

AGENDA  
 IRVINE RANCH WATER DISTRICT  
 WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE  
 THURSDAY, AUGUST 3, 2017

CALL TO ORDER 12:00 p.m. Committee Room, Second Floor, District Office  
 15600 Sand Canyon Avenue, Irvine, California

ATTENDANCE Committee Chair: Mary Aileen Matheis \_\_\_\_\_  
 Member: Steve LaMar \_\_\_\_\_

<u>ALSO PRESENT</u>	Paul Cook	_____	Cheryl Clary	_____
	Beth Beeman	_____	Patrick Sheilds	_____
	Mark Tettermer	_____	Christine Compton	_____
	Fiona Sanchez	_____	Amy McNulty	_____
	Paul Weghorst	_____	Kellie Welch	_____
	Ray Bennett	_____	Jo Ann Corey	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

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**COMMUNICATIONS**

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1. Notes: Weghorst
2. Public Comments
3. Determine the need to discuss and/or take action on item(s) introduced that came to the attention of the District subsequent to the agenda being posted.
4. Determine which items may be approved without discussion.

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**INFORMATION**

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5. 2017 LEGISLATIVE AND REGULATORY UPDATE – COMPTON/COOK  
 Recommendation: Receive and file.

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**ACTION**

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6. ACWA COMMITTEE NOMINATIONS FOR THE 2018-2019 TERM – COMPTON/COOK  
 Recommendation: That the Committee authorize the District to submit the Association of California Water Agencies Committee Consideration Form for Board and staff committee appointments for the 2018-2019 term.

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**ACTION - Continued**

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7. REVIEW OF IRWD ASSOCIATION MEMBERSHIPS – COMPTON/COOK

Recommendation: That the Committee review and discuss the current list of IRWD association memberships and association and sponsorship opportunities.

8. IMPLEMENTATION OF WATER USE EFFICIENCY OUTREACH CAMPAIGN – BEEMAN/WEGHORST

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with Sukle Advertising & Design in the amount of \$1,136,100 to implement a new water use efficiency outreach campaign.

9. AMENDED WATER SUPPLY ASSESSMENT FOR PLANNING AREAS 40 AND 12 GENERAL PLAN AMENDMENT AND ZONE CHANGE PROJECT – WELCH/AKIYOSHI/SANCHEZ/WEGHORST

Recommendation: That the Board approve the Amended Water Supply Assessment for Planning Areas 40 and 12 General Plan Amendment and Zone Change Project.

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**OTHER BUSINESS**

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- 10. A. Directors' Comments
- B. Adjourn


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Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the above-named Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee 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 Committee 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 Committee Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance of the meeting room at the District Office.

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

August 3, 2017

Prepared and

submitted by: C. Compton 

Approved by: Paul A. Cook 

## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### 2017 LEGISLATIVE AND REGULATORY UPDATE

#### SUMMARY:

This report provides an update on the 2017-2018 legislative session and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate.

Staff recommends that the Board receive and file this update.

#### BACKGROUND:

The California State Assembly and Senate will return from summer recess on August 21, 2017. With less than one month left in the first year of the 2017-2018 Regular Legislative Session after the Legislature returns, fiscal committees have until September 1 to meet and report bills to the floor. The last day for each house to pass bills in this year is September 15, which is the day the interim legislative recess begins. The Governor has until October 15 to sign or veto legislation passed by the Legislature this session. The 2017-2018 Regular Legislative Session will resume on January 3, 2017.

A copy of the 2017 Legislative Matrix is attached as Exhibit "A". Exhibit "B" is the 2017 Legislative Update Report Links to Bill and Regulatory Texts, which contains links to the bills and regulations discussed below, unless a separate exhibit is noted.

#### State Budget Update:

##### *June Revenue Numbers:*

On June 10, 2017, State Controller Betty Yee released her monthly report on the State's finances. She announced that the State took in \$16.63 billion during the month of June. This was 2.5 percent lower than the revenue assumptions contained in the Governor's May Revise. Despite June's receipts, revenue receipts for the 2016-2017 fiscal year came in at \$121.91 billion, which was \$295.7 million lower than the assumptions in the May Revise. The fiscal year revenues were \$2.68 billion lower than anticipated in the Fiscal Year 2016-17 budget with personal income, corporate, and sales taxes all coming in lower than anticipated.

The State's General Fund outstanding loan balance was \$4.84 billion or \$1.64 billion less than estimated in the May Revise.

2017 State Legislative Update:

*Long-Term Water-Use Efficiency Framework:*

Since the beginning of the year staff has continued to work with various stakeholders and the Association of California Water Agencies (ACWA) on long-term water use efficiency and drought planning legislation. As reported to the Board, the Senate Natural Resources and Water Committee heard the bills related to “Making Water Conservation a California Way of Life” on July 11, 2017.

The Committee considered AB 1323 (Weber, D-San Diego), AB 1654 (Rubio, D-West Covina), AB 1667 (Friedman, D-Glendale) and AB 1668 (Friedman). As expected, the Committee passed AB 1323 without amendment, held AB 1667 in the Committee, and passed AB 1654 and AB 1668 with amendments that stripped the existing language from the bills and replaced it with a general statement of intent. As amended, AB 1654 and AB 1668 now read, “It is the intent of the Legislature to enact legislation necessary to help make water conservation a California way of life.” As part of its action, the Senate Natural Resources and Water Committee committed to continuing to work on a final agreement related to the “Making Water Use Efficiency a California Way of Life” legislation and requested that stakeholders submit written comments to the Committee on policies that should be included in the legislation.

On July 21, the comment deadline, the water community submitted an extensive comment letter to the Senate Natural Resources and Water Committee. The letter, which was signed by 112 water agencies, associations and other local governments, advocated that any legislation on “Making Water Conservation a California Way Life” include the following principles:

1. Preserve the Legislature’s authority over long-term water use efficiency target-setting. State agencies should **not** be granted the authority to set and revise water use efficiency targets. Commercial, industrial, and institutional (CII) performance measures must be determined by a broad stakeholder task force and not state agencies;
2. Ensure that any water use efficiency target-setting approach is flexible to account for the diversity among California’s communities and the urban retail water suppliers that serve them. Legislation must include alternative pathways or functional equivalents to compliance, variances, and criteria for the data to be collected;
3. Protect water rights and preserve a water supplier’s ability to use water it has a right to access;
4. Protect and create incentives for the further development of potable reuse and recycled water;
5. Provide for appropriate, progressive enforcement authority that accounts for urban retail water suppliers’ authorities and responsibilities relative to their customers. The focus should be on corrective action instead of cease-and-desist orders;

6. Preserve local decision-making to determine actions to avoid or mitigate shortages. The state should not dictate what actions are to be taken at any stage or specific actions that must be included in a water shortage contingency analysis;
7. Preserve and encourage investments in resilient water supplies. Potable reuse, recycled water, and desalination should all be considered fully reliable;
8. Ensure that annual water supply and demand assessments are based on and accurately reflect local conditions;
9. Maintain the existing legislative intent and challenge period for urban water management plans; and
10. Recognize that energy use is only one aspect of water supply planning.

IRWD signed onto the water community's comment letter. A copy of the letter is attached as Exhibit "C".

Since the Senate Natural Resources and Water Committee hearing on July 11, Senator Bob Hertzberg (D-Van Nuys), the Chairman of the committee, and Senator Nancy Skinner (D-Oakland) gutted and amended SB 606. SB 606 had previously dealt with property taxation of the Los Angeles Memorial Coliseum. It now relates to "Making Water Conservation a California Way of Life" and contains the same intent language that was placed into AB 1654 and AB 1668.

Staff continues to be engaged in the discussions taking place in Sacramento related to "Making Water Conservation a California Way of Life." Over the Legislature's Summer Recess, Senate Natural Resources and Water Committee staff and Assembly Water, Parks and Wildlife Committee staff will be working to develop legislation on long-term water use efficiency and drought planning with the hope that an agreement on the legislation can be reached between the Assembly and Senate Committees before the Legislature returns in August.

Staff will provide an update on the ongoing discussions taking place within the State Capitol regard the framework when new information becomes available.

#### 2017 State Regulatory Update:

##### *California Water Fix:*

Late last month, the California Department of Water Resources (DWR) announced that the Notice of Determination (NOD) for the California WaterFix environmental analysis was certified. The certification of the NOD was the last step needed for DWR to approve the California WaterFix and its associated California Environmental Quality Act documents.

According to DWR, the "certification comes after more than a decade of analysis, review, and public comment. State and federal water and wildlife agencies have been working since 2006 to

find the best way to improve how the State Water Project and Central Valley Project obtain water from the channels of the Sacramento-San Joaquin Delta. Together, the projects supply 25 million Californians with some or all of their drinking water supply and help irrigate three million acres of farmland.” To read DWR’s full announcement, visit <http://cms.capitoltechsolutions.com/ClientData/CaliforniaWaterFix/uploads/WaterFixJuly21presrelease2.pdf>.

IRWD has supported improvements in the Sacramento-San Joaquin Delta that support the co-equal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. As part of its support, the District has endorsed the California WaterFix, the proposal to build three new intakes and two tunnels to convey water under the Delta to the State Water Project and Central Valley Project pumping facilities in the South Delta as the best option for improving water supplies and the Delta ecosystem.

*State Water Resources Control Board Surface Water Augmentation Regulations:*

On July 21, 2017, the State Water Resources Control Board (State Board) released draft regulation on “Surface Water Augmentation Using Recycled Water”. The regulations, which have been expected for nearly a year, propose to standardize the rules governing indirect potable reuse via reservoir augmentation. As stated in its initial statement of reasons, these regulations are intended to establish “uniform water recycling criteria for the planned placement of recycled water into a surface water reservoir used as a source of water supply for a public water system, such that the adherence to the criteria would result in public health being adequately protected.”

The State Board is accepting comment on the draft regulations until September 12, 2017. Staff will be coordinating with WateReuse Association of California on comments and will submit individual comments, if appropriate.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

Exhibit “A” – IRWD Legislative Matrix

Exhibit “B” – 2017 Legislative Update Report Links to Bill Texts

Exhibit “C” – Water Community Comment Letter on “Making Water Conservation a California Way of Life”

**EXHIBIT "A"**  
**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b>AB 18</b> Garcia E (D)	Clean Water, Climate, and Coastal Protection Act		Enacts the California Clean Water, Climate, Coastal Protection and Outdoor Access For All Act, which would authorize the issuance of bonds to finance a clean water, climate, and coastal protection and outdoor access for all program. Provides for the submission of these provisions to the voters at the statewide direct primary election.	06/28/2017 - To SENATE Committees on NATURAL RESOURCES AND WATER and GOVERNANCE AND FINANCE.
<b>AB 22</b> Bonta (D)	Secretary Of State: Storing and Recording Media		Provides that a cloud computing storage service that provides administrative users with tools or controls to prevent stored records from being overwritten, deleted, or altered until the required retention period for the record has expired is considered a trusted system for the purposes of storing government documents. Requires a cloud computing storage service to comply with standards published by the International Organization for Standardization, or other applicable industry recognized standard.	07/17/2017 - In SENATE. Read second time and amended. To third reading.
<b>AB 52</b> Cooper (D)	Public Employee: Orientation And Informational Programs		Requires the public employers regulated by specified acts to provide all employees an orientation and to permit an exclusive representative to participate.	04/19/2017 - In ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY: Not heard.
<b>AB 151</b> Burke (D)	California Global Warming Solutions Act		Amends the Global Warming Solutions Act. Requires the Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan. Requires the state board to report to the Legislature on the need for increased education, career technical education, job training, and workforce development in ensuring that statewide greenhouse gas emissions are reduced by a specified level.	05/30/2017 - In ASSEMBLY. Read second time. To third reading.
<b>AB 161</b> Levine (D)	Department of Finance: Infrastructure Investment		Authorizes the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return on investment for an investment made in that infrastructure project by the Public Employees' Retirement System.	06/27/2017 - From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 166</u></b> Salas (D)	Safe Drinking Water: Household Filtration Systems		Requires the State Water Resources Control Board to conduct a study on the feasibility and financial stability of a rebate program that would provide a household that is served by a water system that does not meet primary drinking water standards with a rebate for the purchase of a household water filtration system.	06/08/2017 - To SENATE Committee on RULES.
<b><u>AB 176</u></b> Salas (D)	Water Project: Friant-Kern Canal		Appropriates a specified sum from the General Fund for the Reverse Flow Pump-back Facilities on the Friant-Kern Canal Restoration Project. Makes legislative findings and declarations as to the necessity of a special statute for the Friant-Kern Canal.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 196</u></b> Bigelow (R)	Greenhouse Gas Reduction Fund: Water Supply		Amends the Global Warming Solutions Act, which creates the Greenhouse Gas Reduction Fund and authorizes specified investments, including water use and supply. Authorizes the use of the moneys in the fund for electric pump efficiency, water and wastewater systems, pump and pump motor efficiency improvements, and drinking water transmission and distribution systems' water loss if the investment furthers the regulatory purposes of the act and is consistent with law.	07/17/2017 - In SENATE Committee on APPROPRIATIONS: To Suspend File.
<b><u>AB 241</u></b> Dababneh (D)	Personal Information: Privacy: State and Local Breach		Relates to state and local breaches of privacy. Requires a state or local agency, if it was the source of a computer breach of information, to provide appropriate identity theft prevention and mitigation services at no cost to a person whose personal information, including social security number, driver license or identification card number.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 277</u></b> Mathis (R)	Water and Wastewater Loan and Grant Program		Authorize the State Water Resources Control Board to establish the Water and Wastewater Loan and Grant Program to provide funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment. Authorizes a county or qualified nonprofit organization to apply to the board for a grant to award loans or grants, or both, to an eligible applicant. Authorizes the board to use a specified funding source.	07/10/2017 - In SENATE Committee on APPROPRIATIONS: To Suspend File.



**IRWD 2016 LEGISLATIVE MATRIX**  
Updated 07/25/2017

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b>AB 305</b> Arambula (D)	School Accountability Report Card: Drinking Water		Amends the Classroom Instructional Improvement and Accountability Act to require a specified school accountability report card to include an assessment of the drinking water access points at each school site. Requires the State Department of Education to compile the assessments and transmit them to the State Water Resources Control Board.	02/13/2017 - To ASSEMBLY Committees on EDUCATION and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b>AB 313</b> Gray (D)	Water		Establishes a Water Rights Division within the Office of Administrative Hearings. Provides for hearing requirements. Authorizes the State Water Resources Control Board to issue a complaint seeking an order requiring a person to cease and desist from diverting or using water.	07/18/2017 - From SENATE Committee on APPROPRIATIONS with author's amendments.;07/18/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>AB 321</b> Mathis (R)	Groundwater Sustainability Agencies		Includes farmers, ranchers, and dairy professionals in the agricultural users whose interests a groundwater sustainability agency is required to consider for sustainability plans.	07/17/2017 - Signed by GOVERNOR.;07/17/2017 - Chaptered by Secretary of State. Chapter No. 2017-67
<b>AB 408</b> Chen (R)	Eminent Domain: Final Offer of Compensation		Provides that if a court finds, that the offer of the plaintiff was a certain percentage of the compensation awarded in the eminent domain proceeding, then the court would be required to include the defendant's litigation costs in the costs allowed.	03/20/2017 - From ASSEMBLY Committee on JUDICIARY without further action pursuant to JR 62(a).
<b>AB 429</b> Grayson (D)	State Water Policy: Water Rights: Use/Transferability		Makes nonsubstantive changes to existing law concerning water policy, water use, rights and transferability of those rights.	02/13/2017 - INTRODUCED.
<b>AB 472</b> Frazier (D)	Water Transfers: Idled Agricultural Land: Wildlife		Requires the Department of Water Resources to allow nonirrigated cover crops or natural vegetation to remain on idled agricultural lands without penalty to the landowner, unless it is determined that it causes injury to another legal user of water. Requires the Wildlife Conservation Board to establish an incentive program for landowners who cultivate or retain cover crops or natural vegetation on idled agricultural lands to provide waterfowl, upland game bird, and other wildlife habitat.	07/11/2017 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.

**IRWD 2016 LEGISLATIVE MATRIX**  
Updated 07/25/2017

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<b>AB 474</b> Garcia E (D)	Hazardous Waste: Spent Brine Solutions		Exempts spent brine solutions that are byproducts of the treatment of groundwater to meet California drinking water standards from Hazardous Waste Control Law requirements if certain conditions are met. Requests surface impoundments used for the treatment of spent brine solutions to maintain financial assurances consistent with requirements of the Hazardous Waste Control Law.	07/10/2017 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>AB 494</b> Bloom (D)	Land Use: Accessory Dwelling Units		Amends the Planning and Zoning Law to provide that an accessory dwelling unit may be rented separately from the primary residence. Requires that parking requirements for accessory dwelling units not exceed a certain number. Removes the prohibition on specified offstreet parking where that parking is not allowed anywhere else in the jurisdiction.	07/12/2017 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS.
<b>AB 524</b> Bigelow (R)	Public Utilities: Fines and Settlements		Appropriates moneys resulting from specified citations, issued by the Public Utilities Commission to the Pacific Gas and Electric Company for violations relating to the 2015 Butte Fire, to the Department of Forestry and Fire Protection to be expended for the department's program known as the State Responsibility Area Fire Prevention Fund and Tree Mortality Grant Program.	07/17/2017 - In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.
<b>AB 530</b> Cooper (D)	Public Employment: Collective Bargaining: Officers		Expands the jurisdiction of the Public Employment Relations Board to include resolving disputes and statutory duties and rights of persons who are employed by public agencies and who are peace officers. Authorizes a peace officer to bring an action to seek injunctive relief. Excepts the employee relations commissions of the County of Los Angeles and the City of Los Angeles from the application of these provisions.	07/17/2017 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>AB 551</b> Levine (D)	Political Reform Act of 1974: Postemployment		Amends the Political Reform Act, which prohibits certain elected officials from acting as agents or attorneys for certain persons, and which excludes from that prohibition certain appearances and communications. Specifies that the one-year prohibition applies to independent contractors of a local government agency or a public	07/11/2017 - In SENATE. Read second time. To third reading.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			agency who are appearing or communicating on behalf of that agency.	
<b>AB 554</b> Cunningham (R)	Desalination: Statewide Goal		Relates to desalination projects and opportunities for state assistance and funding. Establishes a goal to desalinate a specified acre-feet of drinking water per year.	06/20/2017 - In ASSEMBLY. Coauthors revised.
<b>AB 567</b> Quirk-Silva (D)	School Facilities: Drinking Water Fountains		Requires a school district to ensure that every drinking water fountain at each school under its jurisdiction is equipped with both a water fountain and a spigot, or a combination water fountain and spigot, for filling water bottles.	03/14/2017 - From ASSEMBLY Committee on EDUCATION with author's amendments.;03/14/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on EDUCATION.
<b>AB 574</b> Quirk (D)	Potable Reuse	SUPPORT	Specifies that direct potable reuse includes raw water augmentation and treated drinking water augmentation. Changes surface water augmentation to reservoir water augmentation and redefines the term. Requires the State Water Resources Control Board to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation.	07/19/2017 - Withdrawn from SENATE Committee on NATURAL RESOURCES AND WATER.;07/19/2017 - Re-referred to SENATE Committee on APPROPRIATIONS.
<b>AB 577</b> Caballero (D)	Disadvantaged Communities		Amends existing law which defines a disadvantaged community as a community with an annual median household income that is less than a certain percentage of the statewide annual median household income for various purposes, that include, but are not limited to, the Water Quality, Supply, and Infrastructure Improvement Act of 2014. Expands the definition of disadvantaged community.	03/09/2017 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;03/09/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b>AB 589</b> Bigelow (R)	Water Diversion: Monitoring: University of California		Relates any water diverter who has completed an instructional course regarding the devices or measurement method administered by the University of California Cooperative Extension to be considered a qualified individual when installing and maintaining devices or methods of measurement for the diverter's diversion. Requires a diverter to recomplete the course every 6 years.	07/12/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			Requires the University of California Cooperative Extension to consult with the board when developing the curriculum of the course.	
<b>AB 594</b> Irwin (D)	Water Supply Planning: Photovoltaic Energy Facility		Amends existing law which requires a city or county that determines that a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment.	02/27/2017 - To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and LOCAL GOVERNMENT.
<b>AB 664</b> Steinorth (R)	Political Reform Act: Campaign Expenditure		Prohibits the payment of financial or material compensation from campaign funds held by a controlled committee of an elected officer or candidate for elective office, in exchange for services rendered, to any vendor that is majority-owned or controlled by any spouse or domestic partner, parent, grandparent, sibling, child, or grandchild of that officer or candidate.	04/26/2017 - In ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Failed passage.;04/26/2017 - In ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Reconsideration granted.
<b>AB 672</b> Jones-Sawyer (D)	Utility Services		Relates to civil actions brought by an electrical, gas, or water utility against a person who commits the diversion of utility services. Authorizes a defendant that prevails upon judgment to recover reasonable attorney's fees and costs of the suit from the utility.	05/01/2017 - From ASSEMBLY Committee on JUDICIARY with author's amendments.;05/01/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b>AB 732</b> Frazier (D)	Levee Maintenance		Extends indefinitely the operation of the authorization to advance funds to reimburse local agencies under a program for the maintenance or improvement of project or nonproject levees. Postpones the operation of certain related provisions.	07/10/2017 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b>AB 791</b> Frazier (D)	Sacramento-San Joaquin Delta: Conveyance Facility	OPPOSE	Relates to the State Water Project and federal Central Valley Project. Require, before a water contractor enters into a contract to pay for these costs, that the lead agency provide the breakdown of costs for each water contractor entering into a contract and what benefits each contractor will receive based on the proportion it has financed of the proposed conveyance project.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 792</u></b> Frazier (D)	Sacramento-San Joaquin Delta Plan: Certification	OPPOSE	Prohibits the Delta Stewardship Council from granting a certification of consistency with the Sacramento-San Joaquin Delta Plan until the State Water Resources Control Board has completed its update of a specified water quality control plan.	03/28/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/28/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
<b><u>AB 793</u></b> Frazier (D)	Sacramento-San Joaquin Delta: Financing	OPPOSE	States that the maintenance and repair of the Sacramento-San Joaquin Delta are eligible for the same forms of financing as other water collection and treatment infrastructure and would specify the maintenance and repair activities that are eligible are limited to certain cleanup and abatement-related restoration and conservation activities.	03/27/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/27/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
<b><u>AB 869</u></b> Rubio (D)	Sustainable Water Use: Recycled Water		Requires the State Water Resources Control Board to adopt long-term standards for urban water conservation and water use Requires the department to conduct necessary studies and investigations and recommend standards for indoor residential use and outdoor irrigation use for adoption by the board. States the intent of the Legislature in enacting this measure to encourage continued investment in water reuse as a means to increase water supply reliability and diversification.	07/03/2017 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;07/03/2017 - In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 851</u></b> Caballero (D)	Local Agency Contracts		Authorizes the Santa Clara Valley Water District to use the design-build procurement process when contracting for the construction of a building or buildings and improvements directly related to the construction of a building or buildings. Authorizes the utilization of the design-build procurement process by the Santa Clara Valley Water District for the purposes of, among other things, flood protection improvements, habitat restorations or enhancements, and enhancement of surface water facilities.	07/18/2017 - In SENATE. Read second time. To third reading.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b>AB 884</b> Levine (D)	Dams and Reservoirs: Inspections		Requires the Department of Water Resources to make annual physical inspections of dams and reservoirs at state expense for the purpose of determining their safety.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b>AB 891</b> Garcia E (D)	California Communities Environmental Health Screening		Require the State Air Resources Board to include data from certain local air monitoring studies, including certain data on ozone and diesel particulate matter, in a certain report. Requires funds to be allocated to the board and the office to support the continued collection of this data. Requires the board to add air monitoring stations at additional locations in the California-Mexico border region and to submit a report concerning cross-border pollution.	06/08/2017 - To SENATE Committee on ENVIRONMENTAL QUALITY.
<b>AB 898</b> Frazier (D)	Property Taxation: Revenue Allocations: Fire District		Requires the auditor of the County of Contra Costa to allocate certain ad valorem property tax revenues to the East Contra Costa Fire Protection District that would otherwise be allocated to the county's Education Revenue Augmentation Fund.	04/04/2017 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;04/04/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b>AB 947</b> Gallagher (R)	Fish and Wildlife: Streambed Alteration Agreements		Relates to streambed alteration agreements of the Department of Fish and Wildlife. Defines river and stream for purposes of provisions requiring certain notification.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.
<b>AB 967</b> Gloria (D)	Human Remains Disposal: Alkaline Hydrolysis		Requires the Cemetery and Funeral Bureau to license and regulate hydrolysis facilities. Enacts requirements applicable to hydrolysis facilities substantially similar to those applicable to crematoria. Requires a local registrar of births or deaths to issue permits for the disposition of hydrolyzed remains. Requires an applicant for hydrolysis facility to present to the bureau any state or locally required permits for business operation and employ a certified hydrolysis chamber.	07/13/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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<b>AB 968</b> Rubio (D)	Retail Water Use: Water Efficiency	CO- SPONSOR & SUPPORT	Requires the Urban Stakeholder Committee to submit a report to the Legislature recommending for potential adjustments to water efficiency targets and commercial, industrial, and institutional performance measures. Requires the Department of Water Resources to recommend appropriate water efficiency measures for various segments of the commercial, industrial, and institutional water use sector. requires each urban retail water supplier to develop a water efficiency target. Revises definitions.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b>AB 975</b> Friedman (D)	Natural Resources: Wild and Scenic Rivers		Specifies that certain rivers that possess scenic, recreational, fishery, wildlife, historical, cultural, geological, or other similar values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state.	06/05/2017 - In ASSEMBLY. To Inactive File.
<b>AB 1000</b> Friedman (D)	Water Conveyance: Unused Facility Capacity	WATCH	Prohibits a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.	07/11/2017 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<b>AB 1008</b> McCarty (D)	Employment Discrimination: Prior Criminal History		Repeals the prohibition on a state or local agency from asking an applicant for employment to disclosure information regarding criminal conviction, provides that it is an unlawful employment practice under California Fair Employment and Housing for an employer to include on any application for employment any question that seeks the disclosure of an applicant's criminal history, to inquire into or consider the conviction history of an applicant until that applicant has received a conditional offer.	07/18/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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<b>AB 1030</b> Ting (D)	Energy Storage Systems		Establishes energy policy goals of the state with respect to energy storage. Requires the Public Utility Commission to undertake specified actions with respect to customer- and load-sited energy storage systems in order to achieve those energy policy goals, including a rebate program dedicated to energy storage that carves out a portion of funding for low-income customers and disadvantaged communities.	05/24/2017 - From ASSEMBLY Committee on UTILITIES AND ENERGY without further action pursuant to JR 62(a).
<b>AB 1041</b> Levine (D)	Transportation Funding: Transportation Improvement Fee		Amends the Road Repair and Accountability Act of 2017 which imposes a transportation improvement fee on each vehicle. Requires that the revenues from fee be available for expenditure only on specified transportation purposes. Provides for provisions to be added by SB 1 to correct an erroneous cross-reference in these provisions.	04/24/2017 - Re-referred to ASSEMBLY Committee on TRANSPORTATION.
<b>AB 1050</b> Allen T (R)	Endangered Species Act: Delta Smelt		Requires the Fish and Game Commission to remove the Delta smelt from the endangered species list.	03/28/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/28/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
<b>AB 1066</b> Aguiar-Curry (D)	Public Works: Definition		Expands the meaning of the term public works to include specific types of tree removal work. Expands the scope of a crime.	07/12/2017 - From SENATE Committee on LABOR AND INDUSTRIAL RELATIONS: Do pass to Committee on APPROPRIATIONS.
<b>AB 1089</b> Mullin (D)	Local Elective Offices: Contribution Limitations		Prohibits a person from making to a candidate for local elective office any a contribution totaling more than a certain amount. Authorizes a county, city, special district, or school district to impose a different limitation.	06/20/2017 - In ASSEMBLY. Coauthors revised.
<b>AB 1132</b> Garcia (D)	Nonvehicular Air Pollution: Order for Abatement		Authorizes an air pollution control officer, if they find that any person is causing an imminent and substantial endangerment to the public health or welfare, or the environment, by violating	07/21/2017 - Enrolled.



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			requirements related to the emission of air pollutants by stationary sources, to issue an interim order for abatement pending a hearing before the hearing board of the air district. Requires the air pollution control officer to notify the alleged violator and establishes procedure for a hearing.	
<b><u>AB 1133</u></b> Dahle (R)	California Endangered Species Act		Provides that the California Endangered Species Act (CESA) prohibits the taking of an endangered or threatened species. Authorizes the take of listed species if the take is incidental to an otherwise lawful activity. Provides that a person who obtains a federal enhancement of survival permit requires no further authorization under CESA for that person to take that species as identified in the enhancement of survival permit.	07/13/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>AB 1180</u></b> Holden (D)	Los Angeles County Flood Control District		Authorizes the Los Angeles County Flood Control District to levy a tax or impose a fee or charge to pay the costs and expenses of carrying out projects and programs to increase stormwater capture and reduce stormwater and urban runoff pollution in the district. Specifies that projects funded by the revenues may include projects that increase water supply and improve water quality.	07/19/2017 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass as amended.
<b><u>AB 1235</u></b> Daly (D)	Santa Ana River Conservancy Program		appropriates a specified sum from the General Fund to the conservancy to be expended for the purposes of the the Santa Ana River Conservancy Program.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1271</u></b> Gallagher (R)	Dams and Reservoirs		Amends the existing law which requires the Department of Water Resources supervise the maintenance and operation of dams and reservoirs as necessary to safeguard life and property. Requires the department to order the owner to take action to remove the resultant danger to life and property. Provides for continuously appropriate the moneys in the fund to the department for the administration of the dam safety program.	03/21/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/21/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.

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<b><u>AB 1323</u></b> Weber (D)	Sustainable Water Use and Demand Reduction		Requires the Department of Water Resources to convene a stakeholder workgroup. Requires the workgroup to develop, evaluate, and recommend proposals for establishing new water use targets for urban water suppliers and report to the Governor and the Legislature. Requires all expenses to be the responsibility of the nonstate agency stakeholders.	07/11/2017 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 1333</u></b> Dababneh (D)	Political Reform Act: Local Government Agency Notices		Requires every local government agency to prominently post on its Internet Web site a notice of any upcoming election in which voters will vote on a tax measure or proposed bond issuance of the agency. Requires every local government agency that publishes an electronic newsletter to include the notice in the electronic newsletter.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1342</u></b> Flora (R)	Greenhouse Gas Reduction Fund: Appropriations		Appropriates from the fund to the Department of Forestry and Fire Protection for healthy forest programs that reduce greenhouse gas emissions causes by uncontrolled wildfires. Appropriates from the fund to the Department Resources Recycling and Recovery for instate organic waste recycling projects that reduce greenhouse gas emissions.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1369</u></b> Gray (D)	Water Quality and Storage		Requires the Department of Water Resources to increase statewide water storage capacity by a certain percent by a specified year. Provides for the appropriation of moneys from the Greenhouse Gas Reduction Fund. Requires all groundwater basins designated as high- or medium-priority basins by the department that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan.	03/27/2017 - To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and NATURAL RESOURCES.
<b><u>AB 1420</u></b> Aguiar-Curry (D)	Water Rights: Small Irrigation Use		Requires State Water Resources Control Board to give priority to adopting general conditions that permit a registrant to store water for small irrigation use during times of high streamflow in exchange for the registrant reducing diversions during periods of low streamflow. Exempts an entity from the requirement to enter	07/10/2017 - In SENATE Committee on APPROPRIATIONS: To Suspense File.

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			into a lake or streambed alteration agreement with the department under specified circumstances.	
<b>AB 1427</b> Eggman (D)	Water: Underground Storage		Revises the declaration to additionally provide that certain uses of storage water while underground constitute beneficial use. Provides that the forfeiture periods of a water right do not apply to water being beneficially used or being held in storage for later beneficial use.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b>AB 1438</b> Env Safety & Toxic Material Cmt	State Water Resource Control Board		Amends the Environmental Laboratory Accreditation Act. Updates obsolete references. Authorizes the state board to require an owner of a laboratory under these provisions to provide certain information or records to the state board. Amends the California Safe Drinking Water Act. Authorizes the state board to suspend or revoke a permit if the state board determines that the permittee is in violation of the act.	07/10/2017 - In SENATE Committee on APPROPRIATIONS: To Suspend File.
<b>AB 1479</b> Bonta (D)	Public Records: Supervisor of Records: Civil Penalties		Amends the Public Records Act. Requires public agencies to designate a person or office to act as the agency's custodian of records who is responsible for responding to any request made under the Act and any inquiry from the public about a decision by the agency to deny a request for records. Authorizes a court that finds by preponderance of the evidence that an agency failed to respond to a request for records or improperly withheld public records from a member of the public to assess a civil penalty.	07/18/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>AB 1490</b> Gray (D)	State Water Resources Control Board: School Water		Requires the State Water Resources Control Board to prepare and submit to the Legislature a report evaluating potential adverse impacts resulting from the implementation of the Bay-Delta Water Quality Control Plan on the quality and supply of drinking water provided to schools in disadvantaged communities, in the state, including a summary describing any measures that may be implemented to address any adverse impacts identified in the report. Relates to school financial assistance.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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<b><u>AB 1524</u></b> Brough (R)	Political Reform Act: Mass Mailing Prohibitions		Amends the Political Reform Act of 1974 which prohibits the sending of a mass mailing by either a candidate or an agency. States violation of the act's provisions is punishable as a misdemeanor.	03/16/2017 - To ASSEMBLY Committee on ELECTIONS AND REDISTRICTING.
<b><u>AB 1529</u></b> Thurmond (D)	Cross-Connection or Backflow Prevention Inspectors		Requires valid and current certifications for cross-connection inspection or backflow prevention device inspection, testing, and maintenance that meet specified requirements for competency to be accepted certification test until the state Water Resources Control Board promulgates specified regulations. Prohibits a water supplier from refusing to recognize certifications tests that meet standards set by regulations of the Board.	07/18/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>AB 1548</u></b> Fong (R)	Occupational Safety and Health: Penalties		Expands the application of an existing law which authorizes certain entities to apply for a refund of civil penalties assessed against them if specified conditions are met and which requires moneys in a certain fund to be expended to assist schools in establishing effective occupational injury and illness prevention programs.	03/16/2017 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<b><u>AB 1605</u></b> Caballero (D)	Maximum Contaminant Levels: Replacement Water		Deems a person that causes or permits, or threatens to cause or permit, any waste to be discharged that contributes to the exceedance of the maximum contaminant level for nitrate in drinking water to not have caused pollution or a nuisance or to not be liable for negligence or trespass, if the person or entity takes certain actions relating to replacement water until the maximum contaminant level for nitrate is no longer exceeded.	04/27/2017 - From ASSEMBLY Committee on JUDICIARY with author's amendments.;04/27/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b><u>AB 1654</u></b> Rubio (D)	Water Conservation	CO-SPONSOR & SUPPORT	States the intent of the Legislature to enact legislation necessary to help make water conservation a California way of life.	07/19/2017 - Re-referred to SENATE Committee on RULES.
<b><u>AB 1667</u></b> Friedman (D)	Water Management Planning	OPPOSE	Requires the State Water Resources Control Board to adopt long-term standards for urban water conservation and water use on or before the specified date. Requires the board to adopt performance	07/11/2017 - In SENATE Committee on NATURAL RESOURCES AND

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			measures for commercial, industrial, and institutional water use on or before that date. Require an urban water supplier to calculate a water use target beginning the calendar year after the board adopts long-term standards for urban water conservation and water use. Relates to submission of specified information.	WATER: Heard, remains in Committee.
<b><u>AB 1668</u></b> Friedman (D)	Water Conservation		States the intent of the Legislature to enact legislation necessary to help make water conservation a California way of life.	07/19/2017 - Re-referred to SENATE Committee on RULES.
<b><u>AB 1669</u></b> Friedman (D)	Urban Water Conservation Standards and Use Reporting		Requires the State Water Resources Control Board, in consultation with the Department of Water Resources, to adopt long-term standards for urban water conservation and water use by a specified date. Provides for the adoption of interim standards. Requires the board, before adopting an emergency regulation, to provide a certain number of days for the public to review and comment on the regulation and requires the board to hold a public hearing.	05/26/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1671</u></b> Caballero (D)	Backflow Prevention Assemblies		Requires a public water system to implement a cross-connection control program that complies with applicable regulations and standards. Requires the State Water Resources Control Board to adopt standards for backflow protection and cross-connection control. Authorizes the Board to do so through the adoption of a policy handbook.	07/11/2017 - From SENATE Committee on APPROPRIATIONS with author's amendments.;07/11/2017 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>AB 1673</u></b> Aguiar-Curry (D)	The California Water Plan		Makes technical, nonsubstantive changes to existing law which requires the Department of Water Resources to update every five years, the plan for the orderly and coordinated control, protection, conservation, development and use of the water resources of the state.	02/17/2017 - INTRODUCED.
<b><u>SB 5</u></b> de Leon (D)	California Drought, Water, Parks, Climate		Enacts the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, authorizes the issuance of bonds in an amount of a specified sum pursuant to the State General Obligation Bond Law to finance a drought, water,	07/18/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;07/18/2017 - In

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			parks, climate, coastal protection, and outdoor access for all program. Provides for appropriate sum for the purpose of paying costs associated with operating and maintaining certain parks projects funded by the program.	ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.
<b>SB 24</b> Portantino (D)	Political Reform Act of 1974: Economic Interest		Amends the Political Reform Act which requires certain disclosures to include a statement indicating the fair market value of investments or interests in real property and the aggregate value of income received from each reportable source. Revises the dollar amounts associated with these ranges.	07/12/2017 - From ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Do pass to Committee on APPROPRIATIONS.
<b>SB 49</b> de Leon (D)	Environmental and Workers Defense Act of 2017		Relates to the California Environmental, Public Health, and Workers Defense Act of 2017. Relates to clean air, drinking water, discharge of pollutants into the atmosphere and waters and endangered species. Prohibits state or local agencies from amending or revising their rules and regulations implementing these state laws to be less stringent than the baseline federal standards. Prohibits a state agency from amending rules to be less stringent in protection of worker rights and worker safety.	07/18/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>SB 62</b> Jackson (D)	Affordable Senior Housing Act		Establishes the Affordable Senior Housing Program for the purpose of guiding and serving as a catalyst for the development of affordable senior housing and supportive care campuses. Requires the director of GO-Biz to undertake various actions in implementing the program, including establishing and implementing a process for identifying and convening public and private stakeholders and assisting participants in identifying locations and funding sources, obtaining permits, and other matters.	07/19/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>SB 72</b> Mitchell (D)	Budget Act of 2017		Makes appropriations for the support of state government for the 2017-18 fiscal year.	05/26/2017 - From SENATE Committee on BUDGET AND FISCAL REVIEW with author's amendments.;05/26/2017 - In SENATE. Read second time and amended. Re-

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				referred to Committee on BUDGET AND FISCAL REVIEW.
<b>SB 80</b> Wieckowski (D)	California Environmental Quality Act: Notices		Amends the California Environmental Quality Act. Requires a lead agency to post certain notices on the agency's Internet Web site and to offer to provide those notices by e-mail. Requires a county clerk to post notices regarding an environmental impact report or a negative declaration on the county's Internet Web site. Requires the filing of a notice in certain cases.	07/20/2017 - In ASSEMBLY. Read second time. To third reading.
<b>SB 146</b> Wilk (R)	Water Resources: Permit To Appropriate		Amends an existing law which prohibits the taking or possession of a fully protected fish, except as provided, and designates the unarmored threespine stickleback as a fully protected fish. Prohibits the issuance of a new permit to appropriate water from any river source or stream that has, or is reasonably suspected to have, a population of unarmored threespine stickleback.	04/25/2017 - In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.
<b>SB 205</b> Governance and Finance Cmt	Local Government Omnibus Act of 2017		Requires an officer to take an oath following any election or appointment and before entering the duties of his or her office. Authorizes the County of Merced to enter into a lease, concession, or managerial contract involving a specified area of county property, by a four-fifths vote of the board of supervisors. Makes changes relating to the Committee on County Auditing Procedures, sexual harassment prevention training, certain appointments lists, and certain flood control facilities.	07/20/2017 - In ASSEMBLY. Read second time. To Consent Calendar.
<b>SB 206</b> Governance and Finance Cmt	Validations		Enacts the First Validating Act of 2017, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	07/10/2017 - Signed by GOVERNOR.;07/10/2017 - Chaptered by Secretary of State. Chapter No. 2017-57
<b>SB 207</b> Governance and Finance Cmt	Validations		Enacts the Second Validating Act of 2017, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	07/10/2017 - Signed by GOVERNOR.;07/10/2017 - Chaptered by Secretary of State. Chapter No. 2017-58

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<b>SB 208</b> Governance and Finance Cmt	Validations		Enacts the Third Validating Act of 2017, which validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	07/10/2017 - Signed by GOVERNOR.;07/10/2017 - Chaptered by Secretary of State. Chapter No. 2017-59
<b>SB 210</b> Leyva (D)	Pupil Health: Drinking Water		Requires priority for grants from the State Water Resources Control Board to be given to projects for schools that have tested their drinking water fixtures, and the results show that the drinking water either does not meet the United States Environmental Protection Agency drinking water standards for lead or is above the California maximum contaminant level for any other contaminant.	06/12/2017 - To ASSEMBLY Committees on EDUCATION and ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b>SB 224</b> Jackson (D)	Environmental Quality Act: Baseline Conditions		Requires the Office of Planning and Research to prepare, develop, and transmit to the secretary proposed changes or amendments to guidelines for the Environmental Quality Act to determine the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment. require the office, in developing the recommendations to limit the consideration of modifications to the environment at the project site cause by certain action.	05/25/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>SB 229</b> Wieckowski (D)	Accessory Dwelling Units		Authorizes an ordinance creating accessory dwelling units in single-family and multi-family residential zones to prohibit the sale or other conveyance of the unit separate from the primary residence. Extends the use of the maximum standards to a proposed accessory dwelling unit on a lot zoned for residential use, provision concerning the location of certain required replacement parking spaces, and the applicability of certain provisions concerning utility charges to special districts and water corporations.	07/12/2017 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
<b>SB 231</b> Hertzberg (D)	Local Government: Fees and Charges		Relates to a provision of the California Constitution that requires that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Defines the term sewer for these	06/15/2017 - In ASSEMBLY. Read second time. To third reading.



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			purposes. Makes findings and declarations relating to the definition of the term sewer for these purposes.	
<b><u>SB 252</u></b> Dodd (D)	Water Wells	WATCH	Requires a city or county overlying a critically overdrafted basin to request estimates of certain information from an applicant for a new well located within a critically overdrafted basin as part of an application for a well permit. Requires this information to be made available to both the public and to groundwater sustainability agencies and easily accessible.	07/17/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>SB 372</u></b> Cannella (R)	San Joaquin River Exchange Contractors Groundwater		Creates the San Joaquin River Exchange Contractors Groundwater Sustainability Agency as the exclusive groundwater sustainability agency and successor agency. Establishes the initial boundaries of the agency and authorizes the agency's boundaries to be changed.	07/11/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b><u>SB 423</u></b> Cannella (R)	Indemnity: Design Professionals		Amends an existing law which provides, with respect to certain contracts and amendments to contracts with a public agency for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments that purport to require the professional to defend the agency under an indemnity agreement are unenforceable, except for certain cases. Makes such provisions applicable to all design professional services.	03/29/2017 - Re-referred to SENATE Committee on JUDICIARY.
<b><u>SB 427</u></b> Leyva (D)	Community Water Systems: Lead User Service Lines		Requires a community water system to provide the timeline for replacement of known lead user service lines in use in its distribution system to the State Water Resources Board. Requires certain public water systems to provide related findings. Authorizes the application and enforcement of these provisions under the Safe Drinking Water Act.	07/20/2017 - In ASSEMBLY. Read second time. To Consent Calendar.
<b><u>SB 450</u></b> Hertzberg (D)	Public Bodies: Bonds: Public Notice		Requires the governing body of a public body to obtain and disclose specified information regarding the issuance of bonds in a meeting open to the public. Requires the information to be obtained	07/12/2017 - From ASSEMBLY Committee on LOCAL

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			as a good faith estimate from an underwriter, financial advisor, or private lender or from a third party borrower, as specified, if the public body issuing bonds is a conduit financing provider, as defined.	GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
<b>SB 454</b> Moorlach (R)	Public Employees' Health Benefits		Relates to the Public Employees' Medical and Hospital Care Act. Provides that, for state employees who are first employed and become members of the retirement system on or after a specified date, the employer contribution for annuitants shall be limited to a certain percent of the weighted average of the health benefit plan premiums for an active employee enrolled for self-alone. Makes other changes concerning employer contributions and prefunding of retiree health care.	04/24/2017 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Failed passage.;04/24/2017 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Reconsideration granted.
<b>SB 473</b> Hertzberg (D)	California Endangered Species Act		Amends the California Endangered Species Act which requires the Department of Fish and Wildlife to adopt regulations for reporting on all take authorized by incidental take permits and for providing public notice of permit applications and issued permits. Includes a requirement that the person pay a permit application fee. Makes changes concerning surface mining operations, agricultural activities, conservation easements, addition or removal of species from the endangered species list, and other matters.	07/11/2017 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b>SB 506</b> Nielsen (R)	Department of Fish and Wildlife: Lake or Streambed		Requires the Department of Fish and Wildlife to periodically upgrade the information on its Internet Web site regarding lake or streambed alteration agreements, to update its "Frequently Asked Questions" document and other appropriate sources of information regarding the lake and streambed alteration program, and to provide guidance on its Internet Web site to facilitate members of the public in obtaining individualized guidance regarding the lake and streambed alteration program.	07/21/2017 - Vetoed by GOVERNOR.
<b>SB 564</b> McGuire (D)	Water Bill Savings Act		Enacts the Water Bill Savings Act. Authorizes a joint powers authority to provide funding for a customer of a local agency in	07/18/2017 - In ASSEMBLY. Read second time. To third reading.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			specified counties or its publicly owned utility to acquire, install, or repair a water efficiency improvement on the customer's property served by the local agency or its publicly owned utility. Requires the customer to repay the authority through an efficiency charge on the customer's water bill.	
<b>SB 580</b> Pan (D)	Water development projects: Sacramento-San Joaquin		Revises authorization for flood control projects along the American and Sacramento Rivers.	07/19/2017 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b>SB 606</b> Skinner (D)	Water Conservation	WATCH	States the intent of the Legislature to enact legislation necessary to help make water conservation a California way of life.	07/19/2017 - In ASSEMBLY. Read second time. To third reading.
<b>SB 623</b> Monning (D)	Water Quality: Safe and Affordable Drinking Water Fund		Establishes the Safe and Affordable Drinking Water Fund in the State Treasury. Provides that moneys in the fund are available to the State Water Resources Control Board. Requires the Board to expend moneys in the fund for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water.	07/11/2017 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<b>SB 634</b> Wilk (R)	Santa Clarita Valley Water District		Repeals the Castaic Lake Water Agency Law. Recognizes the Newhall County Water District and the Castaic Lake Water Agency into the Santa Clarita Valley Water District which prohibits the Castaic Lake Water Agency and the Newhall County Water District from operating as separate entities or exercising independent functions.	07/12/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>SB 638</b> Leyva (D)	Heavy Duty Motor Vehicles		Requires the State Air Resource Board to adopt regulations that require owners or operators of heavy duty motor vehicles used for commercial purposes to perform regular inspections of their vehicles for compliance with emission standards of the State board. Requires a fleet of these vehicles to comply with the State boards emission standards in order for any vehicle of the fleet to be registered.	03/02/2017 - To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>SB 667</u></b> Atkins (D)	Riverine and Riparian Stewardship		Requires the Department of Water Resources to establish a program to implement watershed-based riverine and riparian stewardship improvements by providing technical and financial assistance in support of projects with certain benefits. Requires the program to support the purposes of and be coordinated with the Urban Stream Restoration Program, fish passage improvements, and other similar programs.	07/19/2017 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspend File.
<b><u>SB 686</u></b> Wilk (R)	Public Contracts: Claims Resolution		Requires a public entity to conduct a meet and confer conference within a specific period for the settlement of disputes.	03/09/2017 - To SENATE Committee on JUDICIARY.
<b><u>SB 700</u></b> Wiener (D)	Energy Storage Initiative		Requires the Public Utilities Commission and the governing boards of local publicly owned electric utilities to establish an Energy Storage Initiative to provide rebates to customers of electrical corporations for the installation of energy storage systems consistent with certain requirements. Requires the PUC to ensure an orderly transition of the funding for energy storage systems from the self-generation incentive program to the Energy Storage Initiative to minimize disruption.	07/05/2017 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;07/05/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b><u>SB 740</u></b> Wiener (D)	Onsite Treated Water		Requires the State Water Resources Control Board to adopt regulations for a comprehensive risk-based standards for local jurisdictions permitting programs for onsite recycling of water in multifamily residential, commercial, and mixed-use buildings for nonpotable use. Requires the regulations to address specified issues and practices relating to the management, monitoring, and treatment of recycled water for nonpotable use.	05/25/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>SB 748</u></b> Glazer (D)	Public Contracts		Amends an existing law which requires a state agency or department to follow specified rules regarding the negotiation of fees and execution of contracts for professional consulting services of a private architectural, engineering, land surveying, environmental, or construction project management firm. Requires certain negotiations to begin within a specified time period.	03/09/2017 - To SENATE Committee on GOVERNMENTAL ORGANIZATION.

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b>SB 771</b> de Leon (D)	California Environmental Quality Act		Relates to The California Environmental Quality Act. Establishes a continuing education requirement for employees of public agencies who have primary responsibility to administer the act.	07/18/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>SB 778</b> Hertzberg (D)	Safe Drinking Water Fund		Requires the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after a certain date. Requires the published information to include the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.	07/13/2017 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b>SB 780</b> Wiener (D)	Water Conservation in Landscaping Act		Requires the Department of Water Resources to establish guidelines for designing landscapes consistent with the watershed approach to landscaping. Requires funding to provide preference for projects that comply with the guidelines. Requires the Department to promote this approach by providing education, and training for persons who plan, develop, or implement landscaping projects. Authorizes the promotion of application of compost to assist with projects that follow these guidelines.	05/25/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b>SCA 4</b> Hertzberg (D)	Water Conservation		Declares the intent of the Legislature to amend the California Constitution to provide a program that would ensure that affordable water is available to all Californians and to ensure that water conservation is given a permanent role in California's future.	02/16/2017 - To SENATE Committee on RULES.
<b>HR 23</b> Valadao (R)	Gaining Responsibility on Water Act		Amends the Gaining Responsibility on Water Act of 2017, provides drought relief in the State of California.	07/18/2017 - In SENATE. Read second time.;07/18/2017 - To SENATE Committee on ENERGY AND NATURAL RESOURCES.
<b>HR 434</b> Denham (R)	Water Project Financing Program Pilot Project		Authorizes a pilot project for an innovative water project financing program.	02/07/2017 - In HOUSE Committee on NATURAL RESOURCES: Referred to

**IRWD 2016 LEGISLATIVE MATRIX**  
**Updated 07/25/2017**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
				Subcommittee on WATER, POWER AND OCEANS.
<b>HR 448</b> Huffman (D)	Conservation Subsidies Water Conservation Exclusion		Amends the Internal Revenue Code of 1986, expands the exclusion for certain conservation subsidies to include subsidies for water conservation or efficiency measures and storm water management measures.	01/11/2017 - INTRODUCED.;01/11/2017 - To HOUSE Committee on WAYS AND MEANS.

## Exhibit “B”

2017 Legislative Update Report:  
Links to Bill & Regulatory Texts  
(as of July 25, 2017)

Bill Number/Version Date	Link to Bill Text
AB 1323 (Weber), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1323">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1323</a>
AB 1654 (Rubio), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1654">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1654</a>
AB 1667 (Friedman) as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1667">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1667</a>
AB 1668 (Friedman) as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1668">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1668</a>
SB 606 (Hertzberg/Skinner), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB606">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB606</a>
State Water Resources Control Board Draft Regulations for “Surface Water Augmentation Using Recycled Water”	<a href="https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/documents/swa/draft_swa_reg_text.pdf">https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/documents/swa/draft_swa_reg_text.pdf</a>

## EXHIBIT "C"

July 21, 2017

The Honorable Robert M. Hertzberg  
Chairman, Senate Committee on Natural Resources and Water  
State Capitol, Room 5046  
Sacramento, CA 95814

**Re: Comments of Water Suppliers and the Business Community on Legislation Necessary to Help with "Making Water Conservation a California Way of Life"**

Dear Chairman Hertzberg:

On behalf of the 112 undersigned organizations, we are responding to your request at the July 11, 2017, hearing of the Senate Committee on Natural Resources and Water that stakeholders submit their written comments and perspectives on the Committee's stated intent to "enact legislation necessary to help make water conservation a California way of life."

Since January 2017, many of the undersigned organizations have been engaged in the development of legislation to implement the vision of the Governor's framework for "Making Water Conservation a California Way of Life." To that end, the water community undertook a nearly four-month process to develop a comprehensive, consensus-based approach to ensure continued improvement in long-term urban water use efficiency while strengthening drought preparedness and water shortage response. That approach was put forth in AB 968 and AB 1654, authored by Assembly Member Blanca Rubio (D-West Covina).

AB 968 and AB 1654 were developed with input from dozens of water agencies committed to developing and implementing balanced approaches to water management that include demand reduction through improvements in water efficiency, continued development of resilient water supplies, and preparation for inevitable future droughts. This balanced approach is consistent with Governor Brown's comprehensive California Water Action Plan.

AB 968 and AB 1654 were also consistent with the framework's policy objectives of establishing new water use targets for urban retail water suppliers and enhancing drought planning, preparation, and reporting requirements. In addition to promoting these sound water policy goals, these two bills preserved local authority — where experience, expertise and customer relationships are maintained — and balanced the need to improve water use efficiency and further develop drought-resilient water supplies. ***We believe maintaining legislative oversight and local authority must be paramount as the state develops and implements new policies intended to enhance water use efficiency and water shortage planning requirements.***

AB 968 and AB 1654 were supported by more than 100 entities, including water suppliers, cities and counties, business groups and associations. The two-bill package garnered broad-based support because it was guided by the following principles, which should be the foundation for any legislation enacted for "Making Water Conservation a California Way of Life."



**Policy Principles Related to Long-Term Water Use Efficiency and Drought Planning**

**Long-Term Water Use Efficiency:**

1. Preserve the Legislature's authority over long-term water use efficiency target setting. State agencies should **not** be granted the authority to set and revise water use efficiency targets. Commercial, industrial, and institutional (CII) performance measures must be determined by a broad stakeholder task force and not state agencies.
2. Ensure that any water use efficiency target setting approach is flexible to account for the diversity among California's communities and the urban retail water suppliers that serve them. Legislation must include alternative pathways or functional equivalents to compliance, variances, and criteria for the data to be collected.
3. Protect water rights and preserve a water supplier's ability to use water it has a right to access.
4. Protect and create incentives for the further development of potable reuse and recycled water.
5. Provide for appropriate, progressive enforcement authority that accounts for urban retail water suppliers' authorities and responsibilities relative to their customers. The focus should be on corrective action instead of cease-and-desist orders.

**Shortage Response Planning:**

6. Preserve local decision-making to determine actions to avoid or mitigate shortages. The state should not dictate what actions are to be taken at any stage or specific actions that must be included in a water shortage contingency analysis.
7. Preserve and encourage investments in resilient water supplies. Potable reuse, recycled water, and desalination should all be considered fully reliable.
8. Ensure that annual water supply and demand assessments are based on and accurately reflect local conditions.
9. Maintain the existing legislative intent and challenge period for urban water management plans.
10. Recognize that energy use is only one aspect of water supply planning.

**Proposed Goals for the Legislation**

The water, city and county, and business communities support the goal of making water conservation a California way of life, but the Administration and the Legislature have yet to

define the means to accomplish this goal. We recommend that legislation be designed to accomplish two objectives: 1) improve urban water use efficiency, and 2) identify demand management and supply augmentation measures that urban retail water suppliers will utilize to address water supply shortages. Improvements in urban water use efficiency should be measured at the urban retail water supplier level based on water use that is considered reasonable and efficient. The legislation should have a goal of reducing the wasteful use of water rather than seeking to reduce the total volume of water served for uses that are reasonable and efficient.

The legislation should also ensure that urban water suppliers engage in drought planning that better prepares them to respond to drought and other water shortages. Any legislation modifying urban water management plans and water shortage contingency analysis requirements should result in usable documents for the supplier and not simply a compilation of hypothetical modeling or academic analyses. The legislation should also consider the benefits and burdens of mandatory reporting requirements placed on urban water suppliers.

#### **Detailed Discussion on Long-Term Water Use Efficiency and Drought Planning**

- 1. Preserve the Legislature's authority over long-term water use efficiency target setting. State agencies should not be granted the authority to set and revise water use efficiency targets. Commercial, industrial, and institutional (CII) performance measures must be determined by a broad stakeholder task force and not state agencies.**

California can and should enact legislation establishing new long-term aggregated targets and standards for water use efficiency at the retail agency level that assign appropriate roles for the Legislature, state agencies and urban retail water suppliers. Toward this end, and substantially mirroring the process enacted within the Sustainable Groundwater Management Act and within the Renewable Portfolio Standards policy area:

- The Legislature should establish, in statute, the standards for reasonable and efficient urban water use, and the target formula(s) by which retail agency-level water use efficiency will be measured;
- State agencies should develop guidance and adopt regulations necessary to implement the target formula(s), and provide technical and financial assistance to local urban retail water suppliers; and
- Urban retail water suppliers should have responsibility for using state-provided data and/or local data, if it is of comparable or better quality, to calculate a water use efficiency target that is consistent with state law and that accounts for unique local conditions. An urban retail water supplier also should have responsibility for taking actions within its control to meet its water use efficiency target.

Future revisions to the long-term aggregated targets and standards for water use efficiency at the retail agency level should have a technical or scientific basis that justifies a change in the efficiency standard. State agencies should have responsibility for making recommendations to the Legislature on appropriate updates to the efficiency standards every five years after engaging urban stakeholders and soliciting public input. State agencies also should be required to engage urban stakeholders and solicit public input regarding implementation of the long-term water use efficiency targets given that there likely will be technical issues related to the calculation of and compliance with the targets that will need to be resolved with stakeholders input.

Additionally, the long-term water use efficiency target should not include volumetric targets for the commercial, industrial and institutional (CII) water use sectors. Instead, the water use efficiency approach taken with CII should be the implementation of performance measures designed to promote the efficient use of water. These performance measures, reflecting best management practices, should be developed in conjunction with stakeholders to ensure that the measures are cost-effective, and support California's economic productivity. Stakeholders must play a meaningful role in the development of the performance measures as well as the thresholds for implementation.

Arguments in Support:

The Administration and others have proposed that the State Water Resources Control Board should be granted unlimited authority to set standards for urban water use, including setting standards for indoor residential water use, outdoor irrigation, and CII water uses. However, giving full control of future water efficiency target setting to any state agency risks negative impacts to California's economy, business climate, and quality of life. Furthermore, as written in the introduction to the California Water Action Plan, "To be sustainable, solutions [to management of California's water resources] must strike a balance between the need to provide for public health and safety (e.g., safe drinking water, clean rivers and beaches, flood protection), protect the environment, and support a stable California economy." Additionally, as California moves toward greater water use efficiency, it should be noted that improving water use efficiency may increase costs and reduce water system revenues. The upward pressure on water rates and impact on affordability of water must be considered.

Only the Legislature can balance California's many competing policy goals and priorities, and represent all Californians in determining how water should be used within our urban communities. State agencies should not be granted the unfettered authority to set and revise water use targets.

- 2. Ensure that any water use efficiency target setting approach is flexible to account for the diversity among California's communities and the urban retail water suppliers that serve them. Legislation must include alternative pathways or functional equivalents to compliance, variances, and criteria for the data to be collected.**

Legislation on urban water use efficiency can build on the success of California's "20% by 2020" law by recognizing the diversity that exists among California's many unique urban communities

and more than 400 urban retail water suppliers. Before the Legislature establishes water use efficiency targets based on any single method, including water budgets, that method must be proven to be reliable, broadly applicable, and adaptable to different community characteristics and conditions throughout the state. AB 968 would have accomplished this by providing three clearly defined, codified options for calculating the water use efficiency target. Each option would have allowed water suppliers to calculate a water use efficiency target using existing processes and programs while acknowledging the state's hydrologic, geographic, climatic, and economic diversity.

The Legislature should consider the following, depending on the method(s) chosen for calculating water use efficiency targets:

- If one method is chosen for setting water use efficiency targets, alternative pathways or functional equivalents to compliance should be permitted where the calculation of the water use efficiency target under the chosen method is technically, economically or administratively infeasible.
- If a data-intensive method, such as a retail-level water budget, is chosen as the sole method for calculating an urban retail water supplier's water use efficiency target, the Department of Water Resources should be responsible for providing urban retail water suppliers with accurate data necessary to calculate each urban retail water supplier's water efficiency target.<sup>1</sup>
- The legislation must provide for variances that account for unique community attributes and situations.

Arguments in Support:

Calculating retail-level water use efficiency targets using a "one-size fits all" methodology will likely be challenging for a number of technical, economic or administrative reasons. Providing flexibility can aid in the statewide implementation of water use efficiency targets, and can appropriately balance the benefits and resource requirements of the chosen method(s).

If a water budget approach is selected, the Department of Water Resources should provide to urban retail water suppliers, in electronic form, a database of validated aerial imagery and measured irrigable area needed to calculate a water use efficiency target for compliance. The state should provide this data because most urban retail water suppliers do not have it, nor the resources and expertise required to collect the large amount of data necessary to calculate a water use efficiency target using a water budget approach. Those water suppliers that develop

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<sup>1</sup> It is important to note that for a water budget approach, as proposed by the Administration, valid data is needed to establish equitable budgets. Time is needed to acquire accurate data, verify data and implement the budget. At a minimum, basic retail-level water budgets will require accurate information on irrigable area, population data, and adjustments or variances to account for unique local circumstances. While aerial imagery and technological advances have improved the ability to calculate landscape measurements, they are not perfect and a number of challenges remain. In many situations, fieldwork will be necessary to confirm the data. More complex water budgets require additional data related to parcel characteristics or development date, type of water served and customer type.

the necessary data locally should be afforded the opportunity to use their own data if its accuracy can be demonstrated.

Independent of the selected approach, flexibility in the form of variances is imperative so that unique community factors and the water associated with those uses are given consideration in the water use efficiency target setting process. Water use due to unique factors can be valid, appropriate, and often efficient uses of water within California's urban communities. For example, urban water use for livestock, agriculture, evaporative coolers, significant seasonal and transient population increases, construction, vegetation irrigated for fire protection purposes, and environmental protection are legitimate uses that would not be captured under the water budget methodology that has been proposed by the Administration. A variance process would allow these unique local uses to be accommodated. Standardized variances also are an integral component of establishing equitable, accurate water use efficiency targets, and are needed to ensure urban retail water suppliers account for similar uses in a consistent manner.

**3. Protect water rights and preserve a water supplier's ability to use water it has a right to access.**

By securing and defending water rights an urban water supplier can plan for and manage water supplies to meet current and projected demands. Because legislation related to urban water use efficiency has the potential to impact an urban supplier's access to water, legislation in this policy area must expressly provide that **it does not**:

- Alter or affect existing water rights or the full exercise of those rights;
- Modify the authority of any state agency to adjudicate, alter or make a decision related to water rights;
- Permit a state agency to condition any changes to a water right or water-right permits or licenses based on the legislation;
- Permit a state agency or a court to reduce an urban water supplier's discretion to determine the timing and use of its available water supplies; or
- Affect or limit an urban water supplier's right to water conserved or waived through reuse.

Furthermore, the establishment and enforcement of urban water use efficiency targets should not result in stranded water system assets or undermine the financial condition of water suppliers that have invested ratepayer revenue, and in certain cases, state grants and loans, to develop a reliable water supply.

**Arguments in Support:**

Under California law, water rights are a property right. Without the protection of that right and the preservation of Water Code Section 1011, which provides that water saved and not used as

a result of water conservation efforts may be transferred, legislation related to urban water use efficiency targets may have the unintended consequence of impacting water rights and result in a regulatory taking under the Constitution. By expressly protecting water rights and access to water, and by preserving the full applicability of Section 1011 to water saved under any new target setting approach, the legislation would avoid this consequence and enhance the availability of saved water to be put to beneficial use. The Legislature and state agencies also should consider how current barriers to the voluntary transfer of conserved water could be removed.

**4. Protect and create incentives for the further development of potable reuse and recycled water.**

Drought-resilient supplies, such as recycled water, potable reuse, desalination, and stormwater, are key components of the state's water supply portfolio. As has been widely acknowledged, California needs to continue investing in these types of supplies as a means to increase water supply reliability and diversification within the state, to reduce reliance on the Delta for future water supplies, to reduce greenhouse gas emissions where applicable, and to recharge groundwater basins. The state must continue on a path toward greater investment in drought resiliency. At minimum, local investments in water recycling should be recognized as part of any water use efficiency legislation, and long-term targets and standards for water use efficiency should protect existing local investments made by urban water suppliers in resilient supplies.

Targets and standards should include a credit and consideration for all types of drought-resilient supplies, and should include the following provisions related to recycled water:

- If an outdoor irrigation standard is set, landscapes irrigated with recycled water should be given a special landscape allowance as set forth in the Model Water Efficient Landscape Ordinance and an evapotranspiration factor of 1.0;
- A variance to the 1.0 evapotranspiration factor should be included where additional recycled water use is necessary to protect and sustain landscaping due to recycled water quality, ambient soil conditions or adverse drainage. A higher level of use should also be allowed when needed to avoid the stranding of recycled water assets, for the application of water to agriculture, or due to other relevant factors;
- An urban retail water supplier should receive a credit for the volume of its recycled water supply that is served for potable uses up to the volume needed, on an acre-foot basis, to meet its water efficiency target;
- Prior to recommending an indoor residential water use efficiency standard of less than 55 gallons per capita daily, state agencies should be required to evaluate and report to the Legislature on the anticipated impacts that the combined reductions in indoor residential and CII water use would have on existing wastewater and recycling/reuse supply, infrastructure and operations.

Arguments in Support:

By its very nature, water recycling reuses wastewater, which would otherwise be disposed of, for beneficial uses and offsets dependence on other sources of supply. Under an urban water use efficiency framework, the quantity of wastewater that is available for recycling already has been subjected to conservation and efficient water use because it is derived from the potable water used within an urban community. Further restricting its use will serve as a disincentive for continued local investment in these types of supplies and could result in recycled water not being put to beneficial potable and non-potable reuse. In fact, if storage is not available, water suppliers could be forced to release recycled water to the ocean or to forego advanced treatment and simply discharge treated wastewater.

Moreover, the approach outlined above recognizes that the application of recycled water in landscape irrigation is already extensively regulated, ensuring its efficient use. The provisions outlined above promote water use efficiency through greater water reuse in California and protect local investments in water recycling.

5. **Provide for appropriate, progressive enforcement authority that accounts for an urban retail water supplier's authorities and responsibilities relative to their customers. The focus should be on corrective action instead of cease-and-desist orders.**

Water suppliers are responsible for ensuring that the communities they serve have access to safe and reliable water. As stewards of their communities' water resources, water suppliers have taken and will continue to take the appropriate actions to encourage greater water use efficiency within their service areas. Water suppliers, however, do not have the ability to directly control their customers' behaviors relative to water use; instead, water suppliers must cultivate relationships with their customers through a wide variety of locally appropriate incentives and disincentives and communication activities to achieve greater water use efficiency.

The creation of new, punitive enforcement authorities targeting local water suppliers is not appropriate to achieve greater water use efficiency. For example, granting state agencies cease-and-desist authority to compel compliance with water use standards is very problematic. When taken to the extreme, such authority could be used to compel a water supplier to cease delivery of water to its customers, which an urban retail water supplier cannot do legally except for nonpayment. Cease-and-desist powers in this context are inappropriate.

Instead, the legislation should authorize the provision of state agency resources that focus on the goal of eliminating the waste of water within communities. This approach would include notices of noncompliance that provide a time to cure. The legislation should enact enforcement provisions that:

- Grant progressive enforcement authority to the State Water Board, beginning with informational orders, then written notices of noncompliance and ultimately potential civil liability;

- Require that within 90 days of receiving a notice of noncompliance for failing to meet its water efficiency target, an urban retail water supplier must identify additional actions to be taken to encourage users to increase water use efficiency. The supplier also should be required to submit a comprehensive remedial plan detailing the additional steps it will take to the State Water Board for approval;
- Provide for an urban retail water supplier to face potential civil liability for failure to implement the steps identified in an approved remedial plan; and
- Recognize that an urban retail water supplier may take all reasonable and appropriate steps, yet still fail to meet its target.

Arguments in Support:

State agencies should work to cultivate relationships with water suppliers in the same way water suppliers must cultivate relationships with their customers. The state's approach to the enforcement of any new water use efficiency targets should emphasize a technical assistance and information-sharing role for state agencies. Providing state agencies with the ability to issue informational orders as local water suppliers work to achieve water use targets is appropriate. Additionally, providing state agencies with the ability to ensure that reporting and other requirements are satisfied is appropriate. In all cases, however, local water suppliers must retain control over the actions required to meet water use efficiency targets to ensure that they are locally appropriate.

Detailed Discussion on Shortage Response Planning

- 6. Preserve local decision-making to determine actions to avoid or mitigate shortages. The state should not dictate what actions are to be taken at any stage or specific actions that must be included in a water shortage contingency analysis.**

Water agencies agree that smart, thoughtful enhancements to the state's shortage response planning laws can make California more drought resilient. However, urban water suppliers must retain the authority and responsibility to establish and implement the appropriate drought response actions for their community.

This is consistent with one of the primary objectives for strengthening water shortage contingency planning contained in the Administration's "Making Water Conservation a California Way of Life" framework. The objective of strengthened drought planning should be to provide the state with information necessary to evaluate specific urban supplier responses to drought conditions in order to allow focused attention where necessary and forestall overarching mandates that may conflict with existing adequate local plans and policies.

Rather than specify the specific shortage level(s) and actions each urban water supplier should plan and implement, urban water suppliers should:



- Describe and analyze the reliability of their water supplies in greater detail within their Urban Water Management Plans, and be required to assess the vulnerability of those supplies to seasonal or climatic shortage based on the five consecutive driest years that the supplier has experienced, unless a shorter multiple-year period would more severely impact supplies;
- Include more specific elements within their water shortage contingency analysis to ensure that the plans are usable documents that will aid the supplier in responding to a water shortage;
- Retain authority to determine when to declare a shortage emergency declaration;
- Have flexibility to take reasonable alternative actions not included in their water shortage contingency plan to act in real time based on real conditions they are experiencing; and
- Report annually on water supply availability to meet demands, allowing the state agencies to consider the results of the annual assessments (e.g., drought response actions and level) prior to adopting any statewide emergency conservation regulations.

In addition, urban water suppliers should be able to decide actions that are necessary before a shortage is declared to avoid or mitigate shortage impacts to their customers. Urban water suppliers must be able to factor in all water supplies, including supply augmentation, in calculating the suppliers' shortage level.

Arguments in Support:

Effective drought response will occur only when urban water suppliers retain local control to establish and implement the shortage response actions and levels best suited for their communities and local supply conditions. We have a diverse state with no two communities being the same; a "one-size-fits-all" approach does not work while still trying to ensure that Urban Water Management Plans and water shortage contingency plans/analysis are usable documents for the supplier and not simply a compilation of hypothetical or academic analyses.

The Public Policy Institute of California, in evaluating the response to California's multi-year drought, concluded that most water suppliers were prepared and that the mandatory conservation requirements imposed under emergency regulations were a "blunt instrument." Legislation should ensure that all water suppliers are prepared in the future, that this preparedness is well documented, that the state has necessary information on an annual basis to take appropriate and targeted actions, and that any future emergency conservation regulations shall consider this information.

**7. Preserve and encourage investments in resilient water supplies. Potable reuse, recycled water, and desalination should all be considered fully reliable.**

Many water suppliers have invested in resilient water supplies to ensure that they are able to meet customer demands during times of shortage. Water suppliers make financial and

operational planning decisions based on the availability of those resilient supplies during drought conditions.

Consistent with the approach suggested by the State Water Board and the Department of Water Resources, the legislation should enact better drought planning and preparation and allow local agencies to carry out those plans, if they are complying with the enhanced requirements, and should encourage investments in resilient supplies to ensure California is better prepared to weather the next drought. Additionally, potable reuse, recycled water, and desalination should all be considered fully reliable.

Enhanced planning requirements should be complemented by policies that encourage greater local investment in resilient supplies and protect a water supplier's ability to depend on those supplies during a shortage. Toward this end, the legislation should expressly provide that:

- During a statewide drought, local drought, or water shortage, an urban water supplier shall not be required to reduce its use or reliance on any water supply available for its use and identified in its urban water management plan, or be required to take additional actions beyond those specified in its water shortage contingency plan for the level of shortage that is anticipated in the annual assessment report or the level of shortage that it is currently experiencing, whichever is greater.

Arguments in Support:

There must be a balanced approach of long-term water use efficiency combined with development of drought-resilient supplies if California is to effectively manage future droughts. The governing bodies of urban water suppliers will be reluctant to invest in alternative local supplies without some certainty that they can use the supplies created through the investments of their ratepayers. In its recommendations on fostering water system flexibility and integration, the June 2017 Public Policy Institute of California report titled, "Building Drought Resilience in California's Cities and Suburbs," summarized the impact of not taking a balanced approach best:

*"Perhaps more importantly, the state's response to this drought created new uncertainties for local suppliers regarding their investments in drought-resilient supplies, because of concerns that these investments will not be utilized if the state again mandates conservation beyond what is locally needed...This type of uncertainty is very detrimental to planning for the next drought, and it highlights the importance of the state and local suppliers getting on the same page."*

**8. Ensure that annual water supply and demand assessments are based on and accurately reflect local conditions.**

The recent drought highlighted the value of readily available information regarding the steps that individual water suppliers can and will take to respond to drought conditions. While many water suppliers demonstrated high levels of resiliency during the recent drought — as a result of adequate planning, preparation, and investment — state law does not currently require annual reporting of local water supply conditions to the state. Reporting of this information each year will allow the relevant state agencies to better identify water suppliers that are experiencing

actual water shortages, as well as understand which suppliers are well prepared to deal with drought conditions.

Annual supply and demand assessments can provide state agencies and the Legislature with valuable information on local supply conditions throughout California. The assessments can also provide the public essential information on the status of their local supply conditions. Critical to the success of these reports, however, is that they be based on the actual hydrologic conditions occurring in the year the report is being submitted and made public. *The annual report should not require projections for future years and should not be based on hypothetical dry year scenarios.*

The legislation should provide that:

- By June 15 of each year, an urban retail water supplier shall report to the Department of Water Resources the status of its water supplies for that year, considering hydrologic conditions in the current year, and whether the supplies will be adequate to meet projected customer demands over the next 12 months;
- If a supply shortage is projected or exists in its service area, the supplier would be required to implement the appropriate responses described in its water shortage contingency analysis and provide monthly reports to the Department of Water Resources on how the supplier is implementing its plan; and
- The monthly reporting would be required to continue until the supplier finds that it is able to meet customer demand over the next 12 months without continued implementation of its water shortage plans.

*Arguments in Support:*

By enacting this approach, the state will be able to ensure local suppliers are taking appropriate actions during times of shortage. A targeted state response is more effective than statewide emergency mandates because it focuses state resources where they are needed.

Urban water suppliers must have the support and trust of their customers to be successful in making the necessary investments in supplies and infrastructure and for them to take the necessary demand reduction measures during droughts. A critical aspect to maintaining that trust is that the annual assessments prepared by the urban water suppliers be based on the actual local supply situation and current hydrologic conditions. The reports cannot create unnecessary uncertainties regarding the availability of supplies. The reports need only capture the current year, because they will be submitted annually to provide an accurate “snapshot” of supply conditions. The Urban Water Management Plan, updated every five years, requires the agencies to conduct a dry year assessment that covers a multiple dry-year scenario, and should not be repeated annually.

**9. Maintain the existing legislative intent and challenge period for Urban Water Management Plans.**

Under the Urban Water Management Planning Act, the legislative intent governing that act states that:

*“This part is intended to provide assistance to water agencies in carrying out their long-term resource planning responsibilities to ensure adequate water supplies to meet existing and future demands for water.”* (California Water Code §10610.2(c).)

The intent of the act is for the planning process to be an effective tool for urban water suppliers to evaluate supply reliability based on their unique local conditions. This approach is important because it helps ensure that the planning process is useful and not merely an academic exercise. As a result, this approach must be maintained.

Because urban water management plans are designed to be useful, practical documents to aid in long-term water resource planning and to help suppliers ensure that they have adequate water supplies to meet existing and future water demands, land use planning decisions rely on the plans. As a result, the California Water Code requires that challenges to the plans must be brought within 90 days after the plan has been submitted to the state. (California Water Code §10650.) Like other 90-day challenge periods in code, this gives local agencies certainty as to whether the plan can be relied upon.

Several proposals related to the shortage response planning provisions contained in the “Making Water Conservation a California Way of Life” framework have suggested extending this challenge period, which would create uncertainty surrounding the validity of urban water management plans. Instead, the legislation should:

- Preserve the intent of existing law that the Urban Water Management Planning Act is a planning tool for urban water suppliers. The act should not be interpreted or used by state agencies as a regulatory framework; and
- Maintain the existing language in California Water Code Section 10650 regarding the 90-day challenge period.

Arguments in Support:

Urban water suppliers must be able to plan based on their local conditions and not be required to develop their plans based on a “one-size-fits-all” regulated process. In addition, the 90-day challenge should be maintained, because extending the challenge period could present undue legal uncertainty for urban water suppliers. A longer challenge period also creates difficulties for entities making land-use decisions — particularly relating to the construction of new housing — using urban water management plans. These plans support the preparation of required water supply assessments and verifications of sufficient water supply, as called for in the “Show-Me-the-Water” statutes.

**10. Recognize that energy use is only one aspect of water supply planning.**

The Urban Water Management Planning Act currently states that an urban water management plan may, but is not required to, include information on the amount of energy used to obtain, treat and distribute water supplies to a supplier's customers. (California Water Code § 10631.2.) Providing this data should continue to be a voluntary requirement for urban water suppliers, as negotiated with the water community when § 10631.2 was enacted, and not a mandated requirement as part of compliance with the act.

Any legislation modifying the Urban Water Management Planning Act should:

- Maintain the existing language in California Water Code § 10631.2(a) that allows urban water suppliers to voluntarily provide information on energy usage.

Arguments in Support:

Urban water suppliers consider multiple variables when making water supply investments and when determining the appropriate mix of water resources they will need to meet future demands. These factors include, but are not limited to, cost-effectiveness, growth, potential climate change impacts, availability of resources, energy use, technical feasibility and regulatory issues. With that said, the number one variable considered by urban water suppliers in supply planning is maintaining water supply reliability for the community they serve. Energy use is only one factor in water supply planning, and cannot be considered independent of other factors. Requiring the reporting of this sole factor gives it undue weight in the supply planning process and in urban water management plans. This issue was appropriately not included in the framework for "Making Water Conservation a California Way of Life," and should not be included as a part of development of this legislation.

Conclusion

We appreciate the Senate Committee on Natural Resources and Water's solicitation of stakeholder input into legislation that is consistent with the vision of the Administration's "Making Conservation a California Way of Life" framework. We support the Senate's and Assembly's commitment to engage directly with water suppliers from around the state and other stakeholders as they continue development of this important legislation.

We look forward to working with the Legislature to secure a sustainable and resilient water future that protects local authority and includes sensible approaches to improving water use efficiency and enhancing drought planning and preparation. If you have any questions regarding the comments in this letter, please do not hesitate to contact me at (916) 441-4545 or whitniew@acwa.com.

Sincerely,



Whitnie Wiley  
Senior Legislative Advocate  
Association of California Water Agencies

WW:jv

Alameda County Water District  
Amador Water Agency  
Association of California Cities - Orange  
County  
Bay Area Water Supply and Conservation  
Agency  
Bella Vista Water District  
Calaveras County Water District  
California Building Industry Association  
California Chamber of Commerce  
California League of Food Producers  
California Municipal Utilities Association  
California Special Districts Association  
California Water Association  
Calleguas Municipal Water District  
Camrosa Water District  
Carlsbad Municipal Water District  
Carmichael Water District  
Casitas Municipal Water District  
Central Basin Municipal Water District  
Citrus Heights Water District  
City of Clovis  
City of Fairfield  
City of Newport Beach  
City of Oceanside  
City of Poway  
City of Redding – Public Works Department  
City of Roseville  
City of Sacramento  
City of Tustin  
City of Yuba City  
Coachella Valley Water District  
Contra Costa Water District  
County of Sacramento  
Cucamonga Valley Water District  
Desert Water Agency

Dublin San Ramon Services District  
East Orange County Water District  
Eastern Municipal Water District  
El Dorado County Water Agency  
El Dorado Irrigation District  
El Toro Water District  
Elk Grove Water District  
Elsinore Valley Municipal Water District  
Fallbrook Public Utility District  
Foothill Municipal Water District  
Georgetown Divide, Public Utilities District  
Groveland Community Services District  
Helix Water District  
Hidden Valley Lake Community Services  
District  
Humboldt Bay Municipal Water District  
Humboldt Community Services District  
Irvine Ranch Water District  
Jurupa Community Services District  
Kinneloa Irrigation District  
Long Beach Water Department  
Malaga County Water District  
McKinleyville Community Services District  
Mesa Water District  
Modesto Irrigation District  
Mojave Water Agency  
Monte Vista Water District  
Monterey Peninsula Water Management  
District  
Mountain Counties Water Resources  
Association  
Murphys Sanitary District  
Nevada Irrigation District  
Newhall County Water District  
Olivenhain Municipal Water District  
Orange County Water District

Orchard dale Water District	Scotts Valley Water District
Otay Water district	Solano Irrigation District
Padre Dam Municipal Water District	South Orange County Economic Coalition
Pasadena Water and Power	South Tahoe Public Utilities District
Placer County Water Agency	Stockton East Water District
Rainbow Municipal Water District	Suisun Solano Water Authority
Rancho California Water District	Sweetwater Authority
Rancho Murieta Community Services District	Three Valleys Municipal Water District
Reclamation District 1004	Trabuco Canyon Water District
Regional Water Authority	Tuolumne County Water Agency
Rincon del Diablo Municipal Water District	Tuolumne Utilities District
Riverside Public Utilities	Twain Harte Community Service District
Rowland Water District	Upper San Gabriel Valley Municipal Water District
Rural County Representatives of California	Utica Water and Power Authority
Sacramento Metropolitan Chamber of Commerce	Vallecitos Water District
Sacramento Suburban Water District	Valley Center Municipal Water District
San Diego County Water Authority	Vista Irrigation District
San Francisco Public Utilities Commission	Walnut Valley Water District
San Juan Water District	Western Municipal Water District
Santa Fe Irrigation District	Yorba Linda Water District
Santa Margarita Water District	Yuima Municipal Water District
	Zone 7 Water Agency

cc: The Honorable Eduardo Garcia, Chairman, Assembly Committee on Water, Parks and Wildlife  
The Honorable Nancy Skinner, Member, California State Senate  
The Honorable Laura Friedman, Member, California State Assembly  
The Honorable Blanca Rubio, Member, California State Assembly  
The Honorable Shirley Weber, Member, California State Assembly  
The Honorable Members, Senate Committee on Natural Resources and Water  
The Honorable Members, Assembly Committee on Water, Parks, and Wildlife  
The Honorable Members, Assembly Water Conservation Working Group  
Mr. Gordon Burns, Undersecretary, CalEPA  
Ms. Kim Craig, Deputy Cabinet Secretary, Office of the Governor  
Mr. Kip Lipper, Chief Policy Advisor, Office of the Senate President Pro Tem  
Mr. Alf Brandt, Senior Counsel, Office of the Assembly Speaker  
Mr. Dennis O'Connor, Principal Consultant, Senate Natural Resources and Water Committee  
Ms. Rachel Machi Wagoner, Chief Consultant, Senate Environmental Quality Committee  
Ms. Catherine Freeman, Chief Consultant, Assembly Committee on Water, Parks, and Wildlife  
Mr. Ryan Ojakian, Senior Consultant, Assembly Committee on Water, Parks, and Wildlife  
Mr. Michael Bedard, Chief of Staff, Office of Senator Robert Hertzberg  
Mr. Todd Moffitt, Consultant, Senate Republican Caucus  
Mr. Robert Spiegel, Consultant, Assembly Republican Caucus

August 3, 2017

Prepared and

Submitted by: C. Compton 

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

ACWA COMMITTEE NOMINATIONS FOR THE 2018-2019 TERM

SUMMARY:

IRWD has been an active participant in the Association of California Water Agencies (ACWA) with a high level of participation in various ACWA standing committees. ACWA is now accepting committee nominees for the 2018-2019 term. The Board and staff have confirmed their interest in participating on ACWA committees during the 2018-2019 term. Following the Committee's discussion and approval, staff will submit the Committee Consideration Form to ACWA signed by the General Manager prior to the September 29, 2017, deadline.

BACKGROUND:

IRWD has received a correspondence from ACWA requesting committee appointment nominations for its standing committees for the 2018-2019 term. A copy of the correspondence is attached as Exhibit "A".

Below are current District participants serving on ACWA committees:

ACWA Committee/Subcommittee	IRWD Participant:
Business Development Committee	None currently.
Communications Committee	Beth Beeman
Energy Committee	Steve LaMar
Federal Affairs Committee	Steve LaMar
Finance Committee	None currently.
Groundwater Committee	Doug Reinhart
Groundwater Sustainability Task Force	None currently.
Legal Affairs Committee	Mary Aileen Matheis
Local Government Committee	None currently.
Membership Committee	None currently.
State Legislative Committee	None currently.
Water Management Committee	None currently.
Water Quality Committee	Lars Oldewage



Water Resources Policy and Communications Committee: ACWA Committee Nominations for the 2018-2019 Term  
August 3, 2017  
Page 2

Attached as Exhibit "B" is a nomination consideration form with potential IRWD nominees for the 2018-2019 term. Staff recommends that IRWD submit the Committee Consideration Form to ACWA signed by the General Manager prior to the September 29, 2017, deadline.

FISCAL IMPACTS:

The District will be responsible for all costs associated with representative participation on ACWA committees.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Committee authorize staff to submit the Association of California Water Agencies Committee Consideration Form for Board and staff committee appointments for the 2018-2019 term.

LIST OF EXHIBITS:

Exhibit "A" – July 18, 2017, ACWA Committee Appointment Nominations Memorandum  
Exhibit "B" – ACWA Committee Consideration Form

Click [here](#) if you are having trouble viewing this message.



## MEMORANDUM

July 18, 2017

TO: ACWA MEMBER AGENCY BOARD PRESIDENTS  
ACWA MEMBER AGENCY GENERAL MANAGERS

FROM: Kathy Tiegs, ACWA PRESIDENT

SUBJECT: ACWA COMMITTEE APPOINTMENT CONSIDERATIONS FOR THE 2018-2019 TERM

### **PLEASE RESPOND BY SEPTEMBER 29, 2017**

Thank you for your involvement with ACWA. As you know, Committees are an integral part of ACWA's activities and policy development. With the end of the current Committee term fast approaching, it is time again to request 2018-2019 Committee nominations from ACWA members. All Committees will be reconstituted following the election of new officers (ACWA's President / Vice-President) at the 2017 ACWA Fall Conference.

In submitting names for consideration, please do so with the understanding that Committees need active, involved individuals able to expend the time and provide their expertise, if appointed. Please keep in mind that the district is responsible for all costs associated with the participation of its representatives on Committees.

The following information is available at [ACWA's website](#) or by clicking on each link.

- [ACWA Policy Committee Composition](#)
- [ACWA Committee Consideration Form](#)
- [ACWA Committee Consideration Process Timeline](#)

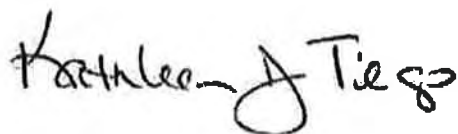
If you would like to reference current Committee members serving on a ACWA Committee please click [here](#).

All correspondence and forms regarding Committee appointments must be submitted to the ACWA office no later than September 29, 2017 to be eligible for consideration. Committee appointments will be made

by the incoming ACWA President in December. Please contact Region and Member Services Specialist II, Ana Javaid, at [anaj@acwa.com](mailto:anaj@acwa.com) or (916) 441-4545, if you have any questions concerning the Committee appointment process.

We appreciate your timely attention to this matter.

Thank you,



Kathleen J. Tiegs  
ACWA President

[ACWA Committees](#) | [ACWA Events](#) | [ACWA](#)



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Association of California Water Agencies.  
910 K Street, Suite 100, Sacramento, CA 95814  
phone: 916.441.4545 | email: [events@acwa.com](mailto:events@acwa.com)



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We hope you enjoy receiving email notices and updates from ACWA. At any time you can click [here](#) to unsubscribe or update your email preferences.

## ACWA COMMITTEE COMPOSITION

### COMMITTEE

### STAFF LIAISONS

#### **Business Development Committee – Standing/Unlimited**

*Meetings: 2 times a year*

The Business Development Committee develops and recommends to the Board of Directors programs and activities to be provided or administered by the association that generate non-dues revenue and provide a service or benefit to association members.

**Paula Currie**

*Director of Member Services and Events*

[paulac@acwa.com](mailto:paulac@acwa.com)

#### **Communications Committee – Standing/Limited (40 maximum)**

*Meetings: 4 times a year*

The Communications Committee develops and recommends to the Board of Directors and staff best practices regarding communications and public affairs programs. The committee promotes sound public information and education programs and practices among member agencies. It also prepares and distributes materials for use by member agencies in their local outreach efforts and provides guidance to ACWA's Communications Department.

**Lisa Lien-Mager**

*Director of Communications*

[ljalim@acwa.com](mailto:ljalim@acwa.com)

#### **Energy Committee – Standing/Unlimited**

*Meetings: 2 times a year*

The Energy Committee develops and recommends to the Board of Directors, the State Legislative Committee and the Federal Affairs Committee policies and programs regarding the water-energy nexus.

**Rebecca Franklin**

*Senior Regulatory Advocate*

[Rebeccafr@acwa.com](mailto:Rebeccafr@acwa.com)

#### **Federal Affairs Committee – Standing/Limited (5 Per Region)**

*Meetings: 2 times a year*

The Federal Affairs Committee coordinates with other ACWA committees regarding input and recommendations on federal legislation and other issues before both Congress and the federal administrative branches.

**David Reynolds**

*Director of Federal Affairs*

[direvns@sso.org](mailto:direvns@sso.org)

#### **Finance Committee – Standing/Limited (2 Per Region – 1 Region Chair or Vice Chair; 1 with financial experience)**

*Meetings: 4-5 times a year*

The Finance Committee develops and recommends to the Board of Directors policies and procedures related to annual budgets, investment strategies, annual audits and auditor selection, dues formula and schedule, and other financial matters.

**Fili Gonzales**

*Director of Finance & Business Services*

[fillg@acwa.com](mailto:fillg@acwa.com)

#### **Groundwater Committee – Standing/Unlimited**

*Meetings: 4 times a year*

The Groundwater Committee develops and recommends to the Board of Directors policies and programs regarding groundwater issues. The committee monitors state and federal regulations and legislation affecting the quality and management of groundwater, conducts studies and gathers data on groundwater issues, develops policies regarding groundwater management and coordinates with other committees on groundwater issues.

**Dave Bolland**

*Director of State Regulatory Relations*

[daveb@acwa.com](mailto:daveb@acwa.com)

**Legal Affairs Committee – Standing/Limited (45 Maximum)**

Meetings: 2-3 times a year

The Legal Affairs Committee acts on requests for assistance on legal matters of significance to ACWA member agencies. The committee reviews proposed ACWA bylaw revisions and works with staff to produce publications to assist member agencies in complying with state and federal laws. The committee also files amicus curiae filings on important cases, comments on proposed regulations and guidelines of state agencies such as the Fair Political Practices Commission and monitors and engages in water rights waters of interest to member agencies.

*\*The committee shall be composed of attorneys, each of whom shall be, or act as, counsel for a member of the Association.*

**Whitnie Wiley**

Senior Legislative Advocate

[whitniew@acwa.com](mailto:whitniew@acwa.com)

**Local Government Committee – Standing/Limited (3 Per Region)**

Meetings: 4 times a year

The Local Government Committee develops and recommends to the Board of Directors and the State Legislative Committee policies regarding local government matters affecting water agencies, including planning issues, local government organization, and finance. The committee also gathers and disseminates information on the value of special districts, and shares information promoting excellence in local government service delivery.

**Wendy Ridderbusch**

Director of State Legislative Relations

[wendyr@acwa.com](mailto:wendyr@acwa.com)

**Membership Committee – Standing/unlimited**

Meetings: 2 times a year

The Membership Committee develops and recommends to the Board of Directors policies regarding membership, eligibility and applications for membership. The committee also assists staff in developing membership recruitment and retention programs and reviews and makes recommendations to the Finance Committee regarding an equitable dues structure.

**Tiffany Giammona**

Member Services Group Manager

[tiffanyg@acwa.com](mailto:tiffanyg@acwa.com)

**State Legislative Committee – Standing/Limited (4 Per Region)**

Meetings: 10-12 times a year

The State Legislative Committee sets official state legislative policy positions on behalf of the association. The committee reviews relevant legislation, develops advocacy strategies and makes recommendations to the Board of Directors on ballot measures and other major statewide policy issues. The committee also works with staff on legislative amendments and provides direction on legislative matters.

**Wendy Ridderbusch**

Director of State Legislative Relations

[wendyr@acwa.com](mailto:wendyr@acwa.com)

**Water Management Committee – Standing/Limited (4 Per Region)**

Meetings: 4 times a year

The Water Management Committee develops and recommends to the Board of Directors policies and programs regarding water management. The committee reviews and recommends positions on legislation and regulations as requested by other committees. The committee also assists in gathering and disseminating information regarding agricultural and urban water management, water conservation and water use efficiency, development and use of water resources, wastewater treatment and water recycling and reuse.

**Dave Bolland**

Director of State Regulatory Relations

[daveb@acwa.com](mailto:daveb@acwa.com)

**Water Quality Committee – Standing/Unlimited**

Meetings: 4 times a year

The Water Quality Committee develops and recommends to the Board of Directors, the State Legislative Committee and the Federal Affairs Committee policies and programs regarding water quality issues. The committee promotes cost-effective state and federal water quality regulations and provides a forum for members to work together to develop and present unified comments on water quality regulations. The committee also develops and recommends positions and testimony on water quality regulatory issues.

**Rebecca Franklin**

Senior Regulatory Advocate

[Rebeccaf@acwa.com](mailto:Rebeccaf@acwa.com)



# COMMITTEE CONSIDERATION FORM

PLEASE PRINT LEGIBLY

Agency Name (DO NOT use acronyms or abbreviations)	Phone
Agency Address	City, State & Zip

**BELOW PLEASE LIST ALL THOSE INTERESTED IN BEING ON ACWA COMMITTEES FOR YOUR AGENCY. FOR ADDITIONAL RECOMMENDATIONS PLEASE FILL OUT ANOTHER FORM.**

*\*If an individual is not an agency employee or director, please indicate company affiliation.*

Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice

Signature (Agency/District General Manager or Board President signature required)      Title      Date

**QUESTIONS?**  
Contact Region and Member Services Specialist II  
Ana Javaid at [anaj@acwa.com](mailto:anaj@acwa.com) or (916) 441-4545

910 K Street, Suite 100  
Sacramento, CA 95814  
[www.acwa.com](http://www.acwa.com)

## 2017 ACWA Committee Appointment Process Timeline 2018-2019 Term

- July 17: COMMITTEE CONSIDERATION FORMS EMAILED**
- Email packets sent to Agency General Managers and Board Presidents packets include:
    - List of agency staff and directors who currently serve on an ACWA Committee
    - Committee Composition
    - Committee Consideration Form
    - 2018-2019 Committee Timeline
- July 24: EMAIL NOTIFICATION TO CURRENT COMMITTEE MEMBERS**
- Current committee members notified that committee process has began
  - All current committee members **MUST** submit a Committee Consideration Form to be considered for reappointment
- September 29: COMPLETED CONSIDERATION FORM DEADLINE**
- All committee consideration forms **due by September 29**
  - Any consideration forms submitted after September 29 will be added to the waiting list and considered after ACWA President makes the initial committee appointments for the term
- October 27: ACWA REGION CHAIR AND VICE CHAIR CONFERENCE CALL**
- ACWA staff will hold a conference call with newly elected Region Chair and Vice Chairs to review 2018-2019 Committee recommendation process
  - Consideration forms compiled and submitted to incoming Region Chair and Vice Chair
- November 16: CHAIR AND VICE CHAIRS RECOMMENDATION DEADLINE**
- No Region recommendations will be accepted after November 16
- November 30: RECOMMENDATIONS GIVEN TO ACWA PRESIDENT**
- Incoming ACWA President will receive Region Chair and Vice Chairs recommendations along with all consideration forms at ACWA Fall Conference
- December 11: ACWA PRESIDENT APPOINTS MEMBERS OF COMMITTEES**
- Incoming ACWA President submits all appointments to ACWA Staff
- December 31: ACWA WILL NOTIFY COMMITTEE MEMBERS OF APPOINTMENTS**
- Letters emailed to members who have been appointed to serve on a committee for the 2018-2019 term
  - Letters emailed notifying those who were not appointed to a committee

EXHIBIT "B"



COMMITTEE  
CONSIDERATION FORM

PLEASE PRINT LEGIBLY

Agency Name (DO NOT use acronyms or abbreviations) Irvine Ranch Water District	Phone (949) 453-5338
Agency Address 15600 Sand Canyon Ave.	City, State & Zip Irvine, CA 92618

**BELOW PLEASE LIST ALL THOSE INTERESTED IN BEING ON ACWA COMMITTEES FOR YOUR AGENCY. FOR ADDITIONAL RECOMMENDATIONS PLEASE FILL OUT ANOTHER FORM.**

*\*If an individual is not an agency employee or director, please indicate company affiliation.*

Name Steve LaMar	Title/Company* Board Member	Email Address lamar@irwd.com
Committee 1st Choice Federal Affairs Committee	Committee 2nd Choice	Committee 3rd Choice
Name Doug Reinhart	Title/Company* Board Member	Email Address reinhart@irwd.com
Committee 1st Choice Groundwater Committee	Committee 2nd Choice	Committee 3rd Choice
Name Mary Aileen Matheis	Title/Company* Board Member	Email Address matheis@irwd.com
Committee 1st Choice Legal Affairs Committee	Committee 2nd Choice	Committee 3rd Choice
Name Beth Beeman	Title/Company* Director of Public Affairs	Email Address beeman@irwd.com
Committee 1st Choice Communications Committee	Committee 2nd Choice	Committee 3rd Choice
Name Lars Oldewage	Title/Company* Water Quality Manager	Email Address oldewage@irwd.com
Committee 1st Choice Water Quality Committee	Committee 2nd Choice	Committee 3rd Choice
Name Christine Compton	Title/Company* Government Relations Officer	Email Address compton@irwd.com
Committee 1st Choice State Legislative Committee	Committee 2nd Choice	Committee 3rd Choice

Signature (Agency/District General Manager or Board President signature required)	General Manager Title	Date
---	--------------------------	------

**QUESTIONS?**

Contact Region and Member Services Specialist II  
Ana Javaid at anaj@acwa.com or (916) 441-4545

910 K Street, Suite 100  
Sacramento, CA 95814  
www.acwa.com





# COMMITTEE CONSIDERATION FORM

PLEASE PRINT LEGIBLY

Agency Name (DO NOT use acronyms or abbreviations) Irvine Ranch Water District	Phone (949) 453-5338
Agency Address 15600 Sand Canyon Ave.	City, State & Zip Irvine, CA 92618

**BELOW PLEASE LIST ALL THOSE INTERESTED IN BEING ON ACWA COMMITTEES FOR YOUR AGENCY.  
FOR ADDITIONAL RECOMMENDATIONS PLEASE FILL OUT ANOTHER FORM.**

*\*If an individual is not an agency employee or director, please indicate company affiliation.*

Name Fiona Sanchez	Title/Company* Director of Water Resources	Email Address sanchezf@irwd.com
Committee 1st Choice Water Management Committee	Committee 2nd Choice	Committee 3rd Choice
Name Ray Bennett	Title/Company* Engineer	Email Address bennett@irwd.com
Committee 1st Choice Energy Committee	Committee 2nd Choice	Committee 3rd Choice
Name Mary Lynn Coffee	Title/Company* Legal Counsel/Nossaman	Email Address mlcoffee@nossaman.com
Committee 1st Choice Water Quality Committee	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice
Name	Title/Company*	Email Address
Committee 1st Choice	Committee 2nd Choice	Committee 3rd Choice

Signature (Agency/District General Manager or Board President signature required)	General Manager Title	Date
---	--------------------------	------

**QUESTIONS?**

Contact Region and Member Services Specialist II  
Ana Javaid at [anaj@acwa.com](mailto:anaj@acwa.com) or (916) 441-4545

910 K Street, Suite 100  
Sacramento, CA 95814  
[www.acwa.com](http://www.acwa.com)

August 3, 2017  
Prepared and  
submitted by: C. Compton *cc*  
Approved by: Paul A. Cook *Paul A. Cook*

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

REVIEW OF IRWD ASSOCIATION MEMBERSHIPS

SUMMARY:

Staff has compiled a summary of the associations of which IRWD is a member and pays membership dues of \$650 or more per year (major memberships). The total amount of membership dues paid by IRWD in Fiscal Year 2016-17 was approximately \$300,000 with major membership expenses totaling \$246,702.73. A summary of the major memberships for Fiscal Year 2015-16 and Fiscal Year 2016-17 is attached as Exhibit "A".

Staff will present the summary to the Committee for discussion on the value of continuing membership in the listed associations. Staff will be prepared to review the purpose of these memberships, identify memberships and sponsorships that are of lower priority and value to the District, and identify association and sponsorship opportunities for discussion.

FISCAL IMPACTS:

Dues for IRWD association memberships are included in each annual operating budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Committee review and discuss the current list of IRWD association memberships and association and sponsorship opportunities.


LIST OF EXHIBITS:

Exhibit "A" – Summary of IRWD's Major Association Memberships

**EXHIBIT "A"**  
**Summary of IRWD's Major Association Memberships**

PROFESSIONAL ASSOCIATIONS	FY 2015/2016	FY 2016/2017
ALLIANCE FOR WATER EFFICIENCY	\$1,535.69	\$1,535.69
AMERICAN WATER WORKS ASSOCIATION	\$9,666.00	\$9,910.00
ASSOCIATION OF CALIFORNIA CITIES - ORANGE COUNTY	\$5,000.00	\$5,000.00
ASSOCIATION OF CALIFORNIA WATER AGENCIES	\$34,074.67	\$36,580.00
BIOENERGY ASSOCIATION OF CALIFORNIA	\$0.00*	\$1,100
CALDESAL	\$10,000.00**	\$5,000.00
CALIFORNIA ASSOCIATION OF PUBLIC PROCUREMENT OFFICIALS, INC.	\$650.00	\$650.00
CALIFORNIA ASSOCIATION OF SANITATION AGENCIES	\$18,720.00	\$19,282.00
CALIFORNIA COUNCIL FOR ENVIRONMENTAL AND ECONOMIC BALANCE- <i>California Environmental Dialogue</i>	\$22,000.00	\$22,000.00
CALIFORNIA COUNCIL FOR ENVIRONMENTAL AND ECONOMIC BALANCE- <i>Water Quality Task Force</i>	\$10,000.00	\$10,000.00
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION	\$9,717.00	\$9,717.00
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION	\$6,089.00	\$6,485.00
CLEAN WATER AND JOBS FOR CALIFORNIA	-	\$2,500.00
CLEAN TECH OC	\$1,000.00	\$2,000.00
CUWCC	\$6,971.79	\$6,985.04
GREATER IRVINE CHAMBER OF COMMERCE	\$1,600.00	\$1,600.00
INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION OF HUMAN RESOURCES	\$783.00	\$789.00
LIEBERT CASSIDY WHITMORE- <i>Orange County Human Resources Employment Relations Consortium</i>	\$3,245.00	\$3,245.00
NATIONAL ASSOCIATION OF GOVERNMENT DEFINED CONTRIBUTION ADMINISTRATORS	-	\$1,200.00
NEWPORT BEACH CHAMBER OF COMMERCE	\$2,500.00	\$2,500.00
NWRI	\$100,000.00**	\$50,000.00
ORANGE COUNTY BUSINESS COUNCIL	\$5,000.00	\$10,000.00**
ORANGE COUNTY FORUM	\$1,000.00	-
SOUTH ORANGE COUNTY REGIONAL CHAMBER OF COMMERCE/SOUTH ORANGE COUNTY ECONOMIC COALITION	\$0.00*	\$2,500.00
SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS	\$10,114.00	\$10,114.00
SOUTHERN CALIFORNIA WATER COMMITTEE	\$5,000.00	\$5,000.00
TUSTIN CHAMBER OF COMMERCE	\$775.00	\$889.00
UNIVERSITY OF CALIFORNIA- <i>Department of Civil &amp; Environmental Engineering</i>	\$1250.00	\$0.00
UNIVERSITY OF SOUTHERN CALIFORNIA- <i>Foundation for Cross-Connection Control and Hydraulic Research</i>	\$1,000.00	\$1,000.00
URBAN WATER INSTITUTE, INC.	\$1,250.00	\$1,250.00
UTILITY BRANDING NETWORK		\$10,000.00
WATER EDUCATION FOUNDATION	\$18,170.00	\$20,896.00
WATER ENVIRONMENT & REUSE FOUNDATION	-	\$15,530.00
WATER ENVIRONMENTAL RESEARCH FOUNDATION	\$8,280.00	-
WATEREUSE ASSOCIATION	\$8,624.00	\$8,025.00
WATEREUSE RESEARCH FOUNDATION	\$6,000.00	-
<b>TOTAL</b>	<b>\$310,015.15</b>	<b>\$246,702.73</b>

\*Invoice timing resulted in renewal payment in next fiscal year. \*\* Invoice timing resulted in multiple membership payments in fiscal year.

August 3, 2017  
Prepared by: B. Beeman  
Submitted by: P. Weghorst  
Approved by: Paul A. Cook 

## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### IMPLEMENTATION OF WATER USE EFFICIENCY OUTREACH CAMPAIGN

#### SUMMARY:

Recent customer focus group results indicate that IRWD's outreach efforts would benefit from an updated water use efficiency messaging strategy that would be sustainable during both drought and non-drought periods. In July 2016, the Board approved a Professional Services Agreement with Suple Advertising & Design (Suple) to develop a new creative outreach plan that communicates the value of water, sustains current levels of water savings and seeks additional permanent water savings among customer groups that have been traditionally difficult to reach. The resultant plan, along with creative outreach recommendations, will be presented at the Committee meeting. To implement this plan, staff recommends that the Board authorize the General Manager to execute a Professional Services Agreement with Suple for \$1,136,100.

#### BACKGROUND:

With the abatement of drought conditions, IRWD has moved from urgency-based water efficiency outreach efforts to the development of a new water efficiency outreach program that communicates the value of water, sustains current levels of water savings and seeks additional permanent water savings among customer groups that have been traditionally difficult to reach. In July 2016, the Board approved a Professional Services Agreement with Suple to develop an updated water use efficiency outreach program. Upon execution of the agreement, Suple completed the following four phases of outreach program development:

- A *Discovery Phase* that brought the knowledge and thinking of Suple and IRWD staff together;
- A *Customer Research Phase* that coordinated efforts between Suple and the District's current opinion, research and strategy firm, Fairbank, Maslin, Maullin, Metz & Associates (FM3). FM3 conducted four new customer focus group sessions with customers who regularly stay within their monthly water budgets as well as customers who regularly use more water than their monthly water budgets. The results of these focus groups, along with accumulated knowledge obtained from previous research efforts, was used to complete the last two phases of the outreach campaign;
- A *Message Strategy Development Phase* that utilized the information learned from the first two phases to formulate a simple and articulate message strategy; and
- A *Creative Development Phase* during which Suple developed a creative brief and a proposal that includes a plan for the execution of an updated water use efficiency outreach program.

Execution of Plan:

To execute the proposed plan, Suple will lead the implementation of the updated water use efficiency outreach campaign as described in the scope of work provided as Exhibit "A". The campaign will include the following elements:

- The *Campaign Execution* will take concepts for the 2017-18 launch campaign and apply them to actions to be taken within the media plan. The Campaign Execution will include writing, designing and launching each element of production.
- The *Campaign Media Buy* will launch in October 2017 with the goal of combatting outdoor water usage during the fall shoulder season. The Campaign Media Buy will include a primary media flight along with a sustained effort that will occur in late 2017 and the spring of 2018.
- The *Campaign Evaluation* that will track media and engagement metrics and coordinate efforts with FM3. The results of this research will help formulate the ongoing efforts after the proposed campaign concludes.

All not-to-exceed costs associated with implementing the outreach plan are listed in the following table. Suple will bill on a monthly basis for its efforts on a time and material basis up to the amounts shown.

Costs of Implementing 2017-18 Water Use Efficiency Outreach Campaign		
Campaign Execution	September 2017 – October 2017	\$450,000
Campaign Media Buy	October 2017 – April 2018	\$655,000
Evaluation	September 2017 – December 2017	\$15,000
Account Leadership	September 2017 – December 2017	\$15,300
Miscellaneous Hard Costs	September 2017 – December 2017	\$800
Total		\$1,136,100

At the Committee meeting, Suple will present the proposed outreach plan along with the creative and media strategy recommendations. To execute the proposed plan, staff recommends that the Board authorize the General Manger to execute a new Professional Services Agreement with Suple for \$1,136,100.

FISCAL IMPACTS:

The cost of the proposed water use efficiency outreach campaign is \$1,136,100. Funding for this effort is included in the FY 2017-18 operating budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

Water Resources Policy and Communications: Implementation of Water Use Efficiency  
Outreach Campaign  
August 3, 2017  
Page 3

RECOMMENDATION:

That the Board authorize the General Manager to execute a Professional Services Agreement with Sukle Advertising & Design in the amount of \$1,136,100 to implement a new water use efficiency outreach campaign.

LIST OF EXHIBITS:

Exhibit "A"- Sukle Advertising & Design Scope of Work

# EXHIBIT "A"



**SUKLE**  
2430 WEST 32ND AVENUE  
DENVER, COLORADO 80211

**P (303) 964-9100**  
**F (303) 964-9663**  
**SUKLE.COM**

## IRVINE RANCH WATER DISTRICT

### 2017/18 SCOPE OF WORK

July 21, 2017

Revision 8

#### SITUATION

Irvine Ranch Water District has asked for our assistance in moving their water conservation outreach forward to a new frontier. Building on the success of the drought outreach efforts, the goal is to launch a long-term outreach effort that communicates the value of water and promotes lasting water efficient behavior. To help achieve this goal, Sukle has been brought onboard to develop a water conservation messaging platform and to create social marketing campaigns that result in meaningful attitude and behavior change.

This proposal is designed to outline the scope of work required to keep the campaign in market during high watering seasons. To accomplish this, the first year scope of work is outlined below, beginning in September 2017, with media buys through April 2018. Work on the second year would begin in January 2018 and will be included in a future scope of work.

The overall year one plan includes two main campaign efforts: the first being the fall shoulder month campaign launching later this year targeting outdoor water usage, as well as a sustaining flight through April 2018 to help keep water-use efficiency top-of-mind during the winter months.

This scope includes the initial campaign execution in September 2017.

#### INITIATIVE

2017 Campaign Execution  
2017 Media Buy  
2017 Evaluation

#### PROJECTED TIMING

Sept 2017 – Oct 2017  
Oct 2017 – Apr 2018  
Sept 2017 – Dec 2017

---

Account Leadership  
Miscellaneous Hard Costs

Sept 2017 – Apr 2018  
Sept 2017 – Apr 2018

#### YEAR 1: 2017/18 APPROACH

This proposal outlines recommended communication activities and corresponding budgets for the 2017 Launch and 2018 Sustaining campaigns. Our approach is focused on maximizing change on the attitude and behaviors of IRWD customers within the district, while also balancing the need to be good stewards of available budget resources.

For 2017, the Launch activity will be in-market during the fall shoulder months of October – December 2017 and will target outdoor water usage with various media vehicles such as cable TV, cinema, digital video and banner advertising, out-of-home transit, bus shelters, and buses as well as community and ethnic papers. Sustaining activity will take place January through April of 2018 and will continue to communicate a water conversation message through a digital campaign, and potentially cable TV.

This scope intends to build upon projects that have already been completed:

Discovery Session	COMPLETE
2017 Message Strategy Development	COMPLETE
2017 Message Strategy Research & Evaluation	COMPLETE
2017 Campaign Concepting	COMPLETE
2017 Media Strategic Recommendation	COMPLETE

## 2017/18 BUDGET ALLOCATIONS

The budgets utilized were developed by analyzing outreach/marketing spend by similar sized water departments in California, Texas and Colorado, as well as the most recent IRWD campaign effort. Specific challenges associated with paid media planning and buying in the district were also considered and factored in.

### **2017 Campaign Execution**

The agency will take the concept for the 2017 launch campaign "Your Lawn's Perspective" (pending final board approval) and apply it to each and every tactic included within the media plan. This will include writing, designing and bidding each element for production.

This budget range was based off of producing up to three separate TV/video spots at :30-:60 seconds each, as well as creating up to three :15 second spots, edited from the three original :30 or :60 executions. These spots will air on cable TV, in digital videos and in cinema advertising. This estimate also includes three print executions to be used in out-of-home transit and bus shelters, as well as modified versions for community and ethnic papers. One to two creative executions for the development of digital banners in the standard sizes for mobile, desktop and tablet are included in this estimate. The digital banner executions will be similar to the print executions used in out-of-home, but may be animated in HTML5.

Language translation for two languages is included in this estimate for print. Translation costs for cable TV, digital video and digital banners will be determined in the bidding process. The language translation will be confirmed with the client prior to bidding.

Fees for production management and project oversight are included in this estimate range, as well as time and hard costs for a photo and / or video shoot, editing and trafficking the various media elements to meet the in-market dates. Costs for talent usage, rights, music and sound design are also included in this estimate range.

The tactics to be confirmed in the media plan execution are as follows: Cable TV, digital video and display banners, cinema, out-of-home transit, bus shelters, buses, non-traditional and print. This estimate range includes fees and production for the 2018 sustaining flight, as well, as a different set of creative will be produced for the digital campaign and potentially a cable TV buy, which will be confirmed in the media execution.

**Deliverables:** An integrated campaign, produced and trafficked for in-market dates

**Timing:** 12-16 weeks (includes design and production for sustaining flight)

**Cost:** \$365,000 - \$450,000\*

*\*Note: The full estimate will be executed upon approval of the contract. 75% of the production budget will be billed upon estimate signature for production.*



### **2017/18 Campaign Media Buy**

The media plan will target IRWD homeowners in the district for the first year. As both over-users and under-users dramatically underestimate their outdoor use, the 2017 campaign will launch in October 2017 to combat outdoor water usage during the fall shoulder season. This will include a primary media flight along with a sustaining effort later in the year. The tactics for this have been discussed, but not yet planned and purchased, and include the following:

- Cable TV (up to three :30/:15 second spots)
- Cinema (up to three :15 second spots)
- Digital video (up to three :15 second spots)
- Digital display banners in the standard sizes for mobile, tablet and desktop
- Up to three print executions for out-of-home transit, bus shelters, community and ethnic papers.

The winter / spring 2018 sustaining flight has been discussed as a digital campaign buy with digital videos and display banners, as well as a cable TV buy, to be determined.

Once the media plan is approved, the agency will execute the media buy for the 2017 launch campaign, as well as the 2018 sustaining flight to continue to communicate a long-term water-use efficiency message throughout the winter and spring months.

Once the campaign tactics are created and produced, the agency will ensure all elements are provided to the appropriate media outlet. This estimate includes fees to develop and execute the media plan, as well as to monitor the tactics in market. The agency will manage all elements of the campaign while it is in-market and track key media metrics and deliver monthly reporting.

Please see the media chart located in the Appendix for more detail on timing, estimated delivery (impressions, reach and frequency), as well as budget.

**Deliverables:** Paid media for cable TV, cinema, digital, print and out-of-home

#### **Timing:**

Launch Flight: Oct 2017 – Dec 2017

- Cable TV & Cinema
- Digital videos & display banners
- Print – Community and ethnic papers
- Out-of-home - bus shelters and bus wraps

Sustaining Flight: Jan 2018 – Apr 2018

- Cable TV (TBD)
- Digital videos & display banners

**Cost:** \$595,000 - \$655,000

*\*Note: The full estimate will be executed upon approval of the contract. Invoices will be sent 60 days in advance of the media flight date(s).*

### **2017 Campaign Evaluation**

The agency will track media and engagement metrics. We will work with your organization and research partner to develop a strategy to measure real changes in attitude and behavior. At the conclusion of the launch campaign, in the winter of 2017, a report will be created summarizing the campaign, key metric reporting, media analytics and key takeaways.

**Deliverable:** A campaign report and ongoing tracking

**Timing:** On-going over the course of the campaign with the report to be provided within 60 days of evaluation being finalized

**Cost:** \$15,000

### **2017/18 YEARLY BUDGET ALLOCATIONS**

#### **Account Leadership**

Account leadership entails all ongoing leadership that ensures your account is run as seamlessly and efficiently as possible. This often involves work that spans across multiple projects and initiatives and is critical to the overall success.

This include general account and campaign oversight and management functions that are not specific to any one component of the campaign(s), including regular status calls, budget/fiscal management and reconciliation, account onboarding discussions and learnings that impact multiple topics and projects.

#### **Deliverables:**

- Weekly project status meetings
- Monthly budget management and reconciliation, including the creation of a master budget document and monthly billing summary reports
- Review of any documentation, presentations, research reports

**Timing:** Ongoing, September 2017-April 2018

**Cost:** \$15,300 (\$1,912.50/monthly)

#### **Miscellaneous Hard Costs**

Estimated cost to cover travel, such as mileage, as well as postage, long-distance charges and conference calls will be invoiced at cost, as incurred.

**Timing:** Ongoing, September 2017-April 2018

**Cost:** \$800 (Billed as hard costs are incurred)

**2017 PROPOSED BUDGET**

2017 Campaign Execution (Sept 2017-Oct 2017)	\$365,000 - \$450,000
2017 Campaign Media Buy (Oct 2017-Apr 2018)	\$595,000 - \$655,000
2017 Evaluation (Sept 2017-Dec 2017)	\$15,000
2017 Account Leadership (Sept 2017-Apr 2018)	\$15,300
2017 Miscellaneous Hard Costs (Sept 2017-Apr 2018)	\$800
<b>Total:</b>	<b>\$991,048- \$1,136,100</b>

**PAYMENT TERMS:** Sukle will submit monthly invoices on a time and materials basis.

August 3, 2017

Prepared by: K. Welch/E. Akiyoshi

Submitted by: F. Sanchez/P. Weghorst *FW*

Approved by: Paul Cook *Paul Cook*

## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### AMENDED WATER SUPPLY ASSESSMENT FOR PLANNING AREAS 40 AND 12 GENERAL PLAN AMENDMENT AND ZONE CHANGE PROJECT

#### SUMMARY:

In April 2017, staff received a request from the City of Irvine (City) to complete a Water Supply Assessment (WSA) as required under SB 610 for the Planning Area (PA) 40 and PA 12 General Plan Amendment (GPA) and Zone Change Project that will reflect proposed changes to portions of PA 40 and PA 12. Staff has completed an Amended WSA for the proposed project and recommends Board approval of the document.

#### BACKGROUND:

On December 17, 2007, the Board approved a WSA for PA 40 and PA 12 as requested by the City in accordance with SB 610. The demands for the PA 40 and PA 12 were incorporated into the District's demand forecasting and were included in the District's most recent 2015 Urban Water Management Plan. The overall project included 4,487 dwelling units and 8.1 million square feet (msf) of mixed use, industrial and commercial use.

In April 2017, the City requested that IRWD prepare a WSA for the Planning Area (PA) 40 and PA 12 General Plan Amendment (GPA) and Zone Change Project (Project) to reflect proposed land use changes within portions of PA 40 and PA 12. The Project includes three areas within PA 40 and PA 12 that are in the central portion of the City. A location map of the project sites is attached as Exhibit "A".

#### Revisions to Project:

The City is proposing a project that involves a GPA and Zone Change for portions of PA 40 and PA 12. The proposed Project revises PA 40 and PA 12 to include a net increase of 1,343 dwelling units and net decrease of 1.5 msf of mixed use, industrial and commercial use. An Amended WSA has been completed in response to the City's request related to the revised Project and is provided as Exhibit "B". The Amended WSA is based on information from the most recent IRWD Water Resources Master Plan. Estimates show a net decrease of 178 acre-feet per year (AFY) in potable water demands and a net decrease of 4 AFY of non-potable demand associated with the revised land use changes.

The Amended WSA concludes that the total water supplies available to IRWD during normal, single-dry and multiple-dry years within a 20-year projection will meet the projected water demands of the Project, in addition to the demand of existing and other planned future uses, including, but not limited to, agricultural and manufacturing uses.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

The development of the Amended WSA is exempt from the California Environmental Quality Act (CEQA) as authorized under the California Code of Regulations, Title 14, Chapter 3, Section 15262 which provides exemption for planning studies.

RECOMMENDATION:

That the Board approve the Amended Water Supply Assessment for Planning Areas 40 and 12 General Plan Amendment and Zone Change Project.

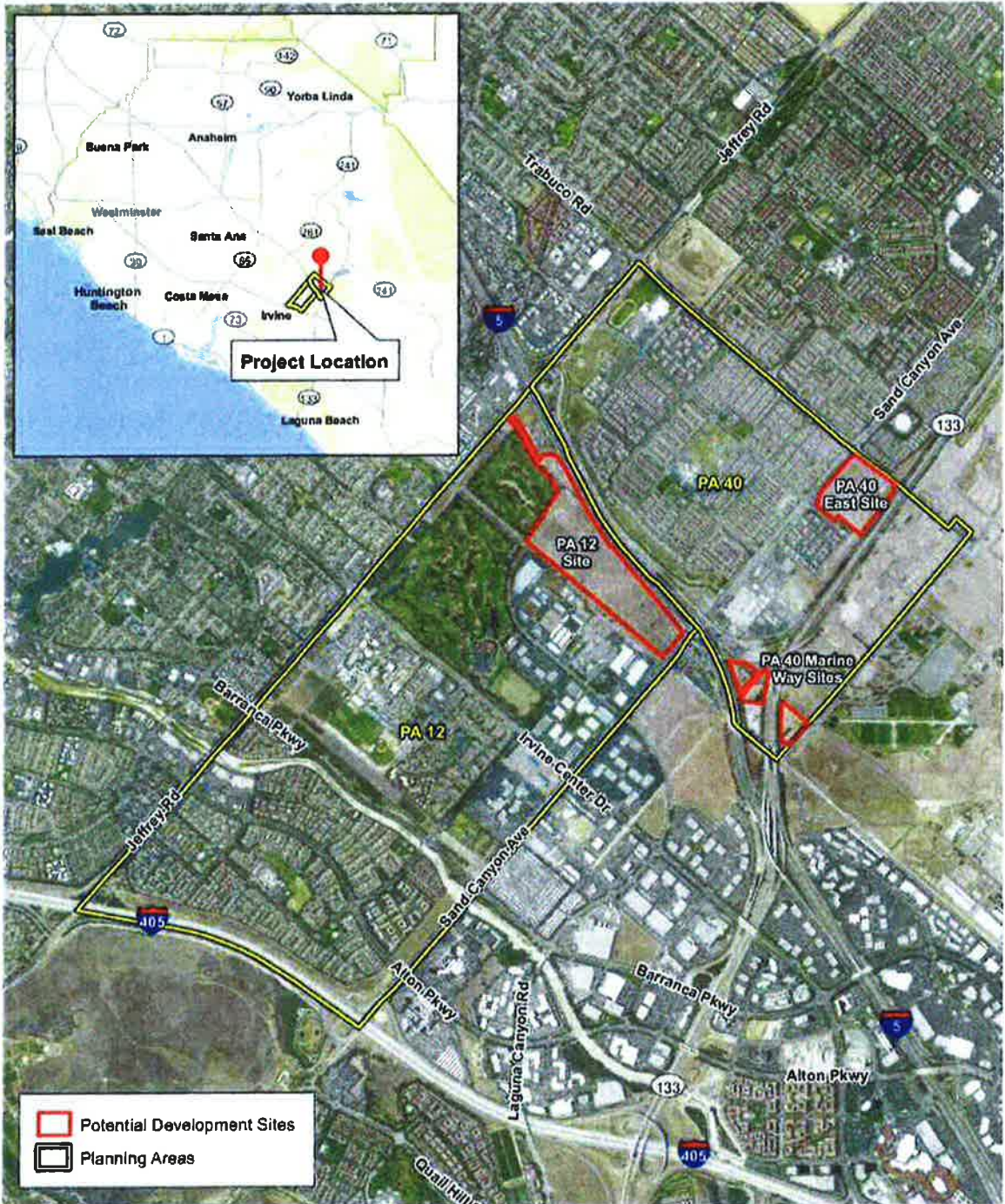
LIST OF EXHIBITS:

Exhibit "A" – Location Map

Exhibit "B" – Amended Water Supply Assessment for Planning Areas 40 and 12 General Plan Amendment and Zone Change Project

# EXHIBIT "A"

## REGIONAL LOCATION AND LOCAL VICINITY



Planning Areas 12 and 40  
General Plan Amendment and Zone Change Project  
Irvine, CA



# EXHIBIT "B"

## AMENDED IRVINE RANCH WATER DISTRICT ASSESSMENT OF WATER SUPPLY Water Code §10910 *et seq.*

To: (Lead Agency)

City of Irvine  
One Civic Center Plaza  
Irvine, CA 92606

(Applicant)  
The Irvine Company  
550 Newport Center Drive  
Newport Beach, CA 92658-6370

### Project Information

Project Title: Planning Area (PA) 12 and PA 40 General Plan Amendment and Zone Change (Exhibit A)

- Residential: No. of dwelling units: 1,343
- Shopping center or business: No. of employees \_\_\_\_\_ Sq. ft. of floor space \_\_\_\_\_
- Commercial office: No. of employees \_\_\_\_\_ Sq. ft. of floor space \_\_\_\_\_
- Hotel or motel: No. of rooms \_\_\_\_\_
- Industrial, manufacturing or processing: No. of employees \_\_\_\_\_ No. of acres \_\_\_\_\_  
Sq. ft. of floor space \_\_\_\_\_
- Mixed use (check and complete all above that apply) (see Exhibit B)
- Other: \_\_\_\_\_

### Assessment of Availability of Water Supply

On \_\_\_\_\_, 2017, the Board of Directors of the Irvine Ranch Water District (IRWD) approved the within assessment and made the following determination regarding the above-described Project:

- The projected water demand for the Project  was  was not included in IRWD's most recently adopted urban water management plan.
- A sufficient water supply is available for the Project.  
The total water supplies available to IRWD during normal, single-dry and multiple-dry years within a 20-year projection will meet the projected water demand of the Project in addition to the demand of existing and other planned future uses, including, but not limited to, agricultural and manufacturing uses.
- A sufficient water supply is not available for the Project. [Plan for acquiring and developing sufficient supply attached. Water Code § 10911(a)]

The foregoing determination is based on the following Water Supply Assessment Information and supporting information in the records of IRWD.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Water Supply Assessment Information

### Purpose of Assessment

Irvine Ranch Water District (“IRWD”) has been identified by the City as a public water system that will supply water service (both potable and nonpotable) to the project identified on the cover page of this assessment (the “Project”). As the public water system, IRWD is required by Section 10910 *et seq.* of the Water Code to provide the City with an assessment of water supply availability (“assessment”) for defined types of projects. The Project has been found by the City to be a project requiring an assessment. The City is required to include this assessment in the environmental document for the Project, and, based on the record, make a determination whether projected water supplies are sufficient for the Project and existing and planned uses.

Water Code Section 10910 *et seq.* (the “Assessment Law”) contains the requirements for the information to be set forth in the assessment.

### Prior Water Supply Assessments

IRWD does not allocate particular supplies to any project, but identifies total supplies for its service area. Because of IRWD’s aggregation of demands and supplies, each assessment completed by IRWD is expected to be generally similar to the most recent assessment, with changes as needed to take into account changes, if any, in demands and supplies, and any updated and corrected information obtained by IRWD. Previously assessed projects’ water demands will be included in the baseline. A newly assessed project’s water demand will have been included in previous water supply assessments for other projects (as part of IRWD’s “full build-out” demand) to the extent of any land use planning or other water demand information for the project that was available to IRWD.

The Project’s water demand was included (as part of IRWD’s “full build-out” demand) in previous water supply assessments performed by IRWD. In this water supply assessment, the Project demand will be revised in accordance with updated information provided by the applicant and included in the “with project” demand. This Amended Assessment supersedes the Assessment dated December 17, 2007, to adjust water demand figures as shown in Figures 1 through 8 in order to reflect the effect on the Project of the proposed land use change designated “Planning Area (PA) 12 and PA 40 General Plan Amendment and Zone Change Project,” as requested by the letter from the City of Irvine dated April 28, 2017 (see Exhibit B).

### Supporting Documentation

IRWD prepares two planning documents to guide water supply decision-making. IRWD’s principal planning document is IRWD’s “Water Resources Master Plan” (“WRMP”). The WRMP is a comprehensive document compiling data and analyses that IRWD considers necessary for its planning needs. IRWD also prepares an Urban Water Management Plan (“UWMP”), a document required by statute. The UWMP is based on the WRMP, but contains defined elements as listed in the statute (Water Code Section 10631 *et seq.*), and, as a result, is more limited than the WRMP in the treatment of supply and demand issues. Therefore, IRWD primarily relies on its most recent WRMP. The UWMP is required to be updated in years ending with “five” and “zero,” and IRWD’s most recent update of that document was adopted June 27, 2016.



In addition to the WRMP and the 2015 UWMP mentioned above, other supporting documentation referenced herein is found in Section 6 of this assessment.

Due to the number of contracts, statutes and other documents comprising IRWD's written proof of entitlement to its water supplies, in lieu of attachment of such items, they are identified by title and summarized in Section 2(b) of this assessment (written contracts/proof of entitlement). Copies of the summarized items can be obtained from IRWD.

### Assessment Methodology

**Water use factors; dry-year increases.** IRWD employs water use factors to enable it to assign water demands to the various land use types and aggregate the demands. The water use factors are based on average water use and incorporate the effect of IRWD's tiered-rate conservation pricing and its other water conservation programs. The factors are derived from historical usage (billing data) and a detailed review of water use factors within the IRWD service areas conducted as a part of the WRMP. System losses at a rate of approximately 5% are built into the water use factors. Water demands also reflect normal hydrologic conditions (precipitation). Lower levels of precipitation and higher temperatures will result in higher water demands, due primarily to the need for additional water for irrigation. To reflect this, base (normal) WRMP water demands have been increased 7% in the assessment during both "single-dry" and "multiple-dry" years. This is consistent with IRWD's 2015 UWMP and historical regional demand variation as documented in the Metropolitan Water District of Southern California's ("MWD's") Integrated Resources Plan (1996) (Volume 1). This increase in estimated demands is also consistent with MWDOC's 2015 UWMP which assumes increased demands in single dry and multiple dry years of 6% based on MWDOC's Orange County Reliability Study (MWDOC 2015 UWMP, pg. 3-42).

**Planning horizon.** For consistency with IRWD's WRMP, the assessment reviews demands and supplies through the year 2037, which is considered to represent build-out or "ultimate development".

**Assessment of demands.** Water demands are reviewed in this assessment for three development projections (to 2037):

- Existing and committed demand (without the Project) ("baseline"). This provides a baseline condition as of the date of this assessment, consisting of demand from existing development, plus demand from development that has both approved zoning and (if required by the Assessment Law) an adopted water supply assessment.
- Existing and committed demand, plus the Project ("with-project"). This projection adds the Project water demands to the baseline demands.
- Full WRMP build-out ("full build-out"). In addition to the Project, this projection adds potential demands for all presently undeveloped areas of IRWD based on current general plan information, modified by more specific information available to IRWD, as more fully described in Chapter 2 of the WRMP.

**Assessment of supplies.** For comparison with demands, water supplies are classified as *currently available* or *under development*:

- *Currently available* supplies include those that are presently operational, and those that will be operational within the next several years. Supplies expected to be operational in the next several years are those having completed or substantially completed the environmental and regulatory review process, as well as having necessary contracts (if any) in place to move forward. These supplies are in various stages of planning, design, or construction.
- In general, supplies *under development* may necessitate the preparation and completion of environmental documents, regulatory approvals, and/or contracts prior to full construction and implementation.

IRWD is also evaluating the development of additional supplies that are not included in either *currently available* or *under-development* supplies for purposes of this assessment. As outlined in the WRMP, prudent water supply and financial planning dictates that development of supplies be phased in over time consistent with the growth in demand.

Water supplies available to IRWD include several sources: groundwater pumped from the Orange County groundwater basin (including the Irvine Subbasin); captured local (native) surface water; recycled sewage; and supplemental imported water supplied by MWD through the Municipal Water District of Orange County (“MWD OC”). The supply-demand comparisons in this assessment are broken down among the various sources, and are further separated into potable and nonpotable water sources.

**Comparison of demand and supply.** The three demand projections noted above (baseline, with-project and full build-out) are compared with supplies in the following ways:

- On a total *annual* quantity basis (stated in acre-feet per year (“AFY”)).
- On a *peak-flow* (maximum day) basis (stated in cubic feet per second (“cfs”)).
- Under three climate conditions: base (normal) conditions and single-dry and multiple-dry year conditions. (Note: These conditions are compared for *annual* demands and not for *peak-flow* demands. *Peak-flow* is a measure of a water delivery system’s ability to meet the highest day’s demand of the fluctuating demands that will be experienced in a year’s time. Peak demands occur during the hot, dry season and as a result are not appreciably changed by dry-year conditions; dry-year conditions do affect *annual* demand by increasing the quantity of water needed to supplement normal wet-season precipitation.)

#### Summary of Results of Demand-Supply Comparisons

Listed below are Figures provided in this assessment, comparing projected potable and nonpotable water supplies and demands under the three development projections:

- Figure 1: Normal Year Supply and Demand – Potable Water
- Figure 2: Single Dry-Year Supply and Demand – Potable Water
- Figure 3: Multiple Dry-Year Supply and Demand – Potable Water
- Figure 4: Maximum-Day Supply and Demand – Potable Water

- Figure 5: Normal Year Supply and Demand – Nonpotable Water
- Figure 6: Single Dry-Year Supply and Demand – Nonpotable Water
- Figure 7: Multiple Dry-Year Supply and Demand – Nonpotable Water
- Figure 8: Maximum-Day Supply and Demand – Nonpotable Water

It can be observed in the Figures that IRWD's *supplies* remain essentially constant between normal, single-dry and multiple-dry years. This result is due to the fact that groundwater and MWD imported water account for the majority of all of IRWD's potable supply, and recycled water, groundwater and imported water comprise all of IRWD's nonpotable supply. Groundwater production typically remains constant or increases in cycles of dry years, even if overdraft of the basin temporarily increases, as groundwater producers reduce their demand on imported supplies to secure reliability. (See Section 4 herein.) As to imported water, MWD's 2015 Urban Water Management Plan (MWD UWMP) concludes that MWD has sufficient supply capabilities to meet expected demands from 2020 through 2040 under a repeat of the 1990-1992 multiple dry-year hydrology and the 1977 single dry-year hydrology. (See also Section 2(b) (1) "IMPORTED SUPPLY - ADDITIONAL INFORMATION," below.) Recycled water production also remains constant, and is considered "drought-proof" as a result of the fact that sewage flows remain virtually unaffected by dry years. Only a small portion of IRWD's supply, native water captured in Irvine Lake, is reduced in single-dry and multiple-dry years. The foregoing factors also serve to explain why there is no difference in IRWD's supplies between single-dry and multiple-dry years.

A review of the Figures indicates the following:

- *Currently available* supplies of potable water are adequate to meet projected annual demands for both the *baseline* and *with-project* demand projections under the normal year conditions through the year 2037. (Figures 1, 2 and 3.)
- Meeting both single- and multiple-dry-year annual demands for *full build-out* will require the completion of *under-development* supplies. (Figures 2 and 3.)
- Adequate *currently available* potable water supply capacity is available to meet *peak-flow* (maximum day) demands for all demand projections through the year 2037. (Figure 4.)
- With respect to nonpotable water, *currently available* supplies are adequate to meet projected annual demands for both the *baseline* and *with-project* demand projections under both dry-year conditions through the year 2037. (Figures 5, 6, 7 and 8.) IRWD has proceeded with the implementation of future nonpotable supplies, as shown in the Figures, to improve local reliability during dry-year conditions.

The foregoing Figures provide an overview of IRWD potable and nonpotable water supply capabilities. More detailed information on the anticipated development and use of supplies, which incorporates source costs and reliability issues, is provided in the WRMP.

***Margins of safety.*** The Figures and other information described in this assessment show that IRWD's assessment of supply availability contains several margins of safety or buffers:

- “Reserve” water supplies (excess of supplies over demands) will be available to serve as a buffer against inaccuracies in demand projections, future changes in land use, or alterations in supply availability.
- Conservative estimates of annual potable and nonpotable *imported* supplies have been made based on connected delivery capacity (by application of peaking factors as described below in Section 2, footnote 1); additional supplies are expected to be available from these sources, based on legal entitlements, historical uses and information provided by MWD. In addition to MWD’s existing regional supply assessments, this assessment has considered MWD information concerning recent events. See “**Recent Actions on Delta Pumping**,” below.
- Information provided by MWD, as the imported water supplier, concerning the adequacy of its regional supplies, summarized herein, demonstrates MWD’s inclusion of reserves in its regional supply assessments. In addition to MWD’s existing regional supply assessments, this assessment has considered MWD information concerning recent events. See “**Recent Actions on Delta Pumping**,” below.
- Although groundwater supply amounts shown in this assessment assume production levels within applicable basin production percentages described herein, production of groundwater can exceed applicable basin production percentages on a short-term basis, which provides additional reliability during dry years or emergencies.

**Recent Actions on Delta Pumping.** The Sacramento/San Joaquin Delta (“Delta”) is a vulnerable component in both the State and Federal systems to convey water from northern portions of California to areas south of the Delta. Issues associated with the Delta have generally been known for years; however, most recently, the continuing decline in the number of endangered Delta smelt resulted in the filing of litigation challenging permits for the operation of the Delta pumping facilities. On August 31, 2007, a Federal court ordered interim protective measures for the endangered Delta smelt, including operational limits on Delta pumping, which have an effect on State Water Project (“SWP”) operations and supplies. On June 4, 2009, a federal biological opinion imposed rules that further restrict water diversions from the Delta to protect endangered salmon and other endangered fish species. At present, several proceedings concerning Delta operations are ongoing to evaluate options to address Delta smelt impacts and other environmental concerns. In addition to the regulatory and judicial proceedings to address immediate environmental concerns, the Delta Vision process and Bay-Delta Conservation Plan (“BDCP”) process are defining long-term solutions for the Delta. In addition, State and federal agencies and water user entities are currently engaged in the development of the BDCP/California WaterFix, which is aimed at making physical and operational improvements to the SWP system in the Delta necessary to restore and protect ecosystem health, south of Delta SWP water supplies and water quality (MWD UWMP). Prior to the 2007 court decision, MWD’s Board approved a Delta Action Plan in May 2007 that described short, mid and long-term conditions and the actions to mitigate potential supply shortages and to develop and implement long-term solutions. To address uncertainties in expected SWP supplies, in October 2007, MWD prepared 2007 IRP Implementation Report, in which MWD estimated that it could see as much as up to a 22% reduction on average of its SWP supplies based on the court order. To comprehensively address the impacts of the SWP cut back on MWD’s water supply development targets, in December 2007, MWD brought to its Board a strategy and work plan to update the long-term Integrated Resources Plan (“IRP”). As part of its ongoing long term planning, in its 2010 IRP Update, MWD identified changes to the long-term plan and established direction to address the range of potential changes in water

supply planning. The 2010 IRP also discusses dealing with uncertainties related to impacts of climate change (see additional discussion of this below), as well as actions to protect endangered fisheries. MWD's reliability goal that full-service demands at the retail level will be satisfied for all foreseeable hydrologic conditions remained unchanged in the 2010 IRP Update. The 2010 IRP Update emphasizes an evolving approach and suite of actions to address the water supply challenges that are posed by uncertain weather patterns, regulatory and environmental restrictions, water quality impacts and changes in the state and the region. MWD's Adaptive Resource Management Strategy includes three components: Core Resources Strategy, Supply Buffer Implementation and Foundational Actions which together provides the basis for the 2010 IRP Update. The 2010 IRP Update expands the concept of developing a planning buffer from the 2004 IRP Update by implementing a supply buffer equal to 10 percent of the total retail demand. MWD indicates it will collaborate with its member agencies to implement this buffer through complying with Senate Bill 7 which calls for the state to reduce per capita water use 20 percent by the year 2020.

In January 2016, MWD adopted its 2015 IRP Update. In the 2015 IRP Update, MWD continued its adaptive management strategy and integrated future supply actions to improve the viability of potential contingency resources as needed, and to position the region to effectively implement these resources in a timely manner. The 2015 IRP finds additional action is needed in investments in conservation, local supplies, the California WaterFix, and stabilizing Colorado River supplies. Among the supply actions, MWD will continue to work collaboratively with state and federal agencies on the California WaterFix, maximize its storage and transfer approach, and continue to develop and protect local supplies and conservation.

***IRWD's Evaluation of Effect of Reduced MWD Supplies to IRWD:*** In the MWD UWMP, MWD states it has supply capability that would be sufficient to meet expected demands from 2020 to 2040 under single dry year and multiple dry year conditions.<sup>1</sup>

Based on the prior MWD 2007 IRP Implementation Report, as a result of the 2007 federal court order, MWD estimated that it could receive reduction of SWP supplies of up to 22% on average until a long term solution was implemented. For purposes of ensuring a conservative analysis, IRWD made an evaluation of the effect of the 22% estimated reduction of MWD's SWP supplies on its overall imported supplies. IRWD estimates that 22% reduction of SWP supplies conservatively translates to approximately 16% reduction in all of MWD's imported supplies over the years 2015 through 2037. For this purpose it is assumed that MWD's total supplies consist only of imported SWP and Colorado deliveries. Based on this estimate, this assessment uses a 16% reduction in MWD supplies available to IRWD for the years 2015 through 2037, using IRWD's connected capacity without any water supply allocation imposed by MWD. This reduction in MWD supplies is reflected in Figures 1, 2, 3, 5, 6, and 7.

Per the MWD UWMP, MWD performs water shortage planning in its Water Surplus and Drought Management ("WSDM") Plan (1988) which guides MWD's planning and operations during both shortage and surplus conditions. Furthermore, MWD developed the Water Supply Allocation Plan ("WSAP") (February 2009, updated December 2014) which provides

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<sup>1</sup> MWD's UWMP utilized DWR's 2015 SWP Delivery Capability Report to estimate its SWP supplies for 2015 through 2040. These estimates incorporate the effect of regulatory requirements in accordance with biological opinions and also reflect potential impacts of climate change on SWP operations. Tables A.3-7 of the MWD UWMP reflect a reduction of approximately 12% in MWD's expected average year SWP entitlement supplies. This amount is a smaller percentage reduction than MWD's 2007 estimate of 22% that was used by IRWD for purposes of this analysis. For purposes of a conservative analysis, IRWD has used the 22% reduction cited by MWD in its October 2007 IRP Implementation Report as the basis of IRWD's analysis.

standardized methodology for allocation of MWD's supplies during times of shortage. The WSDM Plan distinguishes between shortages, severe shortages and extreme shortages. These terms have specific meanings relating to MWD's ability to deliver water and the actions it takes. In June 2008, MWD's Board adopted a Water Supply Condition Framework to communicate the urgency of the region's water supply situation and the need for further water conservation to reduce regional demands, MWD uses the WSDM Plan and Framework to determine if a WSAP is recommended.

As an alternative means of analyzing the effect of reduced MWD supplies on IRWD, Figures 1a, 2a, and 3a show IRWD's estimated supplies in all of the 5-year increments (average and single and multiple dry years) under a short-term MWD allocation scenario whereby MWD declares a shortage stage under its WSAP, and a cutback is applied to IRWD's actual usage rather than its connected capacity. IRWD's evaluation of reduced MWD supplies to IRWD as shown in Figures 1a, 2a and 3a conservatively analyzes the effect of up to a MWD level 5 Regional Shortage Level. In February 2009, IRWD updated Section 15 of its Rules and Regulations – Water Conservation and Water Supply Shortage Program and also updated its Water Shortage Contingency Plan which is a supporting document for Section 15. Section 15 of the Rules and Regulations serves as IRWD's "conservation ordinance". As stated in IRWD's Water Shortage Contingency Plan, use of local supplies, storage and other supply augmentation measures can mitigate shortages, and are assumed to be in use to the maximum extent possible during declared shortage levels. On April 14, 2015, MWD approved the implementation of its WSAP at a level 3 Regional Shortage Level and an effective 15% reduction in regional deliveries effective July 1, 2015, through June 30, 2016. As a result of IRWD's diversified water supplies, IRWD is reliant on MWD for only 20% of its total supplies. IRWD's evaluation of reduced MWD supplies to IRWD as shown in Figures 1a, 2a and 3a would include MWD's 2015 actions to implement a level 3 Regional Shortage Level and 15% reduction.

Under shortage scenarios, IRWD may need to supplement supplies with production of groundwater, which can exceed the applicable basin production percentage on a short-term basis, providing additional reliability during dry years or emergencies.<sup>2</sup>

In addition, IRWD has developed water banking projects in Kern County, California which may be called upon for delivery of supplemental banked water to IRWD under a MWD WSAP.<sup>3</sup> IRWD may also convert non-potable water uses to recycled water as a way to

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<sup>2</sup> In these scenarios, it is anticipated that other water suppliers who produce water from the Orange County Basin will also experience cutbacks of imported supplies and will increase groundwater production and that Orange County Water District ("OCWD") imported replenishment water may also be cutback. The OCWD's "2015-2016 Engineer's Report on the Groundwater Conditions, Water Supply and Basin Utilization" references a report (OCWD Report on Evaluation of Orange County Groundwater Basin Storage and Operational Strategy, 2007) which recommends a basin management strategy that provides general guidelines for annual basin refill or storage decrease based on the level of accumulated overdraft. It states: "Although it is considered to be generally acceptable to allow the basin to decline to 500,000 AF overdraft for brief periods due to severe drought conditions and lack of supplemental water...an accumulated overdraft of 100,000 AF best represents an optimal basin management target. This optimal target level provides sufficient storage space to accommodate anticipated recharge from a single wet year while also providing water in storage for at least 2 or 3 consecutive years of drought." MWD replenishment water is a supplemental source of recharge water and OCWD estimates other main supply sources for recharge are available.

<sup>3</sup> IRWD has developed water banking projects ("Water Bank") in Kern County, California and has entered into a 30-year water banking partnership with Rosedale-Rio Bravo Water Storage District to operate IRWD's Strand Ranch and Stockdale West portions of the Water Bank. The Water Bank can improve IRWD's water supply reliability by capturing lower cost water available during wet hydrologic periods for use during dry periods. The Water Bank can enhance IRWD's ability to respond to drought conditions and potential water supply interruptions.

conserve potable water. In addition, if needed, resultant net shortage levels can be addressed by demand reduction programs as described in IRWD's Water Shortage Contingency Plan.

Listed below are Figures provided comparing projected potable water supplies and demands in all of the five year increments, under a temporary MWD allocation scenario:

Figure 1a: Normal Year Supply and Demand (MWD Allocated) – Potable Water  
Figure 2a: Single Dry-Year Supply and Demand (MWD Allocated) – Potable Water  
Figure 3a: Multiple Dry-Year Supply and Demand (MWD Allocated) – Potable Water

It can be noted that IRWD's above approach is conservative, in that IRWD evaluates the effect of the 16% reduction through 2037 and shows the effect of current allocation scenarios in all of the five-year increments, but MWD reports that it has made significant progress in other water resource categories such as transfers, groundwater storage and developing other local resources, and supplies will be available from these resources over the long-term.

**Climate Change.** The California Department of Water Resources ("DWR") released a report "Progress on Incorporating Climate Change into Management of California's Water Resources" (July 2006), considering the impacts of climate change on the State's water supply. DWR emphasizes that "the report represents an example of an impacts assessment based on four scenarios defining an expected range of potential climate change impacts." DWR's major goal is to extend the analysis for long-term water resource planning from "assessing impacts" to "assessing risk." The report presents directions for further work in incorporating climate change into the management of California's water resources. Emphasis is placed on associating probability estimates with potential climate change scenarios in order to provide policymakers with both ranges of impacts and the likelihoods associated with those impacts. DWR's report acknowledges "that all results presented in this report are preliminary, incorporate several assumptions, reflect a limited number of climate change scenarios, and do not address the likelihood of each scenario. Therefore, these results are not sufficient by themselves to make policy decisions."

In MWD's 2015 IRP Update, MWD recognizes there is additional risk and uncertainty associated with climate change that may affect future supply and demands. MWD plans to hedge against supply and demand uncertainties by implementing a long-term plan that recognizes the risk and provides resource development to offset the risk. Per MWD's UWMP, for longer term risks, like climate change, MWD established a Robust Decision Making ("RDM") approach that can show how vulnerable the region's reliability is to the longer-term risks and can also establish "signposts" that can be monitored to see when crucial changes may be happening. MWD has stated in its 2015 UWMP that it intends to revisit the RDM approach with the new resource reliability targets identified in its 2015 IRP Update.

Per MWD's UWMP, MWD continues to incorporate current climate change science into its planning efforts. MWD's 2015 IRP Update incorporates evaluating a wider range of water management strategies and seeking robust and adaptive action plans that respond to uncertain conditions as they evolve over time, and that ultimately will perform adequately under a wide range of future conditions. Per MWD's UWMP, MWD's planning activities support the MWD Board-adopted principles on climate change by: 1) Supporting reasonable, economically viable, and technologically feasible management strategies for reducing impacts on water supply; 2) Supporting flexible "no regret" solutions that provide water supply and quality benefits while increasing the ability to manage future climate change impacts; and 3) Evaluating staff recommendations regarding climate change and water resources against the California

Environmental Quality Act to avoid adverse effects on the environment. Potential climate change impacts on state, regional and local water supplies and relevant information for the Orange County hydrologic basin and Santa Ana Watershed have not been sufficiently developed at this time to permit IRWD to assess and quantify the effect of any such impact on its conclusions in the Assessment.

**Catastrophic Supply Interruption Planning.** MWD has developed Emergency Storage Requirements (MWD UWMP) to safeguard the region from catastrophic loss of water supply. MWD has made substantial investments in emergency storage and has based its planning on a 100% reduction in its supplies for a period of six months. The emergency plan outlines that under such a catastrophe, non-firm service deliveries would be suspended, and firm supplies would be restricted by a mandatory cutback of 25 percent from normal year demand deliveries. In addition, MWD discusses DWR's investments in improvements on the SWP and the long term Delta plan in its UWMP (pages 3-19 to 3-23). IRWD has also addressed supply interruption planning in its WRMP and 2015 UWMP.

**Recent Actions Related to Drought Conditions.** In response to the historically dry conditions throughout the state of California, on April 1, 2015, Governor Brown issued an Executive Order directing the State Water Resources Control Board (SWRCB) to impose restrictions to achieve an aggregate statewide 25 percent reduction in potable water use through February 2016. The Governor's Order also includes mandatory actions aimed at reducing water demands, with a particular focus on outdoor water use. On May 5, 2015, the SWRCB adopted regulations which required that IRWD achieve a 16% reduction in potable water use from the 2013 levels. On November 13, 2015, Governor Brown issued an Executive Order directing the SWRCB to extend the 2015 Emergency Regulation through October 31, 2016 if drought conditions continued. On February 2, 2016, the SWRCB adopted an extended and modified Emergency Regulation. As a result of the modification, IRWD's mandated reduction was changed from 16% to 9% effective March 1, 2016. On April 14, 2015, MWD approved actions to implement the WSAP at a level 3 Regional Shortage Level and a 15% reduction in regional deliveries effective July 1, 2015, through June 30, 2016. During this period, IRWD continued to implement actions to reduce potable water demands during the drought; however, this did not affect IRWD's long-term supply capability to meet the demands. As discussed under "IRWD's Evaluation of Effect of Reduced MWD Supplies to IRWD" (see above), IRWD has effectively analyzed an imported water supply reduction up to a level 5 Regional Shortage Stage in Figures 1a, 2a, 3a. These Figures do not reflect a reduction in demands, thus representing a more conservative view of IRWD's supply capability. In particular, the reduction in demand mandated by Senate Bill 7 in 2010, requiring urban retail water suppliers to establish water use targets to achieve a 20% reduction in daily per capita water use by 2020, has not been factored into the demands in this analysis. Similarly, notwithstanding the Governor's order, IRWD's conservative supply-sufficiency analysis in Figures 1a, 2a and 3a does not include the ordered reduction in potable demands. On April 7, 2017, Governor Brown rescinded the Executive Order in all but four counties in California.

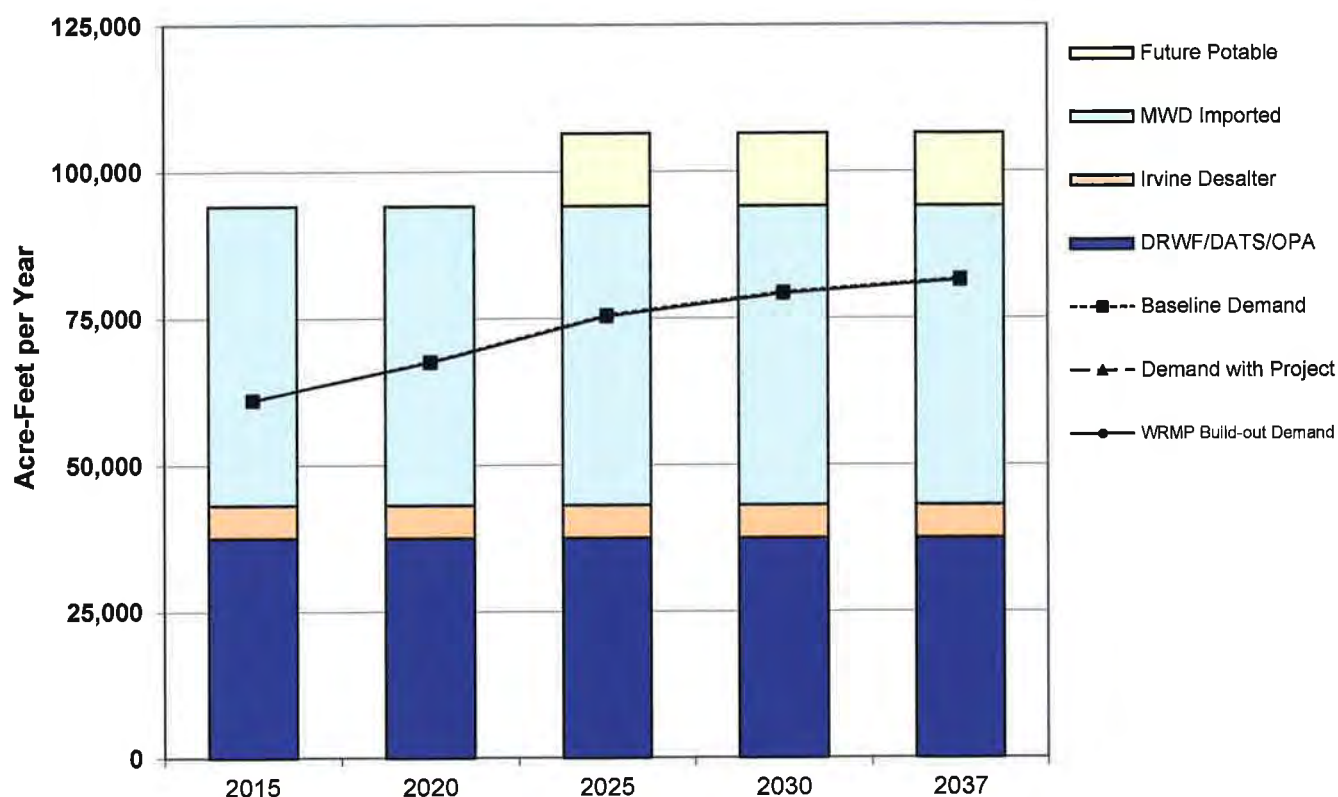


## Detailed Assessment

### 1. **Supply and demand comparison**

Comparisons of IRWD's average annual and peak (maximum day) demands and supplies, under *baseline* (existing and committed demand, without the Project), *with-project* (baseline plus Project), and *full build-out* development projections, are shown in the following Figures 1-4 (potable water), Figures 5-8 (nonpotable water) and Figures 1a, 2a, and 3a (short term MWD allocation potable water). See also the "Recent Actions on Delta Pumping" above.

**Figure 1  
IRWD Normal-Year Supply & Demand - Potable Water**



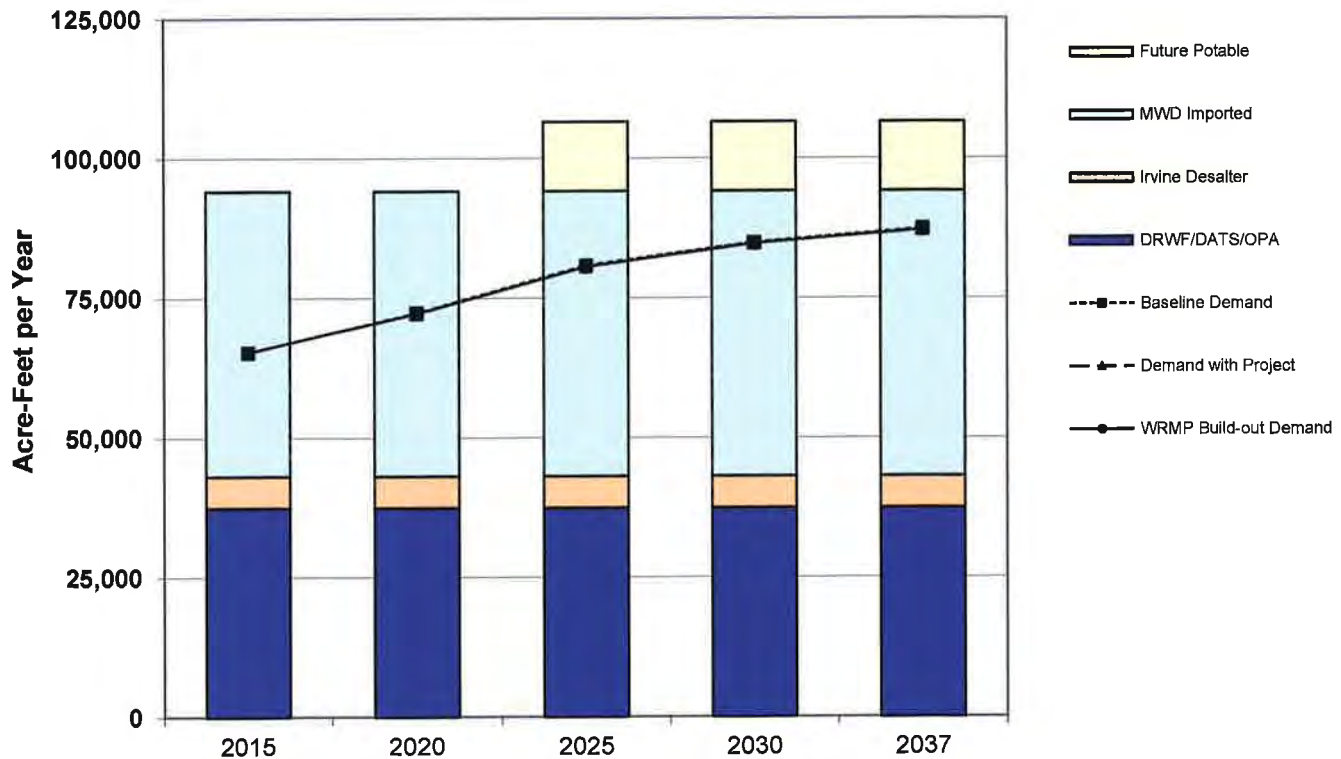
(in acre-feet per year)	2015	2020	2025	2030	2037
<b>Current Potable Supplies</b>					
MWD Imported (EOCF#2, AMP, OCF, Baker)	51,027	51,027	51,027	51,027	51,027
DRWF/DATS/OPA	37,532	37,532	37,532	37,532	37,532
Irvine Desalter	5,618	5,618	5,618	5,618	5,618
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	3,048	3,048	3,048	3,048
<b>Supplies Under Development</b>					
Future Potable	-	-	12,352	12,352	12,352
<b>Maximum Supply Capability</b>	<b>100,506</b>	<b>103,554</b>	<b>115,907</b>	<b>115,907</b>	<b>115,907</b>
Baseline Demand	61,061	67,656	75,532	79,369	81,664
Demand with Project	61,061	67,513	75,352	79,189	81,486
WRMP Build-out Demand	61,061	67,513	75,352	79,189	81,486
<b>Reserve Supply with Project</b>	<b>39,445</b>	<b>36,042</b>	<b>40,554</b>	<b>36,717</b>	<b>34,421</b>

Notes: By agreement, IRWD is required to count the production from the Irvine Subbasin in calculating available supplies for TIC developments (see Potable Supply-Groundwater).

MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

Baker Water Treatment Plant will be supplied untreated imported water and native water from Irvine Lake.

**Figure 2  
IRWD Single Dry-Year Supply & Demand - Potable Water**



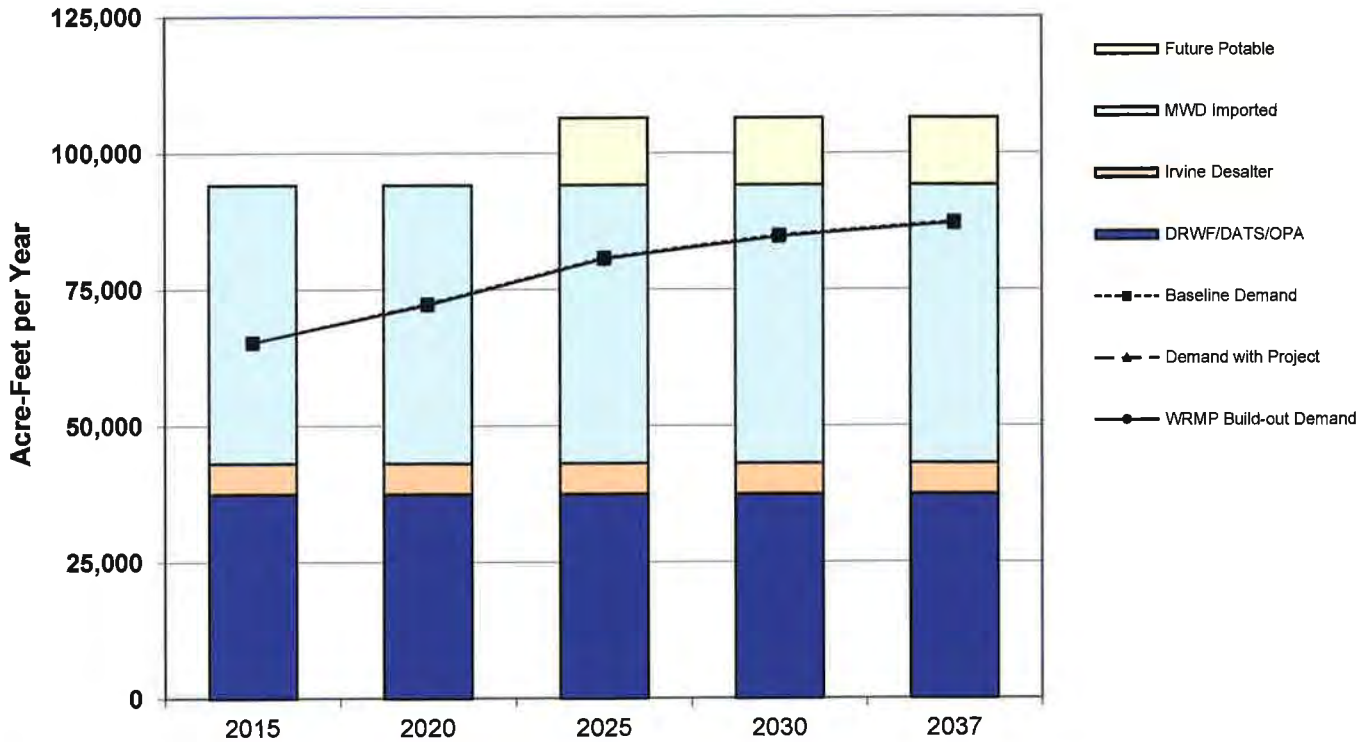
(in acre-feet per year)	2015	2020	2025	2030	2037
<b>Current Potable Supplies</b>					
MWD Imported (EOCF#2, AMP, OCF, Baker)	51,027	51,027	51,027	51,027	51,027
DRWF/DATS/OPA	37,532	37,532	37,532	37,532	37,532
Irvine Desalter	5,618	5,618	5,618	5,618	5,618
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	1,000	1,000	1,000	1,000
<b>Supplies Under Development</b>					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	100,506	101,506	113,859	113,859	113,859
Baseline Demand	65,335	72,392	80,819	84,925	87,381
Demand with Project	65,335	72,238	80,627	84,733	87,190
WRMP Build-out Demand	65,335	72,238	80,627	84,733	87,190
Reserve Supply with Project	35,171	29,268	33,231	29,126	26,669

Notes: Supplies identical to Normal-Year based on Metropolitan's Urban Water Management Plan and usage of groundwater under drought conditions (OCWD Master Plan). Demands increased 7% from Normal-Year. By agreement, IRWD is required to count the production from the Irvine Subbasin in calculating available supplies for TIC developments (see Potable Supply-Groundwater).

MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

Baker Water Treatment Plant will be supplied untreated imported water and native water from Irvine Lake.

**Figure 3  
IRWD Multiple Dry-Year Supply & Demand - Potable Water**



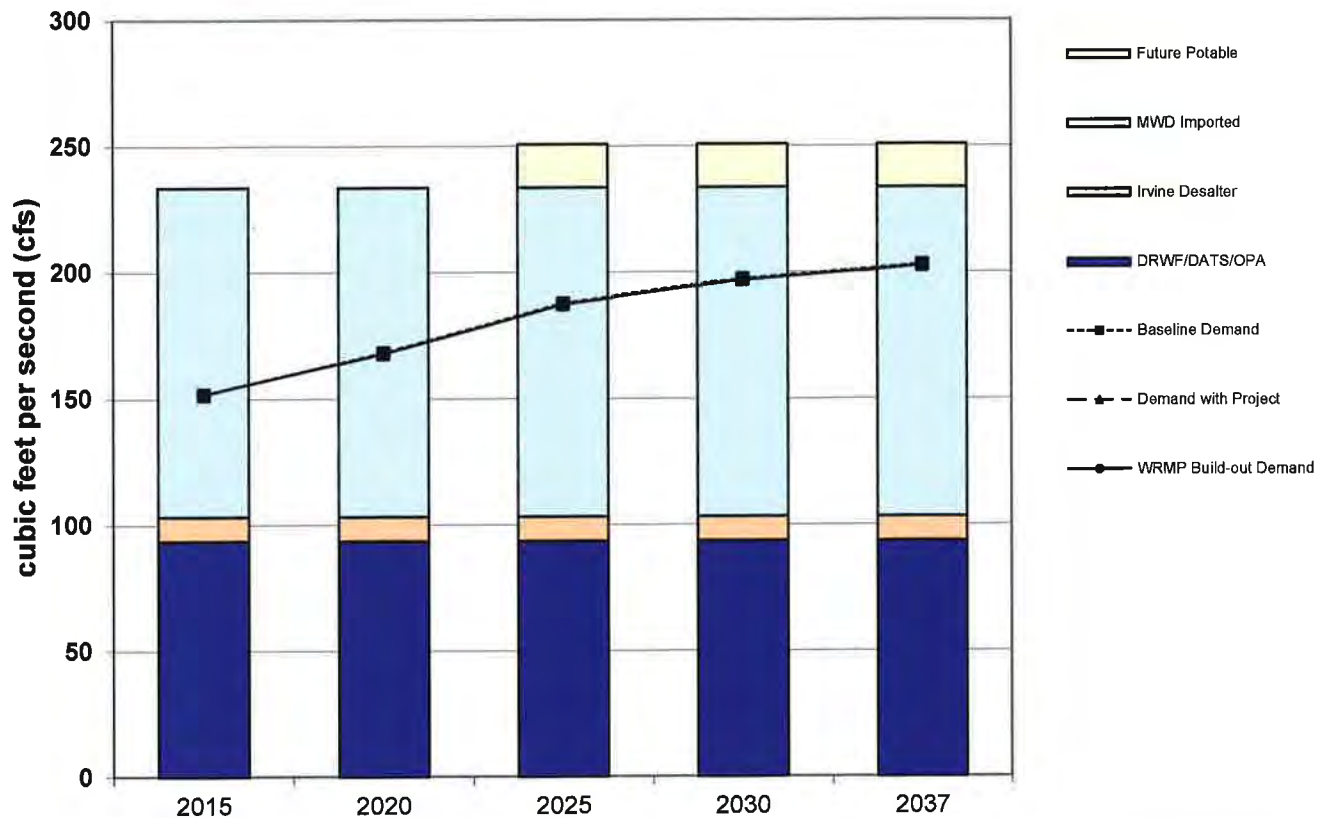
(in acre-feet per year)	2015	2020	2025	2030	2037
<u>Current Potable Supplies</u>					
MWD Imported (EOCF#2, AMP, OCF, B)	51,027	51,027	51,027	51,027	51,027
DRWF/DATS/OPA	37,532	37,532	37,532	37,532	37,532
Irvine Desalter	5,618	5,618	5,618	5,618	5,618
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portic	-	1,000	1,000	1,000	1,000
<u>Supplies Under Development</u>					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	100,506	101,506	113,859	113,859	113,859
Baseline Demand	65,335	72,392	80,819	84,925	87,381
Demand with Project	65,335	72,238	80,627	84,733	87,190
WRMP Build-out Demand	65,335	72,238	80,627	84,733	87,190
Reserve Supply with Project	35,171	29,268	33,231	29,126	26,669

Notes: Supplies identical to Normal-Year based on Metropolitan's Urban Water Management Plan and usage of groundwater under drought conditions (OCWD Master Plan). Demands increased 7% from Normal-Year. By agreement, IRWD is required to count the production from the Irvine Subbasin in calculating available supplies for TIC developments (see Potable Supply-Groundwater).

MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

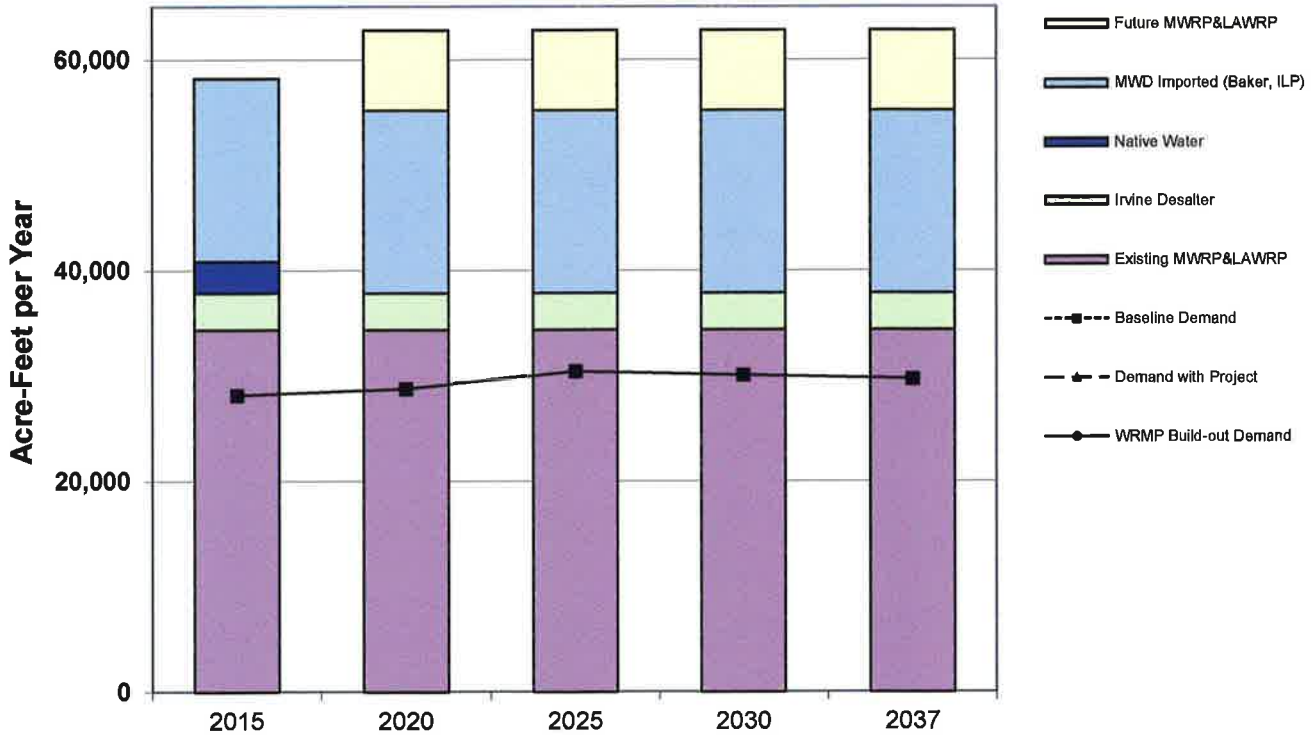
Baker Water Treatment Plant will be supplied untreated imported water and native water from Irvine Lake.

**Figure 4  
IRWD Maximum-Day Supply & Demand - Potable Water**



(in cfs)	2015	2020	2025	2030	2037
<b>Current Potable Supplies</b>					
MWD Imported (EOCF#2, AMP, OCF, Baker)	130.4	130.4	130.4	130.4	130.4
DRWF/DATS/OPA	93.7	93.7	93.7	93.7	93.7
Irvine Desalter	9.7	9.7	9.7	9.7	9.7
Wells 21 & 22	8.6	8.6	8.6	8.6	8.6
Baker Water Treatment Plant (native port)	-	4.2	4.2	4.2	4.2
<b>Supplies Under Development</b>					
Future Potable	-	-	17.0	17.0	17.0
<b>Maximum Supply Capability</b>	<b>242.3</b>	<b>246.6</b>	<b>263.6</b>	<b>263.6</b>	<b>263.6</b>
<b>Baseline Demand</b>	<b>151.8</b>	<b>168.2</b>	<b>187.8</b>	<b>197.3</b>	<b>203.0</b>
<b>Demand with Project</b>	<b>151.8</b>	<b>167.8</b>	<b>187.3</b>	<b>196.9</b>	<b>202.6</b>
<b>WRMP Build-out Demand</b>	<b>151.8</b>	<b>167.8</b>	<b>187.3</b>	<b>196.9</b>	<b>202.6</b>
<b>Reserve Supply with Project</b>	<b>90.5</b>	<b>78.7</b>	<b>76.2</b>	<b>66.7</b>	<b>61.0</b>

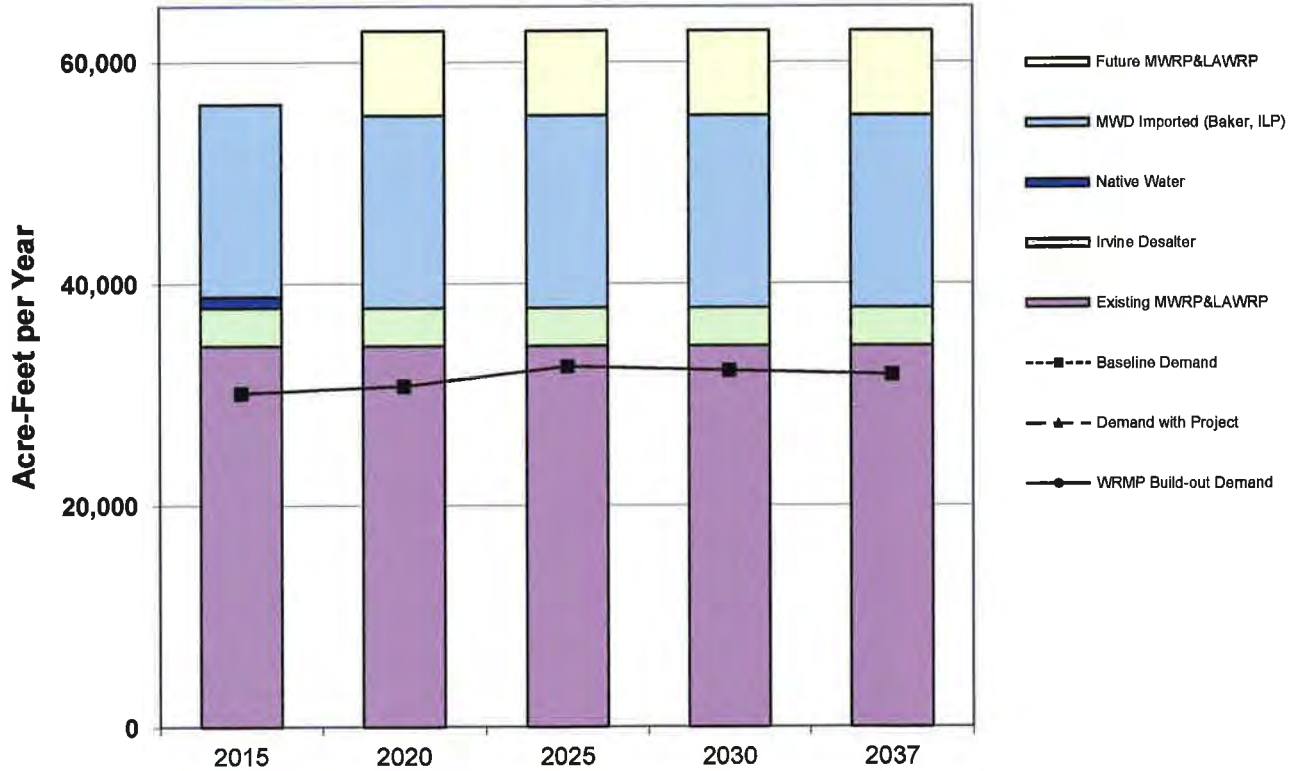
**Figure 5  
IRWD Normal-Year Supply & Demand - Nonpotable Water**



(in acre-feet per year)	2015	2020	2025	2030	2037
<u>Current Nonpotable Supplies</u>					
Existing MWRP&LAWRP	34,389	34,389	34,389	34,389	34,389
Future MWRP&LAWRP	-	7,623	7,623	7,623	7,623
MWD Imported (Baker, ILP)	17,347	17,347	17,347	17,347	17,347
Irvine Desalter	3,461	3,461	3,461	3,461	3,461
Native Water	3,048	-	-	-	-
Maximum Supply Capability	58,245	62,820	62,820	62,820	62,820
Baseline Demand	28,173	28,788	30,430	30,062	29,724
Demand with Project	28,173	28,785	30,425	30,058	29,720
WRMP Build-out Demand	28,173	28,785	30,425	30,062	29,720
Reserve Supply with Project	30,073	34,035	32,395	32,758	33,100

Note: Downward trend reflects reduction in agricultural use over time.  
 Native water will be treated to potable through the Baker Water Treatment Plant after 2016.  
 MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

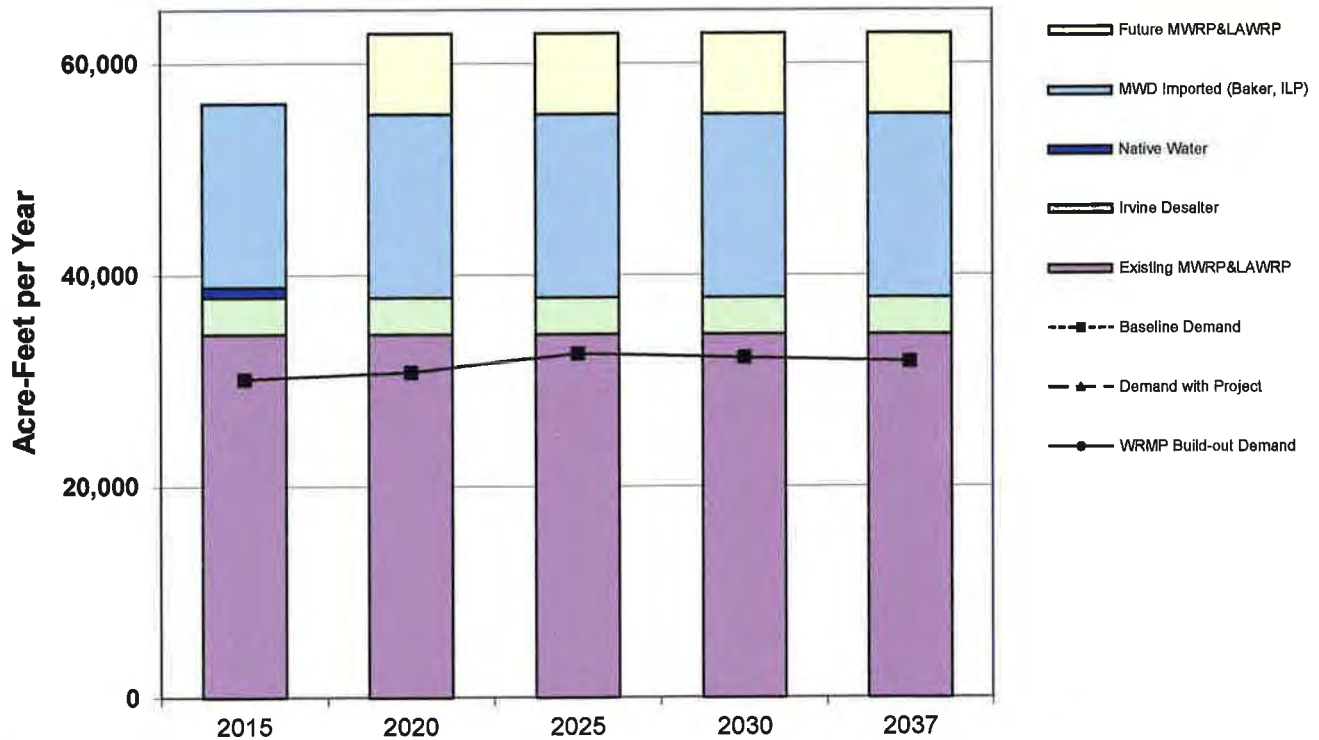
**Figure 6  
IRWD Single Dry-Year Supply & Demand - Nonpotable Water**



(in acre-feet per year)	2015	2020	2025	2030	2037
<b>Current Nonpotable Supplies</b>					
Existing MWRP&LAWRP	34,389	34,389	34,389	34,389	34,389
Future MWRP&LAWRP	-	7,623	7,623	7,623	7,623
MWD Imported (Baker, ILP)	17,347	17,347	17,347	17,347	17,347
Irvine Desalter	3,461	3,461	3,461	3,461	3,461
Native Water	1,000	-	-	-	-
Maximum Supply Capability	56,197	62,820	62,820	62,820	62,820
Baseline Demand	30,145	30,804	32,560	32,166	31,805
Demand with Project	30,145	30,800	32,555	32,162	31,800
WRMP Build-out Demand	30,145	30,800	32,555	32,166	31,800
Reserve Supply with Project	26,052	32,020	30,265	30,658	31,020

Note: Downward trend reflects reduction in agricultural use over time.  
 Native water will be treated to potable through the Baker Water Treatment Plant after 2016.  
 MWD Imported Supplies are shown at 16% reduction off of average connected capacity.

**Figure 7  
IRWD Multiple Dry-Year Supply & Demand - Nonpotable Water**

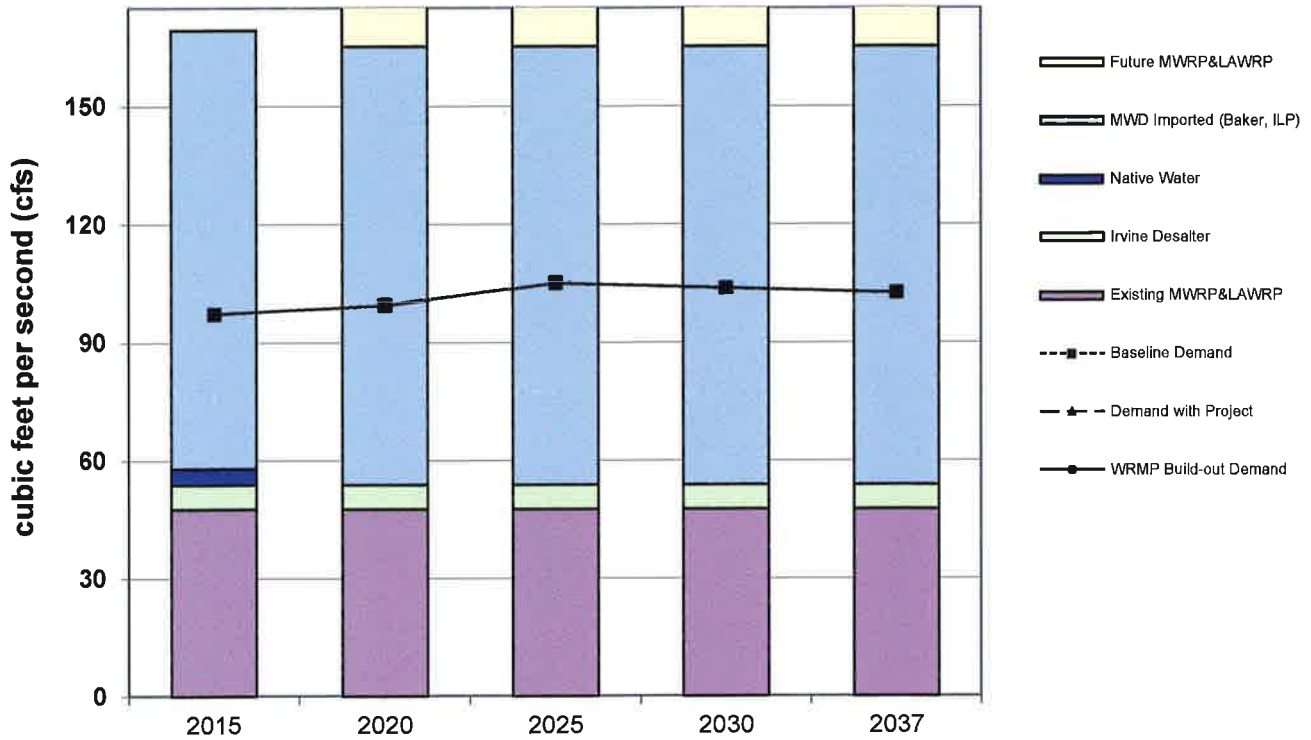


(in acre-feet per year)	2015	2020	2025	2030	2037
<u>Current Nonpotable Supplies</u>					
Existing MWRP&LAWRP	34,389	34,389	34,389	34,389	34,389
Future MWRP&LAWRP	-	7,623	7,623	7,623	7,623
MWD Imported (Baker, ILP)	17,347	17,347	17,347	17,347	17,347
Irvine Desalter	3,461	3,461	3,461	3,461	3,461
Native Water	1,000	-	-	-	-
Maximum Supply Capability	56,197	62,820	62,820	62,820	62,820
Baseline Demand	30,145	30,804	32,560	32,166	31,805
Demand with Project	30,145	30,800	32,555	32,162	31,800
WRMP Build-out Demand	30,145	30,800	32,555	32,166	31,800
Reserve Supply with Project	26,052	32,020	30,265	30,658	31,020

Note: Downward trend reflects reduction in agricultural use over time.  
 Native water will be treated to potable through the Baker Water Treatment Plant after 2016.  
 MWD Imported Supplies are shown at 16% reduction off of average connected capacity.



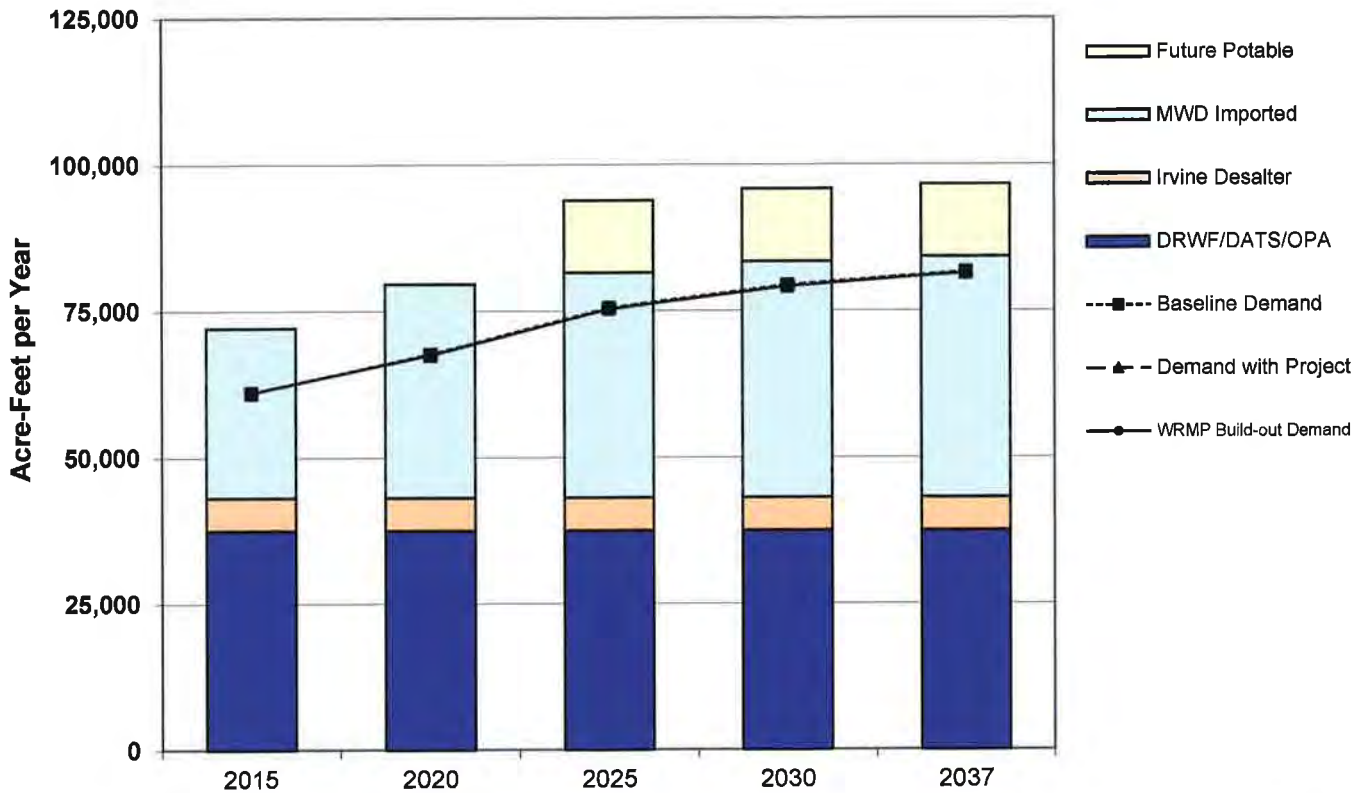
**Figure 8  
IRWD Maximum-Dry Supply & Demand - Nonpotable Water**



(in cfs)	2015	2020	2025	2030	2037
<b>Current Nonpotable Supplies</b>					
Existing MWRP&LAWRP	47.6	47.6	47.6	47.6	47.6
Future MWRP&LAWRP	-	10.5	10.5	10.5	10.5
MWD Imported (Baker, ILP)	111.5	111.5	111.5	111.5	111.5
Irvine Desalter	6.2	6.2	6.2	6.2	6.2
Native Water	4.2	-	-	-	-
Maximum Supply Capability	169.5	175.8	175.8	175.8	175.8
Baseline Demand	97.3	99.4	105.1	103.8	102.6
Demand with Project	97.3	99.4	105.1	103.8	102.6
WRMP Build-out Demand	97.3	99.4	105.1	103.8	102.6
Reserve Supply with Project	72.2	76.4	70.8	72.0	73.2

Note: Downward trend reflects reduction in agricultural use over time.  
Native water will be treated to potable through the Baker Water Treatment Plant after 2016.

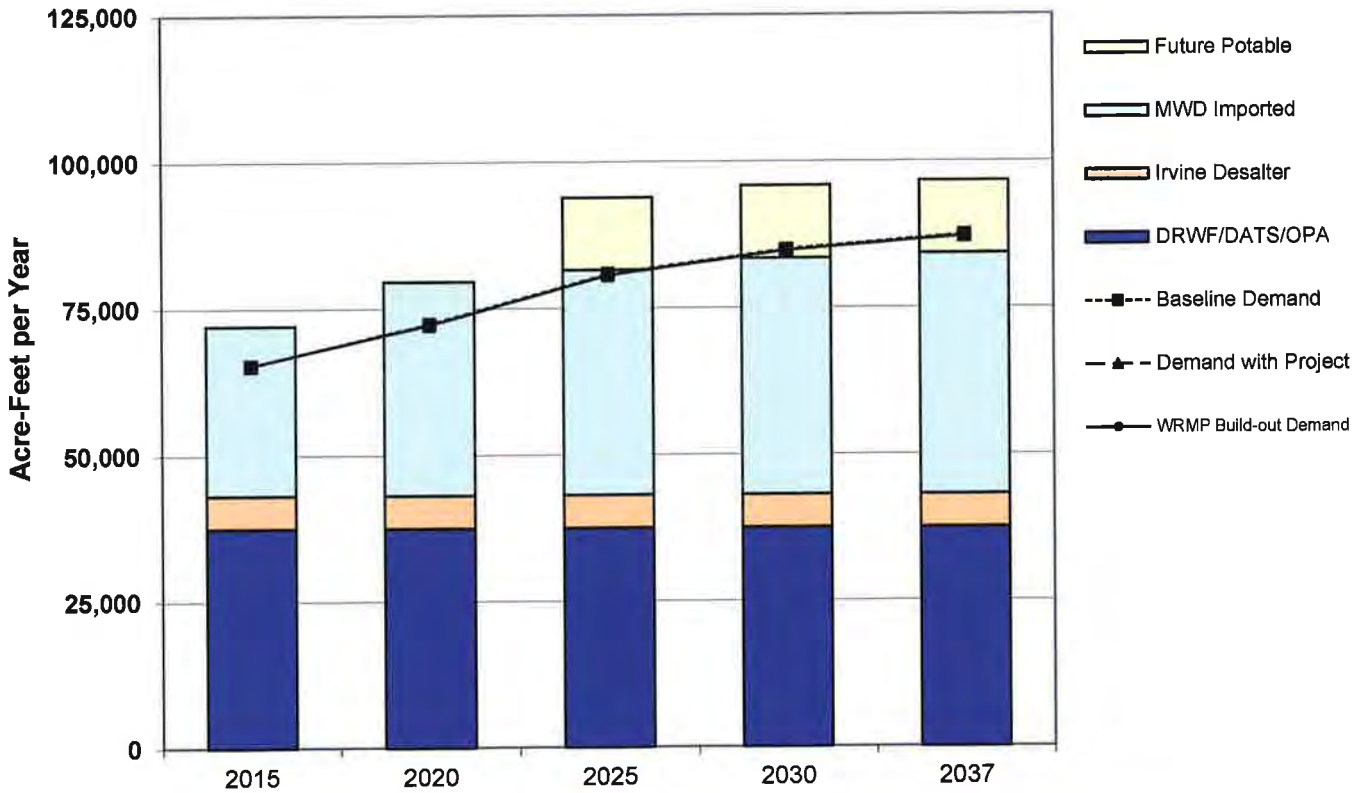
**Figure 1a  
IRWD Normal-Year Supply & Demand - Potable Water  
Under Temporary MWD Allocation\***



(in acre-feet per year)	2015	2020	2025	2030	2037
<b>Current Potable Supplies</b>					
MWD Imported (EOCF#2, AMP, OCF, Baker)	29,000	36,500	38,362	40,319	41,129
DRWF/DATS/OPA	37,532	37,532	37,532	37,532	37,532
Irvine Desalter	5,618	5,618	5,618	5,618	5,618
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	3,048	3,048	3,048	3,048
<b>Supplies Under Development</b>					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	78,479	89,027	103,242	105,199	106,009
Baseline Demand	61,061	67,656	75,532	79,369	81,664
Demand with Project	61,061	67,513	75,352	79,189	81,486
WRMP Build-out Demand	61,061	67,513	75,352	79,189	81,487
Reserve Supply with Project	17,418	21,515	27,889	26,009	24,523

\*For illustration purposes, IRWD has shown MWD Imported Supplies as estimated under a MWD short-term allocation, Shortage Stage 3 in all of the 5-year increments. However, it is likely that such a scenario would only be temporary. Under a MWD Allocation, IRWD could supplement supplies with groundwater production which can exceed applicable basin percentages on a short-term basis or transfer water from IRWD's water bank. IRWD may also reduce demands by implementing shortage contingency measures as described in the UWMP. Under a MWD Allocation, the Baker WTP would be limited to available MWD and native water only.

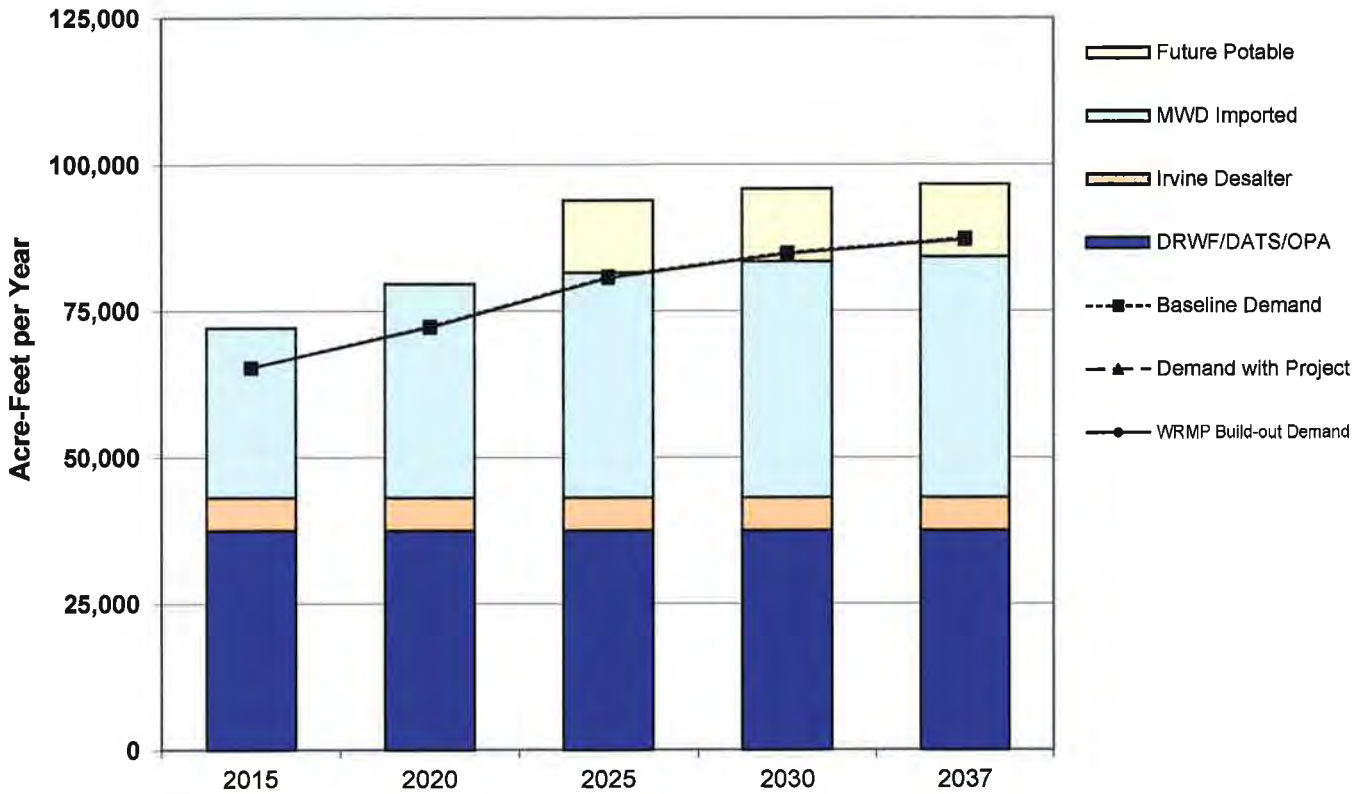
**Figure 2a  
IRWD Single Dry-Year Supply & Demand - Potable Water  
Under Temporary MWD Allocation\***



(in acre-feet per year)	2015	2020	2025	2030	2037
<b>Current Potable Supplies</b>					
MWD Imported (EOCF#2, AMP, OCF, Baker)	29,000	36,500	38,362	40,319	41,129
DRWF/DATS/OPA	37,532	37,532	37,532	37,532	37,532
Irvine Desalter	5,618	5,618	5,618	5,618	5,618
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	1,000	1,000	1,000	1,000
<b>Supplies Under Development</b>					
Future Potable	-	-	12,352	12,352	12,352
Maximum Supply Capability	78,479	86,979	101,194	103,151	103,961
Baseline Demand	65,335	72,392	80,819	84,925	87,381
Demand with Project	65,335	72,238	80,627	84,733	87,190
WRMP Build-out Demand	65,335	72,238	80,627	84,733	87,191
Reserve Supply with Project	13,144	14,741	20,567	18,418	16,771

\*For illustration purposes, IRWD has shown MWD Imported Supplies as estimated under a MWD short-term allocation, Shortage Stage 3 in all of the 5-year increments. However, it is likely that such a scenario would only be temporary. Under a MWD Allocation, IRWD could supplement supplies with groundwater production which can exceed applicable basin percentages on a short-term basis or transfer water from IRWD's water bank. IRWD may also reduce demands by implementing shortage contingency measures as described in the UWMP. Under a MWD Allocation, the Baker WTP would be limited to available MWD and native water only.

**Figure 3a  
IRWD Single Dry-Year Supply & Demand - Potable Water  
Under Temporary MWD Allocation\***



(in acre-feet per year)	2015	2020	2025	2030	2037
<b>Current Potable Supplies</b>					
MWD Imported (EOCF#2, AMP, OCF, Baker)	29,000	36,500	38,362	40,319	41,129
DRWF/DATS/OPA	37,532	37,532	37,532	37,532	37,532
Irvine Desalter	5,618	5,618	5,618	5,618	5,618
Wells 21 & 22	6,329	6,329	6,329	6,329	6,329
Baker Water Treatment Plant (native portion)	-	1,000	1,000	1,000	1,000
<b>Supplies Under Development</b>					
Future Potable	-	-	12,352	12,352	12,352
<b>Maximum Supply Capability</b>	<b>78,479</b>	<b>86,979</b>	<b>101,194</b>	<b>103,151</b>	<b>103,961</b>
<b>Baseline Demand</b>	<b>65,335</b>	<b>72,392</b>	<b>80,819</b>	<b>84,925</b>	<b>87,381</b>
<b>Demand with Project</b>	<b>65,335</b>	<b>72,238</b>	<b>80,627</b>	<b>84,733</b>	<b>87,190</b>
<b>WRMP Build-out Demand</b>	<b>65,335</b>	<b>72,238</b>	<b>80,627</b>	<b>84,733</b>	<b>87,190</b>
<b>Reserve Supply with Project</b>	<b>13,144</b>	<b>14,741</b>	<b>20,567</b>	<b>18,418</b>	<b>16,771</b>

\*For illustration purposes, IRWD has shown MWD Imported Supplies as estimated under a MWD short-term allocation, Shortage Stage 3 in all of the 5-year increments. However, it is likely that such a scenario would only be temporary. Under a MWD Allocation, IRWD could supplement supplies with groundwater production which can exceed applicable basin percentages on a short-term basis or transfer water from IRWD's water bank. IRWD may also reduce demands by implementing shortage contingency measures as described in the UWMP. Under a MWD Allocation, the Baker WTP would be limited to available MWD and native water only.

**2. Information concerning supplies**

(a)(1) Existing sources of identified water supply for the proposed project: IRWD does not allocate particular supplies to any project, but identifies total supplies for its service area, as updated in the following table:

	Max Day (cfs)	Avg. Annual (AFY)	Annual by Category (AFY)
<b>Current Supplies</b>			
<b>Potable - Imported</b>			
East Orange County Feeder No. 2	41.4	18,746	1
Allen-McColloch Pipeline*	64.7	29,296	1
Orange County Feeder	18.0	8,150	1
	124.1	56,192	56,192
<b>Potable - Treated Surface</b>			
Baker Treatment Plant (Imported)	6.3	4,554	6
Baker Treatment Plant (Native)	4.2	3,048	6
<b>Potable - Groundwater</b>			
Dyer Road Wellfield	80.0	28,000	2
OPA Well	1.4	914	
Deep Aquifer Treatment System-DATS	12.3	8,618	2
Wells 21 & 22	8.6	6,329	2
Irvine Desalter	9.7	5,618	3
Total Potable Current Supplies	246.6		113,273
<b>Nonpotable - Recycled Water</b>			
MWRP (25.2 mgd)	39.1	28,228	4
LAWRP (5.5 mgd)	8.5	6,161	4
Future MWRP & LAWRP	10.6	7,623	5
			42,012
<b>Nonpotable - Imported</b>			
Baker Aqueduct	40.2	11,651	6
Irvine Lake Pipeline	65.0	9,000	7
	105.2	20,651	20,651
<b>Nonpotable - Groundwater</b>			
Irvine Desalter-Nonpotable	6.2	3,461	8
<b>Nonpotable Native</b>			
Irvine Lake (see Baker Treatment Plant above)	4.2	3,048	6,9
Total Nonpotable Current Supplies (Excludes Native)	169.6		66,124
Total Combined Current Supplies	416.2		179,397
<b>Supplies Under Development</b>			
<b>Potable Supplies</b>			
Future Groundwater Production Facilities	17.0	12,352	12,352
Total Under Development	17.0	12,352	12,352
Total Supplies			
Potable Supplies	263.6		125,625
Nonpotable Supplies	169.6		66,124
Total Supplies (Current and Under Development)	433.2		191,750

1 Based on converting maximum day capacity to average by dividing the capacity by a peaking factor of 1.6 (see Footnote 5, page 24). Max Day is equivalent to Treatment Plant Production

2 Contract amount - See Potable Supply-Groundwater(iii).

3 Contract amount - See Potable Supply-Groundwater (iv) and (v). Maximum day well capacity is compatible with contract amount.

4 MWRP 28.0 mgd treatment capacity (28,228 AFY RW production) with 90% plant efficiency (25.2 mgd) and LAWRP permitted 5.5 mgd tertiary treatment capacity (6,161 AFY)

5 Future estimated MWRP & LAWRP recycled water production. Includes biosolids and expansion to 33 mgd

6 After 2016, Baker Water Treatment Plant (WTP) will treat imported and native water. Baker Aqueduct capacity has been allocated to Baker WTP participants and IRWD will own 46.50 cfs in Baker Aqueduct after completion of Baker WTP, of which 10.5 cfs will be for potable treatment. IRWD will have 35 cfs remaining capacity for non-potable uses. The nonpotable average use is based on converting maximum day capacity to average by dividing the capacity by a peaking factor of 2.5 (see Footnote 8, page 27).

7 Based on IRWD's proportion of Irvine Lake imported water storage; Actual ILP capacity would allow the use of additional imported water from MWD through the Santiago Lateral.

8 Contract amount - See Nonpotable Supply-Groundwater (i) and (ii). Maximum day well capacity (cfs) is compatible with contract amount.

9 Based on 70+ years historical average of Santiago Creek Inflow into Irvine Lake. By 2020, native water will be treated through Baker WTP..

\*64.7 cfs is current assigned capacity; based on increased peak flow, IRWD can purchase 10 cfs more (see page 24 (b)(1)(iii))

(b) Required information concerning currently available and under-development water supply entitlements, water rights and water service contracts:

(1) Written contracts or other proof of entitlement.<sup>4 5</sup>

• POTABLE SUPPLY - IMPORTED<sup>6</sup>

***Potable imported water service connections (currently available).***

(i) Potable imported water is delivered to IRWD at various service connections to the imported water delivery system of The Metropolitan Water District of Southern California ("MWD"): service connections CM-01A and OC-7 (Orange County Feeder); CM-10, CM-12, OC-38, OC-39, OC-57, OC-58, OC-63 (East Orange County Feeder No. 2); and OC-68, OC-71, OC-72, OC-73/73A, OC-74, OC-75, OC-83, OC-84, OC-87 (Allen-McColloch Pipeline). IRWD's entitlements regarding service from the MWD delivery system facilities are described in the following paragraphs and summarized in the above Table ((2)(a)(1)). IRWD receives imported water service through Municipal Water District of Orange County ("MWDOC"), a member agency of MWD.

***Allen-McColloch Pipeline ("AMP") (currently available).***

(ii) Agreement For Sale and Purchase of Allen-McColloch Pipeline, dated as of July 1, 1994 (Metropolitan Water District Agreement No. 4623) ("AMP Sale Agreement"). Under the AMP Sale Agreement, MWD purchased the Allen-McColloch Pipeline (formerly known as the "Diemer Intertie") from MWDOC, the MWDOC Water Facilities Corporation and certain agencies, including IRWD and Los Alisos Water District ("LAWD"),<sup>7</sup> identified as "Participants" therein. Section 5.02 of the AMP Sale Agreement obligates MWD to meet IRWD's and the other Participants' requests for deliveries and specified minimum hydraulic grade lines at each connection serving a Participant, subject to availability of water. MWD agrees to operate the AMP as any other MWD pipeline. MWD has the right to operate the AMP on a "utility basis," meaning that MWD need not observe

<sup>4</sup> In some instances, the contractual and other legal entitlements referred to in the following descriptions are stated in terms of flow capacities, in cubic feet per second (cfs). In such instances, the cfs flows are converted to volumes of AFY for purposes of analyzing supply sufficiency in this assessment, by dividing the capacity by a peaking factor of 1.8 (potable) or 2.5 (nonpotable), consistent with maximum day peaking factors used in the WRMP. The resulting reduction in assumed available annual AFY volumes through the application of these factors recognizes that connected capacity is provided to meet peak demands and that seasonal variation in demand and limitations in local storage prevent these capacities from being utilized at peak capacity on a year-round basis. However, the application of these factors produces a conservatively low estimate of annual AFY volumes from these connections; additional volumes of water are expected to be available from these sources.

<sup>5</sup> In the following discussion, contractual and other legal entitlements are characterized as either potable or nonpotable, according to the characterization of the source of supply. Some of the nonpotable supplies surplus to nonpotable demand could potentially be rendered potable by the addition of treatment facilities; however, except where otherwise noted, IRWD has no current plans to do so.

<sup>6</sup> See Imported Supply - Additional Information, below, for information concerning the availability of the MWD supply.

<sup>7</sup> IRWD has succeeded to LAWD's interests in the AMP and other LAWD water supply facilities and rights mentioned in this assessment, by virtue of the consolidation of IRWD and LAWD on December 31, 2000.

capacity allocations of the Participants but may use available capacity to meet demand at any service connection.

The AMP Sale Agreement obligates MWD to monitor and project AMP demands and to construct specified pump facilities or make other provision for augmenting MWD's capacity along the AMP, at MWD's expense, should that be necessary to meet demands of all of the Participants (Section 5.08).

*(iii)* Agreement For Allocation of Proceeds of Sale of Allen-McColloch Pipeline, dated as of July 1, 1994 ("AMP Allocation Agreement"). This agreement, entered into concurrently with the AMP Sale Agreement, provided each Participant, including IRWD, with a capacity allocation in the AMP, for the purpose of allocating the sale proceeds among the Participants in accordance with their prior contractual capacities adjusted to conform to their respective future demands. IRWD's capacity under the AMP Allocation Agreement (including its capacity as legal successor agency to LAWD) is 64.69 cfs at IRWD's first four AMP connections, 49.69 cfs at IRWD's next five downstream AMP connections and 35.01 and 10.00 cfs, respectively at IRWD's remaining two downstream connections. The AMP Allocation Agreement further provides that if a Participant's peak flow exceeds its capacity, the Participant shall "purchase" additional capacity from the other Participants who are using less than their capacity, until such time as MWD augments the capacity of the AMP. The foregoing notwithstanding, as mentioned in the preceding paragraph, the allocated capacities do not alter MWD's obligation under the AMP Sale Agreement to meet all Participants' demands along the AMP, and to augment the capacity of the AMP if necessary. Accordingly, under these agreements, IRWD can legally increase its use of the AMP beyond the above-stated capacities, but would be required to reimburse other Participants from a portion of the proceeds IRWD received from the sale of the AMP.

*(iv)* Improvement Subleases (or "FAP" Subleases) [MWDOC and LAWD; MWDOC and IRWD], dated August 1, 1989; 1996 Amended and Restated Allen-McColloch Pipeline Subleases [MWDOC and LAWD; MWDOC and IRWD], dated March 1, 1996. IRWD subleases its AMP capacity, including the capacity it acquired as successor to LAWD. To facilitate bond financing for the construction of the AMP, it was provided that the MWDOC Water Facilities Corporation, and subsequently MWDOC, would have ownership of the pipeline, and the Participants would be sublessees. As is the case with the AMP Sale Agreement, the subleases similarly provide that water is subject to availability.

***East Orange County Feeder No. 2 ("EOCF#2") (currently available).***

*(v)* Agreement For Joint Exercise of Powers For Construction, Operation and Maintenance of East Orange County Feeder No. 2, dated July 11, 1961, as amended on July 25, 1962 and April 26, 1965; Agreement Re Capacity Rights In Proposed Water Line, dated September 11, 1961 ("IRWD MWDOC Assignment Agreement"); Agreement Regarding Capacity Rights In the East Orange County Feeder No. 2, dated August 28, 2000 ("IRWD Coastal Assignment Agreement"). East Orange County Feeder No. 2 ("EOCF#2"), a feeder linking Orange County with MWD's feeder system, was constructed pursuant to a joint powers agreement among MWDOC (then called Orange County Municipal Water District), MWD, Coastal Municipal Water District ("Coastal"), Anaheim and Santa

Ana. A portion of IRWD's territory is within MWDOC and the remainder is within the former Coastal (which was consolidated with MWDOC in 2001). Under the IRWD MWDOC Assignment Agreement, MWDOC assigned 41 cfs of capacity to IRWD in the reaches of EOCF#2 upstream of the point known as Coastal Junction (reaches 1 through 3), and 27 cfs in reach 4, downstream of Coastal Junction. Similarly, under the IRWD Coastal Assignment Agreement, prior to Coastal's consolidation with MWDOC, Coastal assigned to IRWD 0.4 cfs of capacity in reaches 1 through 3 and 0.6 cfs in reach 4 of EOCF#2. Delivery of water through EOCF#2 is subject to the rules and regulations of MWD and MWDOC, and is further subject to application and agreement of IRWD respecting turnouts.

***Orange County Feeder (currently available)***

(vi) Agreement, dated March 13, 1956. This 1956 Agreement between MWDOC's predecessor district and the Santa Ana Heights Water Company ("SAHWC") provides for delivery of MWD imported supply to the former SAHWC service area. SAHWC's interests were acquired on behalf of IRWD through a stock purchase and IRWD annexation of the SAHWC service area in 1997. The supply is delivered through a connection to MWD's Orange County Feeder designated as OC-7.

(vii) Agreement For Transfer of Interest In Pacific Coast Highway Water Transmission and Storage Facilities From The Irvine Company To the Irvine Ranch Water District, dated April 23, 1984; Joint Powers Agreement For the Construction, Operation and Maintenance of Sections 1a, 1b and 2 of the Coast Supply Line, dated June 9, 1989; Agreement, dated January 13, 1955 ("1955 Agreement"). The jointly constructed facility known as the Coast Supply Line ("CSL"), extending southward from a connection with MWD's Orange County Feeder at Fernleaf Street in Newport Beach, was originally constructed pursuant to a 1952 agreement among Laguna Beach County Water District ("LBCWD"), The Irvine Company (TIC) and South Coast County Water District. Portions were later reconstructed. Under the above-referenced transfer agreement in 1984, IRWD succeeded to TIC's interests in the CSL. The CSL is presently operated under the above-referenced 1989 joint powers agreement, which reflects IRWD's ownership of 10 cfs of capacity. The 1989 agreement obligates LBCWD, as the managing agent and trustee for the CSL, to purchase water and deliver it into the CSL for IRWD. LBCWD purchases such supply, delivered by MWD to the Fernleaf connection, pursuant to the 1955 Agreement with Coastal (now MWDOC).



***Baker Water Treatment Plant (currently available)***

IRWD recently constructed the Baker Water Treatment Plant (Baker WTP) in partnership with El Toro Water District, Moulton-Niguel Water District, Santa Margarita Water District and Trabuco Canyon Water District. The Baker WTP is supplied with untreated imported water from MWD and native Irvine Lake water supply. IRWD owns 10.5 cfs of treatment capacity rights in the Baker WTP.<sup>8</sup>

**•POTABLE SUPPLY - GROUNDWATER**

*(i)* Orange County Water District Act (“OCWD”), Water Code App., Ch. 40 (“Act”). IRWD is an operator of groundwater-producing facilities in the Orange County Groundwater Basin (the “Basin”). Although the rights of the producers within the Basin vis a vis one another have not been adjudicated, they nevertheless exist and have not been abrogated by the Act (§40-77). The rights consist of municipal appropriators’ rights and may include overlying and riparian rights. The Basin is managed by OCWD under the Act, which functions as a statutorily-imposed physical solution. The Act empowers OCWD to impose replenishment assessments and basin equity assessments on production and to require registration of water-producing facilities and the filing of certain reports; however, OCWD is expressly prohibited from limiting extraction unless a producer agrees to such limitation (§ 40-2(6) (c)) and from impairing vested rights to the use of water (§ 40-77). Thus, producers may install and operate production facilities under the Act; OCWD approval is not required. OCWD is required to annually investigate the condition of the Basin, assess overdraft and accumulated overdraft, and determine the amount of water necessary for replenishment (§40-26). OCWD has studied the Basin replenishment needs and potential projects to address growth in demand through 2035 in its Final Draft Long-Term Facilities Plan (January, 2006), last updated November 19, 2014. The Long-Term Facilities Plan is updated approximately every five years.

*(ii)* *Irvine Ranch Water District v. Orange County Water District*, Orange County Superior Court Case No. 795827. A portion of IRWD is outside the jurisdictional boundary of OCWD. IRWD is eligible to annex the Santa Ana River Watershed portion of this territory to OCWD, under OCWD’s current annexation policy (OCWD Resolution No. 86-2-15, adopted on February 19, 1986 and reaffirmed on June 2, 1999). This September 29, 1998, Superior Court ruling indicates that IRWD is entitled to deliver groundwater from the Basin to the IRWD service area irrespective of whether such area is also within OCWD.

***Dyer Road Wellfield (“DWRF”) / Deep Aquifer Treatment System (“DATS”) (currently available)***

*(iii)* Agreement For Water Production and Transmission Facilities, dated March 18, 1981, as amended May 2, 1984, September 19, 1990 and November 3, 1999 (the “DRWF Agreement”). The DRWF Agreement, among IRWD, OCWD and

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<sup>8</sup> The Baker WTP is supplied nonpotable imported water through the existing Baker Pipeline. IRWD’s existing Baker Pipeline capacity (see Section 2(b)(1) NONPOTABLE SUPPLY – IMPORTED) has been apportioned to the Baker WTP participants based on Baker WTP capacity ownership, and IRWD retains 10.5 cfs of pipeline capacity through the Baker WTP for potable supply and retains 36 cfs in Reach 1U of the Baker Pipeline capacity for nonpotable supply.

Santa Ana, concerns the development of IRWD's Dyer Road Wellfield (DRWF), within the Basin. The DRWF consists of 16 wells pumping from the non-colored water zone of the Basin and 2 wells (with colored-water treatment facilities) pumping from the deep, colored-water zone of the Basin (the colored-water portion of the DRWF is sometimes referred to as the Deep Aquifer Treatment System or DATS.) Under the DRWF Agreement, an "equivalent" basin production percentage ("BPP") has been established for the DRWF, currently 28,000 AFY of non-colored water and 8,000 AFY of colored water, provided any amount of the latter 8,000 AFY not produced results in a matching reduction of the 28,000 AFY BPP. Although typically IRWD production from the DRWF does not materially exceed the equivalent BPP, the equivalent BPP is not an extraction limitation; it results in imposition of monetary assessments on the excess production. The DRWF Agreement also establishes monthly pumping amounts for the DRWF. With the addition of the Concentrated Treatment System ("CATS"), IRWD has increased the yield of DATS.

***Irvine Subbasin / Irvine Desalter (currently available)***

(iv) First Amended and Restated Agreement, dated March 11, 2002, as amended June 15, 2006, restating May 5, 1988 agreement ("Irvine Subbasin Agreement"). TIC has historically pumped agricultural water from the Irvine Subbasin. (As in the rest of the Basin of which this subbasin is a part, the groundwater rights have not been adjudicated, and OCWD provides governance and management under the Act.) The 1988 agreement between IRWD and TIC provided for the joint use and management of the Irvine Subbasin. The 1988 agreement further provided that the 13,000 AFY annual yield of the Irvine Subbasin ("Subbasin") would be allocated 1,000 AFY to IRWD and 12,000 AFY to TIC. Under the restated Irvine Subbasin Agreement, the foregoing allocations were superseded as a result of TIC's commencement of the building its Northern Sphere Area project, with the effect that the Subbasin production capability, wells and other facilities, and associated rights have been transferred from TIC to IRWD, and IRWD has assumed the production from the Subbasin. In consideration of the transfer, IRWD is required to count the supplies attributable to the transferred Subbasin production in calculating available supplies for the Northern Sphere Area project and other TIC development and has agreed that they will not be counted toward non-TIC development.

A portion of the existing Subbasin water production facilities produce water which is of potable quality. IRWD could treat some of the water produced from the Subbasin for potable use, by means of the Desalter and other projects. Although, as noted above, the Subbasin has not been adjudicated and is managed by OCWD, TIC reserved water rights from conveyances of its lands as development over the Subbasin has occurred, and under the Irvine Subbasin Agreement TIC has transferred its rights to IRWD.

(v) Second Amended and Restated Agreement Between Orange County Water District and Irvine Ranch Water District Regarding the Irvine Desalter Project, dated June 11, 2001, and other agreements referenced therein. This agreement provides for the extraction and treatment of subpotable groundwater from the Irvine Subbasin, a portion of the Basin. As is the case with the remainder of the Basin, IRWD's entitlement to extract this water is not adjudicated, but the use of the entitlement is governed by the OCWD Act. (See also, discussion of Irvine

Subbasin in the preceding paragraph.) A portion of the product water has been delivered into the IRWD potable system, and the remainder has been delivered into the IRWD nonpotable system.

***Orange Park Acres (currently available)***

On June 1, 2008, through annexation and merger, IRWD acquired the water system of the former Orange Park Acres Mutual Water company, including its well ("OPA Well"). The well is operated within the Basin.

***Wells 21 and 22 (currently available)***

In early 2013, IRWD completed construction of treatment facilities, pipelines and wellhead facilities for Wells 21 and 22. Water supplied through this project became available in 2013. The wells are operated within the Basin.

***Irvine Wells (under development)***

(vi) IRWD is pursuing the installation of production facilities in the west Irvine, Tustin Legacy and Tustin Ranch portions of the Basin. These groundwater supplies are considered to be under development; however, four wells have been drilled and have previously produced groundwater, three wells have been drilled but have not been used as production wells to date, and a site for an additional well and treatment facility has been acquired by IRWD. These production facilities can be constructed and operated under the Act; no statutory or contractual approval is required to do so. Appropriate environmental review has or will be conducted for each facility. See discussion of the Act under Potable Supply - Groundwater, paragraph (i), above.

• **NONPOTABLE SUPPLY - RECYCLED**

***Water Recycling Plants (currently available)***

Water Code Section 1210. IRWD supplies its own recycled water from sewage collected by IRWD and delivered to IRWD's Michelson Water Recycling Plant ("MWRP") and Los Alisos Water Recycling Plant ("LAWRP"). Under the recently completed MWRP Phase II Capacity Expansion Project, IRWD increased its tertiary treatment capacity on the existing MWRP site to produce sufficient recycled water to meet the projected demand in the year 2037. MWRP currently has a permitted tertiary capacity of 28 million gallons per day ("MGD") and LAWRP currently has a permitted tertiary capacity of 5.5 MGD. Water Code Section 1210 provides that the owner of a sewage treatment plant operated for the purposes of treating wastes from a sanitary sewer system holds the exclusive right to the treated effluent as against anyone who has supplied the water discharged into the sewer system. IRWD's permits for the operation of MWRP and LAWRP allow only irrigation and other customer uses of recycled water, and do not permit stream discharge of recycled water; thus, no issue of downstream appropriation arises, and IRWD is entitled to deliver all of the effluent to meet contractual and customer demands. Additional reclamation capacity will augment local nonpotable supplies and improve reliability.

•NONPOTABLE SUPPLY - IMPORTED<sup>9</sup>

***Baker Pipeline (currently available)***

Santiago Aqueduct Commission (“SAC”) Joint Powers Agreement, dated September 11, 1961, as amended December 20, 1974, January 13, 1978, November 1, 1978, September 1, 1981, October 22, 1986, and July 8, 1999 (the “SAC Agreement”); Agreement Between Irvine Ranch Water District and Carma-Whiting Joint Venture Relative to Proposed Annexation of Certain Property to Irvine Ranch Water District, dated May 26, 1981 (the “Whiting Annexation Agreement”); service connections OC-13/13A, OC-33/33A. The imported untreated water pipeline initially known as the Santiago Aqueduct and now known as the Baker Pipeline was constructed under the SAC Agreement, a joint powers agreement. The Baker Pipeline is connected to MWD’s Santiago Lateral. IRWD’s capacity in the Baker Pipeline includes the capacity it subleases as successor to LAWD, as well as capacity rights IRWD acquired through the Whiting Annexation Agreement. (To finance the construction of AMP parallel untreated reaches which were incorporated into the Baker Pipeline, replacing original SAC untreated reaches that were made a part of the AMP potable system, it was provided that the MWDOC Water Facilities Corporation, and subsequently MWDOC, would have ownership, and the participants would be sublessees.) IRWD’s original capacities in the Baker Pipeline include 52.70 cfs in the first reach, 12.50 cfs in each of the second, third and fourth reaches and 7.51 cfs in the fifth reach of the Baker Pipeline. These existing Baker Pipeline capacities have been apportioned to the Baker WTP participants based on Baker WTP capacity ownership. IRWD retains 10.5 cfs of the pipeline capacity for potable supply through the Baker WTP and retains 36 cfs in Reach 1U of the Baker Pipeline capacity for nonpotable supply (See also footnote 89, page 27). Water is subject to availability from MWD.

•NONPOTABLE SUPPLY - NATIVE

***Irvine Lake (currently available)***

(i) Permit For Diversion and Use of Water (“Permit No. 19306”) issued pursuant to Application No. 27503; License For Diversion and Use of Water (“License 2347”) resulting from Application No. 4302 and Permit No. 3238; License For Diversion and Use of Water (“License 2348”) resulting from Application No. 9005 and Permit No. 5202. The foregoing permit and licenses, jointly held by IRWD (as successor to The Irvine Company (“TIC”) and Carpenter Irrigation District (“CID”)) and Serrano Water District (“SWD”), secure appropriative rights to the flows of Santiago Creek. Under Licenses 2347 and 2348, IRWD and SWD have the right to diversion by storage at Santiago Dam (Irvine Lake) and a submerged dam, of a total of 25,000 AFY. Under Permit No. 19306, IRWD and SWD have the right to diversion by storage of an additional 3,000 AFY by flashboards at Santiago Dam (Irvine Lake). (Rights under Permit No. 19306 may be junior to an

<sup>9</sup> See Imported Supply - Additional Information, below, for information concerning the availability of the MWD supply.

OCWD permit to divert up to 35,000 AFY of Santiago Creek flows to spreading pits downstream of Santiago Dam.) The combined total of native water that may be diverted to storage under these licenses and permit is 28,000 AFY. A 1996 amendment to License Nos. 2347, 2348 and 2349 [replaced by Permit No. 19306 in 1984] limits the withdrawal of water from the Lake to 15,483 AFY under the licenses. This limitation specifically references the licenses and doesn't reference water stored pursuant to other legal entitlements. The use and allocation of the native water is governed by the agreements described in the next paragraph.

(ii) Agreement, dated February 6, 1928 ("1928 Agreement"); Agreement, dated May 15, 1956, as amended November 12, 1973 ("1956 Agreement"); Agreement, dated as of December 21, 1970 ("1970 Agreement"); Agreement Between Irvine Ranch Water District and The Irvine Company Relative to Irvine Lake and the Acquisition of Water Rights In and To Santiago Creek, As Well As Additional Storage Capacity in Irvine Lake, dated as of May 31, 1974 ("1974 Agreement"). The 1928 Agreement was entered into among SWD, CID and TIC, providing for the use and allocation of native water in Irvine Lake. Through the 1970 Agreement and the 1974 Agreement, IRWD acquired the interests of CID and TIC, leaving IRWD and SWD as the two co-owners. TIC retains certain reserved rights. The 1928 Agreement divides the stored native water by a formula which allocates to IRWD one-half of the first 1,000 AF, plus increments that generally yield three-fourths of the amount over 1,000 AF.<sup>10</sup> The agreements also provide for evaporation and spill losses and carryover water remaining in the Lake at the annual allocation dates. Given the dependence of native water on rainfall, for purposes of this assessment only a small portion of IRWD's share of the 28,000 AFY of native water rights (~~3,0484,000~~ AFY in normal years and 1,000 AFY in single and multiple-dry years) is shown in currently available supplies, based on averaging of historical data. However, IRWD's ability to supplement Irvine Lake storage with its imported untreated water supplies, described herein, offsets the uncertainty associated with the native water supply.

#### • NONPOTABLE SUPPLY - GROUNDWATER

##### ***Irvine Subbasin / Irvine Desalter (currently available)***

(i) IRWD's entitlement to produce nonpotable water from the Irvine Subbasin is included within the Irvine Subbasin Agreement. See discussion of the Irvine Subbasin Agreement under Potable Supply - Groundwater; paragraph (iv), above.

(ii) See discussion of the Irvine Desalter project under Potable Supply - Groundwater, paragraph (v), above. The Irvine Desalter project will produce nonpotable as well as potable water.

<sup>10</sup> The 1956 Agreement provides for facilities to deliver MWD imported water into Irvine Lake, and grants storage capacity for the imported water. By succession, IRWD owns 9,000 AFY of this 12,000 AFY imported water storage capacity. This storage capacity does not affect availability of the imported supply, which can be either stored or delivered for direct use by customers.

## •IMPORTED SUPPLY - ADDITIONAL INFORMATION

As described above, the imported supply from MWD is contractually subject to availability. To assist local water providers in assessing the adequacy of local water supplies that are reliant in whole or in part on MWD's imported supply, MWD has provided information concerning the availability of the supplies to its entire service area. In MWD's UWMP, MWD has extended its planning timeframe out through 2040 to ensure that MWD's UWMP may be used as a source document for meeting requirements for sufficient supplies. In addition, the MWD UWMP includes "Justifications for Supply Projections" (Appendix A-3) that details the planning, legal, financial, and regulatory basis for including each source of supply in the plan. The MWD UWMP summarizes MWD's planning initiatives over the past 15 years, which includes the Integrated Resources Plan (IRP), the IRP 2015 Update, the WSDM Plan, Strategic Plan and Rate Structure. The reliability analysis in MWD's 2015 IRP Update shows that MWD can maintain reliable supplies under the conditions that have existed in past dry periods throughout the period through 2040. The MWD UWMP includes tables that show the region can provide reliable supplies under both the single driest year (1977) and multiple dry years (1990-92) through 2040. MWD has also identified buffer supplies, including additional State Water Project groundwater storage and transfers that could serve to supply the additional water needed.

It is anticipated that MWD will revise its regional supply availability analysis periodically, if needed, to supplement the MWD UWMP in years when the MWD UWMP is not being updated.

IRWD is permitted by the statute (Wat. Code, § 10610 *et seq.*) to rely upon the water supply information provided by the wholesaler concerning a wholesale water supply source, for use in preparing its UWMPs. In turn, the statute provides for the use of UWMP information to support water supply assessments and verifications. In accordance with these provisions, IRWD is entitled to rely upon the conclusions of the MWD UWMP. As referenced above under Summary of Results of Demand-Supply Comparisons - Recent Actions on Delta Pumping, MWD has provided additional information on its imported water supply.

MWD's reserve supplies, together with the fact that IRWD relies on MWD supplies as supplemental supplies that need not be used to the extent IRWD operates currently available and under-development local supplies, build a margin of safety into IRWD's supply availability.

### (2) Adopted capital outlay program to finance delivery of the water supplies.

All necessary delivery facilities currently exist for the use of the *currently available* and *under-development* supplies assessed herein, with the exception of future groundwater wells, and IRWD sub-regional and developer-dedicated conveyance facilities necessary to complete the local distribution systems for the Project. IRWD's turnout at each MWD connection and IRWD's regional delivery facilities are sufficiently sized to deliver all of the supply to the sub-regional and local distribution systems.

With respect to future groundwater well projects (PR Nos. 01402 and 07140), IRWD adopted its fiscal year 2017-18 capital budget on June 12, 2017 (Resolution No. 2017-14), budgeting portions of the funds for such projects. (A copy is available from IRWD on request.) For these facilities, as well as unbuilt IRWD sub-regional conveyance facilities, the sources of funding are previously authorized general obligation bonds, revenue-supported certificates of participation and/or capital funds held by IRWD Improvement Districts. IRWD has maintained a successful program for the issuance of general obligation bonds and certificates of participation on favorable borrowing terms, and IRWD has received AAA public bond ratings. IRWD has approximately \$585.5 million (water) and \$711.1 million (recycled water) of unissued, voter-approved bond authorization. Certificates of participation do not require voter approval. Proceeds of bonds and available capital funds are expected to be sufficient to fund all IRWD facilities for delivery of the supplies under development. Tract-level conveyance facilities are required to be donated to IRWD by the Applicant or its successor(s) at time of development.

See also MWD's UWMP, Appendix A.3 Justifications for Supply Projections with respect to capital outlay programs related to MWD's supplies.

(3) Federal, state and local permits for construction of delivery infrastructure.

Most IRWD delivery facilities are constructed in public right-of-way or future right-of-way. State statute confers on IRWD the right to construct works along, under or across any stream of water, watercourse, street, avenue, highway, railway, canal, ditch or flume (Water Code Section 35603). Although this right cannot be denied, local agencies may require encroachment permits when work is to be performed within a street. If easements are necessary for delivery infrastructure, IRWD requires the developer to provide them. The crossing of watercourses or areas with protected species requires federal and/or state permits as applicable.

See also MWD's UWMP, Appendix A.3 Justifications for Supply Projections with respect to permits related to MWD's supplies.

(4) Regulatory approvals for conveyance or delivery of the supplies.

See response to preceding item (3). Additionally, in general, supplies under development may necessitate the preparation and completion of environmental documents and/or regulatory approvals prior to full construction and implementation. IRWD obtains such approvals when required, and copies of documents pertaining to approvals can be obtained from IRWD.

See also MWD's UWMP, Appendix A.3 Justifications for Supply Projections with respect to regulatory approvals related to MWD's supplies.

**3. Other users and contractholders (identified supply not previously used).**

For each of the water supply sources identified by IRWD, if no water has been received from that source(s), IRWD is required to identify other public water systems or water

service contractholders that receive a water supply from, or have existing water supply entitlements, water rights and water service contracts to, that source(s):

Water has been received from all listed sources. A small quantity of Subbasin water is used by Woodbridge Village Association for the purpose of supplying its North and South Lakes. There are no other public water systems or water service contractholders that receive a water supply from, or have existing water supply entitlements, water rights and water service contracts to, the Irvine Subbasin.

**4. Information concerning groundwater included in the supply identified for the Project:**

(a) Relevant information in the Urban Water Management Plan (UWMP):

See Irvine Ranch Water District 2015 UWMP, section 6.2.

(b) Description of the groundwater basin(s) from which the Project will be supplied:

The Orange County Groundwater Basin ("Basin") is described in the Orange County Water District Groundwater Management Plan ("GMP") 2015 Update, dated June 17, 2015<sup>11</sup>. The rights of the producers within the Basin vis a vis one another have not been adjudicated. The Basin is managed by the Orange County Water District ("OCWD") for the benefit of municipal, agricultural and private groundwater producers. OCWD is responsible for the protection of water rights to the Santa Ana River in Orange County as well as the management and replenishment of the Basin. Current production from the Basin is approximately 277,000 AFY.

The DWR has not identified the Basin as "critically overdrafted," and has not identified the Basin as overdrafted in its most current bulletin that characterizes the condition of the Basin, Bulletin 118 (2003) and 2016 Bulletin 118 Interim Update. The efforts being undertaken by OCWD to eliminate long-term overdraft in the Basin are described in the OCWD GMP 2015 Update and OCWD Master Plan Report ("MPR"), including in particular, Chapters 4, 5, 6, 14 and 15 of the MPR. OCWD has also prepared a Long Term Facilities Plan ("LTFP") which was received by the OCWD Board in July 2009, and was last updated in November 2014. The LTFP Chapter 3 describes the efforts being undertaken by OCWD to eliminate long-term overdraft in the Basin.

Although the water supply assessment statute (Water Code Section 10910(f)) refers to elimination of "long-term overdraft," overdraft includes conditions which may be managed for optimum basin storage, rather than eliminated. OCWD's Act defines annual groundwater overdraft to be the quantity by which production exceeds the natural replenishment of the Basin. Accumulated overdraft is defined in the OCWD Act to be the quantity of water needed in the groundwater basin forebay to prevent landward movement of seawater into the fresh groundwater body. However, seawater intrusion control facilities have been constructed by OCWD since the Act was written, and have been effective in

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<sup>11</sup> OCWD has also prepared a Long-Term Facilities Plan which was received and filed by its Board in July 2009, and last updated in November 2014.



preventing landward movement of seawater. These facilities allow greater utilization of the storage capacity of the Basin.

OCWD has invested over \$250 million in seawater intrusion control (injection barriers), recharge facilities, laboratories, and Basin monitoring to effectively manage the Basin. Consequently, although the Basin is defined to be in an “overdraft” condition, it is actually managed to allow utilization of up to 500,000 acre-feet of storage capacity of the basin during dry periods, acting as an underground reservoir and buffer against drought. OCWD has an optimal basin management target of 100,000 acre-feet of accumulated overdraft provides sufficient storage space to accommodate increased supplies from one wet year while also provide enough water in storage to offset decreased supplies during a two- to three year drought. If the Basin is too full, artesian conditions can occur along the coastal area, causing rising water and water logging, an adverse condition. Since the formation of OCWD in 1933, OCWD has made substantial investment in facilities, Basin management and water rights protection, resulting in the elimination and prevention of adverse long-term “mining” overdraft conditions. OCWD continues to develop new replenishment supplies, recharge capacity and basin protection measures to meet projected production from the basin during normal rainfall and drought periods. (OCWD GMP, OCWD MPR and LTFP)

OCWD’s efforts include ongoing replenishment programs and planned capital improvements. It should be noted under OCWD’s management of overdraft to maximize the Basin’s use for annual production and recharge operations, overdraft varies over time as the Basin is managed to keep it in balance over the long term. The Basin is not operated on an annual safe-yield basis. (OCWD GMP, OCWD MPR, section 3.2 and LTFP, section 6)

(c) Description and analysis of the amount and location of groundwater pumped by IRWD from the Basin for the past five years:

The following table shows the amounts pumped, by groundwater source:

(In AFY)

Year (ending 6/30)	DRWF/DATS/ OPA/21-22	Irvine Subbasin (IRWD)	Irvine Subbasin (TIC)	LAWD <sup>12</sup>
2016	37,216	4,672	0	307
2015	40,656	9,840	0	336
2014	42,424	10,995	0	376
2013	38,617	8,629	0	282
2012	37,059	7,059	0	0
2011	34,275	7,055	0	0

<sup>12</sup> The water produced from IRWD’s Los Alisos wells is not included in this assessment. IRWD is presently evaluating the future use of these wells.

2010	37,151	8,695	0	3
2009	38,140	7,614	0	0
2008	36,741	4,539	0	16
2007	37,864	5,407	0	6
2006	37,046	2,825	0	268
2005	36,316	2,285	628	357
2004	30,265	1,938	3,079	101
2003	24,040	2,132	4,234	598
2002	25,855	2,533	5,075	744

(d) Description and analysis of the amount and location of groundwater projected to be pumped by IRWD from the Basin:

IRWD has a developed groundwater supply of 35,200 AFY from its Dyer Road Wellfield (including the Deep Aquifer Treatment System), in the main portion of the Basin.

Although TIC's historical production from the Subbasin declined as its use of the Subbasin for agricultural water diminished, OCWD's and other historical production records for the Subbasin show that production has been as high as 13,000 AFY. Plans are also underway to expand IRWD's main Orange County Groundwater Basin supply (characterized as *under-development* supplies herein). (See Section 2 (a) (1) herein). IRWD anticipates the development of potential additional production facilities within both the main Basin and the Irvine Subbasin. However, such additional facilities have not been included or relied upon in this assessment. Additional groundwater development will provide an additional margin of safety as well as reduce future water supply costs to IRWD.

The following table summarizes future IRWD groundwater production from currently available and under-development supplies.

(In AFY)

Year (ending 6/30)	DRWF <sup>13</sup>	Future GW <sup>14</sup>	IDP (Potable)	IDP (Nonpotable)
2020	43,861,300	0	5,618,400	3,461,898
2025	43,861,300	12,352	5,618,400	3,461,898
2035	43,861,300	12,352	5,618,400	3,461,898
2040	43,861,300	12,352	5,618,400	3,461,898

(e) If not included in the 2015 UWMP, analysis of the sufficiency of groundwater projected to be pumped by IRWD from the Basin to meet the projected water demand of the Project:

See responses to 4(b) and 4(d).

The OCWD MPR and LTFP examined future Basin conditions and capabilities, water supply and demand, and identified projects to meet increased replenishment needs of the basin. With the implementation of OCWD's preferred projects, the Basin yield in the year 2025 would be up to 500,000 AF. The amount that can be produced will be a function of which projects will be implemented by OCWD and how much increased recharge capacity is created by those projects, total demands by all producers, and the resulting Basin Production Percentage ("BPP") that OCWD sets based on these factors.<sup>15</sup> Sufficient replenishment supplies are projected by the OCWD MPR to be available to OCWD to meet the increasing demand on the Basin. These supplies include capture of increasing Santa Ana River flows, purchases of replenishment water from MWD, and development of new local supplies. In 2008, OCWD began operating its replenishment supply project, the Groundwater Replenishment System project ("GWRS"). The GWRS currently produces approximately 100,000 AFY of new replenishment supply from recycled water (OCWD GMP).

Production of groundwater can exceed applicable basin production percentages on a short-term basis, providing additional reliability during dry years or emergencies. Additional groundwater production is anticipated by OCWD in the Basin in dry years, as producers reduce their use of imported supplies, and the Basin is "mined" in anticipation of the eventual availability of replenishment water.

<sup>13</sup> See Potable Supply - Groundwater, paragraph (iii), above. DRWF non-colored production above 28,000 AFY and colored water production above 8,000 AFY are subject to contractually-imposed assessments. In addition, seasonal production amounts apply. This also includes ~~9,141,000~~ AFY for the OPA well and ~~6,329,000~~ for Wells 21&22.

<sup>14</sup> Under-development.

<sup>15</sup> OCWD has adopted a basin production percentage of 75% for 2017-18. In prior years OCWD has maintained a basin production percentage that is lower than the current percentage, and IRWD anticipates that such reductions may occur from time to time as a temporary measure employed by OCWD to encourage lower pumping levels as OCWD implements other measures to reduce the current accumulated overdraft in the Basin. Any such reductions are not expected to affect any of IRWD's currently available groundwater supplies listed in this assessment, which are subject to a contractually-set equivalent basin production percentage as described, or are exempt from the basin production percentage.

(OCWD MPR, section 14.6.)

See also, Figures 1-8 hereto. IRWD assesses sufficiency of supplies on an aggregated basis, as neither groundwater nor other supply sources are allocated to particular projects or customers. Under the Irvine Subbasin Agreement, IRWD is contractually obligated to attribute the Subbasin supply only to TIC development projects for assessment purposes; however, the agreement does not allocate or assign rights in the Subbasin supply to any project.

**Sustainable Groundwater Management Act.** Pursuant to the Sustainable Groundwater Management Act ("SGMA"), the DWR has designated the Orange County groundwater basin, Basin 8-1, as a medium priority basin for purposes of groundwater management. The SGMA specifically calls for OCWD, which regulates the Orange County groundwater basin, to serve as the groundwater sustainability agency or "GSA". The SGMA allows Special Act Districts created by statute, such as OCWD, to prepare and submit an Alternative to a Groundwater Sustainability Plan ("GSP") which is to be "functionally equivalent" to a GSP. Basin 8-1 includes the OCWD service area and several fringe areas outside of OCWD that are within the Basin 8-1 boundary. Per the requirements of SGMA, an Alternative Plan must encompass the entire groundwater basin as defined by DWR. On January 1, 2017, OCWD and the overlying agencies within Basin 8-1, including IRWD, jointly prepared and submitted an Alternative Plan in compliance with SGMA (Basin 8-1 Alternative).

**5.  This Water Supply Assessment is being completed for a project included in a prior water supply assessment. Check all of the following that apply:**

- Changes in the Project have substantially increased water demand.
- Changes in circumstances or conditions have substantially affected IRWD's ability to provide a sufficient water supply for the Project.
- Significant new information has become available which was not known and could not have been known at the date of the prior Water Supply Assessment.

**6. References**

*Water Resources Master Plan*, Irvine Ranch Water District, Updated 2017

*Section 15 of the Rules and Regulations – Water Conservation and Water Supply Shortage Program*, Irvine Ranch Water District, February 2009

*Water Shortage Contingency Plan*, Irvine Ranch Water District, February 2009

*2015 Urban Water Management Plan*, Irvine Ranch Water District, June, 2016

*Southern California's Integrated Water Resources Plan*, Metropolitan Water District of Southern California, March 1996

*Proposed Framework for Metropolitan Water District's Delta Action Plan*, Metropolitan Water

District of Southern California, May 8, 2007

*2007 IRP Implementation Report*, Metropolitan Water District of Southern California, October 7, 2007

*Board Letter, Action plan for updating the Integrated Resources Plan*, Metropolitan Water District of Southern California, December 11, 2007

*2010 Integrated Resources Plan Update*, Metropolitan Water District of Southern California, October 2010

*2015 Integrated Resources Plan Update*, Metropolitan Water District of Southern California, January 2016

*2015 Urban Water Management Plan*, Metropolitan Water District of Southern California, June 2016

*2015 Urban Water Management Plan, Municipal Water District of Orange County*, May 2016

*Progress on Incorporating Climate Change into Management of California's Water Resources*, California Department of Water Resources, July 2006

*Master Plan Report*, Orange County Water District, April, 1999

*Groundwater Management Plan 2015 Update*, Orange County Water District, June 2015

*Final Draft Long-Term Facilities Plan*, Orange County Water District, January 2006

*Long-Term Facilities Plan 2014 Update*, Orange County Water District, November 2014

*2015-2016 Engineer's Report on Groundwater Conditions, Water Supply and Basin Utilization in the Orange County Water District*, Orange County Water District, February 2017

*Basin 8-1 Alternative*, Orange County Water District, January 2017

**Exhibit A**

**Depiction of Project Area**

## REGIONAL LOCATION AND LOCAL VICINITY




**Planning Areas 12 and 40**  
**General Plan Amendment and Zone Change Project**  
**Irvine, CA**



**Exhibit B**  
Uses Included in Project





April 28, 2017

Irvine Ranch Water District  
15600 Sand Canyon Avenue  
PO Box 57000  
Irvine, CA 92619-7000

Re: Request for Water Supply Availability Assessment (Water Code §10910 *et seq.*)

The City of Irvine, County of Orange hereby requests an assessment of water supply availability for the below-described project. The City of Irvine has determined that the project is a "project" as defined in Water Code §10912, and has determined that an Environmental Impact Report is required for the project.

#### Proposed Project Information

Project Title: Planning Area (PA) 12 and PA 40 General Plan Amendment (GPA) and Zone Change Project – Inclusive of the three project areas known as the PA 12 Site, PA 40 East Site, and PA 40 Marine Way Sites

Project Location: The PA 12 Site is bound by the Oak Creek Golf Club to the northwest, the Orange County Transportation Authority (OCTA) / Metrolink railroad to the southwest, Sand Canyon Avenue to the southeast, and Interstate (I) 5 to the northeast. The PA 40 East Site is bound by Roosevelt (a street) to the southwest, State Route (SR) 133 to the southeast, Trabuco Road to the northeast, and Sand Canyon Avenue to the northwest. The Marine Way Sites are composed of two individual sites. The northwest site is generally bound by I-5 to the west, the planned future Marine Way alignment to the north, the SR-133 overpass to the east, and an OCTA property to the south. The southeast site is bound by the SR-133 overpass to the west, the planned future alignment of Marine Way to the northeast, and Ridge Valley to the southeast. Refer to the attached Exhibit A.

(For projects requiring a new assessment under Water Code §10910 (h).) Previous Water Supply Assessment including this project was prepared on: December 2007. This application requests a new Water Supply Assessment, due to the following (check all that apply):

- Changes in the project have substantially increased water demand.  
 Changes in circumstances or conditions have substantially affected IRWD's ability to provide a sufficient water supply for the project.

- Significant new information has become available which was not known and could not have been known at the date of the prior Water Supply Assessment. (Enclose maps and exhibits of the project)

Type of Development:

- Residential: No. of dwelling units: +1,343 (net increase see attached Table 1)
- Shopping center or business: No. of employees \_\_\_\_\_ Sq. ft. of floor space -180,000 sq. ft. (net reduction see attached Table 1)
- Commercial office: No. of employees \_\_\_\_\_ Sq. ft. of floor space \_\_\_\_\_
- Hotel or motel: No. of rooms \_\_\_\_\_
- Industrial, manufacturing, processing or industrial park: No. of employees \_\_\_\_\_ No. of acres \_\_\_\_\_ Sq. ft. of floor space -665,181 sq. ft. (net reduction see attached Table 1)
- Mixed use (check and complete all above that apply)
- Other: Mixed Use: -675,237 sq. ft. (net reduction see attached Table 1), and a 10,000 sq. ft. childcare center (1.3 acres) on the PA 40 East Site

Total acreage of project: Total acreage of PA 12 is 1,053 acres, of which the PA 12 Project Site is 70.2 acres. The total acreage of PA 40 is 634 acres, of which the PA 40 East Site is 25.7 acres, and the PA 40 Marine Way Sites are 12.7 acres.

Acreage devoted to landscape:

Greenbelt n/a Golf course n/a Parks Approx. 7 acres (project sites only)

Agriculture n/a Other landscaped areas Approx. 27 acres (project sites only)

Number of schools n/a Number of public facilities n/a

Other factors or uses that would affect the quantity of water needed, such as peak flow requirements or potential uses to be added to the project to reduce or mitigate environmental impacts: n/a

What is the current land use of the area subject to a land use change under the project? Project sites are currently vacant; however, agricultural activities currently occur at the PA 12 Site, the PA 40 East site is used for temporary construction staging, and a landscape company is utilizing the southeast PA 40 Marine Way Site.

Is the project included in the existing General Plan? No

If no, describe the existing General Plan Designation: General Plan land uses for the three project sites are Research and Industrial (PA 12 Site and PA 40 Marine Way Sites), Medium High Density Residential (PA 40 East Site), and a small area of Recreation (along Jeffrey Road at the location of the Walnut Road extension from the PA 12 Site). Refer to the attached Initial Study project description for more information about the proposed GPA.

The City acknowledges that IRWD's assessment will be based on the information hereby provided to IRWD concerning the project. If it is necessary for corrected or additional information to be submitted to enable IRWD to complete the assessment, the request will be considered incomplete until IRWD's receipt of the corrected or additional information. If the project, circumstances or conditions change or new information becomes available after the issuance of a Water Supply Assessment, the Water Supply Assessment may no longer be valid. The City will request a new Water Supply Assessment if it determines that one is required.

The City acknowledges that the Water Supply Assessment shall not constitute a "will-serve" or in any way entitle the project applicant to service or to any right, priority or allocation in any supply, capacity or facility, and that the issuance of the Water Supply Assessment shall not affect IRWD's obligation to provide service to its existing customers or any potential future customers including the project applicant. In order to receive service, the project applicant shall be required to file a completed Application(s) for Service and Agreement with the Irvine Ranch Water District on IRWD's forms, together with all fees and charges, plans and specifications, bonds and conveyance of necessary easements, and meet all other requirement as specified therein.

CITY OF IRVINE /COUNTY OF ORANGE

By: Stephanie Frady  
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REQUEST RECEIVED:

Date: May 4, 2017

By: Kelli Wilton  
Irvine Ranch Water District

REQUEST COMPLETE:

Date: June 19, 2017

By: Kelli Wilton  
Irvine Ranch Water District

**Exhibit 1**  
**REGIONAL LOCATION AND LOCAL VICINITY**



**Planning Areas 12 and 40**  
**General Plan Amendment and Zone Change Project**  
**Irvine, CA**



**TABLE 1**  
**EXISTING AND PROPOSED**  
**MAXIMUM INTENSITY STANDARDS BY PLANNING AREA**  
(Table A-1 of the General Plan)

Planning Area	Residential				Multi-Use		Institutional			Industrial	Commercial		Maximum Dwelling Units	Maximum sf
	Medium (0-10 DUs/Acre)	Med-High (0-25 DUs/Acre)	High (0-40 DUs/Acre)	Unallocated Residential Units	0-40 DUs/Acre	Square Feet	0-40 DUs/Acre	Public Facility (sf)	Educational Facility (sf)	Research/Industrial (sf)	Community Commercial (sf)	Neighborhood Commercial (sf)		
<b>Existing<sup>1</sup></b>														
Approved PA 12	190	2,164	1,172	40	694	470,000	0	194,440	150,000	3,603,281	955,000	150,000	4,280	5,522,721
Approved PA 40	1,595	2,323	0	0	1,303	675,237	0	0	100,000	1,662,352	205,000	0	5,221	2,642,589
<b>Approved Total</b>	<b>1,785</b>	<b>4,487</b>	<b>1,172</b>	<b>40</b>	<b>1,997</b>	<b>1,145,237</b>	<b>0</b>	<b>194,440</b>	<b>250,000</b>	<b>5,265,633</b>	<b>1,160,000</b>	<b>150,000</b>	<b>9,481</b>	<b>8,165,310</b>
<b>Proposed</b>														
Proposed PA 12	190	3,874	1,172	40	694	470,000	0	194,440	150,000	2,635,532	955,000	175,000	5,970	4,579,972
Proposed PA 40	1,595	1,956	0	0	1,303	0	0	0	100,000	1,964,920	0	0	4,854	2,064,920
<b>Proposed Total</b>	<b>1,785</b>	<b>5,830</b>	<b>1,172</b>	<b>40</b>	<b>1,997</b>	<b>470,000</b>	<b>0</b>	<b>194,440</b>	<b>250,000</b>	<b>4,600,452</b>	<b>955,000</b>	<b>175,000</b>	<b>10,824</b>	<b>6,644,892</b>
<b>Difference Between Approved and Proposed Totals for PAs 12 and 40</b>	<b>NC</b>	<b>+1,343</b>	<b>NC</b>	<b>NC</b>	<b>NC</b>	<b>-675,237</b>	<b>NC</b>	<b>NC</b>	<b>NC</b>	<b>-865,181</b>	<b>-205,000</b>	<b>+25,000</b>	<b>+1,343</b>	<b>-1,520,418</b>
Notes – DUs: Dwelling Units; NC: No Change sf – square feet														

<sup>1</sup> Figures listed as "existing" will be finalized as part of the General Plan technical update to be processed in summer 2017. While these figures do not appear in the current version of the City of Irvine General Plan, the units and square footage totals are approved.