

AGENDA  
IRVINE RANCH WATER DISTRICT  
WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE  
THURSDAY, JULY 11, 2019

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: John Withers    \_\_\_\_\_

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

NOTICE: If you wish to address the Committee on any item, please file your name with the Committee. Forms are provided at the meeting. Remarks are limited to three minutes per speaker on each subject.

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**COMMUNICATIONS**

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

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**ACTION**

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| 5. | <u>2019 LEGISLATIVE AND REGULATORY UPDATE – COMPTON / COOK</u><br><br>Recommendation: That the Board adopt a “watch” position on AB 217 (Garcia).  |
| 6. | <u>SYPHON RESERVOIR IMPROVEMENT PROJECT PUBLIC OUTREACH<br/>DISCUSSION TOPICS FOR STRATEGIC PLANNING WORKSHOP –<br/>BEEMAN / WEGHORST</u><br><br>Recommendation: That the Committee provide input on the public outreach topics related to Syphon Reservoir Improvement Project topics to be discussed with the Board at IRWD’s Strategic Planning Workshop on August 8, 2019. |

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**ACTION - Continued**

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7. REVIEW OF IRWD ASSOCIATION MEMBERSHIPS AND AFFILIATIONS  
– COMPTON / COOK

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

8. ELECTION OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION  
SOUTHERN NETWORK SEAT B BOARD MEMBER – COMPTON / COOK

Recommendation: That the Committee review and discuss the candidates for the Southern Network Seat B Representative on the California Special Districts Association Board of Directors, and authorize staff to cast the District's electronic ballot no later than the August 9, 2019, deadline for the candidate supported by the Committee.

9. 2018-2019 ORANGE COUNTY GRAND JURY REPORT RESPONSE TO  
"RE-OPENING IRVINE LAKE - A WIN-WIN FOR TAXPAYERS AND  
OUTDOOR ENTHUSIASTS"

Recommendation: That the Board authorize the General Manager to provide the Presiding Judge of the Superior Court with the proposed response to Finding F4, Finding F5, Finding F6, Recommendation R4, and Recommendation R5 of the 2018-2019 Orange County Grand Jury report entitled "*Re-Opening Irvine Lake - A Win-Win for Taxpayers and Outdoor Enthusiasts.*"

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**OTHER BUSINESS**

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10. Directors' Comments

11. Adjourn

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

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

July 11, 2019  
Prepared and  
submitted by: C. Compton  
Approved by: Paul A. Cook



## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### 2019 LEGISLATIVE AND REGULATORY UPDATE

#### SUMMARY:

This report provides an update on the 2019-2020 legislative session and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate.

Staff recommends that the Board adopt the following position:

- *AB 217 (E. Garcia, D-Coachella) – Income Taxation: Credits: Exclusions – “WATCH”*

#### BACKGROUND:

With the State budget adopted and the July 12 policy committee deadline looming, the California Legislature is looking forward to its summer recess. The Legislature will be on recess from July 12 to August 12. When the Legislature returns, the fiscal committees will have until August 30 to meet and report bills to the floor. The last day for each house to pass bills this legislative year is September 13, which is the day the Interim Recess begins.

A copy of the 2019 Legislative Matrix is attached as Exhibit “A”. Exhibit “B” is the 2019 Legislative Update Report Links to Bill Texts, which contains links to the bills discussed below.

#### State Budget Update:

##### *May Revenue Numbers:*

On June 10, 2019, State Controller Betty Yee released her monthly report on the State’s finances. She announced that the State took in \$9.47 billion during the month of May. This was \$1.22 billion more than the State took in during the month of May in 2018. Revenue receipts for the fiscal year through May 31 have come in at \$123.4 billion, which was \$386 million above the estimates contained in the Governor’s May Revise.

##### *Fiscal Year 2019-2020 State Budget:*

Following the Legislature’s passage of the Fiscal Year 2019-2020 (FY 19-20) budget, Governor Newsom signed the budget into law on June 27, 2019. The enacted budget authorizes \$147.8 billion in General Fund expenditures, assumes \$150.7 billion in General Fund resources, and provides for combined total reserves of \$19.4 billion. Overall, the FY 19-20 budget is approximately six percent larger than the Fiscal Year 2018-2019 budget.

The budget and its associated budget trailer bills also included a number of policy changes, including safe drinking water funding and housing. Policy changes related to wildfires have also been provided in a budget trailer bill.

Water Tax Update / Safe Drinking Water Funding:

The FY 19-20 budget funds a Safe Drinking Water Program without a water tax or any other new taxes. For FY 19-20, the budget allocates \$100 million from the Greenhouse Gas Reduction Fund/Cap-and-Trade Revenues (GGRF) and \$30 million from the General Fund for the Safe Drinking Water Program. The budget also provides \$3.4 million from the General Fund for the State Water Resources Control Board's (State Board's) administrative costs.

Two drinking water budget trailer bills were also proposed. SB 101, which represented the Assembly's version of the implementing language for safe drinking water, and AB 100, which represented the Senate's version of the implementing language for safe drinking water, both provided for a continuous appropriation of five percent of the GGRF up to \$130 million beginning FY 2020-2021 for safe drinking water. The bills also proposed a General Fund backstop of the \$130 million if five percent of the GGRF falls short of the \$130 million appropriation. The backstop was proposed to begin in FY 2023-2024. Both the GGRF appropriation and the backstop would sunset June 30, 2030.

Despite containing similar funding provisions, the two bills differed substantially in how the Safe Drinking Water Program is to be implemented. One example is that SB 101 would have authorized the use of Safe Drinking Water funds for addressing contamination that does not exceed existing safe drinking water standards while AB 100 was focused on exceedances of safe drinking water standards. Another example is that AB 100 listed funding priorities while SB 101 did not include a priority list.

Ultimately, the two budget trailer bills were not acted upon and the Legislature decided to put the implementation language for the Safe Drinking Water Program and Safe Drinking Water Fund in SB 200, authored by Senator Bill Monning (D-Carmel), Assemblymember Eduardo Garcia (D-Coachella Valley), and Assemblymember Richard Bloom (D-Santa Monica).

SB 200 would establish the Safe and Affordable Drinking Water Fund in the State Treasury, and provides for a continuous appropriation of five percent of the GGRF up to \$130 million beginning FY 2020-2021 for safe drinking water. The bill also established a General Fund backstop of the \$130 million if five percent of the GGRF falls short of the \$130 million appropriation. The backstop was proposed to begin in FY 2023-2024. Both the GGRF appropriation and the backstop would sunset June 30, 2030.

SB 200, which contains an urgency clause, authorizes use of the Safe Drinking Water Funding for the following:

- Operation and maintenance costs to help deliver an adequate supply of safe drinking water in both the near and long terms;

- Consolidating water systems, or extending drinking water services to other public water systems, domestic wells, and state small water systems;
- The provision of replacement water, as needed, to ensure immediate protection of health and safety as a short-term solution;
- The provision of services for purposes of helping the systems become self-sufficient in the long term;
- The development, implementation, and sustainability of long-term drinking water solutions; and
- State Board costs associated with the implementation and administration of the Safe Drinking Water Program.

The bill would also require the State Board to adopt a fund expenditure plan, and make publicly available a map of aquifers that are used or likely to be used as a source of drinking water that are at high risk of containing contaminants that exceed safe drinking water standards.

SB 200 was passed by the Assembly on a vote of 68 to 0. As of the writing of this report, the bill is on the Senate Floor for a vote of concurrence in amendments. It is expected that the Senate will take the bill up before leaving for Summer Recess. While IRWD current has a “support” position on SB 200, staff has actively tracked the bill and the related discussion on safe drinking water.

#### AB 1486 (Ting, D-San Francisco) – Surplus Land:

AB 1486 would revise the rules related to a local agency’s disposal of surplus land. Specifically, the bill would revise the definition of “surplus land” within the Government Code and would restrict local agencies’ ability to dispose of surplus land.

Under AB 1486, prior to a local agency conducting negotiations to dispose of real property it owns, the local agency must issue a written notice of availability to low- and moderate-income housing providers. This means that prior to negotiating the sale of any property owned by a local agency, a local agency would need to offer the property for housing.

AB 1486 was a reintroduction of a bill Assemblymember Ting ran last year, but this bill has been amended several times as it has moved through the legislative process. A broad coalition of local agencies opposes this bill. Given the bill’s potential impact to IRWD’s real estate investments, IRWD currently has an “oppose unless amended” position on AB 1486.

Staff continues its work to obtain amendments to AB 1486. Staff will provide an update on any new developments related to this bill.

2019 State Legislative Update on Other Bills of Interest to IRWD:

As has been traditionally done in July after the House of Origin deadline, staff has provided an update on each bill the District has taken a position on or actively monitored during this legislation session. A summary and a status report on each bill are provided below:

*AB 68 (Ting, D-San Francisco) – Land Use: Accessory Dwelling Units:*

AB 68 would prohibit local ordinances from imposing requirements on minimum lot size, or that limit lot coverage, floor area ratio, or open space for accessory dwelling units (ADUs) if those ordinances do not permit ADUs of at least 800-square-feet and at least 16 feet in height with 4-foot side and rear yard setbacks. The bill would also require ministerial approval of a building permit application or mixed-use zone to create any of the following:

- One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if certain requirements are met;
- A detached, new construction single-story accessory dwelling unit that meets certain requirements and would authorize a local agency to impose specified conditions relating to floor area and height on that unit;
- Multiple accessory dwelling units within the portions of an existing multifamily dwelling structure provided those units meet certain requirements; or
- Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to certain height and rear yard and side setback requirements.

The bill, which does not directly address the fees a local agency like IRWD can charge, was set to be heard by the Senate Governance and Finance Committee on July 10.

Because the ADU bills introduced by this authors last year included provisions that could have impacted water fees and charges. Staff has monitored the ADU legislation this year to ensure that they do not impact the District's ability to charge connection fees, or cost-of-service-based rates and charge. IRWD currently has a "watch" position on this bill.

*AB 69 (Ting, D-San Francisco/Quirk-Silva, D-Fullerton) – Land Use: Accessory Dwelling Units:*

AB 69 bill would require the Department of Housing and Community Development to propose and submit small home building standards governing ADUs smaller than 800 square feet to the California Building Standards Commission for adoption on or before January 1, 2021.

Amendments taken in the Senate Housing Committee added Assemblymember Quirk-Silva (D-Fullerton) as joint author.

The bill, which does not directly address the fees a local agency like IRWD can charge, is currently on the Senate Appropriations Suspense File.

Because the ADU bills introduced by this author last year included provisions that could have impacted water fees and charges, staff has monitored the ADU legislation this year to ensure that they do not impact the District's ability to charge connection fees, or cost-of-service-based rates and charge. IRWD currently has a "watch" position on this bill.

*AB 134 (Bloom, D-Santa Monica) – Safe Drinking Water Restoration:*

AB 134 would require the State Board to adopt an assessment of funding needed for at-risk water systems, adopt and provide for a sustainable plan for restoring safe drinking water based on the recommendation of a regional engineer, and make available a map of aquifers that are used or likely to be used as a source of drinking water and that are at high risk of containing contaminants.

Separate from the two safe drinking water budget trailer bills and SB 200, AB 134 represents another approach to implementing a program to fund safe drinking water. Given the Legislature's agreement to pass SB 200 this year as the vehicle to implement the Safe Drinking Water Program, AB 134 was made a two-year bill and will not advance in the Legislature this year. Assemblymember Bloom, the author of AB 134, has stated that he will continue to work on refining his bill to address safe drinking water in California during the remainder of the 2019-2020 two-year legislative session.

The bill is current in the Senate Environmental Quality Committee. IRWD currently has a "watch" position on AB 134.

*AB 217 (Burke, D-Inglewood) – Income Taxation: Credits: Exclusions: Federal Conformity:*

Previously, AB 217 was authored by Assembly Water, Parks and Wildlife Committee Chairman Eduardo Garcia. The bill would have the Safe and Affordable Drinking Water Fund in the State Treasury and would have provided that moneys in the fund were available, upon appropriation by the Legislature, to the State Board to provide a stable source of funding to secure access to safe drinking water for all Californians. Previous versions of the bill included a hybrid approach to funding safe drinking water that included a water tax, an agricultural tax and development of a trust fund. The water tax included in the bill was a monthly \$0.50 per service connection tax on all public water systems.

On June 17, AB 217 was gutted and amended. Assemblymember Autumn Burke (D-Inglewood) took over as author of the bill. AB 217 no longer relates to safe drinking water. The bill now addresses state conformity with federal income tax law.

The bill is currently on the Assembly Floor. IRWD previously had taken an "oppose unless amended" position AB 217. As this bill no longer includes a water tax or relates to safe drinking water, staff recommends that the Board adopt a "watch" position.

*AB 292 (Quirk, D-Hayward) – Recycled Water: Raw Water and Groundwater Augmentation:*

In 2017, in order to further the development of potable reuse regulations, WaterReuse California sponsored AB 574, introduced by Assemblymember Bill Quirk (D-Hayward). AB 574 established a statutory deadline for the State Board to develop a policy and sequential regulations for potable reuse consistent with a report provided to the Legislature. Additionally, the bill recognized that there is a continuum of potable reuse projects, and defined “potable reuse” as well as four subcategories — groundwater augmentation, reservoir augmentation, raw water augmentation, and treated water augmentation.

As introduced, AB 574 also proposed to remove the terms “Indirect Potable Reuse” and “Direct Potable Reuse” from the Water Code; however, the version of AB 574 signed into law did not include the removal of the terms from the Water Code. As a result, WaterReuse California is sponsoring AB 292 this year. AB 292 proposes to remove the terms “Indirect Potable Reuse” and “Direct Potable Reuse” from the Water Code.

AB 574 was scheduled to be heard by the Senate Natural Resources and Water Committee on July 9. As a leader in recycled water, IRWD has long advocated and supported efforts to increase water recycling in California. The District supported AB 574 in 2017, as introduced, and IRWD currently has a “support” position on AB 292.

*AB 402 (Quirk, D-Hayward) – State Board: Local Primacy Delegation: Funding Stabilization Program:*

As amended June 18, AB 402 would authorize the State Board to delegate partial responsibility for the Safe Drinking Water Act’s administration and enforcement to local primacy agencies. It would also require the State Board to evaluate and report on each local primacy agency annually. The bill would also allow local primary agencies to participate in a funding stabilization program.

This bill passed the Assembly without opposition because there was an understanding that the author’s intent for this bill was to assess fees only on small public water systems, as opposed to assessing fees on all public water systems. However, after this bill passed the Assembly, the author expressed his intent for the bill to require fees from all public water systems. This bill was amended on June 18, 2019, to provide that public water systems are required either to pay a fee to a local primary agency or to the State Board. Given that the author’s intent for this bill is to assess fees on all public water systems, IRWD adopted an “opposed unless amended” position on AB 402.

AB 402 is currently in the Senate Appropriations Committee.

*AB 510 (Cooley, D-Rancho Cordova) – Local Records: Destruction of Records:*

Since 1998, the Government Code has required that public agencies retain any routine video monitoring recordings for a period of one year, and keep radio and telephone recordings for 100 days. Over the past 20 years, video monitoring technology has changed drastically. When the



original one-year recording provision was enacted, the legislative history shows that the original intent was to store videotapes. Since that time, technology has advanced while the law has remained unchanged. The vast majority of video monitoring today is now done using digital cameras that record onto DVRs, agency servers, and cloud-based servers.

With the ease of digital storage and decreased cost of digital cameras, public agencies are installing an ever-increasing number of cameras and the cameras are recording in significantly higher resolution. While this has made video monitoring records more useful and effective, the increased number of cameras and picture quality means that the amount of data that must be stored to comply with the current statutory retention requirements is exceptionally high. Additionally, public agencies are more frequently using more cameras for routine video monitoring that is of no value to the public because it is footage of no activity. For example, 24-hour footage from a camera facing the back entrance to an office building where zero incidents have occurred must still be maintained for one year.

AB 510 sought to modernize the Government Code to allow local public agencies to adopt records retention policies designed for modern digital recording technologies, while ensuring the proper retention of any records in which an incident may have occurred. Specifically, the bill would have allowed public agencies to set their own records retention policies for routine digital (video, radio and telephone) recordings, provided they maintain routine monitoring records where incidents may have occurred until the incident is fully resolved. Additionally, the bill specified that in the absence of agencies adopting their own records retention policy, the current one-year (video recordings) and 100-day (radio and telephone recordings) retention policies would remain in effect.

The author in early spring decided to make the bill a two-year bill due to opposition from consumer attorneys. The California Special Districts Association, the sponsor of the bill, continues to work to develop a strategy on how to move the bill forward next year. IRWD had adopted a “support” position on AB 510 given the benefit the bill would provide the District. Staff will provide an oral update on the next steps on the bill.

*AB 533 (Holden, D-Pasadena) – Income Taxes: Exclusion: Turf Removal Water Conservation Program:*

AB 533 would have extended from January 1, 2019, to January 1, 2024, the sunset date for the allowance for a taxpayer to exclude from taxable gross income rebates that a taxpayer receives from a local water agency or supplier for turf removal water conservation programs. In the absence of this income tax exclusion, the turf removal rebates that customers receive will be subject to taxation as income. These rebates create an incentive for customers to remove turf to conserve water. Taxing these rebates as income diminishes that incentive.

The bill was held on the Assembly Appropriations Suspense File in May and will not move. IRWD has a “support” position on this bill.

*AB 1180 (Friedman, D-Burbank) – Recycled Water:*

AB 1180 would require the State Board to update the State’s non-potable recycled water regulations by 2023, if they have the resources to do so. These regulations have not been revised since 2000. An update to these regulations, incorporating the knowledge and lessons learned over nearly two decades of non-potable water recycling, will help the State to achieve its ambitious goals for recycled water use.

IRWD has advocated for greater water reuse and supported efforts to increase water recycling in California because the District strongly believes that reuse is a key component of the State’s water supply portfolio. IRWD has a “support” position on this bill.

The bill is current on the Senate Appropriations Committee Suspense File.

*AB 1204 (Rubio, D-West Covina) – Primary Drinking Water Standards: Implementation Date:*

AB 1204 is a short, but important bill. The bill would provide that the adoption or amendment of a primary drinking water standard for a contaminant in drinking water that is more stringent than federal standards will take effect three years after the date on which the State Board adopts or amends the standard. Additionally, the bill would authorize the State Board to delay the effective date of the primary drinking water standard by up to two additional years when capital improvements are needed to comply with meeting the standard.

The bill is sponsored by the Association of California Water Agencies (ACWA) and strives to provide water agencies the time needed to comply with new primary drinking water standards.

The bill is in the Assembly Environmental Safety and Toxic Materials Committee, and is a two-year bill. IRWD has a “support” position on AB 1204.

*AB 1414 (Friedman, D-Burbank) – Urban Retail Water Suppliers: Reporting:*

AB 1414 seeks to address issues raised by some urban retail water suppliers that the reporting deadlines contained in the “Making Water Conservation a California Way of Life” are challenging to meet given the large amount of data needed to complete the reports. As a result, AB 1414 proposes changing the reporting date for submitting a validated water loss audit to the Department of Water Resources (DWR) from October 1 to January 1 of each year depending on if a water supplier is reporting based on a calendar or fiscal year. Additionally, AB 1414 proposes changing the reporting date for calculating and complying with the urban water use objective from November 1 of 2023, and each November 1 thereafter, to January 1, 2024, and each January 1 thereafter. Finally, the bill adjusts the compliance deadlines and reporting deadlines for updating Urban Water Management Plans.

The bill is currently on the Senate Floor. IRWD does not currently have a position on this bill.

*AB 1415 (Friedman, D-Burbank) – DWR: Reporting Requirements/Civil Penalties:*

AB 1415 would establish civil penalties that DWR would be required to impose on any person or entity failing to file certain statutorily required reports with the Department by the dates specified in the statute. Specially, the bill would authorize a \$1,000 civil penalty for failing to file a water loss audit report, urban water management plan, groundwater sustainability plan, and agricultural management plan, among others, by the deadlines prescribed in the statute. The civil penalty would increase to \$250 per day if the reports or plans are not submitted within 60 days of the statutory deadline.

The bill was scheduled to be heard by the Senate Judiciary Committee on July 9. IRWD does not currently have a position on this bill.

*AB 1432 (Dahle, R-Bieber) – Urban Water Use Objective: Indoor Residential Water Use:*

AB 1432 as introduced was a spot bill that would modify Water Code Section 10609.4, which outlines the indoor residential water use standards to be used when calculating an urban water use objective. The bill was amended to deal with water shortages as a result of wildfires. The bill was chaptered on June 26, 2019. IRWD did not take a position on this bill.

*AB 1588 (Gloria, D-Mission Hills/Gray, D-Merced) – Drinking Water and Wastewater Operator Certification:*

AB 1588 would provide a path of reciprocity for military veterans to apply their skills and experience toward meeting the requirements for California's water and wastewater operator certifications. This bill would ensure that military veterans transitioning from military service into civilian water and wastewater treatment operator occupations receive appropriate credit for the work experience, education, skills, and knowledge they gained while working on water and wastewater treatment systems during their time in our military.

With AB 1588, California's water and wastewater industries would have a larger pool of highly skilled, motivated, and talented individuals.

The bill is currently scheduled to be heard by the Senate Committee on Veterans Affairs on July 9. IRWD currently has a "support" position on this bill.

*AB 1672 (Bloom, D-Santa Monica) – Flushable Products:*

AB 1672 is a proposal sponsored by the California Association of Sanitation Agencies (CASA). The bill would have prohibited representing, including representing on a label, that a nonwoven disposable product can be flushed or that it is safe for sewer systems or septic systems, unless the product is a flushable wipe that meets certain performance standards. Additionally, the bill would require non-flushable wipes to be labeled clearly and conspicuously to communicate that they should not be flushed.

In recent years, wipes labeled as flushable have gained popularity, which encourages residents to dispose of wipes products generally in their toilets instead of in the trashcans. This can result in the wipes being caught in pipes and can cause problems for wastewater infrastructure and treatment facilities. These products often combine with fats, oils, and grease and become larger obstructions within sewer systems, which can result in costly sewer overflows.

This bill sought to ensure manufactures properly label their products so that consumers do not think they can flush the wipes. The approach balanced consumer demands for the products with the need to prevent the consequences of instructing consumers to flush these products.

IRWD currently has a “support” position on the bill. The Assembly Appropriations Committee referred this bill to the committee’s Suspense File, and subsequently postponed the hearing on the bill. As such, this bill is not eligible for consideration this year. Nevertheless, this bill remains eligible for consideration in 2020.

*ACA 3 (Mathis, R-Visalia/E. Garcia, D-Coachella) – Water: Minimum Funding Guarantee:*

ACA 3, while not directly related to safe and affordable drinking water, relates to providing a durable funding source for water in the state which could be used to address safe and affordable drinking water in California. The proposed constitutional amendment would, starting in the 2021–2022 fiscal year, set aside not less than two percent of State revenues for the payment of principal and interest on bonds authorized pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014, and for water supply, delivery, and quality projects.

IRWD has a “watch” position on ACA 3. The bill failed passage in the Assembly Water, Parks and Wildlife Committee, but as a constitutional amendment, it is not subject to the normal bill deadlines and it remains eligible for consideration by the Legislature at any time. Given the bill’s failed passage in the Assembly Water, Park and Wildlife Committee, the bill is not expected to move forward.

*ACR 89 (Cooley, D-Rancho Cordova) – Special Districts Week:*

ACR 89, authored by Assemblymember Ken Cooley, would establish September 22, 2019, to September 28, 2019, as Special Districts Week and would encourage all Californians to be involved in their communities and be civically engaged with their local government. The CSDA has sponsored the resolution to bring attention to the important role that special districts serve in providing Californians with essential government services. CSDA has requested that its members consider supporting the resolution. Given IRWD’s involvement with CSDA, the Board adopted a “support” position on ACA 89.

ACA 89 is currently on the Senate Floor.

*SB 13 (Wieckowski, D-Fremont) – Accessory Dwelling Units:*

SB 13 is intended to foster the creation of ADUs. Of specific interest to IRWD were the provisions of this bill that prohibit a local agency, special district, or water corporation from

imposing any “impact fee” upon the development of an ADU less than 750 square feet and that limit the impact fees that may be imposed on an ADU 750 square feet or larger. Those provisions of the bill were removed.

The bill was scheduled to be heard by the Assembly Local Government Committee on July 10.

Because the ADU bills introduced by this authors last year included provisions that could have impacted water fees and charges. Staff has monitored the ADU legislation this year to ensure that they do not impact the District’s ability to charge connection fees, or cost-of-service-based rates and charge. IRWD currently has a “watch” position on this bill.

*SB 134 (Hertzberg, D-Van Nuys) – Water Conservation: Water Losses:*

Last year, Senator Bob Hertzberg (D-Van Nuys) and Assemblymember Laura Friedman authored SB 606 and AB 1668, the “Making Water Conservation a California Way of Life” legislation. The legislation, among other things, requires urban retail water suppliers to calculate and comply with an urban water use objective. The urban water use objective is composed of adding efficient indoor residential water use, efficient outdoor water use, and water loss to create a retail-level water budget for each urban retail agency.

When SB 606 and AB 1668 were enacted last year, one of the outstanding issues was the fact that the urban water use objective language did not clearly state that the State Board could only enforce the water loss performance standard within the urban water use objective. In fact, the State Board has made statements indicating that enforcement of the water loss performance standard, which is currently being set by the State Board, may be enforced under both the urban water use objective and as a separate objective.

Hearing the concerns raised by the water community, Senator Hertzberg introduced SB 134 this year to clarify that the performance standard being set by the State Board on water loss shall only be enforced via the urban water use objective. IRWD currently has a “support” position on this bill.

The bill is the in the Assembly Appropriations Committee.

*SB 204 (Dodd, D-Napa) – State Water Projects: Contracts:*

SB 204 would require the Department of Water Resources (DWR) to provide notice to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature before holding public sessions to negotiate any potential amendment of certain long-term water supply contracts for the State Water Project. The bill would require DWR, before the execution of a specified proposed amendment to a long-term water supply contract and at least 60 days before final approval of such an amendment, to submit to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature certain information regarding the terms and conditions of a proposed amendment of a long-term water supply contract and to submit a copy of the long-term contract as it is proposed to be amended.

The bill is currently in the Assembly Water, Parks and Wildlife Committee. The July 2 hearing was postponed by that committee. IRWD currently has a “watch” position on SB 204.

*SB 307 (Roth, D- Riverside) – Water Conveyance: Use of Facility with Unused Capacity:*

SB 307 is a reintroduction of AB 1000 (2018), authored by Assemblymember Laura Friedman, and SB 210 (2018), authored by Senator Richard Roth (D-Riverside). The bill seeks to prohibit water from the Cadiz Valley Water Conservation, Recovery & Storage Project from being placed into a water conveyance facility that has unused capacity unless the State Lands Commission finds that there would be no adverse effect on the natural or cultural resources.

The bill is current in the Assembly Appropriations Committee. IRWD currently has a “watch” position on SB 307.

*SB 332 (Hertzberg, D-Van Nuys/Wiener, D-San Francisco) – Wastewater Treatment: Recycled Water:*

SB 332 would have declared that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water, and would mandate that agencies reduce their ocean discharges by 50 percent by 2030 and by 95 percent by 2040, as compared to average annual wastewater discharges between 2010 and 2020. On May 16, the Senate Appropriations Committee held the bill on the Suspense File and as a result, the bill will not move forward this year.

IRWD currently has an “oppose unless amended” position on the bill.

*SB 414 (Caballero, D-Salinas) – Small System Water Authority Act of 2019:*

The California Municipal Utilities Association (CMUA), in coordination with the Eastern Municipal Water District, is sponsoring SB 414. SB 414, which is similar to AB 2050 (2018), proposes to enact the Small System Water Authority Act of 2019. The proposal seeks to address the governance issues causing unsafe drinking water in a number of communities in California.

The bill was scheduled to be heard by the Assembly Local Government Committee on July 10. IRWD currently has a “support” position on this bill.

*SB 669 (Caballero, D-Salinas) – Water Quality: Safe Drinking Water Fund:*

SB 669 was sponsored by ACWA and CMUA. It proposed an alternative mechanism to fund safe drinking water. The proposal would have created a Safe Drinking Water Trust to provide a perpetual funding source to address safe drinking water in disadvantaged communities. The bill was held on the Senate Appropriations Suspense File in May and will not advance.

IRWD has a “support” position on SB 669.

*SB 732 (Allen) – South Coast Air Quality Management District Taxing Authority:*

Senate Ben Allen (D, Redondo Beach) authored SB 732 to propose providing the South Coast Air Quality Management District (AQMD) the authority to impose a sales tax within its district boundaries. Specifically, the bill would have authorized AQMD to seek voter approval for a sale tax of between 0.25 and 1 percent.

If a sales tax was sought and approved, the bill would have authorized AQMD to send the revenue from the tax on the financial incentives and programs to implement the AQMD-adopted plans to achieve state and federal ambient air quality standards and to accelerate the deployment of all of the following:

- Zero-emission, near-zero-emission, or cleanest commercially available mobile and stationary equipment, and
- Alternative fueling and charging infrastructure.

SB 732 is currently in the Senate Appropriations Committee. Since the bill missed the house of origin deadline, the bill is now a two-year bill. IRWD currently does not have a position on SB 732.

2019 State Regulatory Update:

*Other 2019 State Regulatory Updates:*

Staff continues to track, monitor and engage in a number of regulations of interest to IRWD. The following is a list of some of the state regulations and agency reports staff is monitoring, tracking or planning to engage in over the next 12 months. As the next drafts of the regulations or report are released for public review and comment, staff will engage, as appropriate. Staff will also provide an oral update to the Committee on any new developments related to these regulations.

The pending regulations and reports actively being tracked include the:

- Building Standards Commission’s “2019 California Plumbing Code;”
- Department of Water Resources (DWR) and the State Board’s implementation of the “Making Water Conservation a California Way of Life” legislation;
- DWR’s “The Open and Transparent Water Data Act (AB 1755, Dodd) Implementation Plan;”
- Governor’s Executive Order on a Water Resiliency Portfolio;
- Office of Environmental Health Hazard Assessment’s “A Framework and Tool for Evaluating California’s Progress in Achieving the Human Right to Water;”
- State Board Electronic Annual Report;

- State Board’s development of a “Cross Connection Policy Handbook;”
- State Board’s proposed “Environmental Laboratory Accreditation Program Regulations;”
- State Board’s proposed “Mercury TMDL and Statewide Mercury Control Program for Reservoirs” regulations;
- State Board’s proposed regulations on “Prohibiting Wasteful Water Use Practices;”
- State Board’s “Water Loss Performance Standards Regulations;”
- State Board’s Water Rights Enforcement Policy; and
- State Board’s “Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California” and draft “Toxicity Provisions.”

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board adopt a “watch” position on AB 217 (Garcia).

LIST OF EXHIBITS:

Exhibit “A” – IRWD Legislative Matrix

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



**EXHIBIT “A”**  
**IRWD 2019 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 5</u></b> Gonzalez (D)	Independent Contractors		States the intent of the Legislature to codify the decision in the case of Dynamex Operations West, Inc. v. Superior Court of Los Angeles and clarify its application. Provides that the factors of the ABC test be applied in order to determine the status of a worker as an employee or independent contractor for all provisions of the Labor Code and the Unemployment Insurance Code, unless another definition or specification of employee is provided.	06/13/2019 - To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
<b><u>AB 11</u></b> Chiu (D)	Community Redevelopment Law		Requires the Director of Finance to adjust the percentage of General Fund revenues appropriated for school districts and community college districts for computing the minimum amount of revenues that the state is required to appropriate for the support thereto in a manner that ensures that the division of taxes authorized by the Community Redevelopment Law have no net fiscal impact upon the total amount of the General Fund revenue and local property tax revenue allocated to such.	04/24/2019 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 15</u></b> Nazarian (D)	Student Financial Aid: Savings Account Program		Establishes the Children's Savings Account Program, under the administration of the Scholarshare Investment Board, for the purposes of expanding access to higher education through savings. Establishes the Children's Savings Account Program Fund to serve as the initial repository of all moneys received from state and private sources for the program.	06/06/2019 - To SENATE Committee on EDUCATION.
<b><u>AB 38</u></b> Wood (D)	Fire Safety: Low-Cost Retrofits		Requires the Natural Resources Agency to review the regional capacity of each county that contains a very high fire hazard severity zone to improve forest health, fire resilience, and safety. Requires the seller of any property located in a high fire hazard severity zone to provide a disclosure notice to the buyer relating to fire hardening improvements on the property. Establishes the Fire Hardened Homes Revolving Loan and Rebate Fund to pay for costs of fire hardening.	07/01/2019 - In SENATE. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 59</u></b> Kalra (D)	Elections: Polling Places: University Campuses		Directs a county elections official conducting an all-mailed ballot election to consider vote center location on a public or private university or college campus. Expands the definition of "public building" for purposes of that provision to include buildings owned or controlled by community college districts, the California State University, and the University of California, and it would also clarify that the University of California is encouraged, but not required, to comply with such a request.	07/02/2019 - From SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 60</u></b> Friedman (D)	Water Conservation: Water Meters: Accuracy Standards		Requires the State Energy Resources Conservation and Development Commission to adopt regulations setting standards for the accuracy of water meters. Prohibits any water meter manufactured on or after the effective date of those regulations from being sold or offered for sale in the state, or installed by a water purveyor, unless it is certified by the manufacturer to be in compliance with those standards.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 64</u></b> Fong (R)	State Project Audits		Requires the California State Auditor to examine and audit a state contract involving the expenditure of public funds in excess of \$500,000,000 entered into by a state agency, board, commission, or department within one year of the date of final payment under the contract.	04/04/2019 - To ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.;04/04/2019 - From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW with author's amendments.;04/04/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW.
<b><u>AB 68</u></b> Ting (D)	Land Use: Accessory Dwelling Units	WATCH	Deletes the provision authorizing the imposition of standards on lot coverage and would prohibit an ordinance from imposing requirements on minimum lot size. Prohibits the imposition of those limitations if they do not permit at least an 800 square foot	07/05/2019 - From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.;07/05/2019 - In SENATE. Read second time and amended. Re-

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			accessory dwelling unit that is at least 16 feet in height with 4-foot side and rear yard setbacks.	referred to Committee on GOVERNANCE AND FINANCE.
<b><u>AB 69</u></b> Ting (D)	Land Use: Accessory Dwelling Units	WATCH	Requires the department to propose small home building standards governing accessory dwelling units smaller than 800 square feet, junior accessory dwelling units, and detached dwelling units smaller than 800 square feet, as specified, and to submit the small home building standards to the California Building Standards Commission for adoption on or before a specified date.	07/01/2019 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b><u>AB 71</u></b> Melendez (R)	Independent Contractors and Employees		Requires a determination of whether a person is an employee or an independent contractor to be based on a specific multifactor test, including whether the person to whom the service is rendered has the right to control the manner and means of accomplishing the result desired.	02/25/2019 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.;02/25/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
<b><u>AB 100</u></b> Budget Cmt	Drinking Water		Establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and the long terms. Authorizes the state board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, and bequests and would continuously appropriate the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients.	06/24/2019 - From SENATE Committee on BUDGET AND FISCAL REVIEW: Do pass.;06/24/2019 - In SENATE. Read second time. To third reading.
<b><u>AB 134</u></b> Bloom (D)	Safe Drinking Water Restoration	WATCH	Requires each regional engineer to arrange for a prescribed comprehensive assessment of each failed water system in the region of the drinking water regional office to be completed. Requires the board, upon adoption of an assessment of funding need, to convey to each regional engineer a list of at-risk water systems in that region and additional information. Requires the board by a specified date of each year to review the assessment of funding need and to prioritize the public water systems.	06/13/2019 - To SENATE Committees on ENVIRONMENTAL QUALITY and NATURAL RESOURCES AND WATER.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 196</u></b> Gonzalez (D)	Paid Family Leave		Revises the formula for determining benefits available pursuant to the family temporary disability insurance program for periods of disability by redefining the weekly benefit amount.	06/06/2019 - To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
<b><u>AB 202</u></b> Mathis (R)	Endangered Species: Conservation: Safe Harbor Program		Extends the operation of the California State Safe Harbor Agreement Program Act indefinitely, which encourages landowners to manage their lands voluntarily, by means of state safe harbor agreements approved by the Department of Fish and Wildlife, to benefit endangered, threatened, or candidate species.	04/24/2019 - To SENATE Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 217</u></b> Burke (D)	Income Taxation: Credits: Exclusions	OPPOSE UNLESS AMENDED	Allows a refundable young child tax credit against the taxes imposed under the Personal Income Tax Law, for each taxable year beginning on or after January 1, 2019, in an amount equal to \$1,176 multiplied by the earned income tax credit adjustment factor, not to exceed \$1,000 per each qualified taxpayer per taxable year.	06/18/2019 - In ASSEMBLY. Read second time. To third reading.
<b><u>AB 223</u></b> Stone (D)	California Safe Drinking Water Act: Microplastics		Requires the State Water Resources Control Board, to the extent possible, and where feasible and cost effective, to work with the State Department of Public Health in complying with requirements to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water.	02/04/2019 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b><u>AB 233</u></b> Cooley (D)	Insurance: Licensees		Requires a broker agent, agent, or licensed organization that maintains multiple offices to prominently display a copy of its license in each office. Requires a broker agent, agent, or licensed organization that sells insurance on an internet website to display a link to a copy of its license on its home page.	05/22/2019 - To SENATE Committee on INSURANCE.
<b><u>AB 254</u></b> Quirk-Silva (D)	Warewashing Machines: Water Reuse		Authorizes water from a warewashing machine at a retail food business to be reused on the same warewashing machine, for prerinse purposes only, if an attendant is onsite to control the reuse	05/29/2019 - To SENATE Committee on HEALTH.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			of the water for prerinse purposes and a written disclosure notice is posted.	
<b><u>AB 274</u></b> Mathis (R)	Water Treatment Facility: Grant		Appropriates a specified sum to the state Water Resources Board for the purpose of water treatment. Requires the Board to grant a specified sum to a specified joint powers authority for a water treatment facility to be operated by a joint powers authority.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 292</u></b> Quirk (D)	Recycled Water: Raw Water and Groundwater Augmentation	SUPPORT	Eliminates the definition of direct potable reuse and instead substitutes the term groundwater augmentation for indirect potable reuse for groundwater recharge in definitions. Requires the State Water Resources Control Board to adopt uniform water recycling criteria for raw water augmentation.	06/20/2019 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;06/20/2019 - In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 305</u></b> Nazarian (D)	Public Facilities: Water Agencies: Rate Reduction Bonds		Expands the definition of a publicly owned utility to include certain utilities furnishing wastewater service to a certain number of customers. Authorizes an authority to issue rate reduction bonds to finance or refinance water or wastewater utility projects. Eliminates specified duties of the Pollution Control Financing Authority under certain circumstances.	07/02/2019 - In SENATE. Read second time. To third reading.
<b><u>AB 314</u></b> 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 labor relations laws. Repeals the provisions relating to release time in those acts. Requires these public employers to grant a reasonable number of employee representatives of the exclusive representative reasonable time off without loss of compensation or other benefits for specified activities.	06/26/2019 - From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 322</u></b> Gallagher (R)	Political Reform Act: Online Filing System		Requires a local government agency to post on its internet website a copy of any specified statement, report, or other document filed with that agency in paper format. Requires that the statement,	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			report, or other document be made available for four years from the date of the election associated with the filing.	
<b><u>AB 333</u></b> Eggman (D)	Whistleblower Protection: Patients' Rights Advocates		Extends the whistleblower protections afforded to employees to county patients' rights advocates under contract, as independent contractors or employees of a contracted organization, to provide services relating to mental health advocacy. Establishes a private right of action to enforce the rights and protections afforded to county patients' rights advocates. Provides that a violation does not require an administrative investigation by the Department of Industrial Relations.	06/26/2019 - From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on JUDICIARY.;06/26/2019 - From SENATE Committee on JUDICIARY with author's amendments.;06/26/2019 - In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b><u>AB 382</u></b> Mathis (R)	Integrated Regional Water Management Plans: Grants		Requires the Department of Water Resources to include in any criteria, used to select a project or program for grant funding, a criterion that provides a preference for a regional water management group undertaking a project improving upper watershed health upstream and outside of the defined geographical area covered by the group's plan.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 400</u></b> Lackey (R)	State Mandates		Amends existing law which authorizes a local agency or school district, by February 15, to file an annual reimbursement claim detailing state-mandated costs. Extends that date to March 1.	02/28/2019 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b><u>AB 402</u></b> Quirk (D)	Water Resources Control Board: Local Primacy Delegation	OPPOSE UNLESS AMENDED	Authorizes the State Water Resources Control Board to delegate partial responsibility for the Safe Drinking Water Act's enforcement by means of a local primacy delegation agreement. Includes enforcement costs as costs covered by the annual Drinking Water Surveillance Program grant. Authorizes any local primacy agency, with the approval of the State Water Resources Control Board, to elect to participate in a funding stabilization program.	07/03/2019 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 405</u></b> Rubio (D)	Sales and Use Taxes: Exemption: Water Treatment		Exempts from the Sales and Use Tax Law the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used by a city, county, public utility, and sanitation district to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.	05/16/2019 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 418</u></b> Kalra (D)	Evidentiary Privileges: Union Agent-Worker Privilege		Establishes a privilege between a union agent and a represented employee or represented former employee to refuse to disclose any confidential communication between the employee or former employee and the union agent made while the union agent was acting in the union agent's representative capacity, except as specified.	07/05/2019 - In SENATE. Read second time. To third reading.
<b><u>AB 435</u></b> Fong (R)	High-speed Rail Bonds: Water		Provides that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system.	03/19/2019 - From ASSEMBLY Committee on TRANSPORTATION with author's amendments.;03/19/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on TRANSPORTATION.
<b><u>AB 441</u></b> Eggman (D)	Water: Underground Storage		Provides that any diversion of water to underground storage constitutes a diversion of water for beneficial use for which an appropriation may be made if the diverted water is put to beneficial use. Provides that the forfeiture periods of a water right do not include any period when the water is being used in the aquifer or storage area or is being held in underground storage for later application to beneficial use.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 448</u></b> Garcia E (D)	Water Rights: Stockponds		Provides that the owner of a stockpond built prior to a specified date, that does not have a capacity greater than ten acre feet, may obtain a right to appropriate water for the principal purpose of watering livestock if that person files a claim for a water right with	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			the State Water Resources Control Board accompanied by a fee not later than a certain date, with certain exceptions.	
<b><u>AB 454</u></b> Kalra (D)	Migratory Birds: Migratory Bird Protection Act		Makes unlawful the taking or possession of any migratory nongame bird designated in the Migratory Bird Treaty Act before a specified date, any additional migratory nongame bird that may be designated in the Migratory Bird Treaty Act after that date, or any part of those migratory nongame birds, except as provided by rules and regulations adopted by the United States Secretary of the Interior under the Migratory Bird Treaty Act.	06/06/2019 - To SENATE Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 456</u></b> Chiu (D)	Public Contracts: Claim Resolution		Removes the repeal date of a claim resolution process applicable to any claim by a contractor in connection with a public works project against a public entity, thereby making this claim resolution process operative indefinitely.	06/24/2019 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b><u>AB 487</u></b> Gallagher (R)	Department of Water Resources: Dams and Reservoirs		Authorizes that a penalty plus interest may be imposed for fees received more than 30 days after the July 1 required date of payment in any year.	07/01/2019 - In SENATE. Read third time. Passed SENATE. To enrollment.
<b><u>AB 508</u></b> Chu (D)	Drinking Water: Consolidation of Service: Wells		Authorizes consolidation or extension of service by a water system if a disadvantaged community, in whole or in part, is reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. Imposes the additional requirement that the state board consider how many owners of dwelling units served by domestic wells in the service area have or are likely to provide written consent to extension of service. Revises the definition of a subsumed water system.	07/05/2019 - In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.
<b><u>AB 510</u></b> Cooley (D)	Local Government Records: Destruction of Records	SUPPORT	Exempts the head of a department of a county or city, or the head of a special district from recording retention requirements if the county, city, or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.	02/21/2019 - To ASSEMBLY Committee on LOCAL GOVERNMENT.



**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 520</u></b> Kalra (D)	Public Works: Public Subsidy		Amends existing law relating to prevailing wages for workers employed on public works. Provides that a public subsidy is de minimis if it is both less than a specified amount and less than certain percentage of the total project cost. Specifies that these provisions do not apply to a project that was advertised for bid, or a contract that was awarded before a specified date.	06/25/2019 - In SENATE. Read second time. To third reading.
<b><u>AB 533</u></b> Holden (D)	Income Tax: Exclusion: Turf Removal Water Conservation	SUPPORT	Extends the operative date of the provisions excluding from gross income specified amounts received in a turf removal water conservation program to taxable years beginning before a specified date. Requires the Department of Finance to include an analysis of these exclusions in its annual tax expenditure report provided to the Legislature and further provides that taxpayer information collected pursuant to this requirement is subject to the limitation on the collection and use of that information.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.
<b><u>AB 557</u></b> Wood (D)	Atmospheric Rivers: Research and Forecasting Program		Appropriates \$9,250,000 from the General Fund to the Department of Water Resources in the 2019-20 fiscal year to operate the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 587</u></b> Friedman (D)	Accessory Dwelling Units: Sale or Separate Conveyance		Authorizes a local agency to allow, by ordinance, an accessory dwelling unit that was created to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met. Provides that those conditions include that the property was built or developed by a qualified nonprofit corporation that is receiving the welfare exemption, and a recorded contract exists between the qualified buyer and the qualified nonprofit corporation.	06/25/2019 - In SENATE. Read second time and amended. To third reading.
<b><u>AB 600</u></b> Chu (D)	Local Government: Disadvantaged Communities		Provides that an application to annex a contiguous disadvantaged community is not required if a local agency formation commission finds that a majority of the registered voters within the affected	06/24/2019 - In SENATE. Read second time. To third reading.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
			disadvantaged unincorporated community would prefer to address the service deficiencies through an extraterritorial service extension.	
<b><u>AB 616</u></b> Patterson (R)	California Forest Carbon Plan: Reports		Requires the Department of Forestry and Fire Protection, in collaboration with the Natural Resources Agency and California Environmental Protection Agency, to prepare and submit to the Legislature and appropriate legislative policy and budget committees, on or before January 1, 2021, and by January 1 of each year thereafter, until January 1, 2024.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 626</u></b> Quirk-Silva (D)	Conflicts of Interest		Prohibits an officer or employee from being deemed interested in a contract, as described above, if the interest is that of an engineer, geologist, architect, landscape architect, land surveyor, or planner, performing specified services on a project, including preliminary design and preconstruction services, when proposing to perform services on a subsequent portion or phase of the project, if the work product for prior phases is publicly available.	05/30/2019 - In ASSEMBLY. From third reading. To Inactive File.
<b><u>AB 636</u></b> Gray (D)	State Water Resources Control Board: Objectives		Prohibits the State Water Resources Control Board from implementing water quality objectives for which the state board makes a certain finding relating to environmental quality until it has submitted the water quality objectives and a statement of that finding to the appropriate policy committees of the Legislature and each committee has held a hearing on these matters.	03/14/2019 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b><u>AB 637</u></b> Gray (D)	Disadvantaged Communities: Drinking Water		Requires the State Water Resources Control Board, before taking an action that significantly impacts drinking water, to use existing information to identify impacted disadvantaged communities and to seek to reduce impacts to those communities. Requires the Board to ensure that disadvantaged communities are provided an opportunity to participate in the public process for a decision that significantly impacts drinking water by holding a public hearing in or near an impacted community.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>AB 638</u></b> Gray (D)	Dept. of Water Resources: Water Storage: Climate Change		Requires the Department of water Resources, with updates every 5 years, to identify water storage facilities vulnerable to climate change impacts and the mitigation strategies for anticipated adverse impacts. Requires the department to publish this information on the department's publicly available internet website and to provide a copy of the information to the appropriate policy committees of the Legislature.	06/19/2019 - Re-referred to SENATE Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 654</u></b> Rubio (D)	Public Records: Utility Customers: Personal Information		Authorizes a local agency to disclose the name, utility usage data, and home address of utility customers to an officer or employee of another governmental agency when the disclosure is not necessary for the performance of the other governmental agency's official duties but is to be used for scientific, educational, or research purposes, and the requesting agency receiving the disclosed material agrees to maintain it as confidential in accordance with specified criteria.	02/28/2019 - To ASSEMBLY Committee on JUDICIARY.
<b><u>AB 658</u></b> Arambula (D)	Water Rights: Water Management		Authorizes a groundwater sustainability agency or local agency to apply for, and the State water Resources Control Board to issue, a conditional temporary permit for diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin.	06/28/2019 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;06/28/2019 - In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
<b><u>AB 756</u></b> Garcia (D)	Public Water Systems: Perfluoroalkyl Substances		Authorizes the State Water Resources Control Board to order a public water system to monitor for perfluoroalkyl substances and polyfluoroalkyl substances. Requires a community water system or a nontransient noncommunity water system, upon a detection of these substances, to report that detection.	07/05/2019 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.

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<b><u>AB 782</u></b> Berman (D)	Environmental Quality Act: Exemption: Land Transfers		Exempts from the California Environmental Quality Act the acquisition, sale, or other transfer of interest in land by a public agency for certain purposes, or the granting or acceptance of funding by a public agency for those purposes.	07/01/2019 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.
<b><u>AB 834</u></b> Quirk (D)	Safe Recreational Water Use: Standards		Requires the state Water Resources Control Board to establish a Freshwater and Estuarine Harmful Algal Bloom Program to protect water quality and public health from algal blooms. Requires the board in consultation with specified entities to coordinate immediate and long-term algal bloom even incident response and conduct and support algal bloom field assessment and ambient monitoring at the state, regional, watershed, and site-specific waterbody scales.	07/03/2019 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 835</u></b> Quirk (D)	Safe Recreational Water Use: Harmful Algal Blooms		Requires the State Water Resources Control Board by regulation and in consultation with the State Department of Public Health, local health officers, California Native American tribes, as defined, and the public, to establish, maintain, and amend as necessary, minimum standards for the safety of freshwater recreational bodies as related to harmful algal blooms, as it determines are reasonably necessary for the protection of the public health and safety.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 841</u></b> Ting (D)	Drinking Water: Contaminants		Requires the Office of Environmental Health Hazard Assessment to adopt and complete a work plan within prescribed timeframes to assess which substances in the class of perfluoroalkyl and polyfluoroalkyl substances should be identified as a potential risk to human health.	06/19/2019 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.
<b><u>AB 849</u></b> Bonta (D)	Elections: City and County Redistricting		Requires the governing body of each local jurisdiction to adopt new district boundaries after each federal decennial census, with exceptions. Specifies redistricting criteria and deadlines for the adoption of new boundaries by the governing body. Specifies hearing procedures that would allow the public to provide input on the placement of boundaries and on proposed boundary maps.	07/03/2019 - From SENATE Committee on GOVERNANCE AND FINANCE with author's amendments.;07/03/2019 - In SENATE. Read second time and amended. Re-

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				referred to Committee on GOVERNANCE AND FINANCE.
<b><u>AB 868</u></b> Bigelow (R)	Electric Utilities: Wildfire Mitigation Plans		Requires each election corporation that deenergize portions of of the electrical grid as a wildfire mitigation measure to adopt protocols for when deenergization will be undertaken, protocols for providing notice and other steps to be taken to minimize any adverse effects from deenergization, and protocols for restoring electrical service following a deenergization. Requires such utilities to maintain a web site devoted to public safety as it relates to the utility services provided by the utility.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 881</u></b> Bloom (D)	Accessory Dwelling Units		Requires a local agency to designate areas where accessory dwelling units may be permitted based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. Deletes the provision authorizing a local agency to require owner occupancy as a condition of issuing a permit.	07/08/2019 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>AB 931</u></b> Boerner Horvath (D)	Local Boards and Commissions		Requires, in a city with a population of 50,000 or more, a board or commission with a certain number of nonelected and nonsalaried members to have a specified minimum number of members meet the definition of a woman, and would require no less than 50 percent of all members of the boards and commissions of the city to meet the definition of a woman.	06/24/2019 - In SENATE. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b><u>AB 937</u></b> Rivas R (D)	Waste Discharge Requirements: Produced Water		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 agricultural purpose or for groundwater recharge, only if, after a public hearing, it finds that the California 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 contaminants in the produced water.	03/04/2019 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.

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<b><u>AB 945</u></b> McCarty (D)	Local Government: Financial Affairs: Surplus Funds		Authorizes a local agency to invest and deposit the agency's surplus funds in deposits at specified types of financial institutions whether those investments are in certificates of deposit or another form. Increases the percentage of funds that can be so invested by a city, district, or other local agency that does not pool money in deposits or investments with other local agencies with a different governing body.	07/05/2019 - In SENATE. From Special Consent Calendar. To third reading.
<b><u>AB 961</u></b> Reyes (D)	Energy Programs and Projects: Nonenergy Benefits		Requires the commission to establish common definitions of nonenergy benefits and attempt to determine consistent values for use in all distributed energy resource programs, meaningfully consider producing nonenergy benefits in distributed energy resource programs and projects, incorporate nonenergy benefits in distributed energy resource programs and projects in environmental and social justice communities and track the nonenergy benefits produced in distributed energy resource programs.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 992</u></b> Mullin (D)	Open Meetings: Local Agencies: Social Media		Provides that the Ralph M. Brown Act does not apply to the participation, as defined, in an internet- based social media platform, as defined, by a majority of the members of a legislative body, provides that a majority of the members do not discuss among themselves the business of a specific nature that is within subject matter jurisdiction of the legislative body.	05/01/2019 - In ASSEMBLY Committee on LOCAL GOVERNMENT: Failed passage.;05/01/2019 - In ASSEMBLY Committee on LOCAL GOVERNMENT: Reconsideration granted.
<b><u>AB 1013</u></b> Oberholte (R)	State Agencies: Grant Applications		Prohibits a state agency from selecting as an evaluator of a grant application a person who, within the five-year period preceding receipt of that application, was a representative, member, or staff member of an organization or person that is applying to receive grant funding from that state agency.	07/05/2019 - In SENATE. From Special Consent Calendar. To third reading.
<b><u>AB 1035</u></b> Mayes (R)	Personal Information: Data Breaches		Requires a person or business that owns or licenses computerized data that includes personal information to disclose any breach of the security of the system in the most expedient time possible and without unreasonable delay. Requires an agency that was the	05/23/2019 - From SENATE Committee on JUDICIARY with author's amendments.;05/23/2019 - In SENATE. Read second time and

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			source of a security breach to offer, in the notice of the breach, appropriate identity theft prevention and mitigation services at no cost to potential or actual victims of the breach.	amended. Re-referred to Committee on JUDICIARY.
<b><u>AB 1045</u></b> Chen (R)	Public Works: Prevailing Wages		Increase the threshold to require the payment of a prevailing rate of per diem wages.	03/19/2019 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.;03/19/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
<b><u>AB 1054</u></b> Holden (D)	Public Utilities: Wildfires		Creates in state government the California Catastrophe Council to oversee the CEA and the Wildfire Fund Administrator, who this bill would require the council to appoint. Requires the division to take specified actions related to wildfire safety.	07/05/2019 - In SENATE. Joint Rule 62(a) suspended.;07/05/2019 - In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard.;07/05/2019 - From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS with author's amendments.;07/05/2019 - In SENATE. Read second time and amended. Re-referred to Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
<b><u>AB 1093</u></b> Rubio (D)	Municipal Separate Storm Sewer Systems		Requires the State Water Resources Control Board to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions. Requires the state board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the costs of implementation.	07/01/2019 - In SENATE Committee on APPROPRIATIONS: To Suspense File.

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<b><u>AB 1130</u></b> Levine (D)	Personal Information: Data Breaches		Revises the definition of personal information to add specified unique biometric data and tax identification numbers, passport numbers, military identification numbers, and unique identification numbers issued on a government document in addition to those for driver's licenses and State identification cards to these provisions.	07/02/2019 - From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 1151</u></b> Daly (D)	Fire Damages: Civil Actions: Pecuniary Damages		Provides that in a civil action seeking damages caused by a fire, pecuniary damages must be quantifiable and not unreasonable in relation to the prefire fair market value of the damaged property or the prefire market value of similar property. Provides that these provisions are not intended to limit or change the ability of a public agency to recover costs arising from a fire, as provided in other specified provisions of law.	03/28/2019 - To ASSEMBLY Committees on JUDICIARY and NATURAL RESOURCES.;03/28/2019 - From ASSEMBLY Committee on JUDICIARY with author's amendments.;03/28/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
<b><u>AB 1180</u></b> Friedman (D)	Water: Recycled Water	SUPPORT	Requires the State Water Resources Control Board to administer provisions under the California Safe Drinking Water Act relating to the regulation of drinking water to protect the public health. Requires the state board to adopt standards for the backflow protection and cross-connection control through the adoption of a policy handbook.	06/24/2019 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<b><u>AB 1194</u></b> Frazier (D)	Sacramento-San Joaquin Delta		Increases the membership of the Delta Stewardship Council to 13 members, including 11 voting members and 2 nonvoting members.	04/09/2019 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Held in committee.
<b><u>AB 1204</u></b> Rubio (D)	Public Water Systems: Primary Water Standards	SUPPORT	Relates to the California Safe Drinking Water Act. Requires the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard or that is more stringent than a federal primary drinking water standard to take effect 3 years after the date on which the state board adopts or amends the primary drinking water standard.	03/11/2019 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.



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<b><u>AB 1212</u></b> Levine (D)	Public Employees' Retirement: Pension Fund		Requires a state agency that is responsible for infrastructure projects to produce a list of priority infrastructure projects for funding consideration by the retirement boards, as described, and to provide it to them. Requires a state agency also to provide further project information to a board upon request.	06/26/2019 - From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.
<b><u>AB 1220</u></b> Garcia (D)	Metropolitan Water Districts		Relates to the Metropolitan Water Districts Act. Prohibits a member public agency from having fewer than the number of representatives it had as of a certain date.	06/28/2019 - Enrolled.
<b><u>AB 1224</u></b> Gray (D)	Disability Insurance: Paid Family Leave Program		Authorizes up to a certain period of temporary disability benefits in a specified period, but would limit each disability benefit period to a certain length of temporary disability benefits. Provides for the deposit of additional contributions in, and authorizes an increase in disbursements from, the Unemployment Compensation Disability Fund. Makes an appropriation.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1241</u></b> Quirk-Silva (D)	Contracts Between Public and Private Entities		Requires an agency that contracts with a person or private entity that owns or licenses an electronic database that contains the personal information of individuals for the purpose of hiring and training specified individuals, to do so only if the contract requires the person or private entity to comply with the requirements for disclosure and maintenance of personal information that are applicable to an agency pursuant to the Information Practices Act.	03/11/2019 - To ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION.
<b><u>AB 1323</u></b> Stone (D)	Public Utilities Information: Confidentiality		Relates to the Public Utilities Act. Requires the information to be open to the public inspection unless federal or state law or an order of the commission based on a specified finding requires the information to be closed to inspection, or the withholding of that information is ordered by the commission, a commissioner, or an administrative law judge in the course of a hearing or proceeding.	04/02/2019 - From ASSEMBLY Committee on UTILITIES AND ENERGY with author's amendments.;04/02/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
<b><u>AB 1347</u></b>	Electricity: Renewable Energy		Establishes the policy of the state that eligible renewable energy resources and zero carbon resources supply a percentage of all	03/11/2019 - To ASSEMBLY Committees on UTILITIES AND

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Boerner Horvath (D)			retail sales of electricity to state and local government buildings by a certain date, and to all the State end use customers by a certain date.	ENERGY and NATURAL RESOURCES.
<b><u>AB 1375</u></b> Bigelow (R)	Disaster Relief: Dead and Dying Tree Removal		Provides that the state share for removal of dead and dying trees in connection with the Governor's Proclamation of a State of Emergency issued on October 30, 2015, is not more than a certain percentage of total eligible costs.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1381</u></b> Salas (D)	Safe Drinking Water Plan		Requires the State Water Resources Control Board, in its Safe Drinking Water Plan, to identify public water systems that fail to deliver water that meets all applicable standards under the Safe Drinking Water Act, specified areas in which persons have limited access to, or ability to pay for, safe and affordable drinking water, and strategies to address the changing needs of current and future populations. Requires the plan to include a publicly accessible map that identifies such areas.	03/18/2019 - To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.;03/18/2019 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;03/18/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
<b><u>AB 1389</u></b> Eggman (D)	Special Districts: Organization: Revenue Loss		Authorizes the local agency formation commission to propose, as part of the review and approval of a proposal for the establishment of new or different functions or class of services, or the divestiture of the power to provide particular functions or class of services, that the special district, to mitigate any loss of property taxes, franchise fees, and other revenues to any other affected local agency, provide payments to the affected local agency.	03/14/2019 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b><u>AB 1414</u></b> Friedman (D)	Urban Retail Water Suppliers: Reporting		Requires each urban retail water supplier to submit a completed and validated water loss audit report as prescribed by the Department of Water Resources. Requires on or before a certain date, and on or before a certain day of each year thereafter, each urban retail water supplier to submit a completed and validated	06/25/2019 - In SENATE. Read second time. To third reading.

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			water loss audit report for the previous calendar year or previous fiscal year.	
<b><u>AB 1415</u></b> Friedman (D)	Department of Water Resources: Reporting		Requires the department to impose a civil penalty on an entity that fails to file with the department a specified report or plan by the deadline required for that particular report or plan. Authorizes the department to reduce or waive the civil penalty under certain circumstances.	06/25/2019 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on JUDICIARY.
<b><u>AB 1432</u></b> Dahle (R)	Water Shortage Emergencies: Declarations: Wildfires		Authorizes a public water supplier to declare a water shortage emergency condition without holding a public hearing in the event of a wildfire.	06/26/2019 - Signed by GOVERNOR.;06/26/2019 - Chaptered by Secretary of State. Chapter No. 2019-19
<b><u>AB 1439</u></b> Melendez (R)	Policy for Water Quality Control		Makes nonsubstantive changes to the Porter-Cologne Water Quality Control Act.	02/22/2019 - INTRODUCED.
<b><u>AB 1445</u></b> Gloria (D)	Climate Change: Emergency Declaration and Policy		Declares that it is the policy of the State of California to restore an optimal safe climate and to provide maximum protection from climate change to all people and species, globally, including the most vulnerable.	02/22/2019 - INTRODUCED.
<b><u>AB 1484</u></b> Grayson (D)	Mitigation Fee Act: Housing Developments		Requires each city, county, or city and county to post on its internet website the type and amount of each fee imposed on a housing development project. Requires each city, county, or city and county to include the location on its internet website of all fees imposed upon a housing development project in the list of information provided to a development project applicant that was developed pursuant to certain provisions.	05/29/2019 - To SENATE Committee on GOVERNANCE AND FINANCE.
<b><u>AB 1486</u></b> Ting (D)	Surplus Land	OPPOSE UNLESS AMENDED	Expands the definition of local agency to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state, and any instrumentality thereof, that is empowered to acquire and	07/03/2019 - Withdrawn from SENATE Committee on GOVERNANCE AND FINANCE.;07/03/2019 - Re-referred to

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			hold real property, thereby requiring these entities to comply with requirements for the disposal of surplus land.	SENATE Committee on APPROPRIATIONS.
<b><u>AB 1503</u></b> Burke (D)	Distributed Energy and Microgrids: Policies: Report		Requires in the report that the PUC also describe workforce opportunities in the areas of distributed energy and microgrids, including emerging energy jobs and professions and the costs and benefits to the ratepayers. Requires the PUC to collaborate with the Labor and Workforce Development Agency in the development of this section of the report.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
<b><u>AB 1574</u></b> Mullin (D)	Lobbying Expenditures		Requires reports regarding lobbying expenditures to be filed on a monthly basis.	04/24/2019 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b><u>AB 1588</u></b> Gloria (D)	Drinking Water and Wastewater Operator Certification	SUPPORT	Requires the State Water Resources Control Board to evaluate opportunities to issue a water treatment operator certificate or water distribution operator certificate by reciprocity, or a wastewater certificate by examination waiver, to persons who performed duties comparable to those duties while serving in the United States military.	06/25/2019 - In SENATE. Read second time and amended. Re-referred to Committee on VETERANS AFFAIRS.
<b><u>AB 1640</u></b> Boerner Horvath (D)	Local Government Finance: Budget Reserves.		Requires a local government by September 1, 2020, and annually thereafter, to submit a written report to the State Controller's office on how it plans to spend any of its budget reserves, as defined, on specified priorities over a 5-year fiscal period, including, among others, mental and behavioral health services and affordable housing.	03/18/2019 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
<b><u>AB 1672</u></b> Bloom (D)	Solid Waste: Flushable Products	SUPPORT	Prohibits a covered entity, as defined, from labeling a covered product as safe to flush, safe for sewer systems, or safe for septic systems, unless the product is a flushable wipe that meets certain performance standards. Requires nonflushable products to be labeled clearly and conspicuously to communicate that they should not be flushed.	05/16/2019 - In ASSEMBLY Committee on APPROPRIATIONS: Not heard.

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<b><u>AB 1768</u></b> Carrillo (D)	Prevailing Wage: Public Works		Expands the definition of public works to include work conducted during site assessment or feasibility studies. Specifies that preconstruction work, including design, site assessment, feasibility studies, and land surveying, is deemed to be part of a public work, regardless of whether any further construction work is conducted.	07/02/2019 - In SENATE. Read second time. To third reading.
<b><u>AB 1819</u></b> Judiciary Cmt	Public Records Inspection: Use of Requester's Equipment		Grants a requester of a public record the right to use the requester's equipment, without being charged any fees or costs, to photograph or otherwise copy or reproduce any record upon inspection and on the premises of the agency, unless the means of copy or reproduction would result in damage to the record, or unauthorized access to a computer system or secured network of the agency.	07/02/2019 - From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<b><u>ACA 3</u></b> Mathis (R)	Clean Water for All Act	WATCH	Requires not less than a certain percent of specified state revenues to be set apart for the payment of principal and interest on bonds authorized pursuant to the Water Quality, Supply, and Infrastructure Improvement Act. Relates to water supply, delivery, and quality projects administered by the Department of Water Resources and water quality projects administered by the State Water Resources Control Board.	04/30/2019 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Failed passage.;04/30/2019 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Reconsideration granted.
<b><u>ACR 89</u></b> Cooley (D)	Special Districts Week	SUPPORT	Proclaims September 22, 2019, to September 28, 2019, to be Special Districts Week.	07/03/2019 - From SENATE Committee on RULES: Ordered to third reading.;07/03/2019 - In SENATE. Ordered to third reading.
<b><u>SB 1</u></b> Atkins (D)	Environmental, Public Health, and Workers Defense Act		Enacts the California Environmental, Public Health, and Workers Defense Act, which prohibits a state or local agency from amending or revising its rules to be less stringent than the federal baseline standards pertaining to environmental protection.	07/01/2019 - In ASSEMBLY. Assembly Rule 56 suspended.;07/01/2019 - From ASSEMBLY Committee on NATURAL RESOURCES with author's amendments.;07/01/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

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<b><u>SB 13</u></b> Wieckowski (D)	Accessory Dwelling Units	WATCH	Amends the Planning and Zoning Law. Authorizes the creation of accessory dwelling units in areas zoned to allow single family or multifamily dwelling residential use. Prohibits a local agency from requiring the replacement of parking spaces if a garage, carport, or covered parking is demolished to construct an accessory dwelling unit. Prohibits a local agency from requiring occupancy of either the primary or the accessory dwelling unit.	07/01/2019 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;07/01/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>SB 19</u></b> Dodd (D)	Water Resources: Stream Gages		Requires the Department of Water Resources and the State Water Resources Control Board, upon an appropriation of funds by the Legislature, 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 gages and deploying new gages.	07/03/2019 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b><u>SB 43</u></b> Allen (D)	Carbon Intensity and Pricing: Retail Products		Requires the state board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified.	07/01/2019 - From ASSEMBLY Committee on REVENUE AND TAXATION with author's amendments.;07/01/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.
<b><u>SB 44</u></b> Skinner (D)	Medium and Heavy Duty Vehicles: Comprehensive Strategy		Requires the State Air Resources Board, in consultation with certain entities, to update the mobile source strategy to include a comprehensive strategy for the deployment of medium- and heavy-duty vehicles in the state for the purpose of bringing the state into compliance with federal ambient air quality standards and reducing motor vehicle greenhouse gas emissions from the medium- and heavy-duty vehicle sector. Requires the board to recommend reasonable and achievable goals for reducing emissions.	07/01/2019 - From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on NATURAL RESOURCES.
<b><u>SB 45</u></b> Allen (D)	Wildfire, Drought, and Flood Protection Bond Act 2020		Enacts the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by voters, authorizes the issuance of bonds to finance projects to restore fire damaged areas, reduce	04/24/2019 - From SENATE Committee on GOVERNANCE AND

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			wildfire risk, create healthy forests and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, and protect coastal lands and resources.	FINANCE: Do pass to Committee on APPROPRIATIONS.
<b><u>SB 46</u></b> Jackson (D)	Emergency Services: Telecommunications		Amends the Emergency Services Act. Requires a local government that enters into an agreement to access information of resident accountholders to, upon receipt of that information, notify residents that they have been entered into the public emergency warning system.	05/16/2019 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>SB 69</u></b> Wiener (D)	Ocean Resiliency Act		Requires the Department of Fish and Wildlife to develop and implement a plan, in collaboration with specified scientists, experts, and representatives, as part of its fish hatchery operations for the improvement of the survival of hatchery-produced salmon, and the increased contribution of the hatchery program to commercial and recreational salmon fisheries.	07/03/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
<b><u>SB 101</u></b> Budget and Fiscal Review Cmt	Drinking Water		Establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and the long terms. Prohibits a person from operating a public water system unless the person first submits an application to the state board and receives a permit to operate the system.	06/24/2019 - From ASSEMBLY Committee on BUDGET with author's amendments.;06/24/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on BUDGET.
<b><u>SB 128</u></b> Beall (D)	Public contracts: Best Value Construction Contracting		Authorizes the County of Santa Clara to utilize this pilot program and would extend the operation of certain provisions.	07/05/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>SB 133</u></b> Galgiani (D)	Wildfires: Detection		States the intent of the Legislature to enact legislation to create and fund a program for installing remote infrared cameras that can help in detecting wildfires.	01/24/2019 - To SENATE Committee on RULES.

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<b><u>SB 134</u></b> Hertzberg (D)	Water Conservation: Water Losses	SUPPORT	Prohibits the board from issuing an information order, written notice, or conservation order to an urban retail water supplier that does not meet its urban water use objective if the board determines the urban retail water supplier is not meeting its urban water use objective solely because the volume of water loss exceeds the urban retail water supplier's standard for water loss and the board is taking enforcement action against the urban retail water supplier for not meeting the performance standards.	06/18/2019 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b><u>SB 139</u></b> Allen (D)	Independent Redistricting Commissions		Requires certain counties to establish an independent redistricting commission to adopt the county's supervisorial districts after each federal census. Requires these commissions to take steps to encourage county residents to participate in the redistricting process. Specifies certain procedures for a commission's hearing process relating to notice, the number of hearings, and translation of hearings. Requires the county to provide for reasonable funding and staffing of the commission.	07/03/2019 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
<b><u>SB 166</u></b> Wiener (D)	Process Water Treatment Systems: Breweries		Requires the State Water Resources Control Board in consultation with the State Department of Public Health, Food and Drug Branch, to adopt regulations for microbiological, chemical, and physical water quality and treatment requirements for voluntary onsite treatment and reuse of process water in breweries.	07/05/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>SB 190</u></b> Dodd (D)	Fire Safety: Building Standards: Defensible Space		Requires the Office of the State Fire Marshal to develop a model defensible space program. Requires the Office to make available on their website a Wildland Urban Interface Fire Safety Building Standards Compliance training manual for the training of local building officials, builders, and firefighters.	06/26/2019 - From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on NATURAL RESOURCES.
<b><u>SB 200</u></b> Monning (D)	Drinking Water	SUPPORT	Establishes the Safe and Affordable Drinking Water Fund in the State Treasury to help water systems provide an adequate and affordable supply of safe drinking water in both the near and the long terms. Authorizes the state board to provide for the deposit	07/05/2019 - In ASSEMBLY. Read second time. To third reading.;07/05/2019 - In ASSEMBLY. Assembly Rule 63



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			into the fund of certain moneys and would continuously appropriate the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients.	suspended.;07/05/2019 - In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE for concurrence.
<b><u>SB 204</u></b> Dodd (D)	State Water Project: Contracts	WATCH	Requires the Department of Water Resources to provide at least 10 days' notice to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature 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.	06/06/2019 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b><u>SB 209</u></b> Dodd (D)	Wildfire Warning Center: Fire-Weather Monitoring		Establishes in the state government the California Wildfire Warning Center. Provides for representatives from the Public Utilities Commission, the Office of Emergency Services, the Department of Forestry and Fire Protection, 2 county fire chiefs, a representative of an electrical corporation, and a representative of a local publicly owned electric utility.	06/26/2019 - From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on UTILITIES AND ENERGY.
<b><u>SB 210</u></b> Leyva (D)	Heavy-Duty Vehicle Inspection and Maintenance Program		Requires the state board, in consultation with the bureau and other specified entities, to implement a pilot program that develops and demonstrates technologies that show potential for readily bringing heavy-duty vehicles into an inspection and maintenance program. Requires the state board, no later than 2 years after the completion of the pilot program, to develop and implement a Heavy-duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty onroad motor vehicles.	07/01/2019 - From ASSEMBLY Committee on TRANSPORTATION: Do pass to Committee on NATURAL RESOURCES.
<b><u>SB 212</u></b> Allen (D)	Elections: Local Voting Methods		Authorizes a city, county, or local educational agency to conduct an election using ranked choice voting, in which voters rank the candidates for office in order of preference. Specifies the procedures for conducting an election using ranked choice voting as it applies to both a single seat election and a multiseat election.	07/03/2019 - From ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Do pass as amended to Committee on APPROPRIATIONS.

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<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>SB 226</u></b> Nielsen (R)	Watershed Restoration: Wildfires: Grant Program		Requires the Natural Resources Agency to develop and implement a watershed restoration grant program for purposes of awarding grants to private property land owners to assist them with watershed restoration on watersheds that have been affected by wildfire. Requires the agency to provide technical resources to the private property land owners seeking assistance with watershed restoration.	07/03/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>SB 287</u></b> Nielsen (R)	Commission on State Mandates: Test Claims: Filing Date		Relates to the filing date on test claims for the Commission on State Mandates. Specifies that for purposes of filing a test claim based on the date of incurring increased costs, "within 12 months" means by June 30 of the fiscal year following the fiscal year in which increased costs were first incurred by the test claimant.	06/26/2019 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b><u>SB 288</u></b> Wiener (D)	Democratic Party of California		Allows, if the rules and bylaws of the Democratic Party so permit, a person who is not a United States citizen to serve as a member of a county central committee or as a delegate to the state central committee of the Democratic Party of California.	07/03/2019 - From ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Do pass as amended.
<b><u>SB 307</u></b> 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 that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission finds no adverse affect to the natural or cultural resources of those federal or state lands. Requires a transferor of water to submit an application to the Commission.	06/12/2019 - In ASSEMBLY. Coauthors revised.
<b><u>SB 332</u></b> Hertzberg (D)	Wastewater Treatment: Recycled Water	OPPOSE UNLESS AMENDED	Declares that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. Requires each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility's annual flow as compared to the average annual dry weather wastewater	05/16/2019 - In SENATE Committee on APPROPRIATIONS: Held in committee.

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			discharge baseline volume. Provides a penalty for failing to submit a plan or report addressing the progress toward meeting the annual flow reduction deadlines.	
<b><u>SB 335</u></b> Hurtado (D)	Provision of Sewer Service: Onsite Treatment System		Authorizes the property owner of an affected residence to opt out of the provision of sewer service for a maximum of 5 years if the adequate onsite sewage treatment system was installed no more than 5 years prior to the issuance of the order.	02/28/2019 - To SENATE Committees on ENVIRONMENTAL QUALITY and GOVERNANCE AND FINANCE.
<b><u>SB 341</u></b> Morrell (R)	Public Employment and Retirement		Requires the Board of Administration of the Public Employees' Retirement System to report a calculation of liabilities based on a discount rate equal to the yield on a 10-year United States Treasury note in the year prior to the report. Requires the Teacher's Retirement Board to provide a description of the discount rate the board uses for reporting liabilities, a calculation of liabilities based on a discount rate that is 2% below the long-term rate of return.	03/27/2019 - In ASSEMBLY Committee on LABOR AND EMPLOYMENT: Failed passage.;03/27/2019 - In SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Reconsideration granted.
<b><u>SB 355</u></b> Portantino (D)	Joint Powers Agencies: Meetings		Relates to The Joint Exercise of Powers Act and the Ralph M. Brown Act. Authorizes any joint powers authority that is entirely within either the County of Los Angeles or the County of Ventura to designate alternate members of the legislative body of a joint powers agency who are not also members of the legislative body of a local agency member to attend closed sessions of the joint powers agency.	07/03/2019 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass as amended.
<b><u>SB 414</u></b> Caballero (D)	Small System Water Authority Act of 2019	SUPPORT	Creates the Small System Water Authority Act of 2019 and states legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems.	07/02/2019 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on LOCAL GOVERNMENT.
<b><u>SB 454</u></b> Caballero (D)	Water Resources Control Board: Administrative Hearings		Requires the State Water Resources Control Board to assess filing fees for the filing of briefing papers or motions in a hearing	05/16/2019 - In SENATE Committee on APPROPRIATIONS: Held in committee.

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			conducted by the Office. Requires filing fees or monetary penalties to be deposited in the Water Rights Hearings Office Fund.	
<b><u>SB 474</u></b> Stern (D)	Habitat Conservation Fund		Relates to the State Wildlife Protection Act of 1990. Establishes the Wildlife Protection Subaccount in the Habitat Conservation Fund and would require the Controller, if an appropriation is made for this purpose in any fiscal year, to transfer \$30,000,000 from the General Fund to the subaccount, less any amount transferred from specified accounts and funds, to be expended by the board for the acquisition, enhancement, or restoration of wildlife habitat.	06/06/2019 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
<b><u>SB 487</u></b> Caballero (D)	Department Of Water Resources: Aerial Snow Survey		Requires, to the extent an appropriation is made for these purposes, the department's California snow survey program to conduct aerial surveys of the snowpack and conduct supporting forecasts of runoff volume and timing for the watersheds of the Sierra Nevada and Cascade Range and the Klamath-trinity Mountains, including areas that drain or supply water to major reservoirs and lakes.	07/02/2019 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b><u>SB 518</u></b> Wieckowski (D)	Civil Actions: Settlement Offers		Exempts from provisions any action to enforce the California Public Records Act.	07/03/2019 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<b><u>SB 535</u></b> Moorlach (R)	Greenhouse Gases: Wildfires and Forest Fires		Requires the report to include information, if feasible, regarding the greenhouse gas, criteria air pollutant, and short-lived climate pollutant emissions from wildfires and forest fires, an assessment of the increased severity of wildfires and forest fires from the impacts of climate change, and a calculation of the increase in the emissions of criteria air pollutants, greenhouse gases, and short-lived climate pollutants based on the increased severity of wildfires and forest fires assessed.	06/27/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<b><u>SB 559</u></b> Hurtado (D)	California Water Commission: Grant: Friant-kern Canal		Appropriates funds to the Department of Water Resources for the purposes of restoring the Friant-kern Canal to its full capacity. Requires the grant to be part of a comprehensive solution to groundwater sustainability and subsidence in the San Joaquin	07/03/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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			Valley and would require the joint powers authority to demonstrate a funding match of at least 35% from user fees, local sources, federal funding, or a combination of these sources.	
<b><u>SB 608</u></b> Glazer (D)	Architects and Landscape Architects		Amends existing law that requires applicants to furnish their fingerprints for purposes of conducting criminal history record checks. Adds the State Architects Board and the Landscape Architects Technical Committee to the list of designated agencies subject to such requirement. Provides that the Board has the authority to obtain and review criminal offender record information to determine whether an applicant is subject to denial of a license.	07/02/2019 - From ASSEMBLY Committee on BUSINESS AND PROFESSIONS with author's amendments.;07/02/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on BUSINESS AND PROFESSIONS.
<b><u>SB 615</u></b> Hueso (D)	Public Records: Disclosure		Permits any person to institute proceedings for injunctive or declarative relief or a writ of mandate in any court of competent jurisdiction to enforce their right to inspect or to receive a copy of any public record or class of public records covered by the California Public Records Act. Requires a person to meet and confer in good faith with the agency in an attempt to informally resolve each issue.	03/14/2019 - To SENATE Committee on JUDICIARY.
<b><u>SB 629</u></b> McGuire (D)	Air Districts: Hearing Boards: Notice Requirements		Relates to the Ralph M. Brown Act. Requires a hearing board to send a notice of hearing not less than a specified number of hours before the hearing to any person who requests the notice.	05/30/2019 - To ASSEMBLY Committee on NATURAL RESOURCES.
<b><u>SB 641</u></b> Allen (D)	Special Elections		Changes the period of time in which a special election may be conducted for consolidation purposes to within 200 days following the proclamation.	06/24/2019 - In ASSEMBLY. Read second time. To third reading.
<b><u>SB 646</u></b> Morrell (R)	Local Agency Utility Services: Service Extensions		Revises the definition of fee to mean a fee for the physical facilities necessary to make a water connection or sewer connection, and that the estimated reasonable cost of labor and materials for installation of those facilities bears a fair or reasonable relationship to the payor's burdens on, or benefits received from, the water connection or sewer connection.	07/05/2019 - *****To GOVERNOR.

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<b><u>SB 668</u></b> Rubio (D)	Fire Hydrants: Water Suppliers: Regulations		Imposes certain requirements upon an urban water supplier in statute. Requires the Office of Emergency Services to establish emergency response and recovery plans in coordination with urban water suppliers. Requires an urban water supplier to review and revise its disaster preparedness plan every 5 years.	06/26/2019 - From ASSEMBLY Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
<b><u>SB 669</u></b> Caballero (D)	Water Quality: Safe Drinking Water Fund		Establishes the Safe Drinking Water Fund in the State Treasury. Provides that moneys in the fund are continuously appropriated to the state board. Requires the state board to administer the fund to assist community water systems in disadvantaged communities that are chronically noncompliant relative to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs comply with those standards.	05/16/2019 - In SENATE Committee on APPROPRIATIONS: Held in committee.
<b><u>SB 732</u></b> Allen (D)	South Coast Air Quality Management District	WATCH	Authorizes the South Coast District Board to impose a transactions and use tax within the boundaries of the south coast district.	05/13/2019 - In SENATE Committee on APPROPRIATIONS: Not heard.
<b><u>SB 762</u></b> Jones (R)	Groundwater Storage		Makes a nonsubstantive change in provisions relating to groundwater storage.	03/14/2019 - To SENATE Committee on RULES.
<b><u>SB 779</u></b> Nat Resour & Water Cmt	Appropriation of Water: Change of Point of Diversion		Authorizes the State Water Resources Control Board, after a hearing, to change provisions or conditions for permits and licenses to appropriate water. Authorizes an applicant, permittee, or licensee to initiate the making of a minor change to an application, permit, or license without requiring the filing of a petition for change if the board makes specified findings, including that the change does not have the potential to adversely affect the water supply of other legal users of water.	07/02/2019 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<b><u>SB 780</u></b>	Local Government Omnibus Act		Requires the Secretary of State and each county clerk to establish and maintain an indexed Registry of Public Agencies containing a specified statement of facts about the agency.	07/01/2019 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's

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Governance and Finance Cmt				amendments.;07/01/2019 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
<b><u>HR 535</u></b> Dingell D (D)	Hazardous Substances Designation		Requires the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.	02/07/2019 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on RAILROADS, PIPELINES & HAZARDOUS MATERIALS.
<b><u>HR 1162</u></b> Napolitano (D)	Water Recycling and Reuse Projects Grant Program	SUPPORT	Establishes a grant program for the funding of water recycling and reuse projects.	06/13/2019 - Subcommittee on WATER, POWER AND OCEANS hearings held.
<b><u>HR 1417</u></b> Lawrence (D)	Water and Sewer Infrastructure Trust Fund		Establishes a trust fund to provide for adequate funding for water and sewer infrastructure.	03/27/2019 - In HOUSE Committee on AGRICULTURE: Referred to Subcommittee on CONSERVATION AND FORESTRY.
<b><u>HR 1567</u></b> Lujan (D)	Water Contamination From Military Installations		Authorizes the Department of Defense to temporarily provide water uncontaminated with perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) for agricultural purposes to areas affected by contamination from military installations, authorizes the Secretary of the Air Force to acquire real property to extend the contiguous geographic footprint of any Air Force base that has shown signs of contamination from PFOA and PFOS due to activities on the base.	03/07/2019 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<b><u>HR 1764</u></b> Garamendi (D)	Federal Water Pollution Control Permitting Terms	SUPPORT	Amends the Federal Water Pollution Control Act with respect to permitting terms.	03/15/2019 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<b><u>HR 1976</u></b> Kildee (D)	Perfluorinated Compounds Survey		Requires the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds.	06/13/2019 - Subcommittee on WATER, POWER AND OCEANS hearings held.

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<b><u>HR 2377</u></b> Boyle B (D)	Drinking Water Maximum Contaminant Level		Amends the Safe Drinking Water Act, requires the Administrator of the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for total per- and polyfluoroalkyl substances.	04/29/2019 - INTRODUCED.;04/29/2019 - To HOUSE Committee on ENERGY AND COMMERCE.
<b><u>HR 2533</u></b> Pallone (D)	Community Water Systems Contamination		Assists community water systems affected by perfluoroalkyl substances (PFAS) contamination.	05/07/2019 - INTRODUCED.;05/07/2019 - To HOUSE Committee on ENERGY AND COMMERCE.
<b><u>HR 2570</u></b> Rouda (D)	Water Treatment Costs		Ensures that polluters pay ongoing water treatment costs associated with contamination from perfluoroalkyl and polyfluoroalkyl substances.	05/09/2019 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<b><u>HR 2577</u></b> Delgado (D)	Toxics Release Inventory Inclusion		Amends the Emergency Planning and Community Right-To-Know Act of 1986, includes per- and polyfluoroalkyl substances on the Toxics Release Inventory.	05/08/2019 - INTRODUCED.;05/08/2019 - To HOUSE Committee on ENERGY AND COMMERCE.
<b><u>HR 2596</u></b> Kuster (D)	Polyfluoroalkyl Substances Manufacturing and Processing		Amends the Toxic Substances Control Act with respect to manufacturing and processing notices for per- and polyfluoroalkyl substances.	05/08/2019 - INTRODUCED.;05/08/2019 - To HOUSE Committee on ENERGY AND COMMERCE.
<b><u>HR 2600</u></b> Dean (D)	Per and Polyfluoroalkyl Substances Regulation		Regulates per- and polyfluoroalkyl substances under the Toxic Substances Control Act.	05/08/2019 - INTRODUCED.;05/08/2019 - To HOUSE Committee on ENERGY AND COMMERCE.
<b><u>HR 2605</u></b> Stevens (D)	Hazardous Air Pollutants Classification		Directs the Administrator of the Environmental Protection Agency to issue a final rule adding as a class all perfluoroalkyl and polyfluoroalkyl substances with at least one fully fluorinated carbon atom to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)).	05/08/2019 - INTRODUCED.;05/08/2019 - To HOUSE Committee on ENERGY AND COMMERCE.
<b><u>HR 2608</u></b> Maloney S (D)	Toxic Substances Testing		Requires the testing of perfluoroalkyl and polyfluoroalkyl substances under the Toxic Substances Control Act.	05/09/2019 - INTRODUCED.;05/09/2019 - To



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				HOUSE Committee on ENERGY AND COMMERCE.
<b><u>HR 2626</u></b> Upton (R)	Water Contamination Remediation Agreements		Encourages Federal agencies to expeditiously enter into or amend cooperative agreements with States for removal and remedial actions to address PFAS contamination in drinking, surface, and ground water and land surface and subsurface strata.	06/26/2019 - Subcommittee on WATER RESOURCES AND ENVIRONMENT discharged.;06/26/2019 - In HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE: Consideration and mark-up session held.;06/26/2019 - In HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE: Ordered to be reported.
<b><u>HR 2638</u></b> Fletcher (D)	Firefighting Foam Use		Directs the Administrator of the Environmental Protection Agency to issue guidance on minimizing the use of firefighting foam containing PFAS.	05/09/2019 - INTRODUCED.;05/09/2019 - To HOUSE Committee on ENERGY AND COMMERCE.
<b><u>S 611</u></b> Sanders (I)	Water and Sewer Infrastructure Funding		Provides adequate funding for water and sewer infrastructure.	02/28/2019 - INTRODUCED.;02/28/2019 - In SENATE. Read second time.;02/28/2019 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<b><u>S 638</u></b> Carper (D)	Hazardous Substances Designation		Requires the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, Liability Act of 1980.	02/28/2019 - INTRODUCED.;02/28/2019 - In SENATE. Read second time.;02/28/2019 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<b><u>S 675</u></b> Udall T (D)	Water Contamination From Military Installations		Authorizes the Department of Defense to temporarily provide water uncontaminated with perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS) for agricultural purposes to areas affected by contamination from military installations, authorizes the Secretary of the Air Force to acquire real property to extend the	03/06/2019 - INTRODUCED.;03/06/2019 - In SENATE. Read second time.;03/06/2019 - To SENATE Committee on ARMED SERVICES.

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			contiguous geographic footprint of any Air Force base that has shown signs of contamination from PFOA and PFOS due to activities on the base.	
<b><u>S 950</u></b> Stabenow (D)	Perfluorinated Compounds Survey		Requires the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds.	03/28/2019 - INTRODUCED.;03/28/2019 - In SENATE. Read second time.;03/28/2019 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<b><u>S 1372</u></b> Stabenow (D)	Water Contamination Remediation Agreements		Encourages Federal agencies to expeditiously enter into or amend cooperative agreements with States for removal and remedial actions to address polyfluoroalkyl substances (PFAS) contamination in drinking, surface, and ground water and land surface and subsurface strata.	05/08/2019 - INTRODUCED.;05/08/2019 - In SENATE. Read second time.;05/08/2019 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<b><u>S 1473</u></b> Gillibrand (D)	Drinking Water Maximum Contaminant Levels		Amends the Safe Drinking Water Act, requires the Administrator of the Environmental Protection Agency to set maximum contaminant levels for certain chemicals.	05/15/2019 - INTRODUCED.;05/15/2019 - In SENATE. Read second time.;05/15/2019 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<b><u>S 1507</u></b> Capito (R)	Toxics Release Inventory Inclusion		Includes certain perfluoroalkyl and polyfluoroalkyl substances in the toxics release inventory.	06/19/2019 - In SENATE Committee on ENVIRONMENT AND PUBLIC WORKS: Ordered to be reported with an amendment in the nature of a substitute.;06/19/2019 - From SENATE Committee on ENVIRONMENT AND PUBLIC WORKS: Reported by Sen. Barrasso with an amend. in the nature of a substitute.;06/19/2019 - In SENATE. Placed on SENATE Legislative Calendar under General Orders.

**IRWD 2049 LEGISLATIVE MATRIX**  
**Updated 07/08/2019**

<b>Bill No. Author</b>	<b>Title</b>	<b>IRWD Position</b>	<b>Summary/Effects</b>	<b>Status</b>
<b><u>S 1790</u></b> Inhofe (R)	National Defense Authorization Act for Fiscal Year 2020		Provides for the National Defense Authorization Act for Fiscal Year 2020.	06/27/2019 - In SENATE. Amendment SA 883 proposed by Senator Udall.;06/28/2019 - In SENATE. SA 883 failed on SENATE floor.
<b><u>S 1932</u></b> Feinstein (D)	Drought Resiliency and Water Supply Infrastructure Act	SUPPORT	Reclamation States Water Infrastructure Support	06/20/2019 – To SENATE Committee on ENERGY AND NATURAL RESOURCES

## Exhibit “B”

2019 Legislative Update Report:  
Links to Bill & Regulatory Texts  
(as of July 8, 2019)

Bill Number/Version Date	Link to Bill Text
AB 100 (Com. on Budget), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB100">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB100</a>
AB 68 (Ting), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB68">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB68</a>
AB 69 (Ting), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB69">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB69</a>
AB 134 (Bloom), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB134">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB134</a>
AB 217 (Burke), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB217">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB217</a>
AB 292 (Quirk), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB292">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB292</a>
AB 402 (Quirk), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB402">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB402</a>
AB 510 (Cooley), as introduced	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB510">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB510</a>
AB 533 (Holden), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB533">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB533</a>

AB 1180 (Friedman), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1180">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1180</a>
AB 1204 (Rubio), as introduced	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1204">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1204</a>
AB 1414 (Friedman), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1414">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1414</a>
AB 1415 (Friedman), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1415">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1415</a>
AB 1432 (Dahle), as chaptered	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1432">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1432</a>
AB 1486 (Ting), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1486">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1486</a>
AB 1588 (Gloria), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1588">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1588</a>
AB 1672 (Bloom) as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1672">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1672</a>
ACA 3 (Mathis/Garcia), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200ACA3">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200ACA3</a>
ACR 89 (Cooley), an introduced	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200ACR89">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200ACR89</a>
SB 13 (Wieckowski), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB13">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB13</a>

SB 134 (Hertzberg), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB134">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB134</a>
SB 101 (Com. on Budget and Fiscal Review, as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB101">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB101</a>
SB 200 (Monning), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB200">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB200</a>
SB 204 (Dodd), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB204">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB204</a>
SB 307 (Roth), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB307">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB307</a>
SB 332 (Hertzberg/Wiener), as introduced	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB332">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB332</a>
SB 414 (Caballero), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB414">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB414</a>
SB 669 (Caballero), as introduced	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB669">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB669</a>
SB 732 (Allen), as amended	<a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB732">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB732</a>

July 11, 2019

Prepared by: B. Beeman

Submitted by: P. Weghorst

Approved by: Paul A. Cook



## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### SYPHON RESERVOIR IMPROVEMENT PROJECT PUBLIC OUTREACH DISCUSSION TOPICS FOR STRATEGIC PLANNING WORKSHOP

#### SUMMARY:

In January 2018, the IRWD Board of Directors approved a Professional Services Agreement with Fiona Hutton and Associates (FHA) to develop and implement a public outreach program for the proposed Syphon Reservoir Improvement Project. To inform the development of the program, a customer survey and several focus groups were completed that gauged customers' perception, awareness, and views on recycled water and the project. At the Water Resources Policy and Communications Committee meeting on April 10, 2019, FHA and consultants from Fairbank, Maslin, Maullin, Metz and Associates (FM3) presented the findings from the customer survey and focus groups along with an update on the outreach program. At IRWD's Strategic Planning Workshop on August 8, 2019, staff and the consulting team will present these findings to the Board along with an overview of updated outreach activities. Staff recommends that the Committee provide input on the topics to be presented at the workshop.

#### BACKGROUND:

Consultants at FHA are currently developing and implementing a public outreach program for the proposed Syphon Reservoir Improvement Project. The outreach plan for the project includes conducting a customer survey and several focus groups, which were completed by FM3 and reviewed with the Committee on April 20, 2019. The purpose of the customer survey and focus groups was to assist staff with the development and implementation of the public communications and outreach program for the project. The goals of the outreach program were to:

- Share information about the proposed project with interested stakeholders;
- Present technical information to target audiences;
- Proactively contact community business leaders and interest groups; and
- Solicit and address comments and questions from stakeholders.

At the Strategic Planning Workshop on August 8, 2019, the project team will update the Board on the following topics:

- Survey and focus groups results;
- Outreach activities to date; and
- Community outreach training and preparation.

Staff recommends that the Committee provide input on the topics to be presented at the Strategic Planning Workshop.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

The proposed Syphon Reservoir Improvement Project is subject to the California Environmental Quality Act. In conformance with the California Code of Regulations Title 14, Chapter 3, Section 15004, IRWD is preparing an Environmental Impact Report for the Project.

RECOMMENDATION:

That the Committee provide input on the public outreach topics related to Syphon Reservoir Improvement Project topics to be discussed with the Board at IRWD's Strategic Planning Workshop on August 8, 2019.

LIST OF EXHIBITS:

None.



July 11, 2019

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 2018-19 was approximately \$340,000 with major membership expenses totaling \$314,082.50. A summary of the major memberships for Fiscal Year 2017-18 and Fiscal Year 2018-19 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

\* Invoice timing resulted in no membership payment in fiscal year. \*\* Invoice timing resulted in double payment in fiscal year

PROFESSIONAL ASSOCIATIONS	FY 2017/2018	FY 2018/2019
AMERICAN WATER WORKS ASSOCIATION	\$10,159.00	\$10,619.00
ASIAN BUSINESS ASSOCIATION OF ORANGE COUNTY	-	\$1,500.00
ASSOCIATION OF CALIFORNIA CITIES - ORANGE COUNTY	\$5,150.00	*
ASSOCIATION OF CALIFORNIA WATER AGENCIES	\$37,170.00	\$40,305.00
BIOENERGY ASSOCIATION OF CALIFORNIA	\$1,100.00	\$1,100.00
CALDESAL	\$5,000.00	*
CALIFORNIA ASSOCIATION OF SANITATION AGENCIES	\$19,282.00	\$20,053.00
CCEEB- <i>California Environmental Dialogue &amp; Water Quality Task Force</i>	\$32,000.00	\$32,000.00
CALIFORNIA ENVIRONMENTAL EDUCATION FOUNDATION	-	\$2,500.00
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION	\$10,047.00	\$24,857.00**
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION	\$6,842.00	\$7,252.00
CLEAN WATER AND JOBS FOR CALIFORNIA	*	*
DATA UTILITIES GROUP ( <i>Amane Advisors North America</i> )	\$25,000.00	*
FOUNDATION FOR CROSS-CONNECTION CONTROL AND HYDRAULIC RESEARCH ( <i>University of Southern California</i> )	\$1,000.00	\$1,000.00
GREATER IRVINE CHAMBER OF COMMERCE	\$1,600.00	\$1,600.00
INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION OF HUMAN RESOURCES	\$797.00	\$957.00
NATIONAL ASSOCIATION OF GOVERNMENT DEFINED CONTRIBUTION ADMINISTRATORS	\$600.00	\$600.00
NATIONAL WATER RESEARCH INSTITUTE	\$50,000.00	\$50,000.00
NATIONAL WATER RESOURCES ASSOCIATION INC	\$500.00	\$500.00
NEWPORT BEACH CHAMBER OF COMMERCE	\$2,500.00	\$2,500.00
NORTH EAST BIOSOLIDS & RESIDUALS ASSOCIATION	-	\$2,000.00
ORACLE APPLICATIONS USERS GROUP	-	\$965.00

## Summary of IRWD's Major Association Memberships and Affiliations (continued)

\* Invoice timing resulted in no membership payment in fiscal year. \*\* Invoice timing resulted in double payment in fiscal year

PROFESSIONAL ASSOCIATIONS	FY 2017/2018	FY 2018/2019
ORANGE COUNTY BUSINESS COUNCIL	\$5,000.00	*
ORANGE COUNTY CURRENT AFFAIRS FORUM	\$1,000.00	\$1,000.00
ORANGE COUNTY HISPANIC CHAMBER OF COMMERCE	-	\$1,500.00
ORANGE COUNTY HUMAN RESOURCES EMPLOYMENT RELATIONS CONSORTIUM ( <i>Liebert Cassidy Whitmore</i> )	\$3,370.00	\$3,370.00
SOUTH ORANGE COUNTY ECONOMIC COALITION	*	\$5,000.00
SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS	\$10,120.00	\$10,120.00
SOUTHERN CALIFORNIA WATER COMMITTEE	\$25,000.00	\$25,000.00
SUSTAIN OC	\$1,000.00	*
TUSTIN CHAMBER OF COMMERCE	\$889.00	\$500.00
UNIVERSITY OF CALIFORNIA, IRVINE ( <i>Dept. of Civil &amp; Environmental Engineering Affiliates</i> )	\$1,250.00	\$1,250.00
URBAN WATER INSTITUTE, INC.	\$1,250.00	*
WATER EDUCATION FOUNDATION	\$24,030.00	\$27,635.00
WATER ENVIRONMENT & REUSE FOUNDATION	\$14,280.00	*
WATER RESEARCH FOUNDATION	\$25,000.00	\$30,000.00
WATEREUSE ASSOCIATION	\$8,025.00	\$8,399.50
<b>TOTAL</b>	<b>\$328,961.00</b>	<b>\$314,082.50</b>

July 11, 2019

Prepared and

submitted by: C. Compton

Approved by: Paul A. Cook



## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### ELECTION OF THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION SOUTHERN NETWORK SEAT B BOARD MEMBER

#### SUMMARY:

An election has been called for the Southern Network Seat B representative on the California Special Districts Association (CSDA) Board of Directors. Seven candidates have been nominated for the position, and ballots are due by 5:00 p.m. on August 9, 2019. Staff recommends that the Committee review and discuss the candidates for the Southern Network Seat B representative, and authorize staff to cast the District's electronic ballot for the candidate supported by the Committee.

#### BACKGROUND:

The CSDA Board of Directors is composed of representatives from its six networks. Each network has three seats on the CSDA Board of Directors. IRWD is located within the Southern Network. One of the three seats, Seat B, in the Southern Network is up for election, and CSDA has accepted nominations for the seat.

CSDA received seven nominations for the Southern Network Seat B representative. The candidates are:

- East Valley Water District Governing Board Member Ronald L. Coats;
- Palmdale Water District General Manager Dennis D. LaMoreaux;
- Rainbow Municipal Water District Director Michael Mack;
- Serrano Water District Vice President/Director Greg Mills;
- Orange County Cemetery District Trustee Kelly A. Rivers;
- Cucamonga Valley Water District Director Kathleen J. Tiegs; and
- Hesperia Recreation and Park District General Manager Lindsay Woods.

An election for the Seat B representative has been called, and links to electronic ballots have been emailed. A copy of the electronic ballot and candidate information provided by CSDA is attached as Exhibit "A". Additional correspondences received from the candidates are attached as Exhibit "B".

Ballots for the Southern Network Seat B representative must be submitted by 5:00 p.m., August 9, 2019, to be counted. Staff recommends that IRWD proceed with casting its electronic ballot by the August 9 deadline.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Committee review and discuss the candidates for the Southern Network Seat B Representative on the California Special Districts Association (CSDA) Board of Directors, and authorize staff to cast the District's electronic ballot no later than the August 9, 2019, deadline for the candidate supported by the Committee.

LIST OF EXHIBITS:

Exhibit "A" – CSDA Electronic Ballot and Candidate Information  
Exhibit "B" – Additional Candidate Correspondences

[Home](#)[How It Works](#)[Logout Christine Compton](#)**Electronic Ballot - 2019 CSDA Board of Directors Election, (Seat B) Southern Network - Term 2020-2022****Please vote for your choice**Choose one of the following candidates:

- Ronald Coats - East Valley Water District
- Dennis LaMoreaux - Palmdale Water District
- Michael Mack - Rainbow Municipal Water District
- Greg Mills - Serrano Water District
- Kelly Rivers - Orange County Cemetery District
- Kathleen Tiegs - Cucamonga Valley Water District
- Lindsay Woods - Hesperia Recreation and Park District

☐ **Ronald Coats** [\[view details\]](#)☐ **Dennis LaMoreaux** [\[view details\]](#)☐ **Michael Mack** [\[view details\]](#)☐ **Greg Mills** [\[view details\]](#)☐ **Kelly Rivers** [\[view details\]](#)☐ **Kathleen Tiegs** [\[view details\]](#)☐ **Lindsay Woods** [\[view details\]](#)**Continue****Cancel**



**California Special  
Districts Association**  
*Districts Stronger Together*

## **2019 CSDA BOARD CANDIDATE INFORMATION SHEET**

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Ronald L. Coats

District/Company: East Valley Water District

Title: Governing Board Member

Elected/Appointed/Staff: Elected

Length of Service with District: Five Years

**1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):**

\* Please see attached

**2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):**

\* Please see attached

**3. List local government involvement (such as LAFCo, Association of Governments, etc.):**

\* Please see attached

**4. List civic organization involvement:**

\* Please see attached

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot.**

## **Ronald L. Coats – 2019 CSDA Board Candidate Information Sheet**

### **1) Involvement with CSDA**

- Served on the Member Services Committee and the Professional Development Committee.
- Received the Recognition in Special District Governance.
- Received my Certificate of Completion in the Special District Leadership Academy Advanced Coursework.
- Attended several workshops, webinars and conferences through CSDA.

### **2) State-wide Associations**

1. Member of the California State Sheriff's Association (Over 30 Years)

### **3) Local government involvement**

1. Currently serving as a Director, previously served as Vice Chair and Chairman of the Board for East Valley Water District (5 Years)
2. Currently serving as Vice Chair for the Advisory Committee on Water Policy for the San Bernardino Valley Municipal Water District (2 Years)
3. Served on the Citizens Advisory Committee for the Review of the General Plan for the City of San Bernardino (2 Years)
4. Served as a member, Vice Chair and Chairman of the Citizens Oversight Committee for the San Bernardino City Unified School District (12 Years)
5. Served as a member and Chairman of the Citizens Oversight Committee for the San Bernardino Community College District (3 Years)
6. Currently serving as a board member for the Association of San Bernardino County Special Districts (2 Years)

### **4) Civic involvement**

1. Donated over 36 gallons of Blood to Life Stream Blood Bank in San Bernardino and Riverside Counties
2. Member of the American Legion Post 421 in Highland, CA. (Over 35 Years)
3. Conducted "mock" job interviews to seniors at Redlands Unified School District schools (3 Years)
4. Served on the Planning and Allocations and Community Impact Cabinet committees for the Arrowhead United Way (15 Years)
5. Served in the United States Army from August of 1966 until August of 1970, attaining the rank of Staff Sergeant. Served in the United States and The Federal Republic of Germany (4 Years)
6. Served as a member and Chairman of the Ambassadors for the San Bernardino Area Chamber of Commerce (15 Years)





# EAST VALLEY WATER DISTRICT

LEADERSHIP | PARTNERSHIP | STEWARDSHIP

## BOARD OF DIRECTORS

Chris Carrillo  
President

David E. Smith  
Vice President

Ronald L. Coats  
Director

Phillip R. Goodrich  
Director

James Morales, Jr.  
Director

John Mura, General Manager/CEO

Dear Fellow CSDA Member:

Since joining the East Valley Water District Board in 2014, I have had the pleasure of being part of a world class organization. I firmly believe in the importance of transparent government and public service. With these foundational principles, I look forward to representing this region in a professional manner, as the Southern Network, Seat B, Board of Directors representative for the California Special Districts Association (CSDA).

I am a proud member of the California Special District's Association and currently sit on the Member Services Committee and the Professional Development Committee. I am committed to active civic engagement, where I was also an ambassador for the San Bernardino Area Chamber of Commerce; Chairman of the Citizens Oversight Committee for San Bernardino Community College District; Vice Chairman of Advisory Commission on Water Policy Board for San Bernardino Valley Municipal Water District; Budget Review Committee member for the San Bernardino City Unified School District; along with being a 36 gallon plus donor to Life Stream Blood Bank; served in the United States Army; and member of many other civic organizations.

I have had the opportunity to work with a number of organizations through my involvement with CSDA, and truly believe in the importance of sharing knowledge, experiences, and lessons learned. As a lifetime member of the CSDA Leadership Foundation, I have experienced the benefits of a strong peer network firsthand. With East Valley Water District recently receiving its Gold District of Distinction Accreditation, we look forward to continuing to be an active member in the valuable organization.

As a CSDA Director, I will bring that passion for good governance and public service. I look forward to conveying local issues for discussion on a broader level and working through the challenges and opportunities facing special districts in California.

Whether it is serving in the military, participation in local organization, or representing the residents East Valley Water District, I have taken great pride in being an active member of my community. I look forward to your consideration for allowing me the opportunity to serve on the board of our special district community.

Sincerely,

Ronald L. Coats  
East Valley Water District Board Member



**California Special  
Districts Association**  
*Districts Stronger Together*

## **2019 CSDA BOARD CANDIDATE INFORMATION SHEET**

The following information **MUST** accompany your nomination form and Resolution/minute order:

**Name:** Dennis D. LaMoreaux, PE, SDA

**District/Company:** Palmdale Water District

**Title:** General Manager

**Elected/Appointed/Staff:** Staff

**Length of Service with District:** 30 years Palmdale Water District and Rosamond Community Services District

- 1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):**

Regular attendee of Annual Conferences, General Manager Leadership Summit, Governance Certificate, Special District Institute Certificate in Special District Leadership & Management, Special District, Administrator, Coach in CSDA Coaching Program.

- 2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):**

Active in ACWA and ACWA/JPIA

- 3. List local government involvement (such as LAFCo, Association of Governments, etc.):**

Participated in two MSR with the Los Angeles LAFCO, Executive Director for the Palmdale Recycled Water Authority, Chair of Antelope Valley Watermaster Advisory Committee.

- 4. List civic organization involvement:**

Member of Palmdale, Hispanic, and Antelope Valley African American Chambers of Commerce.

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot.**



**California Special  
Districts Association**

*Districts Stronger Together*

**Dennis D. LaMoreaux Candidate Statement:**

Fellow Southern Network CSDA Members,

I respectfully ask for your support to be the Seat "B" Board member for our area. I have worked with special districts in California for more than three decades and am confident that I have the skills, experience and commitment to be a strong proponent for our Network. There were several challenges and changes to special districts during my tenure. These include Little Hoover Commission reports, gaining representation on Local Agency Formation Commissions, and multiple efforts to better inform and educate State legislators. These challenges were handled successfully and made us stronger and more unified. My involvement with these matters will be helpful for both our Network and the entire Association as new issues arise.

My 30-plus years with special districts have been with Palmdale Water District and Rosamond Community Services District. Palmdale Water District celebrated 100 years of serving the community in 2018. It is a medium-sized water district with about 27,000 water service connections. It is a State Water Contractor that operates in an adjudicated groundwater basin and owns two surface water reservoirs and dams. Rosamond Community Services District was formed in 1966 to provide services in its area. It is a smaller district with 5,103 water and 4,738 sewer connections. It also operates streetlights and provides graffiti abatement. My experience in these different types of districts is valuable and gives a well-rounded background to understand and advocate for our Network.

The Southern Network has a large area and nearly 200 member agencies. I am fully committed to representing the entire Network as a board director. With your votes, I will be honored to work with current Southern Network Directors Arlene Schafer and Jo MacKenzie to make sure our needs are met and are well represented within the full CSDA Board.



California Special  
Districts Association  
*Districts Stronger Together*

## 2019 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Michael Mack

District/Company: Rainbow Municipal Water District

Title: Director

Elected/Appointed/Staff: Elected

Length of Service with District: 2 yrs. 3 months

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Serve as the RMWD Representative at the local and statewide CSDA meetings, conferences; academy accreditation has been achieved.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

Serve as the RMWD Representative at ACWA and attend the ACWA conferences.

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

\_\_\_\_\_  
\_\_\_\_\_

4. List civic organization involvement:

Rainbow Association of Rainbow Community  
<ARC>

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot.**

## **ENDLESS POSSIBILITIES**



My name is Michael Mack and I am honored to be seeking election to be on the Board of Directors of California Special Districts Association.

I was elected to the Rainbow Municipal Water District Board of Directors in December 2016 and appointed to serve as the District's representative at both ACWA and CSDA. My background includes a degree in horticulture and worked for the City of San Marcos for over thirty years. As the Parks Department Supervisor, I had many responsibilities including reviewing plans and inspection of new park and street median installations. I was both a Certified Playground Inspector and Irrigation Auditor. One of my main responsibilities was ensuring efficient usage of water resources. I calculated, determined, and programmed water requirements for the plant material for all parks and street medians within the City.

I have learned the importance of CSDA is we are the support system to help ensure efficient and productive services to both small and large communities throughout California at the local level of city governments. As your CSDA Board Member, I see endless possibilities and promise to tackle and meet the challenges our districts face. We all must work together for present and future needs for our special districts and by doing so we can and will achieve our goals. We must be proactive with our legislators and with this energy and commitment we can make the difference between success and failure.

I am very honored to have this chance to serve all of you and given this opportunity. I feel extensive service and experience in the public sector, I will work effortlessly to make those endless possibilities become reality.



California Special  
Districts Association  
*Districts Stronger Together*

## 2019 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Greg Mills

District/Company: Serrano Water District

Title: Vice President/Director

Elected/Appointed/Staff: \_\_\_\_\_

Length of Service with District: 3 years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Actively attends conferences.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

ACWA-JPIA Board member - 1 year

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Orange County Sanitation District (Director two years); Orange County Vector Control (Director three years); Villa Park City Councilman & Mayor (4 years).

4. List civic organization involvement:

Villa Park Rotary (21 years); Indian Princess (7 years); Elks Club (seven years).

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot.



California Special  
Districts Association  
*Districts Stronger Together*

## 2019 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Kelly A. Rivers

District/Company: Orange County Cemetery District

Title: Trustee

Elected/Appointed/Staff: Appointed

Length of Service with District: 3 years - 2 months

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Received Recognition in Special District Governance Dec. 2016

Attendance at the CSDA Annual Conferences

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

Currently Board of Director on the California Association of Public Cemeteries (CAPC)

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Regularly attends the Independent Special Districts of Orange County Meetings

4. List civic organization involvement:

Huntington Beach Historical Society, Huntington Beach 4th of July Parade Board

Huntington Beach Historic Resources Board, Boy Scouts of America Unit Commissioner

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot.**



**Kelly A. Rivers**  
**Board of Trustees**  
**Orange County Cemetery District**

Hello,

My name is Kelly Rivers, and I am running for the California Special Districts Association (CSDA) Board of Directors. I am excited for the opportunity to do my part for Special Districts in California, and will strive to expand awareness with both legislators and the public of the vital role special districts play.

Serving my community is a passion and it is a responsibility I take seriously. I am in my fourth year as a Board of Trustee for the Orange County Cemetery District, and recently completed my first term as Board Chair for 2018. I am also Chair of the District's Personnel Committee and serve as a member of the Communications & Public Relations Committee. In addition, I serve as a Board of Director for the California Association of Public Cemeteries (CAPC).

I have been a community volunteer my entire life, working with cemeteries, historical sites and planning and organizing special community events. I am the President of the Huntington Beach Historical Society and manage two of the largest living history events in California that attract thousands of visitors annually. During my tenure, I have vastly improved public outreach by successfully involving the community and effectively partnering with local businesses and public services.

It would be an honor to represent my fellow Special District members on the CSDA Board for the Southern Network and I humbly ask for your support. I believe my background, experience, and commitment to public service will be an asset to you and to our association. I appreciate your consideration.





**California Special  
Districts Association**  
*Districts Stronger Together*

## **2019 CSDA BOARD CANDIDATE INFORMATION SHEET**

The following information **MUST** accompany your nomination form and Resolution/minute order:

**Name:** Kathleen J. Tiegs

**District/Company:** Cucamonga Valley Water District

**Title:** Director, Division 2

**Elected/Appointed/Staff:** Elected

**Length of Service with District:** + 13 years

- 1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):**

Currently serve on the Legislative Committee (have also served on the Membership & By-Laws Committees). Attend the CSDA Annual Conference and Special Districts Legislative Days every year. Have completed courses through the Special District Leadership Academy and attend local workshops and classes offered by CSDA.

- 2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):**

\*ACWA (2008 – Present)- President & Vice President, Region 9 Board Member, and Federal Affairs, State Legislative, Water Resources, and Groundwater Cmtes.

\*ACWA/JPIA (2008 – Present)- Board Member, and Executive and Employee Benefits Cmtes.

\*Southern California Water Coalition (2016 – Present) Chair, Vice Chair, and Legislative Task Force.

- 3. List local government involvement (such as LAFCo, Association of Governments, etc.):**

\*Association of San Bernardino County Special Districts (2010-2015)



**California Special  
Districts Association**

*Districts Stronger Together*

**4. List civic organization involvement:**

Inland Empire Utilities Agency (IEUA) Regional Sewerage Policy Committee, Davenport

Institute Advisory Council

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot.**

# Kathleen J. Tiegs

2020-2022 California Special Districts Association  
Board of Directors, Southern Network, Seat B



I am pleased to share with you my interest in serving as the Southern Network, Seat B, representative for the California Special Districts Association (CSDA) Board of Directors. Through my involvement with CSDA since 2011, I have served with great passion and commitment on the Board of Directors, and the Membership, Legislative, and By-laws Committees.

My experience on the Cucamonga Valley Water District (CVWD) Board of Directors has provided me with a solid foundation to lead. Elected to the CVWD in November 2005, I have served as the Board President and currently serve on the Legislative and Outreach, and Human Resources/Risk Management Committees. From 2014 to 2017 I was honored to serve in the capacity of President and Vice President of the Association of California Water Agencies (ACWA). My duties at ACWA provided me the extremely valuable opportunity to effectively dialogue with special districts across the state on the important issues they are facing and how we can solve them.

I also served on the Association of San Bernardino County Special Districts Board of Directors from 2010 – 2015 where I developed a network of colleagues in a variety of agencies with a common goal of serving the needs of our constituents. There are numerous critical issues that confront special districts today; these challenges will require strong, experienced leadership, as well as a commitment to preserving the special district's mission to make communities better by providing core local services and taking action through community collaboration.

Thank you for allowing me to share with you my experience, leadership and knowledge. I look forward to serving you and the entire CSDA organization.

With Best Regards,

*Kathleen J. Tiegs*



**California Special  
Districts Association**  
*Districts Stronger Together*

## 2019 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

**Name:** Lindsay Woods

**District/Company:** Hesperia Recreation and Park District

**Title:** General Manager

**Elected/Appointed/Staff:** Staff

**Length of Service with District:** 32 years

**1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):**

- Professional Development Committee
- Elections & Bylaws Committee
- Board Secretary Graduate
- Special District Leadership Academy Graduate
- Recognition in Governance Certificate
- General Manager's Summit Attendee
- Annual Conference Attendee
- Legislative Days Attendee

**2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):**

- CAPRI: California Association of Park and Recreation Indemnity – Current Board President
  - Personnel/Finance Committee Chair
- CARPD: California Association of Recreation and Park Districts – Current Board Member
  - Bylaws and Elections Committee
  - Annual Conference Committee
  - Awards Committee
  - CSDA Representative
- California Park and Recreation Society
- California Peace Officers Association
- Park Rangers Association of California

**3. List local government involvement (such as LAFCO, Association of Governments, etc.):**

- Tri Agency Committee Member for 8 years
- Agency Membership in Association of San Bernardino County Special Districts
- Institute for Local Government

**4. List civic organization involvement:**

- Hesperia Chamber of Commerce
- Kiwanis International & CALNEHA Lifetime Membership Recipient
- Rotary Club of the High Desert
- Hesperia Area Recreation District Foundation, Executive Director
- American Red Cross, Past Board Member, Current Volunteer and Instructor
- California State Parks Association

**\*\*Candidate Statement**-Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after April 17, 2019 will not be included with the ballot mailing.**

## **Candidate for the CSDA Board of Directors**

### **Lindsay Woods**

**Dedicated to special districts and the VITAL services we all provide our communities.**



**CSDA's success is due to the work member agencies do in their communities, the hard work of the staff, and 50 years of strong board leadership. I believe being a successful board member is about the approach you take to understand the items before you. My approach is:**

- **Include others who lend understanding to the issues before the board.**
- **Understand how things are done and consider if there is a better approach.**
- **Remain open to new ideas and embrace change.**
- **Understanding the mission, vision and purpose of the organization.**

**It has been a privilege and honor to be active with CSDA by serving at the committee level, representing the California Special Districts Association's Southern Network. I have served the Hesperia Recreation and Park District (HRPD) since 1987 in a variety of capacities. In addition, I have experience serving as a board member on statewide organizations. I believe these experiences have prepared me to serve CSDA in the role of Board Member.**

**With your support I will serve you, your agency, and other member districts of CSDA with the same high level of professionalism, dedication, service, and innovation that I have provided to the residents of Hesperia. If elected, I will work cooperatively with the other CSDA Board of Directors to advance the work of special districts throughout the state and work with other organizations to protect districts and the vital services we provide to our communities. We all face many of the same challenges, and I want to be an active part of the future of CSDA as we work to educate, strengthen, and defend special districts both now and in the future. Lastly, I am committed to working hard to keep our Districts intact.**

**Please feel free to view more about me on my profile on the CSDA website.**

**Your District's vote will be greatly appreciated.**

EXHIBIT "B"



**PALMDALE WATER DISTRICT**  
A CENTURY OF SERVICE

June 3, 2019

**BOARD OF DIRECTORS**

**ROBERT E. ALVARADO**  
Division 1

**DON WILSON**  
Division 2

**GLORIA DIZMANG**  
Division 3

**KATHY MAC LAREN**  
Division 4

**VINCENT DINO**  
Division 5

Irvine Ranch Water District  
ATTN: Ms. Christine Compton  
Government Relations Officer  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3100


**RE: SUPPORT FOR CSDA SEAT "B" IN SOUTHERN  
NETWORK**

Dear Ms. Compton:

Palmdale Water District is honored to nominate Dennis LaMoreaux to serve on the Southern Network Board of Directors for the California Special Districts Association (CSDA). We respectfully request your support and vote in the upcoming election for Dennis to represent you. Enclosed is his candidate statement explaining his background and extensive qualifications that are critical for the continued success of the CSDA Board.

Dennis fully understands the important role special districts play to efficiently and responsibly provide services for the people of California. He is fully committed to strengthening the understanding of our role and helping to ensure we remain viable in California. Dennis' dedication, loyalty, knowledge and work ethic have made him a stellar leader for Palmdale Water District. We are confident that he will be a true asset to the Southern Network Board with your support.

Very truly yours,

  
VINCENT DINO,  
President

  
KATHY MAC LAREN,  
Vice-President

Enclosure

cc: PWD Board of Directors

---

**DENNIS D. LaMOREAUX**  
General Manager

**ALESHIRE & WYNDER LLP**  
Attorneys





# VOTE FOR DENNIS D. LaMOREAUX

## CSDA SOUTHERN NETWORK

### BOARD SEAT "B"

Fellow Southern Network CSDA Members,

I respectfully ask for your support to be the Seat "B" Board member for our area. I have worked with special districts in California for more than three decades and am confident that I have the skills, experience and commitment to be a strong proponent for our Network. There were several challenges and changes to special districts during my tenure. These include Little Hoover Commission reports, gaining representation on Local Agency Formation Commissions, and multiple efforts to better inform and educate State legislators. These challenges were handled successfully and made us stronger and more unified. My involvement with these matters will be helpful for both our Network and the entire Association as new issues arise.

My 30-plus years with special districts have been with Palmdale Water District and Rosamond Community Services District. Palmdale Water District celebrated 100 years of serving the community in 2018. It is a medium-sized water district with about 27,000 water service connections. It is a State Water Contractor that operates in an adjudicated groundwater basin and owns two surface water reservoirs and dams. Rosamond Community Services District was formed in 1966 to provide services in its area. It is a smaller district with 5,103 water and 4,738 sewer connections. It also operates streetlights and provides graffiti abatement. My experience in these different types of districts is valuable and gives a well-rounded background to understand and advocate for our Network.

The Southern Network has a large area and nearly 200 member agencies. I am fully committed to representing the entire Network as a board director. With your votes, I will be honored to work with current Southern Network Directors Arlene Schafer and Jo MacKenzie to make sure our needs are met and are well represented within the full CSDA Board.



*Dennis D. LaMoreaux*

*Dennis D. LaMoreaux*





May 22, 2019

Ms. Christine Compton  
Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3100

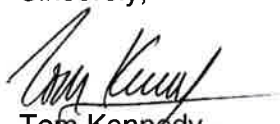
Dear Ms. Compton,

It is with great pleasure that I forward for your consideration a candidate statement for Director Michael Mack who is seeking your support for the Southern Network (Seat B) of the California Special Districts Association Board of Directors.

Director Mack has served on the Rainbow Municipal Water District Board of Directors since 2016. He is actively involved in CSDA, serving on the Elections and Bylaws Committee, as well as with the Association of California Water Agencies.

Attached you will find a candidate's statement summarizing some of his many accomplishments. I encourage you to forward this information to your Board of Directors and consider supporting his candidacy for the 2019 elections which will take place June 17th to August 9th. Please do not hesitate to contact me, if you need additional information or if you would like him to contact your Board of Directors.

Sincerely,



Tom Kennedy  
General Manager



## **ENDLESS POSSIBILITIES**



My name is Michael Mack and I am honored to be seeking election to be on the Board of Directors of California Special Districts Association.

I was elected to the Rainbow Municipal Water District Board of Directors in December 2016 and appointed to serve as the District's representative at both ACWA and CSDA. My background includes a degree in horticulture and worked for the City of San Marcos for over thirty years. As the Parks Department Supervisor, I had many responsibilities including reviewing plans and inspection of new park and street median installations. I was both a Certified Playground Inspector and Irrigation Auditor. One of my main responsibilities was ensuring efficient usage of water resources. I calculated, determined, and programmed water requirements for the plant material for all parks and street medians within the City.

I have learned the importance of CSDA is we are the support system to help ensure efficient and productive services to both small and large communities throughout California at the local level of city governments. As your CSDA Board Member, I see endless possibilities and promise to tackle and meet the challenges our districts face. We all must work together for present and future needs for our special districts and by doing so we can and will achieve our goals. We must be proactive with our legislators and with this energy and commitment we can make the difference between success and failure.

I am very honored to have this chance to serve all of you and given this opportunity. I feel extensive service and experience in the public sector, I will work effortlessly to make those endless possibilities become reality.



**SERRANO WATER DISTRICT**  
**18021 EAST LINCOLN STREET**  
**VILLA PARK, CA 92861-6446**  
**714-538-0079**

**Directors**

C.L. "Larry" Pharris, Jr., President  
Greg Mills, Vice President  
Frank O. Bryant  
Jerry L. Haight  
Brad Reese

Jerry Vilander, General Manager

May 6, 2019

Dear President and/or General Manager:

It is my honor to request your agency's support and vote for election to CSDA Seat B (California Special Districts Association) for the 2020-2022 term. Please disseminate this letter and attached candidate statement of experience to your agency's governing board.

I have served on the Serrano Water District Board for over three years and am currently the Board Vice President providing solid leadership and guidance with the District's Finance and Insurance Committees. Additionally, I have served as the District's representative for the ACWA-JPIA Insurance Committee for the past year.

Previously, I served on the Villa Park City Council for a four-year term including one term as Mayor and another as Mayor Pro-Tem. During my tenure with the City of Villa Park, I was very involved and an active participant in many sensitive community issues including the Community Development Committee, shortening the permitting process. Additionally, I served on the Orange County Sanitation District as a Board Member for two years proactively involved in many of the improvements that residents benefit from today. I also served a three-year term on the Orange County Vector Control District.

During my tenure here at Serrano Water District, I have been instrumental in spearheading financial programs, planning and fiscal analysis including capital improvement programs and ensuring that the District is providing high-quality water to its constituents in the most cost-effective manner. My personal commitment to the Serrano Water Districts ratepayer is emblematic of the successful stewardship towards ensuring that all assets are maintained and replaced within best industry practices.

Additionally, I have been fundamentally involved with the District's long-term planning including common sense initiatives for maximum rate payer benefit at minimum cost. I possess a solid understanding of Special Districts and believe that they provide better governance and

May 6, 2019

Page 2

improved local control. Also, I am actively involved with attending LAFCO meetings which provides me with the knowledge and skills necessary to work collaboratively in the best interest of Special Districts. Again, I am requesting your vote for the CSDA Seat B position. I am committed to working with all of the voting agencies to accomplish their goals. My statement of qualifications is attached for your perusal.

If you have any questions, kindly contact our General Manager, Jerry Vilander, at (714) 538-0079 or through email at [jerryv@serranowater.org](mailto:jerryv@serranowater.org). Thank you for considering me for the CSDA Seat B position.

Sincerely,

A handwritten signature in cursive script that reads "Greg Mills".

Greg Mills  
Serrano Water District, Vice President

cc: Board of Directors  
Jerry Vilander, General Manager

Attachment

## **Greg Mills**

### **Seat B CSDA**

#### **EXPERIENCE**

##### **BUSINESS**

- Small business owner – fifteen years
- Analytical Chemist – six years
- Process Engineer – six years
- Technical Marketing Manager – three years
- Marketing Director – three years
- Marketing Executive – five years

##### **COMMUNITY INVOLVEMENT**

- Board Member (Vice President) - Serrano Water District three years
- Villa Park City Councilman – four years; One term Mayor and one term Mayor Pro-Tem (one year each)
- Orange County Sanitation District - Director two years
- Orange County Vector Control District - Director three years
- ACWA-JPIA - Representative Serrano Water District
- Villa Park Family Picnic – five years
  - Chair – three years
- Eagle Scout
- Villa Park Rotary - Board member twenty-one years.
  - Club President; Paul Harris Fellow
- Indian Princess YMCA - seven years
- Orange Elks Lodge – seven years

##### **PROFFESIONAL**

- American Chemical Society – thirty years
- CS Mantech – eleven years
- PDA (Parenteral Drug Association)– five years
- ISPE (International Society of Pharmaceutical Engineering – eight years
- SEMI (Semiconductor Equipment and Manufacturer Institute – nine years
- Optical Society of America – four years
- MEPTEC
- AVS (American Vacuum Society)
  - ICMCTF

##### **EDUCATION**

- B.A., Chemistry – Illinois College
  - Phi Alpha President/Vice President
- M.S., Engineering Management – Santa Clara University

##### **PERSONAL**

- Married – 25 years. Wife: Journalist and active member of the community. One daughter currently at university.





**SERRANO WATER DISTRICT**  
**18021 EAST LINCOLN STREET**  
**VILLA PARK, CA 92861-6446**  
**714-538-0079**

**Directors**

C.L. "Larry" Pharris, Jr., President  
Greg Mills, Vice President  
Frank O. Bryant  
Jerry L. Haight  
Brad Reese

Jerry Vilander, General Manager

June 5, 2019

Dear General Manager:

It is my honor to request your agency's support and vote for election to CSDA Seat B (California Special Districts Association) for the 2020-2022 term. Please disseminate this letter and attached candidate statement of experience to your agency's governing board.

I have served on the Serrano Water District Board for over three years and am currently the Board Vice President providing solid leadership and guidance with the District's Finance and Insurance Committees. Additionally, I have served as the District's representative for the ACWA-JPIA Insurance Committee for the past year.

Previously, I served on the Villa Park City Council for a four-year term including one term as Mayor and another as Mayor Pro-Tem. During my tenure with the City of Villa Park, I was very involved and an active participant in many sensitive community issues including the Community Development Committee, shortening the permitting process. Additionally, I served on the Orange County Sanitation District as a Board Member for two years proactively involved in many of the improvements that residents benefit from today. I also served a three-year term on the Orange County Vector Control District.

During my tenure here at Serrano Water District, I have been instrumental in spearheading financial programs, planning and fiscal analysis including capital improvement programs and ensuring that the District is providing high-quality water to its constituents in the most cost-effective manner. My personal commitment to the Serrano Water Districts ratepayer is emblematic of the successful stewardship towards ensuring that all assets are maintained and replaced within best industry practices.

June 5, 2019

Page 2

Additionally, I have been fundamentally involved with the District's long-term planning including common sense initiatives for maximum rate payer benefit at minimum cost. I possess a solid understanding of Special Districts and believe that they provide better governance and improved local control. Also, I am actively involved with attending LAFCO meetings which provides me with the knowledge and skills necessary to work collaboratively in the best interest of Special Districts. Again, I am requesting your vote for the CSDA Seat B position. I am committed to working with all of the voting agencies to accomplish their goals. My statement of qualifications is attached for your perusal.

If you have any questions, kindly contact our General Manager, Jerry Vilander, at (714) 538-0079 or through email at [jerryv@serranowater.org](mailto:jerryv@serranowater.org). Thank you for considering me for the CSDA Seat B position.

Sincerely,

A handwritten signature in cursive script that reads "Greg Mills".

Greg Mills  
Serrano Water District, Vice President

cc: Board of Directors  
Jerry Vilander, General Manager

Attachment

# **Greg Mills**

## **Seat B CSDA**

### **EXPERIENCE**

#### **BUSINESS**

- Small business owner – fifteen years
- Analytical Chemist – six years
- Process Engineer – six years
- Technical Marketing Manager – three years
- Marketing Director – three years
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#### **COMMUNITY INVOLVEMENT**

- Board Member (Vice President) - Serrano Water District three years
- Villa Park City Councilman – four years; One term Mayor and one term Mayor Pro-Tem (one year each)
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- ACWA-JPIA - Representative Serrano Water District
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- Eagle Scout
- Villa Park Rotary - Board member twenty-one years.
  - Club President; Paul Harris Fellow
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- American Chemical Society – thirty years
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- SEMI (Semiconductor Equipment and Manufacturer Institute – nine years
- Optical Society of America – four years
- MEPTEC
- AVS (American Vacuum Society)
  - ICMCTF

#### **EDUCATION**

- B.A., Chemistry – Illinois College
  - Phi Alpha President/Vice President
- M.S., Engineering Management – Santa Clara University

#### **PERSONAL**

- Married – 25 years. Wife: Journalist and active member of the community. One daughter currently at university.





**John Bosler**  
Secretary/General Manager/CEO

April 19, 2019

Ms. Christine Compton  
Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3100

Dear Ms. Compton,

It is with great pleasure that I forward for your consideration a candidate statement for Director Kathleen Tieggs who is seeking your support for the Southern Network (Seat B) of the California Special Districts Association Board of Directors.

Director Tieggs has served admirably on the Cucamonga Valley Water District Board of Directors since 2005. She is actively involved in CSDA, as well as with the Association of California Water Agencies, and has served in numerous leadership positions with both organizations.

Attached you will find a candidate's statement summarizing some of her many accomplishments. You will also get a true sense of her integrity as a leader and her passion as an advocate for special districts throughout California. Also, Director Tieggs will attend Special Districts Legislative Days being held in Sacramento May 21-22, 2019 if you would like to meet her in person and discuss her commitment to serving you and your district.

I encourage you to forward this information to your Board of Directors and consider supporting her candidacy for the 2019 elections which will take place June 17<sup>th</sup> to August 9<sup>th</sup>. Please do not hesitate to contact me, if you need additional information or if you would like her to contact your Board of Directors. Thank you for your consideration in this matter.

Sincerely,



John Bosler  
General Manager/CEO



# Kathleen J. Tiegs

2020-2022 California Special Districts Association  
Board of Directors, Southern Network, Seat B



I am pleased to share with you my interest in serving as the Southern Network, Seat B, representative for the California Special Districts Association (CSDA) Board of Directors. Through my involvement with CSDA since 2011, I have served with great passion and commitment on the Board of Directors, and the Membership, Legislative, and By-laws Committees.

My experience on the Cucamonga Valley Water District (CVWD) Board of Directors has provided me with a solid foundation to lead. Elected to the CVWD in November 2005, I have served as the Board President and currently serve on the Legislative and Outreach, and Human Resources/Risk Management Committees. From 2014 to 2017 I was honored to serve in the capacity of President and Vice President of the Association of California Water Agencies (ACWA). My duties at ACWA provided me the extremely valuable opportunity to effectively dialogue with special districts across the state on the important issues they are facing and how we can solve them.

I also served on the Association of San Bernardino County Special Districts Board of Directors from 2010 – 2015 where I developed a network of colleagues in a variety of agencies with a common goal of serving the needs of our constituents. There are numerous critical issues that confront special districts today; these challenges will require strong, experienced leadership, as well as a commitment to preserving the special district's mission to make communities better by providing core local services and taking action through community collaboration.

Thank you for allowing me to share with you my experience, leadership and knowledge. I look forward to serving you and the entire CSDA organization.

With Best Regards,

*Kathleen J. Tiegs*



Post Office Box 401055 • Hesperia, California 92340-1055 • (760) 244-5488

February 26, 2019

Christine Compton  
Irvine Ranch Water District  
15600 Sand Canyon Avenue  
Irvine, CA 92618-3100

Dear Christine:

I want to share my interest in serving you and your District as the Southern Network (Seat B) representative on the CSDA Board of Directors. In order to accomplish this I am asking for your consideration and hopefully your District's vote. Once the nominations close, April 17<sup>th</sup>, the ballots will be emailed to each district's CSDA contact person. The deadline for returning the ballot to CSDA's office is August 9<sup>th</sup>.

It has been a privilege and honor to be active with CSDA by serving at the committee level as a representative of the California Special Districts Association's Southern Network. I have served the Hesperia Recreation and Park District (HRPD) since 1987 in a variety of capacities which has given me a well-rounded foundation in the special district governance. HRPD was established in 1957 and now serves a diverse population of over 90,000. Our District provides a wide range of recreational, educational, social and other vital community services to our residents.

With your support I will serve you, your agency, and the other member districts of CSDA with the same high level of professionalism, dedication, service, and innovation that I have provided to the residents of Hesperia and HRPD. If elected, I will work cooperatively with the other CSDA Board of Directors to advance the work we do throughout the state as well as work with other organizations to protect our districts and the vital services we provide to our communities. We are all facing many of the same challenges and I want to be an active part of the future of CSDA as we work to educate, strengthen, and defend special districts both now and in the future. Lastly, I am committed to working hard to keep our Districts intact.

I would greatly appreciate your board of director's support in the coming election. Thank you for your consideration.

Sincerely,

HESPERIA RECREATION AND PARK DISTRICT

Lindsay Woods  
General Manager

/ldw

July 11, 2019  
Prepared and  
Submitted by C. Compton  
Approved by: Paul A. Cook



## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### 2018-2019 ORANGE COUNTY GRAND JURY REPORT RESPONSE TO “RE-OPENING IRVINE LAKE – A WIN-WIN FOR TAXPAYERS AND OUTDOOR ENTHUSIASTS”

#### SUMMARY:

During its 2018-2019 session, the Orange County Grand Jury examined the closure of Irvine Lake to public recreational uses. The purpose of the Grand Jury’s review of Irvine Lake was to “provide useful background for interested residents of Orange County as to the specific interests and driving factors of the three public agencies involved” with the current closure of Irvine Lake. The Grand Jury also stated that the purpose of its review was to “provide a possible road map to a successful resolution of the outstanding issues among the parties” needed to be resolved in order to reopen the lake to public recreation.

On May 13, 2019, the Grand Jury released a report titled “*Re-Opening Irvine Lake – A Win-Win for Taxpayers and Outdoor Enthusiasts*” to the public. The report identified seven findings and six recommendations related to Irvine Lake. The District is required to respond to three findings, Findings F4, F5, and F6, and two recommendations, Recommendations R4 and R5. Staff recommends that the Board authorize the General Manager to respond to the Presiding Judge, as required by the California Penal Code, and the Grand Jury.

#### BACKGROUND:

Since it was constructed in 1933, the primary purpose of Irvine Lake (also known as Santiago Creek Reservoir) has been to store water for the benefit of the surrounding communities – initially to provide irrigation water for local farms, and more recently to satisfy water demands for agricultural and urban needs. IRWD utilizes water from Irvine Lake for two purposes: 1) as a source of water for non-drinking purposes, such as irrigation for avocado orchards, and 2) as a source of water for the Baker Water Treatment Plant which creates drinking water for an estimated 85,000 homes in Orange County.

Both IRWD and Serrano Water District, co-owners of Irvine Lake, balance the benefits of storing water in Irvine Lake to ensure customers have a reliable supply of water while minimizing the loss of water from the lake due to evaporation or water going over the dam spillway in a year with heavy precipitation. When the water level in Irvine Lake is high, the rate of evaporation increases dramatically with the increase surface area of water. One other key consideration for managing water levels in the lake is preserving the ability to capture rainwater from the surrounding hills that will flow into Irvine Lake. Capturing this fresh water in Irvine Lake at no cost to both agencies can help reduce the cost of providing drinking water to customers.

While Irvine Lake remains first and foremost a water resource facility, recreational activities, such as fishing and boating, have been allowed in the past at Irvine Lake. Control over these activities is the responsibility of the owners of the “Irvine Lake Recreation Rights.” The Irvine

Lake recreation rights will be owned by the County of Orange, a 75 percent owner of the recreation rights, and Serrano Water District, a 25 percent owner of the recreation rights. (The Irvine Company is in the process of transferring its recreation rights to the County of Orange.) IRWD does not have any ownership of the Irvine Lake Recreation Rights.

Grand Jury Review of Irvine Lake:

The Grand Jury reviewed the closure of Irvine Lake to public recreation during the 2018-2019 session. The stated purpose for the review as outlined in the report is as follows:

“Irvine Lake has provided recreation opportunities to the residents of Orange County since 1941. In 2014, The Irvine Company (TIC) agreed to dedicate 2,500 acres surrounding Irvine Lake to the residents of Orange County to enjoy as permanent open space. This dedication required an agreement between the two water districts actively involved in the management of Irvine Lake regarding access to Irvine Lake and future recreation rights: Serrano Water District (SWD) and Irvine Ranch Water District (IRWD). Orange County Parks (OC Parks) would be the governmental agency responsible for restoring and maintaining the newly dedicated public land, and in consideration would receive TIC’s interest in water recreation rights at Irvine Lake, plus additional adjacent land parcels (see Appendix, Exhibit 1); therefore, OC Parks would need to be a party to any new agreement(s).

The three primary parties (SWD, IRWD and OC Parks) began negotiations in 2014 but by early 2016 had failed to make any real progress. This impasse resulted in a termination in March 2016 of the existing agreement between TIC and SWD with respect to recreation rights. Irvine Lake has remained closed to the public for water recreation through the balance of 2016 until the present.

Given the historic importance of Irvine Lake for water recreation to Orange County residents, the continued lack of progress in the negotiations between the relevant government agencies, and a general lack of understanding of the underlying issues by the residents of Orange County, the 2018-2019 Orange County Grand Jury (Grand Jury) elected to conduct an investigation, employing its particular powers to gather information, for the benefit of Orange County residents.”

As part of its process, the Grand Jury interviewed key stakeholders involved with the negotiations taking place over Irvine Lake, toured the lake and adjacent properties, reviewed local newspaper coverage of the closing of Irvine Lake, and examined existing development plans for the recreational facilities and services offered at Irvine Lake. The results of the Grand Jury’s investigation were detailed in a report, “*Re-Opening Irvine Lake - A Win-Win for Taxpayers and Outdoor Enthusiasts*,” which was released to the public on May 13, 2019. A copy of the report is attached as Exhibit “A”.

Required Responses to Findings and Recommendations:

Based on its investigation, the Grand Jury arrived at seven findings (F1 through F7), and six recommendations (R1 through R8). In accordance with California Penal Code Sections 933 and 933.05, each agency affected by the findings is required to submit a response to the Presiding Judge of the Superior Court. The District is required to respond to Findings F4, F5 and F6, which state:

**Finding F4:** “Minimal effort to engage one another, a lack of creative proposals and slow responsiveness between OC Parks and the water districts have allowed negotiations to stall.”

**Finding F5:** “Although not a party to any recreation rights, IRWD does have a right of approval over decisions affecting water use rights and water quality. Therefore, settling easement rights issues in a successor document to the 2003 Memorandum of Understanding (MOU) among SWD, IRWD and TIC is required prior to concluding negotiations on recreation rights. Parties expect to complete this in the first half of 2019.”

**Finding F6:** “SWD, OC Parks and IRWD acknowledge that to maximize recreational opportunities a more stable Irvine Lake water level is desirable.”

Since the District has actively sought resolution of the issues surrounding Irvine Lake, including settling the easement rights discussed in the 2003 Memorandum of Understanding, staff recommends that the Board authorize the General Manager to notify the Presiding Judge of the Superior Court, in writing, that the District wholly disagrees with Finding F4 and agrees with Finding F5. Additionally, for the reasons stated above, staff recommends that the Board authorize the General Manager to notify the Presiding Judge of the Superior Court that the District wholly disagrees with Finding F6.

The District is also required to respond to Recommendations R4 and R5, which state:

**Recommendation R4:** “If by December 31, 2019 resolution has not been reached as to the reopening of Irvine Lake for water recreation, staff for SWD, IRWD, and OC Parks should post on their respective websites and submit to their governing body for discussion in a public meeting their perspective as to the obstacles to reopening the lake and what plan they have to resolve the issue. (F4)”

**Recommendation R5:** “By December 31, 2019, SWD, IRWD and OC Parks should explore the economic feasibility of establishing and maintaining Irvine Lake at a minimum water level based on expected income and other potential cost offsets. (F5 and F6)”

IRWD has actively sought resolution to the issues surrounding Irvine Lake. Resolution of the outstanding issues could result in the reopening of Irvine Lake to public recreation; however, as

discussed above, control over recreational activities is the responsibility of the owners of the “Irvine Lake Recreation Rights” – not IRWD. From the District’s perspective, Irvine Lake must remain first and foremost a water resource facility, and any recreational activities, such as fishing and boating, must account for and preserve the lake’s primary purpose of a water resource facility.

Given the long-standing discussions over Irvine Lake, the IRWD Board has been briefed (primarily through the IRWD / Serrano Water District Committee) on the outstanding issues related to Irvine Lake. IRWD has also posted information on its website regarding Irvine Lake. The outstanding issues related to Irvine Lake are complex given the nearly 100-year history of the lake and the numerous agreements covering the interests held by IRWD, Serrano Water District, and the Irvine Company/County of Orange. IRWD continues to actively work to resolve the remaining issues related to Irvine Lake, but resolution of the remaining issues requires further negotiation between the parties.

Posting on IRWD’s website and submitting to the Board for discussion in a public meeting the District’s perspective as to the obstacles to reopening the lake and the plan for resolving the remaining issues could undercut the District’s negotiating position. As a result, staff recommends that the Board authorize the General Manager to notify the Presiding Judge of the Superior Court that Recommendation R4 will not be implemented because it is not warranted and is unreasonable. IRWD has and will continue to post as much information as possible to its website in order to keep its customers and the general public appropriately informed about the status of Irvine Lake.

With regard to Recommendation R5, IRWD and Serrano Water District balance the benefits of storing water in Irvine Lake to ensure customers have a reliable supply of water while minimizing the potential loss of water from the lake. When the water level in Irvine Lake is high, the rate of evaporation increases dramatically with the increase surface area of water. IRWD also manages the water level in Irvine Lake to preserve the ability to capture rainwater from the surrounding hills, because capturing this fresh water in Irvine Lake at no cost helps reduce the cost of providing reliable drinking water to customers.

If the owners of the Irvine Lake Recreation Rights desire to establish a minimum level of water in Irvine Lake, IRWD is willing to discuss the costs associated with this request to ensure the recreational activities are not to be subsidized by IRWD customers for no benefit. Because IRWD does not have any ownership of the Irvine Lake Recreation Rights, it is not appropriate for IRWD to explore the economic feasibility of establishing and maintaining Irvine Lake at a minimum water level based on expected income and other potential cost offsets. Staff recommends that the Board authorize the General Manager to notify the Presiding Judge of the Superior Court that Recommendation R5 will not be implemented because it is unwarranted.

A copy of the proposed response to the Grand Jury is provided as Exhibit “B”.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board authorize the General Manager to provide the Presiding Judge of the Superior Court with the proposed response to Finding F4, Finding F5, Finding F6, Recommendation R4, and Recommendation R5 of the 2018-2019 Orange County Grand Jury report entitled “*Re-Opening Irvine Lake – A Win-Win for Taxpayers and Outdoor Enthusiasts.*”

LIST OF EXHIBITS:

Exhibit “A” – 2018-2019 Orange County Grand Jury Report “*Re-Opening Irvine Lake- A Win-Win for Taxpayers and Outdoor Enthusiasts*”

Exhibit “B” – Proposed Draft Response to the Orange County Grand Jury



**Re-Opening Irvine Lake**  
**A Win-Win for Taxpayers and Outdoor**  
**Enthusiasts**





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## **SUMMARY**

The Grand Jury has determined the cause of the closure of Irvine Lake to the public in 2016, and why it remains closed. As of the end of 2018, it has remained closed; however, in 2019 there is reason for optimism on multiple fronts. This report from the Grand Jury intends to provide useful background for interested residents of Orange County as to the specific interests and driving factors of the three public agencies involved. This report also will provide some insight on the sequence of legal issues to be resolved. The Grand Jury intends to provide a possible road map to a successful resolution of the outstanding issues among the parties.

Irvine Lake is the largest fresh water body in Orange County. Since 1941, the lake has provided the residents of Orange County with a unique opportunity for a variety of recreational activities. In 2014, The Irvine Company made public its intention to transfer certain land parcels it owned surrounding Irvine Lake to Orange County in perpetuity for the benefit of its residents. The land transfer triggered a series of negotiations among, primarily, Orange County Parks, Serrano Water District and Irvine Ranch Water District, seeking agreements on certain matters to move the action forward. Those negotiations stalled and in March 2016, Irvine Lake was closed to the public for fishing, boating and other water recreation. This closure has and continues to result in lost revenues for Orange County taxpayers in addition to lost recreation for its residents.

Finally, there is good reason to believe that Irvine Lake and the property transferred to Orange County by The Irvine Company will once again provide residents with a unique recreational experience. Further, the involvement of the Orange County Parks in the future of Irvine Lake has the potential to make the recreational land and water experiences at the Irvine Lake area property better and more varied than ever before.

## **REASON FOR THE STUDY**

The three public agencies involved in the future operations of Irvine Lake have not announced a plan for its reopening for recreation use since its closure in 2016. The Grand Jury examined the reasons that the lake remains closed.

Irvine Lake has provided recreation opportunities to the residents of Orange County since 1941. In 2014, The Irvine Company (TIC) agreed to dedicate 2,500 acres surrounding Irvine Lake to the residents of Orange County to enjoy as permanent open space. This dedication required an agreement between the two water districts actively involved in the management of Irvine Lake regarding access to Irvine Lake and future recreation rights: Serrano Water District (SWD) and Irvine Ranch Water District (IRWD). Orange County Parks (OC Parks) would be the governmental agency responsible for restoring and maintaining the newly dedicated public land, and in consideration would receive TIC's interest in water recreation rights at Irvine Lake, plus additional adjacent land parcels (see Appendix, Exhibit 1); therefore, OC Parks would need to be a party to any new agreement(s).

The three primary parties (SWD, IRWD and OC Parks) began negotiations in 2014 but by early 2016 had failed to make any real progress. This impasse resulted in a termination in March 2016 of the existing agreement between TIC and SWD with respect to recreation rights. Irvine Lake has remained closed to the public for water recreation through the balance of 2016 until the present.

Given the historic importance of Irvine Lake for water recreation to Orange County residents, the continued lack of progress in the negotiations between the relevant government agencies, and a general lack of understanding of the underlying issues by the residents of Orange County, the 2018-2019 Orange County Grand Jury (Grand Jury) elected to conduct an investigation, employing its particular powers to gather information, for the benefit of Orange County residents. The report will describe interagency dynamics that have resulted in the current impasse among SWD, IRWD and OC Parks with respect to the reopening of Irvine Lake. The Grand Jury will investigate methods for improving those dynamics to allow for the successful resolution of negotiations and reopening of Irvine Lake.

## **METHOD OF STUDY**

The Grand Jury identified and interviewed key stakeholders involved in the negotiations. The interviews identified basic principles or restraints driving the negotiating parameters, such as the priority of providing safe water supplies over the need for recreation, the need to generate sufficient income to cover water infrastructure costs, and the need to obtain sufficient returns to maintain and improve land newly dedicated to the public. The Grand Jury reviewed information about past recreational services and solicited suggestions to expand recreational and revenue generating capabilities of the area.

Members of the Grand Jury toured Irvine Lake and all adjacent properties that are part of the negotiations and expected to be part of future OC Parks development plans. They reviewed the condition of existing improvements and issues affecting property access.

The Grand Jury reviewed multiple articles in local newspapers that provided coverage of the closing of Irvine Lake and limited coverage of the ongoing negotiations, plus material on the general background of the history of Irvine Lake and its status.

The Grand Jury reviewed existing development or redevelopment plans for the recreational facilities and services offered for Irvine Lake. These included estimates for associated costs and investments as well as expected future revenue streams. The Grand Jury reviewed existing agreements among relevant parties and their successors dating back to 1928, written communications between the parties, and limited historical financial operating information. The stakeholders also provided legal background and documentation as to the sequence that negotiations should follow to be successful.

## **BACKGROUND AND FACTS**

### **Background History**

Santiago Dam (also known as Santiago Creek Dam) is an earthen and rock filled dam across Santiago Creek within Orange County, forming Irvine Lake. The 136-foot earth dam and its reservoir primarily provide for water storage. The dam and reservoir secondarily provide recreational opportunities. It lies east of the city of Orange and north of Irvine. Irvine Lake is the largest body of fresh water entirely within Orange County.

Construction on the dam commenced in 1929 with a joint agreement by the Irvine Company and Serrano Irrigation District. After they graded the site they built the dam using dirt and rock excavated from the sides of the canyon. They completed the structure in 1931, and its reservoir, Irvine Lake, was filled by 1933. By the late 1930s, the lake had been stocked with fish. It was opened to the public for recreational use in 1941.

The dam's initial purpose was for, irrigation and municipal water use. With heavy suburban sprawl that has occurred since the 1960s, agriculture along lower Santiago Creek has been drastically reduced. Conversely, the need for water storage and distribution to urban users has increased. It is currently owned by the Irvine Ranch Water District and the Serrano Water District (the former Serrano Irrigation District). Today the dam marks the end of Santiago Creek. All the discharge is retained in the reservoir and downstream flow is limited to seepage and released storm water.<sup>1</sup>

### **History of Water Recreation**

The recreation rights to the waters of Irvine Lake were initially established under a February 6, 1928 settlement agreement between TIC, Carpenter Irrigation District and the Serrano Irrigation District, predecessor to SWD ("1928 Agreement"). The 1928 Agreement generally deals with the use of Irvine Lake as a reservoir by the parties. Over the decades, the parties to the 1928 Agreement changed as water and irrigation districts formed and dissolved. Subject to the 1928 Agreement, TIC retained 75% of the recreation rights on the water while SWD retained the remaining 25% of those rights.

Recreation rights to the water at Irvine Lake are limited by the 1928 Agreement. Such rights include fishing, hunting, boating and such other uses as will not pollute or interfere with the use of said waters by the parties, Irvine Lake functions first as a reservoir, and second as a recreational lake – and then only for recreational uses that are compatible with the functioning of

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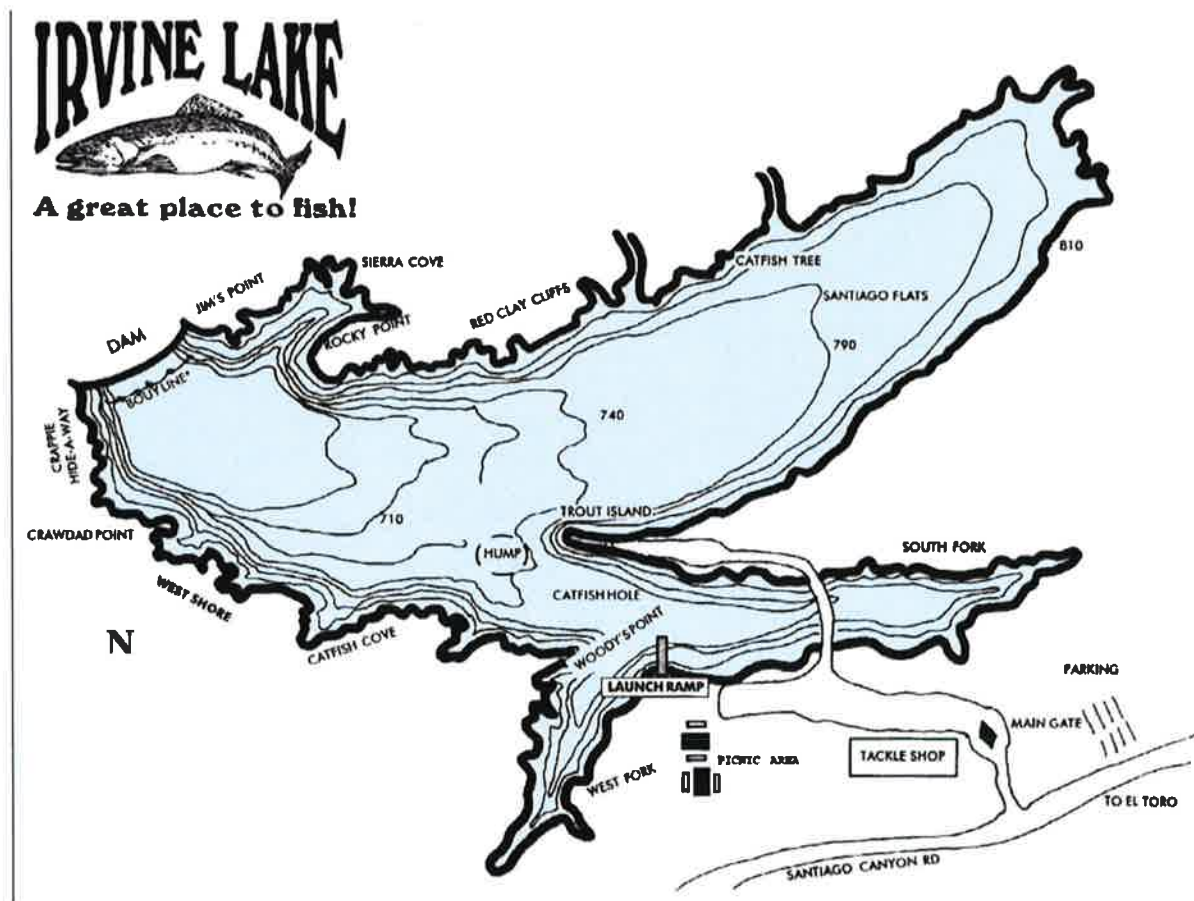
<sup>1</sup> Wikipedia, [https://en.wikipedia.org/wiki/Santiago\\_Dam](https://en.wikipedia.org/wiki/Santiago_Dam), Last Edited December 7, 2018 (Modified from the original), used, and available for reuse, pursuant to <https://creativecommons.org/licenses/by-sa/3.0/>.

the reservoir. Article Thirteen of the 1928 Agreement requires that, in order to open Irvine Lake to general public recreational use, the parties who share any interest must agree to satisfactory terms with one another.

Prior to 1993, recreational activities such as boating and fishing were facilitated by way of an informal agreement between the owners of recreation rights. A more formal agreement was drafted in 1993 between TIC and SWD (the two remaining parties with recreation rights). In addition, in 2011, TIC and SWD entered into a concurrent agreement in the form of a lease, wherein TIC leased to SWD and SWD Recreation Inc. (a wholly owned subsidiary) the land under the RV Storage facility, which provided SWD with an opportunity to operate and profit from the RV storage facility on TIC's land.

Although the types of recreational activities on the water were reduced over the years by SWD due to liability concerns (boater drownings occurred in 2012 and 2015), shoreline fishing remained open to the public until the termination of the lease and recreation rights agreement between TIC and SWD on March 31, 2016.

Figure 1



Source: [Irvinelake.net](http://Irvinelake.net)

## **Involvement of Orange County Parks (OC Parks)**

Prior to 2014, Orange County had no direct involvement with Irvine Lake or the surrounding property. In 2014, TIC made a donation of 2,500 acres of land to the County of Orange for park uses, including the areas on the Exhibit A Map (see Appendix) denoted as “East Orange I” and “East Orange II”. Orange County Parks Foundation, a nonprofit conservancy, holds the habitat conservation easements that govern these. In addition to the open space lands, TIC also transferred to Orange County fee title (unencumbered ownership) to the area shown on the map in orange and denoted as the “OC Parks Lease Parcel”. This parcel is a private leasehold that produces revenue to OC Parks and assists in offsetting OC Parks costs of open space management, habitat restoration, and public access improvements in lieu of a more traditional conservation endowment. The other revenue-generating parcel of land intended to offset OC Parks open space management costs, shown on the map in pink and denoted as “Irvine Company IOD (Irrevocable Offer of Dedication) to Orange County,” is the 29-acre Recreation Parcel at the entrance to the lake. It includes the RV storage facility, which TIC irrevocably offered to Orange County, but can be transferred only once certain conditions are met.

As to the recreation rights to the water, in conjunction with the 29-acre Recreation Parcel and related access roads, TIC did make an IOD to OC Parks for its 75% of the recreation rights. Effectively, the components that it offered to OC Parks can be accepted or declined at OC Parks unilateral discretion once certain conditions have been satisfied within a 90-year period. This report will address below each one of these conditions and their complexity. Only after all of these conditions are satisfied will OC Parks receive TIC’s 75% interest in the recreation rights and the Recreation Parcel. It also bears noting here that even if/when OC Parks does accept TIC’s 75% recreation rights, pursuant to the 1928 Agreement, SWD must still concur with terms of recreation management before it can permit any public recreation on Irvine Lake.

## **Memorandum of Understanding- 2003**

Pursuant to a Memorandum of Understanding dated April 30, 2003 between TIC, IRWD and SWD, the parties to the MOU are obligated to exchange access easements for the land adjacent to the lake. This has not yet occurred. OC Parks is not a party to this MOU and therefore lacks any legal standing or bargaining power over this situation. Nevertheless, unless or until those easements are agreed upon and exchanged, OC Parks cannot obtain any recreation rights to the lake water.

Additionally, the 2003 MOU stipulates that TIC may not transfer its 75% of the recreation rights unless or until SWD and IRWD agree to that transfer. To date, SWD has signified its approval to the transfer through the initiation of negotiations over the recreation management agreement with OC Parks, but IRWD has withheld its approval pending completion of a successor agreement to the 2003 MOU.

In spite of multiple contacts by OC Parks to IRWD over the past few years, it appears to the Grand Jury that OC Parks has not yet received any information from IRWD regarding the terms of any successor agreement nor its expected completion and execution date. However, the Grand Jury has learned that the execution of a successor agreement to the 2003 MOU will likely occur in the first half of 2019.

### **Conditions Needed to Satisfy Irvine Company's IOD Transferring the 29 Acre Recreational Parcel and its 75% Interest in Recreation rights**

#### **Condition #1: Water Districts Must Accept Access Easements from The Irvine Company**

IRWD and SWD must accept and record easements from TIC providing the water districts with access to the access road alongside Irvine Lake. TIC is obligated to offer the easements to satisfy the terms of the 2003 MOU. Likewise, IRWD and SWD must provide a reciprocal easement to TIC (or its successor) pursuant to the 2003 MOU and TIC must accept the easement.

#### **Condition #2: Orange County Accepts Access Road Parcel**

After Condition #1 is satisfied, Orange County must accept fee title to the Access Road Parcel within a certain period. (Currently, OC Parks has an easement over the Access Road Parcel, which provides access to the Oak Canyon Park/concessionaire lease parcel.)

#### **Condition #3: IRWD Consents for Transfer of Recreation rights**

IRWD must provide its consent for TIC to transfer its 75% recreation rights to OC Parks. SWD has already indicated its willingness to consent, assuming completion of a recreation management agreement or buyout with OC Parks. This item can take place at any time; however, the IOD considers IRWD's consent to be a condition precedent to Condition #4 below.

#### **Condition #4: Orange County Accepts 29 Acre Recreation Parcel & Recreation Rights Transferred to Orange County (2 Options)**

After Conditions #1-#3 are satisfied, OC Parks may accept the Recreation Parcel and is then eligible to receive TIC's 75% of the recreation rights to the water if:

1. SWD agrees to transfer its 25% of the recreation rights to OC Parks (buyout);  
or
2. SWD and OC Parks enter into a management agreement for the recreation rights, which could include sharing of the profits generated from water-based recreation.

Even if these conditions are satisfied and OC Parks obtains the ability to use the water for public recreational activities, the geographic conditions at the lake may hinder OC Parks ability to do so. For example, the lakebed is much larger than the current body of water. Thus, OC Parks will still lack access over the lakebed to provide direct access to the water for recreational activities. At that point, OC Parks, IRWD, and SWD may need to negotiate additional agreements (*e.g.* license, permit, or easement) to grant OC Parks access to the dry lakebed for recreation-serving uses such as launch ramps for rental and/or private fishing boats, vehicle access, lakeshore fishing, etc.



## **Current Ownership and Control**

The ownership, control, use, and rights to Irvine Lake and the surrounding area are complex. To facilitate the reader's understanding, please refer to attached map included as Appendix A from the OC Parks website, showing the various properties and the interests, summarized below:

1. TIC owns:
  - a. the 29-acre "Recreation Parcel" including the RV storage lot and the public entrance to Irvine Lake (shown in pink on the attached map);
  - b. the access road from Santiago Canyon Road to the back of the reservoir, including portions of Blue Diamond Haul Road (shown in yellow on the attached map); and
  - c. 75% of the recreation surface rights to the water of Irvine Lake
2. Orange County owns:
  - a. the Oak Canyon Park/Concessionaire lease parcel (shown in orange on the attached map);
  - b. easement rights over the access road to reach the Oak Canyon parcel; and
  - c. the majority of the open space surrounding Irvine Lake
3. SWD owns:
  - a. the lakebed and the water of Irvine Lake (including determining the permitted uses on the water) – owned jointly with IRWD
  - b. 25% of the recreation surface rights to the water of Irvine Lake
4. IRWD owns:
  - a. the lakebed and the water of Irvine Lake (including determining the permitted uses on the water) – owned jointly with SWD

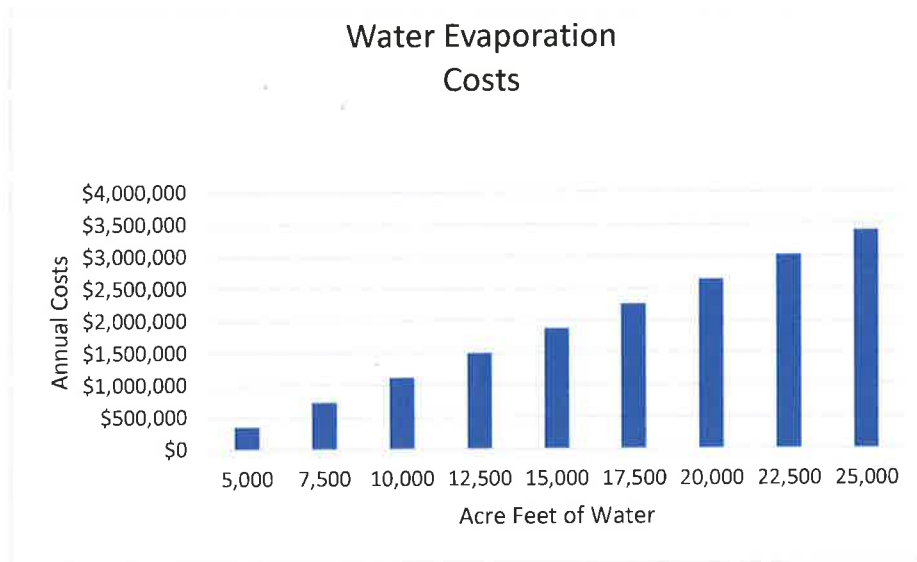
Although SWD owns only a minority share of the recreation rights to the water, the public may not exercise any recreation rights unless all parties agree to such uses per the controlling agreement. In other words, SWD may withhold permission and thereby prohibit TIC (or TIC's successor-in-interest) from offering public use of the recreation rights despite its majority share of the recreation rights.

## **The Impact of Water Levels at Irvine Lake**

Irvine Lake experiences wide fluctuations in the water level as a storage facility for the water districts. SWD estimated the Irvine Lake surface area to be 2,700-acre feet as of January 2019. This water level reflects several years of drought and SWD considers it the minimum level at which to operate the outlet towers and other pump facilities. The water districts would need to purchase water from the Metropolitan Water District to raise the water level other than by precipitation runoff directly or from the upstream water flow from Santiago Creek. MWD imports water from the Colorado River and Central California Aqueduct. The MWD water does not greatly influence the watershed for the majority of Orange County (generally north of El

Toro) that receives roughly 80% of its water from the underlying aquifer. When purchasing the water for storage the water districts must account for the cost of the water lost to surface evaporation. This is relatively predictable, based on annual weather patterns, the cost of water and surface area exposed to evaporation. Those cost estimates for Irvine Lake by surface area exposed would be:

Graph 1:



Source: Data provided by Serrano Water District

As the chart indicates, the annual costs of water evaporation to the water districts is significant, particularly as the surface area approaches a maximum size for Irvine Lake of 25,000-acre feet. Even at lower lake levels of 10,000-acre feet (four times the current surface area), the annual cost would be close to \$1 million. In summary, the larger the surface area of the lake becomes, the more the evaporation and water replacement costs increase. Notably, the cost of water replacement varies by season. The price of purchase water goes down when water from natural precipitation is higher, and water is more plentiful. Conversely, during times when natural precipitation is scarce, water is costlier.

The nature of planning recreation around a man-made lake would be much easier if wide fluctuations in water level could be moderated. Involved entities consider maximum water levels so that permanent facility areas are not lost when water level increases. Additionally, they can improve access to the lake if water levels are predictable and do not fall below a certain level. They can manage this with floating and moveable dock systems and moveable structures. If they could maintain Irvine Lake at a minimum level, for example 10,000-acre feet, even in years when naturally occurring runoff would result in lower lake levels, recreational experiences would be easier to plan and more esthetically pleasing. At that level of water, the costs to the water districts, up to \$1 million, could occur in certain years or multiple years. Without a way to offset those

costs there would be little incentive for the water districts to maintain Irvine Lake at that higher water level.

At the current level of income generated from recreation surrounding Irvine Lake, accruing to either OC Parks or SWD, there is little ability to offset much increase in evaporation costs and still generate income for the primary purposes of covering water infrastructure costs or restoration and maintenance of new OC Parks' open space. However, this relationship could change if the entities expand recreation at Irvine Lake and recreation income increases. In the future, to reduce Orange County's need to purchase water from outside sources, the water districts may seek to expand water storage capacity at various reservoirs, including Irvine Lake. This could also be a source of cost offset.

### **Lack of Formal Planning by Local Government Agencies for Irvine Lake**

Since 1928, TIC has managed recreation around Irvine Lake, with SWD's role increasing gradually over time. Both entities, by nature and mission, primarily focus on their core businesses of real estate development (TIC) and water delivery (SWD). In 1993, when TIC felt recreation was not receiving appropriate attention it entered into an agreement with SWD to increase the focus on viable water-based recreation. The size of Irvine Lake and its location in an increasingly urbanized area contributed to the success of selected recreation.

As part of its investigation, the Grand Jury requested from all three local government agencies any planning documents or feasibility assessments conducted for Irvine Lake and found that no planning reports or studies exist. Given the recent TIC land donation and the new and anticipated role of OC Parks going forward, the lack of planning or feasibility studies for an asset of this size and significance within Orange County is inconsistent with OC Parks' general practices.

Future planning activities and documents typically would involve public focus groups and interviews with interested stakeholders. Issues could include the types and location of land-based recreation given the limited land areas involved, access to the lake and connecting roads. Planners could identify locations for future expansion opportunities. Operational models for recreation other than direct management by OC Parks could include public/private partnership or leases that would reduce needed public investment and provide business opportunities for local business people. Restrictions governing permitted activities on or near the water, based on the need for preservation of water quality, would prohibit certain recreation. Likewise, concerns for public safety and operator liability related to past boating operations at Irvine Lake (speed boating, private boating, or boating rentals) will need to be considered.

## Parameters of Negotiation

### *Intended Use of Revenues from Recreation Activities and Donated Land Parcels*

SWD historically has applied all revenue from the water-based recreational activities to offset costs associated with the maintenance, repair and replacement of the dam and lake infrastructure. As co-owner of the land under Irvine Lake and the water rights, SWD shares the infrastructure costs with IRWD on a 25% (SWD)-75% (IRWD) basis. SWD is a small water district relative to IRWD with approximately 6,500 households served, compared to IRWD's 110,000+ households. SWD's customer base is relatively stable, consisting of a largely fully developed area around the cities of Villa Park and parts of Orange.

The water ratepayers of SWD and IRWD currently fund 100% of all dam maintenance costs. In addition, two large, necessary capital projects appear on the near horizon. Nobody has yet estimated the cost of these projects, but they have the potential to be quite high. By way of example only, to cover a potential one-time capital investment of \$50 million on a shared 25%-75% basis roughly would translate to \$1,900 for every SWD ratepayer and \$340 for every IRWD ratepayer. Therefore, finding an alternative way to fund capital projects may prove more critical for SWD.

OC Parks intends to use the revenue generated from water-based recreation plus the lease income from the two land-based parcels that TIC intends to transfer to OC Parks to assist in offsetting OC Parks' costs of habitat restoration, open space management and public access improvements; this is in lieu of a more traditional conservation endowment. The initial rough estimate of the costs of habitat restoration, trail construction and maintenance, and improvements needed for public access is in the range of \$5 million. The estimate is for the roughly 2,500 acres identified on Exhibit 1 as OC Parks East Orange I and II.

### *Historic Operation of Recreation at Irvine Lake and its Impact on Negotiations*

Since recreation first opened to the public in 1941, the recreational activities at Irvine Lake have consisted of water-based and land-based activities

The definition of water-based recreational activities in Section 4 of the 1993 Recreation Rights Agreement between TIC and SWD, reads as follows:

“TIC and SID (SWD) agree that the Recreation Rights give them jointly through the Manager the exclusive right to do the following things within the boundary of the Reservoir (the “Recreational Activities”):

- A. The right to use, permit the public to use or grant concessions for the public to use the Reservoir and all boats and related equipment, piers, floats, boat landings, buildings, structures and other improvements located within the Reservoir for:

- a. Fishing and other uses incidental to fishing, including the rental, repair and use of fishing boats, and the rental or sale of fishing tackle, bait and other equipment and supplies;
  - b. Boating and other uses incidental to boating, including the rental, use and sale of boats and all boating accessories and equipment and the use and sale of fuel and supplies;
  - c. Such other amusements and recreation activities as will not impair the use of the waters of the Reservoir by SID and IRWD; and
  - d. The right to stock the waters of the Reservoir with fish and maintain the same therein.
- B. The right to erect, place and maintain within the boundary of the Reservoir such buildings, structures, improvements and equipment as may be necessary or convenient for the uses and purposes herein specified, subject to the provisions hereof (the “Recreation Structures”)
- C. The right to sell food, refreshments, merchandise and other items to the public.
- D. The right to rent equipment and other items associated with the Recreational Activities to the public.”<sup>2</sup>

<sup>2</sup> Recreation Rights Agreement, Dated June 30, 1993, between Serrano Irrigation District and The Irvine Company

Land-based recreation has occurred on two land parcels adjacent to Irvine Lake and owned by TIC. The map included in Exhibit 1 identifies the two parcels where recreation has occurred, the orange and the pink parcel. A private concessionaire under a License Agreement (Concession Agreement) in place since 1993, has managed the recreation on the orange parcel. The concessionaire is responsible for constructing and maintaining improvements to conduct its business, providing insurance and indemnifying TIC against all liability associated with the operations. Permitted uses are generally defined as private corporate events, car clubs, some limited concert events, scout jamborees, carnival rides, day camping and picnic areas. Overnight camping and most motor sports are prohibited. Activities added over the years include mountain bike courses, “mud racing,” various sports events, radio controlled aircraft and drone flying. The orange parcel was transferred to OC Parks in 2015. The Concession Agreement remains on holdover status, pending a longer-term agreement with OC Parks.

The pink parcel includes the general public entrance to Irvine Lake, improvements related to fishing and boat rental (both currently closed), and a paved, secured RV and boat storage area. In 2011, TIC entered into a lease with SWD to operate the RV and boat storage area, in addition to its responsibilities for operating “water-based” recreation. That lease was terminated in 2016, along with the Recreation Rights Agreement. TIC continues to operate the RV and boat storage, pending transfer to OC Parks.

#### *Historic Operating Revenues and Profits from Recreation at Irvine Lake*

Review of lease and management documents, interviews with lessors and lessees, and a limited review of accounting information, provide some general trends for recreation operations at Irvine Lake. The Concession Agreement has a minimum rent of \$120,000 annually, plus a share of gross revenues. Total annual income generated in recent years was in the estimated range of \$350,000-\$400,000. The Grand Jury has learned annual revenue from the RV and boat storage area is estimated to be in the range of \$375,000-\$400,000. TIC has recently expanded the storage area and anticipates continued strong demand for this type of storage; therefore, revenues could possibly increase. Many have described the location of the storage area near the main entrance to Irvine Lake as an eyesore. Overall master planning might entail relocating the storage area, and reducing the size of the storage area may result. Nonetheless, the demand for such use is strong.

A review of limited accounting records for water-based recreation indicates income from fishing (including entrance fees), boating rental and equipment rentals, as well as food and other sales, generating a positive net income of an estimated \$125,000-\$350,000 annually. Net income from water-based recreation is shared between TIC (75%) and SWD (25%), until OC Parks fully takes over from TIC (and becomes the 75% shareholder) and unless a purchase of SWD’s interest occurs. A general decline in net income from water-based recreation during the period from 2011-2016 was a result of declining boat and fishing revenues following two separate boating accidents

and drownings in 2012 and 2015. These resulted in increased insurance costs for the operator and resulted in a suspension of boating on Irvine Lake in 2015.

If boating and fishing could be restored to past levels, it would appear, based on prior history, that the water-based along with the two land-based recreation operations would produce net income in roughly the historical amounts. However, future income could be substantially different, based on OC Parks' involvement, new capital investments, and limited comparable recreation sites in an increasingly urbanized Orange County.

### *Chronology of Negotiations*

Orange County became aware in 2014 of TIC's plans to transfer the 2,500 acres of open space. In 2015 OC Parks first approached SWD regarding its interest in purchasing SWD's 25% interest in the water-based recreation rights. SWD initially indicated an interest in this buyout in exchange for a shorter term no fee (no rent) operation of the RV Storage parcel which it had been operating for TIC and some unspecified ongoing participation in a percentage of other recreational income at Irvine Lake.

In September of 2015, TIC notified SWD of its intent to terminate both the Recreation Rights Agreement and the RV Storage lease effective March 31, 2016. SWD requested a six-month extension to the RV Storage lease to allow time to negotiate an agreement with OC Parks to continue to manage the RV Storage operation. In early 2016, OC Parks offered a buyout based on a two year no fee lease of the RV Storage with a market rate lease thereafter. In February of 2016, SWD revised its offer to sell its water-based recreation rights, and instead offered an unusual lease-like arrangement for those rights in return for a minimum annual payment of \$400,000, or a no fee long-term lease for the RV Storage area. TIC soon thereafter denied SWD's request for an extension of the RV Storage lease, basing its decision on the two parties (SWD and OC Parks) being too far apart on terms.

After February 2016, there were no more written counteroffers from either OC Parks or SWD regarding SWD's recreation rights. The Grand Jury learned that OC Parks did request financial operation information on the water-based recreation in order to evaluate the last offer made by SWD. The Grand Jury has determined that OC Parks has yet to receive this information.

As OC Parks consummated the transfer of the orange-colored Recreation Parcel, it investigated the conditions needed to achieve the remaining transfer of the IOD parcel and the recreation rights. It became clear that the negotiation of recreation rights with SWD could not occur prior to satisfying the IOD conditions, which in turn requires a modification or successor document to the 2003 MOU.

OC Parks is not party to the 2003 MOU document and cannot directly influence negotiations. The primary parties are the two water districts and TIC. Neither of the water districts has provided a progress report to OC Parks as to how those negotiations are progressing or what, if any, contract points are critical. The Grand Jury has learned that there is some level of confidence that the

MOU agreement could be signed within the first half of 2019. Only following that agreement could all the conditions of the IOD be satisfied.

The last documented communication between OC Parks and SWD regarding recreation rights occurred in the summer of 2017. OC Parks offered to enter into a short-term agreement to permit shore fishing at Irvine Lake. All costs and liability would be borne by OC Parks. OC Parks would share with SWD any net income generated. OC Parks agreed to allow some fishing at Irvine Lake while negotiations continued. SWD did not want to consider a short-term arrangement.

### *Negotiation Observations*

OC Parks is concerned about offering relatively certain land-based income targeted for public land restoration without knowing what it is getting in return. The only source of funding to restore and maintain for public benefit the 2,500 acres of open land surrounding Irvine Lake would be the income generated from the property and recreation rights transferred by TIC.

Negotiations have been delayed due to the need to revise the 2003 MOU as well as resolving the easement and other rights. This needs to occur prior to finalizing the final transfer of the rights included in TIC's IOD. The primary focus of both water districts is the delivery of water and maintaining the water delivery systems, not recreation.

SWD's initial negotiation strategy appears to seek a price premium to buy out its recreation rights. This strategy is common when negotiations involved fractional or shared ownership. The current agreements do not contain provisions to resolve buy-sell disagreements involving fractional ownership.

Given OC Parks' financial constraints, OC Parks cannot proceed in the absence of financial information regarding expected operating profits from water-based recreation. A continued impasse on the water-based recreation rights will deny both parties its share of potential income, and more importantly continue the delay of the reopening of water recreation at Irvine Lake to the public.

OC Parks does have the option of pursuing a separation of the IOD terms with TIC to allow for the settlement of all issues within the IOD other than the transfer of its 75% interest in recreation rights. This would settle the required access easements and allow OC Parks to take over ownership and management of the RV Storage parcel.

If SWD and OC Parks cannot agree on a buyout figure, they could enter into a management agreement to allow for continued water recreation and a split of net income on a negotiated basis. This would allow OC Parks to begin overall recreation planning at Irvine Lake making water recreation available to the public. A lease of SWD's recreation rights on terms other than in proportion to its current ownership interest may not make economic sense, particularly in the absence of compelling financial information.



## **FINDINGS**

In accordance with *California Penal Code* Sections 933 and 933.05, the 2018-2019 Grand Jury requires (or as noted, requests) responses from each agency or special district affected by the Findings presented in this section. The Responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation, titled “Re-Opening Irvine Lake- A Win-Win for Taxpayers and Outdoor Enthusiasts,” the 2018-2019 Orange County Grand Jury has arrived at seven principal Findings:

**F1.** In the past SWD has used revenue from its recreation rights as one of its sources to offset costs for maintenance and replacement of capital investments in water infrastructure.

**F2.** For OC Parks the revenue from rights and property assigned by TIC will be the source to cover costs associated with the restoration, maintenance and repairs of the newly- dedicated open space.

**F3.** Without sufficient historical financial information from SWD, OC Parks cannot project future financial opportunities at Irvine Lake.

**F4.** Minimal effort to engage one another, a lack of creative proposals and slow responsiveness between OC Parks and the water districts have allowed negotiations to stall.

**F5.** Although not a party to any recreation rights, IRWD does have a right of approval over decisions affecting water use rights and water quality. Therefore, settling easement rights issues in a successor document to the 2003 Memorandum of Understanding (MOU) among SWD, IRWD and TIC is required prior to concluding negotiations on recreation rights. Parties expect to complete this in the first half of 2019.

**F6.** SWD, OC Parks and IRWD acknowledge that to maximize recreational opportunities a more stable Irvine Lake water level is desirable.

**F7.** A master plan for recreational activities remains to be developed.

## RECOMMENDATIONS

In accordance with *California Penal Code* Sections 933 and 933.05, the 2018-2019 Grand Jury requires (or as noted, requests) Responses from each agency or special district affected by the Recommendations presented in this section. The Responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled “Re-Opening Irvine Lake- A Win-Win for Taxpayers and Outdoor Enthusiasts,” the 2018-2019 Orange County Grand Jury makes six Recommendations:

**R1.** If an impasse still exists between SWD and OC Parks on basic terms of water-based recreation rights the parties should use a neutral outside resource such as solution focused good faith mediation by September 30, 2019, to achieve resolution. (F1, F2, F3 & F6)

**R2.** If an impasse still exists between SWD and OC Parks on basic terms of water-based recreation rights OC Parks should, by September 30, 2019, request from TIC a separation of those rights described in the IOD from the remaining road parcels, easements and Recreation Land Parcel and a transfer of all but the water recreation rights to OC Parks. (F1, F2, F3 & F6)

**R3.** By September 30, 2019, SWD should provide full financial disclosure of historical operating information for water-based recreational activity, at a minimum for the period 2011-2016, in sufficient detail to allow OC Parks to evaluate any recreation rights buyout offer or other specific management proposal. Absent such information, SWD and OC Parks should negotiate and present to their respective governing bodies a management agreement to continue operating water-based recreation at Irvine Lake and share revenue, expenses and net profits (F3)

**R4.** If by December 31, 2019 resolution has not been reached as to the reopening of Irvine Lake for water recreation, staff for SWD, IRWD, and OC Parks should post on their respective websites and submit to their governing body for discussion in a public meeting their perspective as to the obstacles to reopening the lake and what plan they have to resolve the issue. (F4)

**R5.** By December 31, 2019, SWD, IRWD and OC Parks should explore the economic feasibility of establishing and maintaining Irvine Lake at a minimum water level based on expected income and other potential cost offsets. (F5 & F6)

**R6.** By March 31, 2020, once recreation rights are determined, OC Parks should hold open public planning meetings to address possible uses and activities, and their location at Irvine Lake, that result in the development of a multi-year Recreational Master Plan. This planning would include examining other public/private models within Orange County and Southern California for covering future capital costs and minimizing any liability associated with boating. This also would include general cost benefit or financial feasibility analysis for the recreational uses under consideration. (F7)

## RESPONSES

The following excerpts from the California Penal Code provide the requirements for public agencies to respond to the findings and recommendations of this Grand Jury report:

### §933(c)

*“No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head or any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. . . .” §933.05*

*“(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:*

- (1) The respondent agrees with the finding.*
- (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.*

*(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:*

- (1) The recommendation has been implemented, with a summary regarding the implemented action.*
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.*
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.*
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.*

*(c) However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the*

*agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.”*

Comments to the Presiding Judge of the Superior Court in compliance with Penal Code §933.05 are required from:

**Responses Required:**

OC Parks responds to Findings 1-7 and Recommendations 1-6

SWD responds to Findings 1-6 and Recommendations 1-5

IRWD responds to Findings 4-6 Recommendation 4 and 5

**Responses Requested:**

TIC responds to Recommendation 2

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<https://abc7.com/news/future-of-irvine-lake-unclear-amid-drought-boat-restrictions/1058580/>



## Appendix A

Source: OCParks website



## Appendix B - Current Water-based Recreation Conditions

### Main Entrance to Irvine Lake



Source: 2018-2019 Grand Jury



Source: 2018-2019 Grand Jury



Source: 2018-2019 Grand Jury



Source: 2018-2019 Grand Jury



Temporary Building for Fishing and RV Management



Source: 2018-2019 Grand Jury

**Appendix C- Web link to Photos of Past Recreation Activities**

<https://www.google.com/search?q=irvine+lake+photos&tbm=isch&source=hp&sa=X&ved=2ahUKEwj8jJCe5ubhAhXCrJ4KHaaXCsUQsAR6BAgJEAE&biw=1600&bih=805>

# DRAFT

July X, 2019

The Honorable Kirk H. Nakamura  
Presiding Judge of the Superior Court of California  
700 Civic Center Drive West  
Santa Ana, CA 92701

RE: Response to Grand Jury Report, "*Re-Opening Irvine Lake - A Win-Win for Taxpayers and Outdoor Enthusiasts*"

Dear Presiding Judge Nakamura:

On May 13, 2019, the Grand Jury released a report entitled "*Re-Opening Irvine Lake – A Win-Win for Taxpayers and Outdoor Enthusiasts.*" This report requires a response to findings and recommendations from the Irvine Ranch Water District (IRWD). Per the 2018-2019 Orange County Grand Jury's request, and in accordance with Penal Code 933.05, below are the District's responses to Findings F4, F5 and F6, and Recommendations R5 and R5.

Prior to providing its required responses, IRWD has provided some background on Irvine Lake that is key to understanding the District's responses to Findings F4, F5 and F6, and Recommendations R5 and R5. IRWD also offers several clarifications to certain statements contained in the published report.

## Background on Irvine Lake

Since it was originally constructed in 1933, the primary purpose of Irvine Lake, which is also known as Santiago Creek Reservoir, has been to store water for the benefit of the surrounding communities – initially to provide irrigation water for local farms, and more recently to satisfy water demands for agricultural and urban needs. IRWD utilizes water from Irvine Lake for two purposes: 1) as a source of water for non-drinking purposes, such as irrigation for avocado orchards, and 2) as a source of water for the Baker Water Treatment Plant which creates drinking water for an estimated 85,000 homes in Orange County.

IRWD and Serrano Water District, the co-owners of Irvine Lake, balance the benefits of storing water in Irvine Lake to ensure customers have a reliable supply of water while minimizing the loss of water from the lake due to evaporation or water going over the dam spillway in a year with heavy precipitation. When the water level in Irvine Lake is high, the rate of evaporation increases dramatically with the increase in the surface area of the water. One other key

consideration for managing water levels in the lake is preserving the ability to capture rainwater from the surrounding hills that will flow into Irvine Lake. Capturing this fresh water in Irvine Lake at no cost to both agencies can help reduce the cost of providing drinking water to customers, as well as improving local water supply reliability.

While Irvine Lake remains first and foremost a water resource facility, recreational activities, such as fishing and boating, have been allowed in the past at Irvine Lake. IRWD remains supportive of Irvine Lake being used for public recreational uses that are compatible with its important purpose of serving as a water supply and storage facility.

Control over any recreational activities is the responsibility of the owners of the "Irvine Lake Recreation Rights." The Irvine Lake recreation rights will be owned by the County of Orange, a 75 percent owner of the recreation rights, and Serrano Water District, a 25 percent owner of the recreation rights. (The Irvine Company is in the process of transferring its recreation rights to the County of Orange.) IRWD does not have any ownership of the Irvine Lake Recreation Rights.

Factual Clarifications to Statements Contained in the Report:

In addition to the factual clarifications offered by other respondents to the report, IRWD offers the following clarifications to certain statements contained in the published report:

- On page 8 the report states that "OC Parks is not a part to this MOU and therefore lacks any legal standing or bargaining power over this situation." Further down, on the same page, the report states that "In spite of multiple contacts by OC Parks to IRWD over the past few years, it appears to the Grand Jury that OC Parks has not yet received any information from IRWD regarding the terms of any successor agreement nor its expected completion and execution date." From IRWD's perspective, OC Parks does have legal standing and bargaining power to resolve a number of the outstanding issues related to Irvine Lake. This is why IRWD has engaged in numerous conversations with OC Parks over the past few years seeking to resolve outstanding issues, and why the District provided OC Parks, the Irvine Company, and Serrano Water District with a proposed agreement to resolve the outstanding issues from the 2003 MOU on March 27, 2019; and
- On page 12, the report states that "As part of its investigation, the Grand Jury requested from all three local government agencies any planning documents or feasibility assessments conducted for Irvine Lake and found that no planning reports or studies exist." The IRWD personnel contacted by the Grand Jury regarding this report do not recall such a request being made of IRWD.

Required Responses

**Finding F4:** *“Minimal effort to engage one another, a lack of creative proposals and slow responsiveness between OC Parks and the water districts have allowed negotiations to stall.”*

Response: IRWD wholly disagrees with this finding.

IRWD has actively sought resolution of the issues surrounding Irvine Lake, including settling the easement rights discussed in the 2003 Memorandum of Understanding. In fact, IRWD took the initiative to move the negotiations forward earlier this year and proposed a draft agreement to resolve the outstanding issues related to the 2003 Memorandum of Understanding over the same period of time the Grand Jury wants to portray that negotiations were stalled. While the draft agreement has not resulted in resolution of the outstanding issues, the parties continue to seek resolution to those issues, discussions have been ongoing and negotiations are actively continuing.

**Finding F5:** *“Although not a party to any recreation rights, IRWD does have a right of approval over decisions affecting water use rights and water quality. Therefore, settling easement rights issues in a successor document to the 2003 Memorandum of Understanding (MOU) among SWD, IRWD and TIC is required prior to concluding negotiations on recreation rights. Parties expect to complete this in the first half of 2019.”*

Response: IRWD agrees with finding, though the timing to complete negotiations will continue into the second half of 2019.

**Finding F6:** *“SWD, OC Parks and IRWD acknowledge that to maximize recreational opportunities a more stable Irvine Lake water level is desirable.”*

Response: IRWD wholly disagrees with this finding.

Irvine Lake remains first and foremost a water resource facility, and as a water resource facility water levels in the lake change regularly. Over the lake’s long history, water levels have fluctuated greatly at times being high when Orange County has had a wet winter and at other times lower, as in an extended drought. Despite changes in the lake’s water levels, recreational opportunities have been available at Irvine Lake and, at various times and different water levels, those opportunities have been maximized based on active adaptive management of the recreational rights. From IRWD’s perspective, it



is not a more stable water level that is necessary to maximize recreational opportunities, but an adaptive management plan for recreational opportunities at the lake, which recognizes that water levels change, that could maximize the recreational opportunities at Irvine Lake.

Control over recreational activities at Irvine Lake is the responsibility of the owners of the "Irvine Lake Recreation Rights." The Irvine Lake Recreation Rights will be owned by the County of Orange and the Serrano Water District. As outlined above, IRWD does not have any ownership of the Irvine Lake Recreation Rights.

**Recommendation R4:** *"If by December 31, 2019 resolution has not been reached as to the reopening of Irvine Lake for water recreation, staff for SWD, IRWD, and OC Parks should post on their respective websites and submit to their governing body for discussion in a public meeting their perspective as to the obstacles to reopening the lake and what plan they have to resolve the issue. (F4)"*

Response: The recommendation will not be implemented by IRWD because it is not warranted and it is unreasonable.

IRWD has actively sought resolution to the issues surrounding Irvine Lake. Resolution of the outstanding issues could result in the reopening of Irvine Lake to public recreation. But, as IRWD has communicated consistently to its customers and to the public, conducting recreational activities is the responsibility of the owners of the "Irvine Lake Recreation Rights" and not IRWD. From the District's perspective, Irvine Lake must remain first and foremost a water resource facility, and any recreational activities, such as fishing and boating, must account for and preserve the lake's primary purpose of a water resource facility.

Given the long-standing discussions over Irvine Lake, the IRWD Board of Directors has been briefed on the outstanding issues related to Irvine Lake. For many years, IRWD has also posted information on its website regarding Irvine Lake. The outstanding issues related to Irvine Lake are complex given the nearly 100-year history of the lake and the numerous agreements covering the interests held by IRWD, Serrano Water District, and now the County of Orange. IRWD continues to actively work to resolve the remaining issues related to Irvine Lake; resolution of the remaining issues requires further negotiation between the parties.

Posting on IRWD's website and submitting to the IRWD Board of Directors for discussion in a public meeting the District's perspective as to the obstacles related to permanently reopening the lake and the plan for resolving the remaining issues would likely undercut the District's negotiating position. As a result, Recommendation R4 will not be implemented. IRWD has and will continue to post as much information as possible to its website in order to keep its customers and the general public appropriately informed about the status of Irvine Lake.

IRWD would also note that while Irvine Lake remains closed to the public for fishing, it is our understanding that some fishing may be allowed in the near future at Irvine Lake. An agreement to facilitate the potential for fishing at Irvine Lake in the future has been executed by the County, Serrano Water District, and IRWD.

**Recommendation R5:** *"By December 31, 2019, SWD, IRWD and OC Parks should explore the economic feasibility of establishing and maintaining Irvine Lake at a minimum water level based on expected income and other potential cost offsets. (F5 & F6)"*

Response: The recommendation will not be implemented by IRWD because it is not warranted for IRWD.

As stated above, IRWD and the Serrano Water District balance the benefits of storing water in Irvine Lake to ensure customers have a reliable supply of water while minimizing the potential loss of water from the lake. When the water level in Irvine Lake is high, the rate of evaporation increases dramatically with the increased surface area of water. IRWD also manages the water level in Irvine Lake to preserve the ability to capture rainwater from the surrounding hills, because capturing this fresh water in Irvine Lake at no cost helps reduce the cost of providing reliable drinking water to customers.

If the owners of the Irvine Lake Recreation Rights desire to establish a minimum level of water in Irvine Lake, IRWD is willing to discuss the costs associated with this request to ensure the recreational activities are not be subsidized by IRWD customers for no benefit. Because IRWD does not have any ownership of the Irvine Lake Recreation Rights, it is not appropriate for IRWD to explore the economic feasibility of establishing and maintaining Irvine Lake at a minimum water level based on expected income and other potential cost offsets.

EXHIBIT "B"

Thank you for the opportunity to respond to the May 13, 2019, report on Irvine Lake. If you have any questions or need further information about IRWD or this response, please contact me at (949) 453-5590.

Sincerely,

Paul A. Cook, P.E.  
General Manager

cc: Orange County Grand Jury  
IRWD Board of Directors