

AGENDA  
 IRVINE RANCH WATER DISTRICT  
 WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE  
 THURSDAY, DECEMBER 10, 2020

*Due to COVID-19, this meeting will be conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspend certain requirements of the Ralph M. Brown Act. Members of the public may not attend this meeting in person.*

Participation by members of the Committee will be from remote locations. Public access and participation will only be available telephonically/electronically.

To virtually attend the meeting and to be able to view any presentations or additional materials provided at the meeting, please join online via Webex using the link and information below:

Via Web:

<https://irwd.my.webex.com/irwd.my/j.php?MTID=m8e5d22375e116e301b8af2e42145ebc2>

Meeting Number (Access Code): 126 937 9674

Meeting Password: M2pPcqi3bq6

After joining the meeting, in order to ensure all persons can participate and observe the meeting, please select the "Call in" option and use a telephone to access the audio for the meeting by using the call-in information and attendee identification number provided.

*As courtesy to the other participants, please mute your phone when you are not speaking.*

**PLEASE NOTE:** Participants joining the meeting will be placed into the Webex lobby when the Committee enters closed session. Participants who remain in the "lobby" will automatically be returned to the open session of the Committee once the closed session has concluded. Participants who join the meeting while the Committee is in closed session will receive a notice that the meeting has been locked. They will be able to join the meeting once the closed session has concluded.

CALL TO ORDER    3:00 p.m.

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

ALSO PRESENT

Paul Cook	_____	Paul Weghorst	_____
Wendy Chambers	_____	Cheryl Clary	_____
Fiona Sanchez	_____	Christine Compton	_____
Beth Beeman	_____	Jim Colston	_____
Mark Tettermer	_____	Amy McNulty	_____
Jo Ann Corey	_____	Kellie Welch	_____
Ray Bennett	_____	_____	_____
_____	_____	_____	_____

PUBLIC COMMENT NOTICE

If you wish to address the Committee on any item, please submit a request to speak via the “chat” feature available when joining the meeting virtually. Remarks are limited to three minutes per speaker on each subject. You may also submit a public comment in advance of the meeting by emailing [comments@irwd.com](mailto:comments@irwd.com) before 12:00 p.m. on Thursday, December 10, 2020.

**ALL VOTES SHALL BE TAKEN BY A ROLL CALL VOTE.**

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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. REVIEW OF 2020 GOVERNMENT RELATIONS ACTIVITIES AND 2021 LEGISLATIVE AND REGULATORY ISSUES PLANNING – COMPTON / COOK

Recommendation: That the Board provide input on the proposed 2021 regional, state and federal legislative issues of interest to IRWD, and receive and file the proposed “Initial 2021 Legislative and Regulatory Resource Allocation Plan” and the “Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2021.”

6. EDUCATION DISPLAY PROJECT DESIGN UPDATE – FABRIS / BEEMAN / WEGHORST

Recommendation: That the Committee provide input on the updated educational graphic displays and design concepts presented for IRWD’s Sand Canyon Building and the San Joaquin Marsh Campus.

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**OTHER BUSINESS**

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7. Directors’ Comments
8. 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 electronically via the Webex meeting noted. Upon request, the District will provide for written agenda materials in appropriate alternative formats, and reasonable disability-related modification or accommodation to enable individuals with disabilities to participate in and provide comments at public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, or alternative format requested at least two days before the meeting. Requests should be emailed to [comments@irwd.com](mailto:comments@irwd.com). Requests made by mail must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

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December 10, 2020  
Prepared and  
submitted by: C. Compton  
Approved by: Paul A. Cook



## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### REVIEW OF 2020 GOVERNMENT RELATIONS ACTIVITIES AND 2021 LEGISLATIVE AND REGULATORY ISSUES PLANNING

#### SUMMARY:

This report provides a review of IRWD's 2020 legislative and regulatory priorities and government relations activities. It also provides an overview of expected 2021 legislative and regulatory issues in Washington, D.C., Sacramento, and regionally. Also described are proposals that the District's associations and stakeholders are sponsoring. The report proposes an initial 2021 staff resource allocation plan for legislative and regulatory issues of importance to IRWD in the coming year. Staff recommends the Board provide input on the proposed 2021 regional, state and federal legislative issues of interest to IRWD, and receive and file the proposed Initial 2021 Legislative and Regulatory Resource Allocation Plan and the Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2021.

#### BACKGROUND:

##### 2020 IRWD Priorities and Activities:

In December 2019, the Board reviewed an overview of expected 2020 legislative issues in Washington, D.C. and Sacramento, including proposals that IRWD's statewide associations were considering for introduction. At that time, the Board received and filed the Initial 2020 Legislative and Regulatory Resource Allocation Plan and the Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2020, which guided the District's governmental relations activities this past year.

The 2020 priorities included protecting the District's various revenue sources, and actively engaging in the discussions related to implementation of the "Making Water Conservation a California Way of Life" legislation. Additionally, the priorities sought recognition of emergency water supplies, engagement in the discussions regarding the California Water Resilience Portfolio, and engagement with the State Water Resources Control Board and Department of Water Resources (DWR) on policy, regulatory and permit issues of concern to IRWD. Over the past year, staff and IRWD's state legislative and regulatory advocates worked on each of these issues and other issues of importance to the District including legislation related to fire hydrants and a variety of other regulatory issues.

At the federal level, staff and IRWD's federal legislative continued implementation of a multi-year strategy to obtain funding for the Kern Fan Groundwater Storage Project and advocated for the reauthorization of the federal water storage program. Additionally, staff and IRWD's federal legislative advocated for federal funding for dam safety and modernization at reservoirs used for water supply.

At the local level, IRWD continued to work to build stronger relationships with its partner agencies and community stakeholders.

Expected 2021 Federal Legislative and Regulatory Issues:

While it is expected that in 2021 Congress will work on a number of issues of interest to the water and wastewater communities, during the first part of 2021 Washington, D.C. will be consumed by the transition between the Trump and Biden Administrations. Despite the impact a transition between administrations has on the speed of federal agency and congressional work, staff and the District's federal advocates will continue to seek progress on the key issues of interest to IRWD.

Staff will discuss the expected 2021 political environment and federal issues with the Water Resources Policy and Communications Committee. Among the federal issues staff will discuss with the Committee are:

- Reauthorization of the Water Storage Program;
- Federal funding for the Kern Fan Groundwater Storage Project;
- Water infrastructure funding; and
- Possible creation of a federal dam safety program.

Expected 2021 Statewide Legislative Issues:

As is the case at the beginning of each legislative year, it is expected that the California Legislature and State regulatory agencies will take up a number of issues of interest to the water and wastewater communities in 2021. Staff will discuss the expected 2021 political environment and state issues with the Committee. More detailed information is also provided below on several expected issues of significant importance to IRWD.

*Connection Fees & Development Impact Fees:*

One of the prominent topics of discussion during the 2019-2020 legislative years was the lack of affordable housing in California. At the end of the 2019 legislative year, the discussion on housing affordability turned to the fees assessed on new housing developments. The discussion on fees was spurred by a report issued by the University of California, Berkeley's Turner Center – the "[Residential Impact Fees In California: Current Practices and Policy Considerations to Improve Implementation of Fees Governed by the Mitigation Fee Act](#)," (the "Turner Study").

After the release of the Turner Study, Assemblymember Timothy Grayson (D-Concord), along with several of his colleagues, proposed a number of changes to the laws governing fees charged to new housing developments, including connection fees. At the time and in 2020, staff engaged with IRWD's associations and industry partners to seek the removal of connections fees from the scope of Assemblymember Grayson's proposals. Due to the end of the legislative year in 2019 and due to COVID-19 impacting the Legislature's process during 2020, Assemblymember Grayson was unable to move any substantive proposals forward with the exception of [AB 1486](#).

Over the past several months, Assemblymember Grayson restarted discussions on the fees assessed on new housing development, including connections fees. He has put together a stakeholder working group to discuss proposals regarding these fees and how they are set. During one of the first stakeholder working group meetings, it was announced that the Turner Center was preparing to release a new report on development impact fees and the other fees charged to new housing developments. The new report was released in November 12, 2020, and is titled [“Improving Impact Fees in California: Rethinking the Nexus Study Requirement.”](#) The focus of the new report is on the nexus studies uses to justify the amount of the fees charged.

Again, this coming legislative year, it appears that Assemblymember Grayson will be proposing legislation related to the fees charged on new housing developing, including connection fees. While the specifics are now known, the proposal will likely relate to the Turner Study’s proposals on nexus studies, which contains some criticism of buy-in based fees.

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

In 2018, in response to Governor Brown’s call to “Make Water Conservation a California Way of Life,” the legislature passed AB 1668 (Friedman, D-Glendale) and SB 606 (Hertzberg, D-Van Nuys). As enacted, the bills:

- Give the State Board one-time authority to set certain water use efficiency standards and implement water use objectives/targets;
- Authorize the State Board to establish guidelines and methodologies to identify how urban water use objectives/targets are to be calculated and reported;
- Require that urban retail water suppliers annually calculate an urban water use objective and report on accomplishments;
- Establish indoor water use efficiency standards through statute at 55 gallons per person daily (GPCD) until 2025, establish the indoor standard at 52.5 GPCD until 2030 and at 50 GPCD after 2030;
- Authorize the State Board to establish outdoor water use efficiency standards for residential landscapes and commercial, industrial and institutional (CII) irrigation based on the principles of the Model Water Efficient Landscape Ordinance;
- Authorize the State Board to establish performance measures for CII water use. Process water was excluded from the performance measures;
- Grant permissive, not mandatory, authority to the State Board to establish variances to the efficiency standards;
- Provide up to a 15 percent bonus for potable reuse supplies;
- Grant the State Board with new enforcement powers; and
- Modify the Urban Water Management Planning Act to require urban water suppliers to develop enhanced Urban Water Management Plans, enhanced Water Shortage Contingency Plans, Drought Risk Assessments, and an annual Water Supply and Demand Assessment.

In 2021, the State Board and DWR's efforts to implement these two bills is expected to continue to be substantial. As IRWD was active in the policy discussions surrounding the drafting of AB 1668 and SB 606, the District will continue to be active in the implementation of the two bills with the goal of ensuring successful statewide implementation of the legislation. As part of the many issues that need to be addressed in the implementation process, IRWD will continue to seek recognition for emergency supplies – an issue not addressed in the “Making Conservation a Way of Life” legislation. Additionally, in 2021, the State Board will likely adopt several different regulations related reporting requirements for water agencies, and other regulations related to the implementation of any water conservation legislation passed by the Legislature. IRWD will continue to engage productively on water conservation in California and any related regulations before the State Board.

*Other State Issues of Interest to IRWD:*

In addition to the two issues discussed above, staff will discuss the following state legislative and regulatory issues with the Committee:

- Legislation related to the Surplus Land Act;
- Implementation of the Water Resilience Portfolio;
- Water and resilience bond(s);
- Wildfire response and Public Safety Power Shut-offs (PSPS) impacts;
- Safe and Affordable for Equity and Resilience Program (SAFER) Implementation;
- Low Income Rate Assistance Program funding proposals;
- Proposals related to contaminants of emerging concern (CECs) and per- and polyfluoroalkyl substances (PFAS);
- Limitations on ocean discharges;
- 2021 efforts related to recycled water;
- Treatment of biosolids under the SB 1383 regulations; and
- State Board and other State agency regulations.

Expected 2021 Government Relations Activities and Staff Resource Allocations:

Staff will present a proposed list of issues of high concern to IRWD for 2021, provided as Exhibit “A”, and a proposed initial allocation plan for allocating 2021 staff resources to legislative and regulatory issues, provided as Exhibit “B”. The allocation will provide guidance to staff for committing District and outside resources.

Expected 2021 Association Proposals:

IRWD's association and industry partners are in the process of completing their 2021 legislative planning. A summary of those planning efforts is provided below:

*Association of California Water Agencies (ACWA):*

ACWA held its 2021 legislative planning meeting on October 30, 2020. The ACWA State Legislative Committee considered one proposal for sponsorship in 2021 and decided to sponsor that proposal. This next year, ACWA will be sponsoring legislation to permit “validation actions” for water, wastewater and sewer rates and charges. As this proposal take shape and is further refined, staff will provide updates to the Committee and the Board.

*Bioenergy Association of California (BAC):*

BAC held its annual planning meeting on November 16. As of now, BAC is not planning on sponsoring legislation this next year. Staff will provide an update on new developments.

*California Municipal Utilities Association (CMUA):*

CMUA held its 2020 legislative and regulatory planning meeting on November 5. The CMUA Legislative Committee considered sponsorship of five proposals. In 2020, CMUA will be sponsoring legislation to reintroduce [SB 996](#) (Portantino), related to Constituents of Emerging Concern; [SB 414](#) (Caballero), the Small System Water Authority Act; and establishing Public Power Week in California. Staff will provide the Committee and Board with updates, as appropriate, as these proposals move forward.

*California Association of Sanitation Agencies (CASA):*

CASA has not yet met to discuss its 2020 legislative and regulatory efforts. The planning meeting will be held on December 11. As of the writing of this report, no specific proposals or topics have been released for consideration at the meeting although the association will continue to pursue legislation related to flushable wipes labeling. Staff will provide an update on any new developments.

*California Special Districts Association (CSDA):*

CSDA held its 2020 legislative and regulatory planning meeting on November 6. CSDA will sponsorship of a joint resolution recognizing Special Districts Week again this year. Staff will provide updates to the Committee and the Board, as the proposal moves forward.

*WateReuse California:*

The WateReuse Association of California met to discuss its 2021 legislative and regulatory efforts on November 18. As of now WateReuse is not sponsoring legislation in 2021, although that may change if legislation on reuse is needed. Staff will provide the Committee and the Board with an oral update on any new developments.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board provide input on the proposed 2021 regional, state and federal legislative issues of interest to IRWD, and receive and file the proposed “Initial 2021 Legislative and Regulatory Resource Allocation Plan” and the “Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2021.”

LIST OF EXHIBITS:

Exhibit “A” – Legislative / Regulatory Issues and Activities of High Concern to IRWD in 2021  
Exhibit “B” – Proposed Initial IRWD’s 2021 Legislative and Regulatory Resource Allocation Plan

## **EXHIBIT “A”**

### **LEGISLATIVE / REGULATORY ISSUES AND ACTIVITIES OF HIGH CONCERN TO IRWD IN 2021**

As a state and federal leader in water resources public policy and governance, the IRWD works to promote policy initiatives that allow the District, along with other water purveyors in California, to enhance the quality and reliability of water supplies throughout the state. While IRWD will engage in a number of legislative and regulatory issues of interest to the District, the following are specific issues and activities of high concern to IRWD in 2020:

#### 2021 Federal Issues and Activities of High Concern:

- 1) Seek federal funding for the Kern Fan Groundwater Storage Project.
- 2) Advocate for the reauthorization of the federal Water Storage Program and an increased funding authorization for the program.
- 3) Within the Water Resources Development Act or other water infrastructure package, seek the creation of a federal dam safety program to provide federal funding to improve dam safety and modernization at reservoirs used for water supply.

#### 2021 State Issues and Activities of High Concern:

- 1) Protect IRWD’s various revenue sources, and method of setting rates and other charges, in order to ensure that the District can continue to provide high quality services to its customers at low rates. Specifically, retain the District’s ability to set cost-based connections fees, to design and use its water budget-based rate structure, and to earn an adequate return on its real property investments.
- 2) Actively engage in the implementation of “Making Water Conservation a California Way of Life” legislation, including implementation of SB 555 which requires the State Water Resources Control Board (State Board) to set a water loss performance standard.
- 3) Engage productively in discussions surrounding proposals to eliminate ocean discharges to protect the District’s interests. Support efforts to promote funding of treatment process upgrades that improve water quality and reuse options.
- 4) Consistent with the Board’s adopted policy on a statewide public goods charge, oppose a statewide tax on water for Low Income Rate Assistance or to fund other resiliency efforts.
- 5) Engage with the State Board and the Department of Water Resources on policy, regulatory and permits issues of concern to IRWD.

#### 2021 Regional Issues and Activities of High Concern:

- 1) Work with Orange County Health Care Agency on completion of the Orange County Guidelines which include the frequencies and methods for conducting recycled water use site visual inspections and periodic cross-connection tests.
- 2) Engage with the South Coast Air Quality Management District’s proposed rule changes to create regulatory certainty regarding the ability of water agencies to run backup emergency generators during Public Safety Power Shutoff events, and on proposed rules changes related to the testing of emergency backup generators.

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## EXHIBIT “B”

### IRWD’s Initial 2021 Legislative and Regulatory Resource Allocation Plan DRAFT

The proposed initial resource allocations are aimed at balancing the importance of an issue to IRWD, the projected level of District resources available to work on the issue, and the likelihood that the issue will be raised, and the District will be able to shape the policy, legislative and regulatory discussions or outcomes related to the issue in 2020. The allocation of District resources may change over the course of the year, based on continued input from the Water Resources Policy and Communications Committee and the Board of Directors. The allocation categories are intended to reflect the following expected levels of resource use:

- Very High: IRWD’s resource allocation would be significant. Staff and IRWD’s legislative advocates would dedicate a larger portion of their overall advocacy efforts to the issues designated “Very High” and would actively seek to be a key stakeholder shaping the policy, legislative or regulatory discussions related to those issues.
- High: IRWD’s resource allocation would be considerable. Staff and IRWD’s legislative advocates would work to create strategic opportunities to shape the policy, legislative or regulatory discussions and outcomes related to issues designated “High.”
- Moderate: IRWD’s resource allocation would be modest. Staff and IRWD’s advocates would actively engage in association and industry conversations on issues designated “Moderate” but would expect to work largely through issue-specific coalitions on these issues. Staff and IRWD’s advocates would work to identify and capitalized on opportunities to shape narrow aspects of a policy, legislative or regulatory outcome related to such issues.
- Low: IRWD’s resource allocation would be low. Staff and IRWD’s advocates would track policy, legislative and regulatory discussions and outcomes related to issues designated “Low” and would continue to seek positive outcomes for the District through IRWD’s association and industry partners. Staff and IRWD’s advocates would work on such issues should resources be available. For issues that are currently not expected to be acted upon legislatively or regulatorily this next year and are given a “Low” initial allocation, staff will reevaluate the allocation when action appears likely and increased it, if appropriate.

<b>DRAFT</b> Expected 2021 Legislative and Regulatory Issues	Proposed Allocation of IRWD Resources
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<u>FEDERAL ISSUES</u>	
<b>Kern Fan Groundwater Storage Project</b> – Seek federal funding for the project by engaging with the Bureau of Reclamation and Congress on the project.	<b>Very High</b>
<b>Water Storage Program Reauthorization</b> – Advocate for the reauthorization of the federal Water Storage Program and an increased funding authorization for the program.	<b>Very High</b>
<b>Dam Safety Program</b> – Advocate for federal investment in dam safety and the modernization of dams important to water supplies.	<b>High</b>
<b>Bureau of Reclamation’s Title XVI, Water Reclamation and Reuse Program, Reauthorization</b> – Advocate for the reauthorization of Title XVI and an increased funding authorization for the Water Reclamation and Reuse Program.	<b>Moderate</b>
<b>Clean Water Act Definition of “Waters of the U.S.”</b> – Advocate for a definition of “Waters of the U.S.” that limits impact to IRWD and its facilities and includes an exemption for constructed treatment wetlands.	<b>Moderate</b>
<b>PFAS</b> – If PFAS are to be designated as a “hazardous substance” under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), advocate for an exemption from liability for water and wastewater utilities.	<b>Moderate</b>
<b>Atmospheric River Research</b> – Advocate for federal programs and funding for atmospheric river research aimed at improving reservoir operations.	<b>Low</b>
<b>Delta Conveyance Implementation</b> – Advocate for a change in the operation of the Delta, consistent with the co-equal goals of ecosystem protection and water supply reliability; seek the federal actions necessary to implement a permanent solution in the Bay Delta.	<b>Low</b>
<b>Lead and Copper Rule</b> – Advocate that revision to the federal Lead and Copper Rule effectively protect public health while limiting the annual testing burden on water agencies (e.g. seek modification to the proposed school and childcare facility testing schedule).	<b>Low</b>
<b>Syphon Reservoir Improvement Project</b> – Engage with the Bureau of Reclamation and congressional staff on funding for the project.	<b>Low</b>
<b>Tax-Exempt Municipal Bonds</b> – Maintain the current tax-exempt status of municipal bonds with the exception of restoring the tax-exempt status of local government advanced refundings. Oppose prohibitions on the use of tax-exempt bonds within WIFI or any similar program.	<b>Low</b>
<b>Tax Parity for Water Efficiency Rebates</b> – Advocate for tax parity between water and energy efficiency rebates.	<b>Low</b>
<b>Total Maximum Daily Load Limits</b> – Advocate that the Environmental Protection Agency use the best available science when setting Total Maximum Daily Load (TMDL) limitations related to Clean Water Act compliance and approve TMDLs for California based on relevant studies related to California’s environment and local conditions.	<b>Low</b>
<b>Water Resource Development Act</b> – Seek enactment of a WRDA bill every two years which is beneficial to IRWD and Orange County, and which includes authorizations for the water infrastructure programs and funding supported by IRWD. Look for opportunities to clarify that water resources projects and water resources development projects are to be considered environmental infrastructure projects and eligible for consideration under WRDA.	<b>Low</b>

<b>DRAFT</b> <b>Expected 2021 Legislative and Regulatory Issues</b>	<b>Proposed Allocation of IRWD Resources</b>
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<u>STATE ISSUES</u>	
<b>Connection Fees</b> – Protect IRWD’s ability to charge cost-based connection fees for both water and sewer service based on the District’s current cost allocation formula.	<b>Very High</b>
<b>Conservation, Water Use Efficiency Regulations</b> – Engage with the State Board and the Department of Water Resources on regulations implementing the “Making Water Conservation a California Way of Life” legislation enacted.	<b>Very High</b>
<b>Limitations on Ocean Discharges</b> – Engage productively in discussions surrounding proposals to eliminate ocean discharges to protect the District’s interests. Support efforts to promote funding of treatment process upgrades that improve water quality and reuse options.	<b>Very High</b>
<b>Real Estate Investments</b> – Engage on regulatory or legislative proposals that may impact IRWD’s ability to maintain a high return of investment on its real estate investments.	<b>Very High</b>
<b>State Board</b> – Engage with the State Board on policy, regulatory and permits issues of concern to IRWD, including the revisions being proposed to the Electronic Annual Report, data requests, and other regulations proposed in 2021.	<b>Very High</b>
<b>Water and Sewer Rates</b> – Protect the District’s ability to design and use its water budget-based tiered rate structure, and advocate that state polices recognize water budget-based tiered rate structures and the importance of price signals to achieving greater water use efficiency. Engage in discussions surrounding water and sewer rates in order to protect IRWD’s ability to use a water budget-based tiered rate structure including discussions related to Low Income Rate Assistance programs, water system sustainability, and OEHHA’s “Human Right to Water” assessment tools.	<b>Very High</b>
<b>Water Loss Regulation</b> – Engage with the State Board to ensure that the SB 555 water loss performance measure/standard regulations are appropriate, consider cost-benefit, and contemplate key other factors that affect potable water loss.	<b>Very High</b>
<b>Water Tax</b> – Consistent with the Board’s adopted policy on a statewide public goods charge, oppose a statewide tax on water for Low Income Rate Assistance or to fund other resiliency efforts	<b>Very High</b>
<b>CECs and PFAS</b> – Engage with stakeholders, industry associations, and regulatory agencies on establishing better processes for identifying and regulating contaminants of emerging concern (CECs). Engage with stakeholders, industry associations, and regulatory agencies on microplastics and PFAS, and the regulatory actions proposed by state agencies	<b>High</b>
<b>Emergency Supplies</b> – Seek recognition of the importance of emergency water supplies in Urban Water Management Plans and implementation of the “Making Water Conservation a California Way of Life” legislation in a way that permits pre-emergency designation of such supplies, and protects their use during droughts or other water shortages. Seek State agency action consistent with the Initial Actions proposed in IRWD’s Water Resilience Policy Paper.	<b>High</b>
<b>Proposition 218 Reforms</b> – Advocate for common sense time periods for filing Proposition 218 rate challenges. If Proposition 218 reforms are proposed, engage in discussions surrounding the reform efforts to protect IRWD’s interests. Communicate the District’s concern over any water rate legislation which is not consistent with the California Constitution, not voluntary in nature, or that does not provide sufficient clarity or flexibility to water agencies.	<b>High</b>
<b>Title 17 and Title 22 Update</b> – Seek updates to Titles 17 and 22, including relief of dual-plumbed inspection/testing requirements.	<b>High</b>

<b>DRAFT</b> <b>Expected 2021 Legislative and Regulatory Issues</b>	<b>Proposed Allocation of IRWD Resources</b>
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<b>Potable Reuse</b> – Advocate for the expansion of potable reuse in California and support a science-based and fit-for-purpose regulatory approach to the various types of potable reuse considered in the California Water Code Section 13561.	<b>High</b>
<b>Plumbing Code Updates</b> – Seek clarification that Chapter 15 of the California Plumbing Code does not apply to recycled water irrigation sites. Work with the Building Standards Commission, Housing and Community Development Department, and Department of Water Resources on revisions to the California Plumbing Code during code revisions.	<b>High</b>
<b>30 Percent by 2030</b> – Engage on the implementation of 30 percent by 2030 to ensure water supplies and resources are adequately considered, and to limit impacts to existing and future water infrastructure and operations.	<b>Moderate</b>
<b>Climate Change Adaptation</b> – Engage in policy discussions related to climate change adaptation within the water and wastewater sectors.	<b>Moderate</b>
<b>Groundwater Clean-up</b> – Support efforts to obtain State funding to clean up groundwater contamination in the Orange County Basin, and funding for basin replenishment.	<b>Moderate</b>
<b>Public Safety Power Shut-offs-</b> Advocate for legislation or regulations that address the impacts of Public Safety Power Shutoff (PSPS) on water and wastewater agencies, including providing certainty regarding the ability of agencies to run their backup generators during PSPS events	<b>Moderate</b>
<b>Public Fleets</b> – Oppose efforts to expand regulatory authority over public fleets, and proposals designed to accelerate the replacement of existing public fleet stock without consideration of cost and age and technology of the current stock, and the availability of mandated replacement technology. Engage on efforts to replace medium- and heavy-duty diesel engine vehicles with zero emission and alternative fuel vehicles, to ensure that vehicle purchase requirements reflect commercial viability and the availability of mandated replacement technology. Oppose proposals governing the public fleets of water and wastewater providers that do not consider the constraints of certain technologies on the provision of essential public services during or after an emergency.	<b>Moderate</b>
<b>Recycled Water</b> – Promote the expanded use of recycled water, and its acceptance as a resource, by advocating for the removal of hindrances to recycled water projects and storage. Seek to: <ul style="list-style-type: none"> <li>• Remove recycled water as a waste, including addressing recycled water discharge requirements.</li> <li>• Promote a “Fit for Purpose” regulatory approach for recycled water.</li> <li>• Promote the development of needed potable water reuse regulations.</li> <li>• Eliminate operational constraints on recycled water operations and use, including unintended impacts created by the Enclosed Bays and Estuaries Policy.</li> </ul>	<b>Moderate</b>
<b>Safe Drinking Water-</b> Engage on the implementation of the Safe and Affordable for Equity and Resilience Program (SAFER) to ensure that the program is implemented in a way to effectively move communities to sustainable access to safe drinking water	<b>Moderate</b>
<b>Water Transfers and Markets</b> – Engage with the California Department of Water Resources and the Bureau of Reclamation, in coordination with IRWD’s Water Banking partners, in advocating for expedited processes to facilitate transfers between Central Valley Project and State Water Project Contractors and streamlined water marketing.	<b>Moderate</b>
<b>Wildfire Prevention and Liability</b> – Seek to ensure that proposals related to wildfire prevention and liability proposals consider the perspective of water and wastewater providers.	<b>Moderate</b>

<b>DRAFT</b> <b>Expected 2021 Legislative and Regulatory Issues</b>	<b>Proposed Allocation of IRWD Resources</b>
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<p><b>Biosolids</b> – Seek a broader spectrum of permissible uses of biosolids byproducts including a possible “healthy soils” designation. Advocate that the SB 1383 Proposed Organics Waste Reductions Regulations preserve and promote the use of biosolids.</p>	<p><b>Low</b></p>
<p><b>Delta Conveyance Implementation</b> – Advocate for a change in the operation of the Delta, consistent with the co-equal goals of ecosystem protection and water supply reliability. Seek the State actions necessary to implement a solution in the Bay Delta and oppose efforts to make implementation of a solution more difficult.</p>	<p><b>Low</b></p>
<p><b>Energy</b> – Advocate for policies that encourage energy reliability in Orange County, and energy efficiency or reductions in embedded energy in the water and wastewater sectors, including allocation of Cap-and-Trade revenues to the water and wastewater industries, use of energy conservation funding within the water sector, and expanded availability of direct access programs, without an increase in cost to or mandates on local entities; seek incentives for energy self-reliance projects (i.e. storage, generation, efficiency).</p>	<p><b>Low</b></p>
<p><b>Groundwater Management</b> – Engage productively in discussions groundwater management in California to protect IRWD’s interests. Promote greater water banking opportunities to benefit IRWD banking programs.</p>	<p><b>Low</b></p>
<p><b>Homelessness</b> – Within the larger discussions on addressing homeless, ensure that the impacts of homeless on water and wastewater agencies is recognized, and that agencies continue to retain adequate authority to secure their facilities.</p>	<p><b>Low</b></p>
<p><b>Integrated Regional Water Management Program</b> – Oppose program changes that expand the scope of the IRWM Program, and that expand funding eligibility to projects that do not further water supply reliability.</p>	<p><b>Low</b></p>
<p><b>Lead Testing Requirements</b> – Engage in policy discussions related to expanding lead testing requirements in order to protect IRWD’s interests.</p>	<p><b>Low</b></p>
<p><b>Operators Certifications</b> – Address inconsistent certification processes for operator certifications (treatment, distribution, and recycling). Monitor for changes in certification requirements.</p>	<p><b>Low</b></p>
<p><b>Political Reform Act/FPPC Issues</b> – Monitor for changes to the Political Reform Act and FPPC regulations that could impact IRWD.</p>	<p><b>Low</b></p>
<p><b>Property Tax Allocations</b>– Protect existing property tax allocations to special districts.</p>	<p><b>Low</b></p>
<p><b>Public Agency Liability and Public Contracting</b> – Oppose efforts to impose greater liability on public agencies for work performed by its contractors. Oppose proposals that make public contracting for labor, service or public works projects more cumbersome including reductions in contract retentions or changing the criteria agencies may consider when awarding contracts.</p>	<p><b>Low</b></p>
<p><b>Public Records Act</b> – Monitor proposed changes to the Public Records Act that could impact IRWD costs including new requirements for local agency websites, data production and reporting.</p>	<p><b>Low</b></p>
<p><b>Unfunded Pension Liability</b> – Oppose legislation or regulations that would increase IRWD’s pension liability either by making local agencies responsible for the pension liabilities of other entities (e.g. joint powers authorities) or by failing to recognize the liability reduction benefits of Section 115 Trust and other pre-funding efforts. Seek state support for refinements in the GASB rules that limit recognition of the benefits Section 115 Trust.</p>	<p><b>Low</b></p>

<b>DRAFT</b> <b>Expected 2021 Legislative and Regulatory Issues</b>	<b>Proposed Allocation of IRWD Resources</b>
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<b>Water Theft</b> – Engage in industry discussions related to water theft and work to ensure that any legislative proposal addressing water theft provides the District with the statutory authority and flexibility is needs to establish appropriate administrative penalties for water theft.	<b>Low</b>
<b>Zero Carbon Energy</b> – Advocate for the inclusion of hydropower, bioenergy derived from biosolids, and other categories of energy generation invested in by the water and wastewater sectors in the types of energy generation that is defined as zero carbon for California’s Zero Carbon goal.	<b>Low</b>
<u>REGIONAL ISSUES</u>	
<b>Recycled Water Use Site Inspection and Testing</b> – Work with Orange County Health Care Agency on completion of the Orange County Guidelines which include the frequencies and methods for conducting recycled water use site visual inspections and periodic cross-connection tests.	<b>Very High</b>
<b>Public Safety Power Shutoffs</b> - Engage with the South Coast Air Quality Management District’s proposed rule changes to create regulatory certainty regarding the ability of water agencies to run backup emergency generators during Public Safety Power Shutoff events, and on proposed rules changes related to the testing of emergency backup generators.	<b>Very High</b>
<b>Santa Ana and San Diego Regional Water Quality Control Boards</b> –Work with the Board on issues of concern to IRWD including adjusting storm-induced overflow protections and expand the use of recycled water in decorative lakes.	<b>Low</b>
<b>South Coast Air Quality Management District (AQMD) Rule 1403</b> - Seek amendments to Proposed Amended Rule 1403 to clarify the application of the rule and to mitigate operational impacts on utilities with underground infrastructure while protecting public health during utility construction and demolition activities involving asbestos containing materials.	<b>Low</b>

December 10, 2020  
Prepared by: J. Fabris  
Submitted by: B. Beeman / P. Weghorst  
Approved by: Paul A. Cook



## WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

### EDUCATION DISPLAY PROJECT DESIGN UPDATE

#### SUMMARY:

Staff is working to update and replace IRWD's outdated educational graphic displays with content and tone to match the District's current services, priorities, and values. The proposed displays will be installed in the lobby, hallways and exterior of IRWD's Sand Canyon Building and at the San Joaquin Marsh Campus. The target audience of the displays will be IRWD customers, business partners and staff, with the intent to educate viewers about District projects and priorities, and imparting that IRWD is a reliable provider of essential services. At the committee meeting, staff will present an overview of the new display design concepts for the Committee's review and input.

#### BACKGROUND:

IRWD has a strong relationship with its customers, which is partly attributable to efforts to educate them about IRWD's services and the individuals who work to ensure safe and reliable water and sewer services. A testament to this strong relationship is IRWD's 92% Customer Satisfaction Survey rating at a time when general trust of government agencies is quite low. Educational graphics and displays have been a key part of this outreach, providing visuals for formal and informal tours, and allowing customers to learn on their own when visiting IRWD facilities.

Education displays were installed in Sand Canyon Building hallways in 2006 and in the San Joaquin Marsh facilities in 2009. Additional displays were installed in the main Sand Canyon lobby in 2014. Over the years, those displays have become outdated as IRWD built new projects and evolved its priorities. In some instances, the display materials have deteriorated. It is important to update IRWD's public spaces with engaging displays that describe the District's current services, priorities and values. The replacement of the displays is included in IRWD's 2020 Goals and Target Activities approved by the Board.

The old displays were removed as part of the current Sand Canyon Building renovation, which included a reconfiguration of the Lobby and adjoining office areas. The walls are now clear for new displays. The building renovation has also created an opportunity to provide better signage and directions for visitors to help them easily locate IRWD's Board Room, Main Entrance, and the Community Room.

#### Developing New Displays:

To assist in the development and design the new educational displays, IRWD retained Sukle Advertising & Design. Sukle was chosen because of its proven excellence in all the desired proficiencies: creative idea generation, writing, design, water knowledge, compatibility with

IRWD, and the ability to work with a variety of production and installation vendors. The Sukle team knows IRWD well, having created the successful “See it from your lawn’s perspective” multi-media water-efficiency campaign, which resulted in water-use reduction among the District’s customers. Sukle also directed IRWD’s popular “Evolve your lawn” social media campaign. In the world of educational displays and signage, Sukle is known for environmental design, creating installations for clients such as Denver Water, Water for Colorado, and Great Outdoors Colorado.

*Display Development Approach:*

The audience for the new displays will be customers, business partners and staff, most of whom will pass through the public areas on their way to a meeting, customer interaction, or other work. Large, eye-catching images will capture their interest and draw them to brief, targeted informational elements. Visitors will perceive IRWD as a service provider as well as a community partner. IRWD employees will gain a sense of recognition, pride, and sense of purpose for their contributions. Customers will recognize District values such as integrity, transparency, expertise, innovation, safety, and customer care.

The display design effort is inspired by the concept of “Elements”. The new display will focus on the three elements of an excellent water district: great water, great people, and great service. The Sand Canyon Building lobby will immediately convey an impression of the District’s passion, high performance, and strength. It will feature photographs of real employees, recognizing them as an essential element of IRWD’s role in its seventh decade: *Service to the Community*.

The Sand Canyon Building hallway and San Joaquin Marsh Campus displays will inspire visitors to learn. They will feature IRWD’s four business elements: drinking water, recycled water, sewage collection and urban runoff. The water supply display, for example, will show that rules may change, the climate may change, but IRWD will remain ready to serve with many supply options.

*Display Components:*

At the Sand Canyon Building, wall space has been designated to explain and showcase the District’s services and assets:

- Water supply reliability – diverse water sources and water banking;
- Water recycling;
- Environmental stewardship – natural treatment of urban runoff, San Joaquin Marsh and Wildlife Sanctuary;
- Water efficiency programs;
- Water quality;
- Sewage collection, biosolids and energy recovery;
- Board members; and
- Employees.

At the San Joaquin Marsh, displays will highlight:

- The importance of watershed protection and urban runoff treatment;
- Birds, animals, and plants that populate the marsh; and
- The San Joaquin Marsh and Campus as a community asset.

All the installations will incorporate a clean, bold design concept.

Next Steps:

After the Committee's review and input, additional display content will be developed. Staff will subsequently return with refined designs and costs at a future meeting. Exhibits are planned to be installed in 2021, starting at the Sand Canyon Building and then proceeding to the Marsh House. Future phases will include similar-themed displays for the Learning Center and the Duck Club.

FISCAL IMPACTS:

Funding for the educational hallway display was approved by the Board as part of the Mid-Cycle Capital Budget Update for Fiscal Year 2020-21. Once final costs for all areas of the project are determined, staff will return to the Board with a request for an increase to the Capital Budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Committee provide input on the updated educational graphic displays and design concepts presented for IRWD's Sand Canyon Building and the San Joaquin Marsh Campus.

LIST OF EXHIBITS:

None.

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