

AGENDA
IRVINE RANCH WATER DISTRICT
WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE
THURSDAY, SEPTEMBER 6, 2018

CALL TO ORDER 3:00 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	_____	Paige Midstokke	_____
	Mark Tettemer	_____	Christine Compton	_____
	Fiona Sanchez	_____	Amy McNulty	_____
	Paul Weghorst	_____	Kellie Welch	_____
	Ray Bennett	_____	Jo Ann Corey	_____
	Wendy Chambers	_____		_____
		_____		_____

COMMUNICATIONS

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.

INFORMATION

- | | |
|----|--|
| 5. | <u>2018 LEGISLATIVE AND REGULATORY UPDATE – COMPTON/COOK</u>

Recommendation: Receive and file. |
| 6. | <u>REVIEW OF IRWD ASSOCIATION MEMBERSHIPS AND AFFILIATIONS – COMPTON/COOK</u>

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

ACTION

7. PROPOSED IRWD POLICY PRINCIPLES REGARDING UPDATES TO
METROPOLITAN WATER DISTRICT'S LOCAL RESOURCES PROGRAM

Recommendation: That the Board adopt the proposed IRWD policy position paper regarding updates to Metropolitan Water District's Local Resources Program.

OTHER BUSINESS

8. Directors' Comments

9. Adjourn

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.

September 6, 2018

Prepared and

submitted by: C. Compton 

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

2018 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 report be received and filed.

BACKGROUND:

The Legislature returned from its Summer Recess on August 6, 2018. August 31 was the last day of the 2017-2018 regular legislative session and the last day for the Legislature to act on regular session bills before the Final Recess. The Governor has until September 30 to sign or veto legislation passed by the Legislature this year. The 2019-2020 Regular Legislative Session will begin on December 3, 2018, when newly-elected members are sworn in.

A copy of the 2018 Legislative Matrix is attached as Exhibit "A". Exhibit "B" is the 2018 Legislative Update Report Links to Bill Texts, which contains links to the bills discussed below, unless a separate exhibit is noted.

State Budget Update:

July Revenue Numbers:

On August 10, 2018, State Controller Betty Yee released her monthly report on the State's finances. She announced that the State took in \$6.63 billion during the month of July. This was \$294.7 million, or 4.3 percent, less than the revenue assumptions contained in the Fiscal Year 2018-2019 Budget. The lower-than-anticipated revenues were due to sales tax revenues coming in at \$818.4 million, which was \$659.1 million or 44.6 percent less than expected. Personal income tax revenues and corporate tax revenues both came in higher than expected.

Except for the lower revenues, "the state's General Fund had a positive cash balance of \$5.54 billion. Receipts were \$3.62 billion less than disbursements in July, which left a cash balance of \$1.92 billion at the end of the month. There was no internal borrowing" according to the State Controller's report.

2017-2018 State Legislative Update:

As has been traditionally done after the legislative session has recessed, staff has provided an update on the bills active at the end of the legislative session and of interest to the District. A summary and a status report on each bill are provided below:

Proposed Water Tax or Voluntary Remittance for Safe and Affordable Drinking Water:

In 2017, Senator Bill Monning (D-Santa Cruz) authored SB 623. SB 623 would have established the Safe and Affordable Drinking Water Fund in the State Treasury and would have provided that the moneys in the fund be continuously appropriated to the State Water Resources Control Board (State Board) for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water consistent with a fund implementation plan to be adopted annually by the State Board. On August 21, 2017, the bill was amended to include a fee on fertilizer and agriculture operations, and a monthly water tax on the following:

- \$0.95 per month for meters less than or equal to 1-inch;
- \$4.00 per month for meters less than or equal to 2-inch;
- \$6.00 per month for meters less than or equal to 4-inch;
- \$10.00 per month for meters greater than 4-inch; and
- Customers without a meter would be taxed at a rate of \$0.95.

SB 623 remained in the Assembly Rules Committees throughout 2018. IRWD opposed the bill and advocated against any water tax inconsistent with the Board-adopted policy on a public good charge/statewide user fee.

While SB 623 remained in the Assembly Rules Committee, the Administration released a budget trailer bill in spring of 2018 labeled as the “Safe and Affordable Drinking Water Act” which was proposed in the form of a budget trailer bill the agricultural fees and water tax included in SB 623. While the trailer bill was not passed by the Legislature, the water tax was still discussed widely by the Administration and promoted by several prominent members of the Legislature.

In August 2018, the Administration revived and modified its trailer bill proposal. The new proposal included the fees on fertilizer and agriculture along with a voluntary “water tax”. The voluntary “water tax” would have required water agencies to place on each customer’s bill a recommended voluntary remittance to fund safe and affordable drinking water in the state.

On August 16, 2018, SB 844 and SB 845 were “gutted and amended” to reflect the Administration’s most recent proposal. The author of both bills was Senator Monning. SB 844 was tagged as requiring a 2/3 vote because of the taxes proposed for fertilizer and agriculture while SB 845 was tagged as requiring a majority vote because Legislative Counsel concluded it was not a tax due to the voluntary nature of the remittance. On August 22, both bills were amended slightly and on August 24, the bills, which were conjoined, were referred to the Assembly Committee on Appropriations.

As of the writing of this report, the bills remain in the Assembly Committee on Appropriations. Staff continued to work with the Association of California Water Agencies (ACWA) and the District’s other industry partners to oppose a water tax and the voluntary remittance while promoting alternative actions to solve the water quality challenges faces a number of disadvantaged communities in the state.

AB 1000 (Friedman, D-Glendale) — Water Conveyance: Use of Facility with Unused Capacity:

Assemblymember Laura Friedman (D-Burbank) introduced AB 1000 in 2017. The bill would have authorized the California Energy Commission to adopt regulations establishing performance standards for water meters installed in residential and nonresidential buildings. On July 3, 2017, AB 1000 was “gutted and amended.”

As amended, the bill specifically sought to prohibit water from the Cadiz Valley Water Conservation, Recovery & Storage Project from being placed into an existing water conveyance facility unless the State Lands Commission found that there would be no adverse effect on the natural or cultural resources. At the end of the 2017 session year, AB 1000 was held on the Senate Appropriations Committee Suspense File, where it still resides. IRWD adopted a “watch” position on AB 1000.

On August 24, 2018, provisions similar to those in AB 1000 were placed into SB 120, authored by Senator Richard Roth (D-Riverside) and co-authored by Assemblymember Friedman. SB 120, as amended, was heard and passed by the Assembly Natural Resources Committee on August 28. The bill was then passed by the by the Assembly on a vote of 50 to 25. As of the writing of this report, the Senate had yet to take bill up for a vote of concurrence.

AB 1912 (Rodriguez, D-Pomona) — Joint Powers Authority: Public Employees’ Retirement Liability:

Existing law permits two or more public agencies to form a joint powers authority (JPA). A JPA is a separate entity from the public agencies that form it; however, under existing law, the debts, liabilities and obligations of the JPA become the debts, liabilities and obligations of its member agencies unless the agreement governing the JPA states otherwise. In the case of pension and retirement obligations, the JPA agreement may limit those obligations and liabilities to be obligations and liabilities of the JPA alone. AB 1912, authored by Assemblymember Freddie Rodriguez (D-Pomona), would change this.

Specifically, AB 1912, as amended, would prohibit the agreement governing the JPA from limiting the pension and retirement obligations to the JPA. This means that AB 1912 would retroactively make public agencies that are members of a JPA liable for the JPA’s pension and retirement liabilities.

AB 1912 was passed by the Senate on a vote of 27 to 10 and by the Assembly on a vote of 44 to 6. The bill will be presented to the Governor for his signature or veto. IRWD did not adopt a position on AB 1912, but has actively monitored the bill throughout the legislative session.

AB 2050 (Caballero, D-Salinas) — Small Water System Authority Action of 2018:

In addition to the discussions taking place on a water tax to address water quality issues within disadvantaged communities, the water community has supported AB 2050 (Caballero, D-Salinas) as one way to address the challenges facing many communities in the state. The Eastern Municipal Water District (EMWD), in partnership with the California Municipal Utilities

Association (CMUA), have sponsored AB 2050 to address the management and governance challenges facing water systems within disadvantaged communities.

AB 2050 would create a new category of water agency — a Small System Water Authority — with unique powers to absorb, improve and competently operate currently non-compliant public water systems with either contiguous or non-contiguous boundaries. Small System Water Authorities would consolidate failing small water systems that are voluntarily donated to the Authority to provide technical, managerial and financial capabilities to ensure the provision of safe, clean, affordable, and accessible water and local governance.

AB 2050 was passed by the Senate on a vote of 34 to 3 and by the Assembly on a vote of 58 to 21. The bill will be presented to the Governor for his signature or veto. Given the important role governance will play in California's ability to address water quality issues within disadvantaged communities, IRWD has a "support" position on AB 2050.

AB 2447 (Reyes, D- San Bernardino) — California Environmental Quality Act: Environmental Justice:

AB 2447, authored by the Assemblymember Eloise Reyes (D-San Bernardino), would expand the requirements of the California Environmental Quality Act (CEQA) for certain projects and provide for an additional process for certain projects located near or in disadvantaged communities. Specifically, the bill would require that a lead agency that is preparing an Environmental Impact Report to provide individual notice to owners and occupants of property located within a disadvantaged community when the CEQA review involves industrial or equivalent land uses.

Over the past seven months, staff has been working with ACWA and CMUA to seek amendments to the bill which would make it clear that water or wastewater projects are excluded from the bill's provisions. While the author did not accept the full set of amendments requested by ACWA and CMUA, the author did amend the bill on August 24. As amended, the bill would not apply to "A project undertaken by a public water supplier or public agency for the conveyance, production, storage, impoundment, or treatment of safe and reliable water, such as recycled water, wastewater, and stormwater, to serve a disadvantaged community."

AB 2447 was passed by the Senate on a vote of 25 to 13 and by the Assembly on a vote of 42 to 30. The bill will be presented to the Governor for his signature or veto.

AB 2501(Chu, D-Milpitas) — Drinking Water: Consolidation and Extension of Service:

AB 2501, authored by Assemblymember Kaasen Chu (D-Milpitas), seeks to amend the consolidation authorities granted to the State Board in SB 88 (2015). SB 88 authorized the State Board to order a water system to take over and consolidate with a public water system or a state small water system that consistently fails to provide an adequate supply of safe drinking water within a disadvantaged community in order to ensure that those communities would no longer receive unsafe drinking water. In addition to the authority granted in SB 88, AB 2501 seeks to extend the State Board's consolidation authority. Among other things, if enacted, AB 2501

would allow the State Board to order a water system to take over, consolidate or provide service where the disadvantaged community is served a domestic well that consistently fails to provide an adequate supply of safe drinking water or where a school is served with unsafe or inadequate water supply.

AB 2501 was passed by the Senate on a vote of 26 to 13. As of the writing of this report, the Assembly had yet to take bill up for a vote of concurrence. IRWD did not adopt a position on AB 2501, but actively monitored the bill.

AB 3206 (Friedman, D-Burbank) — Water Conservation: Water Meters: Accuracy and Performance Standards:

Assemblymember Friedman has also authored AB 3206 to reduce water loss and water waste. This bill would have required the California Energy Commission to adopt regulations setting standards for the accuracy of water meters purchased on and after the effective date of the regulation setting the standards. Additionally, the bill would have required the State Board, when adopting the water loss standards under SB 555 (2016), to adopt regulations related to the sampling and testing of its meters to establish a statistically sound estimate of the accuracy of the water meters serviced by the urban water supplier.

The bill was placed on the Senate Appropriations Committee Suspense File on August 6, 2018, and was not released when the file was considered on August 16. IRWD had sought amendments to the bill which would make it more workable for the District and the water industry.

SB 998 (Dodd, D-Napa) — Discontinuation of Residential Water Service:

SB 998, authored by Senate Bill Dodd (D-Napa), would establish new statutory provisions governing when a public water system may discontinue water service at a residential property. Among its many provisions, the bill would prohibit a public water system from discontinuing residential water service for nonpayment until a customer has been delinquent for at least 60 days and has been provided adequate notice about their options to avoid discontinuation of their water service. The bill also prohibits, if certain situations exist, the discontinuation of water service. The bills would prohibit the discontinuation of residential water service where all of the following conditions are met:

- The customer, or a tenant of the customer, submits to the water provider certification from a licensed medical professional that that discontinuation of residential service will be life-threatening to, or pose a serious threat to the health and safety of, a resident of the premises where the service is being provided;
- The customer demonstrates that he or she is financially unable to pay their bill within the normal payment period; if any member of the customer's household is a recipient of CalWORKS, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental

Nutrition Program for Women, Infants and Children; or he or she declares that the household's annual income is less than 200 percent of the federal poverty level; and

- The customer is willing to enter into an amortization agreement, alternative payment schedule or plan for deferred or reduce payment with respect to the delinquent charges.

Additionally, the bill limits a water provider's ability to discontinue service if the customer is delinquent on a payment required under an amortization agreement, alternative payment schedule or plan for deferred or reduced payment plan. The bill would require that service could not be discontinued until the customer was 60 days delinquent on those charges.

SB 998 also limits reconnection fees and interest charges on past due bills. The bill limits reconnection fees to \$50.00 or less for a reconnection during normal operating hours and \$150.00 or less during non-normal operating hours for households with income below 200 percent of the federal poverty line. It would also require that interest charges be waived for a residential customer who demonstrates to a water provider that their household income is below 200 percent of the federal poverty line.

IRWD took an "oppose" position on SB 998 because the author rejected the amendments requested by the water community which would have made the bill consistent with Proposition 218's cost-of-service requirements.

SB 998 was passed by the Assembly on a vote of 44 to 26 and by the Senate on a vote of 25 to 13. The bill will be presented to the Governor for his signature or veto.

SB 1215 (Hertzberg, D-Van Nuys) — Provision of Sewer Service: Disadvantaged Communities:

SB 1215, authored by Senator Hertzberg (D-Van Nuys), would expand the Regional Water Quality Control Boards' (regional boards) authority. Specifically, SB 1215 would authorize the regional boards to order a sewer service provider to extend service to a disadvantaged community or where the residents of a disadvantaged community are served by an onsite sewage treatment system (i.e. septic systems) that does not provide adequate sewage service. If a regional board orders the provision of sewer service, the bill would require the State Board to make funds available, upon appropriation by the Legislature, to the receiving sewer system for the costs of providing the sewer service including compensation of loss of capacity, and paying capacity connection fees.

SB 1215 was passed by the Assembly on a vote of 54 to 23. As of the writing of this report, the Senate had yet to take bill up for a vote of concurrence. IRWD did not take a position on SB 1215, but actively monitored it.

2018 State Regulatory Update:

California Water Plan- Update 2018:

The Department of Water Resources (DWR) is currently working on the 2018 update to the California Water Plan. The California Water Plan is the State's strategic plan for managing and developing water resources. The 2018 Update seeks to "ever-green" the plan by identifying specific outcomes and metrics to track performance, prioritize near-term State actions and investments, recommend financing methods having more stable revenues, and inform water deliberations and decisions. More specifically, the current version of the 2018 Update, which was released in January 2018, focuses on the following areas and visions:

- Public Health and Safety Vision – All Californians are protected from health and safety threats and emergencies;
- Health Economic Vision – California has a healthy economy and all Californians have opportunities for economic prosperity;
- Ecosystem Vitality Vision – Ecosystems in the state are thriving; and
- Opportunities for Enriching Experiences Vision – All Californians have opportunities for enriching experiences.

In March, IRWD submitted a formal comment letter on the Public Review Draft. While the next version of the update was due for release in the spring, the next version of the update is yet to be released. Despite this, DWR has scheduled the next Plenary on the 2018 Update. The goals of the Plenary are to provide an overview of the Public Review Draft, solicit feedback on the draft and discuss implementation strategies and tools related to the 2018 Update. Given the importance of the 2018 Update and the many controversial proposals included in the Public Review Draft, staff is planning on attending the Plenary to continue advocating for changes to the draft.

State Water Resources Control Board Proposed Recycled Water Policy Amendments:

In May, the State Board released proposed amendments to the "Policy for Water Quality Control for Recycled Water" (e.g. the Recycled Water Policy). The proposed amendments greatly change the policy from being focused on the use of recycled water for irrigation to a more overarching regulatory/policy document that will govern the terms of permits issued to recycled water producers and purveyors.

On June 19, 2018, the State Board held a public hearing to accept oral comments on the proposed amendments to the Recycled Water Policy. Staff participated in the hearing providing comments on the reporting, permitting and overarching policy goals of the proposed amendment. On June 26, 2018, IRWD submitted formal comments on the proposed amendments.

Since the hearing and the close of the official public comment period, staff has continued to work with WaterReuse California and others to seek changes to the proposed amendments. Staff will provide an update on any significant developments related to those efforts.

“Making Water Conservation a California Way of Life” Implementation:

Last month, DWR along with the State Board, released a primer on the long-term water use efficiency legislation passed earlier this year. Along with the release, the agencies announced that they will be hosting listening session and accepting public comments on “Making Water Conservation a California Way of Life: Primer of 2018 Legislation on Water Conservation and Drought Planning” through September 14, 2018. Staff has reviewed the primer and will be participating in the listening session to encourage DWR and the State Board to make the primer more consistent with the “Making Water Conservation a California Way of Life” legislation engaged this year.

A copy of the primer can be read at <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Water-Use-And-Efficiency/Make-Water-Conservation-A-California-Way-of-Life/Files/PDFs/Primer-of-2018-Legislation-on-Water-Conservation-and-Drought-Planning.pdf>.

2019 Legislative Planning

CMUA’s Call for Legislative Proposals:

Each year CMUA solicits legislative proposals from its members and considers submitted proposals at its Strategic Planning Meeting each fall. The CMUA Legislative Committee evaluates the proposals and determines whether to sponsor or support the submitted legislative concepts. In order to have a proposal considered for next year, CMUA requires the proposal to be submitted by October 5, 2018.

Request for Qualifications for Federal and State Legislative Advocates:

Given the restructuring and/or retirement of the District’s current federal and state advocates, staff plans to issue a Request for Qualifications (RFQ) to solicit qualifications from full-service lobbying firms to represent the District on federal legislative and regulatory issues in Washington, D.C, and on state legislative issues in Sacramento. The RFQ for federal advocacy services is planned for release this month while the release of the RFQ for state advocacy services will take place in early fall.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

Exhibit “A” – IRWD Legislative Matrix

Exhibit “B” – 2018 Legislative Update Report Links to Bill Texts

EXHIBIT "A"
IRWD 2016 LEGISLATIVE MATRIX
Updated 08/31/2018 at 9:00 am

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 18</u> Garcia E (D)	Healing Arts: Licensed Physicians and Dentists		Relates to the Licensed Physicians and Dentists from Mexico Pilot Program. Removes the requirement that the orientation program for physicians be 6 months in length. Requires the Medical Board of California and the Dental Board of California to convene interested parties meetings in order for the boards to determine and establish the appropriate duration of the orientation programs under their respective oversights.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: To Suspense File.;08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 161</u> Levine (D)	Public Employees' Retirement: Pension Fund Management		Requires specified staff of the Public Employees' Retirement System to work with appropriate state agencies to produce an annual list, that may be provided to each Board, of priority infrastructure projects most suitable for funding, as provided.	08/07/2018 - Withdrawn from SENATE Committee on APPROPRIATIONS.;08/07/2018 - Re-referred to SENATE Committee on RULES.
<u>AB 196</u> 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.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 732</u> 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.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 869</u> Rubio (D)	Sustainable Water Use: Recycled Water		Requires long-term standards for urban water conservation and water use to include a credit for recycled water. Prohibits an urban retailer water supplier from being required to reduce the amount of recycled water it produces, sells, or distributes for beneficial potable or nonpotable uses during a period when water conservation measures are in effect.	08/24/2017 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;08/24/2017 - In SENATE. Read second time and amended. Re-referred to Committee on

IRWD 2016 LEGISLATIVE MATRIX

Updated 08/31/2018 at 9:00 am

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				NATURAL RESOURCES AND WATER.
<u>AB 987</u> Kamlager-Dove (D)	CEQA: Sports and Entertainment Project		Amends existing law relating to the Environmental Quality Act. Authorizes the Governor to certify a specified sports and entertainment project located in the City of Inglewood for streamlining if the project meets certain requirements. Applies certain rules of court establishing procedures requiring actions or proceedings seeking judicial review under CEQA or the granting of project approvals, including any appeals. Require concurrent preparation of the proceedings record with the environmental review.	08/30/2018 - Re-referred to SENATE Committee on RULES.;08/30/2018 - Withdrawn from SENATE Committee on RULES.;08/30/2018 - In SENATE. Ordered to third reading.
<u>AB 1000</u> 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.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 1017</u> Santiago (D)	Collective Bargaining Agreements: Arbitration		Amends the existing law, with regard to disputes concerning collective bargaining agreements for private employees. Provides for such provision apply to public employment. Limits liability for attorney's fees under such provisions to a labor organization or employer.	09/15/2017 - In ASSEMBLY. Ordered returned to SENATE. *****To SENATE.
<u>AB 1270</u> Gallagher (R)	Dams and Reservoirs: Inspections and Reporting		Amends existing law that requires the Department of Water Resources to inspect dams, reservoirs, and appurtenant structures once per fiscal year. Requires the owner of a dam to operate critical outlet and spillway control features on an annual basis and to demonstrate their full operability in the presence of the Department. Provides certain inspection reports may be withheld	02/26/2018 - Signed by GOVERNOR.;02/26/2018 - Chaptered by Secretary of State. Chapter No. 2018-3

IRWD 2016 LEGISLATIVE MATRIX
Updated 08/31/2018 at 9:00 am

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			from public release. Requires the Department to provides specified information on its website.	
<u>AB 1273</u> Gallagher (R)	Environmental Quality Act: Exemption: Levee Repairs		Amends the California Environmental Quality Act (CEQA). Exempts from the requirements of the CEQA, repairs of critical levees of the State Plan of Flood Control within an existing levee footprint to meet standards of public health and safety. Requires the lead agency to take certain actions regarding the repairs.	07/11/2017 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.
<u>AB 1323</u> 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.	08/21/2017 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 1420</u> 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 into a lake or streambed alteration agreement with the department under specified circumstances.	09/01/2017 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 1654</u> Rubio (D)	Labor Code Private Attorneys General Act: Construction	Sponsor & Support	Excepts from the act an employee in the construction industry, as defined, with respect to work performed under a valid collective bargaining agreement in effect any time before January 1, 2025, that contains certain provisions, including, among others, a grievance and binding arbitration procedure to redress violations that authorizes the arbitrator to award otherwise available remedies.	08/29/2018 - In ASSEMBLY. Assembly Rule 77.2 suspended.;08/29/2018 - Re-referred to ASSEMBLY Committee on LABOR AND EMPLOYMENT.;08/29/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.
<u>AB 1667</u> 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

IRWD 2016 LEGISLATIVE MATRIX

Updated 08/31/2018 at 9:00 am

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			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.
<u>AB 1668</u> Friedman (D)	Water Management Planning	Support	Requires the State Water Resources Control Board to adopt long term standards for the efficient use of water and performance measures for certain water uses. Requires the Department to conduct necessary studies and investigations and authorizes them to recommend to the Legislature a standard for indoor residential water use. Imposes civil liability for a violation of an order or regulation issued pursuant to these provisions, as specified.	05/31/2018 - Signed by GOVERNOR.;05/31/2018 - Chaptered by Secretary of State. Chapter No. 2018-15
<u>AB 1740</u> Daly (D)	Budget Deficit Savings Account		Establishes the Budget Deficit Savings Account in the State Treasury, provides that funds in the reserve shall be available only for specified purposes, for appropriation by the Legislature in fiscal years in which there is a state budget deficit.	04/30/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.
<u>AB 1745</u> Ting (D)	Vehicles: Clean Cars 2040 Act		Requires all new passenger vehicles to be zero emissions vehicles after a specified date. States that zero emissions vehicles cannot produce exhaust emissions of any criteria pollutant or greenhouse gas under any operational mode or condition. Exempts large commercial vehicles (larger than a specified number of pounds) and does not apply to vehicles owned by people moving into California from other states.	01/16/2018 - To ASSEMBLY Committee on TRANSPORTATION.
<u>AB 1748</u> Steinorth (R)	Property Taxation: Base Year Value Transfer		Amends existing law relating to the base year value of property that is eligible for the homeowner's exemption. Deems a replacement dwelling to be of equal or lesser value if the amount of the full cash value of that replacement dwelling does not exceed specified amounts based on the date of the sale of the original property relative to the purchase or new construction of the replacement dwelling.	05/14/2018 - In ASSEMBLY Committee on REVENUE AND TAXATION: Failed passage.

IRWD 2016 LEGISLATIVE MATRIX
Updated 08/31/2018 at 9:00 am

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1770</u> Steinorth (R)	Local Government: Investments		Revises the maximum 5-year maturity requirement regarding investment in securities by a local agency to instead require that the securities have a maximum remaining security of 5 years or less. Eliminates the requirement that the securities issuer be rated A or its equivalent or better for the issuer's debts as provided by an NRSRO.	08/28/2018 - *****To GOVERNOR.
<u>AB 1912</u> Rodriguez (D)	Public Employees' Retirement: Joint Powers Agreements		Specifies that the parties to the joint powers agreement may not specify otherwise with respect to retirement liabilities of the agency if the agency contracts with a public retirement system, and would eliminate an authorization for a party to a joint powers agreement to separately contract or assume responsibilities for specific debts, liabilities, or obligations of the agency.	08/30/2018 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.
<u>AB 1945</u> Garcia E (D)	Greenhouse Gas Reduction Fund: Investment Plan		Requires state agencies administering competitive grant programs that allocate moneys from the fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality. Includes a specified application timeline. Allows applicants from the Counties of Imperial and San Diego to include daytime population numbers in applications. Requires monies used to achieve specified goals.	08/30/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 1989</u> Mathis (R)	Water and Wastewater Loan and Grant Program		Appropriates a specified amount to the State Water Resources Control Board. Provides funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS; Held in committee.
<u>AB 1991</u> Mathis (R)	Safe Drinking Water State Revolving Fund		Requires the State Water Resources Control Board to post information on its internet web site regarding implementation of the Safe Drinking Water Revolving Fund Law and expenditures from the Fund.	03/15/2018 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.;03/15/2018 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				amendments.;03/15/2018 - In ASSEMBLY. Read second time and amended. Re-referred
<u>AB 2003</u> Daly (D)	Public Contracts: Sanitation Districts	Support	Relates to existing law which requires a sanitation district, when an expenditure for work exceeds a specified amount, to contract with the lowest responsible bidder after notice. Requires the notice to be published in a manner that the district board determines to be reasonable, which may include, but is not limited to, newspapers, Internet Web sites, radio, television, or other means of mass communication.	02/12/2018 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<u>AB 2017</u> Chiu (D)	Public Employers: Employee Organizations		Expands the definition of public employer to include those employers of excluded supervisory employees and judicial council employees. Includes in the definition of public employee those employees of a public transit agency with specified labor relation provisions. Prohibits a public employer from deterring or discouraging prospective public employees from becoming or remaining members of an employee organization.	06/25/2018 - From SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.
<u>AB 2038</u> Gallagher (R)	Countywide Drought and Water Shortage Contingency Plans		Requires the Department of Water Resources, in consultation with the State Water Resources Control Board and other relevant state and local agencies and stakeholders, to use available data to identify small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and requires the department to notify counties and groundwater sustainability agencies of those suppliers or communities.	02/16/2018 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<u>AB 2042</u> Steinorth (R)	Personal Income Tax Credits: Graywater Reuse Systems		Allows as a credit against the net personal income tax equal to a certain percent of the cost of installing a residential graywater reuse system in the taxpayer's residence located in the state. Limits the cumulative amount of the credit. Requires the Franchise Tax Board to receive and evaluate applications that are submitted by taxpayers to receive a residential graywater reuse system credit and to certify to the taxpayer the amount of the credit that is authorized.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2050</u> Caballero (D)	Small System Water Authority Act of 2018	Support	Creates the Small System Water Authority Act to authorize the creation of small system water authorities to have powers to absorb, improve, and competently operate noncompliant public water systems. Requires the State Water Resources Control Board to provide certain notices to systems that are not compliant with drinking water standards.	08/30/2018 - Enrolled.
<u>AB 2060</u> Garcia E (D)	Water: Grants: Advanced Payments		Requires the State Water Resources Control Board, within a specified number of days of awarding a grant from the grant fund, to provide a project proponent that requests an advanced payment and satisfies certain criteria with a specified advanced payment or percentage of the grant award, whichever is less, for projects in which the proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. Authorizes the Board to impose penalties.	08/29/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 2064</u> Gloria (D)	Integrated Regional Water Management Plans: Grants		Requires require the department to provide a project proponent that requests advanced payment and satisfies certain criteria with advanced payment for those projects of a specified amount or percentage of the grant award, whichever is less. Eliminates the requirement that the grant award for the project be less than a certain amount to obtain advanced payment. Requires the Department of Water Resources to provide advance payment of the remaining award for a project that received half of an advance payment.	08/29/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 2065</u> Ting (D)	Local Agencies: Surplus Land		Expands the definition of local agency to include sewer, water, utility, local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state that is empowered to acquire and hold real property, thereby requiring these entities to comply with the requirements for the disposal of	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			surplus land. Defines surplus land, dispose of, and priority for purposes of these provisions.	
<u>AB 2071</u> Bloom (D)	Accessory Dwelling Units: Owner Occupancy		Amends the Planning and Zoning Law. Requires, when a local agency or ordinance requires owner occupancy, as provided, that the lot that contains the accessory dwelling unit, or the single family residence in which the junior accessory dwelling unit is located, be deemed to be owner occupied if the lot or single family residence is owned by a trust in which at least one beneficiary of the trust is a person with a disability and that person occupies the primary residence or the accessory dwelling unit.	08/27/2018 - In SENATE. From third reading. To Inactive File.
<u>AB 2072</u> Quirk (D)	State Water Resources Control Board: Contaminants		Requires the State Water Resources Control Board to establish and maintain a dedicated program to research the potential effects of constituents of emerging concern in water sources on human and ecosystem health.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2077</u> Limon (D)	Electricity: Local Government Renewable Energy Program		Requires an electrical corporation to negotiate in good faith with the County of Santa Barbara to construct and operate eligible renewable generating facilities sufficient to meet the local government's 100% renewables commitment. Requires that any mutually agreed upon rates and terms be submitted to the commission and would require the commission to approve the rates and terms if the commission determines them to be just and reasonable.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2123</u> Cervantes (D)	California Voting Rights Act: District-Based Elections		Permits a political subdivision and a prospective plaintiff bringing an action under the state Voting Rights Act to enter into a written agreement to extend the time period during which a prospective plaintiff is prohibited from commencing an action for up to an additional specified amount of days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input. Requires a schedule of the public outreach events be published on the subdivision web site.	08/24/2018 - *****To GOVERNOR.

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<u>AB 2154</u> Bonta (D)	Public Employment: Labor Relations: Release Time		Prescribes requirements relating to release time that would apply to all of the public employers and employees subject to specified public employee acts and would generally repeal the provisions relating to release time in those acts. Prohibits the Public Employment Relations Board from enforcing these provisions with regard to public transit workers that are not otherwise subject to the board's jurisdiction.	04/02/2018 - From ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY with author's amendments.;04/02/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.
<u>AB 2179</u> Gipson (D)	Municipal Corporations: Public Utility Service		Authorizes a municipal corporation to utilize the alternative procedures to lease, sell, or transfer that portion of a municipal utility used for furnishing sewer service outside the boundaries of the municipal corporation.	08/30/2018 - Enrolled.
<u>AB 2241</u> Rubio (D)	The Open and Transparent Water Data Act		Amends the Open and Transparent Water Data Act. Requires the Department of Water Resources to work to improve the open and transparent access to data by reducing the fractured or duplicative reporting of the same data to multiple governmental agencies and departments, and by reducing the reporting burden on entities providing data to governmental agencies.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2242</u> Rubio (D)	Urban Water Management Planning		Amends the Urban Water Management Planning Act. Requires an urban water supplier, to include in its urban water management plan, an assessment of the reliability of its water service to its customers during normal, dry, and multiple dry years, including a repeat of consecutively historic driest years the urban water supplier has experienced.	06/04/2018 - In ASSEMBLY. To Inactive File.
<u>AB 2249</u> Cooley (D)	Public Contracts: Local Agencies: Alternative Procedure		Authorizes public projects of a specified amount or less to be performed by the employees of a public agency. Authorizes public projects of a specified amount or less to be let to contract by informal procedures. Requires public projects of more than a	08/20/2018 - Signed by GOVERNOR.;08/20/2018 - Chaptered by Secretary of State. Chapter No. 2018-169

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			specified amount to be let to contract by formal bidding procedures. Creates the Uniform Construction Cost Accounting Commission.	
<u>AB 2266</u> Bigelow (R)	Urban Water Management Plans: Adoption		Requires urban water suppliers to prepare and adopt urban water management plans within a specified number of years after becoming urban water suppliers.	03/15/2018 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;03/15/2018 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/15/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS
<u>AB 2277</u> Mathis (R)	Solid Waste Facilities: Pharmaceutical Waste		Vests the Department of Resources Recycling and Recovery with the primary responsibility for the disposal of home- generated pharmaceutical waste and would require the Department of Resources Recycling and Recovery, in collaboration with the State Department of Public Health, the Department of Toxic Substances control, and the California State Board of Pharmacy, to adopt regulations authorizing the incineration of home- generated pharmaceutical waste by solid waste facilities.	03/01/2018 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<u>AB 2278</u> Berman (D)	Local Government Renewable Energy Self Generation		Amends the Local Government Renewable Energy Self Generation Program. Revises how the bill credit is calculated. Requires the electrical corporation to use the time of use periods and certain seasonal definitions. Requires a tariff approved by the commission as part of the program to remain in effect for the operating life of the associated eligible renewable generating facility. Repeals the requirement that when the last billing cycle of a 12-month period is reached, any remaining credit is reset to zero.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2283</u> Holden (D)	Income Taxes: Exclusion: Turf Removal Program	Support	Extends the operation of existing law which provides an exclusion from gross income for any amount received as a rebate, voucher, or	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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			other financial incentive issued by a local water agency or supplier for participation in a turf removal water conservation program.	
<u>AB 2341</u> Mathis (R)	Environmental Quality Act: Aesthetic Impacts		Specifies that, except as provided, the aesthetic effects of projects meeting certain requirements are not significant effects on the environment for purposes of the Environmental Quality Act and that the lead agency is not required to evaluate the aesthetic of those projects.	08/24/2018 - *****To GOVERNOR.
<u>AB 2370</u> Holden (D)	Lead Exposure: Child Daycare Facilities		Requires, as a condition of licensure, the health and safety training to include instruction in the prevention of lead exposure as a part of the preventive health practices course or courses component. Requires the child day care facility, upon enrolling or reenrolling any child, to provide the parent or guardian with written information on the risks and effects of lead exposure, blood lead testing recommendations and requirements, and options for obtaining blood lead testing.	08/30/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 2371</u> Carrillo (D)	Water Use Efficiency: Landscape Irrigation		Authorizes a home inspection report on a dwelling unit on a parcel containing an in-ground landscape irrigation system to include certain information regarding the operation and observation of the irrigation system. Requires the Department of Water Resources to compile an estimate of the number of properties for which an irrigation system inspection report has been prepared. Requires the department to consider and propose revisions to a certain publication and its database as the director deems necessary.	08/29/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 2379</u> Bloom (D)	Waste Management: Plastic Microfiber		Relates to toxic chemical enforcement. Requires that new clothing with a certain material composition bear a conspicuous label that is visible to the consumer in the form of a sticker, or any other label type, with a statement that the garment sheds plastic microfibers when washed. Requires additional information, including that same statement, on the care label of such garments. Prohibits sales of such new clothing without those labels.	06/04/2018 - In ASSEMBLY. To Inactive File.

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<u>AB 2432</u> Obernolte (R)	California Voting Rights Act		Prohibits the courts under the California Voting Rights Act, from imposing district-based elections unless the plaintiff has established that district-based elections would remedy the dilution of abridgment of voting rights and that alternatives to district-based elections would not achieve greater voting rights and other benefits.	04/25/2018 - In ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Not heard.
<u>AB 2434</u> Bloom (D)	Strategic Growth Council: Health in All Policies		Establishes the Health in All Policies Program, to be administered by the Strategic Growth Council, for the purposes of incorporating health, equity, and sustainability considerations into decision making across sectors and policy areas. Requires the council, by October 1, 2019, to develop a report of recommendations for programs, policies, and practices that state agencies can undertake to advance health, equity, and specified goals of the HiAP Program.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 2441</u> Frazier (D)	Sac San Joaquin Delta: Abandoned Commercial Vessels		Amends existing law authorizing the State Lands Commission to take immediate action, without notice, to remove from areas in its jurisdiction a vessel that is left unattended and is moored, docked, beached, or made fast to land creating a hazard. Requires the Commission, upon receipt of funds appropriated by the Legislature and any federal or private funds for this purpose, to develop a plan for the removal of abandoned commercial vessels, as prescribed, by a specified date.	08/30/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 2447</u> Reyes (D)	Environmental Quality Act: Land Use: Justice		Requires a lead agency that is preparing an environmental impact report, or a negative declaration, to provide certain notices as required to owners and occupants of property located within a specified distance of any parcel or parcels, and to any schools located within a certain distance of any parcel or parcels, on which is located a project involving an industrial land use within a disadvantaged community. Requires the lead agency to provide certain notices and meetings.	08/30/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2464</u> Harper (R)	California Coastal Act: Port of Newport Beach		Relates to a port master plan for the port of Hueneme, Long Beach, Los Angeles, or San Diego Unified Port District located within the coastal zone. Applies this port master plan provision to the Port of Newport Beach located within the coastal zone, except as provided.	03/05/2018 - To ASSEMBLY Committee on NATURAL RESOURCES.
<u>AB 2470</u> Grayson (D)	Invasive Species Council of California		Establishes the Invasive Species Council of California, with a prescribed membership, to help coordinate a comprehensive effort to prevent the introduction of invasive species in the state and to advise state agencies how to facilitate coordinated, complementary, and cost-effective control or eradication of invasive species that have entered or are already established in the state.	08/30/2018 - In ASSEMBLY. Assembly Rule 77.2 suspended.;08/30/2018 - Re-referred to ASSEMBLY Committee on AGRICULTURE.;08/30/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.;08/30/2018 - From ASSEMBLY Committee on AGRICULTURE: Recommend concurrence in S
<u>AB 2475</u> Ting (D)	State Owned Property: Sustainable Landscaping		Requires the Department of General Services to review, at least every 5 years, any existing regulations and practices for sustainability, energy efficiency, and water efficiency requirements for landscapes on state-owned real property to ensure those regulations and practices reflect the most current sustainability and efficiency standards available.	05/24/2018 - To SENATE Committee on GOVERNMENTAL ORGANIZATION.
<u>AB 2501</u> Chu (D)	Drinking Water State Administrators: Service Extension		Authorizes the State Water Resources Control Board to order consolidation with a receiving water system if a water system serving a disadvantaged community fails to provide an adequate supply of water. Authorizes the Board to contract with an administrator to provide managerial services to a public water system.	08/30/2018 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.
<u>AB 2516</u> Eggman (D)	Dams: Reservoir Restrictions		Requires the Department of Water Resources to post, and update annually, on its website a report containing the name of each reservoir subject to a restriction and the reservoir's associated downstream hazard potential classification, the effective date of the	08/30/2018 - Enrolled.

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			reservoir restriction, the reason for the restriction, and any actions, planned or completed, that the dam owner reports to address the restriction.	
<u>AB 2528</u> Bloom (D)	Climate Adaptation		Adds new sectors to the climate adaptation strategy which are the land use and community development sector, the climate justice sector, and the parks, recreation, and California culture sector. Specifies that the biodiversity and habitat sector includes habitat resilience areas.	08/30/2018 - Enrolled.
<u>AB 2541</u> Salas (D)	Safe Drinking Water State Revolving Fund		Amends existing law that grants funding, and principal forgiveness and financing on loans, from the Safe Drinking Water State Revolving Fund to a project for a water system with a service area that qualifies as a severely disadvantaged community. Authorizes the State Water Resources Control Board to provide complete grant funding, and principal forgiveness and financing on loans, from the Safe Drinking Water State Revolving Fund.	08/27/2018 - Chaptered by Secretary of State. Chapter No. 2018-217
<u>AB 2551</u> Wood (D)	Forestry and Fire Prevention: Prescribed Burning		Authorizes the Natural Resources Agency and the state Environmental Protection Agency to jointly develop a specified plan for forest and watershed restoration investments in the drainages that supply the Oroville, Shasta, and Trinity Reservoirs. Establishes the Headwaters Restoration Account. Authorizes the deposit of funds for use of those forest and watershed restoration purposes.	08/30/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 2571</u> Gonzalez (D)	Public Employee Retirement Systems: Investments		Requires a public investment fund to require an alternative investment vehicle to report at least annually certain information concerning specified hospitality employers relating to race and gender pay equity and sexual harassment. Requires such fund to disclose race and gender pay equity and sexual harassment information provided to it in a report presented at a meeting open to the public.	04/18/2018 - In ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY: Not heard.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2649</u> Bloom (D)	State Water Project: Water Supply Contracts		Requires the Department of Water Resources to provide a notice to the Joint Legislative Budget Committee, and others, a minimum number of days before holding public sessions to negotiate any potential amendment of a long term water supply contract that is of projectwide significance with substantially similar terms intended to be offered to all contractors, or that would permanently transfer a contractual water amount between contractors.	08/28/2018 - In SENATE. Senate Rule 29.3(b) suspended.;08/28/2018 - From SENATE Committee on RULES with author's amendments.;08/28/2018 - In SENATE. Read second time and amended. Re-referred to Committee on RULES.
<u>AB 2697</u> Gallagher (R)	Nesting Bird Habitat Incentive Program: Idled Lands		Requires the Department of Fish and Wildlife to establish the Nesting Bird Habitat Incentive Program, which may include direct payments or other incentives, to encourage landowners to voluntarily cultivate or retain upland cover crops or other upland vegetation on idled lands to provide waterfowl, upland game bird, and other wildlife habitat cover for purposes, including, but not limited to, encouraging the use of idle agricultural lands for wildlife habitat.	08/29/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 2711</u> Chen (R)	Property Tax Revenue Allocations: County Of Orange	Watch	Requires the auditor of the County of Orange to increase the total amount of ad valorem property tax revenue that is otherwise required to be allocated to the county by the county equity amount and to commensurately decrease the amount of ad valorem property tax revenue that is otherwise required to be allocated to the county Educational Revenue Augmentation Fund and, if necessary, the amount of those revenue otherwise required to be allocated to school districts.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2728</u> Chen (R)	Replacement Of Corroded Or Lead-containing Plumbing		Authorizes the State Water Resources Control Board to establish a grant program to provide funding to a county or qualified nonprofit organization, as specified, to provide low-interest loans to defined property owners for the replacement of corroded or lead-containing plumbing and service lines that adversely impact drinking water standards for the installation of a point-of-use or point-of-entry water treatment system, as specified.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2812</u> Limon (D)	Data Storage and Protection Standards: Local Agencies		Creates the Office of Local Cloud Migration and Digital Innovation in the Department of Technology. Requires the Office to promote the use of technologies including cloud based computing and data storage that will assist local agencies in their efforts to further transparency, efficiency, disaster preparedness and response, and general accessibility to the public. Requires the Office to partner with private industry and the nonprofit community to maximize the assistance provided to local agencies.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2815</u> Gray (D)	Water Rights: Appropriations of Water		Makes nonsubstantive changes in provisions of the State Water Resources Control Board water rights program.	02/16/2018 - INTRODUCED.
<u>AB 2828</u> Friedman (D)	Waste Discharge Requirements: Oil and Gas Operations		Amends the Porter Cologne Water Quality Control Act. Authorizes a regional board to approve a waste discharge requirement for the use or reuse of produced water from an oil and gas operation for agriculture purposes or for groundwater recharge only if, after a public hearing, it finds that the Council on Science and Technology has reviewed the best available independent scientific evidence and has found the use will not pose a significant risk to the public from any contaminants.	04/17/2018 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;04/17/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<u>AB 2890</u> Ting (D)	Land Use: Accessory Dwelling Units	Seek Amendments	Authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential zones. Prohibits the imposition of lot coverage standards or requirements on minimum lot size, lot coverage, or floor area ratio. Prohibits an ordinance from establishing size requirements for accessory dwelling units that do not permit a certain minimum square foot unit of at least 16 feet in height to be constructed.	08/16/2018 - Withdrawn from SENATE Committee on APPROPRIATIONS.;08/16/2018 - Re- referred to SENATE Committee on RULES.
<u>AB 2898</u> Gloria (D)	Emergency Services: Local Emergencies		Requires a review of a local emergencies by the governing body of a city or county to occur at specified time intervals under the Emergency Services Act.	08/27/2018 - *****To GOVERNOR.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2957</u> Gallagher (R)	Water: Institute for Water Innovation and Technology		Requests the Regents of the University of California to establish the California Institute for Water Innovation and Technology in order to achieve specified goals, including developing the state's next generation of water professionals and technicians and growing the state's economy by creating new opportunities for jobs in water research, management, and technology. Provides for the location of the Institute.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2966</u> Aguiar-Curry (D)	Disaster Relief		Provides that the state share for the removal of dead and dying trees in connection with the Governor's proclamation of a state of emergency issued on a specified date is no more than 90 percent of total state eligible costs.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 2970</u> Cooper (D)	Public Employees: New Employee Orientations		Requires that the date, time, and place of a new employee orientation by a state or local public employer be confidential and not be shared with anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation.	06/11/2018 - From SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on JUDICIARY.
<u>AB 2975</u> Friedman (D)	Wild and Scenic Rivers		Requires the removal or delisting of any river or segment of a river in the state that is included in the national wild and scenic rivers system and not in the state's system. Requires the Secretary of the Natural Resources Agency, after holding a public hearing on the issue, to determine whether the provision of state protection for the river or segment of the river that has been removed, delisted, or exempted from the federal system is in the best interest of the state.	08/27/2018 - Chaptered by Secretary of State. Chapter No. 2018-221
<u>AB 3027</u> Chavez (R)	California Environmental Quality Act: Attorney's Fees		Limits the awarding of attorney's fees to certain persons or entities for a prevailing party that is a plaintiff or petitioner in an action or proceeding under the California Environmental Quality Act.	04/23/2018 - In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.;04/23/2018 - In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 3031</u> Quirk (D)	Safety in Employment: Power Tools: Training		Requires an employer whose employees are involved in using power tools or other equipment for the cutting, grinding, coring, or drilling of concrete or masonry materials to provide specified training to those employees to reduce health hazards associated with the inhalation or ingestion of dust arising from those operations.	03/12/2018 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<u>AB 3037</u> Chiu (D)	Community Redevelopment Law		Amends the Community Redevelopment Law. Authorizes a city or county to propose the formation of a redevelopment housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including a passthrough provision and an override passthrough provision. Requires the city or county to submit that resolution to each affected taxing entity. Requires the Strategic Growth Council to provide technical assistance to a city or county desiring to form an agency.	05/25/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 3045</u> Gallagher (R)	Natural Resources Agency: State Water Project		Establishes within the Natural Resources Agency the State Water Project Commission, consisting of 9 members appointed by the Governor and subject to confirmation by the Senate, including one member nominated by the Butte County Board of Supervisors. Imposes a new duty on the Butte County Board of Supervisors, the bill would impose a state-mandated local program.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>AB 3155</u> Cooper (D)	Public Works: Definition		Expands the meaning of the term public works for purposes of requirements regarding the payment of prevailing wages, to include warranty work, and would include warranty work within the definition of construction as it is used to define "public works".	03/12/2018 - To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
<u>AB 3170</u> Friedman (D)	Sales and Use Taxes: Exemptions: Water Efficiency	Support	Exempts from sales and use taxes the gross receipts from the sale of, and the storage, use, or other consumption of, qualified water efficiency products sold or purchased during a certain period of time, or for which a layaway agreement is entered into, a raincheck is issued, or other specified orders are placed, during this period until a specified date.	05/25/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 3187</u> Grayson (D)	Biomethane: Gas Corporations: Rates		Requires the Public Utilities Commission to open a proceeding to consider options to promote the in state production and distribution of biomethane, including consideration of recovery in rates of the costs of investments for specified purposes.	08/29/2018 - In ASSEMBLY. ASSEMBLY concurred in SENATE amendments. To enrollment.
<u>AB 3206</u> Friedman (D)	Water Conservation: Water Meters: Accuracy		Requires the State Energy Resources Conservation and Development Commission, to the extent that funding is available, to adopt regulations setting standards for the accuracy of water meters that are installed by a water purveyor or manufactured and sold or offered for sale in the state. Includes an exception for a water meter that, as of the effective date of the regulations, a water purveyor possesses, or has entered into a contract to purchase, and has not yet installed.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>AB 3222</u> O'Donnell (D)	Public Works: Prevailing Wages		Expands the definition of public works, for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a charter school, as defined, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds, as defined, that were issued on or after a specified date.	06/27/2018 - From SENATE Committee on LABOR AND INDUSTRIAL RELATIONS: Do pass to Committee on APPROPRIATIONS.
<u>AB 3253</u> Banking and Finance Cmt	Local Government: Financial Affairs		Increases the percentage of a local agency's funds that can be invested of the agency's surplus funds in deposits at specified types of financial institutions that use a private sector entity to assist in the placement of deposits and in certificates of deposit at specified types of financial institutions.	04/10/2018 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;04/10/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<u>AB 3254</u> Local Government Cmt	Local Government Organization: Omnibus		Revises the definitions of affected territory and inhabited territory under the Local Government Reorganization Act of 2000 to include territory that is to receive extended services from a local agency,	07/09/2018 - Signed by GOVERNOR.;07/09/2018 - Chaptered by Secretary of State. Chapter No. 2018-86

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			and additionally defines the term uninhabited territory for purposes of the Act.	
<u>ACA 24</u> Waldron (R)	Property Taxation: Transfer of Base Year Value		Requires the Legislature to provide for the transfer of base year value of property that is substantially damaged or destroyed by a disaster, as declared by the Governor, occurring on or after a specified date through a specified date, to comparable property located within the same or a different county that is acquired or newly constructed as a replacement for the substantially damaged or destroyed property.	06/28/2018 - To ASSEMBLY Committee on REVENUE AND TAXATION.
<u>ACA 28</u> Mathis (R)	Water: Projects: Funding		Provides that, from specified state revenues, there shall be set apart, in unspecified percentages, moneys to be applied by the state for the payment of principal and interest on bonds authorized pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 and, of the amount remaining, for specified water projects of the Department of Water Resources and the State Water Resources Control Board.	02/26/2018 - INTRODUCED.
<u>AJR 38</u> Mathis (R)	Dams and Reservoirs: Federal Jurisdiction: Safety		Urges Congress to implement revised dam safety and inspection requirements, with specified components, for all federally operated and regulated dams and reservoirs for the purpose of ensuring public safety.	05/24/2018 - Chaptered by Secretary of State.;05/24/2018 - Resolution Chapter No. 2018-76
<u>SB 24</u> 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.	08/31/2017 - In ASSEMBLY. To Inactive File.
<u>SB 49</u> de Leon (D)	Environmental and Workers' Defense Act		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. Requires specified agencies to take prescribed	09/12/2017 - From ASSEMBLY Committee on RULES with author's amendments.;09/12/2017 - In ASSEMBLY. Read second time and

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			actions to maintain and enforce standards pertaining to air, water, and protected species. Prohibits a state agency from amending rules to be less stringent in protection of workers' rights and workers' safety than established by federal law.	amended. Re-referred to Committee on RULES.
<u>SB 80</u> 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.	10/15/2017 - Vetoed by GOVERNOR.
<u>SB 120</u> Roth (D)	Water Conveyance: Use Of Facility With Unused 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, as defined, 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.	08/30/2018 - In SENATE. Senate Rule 29.10(d) suspended.;08/30/2018 - Re-referred to SENATE Committee on RULES.;08/30/2018 - Re-referred to SENATE Committee on NATURAL RESOURCES AND WATER.
<u>SB 210</u> Leyva (D)	Heavy Duty Vehicle Inspection and Maintenance Program		Authorizes the State Air Resources Board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty on road motor vehicles. Authorizes the state board to assess a fee and penalty as part of the program. Creates the Truck Emission Check Fund with all the moneys deposited in the fund to be available upon appropriation.	06/19/2018 - From ASSEMBLY Committee on TRANSPORTATION with author's amendments.;06/19/2018 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
<u>SB 224</u> Jackson (D)	Personal Rights: Civil Liability and Enforcement		Amends existing law which establishes liability for sexual harassment when the plaintiff proves specified elements and existing law which states that a relationship may exist between a plaintiff and certain persons. Includes within the elements in a cause of action for sexual harassment when the plaintiff proves, among other things, that the defendant holds himself or herself out	08/30/2018 - In SENATE. To Special Consent Calendar.;08/30/2018 - In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			as being able to help the plaintiff establish a business, service or professional relationship with the defendant or a 3rd party.	
<u>SB 473</u> Hertzberg (D)	California Endangered Species Act		Amends the California Endangered Species Act which prohibits the taking of an endangered or threatened species. Applies the take prohibitions to public agencies. Requires the Department of Fish and Wildlife to post each new incidental take permit issued on their web site within a specified time from the effective date of the permit.	08/30/2018 - Enrolled.;08/30/2018 - *****To GOVERNOR.
<u>SB 606</u> Hertzberg (D)	Water Management Planning	Support	Requires an urban retail water supplier to calculate an urban water use objective and its actual urban water use by specified dates and requires a report. Authorizes the Department of Water Resources to waive these requirements for a maximum number of years. Imposes a civil liability for a violation of an order or regulation. Amends the Urban Water Management Planning Act. Provides certain requirements imposed on urban water suppliers.	05/31/2018 - Signed by GOVERNOR.;05/31/2018 - Chaptered by Secretary of State. Chapter No. 2018-14
<u>SB 623</u> Monning (D)	Water Quality: Safe and Affordable Drinking Water Fund	Oppose	Establishes the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the state board. requires the state board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible applicants with projects relating to safe and affordable drinking water.	09/01/2017 - Re-referred to ASSEMBLY Committee on RULES.
<u>SB 771</u> 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.	09/13/2017 - In ASSEMBLY. To Inactive File.
<u>SB 778</u> 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	09/01/2017 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.	
<u>SB 831</u> Wieckowski (D)	Land Use: Accessory Dwelling Units	Seek Amendments	Requires the local agency ordinance for the creation of accessory dwelling units to designate areas where accessory dwelling units may be excluded for health and safety purposes. Revises the standards for the local ordinance to delete the authority to include lot coverage standards. Prohibits certain considerations by local agencies when deciding whether or not to approve an application.	06/27/2018 - In ASSEMBLY Committee on LOCAL GOVERNMENT: Heard, remains in Committee.
<u>SB 844</u> Monning (D)	Water Quality: Agricultural Safe Drinking Water Fees		Requires a licensed manufacturer or distributor of fertilizing materials to pay a fertilizer safe drinking water fee per dollar of sale for all sales of fertilizing materials intended for noncommercial use and for all sales of packaged fertilizing materials, thereto. Reduces these fees, beginning a specified calendar year. Requires a transfer of a specified amount from the Underground Storage Tank Cleanup Fund to the Safe and Affordable Drinking Water Fund.	08/24/2018 - In ASSEMBLY. Suspend Assembly Rule 96.;08/24/2018 - Re-referred to ASSEMBLY Committee on APPROPRIATIONS.
<u>SB 845</u> Monning (D)	Safe and Affordable Drinking Water Fund	Oppose	Establishes the Safe and Affordable Drinking Water Fund to secure access to safe drinking water for all residents of the state, and to ensure the long term sustainability of drinking water service and infrastructure. Requires a community water system with a certain number of connections to provide an opportunity for each customer to provide a voluntary remittance either as part of the customer's regular water bill or by using a specified notification procedure.	08/24/2018 - In ASSEMBLY. Suspend Assembly Rule 96.;08/24/2018 - Re-referred to ASSEMBLY Committee on APPROPRIATIONS.
<u>SB 919</u> Dodd (D)	Water Resources: Stream Gages		Requires the Department of Water Resources and the board, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing and deploying new gages. Requires the department and the board, to develop the plan to address significant	08/16/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			gaps in information necessary for water management and the conservation of freshwater species.	
<u>SB 952</u> Anderson (R)	Water Conservation: Local Water Supplies		States the intent of the Legislature to enact legislation that would require the State Water Resources Control Board to recognize local water agency investment in water supply and ensure that local agencies receive sufficient credit for these investments in meeting any water conservation or efficiency mandates.	02/08/2018 - To SENATE Committee on RULES.
<u>SB 963</u> Allen (D)	Water Replenishment Districts		Repeals a reserve fund authorization for a water replenishment district. Requires financial statements to be submitted to the appropriate policy committees of the Legislature instead of the Legislature generally.	08/24/2018 - *****To GOVERNOR.
<u>SB 966</u> Wiener (D)	Onsite Treated Nonpotable Water Systems		Requires the State Water Resources Control Board, in consultation with the State Building Standards Commission and the Department of Housing and Community Development, to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water. Requires the department, in consultation with the state board, to develop and propose for adoption any necessary corresponding building standards to support the risk-based water quality standards established by the state board.	08/30/2018 - In SENATE. To Special Consent Calendar.;08/30/2018 - In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment.
<u>SB 998</u> Dodd (D)	Discontinuation of Residential Water Service	Oppose	Amends the Safe Drinking Water Act. Prohibits residential water service from being disconnected under specified circumstances. Requires an urban and community water system that furnishes individually submetered residential service to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers. Requires compliance on or after a specified date.	08/29/2018 - In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment.
<u>SB 1032</u> Moorlach (R)	California Public Employees' Retirement System		Authorizes a contracting agency to terminate its contract with the Board of Administration of the Public Employees' Retirement System the agency's will and would not require the contracting	04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Failed

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			agency to fully fund the board's pension liability upon termination of the contract. Authorizes the board to reduce the member's benefits in the terminated agency pool by the percentage of liability unfunded.	passage.;04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Reconsideration granted.
<u>SB 1033</u> Moorlach (R)	Public Employees Retirement: Reciprocal Benefits		Requires an agency participating in the Public Employees' Retirement System, that increases the compensation of a member who was previously employed by a different agency, to bear all actuarial liability for the action, if it results in an increased actuarial liability beyond what would have been reasonably expected for the member. Requires the increased liability be in addition to reasonable compensation growth that is anticipated for a member who works for employer or employers over an extended time.	04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Heard, remains in Committee.
<u>SB 1147</u> Hertzberg (D)	Offshore Oil and Gas Wells		Requires the State Oil and Gas Supervisor to evaluate and estimate the costs associated with the decommissioning of offshore oil and gas wells under its jurisdiction and, if necessary, to develop a schedule to increase the bond amounts or other financial surety provided by an operator of an offshore oil or gas well to ensure sufficient moneys are available to the state to decommission the well if no other entity is responsible for those decommissioning costs.	08/30/2018 - In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment.
<u>SB 1167</u> Anderson (R)	Eminent Domain: Final Offer of Compensation		Provides that if a court finds, on motion of a defendant that a plaintiff's offer was lower than a specified percentage of the compensation awarded in the proceeding, then the court would be required to include the defendant's litigation costs in the costs allowed.	05/08/2018 - In SENATE Committee on JUDICIARY: Failed passage.
<u>SB 1215</u> Hertzberg (D)	Provision of Sewer Service: Disadvantaged Communities		Authorizes the regional Water Resources Control Board to order the provision of sewer service by a special district, city, or county to a disadvantaged community, under specified circumstances. Authorizes the regional Board to take certain actions before ordering the provision of sewer service similar to those required for	08/30/2018 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			the consolidation or extension of water. Authorizes the regional Board to develop a process by which members of disadvantaged communities may petition for sewer service.	
<u>SB 1226</u> Bates (R)	Building Standards: Building Permits		Amends the State Building Standards Law. Requires the Department to propose the adoption of a building standard to the State Building Standards Commission pursuant to existing law that would authorize, when a record of the issuance of a building permit for the construction of an existing residential unit does not exist, enforcement officials to determine when the residential unit was constructed and issue a retroactive permit.	08/20/2018 - In ASSEMBLY. Read second time. To third reading.
<u>SB 1284</u> Jackson (D)	Employers: Annual Report: Pay Data		Requires that, on or before a certain date annually, a private employer that has a certain number of employees is to submit a pay data report to the Department of Fair Employment and Housing. Imposes specified civil penalties on any employer not in compliance. Authorizes the Department to seek an order requiring an employer, who does not send the report, to comply.	08/16/2018 - In ASSEMBLY. Joint Rule 62(a) suspended.;08/16/2018 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<u>SB 1301</u> Beall (D)	State Permitting: Environment: Processing Procedures		Requires the Office of Planning and Research to develop a joint multiagency preapplication for supplemental consultation and a model fee-for-service agreement, in consultation with a state agency with the power to issue a permit that would authorize a dam safety project or authorize a flood risk reduction project and any interested potential project applicants.	08/28/2018 - In SENATE. SENATE concurred in ASSEMBLY amendments. To enrollment.
<u>SB 1364</u> Vidak (R)	Safe, Clean, Reliable Water Supply Act		Makes a nonsubstantive change in findings and declarations of the Safe, Clean, Reliable Water Supply Act.	03/08/2018 - To SENATE Committee on RULES.
<u>SB 1422</u> Portantino (D)	Safe Drinking Water Act: Microplastics		Requires the State Water Resources Control Board to adopt a definition of microplastics in drinking water, and on or before July 1, 2021, to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of	08/30/2018 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			testing and reporting of microplastics in drinking water, including public disclosure of those results.	
<u>SB 1433</u> Moorlach (R)	County Deferred Retirement Option Program		Prohibits a county or district from allowing a member to participate in a Deferred Retirement Option Program who was not participating in the program on or before a specified date. Prohibits a county or district from establishing a new or additional Deferred Retirement Option Program.	04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Failed passage.;04/23/2018 - In SENATE Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Reconsideration granted.
<u>SB 1469</u> Skinner (D)	Land Use: Accessory Dwelling Units		Revises and recast the above-described provisions regarding accessory dwelling units to authorize the ordinance adopted for the creation of accessory dwelling units to designate areas where accessory dwelling units are excluded for health and safety purposes based on clear findings supported by substantial evidence. Limits the types of standards that a local agency may impose on accessory dwelling units, including parking, height, size, and setback requirements, and would revise certain standards.	05/25/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>SB 1496</u> Governance and Finance Cmt	Validations		Enacts the Second Validating Act. Validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	06/01/2018 - Signed by GOVERNOR.;06/01/2018 - Chaptered by Secretary of State. Chapter No. 2018-23
<u>SB 1497</u> Governance and Finance Cmt	Validations		Enacts the First Validating Act. Validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	06/01/2018 - Signed by GOVERNOR.;06/01/2018 - Chaptered by Secretary of State. Chapter No. 2018-24
<u>SB 1498</u> Governance and Finance Cmt	Local Government Omnibus Act		Amends existing law requiring the Controller to report financial information about selected special districts. Eliminates the requirement that the report contain specified breakdowns of each special district's fund balance, retained earnings, fixed assets, and cash investments. Specifies the time frame for the filing of a test claim based on the date of incurring increased costs. Authorizes the	08/30/2018 - Enrolled.;08/30/2018 - *****To GOVERNOR.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			display of a report to the Commission by providing a link to the Treasurer website relating to bond info.	
<u>SB 1499</u> Governance and Finance Cmt	Validations		Enacts the Third Validating Act.. Validates the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.	06/01/2018 - Signed by GOVERNOR.;06/01/2018 - Chaptered by Secretary of State. Chapter No. 2018-25
<u>SB 1502</u> Environmental Quality Cmt	Nonvehicular Air Pollution		Authorizes air districts to send electronically, instead of by mail, any required public notice and other certain notices. Requires air districts to send a public notice by mail to any person who has requested the notices to be sent by mail. Requires an air district governing board, if the air district opts to send public notices electronically, to adopt procedures for a person to request public notices to be sent by mail and to update an electronic mail address.	06/28/2018 - Signed by GOVERNOR.;06/28/2018 - Chaptered by Secretary of State. Chapter No. 2018-59
<u>SCA 4</u> 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.
<u>SCA 18</u> Allen (D)	Elections: Recalls		Increases the vote required to recall a state officer.	08/16/2018 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<u>HR 23</u> 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.

Exhibit “B”

2018 Legislative Update Report:
Links to Bill & Regulatory Texts
(as of August 29, 2018)


Bill Number/Version Date	Link to Bill Text
AB 1000 (Friedman), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1000
AB 1912 (Rodriguez), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1912
AB 2050 (Caballero), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2050
AB 2447 (Reyes), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2447
AB 2501 (Chu), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2501
AB 3206 (Friedman), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB3206
SB 120 (Roth), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB120
SB 623 (Monning), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB623
SB 844 (Monning), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB844

SB 845 (Monning), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB845
SB 998 (Dodd), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB998
SB 1215 (Hertzberg), as amended	http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1215

September 6, 2018

Prepared and

submitted by: C. Compton 

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

REVIEW OF IRWD ASSOCIATION MEMBERSHIPS AND AFFILIATIONS

SUMMARY:

Staff has compiled a summary of the associations of which IRWD is a member and pays membership dues of \$500 or more per year (major memberships). The total amount of membership dues paid by IRWD in Fiscal Year 2017-18 was approximately \$355,000 with major membership expenses totaling \$332,460.00. A summary of the major memberships for Fiscal Year 2016-17 and Fiscal Year 2017-18 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 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 and Affiliations

PROFESSIONAL ASSOCIATIONS	FY 2016/2017	FY 2017/2018
Data Utilities Group (<i>Amane Advisors North America</i>)	-	\$25,000.00
ALLIANCE FOR WATER EFFICIENCY	\$1,535.69	-*
AMERICAN WATER WORKS ASSOCIATION	\$9,910.00	\$10,159.00
ASSOCIATION OF CALIFORNIA CITIES - ORANGE COUNTY	\$5,000.00	\$5,150.00
ASSOCIATION OF CALIFORNIA WATER AGENCIES	\$36,580.00	\$37,170.00
BIOENERGY ASSOCIATION OF CALIFORNIA	\$1,100.00	\$1,100.00
CALDESAL	\$5,000.00	\$5,000.00
CALIFORNIA ASSOCIATION OF PUBLIC PROCUREMENT OFFICIALS	\$650.00	-**
CALIFORNIA ASSOCIATION OF SANITATION AGENCIES	\$19,282.00	\$19,282.00
CALIFORNIA COUNCIL FOR ENVIRONMENTAL AND ECONOMIC BALANCE- <i>California Environmental Dialogue & Water Quality Task Force</i>	\$32,000.00	\$32,000.00
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION	\$9,717.00	\$10,047.00
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION	\$6,485.00	\$6,842.00
CLEAN WATER AND JOBS FOR CALIFORNIA	\$2,500.00	-*
CUWCC	\$6,985.04	-
GREATER IRVINE CHAMBER OF COMMERCE	\$1,600.00	\$1,600.00
INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION OF HUMAN RESOURCES	\$789.00	\$797.00
ORANGE COUNTY HUMAN RESOURCES EMPLOYMENT RELATIONS CONSORTIUM (<i>Liebert Cassidy Whitmore</i>)	\$3,245.00	\$3,370.00
NATIONAL ASSOCIATION OF GOVERNMENT DEFINED CONTRIBUTION ADMINISTRATORS	\$1,200.00	\$600.00
NATIONAL WATER RESOURCES ASSOCIATION INC		\$500.00
NEWPORT BEACH CHAMBER OF COMMERCE	\$2,500.00	\$2,500.00
NWRI	\$50,000.00	\$50,000.00
ORANGE COUNTY BUSINESS COUNCIL	\$10,000.00***	\$5,000.00
ORANGE COUNTY CURRENT AFFAIRS FORUM	\$1,000.00	\$1,000.00
SOUTH ORANGE COUNTY ECONOMIC COALITION	\$2,500.00	-*
SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS	\$10,114.00	\$10,120.00
SOUTHERN CALIFORNIA WATER COMMITTEE	\$5,000.00	\$25,000.00
SUSTAIN OC- <i>Formerly Cleantech OC</i>	\$2,000.00	\$1,000.00
TUSTIN CHAMBER OF COMMERCE	\$889.00	\$889.00
UNIVERSITY OF CALIFORNIA, IRVINE DEPARTMENT OF CIVIL & ENVIRONMENTAL ENGINEERING AFFILIATES	\$0.00	\$1,250.00
FOUNDATION FOR CROSS-CONNECTION CONTROL AND HYDRAULIC RESEARCH (<i>University of Southern California</i>)	\$1,000.00	\$1000.00
URBAN WATER INSTITUTE, INC.	\$1,250.00	\$1,250.00
WATER EDUCATION FOUNDATION	\$20,896.00	\$24,030.00
WATER ENVIRONMENT & REUSE FOUNDATION	\$15,530.00	\$14,280.00
WATER RESEARCH FOUNDATION	-	\$25,000.00
WATEREUSE ASSOCIATION	\$8,025.00	\$8025.00
TOTAL	\$237,702.73	\$332,460.00

* Invoice timing resulted in no membership payment in fiscal year. *Memberships dues paid in FY 2017-2018 were for individual memberships and were not a District’s membership. *** Invoice timing resulted in double payment in fiscal year.

September 6, 2018

Prepared and

submitted by: P. Weghorst

Approved by: Paul A. Cook



WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

PROPOSED IRWD POLICY PRINCIPLES REGARDING UPDATES TO METROPOLITAN WATER DISTRICT'S LOCAL RESOURCES PROGRAM

SUMMARY:

Metropolitan Water District of Southern California (Metropolitan) is developing updates to its policies governing the implementation of its Local Resources Program (LRP). This program provides incentives to water agencies for the development of water recycling, groundwater recovery, and seawater desalination projects. To help guide IRWD's advocacy efforts related to ongoing discussions on Metropolitan's LRP policies, staff has prepared the attached policy position paper regarding updates to Metropolitan's Local Resources Program. Staff recommends that the Board adopt the proposed principles as revised based on input provided by the Committee.

BACKGROUND:

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

Metropolitan provides financial incentives through the LRP for the development of water recycling, groundwater recovery, and seawater desalination projects that offset a demand or prevent adding a new demand on Metropolitan for imported water supplies. The projects that Metropolitan funds provide a direct replacement of potable water or increase regional groundwater production. In 2014, Metropolitan issued the guidelines provided as Exhibit "A" for agencies to use when applying for LRP incentives. These guidelines provide details on the program, general requirements and the application process.

Existing LRP Incentive Options:

Currently, Metropolitan offers the following three LRP incentive payment structures:

Option 1: Sliding scale incentives up to \$340 per acre-foot over 25 years;

Option 2: Sliding scale incentives up to \$475 per acre-foot over 15 years; or

Option 3: Fixed incentives up to \$305 per acre-foot over 25 years.

Sliding scale payments are based on actual project unit costs that exceed Metropolitan's prevailing Full Service Tier-1 Treated Water Rate. Fixed incentives are negotiated such that Metropolitan's maximum obligation would not exceed 90% of Metropolitan's commitment to provide funding under Option 1. LRP incentives are contingent upon the approval of the Metropolitan Board of Directors.

LRP Policy Updates:

Metropolitan is developing potential updates to its Local Resources Program to address both near-term and long-term policy issues that are interrelated to its Integrated Resources Plan. To help guide IRWD's advocacy efforts related to ongoing discussions on Metropolitan's LRP policies, staff has prepared a policy position paper regarding updates to the Metropolitan Local Resources Program that is attached as Exhibit "B". Staff recommends that the Board adopt the proposed policy principles as revised based on input provided by the Committee.

The proposed policy position paper references Metropolitan's policy principles that were adopted in July 2017 and that guide Metropolitan's role in regional implementation of Integrated Water Resources Plan targets for local resources. The adopted Metropolitan document is provided as Exhibit "C". One of the principles identified in the document states that Metropolitan should have multiple approaches for developing local resources in cooperation with other agencies. The policy position paper provided as Exhibit "B" includes recommendations for Metropolitan to consider when developing new approaches to encouraging the development of local water resources projects.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

None.

RECOMMENDATION:

That the Board adopt the proposed IRWD policy position paper regarding updates to Metropolitan Water District's Local Resources Program.

LIST OF EXHIBITS:

- Exhibit "A" – 2014 Local Resources Program Application Guidelines
- Exhibit "B" – Draft IRWD Policy Position Regarding Updates to the Metropolitan Water District's Local Resources Program
- Exhibit "C" – Policy Principles Guiding Metropolitan's Role in Regional Implementation of Integrated Water Resources Plan Targets for Local Resources and Conservation

EXHIBIT "A"



The Metropolitan Water District of Southern California

2014 Local Resources Program Application Guidelines

INFORMATION FOR RESPONDENTS

The Metropolitan Water District of Southern California (Metropolitan) invites applications for development of water recycling, groundwater recovery, or seawater desalination projects under the Local Resources Program (LRP). This package includes information regarding funding, eligibility and the application review process. Additional copies of this application package may be downloaded from Metropolitan's website at: www.mwdh2o.com. We look forward to working with all applicants to bolster our region's water supply reliability.

Objective

The LRP provides funding for the development of water recycling, groundwater recovery, and seawater desalination supplies that replace an existing demand or prevent a new demand on Metropolitan's imported water deliveries either through direct replacement of potable water or increased regional groundwater production.

Application Submittals

Project applications will be accepted on an open and continuous basis until the target yield of 63,000 acre-feet per year is fully subscribed. For further coordination or questions, contact Mr. Ray Mokhtari at (213) 217-6142 or via email at rmokhtari@mwdh2o.com.

Mail applications to:

The Metropolitan Water District of Southern California
P.O. Box 54153
Los Angeles, California 90054-0153

Attention: Ray Mokhtari, US 9-223
LRP Application Submittal

Who Can Apply

The LRP is open to public and private water agencies within Metropolitan's service area. Applications must be made through the applicant's respective Metropolitan member agency. Applicants are strongly encouraged to initiate early coordination with Metropolitan regarding proposed projects. Submittal of a LRP application does not signify or guarantee funding approval by Metropolitan.

Program Funding

There are three LRP incentive payment structure options to choose from: sliding scale incentives up to \$340/AF over 25 years, sliding scale incentives up to \$475/AF over 15 years, or fixed incentive up to \$305/AF over 25 years. One option must be chosen at the time of application. Combinations of options will not be permitted. Incentive commitments are contingent upon

approval by Metropolitan's Board of Directors. See attachment C for more information and incentive rate calculation process.

Annual Cost Reconciliation for Sliding Scale Incentive Options

As outlined in Exhibit C, sliding scale incentives are calculated annually based on the actual project unit cost exceeding Metropolitan prevailing water rate as established by Metropolitan's Administrative Code § 4401. Prior to each fiscal year of operation, Metropolitan will set an estimated LRP incentive rate for deliveries during the year. At the end of each fiscal year, Metropolitan will conduct a cost reconciliation to determine the actual LRP incentive rate based on the actual project unit cost exceeding Metropolitan's prevailing water rate in that year. After reconciliation, over- or under-payment adjustments are made between Metropolitan and the agency. The calculated incentive rate may diminish in future years as Metropolitan's water rates increase or the project unit costs decrease as annual yield increases.

Eligible Projects

New water recycling, groundwater recovery, and seawater desalination projects are eligible for funding provided they include construction of new substantive treatment or distribution facilities. Existing projects or those that have commenced construction prior to application submittal are ineligible. Strong consideration will be given to projects that are well positioned for construction and timely production of stated project capacities in the near future. Projects with long ramp-up schedules may be addressed in phases. Agency must apply for each phase separately when each phase is poised for timely construction and operation. See Attachment C for more information.

Process Overview

Project applications will be accepted on an open and continuous basis until the target yield of 63,000 acre-feet per year is fully subscribed. Applications will be reviewed for compliance with general program requirements outlined in Attachment C. Metropolitan, at its sole discretion, may reject any and all applications and revise the terms of the LRP at any time. If a project qualifies and all environmental documents and permits are submitted, Metropolitan will draft an incentive agreement that must be approved by the respective member agency and retail agency. If Metropolitan's Board of Directors approves the project for LRP funding, the incentive agreement must then be executed by Metropolitan, member agency, and retail agency.

Performance Provisions

Performance provisions will be included in all agreements to encourage timely and responsive project development and production. These provisions reduce or withdraw Metropolitan's financial commitment to projects that do not meet development and production milestones outlined in the following table.

Milestone	Timeline (full fiscal year)	Consequence if target is not achieved
Start construction	2 years after agreement execution	Terminate agreement*
Start operation	4 years after agreement execution	Terminate agreement*
50 percent of contract yield	4-7 years after agreement execution	Reduce ultimate yield by shortfall to meet target using the highest annual yield in the 4-year period
75 percent of contract yield**	8-11 years after agreement execution	Same as above
75 percent of contract yield**	12-15 years and every four years thereafter	Same as above

* Agencies may appeal termination to Metropolitan's Board of Directors.

** Ultimate yield or revised ultimate yield specified in the incentive contract due to project's performance in previous years (if applicable)

Application Options

A written application outlined in the following pages must be submitted to Metropolitan to start the process. Metropolitan will accept applications/reports developed by the project sponsor for other purposes (e.g., applications for state funding programs, US Bureau of Reclamation feasibility report submittals, etc.) as long as they provide needed information. All applications must include an executive summary that identifies the location of the needed information. Failure to provide an executive summary may extend the review process. After an initial review, Metropolitan will meet with each applicant to ensure an accurate understanding of project features and LRP terms.

LOCAL RESOURCES PROGRAM APPLICATION GUIDELINES

At a minimum, applicants must include the following information for Metropolitan to evaluate project eligibility for LRP funding:

1) Project Overview

- Location
- Source of water supply and yield
- Participating agencies and contractual commitments
- Complete Attachment A

Additional information for groundwater projects:

- Basin hydrology and setting
- Existing groundwater production and projected increase as a result of project
- Imported water replenishment requirements
- Previously abandoned production and/or replenishment
- Basin adjudication or operating rules
- Ability to sustain project production during 3-year shortage conditions
- Compliance with sound basin management

2) Project Facilities

- Treatment process and quality objectives
- Storage features
- List and map distinguishing existing and proposed facilities, land acquisition, etc.
- Interties to existing LRP agreements
- Interties and points of connection to other non-project facilities
- Methodology to measure project yield (e.g. metering, basin adjudication or watermaster rules if applicable)

3) Project Costs

- Capital
- Operation and Maintenance
- Field Labor
- Complete Attachment B

4) Benefits

- Regional and local water supply reliability benefits
- Peaking and seasonal variability
- Local water supply benefits
- Other benefits (environmental, water quality, energy, wastewater, avoided facilities and permits, etc.)

5) Environmental Documentation and Permitting

- California Environmental Quality Act documents
- Regulatory agency approvals and permits

6) User Identification

- Existing recycled water user names, demand and type of use
- Proposed user names, demand projections and type of usage
- Location map of existing and proposed users
- Deliveries outside of service area or non-project users
- Mandatory use ordinances
- Commitment letters
- Growth expectations

7) Implementation Schedule and Financing

- Governing board approvals
- Status of design
- Construction and operation timelines and milestones
- Yield development (amount by year), type of use, and completion date for each phase
- Implementation obstacles/challenges
- Land acquisition
- Financing sources and terms
- Grants and third-party payments
- Schedule of permits

**ATTACHMENT A
LOCAL RESOURCES PROGRAM
PROJECT FACT SHEET**

1.	Project Name:	
2.	Project Location (City, County):	
3.	Project Owner (Applicant) Contact Information:	
4.	Metropolitan Member Agency:	
5.	Source of Project Water:	
6.	Type of Uses:	
7.	Estimated First Year of Operation:	
8.	Ultimate Annual Project Yield (AFY):	
9.	Other agencies / Entities participating in the project:	
<div style="display: flex; justify-content: space-around; margin-bottom: 10px;"> <u>Agency / Entity</u> <u>Role</u> </div> <div style="display: flex; justify-content: space-around;"> <div style="width: 45%; border-bottom: 1px solid black;"></div> <div style="width: 45%; border-bottom: 1px solid black;"></div> </div> <div style="display: flex; justify-content: space-around;"> <div style="width: 45%; border-bottom: 1px solid black;"></div> <div style="width: 45%; border-bottom: 1px solid black;"></div> </div>		
10.	CEQA and Permitting	
	a. Status of CEQA Documentation:	
<div style="display: flex; justify-content: space-between; margin-bottom: 10px;"> <input type="checkbox"/> Exempt Declaration <input type="checkbox"/> Negative </div> <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> EIR/S </div> <p>Status:</p>		
	b. Other permits:	
Please list and include status:		
11.	Funding option selected:	

ATTACHMENT B

PROJECT COST AND PRODUCTION INFORMATION

Total Project Capital Cost:			
Grants and Contributions by others:			
Net Capital Cost:			
Net Capital Funding Measures			
Source of Funding	Amount (\$)	Interest Rate (%)	Term (years)

Assumed annual inflation rate for O&M cost projections: ____%

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
No.	Fiscal Year End	Yield (AF)	Capital Expenditures (\$)	Amortized Capital Cost (\$)	Cost of Purchasing Water (\$)	O&M Cost (\$)	Total Project Cost (\$)
1							
2							
3							
4							
5							
.							
.							
24							
25							

- (1) July 1 to June 30
- (2) Projected annual production in acre-feet, excluding existing use
- (3) Total Capital Expenditure in each year
- (4) Total annual capital debt service
- (5) Applicable only if the project sponsor will purchase reclaimed water from another agency to operate the projects, groundwater basin pumping tax, etc.
- (6) Projected annual O&M cost, excludes item 5
- (7) Sum of (4) + (5) + (6)

ATTACHMENT C

LOCAL RESOURCES PROGRAM

GENERAL PROGRAM INFORMATION

General Requirements

The Local Resources Program (LRP) provides incentives for development of new water recycling, groundwater recovery, and seawater desalination projects in Metropolitan's service area. Unless otherwise approved by Metropolitan, proposed projects must comply with the following general requirements:

1. Project must replace an existing demand or prevent a new demand on Metropolitan's imported water deliveries either through direct replacement of potable water or increased regional groundwater production.
2. Project must not exist or be under construction prior to application submittal.
3. Project must include construction of new substantive treatment or distribution facilities.
4. Proposals must be supported by a Metropolitan member agency.
5. Project must be owned and operated by the agency. Metropolitan has no ownership or operational obligations for a project.
6. Project must comply with the Metropolitan Water District Act and other applicable laws and regulations.
7. Project must comply with CEQA and/or NEPA provisions prior to Metropolitan board approval.
8. Project must have obtained all required Regional and State permits prior to receiving Metropolitan board approval.
9. Additional requirements specific to each project will be developed to address system integration issues related to use of Metropolitan's facilities, if needed.
10. Metropolitan's Board must approve each project prior to incentive agreement execution.

Incentive Payment Structures

Agencies can choose from one of the following three alternative incentive payment structures for each of their eligible projects to participate in the LRP:

Alternative 1 – Sliding Scale Incentives Over 25 Years (Current Payment Structure)

Alternative 2 – Sliding Scale Incentives Over 15 Years (New Structure)

Alternative 3 – Fixed Incentives Over 25 Years (Previously Approved Structure)

Alternative 1 - Sliding Scale Incentives Over 25 Years

Metropolitan would provide member or retail agencies a sliding scale incentive up to \$340/AF over 25 years, calculated annually based on actual project unit costs exceeding Metropolitan's prevailing water rate, for project water used within Metropolitan service area. Eligible project costs include an agency's out of pocket costs normally associated with developing local resource projects including design, capital, operations, maintenance, and replacement costs. Incentive payments are subject to an annual cost reconciliation process with adjustments for under- or over-payment to be included in subsequent water service invoices from Metropolitan.

Alternative 2 - Sliding Scale Incentives Over 15 Years

This alternative is similar to Alternative 1, but the incentive amount is up to \$475/AF over 15 years. In addition to the current LRP performance provisions, projects must continue production for 25 years, even if LRP payments are reduced to zero after 15 years. This provision ensures continued production throughout the contract term. If an agency fails to comply with these provisions, Metropolitan may require reimbursement for a percentage of the previous LRP payments toward that project. The reimbursement would be determined for each year remaining in the agreement considering the following:

- Previous LRP payments
- Previous project production
- Project production in the year in which a reimbursement is required

Alternative 3 – Fixed Incentive Over 25 Years

Compared to sliding scale incentives that are dependent on Metropolitan's water rate, a fixed incentive rate provides agencies with a more stable source of funds to help address financing issues. Metropolitan would offer a project-specific fixed incentive rate up to \$305/AF over 25 years. The fixed incentive amount for each project would be negotiated so that Metropolitan's maximum obligation toward a project under this alternative would not exceed 90% of the estimated financial obligations under Alternative 1 for the same project. In addition to the general requirements and performance provisions, the following provision would apply to this alternative: Total LRP payments under the agreement term would be limited to total estimated project yield presented by the agency at the time of agreement negotiation.

Exhibit “B”
IRVINE RANCH WATER DISTRICT POLICY POSITION
UPDATES TO METROPOLITAN WATER DISTRICT’S LOCAL RESOURCES PROGRAM
DRAFT

September 6, 2018

Issue Summary:

Metropolitan Water District of Southern California (Metropolitan) encourages the development of local water resources in its service area through the implementation of the Local Resources Program (LRP). This program provides incentives to water agencies for the development of water recycling, groundwater recovery and seawater desalination projects that offset a demand or prevent adding a new demand on Metropolitan for imported water supplies. The development of local water supplies is seen by Metropolitan as a way to reduce the need to increase imported water supplies. The incentive program also indirectly increases regional water supply reliability, decreases the burden on Metropolitan’s infrastructure, reduces costs and frees up conveyance capacity in Metropolitan’s system.

Metropolitan is considering making revisions to its Local Resources Program to deal with both near-term and long-term policy issues that are interrelated to its Integrated Resources Plan. The Municipal Water District of Orange County is engaged with Metropolitan in the policy discussions and seeking input from its member agencies on the issues. To help guide IRWD’s advocacy efforts related to the ongoing LRP discussions, staff has prepared this Policy Position Paper.

Background:

In 2014, Metropolitan issued guidelines for agencies to use when applying for LRP incentives for water recycling, groundwater recovery, and seawater desalination projects. These guidelines provide details on the program, general requirements and the application process. In July 2017, Metropolitan adopted policy principles that guide Metropolitan’s role in regional implementation of Integrated Water Resources Plan targets for local resources. These principles identify that Metropolitan should have multiple approaches for developing local resources in cooperation with other agencies. To date, the LRP program remains the primary method that Metropolitan utilizes to encourage local water resource development.

Currently, Metropolitan offers three LRP incentive payment structures for the development of water recycling, groundwater recovery, and seawater desalination projects. The three options are described as follows:

- Option 1:* Sliding scale incentives up to \$340 per acre-foot over 25 years;
- Option 2:* Sliding scale incentives up to \$475 per acre-foot over 15 years; or
- Option 3:* Fixed incentives up to \$305 per acre-foot over 25 years.

Sliding scale payments are based on actual project unit costs that exceed Metropolitan’s prevailing Full Service Tier-1 Treated Water Rate. Fixed incentives are negotiated such that Metropolitan’s maximum obligation would not exceed 90% of Metropolitan’s commitment to provide funding under Option 1. LRP incentives remain contingent upon the approval of the Metropolitan Board of Directors.

There are numerous opportunities that are available to Metropolitan to update its LRP and to develop new approaches to encourage local resource development. The following policy principles provide a basis for IRWD’s advocacy for making such improvements and for developing new approaches.

Policy Principles:

1. Metropolitan should prioritize providing LRP incentives to local resource projects in areas with reduced water supply reliability as compared to other areas of Metropolitan’s service area (e.g., South Orange County and the northern areas of Metropolitan’s service area).
2. LRP funding should not be provided to projects that result in local communities subsidizing other areas of Metropolitan’s service area. Such reverse subsidization occurs whenever LRP incentives are unable, within a short period of time, to bring the cost water down to the Full Service Tier-1 Treated Rate offered by Metropolitan.
3. LRP funding should not result in significant impacts to Metropolitan treatment facilities. Any such impacts should be justified through an actual improvement in local agency water supply reliability rather than just simply replacing one supply for another.
4. LRP funding should also be offered to agencies for projects that will result in reductions in demands for untreated water from Metropolitan with incentives being provided down to the cost of Full Service Tier-1 Untreated Rate offered by Metropolitan such as recycled water storage projects.
5. Metropolitan should index its LRP incentives to inflation to improve the feasibility and life cycle costs of local resource projects.
6. Metropolitan should expand the LRP or develop other incentives programs to encourage storm water and urban runoff capture projects that do not result in reductions in supplies to others.
7. A new incentive program should be implemented by Metropolitan that promotes development of extraordinary supplies from projects located outside Metropolitan’s service area. Such projects can reduce Metropolitan’s need to improve the reliability of its imported supplies by augmenting supplies during periods of droughts, emergencies and water supply allocations. Metropolitan incentives would be paid at the time water from such a project is imported to Metropolitan’s service area for use by the local agency.
8. Incentives should be provided to fund large “on-site” reuse projects that defer or avoid Metropolitan’s capital and/or operational costs. Such incentives could be provided to customers such as large-scale industrial facilities where the feasibility of implementing on-site reuse projects depends on receiving incentive funding.
9. Metropolitan should provide LRP incentives to desalination projects through separate funding initiatives that do not impair the ability of non-desalination related local projects to receive funding under existing Metropolitan limits for LRP investments.

EXHIBIT "C"
Policy Principles Adopted by Metropolitan in July 2017

7/11/2017 Board Meeting

Proposed Policy Principles

Recommended Policy Principles guiding Metropolitan's role in regional implementation of Integrated
Water Resources Plan targets for local resources and conservation

1. Metropolitan should take an active role in identifying and evaluating local resource and conservation opportunities within its service area.
2. Metropolitan should have multiple approaches and avenues available for developing and implementing local resources and conservation in cooperation with local agencies and entities.
3. Metropolitan should evaluate the feasibility and effectiveness of direct investment and development of regionally beneficial local resources and conservation where appropriate.
4. Metropolitan should include the consideration of sustaining and/or recovering production from existing projects and programs in its approaches to developing local resources and conservation.
5. Evaluations of regional investments in local resources and conservation should, at a minimum, include consideration of:
 - Type and source of water supply
 - Measurable water supply yield or demand reduction
 - Impacts, positive or negative, to Metropolitan system redundancy or emergency risk
 - Impacts, positive or negative, to existing Metropolitan system investments and developed system capacity
 - Total cost elements
 - Metropolitan financial exposure and revenue recovery
6. Metropolitan's operational and administrative policies should not adversely impact regional efforts to develop local resources and conservation.
7. State and federal mandates should not impact Metropolitan's participation in local resource and conservation development provided that the effect of the mandate is consistent with regional IRP targets .