservoir Improvement Project requires no further VMT impact analysis. Impacts were found to be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no new activities that could increase roadway trips and conflict with CEQA Guidelines Section 15064.3(b), and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

The Syphon Reservoir Improvement Project FEIR included access improvements that modified the turn lane geometry and added a traffic signal at the intersection of Sand Canyon Avenue and Portola Parkway. The Syphon Reservoir Improvement Project FEIR analysis evaluated the proposed intersection improvements for consistency with the City of Irvine Transportation Design Procedures' (TDP) recommended design features for left-turn lane pocket lengths (TDP 1), driveway lengths (TDP 14), and vehicle stacking and gate-stacking at project sites and concluded that proposed lane and signal changes would be implemented in a manner that is consistent with City of Irvine traffic control regulations to ensure that intersection modifications do not create additional hazards impacts for vehicles traveling on the northbound, eastbound, or westbound roadways. Impacts were found to be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no changes to traffic hazards due to roadway designs or features, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Result in inadequate emergency access?**

The Syphon Reservoir Improvement Project FEIR identified that while the Syphon Reservoir Improvement Project would not involve closure of any roadways, temporary lane closures could interfere with emergency access. To ensure that impacts related to emergency access would not occur as a result of the Syphon Reservoir Improvement Project, Mitigation Measure TRA-1 was required, which involves coordination with emergency responders, including fire departments, police departments, and ambulances that have jurisdiction in the Syphon Reservoir Improvement Project area. The mitigation measure also requires that IRWD notify emergency responders of any partial or full lane closures at least 30 days prior to impacts. With implementation of Mitigation Measure TRA-1, impacts were reduced to a less than significant level. Due to the relatively limited amount of vehicle trips associated with operation and maintenance of the Syphon Reservoir Improvement Project, such trips would not interfere with emergency access, and impacts would be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no new activities that could interfere with emergency access, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Transportation**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to transportation. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

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## 3.18 Tribal Cultural Resources

<b>Issues (and Supporting Information Sources):</b>	<b>Yes</b>	<b>No</b>
<b>XVIII. TRIBAL CULTURAL RESOURCES</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:		
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

**Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

- a.i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?**
- a.ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

While preparing the Syphon Reservoir Improvement Project FEIR, IRWD engaged in a consultation process with the Gabrieleno Band of Mission Indians - Kizh Nation and other tribal entities pursuant to Public Resources Code Section 21080.3.1. No parties objected to the adequacy of the consultation process or the adequacy of adopted mitigation measures prior to the close of the public hearing in July 2021. IRWD has complied with all applicable tribal consultation requirements (see Public Resources Code § 21080.3.1).

The change in the listing status of the CBB does not require modifications to project location, design, or implementation methods (including the extent of ground disturbance). As a result, IRWD did not conduct supplemental Native American outreach. The listing status would not result in new activities that could

impact tribal cultural resources, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

### **Summary of Potential Effects on Tribal Cultural Resources**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to tribal resources. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

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## 3.19 Utilities and Service Systems

### *Issues (and Supporting Information Sources):*

	Yes	No
<b>XIX. UTILITIES AND SERVICE SYSTEMS</b> — Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

- a) **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would result in an expanded water storage facility (dam, pipelines, treatment and disinfection, etc.). The Syphon Reservoir Improvement Project FEIR found that no new water, wastewater, stormwater drainage, electric power, natural gas, or telecommunication facilities would be required other than those analyzed throughout the Syphon Reservoir Improvement Project FEIR. Therefore, the implementation of the Syphon Reservoir Improvement Project would not require the relocation of any of the existing infrastructure, and no impacts would occur.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in relocation or construction of new water, wastewater, stormwater drainage, electric power, natural gas or telecommunication facilities. No impact would occur, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would increase storage of recycled water, which would be beneficially used within IRWD's service area instead of potable water, reducing dependency on costly, imported water and maintaining operational efficiency at IRWD's water recycling plants. No new water supplies or entitlements would be required to serve the Syphon Reservoir Improvement Project itself. Therefore, no impacts would occur related to water supplies.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in a new need for water supplies or entitlements. No impact would occur, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would not generate wastewater associated with construction, such as temporary use of portable facilities. Once construction activities are completed, portable facilities would be removed, and the wastewater would be properly handled and disposed of in accordance with all applicable laws and regulations. Therefore, no impacts would occur related to wastewater treatment capacity.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in a new need for wastewater treatment. No impact would occur, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

The Syphon Reservoir Improvement Project FEIR identified that implementation of the Syphon Reservoir Improvement Project will result in construction debris from demolition of the existing dam and construction and contouring of the new reservoir bottom. Construction-related debris would require disposal at regional landfills serving the Syphon Reservoir Improvement Project area. The Syphon Reservoir Improvement Project FEIR found three permitted Class III landfills in Orange County available to accept waste. The Frank R. Bowerman Landfill, located adjacent to the Syphon Reservoir Improvement Project site, would be the primary destination for construction-related solid waste and has remaining capacity through the year 2053. If the limit of 11,500 tons per day is reached at that landfill, waste would be diverted to either the Olinda Landfill or the Prima Deshecha Landfill, both located in Orange County. Thus, the Syphon Reservoir Improvement Project would be served by landfills with sufficient permitted capacity to accommodate the project's solid waste disposal needs, and no impact would occur.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in new generation of solid waste. No impact would occur, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would result in nominal solid waste. Statewide policies regarding solid waste have become progressively more stringent, reflecting Assembly Bill 939, which required local governments to develop waste reduction and recycling policies. IRWD would be required to comply with all laws and regulations related to the disposal and recycling of waste and for disposal of any hazardous materials resulting from demolition of the dam and the strainer and disinfection facilities. Therefore, no impact would occur.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would not result in new generation of solid waste. No impact would occur, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## **Summary of Potential Effects on Utilities and Service Systems**

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to utilities and service systems. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

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## 3.20 Wildfire

<i>Issues (and Supporting Information Sources):</i>	<b>Yes</b>	<b>No</b>
<b>XX. WILDFIRE</b> — If located in or near state responsibility areas or land classified as very high fire hazard severity zones, would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:		
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

**Would project modifications, changed circumstances, or new information substantially increase the severity of significant impacts identified in the previous CEQA document or result in new significant impacts that could:**

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

The Evacuation Plan for the City of Irvine identifies Portola Parkway to the west and SR-133 to the southeast as evacuation routes. Construction of the Syphon Reservoir Improvement Project would involve intersection improvements at the Portola Parkway/Sand Canyon Avenue intersection and would not involve closure of any roadways; however, temporary lane closures could be required. The Syphon Reservoir Improvement Project FEIR required implementation of Mitigation Measure TRA-1 to require the preparation and implementation of a Traffic Control Plan. The Traffic Control Plan would include, but would not be limited to, signage, striping, delineated detours, flagging operations, changeable message signs, delineators, arrow boards, and K-Rails during construction to guide motorists, bicyclists, and pedestrians safely through the construction area and allow for adequate emergency access and circulation to the satisfaction of the City of Irvine. Therefore, with implementation of Mitigation Measure TRA-1, impacts to a circulation system during construction would be less than significant with respect to emergency response teams or an evacuation plan. Once construction is complete, intersection improvements at Portola Parkway/Sand Canyon Avenue would provide access for operation and maintenance vehicles onto IRWD property. Thus, operation of the Syphon Reservoir Improvement Project would not result in impacts on emergency response plans or emergency evacuation plans.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no changes to implementation of local emergency response plans or emergency evacuation plans. No impact would occur, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project site is within a Moderate Fire Hazard Severity Zone in a State Responsibility Area and includes slopes surrounding the existing reservoir that are susceptible to prevailing winds. In addition, brush and grasslands within the Syphon Reservoir Improvement Project site are highly flammable. During construction, equipment and on-site diesel fuel could pose a risk to wildfire with possible ignition sources such as internal combustion engines, gasoline-powered tools, and equipment that could provide a spark, fire, or flame. The Syphon Reservoir Improvement Project would be required to comply with Public Resources Code Sections 4427, 4428, 4431, and 4442, which include regulations relating to the handling of combustible fuels and equipment that can exacerbate fire risks. Additionally, construction activities for the Syphon Reservoir Improvement Project would comply with fire protection and prevention requirements specified by the California Code of Regulations and California Division of Occupational Safety and Health. During operation, the Syphon Reservoir Improvement Project would involve expansion of the existing reservoir water storage capacity, and increased water levels would effectively create more inundated area and fewer steep slopes susceptible to prevailing winds within the Syphon Reservoir Improvement Project area in winter and spring months when the reservoir is full. Operation-related activities would involve a limited number of maintenance trucks for inspections and material delivery, which would utilize established access roads and would have low potential of producing uncontrolled spread of wildfire. The Syphon Reservoir Improvement Project FEIR required implementation of Mitigation Measure WDF-1, which would ensure fire hazard reduction measures are implemented during Syphon Reservoir Improvement Project construction activities to further reduce the potential for wildfire impacts on project workers.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no changes to wildfire risks or exposure of occupants to pollutants or uncontrolled wildfire spread. No impact would occur, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

The Syphon Reservoir Improvement Project FEIR identified that the Syphon Reservoir Improvement Project would include the construction and operation of new access roads and pipelines to support the expanded dam and reservoir. The new infrastructure would not pose additional risk to exacerbate wildfires. All infrastructure installed as part of the Syphon Reservoir Improvement Project FEIR during operation and maintenance would be required to implement fire reduction measures, as outlined in Mitigation Measure WDF-1. Thus, impacts would be less than significant with mitigation.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no additional infrastructure that may

exacerbate fire risk. No impact would occur, and no additional mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

The Syphon Reservoir Improvement Project FEIR identified that during construction, approximately 2.4 million cubic yards of material would be excavated from the Syphon Reservoir Improvement Project site. These materials include topsoil, lake bottom sediments, alluvium, colluvium, slopewash, and formational materials as well as the existing dam. Approximately 2.2 million cubic yards of compacted material would be reused on-site for construction of the new dam. Site alteration through the movement of substantial quantities of soil and earth materials has the potential to result in landslides as a result of runoff or drainage changes during construction. However, due to the bowl-shaped topography of the site and the planned sediment basins, erosion on-site would not extend beyond the boundaries of the site. The Syphon Reservoir Improvement Project site would be required to comply with the *NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities* (Order 2009-0009-DWQ, NPDES No. CAS000002 as amended by Orders 2010-0014-DWQ, 2012-006-DWQ, and 2022-0057-DWQ) (Construction General Permit) and local stormwater ordinances. Once constructed, the Syphon Reservoir Improvement Project would be designed to withstand a variety of site conditions to maintain capacity for the purpose of water storage. Specifically, the Syphon Reservoir Improvement Project would incorporate slopes no steeper than 4H:1V (a ratio of 4 units of horizontal length to 1 unit of vertical height) to promote slope stability. The inclinations of the natural hillside slopes surrounding the reservoir are typically 4H:1V; thus, the inclination of cut slopes would be similar to that of the natural slopes. Therefore, the operation of the Syphon Reservoir Improvement Project was found to not involve on-site personnel that could be put at risk should landslides or flooding occur as a result of wildland fires. Thus, impacts on people or structures due to downslope or downstream flooding or landslides as a result of runoff were found to be less than significant.

The change in the listing status of the CBB does not require modifications to project design or implementation methods. The listing status would result in no changes that would expose people or structures to risks of downslope flooding or landslides. No impact would occur, and no mitigation would be required. Therefore, the change in listing status of the CBB would not result in a new significant impact and would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

## Summary of Potential Effects on Wildfire

The change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects, with respect to wildfire. No further environmental review is required (Public Resources Code § 21166; CEQA Guidelines § 15162).

## 3.21 Mandatory Findings of Significance

### Issues (and Supporting Information Sources):

#### XXI. MANDATORY FINDINGS OF SIGNIFICANCE —

	Yes	No
a) Does the Project Modification have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the Project Modification have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the Project Modification have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a) **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

The Syphon Reservoir Improvement Project FEIR concluded that the Syphon Reservoir Improvement Project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

As discussed throughout this Addendum No. 2, the change in the listing status of the CBB would not in itself be a new significant impact or constitute a change in the project setting that could result in a new significant impact or substantially more severe significant impact to special-status species. The Syphon Reservoir Improvements Project FEIR determined impacts to special-status wildlife species would be potentially significant and required implementation of Mitigation Measures BIO-1 through BIO-5. The mitigation measures included in the current Mitigation Monitoring and Reporting Program adopted by IRWD as part of the certified FEIR to establish both on-site and off-site compensatory mitigation would also be appropriate and sufficient to reduce impacts to CBB to less than significant levels. No additional mitigation or compensation would be required. Therefore, the change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects. As a result, the change in listing status of the CBB would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

**b) Does the project have impacts that are individually limited, but cumulatively considerable?**

The Syphon Reservoir Improvement Project FEIR identified the Syphon Reservoir Improvement Project's contribution to cumulative impacts for all resource topics and concluded that cumulative impacts would be less than significant, often with implementation of mitigation measures. The change in the listing status of the CBB does not require modifications to project design or implementation methods. As a result, as described throughout this Addendum No. 2, the change in listing status of the CBB would not result in new significant cumulative environmental effects, result in a substantial increase in the severity of previously identified cumulative significant effects, or result in a substantial increase in the severity of previously identified cumulatively considerable contributions to significant cumulative impacts.

**c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

The Syphon Reservoir Improvement Project FEIR concluded that the Syphon Reservoir Improvement Project would not result in impacts that could cause substantial adverse effects on human beings, either directly or indirectly. The change in the listing status of the CBB does not introduce modifications to project design or implementation methods. As described throughout this Addendum, the change in listing status of the CBB would not result in environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Therefore, the change in the listing status of the CBB would not result in new significant environmental effects or result in a substantial increase in the severity of previously identified significant effects. As a result, the change in listing status of the CBB would not alter the conclusions of the Syphon Reservoir Improvement Project FEIR.

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## CHAPTER 4

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### Determination

As mentioned in Section 1.3, *Regulatory Background*, IRWD as Lead Agency, finds that no subsequent EIR is required to address the change in listing status of CBB because there would not be substantial changes to the project, changed circumstances, or new information that would require major revisions of the previous EIR due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts. Furthermore, new information does not indicate that the change in listing status of CBB would have new significant effects not discussed in the certified FEIR; that significant effects previously examined will be substantially more severe than shown in the certified FEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or that mitigation measures or alternatives which are considerably different from those analyzed in the certified FEIR would substantially reduce one or more significant effects on the environment but IRWD declines to adopt the mitigation measures or alternatives. Section 15164(a) of the CEQA Guidelines provides that an addendum to a previously certified EIR is permissible if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. As analyzed in this document, IRWD has determined the change in the listing status of the CBB would not result in any of the conditions listed in CEQA Guidelines Section 15162. As a result, this Addendum No. 2 to the Syphon Reservoir Improvement Project FEIR has been prepared and is the appropriate CEQA document.

May 12, 2025

Prepared by: M. Seesangrit / A. McNulty

Submitted by: F. Sanchez / P. Weghorst

Approved by: Paul A. Cook



## CONSENT CALENDAR

### SECOND AMENDMENT TO WATER CONSERVATION PARTICIPATION AGREEMENT

#### SUMMARY:

The Municipal Water District of Orange County (MWDOC) administers incentives for regional water efficiency related rebate programs on behalf of IRWD through a Water Conservation Participation Agreement. The Agreement expires in June, and MWDOC has prepared a Second Amendment to the Agreement that would extend the term to June 30, 2035. Staff recommends that the Board authorize the General Manager to execute the Second Amendment to continue IRWD's participation in regional water efficiency incentive programs.

#### BACKGROUND:

IRWD's Water Use Efficiency Program provides tactical incentives to encourage customers to remove turf and to install commercial and outdoor water conservation devices that are cost-effective to IRWD, as well as the customers. In 2015, IRWD entered into the Water Conservation Participation Agreement with MWDOC that is provided as Exhibit "A". The agreement provides for IRWD to participate in regional rebate programs administered either by the Metropolitan Water District of Southern California or MWDOC. MWDOC and Metropolitan provide regional base-level funding for the programs, which IRWD supplements with targeted funding for IRWD customers. IRWD customers benefit from the combined regional and supplemental funding for water efficiency incentives.

The Agreement has a 10-year term that expires June 30, 2025. In 2016, IRWD and MWDOC executed the First Amendment to the Agreement, provided as Exhibit "B", which incorporated verification and inspection requirements for the Turf Replacement and Drip Rebate programs. MWDOC has prepared a Second Amendment that would extend the term of the Agreement.

#### Second Amendment:

The Second Amendment to the Agreement, provided as Exhibit "C", would extend the term for an additional ten years until June 30, 2035. It would also amend sections of the original agreement to specify that further amendments will be issued for modifications to the regional rebate programs, that additional addenda will be covered as part of this Agreement, and that participating agencies must maintain all supporting documentation for seven years. To ensure that IRWD customers will continue to benefit from the regional funding, staff recommends that the Board authorize the General Manager to execute the Second Amendment to the Agreement.

**FISCAL IMPACTS:**

Adequate funds exist in the Board-approved budgets, for the next two fiscal years, for IRWD to continue providing funds to supplement the regional funding available through the Water Conservation Participation Agreement.

**ENVIRONMENTAL COMPLIANCE:**

Not applicable.

**COMMITTEE STATUS:**

This item was reviewed on May 5, 2025 at the Water Resources Policy and Communications meeting.

**RECOMMENDATION:**

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE SECOND AMENDMENT TO THE WATER CONSERVATION PARTICIPATION AGREEMENT BETWEEN MUNICIPAL WATER DISTRICT OF ORANGE COUNTY AND IRVINE RANCH WATER DISTRICT, SUBJECT TO NON-SUBSTANTIVE CHANGES APPROVED BY LEGAL COUNSEL.

**LIST OF EXHIBITS:**

- Exhibit “A” – Water Conservation Participation Agreement between the Municipal Water District of Orange County and IRWD
- Exhibit “B” – First Amendment to the Water Conservation Participation Agreement
- Exhibit “C” – Second Amendment to the Water Conservation Participation Agreement

**Water Conservation Participation Agreement between  
the Municipal Water District of Orange County and Irvine Ranch Water District**

This Water Conservation Participation Agreement ("Agreement") is made between the Municipal Water District of Orange County ("MWDOC") and Irvine Ranch Water District ("Participant Agency"). MWDOC and Participant Agency may be collectively referred to as "Parties" and individually as "Party."

**Recitals**

- A The Metropolitan Water District of Southern California ("Metropolitan") provides incentive funding to residential, commercial, and industrial water users in its service area for a variety of water conservation activities, including, but not limited to, rebates for the purchase and installation of water-saving devices ("Metropolitan Base Incentives").
- B MWDOC is a member agency of Metropolitan and has agreements with Metropolitan that enable residential, commercial, and industrial water users in MWDOC's service area, and for the benefit of MWDOC's member agencies, to participate in and take advantage of Metropolitan's Base Incentives.
- C Participant Agency, as a MWDOC member agency or a direct Metropolitan member agency, may elect to participate in Metropolitan's program to replace non-conserving items within its service area.
- D The Metropolitan Base Incentives amounts for each eligible device or program available to MWDOC and Metropolitan member agencies are listed in the attached Addendums 1A and 1B. It is expected that Metropolitan will establish funding for additional water conservation items and to change some or all of the existing funding rates throughout the term of this Agreement. Any such changes will be incorporated herein by amendment to Addendums 1A and 1B.
- E Metropolitan and MWDOC each have fiscal responsibility to manage their individual budgets, and hence may have a need to limit availability of funds.
- F MWDOC and Metropolitan member agencies may also choose to provide additional supplemental funding of their own to augment the Metropolitan Base Incentives. Based on the terms and conditions of this Agreement, MWDOC will facilitate supplemental funding for Participant Agency through the Metropolitan rebate contractor ("Rebate Contractor") or MWDOC directly. Metropolitan member agencies will coordinate any supplemental funding directly with Metropolitan.
- G In addition to the Metropolitan Base Incentives, MWDOC has developed and arranged additional local, state, and federal grant funding ("Grant Funding") for eligible devices in a number of water conservation programs ("MWDOC Administered Programs") that MWDOC offers to Participant Agency and Metropolitan member agencies. This grant funding may be used to enhance the Metropolitan Base Incentives. Granting agencies

include, but are not limited to, the Department of Water Resources and the United States Bureau of Reclamation.

- H. Participant Agency may also operate customized, local water conservation incentive programs in their respective service areas ("Participant Agency Administered Programs") and may have access to the Metropolitan Base Incentives and Grant Funding for such, subject to MWDOC and Metropolitan approval and the terms and conditions of this Agreement and any MWDOC and/or Metropolitan agreements.
- I. The purpose of this Agreement is to create a master water conservation participation agreement between MWDOC and Participant Agency that combines all of the conservation programs and incentives ("Programs") into one agreement. Addendums to this Agreement will be issued for changes involving Metropolitan approved items, MWDOC Board approved items, Grant Funding, adding and subtracting MWDOC Administered Programs and Participant Agency Administered Programs as identified in Section 2, and changes to incentive programs, including funding and incentive levels.

NOW THEREFORE, in consideration of the promises and covenants hereinafter set forth, the Parties do agree as follows:

#### Section 1: Agreement Term and Administration

- 1.1 This Agreement will be effective on July 1, 2015 or upon execution of this Agreement by all Parties, whichever is later, and shall terminate on June 30, 2025 ("Term"). Continuance of this Agreement will be subject to annual budget approval by MWDOC's Board of Directors.
- 1.2 This Agreement may be amended at any time by written mutual agreement of the Parties, or by Addendums issued by MWDOC as set forth in Recital I.
- 1.3 This Agreement may be terminated by either Party for any reason upon thirty (30) days written notice to the other Party.
- 1.4 All Addendums are enforced for the duration of this Agreement unless the Addendums are amended or terminated by either Party.
- 1.5 In the event the Agreement is terminated early, Participant Agency is responsible for payment of any funding contributions required by this Agreement that that were initiated prior to the effective date of the termination. For purposes of this Agreement, an application is deemed initiated when an application has been received by Metropolitan's rebate vendor, EGIA, by MWDOC, or a reservation has been made within any of MWDOC's online application portals that is pursuant to any of the programs described within this Agreement and the attached Addendums.
- 1.6 Notwithstanding any other provision in this Agreement, funds for all of the programs described within this Agreement and the attached Addendums are conditioned upon the

availability of funds and MWDOC is under no obligation to provide funding for any of the programs if MWDOC determines, in its own discretion, that such funding is exhausted, reduced, eliminated, or unavailable from any funding source, for any reason.

## Section 2: Program Funding

### **2.1 Supplemental Funding**

2.1.1 In addition to the Metropolitan Base Incentives, Participant Agency may provide additional funding to augment the Metropolitan Base Incentives amounts for those programs and devices that Participant Agency identifies, and in the amounts indicated, in the appropriate locations in Addendums 2A, 2B, and 2C (“Supplemental Funding”). The Supplemental Funding listed in Addendums 2A through 2C shall specify the amount of Supplemental Funding Participant Agency will provide per device or program, as well as the total maximum Supplemental Funding amount committed to each category of device or program. If the Participant Agency does not complete, sign, and return Addendums 2A through 2C to MWDOC, notwithstanding any other provision of this Agreement, the Participant Agency will not be bound by this Section or the provisions in Addendums 2A through 2C. In general, Supplemental Funding Addendums submitted by the 15<sup>th</sup> of a month will become effective the first of the following month.

2.1.2 If Participant Agency elects to provide Supplemental Funding or enhanced incentives under this Agreement for any device or program, Participant Agency is responsible for tracking the use of and the remaining availability of those funds. MWDOC will assist, in every way possible, but the ultimate responsibility for tracking all Participant Agency funding is the responsibility of Participant Agency. Participant Agency will ultimately be responsible for any overuse of Participant Agency Supplemental Funding.

2.1.3 Any requests for changes or revisions to Participant Agency’s Supplemental Funding, including funding transfers between Programs, must be submitted by Participant Agency to MWDOC in the form of revised Addendum 2s listing the new funding amounts/limits.

2.1.4 The Participant Agency may elect to participate in the Supplemental Funding Program and be bound by the provisions of this Section 2.1, Sections 3, 5, 6, 7, and 8 of this Agreement, and Addendum 2A through 2C by having its authorized representative complete and sign Addendum 2A through 2C in the spaces provided.

### **2.2 MWDOC Administered Programs**

2.2.2 Participant Agency may elect to take advantage of the MWDOC Administered Programs by having its authorized representative complete and sign Addendums 3A through 3C in the spaces provided. If Participant Agency completes and signs Addendums 3A through 3C, Participant Agency agrees to be bound by the provisions of this Section 2.2, Sections 3, 5, 6, 7, and 8 of this Agreement, and Addendums 3A through

3C. If the Participant Agency does not complete, sign, and return Addendums 3A through 3C, notwithstanding any other provision of this Agreement, the Participant Agency will not be bound by this Section or the provisions in Addendums 3A through 3C.

## **2.3 Participant Agency Administered Programs**

2.3.1 From time to time, funding may be made available for Participant Agency to operate a customized member agency administered local water conservation incentive program or programs (“Participant Agency Administered” “PA” or “MAA Program”) in its service area and access the Metropolitan Base Incentives for such, subject to MWDOC approval of the program and the terms and conditions of this Agreement and Addendum 4. The Participant Agency Administered Program(s) and requirements in connection with it are described in more detail in Addendum 4.

2.3.2 Upon receipt of approval of a Participant Agency Administered Program by MWDOC, Participant Agency is bound by the provisions of Sections 3, 5, 6, 7, and 8 of this Agreement and Addendum 4.

## **2.4 Exhaustion of Funding**

2.4.1 In the event Participant Agency provided funding for any Program or device is exhausted, and Participant Agency does not elect to add additional funding or transfer available funding from another Program or device, MWDOC will discontinue offering the additional rebate funding for that Program or device in Participant Agency’s service area. Notwithstanding any other provision in this Agreement, MWDOC may terminate this Agreement as it relates to Section 2 at any time without prior notice in the event that MWDOC determines that funding for any device or program on Addendums 2 through 4 or MWDOC Grant Funding is exhausted, reduced, eliminated, or unavailable from any funding source, for any reason.

## **Section 3: Participant Agency Responsibility and Ownership**

- 3.1 Participant Agency, at its sole discretion, may independently contract with its own agents under separate agreements for program administration and management for any Participant Agency Administered Program provided that doing so does not compromise program performance, create or present a conflict of interest, or violate the terms of this Agreement.
- 3.2 Participant Agency and/or its agent shall provide all necessary services and materials for such Participant Agency Administered Programs including, but not limited to the following: program administration, promotion, marketing materials, data collection, and analysis, installation verification, and reporting.
- 3.3 All materials and supplies necessary to implement a Participant Agency Administered Program shall be the exclusive property of Participant Agency. MWDOC shall have no

ownership, right, title, security interest, or other interest in any Participant Agency Administered Program materials or supplies, nor any rights duties, or responsibilities, therefor.

- 3.4 Participant Agency is responsible for assuring that any Participant Agency Administered Program complies with all federal, state, and local requirements.
- 3.5 Participant Agency agrees to cooperate with MWDOC's data management activities related to assessing device saturation and program success.
- 3.6 As part of any Participant Agency Administered Program, Participant Agency shall use, maintain, and submit to MWDOC within the designated timeframe an electronic database, to be approved by MWDOC prior to use, for any conservation items installed, distributed, or rebated by Participant Agency or its agents to avoid duplicate distributions and to determine the saturation rate of items by the appropriate geographic delineation.
- 3.7 Participant Agency is solely responsible for the performance of its staff or representatives in complying with the terms of this Agreement and for the proper allocation and appropriate use of funds provided by Metropolitan and/or MWDOC for the purpose of achieving water conservation savings under this Agreement.

#### Section 4: MWDOC's Obligations

- 4.1 MWDOC will be response to Participant Agency for ensuring that timely reports on the Programs' results are prepared by MWDOC's staff.
- 4.2 MWDOC will develop a database of information regarding participation in the Programs and provide monthly electronic and/or written reports of activity to Participant Agency.
- 4.3 MWDOC will invoice Participant Agency for any Participant Agency funding obligations on a monthly basis for rebates issued in the previous month.
- 4.4 MWDOC does not guarantee any minimum number of rebates will be available for Participant Agency's service area.

#### Section 5 Marketing.

- 5.1 Participant Agency agrees to assist in the marketing of programs it participates in under this Agreement. With regard to Participant Agency Administered Programs, Participant Agency will be solely responsible for marketing its Participant Agency Administered Program to customers in its service area.

#### Section 6: Installation Verification

- 6.1 Participant Agency shall be responsible for conducting installation verifications of items installed, distributed, and/or rebated by Participant Agency under Participant Agency

Administered Programs, and/or for paying all costs associated with this verification. Installation verification measures for program devices must be designed to ensure that materials, installation verifications of eligible program devices, and services meet requirements established by Metropolitan, which requirements will be provided to Participant Agency by MWDOC.

- 6.2 Participant Agency may be responsible for conducting installation verifications of items installed, distributed, and/or rebated by Participant Agency or MWDOC under MWDOC Administered Programs, and/or for paying all costs associated with this verification. Installation verification measures for program devices must be designed to ensure that materials, installation verifications of eligible program devices, and services meet requirements established by Metropolitan, which requirements will be provided to Participant Agency by MWDOC.
- 6.3 MWDOC reserves the right to conduct installation verification of items within Participant Agency's service area.
- 6.4 Participant Agency acknowledges that any device receiving funding from Metropolitan may be subject to an installation verification to be performed by Metropolitan, or its agent(s), at Metropolitan's discretion.
- 6.5 Participant Agency shall promptly refund to MWDOC any amounts paid under any Participant Agency Administered Program or MWDOC Administered Program for installed or distributed devices in the event MWDOC or Metropolitan establishes via installation verification that the program devices were not installed.

#### Section 7: Reporting and Invoicing

- 7.1 For any and all Supplemental Funding provided by Participant Agency and/or Participant Agency provided funding or inspection costs under the MWDOC Administered Programs pursuant to Section 2 of this Agreement, and as more particularly described in Addendums 2 and 3, MWDOC will invoice Participant Agency on a monthly basis for the cost of such funding, and Participant Agency must pay the full amount of such invoice within thirty (30) days of receipt of any such invoice.
- 7.2 For any and all Participant Agency Administered Program(s), Participant Agency will invoice MWDOC on a monthly basis, by the 10<sup>th</sup> of each month, for any approved funding and costs associated with the Participant Agency Administered Program(s) as indicated in and subject to the provisions of Addendum 4. MWDOC is under no responsibility to reimburse Participant Agency for any costs incurred by Participant Agency that are not approved by MWDOC consistent with the terms and conditions of this Agreement and Addendum 4. The invoice package shall include a fully completed, to the satisfaction of MWDOC, Excel customer/applicant spreadsheet showing program activity, and an invoice, signed by the General Manager or designee of Participant Agency, certifying the information provided as accurate. Participant Agency shall use the Excel customer/applicant spreadsheet and Invoice forms approved by MWDOC.

- 7.3 Participant Agency shall maintain all Participant Agency Administered Program information, including Participant Agency applications, water bills, and purchase receipts, for a period of seven years from the end date of this Agreement.
- 7.4 Payment of Participant Agency invoices shall be in the form of either a credit on MWDOC's water bill to Participant Agency or a check made payable to Participant Agency. Method of payment shall be at MWDOC's discretion.

#### Section 8: Confidentiality

- 8.1 MWDOC agrees to maintain the confidentiality of Participant Agency's customer names, addresses, and other information gathered in connection with this Agreement. MWDOC will not cause or permit the disclosure of such information except as necessary to carry out any of the MWDOC Administered or Participant Agency Administered Programs, or as required by law. To the extent that MWDOC contracts with third party contractors to carry out all or any portion of any of the Programs, MWDOC will require such contractors to maintain the confidentiality of such customer information.
- 8.2 Notwithstanding anything to the contrary in this Agreement, Participant Agency acknowledges and agrees that MWDOC may request and use historical water consumption data for purposes of satisfying any grant water use and water quality evaluation requirements of any of the Programs. Participant Agency also acknowledges and agrees that MWDOC may also request to use Program applicant information, such as name, mailing address, site photos, and email address to market other water use efficiency programs to past applicants. A similar provision will be required of every individual applicant.

#### Section 9. Indemnification.

- 9.1 The parties agree that each Party shall be responsible for its own actions, and the actions of its officers, employees, and agents, in performing services under this Agreement. Except as provided in this Agreement and its Addendums, each Party agrees to indemnify and hold the other Party and its officers and agents harmless and agrees to defend the other Party against any claim or asserted liability arising out of its actions, either willful or negligent, or the actions of its officers, employees, and agents, in performing services pursuant to this Agreement. Such indemnity will include any losses relating to any claim made, whether or not a court action is filed, and will include attorney fees and administrative and overhead costs related to or arising out of such claim or asserted liability.
- 9.2 Participant Agency shall include the following language in its agreement with any consultant or contractor retained by Participant Agency to work on any of the Program" "(Consultant) agrees at is sole cost and expense to protect, indemnify, defend, and hold harmless Metropolitan, MWDOC, and their associated Boards of Directors, officers, representatives, agents and employees from and against any and all claims and liability

of any kind (including, but not limited to, any claims or liability for injury or death to any person, damage to property, natural resources or to the environment, or water quality problems) that arise out of or related to Participant Agency's approval, construction, operation, repair, or ownership of any Program. Such indemnity shall include all damages and losses related to any claim made, whether or not a court action is filed, and shall include attorneys' fees, administrative and overhead costs, engineering and consulting fees, and all other costs related to our arising out of such claim or asserted liability."

#### Section 10. Certification re Lobbying (43 CFR 18)

- 10.1 The undersigned hereby certifies on behalf of Participant Agency that no Federal appropriated funds have been paid or will be paid, by or on behalf of the Participant Agency, to any person for influencing or attempting to influence an officer or employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with a Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions. To the extent federal funds are involved, the Participant Agency shall require that the language of this certification be included in the awards documents for any sub-awards by the Participant Agency at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that sub-recipients, if any, shall certify accordingly.

#### Section 11. Other Terms

- 11.1 Any alteration or variation of the terms of this Agreement will not be valid unless made in writing and signed by both Parties.
- 11.2 This Agreement will inure to the benefit of and be binding upon the Parties and their respective successors.
- 11.3 The partial or total invalidity of one or more parts of this Agreement will not affect the intent or validity of this Agreement.
- 11.4 This agreement shall be deemed a contract made under the laws of the State of California, and for all purposes will be interpreted in accordance with such laws. The Parties hereby agree and consent to the exclusive jurisdiction of the courts of the State of California, and that the venue of any action brought hereunder will be in Orange County, California.

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11.5 This Agreement constitutes the entire agreement between the Parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

MUNICIPAL WATER DISTRICT  
OF ORANGE COUNTY

IRVINE RANCH WATER DISTRICT

By:



Robert J. Hunter  
General Manager

Date:

7-14-15

By:



Paul Cook  
General Manager

Date:

7-9-15

**Approved as to Form:**

Bowie, Arneson, Wiles & Giannone



Joan C. Arneson  
Legal Counsel

Date:

6/25/15

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## **FIRST AMENDMENT TO WATER CONSERVATION PARTICIPATION AGREEMENT**

This First Amendment to Water Conservation Participation Agreement ("First Amendment") is effective on July 1, 2016 ("Effective Date"), by and between the Municipal Water District of Orange County ("MWDOC") and Irvine Ranch Water District ("Participant Agency") MWDOC and Participant Agency may be collectively referred to as "Parties" and individually as "Party."

### **RECITALS**

- A. MWDOC and Participating Agency entered into a Water Conservation Participation Agreement regarding the Participating Agency's participation in certain water conservation programs ("Agreement").
- B. The Parties now desire to amend the Agreement to make certain changes to provisions regarding verification of the installation of items and devices installed as part of certain water conservation incentive programs.

### **TERMS**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend the Agreement as follows:

1. Amendment. Section J is added to the Recitals to read as follows:

"J. The purpose of this Agreement is also to acknowledge that Participating Agency is participating in MWDOC's Choice Water Use Efficiency Program ("WUE Program") and in doing so is agreeing to pay for its proportionate share of MWDOC's administrative and direct program costs of the WUE Program."
2. Amendment. Section 1.7 is added to the Agreement to read as follows:

"1.7 Participating Agency understands that by entering into this Agreement it is participating in MWDOC's Choice Water Use Efficiency Program ("WUE Program") and agrees to pay MWDOC for its proportionate share of MWDOC's costs for administering the WUE Program based on Participating Agency's level of participation in the WUE Program. MWDOC will annually invoice Participating Agency."

3. Amendment. Section 6 is amended in its entirety to read as follows:

“Section 6: Installation Verification/Inspection

- 6.1 Participant Agency shall be responsible for conducting installation verifications/inspections of items and devices installed, distributed, and/or rebated by Participant Agency under Participant Agency Administered Programs to ensure compliance with program requirements, and/or for paying all costs associated with this verification/inspection. Installation verification/inspection measures must be designed to ensure that materials, installation verifications/inspections of eligible program items and devices, and services meet requirements established by Metropolitan and MWDOC, which requirements will be provided to Participant Agency by MWDOC as Attachment A.
- 6.2 Participant Agency shall be responsible for conducting installation verifications/inspections of items or devices installed, distributed, and/or rebated by Participant Agency or MWDOC under MWDOC Administered Programs to ensure compliance with program requirements, and/or for paying all costs associated with this verification/inspection. Installation verification/inspection measures for program items and devices must be designed to ensure that materials, installation verifications/inspections of eligible program items and devices, and services meet requirements established by Metropolitan and MWDOC, which requirements will be provided to Participant Agency by MWDOC as Attachment A.
- 6.3 Participant Agency may elect to (1) conduct its own installation verifications/inspections by either utilizing its in-house staff or contracting with a third party vendor of its choice; or (2) utilize MWDOC's installation verification/inspection contractor to conduct the installation verification/inspections. If Participant Agency elects to utilize MWDOC's verification/inspection vendor, Participant Agency may elect to contract directly with MWDOC's verification/inspection vendor. If Participant Agency elects not to enter into such contract, MWDOC, in MWDOC's sole discretion, may require that Participant Agency contract directly with MWDOC's verification/inspection vendor.
- 6.3.1 Notwithstanding any other provision in this Agreement, Participant Agency understands and agrees that if Participant Agency utilizes MWDOC's verification/inspection vendor, Participant Agency must still comply with all of the requirements of this Agreement, including the refund requirements in Section 6.6, and MWDOC is in no way liable or responsible for the acts or omissions of such vendor and makes no

representations or warranties regarding the quality of such vendor's work. Participant's sole recourse as to any action, claims or damages arising out of the acts or omissions of MWDOC's verification/inspection vendor is with the vendor and not with MWDOC.

- 6.4 MWDOC reserves the right to conduct installation verification/inspection of items and devices within Participant Agency's service area.
- 6.5 Participant Agency acknowledges that any item or device receiving funding from Metropolitan may be subject to an installation verification/inspection to be performed by Metropolitan, or its agent(s), at Metropolitan's discretion.
- 6.6 Participant Agency shall promptly refund to MWDOC any amounts paid under any Participant Agency Administered Program or MWDOC Administered Program for installed or distributed items or devices, including any grant funds, in the event MWDOC or Metropolitan establishes via installation verification/inspection and/or audit that the program items or devices were not installed in compliance with the requirements established by Metropolitan and MWDOC pursuant to this Agreement. If such a refund is not provided to MWDOC within thirty (30) days of request, the requested amount may be debited by MWDOC on Participating Agency's next water service invoice.
- 6.7 "Items" and "devices" includes, but is not limited to, plumbing fixtures, irrigation devices, turf (removal and replacement), and any other items, devices or materials that are installed in connection with a program covered by this Agreement.

4. Authority to enter into First Amendment. Each Party represents to the other that the person executing this First Amendment has the requisite power and authority to execute the First Amendment and to bind each respective Party.

5. Continuing Effect of Agreement. Except as amended by this First Amendment, all other provisions of the Agreement remain in full force and effect. From and after the date of this First Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this First Amendment.

6. Execution in Counterparts. This First Amendment may be executed in duplicate counterparts, each of which shall be deemed an original.

MWDOC and Participating Agency have each caused this First Amendment to be executed by its duly authorized representative as of the date set forth below the authorized signature.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment.

MUNICIPAL WATER DISTRICT  
OF ORANGE COUNTY

By: \_\_\_\_\_  
Robert Hunter  
General Manager


Date: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Joseph Byrne  
General Counsel

Date: \_\_\_\_\_

PARTICIPANT AGENCY

By:   
Name Paul Cook  
Title General Manager

Date: 18 OCTOBER 2016

Approved as to Form:

  
\_\_\_\_\_  
Joan C. Arneson  
General Counsel

Date: September 8, 2016

**SECOND AMENDMENT  
TO  
WATER CONSERVATION PARTICIPATION AGREEMENT**

This Second Amendment to the Water Conservation Participation Agreement ("Second Amendment") is effective on July 1, 2025 ("Effective Date"), by and between the Municipal Water District of Orange County ("MWDOC") and \_\_\_\_\_ ("Participant Agency"). MWDOC and Participant Agency may be collectively referred to as "Parties" and individually as "Party."

**RECITALS**

- A. The Parties entered into a Water Conservation Participation Agreement dated July 1, 2015, regarding the Participant Agency's participation in certain water conservation programs ("Agreement"). The Agreement was amended by the First Amendment to the Agreement ("First Amendment").
- B. The Parties now intend to amend the Agreement with this Second Amendment to extend the term of the Agreement from June 30, 2025 to June 30, 2035.
- C. The Parties also intend to update the agreement administration and the retention policy, and to clarify the inclusion of all incentive programs as provided in the Agreement as amended.

NOW, THEREFORE, the Parties agree as follows:

**AMENDED TERMS OF AGREEMENT**

- 1. The following Sections of the Agreement are hereby amended and shall now read as follows:
  - a. "1.1 This Agreement will be effective on July 1, 2015, and shall terminate on June 30, 2035 ("Term"). Continuance of this Agreement will be subject to annual budget approval by MWDOC's Board of Directors."
  - b. "1.4 This Agreement encompasses multiple conservation programs that provide incentives to consumers. Addenda to this Agreement will be issued for changes involving Metropolitan and/or MWDOC Board-approved items, grant funding, and changes to incentive programs, including funding and incentive levels. All Addenda are enforced for the duration of this Agreement unless the Addenda are amended or terminated by either Party."
  - c. "2.2.1 Participant Agency may elect to take advantage of the MWDOC Administered Programs by having its authorized representative complete and sign

Addenda 3A through 3E in the spaces provided. If Participant Agency completes and signs Addenda 3A through 3E, Participant Agency agrees to be bound by the provisions of this Section 2.2, Sections 3, 5, 6, 7, and 8 of this Agreement, and Addenda 3A through 3E. If the Participant Agency does not complete, sign, and return Addenda 3A through 3E, notwithstanding any other provision of this Agreement, the Participant Agency will not be bound by Section 2.2 or the provisions in Addenda 3A through 3E.”

- d. “7.3 Participant Agency shall maintain all Participant Agency Administered Program information, including Participant Agency applications, water bills, and purchase receipts, for a period beginning on the date the incentive is first awarded for a given application and respective project and ending seven years later.”
2. The word “Addendums” is hereby replaced by the word “Addenda” throughout the entire Agreement.
3. Authority to enter into Second Amendment. Each Party represents that the person executing this Second Amendment has the requisite power and authority to execute the Second Amendment and to bind each respective Party.
4. Continuing Effect of Agreement. Except as amended by this Second Amendment, all other provisions of the Agreement remain in full force and effect. From and after the date of this Second Amendment, whenever the term “Agreement” appears in the Agreement, it shall mean the Agreement as amended by the First and Second Amendments.
5. Execution in Counterparts. This Second Amendment may be executed in duplicate counterparts, each of which shall be deemed an original.

MWDOC and Participant Agency have each caused this Second Amendment to be executed by its duly authorized representative as of the date set forth below the authorized signature.

IN WITNESS WHEREOF, the Parties hereto have executed this Second Amendment.

MUNICIPAL WATER DISTRICT  
OF ORANGE COUNTY

By: \_\_\_\_\_  
Harvey De La Torre  
General Manager

Date: \_\_\_\_\_

Approved as to Form:

By: \_\_\_\_\_  
Joseph Byrne  
General Counsel

Date: \_\_\_\_\_

PARTICIPANT AGENCY

Agency Name: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_  
Name

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to Form:

By: \_\_\_\_\_  
Name

Title: \_\_\_\_\_


Date: \_\_\_\_\_

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May 12, 2025

Prepared by: S. Choi

Submitted by: K. Burton

Approved by: Paul A. Cook 

## CONSENT CALENDAR

### LEASE FOR PORTABLE GAS MONITORING EQUIPMENT

#### SUMMARY:

The District currently uses two different manufacturers of portable gas monitoring equipment for confined space entry operations and in areas where there is potential for atmospheric hazards. The gas monitors in use are reaching the end of their service life, and new technologies are available to improve safety. Standardizing the equipment to a leased program benefits the District by eliminating the burden of having to maintain and repair the equipment in-house while ensuring the District has access to the latest technology.

Staff recommends that the Board authorize the General Manager to execute an agreement with Industrial Scientific for a 48-month term in the amount of \$429,580.80 to lease portable gas monitoring equipment through their iNet Exchange Program.

#### BACKGROUND:

In 2016, IRWD purchased MSA Altair 5x portable gas monitoring equipment as a District standard for departments to use in confined space entry operations. The monitors are serviced annually and as needed throughout the year by staff in several departments. The gas monitors have reached the end of their service life, and the cost of repairs is no longer cost-effective to maintain.

In 2020, several departments opted to utilize the Industrial Scientific Ventis Pro5 gas monitoring equipment on a lease program through the manufacturer that expires in May 2025. The monitors are smaller in size and can be used in both confined space entry operations and at facilities such as Biosolids and other treatment plants where there is potential for atmospheric hazards. All equipment is maintained and serviced by the manufacturer who ships out replacement monitors needing service and auto replenish calibration gas cylinders as they run low.

With advances in technology, new Ventis Pro5 models are now equipped with cellular connectivity, a panic button, and man-down alarms that send alerts via text message or email, along with a location, to pre-designated personnel in the event of an emergency for lone workers. The enhanced technology and benefits of standardizing the District's use of gas monitoring equipment to a leased program eliminates the burden of having to maintain and repair the equipment in-house.

#### FISCAL IMPACTS:

The lease fee will be divided among the various departments based on the number of portable gas monitors needed for their operations. Funding for the equipment is included as part of the respective departments' operating budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS

This item has not been reviewed by a Committee.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH INDUSTRIAL SCIENTIFIC FOR A 48-MONTH TERM IN THE AMOUNT OF \$429,580.80 TO LEASE PORTABLE GAS MONITORING EQUIPMENT THROUGH THEIR INET EXCHANGE PROGRAM.

LIST OF EXHIBITS:

Exhibit "A" – Industrial Scientific iNet Exchange Program Quote

**CUSTOMER**

 Irvine Ranch Water District  
 Bob Meripol  
 562810-9982  
 meripol@irwd.com  
 3512 Michelson Drive, Irvine,  
 CA, 92612  
 US

**Quote#:** Q-95363  
**Date:** April 7, 2025  
**Delivery:** 6 Weeks ARO  
**Expiration:** 60 days  
**Account:** 53480

**ISC CONTACT**
**Name:** Tori Bachorski  
**Title:** Renewal Manager  
**Phone:** 412-852-9110  
**Email:** Victoria.bachorski@indsci.com

**Payment Terms:** Net 30 days

## iNet® Exchange Quotation and Order Form

**Changed Equipment Schedule – Company Will Ship and Customer Will Return per below:**
**Location 1: Safety**

<b>iNet Equipment</b>		
<b>Qty</b>	<b>Part Number</b>	<b>Description</b>
-2	VP5-K12Y4101111	Ventis Pro5 Personal Gas Monitor, LEL (Pentane), CO, H2S, O2 (Long-life), Li-ion Slim Extended Battery, Desktop Charger, No Pump, Orange, UL/CSA, LENS Wireless, English
+2	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+1	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese
+4	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE

**Location 2: Engineering**

<b>iNet Equipment</b>		
<b>Qty</b>	<b>Part Number</b>	<b>Description</b>
+1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+2	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+2	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese
+1	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
<b>Calibration Gas</b> - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.		
+1	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L

### Location 3: Regulatory Compliance

iNet Equipment		
Qty	Part Number	Description
-3	VP5-K12Y4101111	Ventis Pro5 Personal Gas Monitor, LEL (Pentane), CO, H2S, O2 (Long-life), Li-ion Slim Extended Battery, Desktop Charger, No Pump, Orange, UL/CSA, LENS Wireless, English
+3	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring

### Location 4: Water Quality

iNet Equipment		
Qty	Part Number	Description
-1	VP5-K12Y4101111	Ventis Pro5 Personal Gas Monitor, LEL (Pentane), CO, H2S, O2 (Long-life), Li-ion Slim Extended Battery, Desktop Charger, No Pump, Orange, UL/CSA, LENS Wireless, English
+1	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring

### Location 5: Mechanical Services

iNet Equipment		
Qty	Part Number	Description
-33	VP5-K12Y4001111	Ventis Pro5 Personal Gas Monitor, LEL (Pentane), CO, H2S, O2 (Long-life), Li-ion Slim Extended Battery, No Pump, Orange, UL/CSA, LENS Wireless, English
+6	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English
+2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
-3	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese
+20	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+3	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
+2	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+2	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
<b>Calibration Gas</b> - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.		
+2	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L

**Location 6: Biosolids**

<b>iNet Equipment</b>		
<b>Qty</b>	<b>Part Number</b>	<b>Description</b>
-1	BZ1-K123000111	Radius BZ1 Area Monitor, LEL (Pentane), CO, H2S, O2, No Pump, UL/CSA, LENS Wireless, English
-10	VP5-K12Y4001111	Ventis Pro5 Personal Gas Monitor, LEL (Pentane), CO, H2S, O2 (Long-life), Li-ion Slim Extended Battery, No Pump, Orange, UL/CSA, LENS Wireless, English
-1	18109396-161	DSXi Cloud-Connected Docking Station for SafeCore, 6 Inlet Ports, North American Power Cord
+1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+10	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+2	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese
+2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring

**Location 7: MWRP**

<b>iNet Equipment</b>		
<b>Qty</b>	<b>Part Number</b>	<b>Description</b>
+1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+5	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+2	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese
+2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
<b>Calibration Gas</b> - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.		
+1	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L

**Location 8: Collections**

<b>iNet Equipment</b>		
<b>Qty</b>	<b>Part Number</b>	<b>Description</b>
+10	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English
+2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+3	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
+1	18105924	5-Port Gas Regulator Manifold Clamp, DSX

**Calibration Gas** - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.

+1	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L
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#### Location 9: Water Operations

##### iNet Equipment

Qty	Part Number	Description
+15	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English
+5	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+5	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+5	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+5	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring

**Calibration Gas** - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.

+5	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L
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#### Location 10: Construction

##### iNet Equipment

Qty	Part Number	Description
+10	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English
+2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+1	18105924	5-Port Gas Regulator Manifold Clamp, DSX
+1	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring

**Calibration Gas** - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.

+1	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L
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#### Location 11: Electrical

##### iNet Equipment

Qty	Part Number	Description
+3	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+14	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+14	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese

+3	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
<b>Calibration Gas</b> - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.		
+1	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L

#### Location 12: Field Service

<b>iNet Equipment</b>		
Qty	Part Number	Description
+5	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English
+2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+1	18105924	5-Port Gas Regulator Manifold Clamp, DSX
+2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
<b>Calibration Gas</b> - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.		
+1	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L

#### Location 13: LAWRP

<b>iNet Equipment</b>		
Qty	Part Number	Description
+1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT
+2	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English
+1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE
+1	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese
+1	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring
<b>Calibration Gas</b> - Initial supply of Calibration Gas Only. Replacement cylinder must be purchased by customer unless enrolling in the AutoReplenish Plus Program which includes calibration gas for the term of the iNet Program.		
+1	18109157	Cylinder, Calibration Gas, 25 ppm Hydrogen Sulfide, 100 ppm Carbon Monoxide, .35% Pentane (25% LEL), 18% Oxygen, Aluminum, 116L

## TOTAL EQUIPMENT

Instruments/Devices			With AutoReplenish Plus™ (gas included)	
Qty	Part Number	Description	Price Per Month Per Unit	Total Price Per Month
59	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	4,012.00
46	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English	56.00	2,576.00
2	BZ1-K123000111	Radius BZ1 Area Monitor, LEL (Pentane), CO, H2S, O2, No Pump, UL/CSA, LENS Wireless, English	190.50	381.00
25	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	1,000.00
1	18109396-161	DSXi Cloud-Connected Docking Station for SafeCore, 6 Inlet Ports, North American Power Cord	40.00	40.00
16	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	16.00
19	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	152.00
5	18105924	5-Port Gas Regulator Manifold Clamp, DSX	6.50	32.50
2	18108191	Ventis Single-Unit Charger	2.00	4.00
8	18108650-0	Ventis 6-Unit Charger, US	13.00	104.00
25	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	450.00
1	18109717	iNet Control Plus	Included	Included
31	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	651.00
iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*				9,418.50

PROGRAM INITIAL TERM (months)	48
CURRENCY	USD
MONTHLY USAGE FEE	9,418.50
TOTAL MONTHLY TRADE-IN ALLOWANCE	-468.90
MONTHLY USAGE FEE AFTER ALLOWANCE	8,949.60
48 MONTH TOTAL USAGE FEE	429,580.80

- Prices valid for sixty (60) days from the Date above.
- iNet Exchange is an equipment-leasing program. Monthly Usage Fees cover: (a) the quoted hardware, as well as replacement parts, labor, shipping and handling, training, and access to the iNet® Control SaaS platform; and (b) remote training.
- Monthly Usage Fee includes AutoReplenish Plus calibration gas for the duration of the Term.
- Monthly Usage Fee is for 48 months—early termination fees apply.

### **BREAKDOWN BY LOCATION**

#### **Location 1: Safety**

<b><u>Instruments/Devices</u></b>			<b><u>With AutoReplenish Plus™ (gas included)</u></b>	
<b><u>Qty</u></b>	<b><u>Part Number</u></b>	<b><u>Description</u></b>	<b><u>Price Per Month Per Unit</u></b>	<b><u>Total Price Per Month</u></b>
2	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	136.00
1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	40.00
1	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	18.00
4	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	84.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>286.00</b>

#### **Location 2: Engineering**

<b><u>Instruments/Devices</u></b>			<b><u>With AutoReplenish Plus™ (gas included)</u></b>	
<b><u>Qty</u></b>	<b><u>Part Number</u></b>	<b><u>Description</u></b>	<b><u>Price Per Month Per Unit</u></b>	<b><u>Total Price Per Month</u></b>
1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	40.00
2	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	136.00
2	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	36.00
1	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	21.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	1.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>242.00</b>

#### **Location 3: Regulatory Compliance**

<b><u>Instruments/Devices</u></b>			<b><u>With AutoReplenish Plus™ (gas included)</u></b>	
<b><u>Qty</u></b>	<b><u>Part Number</u></b>	<b><u>Description</u></b>	<b><u>Price Per Month Per Unit</u></b>	<b><u>Total Price Per Month</u></b>
1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	40.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
3	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	204.00
2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	42.00

iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*	294.00
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**Location 4: Water Quality**

Instruments/Devices			With AutoReplenish Plus™ (gas included)	
Qty	Part Number	Description	Price Per Month Per Unit	Total Price Per Month
1	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	68.00
2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	42.00
iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*				110.00

**Location 5: Mechanical Services**

Instruments/Devices			With AutoReplenish Plus™ (gas included)	
Qty	Part Number	Description	Price Per Month Per Unit	Total Price Per Month
2	BZ1-K123000111	Radius BZ1 Area Monitor, LEL (Pentane), CO, H2S, O2, No Pump, UL/CSA, LENS Wireless, English	190.50	381.00
6	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English	56.00	336.00
4	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	160.00
1	18109396-161	DSXi Cloud-Connected Docking Station for SafeCore, 6 Inlet Ports, North American Power Cord	40.00	40.00
4	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	4.00
4	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	32.00
1	18105924	5-Port Gas Regulator Manifold Clamp, DSX	6.50	6.50
2	18108191	Ventis Single-Unit Charger	2.00	4.00
6	18108650-0	Ventis 6-Unit Charger, US	13.00	78.00
2	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	36.00
20	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	1,360.00
3	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	63.00
iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*				2,500.50

**Location 6: Biosolids**

Instruments/Devices			With AutoReplenish Plus™ (gas included)	
Qty	Part Number	Description	Price Per Month Per Unit	Total Price Per Month
2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	80.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00

1	18105924	5-Port Gas Regulator Manifold Clamp, DSX	6.50	6.50
2	18108650-0	Ventis 6-Unit Charger, US	13.00	26.00
3	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	54.00
10	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	680.00
2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	42.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>896.50</b>

**Location 7: MWRP**

<b>Instruments/Devices</b>			<b>With AutoReplenish Plus™ (gas included)</b>	
<b>Qty</b>	<b>Part Number</b>	<b>Description</b>	<b>Price Per Month Per Unit</b>	<b>Total Price Per Month</b>
1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	40.00
5	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	340.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	1.00
2	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	36.00
2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	42.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>467.00</b>

**Location 8: Collections**

<b>Instruments/Devices</b>			<b>With AutoReplenish Plus™ (gas included)</b>	
<b>Qty</b>	<b>Part Number</b>	<b>Description</b>	<b>Price Per Month Per Unit</b>	<b>Total Price Per Month</b>
10	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English	56.00	560.00
2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	80.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	1.00
3	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	63.00
1	18105924	5-Port Gas Regulator Manifold Clamp, DSX	6.50	6.50
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>718.50</b>

**Location 9: Water Operations**

<u>Instruments/Devices</u>			<u>With AutoReplenish Plus™ (gas included)</u>	
<u>Qty</u>	<u>Part Number</u>	<u>Description</u>	<u>Price Per Month Per Unit</u>	<u>Total Price Per Month</u>
15	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English	56.00	840.00
5	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	200.00
5	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	40.00
5	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	5.00
5	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	105.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>1,190.00</b>

**Location 10: Construction**

<u>Instruments/Devices</u>			<u>With AutoReplenish Plus™ (gas included)</u>	
<u>Qty</u>	<u>Part Number</u>	<u>Description</u>	<u>Price Per Month Per Unit</u>	<u>Total Price Per Month</u>
10	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English	56.00	560.00
2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	80.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	1.00
1	18105924	5-Port Gas Regulator Manifold Clamp, DSX	6.50	6.50
1	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	21.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>676.50</b>

**Location 11: Electrical**

<u>Instruments/Devices</u>			<u>With AutoReplenish Plus™ (gas included)</u>	
<u>Qty</u>	<u>Part Number</u>	<u>Description</u>	<u>Price Per Month Per Unit</u>	<u>Total Price Per Month</u>
3	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	120.00
14	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	952.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	1.00
14	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	252.00
3	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	63.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>1,396.00</b>

**Location 12: Field Service**

<u>Instruments/Devices</u>			<u>With AutoReplenish Plus™ (gas included)</u>	
<u>Qty</u>	<u>Part Number</u>	<u>Description</u>	<u>Price Per Month Per Unit</u>	<u>Total Price Per Month</u>
5	VP5-K1232111111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2, Li-ion Ext Range, Desktop Charger, With Integral Pump, Orange, UL/CSA, LENS™ Wireless, English	56.00	280.00
2	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	80.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	1.00
1	18105924	5-Port Gas Regulator Manifold Clamp, DSX	6.50	6.50
2	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	42.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>417.50</b>

**Location 13: LAW RP**

<u>Instruments/Devices</u>			<u>With AutoReplenish Plus™ (gas included)</u>	
<u>Qty</u>	<u>Part Number</u>	<u>Description</u>	<u>Price Per Month Per Unit</u>	<u>Total Price Per Month</u>
1	18109327-131	DSXi Cloud-Connected Docking Station for Ventis, 3 Inlet Ports, North American Power Cord	40.00	40.00
1	17124348	HOLDER,GAS CYLINDER,WALL MOUNT	1.00	1.00
2	VP5-K12YB101111	Ventis Pro Series, LEL (Pentane), CO, H2S, O2 (Long Life), Li-ion Cell Battery, US, Verizon, Desktop Charger, Orange, UL/CSA, LENS™ Wireless, English	68.00	136.00
1	18105841	REGULATOR, DEMAND W/ SWITCH (150 PSI), 0-3 LPM, CGA-C10, MALE	8.00	8.00
1	18109162-1111	Ventis Slide-on Pump, Lithium-ion battery pack, High Visibility Orange, UL/CSA, English /French /Spanish /German /Chinese	18.00	18.00
1	18109652-00110	iNet Now Activation, 1 license, 1 year, No 24/7 Professional Monitoring	21.00	21.00
<b>iNet Monthly Usage Fee w/AutoReplenish Plus(USD)*</b>				<b>224.00</b>

### Equipment Group Monthly Fee Breakdown

<b>Equipment Group</b>	<b>iNet Monthly Usage Fee w/AutoReplenish Plus*</b>
Safety	286.00
Engineering	242.00
Regulatory Compliance	294.00
Water Quality	110.00
Mechanical Services	2,500.50
Biosolids	896.50
MWRP	467.00
Collections	718.50
Water Operations	1,190.00
Construction	676.50
Electrical	1,396.00
Field Service	417.50
LAWRP	224.00
<b>Total iNet Monthly Usage Fee</b>	<b>9,418.50</b>
<b>Total Monthly Trade-in/buy-back Allowance</b>	<b>-468.90</b>
<b>iNet Monthly Usage Fee w/AutoReplenish Plus*</b>	<b>8,949.60</b>

**CUSTOMER**

Customer PO#: \_\_\_\_\_  
(Please provide a copy of your PO, along with any tax-exempt information)

Customer accepts the Order terms above and the Program Terms of Use attached, intending to be legally bound:



Authorized Customer Signature

Title

Date

**ISC**

Agreed and Accepted by Industrial Scientific Corporation (ISC):

Authorized ISC Signature

Title

Date

No contract will be formed until this Order is countersigned by ISC. This Order will automatically expire and be void if it is not executed by Customer and received by ISC prior to the Expiration Date; provided, however, that ISC may elect to accept such Order, in its sole discretion, after such Expiration Date by countersignature.

For completion by ISC:

Initial Subscription Term:

Start Date: \_\_\_\_\_

End Date: \_\_\_\_\_

**PROGRAM TERMS OF USE***Version 1 - Sept 2023*

**1. Scope.** As set forth in the signed Order, ISC shall provide Customer with: (a) instruments/devices, hardware, consumables, and related parts/accessories ("Equipment"); (b) remote training, monitoring, maintenance, repair, and/or other services ("Services"); and/or (c) SaaS and/or software ("Platform(s)"). The applicable Equipment, Services, and/or Platform(s) constitute the "Program." The Program is governed by the Order and these Program Terms of Use ("TOU").

**2. Term.** ISC will deliver the Program to Customer during the Initial Subscription Term identified in the Order. Unless a party provides written notice of termination at least sixty (60) days before the end of the Initial Subscription Term, the Order shall automatically renew for a term equal in length to the Initial Subscription Term (a "Renewal Term"). Additional Renewal Terms shall follow under the same sixty-day-notice requirement for termination. The Initial Subscription Term and any Renewal Term(s) shall constitute the "Term" of the Order.

**3. Termination.** Either party may terminate the Order for a material breach that remains uncured for fifteen (15) business days after receipt of the non-breaching party's written notice. Customer may terminate the Order for its convenience by providing ISC at least sixty (60) days' prior written notice and paying ISC's final invoice which will include an "Early Termination Fee" as follows: Early Termination Fee = [Total Monthly Usage Fee] x [Months Remaining in Term] x [Factor]. If terminated with 36-48 months remaining in the Term, the Factor is 0.245. If terminated with 24-35 months remaining in the Term, the Factor is 0.184. If terminated with 12-23 months remaining in the Term, the Factor is 0.123. If terminated with 0-11 months remaining in the Term, the Factor is 0.062. In the event of a reduction of the Monthly Usage Fee for Customer's convenience, Customer shall pay an equitably adjusted portion of the Early Termination Fee based on the percentage of the Program that Customer will no longer use.

**4. Fees.** ISC bills the Monthly Usage Fee on the last day of each month, and Customer agrees to pay the same within thirty (30) days of the invoice date. Customer shall provide a purchase order(s) to [contractadminus@indsci.com](mailto:contractadminus@indsci.com) sufficient to cover all fees during the Term. For any Renewal Term, ISC may adjust the Monthly Usage Fee. Any change to pricing or terms for a Renewal Term will be provided by ISC in writing no less than 90 days prior to the end of the Initial Subscription Term or any Renewal Term(s). If Customer fails to pay any amount when due, ISC has the right to charge a late fee of 1.5% of the invoice value per month or the highest applicable rate allowed by law, whichever is lower, on all such overdue amounts. Customer shall be liable for all costs of collection, including attorneys' fees and costs.

**5. Equipment Delivery, Repair, and Return.** Customer is leasing the Equipment, to which ISC retains all right and title. Customer shall keep the Equipment free of all liens, claims, and encumbrances. ISC will ship Equipment to the site(s) identified in the Order. All Equipment shipped in the U.S. is DAP Destination (Incoterms® 2020). Using prepaid shipping packages, Customer shall promptly send malfunctioning or broken Equipment to ISC for repair or replacement (new or refurbished). Notwithstanding the foregoing: (a) Customer is responsible for Equipment that is lost or unrepairable for any reason or damaged due to unauthorized or negligent use; (b) Customer shall promptly return Equipment to ISC at the end of the Term; and (c) Customer shall pay ISC the fair-market-value for any such unreturned or damaged Equipment.

**6. Installation & Use.** Customer will provide the necessary cabling, wireless networking components, and technical assistance to facilitate installation. ISC will provide remote training on the Order. Customer is responsible for ongoing user training and network operability/connectivity, including maintaining electrical connectivity, Internet bandwidth, internal servers, and web browsers. Customer will use Equipment only as described in the relevant documentation and properly dock the Equipment. The parties acknowledge that improperly docking Equipment will prevent ISC from collecting and analyzing data, providing reports, or taking remedial action. Customer will promptly notify ISC, in writing, if Equipment is transferred from the site(s) identified in the Order. Customer will not transfer Equipment outside the country of initial installation without ISC's prior written approval. With AutoReplenish Plus: (a) ISC will monitor Customer's cal-gas usage and replenish as needed (ISC may modify gas concentration and/or cylinder size); (b) either party may request an audit of Customer's cal-gas usage once during each twelve (12) month period of the Term; and (c) ISC may adjust the Monthly Usage Fee if Customer's cal-gas usage varies from the initial estimate.

**7. Platform Use.** Customer shall provide ISC all information necessary to create the account(s). ISC grants Customer and its designated users the right to use the Platform(s) identified in the Order for its business purposes during the Term. ISC will provide logins/passwords for Customer's designated users. Customer shall maintain confidentiality of the logins/passwords, which shall not be shared or transferred. Customer is responsible for all Platform activity stemming from use of the designated users' logins/passwords. Customer shall immediately notify ISC of any unauthorized use.

**8. Taxes.** All prices are exclusive of, and Customer is responsible for, all government taxes and/or fees related to Customer's use of the Program ("Taxes"). ISC is responsible for all taxes related to ISC's income/profit from delivering the Program. If Customer is exempt from any Taxes, it shall furnish ISC a certificate of exemption prior to shipment.

**9. Warranties.** During the Term, Equipment shall be shipped substantially free of defects in material and workmanship, Platforms will substantially conform to ISC's documentation, and Services shall be substantially free of defects in workmanship. If a nonconformity to the foregoing warranty is discovered in the Equipment, Platform, or Services under normal and proper use, ISC shall repair or replace the nonconforming portion of the Equipment or Platform or re-perform the nonconforming Services. If ISC is unable to do so, ISC may terminate the Order and return any prepaid Monthly Usage Fees for such allegedly defective Equipment, Platform, or Services for the period commencing from Customer's notice of nonconformity.

ISC will have no obligation for any Equipment which is: (i) improperly installed, operated, maintained, stored, repaired, or altered by a party other than ISC; (ii) misused, neglected, or accidentally damaged; (iii) used in a manner contrary to ISC's instructions; or (iv) used in combination with unauthorized equipment or materials. THE FOREGOING WARRANTIES ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES, WHETHER WRITTEN, ORAL, OR IMPLIED, AND ISC HEREBY DISCLAIMS ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR WARRANTIES ARISING FROM COURSE OF DEALING OR USAGE OF TRADE. THE REMEDIES STATED HEREIN CONSTITUTE CUSTOMER'S EXCLUSIVE REMEDIES AND ISC'S ENTIRE LIABILITY FOR ANY BREACH OF WARRANTY.

**10. Data.** "Customer Data" is electronic information that Customer uploads to or enters in the Equipment and/or Platform, excluding ISC's data and intellectual property. Customer shall own all right, title, and interest, including intellectual property rights, in and to Customer Data. ISC may compile cumulative electronic information derived from Customer's use of the Program ("Aggregated Data") and may utilize remote reporting functionality in its products and services to obtain Aggregated Data. ISC shall own all right, title, and interest, including all intellectual property rights, in and to Aggregated Data. Notwithstanding anything to the contrary, ISC and its parent and their affiliated entities may use, modify, and combine the Aggregated Data for purposes of improving products and services, creating statistical and/or benchmarking data, and providing products, services, and analytics. To the extent applicable, all Aggregated Data shall be de-identified and aggregated pursuant to applicable privacy laws and regulations.

**11. Compliance with Laws.** Customer is responsible for using the Program in a manner that complies with all applicable laws, sanctions, and regulations. Customer will not permit use of the Program in a manner: (a) violating export control regulations or economic sanctions, including the export and import laws of Canada, the United States, the European Union, and any other applicable country; or (b) supporting the development, production, handling, operation, maintenance, storage, detection, identification, or dissemination of chemical or biological weapons, nuclear explosive devices, missiles, or naval nuclear propulsion activities. ISC reserves the right to limit Customer access to the Program if providing the same would violate any applicable law, sanction, or regulation.

**12. Limitation of Liability.** NOTWITHSTANDING ANYTHING TO THE CONTRARY, (A) NEITHER PARTY WILL BE LIABLE FOR ANY SPECIAL, INDIRECT, CONTINGENT, INCIDENTAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES; AND (B) ISC'S MAXIMUM LIABILITY FOR ANY REASON, WILL NOT EXCEED THE PRICE ALLOCABLE TO THE EQUIPMENT, PLATFORM, OR SERVICES WHICH GIVES RISE TO THE RELATED CLAIM. THE FOREGOING LIMITATIONS APPLY WHETHER THE ALLEGED LIABILITY IS BASED ON CONTRACT, WARRANTY, TORT, NEGLIGENCE, STRICT LIABILITY, OR ANY OTHER BASIS, AND EVEN IF A PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY.

**13. Inventions and Use.** All right, title, and interest to any intellectual property, inventions, developments, trade secrets, confidential or proprietary information, improvements, or modifications related to the Program shall remain with and be exclusively owned by ISC. Any design, manufacturing drawings, or other information provided to Customer shall remain the exclusive property of ISC and shall be used solely for the operation or maintenance of the Program and not for any other purpose.

**14. Platform Restrictions.** Neither Customer nor its agent shall, whether directly or indirectly: (a) reproduce or modify the Program; (b) use any device, software, or routine to interfere with the proper working of the Program; (c) use any automated means to access, monitor, or copy the Program; or (d) use the Program in any manner other than as permitted hereunder. Without limiting the foregoing, Customer further agrees that it will not take any action that imposes an unreasonable or disproportionately large load on the Platforms' infrastructure, as reasonably determined by ISC. Unless otherwise provided as part of the Services, Customer shall be solely responsible for all actions of and agreements with third parties engaged by Customer to integrate any portion of the Program with Customer's infrastructure.

**15. Risks.** Except for payment obligations, neither party shall be liable for inadequate performance to the extent caused by a condition (for example, natural disaster, act of war or terrorism, riot, labor condition, governmental action, pandemic, electrical interruption, server or related equipment failure and internet disturbance) that was beyond such party's reasonable control.

**16. Assignment.** Customer shall not sell, assign, delegate, nor transfer its rights and duties under this Agreement without providing prior written notice to ISC. This Agreement may be assigned by ISC to any subsidiary, affiliate, related company, or successor in interest without Customer's consent.

**17. Communications.** Neither party shall use the other's name in connection with advertising or publicity without said other party's prior written consent. Notwithstanding the foregoing, either party may include the other's name and logo on a supplier or customer list on its corporate website(s). Customer agrees not to make any representations about the Program not authorized by ISC in writing.

**18. Choice of Law and Venue.** All disputes between the parties shall be governed by the laws of the Commonwealth of Pennsylvania, excluding any conflicts of law considerations and the United Nations Convention on Contracts for the International Sale of Goods. Disputes shall be brought in Federal District Court for the Western District of Pennsylvania ("PAWD") or, to the extent jurisdiction cannot be established in PAWD, within Pennsylvania state court(s) located in Allegheny County, Pennsylvania. The parties agree that the notice provisions hereunder shall suffice for the purposes of satisfying service-of-process requirements arising under the Federal Civil Rules of Procedure or related state laws. THE PARTIES WAIVE ANY AND ALL DEFENSES BASED ON VENUE OR PERSONAL JURISDICTION AND THE RIGHT TO TRIAL BY JURY.

**19. General.** These TOU and the Order (“Agreement”) constitute the parties complete and fully integrated agreement and supersede all prior or contemporaneous communications, writings, or understandings. The terms of the Order will control over any conflicting TOU terms. The Agreement shall not be changed or superseded by any different or additional terms proposed by Customer to which ISC objects. Any translation of the Agreement from English is for convenience and in the event of any ambiguity or conflict, the English version shall govern. The Agreement may only be amended by a written instrument. Sections 3-5, 8-15, and 17-20 of this TOU shall survive termination of the Agreement. A party's failure to exercise any of its rights under the Agreement on one occasion shall not waive its rights to enforce the same on another occasion.


**20. Notice.** Required notice(s) under the TOU shall be in writing and delivered by both: (a) courier and (b) email, as set forth below:

Customer's notice to ISC:

Industrial Scientific Corporation  
ATTN: Legal Dept.  
One Life Way, Pittsburgh, PA 15205-7500  
[isclegal@indsci.com](mailto:isclegal@indsci.com)

ISC's notice to Customer:

Customer's physical address identified on the Order  
Customer's contact email address identified on the Order

May 12, 2025  
Prepared by: L. Hatch  
Submitted by: P. Weghorst  
Approved by: Paul A. Cook 

## ACTION CALENDAR

### TERMS FOR AGREEMENT WITH CITY OF TUSTIN FOR CROSS CONNECTION CONTROL

#### SUMMARY:

In December 2023, the State Water Resources Control Board adopted a Cross Connection Control Policy Handbook to govern backflow prevention and cross connection control, replacing requirements of Title 17 in the California Code of Regulations. Currently, IRWD has an existing agreement with the City of Tustin to assist implementing the City's Cross Connection Control Program under the requirements of Title 17. The Policy Handbook has additional requirements that will increase costs for IRWD to continue assisting the City. Provided below are proposed terms for a new agreement with the City of Tustin that address the requirements of the handbook. Staff recommends that the Board authorize the General Manager to execute an Agreement with the City of Tustin for Cross Connection Control based on the terms presented.

#### BACKGROUND:

The State Board adopted a Cross Connection Control Policy Handbook in December 2023. This document requires each public water system to protect its public water supply by complying with specified requirements. By July 1, 2025, each public water system is required to prepare and submit to the State Board's Department of Drinking Water a Cross Connection Plan that describes how the public water system will fulfill the requirements of the handbook.

Since 1999, IRWD has had an agreement with the City of Tustin for IRWD to implement a Cross Connection Program for the City to comply with the requirements in Title 17. The requirements of the new Policy Handbook are more extensive and require greater staff resources and costs than those described in the existing agreement. A new agreement is now needed between IRWD and the City to address these additional costs.

#### Terms for Agreement:

Staff has prepared terms for a new agreement with the City of Tustin that will allow IRWD to assist the City in implementing its Control Plan in accordance with the Policy Handbook. These terms are provided as Exhibit "A". Staff recommends that the Board authorize the General Manager to execute an Agreement with the City of Tustin for Cross Connection Control based on the terms presented.

#### FISCAL IMPACTS:

An agreement developed and executed in accordance with the terms of Exhibit "A" will ensure that IRWD's costs of assisting the City of Tustin with implementing its Control Plan are fully covered.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

COMMITTEE STATUS:

This item was reviewed at the May 5, 2025, Water Resources Policy and Communications Committee Meeting.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH THE CITY OF TUSTIN FOR CROSS CONNECTION CONTROL BASED ON THE TERMS PRESENTED, SUBJECT TO NON-SUBSTANTIVE CHANGES APPROVED BY LEGAL COUNSEL.

LIST OF EXHIBITS:

Exhibit "A" – Terms for Agreement with City of Tustin for Cross Connection Control

Exhibit “A”

**DRAFT** Terms for Agreement with City of Tustin for Cross Connection Control  
 (“Cross Connection Control Agreement”)  
 May 12, 2025

<b>Parties</b>	Irvine Ranch Water District (“ <b>IRWD</b> ”) and City of Tustin (“ <b>City of Tustin</b> ”).
<b>Background</b>	<p>On December 19, 2023, the State Water Resources Control Board adopted its Cross-Connection Control Policy Handbook that requires each domestic public water system to protect its public water supply by complying with handbook requirements. By July 1, 2025, each public water system is required to prepare and submit to the State Board’s Department of Drinking Water (“<b>DDW</b>”), for approval, a Control Connection Control Plan that describes how the public water system will fulfill the requirements identified in the Policy Handbook.</p> <p>IRWD has an existing agreement with the City of Tustin that has been in effect since December 6, 1999, through which IRWD assists in the management of a cross-connection program for the city in compliance with the requirements of Title 17 of the California Code of Regulations. The requirements of the new Policy Handbook are more extensive and require greater resources leading to the need for a new Cross Connection Control Agreement based on the terms provided below.</p>
<b>Objective</b>	The objective of the Cross Connection Control Agreement is for IRWD to provide the City of Tustin support in implementing the City’s Control Plan as approved by DDW. IRWD would provide the necessary resources to manage certain elements of the City’s Control Plan as described in the Roles and Responsibilities described below. The City of Tustin would retain enforcement responsibilities associated with its Control Plan.
<b>Effective Date</b>	This Cross Connection Control Agreement will be effective upon execution by the Parties.
<b>Termination</b>	The Cross Connection Control Agreement will terminate after 10 years or as mutually agreed upon by the Parties.
<b>ROLES AND RESPONSIBILITIES</b>	
<b>Certification Requirements</b>	IRWD staff conducting work for the City of Tustin, in fulfilling this Cross Connection Control Agreement, will have and maintain valid cross connection control certifications from a State Board-recognized certifying organization.
<b>Conducting Hazard Assessments</b>	<p>IRWD will conduct Hazard Assessments in compliance with City of Tustin’s Control Plan and in accordance with City of Tustin ordinances governing site access. Upon completion of Hazard Assessments, IRWD will communicate to the City of Tustin the locations requiring backflow protection devices to be installed as well as those that are being forwarded to Orange County Environmental Health for annual testing and maintenance compliance.</p> <p>City of Tustin will communicate to IRWD the need to conduct Hazard Assessments at commercial locations with 1) Change of tenants; 2) New services started; and 3) Any plumbing changes submitted through plan check with the City of Tustin.</p>

	<p>The City of Tustin will provide a list of its own facilities that require Hazard Assessments and will provide site access for IRWD to conduct Hazard Assessment inspections at those sites.</p>
<b>Fireline Protection</b>	<p>IRWD will provide the City of Tustin with a list of fire services with above ground backflow protection so that the City may determine the locations of buried single check backflow devices needing to be upgraded to meet the requirements of the Policy Handbook and the City's Control Plan.</p> <p>The City of Tustin will be responsible for all compliance and enforcement of fireline related requirements of the City's Control Plan.</p>
<b>Enforcement of Backflow Protection Standards</b>	<p>IRWD will ensure that all backflow prevention assemblies installed in the City of Tustin have met the standards of the University of Southern California's Foundation for Cross Connection and Hydraulic Control and will notify the City of Tustin of any devices installed at customer sites that do not meet the standards. IRWD will issue notices to such customers that approved backflow prevention assemblies are required and that any unapproved devices be removed and replaced with an approved assembly within thirty (30) days.</p> <p>The City of Tustin will be responsible for enforcement of compliance after a customer has been notified and 30 days have passed from notice.</p>
<b>Backflow Protection Installation Enforcement</b>	<p>IRWD will notify customers and the City of Tustin of any incorrectly installed backflow prevention assemblies. Customers will be given thirty (30) days by written notice provided by IRWD to correct the installations, after which time the City of Tustin will be responsible for any enforcement actions.</p>
<b>Testing and Maintenance of Backflow Prevention Assemblies</b>	<p>IRWD will send notifications to customers of the City of Tustin to conduct backflow device testing annually. The first notice will state customers have thirty (30) days to comply, the second notice will give fourteen (14) days to comply, the third notice will give seven (7) days to complete testing after which customers will be sent a shut off notice. After seven (7) days, the list of customers that have not complied will be sent to the City of Tustin for shutdown and enforcement. IRWD will maintain an annual backflow testing notification and tracking database.</p> <p>IRWD will compile a list of internal backflow prevention devices (devices that are downstream of meter protection) according to the requirements requested by the County of Orange Environmental Health Department for County's management.</p> <p>The City of Tustin will provide a customer contact list as needed to facilitate contacting customers for notification of testing as well as letterhead and/or logos.</p>

<b>Backflow Prevention Assembly Tester Certification</b>	IRWD will verify that all accepted backflow assembly tests are performed by a backflow tester possessing certification by a certifying organization recognized by the State Board with a gauge that has been calibrated in compliance with the Policy Handbook.
<b>Recordkeeping</b>	<p>IRWD will provide records to the City of Tustin of historic backflow testing and hazard assessments in accordance with the City's record retention policy, which is currently three years.</p> <p>IRWD will provide cross connection hazard assessment and backflow device testing data to the City of Tustin for the City to complete its required annual Electronic Annual Report that is submitted by the City to DDW.</p>
<b>Backflow Incident Response</b>	<p>IRWD will provide a cross-connection control specialist to respond to potential backflow incidents within one-hour notice to IRWD in accordance with the City of Tustin's Control Plan. The specialist will provide documentation in accordance with the City's Control Plan.</p> <p>The City of Tustin will notify all governing agencies regarding backflow incidents according to the City's Control Plan.</p>
<b>COSTS TO BE PAID BY CITY OF TUSTIN</b>	
<b>One Time Costs to be Invoiced July 1, 2026</b>	IRWD will invoice City of Tustin a one-time fee of \$2,000 for compiling internal (downstream of meter protection) backflow prevention device data to be sent to Orange County Environmental Health for the County's management. This fee will also cover a one-time data sorting of fireline backflow prevention assemblies.
<b>Fiscal Year End Costs</b>	<p>At the end of each Fiscal Year, which will end on June 30, IRWD will invoice the City of Tustin the amount of \$1,040 for Electronic Annual Report-related data gathering and submission to City of Tustin.</p> <p>IRWD will also invoice the City of Tustin \$50 per backflow prevention device for which IRWD sends notifications to City customers to test customer-owned backflow prevention devices. The charges will compensate IRWD for processing submitted forms, and both verifying device tester licensing and gauge calibration.</p>
<b>Costs to be Invoiced Monthly</b>	<p>Each month, IRWD will invoice the City of Tustin the amount of \$560 for each response to a potential cross connection incident. This charge is for a four-hour minimum after-hours standby response to potential cross connection incidents. Any time exceeding four hours will be billed at \$140 per hour.</p> <p>IRWD will submit monthly invoices to the City of Tustin in the amount of \$115 per hour for conducting Hazard Assessments and \$125 per hour for plan review of backflow prevention device installations at newly constructed sites. IRWD's participation in meetings with the City of Tustin regarding</p>

	implementation of this Cross Connection Control Agreement will be invoiced at \$125 per hour and any other tasks requested by the City related to the Agreement will be invoiced to the City at \$115 per hour.
<b>Cost Escalation</b>	The year-end and monthly costs will be escalated annually by the Los Angeles area Consumer Price Index for all items based on a full year over the May-to-April time period. The escalated costs will be effective July 1 of each year.
<b>General Expenses</b>	Each party shall be responsible for its own legal and administrative expenses arising out of the negotiation and execution of this Cross Connection Control Agreement. City of Tustin will reimburse IRWD up to \$10,000 to cover its legal and administrative costs in the preparation of the Cross Connection Control Agreement.

May 12, 2025

Prepared by: J. Moeder

Submitted by: K. Burton

Approved by: Paul A. Cook



## ACTION CALENDAR

### SANTIAGO CREEK DAM IMPROVEMENTS CONSULTANT VARIANCE

#### SUMMARY:

IRWD's consultants AECOM and GEI completed a Value Engineering Study for the new spillway structure at Santiago Creek Dam. The results of the study show significant value in adjusting the alignment of the spillway structure. Staff and the Division of Safety of Dams (DSOD) agree on the advantages of revising the spillway design. The design team submitted a variance to revise the spillway design and incorporate the Value Engineering improvements from the study. Staff recommends that the Board authorize the General Manager to execute a variance in the amount of \$893,473 with AECOM for additional engineering design services.

#### BACKGROUND:

In December 2024, the IRWD Board of Directors concurred with staff's recommendation to add embankment improvements to the Santiago Creek Dam Improvement project and approved the associated consultant variances and budget increases. The embankment improvements include removing the top portion of the existing dam crest, including portions of existing bedrock located at the left abutment adjacent to the existing spillway structure. This existing bedrock material, which is referred to as the "rock knob," has been a constraint in the spillway design since it is considered part of the dam abutment. Since the embankment improvements require removing portions of the rock knob, the design constraint is eliminated, presenting opportunities to enhance the spillway design.

In January 2025, GEI, the consultant leading the spillway design, completed a Value Engineering Study that explored options for enhancing the spillway design. The study shows that straightening the spillway and shifting the alignment approximately 40 feet to the east towards the embankment would offer the following advantages.

- Locates the concrete spillway structure on more bedrock and reduces the amount of roller compacted concrete required beneath the structure;
- Improves the hydraulic performance from straightening the spillway alignment; and
- Reduces the construction complexities and risks by locating the structure farther away from the steep hillside that is owned by the County and constructing the structure on more existing bedrock.

In April 2025, staff and the design team presented the concept of revising the spillway design to DSOD. DSOD agreed with the advantages to revising the design and verbally authorized IRWD to proceed with the revision.

Staff and the design team anticipate that the above-listed advantages to straightening and shifting the spillway alignment will provide construction cost savings estimated at \$8 million, which will more than offset the recommended design variance and reduce construction risk. Revising the spillway design will occur in parallel to the embankment improvements design and is not anticipated to impact the design schedule.

AECOM Design Variance No. 9:

AECOM submitted a variance in the amount of \$893,473 to revise the design of the spillway. The additional design scope includes revising several drawings for the Santiago Creek Dam Improvement project, incorporating the revisions into the overall project design, and updating the Computational Fluid Dynamics computer-based model and associated report. The scope of work and variance are attached as Exhibit “A”.

Staff will provide a presentation at the Board meeting that will elaborate on the items presented herein. The draft presentation is attached as Exhibit “B”.

FISCAL IMPACTS:

Project 01813 is included in the Fiscal Year 2025-26 Capital Budget. The existing budget is sufficient to fund the variance.

ENVIRONMENTAL COMPLIANCE:

The project is subject to the California Environmental Quality Act (CEQA). An Environmental Impact Report is being prepared in conformance with CEQA, California Code of Regulations Title 14, Chapter 3, Article 7, Section 15081.

COMMITTEE STATUS:

This item was not reviewed by a Committee.

RECOMMENDATION:

THAT THE BOARD AUTHORIZE THE GENERAL MANAGER TO EXECUTE VARIANCE NO. 9 IN THE AMOUNT OF \$893,473 WITH AECOM FOR ADDITIONAL ENGINEERING DESIGN SERVICES FOR THE SANTIAGO CREEK DAM IMPROVEMENTS, PROJECT 01813.

LIST OF EXHIBITS:

Exhibit “A” – AECOM’s Variance No. 9 Scope of Work and Fee

Exhibit “B” – Draft Presentation for Santiago Creek Dam Improvements – Variance



AECOM  
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May 2, 2025

Mr. Jacob Moeder P.E.  
Engineering Manager – Dams and Storage  
Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, California 92618

**Subject: Variance Request #9 - Santiago Creek Dam Improvement Project, PR 01813,  
Addition of Spillway Chute and Stilling Basin Realignment**

Dear Jacob:

The purpose of this document is to provide our proposed scope of work and fee estimate for a variance to include the spillway realignment within the Santiago Creek Dam Improvement Project. These services will be provided for Irvine Ranch Water District (IRWD) referred to herein as the District.

This variance request follows about two plus years of engineering design services by the AECOM/GEI team (Design Team) for improvement of the existing dam and appurtenant structures. The major variance items include:

- Realignment of spillway chute and stilling basin by shifting approximately 40 feet east towards the embankment.
- Redesign of the spillway chute left wall and the stilling basin walls.
- Updating impacted design drawing sheets for Outlet Tower and Spillway Phase.
- Updating impacted specification sections for Outlet Tower and Spillway Phase.
- Project Management and Meetings.

## **Background for Dam Embankment Improvement Variance Request:**

In December 2024 Variance #8 was approved by the District, which authorized the Design Team to proceed with the additional effort for the Dam Embankment Improvement Phase and Site Construction Preparation Phase. With the approval to advance the dam embankment improvement design provided by the District and DSOD, the prior restriction to avoid excavation impacts to the earthen dam embankment were superseded by the project goal and scope. As part of Variance #8, the right wall of the spillway chute was replaced from a tieback wall and a retaining wall to Type III RCC gravity retaining wall. Subsequent to Variance #8, the Design Team prepared a Value Engineering Technical Memorandum evaluating alternatives for a potential reconfiguration of the spillway that could be possible due to the embankment improvements being implemented. The Value Engineering TM recommended a realignment of the spillway chute approximately 40 feet to the east towards the embankment, which would accrue advantages to the overall design and construction of the spillway. This concept for the realignment was presented to the DSOD by the District and the Design Team as part of the overall embankment improvement briefing on April 16, 2025. The DSOD gave an in-principle approval for the realignment, and the District requested the Design Team to prepare this variance request for incorporating the design changes to the project. The summary of the proposed scope of work prepared by AECOM/GEI is presented below:

## **SCOPE OF WORK**

### **Phase 3: Final Design of Dam Improvement**

#### **Task 7: Realignment of the Spillway Chute and Stilling Basin by Shifting Approx. 40 feet East Towards Embankment**

Variance #8 included modification of the spillway design to change the current design elements of the right spillway wall consisting of (from upstream to downstream): a closure wall, Type I wall (anchored tieback wall), a transverse transition wall, Type II wall (reinforced concrete cantilever retaining wall) along the chute with Type 3 RCC gravity walls.

This current variance request is a result of realignment of the spillway chute by shifting about 40 feet to the east towards the embankment where foundation conditions and constructability are improved and RCC placement below the chute is minimized. RCC will be reduced because the proposed chute slab elevation will be located within existing ground, whereas the existing design has the left portion of the chute slab well above the existing ground surface, requiring construction of the stepped RCC fill to create a foundation for the chute.

This alignment reduces design complexity, the amount of stepped excavation, and the RCC below the slab. The size of the fill to the left of the chute will be reduced or potentially this fill can be entirely eliminated due to the shift of the chute towards the embankment; however, this would need to be confirmed with subsequent design calculations of the left chute wall. Shifting the chute alignment would move the stilling basin discharge flows further away from the left slope downstream of the stilling basin and increase the room for surface drainage between the left stilling basin wall and the left slope and would increase space for the emergency outlet

structure that is being relocated to the left of the stilling basin after the 90% design was completed.

We anticipate that this change will improve constructability, reduce construction risk, provide for a safer dam, and potentially reduce capital costs associated with construction.

GEI will perform the analysis and design of the proposed new realigned spillway configuration and will incorporate these elements in the overall design of the spillway. A breakdown of the tasks to be performed is presented below:

### **Task 7.1 Civil Design and Drafting**

GEI will implement the following design changes:

- Left side spillway excavation. Excavation for the spillway along the left wall will be redesigned to accommodate the shift of the spillway chute and stilling basin. The excavation in the chute section is expected to be simplified from the current relatively complicated stepped layout and will be designed to incorporate the foundation for the cantilever wall. This will also require coordination with the structural team to eliminate RCC under the foundation of the left side of the chute and optimize the amount of rock underneath the spillway.
- Left side final grading. The left side of the spillway fill will be designed to provide support for the cantilever spillway wall hydrostatic loading due to flow in the channel. Surface drainage and slope stabilization measures will be included in the final design.
- Landfill ditch Relocation. The landfill drainage ditch will be redesigned to take advantage of the larger space available due to the shifting of the chute and stilling basin. GEI will ensure the flows currently contained by the existing ditch will be accommodated by the new ditch. GEI and AECOM will coordinate the most effective ditch outlet design with the Irvine Lake Pipeline emergency outlet structure location to reduce erosion impacts of downstream discharges.
- Spillway Drainage. With the spillway chute shifting onto a bedrock foundation, GEI will redesign the drainage features underneath the spillway slab. Cleanouts and inspection ports will be incorporated into the proposed topography and access will be provided to each of these areas.
- Surface Drainage along the right spillway wall. GEI will coordinate with AECOM on the right wall for redesigning the surface drainage to allow appropriate surface drainage down the new embankment slope, away from the spillway walls.
- Design drawings will be updated to reflect the realigned spillway chute and stilling basin and incorporate the changes in design. A list of drawings to be updated is included in this proposal in Table 1.

### **Task 7.2 Structural Drawings**

The structural drawings will be updated to reflect the design modifications that will be

required for realignment of the spillway chute and the stilling basin 40 feet towards the dam embankment. These modifications will primarily affect the layout of the chute walls and the stilling basin. The left spillway wall design concepts and criteria will remain unchanged but will need to be modified as needed for the revised geometry while the right spillway wall will be shifted and modified to an all-Type III RCC gravity wall. Revised design drawing packages will be prepared for IRWD and DSOD review at each of the required design milestones. The list of structural drawings impacted by these design modifications is included in Table 1.

### **Task 7.3 Structural Analysis and Design**

The structural analysis for the spillway walls will be updated to reflect the changes in location and foundation conditions in the left spillway walls. The approaches to the design of the Type I, Type II, and Type III walls will remain fundamentally unchanged in terms of overall methodology, which has already been previously submitted, reviewed, and accepted by the DSOD in prior milestone design submissions for each wall type.

The exact locations and number of analysis sections will be determined as the design process progresses. Revised calculation packages will be prepared for IRWD and DSOD review at each of the required design milestones.

### **Task 7.4 Geotechnical Analysis and Design**

The shift in the spillway alignment will require updating geotechnical analyses and will include any spillway stability analyses on the left side, seepage analyses, bearing capacity, and settlement calculations for the left wall for the chute wall bearing on rock and the shift of the stilling basin walls. A new excavation plan will be needed, foundation criteria, consideration of alternative designs, coordination with the structural and civil design, coordination with DSOD, and design report updates will be required. The geotechnical analysis and design effort will be primarily geared towards providing appropriate input towards the structural and civil redesign of the spillway due to the realignment.

### **Task 7.5 Hydraulic Modeling of Realigned Spillway**

The new configuration of the spillway resulting from the 40-foot shift of the spillway chute and stilling basin will be analyzed using a Computational Fluid Dynamics (CFD) hydraulic model. The analytical process will include initial calibration runs of the current 90% design to verify the model results are consistent with the previous CFD and Physical Modeling work. This will include the alignment of the L-shaped ogee, chute and stilling basin proposed in the 90% design. The realigned spillway will have the same ogee shape and crest length structure, and the same stilling basin configuration as presented in the 90% Design. A new chute alignment will be modeled, as proposed in the alternative to connect the inlet structure and stilling basin in the 90% design. We will run a CFD model for the realigned spillway to verify capacity, freeboard and hydraulic performance of the new spillway design. Different flows, from low to high flow, will be run to verify rating curves. Advanced CFD hydraulic modeling of the new configuration is

necessary. However, physical modeling is not anticipated to be necessary to support the design changes to the chute and weir.

### **Task 3.5: Project Management and Meetings**

The overall AECOM/GEI Quality Management System defined in the main contract will be adopted for this variance. The project management subtasks included in this proposal are as follows:

- Project Management/Quality Control: AECOM and GEI will adhere to our shared technical quality review protocols through the design of the realigned spillway chute and stilling basin; also, this subtask includes project management and coordination efforts for budget monitoring, progress reporting and invoicing.
- Additional Meetings including the following: Two (2) DSOD meetings/briefings including preparation sessions; additional coordination meetings with IRWD and third-party stakeholders; additional design and progress meetings with IRWD (assuming three design meetings, and two progress meetings based on schedule extension).
- AECOM/GEI Coordination and Meetings: AECOM and GEI will hold bi-weekly design check in meetings to ensure there are no lapses in design coordination with the spillway alignment and embankment improvement; meeting frequency subject to variability based on design needs and deliverable progress.

Efforts for preparation and attendance of all associated design risk workshops have been included in Variance #8 as the part of the Dam Embankment Improvement design phase.

## **Phase 2 Adjustments: Final Design of Outlet Tower and Spillway Improvements**

### **Task 7: Groundwater Dewatering & Land Disposal Permitting**

With the spillway realignment, modifications will need to be made to the figures included in the Irvine Lake Water Diversion Technical Memo. AECOM will incorporate the changes and verify the design of the minimum requirements for the Diversion System as part of the existing Task 2-7.

### **Task 2-13: Adjustments to Outlet Tower & Spillway Improvements Design**

With the redesign of the spillway chute and stilling basin, numerous drawings in the Outlet Tower and Spillway Improvements Phase drawing set require adjustment and verification. The effected sheets are provided in Table 1. The key design elements that AECOM will need to verify and/or adjust include the Dam Control Building, I/O Structure Access Road, Vehicular Bridge and Outlet Works piping, valve vaults and appurtenant equipment. All updates to design elements included in the 90% design of the Outlet Tower & Spillway Improvements will be reflected in the Geotechnical Data Report (GDR), Geotechnical Investigation Report (GIR), updated Opinion of Probable Construction Costs (OPCC), and Final Design Report (FDR). The GDR, GIR and FDR will be submitted for DSOD review following submission of the Final Design

Package.

The drawings indicated in Table 1 did not have proposed modifications with the Dam Embankment Improvement design per Variance #8, thus they have been incorporated into this variance request.

### **Assumptions:**

- All meetings to be virtual via Teams or equivalent platform.
- No field work nor further geotechnical investigations are included in this proposal.
- Bid period assistance and construction phase services are not included, as they will be included in a future contract.

### **Design Schedule Impacts:**

During the meeting with DSOD on 4/16/25, it was conveyed to the design team that DSOD will require the following review times for each design submission:

- 60% Design Review: 150 Calendar Days (109 Working Days)
- 90% Design Review: 60 Calendar Days (43 Working Days)
- 100% Design Review: 45 Calendar Days (34 Working Days)

The updated overall project schedule is included as an attachment to this variance request.

We do not anticipate any impact on the design schedule because of this redesign effort. The redesigned deliverables will be submitted as follows:

- Revised 90% Design of the Spillway and Outlet Works concurrently with the 60% Design Embankment Improvement Submittal
- 100% Design Submittal concurrently with the 90% Design Embankment Improvement Submittal

### **Cost Estimate:**

We propose performing professional engineering services for the tasks described above on a time-and-materials basis for a not-to-exceed variance amount of \$893,473.

A summary of the estimated budget requests for the proposed variance is provided in Table 2. A detailed breakdown is provided in Table 3.

If you have any questions or comments, please contact me at (714) 483-1354 or via e-mail at [bryan.paine@aecom.com](mailto:bryan.paine@aecom.com).

Sincerely,



Bryan C. Paine, PE, QSD, ENV SP  
Project Manager, Associate Vice President  
AECOM Technical Services, Inc.



Iqbal Ahmed, PhD, PE, GE  
Senior Project Manager  
GEI Consultants, Inc.

Attachments:

Table 1 – List of Design Drawings to Be Revised

Table 2 – Variance Fee Estimate for Design Team

Table 3 – Detailed Labor Estimate Breakdown for AECOM/GEI Team

Santiago Creek Dam Improvements – Design Schedule 05-02-2025 Update

**Table 1. List of Design Drawings to be Revised**

Sheet No.	Sheet Name
OW-C06	ROCK FALL PROTECTION SYSTEM PLAN
OW-C09	EMERGENCY OUTLET BASIN PLAN AND SECTIONS
OW-S05	ISOLATION VALVE VAULT FOUNDATION PLAN
OW-S06	ISOLATION VALVE VAULT TOP PLAN
OW-S07	ISOLATION VALVE VAULT SECTION 1
OW-S08	ISOLATION VALVE VAULT SECTION 2
OW-S11	EMERGENCY OUTLET STRUCTURE SECTIONS
OW-S14	SPILLWAY VEHICLE BRIDGE PLAN
OW-S15	SPILLWAY VEHICLE BRIDGE SECTION 1
OW-S16	SPILLWAY VEHICLE BRIDGE SECTION 2
OW-S17	SPILLWAY VEHICLE BRIDGE ABUTMENT 1 LAYOUT
OW-S18	SPILLWAY VEHICLE BRIDGE ABUTMENT 2 LAYOUT
OW-S20	SPILLWAY VEHICLE BRIDGE WINGWALL DETAILS
CB-A03	ARCHITECTURAL SITE PLAN
CB-A06	BUILDING SECTIONS
CB-A07	EXTERIOR WALL SECTIONS AND DETAILS
CB-S03	DAM CONTROL BUILDING SECTION 1
SP-C01	SPILLWAY GENERAL ARRANGEMENT
SP-C02	SPILLWAY PLAN AND PROFILE STA SP 0+00 TO STA SP 5+50
SP-C03	SPILLWAY PLAN AND PROFILE STA SP 5+50 TO STA SP 11+50
SP-C04	SPILLWAY LOCATIONS OF SUBSURFACE EXPLORATIONS
SP-C05	SPILLWAY EXCAVATION PLAN (SHEET 1 OF 2)
SP-C06	SPILLWAY EXCAVATION PLAN (SHEET 2 OF 2)
SP-C07	STEPPED EXCAVATION DETAIL
SP-C08	SPILLWAY EXCAVATION ISOMETRIC (SHEET 1 OF 3)
SP-C09	SPILLWAY EXCAVATION ISOMETRIC (SHEET 2 OF 3)
SP-C10	SPILLWAY EXCAVATION ISOMETRIC (SHEET 3 OF 3)
SP-C12	SPILLWAY EXCAVATION SECTIONS (SHEET 2 OF 4)
SP-C13	SPILLWAY EXCAVATION SECTIONS (SHEET 3 OF 4)
SP-C14	SPILLWAY EXCAVATION SECTIONS (SHEET 4 OF 4)
SP-C15	SPILLWAY SLAB PANEL PLAN
SP-C17	SPILLWAY SLAB PANEL PLAN DETAILS (SHEET 2 OF 4)
SP-C18	SPILLWAY SLAB PANEL PLAN DETAILS (SHEET 3 OF 4)
SP-C19	SPILLWAY SLAB PANEL PLAN DETAILS (SHEET 4 OF 4)
SP-C20	SPILLWAY SLAB PANEL PLAN SUMMARY SHEET
SP-C21	SPILLWAY SLAB PANEL PLAN
SP-C23	SPILLWAY SLAB ANCHOR PLAN DETAILS (SHEET 2 OF 4)
SP-C24	SPILLWAY SLAB ANCHOR PLAN DETAILS (SHEET 3 OF 4)
SP-C25	SPILLWAY SLAB ANCHOR PLAN DETAILS (SHEET 4 OF 4)
SP-C26	SPILLWAY SLAB NONTYPICAL ANCHOR PLAN SUMMARY (SHEET 1 OF 2)
SP-C27	SPILLWAY SLAB NONTYPICAL ANCHOR PLAN SUMMARY (SHEET 2 OF 2)
SP-C28	SPILLWAY SLAB TYPICAL ANCHOR PLAN SUMMARY
SP-C29	SPILLWAY ANCHOR SECTIONS
SP-C31	SPILLWAY DRAINAGE PLAN (SHEET 1 OF 2)
SP-C32	SPILLWAY DRAINAGE PLAN (SHEET 2 OF 2)
SP-C34	SPILLWAY RIGHT WALL DRAINAGE PROFILE
SP-C35	SPILLWAY DRAINAGE SECTIONS

Sheet No.	Sheet Name
SP-C37	SPILLWAY FINAL GRADING PLAN (SHEET 1 OF 2)
SP-C38	SPILLWAY FINAL GRADING PLAN (SHEET 2 OF 2)
SP-C39	SPILLWAY SURFACE DRAINAGE PLAN AND PROFILE
SP-C40	SPILLWAY SURFACE DRAINAGE SECTIONS AND DETAILS
SP-C41	SPILLWAY SECTIONS (SHEET 1 OF 3)
SP-C42	SPILLWAY SECTIONS (SHEET 2 OF 3)
SP-C43	SPILLWAY SECTIONS (SHEET 3 OF 3)
SP-S03	SPILLWAY ISOMETRIC (SHEET 1 OF 2)
SP-S04	SPILLWAY ISOMETRIC (SHEET 2 OF 2)
SP-S05	SPILLWAY STRUCTURAL LAYOUT PLAN
SP-S06	SIDE CHANNEL CONTROL STRUCTURE JOINT LAYOUT PLAN
SP-S07	SPILLWAY CHUTE JOINT LAYOUT PLAN
SP-S09	SIDE CHANNEL RCC SUPPORT BLOCK PLAN
SP-S13	WALL TYPE I PLAN
SP-S14	WALL TYPE I TIEBACK SCHEDULE (SHEET 1 OF 2)
SP-S15	WALL TYPE I TIEBACK SCHEDULE (SHEET 2 OF 2)
SP-S16	WALL TYPE 1 ELEVATIONS
SP-S17	WALL TYPE 1 CROSS SECTION
SP-S18	RIGHT CLOSURE WALL CONSTRUCTION SEQUENCING
SP-S19	RIGHT CLOSURE WALL PLAN
SP-S20	RIGHT CLOSURE WALL ELEVATIONS
SP-S21	RIGHT CLOSURE WALL CROSS SECTIONS AND DETAILS
SP-S22	LEFT TRANSITION WALL CONSTRUCTION SEQUENCING PLAN
SP-S23	LEFT TRANSITION WALL PLAN
SP-S24	LEFT TRANSITION WALL ELEVATIONS
SP-S25	LEFT TRANSITION WALL CROSS SECTIONS
SP-S26	RIGHT TRANSITION WALL CONSTRUCTION SEQUENCING PLAN
SP-S27	RIGHT TRANSITION WALL PLAN
SP-S28	RIGHT TRANSITION WALL ELEVATIONS
SP-S29	RIGHT TRANSITION WALL CROSS SECTIONS
SP-S30	WALL TYPE II PLAN
SP-S31	WALL TYPE II ELEVATIONS
SP-S32	WALL TYPE II CROSS SECTIONS
SP-S33	WALL TYPE III PLAN
SP-S34	WALL TYPE III ELEVATIONS
SP-S35	WALL TYPE III CROSS SECTIONS
SP-S40	STILLING BASIN PLAN
SP-S41	STILLING BASIN CROSS SECTIONS
SP-I01	SPILLWAY & DAM INSTRUMENTATION PLAN
SP-I02	SPILLWAY & INSTRUMENTATION DETAILS
SP-I03	SPILLWAY & DAM INSTRUMENTATION SCHEDULE
C-06	ROCK DOWEL WALL PLAN AND PROFILE
C-09	EMERGENCY WALKWAY PLAN AND PROFILE, AND SECTION

\* These impacted Drawings are provided here for reference, GEI and AECOM intend to revise all Drawings impacted by the Spillway Chute and Stilling Basin Realignment with Variance #9.

**Table 2 - Spillway Chute and Stilling Basin Realignment Fee Estimate**

Irvine Ranch Water District

Santiago Creek Dam Improvement Project - Engineering Services

May 2, 2025

Task No.	Task Description	GEI CIVIL/DRAFTING COST	GEI GEOTECHNICAL COST	GEI STRUCTURAL DRAWINGS COST	GEI STRUCTURAL ANALYSIS COST	GEI H&H COST	GEI PROJECT MANAGEMENT AND MEETINGS COST	AECOM COSTS	TOTALS
<b>Phase 2 - Final Design of Spillway and Outlet Tower Improvements</b>									
<b>Task 7 - Groundwater Dewatering &amp; Land Disposal Permitting</b>									
7.1	Adjustments fo Irvine Lake Diversion TM Figures							\$11,693	\$11,693
<b>SUBTOTAL TASK 2-7 Groundwater Dewatering &amp; Land Disposal Permitting</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$11,693</b>	<b>\$11,693</b>
<b>Task 13 - Adjustments to Outlet Tower &amp; Spillway Improvements Design</b>									
13.1	Adjustments to Inlet/Outlet Works Design							\$42,642	\$42,642
13.2	Adjustments to Civil Design							\$48,488	\$48,488
13.3	Adjustments to Structural Design (incl. Bridge)							\$39,486	\$39,486
13.4	Adjustments to Dam Control Building Design							\$25,798	\$25,798
<b>SUBTOTAL TASK 2-13 Adjustments to Outlet Tower &amp; Spillway Improvements Design</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$156,414</b>	<b>\$156,414</b>
<b>Phase 3 - Final Design of Dam Improvements</b>									
<b>Task 7 - Realignment of Spillway Chute and Stilling Basin</b>									
7.1	Civil Design/Drafting								
	<b>Sheet Edits</b>								
	Spillway General Sheets - 4 sheets	\$9,930							\$9,930
	Spillway Excavation Sheets - 9 sheets	\$15,510							\$15,510
	Spillway Slab Panel Sheets - 6 sheets	\$9,930							\$9,930
	Spillway Slab Anchor Sheets - 7 sheets	\$11,790							\$11,790
	Spillway Drainage Sheets - 4 sheets	\$9,930							\$9,930
	Spillway Final Grading Sheets - 7 sheets	\$9,930							\$9,930
	Spillway Isometric Sheets - 2 sheets	\$4,760							\$4,760
	Spillway Structural Layouts and Joint Plans - 4 sheets	\$8,480							\$8,480
	Wall Type I Sheets - 5 sheets	\$8,480							\$8,480
	Right/Left Closure and Transition Wall Sheets - 12 sheets	\$12,200							\$12,200
	Wall Type II & III Sheets - 6 sheets	\$10,340							\$10,340
	Stilling Basin Sheets - 2 sheets	\$4,760							\$4,760
	Spillway and Dam Instrumentation Sheets - 3 sheets	\$9,520							\$9,520
									\$0
	<b>Civil Design Items</b>								\$0
	Left Side Excavation	\$8,070							\$8,070
	Landfill Ditch Relocation	\$6,620							\$6,620
	Left Side Final Conditions	\$11,380							\$11,380
	Left Side Drainage Redesign	\$9,520							\$9,520
<b>SUBTOTAL TASK 3-7 Civil Design/Drafting</b>		<b>\$161,150</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$161,150</b>
7.2	Structural Drawings								
	Spillway General Sheets - 4 sheets			\$0					\$0

	Spillway Excavation Sheets - 9 sheets			\$0					\$0
	Spillway Slab Panel Sheets - 6 sheets			\$10,984					\$10,984
	Spillway Slab Anchor Sheets - 7 sheets			\$13,184					\$13,184
	Spillway Drainage Sheets - 4 sheets			\$0					\$0
	Spillway Final Grading Sheets - 7 sheets			\$0					\$0
	Spillway Isometric Sheets - 2 sheets			\$15,848					\$15,848
	Spillway Structural Layouts and Joint Plans - 4 sheets			\$16,664					\$16,664
	Wall Type I Sheets - 5 sheets			\$23,624					\$23,624
	Right/Left Closure and Transition Wall Sheets - 12 sheets			\$26,184					\$26,184
	Wall Type II & III Sheets - 6 sheets			\$21,784					\$21,784
	Stilling Basin Sheets - 2 sheets			\$10,544					\$10,544
	<b>SUBTOTAL TASK 3-7 Structural Drawings</b>	<b>\$0</b>	<b>\$0</b>	<b>\$138,816</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$138,816</b>
7.3	Structural Analysis and Design								
	Left Wall - Wall Type I Adjustments and Redesign				\$18,552				\$18,552
	Left Wall - Transition Wall Redesign				\$30,824				\$30,824
	Left Wall - Wall Type II Adjustments and Redesign				\$14,832				\$14,832
	Right Wall - Redesign as a Type III Wall				\$30,824				\$30,824
	Spillway Slab - Anchor Redesign				\$8,472				\$8,472
	<b>SUBTOTAL TASK 3-7 Structural Analysis and Design</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$103,504</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$103,504</b>
7.4	Geotechnical Analysis and Design								
	Left Wall - Wall Type I Adjustments and Redesign - Geotechnical Input and review		\$5,080						\$5,080
	Left Wall - Transition Wall Redesign - Geotechnical Input and review		\$5,080						\$5,080
	Left Wall - Wall Type II Adjustments and Redesign - Geotechnical Input and review		\$5,080						\$5,080
	Right Wall - Redesign as a Type III Wall - Geotechnical Input and review		\$5,080						\$5,080
	Spillway Slab - Anchor Redesign - Geotechnical Input and review		\$5,080						\$5,080
	<b>SUBTOTAL TASK 3-7 Geotechnical Analysis and Design</b>	<b>\$0</b>	<b>\$25,400</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$25,400</b>
7.5	H&H Analysis and Design								
	Model Development - create solid from CAD drawings,computational mesh, model setup					\$ 9,640			\$9,640
	Preliminary runs- high flow low flow, low resolution runs					\$ 13,768			\$13,768
	Model Refinement - baseline conditions, resolve structure stability, verification of hydraulics					\$ 18,648			\$18,648
	Final Design- upto seven flows, detailed post processing					\$ 18,784			\$18,784
	TM Reporting- Draft and Final					\$ 16,968			\$16,968
	<b>SUBTOTAL TASK 3-7 H&amp;H Analysis and Design</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$77,808</b>	<b>\$0</b>	<b>\$0</b>	<b>\$77,808</b>
<b>Task 5 - Project Management and Meetings</b>									
5.1	Project Management/Quality Control						\$21,660	\$36,006	\$57,666
5.5	Additional Meetings						\$14,848	\$34,568	\$49,416
5.6	GEI/AECOM Design Coordination						\$49,244	\$62,362	\$111,606
	<b>SUBTOTAL TASK 3-5 Project Management and Meetings</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$85,752</b>	<b>\$132,936</b>	<b>\$218,688</b>
	<b>TOTAL</b>	<b>\$161,150</b>	<b>\$25,400</b>	<b>\$138,816</b>	<b>\$103,504</b>	<b>\$77,808</b>	<b>\$85,752</b>	<b>\$301,043</b>	<b>\$893,473</b>

Notes & Assumptions:

1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8

Table 3 - Spillway Chute and Stilling Basin Realignment Detailed Labor Estimate  
Irvine Ranch Water District  
Santiago Creek Dam Improvement Project - Engineering Services  
May 2, 2025

Task No.	Task Description	AECOM Labor Hours <sup>1</sup>							AECOM TOTAL HOURS	AECOM LABOR COSTS	AECOM DIRECT COSTS & MATERIALS (no mark-up)	AECOM TOTAL
		Principal Engineer	Project Manager / Senior Engineer	Senior Project Engineer / Geologist / Scientist	Project Engineer / Geologist / Scientist	Senior Staff Engineer / Geologist / Scientist	Staff Engineer / Geologist / Scientist / CAD / GIS	Project Admin				
		\$336	\$290	\$220	\$186	\$151	\$128	\$116				
Phase 2 - Final Design of Spillway and Outlet Tower Improvements												
Task 7 - Groundwater Dewatering & Land Disposal Permitting												
7.1	Adjustments to Irvine Lake Diversion TM Figures	-	8	16	-	32	8	-	64	\$11,696	-	\$11,696
SUBTOTAL		-	8	16	-	32	8	-	64	\$11,696	-	\$11,696
Task 13 - Site Preparation for Santiago Creek Dam Improvement Project												
13.1	Adjustments to Inlet/Outlet Works Design	4	16	40	60	60	60	-	240	\$42,684	-	\$42,684
13.2	Adjustments to Civil Design	4	24	56	60	60	60		264	\$48,524	-	\$48,524
13.3	Adjustments to Structural Design (incl. Bridge)	4	24	32	40	60	60		220	\$39,524	-	\$39,524
13.4	Adjustments to Dam Control Building Design	-	16	24	32	32	40	-	144	\$25,824	-	\$25,824
SUBTOTAL		12	80	152	192	212	220	0	868	\$156,556	\$0	\$156,556
Phase 3 - Final Design of Dam Improvements												
Task 5 - Project Management and Meetings												
5.1	Project Management/Quality Control	24	32	48	24	24	-	-	152	\$35,992	-	\$35,992
5.5	Additional Meetings	10	10	40	40	60	20	4	184	\$34,584	-	\$34,584
5.6	GEI/AECOM Design Coordination	30	30	60	80	80	16	12	308	\$62,380	-	\$62,380
SUBTOTAL		64	72	148	144	164	36	16	644	\$132,956	\$0	\$132,956
TOTAL		76	160	316	336	408	264	16	1,576	\$301,208	\$0	\$301,208

Notes & Assumptions:  
1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8.

Table 3 - Spillway Chute and Stilling Basin Realignment Detailed Labor Estimate  
Irvine Ranch Water District  
Santiago Creek Dam Improvement Project - Engineering Services  
May 2, 2025

Task No.	Task Description	GEI Labor Hours - Civil Design/Drafting <sup>1</sup>							GEI TOTAL HOURS	GEI LABOR COSTS	GEI TOTAL
		Principal Engineer	Project Manager / Senior Engineer	Senior Project Engineer / Geologist / Scientist	Project Engineer / Geologist / Scientist	Senior Staff Engineer / Geologist / Scientist	Staff Engineer / Geologist / Scientist / CAD / GIS	Project Admin			
		\$336	\$290	\$220	\$186	\$151	\$128	\$116			
Phase 3 - Final Design of Dam Improvements											
Task 7 - Realignment of Spillway Chute and Stilling Basin											
Civil Edits For Spillway Alternative 1											
	Spillway General Sheets - 4 sheets		15		30				45	\$9,930	\$9,930
	Spillway Excavation Sheets - 9 sheets		15		60				75	\$15,510	\$15,510
	Spillway Slab Panel Sheets - 6 sheets		15		30				45	\$9,930	\$9,930
	Spillway Slab Anchor Sheets - 7 sheets		15		40				55	\$11,790	\$11,790
	Spillway Drainage Sheets - 4 sheets		15		30				45	\$9,930	\$9,930
	Spillway Final Grading Sheets - 7 sheets		15		30				45	\$9,930	\$9,930
	Spillway Isometric Sheets - 2 sheets		10		10				20	\$4,760	\$4,760
	Spillway Structural Layouts and Joint Plans - 4 sheets		10		30				40	\$8,480	\$8,480
	Wall Type I Sheets - 5 sheets		10		30				40	\$8,480	\$8,480
	Right/Left Closure and Transition Wall Sheets - 12 sheets		10		50				60	\$12,200	\$12,200
	Wall Type II & III Sheets - 6 sheets		10		40				50	\$10,340	\$10,340
	Stilling Basin Sheets - 2 sheets		10		10				20	\$4,760	\$4,760
	Spillway and Dam Instrumentation Sheets - 3 sheets		20		20				40	\$9,520	\$9,520
Civil Design Items											
	Left Side Excavation		15		20				35	\$8,070	\$8,070
	Landfill Ditch Relocation		10		20				30	\$6,620	\$6,620
	Left Side Final Conditions		20		30				50	\$11,380	\$11,380
	Left Side Drainage Redesign		20		20				40	\$9,520	\$9,520
SUBTOTAL for Civil Design/Drafting Preparation		0	235	0	500	0	0	0	735	\$161,150	\$161,150
TOTAL		0	235	0	500	0	0	0	735	\$161,150	\$161,150

Notes & Assumptions:

1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8.

Table 3 - Spillway Chute and Stilling Basin Realignment Detailed Labor Estimate  
Irvine Ranch Water District  
Santiago Creek Dam Improvement Project - Engineering Services  
May 2, 2025

Task No.	Task Description	GEI Labor Hours - Geotechnical <sup>1</sup>							GEI TOTAL HOURS	GEI LABOR COSTS	GEI TOTAL
		Principal Engineer	Project Manager / Senior Engineer	Senior Project Engineer / Geologist / Scientist	Project Engineer / Geologist / Scientist	Senior Staff Engineer / Geologist / Scientist	Staff Engineer / Geologist / Scientist / CAD / GIS	Project Admin			
		\$336	\$290	\$220	\$186	\$151	\$128	\$116			
Phase 3 - Final Design of Dam Improvements											
Task 7 - Realignment of Spillway Chute and Stilling Basin											
Geotechnical Analysis and Design											
	Left Wall - Wall Type I Adjustments and Redesign - Geotechnical Input and review	2	4	8	8				22	\$5,080	\$5,080
	Left Wall - Transition Wall Redesign - Geotechnical Input and review	2	4	8	8				22	\$5,080	\$5,080
	Left Wall - Wall Type II Adjustments and Redesign - Geotechnical Input and review	2	4	8	8				22	\$5,080	\$5,080
	Right Wall - Redesign as a Type III Wall - Geotechnical Input and review	2	4	8	8				22	\$5,080	\$5,080
	Spillway Slab - Anchor Redesign - Geotechnical Input and review	2	4	8	8				22	\$5,080	\$5,080
SUBTOTAL for Geotech Preparation		10	20	40	40				110	\$25,400	\$25,400
TOTAL		10	20	40	40				110	\$25,400	\$25,400

Notes & Assumptions:

1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8.

Table 3 - Spillway Chute and Stilling Basin Realignment Detailed Labor Estimate  
Irvine Ranch Water District  
Santiago Creek Dam Improvement Project - Engineering Services  
May 2, 2025

Task No.	Task Description	GEI Labor Hours - Structural Drawings <sup>1</sup>							GEI TOTAL HOURS	GEI LABOR COSTS	GEI TOTAL
		Principal Engineer	Project Manager / Senior Engineer	Senior Project Engineer / Geologist / Scientist	Project Engineer / Geologist / Scientist	Senior Staff Engineer / Geologist / Scientist	Staff Engineer / Geologist / Scientist / CAD / GIS	Project Admin			
		\$336	\$290	\$220	\$186	\$151	\$128	\$116			
Phase 3 - Final Design of Dam Improvements											
Task 7 - Realignment of Spillway Chute and Stilling Basin											
Structural Edits for Alternative 1											
	Spillway General Sheets - 4 sheets								0	\$0	\$0
	Spillway Excavation Sheets - 9 sheets								0	\$0	\$0
	Spillway Slab Panel Sheets - 6 sheets	4	8	10			40		62	\$10,984	\$10,984
	Spillway Slab Anchor Sheets - 7 sheets	4	8	20			40		72	\$13,184	\$13,184
	Spillway Drainage Sheets - 4 sheets								0	\$0	\$0
	Spillway Final Grading Sheets - 7 sheets								0	\$0	\$0
	Spillway Isometric Sheets - 2 sheets	4	8		60		8		80	\$15,848	\$15,848
	Spillway Structural Layouts and Joint Plans - 4 sheets	4	20	20			40		84	\$16,664	\$16,664
	Wall Type I Sheets - 5 sheets	4	20	40			60		124	\$23,624	\$23,624
	Right/Left Closure and Transition Wall Sheets - 12 sheets	4	20	40			80		144	\$26,184	\$26,184
	Wall Type II & III Sheets - 6 sheets	4	20	20			80		124	\$21,784	\$21,784
	Stilling Basin Sheets - 2 sheets	4	8	8			40		60	\$10,544	\$10,544
	Spillway and Dam Instrumentation Sheets - 3 sheets								0	\$0	\$0
SUBTOTAL for Structural Drawings		32	112	158	60	0	388	0	750	\$138,816	\$138,816
TOTAL		32	112	158	60	0	388	0	750	\$138,816	\$138,816

Notes & Assumptions:

1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8.

Table 3 - Spillway Chute and Stilling Basin Realignment Detailed Labor Estimate  
Irvine Ranch Water District  
Santiago Creek Dam Improvement Project - Engineering Services  
May 2, 2025

Task No.	Task Description	GEI Labor Hours - Structural Analysis <sup>1</sup>							GEI TOTAL HOURS	GEI LABOR COSTS	GEI TOTAL
		Principal Engineer	Project Manager / Senior Engineer	Senior Project Engineer / Geologist / Scientist	Project Engineer / Geologist / Scientist	Senior Staff Engineer / Geologist / Scientist	Staff Engineer / Geologist / Scientist / CAD / GIS	Project Admin			
		\$336	\$290	\$220	\$186	\$151	\$128	\$116			
Phase 3 - Final Design of Dam Improvements											
Task 7 - Realignment of Spillway Chute and Stilling Basin											
Structural Analysis and Design									0	\$0	\$0
	Left Wall - Wall Type I Adjustments and Redesign	2	8	20	60				90	\$18,552	\$18,552
	Left Wall - Transition Wall Redesign	4	20	40	80				144	\$30,824	\$30,824
	Left Wall - Wall Type II Adjustments and Redesign	2	8	20	40				70	\$14,832	\$14,832
	Right Wall - Redesign as a Type III Wall	4	20	40	80				144	\$30,824	\$30,824
	Spillway Slab - Anchor Redesign	2	8	8	20				38	\$8,472	\$8,472
SUBTOTAL for Structural Analysis		14	64	128	280	0	0	0	486	\$103,504	\$103,504
TOTAL		14	64	128	280	0	0	0	486	\$103,504	\$103,504

Notes & Assumptions:  
1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8.

Table 3 - Spillway Chute and Stilling Basin Realignment Detailed Labor Estimate  
Irvine Ranch Water District  
Santiago Creek Dam Improvement Project - Engineering Services  
May 2, 2025

Task No.	Task Description	GEI Labor Hours - H&H¹							GEI TOTAL HOURS	GEI LABOR COSTS	GEI TOTAL
		Principal Engineer	Project Manager / Senior Engineer	Senior Project Engineer / Geologist / Scientist	Project Engineer / Geologist / Scientist	Senior Staff Engineer / Geologist / Scientist	Staff Engineer / Geologist / Scientist / CAD / GIS	Project Admin			
		\$336	\$290	\$220	\$186	\$151	\$128	\$116			
Phase 3 - Final Design of Dam Improvements											
Task 7 - Realignment of Spillway Chute and Stilling Basin											
H&H Tasks											
1	Model Development - create solid from CAD drawings,computational mesh, model setup	2	12		24		8		46	\$9,640	\$9,640
2	Preliminary runs- high flow low flow, low resolution runs	2	16	8	36				62	\$13,768	\$13,768
3	Model Refinement - baseline conditions, resolve structure stability, verification of hydraulics	2	12	16	48		16		94	\$18,648	\$18,648
4	Final Design- upto seven flows, detailed post processing	2	16	16	48		8		90	\$18,784	\$18,784
5	TM Reporting- Draft and Final	2	12	16	32	16		8	86	\$16,968	\$16,968
SUBTOTAL for H&H		10	68	56	188	16	32	8	378	\$77,808	\$77,808
TOTAL		10	68	56	188	16	32	8	378	\$77,808	\$77,808

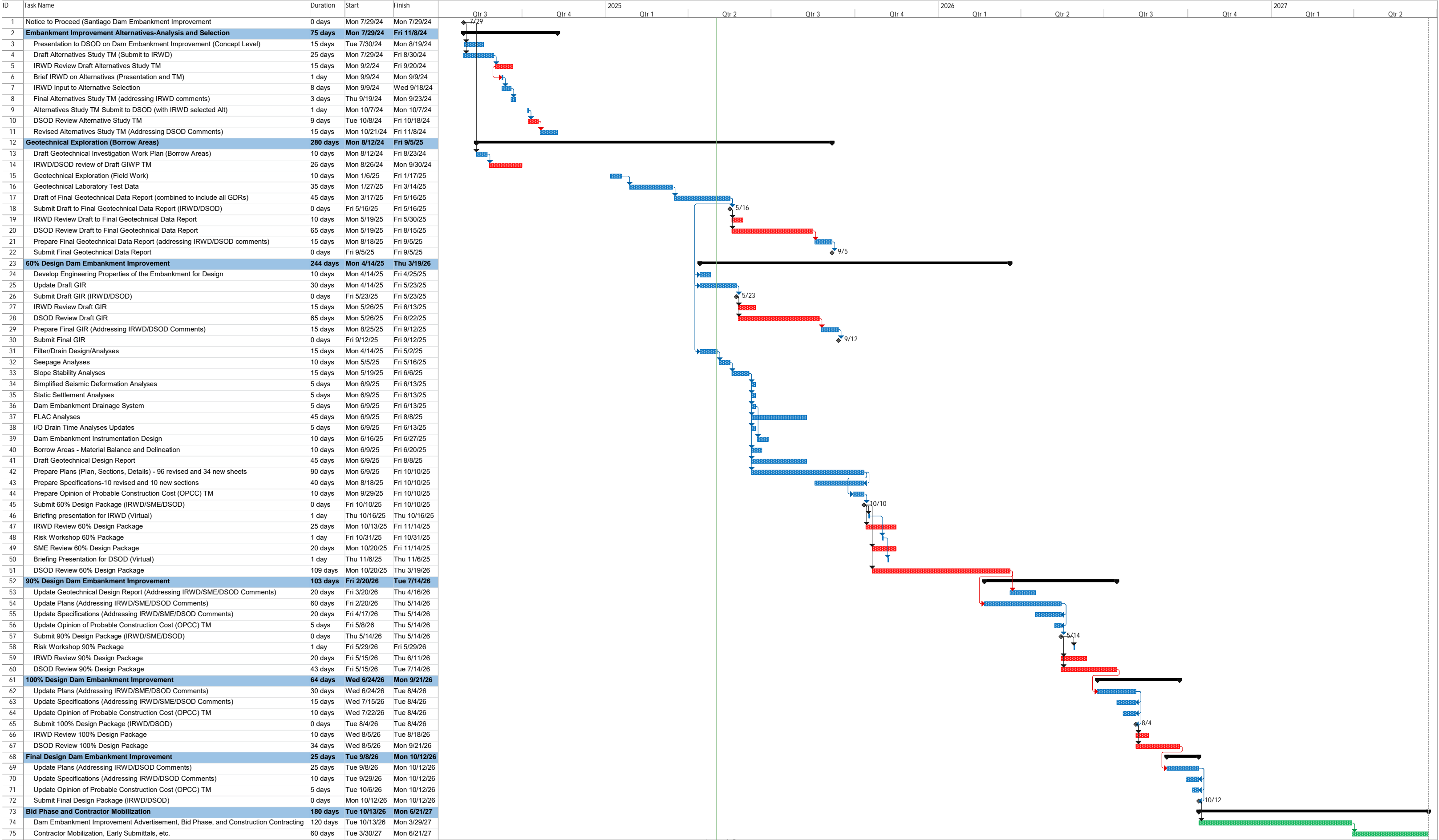
Notes & Assumptions:  
1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8.

Table 3 - Spillway Chute and Stilling Basin Realignment Detailed Labor Estimate  
Irvine Ranch Water District  
Santiago Creek Dam Improvement Project - Engineering Services  
May 2, 2025

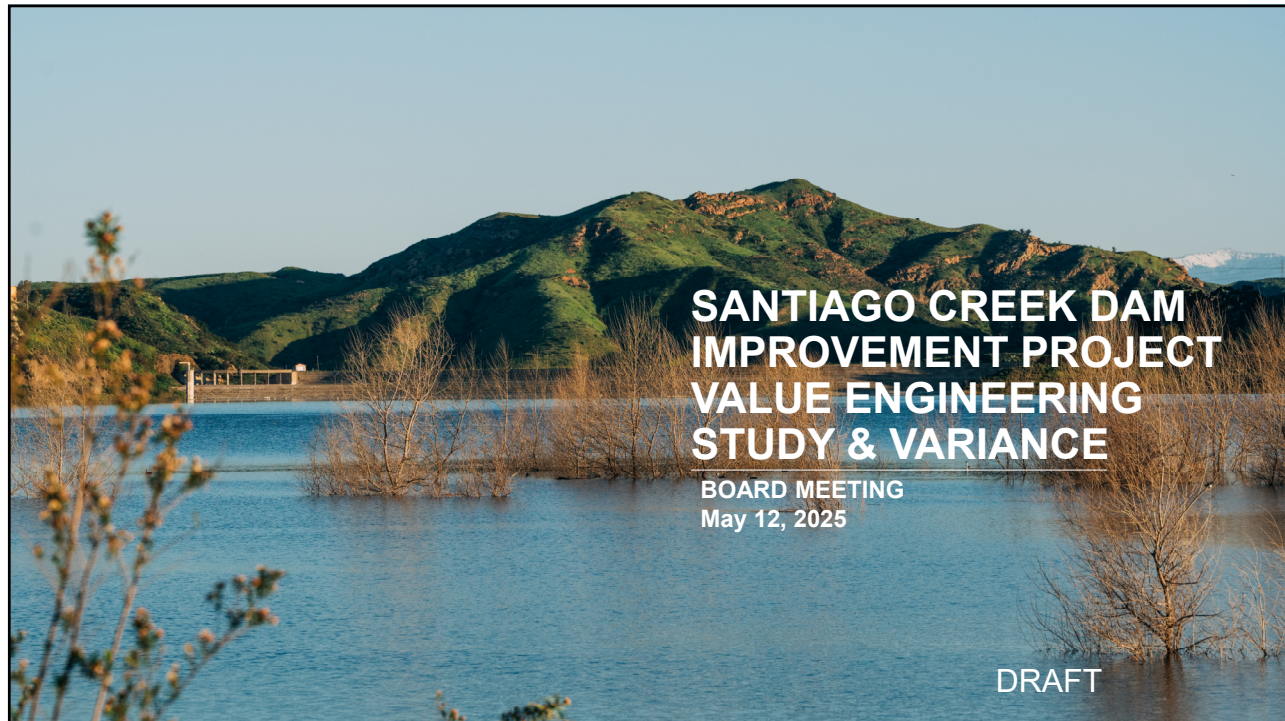
Task No.	Task Description	GEI Labor Hours - PM & Meetings <sup>1</sup>							GEI TOTAL HOURS	GEI LABOR COSTS	GEI TOTAL
		Principal Engineer	Project Manager / Senior Engineer	Senior Project Engineer / Geologist / Scientist	Project Engineer / Geologist / Scientist	Senior Staff Engineer / Geologist / Scientist	Staff Engineer / Geologist / Scientist / CAD / GIS	Project Admin			
		\$336	\$290	\$220	\$186	\$151	\$128	\$116			
Phase 3 - Final Design of Dam Improvements											
Task 7 - Realignment of Spillway Chute and Stilling Basin											
Project Management and Meetings											
5.1	Project Management/Quality Control	16	24	24	12	12			88	\$21,660	\$21,660
5.2	Additional Meetings	8	8	16	16	16		8	72	\$14,848	\$14,848
5.3	GEI/AECOM Coordination	24	24	48	60	60	16	12	244	\$49,244	\$49,244
SUBTOTAL for Project Management and Meetings		48	56	88	88	88	16	20	404	\$85,752	\$85,752
TOTAL		48	56	88	88	88	16	20	404	\$85,752	\$85,752

Notes & Assumptions:  
1.) The billing rates for AECOM and GEI are escalated from the original contract to the midpoint of design, which is 2025. With a 3% annual inflation this corresponds to a 16% increase in rates from the original contract - same as Variance 8.

Santiago Creek Dam Improvement Project  
Proposed Design Schedule Revised May 2, 2025



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1

## AGENDA

- Background
- Recap from December 2024 Board Meeting
- Value Engineering Study
- Variance & Staff Recommendation

2

## RECAP OF DECEMBER 2024 BOARD MEETING

- Board approved:
  - Adding embankment improvements to the Santiago Creek Dam Improvement Project.
  - Variance for
    - Designing the embankment improvements
    - Borrow site geotechnical investigation
    - Value Engineering Study for the Spillway Design (Cost of Task \$43,056)



3

3

## EXISTING TERRAIN SURROUNDING SPILLWAY STRUCTURE

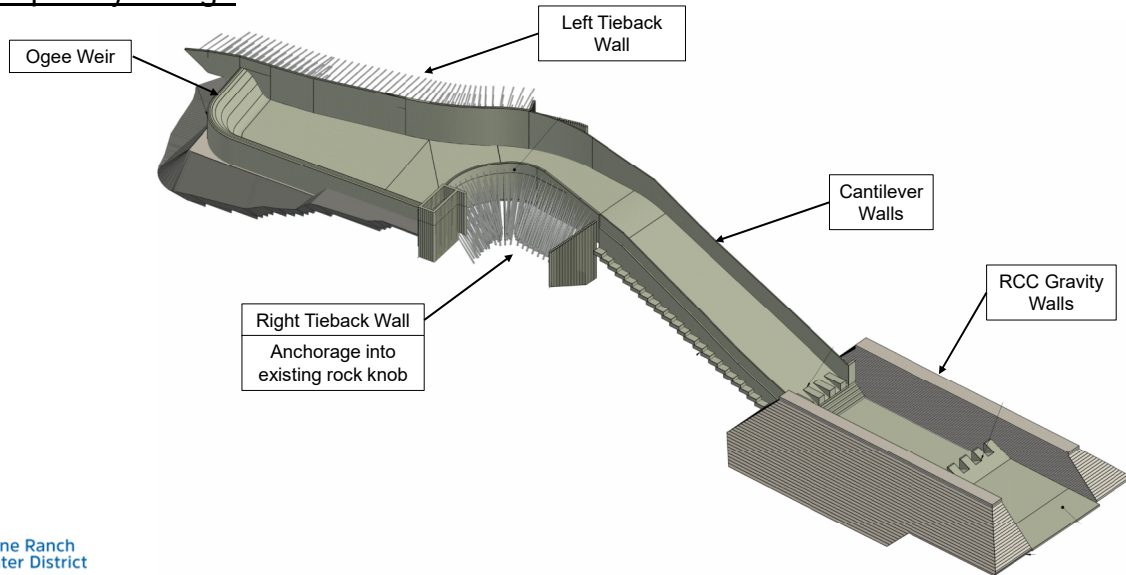


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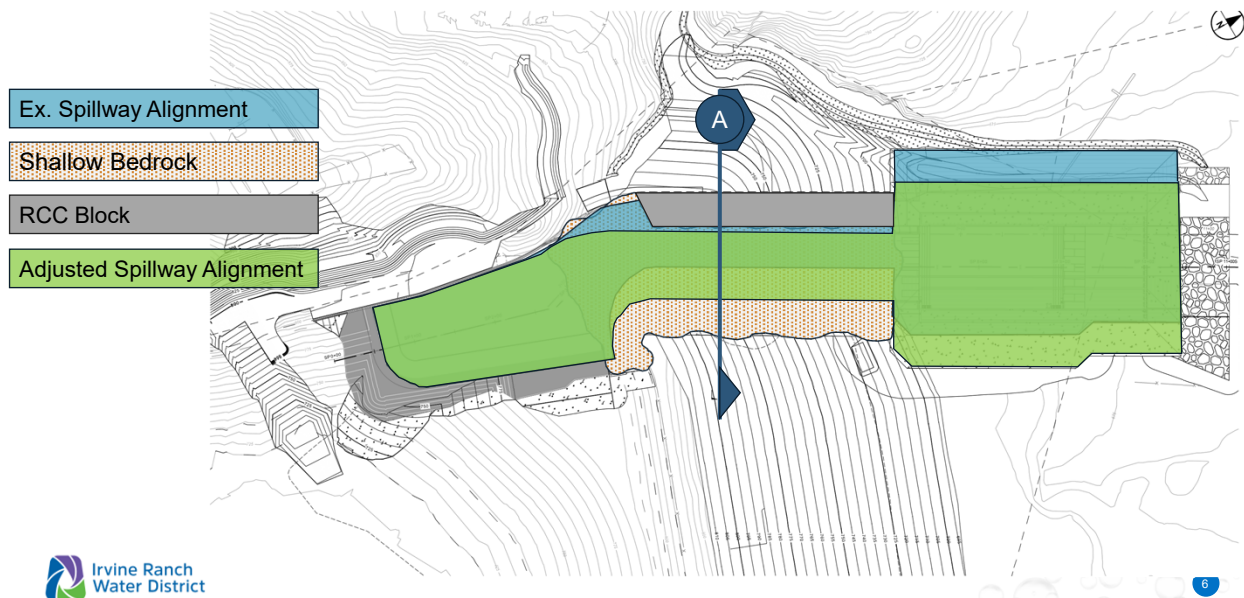
## SUMMARY OF SPILLWAY VALUE ENGINEERING STUDY

### Existing Spillway Design



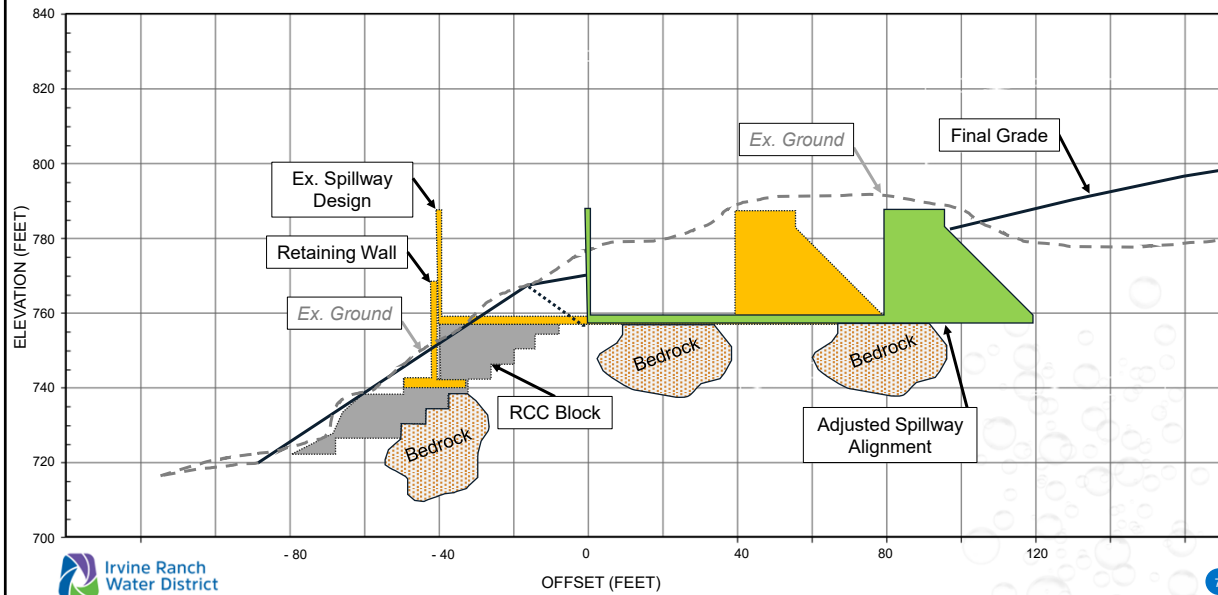
5

## SPILLWAY VALUE ENGINEERING – ALIGNMENT SHIFT



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## SPILLWAY VALUE ENGINEERING – ALIGNMENT SHIFT



7

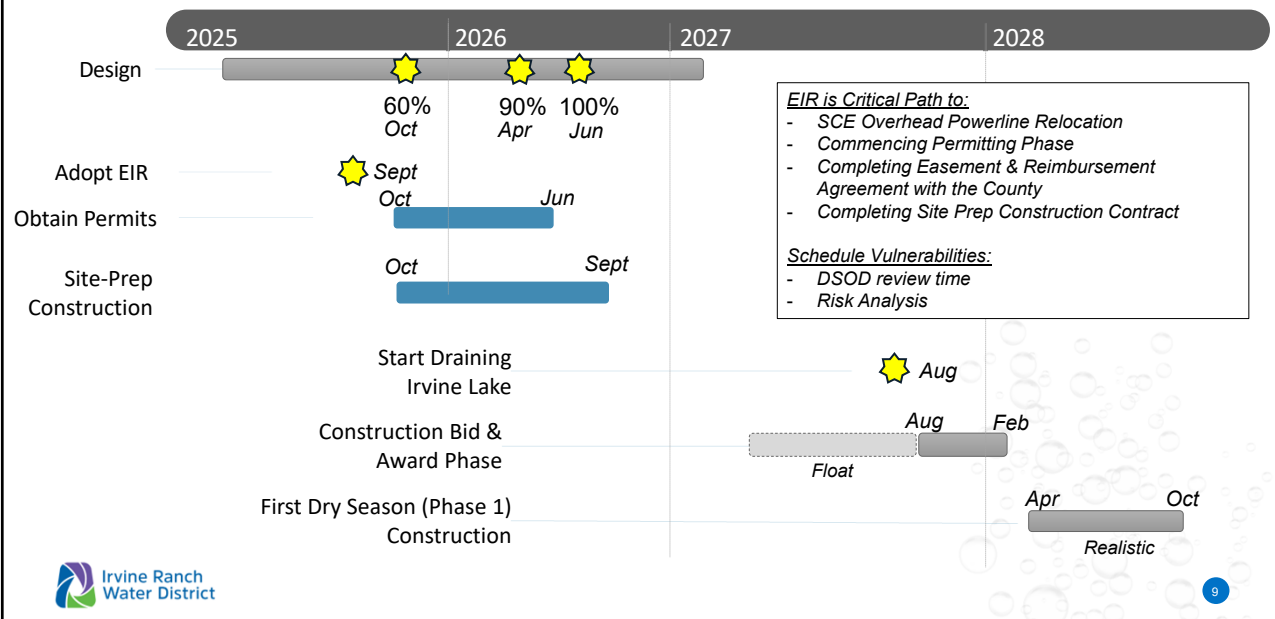
## SUMMARY OF BENEFITS TO SPILLWAY ADJUSTMENT

- Locates the sizeable concrete structure on existing bedrock and reduces the amount of Roller Compacted Concrete (RCC).
- Straightens the alignment for simpler construction and improved hydraulic performance.
  - Requires updating Computational Fluid Dynamic (CFD) model for documentation purposes.
- Reduces construction complexities and risk.
- DSOD concurs with improvement to the spillway design.

Estimated construction cost savings in the amount of \$8 million

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## SANTIAGO CREEK DAM IMPROVEMENTS - SCHEDULE

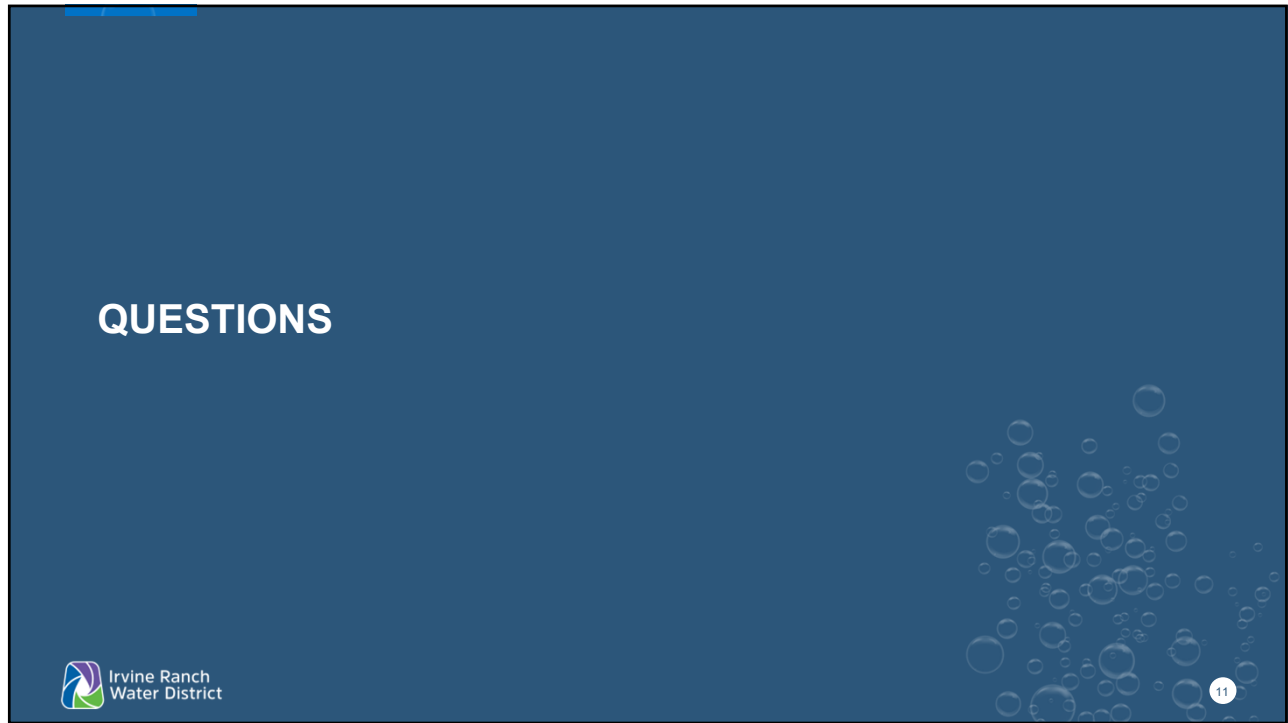


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## STAFF RECOMMENDATIONS

- Authorize the General Manager to execute Variance No. 9 with AECOM in the amount of \$893,473 for additional engineering design services.

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