

AGENDA
IRVINE RANCH WATER DISTRICT
WATER RESOURCES POLICY AND COMMUNICATIONS
COMMITTEE MEETING
THURSDAY, JUNE 5, 2025

This meeting will be held in-person at the District’s headquarters located at 15600 Sand Canyon Avenue, Irvine, California. The meeting will also be broadcasted via Webex for those wanting to observe the meeting virtually.

To observe this meeting virtually, please join online using the link and information below:

Via Webex: <https://irwd.webex.com/irwd/j.php?MTID=maba6b8ba7a24000ecf9dc4e976015c41>

Meeting Number (Access Code): 2485 941 0547

Meeting Password: nMcgdP3Ed23

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 1:30 p.m.

ATTENDANCE Committee Chair: Steven LaMar _____
 Committee Member: Daniel Feron _____

<u>ALSO PRESENT</u>	Paul Cook	_____	Paul Weghorst	_____
	Neveen Adly	_____	Kevin Burton	_____
	Wendy Chambers	_____	Fiona Sanchez	_____
	Christine Compton	_____	Jim Colston	_____
	John Fabris	_____	Amy McNulty	_____
	Louis Bronstein	_____	Laura Cunningham	_____
	Wyatt Clarke	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

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. Public comments 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 before 8:00 a.m. on Thursday, June 5, 2025.

COMMUNICATIONS

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

PRESENTATION

4. CONCEPTS FOR WATER QUALITY COMMUNITY OUTREACH – COMPTON

Recommendation: Receive and file.

ACTION

5. 2025 LEGISLATIVE AND REGULATORY UPDATE – COMPTON

Recommendation: That the Board adopt a “support” position on SB 394 (Allen) and H.R. 1267 (*Perez/Malloy*).

6. FISCAL YEAR 2025-26 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT – MROCZEK / MCNULTY / NYE / WEGHORST

Recommendation: That the Board approve IRWD’s FY 2025-26 Annual Water Supply and Demand Assessment for submittal to the California Department of Water Resources.

7. WATER EFFICIENCY TACTICAL INCENTIVE FUNDING AUTHORIZATION – SEESANGRIT / MCNULTY / NYE / WEGHORST

Recommendation: That the Board authorize the General Manager to allocate \$1,262,000 in funding to the FY 2025-26 rebate programs administered through the Water Conservation Participation Agreement between Municipal Water District of Orange County and Irvine Ranch Water District; and to execute addenda to the agreement as may be necessary to allocate funds to specific programs and modify device incentive levels based on customer participation rates and regional program funding levels.

ACTION, continued

8. CHANGES TO IRWD RULES AND REGULATIONS – COMPTON

Reso. No. 2025-

Recommendation: That the Board conduct a public hearing and adopt a resolution approving the changes rescinding Resolution No. 2019-32 and establishing revised Rules and Regulations of the Irvine Ranch Water District for Water, Sewer, Recycled Water, and Natural Treatment System Service.

9. IRWD SUPPORT FOR CANDIDATES FOR THE OFFICES OF PRESIDENT AND VICE PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES – COMPTON

Reso. No. 2025-

Reso. No. 2025-

Recommendation: That the Board support the nominations of Mrs. Carol Lee Gonzales-Brady for the position of Vice President of ACWA and Mr. Ernesto Avila for the position of President of ACWA.


OTHER BUSINESS

10. Directors' Comments

11. Adjourn

Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the above-named Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Committee less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Committee Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available 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. 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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June 5, 2025
Prepared and
submitted by: C. Compton
Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

2025 LEGISLATIVE AND REGULATORY UPDATE

SUMMARY:

This report provides an update on the 2025-2026 legislative session, regulatory issues, and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate.

Staff recommend the Board consider the following actions/positions:

- *SB 394 (Allen) – Water theft: fire hydrants: “SUPPORT”;*
- *H.R. 1267 (Perez/Malloy) – Water Systems PFAS Liability Protection Act: “SUPPORT”.*

BACKGROUND:

The last day for fiscal committees to meet and report bills introduced in their house to the Floor was May 23. In advance of that deadline, the Senate and Assembly Appropriations Committees took up their respective Suspense Files and decided which bills to hold in committee and which to advance this year. June 6 is this year’s House of Origin deadline, and June 15 is the constitutional deadline by which the Legislature must pass the Fiscal Year (FY) 2025-26 State budget.

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

2025 Budget Update:

On May 14, Governor Gavin Newsom released [the May Revision](#) to the budget he had proposed in January. In the May Revision, the Administration is projecting a budget shortfall of \$12 billion. In his May Revision announcement, the Governor stated that the \$12 billion shortfall was largely due to the impact of the federal tariffs on the state’s economy and increased expenditures, particularly those related to Medi-Cal.

The Governor’s \$14 billion shortfall is \$2 billion less than the shortfall estimated by the [Legislative Analyst’s Office](#) (LAO). It is important to note that both the Administration’s and the LAO’s estimates do not account for any federal cuts. Any reduction in federal funding coming to the State would worsen the projected budget shortfall.

The May Revision proposes to address a \$12 billion shortfall by:

- Reducing expenditures by \$5 billion by making a variety of changes to Medi-Cal and capping In-Home Supportive Services overtime and travel hours;

- Borrow \$5.3 billion in FY 2025-26 from various special funds;
- Shifting \$1.7 billion in expenditures, including \$1.5 billion to the Greenhouse Gas Reduction Fund for CAL FIRE Operations.

Also of note in the May Revise is the Governor's proposed renaming of "Cap-and-Trade" to "Cap-and-Invest," and his proposal for a strict reauthorization of the program. Subsequently, the Governor released trailer bill language to reauthorize the Cap-and-Invest program to 2045.

Of greater interest to the water community is that the Governor's May Revise acknowledges that the Delta Conveyance Project "must move forward to provide long-term affordability and reliability of water for California's residents and its economy." To do this, he has proposed a budget trailer bill to streamline administrative processes for the Delta Conveyance Project which is aimed at preserving environmental protections and promoting efficiency and expediency for the project's forward movement. IRWD has supported the Delta Conveyance Project budget trailer bill.

Since the FY 2025-26 budget must be enacted by June 15 for the Legislature to continue being paid, the Legislature is now working on the budget, considering the Governor's proposal and their own priorities as they work to enact a budget before that date. Staff will update the Committee on those budget deliberations and discussions.

2025 State Legislative Update:

Low-Income Water Rate Assistance Legislation:

As reported to the Board, two bills have been introduced to date that seek to address low-income water rate assistance. The first is AB 532 (Ransom, D-Stockton) and the second is SB 350 (Durazo, D-Los Angeles).

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

AB 532 was removed from the Assembly Appropriations Suspense File on May 23. The Appropriations Committee amended the bill removing the provisions on the bill that would have established the California Low Income Household Water Rate Assistance Program for smaller systems.

The District has a "support" position on AB 532.

- [SB 350 \(Durazo\) - Water Rate Assistance Program](#): State Senator María Elena Durazo (D-Los Angeles) is the author of SB 350, which is sponsored by Clean Water Action, the Community Water Center, and Leadership Counsel for Justice and Accountability. As amended, SB 350 sought to establish a statewide water rate assistance program at the State Board. The bill would have required water suppliers to participate in the statewide program and automatically enroll households in the program. Water suppliers would also have had to provide qualified low-income residential ratepayers with a bill credit of no less than 20 percent of the total water charges and, if present on the bill, wastewater charges, for the indoor volume of water defined in the “Making Conservation a California Way of Life” laws. If the ratepayer used less than that volume, the bill would have required the bill credit to be 20 percent of the actual volume of water used. As drafted, the bill did not identify a funding source for the statewide program.

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

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

On May 23, SB 350 was held on the Senate Appropriation Suspense File; however, prior to it being held a great deal of discussion had taken place on positive amendments to the bill.

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

AB 93 (Papan)- Water Demands of Data Center:

AB 93 is authored by the Chair of the Assembly Water, Parks and Wildlife Committee Diane Papan (D-San Mateo). The bill seeks to quantify and address the water demands and use of data centers. Specifically, the bill would require the State Energy Resources Conservation and Development Commission and the Department of Water Resources to:

“develop guidelines and best practices to maximize the use of natural resources to address the developing and emerging needs of technology in California that are consistent with urban water use objectives... and the Energy Star Program of the United States Environmental Protection Agency, as that program existed on January 1, 2025, to the extent that the Energy Star Program is applicable to water usage.”

The bill also requires owners and operators of data centers to report expected water use and actual water used to a city or county when applying for and reapplying for a business license, equivalent instrument or permit.

Additionally, the bill would add a new requirement to a public water agency's cost-of-service study. In addition to having to identify the costs of water service for the highest users incurred by the public entity and the average annual volume of water delivered to high water users, AB 93 would require that the public water agency identify, within its cost-of-service study prior to setting new water rates, the average volume of water delivered to data centers.

Because of the proposed added requirement to cost-of-service studies, the District has been seeking amendments to AB 93. Staff will update the Committee on these efforts.

AB 514 (Petrie-Norris)- Emergency Water Supplies:

California is experiencing greater weather cycle fluctuations. As the state sees more rainfall/less snow, earlier snowmelt, more intense rain events, aridification, and increasingly frequent droughts, the State needs to focus on water supply resilience. With this in mind, Assemblymember Cottie Petrie-Norris (D, Irvine) introduced AB 514 on IRWD's behalf. AB 514 would have added a policy to the California Water Code that read:

“It is hereby declared to be the established policy of this state to encourage, but not mandate, the development of emergency water supplies by both local and regional water suppliers, and to support their use during times of drought or unplanned service or supply disruption.”

The bill was placed on the Assembly Appropriations Suspense File on May 14, as being flagged like most bills as having a State cost of \$150,000 or more. When the Assembly Appropriations Committee took up their Suspense File on May 23, the bill was held just as SB 1218 (Newman) was in 2024. As a result, AB 514 is no longer moving forward this year.

SB 394 (Allen)- Water Theft from Fire Hydrants:

SB 395 is authored by Senator Benjamin Allen (D-Santa Monica) and is sponsored by the Association of California Water Agencies (ACWA). The bill, as introduced, would add a new provision to the Water Code addressing water theft from fire hydrants and add express authority for a water supplier to file a civil lawsuit against anyone tampering with fire hydrants, fire hydrant meters, or fire detector checks, as well as diverting water from a fire hydrant without proper authorization.

IRWD does experience water theft and unauthorized use of its fire hydrant, in addition to tampering with its hydrants. SB 394, if enacted, would give the District another tool to address these issues. Despite this, the District adopt a “support if amended” position the bill to allow staff to obtain a technical amendment to the language to avoid unintended consequences that the language might permit a person to access a fire hydrant without authorization. Both the sponsor and the author have agreed to accept the clarifying amendments sought by the District, staff recommends that the Board adopt a “support” position on SB 394, as proposed to be amended.

Other 2025 State Legislative Updates:

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

- [AB 367 \(Bennet, D-Oxnard\) County Water Districts: County of Ventura: Fire Suppression;](#)
- [AB 1146 \(Papan, D-San Mateo\) – Dams and Reservoir Water Releases: False Pretense;](#)
- [AB 1337 \(Ward, D-San Diego\) – Information Practices Act of 1977;](#)
- [AB 1413 \(Papan, D-San Mateo\)- Sustainable Groundwater Management Act: Groundwater Adjudication;](#)
- [SB 72 \(Caballero, D-Merced\) – The California Water Plan: Long-Term Supply Targets;](#)
- [SB 601 \(Allen\) – Waste Discharge Requirements;](#)
- [SB 707 \(Durazo\) – Brown Act: Meeting Requirements;](#)
- Labor and employment;
- Land and tenancy; and
- Other legislative matters of interest to IRWD.

2025 State and Regional Regulatory Update:

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

The pending regulations and reports actively being tracked include:

- California Natural Resources Agency (CNRA) [30 x 30 California Implementation](#);
- CNRA's [Water Resilience Portfolio Implementation and Resiliency 2.0](#) Implementation;
- Department of Water Resources' (DWR) SB 1157 Indoor Water Use Studies;
- State Board's Climate Change Resolution;
- State Board's Cross-Connection Control Policy Handbook revisions;
- State Board implementation of the [Lead and Copper Rule](#);
- State Board's [Safe and Affordable Funding for Equity and Resilience \(SAFER\) Drinking Water Program](#);
- State Board's [Development of Maximum Contaminant Levels for PFAS](#) and other associated actions on PFAS;

- South Coast AQMD's [Cumulative Impacts from Air Toxics for CEQA Projects](#);
- South Coast AQMD's Tier 4 Emergency Generator Testing Policy;
- South Coast AQMD's Proposed Rule 317.1 - Clean Air Act Nonattainment Fees for 8-Hour Ozone Standards;
- South Coast AQMD's [PAR 1146.2 Control of NOx from Large Water Heaters, Small Boilers and Process Heaters](#); and
- South Coast AQMD's [Proposed Rule 1110.4, Emissions from Emergency Generators](#).

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

2025 Federal Legislative and Regulatory Update:

H.R. 1267 (Perez/Malloy) – Water Systems PFAS Liability Protection Act: “SUPPORT”.

Representatives Marie Gluesenkamp Perez (D-WA-3) and Celeste Malloy (R-UT-2) have introduced bipartisan legislation, H.R. 1267, that would exempt water and wastewater systems from liability under the Comprehensive Environmental Response, Compensation, and Liability (CERCLA) Act for PFAS.

The District has advocated for and supported legislative efforts to exempt water and wastewater systems from CERCLA liability for PFAS. Staff recommends that the Board adopt a “support” position on H.R. 1267.

The Wastewater Infrastructure Pollution Prevention and Environmental Safety (WIPPES) Act, H.R. 2269 (McClain/Mullin) and S. 1092 (Merkley/Collins):

Companion House and Senate bills H.R. 2269 and S. 1092, The Wastewater Infrastructure Pollution Prevention and Environmental Safety (WIPPES), reintroduced from the 118th Congress, were respectively marked up in their committees of jurisdiction and passed on voice votes. Both bills now await floor votes in their respective houses. The WIPPES Act's legislation would require “Do Not Flush” labeling for non-flushable wipes packaging, establishing a simple source management solution through consistent on-package consumer education. The federal WIPPES Act legislation mirrors California's existing “Do Not Flush” state law and is supported by a broad national coalition of wastewater associations and industry partners. IRWD supports of WIPPES Act legislation, both in the current session and previously in the session.

H.R. 2269 is sponsored by Rep. Lisa McClain (R-MI-9) and Rep. Kevin Mullin (D-CA-15) and has co-sponsorship, which includes Rep. Jared Huffman (D-CA-2) and Rep. Ken Calvert (R-CA-41), while the Senate version, S. 1092, is sponsored by Sen. Jeff Merkley (D-OR) and Sen. Susan Collins (R-ME). Senator Alex Padilla (D-CA) is also an original cosponsor of S.1092.

Kern Fan Groundwater Storage Project Outreach:

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

Other Federal Regulatory Updates:

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

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

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board adopt a "support" position on SB 394 (Allen) and H.R. 1267 (*Perez/Malloy*).

LIST OF EXHIBITS:

Exhibit A – IRWD Legislative Matrix

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EXHIBIT “A”
IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 1 (Connolly (D))	Residential Property Insurance: Wildfire Risk		Requires the Department of Insurance, on specified date to consider whether or not to update its regulations to include additional building hardening measures for property-level mitigation efforts and communitywide wildfire mitigation programs.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 5 (Berman (D))	Elections: Official Canvass		Requires elections officials, on or before the specified day following an election, to finish counting all ballots, with certain exceptions, including provisional ballots and ballots for which the voter must either verify or provide a signature, and release a vote count for those ballots. Authorizes the Secretary of State to grant an extension of that deadline to an elections official upon request.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 12 (Wallis (R))	Low-Carbon Fuel Standard: Regulations		voids specified amendments to the Low-Carbon Fuel Standard regulations adopted by the State Air Resources Board on specified date.	02/18/2025: To ASSEMBLY Committee on NATURAL RESOURCES.
CA AB 17 (Alanis (R))	Elections: Precinct Maps		Provides that existing law requires the county elections official to divide the area under their jurisdiction into precincts and to prepare detailed maps or exterior descriptions of the precincts. Requires the registrar of voters in each county to make available, upon request by any member of the public, a map in digital form provided free of charge that shows the effective boundaries of each precinct within the county.	05/07/2025: To SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
CA AB 34 (Patterson J (R))	Air Pollution: Regulations: Consumer Costs: Review		Prohibits the State Air Resources Board from adopting any standard, regulation, or rule that affects the Low Carbon Fuel Standard or the California Greenhouse Gas Cap and Trade Program until the Legislative Analyst has analyzed the cost to the consumer of the proposed standard, regulation, or rule, and submitted its analysis to the Legislature.	03/13/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 35 (Alvarez (D))	California Environmental Quality Act: Clean Hydrogen		Provides for a limited California Environmental Quality Act review of an application for a discretionary permit or authorization for a clean hydrogen transportation project by requiring the application to be reviewed through a clean hydrogen environmental assessment, unless otherwise requested by the applicant. Requires the lead agency to determine whether to approve the clean hydrogen environmental assessment and issue a discretionary permit or authorization for the project within a certain period.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
CA AB 41 (Macedo (R))	State Air Resources Board: Regulations: Impact Estimate		Require the State Air Resources Board, in consultation with the State Energy Resources Conservation and Development Commission, before adopting or amending a regulation that imposes costs on gasoline refiners, distributors, or retailers, to make available to the public, including on its internet website, an estimate of the impact on retail gasoline prices due to the proposed new regulation or the existing regulation and the proposed amendments to that regulation.	02/18/2025: To ASSEMBLY Committee on NATURAL RESOURCES.
CA AB 43 (Schultz (D))	Wild and Scenic Rivers		Extends, indefinitely, the date by which the Secretary of the Natural Resources Agency is authorized to take the specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 52 (Aguilar-Curry (D))	Native American Resources	Seek Amendments	Provides that the Planning and Zoning Law requires a local planning agency to provide opportunities for the involvement of, among others, citizens, California Native American Indian tribes and public agencies during the preparation of a general plan. Requires tribal consultation for certain purposes, including to identify and determine tribal resources, places, features and objects. Imposes certain requirements when there are tribal consultations with federally recognized and nonfederally recognized tribes.	04/28/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.

IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 62 (McKinnor (D))	Racially Motivated Eminent Domain		Requires the Office of Legal Affairs to review, investigate, and make certain determinations regarding applications from persons who claim they are the dispossessed owner of property taken as a result of racially motivated eminent domain. Requires, upon a determination that providing property or just compensation is warranted, the Office of Legal Affairs to certify that the dispossessed owner is entitled to the return of the taken property, or other publicly held property of equal value, or compensation.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 66 (Tangipa (R))	California Environmental Quality Act: Exemption: Egress		Exempts from the California Environmental Quality Act, until the specified date, egress route projects undertaken by a public agency to improve emergency access to and evacuation from a subdivision without a secondary egress route if the State Board of Forestry and Fire Protection has recommended the creation of a secondary access to the subdivision and certain conditions are met. Requires the lead agency to hold a noticed public meeting before determining that a project is exempt.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 69 (Calderon (D))	FAIR Plan Policy Renewals		Requires a broker of record to determine if a FAIR Plan policy can be moved to a voluntary market insurance company before the policy is renewed.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 70 (Aguiar-Curry (D))	Solid Waste: Organic Waste: Diversion: Biomethane		Provides that existing law requires each city, county, and regional agency to develop a source reduction and recycling element of an integrated waste management plan. Provides that existing law requires the Department of Resources Recycling and Recovery to adopt regulations to achieve reduction in the organic waste disposed of in landfills. Includes, as a recovered organic waste product attributable to a local jurisdiction's procurement target, pipeline biomethane converted exclusively from organic waste.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 76 (Alvarez (D))	Surplus Land: Exempt Surplus Land: Sectional Planning		Relates to the disposal of surplus land by a local agency. Defines exempt surplus land to mean land that is subject to a sectional planning area and that meets certain requirements. Requires that, at a minimum, a specified percent of units that are proposed by the sectional planning area document as adopted prior to the specified date and are not designated for students, faculty, or staff of an academic institution must be dedicated to lower income households.	05/21/2025: To SENATE Committee on LOCAL GOVERNMENT.
CA AB 82 (Ward (D))	Health Care: Legally Protected Health Care Activity		Prohibits a prescription for or the dispensing of testosterone or mifepristone from being reported to the Department of Justice, the Controlled Substances Utilization Review and Evaluation System, or a contractor. Requires the department, on or before the specified date, to remove certain existing records that were created or maintained prior to the specified date.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 93 (Papan (D))	Water Resources: Demands: Data Centers	Concerns	Requires a person who owns or operates a data center, prior to applying to a city or a county for an initial business license, equivalent instrument, or permit, to provide its water supplier, under penalty of perjury, an estimate of the expected water use. Requires, when applying to a city or county for an initial business license, a person who owns or operates a data center to self certify, under penalty of perjury, on the application that the person has provided its water supplier such estimate.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 94 (Bennett (D))	Recall Elections: Successors		Provides that when the local officer is recalled and removed, that officer may not be appointed to fill the vacancy.	05/07/2025: To SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
CA AB 226 (Calderon (D))	Insurance		Authorizes the California FAIR Plan Association, if granted prior approval from the commissioner, to request the California Infrastructure and Economic Development Bank to issue bonds, and would authorize the bank to issue those bonds to finance the	05/07/2025: To SENATE Committees on BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT and INSURANCE.

IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			costs of claims, to increase liquidity and claims-paying capacity of the association, and to refund bonds previously issued for that purpose.	
CA AB 232 (Calderon (D))	Natural Disasters: Catastrophe Savings Accounts		Relates to the Personal Income Tax Law. Allows a deduction from adjusted gross income for amounts contributed by a qualified taxpayer to a catastrophe savings account, in accordance with specified provisions. Defines catastrophe savings account to mean a regular savings account or money market account with a financial institution that, among other requirements, is established to pay for the qualified catastrophe expenses of a qualified taxpayer establishing the account.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 259 (Rubio (D))	Open Meetings: Local Agencies: Teleconferences	Support	Provides that existing law, until the specified date, authorizes the legislative body of a local agency to use alternative teleconferencing under certain conditions. Extends the alternative teleconferencing procedures until the specified date.	05/14/2025: To SENATE Committees on LOCAL GOVERNMENT and JUDICIARY.
CA AB 261 (Quirk-Silva (D))	Fire Safety: Fire Hazard Severity Zones		Authorizes the State Fire Marshal, in periods between the State Fire Marshal's review of areas of the State for recommendations regarding an area's fire hazard severity zone, to confer with entities on actions that may impact the degree of fire hazard in an area. Authorizes those entities to provide information to the State Fire Marshal on wildfire safety improvements or other actions the entity has taken or plans to take before the next review that may impact the degree of fire hazard in an area.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 262 (Caloza (D))	California Individual Assistance Act		Enacts the California Individual Assistance Act to establish a grant program to provide financial assistance to local agencies, community-based organizations, and individuals for specified costs related to a disaster. Requires the Director of Emergency Services, in administering the California Individual Assistance Act, to prioritize recipients that are not eligible for federal	05/27/2025: In ASSEMBLY. Read second time. To third reading.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			funding, pursuant to specified regulations, due to the inability to meet minimum damage thresholds.	
CA AB 263 (Rogers (D))	Scott River: Shasta River: Watersheds		Provides that specified emergency regulations adopted by the State Water Resources Control Board for the Scott River and Shasta River watersheds shall remain in effect until the specified date, or until permanent rules establishing and implementing long term instream flow requirements are adopted for those watersheds, whichever occurs first.	05/14/2025: To SENATE Committee on NATURAL RESOURCES AND WATER.
CA AB 269 (Bennett (D))	Dam Safety and Climate Resilience Local Assistance	Oppose	Includes the removal of project facilities as additional projects eligible to receive funding under the Dam Safety and Climate Resilience Local Assistance Program.	02/10/2025: To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
CA AB 270 (Petrie-Norris (D))	Department of Forestry and Fire Protection		Requires the Department of Forestry and Fire Protection to establish a pilot project to assess whether a firefighting helicopter equipped with autonomous aerial suppression technology can be transitioned into operational use in the State. Requires an operator of autonomous aerial suppression technology that is part of the pilot project and that is required to submit reports to local or federal agencies about autonomous aerial suppression technology to provide those reports to the department and Legislature.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 272 (Aguiar-Curry (D))	Heavy-Duty Vehicle Inspection and Maintenance Program		Provides that existing law requires the State Air Resources Board to adopt and implement a regulation for a Heavy Duty Vehicle Inspection and Maintenance Program for non gasoline heavy duty on road motor vehicles with a gross vehicle weight rating of more than a specified number of pounds. Requires, within a specified number of years following the full implementation of the program, but not later than the specified date, the State Board to provide the first of the biennial reports on its internet website.	05/14/2025: To SENATE Committees on ENVIRONMENTAL QUALITY and TRANSPORTATION.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 275 (Petrie-Norris (D))	Office of Emergency Services: Wildfire Aerial Response		Requires the Office of Emergency Services, in consultation with the Department of Forestry and Fire Protection, to establish a working group to evaluate and develop recommendations for implementing a wildfire aerial response program to provide year round, 24 hours per day, 7 days per week, rapid aerial suppression capabilities. Requires the working group to consider specified elements to ensure effective statewide aerial wildfire suppression and to develop recommendations.	04/28/2025: In ASSEMBLY Committee on EMERGENCY MANAGEMENT: Not heard.
CA AB 286 (Gallagher (R))	Electricity: Mandatory Rate Reduction		Provides that existing law authorizes the Public Utilities Commission to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. Requires the commission to generate a report outlining recommendations to decrease the kilowatt per hour rate for electricity charged to ratepayers by not less than a specified percent by the specified date. Requires the commission, in making those reduction recommendations, to take certain actions.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 288 (McKinnor (D))	Employment: Labor Organization		Expands the Public Employment Relations Board's jurisdiction by authorizing a worker to petition PERB to vindicate specified prescribed rights. Specifies who is an authorized worker, including an individual who petitions the National Labor Relations Board to vindicate their rights to full freedom of association, self-organization, or designation of representatives of their own choosing but has not received a determination or remedy within specified statutory timeframes.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 293 (Bennett (D))	Groundwater Sustainability Agency: Transparency		Requires each groundwater sustainability agency to publish the membership of its board of directors on its internet website, or on the local agency's internet website, as provided. Requires each groundwater sustainability agency to publish a link on its internet website or its local agency's internet website to the location on the Fair Political Practices Commission's internet website where the	05/07/2025: To SENATE Committee on NATURAL RESOURCES AND WATER.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			statements of economic interests, filed by the members of the board and executives of the agency, can be viewed.	
CA AB 294 (Gallagher (R))	Recovery from Disaster or Emergency: Funding Priority		Authorizes the Office of Emergency Services to prioritize funding and technical assistance under specified programs, including, but not limited to, for infrastructure and housing recovery projects, in communities that suffered a loss in population and businesses due to a major federal disaster, state of emergency, or local emergency and have unmet recovery needs as a result of a major federal disaster, state of emergency, or local emergency.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 295 (Macedo (R))	Environmental Quality Act: Environmental Leadership		Extends the application of the Economic Improvement Through Environmental Leadership Act to water storage projects, water conveyance projects, and groundwater recharge projects that provide public benefits and drought preparedness.	02/10/2025: To ASSEMBLY Committees on NATURAL RESOURCES and WATER, PARKS AND WILDLIFE.
CA AB 300 (Lackey (R))	Fire Hazard Severity Zones: State Fire Marshal		Provides that existing law requires the State Fire Marshal to identify areas in the State as moderate, high, and very high fire hazard severity zones. Requires the Marshal, at least once every specified number of years, to review areas in the State identified as moderate, high, and very high fire hazard severity zones, and to review lands within State responsibility areas classified as fire hazard severity zones. Requires the Marshal, at least once every certain number of years, to re-review certain areas.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 301 (Schiavo (D))	Planning and Zoning: Housing Development Projects		Provides that existing law relating to housing development approval requires a local agency to compile a list of information needed to approve or deny a postentitlement phase permit. Requires a State department to comply with such provisions relating to postentitlement phase permits. Requires a State department to make the information list, examples of a complete, approved application, and a complete set of postentitlement phase	05/07/2025: To SENATE Committee on HOUSING.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			permits available on the department's website by the specified date.	
CA AB 303 (Addis (D))	Battery Energy Storage Facilities		Specifies that energy storage systems do not include battery energy storage systems for purposes of certification by the Energy Commission. Requires the commission to deny applications for a battery energy storage system that are pending as of the effective date of the bill. Prohibits the authorization of a development project that includes a battery energy storage system capable of storing 200 megawatthours or more of energy if the development project is located within 3,200 feet of a sensitive receptor.	03/10/2025: To ASSEMBLY Committees on UTILITIES AND ENERGY, NATURAL RESOURCES, and LOCAL GOVERNMENT.
CA AB 306 (Schultz (D))	Building Regulations: State Building Standards		Provides that existing law provides that neither the State Building Standards Law, nor the application of certain building standards limits the authority of a city, county, or city and county to establish more restrictive building standards, including, but not limited to, green building standards. Prohibits a city or county from establishing more restrictive building standards that are applicable to residential units, unless a certain condition is met.	05/13/2025: In SENATE. Read second time and amended. Re-referred Committee on HOUSING.
CA AB 307 (Petrie-Norris (D))	Safe Drinking Water, Wildfire Prevention, Drought Prep		Requires a specified amount of the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 to the Department of Forestry and Fire Protection be allocated for purposes of the ALERTCalifornia fire camera mapping system.	03/24/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.
CA AB 311 (McKinnor (D))	Dwelling Units: Persons at Risk of Hness		Reinstates prior law which authorized a tenant to temporarily permit the occupancy of their dwelling unit by a person who is at risk of homelessness, with the written approval of the owner or landlord, and includes new provisions regarding occupancy. Defines person at risk of homelessness to include any person who is displaced from their residence as a result of a disaster in a	05/07/2025: To SENATE Committee on JUDICIARY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			disaster-stricken area in which a state of emergency has been proclaimed by the Governor.	
CA AB 317 (Jackson (D))	California First Time Homeowner Dream Act		Exempts from the California Environmental Quality Act the new construction of a single family dwelling that meets certain conditions, including that the project contains one single family dwelling that is a specified size or less with no more than a specified number of bedrooms, the property is intended to be sold to a first time home buyer, and the lead agency determines that the developer of the project or the property owner provided sufficient legal commitments to meet the requirements of the exemption.	05/27/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 328 (Chen (R))	Indemnity		Makes a nonsubstantive change to existing law which specifies that one who indemnifies another against an act to be done by the latter, is liable jointly with the person indemnified, and separately, to every person injured by the act.	01/27/2025: INTRODUCED.
CA AB 333 (Alanis (R))	Recycling: Glass Beverage Containers: Market		Provides that the State Beverage Container Recycling and Litter Reduction Act requires a distributor of beverage containers to pay to the Department of Resources Recycling and Recovery a monthly redemption payment for every beverage container sold or transferred. Requires the department to pay a market development payment to a person who purchases a product, other than a beverage container, that is made with empty glass beverage containers that would otherwise be sent to a landfill. Appropriates funds.	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
CA AB 336 (Wallis (R))	Criminal Penalties: Wildfires		Makes unlawfully causing a fire by recklessly setting fire to, burning, or causing to be burned, any structure, forest land, or property, punishable only as a felony including a fine not to exceed a specified amount.	04/02/2025: From ASSEMBLY Committee on PUBLIC SAFETY without further action pursuant to JR 62(a).

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 337 (Bennett (D))	Greenhouse Gas Reduction Fund: Grant Program: Food		Expands a grant program under the Department of Resources Recycling and Recovery to provide financial assistance for the recovery of edible food, as specified. Specifies that eligible infrastructure projects includes the construction or expansion of facilities to help develop, implement, or expand edible food waste recovery operations.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 339 (Ortega (D))	Local Public Employee Organizations: Notice Requirement		Requires, if a recognized employee organization demands to meet and confer after receiving a specified written notice, a public agency and recognized employee organization to meet and confer in good faith within a reasonable time.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 340 (Ahrens (D))	Employer-Employee Relations: Confidential Communication		Prohibits a public employer from compelling a public employee, a representative of a recognized employee organization, or an exclusive representative to disclose confidential communications to a third party. Provides that this would not apply to a criminal investigation or when a public safety officer is under investigation and certain circumstances exist.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 343 (Pacheco (D))	California Public Records Act: Officials		Includes in the definition of the term elected or appointed official, for purposes of the California Public Records Act, a retired judge or court commissioner, a retired federal judge or federal defender, a retired judge of a federally recognized Indian tribe, and an appointee of a court to serve as children's counsel in a family or dependency proceeding.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 351 (McKinnor (D))	Campaign Contributions: Agency Officers		Relates to the Political Reform Act of 1974 which prohibits an officer of an agency from accepting, soliciting, or directing a contribution of more than a specified amount from any party, participant, or a party or participant's agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency and for 12 months following the date a final	04/30/2025: In ASSEMBLY Committee on ELECTIONS: Reconsideration granted.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			decision is rendered in the proceeding. Increases the contribution threshold as specified.	
CA AB 357 (Alvarez (D))	Coastal Resources: Coastal Development Permit		Provides that the Coastal Act of 1976, which is administered by the State Coastal Commission, requires a person wishing to perform or undertake any development in the coastal zone to obtain a coastal development permit. Requires the commission to approve or deny a complete application for a coastal development permit for a student housing project or a faculty and staff housing project within a specified number of days of submittal, with specified exceptions.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 359 (Ramos (D))	Fair Political Practices Commission		Authorizes the Fair Political Practices Commission to conduct audits with respect to the local campaign finance or government ethics law. Deletes the requirement for the commission to report to the Legislature and remove the January 1, 2026 repeal date, thereby indefinitely extending the operation of the provisions.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 362 (Ramos (D))	Water Policy: California Tribal Communities		Requires the Water Quality Control Board to propose, and solicit tribal consultation and public comment on, water quality standards to achieve reasonable protection of tribal water uses into the water quality control plan for the San Francisco Bay and Sacramento San Joaquin Delta watershed. Requires the Environmental Protection Agency and the Natural Resources Agency to amend a memorandum of understanding to incorporate participation from State tribal communities in the Water Quality Monitoring Council.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.
CA AB 364 (DeMaio (R))	Personal Information: Maintenance		Enacts the Stop Foreign Governments from Accessing Californians Sensitive Personal Information Act. Requires a business to disclose to a consumer if the business intends to maintain the consumer's personal information outside of the United States.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PRIVACY AND CONSUMER PROTECTION.

IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 367 (Bennett (D))	Water: County of Ventura: Fire Suppression	Concerns	Requires a water supplier that supplies water that is used for the suppression of fire in a high or very high fire hazard severity zone to more than a specified number of total residential dwellings in those zones in the County of Ventura to have access to sufficient backup energy sources to operate critical wells and water pumps needed to supply water for at least 24 hours. Requires the county fire department make certain reports and to annually inspect critical wells, water pumps, and generators.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 370 (Carrillo J (D))	California Public Records Act: Cyberattacks		Provides that existing law requires each agency, within a certain number of days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records. Authorizes that time limit to be extended under unusual circumstances, including the inability of the agency, because of a cyberattack, to access its electronic servers or systems in order to search for and obtain a record that the agency believes is responsive to a request.	05/28/2025: To SENATE Committee on JUDICIARY.
CA AB 372 (Bennett (D))	Office of Emergency Services: State Matching Funds		Establishes, contingent on funding being appropriated pursuant to a specified bond act, the Rural Water Infrastructure for Wildfire Resilience Program within the Office of Emergency Services for the distribution of State matching funds to urban wildland interface communities in designated high fire hazard severity zones or very high fire hazard severity zones to improve water system infrastructure.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 380 (Gonzalez Ma (D))	Price Gouging		Provides that under existing law, upon the proclamation of a state of emergency, it is a misdemeanor for a person, contractor, business, or other entity to sell goods or services for a price of more than a specified percent greater than the price charged by that person immediately prior to the proclamation or declaration of emergency. Makes that misdemeanor applicable for a certain	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			number of days. Makes that misdemeanor punishable by a specified fine.	
CA AB 395 (Gabriel (D))	Holidays		Requires the governing board of a community college and the California State University, and requests the University of California, to make every reasonable effort, when developing academic calendars, to avoid calendaring an institutional event on a date for which the institution of higher education knows, or has reason to know, that members of the public would be unable to participate or be present due to the ritual observance of a religious, cultural, or ancestral holiday.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 399 (Boerner (D))	Coastal Resources: Coastal Development Permits		Authorizes the California Coastal Commission to authorize blue carbon demonstration projects in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 404 (Sanchez (R))	Environmental Quality Act: Exemption: Prescribed Fire		Relates to existing law, until January 1, 2028, which exempts from the requirements of CEQA prescribed fire, reforestation, habitat restoration, thinning, or fuel reduction projects, or related activities, undertaken, in whole or in part, on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act. Extends the exemption and requirements on the lead agency indefinitely.	03/24/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.
CA AB 410 (Wilson (D))	Bots: Disclosure		Requires a person who uses a bot to autonomously communicate with another to ensure that the bot discloses to any person with whom the bot communicates when the bot first communicates with the person that the bot is a bot and not a human being. Authorizes the Attorney General, a district attorney, a county counsel, a city attorney, or a city prosecutor to bring a civil action to punish noncompliance.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 413 (Fong M (D))	Department of Housing and Community Development: Guide		Requires the Department of Housing and Community Development to review all guidelines it has adopted or amended to determine whether those guidelines explain rights or services available to the public. Requires the department to translate those guidelines into any non-English languages spoken by a substantial number of non-English-speaking people, as defined.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 414 (Pellerin (D))	Residential Tenancies: Return of Security		Provides that existing law limits the amount of security that a landlord may demand or receive. Requires the landlord to return the security by personal delivery or by check made payable to the tenant. Requires, if the landlord received the security or rental payments from the tenant electronically, the tenant to return the remainder of the security electronically, unless the landlord and tenant designated another method of return, by written agreement.	05/07/2025: To SENATE Committee on JUDICIARY.
CA AB 417 (Carrillo J (D))	Local Finance: Enhanced Infrastructure Financing		Provides that existing law authorizes the creation of community revitalization and investment authorities to carry out a community revitalization plan in a community revitalization and investment area. Requires an authority to consider adoption of a revitalization plan at a specified number of public hearings. Requires a notice to be provided in English and in all other languages spoken jointly by a specified percent or more of the population in the jurisdiction of the county of the proposed authority.	05/07/2025: To SENATE Committee on LOCAL GOVERNMENT.
CA AB 418 (Wilson (D))	Property Taxation: Tax Defaulted Property		Prohibits a board of supervisors from approving the sale of tax defaulted property, unless it conducts a hearing, with notice, and makes a specified finding that either the sale price is greater than or equal to the tax sale value of the property or the tax sale value of the property is less than the amount necessary to redeem the property. Authorizes the challenge of a board of supervisors' determination by the filing of a petition for judicial review in the superior court of the county.	05/07/2025: To SENATE Committees on REVENUE AND TAXATION and JUDICIARY.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 426 (Dixon (R))	Impeding Emergency Response with Drone		Prohibits a person from operating or using an unmanned aerial vehicle, remote piloted aircraft, or drone at the scene of an emergency and thereby impeding firefighters, peace officers, medical personnel, military personnel, or other emergency personnel in the performance of their fire suppression, law enforcement, or emergency response duties, unless the person has a federal operational waiver. Authorizes the Attorney General or a county counsel or city attorney to bring civil action.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 428 (Rubio (D))	Joint Powers Agreements: Water Corporations		Authorizes a water corporation, a mutual water company, and one or more public agencies to provide insurance by a joint powers agreement. Authorizes a water corporation, a mutual water company, and one or more public agencies to enter into a joint powers agreement for the purposes of risk pooling. Requires the joint powers agency to be 100 percent reinsured with no joint and several liability, no assessments, and no financial liability attributable to the participating members.	05/14/2025: To SENATE Committees on LOCAL GOVERNMENT and ENERGY, UTILITIES AND COMMUNICATIONS.
CA AB 430 (Alanis (R))	State Water Resources Control Board: Regulations		Provides that existing law provides that an emergency regulation adopted by the State Water Resources Control Board following a Governor's proclamation of a state of emergency based on drought conditions may remain in effect for up to one year and may be renewed under certain conditions. Requires the Board, within a specified number of days following a finding by the board that a nonfee emergency regulation is no longer necessary, to conduct a comprehensive economic study assessing the impacts.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 434 (DeMaio (R))	Battery Energy Storage Facilities		Prohibits, until the specified date, a public agency from authorizing the construction of a battery energy storage facility. Requires the State Fire Marshal to adopt guidelines and minimum standards for the construction of a battery energy storage facility to prevent fires and protect nearby communities from any fire	04/02/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			hazard posed by the facility. Requires an agency, when authorizing the construction of a facility, to require the facility to meet the guidelines and minimum standards adopted by the Marshal.	
CA AB 438 (Hadwick (R))	Authorized Emergency Vehicles		Authorizes the Commissioner of the State Highway Patrol to issue an emergency vehicle permit to any vehicle owned by a county, city, or city and county office of emergency services only while that vehicle is being used by a public employee in responding to any disaster.	05/28/2025: To SENATE Committee on TRANSPORTATION.
CA AB 439 (Rogers (D))	California Coastal Act of 1976: Local Planning		Makes de minimis amendments to local coastal programs and port master plans effective upon adjournment of a meeting of the Coastal Commission if specified number of members of the commission do not object to the de minimis determination.	05/07/2025: To SENATE Committee on NATURAL RESOURCES AND WATER.
CA AB 441 (Hadwick (R))	Wildfire Prevention: Office of Wildfire Technology		Provides that existing law establishes the Office of Wildfire Technology Research and Development within the Department of Forestry and Fire Protection to study, test, and advise regarding procurement of emerging technologies and tools in order to more effectively prevent and suppress wildfires within the State. Extends the repeal date of such provisions.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 442 (Hadwick (R))	Z'berg-Nejedly Forest Practice Act of 1973		Provides that under the Z'berg-Nejedly Forest Practice Act of 1973, the Legislature finds and declares the policy of the State to encourage prudent and responsible forest management of nonindustrial timberlands by approving working forest management plans in advance. Provides that existing law requires the harvest area of a working forest management plan to be contained within a single hydrological area. Deletes that requirement.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 454 (Kalra (D))	Migratory Birds: CA Migratory Bird Protection Act		Relates to the Migratory Bird Treaty Act. Makes unlawful the taking or possessing of any migratory bird, as designated in the federal act before a specified date, any additional migratory nongame birds that may be designated in the federal act after that date, or any part of those migratory nongame birds. Repeals the provision which makes it unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act, or any part of a migratory nongame bird.	05/28/2025: To SENATE Committee on NATURAL RESOURCES AND WATER.
CA AB 455 (Ortega (D))	Real Estate: Environmental Hazards: Thirdhand Smoke		Makes it the sole responsibility of a seller of a single-family residential property who has actual knowledge of the existence of any residue from smoking or vaping tobacco or nicotine products, or any history of occupants smoking or vaping tobacco or nicotine products on the property, to disclose that knowledge to the buyer in writing.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 459 (DeMaio (R))	Initiatives: Qualification: Electronic Signatures		Relates to initiatives, referendums, or recall petitions. Requires the Secretary of State to develop a system that allows a proponent of a State or local initiative, referendum, or recall petition to have the petition posted on the Secretary of State's internet website where a voter can electronically sign the petition. Requires the Secretary of State and elections officials to perform specified tasks in connection with the electronic circulation of petitions, including verifying the electronic signatures.	04/30/2025: In ASSEMBLY Committee on ELECTIONS: Reconsideration granted.
CA AB 462 (Lowenthal (D))	Land Use: Accessory Dwelling Units		Requires a local agency to issue a certificate of occupancy for an accessory dwelling unit constructed in a county that is subject to a proclamation of a state of emergency made on or after the specified date, even if the primary dwelling has not yet been issued a certificate of occupancy, if certain requirements are met, including that the primary dwelling was substantially damaged or destroyed by an event referenced in the state of emergency proclamation. Relates to the California Coastal Act of 1976.	05/13/2025: In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 465 (Zbur (D))	Local Public Employees: Memoranda of Understanding		Requires, on or after the specified date, a memorandum of understanding between a public agency and a recognized employee organization to include specified provisions including, among other things, a provision providing for a system of progressive discipline that grants due process to an employee when they are disciplined, upon the request of the recognized employee organization.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 497 (Wilson (D))	San Francisco Bay/Sacramento-San Joaquin Delta Estuary		States the intent of the Legislature to enact future legislation relating to the Bay-Delta Water Quality Control Plan.	02/10/2025: INTRODUCED.
CA AB 502 (Pellerin (D))	Elections: Certified Mail		Provides that existing law requires specified notices, affidavits, and communications regarding elections be delivered by registered mail. Requires delivery by certified mail or, for certain communications between local officials and the Secretary of State, by electronic delivery.	05/07/2025: To SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
CA AB 507 (Haney (D))	Adaptive Reuse: Streamlining: Incentives		Deems an adaptive reuse project a use by right in all zones, regardless of the zoning of the site, and subject to a streamlined, ministerial review process if the project meets specified requirements, subject to specified exceptions.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 513 (Gonzalez Je (R))	California Global Warming Solutions Act of 2006: Plan (R))		Requires the State Air Resources Board to include greenhouse gas emissions from wildlands and forest fires in the scoping plan of the California Global Warming Solutions Act of 2006.	02/24/2025: To ASSEMBLY Committee on NATURAL RESOURCES.
CA AB 514 (Petrie-Norris (D))	Water: Emergency Water Supplies	Sponsor/ Support	Provides that the Urban Water Management Planning Act requires every public and private urban water supplier that provides water for municipal purposes to prepare and adopt an urban water management plan. Relates to water shortage	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			contingency plans. Declares that it is the established policy of the State to encourage the development of emergency water supplies by both local and regional water suppliers, and to support their use during times of drought or unplanned service or supply disruption.	
CA AB 532 (Ransom (D))	Water Rate Assistance Program	Support	Repeals certain requirements related to the Low Income Household Water Assistance Program. Authorizes a public urban retail water supplier to provide water rate assistance to its ratepayers. Authorizes the water rate assistance to be provided to specified eligible ratepayers, including, among others, residential ratepayers with an annual household income at or below a specified percent of the federal poverty guideline level.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 550 (Petrie-Norris (D))	The California Endangered Species Act		Relates to the authorized take of certain species by certain entities. Provides that if an at-risk species becomes listed as an endangered, threatened, or candidate species, further authorization or approval shall not be required for a take of that species, if specified conditions are met, including that the potential listing of the at-risk species was anticipated in a permit previously issued by the Department of Fish and Wildlife for incidental take caused by a renewable electrical generation facility.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 566 (Lowenthal (D))	California Consumer Privacy Act of 2018: Opt-Out		Prohibits a business from developing or maintaining a browser that does not include a setting that enables a consumer to send an opt-out preference signal to businesses with which the consumer interacts through the browser. Prohibits a business from developing or maintaining a mobile operating system that does not include a setting that enables a consumer to send an opt-out preference signal. Authorizes the Privacy Protection Agency to adopt regulations to implement and administer those provisions.	04/24/2025: In ASSEMBLY. Read second time. To third reading.

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CA AB 569 (Stefani (D))	California Public Employees' Pension Reform Act of 2013		Relates to the California Public Employees' Pension Reform Act of 2013. Authorizes a public employer to bargain over contributions for supplemental retirement benefits administered by, or on behalf of, an exclusive bargaining representative of one or more of the public employer's bargaining units, subject to certain limitations.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 580 (Wallis (R))	Surface Mining: Metropolitan Water District		Provides that existing law authorizes the Metropolitan Water District of Southern California to prepare a master reclamation plan that identifies each individual surface mining operation in specified counties and satisfies all reclamation plan requirements for each individual surface mining site. Provides that existing law requires the MWD to be the lead agency for any environmental review of the master reclamation plan. Extends the operation of those provisions until the specified date.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 582 (Pacheco (D))	Administrative Procedure Act		Makes a nonsubstantive change to provisions of the Administrative Procedure Act.	02/12/2025: INTRODUCED.
CA AB 596 (McKinnor (D))	Occupational Safety: Face Coverings		Provides that existing regulations promulgated by the Occupational Safety and Health Standards Board, until the specified date, prohibit an employer from preventing any employee from wearing a face covering, including a respirator, unless it would create a safety hazard. Prohibits an employer from preventing any employee from wearing a face covering, including a respirator, unless it would create a safety hazard.	05/28/2025: To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
CA AB 599 (Connolly (D))	Hazardous Waste: Classification Standards		Requires the Department of Toxic Substances Control, if the department proposes to reclassify wastes or adopt alternative management standards for regulated waste, to take all necessary and authorized steps required by law to facilitate full public notification and review of state, regional, and local facility	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			entitlements, to enable local community input regarding the proposed changes to the classification of wastes or the alternative management standards.	
CA AB 612 (Rogers (D))	Transportation: Highway Design Manual: Emergency		Requires the Department of Transportation, on or before specified date, to update the Highway Design Manual to direct local governments to consult with local fire departments when making road improvements to ensure the improvements do not negatively impact emergency response times.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 614 (Lee (D))	Claims Against Public Entities		Relates to the Government Claims Act. Requires a claim relating to any cause of action against a public entity to be presented not later than a specified time period after accrual of the cause of action, unless otherwise specified by law.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 620 (Jackson (D))	Medium- and Heavy-Duty Zero-Emission Vehicle Fleet		Requires the State Air Resources Board, for any regulation adopted to develop or implement the Air Quality Improvement Program, or other regulations that are regarding the procurement or use of medium- and heavy-duty zero-emission vehicles by a public or private fleet, to consider specified things, including, among other things, the environmental and supply chain benefits of renting medium- and heavy-duty zero-emission vehicles compared to procuring them.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 623 (Dixon (R))	Fire Prevention Projects		Exempts a fuel modification project to maintain defensible space of a specified distance from each side and from the front and rear of a building or structure and a fuel reduction project to prevent and contain the spread of wildfires from the requirements of the California Environmental Quality Act. Exempts an electrical grid resilience or hardening project from the requirements of CEQA.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 626 (Papan (D))	Underground Storage Tanks: Design and Construction		Provides that existing law requires the owner or operator of an underground storage tank to permanently close that UST if the UST meets specified conditions. Exempts an operator from the tank closure requirement if the operator of a single walled UST is acting in good faith to comply with the requirement to upgrade to a double walled UST by the specified date and the operator meets specified conditions.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 628 (McKinnor (D))	Hiring of Real Property: Dwellings: Untenantability		Adds a stove and refrigerator that are maintained in good working order and are capable of safely generating heat for cooking purposes and capable of safely storing food to the list of characteristics required for the dwelling unit to be tenantable for leases entered into, amended, or extended on or after the specified date. Prohibits the application of these new requirements for certain types of dwelling units, including permanent supportive housing.	05/07/2025: To SENATE Committee on JUDICIARY.
CA AB 632 (Hart (D))	Local Ordinances: Administrative Fines or Penalties		Authorizes, for specified administrative fines or penalties, a local agency to file a certified copy of a final administrative order or decision that directs payment of the administrative fine or penalty with the clerk of the superior court of any county and requires the clerk to enter judgment immediately in conformity with the decision or order. Authorizes a local agency to establish a procedure to collect administrative fines or penalties by lien upon the parcel of land on which the violation occurred.	05/28/2025: To SENATE Committees on LOCAL GOVERNMENT and JUDICIARY.
CA AB 638 (Rodriguez Ce (D))	Stormwater: Uses: Irrigation		Requires the State Water Resources Control Board, by the specified date, to develop recommendations for stormwater capture and use for the irrigation of urban public lands. Requires the recommendations to address, but not be limited to, opportunities for the use of captured stormwater for irrigation to offset the use of potable water and recommendations for, among	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			other things, pathogens and pathogen indicators and total suspended solids.	
CA AB 639 (Soria (D))	Dams: Exceptions		Provides that existing law requires the Department of Water Resources to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property. Excludes from the definition of a dam a barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of a specified number of feet of freeboard on the levee and is a weir.	05/07/2025: To SENATE Committee on NATURAL RESOURCES AND WATER.
CA AB 643 (Wilson (D))	Climate Change: Short-Lived Climate Pollutants		Authorizes a local jurisdiction to include organic material used as a beneficial agricultural amendment towards its recovered organic waste procurement target if the material is processed at a facility authorized by the Department of Resources Recycling and Recovery using specified approved technologies, and if the material is licensed for end use as an agricultural fertilizer by the Department of Food and Agriculture.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
CA AB 650 (Papan (D))	Planning and Zoning: Housing Element: Regional Housing		Provides that existing law authorizes at least 2 or more cities and a county, or counties, and at least a specified number of months prior to the scheduled housing element revision of a general plan, to form a subregional entity to allocate the subregion's existing and projected housing need among its members. Provides that existing law requires the Council of Governments to determine the share of regional housing need assigned to each delegate subregion within a certain timeline. Extends the timeline.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 660 (Wilson (D))	Planning and Zoning Law: Postentitlement Phase Permits		Relates to the Planning and Zoning Law. Relates to applications for postentitlement phase permits. Prohibits, if a local agency finds that a complete application is noncompliant, a local agency from requesting or requiring any action or inaction as a result of a	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			building inspection undertaken to assess compliance with the applicable building permit standards that would represent a deviation from a previously approved building plan or similar approval for the building permit, with certain exceptions.	
CA AB 670 (Quirk-Silva (D))	Planning and Zoning: Housing Element		Provides that the Planning and Zoning Law requires each city, county, and city and county to adopt a general plan that includes, among other things, a housing element. Provides that existing law requires a planning agency to provide an annual report to specified entities that includes prescribed information. Authorizes a planning agency to include the number of units in an existing multifamily building that were converted to affordable housing by imposition of long term affordability covenants.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 672 (Caloza (D))	Public Employment: Notifications		Requires a plaintiff or petitioner filing a civil action seeking injunctive relief against a strike, work stoppage, or other labor action by public employees whose labor relations are regulated by PERB, if PERB is not a party to the action, to serve a copy of the petition or complaint by electronic mail on the general counsel of PERB, in accordance with certain procedures.	05/15/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 683 (Davies (R))	Business Entities: Limited Liability Companies		Authorizes a limited liability company to present a certification of the LLC's existence and authority to any person to establish the present existence of the LLC and identify those with authority to act on its behalf. Requires the certification of LLC existence to confirm specified facts or contain certain information, including that its operating agreement or other governing documents have not been revoked, modified, or amended in a manner that would cause the representations to be incorrect.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on BANKING AND FINANCE.
CA AB 692 (Kalra (D))	Employment: Contracts in Restraint of Trade		Authorizes the Labor Commissioner to enforce certain provisions related to a contract restraining a lawful profession, trade, or business. Authorizes a worker, a prospective worker, or a worker	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			representative, to bring a civil action on behalf of the person or other persons similarly situated to establish liability against an employer. Provides that a person who violates these provisions is liable for specified civil penalties and relief.	
CA AB 699 (Stefani (D))	Elections: Local Tax Measures		Provides that under existing law, if a proposed local measure imposes a tax or raises the rate of a tax, the ballot must include the amount of money to be raised annually by the tax. Allows, if the measure imposes or increases a tax with more than one rate or authorizes the issuance of bonds, the local government or initiative proponents submitting the measure to the voters to direct the elections official to include on the ballot a statement directing the voters to the county voter information guide.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 706 (Aguiar-Curry (D))	Forest Organic Residue, Energy, and Safety		Establishes the Fire Fuel Reduction Program to support sufficient procurement, transport, and beneficial use of forest biomass waste to reduce fuel for wildfires by up to a specified number of bone-dry tons of forest biomass waste per year. Establishes the FOREST and Wildfire Prevention Fund. Requires the program to grant funding priority to Bioenergy Renewable Auction Mechanism Program and Bioenergy Market Adjusting Tariff Program fleets in operation on or before the specified date. Appropriates funds.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 709 (Gonzalez Je (R))	Sustainable Groundwater Management Act		Provides that nothing in the Sustainable Groundwater Management Act relating to making submissions to the Department of Water Resources shall be construed to prohibit groundwater sustainability agencies that have developed multiple groundwater sustainability plans for a basin from amending the coordination agreement following department issuance of an assessment of the plans.	05/21/2025: To SENATE Committee on NATURAL RESOURCES AND WATER.

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CA AB 717 (Aguiar-Curry (D))	Water Rights: Appropriation: Small Restoration Use		Provides that the Water Rights Permitting Reform Act of 1988 authorizes any person to obtain a right to appropriate water for a small domestic, small irrigation, or livestock stockpond use, upon registering the use with the State Water Resources Control Board. Authorizes any person to also obtain a right to appropriate water for a small restoration use. Authorizes a person to apply for a restoration management permit from the Department of Fish and Wildlife.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 719 (Calderon (D))	County Emergency Plans		Requires each county to review and update its emergency plan at least every 2 years.	03/03/2025: To ASSEMBLY Committee on EMERGENCY MANAGEMENT.
CA AB 726 (Avila Farias (D))	Planning and Zoning: Annual Report: Rehabilitated Units		Permits a local agency to include in its annual report the number of units of existing deed-restricted affordable housing within a specified affordability threshold that are at least specified number of years old and have been substantially rehabilitated with at least sixty thousand dollars per unit in funds awarded from the city or county. Prohibits any of the units included in the annual report from being considered when determining affordability requirements for the purposes of eligibility for approvals.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 734 (Schultz (D))	Environmental Protection: Biological Resources Data		Requires any biological resources data submitted to the State Energy Resources Conservation and Development Commission in an application for certification or small powerplant exemption to be made publicly available on the commission's docket as part of the certification proceeding unless the Department of Fish and Wildlife makes a written determination that the data to be made public includes specified location data, the disclosure of which would pose a significant risk to individuals of the species.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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CA AB 737 (Quirk-Silva (D))	Energy: Building Decarbonization: Notice		Adds gas corporations to the definition of energy supplier for purposes of provisions related to the recorded notice of decarbonization charge.	05/21/2025: To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
CA AB 758 (DeMaio (R))	Wildfire: Vegetation Management		Requires the Department of Forestry and Fire Protection or a local entity to conduct an assessment of all undeveloped public lands for which it is primarily responsible for preventing and suppressing fires to ensure that the public land is not a severe fire hazard. Requires this assessment to be posted on the department's and local entity's internet website. Requires all of these lands, on or before the specified date, to have firebreaks of a specified size on all borders with private property.	04/21/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.
CA AB 773 (Dixon (R))	Marine Resources: Copper- Based Antifouling Paint		Relates to the California Ocean Resources Stewardship Act of 2000. Requires the Department of Pesticide Regulation to complete a reevaluation of copper-based antifouling boat paint products, and to make the determination to retain, modify, or suspend its standards or to place new appropriate standards on the chemical composition or use of copper-based antifouling paints.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 775 (Fong M (D))	Behested Payments: Reporting		Provides that existing law requires certain behested payment reports to be filed by the behesting officer or member of the Public Utilities Commission with the officer's or member's agency. Requires these reports to be filed using the commission's electronic filing system for behested payment reports. Requires the filing system to issue an electronic confirmation to the filer immediately upon receipt of the report.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 778 (Chen (R))	Local Agency Public Construction Act: Internet		Requires a local agency that maintains an internet website to post on its internet website specified information regarding payments for construction contracts. Exempts from specified provisions construction contracts valued below a specified amount. Prohibits	03/03/2025: To ASSEMBLY Committee on LOCAL GOVERNMENT.

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			a local agency that fails to comply with these provisions from withholding any retention proceeds from any remaining payment.	
CA AB 782 (Quirk-Silva (D))	Subdivisions: Security		Relates to the Subdivision Map Act. Prohibits the Real Estate Commissioner, in issuing a public report for a residential development or project, from requiring the furnishing of a security in connection with the performance of any act or agreement related to an improvement that will be publicly owned and maintained if the Real Estate Commissioner determines that sufficient security has been furnished to a local agency for the same improvement.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 783 (Caloza (D))	Public Contracts: Construction Materials: Disaster		Authorizes the Department of General Services to negotiate and enter into contracts on a bid or negotiated basis for construction materials commonly used in residential structures that may include price discounts, rebates, refunds, or other strategies aimed at lowering the cost of these materials. Prohibits such provisions from being interpreted to require the department to store or distribute materials.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 794 (Gabriel (D))	California Safe Drinking Water Act	Oppose Unless Amended	Relates to the authority of the State Water Resources Control Board to administer emergency provisions relating to the regulation of drinking water. Authorizes a regulation to include monitoring requirements that are more stringent than federal requirements. Prohibits maximum contaminant levels and compliance dates for maximum contaminant levels adopted as part of an emergency regulation from being more stringent than regulations promulgated pursuant to the federal Safe Drinking Water Act.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 808 (Addis (D))	Campaign Statements and Other Reports: Submission		Provides that the Political Reform Act of 1974 authorizes specified campaign disclosure reports and statements of financial interest to be filed by fax, and authorizes other reports to be filed	05/21/2025: To SENATE Committee on ELECTIONS AND

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			by various means, including personal delivery, guaranteed overnight delivery, facsimile transmission, and online transmission. Eliminates the option to file various statements and reports by facsimile transmission. Authorizes certain reports to be filed by email.	CONSTITUTIONAL AMENDMENTS.
CA AB 810 (Irwin (D))	Local Government: Internet Websites and Email Addresses	Seek Amendments	Provides that existing law requires that a local agency that maintains public email addresses to ensure that each email address provided to its employees uses a .gov domain name or a .ca.gov domain name. Requires a city, county, or city and county to comply with specified domain requirements. Requires a special district, joint powers authority, or other political subdivision to comply with similar domain requirements no later than the specified date.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.
CA AB 816 (Flora (R))	Employment: Employees and Independent Contractors		Provides that existing law requires the ABC test to determine if workers are employees or independent contractors for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission. Creates an exemption from the ABC test for a merchandiser contracting with a bona fide business or hiring entity to provide stand alone in store inventory and product placement labor or services on behalf of retailers and brands in the consumer packaged goods industry.	03/13/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.
CA AB 818 (Avila Farias (D))	Permit Streamlining Act: Local Emergencies		Relates to the Permit Streamlining Act. Provides that the State Emergency Services Act authorizes a local emergency to be proclaimed by the governing body of a city, county, or city and county. Requires a local agency to approve or disapprove an application for a permit necessary to rebuild or repair an affected property. Requires a local agency to approve an application for a construction permit for any of the specified structures intended to be used by a person until the rebuilding or repair is complete.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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CA AB 823 (Boerner (D))	Solid Waste: Plastic Microbeads: Plastic Glitter		Prohibits a person from selling, offering for sale, distributing, or offering for promotional purposes in the State a personal care product containing plastic glitter, or a personal care product in a non rinse off product or a cleaning product containing one part per million or more by weight of plastic microbeads that are used as an abrasive. Authorizes a person to continue to sell, offer for sale, distribute, or offer for promotional purposes an existing stock of such products containing plastic glitter.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 827 (Berman (D))	Voting: Signature Verification		Provides that existing law requires an elections official who receives a vote by mail ballot to compare the signature on the identification envelope with the signature in the voter's registration record. Provides that the voter may verify their signature no later than 5 p.m. 2 days before certification of the election. Reduces this deadline. Permits an elections official to use a vote by mail ballot drop box to receive the form used by the voter to verify their signature pursuant to these provisions.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 830 (Rogers (D))	State Highways: Encroachment Permits: Relocating		Provides that existing law authorizes the Department of Transportation to issue written permits to place, change, or renew an encroachment. Exempts a public utility district in the County of Mendocino with a ratepayer base of a specified number of households or fewer from certain provisions. Requires the department to bear the sole expense of relocating or removing the public utility district's encroachment in the event a future improvement of the highway necessitates the relocation or removal.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 845 (Arambula (D))	Employment: Complaints: Agricultural Employees		Requires the Agricultural Labor Relations Board, Division of Labor Standards Enforcement, and Division of Occupational Safety and Health, upon intake of a complaint from an agricultural employee, to collaborate with each other and take all	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			reasonable efforts to transmit the complaint to the appropriate entity for processing and investigation.	
CA AB 846 (Connolly (D))	Endangered Species: Incidental Take: Wildfire		Authorizes a city, county, city and county, special district, or other local agency to submit to the Department of Fish and Wildlife a wildfire preparedness plan to conduct wildfire preparedness activities on land designated as a fire hazard severity zone that minimizes impacts to wildlife and habitat for candidate, threatened, and endangered species. Requires the wildfire preparedness plan to include, among other things, a brief description of the planned wildfire preparedness activities.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 854 (Petrie-Norris (D))	California Environmental Quality Act: Exemptions		Exempts from the California Environmental Quality Act projects that consist of the inspection, maintenance, repair, restoration, reconditioning, reconductoring with advanced conductors, replacement, or removal of a transmission wire or cable used to conduct electricity or other piece of equipment that is directly attached to the wire or cable and that meet certain requirements. Requires the lead agency to file a notice of exemption with the Office of Land Use and Climate Innovation.	04/28/2025: In ASSEMBLY Committee on NATURAL RESOURCES: Not heard.
CA AB 858 (Lee (D))	Employment: Rehiring and Retention: Displaced Workers		Provides that existing law requires an employer to offer its laid off employees specified information about job positions that become available and to offer positions to those employees based on a preference system. Expands the definition of laid off employee to include an employee who was employed for a specified number of months or more and whose most recent separation from active employment occurred on or after the specified date and was due to a reason related to a state of emergency.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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CA AB 859 (Macedo (R))	Civil Procedure: Recovery of Defense Costs		Relates to existing law whereby if the court determines that the proceeding was not brought in good faith or with reasonable cause, existing law requires the court to decide the reasonable and necessary defense costs incurred by party opposing the proceeding and to render judgment in favor of that party. Expands this provision to apply to a demurrer brought by a defendant or cross-defendant.	05/07/2025: To SENATE Committees on JUDICIARY and APPROPRIATIONS.
CA AB 863 (Kalra (D))	Residential Rental Properties: Language Requirements		Requires landlords to provide notices to terminate leases and complaints in unlawful detainer actions in Spanish, Chinese, Tagalog, Vietnamese, or Korean, as well as in English, if the lease was originally negotiated in one of those non-English languages or if the landlord was previously notified by the tenant or anyone acting on the tenant's behalf that Spanish, Chinese, Tagalog, Vietnamese, or Korean is the tenant's primary language. Requires summonses in certain civil cases to be in certain languages.	05/07/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 872 (Rubio (D))	Environmental Health: Product Safety: Perfluoroalkyl	Oppose Unless Amended	Prohibits a person from distributing, selling, or offering for sale a covered product that contains intentionally added PFAS unless the Department of Toxic Substances Control has issued a regulatory response for the covered product pursuant to the Green Chemistry Program or the prohibition is preempted by federal law. Authorizes a manufacturer of a covered product to petition the department to evaluate a covered product.	04/10/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
CA AB 874 (Avila Farias (D))	Mitigation Fee Act: Waiver of Fees		Requires a local agency to waive fees or charges that are collected by a local agency to fund the construction of public improvements or facilities for residential developments subject to a regulatory agreement with a public entity, as provided, that includes certain income and affordability requirements. Excludes from this requirement those fees or charges, as applicable, for the construction or reconstruction of school facilities.	03/10/2025: To ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT.

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CA AB 883 (Lowenthal (D))	California Public Records Act: Personal Information		Provides that the State Public Records Act makes it a misdemeanor for a person to knowingly post the home address or telephone number of any elected or appointed official, or of the official's residing spouse or child, on the internet, knowing that person is an elected or appointed official and intending to cause imminent great bodily harm or threatening to cause imminent great bodily harm. Prohibits the disclosure of protected information under those provisions.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
CA AB 889 (Hadwick (R))	Prevailing Wage: Per Diem Wages		Authorizes an employer to take full credit for the hourly amounts contributed to defined contribution pension plans that provide for both immediate participation and immediate vesting even if the employer contributes at a lower rate or does not make contributions to private construction. Requires the employer to prove that the credit for employer payments was calculated properly.	05/21/2025: To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.
CA AB 893 (Fong M (D))	Housing Development Projects: Objective Standards		Provides that, for purposes of determining whether a property or site satisfies the criteria, objective development standards, or other requirements for receiving streamlined, ministerial review under the Affordable Housing and High Road Jobs Act, a local government's review of the property or site is limited to the area described in the application for streamlined, ministerial review. Expands eligibility for mixed-income housing developments to include developments located in a campus development zone.	05/27/2025: In ASSEMBLY. Read third time and amended. To third reading.
CA AB 897 (DeMaio (R))	Trespassing: Removal of Trespassers		Provides for the Remove Illegal Squatters from Private Property Act. Makes a person guilty of unlawful squatting when they enter upon the land or premises of another and reside on that land or premises for any period of time, knowingly acting without the knowledge or consent of the owner, rightful occupant, or an authorized representative of the owner. Requires a law	04/22/2025: In ASSEMBLY Committee on PUBLIC SAFETY: Failed passage.

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			enforcement agency that receives a complaint of a violation to issue a citation. Provides a means for the person to show lawful entry.	
CA AB 900 (Papan (D))	Environmental Protection: 30x30 Goals: Conservation		Requires the Natural Resources Agency, as part of the 2027 annual report on progress made toward achieving the 30x30 goal, to update the Pathways to 30x30 Report. Requires the update to include, among other things, recommendations to increase and improve stewardship of 30x30 lands, including innovative ways to reduce barriers and increase federal, State, and local support for science-based management and stewardship.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 905 (Pacheco (D))	State General Obligation Bonds: Disclosure Requirements		Requires a bond act for any State general obligation bond measure that is approved by voters on and after the specified date to include specified information about the objectives of the bond expenditure and related data. Requires each State agency subject to these provisions to provide a written report to specified entities. Requires the report to include, among other information, whether the project, grant, or other expenditure of bond proceeds has been done in a timely manner.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 914 (Garcia Ro (D))	Air Pollution: Indirect Sources		Relates to vehicle emissions and toxic air contaminants. Requires the State Air Resources Board, for a given toxic air contaminant or airborne toxic control measure, to adopt and enforce rules and regulations applicable to indirect sources of emissions. Requires the board to establish a schedule of fees on facilities and mobile sources to cover the reasonable costs of implementing and enforcing the regulations and requires the fees to be deposited in the Air Pollution Control Fund.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 920 (Caloza (D))	Permit Streamlining Act: Housing Development Projects		Relates to the Permit Streamlining Act. Requires a city or county with a population of a specified number of persons or more that has an internet website to make a centralized application portal	05/28/2025: To SENATE Committees on LOCAL GOVERNMENT and HOUSING.

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			available on its website to applicants for housing development projects. Authorizes a city or county to make a centralized application portal available on its website no later than the specified date if the legislative body of the city or county takes certain actions.	
CA AB 921 (Castillo (R))	Generators: Air Pollution Regulations: Tax Credits		Exempts from specified regulations and other regulations adopted by the State Air Resources Board the sale and purchase of portable or emergency backup generators during the period of time for which the Governor has proclaimed a state of emergency based on an emergency resulting in a loss of electrical service to any part of the state.	03/10/2025: To ASSEMBLY Committees on NATURAL RESOURCES and REVENUE AND TAXATION.
CA AB 924 (Davies (R))	Leases: Termination of Tenancy: Abuse or Violence		Requires a landlord to pay a calculated share of the security deposit, as provided, to the tenant who terminated tenancy according to the specified provisions if there are multiple tenants on the lease and a tenant states in their written notice that they are terminating tenancy because another tenant committed the specified crime.	03/03/2025: To ASSEMBLY Committee on JUDICIARY.
CA AB 929 (Connolly (D))	Sustainable Groundwater Management: Managed Wetlands		Provides that existing law grants a groundwater sustainability agency specified authority and authorizes a groundwater sustainability agency to regulate groundwater extraction using that authority. Prohibits such an agency from using that authority regarding the establishment of groundwater extraction allocations for small community water systems serving disadvantaged communities from permitted public water supply wells and to managed wetland extractors. Specifies the repeal date of such provisions.	05/15/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 930 (Ward (D))	Elections and Voting Procedures		Allows a voter requesting a recount to specify the order in which votes are recounted by the batch in which ballots were scanned or, in the case of a recount that involves more than one county,	05/28/2025: To SENATE Committee on ELECTIONS AND

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			the order in which counties will conduct the recount. Requires, if the recount is to be conducted manually and the voting system has the capability to display ballot images, the voter requesting the recount to select whether the recount will be conducted by use of paper ballots or the official ballot images.	CONSTITUTIONAL AMENDMENTS.
CA AB 940 (Wicks (D))	Quantum Innovation Zones		Authorizes the establishment of a Quantum Innovation Zone by a specified number or more cities and counties upon the adoption of a resolution by the legislative body of each city and county that states the intent of the city or county to participate in the Quantum Innovation Zone. Requires a Quantum Innovation Zone to be governed by a board of directors with a specified membership. Tasks a Quantum Innovation Zone with various duties. Requires a zone to create and maintain a website.	05/27/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 942 (Calderon (D))	Net Energy Metering: Eligible Customer Generators		Authorizes the Public Utilities Commission to adopt a new tariff for a new eligible customer-generator that purchased real property that contains a renewable electrical generation facility. Requires those eligible customer-generators to use that new tariff if it results in a lower cost impact on customers who are not eligible customer-generators than the prior tariff that was applicable to those eligible customer-generators.	05/22/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 945 (Fong M (D))	Density Bonus Law: Incentives and Concessions: Housing		Requires a city or county to grant additional incentives or concessions when an applicant proposes to construct a green housing development, as defined. Requires that the number of incentives or concessions granted initially be set to 3. Requires the Department of Housing and Community Development (HCD), as specified, to evaluate and report on the number and type of units and developments entitled, permitted, and constructed pursuant to these provisions.	03/10/2025: To ASSEMBLY Committee on LOCAL GOVERNMENT.

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CA AB 950 (Solache (D))	Political Reform Act of 1974: Advertisements		Relates to political advertisements. Provides that for certain video, print, electronic media, or text message advertisements, existing law permits the name of the committee that paid for the advertisement to be shortened. Clarifies that a print advertisement includes a yard sign or a billboard and an electronic media advertisement means a graphic, image, animated graphic, or animated image that the online platform hosting the advertisement allows to link to an internet website paid for by the committee.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 956 (Quirk-Silva (D))	Accessory Dwelling Units: Ministerial Approval		Provides that the Planning and Zoning Law provided for the creation by local ordinance, or by ministerial approval if a local agency has not adopted an ordinance, of accessory dwelling units in areas zoned for single family or multifamily dwelling residential use in accordance with specified standards and conditions. Increases the number of detached, new construction, accessory dwelling units that a local agency is required to ministerially approve on lots with a proposed or existing single family dwelling.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 961 (Avila Farias (D))	Hazardous Materials: California Land Reuse Act		Extends the repeal date of the California Land Reuse and Revitalization Act of 2004 to specified date, and would provide that a person who qualifies for immunity under the act before specified date, shall continue to have that immunity on and after specified date, if the person continues to be in compliance with the requirements of the former act.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 963 (Petrie-Norris (D))	Public Works: Prevailing Wages: Access to Records		Requires an owner or developer undertaking any public works project to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. Applies this requirement to an owner or developer that	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			undertakes a development project that includes work subject to the requirements of public works.	
CA AB 964 (Hadwick (R))	Commission on State Mandates: State Mandates		Relates to the Commission on State Mandates. Provides that existing law establishes procedures for implementing the requirement that the State reimburse local agencies and school districts for certain costs. Provides that existing law makes a reimbursement claim filed by a local agency or district subject to an audit by the Controller. Requires the Controller to allow an agency or district, at the discretion of the agency or district, to offset any reduced reimbursement or to remit funds to the Controller.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 975 (Gallagher (R))	Lake and Streambed Alteration Agreements: Exemptions		Provides that existing law prescribes various requirements for lake and streambed alteration agreements. Exempts, until the specified date, from these provisions projects to repair or reconstruct a bridge a specified number of feet long or less or a culvert of a specified number of feet long or less within the County of Sutter that has been damaged or destroyed as a result of fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, in, or after, the specified year.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 977 (Ramos (D))	California Native American Graves Protection		Requires, as part of the California Native American Graves Protection and Repatriation Act of 2001, the California State University, in consultation with tribes, to identify California State University-owned land for the burial of Native American human remains and designate a specified number of burial sites statewide.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 979 (Irwin (D))	California Cybersecurity Integration Center: Artificial		Requires the State Cybersecurity Integration Center to develop, in consultation with the Office of Information Security and the Government Operations Agency, a State AI Cybersecurity Collaboration Playbook to facilitate information sharing across	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			the artificial intelligence community and to strengthen collective cyber defenses against emerging threats. Requires the center to review federal requirements, standards, and industry best practices, and to use those resources to inform the playbook.	
CA AB 986 (Muratsuchi (D))	State of Emergency and Local Emergency: Landslides		Provides that the State Emergency Services Act authorizes the Governor to declare a state of emergency when specified conditions of disaster or extreme peril to the safety of persons and property exist. Provides that existing law defines 3 conditions or degrees of emergency for purposes of these provisions. Includes a landslide among those conditions constituting a state of emergency or local emergency.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 990 (Hadwick (R))	Public Water Systems: Emergency Notification Plan		Authorizes and encourages a public water system to provide notification to water users in their preferred language when updating the emergency notification plan, if resources are available.	05/07/2025: To SENATE Committee on ENVIRONMENTAL QUALITY.
CA AB 1001 (Rubio (D))	Drought		Makes a nonsubstantive change to existing law which authorizes an implementing agency to provide advance payment of up to 25% of grant funds awarded to public agencies, nonprofit organizations, public utilities, mobilehome parks, mutual water companies, farmers and ranchers, federally recognized California Native American tribes, nonfederally recognized Native American tribes on the contact list maintained by the Native American Heritage Commission for specified purposes.	02/20/2025: INTRODUCED.
CA AB 1003 (Calderon (D))	Public Health: Emergency Plans and Wildfire Research		Provides that existing law requires the State Department of Public Health to develop a plan with recommendations and guidelines for counties to use in the case of a significant air quality event caused by wildfires or other sources, including establishing policies and procedures that address respiratory protection and other protective equipment. Requires the plan to be completed on	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			or before the specified date, posted on the department's website, and distributed to specified entities and officers.	
CA AB 1004 (Wallis (R))	Tribal Financial Information: Public Records: Exemption		Makes any record that contains financial information provided by an Indian tribe to a State or local agency, as a condition of or requirement for receiving financial assistance, to be confidential, not a public record, and not open to public inspection. Requires each State or local agency agreement or contract with an Indian tribe related to financial assistance to contain a provision stating that any financial information disclosed pursuant to the agreement or contract shall remain confidential.	05/14/2025: To SENATE Committee on JUDICIARY.
CA AB 1007 (Rubio (D))	Land Use: Development Project Review		Provides that the Permit Streamlining Act requires a public agency, other than the State Coastal Commission, that is a responsible agency for specified development projects to approve or disapprove the project within a specified number of days. Reduces the time period that a responsible agency is required to approve or disapprove a project.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 1015 (Patel (D))	Discrimination and Harassment Prevention Training		Authorizes an employer to satisfy the discrimination and harassment prevention training requirements by demonstrating that the employee possesses a certificate of completion within the past 2 years.	03/10/2025: To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
CA AB 1017 (Boerner (D))	Energy: Electrical and Gas Corporations: General Rate		Requires an electrical corporation or gas corporation, as a part of its general rate case, to provide to the Public Utilities Commission certain information, including, among other things, the authorized and actual rate of return and return on equity for the past specified number of years and projects related to the corporation's distribution capacity that include the forecast submitted in the prior general rate case of the corporation.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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CA AB 1018 (Bauer-Kahan (D))	Automated Decision Systems		Requires a deployer of a covered automated decision system to take certain actions, including providing certain disclosures to a subject of a consequential decision made or facilitated by the covered ADS, providing the subject an opportunity to opt out of the use of the covered ADS, providing the subject with an opportunity to appeal the outcome of the decision, and submitting the ADS to third party audits. Prescribes requirements for a third party to audit a covered ADS. Provides for certain civil actions.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1020 (Schiavo (D))	Public Utilities: Energy: Taxpayer Funding: Reporting		Requires each utility, defined as an investor owned electrical corporation or gas corporation, to report certain information for any taxpayer funding that the utility has applied for or received. Requires the Public Utilities Commission, for each application in which a utility is seeking ratepayer funding, to require the utility to report all relevant taxpayer funding the utility is pursuing or has secured.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1021 (Wicks (D))	Housing: Local Educational Agencies		Provides that the Housing Accountability Act prohibits a local agency from disapproving a housing development project for very low, low or moderate income households unless the agency makes certain written findings. Revises and recasts the provisions deeming a project an allowable use on any real property owned by a local educational agency. Provides that an affordable housing project for purposes of the California Environmental Quality Act exemption includes real property owned by an LEA.	05/27/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 1026 (Wilson (D))	Planning and Zoning: Electrical Corporations		Requires an electrical corporation to compile a list of information needed to approve or deny an application for energization and to post an example of a complete, approved energization application as well as an example of a complete energization application for a housing development project. Requires an electrical corporation, upon approval of the application, to immediately transmit that	05/22/2025: In ASSEMBLY. Read second time. To third reading.

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			determination to the applicant by electronic mail and, if applicable, by posting the response on its internet website.	
CA AB 1029 (Valencia (D))	Statements of Financial interest: Digital Financial		Expands the definition of investment for purposes of the Political Reform Act of 1974 to include a digital financial asset. Requires public officials to disclose interests in their digital financial assets. Requires an agency's conflict of interest code to require designated employees to disclose interests in digital financial assets.	05/21/2025: To SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
CA AB 1033 (Lackey (R))	Eminent Domain: Appraisals: Compensation		Provides that the Eminent Domain Law authorizes a public entity to exercise the power of eminent domain to acquire property for a public use. Provides that existing law requires a public entity to pay reasonable costs, not to exceed a specified amount, of an independent appraisal ordered by the owner of a property that the public entity offers to purchase under the threat of eminent domain. Increases the limitation on the reasonable costs of an independent appraisal to a specified amount.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1040 (Essayli (R))	Elections: Residency: Displacement by Disaster		Provides that a person who leaves their home for temporary purposes because of a natural disaster, and who intends to return to that home or to another address within the same jurisdiction, does not lose their domicile at that home.	03/10/2025: To ASSEMBLY Committee on ELECTIONS.
CA AB 1043 (Wicks (D))	Age Verification Signals: Software Applications		Relates to age verification on the internet. Requires a covered manufacturer to provide an accessible interface at account setup that requires an account holder to indicate the birth date, age, or both, of the user of that device for the sole purpose of providing a signal regarding the user's age bracket to applications available in a covered application store. Requires the covered manufacturer to provide developers with a digital signal via a real-time application programming interface.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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CA AB 1044 (Macedo (R))	Tule East Groundwater Sustainability Agency Act		Creates the Tule East Groundwater Sustainability Agency. Requires the Tule East Groundwater Sustainability Agency to elect to be a groundwater sustainability agency under the Sustainable Groundwater Management Act for that portion of the Tule Subbasin that lies within the boundaries of the agency and requires the agency to develop and implement a groundwater sustainability plan to achieve sustainable groundwater management within the territory of the agency.	05/23/2025: In ASSEMBLY. Read third time and amended. To third reading.
CA AB 1046 (Bains (D))	Short Lived Climate Pollutants: Recovered Organic Waste		Provides that existing law requires the Department of Resources Recycling and Recovery to adopt regulations to achieve organic waste reduction goals. Provides that such regulations require a commercial edible food generator to have a contract or written agreement with a food recovery organization. Exempts from these requirements an agricultural crop preparation service that demonstrates to the department that it has not disposed of organic waste in a landfill on or after the specified date.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1050 (Schultz (D))	Unlawfully Restrictive Covenants: Housing Developments		Provides that existing law provides that specified recorded covenants, conditions, restrictions, or private limits on the use of land contained in specified instruments affecting the transfer or sale of any interest in real property are not enforceable against the owner of an affordable housing development. Makes these provisions applicable to covenants, conditions, restrictions, or private limits contained in a reciprocal easement agreement.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1054 (Gipson (D))	Public Employees Retirement: Deferred Retirement Option		Establishes the Deferred Retirement Option Program as a voluntary program within the Public Employees Retirement System for employees of State Bargaining Units 5 (Highway Patrol) and 8 (Firefighters). Requires these State bargaining units to bargain with the Department of Human Resources to implement the program. Requires the program to result in a cost	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYMENT AND RETIREMENT.

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			savings or be cost neutral. Requires the department to work with the Board of PERS to develop the program.	
CA AB 1055 (Boerner (D))	Accessory Dwelling Units		Provides that the Planning and Zoning Law provides for the creation of an accessory dwelling unit by local ordinance or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards. Authorizes a local agency to require the property owner to certify that the accessory dwelling unit will be occupied as a residential dwelling unit for at least a specified number of months out of each calendar year.	04/24/2025: In ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Not heard.
CA AB 1060 (Avila Farias (D))	Local Government: Legal Fee Disclosures		Requires all invoices for work by the city attorney, or by any other attorney who is seeking, or has sought, compensation from a city, to be made available, without redaction, to each member of the city council promptly upon that member's request. Requires a member of the city council who receives an invoice to maintain the confidentiality of any confidential information contained in the invoice.	03/10/2025: To ASSEMBLY Committees on LOCAL GOVERNMENT and JUDICIARY.
CA AB 1061 (Quirk-Silva (D))	Housing Developments: Urban Lot Splits: Historical		Requires a local agency to consider ministerially a proposed housing development that is not located on a parcel individually listed as a historical resource included in the State Historical Resources Inventory or within a property individually designated or listed as a city or county landmark under a city or county ordinance. Prohibits the development from demolishing more than a specified percent of the exterior wall area or affecting the character defining exterior features of a contributing structure.	05/28/2025: To SENATE Committees on HOUSING and LOCAL GOVERNMENT.
CA AB 1067 (Quirk-Silva (D))	Public Employees Retirement: Felony Convictions		Requires a public employer that is investigating a public employee for misconduct arising out of or in the performance of the public employee's official duties in pursuit of the office or appointment, or in connection with obtaining salary, disability	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			retirement, service retirement, or other benefits, to continue the investigation even if the public employee retires while under investigation, if the investigation indicates that the public employee may have committed a crime.	
CA AB 1072 (Pellerin (D))	Elections: Ballot Mistakes		Requires the Secretary of State, in consultation with county elections officials, to develop uniform standards and guidelines for a voter to correct mistakes made on the voter's ballot. Authorizes the Secretary of State to adopt regulations to ensure uniform application of the standards and guidelines.	05/14/2025: To SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
CA AB 1075 (Bryan (D))	Fire Protection: Privately Contracted Fire Prevention		Provides that the FIREScope Act requires the Office of Emergency Services to establish and administer the FIREScope program to maintain and enhance the efficiency and effectiveness of managing multiagency firefighting resources. Requires the office to develop regulations prohibiting privately contracted private fire prevention resources from hooking up their equipment to public water sources, unless approved by incident command or the authority having jurisdiction over the active fire incident.	05/21/2025: To SENATE Committees on GOVERNMENTAL ORGANIZATION and NATURAL RESOURCES AND WATER.
CA AB 1083 (Connolly (D))	Natural Resources: Agricultural Protection Program		Establishes the Agricultural Protection Planning Grant Program within the Department of Conservation. States that the purpose of the grant program is to assist any local government entity, nonprofit organization, authority, or joint powers authority to apply for, and cost-effectively use, grant funds available for farmland, grazing lands, and grasslands protection and preservation.	02/20/2025: INTRODUCED.
CA AB 1096 (Connolly (D))	Water: Schoolsites: Lead Testing		Provides that existing law makes it a crime to knowingly make any false statement or representation in any application, record, report, or other document submitted, maintained, or used for purposes of compliance with the Safe Drinking Water Act. Requires the State Water Resources Control Board to adopt	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			certain regulations. Requires the board to make specified information submitted by community water systems publicly available on its internet website.	
CA AB 1102 (Boerner (D))	Sea Level Rise and Groundwater Rise: Contaminated Sites		Provides that under existing law, the Department of Toxic Substances Control generally regulates the management and handling of hazardous substances, materials, and waste. Requires, on or before the specified date, the department and the State Water Resources Control Board to submit a report to the Legislature that includes specified information, including information relating to all contaminated sites that are vulnerable to sea level rise and groundwater rise.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1106 (Rodriguez Mi (D))	State Air Resources Board: Regional Air Quality		Requires the State Air Resources Board to expand its incident air monitoring program, subject to an appropriation by the Legislature for those purposes, to provide support for a regional network of air quality incident response centers operated by air districts, including at least one located in the South Coast Air Quality Management District, in order to facilitate emergency air monitoring response at the local and regional level.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1109 (Kalra (D))	Evidentiary Privileges: Union Agent-Represented		Establishes a privilege between a union agent and a represented employee or represented former employee to refuse to disclose any confidential communication between the employee or former employee and the union agent made while the union agent was acting in the union agent's representative capacity, except as specified. Permits a represented employee or represented former employee to prevent another person from disclosing a privileged communication.	05/12/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 1139 (Rogers (D))	California Environmental Quality Act: Exemption		Provides that the California Environmental Quality Act requires a lead agency to prepare an environmental impact report on certain projects. Provides that CEQA exempts from its requirements a	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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			change in use approved by a park district or the Great Redwood Trail Agency. Requires the lead agency, if it determines that a change is not subject to CEQA, to file notice with the State Clearinghouse in the Office of Land Use and Climate Innovation and the county clerk. Extends the exemption to a county park agency.	
CA AB 1146 (Papan (D))	Water Infrastructure: Dams and Reservoirs		Prohibits the release of stored water from a reservoir in the State if the release is done under false pretenses, defined as a release of water from a reservoir in a manner that is knowingly, designedly, and intentionally under any false or fraudulent representation as to the purpose and intended use of the water. Makes any person who violates certain provisions civilly liable in an amount not to exceed a specified amount for each day in which the violation occurs.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1152 (Patterson J (R))	Housing Crisis Act of 2019: Development Policy		Provides that the Housing Crisis Act of 2019 authorizes certain counties and cities to enact a development policy, standard, or condition to prohibit the commercial use of land that is designated for residential use. Provides that development policy, standard, or condition does not mean an action by certain counties or cities related to allowing a conservation easement to preserve residentially zoned property if certain conditions are met.	05/21/2025: To SENATE Committees on LOCAL GOVERNMENT and HOUSING.
CA AB 1154 (Carrillo J (D))	Accessory Dwelling Units: Junior Dwelling Unit		Prohibits a local agency from imposing any parking standards if the accessory dwelling unit is 500 square feet or smaller.	05/07/2025: To SENATE Committees on HOUSING and LOCAL GOVERNMENT.
CA AB 1159 (Addis (D))	Student Personal Information		Applies the provisions of the K-12 Pupil Online Personal Information Protection Act and the Early Learning Personal Information Protection Act to an operator of a website, online service, online application, or mobile application with actual knowledge that the site, service, or application is used for the	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PRIVACY AND CONSUMER PROTECTION.

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			applicable school purposes and was designed or marketed for those purposes. Enacts the Higher Education Student Information Protection Act. Authorizes a harmed student or pupil to bring a civil action.	
CA AB 1163 (Elhawary (D))	Employees: Workplace Violence Prevention Plans		Requires the State Department of Education to develop a deescalation training and make it publicly available on its internet website. Requires a school district, county office of education, charter school, or community college to, for employees who regularly interact with pupils or students, require training on deescalation techniques designed to minimize the likelihood of pupils or students committing violent acts.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1164 (Ransom (D))	Elections: Voter Bill of Rights		Requires the Voter Bill of Rights to inform voters that they have the right to receive a new ballot if they do not have a ballot. Requires the Voter Bill of Rights to inform voters that they may request a polling place ballot if they surrender their vote by mail ballot or if the elections official confirms that the voter has not voted.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1167 (Berman (D))	Electrical Corporations and Gas Corporations: Rate		Prohibits an electrical corporation or gas corporation from recording various expenses associated with political influence activities, or with promotional advertising, to accounts that contain expenses that the electrical corporation or gas corporation recovers from ratepayers. Requires the Public Utilities Commission to assess a civil penalty against an electrical corporation or gas corporation that willfully violates this prohibition.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1176 (Flora (R))	Energy: Renewable Energy Resources Program		Includes as a renewable electrical generation facility for purposes of the renewable energy resources program a facility that commenced initial commercial operation on January 1, 2005. Makes nonsubstantive changes.	03/13/2025: To ASSEMBLY Committees on UTILITIES AND ENERGY and NATURAL RESOURCES.

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CA AB 1183 (Lowenthal (D))	Residential Tenancy: Habitability: Inspection		Authorizes the landlord of a dwelling unit to elect to have an inspection performed to verify that the dwelling unit satisfies the specified habitability requirements before it is made available for hire. Establishes a presumption that, if the landlord has an inspection performed showing no violation of the habitability requirements, the dwelling unit meets that standard for an unspecified period of time.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on JUDICIARY.
CA AB 1191 (Tangipa (R))	Renewables Portfolio Standard Program: Hydro Generation		Revises the definition of an eligible renewable energy resource for the purposes of the State Renewables Portfolio Standard Program to include all hydroelectric generating facilities.	04/02/2025: In ASSEMBLY Committee on UTILITIES AND ENERGY: Reconsideration granted.
CA AB 1198 (Haney (D))	Public Works: Prevailing Wages		Requires the that if the Director of Industrial Relations determines that there is a change in any prevailing rate of per diem wages in a locality, that determination applies to any public works contract that is awarded or for which notice to bidders is published after specified date. Authorizes any contractor, awarding body, or specified representative affected by a change in rates on a particular contract to file with the director a verified petition to review the determination.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two- year bill.
CA AB 1203 (Ahrens (D))	Water Conservation: Water Wise Designation		Requires the Department of Water Resources and the Office of Community Partnerships and Strategic Communications to include, within the Save Our Water Campaign, a statewide water wise designation to be awarded to businesses in the commercial, industrial, and institutional water use sector that meet or exceed the recommendations for CII water use best management practices.	03/10/2025: To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
CA AB 1206 (Harabedian (D))	Single Family and Multifamily Housing Units		Provides that existing law requires each local agency to develop a program for the preapproval of accessory dwelling unit plans. Requires each agency to develop a program for the preapproval of	05/21/2025: To SENATE Committees on LOCAL GOVERNMENT and HOUSING.

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			single family and multifamily residential housing plans. Requires an agency to approve or deny an application for a single family or multifamily unit if the lot meets certain conditions and the application utilizes certain plans preapproved within the current State Building Standards Code rulemaking cycle.	
CA AB 1221 (Bryan (D))	Workplace Surveillance Tools		Regulates the use of workplace surveillance tools and an employer's use of worker data. Prohibits an employer from using a workplace surveillance tool to infer specified categories of information about a worker, including, among others, their immigration status, veteran status, ancestral history, religious or political beliefs, disability status, criminal record, or credit history. Authorizes an employee to bring a civil action for specified remedies for a violation of such provisions.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1226 (Essayli (R))	Air Quality: Wildland Vegetation Management Burning		Requires the State Air Resources Board to designate public fire protection agencies to oversee agricultural burning activities and to adopt rules and regulations to ensure those activities are conducted safely and effectively. Exempts wildland vegetation management burning from the specified permit requirement if that activity is conducted by, or under the supervision of, the applicable agency designated by the State Board. Requires the State Board to develop guidelines and best practices.	04/11/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
CA AB 1227 (Essayli (R))	Wildfire Safety: Fuels Reduction Projects		Provides that on the specified date, Governor Gavin Newsom issued a proclamation of a state of emergency that suspends certain statutes, rules, and requirements. Provides that the proclamation requires an individual or entity desiring to conduct a critical fuels reduction project to request a determination that the project is eligible for the suspension. Requires the State Environmental Protection Agency and the Natural Resources Agency to report on the implementation of the proclamation of emergency.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 1232 (Avila Farias (D))	Administrative Procedure Act: Proposed Regulations		Provides that existing law requires a State agency proposing to adopt, amend, or repeal a regulation that is not a major regulation to prepare an economic impact assessment that includes to what extent the regulation will affect specified factors, including the creation or elimination of jobs within the State. Requires the assessment for nonmajor regulations to include to what extent it will affect the cost of living impacts on residents of the State.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1234 (Ortega (D))	Employment: Nonpayment of Wages: Complaints		Provides that existing law authorizes the Labor Commissioner to investigate employee complaints and to provide for a hearing in any action to recover wages, penalties, and other demands for compensation. Requires certain administrative fees to be deposited into the Wage Recovery Fund. Authorizes the Labor Commissioner to waive any or all of the administrative fee upon request by a defendant, if specified conditions are met.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1240 (Lee (D))	Single Family Residential Real Property: Corporate		Prohibits a business entity that has an interest in more than a specified number of single family residential properties from purchasing, acquiring, or otherwise obtaining an ownership interest in another single family residential property and subsequently leasing the property. Authorizes the Attorney General to bring a civil action for a violations.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1242 (Nguyen (D))	Language Access		Establishes the position of Language Access Director, within the State Health and Human Services Agency, to ensure individuals with limited English proficiency and individuals who are deaf or hard of hearing have meaningful access to government programs and services. Requires the Director to, among other things, lead the implementation, monitoring, and periodic updating of every Language Access Plan within the agency and coordinate with language access coordinators throughout the agency.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 1243 (Addis (D))	Polluters Pay Climate Superfund Act of 2025		Enacts the Polluters Pay Climate Superfund Act of 2025. Establishes the Polluters Pay Climate Superfund Program to be administered by the Environmental Protection Agency to require fossil fuel polluters to pay their fair share of the damage caused by greenhouse gases released into the atmosphere. Requires the collected cost recovery demands to be deposited in the Superfund. Requires all interest earned on moneys that have been deposited into the fund to be retained in the fund for specified uses.	04/29/2025: In ASSEMBLY Committee on JUDICIARY: Not heard.
CA AB 1248 (Haney (D))	Hiring of Real Property: Fees and Charges		Requires, for residential tenancies that began before the specified date, that a tenant only be obligated to pay rent, the specified fees and charges, any fees or charges that were charged at the start of the tenancy, with specified exceptions, and fees or charges for specified utilities, including the use of a ratio utility billing system that meets specified criteria.	04/23/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1249 (Wilson (D))	Early Voting: Satellite Locations		Permits a voter using a vote by mail ballot, beginning a specified number of days before the day of an election, to vote the ballot at the office of the elections official or a satellite location. Requires the elections official to provide notice of a satellite location not later than a specified number of weeks before voting may occur at the satellite location.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1250 (Papan (D))	Transit Operators: Paratransit: Recertification		Provides that, under existing law, revenues from a specified sales tax in each county are available for allocation to transit operators and community transit services. Prohibits operators from requiring a person who receives, or is eligible to receive, paratransit services based on a disability or medical condition, and whose condition cannot reasonably be expected to improve, to recertify their eligibility, unless the person has a temporary eligibility or there is a review to broaden eligibility.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 1259 (Essayli (R))	Vote by Mail Systems		Relates to vote by mail systems. Requires the Secretary of State to publish a report stating whether a system has been certified, conditionally approved, or denied certification publicly available within 60 days after the completion of an examination.	03/10/2025: To ASSEMBLY Committee on ELECTIONS.
CA AB 1260 (Ward (D))	Electricity: Renewable Energy Subscription Programs		Imposes additional requirements that the program is required to meet, including requiring facilities participating in the program to have no more than 5 megawatts of generation capacity and no more than 5 megawatts of storage, and capping the total program capacity at 5 gigawatts or ending program subscription after 7 years, when either limit is first reached.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1266 (Solache (D))	Air Districts: Administrative Rulemaking		Provides that existing law requires State agencies, in adopting, amending, or repealing a major regulation, to prepare a standardized regulatory impact analysis. Requires certain air districts with jurisdiction over a geographic area with a certain population size, in adopting, amending, or repealing major regulations, to prepare the standardized regulatory impact analysis.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES.
CA AB 1284 (Assembly Emergency Management Committee)	Emergency Services: Catastrophic Plans		Requires the Office of Emergency Services (OES) to develop state recovery frameworks for California's catastrophic plans, as provided. Requires the governing body of a political subdivision, as defined, to develop regional recovery frameworks for California's catastrophic plans and would require OES to provide technical assistance in this regard.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1285 (Assembly Emergency Management Committee)	State Fire Marshal: Lithium-Ion Battery Facilities		Requires the State Fire Marshal, in consultation with the Office of Emergency Services, to develop fire prevention, response, and recovery measures for utility grade lithium ion battery storage facilities.	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 1286 (Boerner (D))	Political Reform Act of 1974: Prospective Employment		Provides that existing law requires specified public officials to file statements disclosing their investments and interests in real property on the date they assume office, and income received during the specified number of months before assuming office, and to file subsequent statements at intervals specified by regulations of the Fair Political Practices Commission and upon leaving office. Requires those public officials to disclose arrangements for prospective employment according to certain deadlines.	05/05/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 1295 (Patterson J (R))	Public Utilities: Bills and Notices: Consolidation		Requires the Public Utilities Commission to evaluate all customer billing and noticing requirements existing on the specified date that apply to gas or electric utilities, and to identify and consider potential avenues to consolidate and enhance billing transparency, including avenues that clearly show the source and value of each charge within each customer's bill and use the most cost effective communications channels.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1308 (Hoover (R))	Residential Building Permits: Fees: Inspections		Requires a county's or city's building department to prepare a residential building permit fee schedule and post the schedule on the county's or city's internet website, if the county or city prescribes residential building permit fees. Specifies that certain provisions entitling a permittee to reimbursement of permit fees do not apply to certain inspections performed by a private professional provider.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 1313 (Papan (D))	Water Quality: Permits		Requires the State Water Resources Control Board, after making the necessary residual designation authority findings, to establish a statewide commercial, industrial, and institutional National Pollutant Discharge Elimination System order for properties with a specified number of acres or more of impervious surface. Requires the NPDES order to include multiple compliance	05/27/2025: In ASSEMBLY. Read third time and amended. To third reading.

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			options for discharges to select and comply with to be deemed in compliance with applicable water quality based effluent limitations.	
CA AB 1319 (Schultz (D))	Protected Species: California Endangered Species Act		Provides that the California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered and threatened species. Requires the commission to consider whether to adopt a regulation to list a federally listed species that is native to the State as an emergency regulation if it determines that a federal action subsequent to the specified date results in a decrease in protection for that species and listing that species under CESA could provide protection.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1326 (Ahrens (D))	Masks: Individual or Public Health		Provides that existing law sets forth various provisions on the wearing of a mask for health purposes. Provides that an individual would have the right to wear a mask on their face in a public place for the purpose of protecting their individual health or the public health, with regard to communicable disease, air quality, or other health factors.	05/21/2025: To SENATE Committees on HEALTH and JUDICIARY.
CA AB 1331 (Elhawary (D))	Workplace Surveillance		Limits the use of workplace surveillance tools by employers. Prohibits an employer from monitoring or surveilling workers in off-duty areas. Provides workers with the right to disable or leave behind workplace surveillance tools that are on their person or in their possession during off-duty hours. Subjects an employer who violates the bill to a specified civil penalty and authorizes an employee and a public prosecutor to bring specified enforcement actions.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1337 (Ward (D))	Information Practices Act of 1977		Provides that the Information Practices Act of 1977 prescribes a set of requirements, prohibitions, and remedies applicable to agencies with regard to their collection, storage, and disclosure of personal information. Prohibits an agency from using records	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			containing personal information for any purpose or purposes other than the purpose or purposes for which that personal information was collected, except as required or authorized by State law.	
CA AB 1353 (Haney (D))	State Real Property: Office Space: Consolidation		Requires, by the specified date, the Department of General Services to conduct an audit of the utilization of State office buildings to determine opportunities to consolidate the square footage of office space given to a State agency. Authorizes and requires the department, in accordance with the findings of the audit, to consolidate space within a State office building at the suite, floor, and building level.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on GOVERNMENTAL ORGANIZATION.
CA AB 1355 (Ward (D))	Location Privacy		Relates to the State Consumer Privacy Act of 2018 and the State Privacy Rights Act of 2020. Prohibits a covered entity from collecting or processing the location information of an individual unless doing so is necessary to provide goods or services requested by that individual. Makes a covered entity that violates these provisions liable for actual or statutory damages and other specified relief. Authorizes the Attorney General or other public prosecutors to bring an action to recover a civil penalty.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1358 (Valencia (D))	Santa Ana River Conservancy Program: Lower Santa Ana		Provides that existing law authorizes the State Coastal Conservancy to fund projects to implement site improvements, upgrade deteriorating facilities or construct new facilities for outdoor recreation, public access, nature appreciation, and historic and cultural preservation. Requires at least a specified percent of such funds to be for projects in heavily urbanized areas of the lower Santa Ana River region to benefit disadvantaged communities, severely disadvantaged communities or vulnerable populations.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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CA AB 1359 (Ahrens (D))	Planning and Zoning: Development Conditions: Housing		Authorizes a housing forward jurisdiction, defined to mean a city or county that is designated as a prohousing jurisdiction by the Department of Housing and Community Development and has met or exceeded its share of the regional housing need allocation, to impose certain conditions on a development project, including prohibiting a developer from using a density bonus benefit, to reduce the number of bicycle parking or storage spaces, and requiring an impact fee for specified accessory dwelling units.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.
CA AB 1367 (Gallagher (R))	The California Water Plan: Water Storage		Requires the Department of Water Resources to amend The California Water Plan to state that water storage is the preferred method to be used by the State to meet increased water demands by urban, agricultural, and environmental interests.	03/13/2025: To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
CA AB 1370 (Patterson J (R))	State Legislature: Nondisclosure Agreements		Provides that the Legislative Code of Ethics prohibits Members of the Legislature and legislative employees from having financial conflicts of interest and engaging in activities that are in substantial conflict with their official duties. Prohibits Members of the Legislature from entering into, or requesting that another party enter into, a nondisclosure agreement relating to the drafting, negotiation, or discussion of proposed legislation. Provides that a violation of the Code is punishable as a crime.	05/23/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.
CA AB 1371 (Sharp-Collins (D))	Occupational Safety and Health: Employee Refusal		Allows an employee, acting in good faith, to refuse to perform a task assigned by an employer if it would violate safety standards or if the employee has a reasonable apprehension that the performance of the assigned task would result in injury or illness to the employee or other employees.	03/13/2025: To ASSEMBLY Committee on LABOR AND EMPLOYMENT.
CA AB 1373 (Soria (D))	Water Quality: State Certification		Provides that the Porter Cologne Water Quality Control Act authorizes the State Water Resources Control Board to certify or provide a statement to a federal agency that there is reasonable assurance that an activity will not reduce water quality below	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			applicable standards. Requires the board, if requested by the applicant, to hold a public hearing. Authorizes the board to include in its fee schedule for hydroelectric facility applicants certain amounts for certain costs.	
CA AB 1383 (McKinnor (D))	Public Employees Retirement Benefits		Provides that the State Public Employees' Pension Reform Act requires each retirement system that offers a defined benefit plan for safety members of the Public Employees' Retirement System to use certain formulas for safety members. Establishes new retirement formulas. Authorizes a public employer and a recognized employee organization to negotiate a prospective increase to the retirement benefit formulas for members and new members, consistent with the formulas permitted under the act. Appropriates funds.	05/25/2025: In ASSEMBLY. Coauthors revised.
CA AB 1385 (Petrie-Norris (D))	Unlawfully Restrictive Covenants: Housing Developments		Provides that existing law makes specified recorded covenants on the use of land contained in instruments affecting the transfer or sale of any interest in real property unenforceable against the owner of an affordable housing development if an approved restrictive covenant document has been recorded in the public record. Expands these provisions to apply to a development located on property that is the subject of a recorded restrictive covenant and is located in a county that experienced a major wildfire.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1392 (Flora (R))	Employment: Documents		Relates to existing law which, in any instance in which an employer is required to physically post information, authorizes an employer to additionally distribute that information to employees by email with the documents attached. Authorizes an employer to additionally distribute that information to employees by mail.	05/07/2025: To SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 1394 (Wallis (R))	Personal Opioid Drug Deactivation and Disposal System		Provides that existing law requires the Department of Public Health to award naloxone grant funding to local health departments, local government agencies, or others to reduce the rate of fatal overdose from opioids. Requires the department to establish a program to distribute personal opioid drug deactivation and disposal systems to individuals to encourage safe and environmentally responsible disposal practices and mitigate risks associated with unused or expired prescription and illicit opioids.	04/01/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on HEALTH.
CA AB 1395 (Harabedian (D))	Forestry: Internal Combustion Engines: Industrial		Relates to industrial operations located on or near any forest, brush, or grass-covered land. Requires a dedicated set of tools, including a sufficient number of fire extinguishers, to be located within the operating area and accessible in the event of a fire, so that, when added to any other tools on the industrial operation, each employee at the operation can be equipped to fight fire.	04/28/2025: From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
CA AB 1404 (Ortega (D))	Electrical Corporations: Connections		Requires an electrical corporation to connect an affordable housing project to the electrical distribution grid within a specified number of days, with specified exceptions. Requires the Public Utilities Commission to streamline any necessary review on an affordable housing project that is ready to connect but sitting vacant and that has not been connected by an electrical corporation within the required specified number of days. Repeals these provisions on the specified date.	04/21/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on UTILITIES AND ENERGY.
CA AB 1410 (Garcia Ro (D))	Public Utilities: Service Outages and Updates: Alerts		Requires each public utility to automatically enroll customers in alerts for service outages and updates. Requires each public utility to provide information on customer bills on how to update their preferred contact methods and to allow customers to update their contact information by email or telephone.	05/27/2025: In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA AB 1411 (Sharp-Collins (D))	Voter Education and Outreach Plans		Requires counties that do not conduct an election as an all mailed ballot election to design and implement a voter education and outreach plan to identify and register qualified voters who are not registered to vote. Requires such plans to provide information to the public about specified topics, such as vote by mail procedures and options for military and overseas voters. Requires county elections officials to submit amendments to their plans to the Secretary of State.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1413 (Papan (D))	Sustainable Groundwater Management Act: Groundwater		Provides that existing law authorizes a groundwater sustainability agency that adopts a groundwater sustainability plan to file a court action to determine the validity of the plan no sooner than a specified number of days following the adoption of the plan. Authorizes groundwater sustainability agencies to file those actions within a specified number of days.	05/15/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1420 (Ta (R))	Surplus Land		Requires the report requiring each state agency, each year, to make a review of all proprietary state lands over which it has jurisdiction to determine what land is in excess of its foreseeable needs to include land that is not currently being utilized, or is currently being underutilized by the state agency for any ongoing state program regardless of whether the agency is currently prepared to dispose of the land by sale or otherwise.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
CA AB 1439 (Garcia Ro (D))	Public Retirement Systems: Development Projects: Labor		Prohibits the board of a public pension or retirement system from making any additional or new investments of public employee pension or retirement funds in development projects in the State or providing financing for those projects with public employee pension or retirement funds unless those projects include labor standards protections.	03/24/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on PUBLIC EMPLOYMENT AND RETIREMENT.
CA AB 1444 (Flora (R))	Publication: Newspapers of General Circulation		Requires any public notice that is legally required to be published in a newspaper of general circulation to be published in the	03/27/2025: In ASSEMBLY. Read second time. To third reading.

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			newspaper's print publication, on the newspaper's internet website or electronic newspaper available on the internet, and on the statewide internet website maintained as a repository for notices by a majority of California newspapers of general circulation, as specified.	
CA AB 1447 (Gipson (D))	Unclaimed Property: Notice		Relates to the Unclaimed Property Law. Provides that existing law requires the Controller to mail a notice to each person who appears to be entitled to property valued at a specified dollar amount or more and whose address is listed in a specified report or is obtained from the Franchise Tax Board. Specifies that if the address listed in the report is not a valid deliverable address, but the Controller identifies a corrected valid address, the Controller must mail the notice to the corrected address.	05/21/2025: To SENATE Committee on JUDICIARY.
CA AB 1452 (Ta (R))	State Mandates: Claims		Lowers the minimum claim amount that a local government can request under a state mandate to a specified sum.	03/13/2025: To ASSEMBLY Committee on LOCAL GOVERNMENT.
CA AB 1455 (Bryan (D))	State Board of Forestry and Fire Protection: Ember		Requires the State Board of Forestry and Fire Protection to adopt regulations to implement specified defensible space requirements for an ember-resistant zone required within a specified number of feet of a structure in a State responsibility area and a very high fire hazard severity zone as designated by a local agency. Authorizes the State Board of Forestry and Fire Protection to readopt any of these emergency regulations.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1456 (Bryan (D))	California Environmental Quality Act		Requires the Board of Forestry and Fire Protection to update the Vegetation Treatment Program Final Program Environmental Impact Report to expand the area that is treatable landscape under the FPEIR to portions of the State suitable for vegetation treatment consistent with the FPEIR, regardless of fire suppression responsibility designation, and recognize cultural	05/27/2025: In ASSEMBLY. Read second time. To third reading.

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			burning as a covered treatment activity. Authorizes a public agency to partner with a federally recognized California Native American tribe.	
CA AB 1457 (Bryan (D))	Wildfires: Training: Defensible Space: Inspections		Provides that existing law requires the Director of Forestry and Fire Protection to establish a statewide program to allow certain persons and entities that have completed specific training developed by the Department of Forestry and Fire Protection to support certain efforts. Extends the operation of the program indefinitely. Requires the training to include training consistent with the Home Ignition Zone/Defensible Space Inspector course plan.	05/27/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1459 (Assembly Environmental Safety and Toxic Materials Committee)	Hazardous Waste: Underground Storage Tanks		Provides that a generator that accumulates hazardous waste onsite is not a storage facility if a maximum of a specified number of kilograms of hazardous waste is accumulated. Authorizes the consolidation of containers holding not more than a specified number of kilograms or a specified number of gallons of hazardous waste into a consolidation container.	05/07/2025: To SENATE Committee on ENVIRONMENTAL QUALITY.
CA AB 1466 (Hart (D))	Groundwater Adjudication: Burden of Proof		Provides that in any action to adjudicate groundwater rights, if a party to the action is seeking judicial review of an action taken by a groundwater sustainability agency pursuant to a groundwater sustainability plan that has been approved by the Department of Water Resources, that party has the burden of proof using the substantial evidence standard of review. Requires the court to, under certain circumstances, request that the groundwater sustainability agency provide a technical report.	05/08/2025: In ASSEMBLY. Read second time. To third reading.
CA AB 1467 (Hoover (R))	Residential Property Insurance: Tree Fire Risks		Exempts a residential property insurance policyholder from State and local laws, ordinances, fees, and fines associated with the removal of a tree if their insurer identifies the tree as a fire risk	03/13/2025: To ASSEMBLY Committee on INSURANCE.

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			and the Department of Forestry and Fire Protection confirms that the tree is a fire risk.	
CA AB 1469 (Hart (D))	Disaster Preparedness: Public Water Systems		Makes nonsubstantive changes to provisions of the California Emergency Services Act relating to public water systems.	02/21/2025: INTRODUCED.
CA AB 1480 (Valencia (D))	Local Government: County of Orange		Requires the local official in the County of Orange charged with the authority to execute decisions on the Orange County Investment Fund who is elected or appointed on or after the specified date to meet the same minimum qualifications of the Treasurer Tax Collector of the County of Orange.	03/28/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.
CA AB 1492 (Flora (R))	Elections: Vote by Mail Voters		Makes a nonsubstantive change to existing law which defines a vote by mail voter.	02/21/2025: INTRODUCED.
CA AB 1499 (Essayli (R))	Vehicles: Accident Reports		Makes technical, nonsubstantive changes to existing law which requires the driver of a motor vehicle who is involved in an accident that results in damage to the property of a person in excess of a specified amount, or in death or bodily injury, to report the accident to the Department of Motor Vehicles within a specified number of days after the accident.	02/21/2025: INTRODUCED.
CA ACA 1 (Valencia (D))	Public Finance		Relates to public finance. Changes the 1.5% required transfer to an undetermined percentage of the estimated amount of General Fund revenues for that fiscal year. Changes the 10% limit on the balance in the Budget Stabilization Account to 20% of the amount of the General Fund proceeds of taxes for the fiscal year estimate, as specified. Specifies that funds transferred under these provisions to the Budget Stabilization Account do not constitute appropriations subject to a specified appropriations limit.	12/02/2024: INTRODUCED.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA ACA 7 (Jackson (D))	Government Preferences		Provides that the State Constitution, pursuant to provisions enacted by the Proposition 209, prohibits the State from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. Limits the prohibition to the operation of public employment, higher education admissions and enrollment, and public contracting.	05/23/2025: In ASSEMBLY Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.
CA ACR 36 (Wallis (R))	Special Districts Week	Support	Proclaims the week of May 18, 2025, to May 24, 2025, inclusive, to be Special Districts Week.	05/21/2025: In SENATE. Ordered to third reading.
CA HR 10 (Bennett (D))	World Wetlands Day		Recognizes February 2, 2025, as World Wetlands Day.	02/06/2025: In ASSEMBLY. Read third time. Adopted by ASSEMBLY.
CA SB 2 (Jones (R))	Low-Carbon Fuel Standard: Regulations		Voids specified amendments to the Low-Carbon Fuel Standard regulations adopted by the State Air Resources Board on the specified date, or as subsequently adopted.	03/19/2025: In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.
CA SB 3 (Cervantes (D))	Elections: Signature Verification and Results		Prohibits an elections official, when comparing signatures, from considering a voter's identifying information, including gender, name, and address, and the amount of time spent reviewing a signature. Provides that an elections official is required to notify the voter when the signatures do not compare after a specified determination is made that the signatures differ. Authorizes a voter to work with a nongovernmental entity to complete a signature verification statement and unsigned envelope statement.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 5 (Cabaldon (D))	Enhanced Infrastructure Financing Districts		Provides that existing law authorizes certain local agencies to form a Community Revitalization and Investment Authority to carry out a community revitalization plan and authorizes the plan	04/24/2025: In SENATE. Read second time and amended. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			to require a certain portion of specified taxes levied upon property within the area to be allocated to the authority to finance improvements. Excludes the taxes levied upon a parcel of land enrolled in or subject to a Williamson Act contract or a farmland security zone contract from such allocations.	
CA SB 7 (McNerney (D))	Employment: Automated Decision Systems		Requires an employer, or a vendor engaged by the employer, to provide a written notice that an automated decision systems, for the purpose of making employment related decisions, not including hiring, is in use at the workplace to all workers that will be directly or indirectly affected by the ADS. Requires an employer or vendor to notify a job applicant that the employer utilizes an ADS in hiring decisions. Prohibits an employer or vendor from using an ADS that does certain functions.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 9 (Arreguin (D))	Accessory Dwelling Units: Ordinances		Provides that the Planning and Zoning Law provides for the creation of an accessory dwelling unit by local ordinance or by ministerial approval. Provides that the law requires a local agency to submit an accessory dwelling unit ordinance to the Department of Housing and Community Development. Invalidates the ordinance if the agency fails to submit a copy of the ordinance or fails to respond to the department's findings that the ordinance does not comply with specified standards within a certain period.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 11 (Ashby (D))	Artificial Intelligence Technology		Provides that existing law prohibits the false impersonation of another person in either their personal or official capacity with the intent to steal or defraud. Defines various terms related to artificial intelligence and digital replication. Clarifies that false impersonation includes the use of a digital replica with the intent to impersonate another for purposes of these and other criminal provisions. Provides for civil causes of action.	05/27/2025: In SENATE. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 21 (Durazo (D))	Single Room Occupancy Units: Demolition and Replacement		Relates to the Multifamily Housing Program, pursuant to which the Department of Housing and Community Development provides financial assistance in the form of deferred payment loans to pay for the eligible costs of development of specified types of housing projects. Specifies, for purposes of determining eligibility for a unit that received funds from the department and is for a homeless individual or family, that an individual is deemed homeless if they meet certain criteria.	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 31 (McNerney (D))	Water Quality: Recycled Water	Support	Provides that existing law prohibits the use of potable water for certain nonpotable uses. Provides that incidental amounts of spray, mist, or runoff are to be permitted to enter outdoor eating areas of parks and open spaces when irrigated with disinfected tertiary treated recycled water that complies with a specified regulation regarding irrigation. Provides that outdoor landscape irrigation of common areas operated by a homeowners association is not to be considered a dual plumbed system.	05/27/2025: In SENATE. To Special Consent Calendar.
CA SB 39 (Weber (D))	Cosmetic Safety: Vaginal Suppositories		Provides that existing law prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains any of several specified intentionally added ingredients, including boric acid, except under specified circumstances. Exempts vaginal suppositories from the prohibition on boric acid if specified conditions are met, including that a product has passed definitive third party placebo controlled double blind safety trials.	05/08/2025: In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
CA SB 42 (Umberg (D))	Political Reform Act of 1974: Public Campaign Financing		Permits a public officer or candidate to expend or accept public funds for the purpose of seeking elective office unless the funds are earmarked by a State or local entity for education, transportation, or public safety. Requires candidates to abide by specified expenditure limits and meet strict criteria to qualify for funds. Provides that existing law prohibits a foreign government	05/27/2025: In SENATE. Read second time. To third reading.

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			or principal from making certain contributions and expenditures. Provides that a violation is a misdemeanor subject to fines.	
CA SB 45 (Padilla (D))	Recycling: Beverage Containers: Tethered Plastic Caps		Requires, if a beverage is subject to the State Beverage Container Recycling and Litter Reduction Act and offered for sale in a plastic beverage container with a plastic cap, beverage manufacturers to ensure that the container has a cap that is tethered to the container. Exempts a refillable plastic beverage container and a beverage manufacturer that sold or transferred a specified number or fewer plastic beverage containers during the previous calendar year from certain provisions.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 52 (Perez S (D))	Housing Rental Rates and Occupancy Levels: Algorithmic		Prohibits a person engaged in the business of providing a rental pricing algorithm that is used to set rental rates, lease terms, or occupancy rates for residential premises and that is not otherwise prohibited from using nonpublic competitor data pertaining to residential premises in the State. Authorizes the Attorney General to file a civil action for a violation. Authorizes a person who is harmed by a violation to file a civil action.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 72 (Caballero (D))	The California Water Plan: Long Term Supply Targets	Support	Provides that existing law requires the Department of Water Resources to update The California Water Plan. Requires the department to update the interim planning target for the specified year. Requires the target to consider the identified and future water needs for all beneficial uses, including, but not limited to, urban uses, agricultural uses, tribal uses, and the environment, and to ensure safe drinking water for all Californians.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 73 (Cervantes (D))	California Environmental Quality Act: Exemptions		Exempts from the California Environmental Quality Act from its requirements certain residential, employment center, and mixed-use development projects meeting specified criteria, including that the project is located in a transit priority area and that the	01/29/2025: To SENATE Committees on ENVIRONMENTAL QUALITY and HOUSING.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			project is undertaken and is consistent with a specific plan for which an environmental impact report has been certified.	
CA SB 74 (Seyarto (R))	Office of Land Use and Climate Innovation		Requires the Office of Land Use and Climate Innovation to establish the Infrastructure Gap Fund Program to provide grants to local agencies for the development and construction of infrastructure projects facing unforeseen costs after starting construction. Authorizes the office to provide funding for up to a specified percent of a project's additional projected cost after the project has started construction, subject to specified conditions. Relates to the allocation of existing local tax revenue.	05/27/2025: In SENATE. To Special Consent Calendar.
CA SB 77 (Grove (R))	State Vehicle Fleet: Zero-Emission Vehicles		Requires the Department of General Services to require a supplier of light duty vehicles purchased for the State vehicle fleet to certify that the raw materials used in the manufacturing of the light duty vehicles, including, but not limited to, aluminum, cobalt and lithium, come from mining operations that are free of child labor, with certain exceptions. Requires the supplier to provide to the department the locations where the raw materials used in the production of the light duty vehicles were mined.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 79 (Wiener (D))	Local Government Land: Public Transit Use: Housing		Requires that a housing development project, as defined, proposed within a specified distance of a transit-oriented development (TOD) stop, as defined, be an allowed use on any site zoned for residential, mixed, or commercial development, if the development complies with applicable requirements, as specified. Establishes requirements concerning height limits, density, and floor area ratio in accordance with a development's proximity to specified tiers of TOD stops, as provided.	05/28/2025: In SENATE. Read second time and amended. To third reading.
CA SB 88 (Caballero (D))	Air Resources: Carbon Emissions: Biomass		Provides that existing law requires the State Air Resources Board, in consultation with the Department of Forestry and Fire Protection, to develop a standardized system for quantifying the	05/27/2025: In SENATE. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			direct carbon emissions and decay from fuel reduction activities for the purposes of meeting the accounting requirements for Greenhouse Gas Reduction Fund expenditures. Requires the board to include in the next scoping plan update a strategy to support beneficial carbon removal products.	
CA SB 89 (Weber (D))	Glyphosate: Prohibition on Sale		Prohibits, on and after the specified date, the sale of a product that contains glyphosate in the State, except to a person or business that holds a valid license or certificate issued by the Department of Pesticide Regulation. Requires the department to levy a specified civil penalty for each violation of this prohibition.	03/05/2025: Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and AGRICULTURE.
CA SB 90 (Seyarto (R))	Safe Drinking Water		Provides that the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 authorized the issuance of bonds to finance projects for, among other things, safe drinking water, drought, flood, and water resilience, and wildfire and forest resilience. Includes in the list of eligible projects, among other things, grants for improvements to public evacuation routes in very high and high fire hazard severity zones, and mobile rigid dip tanks to support firefighting efforts.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 92 (Blakespear (D))	Housing Development: Density Bonuses		Specifies that certain provisions of the Density Bonus Law do not require a city, county, or city and county to approve, grant a concession or incentive requiring approval of, or waive or reduce development standards otherwise applicable to, transient lodging as part of a housing development, with specified exceptions. Specifies that a city, county, or city and county is authorized, but not required, to provide certain concessions or incentives or waivers or reductions of development standards.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 222 (Wiener (D))	Climate Disasters: Civil Actions		Provides that if a person suffers bodily harm or a loss of their property because of the unlawful act or omission of another, existing law authorizes them to recover compensation from the person at fault, which is known as damages. Authorizes a person who suffered physical harm to their person or property totaling at least a specified amount to bring a civil action against a party responsible for a climate disaster or to recover damages, restitution, specified costs, and other appropriate relief.	04/08/2025: In SENATE Committee on JUDICIARY: Reconsideration granted.
CA SB 224 (Hurtado (D))	Department of Water Resources: Water Supply Forecasting		Provides that existing law requires the Department of Water Resources to update every specified number of years the State Water Plan. Requires the department to adopt a new water supply forecasting model and procedures that better address the effects of climate change. Requires the department to present certain information, including the department's operational decisions and its rationale for the State's water supply during the preceding water year, at at least a certain number of open and public meetings.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 231 (Seyarto (R))	California Environmental Quality Act		Requires the Office of Land Use and Climate Innovation to consult with regional, local, State, and federal agencies to develop a technical advisory on thresholds of significance for greenhouse gas and noise pollution effects on the environment to assist local agencies. Requires the technical advisory to provide suggested thresholds of significance for all areas of the State.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 232 (Seyarto (R))	California Environmental Quality Act: Guidelines: Study		Requires the Office of Land Use and Climate Innovation to conduct a study to, among other things, evaluate how locked in guidelines could impact regulatory certainty for future project proponents, lead agencies, and stakeholders and assess how locked in guidelines could affect the speed and efficiency of the environmental review process pursuant to the California Environmental Quality Act. Defines locked in guidelines as	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			CEQA guidelines that apply to the project throughout the environmental review process.	
CA SB 234 (Niello (R))	Wildfires: Workgroup: Toxic Heavy Metals		Requires the Department of Forestry and Fire Protection, the Office of Emergency Services, and the Department of Toxic Substances Control to form a workgroup related to exposure to toxic heavy metals after a wildfire. Requires the workgroup to establish best practices and recommendations for wildfire impacted communities, first responders, and other personnel engaged in wildfire response and cleanup to avoid exposure to heavy metals after a wildfire, including outreach.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 238 (Smallwood-Cueva (D))	Workplace Surveillance Tools		Requires an employer to annually provide a notice to the Department of Industrial Relations, in the Labor and Workforce Development Agency, of all the workplace surveillance tools the employer is using in the workplace. Requires the notice to include, among other information, the personal information that will be collected from workers and consumers and whether they will have the option of opting out of the collection of personal information.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 239 (Arreguin (D))	Open Meetings: Teleconferencing: Subsidiary Body		Provides that the Ralph M. Brown Act requires that all meetings of a legislative body be open and public and that all persons be permitted to attend and participate. Authorizes a subsidiary body to use alternative teleconferencing provisions and imposes requirements for notice, agenda, and public participation. Requires the subsidiary body to post the agenda at each physical meeting location designated by the subsidiary body.	05/08/2025: In SENATE. Read second time. To third reading.
CA SB 247 (Smallwood-Cueva (D))	State Agency Contracts: Bid Preference: Equity Metrics		Relates to bid preferences and participation goals in public contracting for certain types of bidders. Relates to the Small Business Procurement and Contract Act and the State Disabled Veteran Business Enterprise Program. Requires an awarding	04/22/2025: From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			department, defined to include a State agency or department, to provide a bid preference of a prescribed percentage in the award of contracts to contractors that set equity metrics.	
CA SB 252 (Valladares (R))	Environmental Quality Act: Exemption: Powerlines		Exempts from the provisions of CEQA a project to underground powerlines.	02/14/2025: To SENATE Committees on ENVIRONMENTAL QUALITY and ENERGY, UTILITIES AND COMMUNICATIONS.
CA SB 256 (Perez S (D))	Electricity: Electrical Infrastructure: Wildfire		Requires, for an electrical corporation's wildfire mitigation plan, the protocols for disabling reclosers and deenergizing portions of the electrical distribution system to consider the impacts on the opportunity for residents within a household who are not the customer of record to subscribe to receive notifications related to deenergization events and communication with public safety partners that have the ability to coordinate with corporations to provide broader messaging to affected communities.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 266 (Cervantes (D))	Elections: Language Accessibility		Provides that existing law requires an elections official, upon receiving a vote by mail ballot, to compare the signature on the identification envelope with the voter's signature. Provides that existing law requires the elections official to notify a voter whose signature does not match or who failed to sign the envelope of the opportunity to verify or provide a signature. Requires the Secretary of State to translate the notice, instructions, and voter statements to verify or provide a signature.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 270 (Ochoa Bogh (R))	Recall Elections: Notice of Intention		Provides that existing law requires proponents of a recall to serve, file, and publish a copy of the notice of intention to recall the elective officer. Requires the proponents' signatures and the street numbers and street names of their residence to be redacted or otherwise excluded from the notice of intention before it is made available to the public.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 273 (Grayson (D))	Surplus Land		Makes a nonsubstantive change to existing law which declares that surplus government land should be made available for affordable housing, including near transit stations, and for parks and recreation or open-space purposes.	02/14/2025: To SENATE Committee on RULES.
CA SB 280 (Cervantes (D))	Political Reform Act of 1974		Provides that the Political Reform Act of 1974 prohibits the receipt, delivery, or attempted delivery of a contribution in the State Capitol, any State office building, or any office for which the State pays the majority of the rent other than a legislative district office. Expands that prohibition to apply to local government office buildings and offices for which the State or a local government pays rent. Eliminates the exception for legislative district offices.	04/22/2025: In SENATE. Read second time. To third reading.
CA SB 283 (Laird (D))	Energy Storage Systems		Requires an application submitted to the State Energy Resources Conservation and Development Commission, in accordance with certain provisions relating to certification of facilities, and an application submitted to a local jurisdiction for an energy storage management system, to include the applicant's certification that the facility has been designed in accordance with the National Fire Protection Association 855, Standard for the Installation of Stationary Energy Storage Systems, with certain exceptions.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 285 (Becker (D))	Net Zero Greenhouse Gas Emissions Goal: Carbon Dioxide		Authorizes, for the purpose of meeting, or tracking progress against, any State requirement to achieve net zero emissions of greenhouse gases, only qualified carbon dioxide removal to be used to counterbalance the State's or an entity's greenhouse gas emissions. Requires qualified carbon dioxide removal used for those purposes to meet certain requirements.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 288 (Seyarto (R))	Property Tax: Tax-Defaulted Property Sales: Sales		Prohibits a property or property interest from being offered for sale under the provisions described above unless at least one of several conditions are met, including that the property has been	02/19/2025: To SENATE Committee on REVENUE AND TAXATION.

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			offered for sale under the provisions specified authorizing a sale to any person, or that the assessed value of the property is a specified amount or less.	
CA SB 292 (Cervantes (D))	Electricity: Wildfire Mitigation: Deenergization Events		Requires electrical corporations to work with persons from the access and functional needs population to develop and make publicly available a plan to support that population during deenergization events. Requires the Public Utilities Commission to determine whether a reliability report prepared by an electrical corporation should include specified information, including, among other things, system and division-level reliability and reliability statistics at census tracts or smaller resolutions.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 336 (Wiener (D))	Real Property Tax: Welfare Exemption: Moderate-Income		Provides that existing property tax law provides for a welfare exemption for property used for religious, hospital, scientific, or charitable purposes. Provides a partial welfare exemption in the case of certain residential rental property used for low and moderate income households. Provides that the exemption would be equal to a specified percentage of the value of the property that is equal to the percentage that the number of units serving low and moderate income households represent.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 348 (Hurtado (D))	State Air Resources Board: Low Carbon Fuel Standard		Provides that the California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt rules and regulations to achieve maximum technologically feasible and cost effective greenhouse gas emissions reductions. Provides that, pursuant to its authority, the board has adopted the Low Carbon Fuel Standard regulations. Requires the board to reconsider and revise the Low Carbon Fuel Standard to reduce the financial burden on drivers in the State.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 350 (Durazo (D))	Water Rate Assistance Program	Oppose Unless Amended	Establishes the Water Rate Assistance Program and the Water Rate Assistance Fund to provide water affordability assistance, for residential water and wastewater services, to low-income residential ratepayers. Requires the State Water Resources Control Board to take various actions in administering the fund, including, among other things, tracking and managing revenue in the fund separately from other revenue. Makes the implementation of such provisions contingent upon an appropriation by the Legislature.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 352 (Reyes (D))	Disaster Preparedness		Provides that if a state of emergency is proclaimed, the Emergency Services Act authorizes an eligible private nonprofit organization to receive State assistance for distribution of supplies and other disaster or emergency assistance activities. Requires eligible area agencies on aging and independent living centers that provide transportation and evacuation services to individuals with access and functional needs during a state of emergency to be prioritized for the State assistance.	05/27/2025: In SENATE. To Special Consent Calendar.
CA SB 358 (Becker (D))	Mitigation Fee Act: Mitigating Vehicular Traffic Impact		Relates to housing development fees for developments that satisfy certain prescribed characteristics, including a minimum number of parking spaces. Revises the characteristics relating to parking spaces. Adds a characteristic that the housing development is located within a certain distance from a specified number or more specified locations, including, among other locations, a restaurant, supermarket, or drugstore. Eliminates an express authorization for a local agency to charge certain fees.	05/28/2025: In SENATE. Read second time. To third reading.
CA SB 366 (Smallwood-Cueva (D))	Employment: Artificial Intelligence		Requires the Department of General Services to contract with the University of California, Los Angeles Labor Center to conduct a study evaluating the impact of artificial intelligence on worker well being, job quality, job types, different populations, and State revenues. Requires the department, on or before the specified	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			date, to submit a report of the findings of the study to the Legislature. Repeals these provisions upon submission of that report.	
CA SB 375 (Grove (R))	Wildfire prevention activities: Endangered Species Act		Authorizes a city, county, city and county, special district, or other local agency to submit to the Department of Fish and Wildlife a wildfire preparedness plan to conduct wildfire preparedness activities on land designated as a fire hazard severity zone that minimizes impacts to wildlife and habitat for candidate, threatened, and endangered species.	02/26/2025: To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.
CA SB 377 (Grayson (D))	Biomethane Procurement Targets		Provides that existing law requires the Public Utilities Commission to ensure that the biomethane available for any procurement program is either delivered to the State through a dedicated pipeline, or through a common carrier pipeline and meets specified requirements related to the injection of the biomethane and specified environmental benefits. Adds the displacement of conventional natural gas that results in a reduction in greenhouse gas emissions as one of the benefits.	04/07/2025: In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard.
CA SB 381 (Wahab (D))	Residential Rental Properties: Fees		Enacts the Fair Rental Act of 2025. Prohibits a landlord or their agent from charging certain fees, including, any fee that is not specified in the rental agreement, a processing fee, including a convenience fee or a check cashing fee, for the payment of rent or any other fees or deposits, or a fee for a tenant to own a household pet.	02/26/2025: To SENATE Committees on JUDICIARY and APPROPRIATIONS.
CA SB 390 (Becker (D))	Community Facilities District: Inclusion or Annexation		Relates to the Mello Roos Community Facilities Act of 1982. Provides that existing law prohibits a territory that is dedicated or restricted to agricultural, open space, or conservation uses from being included within or annexed to a specified community facilities district without the landowner's consent. Specifies that for territory that is located within the regional shoreline of the	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			County of San Mateo, the consent of a landowner is not required, if specified conditions are met.	
CA SB 394 (Allen (D))	Water Theft: Fire Hydrants	Support if Amended	Adds to the list of acts for which a utility may bring a civil cause of action under these circumstances to include tampering with a fire hydrant, fire hydrant meter, or fire detector check, or diverting water, or causing water to be diverted, from a fire hydrant with knowledge of, or reason to believe, that the diversion or unauthorized connection existed at the time of use for nonfirefighting purposes or without authorization from the appropriate water system or fire department.	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 401 (Hurtado (D))	Political Reform Act of 1974: State Employees		Prohibits an employee of a State agency from owning or controlling a financial interest in any business entity that is subject to the regulatory authority of the agency. Authorizes the head of an agency to grant a waiver only upon a finding that ownership or control of the financial interest is otherwise consistent with the Political Reform Act of 1974 and that the employee will not make, participate in, or attempt to influence a governmental decision in which the employee has a financial interest.	04/02/2025: Re-referred to SENATE Committees on ELECTIONS AND CONSTITUTIONAL AMENDMENTS and LABOR, P. E. & R.
CA SB 406 (Choi (R))	Elections: Ballot Submission Deadline		Requires a vote-by-mail ballot to be returned to the applicable elections official no later than the close of the polls on election day, except that it requires a vote-by-mail ballot cast by a military or overseas voter to be counted if it is postmarked on or before election day and received no later than 7 days after election day.	04/01/2025: In SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Heard, remains in Committee.
CA SB 419 (Caballero (D))	Hydrogen Fuel		Provides, on and after the specified date, an exemption from the taxes imposed by the Sales and Use Tax Law for the gross receipts from the sale in the State of, and the storage, use, or other consumption in the State of, hydrogen fuel. Provides that the	05/23/2025: In SENATE. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			exemption does not apply to local sales and use taxes or transactions and use taxes.	
CA SB 420 (Padilla (D))	Automated Decision Systems		Requires a developer or a deployer of a high-risk automated decision system to perform an impact assessment before making it publicly available or deploying it. Authorizes the Attorney General or the Civil Rights Department to allow a developer or deployer to cure certain violations. Prohibits an agency from awarding a contract for a high-risk automated decision system unless the person to whom the contract is awarded has certified that the system does not violate, among other civil rights laws, this bill.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 425 (Rubio (D))	Bonds: Public Entities as Beneficiaries		Specifies that if a statute provides for a bond to be given to or in favor of a beneficiary that is a public entity in connection with the purchase, construction, expansion, improvement, or rehabilitation of any real or other tangible personal property, that bond is not effective unless the beneficiary agrees to make all payments to the principal, or to the surety if the surety agrees to complete the work upon the principal's default, and perform all necessary obligations under the contract for the work.	04/29/2025: In SENATE Committee on JUDICIARY: Not heard.
CA SB 426 (Alvarado-Gil (R))	CA Environmental Quality Act: Defensible Space		Exempts from CEQA projects undertaken or approved by a public agency for purposes of maintaining defensible space to comply with the above requirements.	02/26/2025: To SENATE Committees on ENVIRONMENTAL QUALITY and NATURAL RESOURCES AND WATER.
CA SB 430 (Cabaldon (D))	State Government: Efficiency of Public Sector		States the intent of the Legislature to enact legislation that would lessen the time, effort, money, and programmatic expertise of local public sector workers in compliance with state reporting and permit processing, as specified.	02/26/2025: To SENATE Committee on RULES.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 431 (Arreguin (D))	Assault and Battery: Public Utility Employees		Makes an assault or battery committed against an employee of a public utility or other worker engaged in essential infrastructure work punishable by imprisonment in a county jail not exceeding a specified term, by a specified fine, or both.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 436 (Wahab (D))	Unlawful Detainer: Notice to Terminate Tenancy		Provides that existing law authorizes a landlord to serve a notice of termination of tenancy on a tenant who is in default in the payment of rent. Extends the notice period to terminate a tenancy on a tenant who is in default in the payment of rent, to permit the tenant at least a specified number of days, excluding weekends and judicial holidays, to pay the amount that is in default and due.	05/06/2025: In SENATE. Read second time. To third reading.
CA SB 441 (Hurtado (D))	State Air Resources Board: Membership: Removal		Authorizes any member of the State Air Resources Board to be removed from office by the Legislature, by concurrent resolution adopted by a majority vote of all members elected to each house, for dereliction of duty or corruption or incompetency.	04/23/2025: In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.
CA SB 446 (Hurtado (D))	Data Breaches: Customer Notification		Provides that existing law requires an individual or a business that conducts business in the State and that owns or licenses computerized data that includes personal information to disclose a breach of the security of the system following discovery or notification of the breach in the security of the data. Requires a specified submission to the Attorney General to be made within a specified number of calendar days of notifying affected consumers of the security breach.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 454 (McNerney (D))	State Water Resources Control Board: PFAS Mitigation	Support	Provides that existing law designates the State Water Resources Control Board as the agency responsible for administering the State Safe Drinking Water Act and the Emerging Contaminants for Small or Disadvantaged Communities Funding Program. Enacts a PFAS mitigation program. Creates the PFAS Mitigation Fund in the State Treasury and authorizes certain moneys in the fund to be expended by board, upon appropriation by the	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Legislature, for specified purposes. Requires the board to adopt guidelines.	
CA SB 463 (Alvarado-Gil (R))	Drought Planning: Resiliency Measures		Provides that existing law requires small water suppliers and nontransient noncommunity water systems that are schools to implement specified drought resiliency measures, including, among other things, metering each service connection and monitoring for water loss due to leakages. Exempts a small water supplier or nontransient noncommunity water system from these metering and monitoring requirements, under certain conditions.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 465 (Padilla (D))	Governor's Office of Emergency Services: California		Requires the Office of Emergency Services to establish a statewide emergency alert system called California Alert. Requires the California Alert to utilize Wireless Emergency Alerts authorized by the Integrated Public Alert Warning System, the Federal Emergency Management Agency's national system for local alerting that provides authenticated emergency information to the public through mobile phones within a designate cell tower's coverage area. Requires the office to contract with a private vendor.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 466 (Caballero (D))	Drinking Water: Hexavalent Chromium: Civil Liability		Prohibits a public water system that meets the total chromium maximum containment level enforceable standard for drinking water in the State from being held liable in any civil action brought by an individual or entity that is not a governmental agency related to hexavalent chromium in drinking water while implementing and in compliance with a State Water Resources Control Board approved hexavalent chromium MCL compliance plan.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 469 (Smallwood-Cueva (D))	Department of Industrial Relations		Requires the Department of Industrial Relations to establish the California Public Infrastructure Task Force, composed of representatives of specified agencies to promote employment in	04/30/2025: From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			public infrastructure projects for underrepresented communities and to provide compliance assistance to contractors and subcontractors in public infrastructure projects regarding their nondiscrimination obligations, as specified.	RETIREMENT: Do pass to Committee on APPROPRIATIONS.
CA SB 470 (Laird (D))	Bagley-Keene Open Meeting Act: Teleconferencing		Authorizes an additional, alternative set of provisions under which a state body may hold a meeting by teleconference subject to specified requirements, that at least one member of the state body is physically present at each teleconference location that a majority of the members of the state body are physically present at the same teleconference location and that members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet.	04/29/2025: In SENATE. Read second time. To third reading.
CA SB 473 (Padilla (D))	Water Corporations: Demand Elasticity: Rates		Relates to rates for water service. Requires that any changes to rates or implementation of surcharges on the Public Utilities Commission to ensure errors in estimates of demand elasticity or sales do not result in material overcollections or undercollections of water corporations do not result in revenues above those approved by the commission.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 474 (Niello (R))	State Air Resources Board: Regulatory Authority		Revokes all authority of the State Air Resources Board to adopt, revise, or repeal regulations and would declare that any law granting authority to or requiring the state board to adopt, revise, or repeal regulations, or take an action that requires exercising regulatory authority, instead be read as only authorizing the state board to provide advice and propose measures to the Legislature for statutory enactment.	04/30/2025: In SENATE Committee on ENVIRONMENTAL QUALITY: Reconsideration granted.
CA SB 482 (Weber (D))	Roster of Public Officials: Local Government		Requires, no more than a specified number of days of each general election, the governing body of each city, county, or city and county, or their delegated local entity, to submit to the Secretary of State an updated list of local elected or appointed	05/15/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			officials for publication in the roster of the State and local public officials of the State.	
CA SB 488 (Limon (D))	Safety Element: Local Hazard mitigation Plan		Makes nonsubstantive changes in the provision that authorizes a city or county to adopt a local hazard mitigation plan to a Safety element.	02/26/2025: To SENATE Committee on RULES.
CA SB 489 (Arreguin (D))	Local Agency Formation Commissions: Written Policies		Requires that each local agency formation commission establish specified written policies and procedures. Requires that the policies and procedures include any forms necessary for a complete application to the commission concerning a proposed change of organization or reorganization. Requires each commission to provide access to its policies and procedures to the public through its website. Revises the definition of development project for purposes of the Permit Streamlining Act.	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 495 (Allen (D))	Insurance		Requires, on or before the specified date, an admitted insurer in a group with written premiums in the prior year from specified lines of insurance totaling a specified amount to submit a report to the Insurance Commissioner on its reinsurance placement data and use of probabilistic catastrophic models for the previous year. Requires the report to include data from the latest available reinsurance treaty year.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 496 (Hurtado (D))	Advanced Clean Fleets Regulation: Appeals	Support	Exempts from the Advanced Clean Fleets Regulation or any similar regulation vehicles reasonably anticipated to respond to emergency situations. Prohibits the Air Resources Board from requiring a State or local government fleet owner to provide documentation showing an executed zero emissions vehicle purchase agreement in order to count an internal combustion engine vehicle as a zero emissions vehicle purchase for purposes of postponing a zero emissions vehicle transition mandate in the Regulation.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 499 (Stern (D))	Residential Projects: Fees and Charges: Emergency		Relates to the Mitigation Fee Act. Provides that existing law authorizes a local agency to require the payment of certain fees or charges earlier if the fees or charges will be collected for public improvements or facilities related to providing fire, public safety, and emergency services to a residential development. Authorizes a local hazard mitigation plan to be used in lieu of a safety element for certain purposes until the specified date.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 501 (Allen (D))	Household Hazardous Waste Producer Responsibility Act		Creates a producer responsibility program for products containing household hazardous waste and requires a producer responsibility organization to ensure the safe and convenient collection and management of covered products at no cost to consumers or local governments. Defines covered product to mean a consumer product that is ignitable, toxic, corrosive, or reactive, or that meets other specified criteria, with certain exceptions. Requires the PRO to prepare an initial statewide needs assessment.	05/23/2025: In SENATE Committee on APPROPRIATIONS. Held under submission and made a Two-year bill.
CA SB 509 (Caballero (D))	Office of Emergency Services: Training		Requires the Office of Emergency Services, through the California Specialized Training Institute, to develop transnational repression recognition and response training, as specified.	05/23/2025: In SENATE. Read second time. To third reading.
CA SB 512 (McGuire (D))	Office of Emergency Services: State Fire Assistance		Relates to the State Assistance for Fire Equipment Act and sales of firefighting apparatus or equipment to local agencies. Requires that no fewer than 100 days pass after providing notice to the local agencies before the office may sell to public agencies outside of California, the federal government, and Indian tribes.	05/12/2025: To ASSEMBLY Committee on EMERGENCY MANAGEMENT.
CA SB 513 (Durazo (D))	Personnel Records		Provides that existing law grants current and former employees, or their representative, the right to inspect and receive a copy of personnel records maintained by the employer relating to the employee's performance or to any grievance concerning the employee. Provides that personnel records relating to the	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			employees performance include education and training records. Requires an employer who maintains education and training records to ensure those records include specified information.	
CA SB 514 (Cabaldon (D))	Wildfire Prevention: Assessment: Accreditation		Requires the State Department of Forestry and Fire Protection to create a standardized accreditation framework to accredit local governments, fire safe councils, and neighborhoods for following wildfire prevention practices. Requires the department to publish on its internet website specified information, including a list of all accredited entities.	05/27/2025: In SENATE. To Special Consent Calendar.
CA SB 521 (Gonzalez (D))	Public Employment: Disqualification		Provides that existing law disqualifies a public employee from any public employment for a specified number of years if the employee is convicted of any felony involving, among other things, accepting or giving a bribe. Expands that provision to include any felony involving a conflict of interest. Disqualifies a city manager or city attorney, including an individual acting under contract with the city for those services, who is convicted of any of the specified felonies from future equivalent employment.	05/08/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 522 (Wahab (D))	Housing: Tenant Protections		Provides that the Tenant Protection Act of 2019 prohibits an owner of residential real property from terminating the tenancy of certain tenants without just cause. Excludes housing built to replace a previous housing unit that was subject to the Tenant Protection Act, was substantially damaged or destroyed by a disaster, and was issued a certificate of occupancy before that housing unit was substantially damaged or destroyed, from the exemption from the just cause requirements and rental increase limits.	04/10/2025: In SENATE. Read second time. To third reading.
CA SB 526 (Menjivar (D))	South Coast Air Quality Management District: Air		Provides that existing law provides for the creation of the South Coast Air Quality Management District in portions of the	05/23/2025: In SENATE. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			specified counties included in the South Coast Air Basin. Requires the South Coast District Board to update Rule 1157 to improve air quality and increase data collection. Requires the owner or operator of a covered facility to take specified actions. Makes legislative findings and declarations as to the necessity of a special statute for the South Coast District.	
CA SB 532 (Dahle M (R))	Air Basins		States the intent of the Legislature to enact future legislation related to clean air basins.	03/05/2025: To SENATE Committee on RULES.
CA SB 543 (McNerney (D))	Accessory Dwelling Units and Junior Accessory Dwelling		Provides that existing law requires a local agency to consider ministerially a permit application for an accessory dwelling unit or a junior accessory dwelling unit within a specified number of days. Requires, if a local agency has not adopted a junior accessory dwelling unit ordinance, that a permit application for a JADU to be considered pursuant to this ministerial approval provision. Requires a permitting agency to determine whether an application for an ADU or JADU is complete.	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 547 (Padilla (D))	Commercial Property Insurance Cancellation		Extends a prohibition against cancellation or nonrenewal and its exceptions to a policy of commercial property insurance.	05/06/2025: In SENATE. Read second time. To third reading.
CA SB 556 (Hurtado (D))	Habitat Enhancement and Restoration: Floodplains		Requires, upon appropriation by the Legislature, the specified sum to be allocated to the Wildlife Conservation Board for floodplain acquisition, habitat restoration, and associated conservation projects on floodplains in the Counties of Kern, Kings, and Tulare.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 557 (Hurtado (D))	Sustainable Groundwater Management: Boundaries		Makes a nonsubstantive change in the Sustainable Groundwater Management Act relating to basin boundaries.	03/05/2025: To SENATE Committee on RULES.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 590 (Durazo (D))	Paid Family Leave: Eligibility		Provides that existing law establishes a family temporary disability insurance program, also known as the Paid Family Leave Program. Expands eligibility for benefits under the Paid Family Leave Program to include individuals who take time off work to care for a seriously ill designated person. Defines designated person to mean any individual related by blood or whose association with the claimant is the equivalent of a family relationship. Appropriates funds.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 593 (Hurtado (D))	Voltage Changes: Consumer Protection		Requires the Public Utilities Commission to require electrical corporations to adjust their consumer protections to better protect customers from significant voltage changes that can result in damage to customers' equipment and appliances if the commission determines adjustments to the consumer protections are necessary. Specifies the factors that the commission would be required to evaluate when determining whether to adjust the consumer protections.	05/13/2025: In SENATE. Read second time. To third reading.
CA SB 595 (Choi (R))	Local Government: Investments and Financial Reports		Provides that existing law requires the Controller to annually compile, publish, and make publicly available on the Controller's website reports of the information concerning financial transactions and annual compensation of each county, city, and school district within the State. Requires forfeiture to the State of certain revenue if a local agency officer fails or refuses to make and file their financial report within a specified number of months after the end of the local agency's fiscal year.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 598 (Durazo (D))	Public Contracts: Local Water Infrastructure Projects		Authorizes a local agency, upon approval of its governing body, to use the Construction Manager/General Contractor method for a regional recycled water project or other water infrastructure project undertaken by the Metropolitan Water District of	05/19/2025: To ASSEMBLY Committee on LOCAL GOVERNMENT.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Southern California to alleviate water supply shortages attributable to drought or climate change.	
CA SB 599 (Caballero (D))	Atmospheric Rivers: Research: Forecasting Methods	Support	Relates to the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency Program in the Department of Water Resources. Provides that existing law requires the department to operate reservoirs in a manner that improves flood protection. Requires, for certain novel forecasting methods, the department to include the use of experimental tools that produce seasonal and subseasonal atmospheric river forecasts.	05/27/2025: In SENATE. To Special Consent Calendar.
CA SB 601 (Allen (D))	Water: Waste Discharge		Provides that existing law requires a regional water quality board to prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a community sewer system, with relation to the conditions existing in the disposal area or receiving waters. Requires discharge requirements to, in the case of discharges to nexus waters, implement the relevant federal standards.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 607 (Wiener (D))	Environmental Quality Act: Infrastructure Projects		Provides that existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, declares that the Sacramento-San Joaquin Delta is a critically important natural resource for California and the nation and it serves as both the hub of the California water system and the most valuable estuary and wetland ecosystem on the west coast of North and South America. States the intent of the Legislature that, among other things, no revisions shall be made to CEQA for purposes of the Delta Conveyance Project.	05/28/2025: In SENATE. Read second time and amended. To third reading.
CA SB 610 (Padilla (D))	Disaster Assistance: Tenants		Prohibits the management of a mobilehome park from, over the course of any specified period from the date on which any	05/23/2025: In SENATE. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			federal, State, or local state of emergency is first declared, increasing the gross rental rate for a tenancy in a mobilehome park by more than a specified percent plus the percentage change in the Consumer Price Index, or a specified percent of the lowest gross rental rate charged for the tenancy during a certain period. Relates to offering the previous homeowner a right of first refusal.	
CA SB 613 (Stern (D))	Methane Emissions: Petroleum and Natural Gas		Requires State agencies to prioritize strategies to reduce methane emissions, including emissions from imported petroleum and natural gas, where feasible and cost effective. Authorizes the State Air Resources Board, the Public Utilities Commission, and other relevant agencies to assess existing programs to reduce methane emissions, including emissions from imported petroleum and natural gas procured by utilities and other large gas users.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 618 (Reyes (D))	Electricity: Deenergization Events: Report		Requires each electrical corporation to file a postdeenergization event report with the Public Utilities Commission following a deenergization event that includes the duration of the deenergization event, the circuits affected, the number of customers impacted, and other information required by the commission. Requires each corporation to include the cost to a customer of the interruption of electrical service, per affected customer, and the aggregated cost for all affected customers in the report.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 620 (Stern (D))	Energy Utility Data		Requires the State Energy Resources Conservation and Development Commission to create the Data Access Governance Committee, with specified membership, and requires the committee to provide initial recommendations on prescribed topics to the Energy Commission and the Public Utilities Commission. Authorizes the Energy Commission to work with certain gas corporations, electrical corporations, and local	04/29/2025: In SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Not heard.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			publicly owned utilities to enact cost effective energy utility data programs.	
CA SB 621 (Grove (R))	Voter Registration: Military and Overseas Voters		Provides that existing law provides that otherwise qualified military and overseas voters and voters with disabilities may complete a conditional voter registration and cast a provisional ballot or nonprovisional ballot. Provides that existing law permits a military or overseas voter to register after the closing date of registration, under certain conditions. Relates to the inclusion of military and overseas voters in the general conditional voter registration process.	05/19/2025: To ASSEMBLY Committees on ELECTIONS and MILITARY AND VETERANS AFFAIRS.
CA SB 625 (Wahab (D))	Housing Developments: Disasters: Reconstruction		Relates to the Planning and Zoning Law. Requires a local agency to expedite the review and approval of a nondiscretionary permit related to a housing development subject to a streamlined, ministerial approval process. Provides that an ordinance that precludes specified placements and uses of manufactured homes, mobilehomes, or recreational vehicles for use during the reconstruction or repair of any home damaged or destroyed in a disaster is unenforceable for a specified period following a disaster.	05/13/2025: In SENATE. Read second time. To third reading.
CA SB 627 (McGuire (D))	Planning and Zoning: Housing: Postentitlement Phase		Deletes a provision for the applicant to appeal a decision to the director of the local agency, as specified, and, instead, would require a local agency to provide a process for the applicant to appeal that decision in writing to the governing body of the agency only.	05/08/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 629 (Durazo (D))	Wildfires: Fire Hazard Severity Zones: Defensible Space		Requires a city or county to designate, by ordinance, an area in its jurisdiction that is within the perimeter of a wildfire occurring on or after the specified date as a very high fire hazard severity zone within a specified timeframe. Authorizes a city or county to exclude such an area if it makes findings that none of the State	05/23/2025: In SENATE. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Fire Protection Standards are necessary for effective fire protection within the area.	
CA SB 636 (Menjivar (D))	Electrical or Gas Corporations: Deferment of Payments		Prohibits an electrical or gas corporation from disconnecting service of a customer for a specified number of months, if the customer meets certain requirements. Requires, upon the expiration of the deferment period, the customer to enroll in the electrical or gas corporation's arrearage management program or be enrolled in an available payment plan for which the customer is eligible, if the customer is not eligible for the arrearage management plan, for any and all debts on the customer's account.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 644 (Blakespear (D))	Political Reform Act of 1974: Contribution Limits		Relates to contribution limits under the Political Reform Act of 1974. Applies certain contribution limits and certain provisions to candidates for judicial, school district, and community college district office. Authorize the Judicial Council, school districts, and community college districts to impose more restrictive contribution limits on candidates for judicial, school district, and community college district office. Provides that any person who willfully violates the Act is guilty of a misdemeanor.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 647 (Hurtado (D))	Energy: Equitable Building Decarbonization Program		Requires the State Energy Resources Conservation and Development Commission to establish a mechanism to notify applicants to the Equitable Building Decarbonization Program that they may also be eligible for building energy efficiency and decarbonization incentives. Adds to the Low-Income Oversight Board a member to be selected by the Executive Director of the Energy Commission. Relates to State and ratepayer-funded energy-efficiency incentives provided to low-income and to low-to-moderate income residents.	05/27/2025: In SENATE. Read second time. To third reading.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 650 (Cabaldon (D))	The Sacramento-San Joaquin Delta Reform Act of 2009		Relates to the Sacramento-San Joaquin Delta Reform Act of 2009. Provides certain deadlines for legal actions arising out of specified actions of the Delta Stewardship Council. Adds State and local public agencies to the entities authorized to appeal a certification of consistency. Makes the provisions of the Delta Plan severable.	05/15/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 653 (Cortese (D))	Wildfire Prevention: Environmentally Sensitive		Provides that existing law requires the Department of Forestry and Fire Protection, in accordance with policies established by the State Board of Forestry and Fire Protection, to assist local governments in preventing future high-intensity wildland fires and instituting appropriate fuels management by making its wildland fire prevention and vegetation management expertise available to local governments. Requires an environmentally sensitive vegetation management project to prioritize specified practices.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 655 (Stern (D))	Residential Building Standards: Indoor Temperature		Requires the Department of Housing and Community Development to research, develop, and propose for adoption by the State Building Standards Commission for the next triennial update of the State Building Standards Code, that occurs on or after the specified date, standards that may include, among other things, the use of mechanical ventilation to achieve a specified maximum safe indoor air temperature for newly constructed residential dwelling units.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 662 (Alvarado-Gil (R))	Wildfires: Defensible Space: Education Efforts		Extends a statewide program to allow qualifying entities to support and augment the Department of Forestry and Fire Protection in its defensible space and home hardening assessment and education efforts and requires the director to establish a common reporting platform that allows defensible space and home hardening assessment data, collected by qualifying entities,	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			to be reported to the department, among other things until a specified date.	
CA SB 677 (Wiener (D))	Housing Development: Streamlined Approvals		Provides that existing law specifies that proposed housing developments and urban lot splits considered ministerially may be required to obtain a coastal development permit. Specifies that certain provisions do not relieve a proposed housing development's or urban lot split's requirement to obtain a coastal development permit if the activity would take place in the coastal zone. Expresses the intent of the Legislature to increase the supply of housing in the coastal zone while protecting coastal resources.	04/22/2025: In SENATE Committee on HOUSING: Reconsideration granted.
CA SB 678 (Niello (R))	Fire Prevention Activities: Challenges: Undertaking		Provides that, in a civil action brought to challenge a project that will engage in fire prevention activities, including those brought pursuant to the California Environmental Quality Act, a defendant may seek an order requiring the plaintiff to furnish an undertaking as security for costs and damages that may be incurred by the defendant if the bringing of the action or seeking by the plaintiff of particular relief, including injunctive relief, would result in preventing or delaying the project.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 682 (Allen (D))	Environmental Health: Product Safety: Perfluoroalkyl	Support	Prohibits a person from distributing, selling, or offering a product that contains intentionally added PFAS that is water soluble, may decompose into PFAS that is water soluble, or may release PFAS that is water soluble unless the Department of Toxic Substances Control has determined that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used. Requires a manufacturer to provide a certificate of compliance upon request.	05/27/2025: In SENATE. Read second time. To third reading.

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Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 688 (Niello (R))	Office of Regulatory Counsel		Establishes the Office of Regulatory Counsel in State government within the Governor's office, under the direction and control of a director. Requires the office to draft and assist in the preparation, consideration, amendment, and repeal of regulations for a State agency, before the State agency submits a proposed action regarding that regulation to the Office of Administrative Law for publication in the State Regulatory Notice Register. Makes related legislative findings and declarations.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 693 (Cortese (D))	Employees: Meal Periods		Creates an exception from the prohibition against an employer from employing an employee for a work period of more than 5 hours per day without providing the employee with a meal period of not less than 30 minutes, for employees of a water corporation, as defined.	05/15/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 697 (Laird (D))	Determination of Water Rights: Stream System		Revises the State Water Resources Control Board's statutory adjudication of water rights during an investigation of a stream system. Provides that existing law authorizes any party aggrieved by a specified decision or order of the board to file a petition for writ of mandate for judicial review of the decision or order. Applies the procedures for reconsideration, amendment, and judicial review to decisions and orders of the board issued pursuant to certain provisions related to water rights.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 707 (Durazo (D))	Open Meetings: Meeting and Teleconference Requirements		Provides that the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public. Provides that existing law authorizes a court to order a legislative body, upon a judgment of a violation of specified closed session provisions, to audio record closed sessions and preserve the recordings for a certain period and under certain terms. Expands the violations for specified closed sessions to include a violation of any provision under the act authorizing a closed session.	05/06/2025: In SENATE. Read second time. To third reading.

IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 714 (Archuleta (D))	Zero-Emission Vehicles: Clean Energy Workforce Training		States the intent of the Legislature to enact legislation that would establish a zero-emission vehicle workforce development pilot project and a Clean Energy Workforce Training Council.	03/12/2025: To SENATE Committee on RULES.
CA SB 715 (Allen (D))	Regional Housing Need: Methodology: Distribution		Provides that the Planning and Zoning Law requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region and requires the appropriate council of governments to adopt a final regional housing need plan. Removes the requirement that the loss of units factor due to a declared emergency be considered. Requires those lost units to be distributed proportionally according to the region's proposed methodology.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 724 (Richardson (D))	Public Housing: Lead Testing		Requires the owner of a public housing unit that is owned or managed by a city, county, city and county, or city, county, or city and county housing authority, to provide information to the residents of the public housing unit regarding any applicable existing program that offers free testing of the water for lead.	05/27/2025: In SENATE. To Special Consent Calendar.
CA SB 730 (Hurtado (D))	Product Safety: Consumer Products: Perfluoroalkyl	Watch	Prohibits, beginning on the specified date, a person from distributing, selling, or offering for sale artificial turf, carpets or rugs, cleaning products, cookware, dental floss, fabric treatments, or upholstered furniture that contain intentionally added PFAS. Authorizes the Department of Toxic Substances Control to adopt regulations to designate additional consumer product categories to prohibit the distribution, selling, or offering for sale of consumer products containing intentionally added PFAS.	04/02/2025: Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and HEALTH.
CA SB 732 (Ochoa Bogh (R))	Emergency Backup Generators: Critical Facilities		Requires an air district without a specified rule on emergency backup generators, as defined, as of January 1, 2026, that adopts such a rule to include in the rule provisions that allow the operator of a critical facility, as defined, to use a permitted	03/12/2025: To SENATE Committee on ENVIRONMENTAL QUALITY.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			emergency backup generator in exceedance of the applicable runtime and testing and maintenance limits if specified conditions are met.	
CA SB 740 (Rubio (D))	Municipal Wastewater Agency: New Agreement		Extends a filing agreement or amendment on a municipal wastewater agency, if the agency enters into a new agreement or amends an agreement pursuant to specified provisions, timeline to specified number of days.	04/02/2025: From SENATE Committee on LOCAL GOVERNMENT: Do pass to Committee on ENVIRONMENTAL QUALITY.
CA SB 741 (Blakespear (D))	Coastal Resources: Coastal Development Permit		Relates to the California Coastal Act of 1976. Provides that existing law exempts from the coastal development permitting process certain emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore existing highways. Expands that exemption to include certain emergency projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore existing railroad track along the Los Angeles-San Diego-San Luis Obispo Rail Corridor.	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 742 (Padilla (D))	Water Systems and Water Districts		States the intent of the Legislature to enact subsequent legislation related to the regulation of water systems and water districts.	03/12/2025: To SENATE Committee on RULES.
CA SB 746 (Alvarado-Gil (R))	Water: Urban Water Community Drought Relief Program		Establishes in the Department of Water Resources the Urban Water Community Drought Relief Program and the Small Community Drought Relief Program to provide grants for interim or immediate drought relief. Provides that these programs would authorize funding for benefits in addition to drought relief, including, among other projects, projects that reduce the risk of wildfire for entire neighborhoods and communities through water delivery system improvements for fire suppression purposes.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

IRWD 2025 LEGISLATIVE MATRIX
Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 755 (Blakespear (D))	California Contractor Climate Transparency Act		Enacts the State Contractor Climate Transparency Act. Requires the State Air Resources Board, beginning within a specified period after the effective date of regulations adopted pursuant to the Climate Corporate Data Accountability Act, to require a large contractor and a significant contractor to report annually specified information, including, for large contractors, an annual disclosure of scope 1 emissions, scope 2 emissions and scope 3 emissions, and climate-related financial risk.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 757 (Richardson (D))	Local Government: Nuisance Abatement		Provides that existing law authorizes the legislative body of a city or county to establish a procedure to use a nuisance abatement lien or a special assessment to collect abatement costs and related administrative costs. Requires the enforcing entity to provide a specified number of days to a person responsible for a continuing violation to correct or remedy the violation prior to the imposition of penalties, except where the violation creates an immediate danger to health or safety.	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 760 (Allen (D))	Behested Payments: Public Appeal for Payment		Relates to the Political Reform Act of 1974. Exempts a behesting officer or member of the Public Utilities Commission from certain reporting obligations if they make a public appeal for payment, unless it is reasonably foreseeable that the payment will have a material financial effect, distinguishable from its effect on the public generally, on the officer or member of the Public Utilities Commission, or a member of their immediate family.	05/27/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 768 (Durazo (D))	Courts: Data Reporting		Requires courts to provide the Judicial Council each month with information regarding unlawful detainer cases aggregated by zip Code. Requires the Judicial Council to make that information publicly available online every specified months. Relates to the Sargent Shriver Civil Counsel Act, that requires legal counsel to be appointed to represent low-income parties in civil matters	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			involving critical issues affecting basic human needs in courts selected by the Judicial Council.	
CA SB 782 (Padilla (D))	Enhanced Infrastructure Financing District: Climate		Relates to the formation of climate resilience districts for the purposes of raising and allocating funding for eligible projects and the operating expenses of eligible projects. Requires the entity proposing formation of the district to hold a public meeting to consider a resolution of intention to establish the district. Requires the resolution to include specified information, including that incremental property tax revenue may be used to finance the district's activities. Declares the bill's urgency.	05/28/2025: In SENATE. Read third time, urgency clause adopted. Passed SENATE. *****To ASSEMBLY.
CA SB 795 (Richardson (D))	30x30 Goal: State Agencies: Plans		Relates to Executive Order No. N-82-20. Requires all state agencies, including their departments, boards, offices, commissions, and conservancies, to consider the 30x30 goal when adopting, revising, or establishing plans, policies, or regulations, and shall ensure, to the extent feasible, that the plan, policy, or regulation is not inconsistent with the 30x30 goal.	03/12/2025: To SENATE Committees on GOVERNMENTAL ORGANIZATION and NATURAL RESOURCES AND WATER.
CA SB 809 (Durazo (D))	Employees and Independent Contractors: Construction		Establishes the Construction Trucking Employer Amnesty Program, to be administered by the Labor Commissioner and the Employment Development Department. Provides that an eligible construction contractor would be relieved of liability for statutory or civil penalties associated with the misclassification of construction drivers as independent contractors, if the eligible construction contractor executes a settlement agreement negotiated with, or approved by, the commissioner prior to the specified date.	05/27/2025: In SENATE. Read second time. To third reading.
CA SB 810 (Dahle M (R))	Electricity: Ratepayer-Funded Programs: Reports		Requires the Energy Commission and the PUC, by July 1, 2025, to each submit to the Legislature a report containing certain information required by Executive Order No. N-5-24.	03/12/2025: To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
CA SB 815 (Allen (D))	Planning and Zoning: Very High Fire Hazard Areas		Requires a city or county that contains residential structures in a very high fire hazard area, upon each revision of a housing element of a general plan on or after the specified date, to amend the land use element of its general plan to consider, among other things, the goals contained in the most recent Strategic Fire Plan for the State prepared by the Department of Forestry and Fire Protection.	05/23/2025: In SENATE Committee on APPROPRIATIONS: Held in committee.
CA SB 817 (Choi (R))	Political Reform Act of 1974		Declares the intent of the Legislature to enact future legislation relating to the Political Reform Act of 1974.	03/12/2025: To SENATE Committee on RULES.
CA SB 827 (Gonzalez (D))	Local Agency Officials: Training		Provides that existing law imposes ethics training on specified local agency officials. Expands which local agency officials are required to complete the ethics training to include department heads, or other similar administrative officers. Requires officials who commence service on or after a specified date to receive their initial training within six months of commencing service. Requires the local agency to publish the training records on its internet website.	05/28/2025: In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
CA SB 831 (Limon (D))	Geologic Hazards: California Geological Survey		Expands the duties of the Department of Conservation to review and investigate geologic hazards to specifically include geologic hazards that may occur in relation to climate change and make other related changes.	04/22/2025: In SENATE. Read second time. To third reading.
CA SB 833 (McNerney (D))	Critical Infrastructure: Automated Decision Systems		Requires an operator, defined as a State agency in charge of critical infrastructure, that deploys artificial intelligence to establish a human oversight mechanism to monitor the system's operations in real time and review and approve any plan or action proposed by the artificial intelligence system before execution, with specified exceptions. Requires the Department of	05/23/2025: In SENATE. Read second time. To third reading.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Technology to administer specialized training in artificial intelligence safety protocols and risk management techniques.	
CA SB 838 (Durazo (D))	Housing Accountability Act: Housing Development Project		Provides that the Housing Accountability Act prohibits a local agency from disapproving a housing development project for very low, low, or moderate income households unless the agency makes certain findings. Revises the definition of housing development project to, in the case of mixed use developments with at least a specified fraction of the new or converted square footage designated for residential use, require that no portion of the project be designated for transient lodging, with certain exceptions.	05/08/2025: In SENATE. Read second time. To third reading.
CA SB 842 (Stern (D))	Energy: Firm Zero Carbon Resources		Requires the Public Utilities Commission to produce a report identifying opportunities and needs to provide for local reliability with firm zero-carbon resources over the short term, midterm, and long term. Requires the report to include, among other things, characterization of the resource attributes vital for local reliability and identification of barriers, including market barriers, to deploying firm zero-carbon resources to enhance local reliability.	05/27/2025: In SENATE. Read second time. To third reading.
CA SCR 3 (Laird (D))	Safe Drinking Water Act: 50th Anniversary		Commemorates the 50th anniversary of the Safe Drinking Water Act, celebrates the achievements and progress made under this essential law, and expresses its commitment to the continued protection and improvement of California's drinking water resources.	05/05/2025: To ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
CA AB 13 a (Gonzalez Je (R))	California Global Warming Solutions Act of 2006		Requires the State Air Resources Board to include greenhouse gas emissions from wildlands and forest fires in its scoping plan.	01/30/2025: INTRODUCED.

IRWD 2025 LEGISLATIVE MATRIX

Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
US H 231 (Hageman (R))	Energy and Water Development and Related Agencies		Amends the Energy and Water Development and Related Agencies Appropriations Act, to reauthorize the Colorado River System conservation pilot program.	02/12/2025: In HOUSE Committee on NATURAL RESOURCES: Ordered to be reported as amended.
US H 331 (Fulcher (R))	Aquifer Recharge Flexibility Clarification Act		Amends the Aquifer Recharge Flexibility Act to clarify a provision relating to conveyances for aquifer recharge purposes.	05/14/2025: To SENATE Committee on ENERGY AND NATURAL RESOURCES.
US H 337 (Costa (D))	Groundwater Recharge and Water Supply Support Act		Provides technical and financial assistance for groundwater recharge, aquifer storage, and water source substitution projects.	01/13/2025: To HOUSE Committee on NATURAL RESOURCES.
US H 338 (Costa (D))	Enhanced Surface and Groundwater Storage Act		Amends the Infrastructure Investment and Jobs Act to increase surface water and groundwater storage.	01/13/2025: To HOUSE Committee on NATURAL RESOURCES.
US H 471 (Westerman (R))	Fix Our Forests Act		Expedites the National Environmental Policy Act of 1969; improves forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire prone forested lands, and for other purposes.	01/23/2025: In HOUSE. Passed HOUSE. *****To SENATE.
US H 1267 (Perez (D))	CERCLA Liability Exemption for PFAS Releases		Exempts certain entities from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 with respect to releases of perfluoroalkyl and polyfluoroalkyl substances.	02/12/2025: To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 2093 (Calvert (R))	Federal Water Pollution Control Act	Support	Amends the Federal Water Pollution Control Act with respect to permitting terms.	03/14/2025: To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 2269 (McClain (R))	Labeling of Products With Do Not Flush Warning	Support	Requires certain products to be labeled with "Do Not Flush" labeling.	03/21/2025: To HOUSE Committee on ENERGY AND COMMERCE.

IRWD 2025 LEGISLATIVE MATRIX


Updated: May 29, 2025

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
US H 2344 (Schakowsky (D))	Drinking Water and Wastewater Threat Preparedness		Establishes a program to increase drinking water and wastewater system threat preparedness and resilience.	03/25/2025: To HOUSE Committee on ENERGY AND COMMERCE.
US H 2940 (LaHood D (R))	Internal Revenue Code		Amends the Internal Revenue Code of 1986 to allow an investment credit for certain water reuse projects.	04/17/2025: To HOUSE Committee on WAYS AND MEANS.
US HJR 18 (Palmer (R))	National Primary Drinking Water Regulations		Provides for congressional disapproval under a specified chapter and title, United States Code, of the rule submitted by the Environmental Protection Agency relating to "National Primary Drinking Water Regulations for Lead and Copper: Improvements (LCRI)".	01/13/2025: To HOUSE Committee on ENERGY AND COMMERCE.
US S 322 (Padilla (D))	Forecasts of Atmospheric Rivers		Improves the lead time, accuracy, and dissemination of forecasts of atmospheric rivers throughout the United States.	01/29/2025: To SENATE Committee on COMMERCE, SCIENCE, AND TRANSPORTATION.
US S 1092 (Merkley (D))	Labeling of Products With Do Not Flush Warning	Support	Requires certain products to be labeled with Do Not Flush labeling.	05/21/2025: In SENATE Committee on COMMERCE, SCIENCE, AND TRANSPORTATION: Ordered to be reported with an amendment in the nature of a sub.
US S 1118 (Markey (D))	Drinking Water and Wastewater Threat Preparedness		Establishes a program to increase drinking water and wastewater system threat preparedness and resilience.	03/25/2025: To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

June 5, 2025

Prepared by: M. Mroczek / A. McNulty

Submitted by: F. Nye / P. Weghorst

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

FISCAL YEAR 2025-26 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT

SUMMARY:

Staff has prepared IRWD's Fiscal Year (FY) 2025-26 Annual Water Supply and Demand Assessment (AWSDA) consistent with the requirements of Section 10632 of the California Water Code. All water suppliers with over 3,000 urban connections are required to annually perform and submit an AWSDA to the California Department of Water Resources (DWR). IRWD's AWSDA indicates that the District has a water supply surplus, and that its supplies are reliable. Staff recommends that the Board approve the FY 2025-26 Annual Water Supply and Demand Assessment for submission to DWR.

BACKGROUND:

In 2018, the State legislature adopted "Making Conservation a California Way of Life" legislation. In addition to establishing new water efficiency standards, the legislation includes provisions to strengthen local water shortage planning. The provisions include new requirements for Water Shortage Contingency Plans (WSCP) and for the preparation and submittal of an AWSDA to DWR beginning July 1, 2022. Every supplier in the state that serves more than 3,000 urban connections is required to perform and submit an AWSDA consistent with Section 10632 of the California Water Code.

In 2021, the Board adopted IRWD's 2020 WSCP that incorporated written procedures for preparation of IRWD's AWSDA. These procedures are based on IRWD's existing methods for its annual water budget development process and are consistent with DWR guidelines.

Overview of FY 2025-26 AWSDA:

IRWD's AWSDA, which is provided as Exhibit "A", is an assessment of the near-term outlook for supplies, demands, and the identification of any expected water shortage that may prompt response actions in FY 2025-26. Available supplies are assessed through staff coordination with Orange County Water District, Municipal Water District of Orange County (MWDOC) and Metropolitan Water District. MWDOC's FY 2025-26 AWSDA is not expected to show any imported water shortage affecting IRWD.

Key Criteria and Assumptions:

IRWD's AWSDA is comprised of five tables as required by DWR. Key criteria and assumptions include:

- The AWSDA is based on IRWD's annual water budget and considers the previous year's demands and projected future demands;

- The AWSDA is based on a projected single dry year of unconstrained demands, which is defined as demands absent any water supply or demand restrictions;
- Projected potable water supplies include IRWD's supplemental water banking supplies that would be available for use in IRWD's service area on an emergency basis, if needed; and
- IRWD can access additional imported supplies in Southern California and has the potential to pump additional groundwater.

Conclusions:

As shown in the FY 2025-26 AWSDA, IRWD has no projected water shortage. IRWD has an overall projected surplus of 71% for potable supplies and 10% surplus for non-potable supplies, with no supply gap. The AWSDA demonstrates that the District's supplies are reliable and in surplus.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

None.

RECOMMENDATION:

That the Board approve IRWD's FY 2025-26 Annual Water Supply and Demand Assessment for submittal to the California Department of Water Resources.

LIST OF EXHIBITS:

Exhibit "A" – IRWD Annual Water Supply and Demand Assessment for Fiscal Year 2025-26

Exhibit "A"

IRWD Annual Water Supply Demand Assessment for FY 2025/26

Table 1. Annual Assessment Information	
Type of Supplier (Required to check one or two)	
Supplier is a Wholesaler	<input type="checkbox"/>
Supplier is a Retailer	<input checked="" type="checkbox"/>
If you are both a wholesaler and retailer, will you be submitting two separate reports or a combined report?	Number of Reports
Year Covered By This Shortage Report (Required)	
Start: July 1,	2025
End: June 30,	2026
Volume Unit for Reported Supply and Demand: (Must use the same unit throughout)	AF
Supplier's Annual Assessment Planning Cycle (Required)	
Start Month:	July
End Month:	June
Data Interval:	Monthly (12 data points per year)
Water Supplier's Contact Information (Required)	
Water Supplier's Name:	Irvine Ranch Water District
Contact Name:	Fiona Nye
Contact Title:	Director of Water Resources
Street Address:	15600 Sand Canyon Ave
ZIP Code:	92618
Phone Number:	1-949-453-5325
Email Address:	nye@irwd.com
Report Preparer's Contact Information (if different from above)	
Preparer's Organization Name:	Irvine Ranch Water District
Preparer's Contact Name:	Mike Mroczek
Phone Number:	949-453-5661
Email Address:	mroczek@irwd.com
Supplier's Water Shortage Contingency Plan	
WSCP Title	2020 Water Shortage Contingency Plan

Table 2: Water Demands¹

Use Type			Start Year:	2025	Volumetric Unit Used ² :								AF			
Drop-down list May select each use multiple times These are the only Use Types that will be recognized by the WUEdata online submittal tool (Add additional rows as needed)	Additional Description (as needed)	Level of Treatment for Non- Potable Supplies Drop-down list	Projected Water Demands - Volume ³													
			Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total by Water Demand Type	
Demands Served by Potable Supplies																
Other Potable	Residential		2982.3	2962.5	3257.9	2923.8	2594.7	2668.5	2567.7	2437.1	2647.4	3048.3	2962.9	2919.5	33972.6	
Commercial	Commercial		733.0	707.2	777.0	702.7	595.4	561.4	514.9	484.5	541.4	652.7	653.8	679.7	7603.7	
Industrial	Industrial		402.9	409.1	450.7	439.9	406.4	390.5	418.9	345.4	386.8	511.0	413.3	430.0	5004.9	
Institutional/Governmental	Public Authority		152.0	140.6	187.5	156.7	167.8	156.6	96.3	91.2	107.6	133.4	119.2	173.1	1682.2	
Landscape	Landscape		549.8	584.7	602.8	451.2	280.3	224.0	126.7	256.3	353.6	372.3	483.5	514.7	4799.9	
Agricultural irrigation	Agriculture		5.6	4.7	5.1	4.5	2.5	2.1	1.1	2.9	4.5	4.9	4.3	6.2	48.3	
Other Potable	Construction		36.6	27.8	51.3	20.3	15.4	11.0	11.7	17.9	22.4	19.2	26.5	32.2	292.4	
Other Potable	Fireline		0	0	0	0	0	0	0	0	0	0	0	0	0.0	
Losses	Losses		250.6	249.3	274.8	242.2	209.4	206.9	192.6	187.4	209.4	244.4	240.4	245.1	2752.4	
Total by Month (Potable)			5112.9	5086.1	5607.2	4941.3	4271.8	4221.2	3929.9	3822.6	4273.2	4986.2	4903.8	5000.6	56156.5	
Demands Served by Non-Potable Supplies																
Commercial	Commercial		61.3	65.5	85.0	69.2	53.7	37.6	25.4	26.6	29.1	50.2	43.9	47.7	595.2	
Agricultural irrigation	Agriculture/ Ag SAC		0.7	0.8	0.9	0.7	0.6	0.5	0.5	0.6	0.6	0.9	0.7	0.9	8.3	
Landscape	Landscape		3407.5	3346.0	3599.0	2787.6	1636.9	1280.5	597.0	1336.1	1880.2	2360.9	2675.9	3205.9	28113.4	
Industrial	Industrial		300.8	281.6	304.8	294.3	196.1	88.9	108.0	181.3	204.6	221.4	263.3	221.5	2666.5	
Other Nonpotable	Construction / Green Acres		51.8	64.3	53.8	36.5	20.7	260.5	503.7	24.7	13.6	9.6	126.8	53.5	1219.5	
Total by Month (Non-Potable)			3822.1	3758.2	4043.5	3188.2	1908.0	1667.9	1234.6	1569.4	2128.2	2642.9	3110.5	3529.5	32603.1	
Notes: List considered factors impacting demands																
¹ Projections are based on best available data at time of submitting the report and actual demand volumes could be different due to many factors.																
² Units of measure (AF, CCF, MG) must remain consistent.																
³ When opting to provide other than monthly volumes (bi-monthly, quarterly, or annual), please see directions on entering data for Projected Water Demand in the Table Instructions.																

	= From prior tables
	= Auto calculated

Table 3: Water Supplies¹

Water Supply		Start Year:		2025		Volumetric Unit Used ² :								AF				
Drop-down List May use each category multiple times. These are the only water supply categories that will be recognized by the WUEdata online submittal tool (Add additional rows as needed)	Additional Detail on Water Supply	Projected Water Supplies - Volume ³													Water Quality	Total Right or Safe Yield* (optional)		
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total by Water Supply Type				
Potable Supplies																		
Groundwater (not desal.)	DRWF	3000.0	3000.0	3000.0	2642.9	1942.9	2142.9	1842.9	1661.9	2123.9	1642.9	2500.0	2500.0	28000.0				
Desalinated Groundwater	(net) Wells 21 & 22 Desalter	170.0	170.0	170.0	170.0	170.0	170.0	170.0	170.0	170.0	170.0	170.0	170.0	2040.0				
Groundwater (not desal.)	(net) DATS	640.3	640.3	640.3	640.3	640.3	640.3	640.3	640.3	639.4	639.4	639.4	639.4	7680.0				
Desalinated Groundwater	(net) PTP	403.8	403.8	403.8	403.8	403.8	403.8	403.8	403.8	403.8	403.8	403.8	403.8	4845.0				
Purchased/Imported Water	(net) Baker WTP	576.0	576.0	576.0	576.0	576.0	576.0	576.0	576.0	576.0	576.0	576.0	576.0	6912.0				
Purchased/Imported Water	MWDOC Treated	82.8	56.0	577.1	268.3	298.9	48.2	57.0	130.7	120.2	1314.2	374.6	471.5	3799.5				
Groundwater (not desal.)	(net) OPA	240.0	240.0	240.0	240.0	240.0	240.0	240.0	240.0	240.0	240.0	240.0	240.0	2880.0				
Other	Storage/Emergency Supply												39,846	39846.0				
														0.0				
														0.0				
Total by Month (Potable)		5112.9	5086.1	5607.2	4941.3	4271.8	4221.2	3929.9	3822.6	4273.2	4986.2	4903.8	44846.6	96002.5		0		
Non-Potable Supplies																		
Recycled Water	MWRP/LAWRP	2294.0	2294.0	2294.0	1979.0	1979.0	1979.0	1979.0	1979.0	1979.0	2294.0	2295.0	2295.0	25640.0				
Desalinated Groundwater	(net) ETGR	216.5	216.5	216.5	216.5	216.5	216.5	216.5	217.5	217.5	217.5	217.5	218.3	2603.3				
Purchased/Imported Water	MWDOC Untreated	588.3	360.4	255.2	227.6	12.9	35.4	55.3	137.9	151.0	35.3	84.8	488.6	2432.8				
Other	Native/SAC	392.2	390.3	392.8	320.2	122.7	38.8	48.6	37.1	46.4	96.2	513.3	527.6	2926.2				
Supply from Storage	Recycled Water Reservoirs	331.2	496.9	885.1	444.9	0	0	0	0	0	0	0	0	2158.1				
Total by Month (Non-Potable)		3822.1	3758.2	4043.5	3188.2	2331.1	2269.7	2299.3	2371.4	2393.8	2642.9	3110.5	3529.5	35760.4		0		

Notes: List hydrological and regulatory conditions, infrastructure capabilities, and plausible constraints which may impact the water supplies

¹Projections are based on best available data at time of submitting the report and actual supply volumes could be different due to many factors.

²Units of measure (AF, CCF, MG) must remain consistent.

³When opting to provide other than monthly volumes (bi-monthly, quarterly, or annual), please see directions on entering data for Projected Water Supplies in the Table Instructions.

	= Auto calculated
	= From prior tables
	= For manual input

Table 4(P): Potable Water Shortage Assessment ¹					Start Year: 2025	Volumetric Unit Used ² :						AF		
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun ³	Total	
Anticipated Unconstrained Demand	5112.9	5086.1	5607.2	4941.3	4271.8	4221.2	3929.9	3822.6	4273.2	4986.2	4903.8	5000.6	56156.54	
Anticipated Total Water Supply	5112.9	5086.1	5607.2	4941.3	4271.8	4221.2	3929.9	3822.6	4273.2	4986.2	4903.8	44846.6	96002.54	
Surplus/Shortage w/o WSCP Action	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	39,846.0	39,846.0	
% Surplus/Shortage w/o WSCP Action	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	797%	71%	
State Standard Shortage Level	0	0	0	0	0	0	0	0	0	0	0	0	0	
Planned WSCP Actions ⁴														
Benefit from WSCP: Supply Augmentation													0.0	
Benefit from WSCP: Demand Reduction													0.0	
Revised Surplus/Shortage with WSCP	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	39846.0	39846.0	
% Revised Surplus/Shortage with WSCP	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	797%	71%	

¹Assessments are based on best available data at time of submitting the report and actual volumes could be different due to many factors.

²Units of measure (AF, CCF, MG) must remain consistent.

³When optional monthly volumes aren't provided, verify Tables 2 and 3 use the same columns for data entry and are reflected properly in Table 4 and make sure to use those same columns to enter the benefits from Planned WSCP Actions. Please see directions on the shortage balancing exercise in the Table Instructions. If a shortage is projected, the supplier is highly recommended to perform a monthly analysis to more accurately identify the time of shortage.

⁴If you enter any WSCP Benefits, then you must enter the corresponding planned Actions into Table 5.

	= Auto calculated	
	= From prior tables	
	= For manual input	

Table 4(NP): Non-Potable Water Shortage Assessment ¹							Start Year: 2025		Volumetric Unit Used ² :						AF	
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun ³	Total			
Anticipated Unconstrained Demand: Non-Potable	3,822.1	3,758.2	4,043.5	3,188.2	1,908.0	1,667.9	1,234.6	1,569.4	2,128.2	2,642.9	3,110.5	3,529.5	32,603.06			
Anticipated Total Water Supply: Non-Potable	3,822.1	3,758.2	4,043.5	3,188.2	2,331.1	2,269.7	2,299.3	2,371.4	2,393.8	2,642.9	3,110.5	3,529.5	35,760.4			
Surplus/Shortage w/o WSCP Action: Non-Potable	0.0	0.0	0.0	0.0	423.1	601.9	1,064.7	802.0	265.7	0.0	0.0	0.0	3,157.3			
% Surplus/Shortage w/o WSCP Action: Non-Potable	0%	0%	0%	0%	22%	36%	86%	51%	12%	0%	0%	0%	10%			
Planned WSCP Actions ⁴																
Benefit from WSCP: Supply Augmentation													0.0			
Benefit from WSCP: Demand Reduction													0.0			
Revised Surplus/Shortage with WSCP	0.0	0.0	0.0	0.0	423.1	601.9	1064.7	802.0	265.7	0.0	0.0	0.0	3157.3			
% Revised Surplus/Shortage with WSCP	0%	0%	0%	0%	22%	36%	86%	51%	12%	0%	0%	0%	10%			

¹Assessments are based on best available data at time of submitting the report and actual volumes could be different due to many factors.

²Units of measure (AF, CCF, MG) must remain consistent.

³When optional monthly volumes aren't provided, verify Tables 2 and 3 use the same columns for data entry and are reflected properly in Table 4 and make sure to use those same columns to enter the benefits from Planned WSCP Actions. Please see directions on the shortage balancing exercise in the Table Instructions. If a shortage is projected, the supplier is highly recommended to perform a monthly analysis to more accurately identify the time of shortage.


⁴If you enter any WSCP Benefits, then you must enter the corresponding planned Actions into Table 5.

Table 5: Planned Water Shortage Response Actions					July 1, 2025	to	June 30, 2026
Anticipated Shortage Level Drop-down List of State Standard Levels (1 - 6) and Level 0 (No Shortage)	ACTIONS ¹ : Demand Reduction, Supply Augmentation, and Other Actions. (Drop-down List) These are the only categories that will be accepted by the WUEdata online submittal tool. Select those that apply.	Is action already being implemented? (Y/N)	How much is action going to reduce the shortage gap? (Optional)		When is shortage response action anticipated to be implemented ² ?		
			Enter Amount	(Drop-down List) Select % or Volume Unit	Start Month	End Month	
Add additional rows as needed							
0 (No Shortage)	No Actions						
NOTES: Notes Section to be used only for clarifying details, and not for listing specific actions. Actions must be entered into table rows above.							
¹ If you plan Supply Augmentation Actions then you must enter WSCP Benefits from Supply Augmentation Actions into Table 4. If you plan Demand Reduction Actions then you must enter WSCP Benefits from Demand Reduction Actions into Table 4. ² If an Action is planned to be implemented in multiple non-contiguous periods of the year, please make separate entries on multiple rows for the same action spanning the different implementation periods.							

June 5, 2025

Prepared by: M. Seesangrit / A. McNulty

Submitted by: F. Nye / P. Weghorst

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

WATER EFFICIENCY TACTICAL INCENTIVE FUNDING AUTHORIZATION

SUMMARY:

IRWD's Water Use Efficiency Program includes tactical incentives to encourage customers to remove turf and to install commercial and outdoor water conservation devices that are cost-effective to IRWD, as well as the customer. Municipal Water District of Orange County (MWDOC) administers incentives for regional rebate programs on behalf of IRWD via a multi-year Water Conservation Participation Agreement. Staff recommends the Board authorize the General Manager to allocate \$1,262,000 from overallocation revenues to co-fund the regional rebate programs for Fiscal Year (FY) 2025-26.

BACKGROUND:

Tactical incentives are a key element of IRWD's Water Use Efficiency Program. The financial incentives provided by IRWD supplement regional rebate programs administered by MWDOC. IRWD incentives are provided after considering avoided costs to IRWD, available regional funding, device costs, and effectiveness as a tool to drive change. Tactical incentive programs focus on outdoor water use efficiency through the highly visible and influential turf removal rebate program and the installation of various other water conservation devices.

In July 2015, the Board approved the execution of the multi-year Water Conservation Participation Agreement (Agreement) with MWDOC, which is provided as Exhibit "A", to administer IRWD's incentives for regional rebate programs. In 2016, IRWD and MWDOC executed the First Amendment to the Agreement which incorporate inspection and verification requirements. In May 2025, IRWD and MWDOC executed the Second Amendment to the Agreement, which extended the term to 2035. Each fiscal year, an addendum to the Agreement is executed to allocate funding and to specify device rebate funding levels for outdoor Residential, Commercial, Water Savings Incentive, Spray to Drip Conversion, and Turf Removal Programs.

To continue providing program incentives through June 2026, staff recommends that the Board authorize the General Manager to allocate \$1,262,000 in funding to the FY 2025-26 rebate programs administered through the amended Agreement with MWDOC, and to execute addenda to the agreement as necessary. The proposed allocation of IRWD tactical incentive funding and the specific funding levels for FY 2025-26 are shown in Exhibit "B". The allocations are based on prior customer participation rates and anticipated regional funding.

FISCAL IMPACTS:

Funding from the overallocation revenues for tactical incentives in the amount of \$1,262,000 is included in the IRWD FY 2025-26 Operating Budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board authorize the General Manager to allocate \$1,262,000 in funding to the FY 2025-26 rebate programs administered through the Water Conservation Participation Agreement between Municipal Water District of Orange County and Irvine Ranch Water District; and to execute addenda to the agreement as may be necessary to allocate funds to specific programs and modify device incentive levels based on customer participation rates and regional program funding levels.

LIST OF EXHIBITS:

Exhibit “A” – Water Conservation Participation Agreement with MWDOC
Exhibit “B” – Rebate Program Funding Allocations for FY 2025-26

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

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

Recitals

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

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

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

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

Section 1: Agreement Term and Administration

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

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

Section 2: Program Funding

2.1 Supplemental Funding

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

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

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

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

2.2 MWDOC Administered Programs

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

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

2.3 Participant Agency Administered Programs

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

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

2.4 Exhaustion of Funding

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

Section 3: Participant Agency Responsibility and Ownership

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

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

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

Section 4: MWDOC's Obligations

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

Section 5 Marketing.

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

Section 6: Installation Verification

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

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

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

Section 7: Reporting and Invoicing

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

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

Section 8: Confidentiality

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

Section 9. Indemnification.

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

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

Section 10. Certification re Lobbying (43 CFR 18)

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

Section 11. Other Terms

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

///
///

11.5 This Agreement constitutes the entire agreement between the Parties.

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

MUNICIPAL WATER DISTRICT
OF ORANGE COUNTY

IRVINE RANCH WATER DISTRICT

By:



Robert J. Hunter
General Manager

Date:

7-14-15

By:



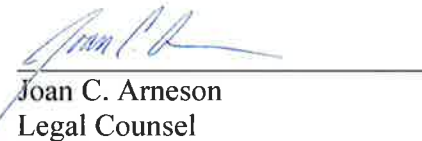
Paul Cook
General Manager

Date:

7-9-15

Approved as to Form:

Bowie, Arneson, Wiles & Giannone



Joan C. Arneson
Legal Counsel

Date:

6/25/15

Note: This page is intentionally left blank.

Exhibit "B"

Rebate Program Funding Allocations for FY 2025-26

Program	Maximum Funding	Devices	IRWD Rebate Funding Level per Device
SoCal Water\$mart Residential Program	\$6,000	Residential Smart Timer	Up to \$75
		Rotating Nozzle	\$2 per nozzle
SoCal Water\$mart Commercial Program	\$1,000	Connectionless Food Steamer	\$485 per compartment
		Commercial Ice Making Machine (Tier III)	\$250
		Cooling Tower Conductivity Controller	\$700
		Cooling Tower pH Controller	\$400
		Rotating Nozzle	\$2 per nozzle
Water Savings Incentive Program	\$50,000	Performance Based	\$3 per 1,000 gallons/one year
Turf Removal Program	\$800,000	Turf Removal	Not to exceed \$5/SF
Spray to Drip Program	\$405,000	Drip Irrigation	Not to exceed \$1/SF
Total Funding for all Rebate Programs	\$1,262,000		

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June 5, 2025
Prepared and
Submitted by: C. Compton
Approved by: Paul A. Cook *PA*

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

CHANGES TO IRWD RULES AND REGULATIONS

SUMMARY:

Staff has compiled proposed changes, both substantive and non-substantive, to IRWD's Rules and Regulations for Water, Sewer, Recycled Water, and Natural Treatment System Service. The substantive changes proposed in this revision include the following:

- Updates to definitions associated with backflow prevention, non-structural fire, sewage, and wastewater;
- Updates to the information required upon application for service;
- Updates to procedures, responsibilities, and requirements associated with meter testing, fire hydrants and private firelines, backflow prevention, use of recycled water, onsite recycled water facilities and temporary service connections;
- Updates related to rate setting, including establishing a process for rate protests and legal objections to rate setting, and modifications to the provisions related to billing errors; and
- Updates related to the rules on irrigation of nonfunctional turf.

Staff recommends that the Board conduct a public hearing – as noticed for June 9, 2025 – pertaining to the proposed revisions, and that the Board adopt the attached resolution by title enacting the proposed changes to the Rules and Regulations.

BACKGROUND:

From time to time, changes are proposed to IRWD's Rules and Regulations for the Board's consideration to align the Rules and Regulations with changes in law, and to address other business, operational or process issues, as needed. Often non-substantive formatting and presentation changes are also included with a revision, as are some wording changes. This is the case in this proposed revision. Additionally, some definitions are being updated in the proposed changes to promote consistent and conforming nomenclature throughout the document.

Recommended changes are included in the attached redlined document provided in Exhibit "A" and are recommended for adoption via the resolution provided in Exhibit "B".

IRWD staff and General Counsel has reviewed the proposed changes, which include the following:

- Updated procedures for meter testing and an update to the circumstances in which IRWD may charge customers to allow for charges based on historical consumption data or other reasonable calculations;

- Updated IRWD and customer requirements regarding fire hydrants and private firelines, including permitting requirements, customer duties regarding prevention of unauthorized use, and enforcement options for IRWD to prevent unauthorized use;
- Updated backflow prevention protection requirements, including inspection and maintenance requirements, to comply with the State Water Resources Control Board's Cross-Connection Control Policy Handbook;
- Updated recycled water use procedures, responsibilities, and requirements associated with the use of recycled water to fight nonstructural fires;
- Updated temporary service requirements to require metering of temporary service connections;
- An update to the IRWD rate setting process for establishing and adopting changed water, sewer, and recycled water rates and adding a specific procedure for customers to protest and legally object to new or changed rates;
- Updates to the procedure regarding billing errors; and
- Updates related to nonfunctional turf irrigation restrictions to comply with State law.

Non-substantive changes are also proposed, consisting of grammatical changes, and expanded, clarified, and updated definitions.

FISCAL IMPACTS:

The proposed revisions are not expected to result in any fiscal impact to IRWD that is not already incorporated in the adopted Fiscal Year 2025-2027 budget.

ENVIRONMENTAL COMPLIANCE:

This item is not a project as defined in the California Environmental Quality Act (CEQA), Code of Regulations, Title 14, Chapter 3, Section 15378.

RECOMMENDATION:

That the Board conduct a public hearing and adopt a resolution approving the changes rescinding Resolution No. 2019-32 and establishing revised Rules and Regulations of the Irvine Ranch Water District for Water, Sewer, Recycled Water, and Natural Treatment System Service.

LIST OF EXHIBITS:

Exhibit "A" – Redlined Proposed Rules and Regulations

Exhibit "B" – Resolution Establishing Revised Rules and Regulations

Exhibit "A"

RULES AND REGULATIONS FOR
WATER, SEWER, RECYCLED WATER,
AND NATURAL TREATMENT SYSTEM SERVICE



Irvine Ranch Water District
Orange County, California

APPROVED
PROPOSED

December 16, 2019

June 9, 2025

IRVINE RANCH WATER DISTRICT

RULES AND REGULATIONS FOR WATER, SEWER, RECYCLED WATER AND NATURAL TREATMENT SYSTEM SERVICE

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Exhibits:

- A. Maps
 - A.1 Water Improvement Districts
 - A.2 Sewer Improvement Districts
 - A.3 Cities within IRWD Boundaries
- B. Rates and Charges for Water, Sewer, and Recycled Water Service (Separate Document)
- C. Maximum Allowable Local Limits

SECTION 1: GENERAL

State Law Authorizes these Rules and Regulations. California Water Code section 35423 authorizes the Irvine Ranch Water District to establish rules and regulations for the sale and distribution of water.

Availability of Service Subject to these Rules and Regulations. Water, sewer, recycled water, and natural treatment system service by the Irvine Ranch Water District, subject to the availability of facilities, adequate capacity in facilities, or funds or financing for the construction thereof, or all of the foregoing, is available on the following terms and conditions including all fees and charges established under Exhibit B, Schedule of Rates and Charges. Service will be made available to each member of the public or each segment of the public on the same basis to the extent applicants, owners, or customers are similarly situated and desire to be served and may be served in an equal and comparable manner.

Boundaries. The boundaries of the District and its Improvement Districts are depicted on Exhibits A-1 (Potable Water System Improvement Districts) and A-2 (Sewer System Improvement Districts). The cities and villages within the District's boundaries are depicted on Exhibit A-3. Upon a change in the boundaries of the District or any of its Improvement Districts, Exhibits A-1, A-2, and A-3 will be revised and replaced as necessary. The area served by the District is discussed further in Section 1.

Improvement Districts. The Improvement Districts have been formed for the purpose of funding the construction and acquisition of facilities and capacities to provide water, sewer, and recycled water service. The Board may consolidate or form additional Improvement Districts or annex additional areas to any Improvement District.

Contracts. Contracts with the District may also provide for the funding of construction and acquisition of facilities for water, sewer, recycled water or natural treatment system service. Such contracts require the construction of necessary facilities or the payment of the capital cost and annual cost of operating and maintaining such facilities.

Facilities Plan. The plans for facilities to be constructed within the District and any Improvement District are intended to be an integrated part of the District's Water Resources Master Plan, Sewer Master Plan, Natural Treatment System Master Plan, Sub-Area Master Plans, and addenda thereto, and are referred collectively to as "the Plan."

Recycled Water. The State of California mandates conservation of water resources whenever possible, and accordingly the Plan includes collecting, treating, and reclaiming sewage and wastewater and beneficially reusing the resulting recycled water. The District intends that recycled water use comply with any and all applicable Federal, State, and local laws, regulations, and other governmental requirements. If the District determines that recycled water service is feasible under Section 4.12, the applicant, owner, or customer will be required to utilize recycled water service.

Urban Runoff – Natural Treatment System. The District also intends, in cooperation with the County and Cities, to treat certain urban runoff through the operation, maintenance and monitoring of constructed water quality wetlands and bioretention cells, known as Natural Treatment Systems. Natural Treatment Systems will be sited in various locations in the District,

as outlined in the Natural Treatment System Master Plan or as otherwise determined by the District. Use of the Natural Treatment System for urban runoff treatment is subject to the requirements of these Rules and Regulations. The District will determine the level of treatment. Property owners and developers will be responsible for any urban runoff minimization or other best management practices that may be required by the County or Cities, notwithstanding the operation of the District's natural treatment systems.

Land Use. The District constructs facilities in concert with environmental and land use decisions. The District neither determines nor intends to determine or precipitate land use decisions or the accomplishment of any plans of development of various owners of undeveloped property within the District.

Sewer Service Requires Water Service. In most instances, sewer service is provided only where the District has determined that it will also be providing permanent water service to the applicant, customer, or property owner.

Variations. The District may modify by special contract the requirements of these Rules and Regulations, including but not limited to applicable rates and charges, only upon the determination that unique circumstances exist.

SECTION 2: DEFINITIONS

For the purpose of these Rules and Regulations, the following terms, phrases, words, and their derivations will have the meaning given below. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular number, and words in the singular include the plural number. The word “shall” is always mandatory and not merely directory.

AIR-GAP SEPARATION or AG means a physical break between a supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe, measured vertically above the top rim of the vessel, and in no case less than one inch.

APPLICANT means any person, firm, corporation, association, or agency who desires to obtain water, sewer, recycled water and/ or natural treatment system service from the District.

APPLICATION RATE means the rate at which irrigation water, expressed in inches per hour, is applied to a DESIGN AREA.

APPROVED CHECK VALVE means a check valve that seats readily and completely. It must be carefully machined to have free moving parts and assured water tightness. The face of the closure element and valve seat must be bronze, composition, or other non-corrodible material that will seat tightly under all prevailing conditions of field use. Pins and bushings shall be of bronze or other non-corrodible, non-sticking material, machined for easy, dependable operation. The closure element (e.g., clapper) shall be internally weighted or otherwise internally equipped to promote rapid and positive closure in all sizes where this feature is obtainable.*

APPROVED DOUBLE CHECK VALVE BACKFLOW PREVENTION ASSEMBLY or DC means an assembly consisting of at least two independently acting, approved check valves, including tightly closing resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks.* Devices used within the District must be included on the list of devices approved by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California. To be approved, these devices must be readily accessible for maintenance and testing, and installed in a location where no part of the valve will be submerged. Registration for all rates of flow shall be in gpm.

~~APPROVED DOUBLE CHECK VALVE ASSEMBLY means an assembly of at least two independently acting approved check valves including tightly closing shut-off valves on each side of the check valve assembly and suitable leak detector drains plus connections available for testing the water tightness of each check valve.~~

APPROVED REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION ~~DEVICE~~ ASSEMBLY or RP means an assembly consisting of ~~device incorporating~~ two ~~or more~~ check valves and ~~an automatically hydraulically operating, mechanically independent~~ operating differential relief valve located between the two checks, two shut-off valves, and equipped with necessary appurtenances for testing. The device shall operate to maintain the pressure in the zone between two check valves, less than the pressure on the District's water supply side of the device. At cessation of normal flow, the pressure

between the check valves shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve shall operate to maintain this reduced pressure by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall be open to the atmosphere thereby providing an air gap in the device.* ~~To be approved, these devices must be readily accessible for maintenance and testing, and installed in a location where no part of the valve will be submerged.—Devices used within the District must be included on the list of devices approved by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California. To be approved, these devices must be readily accessible for maintenance and testing, and installed in a location where no part of the valve will be submerged.~~

~~* Devices used within the District shall be included on the list of devices approved by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California. To be approved, these devices must be readily accessible for maintenance and testing, and installed in a location where no part of the valve will be submerged.~~

AUTOMATIC SYSTEM means with reference to landscape irrigation systems; automatic controllers, valves, and associated equipment required for the programming of effective water application rates when using recycled water.

AUXILIARY WATER SUPPLY means any water supply on or available to the premises other than the District's potable water and recycled water supplies.

BACKWATER DEVICE means a unit that permits flow in lines normally under open channel flow conditions, such as sewers, to occur in one direction only by mechanically blocking the flow or by providing a pressure relief opening such that flow may not occur in the uphill direction, as approved by the District and local governing agencies.

BASE INDEX means a water budget applicable for commercial, industrial or public authority usage.

BUILDING SEWER - see "UPPER LATERAL."

BOARD means the Board of Directors of the District.

COMMODITY CHARGE means a charge imposed by the District for all water used by general metered, temporary, and agricultural customers, whether such water used is actually metered or only estimated.

CONNECTION FEE means a charge imposed by the District for obtaining water, sewer, recycled water or natural treatment system service from the District, including charges for capacity. Connection fees are set forth in Exhibit B, Schedule of Rates and Charges.

CONSTRUCTION MANUAL means the District's "Construction Manual for the Construction of Water, Sewer, and Recycled Water Facilities," as amended from time to time.

CONTINGENCY PLAN is the Water Shortage Contingency Plan adopted by the District, as amended from time to time.

CROSS CONNECTION means any unprotected connection between any part of a water system used or intended to supply water for drinking purposes and any source or system containing water or substance that is not or cannot be approved as safe, wholesome, and potable for human consumption.

CUSTOMER means any person, firm, corporation, association, or agency that has a permit to obtain water, sewer, recycled water and/or natural treatment system service from the District.

DESIGN AREA means the specific land area or facilities designated to be served through on-site facilities when used in reference to recycled water systems.

DISTRICT means the Irvine Ranch Water District.

IMPROVEMENT DISTRICT means any of the Improvement Districts of the District existing or hereafter established.

INFILTRATION RATE means the rate at which the soil will accept water, expressed in inches per hour, during the irrigation period.

IRRIGATION SYSTEM means all equipment and materials required for applying irrigation water to the design area from the service connection including all piping, valves, sprinkler heads, and appurtenances.

LATERAL CONNECTION means the point of connection of the customer's upper lateral with the lower lateral of the District.

LOWER LATERAL means the District's facility between its collection system and the lateral connection, which is normally the exterior boundary of the easement or the street or access road right-of-way.

LOWER LATERAL CHARGE means a charge imposed by the District for installation by the District of a lower lateral.

MANAGER or GENERAL MANAGER means the General Manager of the District or the person authorized by the Board or the General Manager to act for him.

NATURAL TREATMENT SYSTEM means the network of constructed water quality wetlands and bioretention cells providing treatment of urban runoff. Natural treatment systems are not flood control facilities.

NON-POTABLE WATER means that water that has not been treated for human consumption in conformance with the standards referred to in the definition of POTABLE WATER, below, such as untreated imported water received from the Metropolitan Water District of Southern California, non-potable well water, and water collected in the District's reservoirs from natural runoff.

NON-RECYCLABLE SEWAGE means any and all liquid or solid waste substance other than recyclable sewage emanating from within the District, including but not limited to liquid or solid waste substance from any production, manufacturing, or processing operation. Non-recyclable sewage includes any liquid or solid substance that cannot be treated or disposed of by the then-existing facilities of the District's Reclamation Plant for the treatment or disposal of sewage by reason of the design thereof, applicable waste discharge or other requirements, actual or possible increased operation and maintenance costs, or possible damage to the District's facilities.

NON-RECYCLABLE WASTEWATER SEWAGE FACILITIES means facilities used in the collection of wastewater that is not to be treated for direct beneficial use or a controlled use that otherwise would not occur. Such non-recyclable wastewater sewage facilities shall generally be limited to industrial and commercial wastes that would have a detrimental effect on the treatment processes of the reclamation plant and the resultant recycled water.

NON-STRUCTURAL FIRE means a fire that does not involve a structures, such as a building, home, business, or similar facility.

NTS DESIGN GUIDELINES means the District's "Natural Treatment System Design Guidelines," as amended from time to time

OFFSITE FACILITIES means facilities under the control of the District including but not limited to water, sewer, and recycled water pipelines, reservoirs, pumping stations, fire hydrants, manholes, valves, connections, supply interties, treatment facilities, natural treatment systems and other appurtenances and property up to the point of connection with the customer's facilities.

ONSITE FACILITIES means facilities under the control of the applicant, owner, or customer including but not limited to residential, commercial, and industrial building water and sewage systems, landscape irrigation systems, and agricultural irrigation systems. For water and recycled water service, the onsite facilities shall be those downstream of the service connection, which shall normally be the downstream end of the meter tailpiece.

ONSITE RECYCLED WATER SUPERVISOR means a qualified person designated by a recycled water user and approved by the District. This person shall be knowledgeable in the construction and operation of onsite recycled water and irrigation systems and in the application of the guidelines, criteria, standards, and rules and regulations for recycled water.

PERMIT means a processed and approved application and agreement with the District for service.

PERSON means any individual, firm, partnership, association, company, or organization of any kind.

PLAN means the plans for facilities to be constructed within the District and each of the existing and future Improvement Districts are intended to be an integrated part of the District's Water Resources Master Plan, Sewer Master Plan, Natural Treatment System Master Plan, Sub-Area Master Plans; and addenda thereto, which are approved from time to

time.

POTABLE WATER means ~~that~~ water furnished to the customer which meets applicable local, state and federal standards for drinking water.

PRETREATMENT means treatment that the District may require prior to permitting discharge of sewage into any District sewage facility if necessary to insure compliance by the District with these Rules and Regulations and any and all applicable Federal, State, or local statutes, ordinances, regulations, contracts, or all of the foregoing, individually or collectively, or if determined by the District to be necessary to protect the facilities of the District from any possible present or future damage.

PROCEDURES GUIDE means the District's "Procedural Guidelines and General Design Requirements," as amended from time to time.

PROPERTY OWNER or OWNER means the holder of legal title, contract purchaser, or lessee under a lease with an unexpired term of more than one (1) year jointly with the holder of title.

RECLAMATION PLANT means District treatment facilities that receive and treat wastewater for beneficial uses.

RECYCLABLE SEWAGE means wastewater that can be treated and recycled by the District's facilities so as to be usable for beneficial purposes.

RECYCLED WATER means disinfected tertiary recycled water which is produced by the treatment of wastewater by a District reclamation plant and is suitable for direct beneficial uses in accordance with California Administrative Regulations Title 22, Division 4, Chapter 3.

RECYCLED WATER DISTRIBUTION SYSTEM means individually or collectively any recycled water facility or facilities which are installed by the District or financed, constructed, and dedicated to the District by an applicant, owner, or customer or which are the result of local initiative and financing in tracts and subdivisions, as well as commercial or industrial developments, and which are typically less than 6" in diameter. The District shall determine what facilities are part of a distribution system from time to time as necessary. The District's determination in this regard shall be final and conclusive.

RECYCLED WATER FACILITIES means facilities used in the storage, pumping, and conveyance of recycled water. The term recycled water facilities may be used synonymously with the term irrigation water facilities in the context of references to the District's irrigation water system master plan.

RECYCLED WATER SERVICE CONNECTION means the point of connection of the customer's recycled water line with the recycled water service line of the District, which will normally be the downstream end of the recycled water meter tailpiece.

RECYCLED WATER SERVICE LINE means the District's facility between its recycled water distribution system and the recycled water service connection.

RECYCLED WATER SERVICE LINE CHARGE means a charge imposed by the District for installation by the District of recycled water meters and service lines.

RECORD DRAWINGS means drawings that correctly show the completed facilities as constructed or modified (~~as-built~~as built).

RULES AND REGULATIONS means these “Rules and Regulations for Water, Sewer, Recycled Water and Natural Treatment System Service,” as amended from time to time.

SECURITY DEPOSIT means monies required to be deposited with the District for the purpose of guaranteeing payment of monthly or bimonthly utility bills rendered for water, sewer, recycled water or natural treatment system service.

SELF-REGENERATIVE WATER SOFTENER means a unit that, in removing minerals from water, produces a waste containing minerals in greater amounts than those in the influent water.

SEWAGE – means any liquid, and water-carried waste, and/or water, whether treated or untreated, discharged into or permitted to enter a District sewer. Also sometimes called SEWAGEWASTEWATER.

~~-see WASTEWATER~~

SEWER COLLECTION SYSTEM means individually or collectively any sewer facilities which are financed, constructed, and dedicated to the District by an applicant, owner, or customer or which are the result of local initiative and financing in tracts and subdivisions, as well as commercial or industrial developments, and which are typically less than 12” in diameter. Sewer collection systems shall include dry sewers installed by developers prior to construction of trunk sewers. The District shall determine what facilities are part of a collection system from time to time as necessary. The District’s determination in this regard shall be final and conclusive.

SEWER [SEWAGE] FACILITIES means any facilities used in the conveyance, pumping, and treatment of wastewater.

SERVICE CHARGE means a monthly or bimonthly charge established by the District from time to time for water, sewer, recycled water or natural treatment system service. This charge does not include the commodity charge for the consumption of water or recycled water.

SURCHARGE means a charge imposed by the District for the provision of a special service not normally provided by the District, such as situations involving unusual quantity or quality requirements. This surcharge may include, but is not necessarily limited to, pumping surcharges.

TRUNK SEWERS means sewer lines and appurtenances purchased or constructed by the District with bond proceeds and/or capacity charges or those constructed by an applicant, owner, or customer subject in whole or in part to reimbursement typically larger than 12” in diameter. The District shall determine what facilities are trunk sewers from time to time as necessary based on the currently adopted master plan and the terms and provisions of any reimbursement agreements. The District’s determination in regard to

these matters shall be final and conclusive.

UNAUTHORIZED DISCHARGE means any release of recycled water that violates the Rules and Regulations or any applicable federal, state, or local statute, regulation, ordinance, contract, or other requirement.

UPPER LATERAL means the line from the lateral connection to the building or improvements of the applicant, owner, or customer.

URBAN RUNOFF means dry and wet weather low flow runoff from urban spaces and small storm flow.

WASTEWATER ~~– see SEWAGE means liquid and water carried waste and water, whether treated or untreated, discharged into or permitted to enter a District sewer. Also sometimes called SEWAGE.~~

WASTEWATER CONSTITUENTS AND CHARACTERISTICS means the individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify, or measure the quality and quantity of wastewater.

WATER means, in the general usage of these Rules and Regulations, potable water.

WATER BUDGET means a reasonable amount of water for a given customer's needs and property characteristics, including: the number of occupants, lot size, size of irrigated area, any business requirements, and climate. See also BASE INDEX.

WATER DISTRIBUTION SYSTEM means (individually or collectively) any water facilities that are financed, constructed, and dedicated to the District by an applicant, owner or customer or which are the result of local initiative and financing in tracts and subdivisions, as well as commercial or industrial developments, and which are typically less than 12" in diameter. Water distribution systems include all fire hydrants. The District shall determine what facilities are part of a distribution system from time to time as necessary. The District's determination in this regard will be final and conclusive.

WATER FACILITIES means any facilities used in the treatment, storage, pumping, and conveyance of water.

WATER SERVICE CONNECTION means the point of connection of the customer's building water line with the water service line of the District, which will normally be the downstream end of the water meter tailpiece.

WATER SERVICE LINE means the District's facility between its distribution system and the water service connection.

WATER SERVICE LINE CHARGE means a charge imposed by the District for installation by the District of water meters, service lines, and connections for private fire protection facilities.

WILDFIRE SPRINKLER means a sprinkler or similar means of spraying water used for the purpose of mitigating the impacts of a non-structural fire.

SECTION 3: AREA SERVED

The Rules and Regulations pertain to water, sewer, recycled water, and natural treatment system service to land or improvements, or both, within the boundaries of the District, and to service outside of its boundaries pursuant to contract. If water, sewer, recycled water, or natural treatment system facilities and/or capacity do not exist in the immediate area, then the applicant, owner, or customer must provide or finance those facilities and/or that capacity. The owner of property outside of a then-existing Improvement District, which property has adequate water, sewer, recycled water and/or natural treatment system facilities and/or capacity or funds therefor, must cause all such facilities and/or capacity or funds to be transferred to the District.

Annexation. Property not within the District and/or not within an Improvement District, and which is to be provided with service by the District, is subject to annexation to the District and/or Improvement District(s). Annexation to the District and/or Improvement Districts may, in turn, be subject to annexation to other agencies, such as Metropolitan Water District of Southern California, Municipal Water District of Orange County, Orange County Water District and/or Orange County Sanitation District, except as otherwise provided by agreement.

Improvement Districts. The District may from time-to-time contract with an applicant, owner, or customer to initiate and pursue to completion the establishment of an Improvement District and the sale of bonds to provide the funds to construct the District facilities or capacity necessary for service to distribution or collection facilities that are required to be provided by the applicant, owner or customer as a condition of obtaining service from the District.

SECTION 4: GENERAL REQUIREMENTS

4.1 SERVICE CONDITIONS

Service by Permit Only. The District will provide water, sewer and natural treatment system service only if a permit for that service is obtained in the manner described below, unless otherwise determined by the Board. Furthermore, if the District has determined that recycled water will be provided in accordance with the provisions of Section 4.12, the service will be provided only if a permit for recycled water service is obtained in the manner described below, unless otherwise provided by the Board.

Service Subject to These Rules & Regulations. Water, sewer, recycled water and natural treatment system service is available only in accordance with these Rules and Regulations, as well as applicable federal, state, and local statutes, ordinances, regulations, and contracts, and other requirements including, but not by way of limitation, the California Water Code, and other state statutes and regulations imposed by the California Regional Water Quality Control Boards, and state and local health departments, as well as the terms of any service agreement and permit issued by the District. The District may revoke any permit at which time all water, sewer, recycled water and natural treatment system service under that permit will cease in the manner provided for in these Rules and Regulations (see Sections 7 and 14).

4.1.1 Water Supply Sufficiency

- (1) In 2001, the California State Legislature enacted legislation to improve coordination between the water supplier and the city or county during the land use entitlement process for certain large-scale developments, to ensure that projected water supplies will meet the proposed project's water demands in addition to the water supplier's planned demands.
- (2) The California statutes enacted by that legislation include:
 - (a) Water Code Section 10910 et seq. (the "Water Supply Assessment Law"), which requires a water supply assessment in conjunction with the California Environmental Quality Act ("CEQA") process. The Water Supply Assessment Law applies to subdivisions of more than 500 units and certain other categories of projects defined by the Assessment Law.
 - (b) Government Code Section 66473.7 (the "Water Supply Verification Law"), which requires a water supply verification in conjunction with the tentative map approval process. The Water Supply Verification Law applies to subdivisions of more than 500 units, subject to specified exemptions.
- (3) The Water Supply Assessment Law and the Water Supply Verification Law require the District to determine, based on the record, whether the District's currently available and under-development water supplies are sufficient to meet

the demands of applicant's project and the District's existing and planned uses over a 20-year projection during normal, single-dry and multiple-dry years.

(4) **Applicant's Duties in Connection with Water Supply Assessments.**

The applicant is responsible for completing the process established by the city or county, including required application submittals, to secure a water supply assessment and/ or water supply verification from the District if required for the applicant's project.

(5) **No Entitlement to Service.** Any water supply assessment or verifications prepared by the District will not entitle the applicant's project to water service or to any right, priority, or allocation in any supply, capacity, or facility, or affect the District's obligation to provide service to its customers or potential future customers. In order to receive service, the applicant must meet all of the applicable requirements of these Rules and Regulations.

4.2 APPLICATION PROCEDURE

4.2.1 **Application.** An application for water, sewer, recycled water and natural treatment system service must be made in writing, via the telephone, the District website, or in person. The District may require an application be signed by the applicant, and the owner or customer, if they are not one and the same. The Manager may provide an abbreviated form of application for permits if he determines that no unusual facts exist.

4.2.2 **Information Required.** The applicant may be required to provide the following information per account:

- (1) Name of applicant(s)
- (2) Date service is required
- (3) Location of service
- (4) Mailing address
- ~~(4)(5)~~ Email address
- ~~(5)(6)~~ Purpose for which service is to be used (e.g. residential, commercial or irrigation)
- ~~(6)(7)~~ Contact phone number
- ~~(7)(8)~~ Social Security Number or Tax Identification Number
- ~~(8)(9)~~ Driver License Number, Passport, or State Identification
- ~~(9)(10)~~ Such other information as the District may reasonably require.

4.2.3 **Application Fees and Deposits.** The applicant shall pay a non-refundable, one-time service establishment fee and a -A-security deposit. The District deposit- may ~~be assessed-waived the deposit in lieu of providing a Social Security-~~ Number or Tax Identification Number or based on the applicant's prior credit history with the District. See Exhibit B, Schedule of Rates and Charges for fee and deposit amounts.

4.2.4 **Additional Discharge Permit.** An applicant for sewer service may be required to obtain a discharge permit for use of the District's sewage facilities in addition to the permit required for all applicants for sewer service. The conditions under

which the additional permit is required are based on quantities and constituents of wastewater discharged into the District's sewage facilities. Section 7 sets forth these requirements. The applicant shall comply with all Federal and State requirements including, but not by way of limitation, any and all requirements of the Environmental Protection Agency and any commitments for reimbursements required by the Environmental Protection Agency in excess of the charges of the District. These requirements are set forth in the Federal Water Pollution Control Act and the Code of Federal Regulations, which by this reference are herein incorporated as though set forth in full.

4.2.5 Compliance with Law; Additional Approvals. By applying for service, the applicant for a water, sewer, recycled water, or natural treatment system service permit agrees to comply with the requirements of any and all applicable Federal, State, and local statutes, ordinances, regulations and other requirements. The District may, at its discretion, require specific prior approval of any permit by any Federal, State, or local agency having jurisdiction over or an interest in the operation of the District's facilities.

4.2.6 Additional Requirements. Upon receipt of an application, the Manager shall review the application and make any investigation he deems necessary. The Manager may prescribe requirements in writing to the applicant as to the facilities necessary to be constructed, the manner of connection, the financial requirements, and the use of service including the availability of adequate water, sewage, recycled water, and natural treatment system facilities, and in cases of sewer service pretreatment facilities, if necessary, to insure initial and future continued compliance with the District's Rules and Regulations and any other applicable requirements.

4.3 PERMITS

4.3.1 Compliance. The applicant shall adhere to requirements prescribed by these Rules and Regulations and to any additional requirements prescribed by the Manager or by the Board, or both, to ~~insure~~ensure compliance with the District's Rules and Regulations as to obtaining water, sewer, recycled water and natural treatment system service and as to characteristics, quality, and quantity of recyclable and non-recyclable sewage that the District is willing to receive into its facilities.

4.3.2 Payment Prior to Permit Issuance. The applicant shall pay the District's specified fees and charges prior to the issuance of a permit. These charges are set forth in Exhibit B, Schedule of Rates and Charges, and may be changed by the District from time to time. If assessment bond proceeds finance facilities normally funded by connection fees or by a developer subject to reimbursement, then those assessments must be paid concurrently with the payment of the associated connection fees. The Board may defer in its discretion the payment of any such assessment bonds in instances when an interim nonresidential use is to occur.

4.3.3 **Termination of Service.** By reason of circumstances beyond the control of the District, or in order to protect the facilities of the District, or for the protection of the public health, safety, and welfare of the residents or property owners of the District, the District may terminate service under the conditions set forth below:

(1) Water, sewer, recycled water, and/or natural treatment system service may be terminated on a temporary or permanent basis in the manner provided for in Section 7 or Section 14 at any time the applicant's, owner's, or customer's operations do not conform to the applicable requirements, as provided for herein.

(2) The District may terminate recycled water service on a temporary basis at any time recycled water at the terminal point of the District's reclamation plant does not meet the requirements of regulatory agencies, including those prescribed by the State of California, Administrative Code, Title 22, Chapter 4. Recycled water service will, in that case, be restored when the recycled water at the terminal point of the reclamation plant again meets the requirements of regulatory agencies or when the District supplements the recycled water system from sources other than the reclamation plant.

4.3.4 **Limit of Liability.** The District shall not be liable for any damage by water or recycled water or otherwise resulting from defective plumbing, broken or faulty services, or water or recycled water mains; or resulting from any condition of the water or recycled water itself, or any substance that may be mixed with or be in the water or recycled water as delivered to any customer. All applicants for service connections or water or recycled water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection and to hold the District harmless from all damage arising from low pressure or ~~high-pressure~~high-pressure conditions or from interruptions of service. The District shall not be liable for any damage by sewage or inadequate capacity, from defective plumbing, broken or faulty upper or lower laterals, sewers, or collection systems resulting from any conditions beyond the control of the District or otherwise.

4.4 SIZE, LOCATION, AND INSTALLATION OF SERVICE LINE OR LOWER LATERAL

4.4.1 **Water and Recycled Water Service Lines.** The District may determine the size of the water and recycled water service lines, the service connections, and the meters and will also determine the kind and size of backflow protection devices for potable water service, in accordance with Section 4.10, and any and all other appurtenances to the service. The water or recycled water service lines shall be installed to a curb line or property line of the customer's property, abutting upon a public street, highway, alley, easement, lane, or road (other than a freeway) in which are installed water and/or recycled water mains of the District.

4.4.2 **Lower Lateral and Lateral Connections.** The District may determine and specify in the permit the size, location, and manner of installing the lower lateral.

Such design shall be in accordance with the District's Procedures Guide and Construction Manual. If a lower lateral is installed by the applicant, owner, or customer, the lower lateral joints shall remain exposed until they have been inspected and approved by the District. The size, slope, alignment, and materials of construction of the lower lateral and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench shall conform to the District's Procedures Guide and Construction Manual. The size, slope, alignment, and materials of construction of the upper lateral and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench shall conform to the applicable plumbing code(s) enacted and enforced by the cities of Irvine, Laguna Beach, Lake Forest, Newport Beach, Orange, Santa Ana, and Tustin, as well as by the County of Orange or its successor.

- 4.4.3 **Natural Treatment System Design.** The District reserves the right to give final approval of the design of natural treatment systems by developers. The design must be in accordance with the District's Procedures Guide, Construction Manual, and NTS Design Guidelines.

4.5 LIMITATIONS ON SERVICE CONNECTIONS

Permits will be issued according to the following conditions:

4.5.1 **Water Service Connections**

- (1) Each residence and/or building under separate ownership must be provided with a single and separate water service connection and water meter except under special conditions as determined by the District. Except as provided below, two or more buildings under one ownership and on the same lot or parcel of land must be supplied by a single water meter. A separate landscape irrigation meter is required for a property under the conditions described in Section 4.16.
- (2) The District reserves the right to limit the number of buildings, such as apartments, or the area of land under one ownership to be supplied by one water service connection and water meter.
- (3) Except for a condominium building, not more than one water meter for domestic or commercial supply shall be installed for one building, except under special conditions as determined by the District.
- (4) A water service connection and water meter must not be used to supply adjoining property of a different owner, or to supply property of the same owner across a street or alley.
- (5) When property provided with a water service connection and water meter is subdivided, that connection and meter will be considered as serving the lot or parcel of land that it directly or first enters. Additional water mains and/or service lines will be required for all subdivided areas in accordance with these Rules and Regulations.

- (6) All water used on any premises where a meter is installed must pass through the meter. Customers will be held responsible and charged for all water passing through their meters.
- (7) Every water service will be equipped with an angle curb stop or wheel valve on the inlet side of the meter; that valve or angle curb stop is intended exclusively for the use of the District in controlling the water supply through the water service line. If the curb stop or wheel valve is damaged by the customer's use to an extent requiring replacement, that replacement will be at the customer's expense.
- (8) If the customer's rate of consumption results in excessive wear of the meter or is such that the meter is unable to measure the flow of water accurately, the District may increase the size of the meter and require payment of the actual cost of installing the new meter.
- (9) Fire protection systems must not be supplied through District meters that serve more than one residential unit.
- (10) As of July 1, 2018, water meter service lines must not be combined, connected or looped on the customer side. Private or customer side service lines must be kept independent from other service lines and supply independently plumbed zones within the same building. Any water meter service lines that were combined, connected, or looped on the customer side and permitted by the District prior to July 1, 2018 will be considered legal non-conforming uses and may remain (subject to permit) unless and until the property is redeveloped.

4.5.2 Lower Laterals

- (1) For single family detached unit residential development a separate and independent lower lateral must be provided for every individual parcel or building under individual ownership.
- (2) For condominium developments the following minimum number of lower laterals must be provided:
 - (a) *Non Stacked*: 1 lower lateral per every two units – Minimum 4" size.
 - (b) *Two-Story Stacked*: 1 lower lateral per every four units - Minimum 6" size.
 - (c) *Multi-Story*: 2 lower laterals per building – Minimum 6" size.
- (3) For commercial, industrial, hotel, and apartment developments the following minimum number of lower laterals must be provided: 1 lower lateral per building – Minimum 8" size, except under special conditions as determined by the District.

(4) The District reserves the right to limit the number of buildings or the area of land under one ownership to be connected to one lower lateral.

(5) When property provided with a lower lateral is subdivided, that lower lateral will be considered as serving the lot or parcel of land that it directly or first enters. Additional sewers and/or lower laterals may/will be required for all subdivided areas in accordance with these Rules and Regulations.

4.5.3 Recycled Water Service Connections

(1) The District reserves the right to limit the area of land under one ownership to be supplied by one recycled water service connection and recycled water meter.

(2) A recycled water service connection and recycled water meter shall not be used to supply adjoining property of a different owner.

(3) When property provided with a recycled water service connection and recycled water meter is subdivided, such connection and meter shall be considered as serving the lot or parcel of land that it directly or first enters. Additional recycled water mains and/or recycled water service lines will be required for all subdivided areas in accordance with these Rules and Regulations.

(4) All recycled water used on any premises where a meter is installed must pass through the meter. Customers shall be held responsible and charged for all recycled water passing through their meters.

(5) Every recycled water service line shall be equipped with an angle curb stop or wheel valve on the inlet side of the meter; such valve or angle curb stop being intended exclusively for the use of the District in controlling the recycled water supply through the recycled water service line. If the curb stop or wheel valve is damaged by the customer's use to an extent requiring replacement, such replacement shall be at the customer's expense.

4.6 RELOCATION OF WATER SERVICE LINE, LOWER LATERAL, OR RECYCLED WATER SERVICE LINE OR FIRE HYDRANT

If a water service line, lower lateral, or recycled water service line or fire hydrant installed pursuant to the request of the applicant, owner, or customer is of the wrong size or installed at a wrong location, then the cost of all changes required must be paid by the applicant, owner, or customer. All water services, lower laterals, and recycled water services and fire hydrants provided prior to final street improvements will be considered temporary and the costs for all repairs or changes required to be performed by the District must be paid by the applicant, owner, or customer.

4.7 ILLEGAL CONNECTIONS, DIVERSIONS, OR TAMPERING

4.7.1 Definitions

(1) “**Divert**” means to change the intended course or path of water or wastewater into or out of the District’s system without the authorization or consent of the District. Any unpermitted discharge into the District’s facilities, and any unpermitted withdrawal of potable or recycled water from the Districts’ facilities is a “**diversion**.”

(2) “**Tampering**” means the unauthorized entering, breaking, damaging, destroying, uncovering, defacing, rearranging, injuring, altering, or interference with any temporary or permanent structure (including any pipeline), equipment (including any pumps or back-flow devices), or appurtenance owned by the District or that is part of the District’s water, wastewater, recycled water, or natural treatment systems. Any unpermitted connection to the District’s facilities is “**tampering**.”

Installation by anyone other than the District of any equipment installed in a District facility, including a meter box or pressure regulating valve (PRV) vault onto any meter or PRV, is “tampering”. This includes but is not limited to leak detection equipment, flow sensors, batteries or antennas. If any unpermitted equipment is installed, it will be removed by District staff.

Tampering also includes but is not limited to diverting from the District’s system any water which has not been correctly registered, reconnecting water service that has been disconnected or shut-off by the District for nonpayment or other reasons, removing the meter register so flow is not detected and removing the meter tampering tag.

4.7.2 **Prohibition.** Diversion and tampering are prohibited.

4.7.3 **Specific Prohibited Diversions to Sewers.** The following must not be connected to a District sewer facility (or to a building sewer or building drain that in turn is connected directly or indirectly to a District sewer facility): roof downspouts, exterior foundation drains, areaway drains, car wash pads not covered by a roof, or other sources of surface runoff or ground water.

4.7.4 **Penalties for Diversion or Tampering.** Diversion and tampering are crimes under the California Penal Code and are violations of the Water Code and the Civil Code. Diversion and tampering may be subject to charges and penalties, as well as referral to the District Attorney for criminal prosecution. All charges and penalties shall be applicable and collected in accordance with section 14 and Exhibit B, Schedule of Rates and Charges and pursuant to all other applicable laws and regulations.

4.8 METER TESTING

4.8.1 If a water or recycled water meter fails to register during any period or is known to register inaccurately, the ~~District customer shall~~ may be charged the customer using historical consumption data or, in the absence of historical consumption

data, a reasonable average daily consumption based on prior consumption or other reasonable calculation ~~in the absence of historical consumption data~~.

4.8.14.8.2 Upon ~~at the~~ customer's written demand and payment of a testing deposit, the District ~~will replace the meter. The District will shall~~ examine and test the original meter through which water or recycled water is being furnished to determine whether it is correctly registering the amount of water or recycled water being delivered through it. If the District determines the original meter is not correctly registering the amount of water or recycled water being delivered through it, the District shall replace the meter. The cost of the new meter testing deposit shall will be the testing deposit cost of the new meter.

4.8.24.8.3 If the District determines the meter ~~is to~~ registering over two percent (2%) more water than actually passes through it, then the District shall ~~properly adjust the meter or replace the meter,~~ return the ~~deposit, and~~ deposit and adjust the customer's bill accordingly.

If the District determines the meter is registering less than or equal to ~~s not more than~~ two percent (2%) more water than actually passes through it, ~~then~~ the District will may retain the deposit as the testing cost.

4.9 FIRE HYDRANTS AND PRIVATE FIRELINES

4.9.1 ~~Water provided to privately owned fire hydrants or firelines is connected to the District's mains and fire hydrants that are served by an applicant, owner, or customer fireline are~~ provided for the sole purpose of ~~furnishing water to~~ fighting fires and shall may only be ~~opened and~~ used only by persons as authorized by the District. ~~If the~~

A District permit is required for the use of water provided to fire hydrants or firelines for purposes other than extinguishing fire. The District will only grant a permit allowing water provided to fire hydrants or firelines to be used for purposes other than extinguishing fire that permit will be granted only through the procedures and provisions contained in Section 4.1 of these Rules and Regulations. _

4.9.14.9.2 Rates to be charged for water extracted from a hydrant or private fireline for temporary construction use or other purposes will be in accordance with the applicable schedule contained in Exhibit B, Schedule of Rates and Charges.

4.9.3 The owner of any property with a private fire hydrant or private fireline that is connected to the District's mains or fire hydrants shall prevent any unpermitted hydrant use or unauthorized connection to a private fireline on their property. Unpermitted hydrant use or other unauthorized connection to a private fireline is ~~hereby deemed a waste of water~~ water waste, and ~~is subject to interim~~ could result in temporary or permanent ~~revocation cancellation~~ of the underlying connection. In the event of cancellation, permit and the District may assess fees or fines pursuant to Section 14 and Exhibit B. Pursuant to Orange County Fire Authorities regulations, interim and or permanent revocation cancellation of water

service provided for the sole purpose of fighting fires may require, ~~pursuant to Orange County Fire Authorities regulations,~~ the applicant, owner, or customer to provide sufficient fire protection ~~and~~ or fire watch at ~~no cost to the District~~ the owner's expense.

~~4.9.4 Leaks on from hydrants or private firelines isare hereby deemed a waste of considered water waste and could result in-is subject to interimtemporary or permanent revocationcancellation of the underlying connection permit and f In the event of cancellation, the District may assess Ffees or fines pursuant to Section 14 and Exhibit B, Schedule of Rates and Charges-will apply. pursuant to Orange County Fire Authorities regulations, finterim and-or permanent revocationcancellation of water service provided for the sole purpose of fighting fires may require; pursuant to Orange County Fire Authorities regulations, the applicant, owner, or customer to provide sufficient fire protection and-or fire watch at no cost to the Distrietthe owner's expense.~~

~~4.9.24.9.5 The District may Water service provided for the sole purpose of fighting fires may be terminated water service provided for the sole purpose of fighting fires on a temporary or permanent basis in the manner provided for in Section 14 at any time thean applicant's, owner's, or customer's operations do not conform to the applicable requirements, as provided for herein.~~

~~It is the property owner's responsibility to provide and maintain a private fireline service that is in compliance with California Fire Codes.~~

4.10 WATER BACKFLOW PREVENTION

4.10.1 General

(1) The purpose of these provisions is to protect the District's potable water supply against actual or potential cross-connections by isolating, within the premises, contamination or pollution that may occur because of undiscovered or unauthorized cross-connection on the premises. These provisions are in accordance with the ~~California Administrative Code, Title 17 (Public Health), entitled "Regulations Relating to Cross-Connections."~~State Water Resources Control Board's Cross-Connection Control Policy Handbook and IRWD's Cross-Connection Control Management Plan.

(2) These provisions ~~shall beare~~ in addition to and not in lieu of the controls and requirements of other regulatory agencies, such as local governmental agencies and local and State Health Departments. These regulations are intended to protect the District's potable water supply and are not intended to provide regulatory measures for protection of users from the hazards of cross-connections within their own premises. Notwithstanding these provisions, the District accepts no responsibility for cross-connections or resulting hazards or contamination.

(3) The District has developed an active ~~cross-connection control program~~Cross Connection Control Management Plan and designated ~~with a~~ Cross-Connection Control ~~Inspector~~Coordinator to administer the program. Any questions or notifications regarding these provisions or the program should be directed to the ~~Inspector~~Coordinator.

(4) Where the District grants an applicant, owner, or customer a temporary construction connection under Section 10.1.6 of these Rules and Regulations, the District shall provide, install, test, and maintain a backflow prevention device on the temporary construction connection at the applicant, owner, or customer expense. All other B~~ackflow~~ prevention devices,~~as~~ required in these provisions, the District's Construction Guidelines, and the Cross Connection Control Management Plan, shall~~must~~ be provided installed, tested, and maintained by the applicant, owner, or customer at~~his~~ the applicant, owner, or customer's expense. For specific materials and installation requirements, see the District's Procedures Guide and Construction Manual. The devices ~~shall~~must be located on the premises served and ~~shall not be located~~ on the District's portion of the system. All devices ~~shall are required to~~ be readily accessible for testing and maintenance and no device ~~shall may~~ be submerged at any time.

(5) When water service is initiated, the applicant must provide sufficient information, including plumbing and building plans, to enable the District to determine the level of backflow protection required. The applicant shall install the proper backflow protection, as determined by the District, ~~shall then be installed and inspected~~ have the protection tested by a tester licensed by a State Water Board-recognized organization certifying backflow prevention assembly testers, before the District will provide water service ~~is provided~~.

(6) Each time there is a change of customer (either owner or tenant) ~~on for~~ any commercial or industrial premise, or any alterations to existing onsite facilities that may affect the level of protection required, the new or previous customer shall immediately report the change or alternation to the District. the new or previous owner or customer shall notify the District immediately. The District will then reassess the level of protection required. ~~Also, any alterations to existing onsite facilities that may affect the level of protection required must be reported immediately to the District.~~

(7) From time to time, representatives of any health agency having jurisdiction and/or the District may conduct ~~evaluations~~hazard assessments of any premises where water service is provided by the District. The purpose of ~~such these hazard evaluations~~assessments is to determine if any actual or potential cross-connections exist, if there are any unapproved uses, and to assess compliance with applicable laws and regulations. The applicant owner or customer shall ~~provide~~ reasonably ~~cooperat~~ion in facilitating with such these hazard evaluations.

(8) Additional information concerning backflow prevention may be obtained from the "Manual of Cross-Connection Control," Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, School of Engineering and the State Water Resources Control Board's Cross-Connection Control Policy Handbook. Additional monitoring and inspection rules are in Section 8 of these Rules and Regulations.

4.10.2 **Where Protection is Required.** Backflow protection for the District's potable water supply ~~shall be provided onis~~ required for each water service connection to:

(1) Premises ~~that haveing~~ an auxiliary water supply, such as recycled or non-potable water. If the public health agency having jurisdiction approves an auxiliary water supply ~~is approved for potable use by the public health agency having jurisdiction~~, backflow protection ~~will is~~ not ~~be~~ required.

(2) Premises on which any substance is handled in such fashion that could permit entry into the water system. This ~~shall includes~~ the handling of ~~process~~processed waters and waters originating from the District's system that have been subject to deterioration in sanitary quality.

(3) Premises that have internal cross-connections ~~that have not ,unless such cross connections are been~~ abated to the satisfaction of the District and approved by the state or local health agency.

~~(4)~~ Premises ~~that haveing~~ intricate plumbing and piping arrangements, ~~or~~

~~(4)(5)~~ Premises where not all portions of the premises are readily accessible for inspection ~~purposes~~.

~~(5)(6)~~ Premises ~~that haveing~~ a repeated history of cross-connections being established or re-established.

~~(6)(7)~~ Premises ~~being that are~~ served water through a temporary above ground water service connection.

~~(7)(8)~~ Premises listed as high hazard in Appendix D of the Cross Connection Control Policy Handbook.

4.10.3 **Type of Protection.** The type of protection required is related to the degree of hazard that exists on the premises served. The types of protective device that may be required (listed in increasing level of protection) includes: Double Check Valve (DC), Reduced Pressure Principle Backflow Prevention Device (RPPD), and an Air Gap Separation (AG). The water user may choose a higher level of protection than required by the District. The ~~District~~State Water Resource Control Board's minimum types required, relative to various situations shall be as required by California Administrative Regulations, Title 17 the Cross Connection Control Policy Handbook specifies the type of protection required at various premises, or to the extent Where the Cross Connection Control Policy Handbook does not specify the type of protection required, covered thereby, as determined by the District and/or health agency may determine the type of protection required for a premises.

4.10.4 **Inspection and Maintenance of Protective Devices**

(1) ~~It shall be the duty of t~~The water user ~~on for~~ any premises on which backflow prevention devices are installed ~~shall to~~ have competent inspections

made at least once a year, or more often in those instances where successive inspections indicate repeated failure. All inspections and testing ~~shall must~~ be performed by a tester certified by ~~the local health department~~ a State Board approved licensing agency. The water user shall have all devices ~~shall also be~~ tested immediately after they are installed, relocated, or repaired. ~~The water user - and shall not be placed~~ put any device into service unless they device are is functioning ~~as required~~ properly.

(2) The District will notify the applicant, owner, or customers when routine testing is needed. ~~The District - and also will~~ supply them applicant, owner, or customer with the ~~necessary required~~ forms ~~that must be filled out~~ each time a device is tested or repaired. The notice will include the date when the test must be completed, generally 30 days after the date of the notice. The applicant, owner, or customer shall return the completed, original forms ~~shall be returned to the~~ District. ~~Copies of the completed forms shall also be sent to the local health department.~~ The applicant, owner, or customer shall notify the District any time the device is repaired, replaced or relocated. Within 30 days of a device being found to be defective, the applicant, owner, or customers ~~A device shall be repaired or replaced by the device, and at the applicant, owner, or customers' own expense of the water user, whenever within 30 days of it being it is found to be defective. The water user shall maintain all~~ Records of all such device tests and repairs ~~shall be maintained by the water user~~. The District may request records regarding any backflow prevention device on the premises.

(3) A water user may remove a protective device ~~may be removed~~ for repair or replacement, provided that (a) water use is discontinued until repair or replacement is completed and the device is returned to service prior to any water use, or (b) the service connection is equipped with other backflow protection approved by the District. The water user shall A-retest the device will be ~~required~~ following the repair or replacement of the device.

(4) A water user may device may be relocated a protective device provided that (a) following confirmation by the District confirms that the relocation will continue to provide the required protection and satisfy installation requirements prior to relocation, and (b) water use is discontinued until relocation is complete. ~~A-The water user shall retest the device will be required~~ following the relocation of the device.

4.10.5 Marking Safe and Unsafe Water Lines

(1) Where the premises other than single-family residences contain dual or multiple water systems and piping, the exposed portions of pipelines shall be painted, banded, or marked at sufficient intervals to distinguish clearly which water is safe for drinking purposes and which is not safe. All outlets intended for drinking purposes shall be plainly marked to indicate that fact.

(2) For single-family residences which have recycled water services provided, only those water outlets which serve non-potable water shall be marked with the words "Recycled Water - Do Not Drink."

(3) For single-family residences which contain water systems, all potable water service piping ~~shall all~~shall be designed and constructed in compliance with IRWD's Procedures Guide.

4.10.6 Reporting of Pollution or Contamination. In the event of contamination or pollution of the potable water system due to a cross-connection on the premises, the local health officer and District shall be promptly advised by the person responsible for the water system so that appropriate measures may be taken to mitigate the contamination or pollution.

4.10.7 Water Service Termination

(1) If the District determines that water uses or conditions encountered by the District represent a clear and immediate hazard to the District's water supply that cannot be immediately abated, the District shall institute the procedure for discontinuing water use. Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following:

- (a) Refusal to install a required backflow prevention device.
- (b) Refusal to test a backflow prevention device.
- (c) Refusal to repair a faulty backflow prevention device.
- (d) Refusal to replace a faulty backflow prevention device.
- (e) Direct or indirect connection between the District's water system and a sewer.
- (f) Unprotected direct or indirect connection between the District's water system and a system or equipment containing contaminants.
- (g) Unprotected direct or indirect connection between the District's water system and an auxiliary water system.
- (h) A situation which presents an immediate health hazard to the District's water system, as determined by the health agency or the District.
- (i) At single-family residences which contain water systems, the installation of any piping shall be in conformance with IRWD's Procedures Guide.

(2) For conditions 4.10.7(1)a, b, c, d or i above, the District will terminate service to a customer's premises as follows:

- (a) *First Notice.* The District will notify the applicant, owner or customers when routine testing or corrective action is needed and also supply them with the necessary forms that must be filled out each time a device is tested or repaired. The notice will include the date when the test or corrective action must be completed,

generally 30 days after the date of the notice.

(1) The completed, original forms shall be returned to the District. Copies of the completed forms shall also be sent to the local health department.

(2) The applicant, owner or customer shall notify the District any time the device is repaired, replaced or relocated.

(b) *Second Notice.* A second notice shall be sent to each water user that does not have the backflow prevention device tested or take other corrective action as prescribed in the first notice within the time allowed. The second notice will give the water user a fifteen (15) day period to have the backflow prevention device tested or take other corrective action.

(c) *Third Notice.* If no action is taken within the 15-day period, then a third notice will be sent to the water user giving the water user a final ten(10) day period to have the device tested or take other corrective action.

(d) *Notice of Service Termination.* If no action is taken within the 10-day period, then the District will notify the user that water service will be terminated and proceed to turn off the water until the device is tested and passes the test or other corrective action is taken and approved. If no action is taken within the time period stated in the District's *Notice of Service Termination*, then water service may be terminated in accordance with Section 14, ENFORCEMENT AND PENALTIES.

(3) For conditions 4.10.7(1)e, f, g, or h above, the District will make reasonable effort to advise the water user of intent to terminate water service. Then, the District will terminate the water service and lock the service valve in the closed position. Water service will not be reinstated until correction of all violations has been approved by the District. Reinstatement of service will be subject to restoration charges. Failure to correct the violations may result in permanent termination of water service in accordance with Section 14, ENFORCEMENT AND PENALTIES.

4.11 SEWER BACKFLOW PREVENTION

4.11.1 Residences and other buildings served by the District's sewage facilities shall be protected from the backflow of wastewater in the lower laterals as herein provided. Drainage piping serving fixtures, the flood level rims of which are located below the rim elevation of the uphill manhole of the District sewer and above the crown level of the District main sewer, shall drain by gravity into the District main sewer and shall be protected from backflow of sewage by installing an approved type backwater device, and each such backwater device shall be installed only in that branch or section of the drainage system that receives the discharge from fixtures located below the elevation of the curb or

property line.

4.11.2 Backwater devices required by this section must be located where they will be readily and easily accessible for inspection and repair at all times and, unless continuously exposed, must be enclosed in a watertight masonry pit fitted with an adequately sized removable cover.

4.11.3 The applicant, owner, or customer must provide and maintain, at his expense, backwater devices and appurtenances as required in this section. Each such device must be located on the property it protects and must not be allowed in the public right of way.

4.12 USE OF RECYCLED WATER

Determination of Feasible and Authorized Uses. In accordance with the provisions of Section 1, the uses of recycled water may include, but not by way of limitation, landscape irrigation, agricultural irrigation, natural treatment system irrigation, construction water, industrial process water, cooling tower makeup water, water for flushing toilets and urinals, trap primers in dual-plumbed buildings, non-structural firefighting, and public and private recreational impoundment. Each such use must be considered for approval by the District on a case-by-case basis, and the District may determine in its discretion whether it is feasible to furnish recycled water for the specific use involved.

4.12.1 Prior to approving such uses, the District may, in its discretion, set forth specific requirements as conditions to providing such services and/or require specific prior approval from the appropriate regulatory agencies. The District's determination of feasibility will be based on the following factors:

(1) Whether recycled water may be furnished for the intended use at a reasonable cost to the customer and the District;

(2) Whether recycled water use is in accordance with the standards of treatment and water quality requirements set forth in Title 22, Chapter 4, of the Code of California Regulations and all other applicable federal, state and local laws and regulations;

(3) Whether the use of recycled water can be made in a manner not detrimental to public health.

4.12.2 Requirement to Use Recycled Water

The District will identify customers who are located within the District's service area and within an area identified in the Plan as an area capable of receiving service from the District's recycled water system and will determine the feasibility of providing recycled water service to these customers. The District will also review applications for new permits to determine the feasibility of providing recycled water service to these applicants. If recycled water service is determined by the District to be feasible, applicants for new water service must install onsite facilities to accommodate both potable water and recycled water service in accordance with these Rules and Regulations. The District may also require existing customers to retrofit

existing onsite water service facilities to accommodate recycled water service. Potential recycled water customers identified by the District that elect not to use recycled water that is available but can use recycled water in compliance with State and County regulatory requirements, these Rules and Regulations and can meet the criteria identified in Section 13550 of the California Code of Regulations, may be subject to the provisions in Section 4.12.5 of this document. Potential recycled water customers that believe recycled water cannot be used at their site shall provide written justification to support their position. The District assumes identified customers meeting the above referenced criteria can use recycled water until or unless the potential recycled water customer can provide documentation otherwise. If the District's recycled water distribution system has not yet been extended to the vicinity of the customer's property, the District may require a written commitment from the customer to use recycled water when the extension has been made. A customer that does not provide a written commitment may be subject to the provisions in Section 4.12.6. If the District does not require the use of recycled water service, the customer may obtain recycled water service upon request but only if the District has determined that recycled water service to the customer is feasible and authorizes such use.

4.12.3 Installation Costs

Except as otherwise provided herein, when an existing customer is required by the District to convert to recycled water service, the customer will pay the reasonable capital costs of retrofitting the onsite water service facilities (as defined in Section 4.12.4(1) and the District will provide the offsite facilities necessary to deliver recycled water to the meter. Applicants for new or expanded water service shall be responsible for the full capital cost of onsite recycled water facilities and applicant-furnished offsite distribution facilities required as a condition of service pursuant to Section 5.

4.12.4 Process of Determination

The following describes the process by which the District will determine which potential recycled water customers may be served, contact by District, response by potential recycled water customers and appeal provision to the District's Board of Directors:

- (1) District staff will identify potential sites at which it believes recycled water may be used. Identified potential recycled water use sites must meet the following criteria:
 - (a) Recycled water is served to an available location. "Available location" means (1) the District's recycled water distribution system is in a street adjacent to the subject property, or (2) the District has notified a customer that if a written commitment to use recycled water has been received from the customer, the District will complete an extension of the distribution system to a street adjacent to the customer's property, and the customer has failed or refused to provide the written commitment, and any determination sought by the customer pursuant to 4.12.4(3) through 4.12.4(6) has become a final and non-appealable determination that recycled water use is feasible;
 - (b) The District can provide recycled water in the needed

volume, quality, pressure and flow rate;

(c) The anticipated use(s) at the subject site are allowed for in Title 22 of the California Code of Regulations;

(d) The construction/retrofit can be accomplished in compliance with Federal, State, County and District requirements;

(e) The anticipated use(s) will not negatively impact public health;

(f) The use of recycled water will not diminish water rights; and

(g) Recycled water is available at a reasonable cost, meaning:

(1) The commodity cost for recycled water is less than the commodity cost for a like quantity of potable water; and

(2) The net customer cost of facilities and appurtenances required to be installed can be amortized by the difference in potable and recycled water rates over a period of not more than one hundred and twenty (120) months.

(2) District will contact potential recycled water use site representative to discuss the use of recycled water.

(3) Potential recycled water customers shall respond to District inquiries as to its ability to use recycled water. Customer and IRWD shall engage in dialogue to determine if recycled water can be used. At the completion of dialogue, the potential recycled water customer shall have ninety (90) calendar days to indicate its intent regarding the use of recycled water. If recycled water can be used, the customer shall work with the District toward the successful introduction and use of recycled water including obtaining regulatory approvals. If, according to the customer, recycled water cannot be used, customer shall provide written documentation to the General Manager to support their position.

(4) District staff will review documentation provided by customer supporting why recycled water cannot be used.

(a) In the case of potential customers that provide sufficient evidence as to why recycled water cannot be used, District shall consider the matter closed; or

(b) In the case of potential customers that elect not to respond to District inquiries or do not provide documentation as to why recycled water cannot be used, the General Manager or designee shall report those occurrences to the Water Resources Policy and Communications Committee. With Water Resources Policy and Communications Committee approval, the General Manager or designee shall send a certified letter to the potential recycled water customer urging contact with the District to continue meaningful

dialogue regarding the potential use of recycled water. The potential recycled water customer shall have thirty (30) calendar days in which to contact the District. If the potential recycled water customer does not respond within thirty (30) calendar days, a second certified letter will be sent notifying the potential recycled water customer that the billed per Section 4.12.5 of this document beginning sixty (60) calendar days after notification.

(5) The potential recycled water customer who contends recycled water is not feasible based on criteria described in Sections 4.12.4(1) may appeal to the General Manager by filing a written appeal within thirty (30) calendar days of the date of the notice described in Section 4.12.4(4). The General Manager shall consider the information provided and respond within thirty (30) calendar days to the potential recycled water customer.

(6) The decision of the General Manager may be appealed to the Board of Directors in writing filed with the District Secretary within thirty (30) calendar days of the General Managers decision. The Board of Directors will conduct a hearing to consider the appeal at the next regularly scheduled Board meeting. The decision of the Board of Directors shall be transmitted in writing to the potential recycled water customer within thirty (30) calendar days of the hearing. The decision of the Board of Directors is final.

4.12.5 Recycled Water Non-Conforming Use Billing Rate. For potential recycled water customers that elect not to comply with section 4.12.2 (“Requirement to Use Recycled Water”) and fail to provide reason(s) why recycled water cannot be used, all metered potable water use at the site that could otherwise be served with recycled water shall be billed at the applicable potable water rate plus the “non- conforming use” rate until the site is converted or acceptable justification as to why the recycled water cannot be used is provided. No refunds will be provided unless a justification is accepted by the District.

4.12.6 Potential Recycled Water Customer Non-Participation/Non-Cooperation. Potential recycled water customers identified and contacted by the District that elect not to use recycled water or are not cooperating with the District as defined in Section 4.12.4 of this document, will be billed as defined in Section 4.12.5 of this document. In cases where the potential recycled water customer elects not to pay their bill, that customer will be subject to the provisions as set forth in Exhibit B, Schedule of Rates and Charges.

4.12.7 Termination of Prior Recycled Water Service. If an end user that was previously accepting recycled water elects to suspend or terminate delivery of recycled water and use potable water for reasons other than those identified in Section 4.12.4 of this document, that end user may be subject to the provisions in Section 4.12.6.

4.12.8 Temporary Use of Potable Water in lieu of Recycled Water. If the District determines that a recycled water customer can’t reasonably be served recycled water due to issues caused by the District’s recycled water system, then the District may serve the customer potable water and the customer will be billed

using the recycled water rate until the issue is resolved by the District.

4.13 SCHEDULING RECYCLED WATER; SUPPLY OF OTHER WATER TO RECYCLED WATER DISTRIBUTION SYSTEM

Recycled water shall be used in compliance with District's "Procedural Guidelines and General Design Requirements." The District reserves the right to control and schedule the use of recycled water if, in the opinion of the Manager or his designated representative, scheduling is necessary for purposes including, but not limited to, the maintenance of an acceptable working pressure in the recycled water system and providing for reasonable safeguards in relation to public health. Guidelines for such scheduling shall be as deemed appropriate by the Manager or his designated representative. The District reserves the right to supply potable or non-potable water to the District's recycled water distribution system from time to time, as the Manager or his designated representative determines to be necessary or useful to augment the recycled water supply to such system. The supply of such other water to the system shall be at the District's discretion and shall not change the rates or charges billed for recycled water service nor relieve any recycled water customer of the applicable requirements of the Rules and Regulations, including but not limited to Section 6.2.2.

4.14 EMERGENCY CONNECTIONS TO RECYCLED WATER SYSTEM

If, in the opinion of the District, an emergency exists whereby in all or a portion of the recycled water system recycled water is not available, the Manager may approve a temporary connection to the potable water system. Before a temporary connection is made, the portion without recycled water must be isolated by an air gap separation from the remainder of the recycled water system either at individual services or on the offsite system, as determined by the District and an approved backflow prevention device or devices of the type determined in accordance with Section 4.10 herein, shall be installed on the potable water line or lines in accordance with these Rules and Regulations and any and all applicable rules and regulations of the State and local health departments. Before the emergency connection or connections shall be removed, whether onsite or offsite, the customer shall notify the District's cross-connection department. This emergency connection or connections shall be removed before connection is re-established to the remainder of the recycled water system.

4.15 RESPONSIBILITY FOR MAINTENANCE

4.15.1 **Water and Recycled Water.** The applicant, owner, or customer is responsible for maintaining all onsite facilities that are under the ownership of parties other than the District.

4.15.2 **Sewer - Single Family Units.** Unless otherwise specified on an approved IRWD Construction plan, the applicant, owner, or customer is responsible for maintenance of the upper lateral and lower lateral. Any upper lateral or lower lateral shall be cleared and cleaned by the applicant, owner, or customer at his own expense. The upper lateral is the responsibility of the owner to repair or reconstruct. The lower lateral is the responsibility of the District to repair or reconstruct. If damages to District facilities are a result of neglect of maintenance responsibilities or unapproved improvements within an IRWD easement, IRWD reserves the right to recover repair costs from the applicant, owner or customer.

4.15.3 Sewer - Multi-Dwelling Units (Condominium Complexes and Townhomes).

Unless otherwise specified on an approved IRWD Construction plan, maintenance of onsite sewer main lines shall be the responsibility of the District up to the main line cleanout or last manhole. In order to qualify for such maintenance, these facilities must be fully dedicated to the District, including proper easements, and approved by the Manager or his designee. All laterals upstream of the main line are the responsibility of the applicant, owner or customer to maintain, repair, or reconstruct. If damages to District facilities are a result of neglect of maintenance responsibilities or unapproved improvements within an IRWD easement, IRWD reserves the right to recover repair costs from the applicant, owner or customer.

4.15.4 Sewer – Commercial and Industrial Properties

(1) Unless otherwise specified on an approved IRWD Construction plan, if the property has a single sewer lateral connection, the applicant, owner, or customer is responsible for maintenance of the upper lateral and lower lateral. Any upper lateral and lower lateral shall be cleared and cleaned by the applicant, owner, or customer at his own expense. The upper lateral is the responsibility of the owner to repair or reconstruct. The lower lateral is the responsibility of the District to repair or reconstruct. If damages to District facilities are a result of neglect of maintenance responsibilities or unapproved improvements within an IRWD easement, IRWD reserves the right to recover repair costs from the applicant, owner or customer.

If the property has an onsite sewer collection system, the maintenance of onsite sewer main lines shall be the responsibility of the District up to the main line cleanout or last manhole. In order to qualify for such maintenance, these facilities must be fully dedicated to the District, including proper easements, and approved by the Manager or his designee. All laterals upstream of the main line are the responsibility of the applicant, owner, or customer to maintain, repair, or reconstruct.

4.15.5 Obstruction of or Deposit of Material in Meter Boxes or Hydrants

(1) No person shall place, dispose, or deposit or permit the placement, disposal or deposit of oil, toxic, hazardous or contaminated liquid or waste, trash, dirt, building materials or other substances, objects or obstructions in, on or around meter boxes, and it shall be the responsibility of each applicant, owner, or customer to prevent meter boxes, District hydrants or other District facilities from becoming obstructed or obscured by such applicant, owner, or customer's trees, shrubs, plants or in any other manner so as to impede their use or access to them or make their location difficult to determine.

(2) If such substances, objects or obstructions are not cleaned and removed or are permitted to obscure or impede such facilities, the District may, after providing reasonable notice to the applicant, owner or customer, accomplish the cleaning and removal and charge the applicant, owner or customer for the cost of doing so.

4.15.6 **Natural Treatment Systems.** The developer shall be responsible for maintenance during the construction and establishment period as specified in the Procedures Guide and the NTS Design Guidelines.

4.16 WATER EFFICIENCY, CONSERVATION AND MANAGEMENT PRACTICES

4.16.1 As stated in Section 1, it is the desire of the District to effect conservation and efficient use of water resources whenever possible, such measures being consistent with legal responsibilities to utilize the water resources of the State of California and the District. Without limiting standards that may otherwise apply pursuant to Section 4.1, facilities and fixtures shall meet the applicable water efficiency standards referenced in this section.

4.16.2 Facilities for irrigation of new or existing parks, median strips, landscaped public areas or landscaped areas, lawns, or gardens surrounding single-family homes, condominiums, townhouses, apartments, and industrial parks shall be designed and installed in such a way as to meet or exceed the water efficiency requirements of any applicable local or State standards.

4.16.3 After January 1, 2008 a separate landscape meter shall be required to provide new water service to a property with more than 5,000 square feet of landscape irrigated with potable water. This provision does not apply to single family residential connections, agricultural crops or landscape, or where water service has previously been provided.

4.16.4 Recycled water is considered a water resource by the District. ~~T,~~ therefore, the same restrictions shall apply for all uses of recycled water as for potable water.

4.16.5 Rate and extent of application of water shall be controlled by the user so as to minimize run-off from the irrigated areas.

4.16.6 All plumbing fixtures installed shall meet or exceed the applicable standards in effect at the ~~time of service~~time-of-service application.

4.17 INTERIM WATER SERVICES

4.17.1 **General.** The District's potable water system has been master-~~planned~~ to serve the ultimate needs of residential, commercial, and industrial developments in the District's service area. Design and construction of facilities are phased in unison with the ~~above-mentioned~~above-mentioned developments. However, the District will provide service for interim uses whenever possible, although such uses shall be subject to the conditions set forth herein.

4.17.2 Temporary Service Connections

(1) Temporary service connections are primarily installed for the convenience and use of individuals, contractors, and companies during construction work. However, they are not limited to construction purposes but may be installed for any use.

- (2) The Contractor or other person applying for a meter or meters shall be held responsible for loss or damage to the meter and backflow from the time it is installed until it is removed, or until 48 hours after notice in writing has been given the District that the contractor or other person is finished using the meter.
- (3) Flows through a 2 1/2 inch or larger temporary service fire hydrant meter shall be limited to a maximum of 250 gallons per minute, unless otherwise authorized in writing at the time of application. Any deliberate attempt on the part of the applicant or user to increase the flow is just cause for the District to discontinue service.
- (4) The District reserves the right to interrupt service without notice if such usage is causing pressure in the system to drop below an acceptable range.
- (5) Each temporary service customer shall make every attempt to maintain a constant flow through the meter. To achieve this requirement, the customer may be required to provide and install a storage facility (construction tank, small interim reservoir, etc.), approved by the District, in conjunction with the meter.
- (6) When using fire hydrants for temporary service connections, no more than one outlet per hydrant shall be used for this purpose; however, the use of Siamese fittings approved by the District is acceptable provided that the additional flow does not significantly impair pressures in the distribution system.
- (7) The maximum duration of time a temporary service may be applied for is six months. At the conclusion of six months, the customer may reapply for service, subject to approval from the District.
- (8) Temporary services connections are required to be protected with a reduced pressure principle backflow prevention assembly at all times.

4.17.3 Agricultural Service Connections

- (1) The District reserves the right to regulate agricultural users without notice if pressures in the distribution system drop below the minimum acceptable range. The District reserves the right to interrupt agricultural service at any time without notice if such usage is causing pressures in the system to drop below a minimum acceptable range. When pressure is resumed to an acceptable range for a reasonable period of time, all regulated agricultural services will be returned to their requested flows. Repeated occurrences of pressures dropping below a minimum acceptable range may result in permanent discontinuation by the District of the agricultural user's service upon ~~30-day~~30-day notice.
- (2) All requests for water and recycled water for agricultural purposes must be made 24 hours in advance of the intended use. Only authorized District personnel will set and adjust flows from all agricultural service connections.
- (3) Water and recycled water for agricultural use shall be delivered at a constant rate.

(4) All changes in flows will be made between the hours of 7:00 a.m. and 3:00 p.m. All changes in flow shall be requested prior to 10:00 a.m. the day prior to the intended change.

SECTION 5: FACILITIES DESIGN AND CONSTRUCTION

5.1 GENERAL

All offsite water, sewer, recycled water and natural treatment system facilities and all onsite recycled water facilities shall be designed and constructed according to the requirements, conditions, and standards set forth in the Procedures Guide and Construction Manual which document is on file at the office of the District, and by this reference is incorporated herein.

The recycled water system, including both offsite and onsite facilities, shall be separate and independent of any potable water system.

Any required backflow prevention devices on potable water services and flow or pressure control devices shall be downstream of the meter and provided by the applicant, owner, or customer at his expense.

5.2 OFFSITE WATER, SEWER, RECYCLED WATER FACILITIES

Any water distribution, sewage collection, recycled water distribution system facilities determined by the District to be required to provide service within developments of the property within the District shall be provided by the applicant, owner, or customer at his expense.

Plans and specifications for all water distribution, sewer collection, recycled water distribution facilities shall be submitted to and approved by the District in advance of construction.

The District will assume responsibility for providing water, sewer, and recycled water service to the point of connection (individual lots for residential water and sewer service and residential yard recycled water irrigation service) of such development upon transfer to the District of title to all facilities in the required systems and any necessary easements therefore. All easements shall be in a form acceptable to the District and not subject to outstanding obligations to relocate such facilities or any deeds of trust, except in instances where such is determined by the Board or the Manager to be in the best interests of the District.

Modification or relocation of the meter or other facility which results in nonconformance with applicable provisions of these Rules and Regulations, the Procedures Guide or the Construction Manual is prohibited and shall be corrected at the expense of the applicant, owner, or customer. Upon failure or refusal of the applicant, owner or customer to make such correction, the District may, after providing reasonable notice to the applicant, owner or customer, make the correction and charge the applicant, owner or customer for the cost of doing so.

5.3 ONSITE RECYCLED WATER FACILITIES

Any onsite recycled water facility shall be provided by the applicant, owner, or customer at his expense. The applicant, owner, or customer shall retain title to all such onsite facilities.

Onsite recycled water facilities, in addition to conforming to the Procedures Guide and Construction Manual shall conform to local governing codes, rules, and regulations. The Cities of Costa Mesa, Irvine, Lake Forest, Newport Beach, Orange, Santa Ana, and Tustin, and the

County of Orange shall have authority over materials, equipment, design, and construction methods used for onsite recycled water facilities within their jurisdiction, provided that when the District's Procedures Guide and Construction Manual require a higher quality material, equipment, design or construction method than that required by the above local governing codes, rules, and regulations, the District's Procedures Guide and Construction Manual shall be controlling.

Plans and specifications and record drawings shall be prepared and submitted to the District in accordance with the Procedures Guide and Construction Manual. Plans and specifications must be approved by the District prior to commencing construction. Prior to commencement of service to any onsite system using recycled water, record drawings shall be provided and approved, and the installed system shall be tested under active conditions to ensure that the operation is in accordance with the intent of these Rules and Regulations.

In accordance with Section 1 herein, in those areas where recycled water is not immediately available for use when the design area is ready for construction, and if the District has determined that recycled water will be supplied in the future, the onsite facilities shall nevertheless be designed to use recycled water. Provisions shall be made, and these Rules and Regulations followed to allow for connection to the recycled water facilities when they become available. In the interim, potable domestic water will be supplied to the recycled water facilities through a temporary potable meter connection. A backflow preventer of the type determined in accordance with Section 4.10 herein will be required as long as the onsite facilities are using potable water. The backflow preventer shall be downstream of the meter and shall be a part of the onsite facilities. The District will remove the backflow preventer and will make the connection to the onsite facilities when recycled water becomes available.

5.4 NATURAL TREATMENT SYSTEM FACILITIES

Natural treatment systems that are designated as capital facilities shall be designed and constructed by the District. All other natural treatment systems shall be designed, constructed and established by the developer in accordance with the District's Procedures Guide and the NTS Design Guidelines.

Plans and specifications for developer-constructed natural treatment systems shall be submitted to and approved by the District in advance of construction.

5.5 CONVERSIONS OF EXISTING FACILITIES FOR RECYCLED WATER

Where it is required pursuant to Section 4.12.2 that any existing water system be converted to a recycled water facility, a comprehensive investigation shall be performed by or for the District. The facilities to be converted to recycled water use shall be investigated in detail, including review of any record drawings, preparation of required reports, and determinations by the District of measures necessary to bring the system into full compliance with these Rules and Regulations for recycled water service including, but not limited to Section 5.3 thereof and the District's Procedures Guide and Construction Manual. No potable water facilities shall be connected to or incorporated in the recycled water system that have not been approved for recycled water service by the District.

5.6 ALTERNATE FINANCING FOR AFFORDABLE AND/OR LOW- INCOME HOUSING PROJECTS

- 5.6.1 **Request for Public Financing.** If property within the District for which water, sewer and/or recycled water service is requested will include not less than ten percent of the units as affordable and/or low income housing units as herein defined or has been designated by the City of Irvine, County of Orange, or other such entity for land use which requires that a portion of the units being developed shall be affordable and/or low income housing units as herein defined, any such applicant, owner or customer when requesting water, sewer and/or recycled water service for such property may request the District to initiate proceedings pursuant to applicable laws to form a special assessment district for the purpose of publicly financing the offsite and onsite water, sewer and/or recycled water facilities necessary to serve said development as well as any assessable portion of the future capital costs which will be incurred by or benefit the initial property owners at the time of connection to said facilities. The proposed assessment district shall include all of the area eligible for alternate financing as provided for in this Section 5.6.1 and such other area logically served by the facilities as determined by the District in its discretion. This proviso is intended to include the affordable and/or low-income housing units as well as the market rate units for which service is requested pursuant to this section.
- 5.6.2 **Initiation of Public Financing.** Upon receiving a request pursuant to Section 5.6.1, the District shall, unless it makes the findings set forth in Section 5.6.3, initiate proceedings pursuant to applicable laws to form a special assessment District for the purpose of publicly financing the offsite and onsite water, sewer and/or recycled water facilities necessary to serve said development as well as any assessable portion of the future capital costs which will be incurred by or benefit the initial property owners at the time of connection to said facilities.
- 5.6.3 **Refusal to Initiate Public Financing.** The District may deny a request made pursuant to Section 5.6.1 only after notice and a public hearing and only if it finds that such assessment district financing is no longer consistent with sound municipal financing practices or is not economically feasible for the particular project. If other means of such alternate financing are available and are consistent with sound municipal financing practices, such other means of financing shall be implemented by the District. In making a finding under this Section 5.6.3, the District shall render a written decision which identifies the evidence it relied upon and the reasons supporting its decision.
- 5.6.4 **Time for Acting on Request.** The District shall act upon a request made pursuant to Section 5.6.1 within 60 days of the receipt of the request.
- 5.6.5 **Affordable and/or Low-Income Housing.** “Affordable and/or Low-Income Housing” has the same meaning as used in the housing element adopted pursuant to Government Code Section 65580 of the governmental agency having jurisdiction over the zoning of any given development.

- 5.6.6 **Off-Site Facilities.** “Off-Site Facilities” means other than in-tract facilities which are not paid for by the District pursuant to its Rules and Regulations from general obligation bonds or otherwise.
- 5.6.7 **Coordination with Other Agencies.** When possible, in the event that District agrees to initiate proceedings pursuant to Section 5.6.1, the District will attempt to coordinate such proceedings with similar proceedings initiated by another agency or other agencies having jurisdiction over other aspects of the infrastructure required for the development such as, but not by way of limitation, streets, lighting, open space, sidewalks, and curbs.

SECTION 6: FACILITIES OPERATION

6.1 OFFSITE WATER, SEWER, RECYCLED WATER AND NATURAL TREATMENT FACILITIES

Operation and surveillance of all of the District's offsite water, sewer, recycled water and natural treatment system facilities, including, but not limited to, water, sewer, and recycled water pipelines, reservoirs, pumping stations, fire hydrants, manholes, valves, connections, supply interties, treatment facilities, and other appurtenances and property up to and including the District's meter, shall be under the management and control of the District. No other persons except authorized employees and/or representatives of the District shall have any right to enter upon, inspect, operate, adjust, change, alter, move, or relocate any portion of the foregoing or any of the District's property. In the event that such should occur, all charges and penalties shall be applicable and collected. Such action shall also be in violation of any and all applicable federal, state, and local statutes, ordinances, regulations, and other requirements.

6.2 ONSITE FACILITIES

6.2.1 **General.** The operation and surveillance of onsite water distribution, sewer collection, and recycled water distribution facilities are the responsibility of the applicant, owner, or customer.

6.2.2 **Onsite Recycled Water Facilities**

(1) The operation and surveillance of all onsite recycled water system facilities using the District's recycled water, shall be under the management of an "Onsite Recycled Water Supervisor" designated by the applicant, owner, or customer and approved by the District.

(2) If there is a non-resident owner, a local Onsite Recycled Water Supervisor shall be appointed. For single-family residences which have a recycled water service connection, the owner shall be considered to be the designated "Onsite Recycled Water Supervisor" unless otherwise indicated on the application for the service connection request. In the event that someone other than the owner is designated as the "Onsite Recycled Water Supervisor" and this person is no longer associated with the property, the owner shall again be considered the "Onsite Recycled Water Supervisor" until written notification is made to the District. The District shall furnish the name of the Onsite Recycled Water Supervisor to the Regional Water Quality Control Board and State and County Health Departments at least 30 days prior to commencing service.

(3) However, pursuant to Section 8.2 of these Rules and Regulations, the Manager or authorized representatives of the District shall monitor and inspect the entire recycled water system, including onsite and offsite facilities, and for these purposes shall have the right to enter upon the customer's premises during reasonable hours.

(4) The Onsite Recycled Water Supervisor shall be responsible for the installation, operation, and maintenance of the onsite recycled water system, enforcing applicable requirements of the District's permits, preventing potential hazards related to such system, maintenance of the system plans in "as-built" form, and distribution of recycled water in accordance with applicable laws and permits held by the District.

(5) In particular, but not by way of limitation, the Onsite Recycled Water Supervisor shall have the following responsibilities in relation to operation of onsite facilities:

- (a) To make sure that all operations personnel are trained and familiarized with the use of recycled water.
- (b) To furnish their operations personnel with maintenance instructions, controller charts, and record drawings to ensure proper operation in accordance with the onsite facilities design and these Rules and Regulations.
- (c) To prepare and submit to the District one (1) set of record drawings.
- (d) To notify the District of any and all updates or proposed changes, modifications, or additions to the onsite facilities, which changes shall require approval by the District and shall be designed and constructed according to the requirements, conditions, and standards set forth in the District's Procedures Guide and Construction Manual which document is on file at the office of the District, and by this reference is incorporated herein and set forth in these Rules and Regulations, including but not limited to Section 5.3 thereof. In accordance with the above referenced requirements, conditions, and standards changes must be submitted to the District for plan check and approval prior to construction. The construction shall be inspected by the District, and revised record drawings and controller charts shall be approved by the District. The District may, if it deems such to be in the best interest of the District, waive or modify any of the foregoing.
- (e) To ensure that the recycled water facilities remain in accordance with these Rules and Regulations including the District's Procedures Guide and Construction Manual. For example, but not by way of limitation, as stated in the design criteria section of the above-referenced specifications:
 - (1) Cross-connections between potable water facilities and onsite recycled water facilities are forbidden.
 - (2) Hose bibs on recycled water facilities are forbidden with the exception of uses at cemeteries for the filling of floral arrangement vessels.

- (3) Drinking fountains shall be protected from the spray of recycled water.
- (4) The District shall provide special labels for any backflow preventer and house pressure regulator, and homeowner agrees to inform plumbing or landscaping contractors of the presence of recycled water on the site.
- (f) To operate and control the system in order to prevent direct human consumption of recycled water and to control and limit runoff. The applicant, owner, or customer shall be responsible for any and all subsequent uses of the recycled water. Operation and control measures to be utilized in the regard shall include, where appropriate, but not be limited to the following:

- (1) ~~Customers shall operate~~ Onsite recycled water facilities ~~shall be operated~~ to prevent or minimize discharge onto areas not under control of the customer. ~~Customers shall not use~~ Full circle sprinklers ~~shall not be used~~ adjacent to sidewalks, roadways, and property lines, ~~and~~ Customers shall select sprinkler types ~~shall be selected~~ so as to confine the discharge from sprinklers to the design area.

Customers are permitted to use The only exception to this requirement is when recycled water is used in wildfire sprinklers during a non-structural firefighting event. During that event, Customers may spray recycled water may be sprayed onto an adjacent property. The customer spraying recycled water accepts all responsibility and liability for this use of recycled water.

- (2) The operation of the onsite recycled water facilities shall be during the periods of minimal use of the service area. Consideration shall be given to allowing a maximum dry-out time before the design area will be used by the public.
- (3) Recycled water shall be applied at a rate that does not exceed the infiltration rate of the soil. Where varying soil types are present, the design and operation of the recycled water facilities shall be compatible with the lowest infiltration rate of the soil present.
- (4) When the application rate exceeds the infiltration rate of the soil, automatic systems shall be utilized and programmed to prevent or minimize the ponding and runoff of recycled water. The sprinkler shall not be allowed to operate for a time longer than the landscape's water requirement. If runoff occurs before the landscape's water requirements are met, the automatic controls shall be reprogrammed with additional watering cycles of shorter duration to meet the requirements. This method of operation is

intended to control and limit runoff.

- (g) To orally report any failure in the onsite recycled water system that causes an unauthorized discharge of recycled water, or other non-compliance with applicable laws and the District's permits to the District and to the Regional Water Quality Control Board and State and County Health Departments, within 24 hours from the time the Onsite Recycled Water Supervisor becomes aware of the circumstances. The Onsite Recycled Water Supervisor shall also make a written submission to the District, with a copy to the Regional Water Quality Control Board and State and County Health Departments, within five days of the time the Onsite Recycled Water supervisor becomes aware of the circumstances, which shall contain (a) a description of the non-compliance and its cause; (b) the period of non-compliance, including exact dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and (c) steps taken or planned to reduce, eliminate and prevent recurrence of the non-compliance.
- (h) To comply with any and all applicable Federal, State, and local statutes, ordinances, regulations, contracts, these Rules and Regulations, the service application and agreement, and all requirements prescribed by the Manager and the Board pursuant to Section 4. In the event of violation, all charges and penalties shall be applied and collected by the district.

6.2.3 **Onsite Recycled Water Supervisor Training Program.** The District may, from time to time, require that an "Onsite Recycled Water Supervisor" obtain instruction in the use of recycled water, such instruction being provided by or approved by the District.

SECTION 7: USE OF DISTRICT SEWAGE FACILITIES

7.1 GENERAL

- 7.1.1 The provisions established in Section 7 shall pertain to all discharges into any District sewage collection facility that either directly or indirectly transports wastewater to the District's Michelson Water Recycling Plant. The last paragraph of this Section 7.1 provides information relating to the applicable requirements for discharges into District sewage collection facilities that transport wastewater to facilities other than the Michelson Water Recycling Plant.
- 7.1.2 Pursuant to the authority provided by California Government Code Section 54739, 54740, and by other applicable provisions of law, provisions are made in this document for the regulation of wastewater discharges into the District's sewage facilities in order to comply with Federal and State of California policies and requirements and to permit the District to meet applicable standards of treatment plant effluent quality. These Rules and Regulations establish quantity and quality limitations on all wastewater discharges, which may adversely affect the District's sewage systems, processes, or effluent quality. It is the intent of these limitations to improve the quality of wastewater being received for treatment; an implication of this intent is the District's policy of discouraging an increase in the quantity (mass emission) of waste constituents being discharged. This document also provides for regulation of the degree of waste pretreatment required, the issuance of permits including those for wastewater discharge connections, and the establishment of penalties for violation of these Rules and Regulations.
- 7.1.3 Since the District is committed to a policy of wastewater renovation and reuse in order to provide an alternate source of water supply, the renovation of wastewater through secondary and tertiary wastewater treatment processes may necessitate more stringent quality requirements on wastewater dischargers than those required by other governmental regulatory agencies.
- 7.1.4 The District has joined the Orange County Sanitation District (OCSD) in order to secure an alternate method of sewage treatment and disposal. To accomplish the administration of this union within the portion of the District that is within Revenue Area 14 of OCSD, the District entered with OCSD into a Memorandum of Understanding effective February 11, 1987, to provide for cooperative implementation of these Rules and Regulations and the ordinance of the Orange County Sanitation District as part of its regulations. In the event of a conflict between the District's Rules and Regulations and OCSD's ordinance, OCSD's ordinance shall have precedence, unless the District's Rules and Regulations are more stringent. The OCSD ordinance is also applicable in areas of the District that are within other portions of OCSD that do not transport water to the District's Michelson Water Recycling Plant. Similarly, the area of the District within the service area of the South Orange County Wastewater Authority (SOCWA) is subject to SOCWA's discharge regulations as adopted by the District, and the

area discharging to the Chiquita System of Santa Margarita Water District (SMWD), the Portola Hills area, is subject to SMWD's discharge regulations as adopted by the District. In each case where dischargers are subject to the discharge regulations of two agencies, it is the responsibility of the discharger to meet the discharge requirements of both agencies.

7.2 SPECIAL DEFINITIONS

In addition, unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Environment Federation (herein referred to as "**Standard Methods**"). The testing procedures for waste constituents and characteristics shall be as provided in 40 CFR 136, (Code of Federal Regulations: Title 40; Protection of Environment; Chapter I United States Environmental Protection Agency (US EPA); Part 136, Test Procedures for the Analyses of Pollutants), or as specified herein. Other terms not herein defined shall have the definitions given such terms in the latest adopted applicable editions of the California codes applicable to building construction adopted pursuant to the California Building Standards Law.

The terms hereinafter set forth shall have the following meanings when used in these Rules and Regulations or any permits or orders issued pursuant hereto, and the following definitions supersede the definitions in Section 2 for purposes of this Section 7:

ADMINISTRATIVE COMPLAINT means a document used by the District to initiate a proceeding to impose civil penalties pursuant to Section 7.6.9 (2).

BIOCHEMICAL OXYGEN DEMAND (BOD) means the quantity of oxygen utilized in the biological oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius expressed in terms of milligrams per liter mass per volume (mg/l) as determined by appropriate testing procedure.

BUILDING DRAIN - SANITARY means that part of the lowest horizontal piping of a drainage system which receives sanitary or industrial sewage only, inside the walls of a building and conveys it to the building sewer beginning three (3) feet outside the building wall.

BUILDING DRAIN - STORM means that part of the lowest horizontal piping of a drainage system which receives stormwater or other clear water discharge, but no wastewater, from soil and other drainage pipes inside the walls of a building and conveys it to the building sewer beginning three (3) feet outside the building wall.

BUILDING SEWER - SANITARY means a sewer pipe receiving flow from a single building and connecting to a sewer main or lateral, and constructed on private property, except for street crossing.

BUILDING SEWER - STORM means the extension from the building storm drain to the public sewer or other place of disposal which conveys storm water or other clear water drainage, but no sanitary or industrial sewage.

BYPASS means the intentional diversion of waste streams from any location within an industrial user's facility not approved in a user's permit.

CALIFORNIA WATER DISTRICT LAW means the law of the State of California that governs the formation of California Water Districts and establishes procedures and powers of such Districts.

CALIFORNIA TOXICS RULE means the most current update of numeric criteria for priority toxic pollutants established for the State of California as codified in 40 CFR Part 131.38.

CHEMICAL OXYGEN DEMAND (COD) means the measure of chemically oxidizable material in domestic or other waste waters as determined by appropriate testing procedures and expressed in terms of milligrams per liter (mg/l).

CLASS I USER means any user who discharges wastewater that is subject to Federal Categorical Pretreatment Standards; or averages 25,000 gallons per day or more of regulated process wastewater; or is determined to have a reasonable potential to adversely affect the District's facilities or operation or for violating any pretreatment standard, local limit, or discharge requirement; or may cause pass through or interference with the District's or OCSD sewage facilities.

CLASS II USER means any industrial user who discharges wastewater at a volume greater than 10,000 gallons per day and has a BOD and Suspended Solids greater than 375 mg/L, that discharges waste other than sanitary, and that is not otherwise required to obtain a Class I permit.

CODE OF FEDERAL REGULATIONS (CFR) or FEDERAL REGULATIONS means the codification of the general and permanent rules published in the Federal Register by the Executive departments and agencies of the Federal Government.

COLIFORM means any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

COLLECTION SEWER means a sewer whose primary purpose is to collect wastewaters from individual point source discharges.

COMBINED SEWAGE means a combination of both wastewater and storm or urban runoff.

COMBINED SEWER means a sewer intended to receive both wastewater and storm or urban runoff.

COMPATIBLE POLLUTANT means BOD, suspended solids, pH, coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled by the District's permit, for its wastewater treatment works as said works have been designed and are operated to reduce or remove such pollutants. Some compatible pollutants may be considered non-compatible when discharged in significant quantities.

COMPOSITE SAMPLE means a collection of individual samples obtained at selected intervals based on an increment of either flow or time. The resulting mixture (composite sample) forms a representative sample of the waste stream discharged during the sample period. Samples will be collected during the time manufacturing, processing, and/or sewer discharge occurs.

DEPARTMENT HEAD means that person duly designated by the General Manager to direct the Industrial Waste Program and perform those delegated duties as specified in these Rules and Regulations.

DISCHARGER means any public or quasi-public agency, including the State of California and the United States of America but not including the District, individual, partnership, firm, company, association, society, corporation, or group discharging, causing the discharge of, or proposing to discharge or cause the discharge of any wastewater into a public sewer. Used interchangeably with the term “User” and “Industrial User”.

DISSOLVED SOLIDS means that concentration of matter in the sewage consisting of colloidal and particulate matter 0.45 micron in diameter or less, and both organic and inorganic molecules and ions present in solution.

DISTRICT CONNECTION CHARGE means a fee imposed by the District for connecting directly to a public sewer or to a sewer which ultimately discharges into the District sewage facility.

DISTRICT’S SEWAGE FACILITIES means any property belonging to the District used in the treatment, reclamation, reuse, transportation, or disposal of wastewater or sludge.

DOMESTIC WASTEWATER MEANS THE LIQUID AND SOLID WATERBORNE WASTES DERIVED FROM THE ORDINARY LIVING PROCESSES of humans of such character as to permit disposal, without special treatment, into the public sewer or by means of a private disposal system.

DWELLING UNIT means one or more habitable rooms which are intended or designed to be occupied by one family with facilities for living, sleeping and cooking.

EASEMENT means an acquired legal right or interest for the specific limited use of land owned by others.

EFFLUENT means any liquid outflow that is discharged to the sewer.

ENFORCEMENT COMPLIANCE SCHEDULE AGREEMENT (ECSA) means a mutual agreement between the District and permittee in accordance with Section 7.6.4.

FEDERAL PRETREATMENT REQUIREMENT, NATIONAL PRETREATMENT STANDARD, PRETREATMENT STANDARD or STANDARD means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with 40 CFR 307 (b) and (c) which applies to Industrial Users. This term includes prohibitive

discharge limits established pursuant to 40 CFR 403.5. Categorical pretreatment standards are promulgated in 40 CFR Chapter I, Subchapter N or 40 CFR Parts 401-471.

FLOOR AREA means the area included within the surrounding exterior walls of a building or portion thereof, exclusive of ramps, docks, vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

GARBAGE means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of food.

GRAB SAMPLE means a sample taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.

INDUSTRIAL USER means any user that discharges industrial wastewater.

INDUSTRIAL WASTEWATER means all liquid wastes resulting from the processes employed in industrial manufacturing, trade, or business establishments, as distinguished from domestic wastes.

INDUSTRY means any establishment listed in the Standard Industrial Classification Manual, 1972 Edition, or revision thereof, which is categorized in Divisions A, B, D, E, or I.

INFILTRATION means the water unintentionally entering the District's sewage facilities, or sanitary building drains and sewers, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls.

INFILTRATION/INFLOW means the total quantity of water from both infiltration and inflow without distinguishing the source.

INFLOW means the water discharge into the District's sewage facilities, or building storm drains and sewers, from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and/or combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. (Inflow does not ~~include, and~~include and is distinguished from infiltration.

INSPECTOR means a person authorized by the General Manager to inspect any existing or proposed wastewater generation, conveyance, processing and disposal facilities.

INTERCEPTOR SEWER means a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

INTERFERENCE means a discharge which, by itself or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the District's facilities, its treatment processes or operations, or its sludge process, use, or disposal, or causes a violation of any requirement of the District's permits (including an increase in the magnitude or duration of a violation) or prevents sewage sludge use or disposal in compliance with the

following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

LOCAL SEWERING AGENCY means any public or private corporation duly authorized under the laws of the state of California to construct and/or maintain public sewers.

MANIFEST means that receipt which is retained by the generator of wastes for disposing solid wastes, recyclable wastes or liquid wastes as required by the District.

MASS EMISSION RATE means the weight of material discharged to the District's sewage facilities during a given time interval. Unless otherwise specified, the mass emission rate means pounds per day of a particular constituent or combination of constituents.

“MAY” is permissive (see “Shall”).

MEMORANDUM OF UNDERSTANDING (MOU) means any memorandum of understanding or other agreement between the District and OCS D governing the administration of the joint industrial waste pretreatment program.

MICROGRAMS PER LITER (µg/l) means a unit measurement of the concentration of a water or wastewater constituent. It is 0.001 gram of the constituent in one (1) cubic meter of water. It has replaced the unit formerly used, parts per billion, to which it is approximately equivalent in reporting the results of water and wastewater analyses.

MILLIGRAMS PER LITER (mg/l) means a unit measurement of a concentration of water or wastewater constituent. It is 0.001 gram of the constituent in 1,000 milliliters of water. It has replaced the unit formerly used, parts per million, to which it is approximately equivalent in reporting the results of water and wastewater analyses.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) means the Federal pollution regulation system as detailed in Public Law 92-500, Section 402, or a permit issued pursuant to such system.

NEW SOURCE means those sources that are new as determined by 40 CFR 403.3 (k) as revised October 17, 1988.

NON-COMPATIBLE POLLUTANT means any non-treatable waste product, including non-biodegradable dissolved solids, which is not a compatible pollutant as defined herein.

NORMAL DOMESTIC WASTEWATER means all household-type discharges from places of human habitation including sanitary conveniences, kitchen and laundry wastes. Discharge wastes strength shall be considered to average 250 mg/l BOD and 250 mg/l Suspended Solids at a discharge rate of 100 gallons per capita per day.

NORMAL WORKING DAY means the period of time during which the dischargers production or operation is taking place.

NPDES PERMIT means the National Pollutant Discharge Elimination System permit that is issued by the EPA setting the limits on constituents that the permittee may legally discharge. The limits are set in both concentration and quantity.

OCSD means the Orange County Sanitation District.

OCSD ORDINANCE means OCSD's ordinance establishing wastewater discharge regulations, currently in effect from time to time.

PASS THROUGH means discharge through the District's facilities to navigable water or point of reuse which, alone or in conjunction with discharges from other sources, is a cause of a violation of the District's NPDES permit or Regional Water Quality Control Board Order.

PERMITTEE means a discharger who has received a permit to discharge wastewater into the District's sewage facilities subject to the requirements and conditions established by the District and/or OCSD.

pH means the logarithm of the reciprocal of the quantity of hydrogen ions in moles per liter of solution used in expressing both acidity and alkalinity on a scale ranging from 0 to 14, where 7 represents neutrality, numbers less than 7 increasing acidity, and more than 7 increasing alkalinity.

POPULATION EQUIVALENT means a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent of normal domestic wastewater is 100 gallons of sewage per day, and/or 0.17 pounds of BOD, and/or 0.21 pounds of suspended solids. The impact on a treatment works is evaluated as the equivalent of the highest of the three parameters. Impact on a stream is the higher of the suspended solids parameters.

POLLUTANT means any constituent or characteristic of wastewaters on which discharge limitation may be imposed either by the District or the regulatory bodies empowered to regulate the District.

POTW means Publicly Owned Treatment Works.

PRETREATMENT means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to discharge of the wastewater into the District's sewage facilities. The reduction or alteration can be obtained by physical, chemical or biological process, or process changes by other means.

PRETREATMENT FACILITY means any works or devices for the treatment or flow limitation of wastewater prior to discharge into a public sewer.

PRETREATMENT STANDARDS means requirements for the quality of wastewaters discharged into the District's sewage facilities.

PRIORITY POLLUTANTS means a listing of the toxic pollutants identified by EPA as having the greatest environmental concern and as non-compatible and requiring pretreatment prior to discharge in order to prevent interference with District's operation, or to prevent sludge contamination or treatment system pass-through into receiving waters or into the atmosphere.

PRIVATE SEWER means a sewer which is not owned by the District.

PROBATION ORDER means an order issued with terms and conditions to a permittee upon a violation of these Rules and Regulations or the terms, conditions, and limitations of its discharge permit, or upon a failure to make payment to the District of user charges, non-compliance fees, or any other fees.

PUBLIC AGENCY means the United States and its agents, the State of California and any city, county, district, or other local governmental authority or public body of or within the State of California.

PUBLIC SEWER means a sewer owned and operated by the District, or a sewer operated by a local public agency which is tributary to the District's sewage facilities.

PUMPING STATION means a station positioned at a location in a sewer system at which wastewater is pumped to a higher level.

REGIONAL ADMINISTRATOR means the Regional Administrator of Region IX of the EPA.

REGIONAL BOARD means the California Regional Water Quality Control Board, Santa Ana Region or San Diego Region.

REGULATORY AGENCIES are those agencies having regulatory jurisdiction over operations of the District, such as including but not limited to the U.S. Environmental Protection Agency (EPA), the State Department of Health Services (DOHS), the State Water Resources Control Board (SWRCB), the California Regional Water Quality Control Board (RWQCB), the South Coast Air Quality Management District (SCAQMD) and Orange County Health Care Agency.

REGULATORY COMPLIANCE SCHEDULE AGREEMENT (RCSA) means an agreement between the District and permittee requiring the permittee to implement pretreatment practices and/or install equipment to ensure compliance with future revised categorical pretreatment standards or revised discharge limitations.

RULES AND REGULATIONS means that document entitled "Rules and Regulations for Water, Sewer, and Recycled Water Service" containing District requirements, conditions, and limitations for connecting and discharging to the District's sewage facilities and other requirements, conditions and limitations, as may be amended and modified.

SAMPLE POINT means a location approved by the District, from which wastewater can be collected that is representative in content and consistency of the entire flow of wastewater being sampled.

SAMPLING AND EVALUATION PROGRAM (S&E) means a program for the determination of mass emission of constituents or compliance or non-compliance with the conditions specified in the user's permit.

SAMPLING FACILITIES means structure(s) provided at the user's expense for the District or user to measure and record wastewater constituent mass, concentrations, collect a representative sample, or provide access to plug or terminate the discharge.

SANITARY SEWER means a sewer which carries sanitary and industrial wastes, and to which storm, surface and groundwater are not intentionally admitted.

SEWAGE means wastewater.

SEWER means a pipe or conduit that carries wastewater or drainage water.

SEWER LATERAL means a building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.

SEWAGE FACILITIES OR SYSTEM means any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge.

"SHALL" is mandatory; (see "May").

SHREDDED GARBAGE means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.25 centimeters) in any dimension.

SIGNIFICANT INDUSTRIAL USER means all users subject to Federal Categorical Pretreatment Standards and any other industrial user that discharges an average of 25,000 gallons per day or more of process wastewater; contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the District's treatment facilities; or is designated by the District as a significant industrial user.

SIGNIFICANT NON-COMPLIANCE means a compliance status a) in which a major violation remains uncorrected for 45 days after notification of non-compliance; or b) which is a result of chronic violations (66% or more of all samples which exceed the daily maximum limit or average limit of the same constituent during a 6-month period), or acute violations (33% or more of all samples which exceed the product of the daily maximum limit or average maximum limit times the applicable technical review criterion in a 6-month period; or c) which is a result of failure to provide reports in response to Notice of Violation, permit application information, Report of Progress, a Report of Non-Compliance, or other reports required to administer these Rules and Regulations, within

30-days from the due date; d) any violation of any limitation that the District determined to cause alone or in combination with other discharges, interference or pass through; e) any discharge which has caused imminent endangerment to human health, welfare or to the environment, or has resulted in the District's exercise of its emergency authority (Section 7.6.8); f) failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a permit or enforcement action, for starting construction, completing construction, or attaining final compliance; or g) failure to accurately report non-compliance.

SLUDGE means any solid, semi solid or liquid decant, subnate or supernate from a manufacturing process, utility service, or pretreatment facility.

SLUG LOAD means any discharge of water or wastewater which in concentration of any pollutant or in quantity of flow will cause interference with the District's reclamation plant or subsequent Publicly Owned Treatment Works (POTW).

SPENT SOLUTIONS means any substance defined as a hazardous waste by RCRA, 40 CFR 261.21 through 261.24, and unable to be used for its original purpose.

SPILL CONTAINMENT means an approved protection system installed by the permittee to prohibit the accidental discharge to the sewer of non-compatible pollutants.

STANDARD INDUSTRIAL CLASSIFICATION (SIC) means a system of classifying a user as identified in the 1987 or subsequent SIC manual as prepared by the Office of Management and Budget.

STANDARD METHODS means the laboratory procedures set forth in the latest edition, at the time of analysis, of "Standard Methods for the Examination of Water and Wastewater" prepared and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation, and 40 CFR Part 136, 3, 4 and 5, and/or other recognized procedures established by EPA and California Regional Water Quality Control Board.

STORM WATER means all water directly derived from rainwater which has not been utilized in domestic, agricultural, industrial or other beneficial use.

SUSPENDED SOLIDS (SS) means the solids that either float to the surface or are suspended in water, wastewater or other liquids and which are removable from said liquid through standard laboratory filtration procedure.

TECHNICAL REVIEW CRITERIA means those factors which, when multiplied by the appropriate limitation, set the lower limit of a significant violation. The Technical Review Criteria factor is 1.2 for all limitations except for BOD, total suspended solids, fats, oil, and grease where the factor is 1.4.

TOTAL ORGANIC CARBON (TOC) means the measure of total organic carbon in domestic or other wastewater as determined by the appropriate testing procedure.

TOTAL SOLIDS means the sum of suspended and dissolved solids.

TOXIC SUBSTANCES means any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects, such as cancer, genetic mutations and physiological manifestations.

UNPOLLUTED WATER means water to which no constituent has been added either intentionally or accidentally.

USER means any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer. User shall also have the same meaning as “Discharger” or “Industrial User”.

USER CHARGE means a charge imposed by the District for the provision of a special service not normally provided by the District, such as situations involving unusual quantity or quality requirements.

WASTE means sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing or processing operation of whatever nature, including such wastes placed within containers of whatever nature, prior and for the purpose of disposal.

WASTE MINIMIZATION PRACTICES means plans or programs intended to reduce or eliminate discharges to the District’s sewage system or to conserve water, including, but not limited to, product substitutions, housekeeping practices, inventory control, employee education, and other steps as necessary to minimize wastewater and/or solid waste produced.

WASTEHAULER means any person or entity, duly licensed, carrying on or engaging in vehicular transport of waste as part of, or incidental to, any business for that purpose.

WASTEWATER DISCHARGE PERMIT means any of the following permits: Class I Permit, Class II Permit, Special Purpose Permit or FOG Wastewater Discharge Permit. Used interchangeably with the word “permit”.

WASTEWATER TREATMENT means the structures, equipment and processes required to collect, transport and treat domestic and industrial wastewater and dispose of the effluent and accumulated residual solids.

7.3 WASTEWATER DISCHARGE REGULATIONS

7.3.1 Prohibitions and Limitations on Wastewater Discharges. These prohibitions apply to all Users of District sewage facilities whether or not they are subject to Federal Categorical Pretreatment Standards or any other National, State or Local pretreatment standards or requirements. No person shall discharge or allow to be discharged wastewaters directly or indirectly into District’s sewage facilities that cause or are capable of causing, either alone or by interaction with other substances, interference with the operation of the District’s sewage facilities, including but not limited to the following:

- (1) Oils and Grease. Wax, grease or oil of mineral origin in a concentration of more than 100 mg/l whether emulsified or not, or any other waste containing substances which may precipitate, solidify or become viscous at temperatures between 32° and 150°F (0° and 65°C) at the point of discharge into the District's sewage facilities).
- (2) Explosive Mixtures. Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the District's sewage facilities or to the operation of the Districts sewage facilities. At no time shall the discharge into the District's sewage facilities have a closed cup flash point less than 140°F (60°C). Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.
- (3) Noxious Materials. Noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to ~~life, or life or~~ are or may be sufficient to prevent entry into a sewer for its maintenance and repair.
- (4) Improperly Shredded Garbage. Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half (1/2) inch in any dimension.
- (5) Radioactive Wastes. No person shall discharge, or cause to be discharged, any radioactive waste into a public sewer except:
 - (a) When the person is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials;
 - (b) When the waste is discharged in strict conformity with current California Radiation Control Regulations (California Administrative Code, Title 17) for safe disposal;
 - (c) When the person is in compliance with all rules and regulations of all other applicable regulatory agencies; and,
 - (d) When a Class I permit has been obtained from OCSD.
- (6) Solid or Viscous Wastes. Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the sewage facilities. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags,

spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.

- (7) **Slug Loads.** Wastewaters at a flow or containing such concentrations of pollutants that will cause interference with the District's treatment plant or subsequent POTW.
- (8) **Toxic Substances.** Any toxic substances in amounts exceeding established standards, and any chemical elements or compounds, phenols or other taste or odor producing substances, or other substances which are not susceptible to treatment, or which may interfere with the biological processes or efficiency of the treatment processes, cause acute worker health and safety problems, or that will pass through the District's sewage facilities.
- (9) **Discolored Material.** Wastes with objectionable color not removable by the treatment process.
- (10) **Corrosive Wastes.** Any waste which will cause corrosion or deterioration of the District's sewage facilities. All wastes discharged to a public sewer must have a pH value in the range of (6) to (12) standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.
- (11) **Organic Phosphorous Compounds.** Any amounts of organic phosphorus compounds released in a discharge at a flow rate or in a concentration which will cause pass through or interference with the sewage facilities.
- (12) **Non-Compliant Waste.** Any waste not in compliance with national categorical pretreatment standards as represented in 40 CFR Chapter I Subchapter N or 40 CFR Parts 401-471.

7.3.2 **Storm Water.** Ground water, street drainage, subsurface drainage, foundation drains, or yard drainage shall not be discharged directly or indirectly to the District's sewage facilities. The District at its sole discretion may approve the discharge of such water by granting a Special Purpose Permit only when no alternative method of disposal is reasonably available. The applicant shall bear the burden of demonstrating that no alternative method of disposal is reasonably available. If a Special Purpose Permit is granted for the discharge of such water into a sewer, the user shall pay connection fees, applicable charges and fees for use and shall meet such other conditions as required by the District.

7.3.3 **Self-Regenerative Water Softeners.** Any brine waste discharge from an onsite self-regenerative water softener unit is prohibited. Installation of such onsite self-regenerative water softener units within the District is specifically prohibited. However, the District may, on an individual basis, approve such units if the applicant, owner, or customer demonstrates that such brine waste will be discharged into a permanent facility other than a District sewer as approved by the plumbing codes of the cities of Irvine, Laguna Beach, Newport Beach, Orange,

Santa Ana, Tustin and the County of Orange or its successors, as may be applicable or as deemed justified by the District.

7.3.4 **Unpolluted Water.** Unpolluted water, such as single-pass cooling water, shall not be discharged through direct or indirect connection to a public sewer. The District may approve the discharge of such water only when no alternative method of disposal is reasonably available by issuing a Special Purpose Permit.

7.3.5 **Septic Tank and Cesspool Wastes.** Discharges of septic tank, or cesspool wastes, into the public sewer or directly into the treatment plant facilities is prohibited.

7.3.6 **Temperature.** No person shall discharge wastewater with a temperature higher than 140°F (60°C). Heat in discharged wastewater shall not cause the temperature of wastewater entering the headworks of any wastewater treatment plant to exceed 104°F (40°C).

7.3.7 **Point of Discharge.** No person, except District personnel involved in maintenance functions of sewer facilities, shall discharge any water, wastewater or any substance directly into a manhole or other opening in a sewer other than through an approved building sanitary sewer, unless upon written application by the user and approved by the District and payment of the applicable charges for use and fees.

7.3.8 **Wastewater Strength Limitations**

- (1) No person shall discharge wastewater containing substances in excess of the quantities or concentrations listed in Exhibit B, Schedule of Rates and Charges entitled "Discharge Limits", or containing other materials, or having other characteristics, including, but not limited to, ammonia, biochemical oxygen demand (BOD), chemical oxygen demand, total organic carbon, suspended solids, oil or grease of animal or vegetable origin, total dissolved solids, and phenolic compounds in quantities that may cause or are found to cause problems, pass through, or interference with the sewage facilities.
- (2) No person shall discharge wastewater containing in excess of 0.01 mg/l of pesticides as a daily maximum, to include, but not limited to the following: DDT (dichlorodiphenyltrichloroethane, both isomers), DDE (dichlorodiphenylethylene), DDD (dichlorodiphenyldichloroethane), Aldrin, Benzene Hexachloride (alpha, beta, and gamma isomers), Chlordane, Endrin, Endrin aldehyde, TCDD (2,3,7,8-tetrachlorodibenzo- p-dioxin), Toxaphene (alpha)-Endosulphan, (beta)-Endosulphan, Endosulphan sulfate, Heptachlor, Heptachlor epoxide, and Dieldrin.
- (3) No person shall discharge wastewater containing in excess of 0.01 mg/l of polychlorinated biphenyls as a daily maximum to include, but not limited to the following: Aroclors 1016, 1221, 1228, 1232, 1248, 1254, 1260, and 1262.

7.3.9 **Prohibition on Dilution.** No user shall increase the use of water in, or in any other manner attempt to dilute, a discharge as a partial or complete substitute for treatment to achieve compliance with these Rules and Regulations and the user's permit or to establish an artificially high flow rate for permit mass emission rates.

7.3.10 **Prohibition on Infectious Waste.** The District shall have the authority to require that any discharge of an infectious waste to the sewer be rendered non-infectious prior to discharge if the infectious waste is deemed to pose a threat to the public health and safety or will result in any violation of applicable waste discharge requirements.

7.3.11 **Limitations on Disposal of Spent Industrial Solutions and Sludges**

- (1) Spent solutions, sludges, and materials of quantity or quality in violation of, or prohibited by these Rules and Regulations, or any permit issued under these Rules and Regulations must be disposed of in a legal manner at a legally acceptable point of disposal as defined by the appropriate Regulatory Agency. All waste manifests shall be retained for a minimum of three years and made available to the District upon request.
- (2) No person shall batch dump to the District's sewage facilities. Non-compliance fees applicable for such discharge will be as shown in Exhibit B, Schedule of Rates and Charges.

7.3.12 **New or Increased Pollutant Discharge.** No person shall increase the discharge of existing pollutants or discharge new pollutants that do not meet pretreatment standards, local limitations, or other requirements, or cause the District to violate any permit condition or limitation.

7.3.13 **Mass Emission Rate Determination.** Mass emission rates for non-compatible or compatible pollutants that are present or anticipated in the user's wastewater discharge may be set for each user and made a part of each user's permit. These rates shall be based on Local Discharge Limits contained in Exhibit C or Federal Categorical Pretreatment Standards, and the discharger's average daily wastewater discharge for the past three years, the most recent representative data, or other data acceptable to the General Manager or their designee.

7.4 **WASTEWATER DISCHARGE PERMITS**

7.4.1 **General.** In addition to District connection charges required by these Rules and Regulations, all significant industrial users, proposing to connect to or discharge into the District's sewage facilities must first obtain a Wastewater Discharge Permit. No vested right shall be deemed given by issuance of permits provided for in this document. The issuance of a Wastewater Discharge Permit does not authorize the commission of any act causing injury to the person or property of another, nor relieve the discharger from compliance with, or protect the discharger from liability under Federal, State or local laws, nor guarantee the discharger a capacity right in the District's sewage facilities.

7.4.2 Permit Application Procedure

Applicants for Wastewater Discharge Permits shall complete an application form available at the District's office. This application shall be accompanied by the applicable fees.

As part of the permit application process the District may require the submittal of detailed plans for a review of existing or proposed construction of pretreatment facilities, spill containment facilities, monitoring and metering facilities, and operating procedures. The approval of the District shall be received prior to the start of construction. This review of plans and procedures shall in no way relieve the user of the responsibility of modifying the facilities or procedures in the future, as necessary, to meet the requirements of these Rules and Regulations or any requirements of other Regulatory Agencies.

If required, the user shall submit four (4) copies of all drawings for review. All drawings shall include the following:

- (1) North arrow.
- (2) Scale size.
- (3) User name and address.
- (4) Drawing name and drawing number.
- (5) Date drawn or revised.
- (6) Name of drafter and person approving drawing.

These scaled drawings shall include but not be limited to depictions of the manufacturing process (waste generating sources), spill containment, pretreatment facilities, and monitoring/metering facilities. Schematic drawings of pretreatment facilities may be required. The District may also require that drawings be signed and sealed by a California Registered Chemical, Mechanical, or Civil Engineer.

Upon receipt of all required information, the application shall be processed and, upon approval, a permit will be issued, signed by a District representative, and returned to the applicant. When properly signed, the permit together with any documents attached thereto shall constitute a valid Wastewater Discharge Permit for the time period specified therein. Where the discharger becomes aware that relevant facts were omitted or incorrect information was submitted in the application, the facts or corrected information shall be promptly submitted to the District and the permit shall be amended if appropriate.

- 7.4.3 **Permit Conditions.** Wastewater Discharge Permits shall be expressly subject to all provisions of these Rules and Regulations and all other regulations, user charges and fees established by the District. The conditions of wastewater discharge permits shall be uniformly enforced by the District in accordance with these Rules and Regulations and applicable state and federal regulations. Permits may contain the following:

- (1) The unit charge or schedule of user charges and fees fixed in this section for the sewage to be discharged;
- (2) The average and maximum sewage constituents and characteristics which may be discharged into the District's sewage facilities;
- (3) Limits on rate and time of discharge or requirements for flow regulations and equalization;
- (4) Requirements for installation of inspection and sampling facilities;
- (5) Pretreatment requirements;
- (6) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;
- (7) Requirements for submission of technical reports or discharge reports;
- (8) Requirements for maintaining plant records relating to sewage discharge as specified by the General Manager, and affording the General Manager access thereto;
- (9) Mean and maximum mass emission rates, or other appropriate limits when non-compatible pollutants are proposed or present in the user's sewage discharge;
- (10) A time schedule for meeting certain pretreatment requirements;
- (11) Other conditions as deemed appropriate by the General Manager to ~~insure~~ensure compliance with this section.

7.4.4 Duration of Permits. Permits shall be issued for a specified time period, not to exceed four years. If the user is not notified by the District ninety days prior to the expiration of the permit, the permit shall be extended one additional year. The terms and conditions of the permit are subject to modifications and change by the District and OCSD during the life of the permit as limitations or requirements are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any change or new conditions in the permit shall include a reasonable time schedule for compliance.

7.4.5 Transfer of a Permit. Wastewater Discharge Permits are issued to a specific operation. A Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner or lessee, new user, different premises, or a new or changed operation. In the event of any change in the name, ownership or control of the discharger's operation or a change in the operation itself, the discharger shall so notify the District. The District may require the new owner or operator to submit a new permit application.

- 7.4.6 **Permit Renewal or Modification.** An industrial discharger shall file a new application with the District sixty days prior to the expiration of its existing waste discharge permit, or the implementation of changes in the operation of a discharger which increase flows beyond that specified in the existing permit or cause a significant change in the nature of the wastewater or location of the discharge, or which changes may result in non-compliance with these Rules and Regulations. A new application shall also be required to reestablish sewer service following revocation of a permit or upon disclosure of omitted relevant facts or incorrect information submitted in an application.
- 7.4.7 **Pretreatment.** Users shall make sewage acceptable under such limitations as may be established herein before discharging to the District's sewage facilities. Any facilities required to pretreat sewage to a level acceptable to the District and OCSD shall be provided and maintained at the user's expense. Detailed plans, specifications and other pertinent data showing the pretreatment facilities and operating procedures shall first be submitted to the General Manager for review and shall be approved by the General Manager before construction of the facility. These plans shall be signed by an engineer or responsible officer certifying that they will meet the pretreatment requirements. The review and approval of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the District under provisions of this section. Any proposed changes in the pretreatment facilities or method of operation subsequent to issuing a permit shall be reported to and be approved by the General Manager before implementing such changes. Such approval of plans or changes therein shall not exempt the user from compliance with any applicable code, ordinance, rule, regulation or order of any regulatory agency or governmental authority.
- 7.4.8 **Protection from Accidental Discharge.** Each user shall prevent accidental discharge to the public sewer of prohibited wastes or other materials regulated by these Rules and Regulations or Federal categorical pretreatment standard by providing spill containment facilities. Such facilities shall be provided and maintained at the user's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the General Manager for review and shall be approved by the General Manager before construction of the facility and before making any changes therein. The review and approval of such plans and operating procedures or change therein will in no way relieve the user from the responsibility of modifying the facility as necessary to provide the protection necessary to meet the requirements of this section or any other applicable code, ordinance, rule, regulation or order of any regulatory agency or governmental authority.
- 7.4.9 **Procedure for Accidental Discharge.**
- (1) In the event the discharger is unable to comply with any of the permit conditions due to a breakdown of waste treatment equipment, accidents caused by human error or acts of God, the discharger shall notify the District within 24 hours of knowledge to the incident. Confirmation of this notification shall be made in writing within two weeks (14 calendar days) of the

telephone notification. The written notification shall include pertinent information explaining reasons for the non-compliance and shall indicate what steps were taken to correct the problem and the date of the incident, as well as what steps are being taken to prevent the problem from recurring and the results of repeat sampling and analyses.

- (2) If it can be shown that the discharge is the cause of the District violating its discharge requirements or incurring extraordinary operational expenses or suffering loss or damage to the sewage facilities, then that discharger may be responsible for any costs or expenses, including assessments by other agencies or the court, incurred by District.

7.4.10 Types of Permits. The Wastewater Discharge Permit shall be in one of three forms and is dependent upon the volume and characteristics of wastewater to be discharged. The three Wastewater Discharge Permits are a Class I Permit, a Class II Permit, and a Special Purpose Permit.

- (1) **Class I Permit.** All Class I Users discharging or proposing to discharge into the District's sewage facilities must obtain a Class I Wastewater Discharge Permit jointly issued by the District and OCSD before discharging.
- (2) **Class II Permit.** A Class II permit shall be required for all Class II Users who are not required to obtain a Class I permit. The purpose of a Class II permit is to facilitate the collection of compatible pollutant surcharges from the user. All Class II Users discharging or proposing to discharge into the District's sewage facilities must obtain a Class II Wastewater Discharge Permit by filing an application pursuant to Section 7.4.2.
- (3) **Special Purpose Permit**
 - (a) A special purpose permit shall be required for a user proposing to discharge storm water, groundwater, surface runoff, subsurface drainage, or unpolluted water directly or indirectly to the District's sewage facilities. This permit may be granted when no alternative method of disposal is reasonably available, or to mitigate an environmental risk or health hazard. The applicant shall bear the burden of demonstrating that no alternative method of disposal is reasonably available.
 - (b) Applicants seeking a special purpose wastewater permit shall complete and file with the District, prior to commencing discharge, an application in the form prescribed by the District. This application shall be accompanied by the applicable fees, plumbing plans, a detailed analysis of the alternatives for disposal, or other data needed by the District for review.
 - (c) Discharge conditions and limitations shall be no less stringent than Section 7.3 of these Rules and Regulations and Article 2 of

the OCSD Ordinance. For constituents not listed in Section 7.3 of these Rules and Regulations or in Article 2 of the OCSD Ordinance, the District shall exercise its sole discretion to base conditions and limitations on the California Toxics Rule and other water quality criteria.

- (d) Monitoring requirements contained in the Special Purpose Permit for storm water, groundwater, surface runoff, subsurface drainage, or unpolluted water shall be for those non-compatible pollutants known or suspected to exist in the discharge and at least one analysis prior to sewer discharge shall be performed for all constituents contained in the most current Environmental Protection Agency (EPA) "Priority Pollutant" list, excluding Asbestos, and in other water quality criteria deemed appropriate by the District.

7.4.11 Monitoring. Management of a pollution control program requires a constant flow of information on the quantity and quality of discharges into the District's sewage facilities. The monitoring of discharges serves three specific purposes. These purposes include ascertaining compliance with the Rules and Regulations, completion of necessary discharge reports as required, and determination of user charge fees, if applicable. There are several modes of a monitoring program.

Self-Monitoring develops a data base and provides the necessary information for determination of compliance and calculation of user charges, if applicable. This monitoring is performed by the user. Scheduled Monitoring is a systematic sampling and inspection survey of all industrial contributors to the District's sewage facilities in accordance with a predetermined schedule. Unscheduled Monitoring is a random spot check of users to ascertain permit compliance.

Demand Monitoring is conducted when some disruption of the District's sewage facilities develops. The District will perform scheduled, unscheduled and demand monitoring to ensure compliance with the provisions of the Rules and Regulations and permits and will review self-monitoring reports.

7.4.12 Self-Monitoring.

- (1) Users required to obtain a Wastewater Discharge Permit may be required to develop a self-monitoring and reporting program. The frequency of self-monitoring and reporting will be based on the following criteria as evaluated by the District:
 - (a) The effect of the discharger's wastewater on the District's sewage facilities;
 - (b) The degree of toxic materials which may pass through the treatment plant;
 - (c) The need to ensure that any pretreatment standards are met;
 - (d) The size, nature, and type of the industrial wastewater discharge;

- (e) The extent to which the user could contribute to violation of the District's discharge requirements.
- (2) Self-monitoring programs include, at minimum, the following:
- (a) A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics.
 - (b) For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible.
 - (c) Where flow proportional composite sampling is infeasible, samples may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples where the User demonstrates that this will provide a representative sample of the effluent being discharged.
- (3) Samples collected shall be in accordance with proper sampling and handling techniques outlined in the latest edition of "Standard Methods" or that publication entitled "Methods for Chemical Analysis of Water and Wastes" published by the EPA, or other appropriate method approved by the Regional Board.

7.4.13 Monitoring and Metering Facilities

The General Manager may require the user to construct at his own expense monitoring and metering facilities to allow inspection, sampling and flow measurement of the sewage or internal drainage systems. The General Manager may also require sampling and metering equipment to be provided, installed and operated at the user's expense. The monitoring and metering facility should normally be situated on the user's premises. When such a location would be impractical or cause undue hardship on the user, the user may construct such facilities in the public right-of-way provided said user has obtained any and all permits required therefore and that such equipment is located so that it will not be obstructed by landscaping or parked vehicles. If the monitoring and metering facility is inside the user's fence, there shall be accommodations to allow access for District personnel, such as a gate secured with a District lock. There shall be ample room in or near such monitoring and metering facility to allow accurate sampling and compositing of samples for analysis. The monitoring and metering facility and sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the monitoring and metering facilities shall be provided in accordance with the District requirements and all applicable construction standards and specifications. Construction shall be completed within ninety days following written notification by the General Manager, unless a time extension is otherwise granted by the General Manager.

7.4.14 Inspection and Sampling

The District shall inspect the wastewater generating and disposal facilities of any user to ascertain whether the intent of these Rules and Regulations is being met and the user is complying with all requirements. Persons or occupants of premises where wastewater is created

or discharged shall allow the District or its representatives ready access during the normal working day to all parts of the wastewater generating and disposal facilities and monitoring and metering facilities for the purposes of inspection and sampling. The District shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operations. Where a user has security measures in force, the user shall make necessary arrangements so that personnel from the District will be permitted to enter without delay for the purpose of performing their specific responsibilities.

7.4.15 Discharge Reports

An industrial user discharging or proposing to discharge sewage into the District's sewage facilities shall be required to file discharge reports periodically or at any time requested by the District. Industrial users subject to Federal categorical pretreatment standards, shall submit to the District by June 30 and December 31, unless required more frequently by the standard or by the District, a report indicating the nature and concentration of pollutants in the discharge which are limited by such categorical pretreatment standards. Reports generated by OCS&D may serve to meet this requirement. In addition, this report shall include a record of flows as required by the District. The District may agree to alter the months during which the reports are to be submitted based on an industrial user's high or low flow rates, holidays, budgets, etc.

Where the District has imposed mass limitations on an industrial user, the report shall indicate the mass of pollutants regulated by the pretreatment standards in the discharge of the industrial user. Where the District has imposed equivalent mass or concentration limits on an industrial user, the report shall contain a reasonable measure of an industrial user's long-term production rate. For all other industrial users subject to categorical pretreatment standards expressed in terms of pollutant discharge per unit of production, the report shall include the industrial user's actual average production rate for the reporting period.

The District may also require an industrial user to include other information in the report including, but not limited to hours of operation, number and classification of employees, and quantities of liquid or gaseous materials stored on site even though they may not be discharged. Industrial users who monitor more frequently than required by permit must report the results of such monitoring.

Industrial users required to submit these reports or to keep other records under the conditions of their permit shall retain for three years all records of monitoring activities including dates, times, exact places, methods, names of persons who sampled and analyzed the discharge, and results of analysis, and shall make such records available for inspection and copying by the Regional Board, and the District. This period of retention may be extended during the course of any unresolved litigation regarding the User or the District, when requested by the Regional Board.

These reports shall be signed per Section 7.4.20 of the Rules and Regulations.

7.4.16 Confidential Information. All information and data on a user obtained from reports, questionnaires, permit applications, permits, monitoring programs, and from inspections shall be available to the public or other governmental agencies without restriction unless the user specifically requests confidentiality and is able to demonstrate to the satisfaction of the General Manager that the release of such

information would divulge information, processes or methods which would be detrimental to the user's competitive position. Any such claim must be asserted at the time of submittal of the information by stamping the words "confidential business information" on each page containing such information. If a claim is so asserted, the District will treat the information in accordance with Chapter 40, Code of Federal Regulations, Part 2. When requested by the person furnishing a report or other document, the portions of a report or document which might disclose trade secrets or secret processes shall not be made available to the public, but shall be made available to governmental agencies; and such portions of a report or document shall be subject to use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report or document. Sewage constituents and characteristics will in no instance be recognized as confidential information.

7.4.17 Toxic Solid Wastes. Industrial dischargers identified as generators of toxic solid wastes shall be notified by the District of applicable requirements promulgated under the Solid Waste Disposal Act, and the Resource Conservation and Recovery Act (RCRA) and shall be referred to the State of California Department of Health Services. The foregoing provision shall in no way relieve the discharger of full responsibility for ascertaining and complying with all such requirements.

7.4.18 Hazardous Waste Discharge

- (1) All industrial dischargers are required to file a one-time notification with the District of the discharge of wastes which, if otherwise disposed of, would be considered RCRA hazardous wastes. Industrial dischargers which discharge more than 220 pounds (100 kilograms) of RCRA classified wastes per month must include in the notification an identification of hazardous constituents, estimates of mass and concentration on a monthly basis for twelve consecutive months. Industrial dischargers who discharge less than 33 pounds (15 kilograms) per month of non-acute hazardous waste as defined by RCRA do not have to report under this Section. In addition, industrial dischargers need not report pollutants already addressed under self-monitoring, baseline monitoring, and other periodic compliance reports.
- (2) Industrial dischargers subject to this Section are required to certify that they have developed a program to reduce the volume or toxicity of hazardous wastes generated to the degree it has been determined to be economically practical.

7.4.19 Baseline Monitoring Reports. All dischargers may be required to comply with applicable mandatory toxic waste and pretreatment standards promulgated in accordance with Sections 307 and 308 of the Federal Water Pollution Control Act, or amendments thereto. Within 180 days of the date such pretreatment standards are promulgated, or become applicable to the discharger, dischargers subject to the standards shall submit a baseline monitoring report to the District and to the U.S. Environmental Protection Agency detailing, in accordance with Section 403.12, Chapter 40, Code of Federal Regulations, as amended, the discharger's compliance status with the regulations. If the discharger is in non-

compliance, the report shall include a time schedule outlining how the discharger will achieve compliance within the date established for the applicable pretreatment standards. Progress reports, monitoring and reports of compliance shall also, as required by Section 403.12, be submitted by the discharger at the specified times.

7.4.20 Signatory Requirements. All reports and permit applications required by the District for satisfying Federal Regulations shall contain the following certification statement:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with Federal Pretreatment Requirements.”

This statement shall be signed by a manager and the person responsible for environmental matters of the industrial user as defined in 40 CFR 403.12 (1) (1-4).

7.5 CHARGE FOR USE

7.5.1 General

The purpose of a charge for use is to ~~insure~~ensure that each recipient of sewage service from the District pays its reasonably proportionate share of all the costs of providing that sewage service. Charges for use shall be used to recover the total cost of operation and maintenance, including the conveying, treating and disposing of wastewater in the District's sewage facilities, as well as capital expenditures and reserve requirements for providing wastewater collection treatment and disposal. In addition, they will be used to reimburse District for the cost of monitoring and enforcement of these Rules and Regulations. Charges for sewage service use will be the District's non-residential service/quantity/commodity rates as specified in the District's Schedule of Rates and Charges, based on return of metered water to the sewer. Dischargers may, upon request to the District, be permitted to have the amount of water being discharged into the sewer determined by means acceptable to the District. In lieu of the rates specified in the Schedule of Rates and Charges, upon request by the discharger and at the sole discretion of the District, an alternative service charge may be applied pursuant to Section 7.5.2 of these Rules and Regulations. Additional fees will be levied by the District for compatible or non-compatible pollutants in excess of those amounts specified in the user permit.

7.5.2 Alternative Service Charge. Dischargers may request the application of an Alternative Service Charge for use. The acceptance of such requests and the formation and continuing application of an Alternative Service Charge shall be at the sole discretion of the District. The Alternative Service Charge shall be based on the quantity and quality of water being discharged to the sewer from the discharger's facility, measured by a means acceptable to the District. The District may revise an Alternative Service Charge, or discontinue the application of an Alternative Service Charge to a discharger and apply the rates specified in the Schedule of Rates and Charges, if the District determines, in its sole discretion, that the Alternative Service Charge does not adequately recover costs in accordance with the purposes described in Section 7.5.1; such action may, but need not, be taken in conjunction with any enforcement remedies under Section 7.6.

(1) **Determination of Flow.** There are three methods for determining the volume of wastewater discharged into the sewer: direct measurement, metered water supply, or adjusted metered water supply. Those users exceeding 10% of the design capacity of any District sewage facility may be required to provide a continuous, automatic total flow measurement system incorporating flow indication, totalization, and recording of the wastewater flow (direct measurement system). Those users not required to have a continuous wastewater flow measurement system shall use metered water supply or adjusted metered water supply measurements to determine flow. The District shall approve the method of wastewater flow measurement to be used in each instance.

(a) **Direct Measurement.** Direct Measurement reports the volume of industrial wastewater determined by a full-time flow meter, measuring the wastewater leaving the plant.

(b) **Metered Water Supply.** Metered water supply reports the amount of industrial wastewater discharged when the flow volume is a measurement of the total water entering the user's plant. This amount can be taken from water bills or flow measuring device which measures the intake of water from either the District, water wells, or other sources.

(c) **Adjusted Metered Water Supply.** Adjusted metered water supply reports the amount of industrial wastewater discharged when amounts of water consumed in plant operations are subtracted from the total volume of metered water entering the plant. This results in a calculated rather than a measured flow volume of industrial wastewater leaving the plant. The adjusted metered water supply is determined by deducting measured quantities of water consumed in plant operations from the metered water supply.

(2) **Determination of Biological Oxygen Demand (BOD) and Suspended Solids (SS).**

(a) The BOD and SS concentrations in the discharged wastewater shall be determined in accordance with the results of analytical tests performed on samples collected by the District and/or discharger and in a manner specified by the District. The frequency of sampling to determine wastewater strength shall be determined by the District.

(b) The samples collected shall be in accordance with proper sampling and handling techniques outlined in the latest edition of "Standard Methods for the Examination of Water and Wastewater" (American Public Health Association), and/or 40 CFR 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants", promulgated by the EPA or other appropriate methods approved for use by the Regional Board. Samples collected shall be delivered to a California State Certified Laboratory for analysis within the holding period of the sample. The District may require samples to be split for

concurrent analyses.

- (3) The Alternative Service Charge for District approved dischargers shall be computed by the following formula:

$$\text{Charge for use} = VR_v + BR_b + SR_s$$

Where **V** = total volume of flow, in hundred cubic feet

B = total discharge of biochemical oxygen demand, in pounds

S = total discharge of suspended solids, in pounds

R_v, R_b, R_s = unit charge rates for volume, BOD, and suspended solids, respectively, adopted and adjusted as needed by the District Board of Directors as shown in Exhibit B, Schedule of Rates and Charges.

Each unit rate shall be based on the amount attributable to the respective component as a proportionate share of the total cost for operations and maintenance, capital expenditures, debt service, and reserve requirements for providing wastewater collection, treatment, and disposal in dollars per unit. Other measurements of the organic content of the wastewater of a discharger, such as COD or TOC may be used instead of BOD when BOD is not applicable. However, the discharger must establish for the District a relationship between the BOD of his wastewater and the other measured parameter to convert the other parameter to an equivalent BOD. This relationship shall be used by the District in determining the Alternative Service Charge for use. When wastewater from typical domestic use facilities is discharged separately from the other wastewaters of a discharger, the charge for use for discharging the domestic wastewater may be determined by using the following:

- (1) 10,000 gallons per employee per year; and
- (2) 20 pounds of suspended solids per employee per year; and,
- (3) 20 pounds of BOD per employee per year. (The number of employees will be considered at the average of people employed full time on a daily basis. This may be determined by averaging the number of people employed at the beginning and ending of each quarter, or other period that reflects normal employment fluctuations.)

7.5.3 Special Purpose Discharge Permit Charge for Use. A charge for use to cover all costs of the District for providing sewage service and monitoring shall be established by the General Manager. A deposit determined by the General Manager to be sufficient to pay the estimated charges for use shall accompany the Special Purpose Discharge Permit application and said deposit shall be applied to the charges for use.

7.5.4 Charges for Non-Compliance

- (1) Non-compliance with permit requirements, mass emission rate limits, concentrations, and/or these Rules and Regulations may be determined by an analysis of a grab or composite sample of the discharge of a permittee.

- (2) If routine sampling of the discharge of a permittee reveals non-compliance by the permittee with the mass emission rates or other conditions and limitations specified in the permittee's discharge permit, or with any provisions of these Rules and Regulations, then the permittee shall pay fees to the District as specified in Exhibit B, Schedule of Rates and Charges. The purpose of the non-compliance fees is to compensate the District for additional costs of sampling, monitoring, laboratory analysis, treatment, disposal, and administrative processing incurred as a result of the non-compliance and shall be in addition to and not in lieu of any penalties as may be assessed pursuant to Sections 7.6.2, 7.6.3, and 7.6.4, and charges under Section 7.5.4.
- (3) Upon discovery of non-compliance with any pretreatment standard and requirement, the District shall be authorized to immediately proceed with enforcement action against the industrial user as outlined in Section 7.6. The user's status shall remain in violation until all necessary steps have been taken to restore or achieve compliance.

7.5.5 Damage to Facilities or Interruption of Normal Operations

- (1) When a discharge of wastes causes an obstruction, corrosion, interference, damage, or any other impairment to District's operation or facilities, the District may assess a charge to the discharger for the work required to clean or repair the facility or costs incurred to resume normal operations and such discharge shall be grounds for permit revocation. A service fee of 25 percent of District's costs shall be added to these charges and shall be payable within forty-five (45) days of invoicing the District.
- (2) If it can be shown that the discharge is the cause of the District violating its discharge requirements established by any Regulatory Agency or incurring additional expenses or suffering losses or damage to the sewage facilities, then that discharger shall be responsible for any costs or expenses incurred by the District, including regulatory fines, penalties, and assessments made by other agencies or a court.

7.6 ENFORCEMENT

7.6.1 Duty of Enforcement

- (1) The General Manager is hereby charged with the duty of enforcing this Section. The provisions of this Section shall be applicable to any discharge and any building, structure or property temporarily or permanently connected to the District's sewage facilities, whether the same is owned, operated or controlled by a private party or by a public agency, other than the District, or quasi-public agency, corporation or association.
- (2) The District shall have legal authority to obtain remedies for non-compliance by industrial users with any pretreatment standard and requirement, including the authority to seek injunctive relief. The District shall have authority and procedures (after informal notice to the discharger) to immediately and

effectively halt or prevent any discharge of pollutants which may constitute an imminent endangerment to the health or welfare of persons or to the environment, or cause interference with the operation of any treatment plant.

- (3) In addition to such other penalties as may be prescribed for a violation of these Rules and Regulations, whenever the General Manager finds that a discharge of waste has been taking place in violation of any prohibitions or limitations prescribed herein or pretreatment standards promulgated in accordance herewith, he may require the user to submit for his approval best management practice plans (BMPs) wherever necessary to implement the District's pretreatment program (e.g. plans ensuring industrial users conduct necessary routine maintenance, cleaning operations, chemical storage practices, segregation of wastes for reclamation, reduction of contaminated runoff, etc.). Any failure to comply with such BMPs shall likewise be deemed a violation of this article.

7.6.2 Enforcement Remedies. The District may, at its discretion, utilize any one, combination, or all enforcement remedies provided in Section 7.6 in response to any violation of a permit or these Rules and Regulations.

7.6.3 Probation Order

- (1) In the event that it is determined that a user has discharged in violation of any provision of these Rules and Regulations, or the terms, conditions and limitations of its discharge permit, or has not made payment of all amounts owed to the District for user charges, non-compliance fees, or any other fees, the General Manager may issue a Probation Order, whereby the user must comply with all directives, conditions, and requirements therein within the time prescribed.
- (2) The Probation Order may contain terms and conditions including, but not limited to, installation of pretreatment equipment and facilities, submittal of drawings or technical reports, payment of fees, limits on rate and time of discharge, or other provisions to ensure compliance with these Rules and Regulations.
- (3) If at any time while a Probation Order is in effect, a user discharges wastewater to the District's sewage facilities which is not in compliance with the Probation Order, the terms, conditions, or the limitations specified in the user's discharge permit, or with any provision of these Rules and Regulations, then the user shall pay fees to the District as specified in Exhibit B, Schedule of Rates and Charges, and the user may be assessed all other costs incurred during the sampling, including labor, equipment, materials, and overhead. The user may also be subject to permit suspension pursuant to Section 7.6.2.4 of these Rules and Regulations.
- (4) A Probation Order issued by the General Manager shall be in effect for a period not to exceed ninety (90) days. Upon satisfactory compliance with the terms of the Probation Order and expiration thereof, any fees to be assessed due to subsequent non-compliance by user shall be in accordance with these

Rules and Regulations, re-established at the rate set forth in Exhibit B, Schedule of Rates and Charges. All enforcement actions thereafter shall be based on applicable provisions of these Rules and Regulations.

7.6.4 Enforcement Compliance Schedule Agreement (ECSA)

- (1) Upon determination that a permittee is in non-compliance with the terms, conditions or limitations specified in its permit or any provision of these Rules and Regulations and needs to construct and/or acquire and install equipment related to pretreatment, the General Manager may require the permittee to enter into an ECSA, which will, upon the effective date of the ECSA, amend the permittee's permit. The ECSA shall contain the terms and conditions by which a permittee must operate during its term and shall provide specific dates for achieving compliance with each term and condition for construction, acquisition, and installation of required equipment related to pretreatment.
- (2) An ECSA shall have a maximum term of one hundred-eighty (180) days, and upon showing of good cause, including but not limited to reasonable progress under the terms of the ECSA, it may be extended by the General Manager for an additional period not to exceed one hundred-eighty (180) days. No further extensions shall be granted except on approval of the Board of Directors.
- (3) The ECSA may contain terms and conditions including but not limited to requirements for self-monitoring, installation of pretreatment equipment and facilities, submittal of drawings or reports, operator certification, audit of waste minimization practices, payment of fees, limits on rate and time of discharge, deposit of performance guarantee, or other provisions to ensure compliance with these Rules and Regulations.
- (4) An ECSA shall not be approved by the District until such time as all amounts owed to the District, including fees, charges for use, Section 7.5.3 charges, non-compliance fees, deposits, or civil penalties are paid in full, or an agreement for deferred payment secured by acceptable collateral or a third party, is approved by the District. Failure to pay all amounts owed to the District shall be grounds for permit suspension or permit revocation as set forth in Sections 7.6.6 and 7.6.7.
- (5) If, during the term of an ECSA, sampling reveals non-compliance by the permittee with the terms, conditions or limitations specified in the ECSA, the user's permit, or any provision of these Rules and Regulations, the permittee shall pay the fees as specified in Exhibit B, Schedule of Rates and Charges, and may be assessed all other costs incurred during the sampling, including labor, equipment, materials, and overhead.
- (6) If compliance is not achieved in accordance with the terms and conditions of an ECSA during its term, the General Manager may issue an order suspending or revoking the discharge permit pursuant to Sections 7.6.6. and 7.6.7.
- (7) If following the expiration of an ECSA, sampling reveals non-compliance by the permittee with the terms, conditions or limitations specified in the permit,

or any provisions of these Rules and Regulations, the permittee shall pay an amount based on the fees set forth in Exhibit B, Schedule of Rates and Charges, for each violation.

(8) If the permittee remains in consistent compliance for a two-year period following ECSA expiration, then the fees shall be re-established in accordance with Exhibit B, Schedule of Rates and Charges. All enforcement actions thereafter shall be based on applicable provisions of these Rules and Regulations.

7.6.5 Regulatory Compliance Schedule Agreement (RCSA)

(1) If at any time subsequent to the issuance of a wastewater discharge permit to an industrial user, Federal Categorical Pretreatment Standards are adopted or revised by the EPA, or in the event the District enacts revised discharge limitations, the General Manager, upon determination that an industrial user would not be in compliance with the future limitations, may require the industrial user to enter into a RCSA with the District under terms and conditions that would provide for achieving compliance with all new standards by the industrial user on a specific date. The RCSA shall have a maximum term of two hundred-seventy (270) days.

(2) The RCSA may contain terms and conditions including but not limited to requirements for installation of pretreatment equipment and facilities, submittal of drawings or reports, waste minimization practices or other provisions to ensure compliance with these Rules and Regulations.

(3) During the period said RCSA is in effect, any discharge by the permittee in violation of the RCSA will require payment of non-compliance fees as specified in Exhibit B, Schedule of Rates and Charges.

(4) Upon RCSA expiration, and in the event of non-compliance by the permittee, non-compliance fees shall be established in accordance with Exhibit B, Schedule of Rates and Charges. All enforcement actions thereafter shall be based on applicable provisions of these Rules and Regulations.

7.6.6 Permit Suspension

(1) **Conditions for Suspension.** The District may suspend any permit when a permittee:

- (a) Fails to comply with the terms and conditions of either an ECSA or RCSA.
- (b) Knowingly provides a false statement, representation, record, report, or other document to the District.
- (c) Refuses to provide records, reports, plans, or other documents required by the District to determine permit terms, conditions, or limitations, discharge compliance, or compliance with these Rules and Regulations.

- (d) Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
- (e) Fails to report significant changes in operations or wastewater constituents and characteristics.
- (f) Violates a Probation Order.
- (g) Refuses reasonable access to the permittee's premises for the purpose of inspection and monitoring.
- (h) Does not make timely payment of all amounts owed to the District for user charges, non-compliance fees, penalties, deposits, or any other fees and charges.
- (i) Violates any condition or limitation of its discharge permit or any provision of the District's Rules and Regulations.
- (j) Discharges effluent that causes pass through or interference with the District's collection, treatment, or disposal facilities.
- (k) Fails to submit oral notice or written report of bypass occurrence.

(2) When the General Manager has reason to believe that grounds exist for permit suspension, he shall give written notice thereof by certified mail to the permittee setting forth a statement of the facts and grounds deemed to exist, together with the time and place where the charges shall be heard by a Department Head. The hearing date shall not be less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

- (a) At the suspension hearing, the permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's General Counsel.
- (b) After the conclusion of the hearing, the Department Head shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
- (c) Upon receipt of the written report, the General Manager shall make his determination, and should he find that grounds exist for suspension of the permit, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by the Department Head. The written decision and order of the General Manager shall be sent by certified mail to the permittee or its legal counsel or representative at the permittee's business address.

(3) Upon an order of suspension by the General Manager becoming final, the

permittee shall have no right to discharge any industrial wastewater, directly or indirectly to the District's sewage facilities for the duration of the suspension. All costs for physically terminating and reinstating service shall be paid by the permittee. Any owner or responsible management employee of the permittee shall be bound by the order of suspension. An order of permit suspension issued by the General Manager shall be deemed final upon delivery to the permittee, unless appealed to the Board of Directors pursuant to Section 7.6.2.9.

7.6.7 Permit Revocation

- (1) **Conditions for Revocation.** The District may revoke any permit when it is determined that the permittee:
 - (a) Knowingly provided a false statement, representation, record, report, or other document to the District.
 - (b) Refuses to provide records, reports, plans, or other documents required by the District to determine permit terms, conditions, or other limitations, discharge compliance, or compliance with these Rules and Regulations.
 - (c) Falsifies, tampers with, or knowingly rendered inaccurate any monitoring device or sample collection method.
 - (d) Failed to report significant changes in operations or wastewater constituents and characteristics.
 - (e) Failed to comply with the terms and conditions of an ECSA, permit suspension, or probation order.
 - (f) Discharged effluent to the District's sewage facilities while its permit is suspended.
 - (g) Refused reasonable access to the permittee's premises for the purpose of inspection and monitoring.
 - (h) Did not make timely payment of all amounts owed to the District for user charges, non-compliance fees, penalties, deposits, or any other fees and charges.
 - (i) Discharged a batch dump to the District's sewage facilities.
 - (j) Discharged effluent that causes pass through or interference with the District's collection, treatment, or disposal facilities.
 - (k) Failed to submit oral notice or written report of bypass occurrence.
 - (l) Violated any condition or limitation of its discharge permit or any provision of the District's Rules and Regulations.
- (2) **Notice of Hearing.** When the General Manager has reason to believe that grounds exist for revocation of a permit, he shall give written notice by certified

mail thereof to the permittee setting forth a statement of the facts and grounds deemed to exist together with the time and place where the charges shall be heard by a Department Head. The hearing date shall not be less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

(3) **Hearing Procedure.** At the hearing, the permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The revocation hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the District's general counsel.

(4) **Hearing Report.** After the conclusion of the hearing, the Department Head shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.

(5) **Manager's Determination.** Upon receipt of the written report, the General Manager shall make his determination, and should he find that grounds exist for permanent revocation of the permit, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by the Department Head. The written decision and order of the General Manager shall be sent by certified mail to the permittee or its legal counsel or representative at the permittee's business address.

In the event that the General Manager determines not to revoke the permit he may order other enforcement actions, including, but not limited to, a temporary suspension of the permit, under terms and conditions that he deems appropriate.

Upon an order of revocation by the General Manager becoming final, the permittee shall permanently lose all rights to discharge any industrial wastewater directly or indirectly to the District's sewage facilities. All costs for physical termination shall be paid by the permittee. Any owner or responsible management employee of the permittee shall be bound by the order of revocation. An order of permit revocation issued by the General Manager shall be deemed final upon delivery to the permittee, unless appealed to the Board of Directors pursuant to Section 7.6.11.

Any future application for a permit at a location within the District by any person subject to an order of revocation will be considered by the District after fully reviewing the records of the revoked permit, which records may be the basis for denial of a new permit.

7.6.8 **Emergency Suspension.** The District may, by order of the General Manager without notice or hearing, suspend sewage service when such suspension is necessary, in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, or may cause interference with the District's sewage facilities, or may cause the violation of any State or Federal Law or Regulation. An emergency suspension order is final and not appealable.

7.6.9 **Civil Penalties**

(1) **Imposition By Court.** Any permittee, discharger or other person who violates any provision of Section 7 of these Rules and Regulations, any permit condition, prohibition or effluent limitation, or any order, compliance schedule, suspension or revocation shall be civilly liable in a sum not to exceed twenty-five thousand dollars (\$25,000) a day for each violation. Pursuant to Sections 54739 and 54740 of the California Government Code, the District, upon order of the General Manager shall petition the Superior Court to impose, assess and recover such penalties or such other penalties as the District may impose, assess and recover under Federal or State law.

(2) **Imposition By Administrative Procedure.** Any permittee, discharger, or other person who violates any provision of Section 7 of these Rules and Regulations, any permit condition, prohibition or effluent limitation, or any order, compliance schedule, suspension or revocation shall be civilly liable in the following amounts, as applicable, imposed by the District pursuant to an administrative complaint: a sum not to exceed two thousand dollars (\$2,000) a day for failing or refusing to furnish technical or monitoring reports, a sum not to exceed three thousand dollars (\$3,000) a day for failing or refusing to comply with any compliance schedule, a sum not to exceed five thousand dollars (\$5,000) a day for each violation for discharges in violation of any waste discharge limitation, permit condition or other requirement issued, reissued or adopted by the District, and a sum not to exceed ten dollars (\$10) per gallon for any discharge in violation of any suspension, cease and desist order or other order, or prohibition issued, reissued or adopted by the District.

- (a) The District may proceed under Section 7.6.9(2) by issuing an administrative complaint to any person who violates any provision of Section 7 of these Rules and Regulations, any permit condition, prohibition or effluent limitation, or any order, compliance schedule, suspension or revocation, alleging the act or failure to act that constitutes the violation, the provisions of law authorizing civil liability to be imposed and the proposed civil penalty. The administrative complaint shall be served by personal delivery or certified mail on such person and shall inform the person that a hearing shall be conducted, within 60 days following service, before the General Manager. The person may waive the right to a hearing, in which case it shall not be conducted.
- (b) At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the District's general counsel.
- (c) After the conclusion of the hearing, the General Manager shall make his determination and should he find that grounds exist for imposition of a civil penalty, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing. If not appealed, the order shall be final on the 31st day after it is served on the person.

- (d) A person dissatisfied with the decision of the General Manager may appeal to the Board of Directors within thirty (30) days of notice of the General Manager's decision, in accordance with Section 7.6.11.
- (e) If after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements, the General Manager or Board of Directors may assess a civil penalty against that person.
- (f) In the determination of the amount of the civil penalty, all relevant circumstances may be taken into consideration, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violation, the length of time over which the violation occurs and the corrective action, if any, attempted or taken by the person.
- (g) Payment of civil penalties shall be due within thirty (30) days of the date the order assessing the penalties becomes final. The amount of any civil penalties which have remained delinquent for a period of sixty (60) days from the date they are due shall constitute a lien against the real property of the discharger from which the discharge resulting in the imposition of the penalty originated. The lien shall have no force and effect until recorded with the county recorder and when recorded shall have the force and effect and priority of a judgment lien and continue for ten (10) years and be renewable in accordance with law.
- (h) Copies of the order shall be served by personal service or by registered mail upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy of the order.
- (i) Any party aggrieved by a final order issued by the Board of Directors after granting review of the order of the General Manager may obtain review of the order of the Board of Directors in the superior court, by filing in the court a petition for writ of mandate within thirty (30) days following the service of a copy of the decision and order issued by the Board of Directors.

7.6.10 Appeals To The General Manager

- (1) Any user, permit applicant, or permittee affected by any decision, action or determination made a Department Head may file a written request for an appeal hearing. The request must be made within fifteen (15) days of mailing of the decision. The request for a hearing shall set forth in detail all facts supporting the appellant's request.
- (2) The General Manager shall, within fifteen (15) days of receiving the request for appeal, provide written notice to the user of the hearing date, time, and place. The hearing date shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a later date is agreed to by the appellant. If the hearing is not held within said time due to actions or

inactions of the appellant, then the original decision shall be deemed final.

(3) At the hearing, the appellant shall have the opportunity to present information supporting its position concerning the staff's decision, action, or determination. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's general counsel.

(4) After the conclusion of the hearing, the General Manager shall prepare a written report setting forth a brief statement of facts found to be true, a determination of the issues presented, and conclusions. The General Manager shall make his determination whether to uphold, modify, or reverse the decision, action, or determination of the Department Head and shall issue his decision and order within thirty (30) calendar days of the hearing. The written decision and order of the General Manager shall be sent by certified mail to the appellant or its legal counsel or representative at the appellant's business address.

(5) The order of the General Manager shall be final in all respects fifteen (15) days after it is mailed to the appellant unless a request for hearing is filed with the Board of Directors pursuant to Section 7.6.11.

7.6.11 Appeals To The Board Of Directors

(1) If the General Manager's order is adverse to the user, permit applicant, or permittee, it may prior to the date that the General Manager's order becomes final, file a written request for a hearing by the Board of Directors accompanied by an appeal fee in an amount shown in Exhibit B, Schedule of Rates and Charges. The request for hearing shall set forth in detail all the issues in dispute for which the appellant seeks determination and all facts supporting appellant's request.

(2) No later than sixty (60) days after receipt of the request for hearing, the Board of Directors shall either set the matter for hearing or deny the request for hearing.

(3) The Board of Directors shall grant all requests for a hearing on appeals concerning administrative civil penalties, permit suspension or revocation. Whether to grant or deny the request for a hearing on appeals of other final decisions of the General Manager shall be at the sole discretion of the Board of Directors.

(4) The appeal fee shall be refunded if the Board of Directors denies a hearing or reverses or modifies the order of the General Manager. The fee is not refunded if the Board of Directors denies the appeal.

(5) A hearing shall be held by the Board of Directors within sixty (60) days from the date of determination granting a hearing, unless a later date is agreed to by the permittee and the Board of Directors. If the matter is not heard within the required time, due to actions or inactions of the appellant, the General Manager's order shall be deemed final.

(6) The Board Secretary shall, within fifteen (15) days of the Board of Directors determination, provide written notice to the appellant by certified mail of the hearing date, time, and place, or the denial. If the hearing is denied, the General Manager's decision shall be final fifteen (15) days after the date such notice is mailed.

(7) At the hearing, the appellant shall have the opportunity to present written or oral evidence supporting its position concerning the original decision, action, or determination, in accordance with adopted Rules of Procedure of the Board of Directors.

(8) After the hearing, the Board of Directors shall make a determination whether to uphold, modify, or reverse the original decision, action, or determination as ordered by the General Manager.

(9) The decision of the Board of Directors shall be set forth in writing within sixty-five (65) days after the close of the hearing and shall contain a finding of the facts found to be true, the determination of issues presented, and the conclusions. The written decision and order of the Board of Directors shall be sent by certified mail to the appellant or its legal counsel or representative at the appellant's business address.

(10) The order of the Board of Directors shall be final upon its adoption. In the event the Board of Directors fails to reverse or modify the General Manager's order, it shall be deemed affirmed.

7.7 **COSTS.** In addition to the penalties provided herein, the District may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated these rules and regulations, orders of the board or conditions of permits issued hereunder.

7.8 **OTHER PENALTIES.** Any violation of these Rules and Regulations which is also a violation of federal or state laws or regulations is, in addition to any enforcement penalties and proceedings contained in the Rules and Regulations, subject to enforcement penalties and proceedings applicable under such federal or state laws or regulations.

7.9 **FALSIFYING INFORMATION.** Any person who knowingly makes any false statement, representation, record, report, plan or other document filed with the district or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this regulation, shall violate these rules and regulations.

7.10 **PUBLISHED NOTICE OF NON-COMPLIANCE.** The names of industries in significant non-compliance with federal pretreatment standards shall be annually published by the district, in accordance with EPA requirements specified in 40 CFR 403.8(f)(2)(vii), in the largest daily newspaper published in the District service area.

7.11 **WAIVER OF PROVISIONS.** Waivers of federal categorical pretreatment standards and thus the provisions of these rules and regulations are prohibited under any

circumstances other than those authorized under section 403, general pretreatment regulations, of the clean water act.

- 7.12 **CONFLICT.** If any portion of this section pertaining to industrial waste discharge is inconsistent or in conflict with any other provisions of the district's rules and regulations as to such discharge, the provisions of this section will take precedence.

7.13 **FATS, OILS AND GREASE CONTROL**

7.13.1 **Purpose**

(1) The purpose of this regulation is to facilitate the maximum beneficial public use of the District's sewer services and facilities while preventing blockages of the sewer lines resulting from discharges of FOG to the sewer facilities, and to specify appropriate FOG discharge requirements for Food Service Establishments.

(2) This FOG regulation shall use the general definitions set forth in Section 7.2 and the additional definitions set forth in Section 7.13.2. The provisions of this regulation shall apply to the direct or indirect discharge of all wastewater or waste containing FOG carried to the sewer facilities of the District.

(3) To comply with Federal, State, and local policies and to allow the District to meet applicable standards, this regulation shall govern discharges of all wastewater or waste containing FOG carried to the sewer facilities of the District.

(4) This regulation establishes quantity and quality standards on all wastewater and/or waste discharges containing FOG, which may alone or collectively cause or contribute to FOG accumulation in the sewer facilities causing or potentially causing or contributing to the occurrence of SSOs.

(5) For convenience of reference, the District's regulations concerning discharges containing FOG are set forth in this Section 7.13. Notwithstanding compliance with ~~this Section~~Section 7.13, discharges of wastewater or waste containing FOG to the sewer facilities shall also be subject to Section 7 generally and all other applicable requirements of these Rules and Regulations.

- 7.13.2 **Definitions.** The terms hereinafter set forth shall have the following meanings when used herein or in any permits or orders issued pursuant hereto. Terms used in this Section 7.13 and not defined below shall be as defined in Section 7.2.

BEST MANAGEMENT PRACTICES means schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the introduction of FOG to the sewer facilities.

CALIFORNIA PLUMBING CODE means Uniform Plumbing Code, with California State amendments.

CHANGE IN OPERATIONS means any change in the ownership, food types, equipment or

operational procedures that have the potential to increase the amount of FOG generated and/or discharged by Food Service Establishments in an amount that alone or collectively causes or creates a potential for SSOs to occur.

EFFECTIVE DATE of this FOG Regulation means December 30, 2004.

ENHANCED MAINTENANCE AREAS means areas in sewer lines that have experienced sanitary sewer overflows or that must be cleaned or maintained frequently to avoid blockages of sewer system.

EMULSIFY means to disperse (as an oil) in an emulsion or to convert two or more immiscible liquids into an emulsion.

FATS, OILS, AND GREASE (FOG) means any substance such as a vegetable or animal product that is used in, or is a byproduct of, the cooking, food preparation or clean-up processes, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

FOG CONTROL PROGRAM means the program required by and developed pursuant to RWQCB Order No. R8-2002-0014, Section (c)(12)(viii); subsequently updated pursuant to Statewide General Waste Discharge Requirements (WDRs) for Sanitary Sewer Systems, Water Quality Order No. 2006-0003, Section D.13(vii)

~~FOG CONTROL PROGRAM MANAGER~~

FOG WASTEWATER DISCHARGE PERMIT means a permit issued by the District subject to the requirements and conditions established by the District authorizing the permittee or discharger to discharge wastewater into the District's facilities or into sewer facilities which ultimately discharge into a District facility.

FOOD SERVICE ESTABLISHMENT means any establishment or commercial entity within the boundaries of the District, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood. A limited food preparation establishment is not considered a Food Service Establishment when it is engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG.

FOOD WASTE DISPOSAL UNIT means any device installed in the plumbing or sewage system for the purpose of grinding, pulping, macerating, or flushing food waste or food preparation by-products for the purpose of disposing all or portions of it to the sewer system.

GENERAL PERMIT CONDITIONS means the FOG Control Program General Permit Conditions.

GREASE CONTROL DEVICE means any grease interceptor, grease trap or other mechanism,

device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. “Grease control device” may also include any other proven method to reduce FOG subject to the approval of the District.

GREASE INTERCEPTOR or INTERCEPTOR means a multi-compartment grease control device that is constructed in different sizes and is generally required to be located outdoors, according to the California Plumbing Code, underground between a Food Service Establishment and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective. Referred to in the California Plumbing Code as a Gravity Grease Interceptor (GGI).

GREASE TRAP means an alternative grease control device that is used to serve individual or multiple fixtures and shall only be used in those cases where the use of a grease interceptor or other grease control device is determined by the District to be impracticable or infeasible. Referred to in the California Plumbing Code as a Hydro-mechanical Grease Interceptor (HGI).

NEW CONSTRUCTION means any structure planned or under construction for which a sewer connection permit has not been issued.

PRIVATE LATERAL SEWER DISCHARGE (PLSD) means any uncontrolled discharge or overflow of untreated or partially treated wastewater from a privately owned sewer system or lateral connected to the District’s sanitary sewer system.

REMODELING means a physical change or operational change resulting in the generation of FOG in excess of the current amount of FOG discharge to the sewer system by the Food Service Establishment in an amount that alone or collectively causes or create a potential for SSOs to occur; or exceeding a cost, set forth in the FOG Control Program, to a Food Service Establishment that requires a building permit, and involves any one or combination of the following: (1) Under slab plumbing in the food processing area, (2) an increase in the net public seating area meeting the criteria specified in the FOG Control Program, (3) an increase in the size of the kitchen area meeting the criteria specified in the FOG Control Program, or (4) any change in the size or type of food preparation equipment.

SANITARY SEWER OVERFLOW (SSO) means any, overflow, spill, release, discharge, or diversion of untreated or partially treated wastewater from the public sanitary sewer collection system.

7.13.3 FOG Discharge Limitations, Prohibitions and Requirements – General

- (1) **FOG Discharge Prohibition.** No Food Service establishment shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by the Board or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the Food Service Establishment to the sewer system.
- (2) **Food Service Establishment Prohibitions.** The following prohibitions shall

apply to all Food Service Establishments:

- (a) Installation of food waste disposal units in the plumbing system of new constructions of Food Service Establishments is prohibited. Furthermore, all food waste disposal units shall be removed from all existing Food Service Establishments within 180 days of the effective date of this FOG regulation, except when expressly allowed by the District.
- (b) Introduction of any additives into a Food Service Establishment's wastewater system for the purpose of emulsifying FOG is prohibited, unless a specific written authorization from the District is obtained.
- (c) Disposal of waste cooking oil into drainage pipes is prohibited. All waste cooking oils shall be collected and stored properly in receptacles such as barrels or drums for recycling or other acceptable methods of disposal.
- (d) Discharge of wastewater from dishwashers to any grease trap or grease interceptor except as permitted in the FOG Control Program, is prohibited.
- (e) Discharge of wastewater with temperatures in excess of 140°F to any grease control device, including grease traps and grease interceptors, except as permitted in the FOG Control Program, is prohibited.
- (f) The use of chemical or biological additives for grease remediation or as a supplement to interceptor maintenance, without prior authorization from the District, is prohibited.
- (g) Discharge of wastes from toilets, urinals, and other fixtures containing fecal materials to sewer lines intended for grease interceptor service, or vice versa, is prohibited.
- (h) Discharge of any waste including FOG and solid materials removed from the grease control device to the sewer system is prohibited. Grease removed from grease interceptors shall be periodically waste-hauled pursuant to local and state waste hauling regulations as part of the operation and maintenance requirements for grease interceptors.
- (i) Increasing the use of water or in any other manner attempting to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Section 7.13 and the FOG Wastewater Discharge Permit is prohibited.
- (j) Any other prohibited practice identified in the FOG Control Program from time to time, is prohibited.

(3) **FOG Wastewater Discharge Permit Required.** No person shall discharge, or cause to be discharged any wastewater from a Food Service Establishment directly or indirectly into the sewer system without first obtaining a FOG Wastewater Discharge Permit if required by the District pursuant to Section 7.13.6.

(4) **Best Management Practices Required.** Food Services Establishments shall implement Best Management Practices in their operation to minimize the discharge of FOG to the sewer system. Detailed requirements for Best Management Practices shall be specified in the permit. This may include kitchen practices and employee training that is essential in minimizing FOG discharge.

7.13.4 **FOG Pretreatment.** Food Service Establishments are required to install, operate and maintain approved type and adequately sized grease interceptors necessary to maintain compliance with the objectives of this Section 7.13. Grease interceptors shall be adequate to separate and remove FOG contained in wastewater discharges from Food Service Establishments prior to discharge to the sewer system. Fixtures, equipment, and drain lines located in the food preparation and clean up areas of Food Service Establishments that are sources of FOG discharges shall be connected to the grease interceptor. Compliance shall be established as follows:

(1) **New Construction of Food Service Establishments.** New construction of Food Service Establishments after the effective date of this FOG regulation shall include and install grease interceptors prior to commencing discharges of wastewater to the sewer system.

(2) **Existing Food Service Establishments**

(a) For Food Service Establishments existing on the effective date of this FOG regulation, the requirement to install and to properly operate and maintain a grease interceptor may be conditionally waived, that is, delayed in its implementation by the District. Terms and conditions for application of such a waiver to a Food Service Establishment shall be set forth in the permit.

(b) Existing Food Service Establishments that have reasonable potential to adversely impact the sewer system or have sewer laterals connected to enhanced maintenance areas, as determined by the District, shall install grease interceptors.

(c) Existing Food Service Establishments undergoing remodeling or a change in operations, or Food Service Establishments that change ownership, shall be required to install a grease interceptor.

(3) **Variance from Grease Interceptor Requirements.** A variance from the grease interceptor requirements to allow alternative pretreatment technology, that is at least equally effective in controlling the FOG discharge, in lieu of a grease interceptor may be granted to Food Service Establishments demonstrating that it is impracticable or infeasible to install, operate or maintain a grease interceptor.

The applicant shall bear the burden of demonstrating that the alternative method of disposal is at least equally effective. The District's determination to grant a variance will be based upon, but not limited to, evaluation of the following conditions:

- (a) There is no adequate space for installation and/or maintenance of a grease interceptor.
 - (b) There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer.
 - (c) The Food Service Establishment can justify that the alternative pretreatment technology is equivalent to or better than a grease interceptor in controlling its FOG discharge. In addition, the Food Service Establishment must be able to demonstrate, after installation of the proposed alternative pretreatment, its effectiveness to control FOG discharge through downstream visual monitoring of the sewer system, for at least six months, at its own expense. A variance may be granted if the results show no visible accumulation of FOG in its lateral and/or tributary downstream sewer lines.
- (4) **Conditional Waiver from Installation of Grease Interceptor.** A conditional waiver from installation of a grease interceptor may be granted for Food Service Establishments that have been determined to have negligible FOG discharge and insignificant impact to the sewer system. The District's determination to grant or revoke a conditional waiver shall be based upon, but not limited to, evaluation of the following conditions:
- (a) Quantity of FOG discharge as measured or as indicated by the size of Food Service Establishment based on seating capacity, number of meals served, menu, water usage, amount of on-site consumption of prepared food and other conditions that may reasonably be shown to contribute to FOG discharges.
 - (b) Adequacy of implementation of Best Management Practices and compliance history.
 - (c) Sewer size, grade, condition based on visual information, FOG deposition in the sewer by the Food Service Establishment, and history of maintenance and sewage spills in the receiving sewer system.
 - (d) Changes in operations that significantly affect FOG discharge.
 - (e) Any other condition deemed reasonably related to the generation of FOG discharges by the District.

(5) **Application for Waiver or Variance of Requirement for Grease Interceptor.** A Food Service Establishment may submit an application for waiver or variance from the grease interceptor requirement to the District. The Food Service Establishment bears the burden of demonstrating, to the District's reasonable satisfaction, that the installation of a grease interceptor is not feasible or applicable. Upon determination by the District that reasons are sufficient to justify a variance or waiver, the permit will be issued or revised to include the variance or waiver and relieve the Food Service Establishment from the requirement. Terms and conditions for issuance of a variance to a Food Service Establishment shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists.

(6) **Grease Interceptor Serving Multiple Food Service Establishments on a Single Parcel.** Property owners of commercial properties or their official designee(s) shall be responsible for the installation and maintenance of the grease interceptor serving multiple Food Service Establishments that are located on a single parcel.

7.13.5 Sewer System Overflows, Private Lateral Sewer Discharges, Public Nuisance, Abatement Orders and Cleanup Costs

(1) Food Service Establishments found to have caused or contributed to SSOs, PLSDs, or any sewer system interference resulting from the discharge of wastewater or waste containing FOG, may be ordered to install and maintain a grease control device, and may be subject to a plan to abate the nuisance and prevent any future health hazards created by sewer line failures and blockages, SSOs, PLSDs, or any other sewer system interferences. SSOs or PLSDs may cause or threaten to cause injury to public health, safety, and welfare of life and property and are hereby declared public nuisances. Furthermore, sewer lateral failures, SSOs, and PLSDs caused by Food Service Establishments alone or collectively, are the responsibility of the private property owner or Food Service Establishment, and individual(s) as a responsible officer or owner of the Food Service Establishment.

(2) FOG related PLSDs, sewer blockages, SSOs, obstruction, interference, damage, or any other impairment to the District's sewer facilities or to the operation of those facilities, and any discharge of a waste which causes or contributes to the District violating its discharge requirements established by any Regulatory Agency, incurring additional District expenses, or suffering losses or damage to the facilities shall be subject to cost recovery by the District

7.13.6 FOG Wastewater Discharge Permits for Food Service Establishments

(1) FOG Wastewater Discharge Permit Required

- (a) If required by the District under criteria established in the FOG Control Program, Food Service Establishments proposing to discharge or currently discharging wastewater containing FOG into

the District's sewer system shall obtain a FOG Wastewater Discharge Permit from the District. This requirement shall be effective 180 days from the effective date of this FOG regulation.

- (b) FOG Wastewater Discharge Permits shall be expressly subject to all provisions of this Section 7.13 and all other regulations, charges for use, and fees established by the District. The conditions of FOG Wastewater Discharge Permits shall be enforced by the District in accordance with this Section 7.13 and applicable State and Federal Regulations.
- (c) If applicable, Class I and Class II dischargers may have requirements established under Section 7.13.6 incorporated in their permits, in which event the Class I or Class II Permit shall take precedence and also serve as the required FOG Wastewater Discharge control mechanism.

(2) **FOG Wastewater Discharge Permit Application**

- (a) Any person required to obtain a FOG Wastewater Discharge Permit shall complete and file with the District prior to commencing discharges, an application on a form prescribed by the District. Applicants for FOG Wastewater Discharge Permits shall complete an application form available at the District's office. The District's FOG Control Program General Permit Conditions shall be obtained from the District office or on the District's website and reviewed by the Applicant prior to the submittal of plans. The applicable FOG plan check fees as set forth in Exhibit B, Schedule of Rates and Charges, shall accompany the application. The General Permit Conditions must also be met.
- (b) The applicant shall submit two (2) copies of all drawings for review. All drawings shall include, but not be limited to the following:
 - (1) North arrow.
 - (2) Scale size.
 - (3) User name and address.
 - (4) Drawing name and drawing number.
 - (5) Date drawn or revised.
 - (6) Name of drafter and person approving drawing.
- (c) Applicant will be required to submit site plans, floor plans, kitchen plans, mechanical and plumbing plans, and details to show all sewer locations and connections, FOG control device, grease interceptor or other pretreatment equipment and appurtenances by size, location, and elevation for evaluation. Applicant may be required to submit a schematic drawing of the grease control device, grease interceptor or other pretreatment equipment, piping and instrumentation diagram, and wastewater characterization

report. District review of plan submittals will include, among other requirements, the prohibitions specified in Section 7.13.3(2) and the requirements specified in Section 7.13.6(8) and Section 7.13.6(9). The review of the plans and procedures shall in no way relieve Applicant of the responsibility of modifying the facilities or procedures in the future, as necessary to produce an acceptable discharge, and to meet the requirements of this Section 7.13 or any requirements of other Regulatory Agencies.

(3) **FOG Wastewater Discharge Permit.** A FOG Wastewater Discharge Permit may contain any of the following conditions or limits:

- (a) Limits on discharge of FOG and other priority pollutants.
- (b) Requirements for proper operation and maintenance of grease interceptors and other grease control devices.
- (c) Grease interceptor maintenance frequency and schedule.
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device.
- (e) Requirements for maintaining and reporting status of best management practices.
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests.
- (g) Requirements to self-monitor.
- (h) Requirements for the permittee to construct, operate and maintain, at its own expense, FOG control device and sampling facilities.
- (i) Additional requirements as otherwise determined to be reasonably appropriate by the District to protect the District's systems or as specified by other Regulatory Agencies.
- (j) Other terms and conditions, which may be reasonably applicable to ensure compliance with this Section 7.13.

(4) **FOG Wastewater Discharge Permit Fee.** The initial FOG Wastewater Discharge Permit fee shall be paid by the applicant in the amount set forth in Exhibit B, Schedule of Rates and Charges. Payment of permit fees must be received by the District prior to plan approval and issuance of a new permit. All ongoing FOG permit and program fees shall be assessed through the monthly sewer service charges associated with the Food Service Establishment or property owner.

(5) **Permit Transferability, Duration; Modification of Terms and Conditions.** Permits are issued to a specific operation. They shall not be

reassigned, transferred, or sold to a new owner, lessee, new user, different premises, or a new or changed operation. Permits do not expire. However, in the event that there is a change in name, operation, ownership, or control of the food service establishment or the grease control device operation itself, the owner/operator shall notify the District within 90 days of the change. The District may require the new owner or operator to submit a new permit application

(6) The Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The District shall review the request, make a determination on the request, and respond in writing. Permit modifications are subject to the requirements set forth in Section 7.13.

(7) **Exemption for Limited Food Preparation Establishments.** A limited food preparation establishment (as determined by the District) is not considered a Food Service Establishment and is exempt from obtaining a FOG Wastewater Discharge Permit.

(8) **Pretreatment - Grease Interceptor Requirements**

- (a) All Food Service Establishments shall provide wastewater acceptable to the District, under the requirements and standards of Exhibit C, the District's Maximum Allowable Local Limits, and those established herein. Any Food Service Establishment required to pretreat shall install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the wastewater objectives prior to discharging waste to any public sewer.
- (b) Grease interceptor sizing and installation shall conform to the current edition of the California Uniform Plumbing Code. Grease interceptors shall be constructed and located in accordance with the requirements and criteria set forth in the FOG Control Program.
- (c) Grease Interceptors shall be maintained in efficient operating condition in accordance with the practices, requirements and restrictions set forth in the FOG Control Program and with a maintenance frequency approved by the District pursuant to said Program.
- (d) Food Service Establishments with grease interceptors may be required to submit data and information necessary to establish the maintenance frequency grease interceptors.

(9) **Grease Trap Requirements**

- (a) When a Variance is granted pursuant to section 7.13.4 (3), Food Service Establishments may be required to install grease traps in the waste line leading from drains, sink, and other fixtures or

equipment where grease may be introduced into the sewer system in quantities that can cause blockage.

- (b) Sizing and installation of grease traps shall conform to the current edition of the California Plumbing Code and with applicable requirements and criteria set forth in the FOG Control Program.
- (c) Grease traps shall be maintained in efficient operating condition in accordance with the practices, requirements and restrictions set forth in the FOG Control Program and with a maintenance frequency approved by the District pursuant to said Program.

(10) **Monitoring Facilities Requirements.** To ensure proper operation and maintenance of the grease control device or grease interceptor and compliance with the FOG Control Program in accordance with Section 7.13, the District may require the Food Service Establishments to construct and maintain in proper operating condition at the Food Service Establishment's sole expense, flow monitoring, constituent monitoring and/or sampling facilities, and to submit waste analysis plans, contingency plans, and meet other necessary requirements.

(11) **Best Management Practices.** All Food Service Establishments shall implement best management practices in accordance with the requirements and guidelines established by the District and set forth in its FOG Control Program in an effort to minimize the discharge of FOG to the sewer system

7.13.7 **Monitoring, Reporting, Inspection and Sampling**

(1) **Monitoring for Compliance with Permit Conditions and Reporting Requirements**

- (a) The District may require periodic reporting of the status of implementation of Best Management Practices, in accordance with the FOG Control Program.
- (b) The District may require visual monitoring at the sole expense of the Permittee to observe the actual conditions of the Food Service Establishment's sewer lateral and sewer lines downstream.
- (c) The District may require reports for self-monitoring of wastewater constituents and FOG characteristics of the Permittee needed for determining compliance with any conditions or requirements as specified in the FOG Wastewater Discharge Permit or this Section 7.13. Monitoring reports of the analyses of wastewater constituents and FOG characteristics shall be in a manner and form approved by the District and shall be submitted upon request. Failure by the Permittee to perform any required monitoring, or to submit monitoring reports required by the District shall constitute a violation of this Section 7.13 and be cause for the District to initiate all necessary tasks and analyses

to determine the wastewater constituents and FOG characteristics for compliance with any conditions and requirements specified in the FOG Wastewater Discharge Permit, the requirements and standards of Exhibit C, the District's Maximum Allowable Local Limits, or those established herein. The Permittee shall be responsible for any and all expenses of the District in undertaking such monitoring analyses and preparation of reports.

- (d) Other reports may be required such as compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate by the District to ensure compliance with this Section 7.13.

(2) **Record Keeping Requirements**

- (a) The Permittee shall be required to keep all manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for not less than two years. The Permittee shall, upon request, make the manifests, receipts and invoices available to any District representative, or inspector. These records may include:

- (1) A logbook of grease interceptor, grease trap or grease control device cleaning and maintenance practices. The logbook must be available during any inspection by a District representative or inspector. Failure to locate the logbook during an inspection, whether misplaced or lost, will result in the issuance of a replacement logbook by the District and require the Permittee to pay the logbook replacement fee in the amount set forth in Exhibit B, Schedule of Rates and Charges, for each violation. The replacement fee will be billed to the Permittee at the time of the replacement.

- (2) A record of Best Management Practices being implemented including employee training.

- (3) Copies of records and manifests of all waste hauling of interceptor contents.

- (4) Records of sampling data and sludge height monitoring for FOG and solids accumulation in the grease interceptors.

- (5) Any other information deemed appropriate by the District to ensure compliance with ~~this Section~~Section 7.13.

- (3) **Falsifying Information or Tampering with Process.** It shall be unlawful to make any false statement, representation, record, report, plan or other document that is filed with the District, or to tamper with or knowingly render inoperable any grease control device, monitoring device or method or access point required under this Section 7.13.

(4) Inspection and Sampling

- (a) The wastewater discharges of Food Service Establishments are subject to inspection and sampling in accordance with the requirements of Section 7.13.7 to ascertain whether the intent of this Section 7.13 is being met and the Permittee is complying with all requirements. District access to the Food Service Establishment premises and records for such purposes shall include grease control devices or interceptor, and manifests, receipts and invoices relating to the cleaning, maintenance and inspection of the grease control devices or interceptor.
- (b) In order for the District to determine the wastewater characteristics of the discharger for purposes of determining compliance with permit requirements, the Permittee shall make available for inspection and copying by the District all notices, monitoring reports, waste manifests, and records including, but not limited to, those related to wastewater generation and wastewater disposal, without restriction but subject to the confidentiality provision set forth in this Section 7.13. All such records shall be subject to inspection and shall be kept by the Permittee in accordance with Section 7.13.7(2).

(5) Notification of Spill

- (a) In the event a discharger is unable to comply with any permit condition due to a breakdown of equipment, accidents, or human error or the discharger has reasonable opportunity to know that his/her/its discharge will exceed the discharge provisions of the FOG Wastewater Discharge Permit or this Section 7.13, the discharger shall immediately notify the District by telephone at the number specified in the Permit. If the material discharged to the sewer has the potential to cause or result in sewer blockages, PLSDs, or SSOs, the discharger shall immediately notify the local Health Department, City or County, and the District.
- (b) Confirmation of this notification shall be made in writing to the District at the address specified in the Permit no later than five (5) working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.

Such notification shall not relieve the Permittee of any expense, loss, damage or other liability which may be incurred as a result of damage or loss to the District or any other damage or loss to person or property; nor shall such notification relieve the Permittee of any fees or other liability which may be imposed by the FOG Control

Program, this Section 7.13 or other applicable law.

7.13.8 **Enforcement.** Enforcement of the provisions of this Section 7.13 and the provisions of any FOG Wastewater Discharge Permit shall be governed by Section 7 and for such purpose the District may utilize any one, combination or all enforcement remedies provided in Section 7.6 to the extent determined by the District to be applicable to a violation under this Section 7.13. The Permittee shall be subject to all FOG Control Program non-compliance, and cost recovery fees as specified in Exhibit B, Schedule of Rates and Charges.

7.13.9 **California Building Standards Law.** Pursuant to the provisions of the California Building Standards Law, California Health and Safety Code §§ 18941.5, 17958, 17958.5 and 17958.7, the Board hereby finds that variations of this Section 7.13 from the State Building Standards and Housing Laws, more particularly the California Plumbing Code are necessary because of climatic, geological or topographical conditions of property in the District's jurisdiction, and as more specifically described below:

(1) Sections 7.13.4 and 7.13.6 modify the authority and discretion of the "Administrative Authority" of Chapter 10 of California Plumbing Code by requiring all Food Service Establishments to install and operate a grease control device, which may be a grease interceptor or grease trap, if no other device, mechanism, or process is found to successfully trap or collect or treat FOG prior to its being discharged into the sewer system.

(2) Section 7.13.6 modifies the general maintenance requirements for grease interceptors of Chapter 10 of the California Plumbing Code and establishes more stringent maintenance requirements.

(3) With respect to the foregoing differences (1) and (2), the District finds that the District's topography and geography and the District's proximity to the Pacific Ocean coupled with the general waste discharge requirements imposed by the Statewide General WDR for Sewer Systems, require the strict compliance with grease control device regulations to prevent sewer system overflows that threaten the health and safety of the public within the immediate vicinity of the overflow and downstream to the local beaches.

(4) Additional amendments and deletions to the California Plumbing Code are found to be administrative or procedural and are found to be reasonable and necessary to safeguard life and property within the District.

(5) A copy of this Section 7.13 shall be filed with the California Building Standards Commission and the California Department of Housing and Community Development by the Secretary of the Board as required by State law (Health & Safety Code Section 17958.7).

SECTION 8: MONITORING AND INSPECTION

8.1 WATER AND SEWER SYSTEMS

The Manager or his authorized representative shall have the right to enter upon the customer's premises during reasonable hours for the purpose of inspecting the customer's water and sewer systems and to ~~insure~~ensure compliance with these Rules and Regulations including the provision that self-regenerating water softeners shall not be connected to the sewer facilities of the District and the provision that all cross-connections be properly protected.

8.2 RECYCLED WATER SYSTEMS

8.2.1 Monitoring Program. The District is required by the California Regional Water Quality Control Board to conduct visual inspections at all recycled water use sites. The District is also required to conduct cross-connection tests at various recycled water use sites. The Manager or authorized representatives of the District shall monitor and inspect the entire recycled water system including both onsite and offsite facilities. The District shall conduct monitoring programs, maintain records as deemed necessary, and provide reports as requested by regulatory agencies including the California Regional Water Quality Control Board.

8.2.2 Entry. The Manager or authorized representatives of the District, in carrying out these functions, shall have the right to enter upon the customer's premises during reasonable hours for the purpose of inspecting onsite recycled water systems and areas of recycled water use to ensure compliance with these Rules and Regulations, including the requirement that runoff be controlled and limited, and the requirement that cross-connections between potable water systems and recycled water systems do not exist. Failure to allow timely entry to a District representative may result in termination of recycled water service.

8.2.3 Inspections and Testing. Every recycled water customer must provide the District with access to the site and must cooperate with the District's representative so that the District's representative can perform a visual inspection of the onsite recycled water system and/or a cross-connection test. Whenever the customer changes, the District's representative may perform an inspection and/or test to verify compliance with these Rules and Regulations. For additional information on Inspection and Maintenance of Protective Devices, Marking Safe and Unsafe Water Lines, Reporting of Pollution and Contamination and Water Service Termination, see Sections 4.10.4-4.10.7 of the Rules and Regulations.

(A) Visual inspection means an inspection of the visible portions of the on-site water systems to check for: the presence of the proper backflow prevention device(s), accurate and adequate system identification (e.g., tags, purple pipe, signage, etc.), the proper use of non-potable water (including recycled water), the absence of runoff or ponding of non-potable water (including recycled water), and the presence or absence of appurtenances.

(B) Cross-connection test means the physical operation of the water systems to detect a possible inter-connection between a potable water system and a non-potable water system (including a recycled water system). This typically includes closing valves on each system independently as well as operating the fixtures. Consistent with

Section [60316 of Title 22](#) of the California Code of Regulations, a Cross-connection test at a dual-plumbed site (as defined in [Section 60301.250](#) of Title 22) can only be administered by an American Water Works Association (California-Nevada section) certified Cross-Connection Control Specialist or equal.

- (C) The cross-connection test shall include pressure testing of the system(s) as well as a visual check of the entire system to verify that no cross-connections or unapproved uses exist. The customer or their designee will be required to operate the various systems during the test.

8.2.4 On-Site Recycled Water Supervisor Training. At least one individual at each recycled water use site, who will be known as the “On-Site Recycled Water Supervisor” or “Supervisor,” must have sufficient training to manage the systems in compliance with State, County, and local requirements. The District will provide training for the Supervisor, which training will focus on describing the things the Supervisor can and cannot do, also referred to as the “Do’s and Don’ts.” The Supervisor shall certify that he or she has received the training by signing the inspection form and shall keep a copy of the signed form and produce it to the District upon request. See Section 6.2.2 for additional requirements.

8.2.5 Supervisor’s Duties. The Supervisor is responsible for making sure the on-site recycled water systems are being maintained and identified properly, there are no cross-connections, signage is present and properly located, that recycled water is used properly, recycled water does not leave the use site, recycled water is used during the appropriate times, and to contact IRWD if any changes to the on-site systems are being considered.

8.2.6 Notification Process. The District shall notify its recycled water customers when an inspection and/or test (either or both of which are the “Work”) is required. Notification is commonly accomplished by sending a letter to the customer, although the District may also utilize electronic mail if necessary. The District shall send up to three notifications, followed by a *Notice of Violation*, as described below:

- (A) *First Notice.* The District will notify the customer when an inspection, test, or both are required. The customer will be asked to contact the District representative identified in the Notice within thirty (30) calendar days after the First Notice date to schedule the inspection and/or test, and the Work must be completed within 60 calendar days after the First Notice date.
- (B) *Second Notice.* If the customer does not schedule or complete the Work by the deadline referenced in the First Notice, the District will send a Second Notice to the customer requesting they contact the District to schedule the Work. The customer will have fifteen (15) calendar days after the Second Notice date in which to schedule the Work, and the Work must be completed within and forty-five (45) calendar days after the Second Notice date.
- (C) *Third and Final Notice.* If the customer does not schedule or complete the Work by the deadline referenced in the Second Notice, the District will send a Third and Final Notice to the customer requiring the Work to be scheduled immediately. The customer will have ten (10) calendar days from the date of the Third and Final Notice in which to schedule the Work, and the Work must be completed within thirty (30) calendar days after the Third and Final Notice date. If customer has not

scheduled or allowed the Work to be completed within the time allotted in the Third Notice, the District may issue a *Notice of Violation*.

- (D) *Computing Dates*. In computing calendar days, the time period will run from the date the notice is sent, and if the deadline falls on a weekend or District holiday, then the deadline will be extended to the next business day.

8.2.7 Notice of Violation. If the customer has not scheduled or allowed the Work to be completed within the time required in the Third and Final Notice, the District will notify the customer that recycled water service will be suspended after ten (10) calendar days if the actions described in the First Notice have not been taken. If no action is taken within the time period stated in the District's *Notice of Violation*, recycled water service may be suspended or terminated in accordance with Section 14 of these Rules and Regulations.

8.2.8 Compliance, Enforcement and Penalties. The customer must correct any part of the recycled water system that violates State regulations, County requirements, or District Rules and Regulations, at the customer's sole expense and within a reasonable time. If at any time the District determines that recycled water use site conditions do not comply with State, County, or local requirements or could jeopardize public health, the District may institute the procedure for suspending recycled water service immediately. Conditions that can create a basis for suspending recycled water service shall include, but are not limited to, the following:

- (A) Refusal to install or test the required backflow prevention device;
- (B) Refusal to repair or replace a faulty backflow prevention device;
- (C) Direct or indirect connection between a potable water system and recycled water system;
- (D) Unprotected direct or indirect connection between a potable water system and a system or equipment containing contaminants;
- (E) Unprotected direct or indirect connection between the District's recycled water system and an auxiliary water system, without prior approval of District;
- (F) A situation which presents an immediate health hazard to the District's potable water system, as determined by the health agency or the District;
- (G) Failing to design, install, operate and use recycled water system in compliance with State, County, or local requirements;
- (H) Failing to cooperate and comply with District's requirements for periodic visual inspection and periodic cross-connection testing of the water and recycled water systems at recycled water use sites;
- (I) Failing to comply with District's requirements to make necessary improvements to achieve compliance with State, County, or local requirements for recycled water use sites; or

- (J) Failing to identify an On-Site Recycled Water Supervisor for the recycled water use site.

8.2.9 Immediate Action. The District reserves the right to make an immediate determination as to the public health risk associated with any of the non-compliant conditions listed above in section 8.2.8. The District may take immediate action to suspend service if, in the sole judgment of the District, public health is at risk.

8.3 NATURAL TREATMENT SYSTEMS

Natural treatment systems that are designed and constructed by the developer shall be monitored as specified in the Procedures Guide and the NTS Design Guidelines. If, during the periods specified in the Procedures Guide and the NTS Design Guidelines, monitoring results indicate that the system is not operating as designed, the developer will provide the necessary improvements.

SECTION 9: CONNECTION FEES

9.1 GENERAL

- 9.1.1 Connection fees applicable to all property to be served will be established from time to time by the Board and set forth in Exhibit B, Schedule of Rates and Charges. The property to be served must be legally described in the application for service.
- 9.1.2 If, subsequent to the issuance of the initial permit, there is a change in owner, applicant, tenant, customer, class of use, or consumption, then the District may determine that additional connection fees are required. These additional charges will be computed on the basis of the resulting increase in service capacity and flow, or on any reclassification of user type.
- 9.1.3 Whenever a change necessitates the payment of further charges to the District, the District may compare the actual use occurring on the property (based on readings taken from the water meter(s)) with the capacity estimated to be required for existing or probable future consumption to determine whether a different use permit is required. Determination by the District in this regard shall be made in a manner and following the procedures specified for revoking a permit as set forth in Section 14 of these Rules and Regulations. Such additional amount shall be payable on the effective date of such decision specified in Section 14 and shall be delinquent thirty (30) consecutive calendar days thereafter.
- 9.1.4 Any delinquent amount shall be the responsibility of all persons, entities, or concerns who are the applicant, owner, or customer who signed the application for service or any successor thereof. Any such amount may be recovered directly from any of the foregoing by means of proceedings initiated in the proper municipal or superior court of the State of California. In addition to recovering such amount by means of judicial determination or proceeding, the District may, to the extent now or subsequently permitted by law, cause such amounts to be collected by the County Tax Collector, together with any general or special taxes or similar charges on the property to which this service has been provided, and as described in the appropriate application for service. In either event, the applicant, owner, or customer and all persons signing the application shall be liable in addition to such amount individually and collectively for all costs incurred in collecting such additional amounts to the District, as determined in the manner herein provided, including a reasonable amount for attorney's fees. Also, the District may, at its discretion, terminate water, sewer, recycled water and/or natural treatment system service in the manner provided for in these Rules and Regulations if such amounts are not paid on the date in the manner herein provided.
- 9.1.5 Land which has been designated to remain undeveloped by a governmental agency exercising land use authority and which will not receive water, sewer or recycled water service (open space) will be excluded from acreage in the

computation of density for residential connection fees and from gross acreage of any parcel in the computation of commercial-industrial connection fees.

9.2 INTERPRETATION OF CONNECTION FEES

- 9.2.1 **Manager's Determination.** If the factual situations presented in an application by an applicant, owner, or customer do not fall within the classifications set forth in Exhibit B, Schedule of Rates and Charges, the Manager shall interpret them to establish a reasonable classification and fee. In making that interpretation, the Manager shall be guided by the policy of the District set forth herein.
- 9.2.2 **Appeal.** Any applicant, owner, or customer that does not concur in Manager's determination under Section 9.2.1 may appeal that determination to the Board. The appeal must be in writing and must set forth detail and facts supporting the differences between the request of applicant, owner, or customer and the Manager's determination. The appeal must include a specific and detailed request for action proposed by an applicant, owner, or customer setting forth the exact amount of fees that the applicant, owner or customer believes should be established and must include supporting information. Preferably, such supporting information should be prepared and submitted by a Registered Civil Engineer experienced in the construction, operation, management, and financing of municipal water and/or sewage facilities.
- 9.2.3 **Special Agreement.** If the Board grants the applicant, owner, or customer's appeal, then that connection fee charge will be implemented by a special agreement between the applicant, owner, or customer and the District, including adequate guarantees and assurances of further or additional payment at such time as the proposed use of the property described in the application for such action by the Board is modified, changed, or amended, or the extent of the use of the applicant, owner, or customer exceeds that represented to District. The decision of the District in all instances shall be final, subject to administrative or judicial review, except as otherwise provided by law.

SECTION 10: WATER AND RECYCLED WATER SERVICE LINE CHARGES,
LOWER LATERAL CHARGES AND
NATURAL TREATMENT SYSTEM CHARGES

10.1 WATER AND RECYCLED WATER SERVICE LINE CHARGES

10.1.1 **Installation Charges.** The District shall impose charges for the installation of and perpetual maintenance of all service lines, water and recycled water meters, and appurtenances thereto, all of which facilities are the property of the District. These service line charges, including the water connection fees, must be paid before work will be performed. Any required backflow prevention devices on potable water services and flow or pressure control devices must be provided by the applicant, owner, or customer at his expense.

10.1.2 **Charge for Meter Only.** If the applicant provides (at no cost to the District) the water or recycled water service line and appurtenances, then the District shall impose a charge for the installation of the water or recycled water meter only. The meter will remain the property of the District. The meter charge, in addition to all other usual and regular charges of the District, including any connection fee, as set forth in Exhibit B, Schedule of Rates and Charges, must be paid before work will be performed.

10.1.3 **Fire Suppression Facilities Charges.** The District shall impose charges for the installation of and perpetual maintenance of all service lines for on-site fire hydrants or automatic fire sprinkler systems, including a check valve on potable water services of a type approved by the National Board of Fire Underwriters, equipped with a bypass meter, but not including the downstream control valve, if required by the customer, all to remain the property of the District. Said charges, in addition to all other usual and regular charges of the District, including any specified connection fee, as set forth in Exhibit B, Schedule of Rates and Charges, must be paid before work will be performed.

10.1.4 **Extraordinary Work.** Whenever an installation is required by an applicant that is not covered by the schedule of charges established from time to time by the Board and set forth in Exhibit B, Schedule of Rates and Charges, such work will be done with charges based upon an estimate of costs made by the District. If a water or recycled water service line exceeds 50 feet in length, or for any other valid reason it cannot be installed for the amount stated in the appropriate schedule of charges set forth in Exhibit B, Schedule of Rates and Charges, owing to the peculiarity of the proposed service, the District reserves the right to make said installation. A deposit will be required to cover estimated costs prior to the performance of any work. Upon completion of the service installation, the deposit will be adjusted based on actual costs. If actual costs differ ~~the from~~from the deposit amount, the applicant, owner, or customer shall be invoiced by the District for the excess of the actual cost over the deposited ~~amount, or~~amount or refunded the difference if less than the deposit.

10.1.5 **Relocation.** Whenever water or recycled water service lines, meters, fire hydrants, or other appurtenances are requested to be moved by the applicant for

any reason whatsoever, a deposit will be required to cover estimated costs prior to the performance of any work. Upon completion of the service relocation, the deposit will be adjusted based on actual costs. If actual costs differ from the deposit amount, the applicant, owner, or customer shall be invoiced by the District for the excess of the actual cost over the deposited ~~amount, or amount or~~ refunded the difference if less than the deposit.

10.1.6 Temporary Service Connection. A temporary service connection may be installed for customer use over a period of time not exceeding ~~six-twelve~~ (126) months. For each such connection, ~~the customer an application shall be filed an~~ application in accordance with the provisions of Section 4.2 of these Rules and Regulations. ~~The Rates-District will to be charged rates~~ for water used from ~~such a temporary service~~ connection ~~shall be~~ in accordance with “Temporary Construction Service” contained in Exhibit B, Schedule of Rates and Charges. The user of a temporary recycled water service shall designate an “Onsite Recycled Water Supervisor” in accordance with the requirements of Section 6.2.2(1) of these Rules and Regulations. 6.2.2.-A customer using a temporary service connection must use a temporary construction meter connection must be used according to the District’s policies and procedures. Any temporary service connection -and may be removed at the discretion of the District.

10.2 LOWER LATERAL CHARGE

10.2.1 Installation Charge. The District will impose a charge for the installation of a lower lateral and connection to the customer’s upper lateral. Said charges, in addition to all other usual and regular charges of the District, including the sewer connection fee, must be paid before the work is performed. Such work will be done with charges based upon an estimate of costs made by the District. Any required backwater valves and appurtenances must be provided by the applicant, owner, or customer at his expense.

10.2.2 Relocation. Whenever lower laterals, manholes, or other appurtenances are requested to be moved by an applicant for any reason whatsoever, the charges shall be made on the basis of an estimate of costs by the District. The charges herein required are in addition to all other charges required by the District for sewer service and are payable pursuant to arrangements approved by the Board. A deposit will be required to cover estimated costs prior to the performance of any work. Upon completion of the service relocation, the deposit will be adjusted for actual costs. If actual costs differ from the deposited amount, the applicant, owner, or customer shall be invoiced by the District for the excess of the actual cost over the deposited ~~amount, or amount or~~ refunded the difference if less than the deposited amount.

10.3 NATURAL TREATMENT SYSTEM CHARGES

The District will impose charges for modifications to natural treatment systems requested by the developer after the system has been constructed. Those charges, in addition to all other usual and regular charges of the District, including any specified connection fee, will be as determined by the District and must be paid to the District before work will be performed.

SECTION 11: SECURITY DEPOSIT

As permitted by law, the District may require of an applicant, owner, or customer such a deposit, if deemed necessary by reason or estimated future water, sewer, and recycled water billings or if there is an instance or instances of monthly delinquency. The security deposit amount will not be less than the estimated cost of water, sewer, and recycled water service for a ~~monthly~~~~one-month~~ period or such other amount as determined by the Manager or Board.

The District may return deposits after one year at the request of the applicant, owner, or customer, but only if all bills rendered during the twelve-month period prior to the request were paid within twenty-one (21) days after presentation.

A deposit determined by the District will be required for all construction water meters.

Upon termination of service, deposit amounts not previously returned will be applied to the final utility bill and any remaining amount refunded to the applicant, owner, or customer.

SECTION 12: SERVICE CHARGES

12.1 ESTABLISHMENT OF RATES

The Board shall, from time to time, fix and establish Rates to be charged and collected for water, sewer, recycled water, and natural treatment system service supplied by the District to customers within the District and the terms, provisions, and conditions of the District's provision of water, sewer, recycled water, and natural treatment system service.~~to be effective respecting such rates for water, sewer, recycled water and natural treatment system service supplied by the District to customers within the District shall be as fixed and established by the Board from time to time~~ The District shall set forth the rates to be charged and collected ~~and set forth~~ in Exhibit B, Schedule of Rates and Charges, ~~which These rates charges shall will~~ have no effect on any existing or subsequent reimbursement agreements. This provision is in addition to and does not create an exception from~~by way of derogation of~~ any other remedies or procedures available to the District pursuant to any law or regulation or by any of the provisions of these Rules and Regulations.

12.2 RATE PROTESTS AND LEGAL OBLIGATIONS

Prior to establishing any new rate, in compliance with Articles XIII C and D of the California Constitution and the Proposition 218 Omnibus Implementation Act (Gov. Code, § 53750, et seq.), the District shall:

- (1) Notify the public in writing of the availability of the Cost of Service Report in the notice sent pursuant to subdivision (c) of Section 4 or paragraph (1) of subdivision (a) of Section 6 of Article XIII D of the California Constitution, and include in that notice:
 - (a) A prominently displayed statement that all written legal objections must be submitted within the written objection period and that a failure to timely object in writing bars any right to challenge that fee or assessment through a legal proceeding; and
 - (b) A prominently displayed description of all substantive and procedural requirements for submitting an objection to the proposed fee or assessment; and
 - (c) The process for submitting protests.
- (2) Establish a time frame for an "objection period" of not less than 45 days between mailing of the notice described above and the public hearing, during which period the public may submit a written legal objection to any aspect of the basis for the proposed fee or assessment (the "Cost of Service Report").
- (3) Make available to the public the Cost of Service Report by:
 - (a) Posting it on the District's website,
 - (b) Making it available at the headquarters of the District, and

- (c) Mailing it to any property owner upon request.
- (4) Establish a date certain for a public hearing, at which hearing the staff shall present a summary of any written legal objections from the public during the objection period and responses from staff to those objections.
 - (a) The Board may consider any protests to the proposed fee increases on the same or a different date, but only after considering all objections and responses.
 - (b) The Board may continue the hearing from time-to-time in order to provide additional time for consideration of, and responses to, any timely-submitted legal objections and/or protests.
- (5) Determine at the hearing in connection with the District's consideration of water or sewer rate increases:
 - (a) Whether the written legal objections and the District's response warrant clarifications to the proposed fee or the Cost of Service Report.
 - (b) Whether to reduce the proposed fee.
 - (c) Whether to further review the Cost of Service Report and proposed fee before making a determination on whether clarification or reduction is needed.
 - (d) Whether to proceed with the protest hearing or ballot tabulation hearing required under Section 4 or 6 of Article XIII D of the California Constitution.

12.212.3 CHANGE OF SERVICE CHARGE

The Board reserves the right to change the schedule of water, sewer, recycled water and natural treatment system service charges and other charges at any time.

12.312.4 SERVICE CHARGE BILLING

Water, sewer, recycled water and natural treatment system service charges will be rendered as part of the District water service bill at intervals of one month or multiples thereof. The District may estimate bills, based on prior consumption or other reasonable calculation in the absence of historical consumption data, and will back-bill the customer all service and other charges as set forth in Exhibit B, Schedule of Rates and Charges.

12.412.5 METERING

For the purpose of computing charges, each meter on the customer's premises will be considered separately, and readings of two or more meters will not be combined as equivalent to measurement through one meter except in those instances in which, by reason of special operating conditions, the District substitutes two or more meters of a smaller size for a single larger meter on the same service connection. In this special case, the size of service connection

shall be substituted for the size of the meter in the application of the rate ~~schedule, and~~ schedule and shall be the basis for computing charges.

The District may determine to purchase and install smart meters on any number of District owned meters for any purpose, including customer billing. Only District meters will be used to calculate charges for use in billing. Customer meters, sub-meters, or smart meters will not be used to calculate charges, unless determined to be a suitable alternative in the absence of other means, and at the sole discretion of the District. Customer owned smart metering equipment installed on District meters is prohibited as set forth in section 4.7 of these Rules and Regulations.

~~12.5~~ 12.6 TIME AND MANNER OF PAYMENT

~~12.5.1~~ 12.6.1 All bills and charges for water, sewer, recycled water and natural treatment system service hereunder are due and payable upon presentation and become delinquent twenty-five (25) days later. Bills and charges are deemed to have been presented upon having been sent electronically or deposited in the United States mail, postage paid, and addressed to the applicant, owner, or customer reflected in the records of the District. Failure to receive the bill will not release the customer from payment obligation nor will it entitle the customer to a billing discount or exempt the customer from late fees or service disconnection for non-payment. Electronic billing and automatic payment are available to the customer on request and subject to compliance with all terms and conditions for enrollment in and use of such programs.

~~12.5.2~~ 12.6.2 If payment is not received within twenty-five (25) days after presentation of the bill, a late charge will be levied on any unpaid balance and, following such notice and proceedings as may be required by law, the water and/or recycled water service may be discontinued if payment has been delinquent for at least sixty days. The District will provide required notice at least seven business days before discontinuance of service. Water and/or recycled water service shall not again be supplied until all delinquent bills, plus a restoration charge, which is established by the Board have been paid; if the turn-on is requested to be made outside regular working hours, an increased restoration charge shall be paid before service is restored. Payment shall be made electronically, in person or by mail at the office of the District or, at the option of the District, to its authorized collectors. If a customer appeals the water bill by contacting IRWD Customer Service Department, then the District will not discontinue service while the appeal is pending.

12.6.3 Discontinuance of water service can be suspended if an adult living at the residence formally appeals the water bill with IRWD Customer Service Department or when acceptable proof of medical ~~and or~~ financial circumstances are submitted to the District and the customer agrees to an alternative payment schedule with respect to all delinquent charges. If a customer fails to comply with the alternative payment schedule for sixty days or more or does not pay the current residential service charges for sixty days or more, then the District may discontinue water service. If a customer wishes to re-establish service after it has been disconnected, the customer must pay the past due amount plus the service

restoration charge as outlined in Exhibit B, Schedule of Rates and Charges prior to restoring service. If the customer demonstrates that someone in the customer's household is a current recipient of certain state or federal programs or declares that the household income is below 200% of the federal poverty level, then the ~~District will limit the~~ customer may be eligible for a reduced's reconnection fees ~~to no more than \$50.00 during regular business hours and \$95.00 after normal working hours.~~

~~12.5.3~~12.6.4 Discontinuance of service by reason of delinquent bill shall not automatically constitute revocation of permit. However, such delinquency may be considered as sufficient reason for revocation of permit in accordance with provisions of these Rules and Regulations.

~~12.6~~12.7 **VARIANCE FROM RESIDENTIAL RATE STRUCTURE
BUDGETS; NONRESIDENTIAL ACREAGE AND BASE INDEX
REVISIONS**

~~12.6.1~~12.7.1 **Residential Variance - Procedure**

- (1) Variance request forms must be submitted to the Customer Service Department.
- (2) Variance requests will be processed by the Customer Service Department.
- (3) At the discretion of the District, the requesting customer may be required to have a water audit, which will be conducted by the District at no charge prior to review of the request.
- (4) Staff will notify a customer in writing if their variance request is denied.
- (5) Documents submitted by any customer as part of the variance procedure are reviewed and returned to the customer if requested. If the customer does not request the documentation back, it will be destroyed to protect the customer's privacy, except for information retained by the District to document variances or as otherwise required by law.

~~12.6.2~~12.7.2 **Residential Variance – Determination**

- (1) Grounds for a variance are:
 - (a) number of people residing in a dwelling unit
 - (b) medical needs
 - (c) licensed care facilities
 - (d) fire control zones (or other regulatory requirements)
 - (e) landscape area
 - (f) livestock/horses

- (g) common area washing machines
 - (h) other, as determined on a case-by-case basis
- (2) Proof acceptable to the District will be required of each ground(s) for a requested variance. The variance request form provides examples of acceptable proof.
- (3) Limitations
- (a) An approved variance will become effective on the date the request for variance was submitted to the District.
 - (b) An approved variance will be valid for a period specified by the District and must be re-confirmed on or before the expiration date to remain in effect.
- (4) Calculation of the increased budgets for approved variances will be made by the District pursuant to Exhibit B, Schedule of Rates and Charges.

~~12.6.3~~**12.7.3 Nonresidential Acreage, Base Index and Sewer Charge Revisions – Procedure**

- (1) Acreage (landscape) revision requests will be made by submitting an acre-change request to the Water Efficiency Department.
- (2) Base index (water budget) and sewer charge revision requests for commercial industrial and public authority customers will be made by submitting a request for account evaluation to the District.
- (3) At the discretion of the District, the requesting customer may be required to have a water audit, which will be conducted by the District at no charge prior to review of the request.
- (4) Staff will notify a customer or their agent in writing (including email) if their request is denied.
- (5) Documents submitted by any customer as part of the account evaluation procedure are reviewed and returned to the customer if requested. If the customer or agent does not request the documentation back, it will be destroyed to protect the customer's privacy, except for information retained by the District to document the acreage, base index or sewer service charge revision or as otherwise required by law.

~~12.6.4~~**12.7.4 Nonresidential Acreage, Base Index and Sewer Charge Revisions – Determination**

- (1) **Landscape Acreage – Grounds.** It is the obligation of the customer to provide to the District acceptable documentation of the actual area served by each metered connection. Acceptable documentation is an irrigation plan or a

controller chart (site map with irrigation zone boundaries clearly marked and square footage per zone called out) signed by a California licensed landscape architect or Irrigation Association certified irrigation designer (CID).

(2) Commercial/Industrial/Public Authority – Grounds

- (a) **Base Index.** Relevant factors will include expansion of productive capacity, water efficiency or conservation practices that can be shown to have reduced water usage, severe economic hardship, and other factors determined on a case-by-case basis.
- (b) **Sewer Charges.** Relevant factors will include evaporation, product water, irrigation, or other uses that do not discharge to the sewer, and dual plumbed connections that discharge to a shared sewer line.

(3) Limitations

- (a) An approved acreage or base index increase will become effective on the date the request was submitted to the District.
- (b) An approved acreage increase need not be resubmitted and will remain valid unless a further acreage-change is made
- (c) An approved base index increase will be valid until the account is closed or a new nonresidential tenant applies for service. When a new account is opened, the nonresidential customer will be billed at the “Base Rate” for an initial period of six months. The District will then establish a base index for the customer based on the customer’s usage for the initial six-month period and may conduct on-site surveys to ensure water efficient business and irrigation practices are in place prior to beginning to bill the customer in accordance with the applicable rate structure. In the event a new tenant accepts responsibility for an existing account and the account is not closed, the existing base index for the account will remain in effect unless and until the District, on its own review or at the tenant’s request, modifies the existing base index or establishes a new base index by implementing a six-month base index reestablishment period as described in the preceding sentence.

- (4) **Calculation.** Calculation of the increased acreage, base index, or sewer charges will be made by the District pursuant to Exhibit B, Schedule of Rates and Charges.

12.7.12.8 ADJUSTMENT OF CHARGES

12.7.12.8.1 Billing Errors. In the event ~~the District or a customer~~ of discovery of an billing error in the form of incorrect computation of charges, crossed meters, unbilled meter, or any other error, the District will determine whether it has

information from which the correct amount owed can be ascertained, and, to the extent possible, make a retroactive adjustment of the charges ~~will be made in the amount to which the District or customer has a valid legal claim. The District will assess the retroactive adjustment of the charges~~ by means of a credit or additional charge ~~to on~~ the next bill to the customer, ~~to the extent the District determines it has information from which the correct amount can be ascertained.~~

~~12.7.2~~**12.8.2 Variance Adjustment – Residential.** If a variance is approved as provided in Section 12.6.2, a retroactive adjustment of the charges to the customer may be made for no more than three months prior to the variance effective date if the District determines a retroactive adjustment is warranted in accordance with the variance request and the proof submitted by the customer.

~~12.7.3~~**12.8.3 Increase of Nonresidential Landscape or Base Index.** If a nonresidential customer's base index or landscape acreage is increased as provided in Section 12.6.4, a retroactive adjustment of the charges may be made for no more than six months prior to the effective date of the increase if the District determines a retroactive adjustment is warranted in accordance with the increase request and the proof submitted by the customer.

~~12.7.4~~**12.8.4 Residential Landscape Adjustments.** The District will authorize a retroactive adjustment of no more than three months for the purpose of establishing new landscape if the District determines a retroactive adjustment is warranted in accordance with the proof submitted by the customer. Training shall be completed if required under Section 12.7.8.

~~12.7.5~~**12.8.5 Leak Repair Adjustments – Grounds**

(1) The IRWD budget-based tiered rate structure is intended to serve as a warning sign to alert customers to possible water waste, such as a leak, by charging over-budget at the "Inefficient" and "Wasteful" tiers. When an adjustment is made for a repaired leak, the excess units of water attributed to the leak and billed in the "Inefficient", or "Wasteful" tiers are re-billed at the "Base Rate". When a customer has a leak repaired, and usage after the repair is within the customer's budget, the District will authorize an adjustment, for residential customers, of no more than two bills affected by the leak. The District may, at its discretion, authorize additional bill adjustments on a case-by-case basis for customers who encounter circumstances that cause delays to a leak repair.

(2) The customer is required to contact the District within two months of completing the repair of the leak in order to receive a leak adjustment. Training shall be completed if required under Section 12.7.8.

~~12.7.6~~**12.8.6 Nonresidential Landscape Adjustments.** To be eligible for adjustment, an over- budget charge on a single bill must exceed the minimum amount specified in the Landscape Irrigation Adjustment Form ("LIAF") instructions available at www.irwd.com.

(1) Mainline breaks and leaks are eligible for adjustment.

(2) Other non-residential landscape adjustments shall be made on a case-by-case basis at the District's discretion, based on the request and supporting documentation submitted by the customer.

(3) Adjustment requests shall be submitted on an IRWD LIAF which is available online, in accordance with the LIAF instructions. Training shall be completed if required under Section 12.7.8.

~~12.7.7~~**12.8.7** **Courtesy Adjustments – Residential and Nonresidential Customers.** An adjustment of charges not otherwise provided for in ~~this Section~~**Section** 12.7 may be authorized by the District as a courtesy adjustment for special circumstances determined on a case-by-case basis. A courtesy adjustment may include up to, but no more than six months of charges, and no more than one courtesy adjustment will be authorized within a 12-month period.

~~12.7.8~~**12.8.8** **Training Requirement for Adjustments.** For billing adjustments made under 12.7.4, 12.7.5 and 12.7.6, the District, at its discretion, may require the customer to complete a free water use efficiency training session offered or provided by the District, in order to receive the billing adjustment.

SECTION 13: SEVERABILITY

If any section, subsection, clause, or phrase of these Rules and Regulations is for any reason held to be invalid or unconstitutional, that decision will not affect the remaining portions of these Rules and Regulations. The Board declares that it would have passed said Rules and Regulations by section, subsection, sentence, clause, or phrase thereof.

SECTION 14: ENFORCEMENT AND PENALTIES

14.1 GENERAL

14.1.1 **Violation.** It is unlawful to violate any provision of these Rules and Regulations or a permit issued by the District.

14.1.2 **Notice of Violation.** The District shall notify any person found violating any of these Rules and Regulations, any permit issued by the District, or any applicable Federal, State, or local statutes, regulations, ordinances, or other requirement. The written notice of violation will state the nature of the violation and provide a reasonable time to correct that violation. The offender must, within the time stated in the notice, permanently cease all violations. This provision is in addition to and not by way of derogation of any other remedies or procedures available to the District by law, regulation, or pursuant to any of the provisions of these Rules and Regulations including, but not limited to, Section 7 and Section 15.

14.1.3 **Misdemeanor; Fines.** Pursuant to Water Code Section 35424, any violation of these Rules and Regulations is a misdemeanor, the violation of which shall, upon conviction, be subject to a fine of not less than ~~\$250~~.00 nor more than \$200.00. Pursuant to Water Code Section 377, any violation of Section 15 is a misdemeanor punishable by imprisonment in the County Jail for not more than 30 days or by fine of not more than \$1,000, and a violator may also be held civilly liable in an amount not to exceed \$10,000.

14.1.4 **Revocation.** Failure to permanently cease all violations within the time stated in the Notice of Violation will result in revocation of the permit by the District and termination of water, sewer, recycled water and/or natural treatment system service as provided in Sections 14.2 and 14.3. Violations regarding any one service may result, at the sole discretion of the Board or Manager, in termination of any combination of or all water, sewer, recycled water and natural treatment system service.

14.2 INTERIM REVOCATION

In cases where the serious nature of the violations described above require immediate action, the Board or Manager may, in the sole discretion of the Board or Manager, immediately revoke the permit on an interim basis and thereupon cease water, sewer, recycled water and/or natural treatment system service, subject to a timely decision on permanent revocation of permit pursuant to a public hearing as provided herein. In cases of sewer service termination, there shall be no discharge of any type by an applicant, owner, or customer into the District's sewer facilities.

14.3 PERMANENT REVOCATION

14.3.1 **Notice; Public Hearing.** Permanent revocation of a permit shall occur only subsequent to a public hearing held in the manner hereinafter provided. The

applicant, owner, or customer shall be given written notice ten (10) calendar days prior to a hearing on the possible permanent revocation of any permit by the District. The notice shall specify the grounds of the proposed revocation of any such permit in reasonable detail. It may but need not describe suggested corrective action acceptable to the District. Notice may be delivered personally to the applicant, owner, or customer or it may be given by depositing such in the United States mail with postage prepaid, addressed to the applicant, owner, or customer either at the address for the applicant, owner, or customer as reflected on the last equalized assessment roll of the County of Orange as defined in the Revenue and Taxation Code of the State of California.

14.3.2 **Effectiveness of Revocation.** Any action to permanently revoke the permit shall be effective ten (10) calendar days after notice of the Board's decision. The District shall notify the applicant, owner, or customer by United States mail, postage prepaid, addressed to the applicant, owner, or customer.

14.3.3 **Surcharge.** In the alternative to revocation, the District may establish a fine or penalty amount on the continuation of water, sewer, recycled water and/or natural treatment system service by the District until such time as the applicant, owner, or customer has taken action to comply with all of the herein above-described requirements for obtaining service from the District in its reasonable discretion. Any request to reestablish service subsequent to the revocation of a permit and the termination of water, sewer, recycled water and/or natural treatment system service shall be in the manner prescribed for initially obtaining service from the District, which may include the collection of a security deposit. However, in addition, the District may, in its discretion, require that an agreement and financial security conditioned upon compliance with the District's Rules and Regulations be provided in an amount, manner, and for a period of time as determined by the Board.

14.3.4 **Application.** The foregoing provisions of these Rules and Regulations apply to all permits.

14.3.5 **Waiver/Modification.** The Board, if it deems such to be in the best interest of the District, may on an interim basis or otherwise waive or modify any of the foregoing.

SECTION 15: WATER CONSERVATION AND
WATER SUPPLY SHORTAGE PROGRAM AND REGULATIONS

15.1 GENERAL

15.1.1 **Title.** This section will be known as the Irvine Ranch Water District Water Conservation and Water Supply Shortage Program.

15.1.2 **Findings**

- (1) A reliable minimum supply of water is essential to the public health, safety and welfare of the people and economy of the southern California region.
- (2) Southern California is a semi-arid region. A growing population, climate change, environmental concerns and other factors in other parts of the State and western United States make the region susceptible to water supply reliability issues.
- (3) Careful water management that includes active water efficiency and conservation measures, not only in times of drought but at all times, is essential to ensure a reliable supply of water to meet current and future water supply needs.
- (4) Article X, Section 2, of the California Constitution declares that the general welfare requires that water resources be put to beneficial use, that waste or unreasonable use or unreasonable method of use of water be prevented and that conservation of water be fully exercised with a view to the reasonable and beneficial use thereof.
- (5) California Water Code section 375 authorizes a water supplier to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.
- (6) The adoption and enforcement of a water conservation and supply shortage program is necessary to manage the District's water supply to avoid or minimize the effects of a supply shortage within the District. Such a program is essential to ensure a reliable and sustainable minimum supply of water for public health, safety and welfare.
- (7) Recycled water is produced and supplied by the District to conserve potable water. Recycled water, like potable water, must be used efficiently and is therefore included in this Program.

15.1.3 **Application.** The provisions of this section apply to all persons using water in any area of the District in which the District provides retail water service, regardless of whether any person using water has a permit or contract for service with the District and applies to all potable and recycled water supplied by the District.

15.1.4 **Water Shortage Contingency Plan.** The District has adopted a Water Shortage Contingency Plan pursuant to Water Code Section 10632. The Water Shortage Contingency Plan, as amended from time to time, describes the

restrictions and other response measures that can be implemented by the Board in declaring a water shortage level and provides policy considerations, criteria and other guidance for the selection and implementation of these measures.

15.2 DECLARATION OF PURPOSE AND INTENT

- 15.2.1 The purpose of this section is to establish a water conservation and supply shortage program that will reduce water consumption within the District through conservation, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, and maximize the efficient use of water within the District to avoid and minimize the effect and hardship of water shortage to the greatest extent possible.
- 15.2.2 This section establishes permanent water use efficiency standards intended to alter behavior related to water use efficiency for non-shortage conditions and further establishes six levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergency, with measures designed to achieve progressively greater levels of conservation in response to worsening shortage or emergency conditions and decreasing supplies.
- 15.2.3 This section is intended to complement and be used in tandem with the budget-based tiered pricing structure adopted by the District in 1991 and implemented under Section 12.1 of these Rules and Regulations on an ongoing basis as part of the District's rates and charges. The budget-based pricing structure encourages use within a water budget through a significantly tiered commodity pricing system and discourages wasteful use. The response measures for the levels of water supply shortage include a set of measures, referred to as "demand management" measures, that can be implemented through the budget-based pricing structure. Any modifications to the pricing structure must be consistent with the provisions of Proposition 218.

15.3 EXEMPTIONS

- 15.3.1 The General Manager may permit an exemption from the permanent restrictions set forth in 15.4 or restrictions implemented pursuant to the Water Shortage Contingency Plan during a shortage level under 15.5, upon a finding that enforcement of the applicable restriction would either (1) cause an unnecessary and undue hardship to the applicant or the public, or (2) would cause or threaten an emergency condition affecting the health, sanitation, fire protection, or safety of the applicant or the public.
- 15.3.2 The General Manager of the District or his designee may require the use of any water conservation devices or practices as he deems appropriate as a condition of the exemption permit. He shall promulgate a list of approved devices.
- 15.3.3 Section 12.6 sets forth the procedures to apply for variances from water budgets under the budget-based tiered pricing structure.

15.4 GENERAL PROHIBITIONS AND ONGOING MEASURES

15.4.1 **Prohibitions.** The following prohibitions are in effect at all times, regardless of whether any declared shortage condition is in effect.

(1) **Gutter Flooding** - No person shall cause or permit any water furnished to any property within the District to run or to escape from any hose, pipe, valve, faucet, sprinkler, or irrigation device into any gutter or otherwise to escape from the property if such running or escaping can reasonably be prevented.

(2) **Leaks** - No person shall permit leaks of water that he has the authority to eliminate.

(3) **Washing Hard Surface Areas** - Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards.

(4) **Waste** - No person shall cause or permit water under his control to be wasted.

(5) **Washing of Motor Vehicle** – No person shall wash a motor vehicle with a hose not fitted with a shut-off nozzle.

(6) **Use of Potable Water in a Fountain** – No person shall use potable water in a fountain or other decorative feature, except where the water is recirculated, or recirculation would cause a public health safety or sanitary hazard.

(7) **Application of Potable Water to Outdoor Landscapes** – No person shall apply potable water to outdoor landscapes during and within 48 hours of measurable rainfall.

(8) **Irrigation of Public Street Medians** – No person shall use potable water to irrigate ornamental turf on public street medians during a declared shortage or pursuant to any regulation adopted by the State Water Resources Control Board.

(9) **Single Pass Cooling** – No person shall operate a single pass cooling system.

(10) **Commercial Car Washes** –

(a) All new commercial car washes must be equipped with and operate recirculating systems.

(b) Existing car washes with recirculating systems must maintain and operate the recirculation system.

(11) **Potable Irrigation of Nonfunctional Turf** – No person shall use potable water to irrigate nonfunctional turf on publicly owned landscapes effective after January 1, 2027. No person shall use potable water to irrigate nonfunctional turf ; -on commercial, industrial and institutional owned landscapes effective after January 1, 2028. ; No person shall use potable water to irrigate nonfunctional turf on homeowners' associations

common area landscapes effective after January 1, 2029. No person shall use potable water to irrigate nonfunctional turf and on publicly owned landscapes located within disadvantaged communities (DAC) effective after January 1, 2031 or upon the date availability of state funding for turf conversion to climate appropriate landscapes within DACs becomes available. However, the use of potable water is not prohibited to the extent necessary to ensure California Water Code section 10608.14 includes consideration for the health of trees and perennial non-turf plants or as necessary to address an immediate health and safety need.

15.4.2 **Demand Management.** When a declared shortage condition is not in effect, basic water budgets established by the District under the water budget-based tiered pricing structure will be limited to the amount that is reasonable for the customer's needs and property characteristics and will exclude wasteful use. Reductions may be applied to basic budgets to establish a reasonable amount during a declared shortage condition, as specified herein.

15.5 IRWD WATER SUPPLY SHORTAGE LEVELS

15.5.1 **General.** The District's Water Shortage Contingency Plan provides representative measures that may be implemented during water shortage resulting from drought conditions or system interruptions. The measures may be applied individually or in combination and may vary according to the severity and duration of the shortage.

15.5.2 **Shortage Levels.** The following are the levels of shortage which may be declared by the Board in the manner prescribed by applicable provisions of the California Water Code, the approximate ranges of conditions the levels represent and the reductions to be achieved:

(1) Level One (Shortage Warning): Up to 10% shortage. Measures selected would be designed to achieve the following voluntary actions:

- (a) Increase public awareness of the water supply situation and conservation opportunities
- (b) Reduce over-irrigation
- (c) Reduce over-budget use
- (a)(d) Encourage diligent repair of water leaks

(2) Level Two (Significant Shortage Condition): 11-20% shortage. Measures selected would be designed to incorporate the objectives listed under Level One, and achieve the following further reduction in use:

- (a) Discourage filling of fountains, pools and water features and other discretionary uses
- (b) Potential adjustments to outdoor water budgets to target

discretionary uses for residential and landscape customers to be specified in the shortage declaration

(c) Establish water waste reporting hotline

~~(a)~~(d) Expand conservation programs and projects, including workshops

(3) Level Three (Severe Shortage): 21-30% shortage. Measures selected would be designed to incorporate the objectives listed under Level Two, and achieve the following further reduction in use:

(a) Implement a public outreach campaign to increase public awareness

(b) Enhance incentives for water saving devices and programs

(c) Targeted outreach to high use non-residential customers

~~(b)~~(d) Potential further reductions to outdoor water budgets to a level that sustains only drought-tolerant landscaping

(4) Level Four (Severe Shortage): 31%- 40% shortage. Measures selected would be designed to incorporate the objectives listed under Level Three, and achieve the following further reduction in use:

(a) Further reduce or eliminate discretionary uses

(b) Implement direct install programs to retrofit inefficient devices and landscape equipment

(c) Reductions to water budgets for commercial, industrial and public authority customers, while minimizing economic impacts

~~(a)~~(d) Elimination of specific municipal uses such as non-required hydrant flushing, street cleaning and water-based recreation

(5) Level Five (Crisis Shortage): 41%- 50% shortage. Measures selected would be designed to incorporate the objectives listed under Level Four, and achieve the following further reduction in use:

(a) Implement pay to save incentive programs for industrial customers

(b) Potential adjustments to residential and landscape water budgets to the elimination of all non-recycled water outdoor uses

~~(a)~~(c) Cease all non-recycled water outdoor water uses for landscape and agriculture, subject to reserved rights relating to local wells

(6) Level Six (Crisis Shortage): More than 50% shortage. Measures selected would be designed to incorporate the objectives listed under Level Five, and achieve the following further reduction in use:

- (a) Potential adjustments to water budgets to target all uses not required for health and safety
- (b) Use of flow restrictors on severely over-budget accounts that are non-responsive to outreach
- (c) Possible discontinuation of non-health and safety services in order to achieve the necessary demand reductions
- ~~(a)~~(d) Other mandatory restrictions and enforcement, as necessary

15.5.3 Price Adjustments. Generally, in all Levels, it is anticipated that the District will use voluntary customer response measures and demand management measures implemented under Section 12 through the adjustments in the budget-based pricing structure. Any adjustments to the pricing structure would require conformance to the requirements of Proposition 218.

~~15.5.3~~**15.5.4 Crisis Shortage Measures.** Response measures during Levels Five and Six are anticipated to also include restrictions or prohibitions, but this will be determined by the District in its discretion at time of implementation. To achieve the reductions indicated above under the various levels, the conservation measures that may be implemented by the shortage declaration are listed below, shown with the levels in which they are anticipated to be used. Reference is made to the Water Shortage Contingency Plan for a more detailed discussion of response measures and the manner in which they may be used in the various shortage levels. At the time of declaring a level of shortage conditions, the Board in its discretion will determine the particular response measures that will be implemented. The list below is intended to be illustrative and not exclusive, and does not preclude the implementation of measures in a different level from the level(s) shown or the implementation of other measures in lieu of or in addition to those described below or in the Water Shortage Contingency Plan:

- (a) Enhanced public awareness campaign (all Levels)
- (b) Intensified use of surveys/assistance for customers in highest budget tiers (all Levels)
- (c) Reduction of basic water budgets (all Levels)
- (d) Adjustment of pricing tier thresholds, shifting usage into higher tiers (Levels Two, Three, Four, Five and Six)
- (e) Restriction of uses (Level Four)
- ~~(a)~~(f) Prohibition of uses (Levels Four, Five and Six)

15.5.5 Implementation. The demand management measures included in the list above will be implemented through changes in the District's budget-based tiered pricing structure designed to strengthen the pricing signal and achieve desired water savings in

the declared shortage level, including changes in the budget based water budgets of customers or customer classes (residential, landscape, commercial, etc.), changes in the usage volumes subject to the pricing tiers, and changes in the applicable commodity rates for the tiers. These changes will be implemented under Section 12 through the adoption of a revised Exhibit B, Schedule of Rates and Charges.

15.5.6 Application. The general prohibitions specified in Section 15.4.1 apply to the use of potable (domestic), untreated and recycled water. The application of shortage level response measures or restrictions may vary as to type of water service. In the implementation of measures or restrictions on potable water service through the declaration of a shortage level, the District will determine and set forth how and to what extent, if any, such measures or restrictions, or different measures or restrictions, will be applied to non-potable water services furnished by the District.

15.6 REPORTING AND ENFORCEMENT

15.6.1 Measures implemented through budget-based tiered pricing structure. As described in Section 15.2, the District's budget-based tiered pricing structure complements and is used in an integral manner within the water conservation and water supply shortage program. As part of the program, the pricing structure performs both reporting and enforcement functions.÷

- (1) ~~(1)~~ **The** billing of water usage within the various pricing tiers serves as an effective reporting mechanism to identify customers who are overusing water or may be using water in discouraged or prohibited manners, and tells the District and the District's customer what amounts of conservation are being achieved and where high usage should be the focus of additional effort; and ~~(2)~~ the effectiveness of the budget-based tiered pricing structure means that the rate structure and adjustments to it can achieve the same result ~~as, and as and~~ be used by the District in lieu or partially in lieu of, restrictions and enforcement measures in times of declared shortage conditions. As a ~~result~~result, the response measures in Section 15.5 include demand management measures to be implemented through the budget-based tiered pricing structure, which is enforced through the District's billing procedures.

15.6.2 Enforcement of Restrictions

(1) ~~This Section~~Section 15 and Section 4 are part of the District's water conservation program and are adopted pursuant to Water Code Section 376. Subject to appeal to the Board of Directors, the General Manager may take any measures authorized under Water Code Section 377 to hold a person civilly liable for violation of the District's water conservation program.

(2) Prior to enforcement of the restrictions pursuant to Section 15.4 (General Prohibitions) and 15.5 (Shortage Restrictions), any person who is suspected of violating the restrictions hereby imposed shall be given a preliminary notice in writing of such violation, with the description of violation set forth in such preliminary notice. Such person shall have 24 hours to correct such ~~violation,~~ ~~or violation or~~ terminate the use. If the violation is not corrected or the use not terminated, the General Manager may immediately:

(a) disconnect service,

(b) install flow-restricting devices restricting non-health and safety related water service, or

(c) order issued a second preliminary notice.

(3) Service disconnected or restricted pursuant to 1(a) or 1(b) above will be restored only upon payment of the turn-on and other charges fixed by the Board of Directors as provided in these Rules and Regulations.

(4) Any other sanctions or penalties that the District is presently authorized to impose or that the District may at some future time be authorized to impose may be imposed to enforce this prohibition of water wastage.

(5) From and after the publication or posting of any ordinance or resolution implementing any restrictions or mandatory measures under the Water Shortage Contingency Plan, violations thereof shall be misdemeanors punishable by imprisonment in the County Jail for not more than 30 days or by fine of not more than \$1,000, or both, or as otherwise provided by law or such resolution or ordinance.

SECTION 16: WATER WELLS

16.1 PURPOSE

16.1.1 The District has an important interest, along with other appropriate regulatory agencies, in monitoring the groundwater basin located within its boundaries to obtain information as to its quantity, quality and other characteristics on an historical and ongoing basis. Many wells have been constructed and operated within the District for agricultural purposes by private users. From time to time, due to increasing urbanization, some of these wells are no longer needed as production wells.

16.1.2 The purpose of this section is to regulate the construction and reconstruction of all existing and future water wells, to provide for the destruction or other use of abandoned wells, and to provide for the initiation and completion of corrective measures relative to wells within the District, to accomplish the following:

- (1) To protect the quality of the groundwater within the District;
- (2) To protect the health, safety, and welfare of the residents of the District;
- (3) To protect the capability of the District to produce and distribute water for the use, benefit and protection of the residents of the District;
- (4) To avoid premature destruction of wells that can be converted to monitoring or production use.

16.2 DEFINITIONS

16.2.1 “**Destruction**” of a well means the complete filling and sealing of the well in accordance with the procedures outlined in the standards incorporated into this Section.

16.2.2 “**Well**” means any excavation constructed by any method for the purpose of extracting water from or injecting water into the underground, for providing cathodic protection or electrical grounding of equipment, for making tests or observations of underground conditions, or for any other similar purpose. Wells shall include, but shall not be limited to, community water supply wells, individual domestic wells, industrial wells, agricultural wells, cathodic protection wells, electrical grounding wells, test and exploratory holes, observation wells, saltwater barrier wells, and other wells whose regulation is necessary to fulfill the purpose of this chapter as determined by the Manager. Wells do not include:

- (1) Oil and gas wells, geothermal wells, or other wells constructed under the jurisdiction of the State Department of Conservation, except any such wells converted to use as water wells;
- (2) Wells used for the purpose of dewatering excavations during construction, monitoring high groundwater during construction, monitoring or ascertaining the existence of groundwater contamination, or stabilizing hillsides or earth

embankments; or

(3) Wells less than 50 feet in depth or 6 inches in diameter.

(4) Other wells whose regulation is not necessary to fulfill the purpose of this chapter as determined by the Manager.

16.2.3 A well will be presumed to be “abandoned” when it has not been used for its intended purpose for a period of one year.

16.3 PROHIBITED ACTS — PERMITS REQUIRED

16.3.1 No person, firm, or private or public corporation or agency shall construct or reconstruct any well within the boundaries of the District unless such construction or reconstruction is carried out pursuant to and in conformance with a written permit issued for that purpose by the Manager as provided in this Section.

16.3.2 No owner or operator of an existing well shall allow it to remain in an unused condition except in accordance with Section 16.4. An used well determined to be abandoned shall be destroyed pursuant to and in conformity with the requirements of the District as set forth in this Section unless the Manager determines that the District desires to acquire and equip the well for monitoring or production purposes.

16.4 UNUSED WELLS — DETERMINATION OF NONABANDONMENT

16.4.1 If a well has not been used for any of the purposes set forth in the definition of “well” for a period of one year, such well shall be presumed to have been abandoned, and the burden of proof shall thereupon be upon the owner or operator of the well to establish to the satisfaction of the Manager that the well has not been abandoned and that the owner and operator intends to continue to use the well for the intended purposes. The Manager shall require a written declaration under penalty of perjury concerning intended future use to be filed by the owner or operator of the well before the Manager determines that the well has not been abandoned. Application for the renewal of a determination of nonabandonment shall be required to be presented to the Manager by the owner or operator at the beginning of each calendar year. Such renewal applications shall be accompanied by a new written declaration filed under penalty of perjury. Test holes and exploratory holes shall be considered abandoned twenty-four hours after construction work has been completed unless otherwise determined by the Manager.

16.4.2 In the event the Manager determines that a well is indeed abandoned, unless the Manager determines that the District desires to acquire and equip the well for monitoring or production purposes, the well shall be destroyed within thirty days in accordance with the provisions of this chapter. However, the owner shall be given written notice of this determination by the Manager. The notice shall specify the reasons for this decision and shall notify the owner of his right to request a hearing before the Board of Directors within ten days.

16.5 PERMITS

16.5.1 Applications for permits to construct, reconstruct, or destroy any well shall be made to the Manager and shall contain or provide such information as he shall require.

16.5.2 Each application shall be accompanied by a fee which shall be established by the Board of Directors. A permit shall remain in effect for one year from the date of issuance.

16.5.3 Permits may be issued subject to any condition or requirement found by the Manager to be necessary to accomplish the purposes of this chapter.

16.5.4 A permit may be canceled, or the conditions amended by the Manager if he determines that to proceed with the work would result in a violation of the terms of the permit or of this Section.

16.5.5 In the event that a permit is denied or canceled, the applicant or permit holder shall be given written notice by the Manager, which notice shall specify the reasons for his action, and shall notify the applicant or permit holder of his right to request a hearing before the Board of Directors within ten days.

16.6 COMPLETION OF WORK — NOTICE TO MANAGER — INSPECTION

The permittee shall notify the Manager in writing upon completion of the work performed under the permit, and no work shall be deemed to have been completed until such written notification has been received. A final inspection of the work shall be made by the Manager, and no permittee shall be deemed to have complied with the provisions of this chapter of his permit until such inspection has been performed and the work approved by the Manager.

16.7 NOTICE UPON DETERMINATION OF THREAT TO WATER QUALITY, HEALTH OR SAFETY

In the event the Manager determines that a well threatens to impair the quality of the groundwater or otherwise jeopardize the health or safety of the public, he shall send written notice to the owner and shall post a copy of the notice on the property. The notice shall state the specific facts relative to the condition, the corrective measures deemed necessary, and the date on or before which such measure shall be completed. The owner shall also be notified of his right to request a hearing before the Board of Directors within thirty days from the date such notice is issued.

16.8 IMMEDIATE ABATEMENT OF THREAT TO WATER QUALITY, HEALTH OR SAFETY

If the Manager finds that immediate action is necessary to prevent impairment of the groundwater or a threat to the health or safety of the public, he may correct the condition without giving notice. The District may charge the cost of the corrective measure to the owner. However, within twenty-four hours after initiating such corrective measure, the Manager shall notify the owner of the time, date and place at which a hearing shall be held by the Board of Directors relating thereto; which date shall be not less than ten nor more than thirty days after the

date of such notification.

16.9 BOARD OF DIRECTORS HEARING

- 16.9.1 At the time fixed for a hearing before the Board of Directors concerning an abandoned well, a permit, or a threat to water quality, health or safety, as provided for in this chapter, the Board of Directors shall hear and consider all relevant testimony and evidence offered by the property owner and by any other interested person.
- 16.9.2 If the Board of Directors determines that an unused well was incorrectly classified as abandoned or that a permit was improperly denied or canceled, it shall direct the Manager to reclassify the well or to issue or reinstate the permit.
- 16.9.3 If the Board of Directors finds that a threat to water quality, health or safety, as determined by the Manager, does exist, then it shall direct the Manager to take any necessary action to protect the groundwater or the health and safety of the public unless the situation is corrected by the owner on or before a date to be specified by the Board of Directors. The cost of such corrective measures by the Manager shall be charged to the owner or operator.
- 16.9.4 In instances where the Manager has corrected a condition under the immediate correction provision of Section 16.8, the Board of Directors shall ascertain and review the pertinent facts concerning the correction. If the Board of Directors determines that the Manager's actions were justified, then it shall direct that the cost be charged to the owner or operator.

16.10 STANDARDS FOR CONSTRUCTION, RECONSTRUCTION OR DESTRUCTION

Standards for the construction, reconstruction, or destruction of wells shall be the standards recommended in the State Department of Water Resources Bulletin No. 74, Chapter II, and future amendments thereto. Standards for the construction, reconstruction, or destruction of cathodic protection wells shall be the standards recommended in the State Department of Water Resources Bulletin No. 74-1, and future amendments thereto.

16.11 VIOLATION — PENALTY

Any violation or failure to comply with any of the provisions of this Section shall be handled as provided in herein and shall also be subject to Section 14 as applicable.

16.12 AGREEMENTS

The District may enter into agreements with property owners concerning the drilling or abandonment of wells and/or other matters covered in this ~~Section, and~~ Section and providing for alternate or modified methods of meeting certain of the requirements contained herein. In such cases, the agreement(s) will govern as to the applicability of the affected requirements, in the area(s) subject to such agreements.

16.13 NO LIABILITY ASSUMED

Notwithstanding the provisions of this Section permitting or requiring the District or Manager to issue permits, make determinations and/or take corrective measures relative to construction, reconstruction abandonment and destruction of wells and quality of groundwater, the District assumes no liability to the property owners or operators of wells or any third parties, for the making of or failure to make any such determination, or the taking of or failure to take any such measure, or the issuing of or failure to issue any such permit.

SECTION 17: DISTRICT NATURAL TREATMENT SYSTEM FACILITIES

17.1 GENERAL

The District, in cooperation with the County of Orange and various local cities, is developing a network of constructed water quality wetlands and bioretention cells designed to treat urban runoff within the drainage watersheds that are completely or partially within the District boundaries. These constructed water quality wetlands and bioretention cells are also known as natural treatment systems (NTS).

Developers shall provide for the design, construction and establishment of one or more natural treatment systems per the Procedures Guide, the District's Natural Treatment System Master Plan, the NTS Design Guidelines and these Rules and Regulations to treat urban runoff from their proposed development and reduce pollutants to the levels set by the regulating agencies. If permissible, and at the District's discretion, these natural treatment systems may be located within first flush stormwater retention basins provided by the developer to comply with other regulatory requirements. If, during the period specified in the Procedures Guide and the NTS Design Guidelines, the natural treatment system's level of treatment provided does not meet other regulatory requirements the District, at its discretion, may act on behalf of the County and various local Cities to direct the developer to make corrective improvements to the natural treatment system to meet the aforementioned regulatory requirements.

The operation, maintenance and water quality monitoring of the natural treatment system will be governed by agreements between the District and the County or City, as applicable. The responsibility for regulation and enforcement of surface water runoff discharges shall remain with the County and Cities.

17.2 URBAN RUNOFF DISCHARGE PERMITS

The County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana and San Diego Regions of the Regional Water Quality Control Board are required, under the terms of their National Pollutant Elimination Discharge System Permit, to control and manage the discharge of pollutants from urban runoff. The definition and enforcement of permitted discharges into the natural treatment system will be the responsibility of the County of Orange and the co-permittees under the NPDES permit.

17.3 FEES AND CHARGES FOR USE

The applicant for Natural Treatment System service shall pay the fees and operational charges set forth in Exhibit B, Schedule of Rates and Charges, as may be amended from time to time by the District.

17.4 MONITORING AND MAINTENANCE

The District shall monitor and maintain the natural treatment system, as specified in the Procedures Guide and the NTS Design Guidelines, to ensure that the system is operating as designed. The District reserves the right to make modifications to the natural treatment system,

based on the monitoring results, to increase the water quality treatment effectiveness of the system.

The District's monitoring and maintenance shall be limited to the water quality functions of the natural treatment system operation and, and the District assumes no responsibility or liability for flood control functions of natural treatment systems or sites. The District, at its discretion, may provide water quality monitoring for the combined natural treatment system and first flush stormwater retention facilities.

17.5 CONFLICT

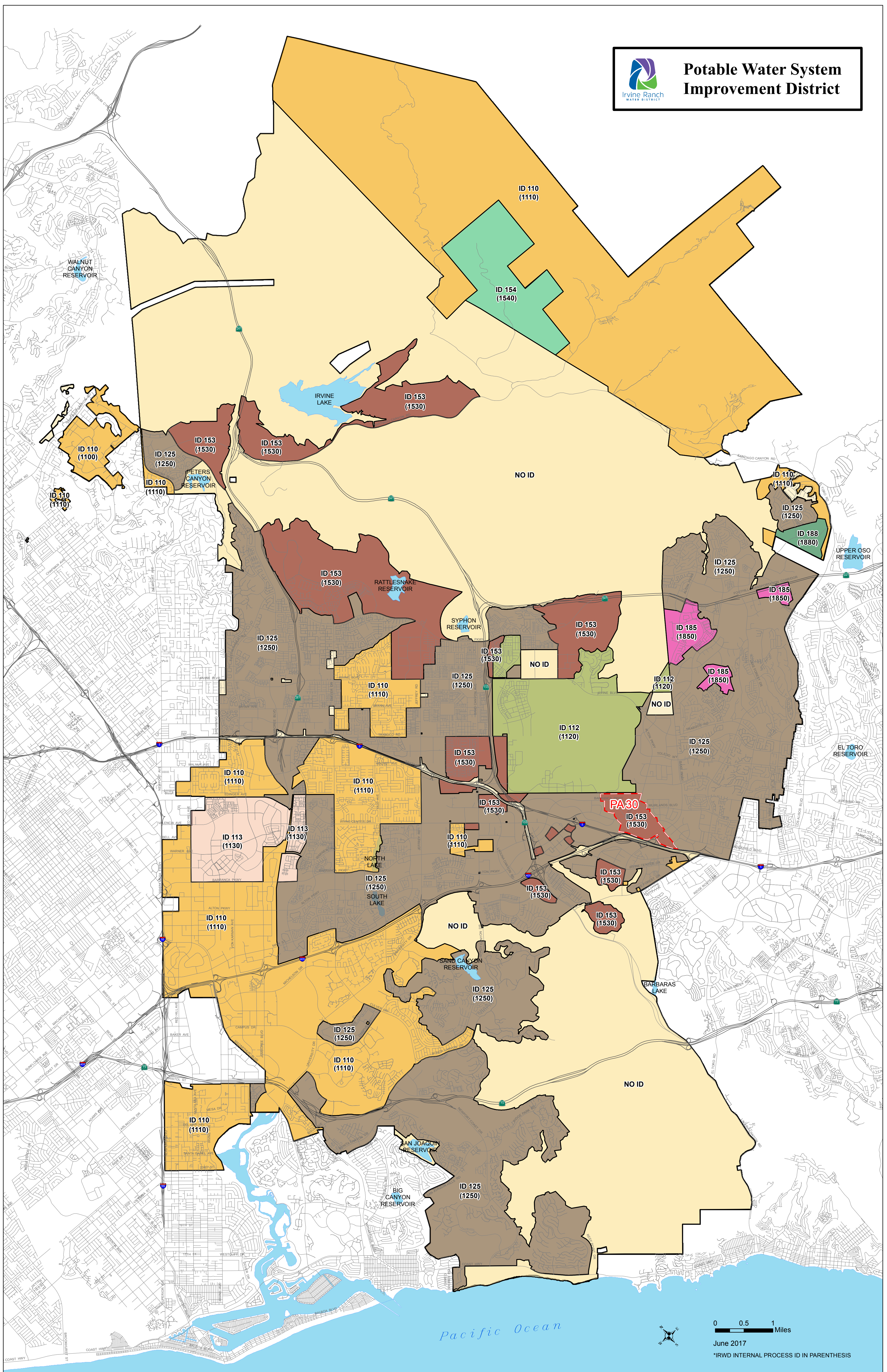
In the event that any portion of this Section pertaining to discharges to the natural treatment system is inconsistent with any other provisions of the Rules and Regulations as to that discharge, the provisions of this Section will take precedence.

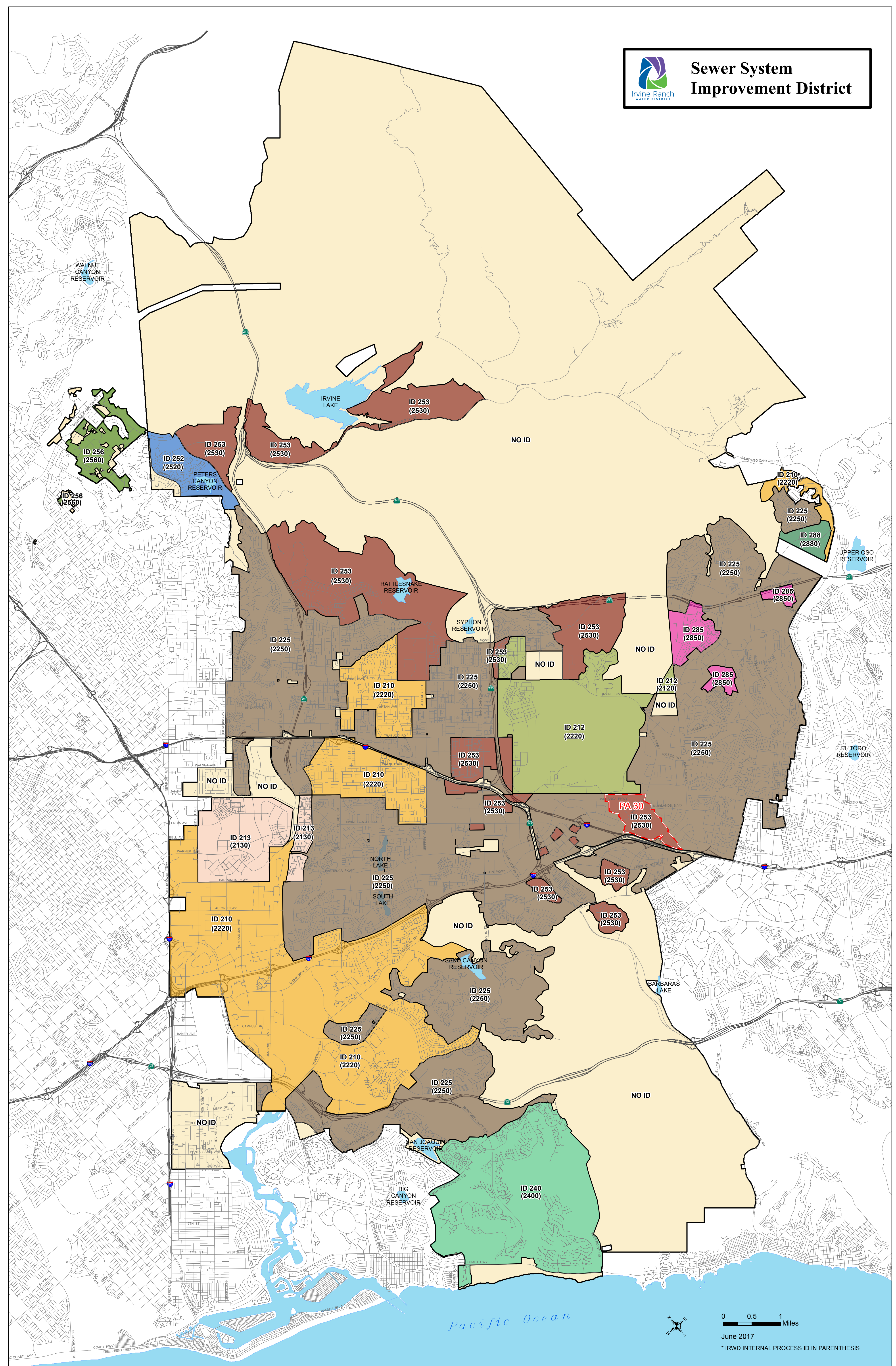
Exhibit A (Maps) – Check for updates

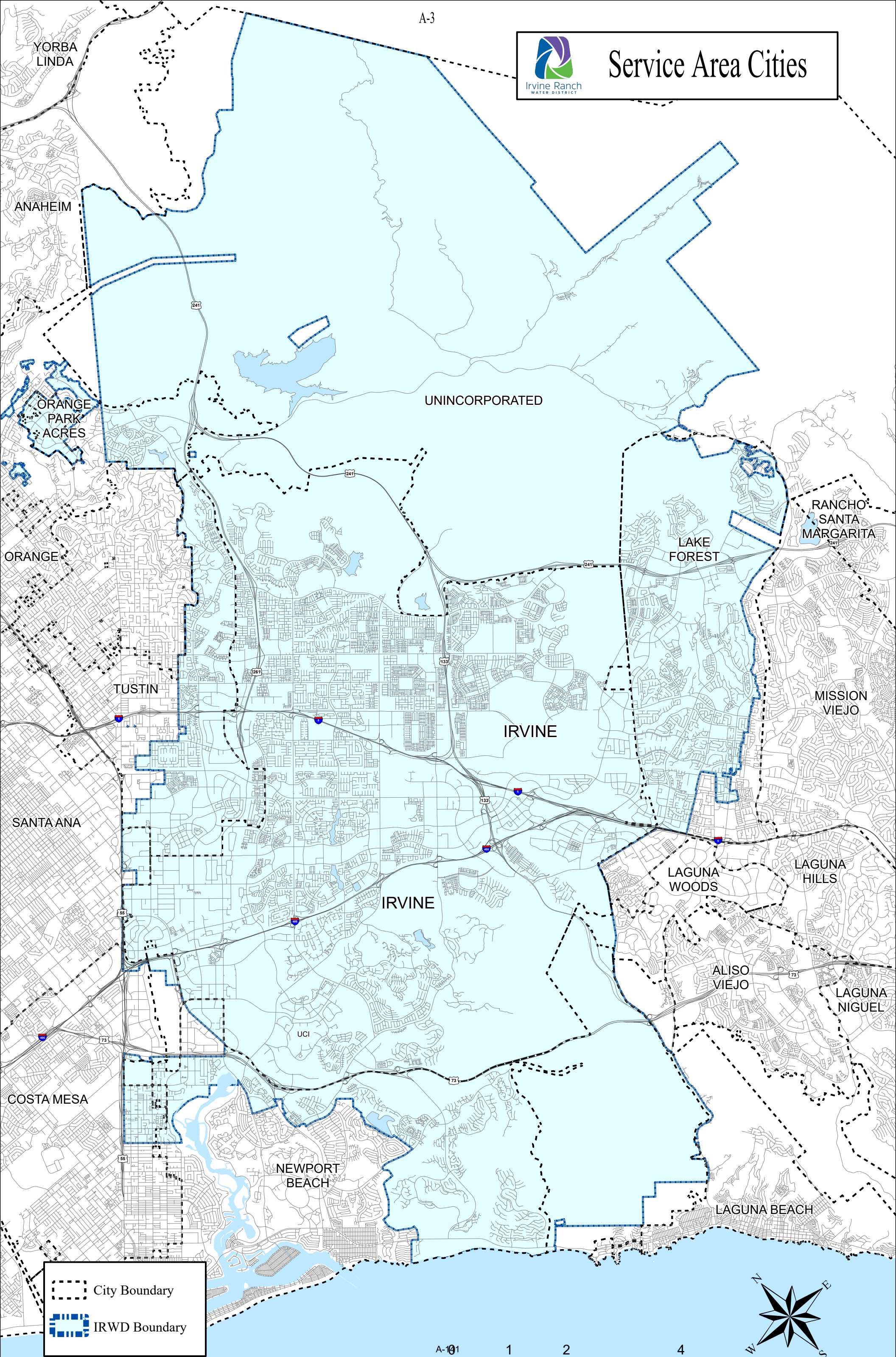
A.1. Water Improvement Districts


A.2 Sewer Improvement Districts

A.3 Cities within IRWD Boundaries










City Boundary



IRWD Boundary

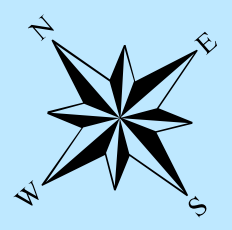


Exhibit B

Rates and Charges for Water, Sewer, and Recycled Water Service.

~~(Separate Document)~~ Please see the most currently adopted schedule of Rates and Charges, which schedule is adopted independently of the Rules and Regulations.

**EXHIBIT C to the Rules and Regulations
IRVINE RANCH WATER DISTRICT
MAXIMUM ALLOWABLE LOCAL LIMITS***

Constituent	Concentration Limit in Milligrams/Liter (mg/L)
1,4-Dioxane	1.0
Ammonia ⁽¹⁾	Mass
Arsenic	1.4
BOD ⁽¹⁾	Mass
Cadmium	0.25
Chromium (Total)	20.0
Copper	3.0
Lead	1.5
Mercury	0.03
Molybdenum	2.3
Nickel	3.2
Selenium	0.14
Silver	2.2
Zinc	9.2
Cyanide (Total)	2.4
Cyanide (Amenable)	1.0
pH (s.u.)	6.0 – 12.0
Polychlorinated Biphenyls	0.01
Pesticides	0.01
Sulfide (Total)	5.0
Sulfide (Dissolved)	0.5
Oil and grease of mineral or petroleum origin	100.0

* Users subject to Federal Categorical Pretreatment Standards may be required to meet more stringent limits.

⁽¹⁾ BOD and ammonia mass discharged will be tracked by OCSD and Users

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RESOLUTION NO. 2025-

RESOLUTION OF THE BOARD OF DIRECTORS OF
IRVINE RANCH WATER DISTRICT
RESCINDING RESOLUTION NO. 2019-32 AND ESTABLISHING REVISED
RULES AND REGULATIONS OF THE IRVINE RANCH WATER DISTRICT
FOR WATER, SEWER, RECYCLED WATER, AND
NATURAL TREATMENT SYSTEM SERVICE

California Water Code section 35423 empowers the District to establish, print and distribute equitable Rules and Regulations for the distribution of water.

The District is also empowered to exercise or use any of the powers contained in the California Water District Law in carrying out its powers and purposes to furnish sewer service and natural treatment system service, under Water Code sections 35506 and 35539.14.

By adoption of Resolution No. 2019-32 on December 16, 2019, the Board of Directors last adopted revised Rules and Regulations for Water, Sewer, Recycled Water, and Natural Treatment System Service.

From time to time, the District reviews and proposes changes to its Rules and Regulations. The Board intends by this Resolution to update definitions and promote consistent and conforming nomenclature throughout the document. In addition, changes made to specific sections as follows:

Section 4: Updates procedures for meter testing and circumstances in which IRWD may charge customers to allow for charges based on historical consumption data or other reasonable calculations.

Section 4: Updates IRWD and customer requirements regarding fire hydrants and private firelines, including permitting requirements, customer duties regarding prevention of unauthorized use, and enforcement options for IRWD to prevent unauthorized use.

Section 4: Updates backflow prevention protection requirements, including inspection and maintenance requirements, to comply with State Water Resources Control Board's cross connection control policies.

Section 6: Updates recycled water use procedures, responsibilities, and requirements associated with use of recycled water to fight nonstructural fires.

Section 10: Updates temporary service requirements to require metering of temporary service connections.

Section 12: Updates IRWD rate setting process for establishing and adopting changed water, sewer, and recycled water rates and specifies a procedure for customers to protest and legal object to new or changed rates, and amends procedure regarding billing errors.

Section 15: Updates nonfunctional turf irrigation restrictions to comply with State law.

The Board of Directors of IRWD therefore resolves as follows:

Section 1. That Resolution No. 2019-32 is hereby rescinded in its entirety.

Section 2. That the amendments to the Rules and Regulations of the Irvine Ranch Water District for Water, Sewer, Recycled Water, and Natural Treatment System Service, as shown in Attachment “A” to this Resolution and are hereby approved and adopted.

Section 3. That the provisions of this Resolution shall become effective upon adoption.

Section 4. That the Rules and Regulations, as amended as shown on Attachment “A”, shall be certified by the Secretary of this District and the Secretary is hereby ordered and directed to publish a summary of the amendments to said Rules and Regulations, together with the internet address and the physical location where the complete text of the amended Rules and Regulations may be viewed, once a week for two weeks in a newspaper of general circulation published in Orange County, California, pursuant to the provisions of Section 35424 of the California Water Code.

ADOPTED, SIGNED and APPROVED this 9th day of June 2025.


President, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

Secretary, IRVINE RANCH WATER DISTRICT
and of the Board of Directors thereof

APPROVED AS TO FORM:

Hanson Bridgett LLP

By: _____
Legal Counsel

June 5, 2025
Prepared and
submitted by: C. Compton
Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

IRWD SUPPORT FOR CANDIDATES FOR THE OFFICES OF PRESIDENT AND VICE PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES

SUMMARY:

The Association of California Water Agencies (ACWA) has issued a combined notice of election for the 2026-2027 ACWA President and Vice President and for the 2026-2027 Region Boards in an electronic format. Voting opens on July 21, 2025, and closes on September 19, 2025. Nominating resolutions and statements of support are due by June 20, 2025, for Board and Region positions.

Staff recommends that the Board support the nominations of Mrs. Carol Lee Gonzales-Brady for the position of Vice President and Mr. Ernesto Avila for the position of President of ACWA and adopt two resolutions by title indicating the District's support of these candidates.

BACKGROUND:

Every two years ACWA's members elect the ACWA President, Vice President, and Region Boards of Directors. The next election is scheduled for later in 2025, and the newly elected officers and board members will serve two-year terms beginning in 2026.

The electronic format of voting that was established for the 2023 ACWA elections was a success, and this year the election for both the officers and region boards will be conducted electronically on the same ballot. At the April 14, 2025 IRWD Board of Directors' meeting, the Board designated Vice President Steve LaMar as IRWD's voting representative for the 2025 ACWA Election.

ACWA's Voter Designation and Candidate Filing deadline is due by 5:00 p.m. on June 20, 2025. This deadline includes nominating resolutions and statements of support from member agencies. Mrs. Carol Lee Gonzales-Brady, Director of the Rancho California Water District, has been nominated for Vice President by her agency. Provided as Exhibit "A" is Mrs. Gonzales-Brady's qualifications flyer, candidate statement, and biography. A resolution of support for the nomination of Vice President of ACWA is included as Exhibit "B".

Mr. Ernesto Avila, Board President of the Contra Costa Water District, has been nominated for ACWA President by his agency. Mr. Avila's qualifications flyer, candidate statement, and biography is provided as Exhibit "C". Included as Exhibit "D" is the resolution of support for the nomination of President of ACWA.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board support the nominations of Mrs. Carol Lee Gonzales-Brady for the position of Vice President of ACWA and Mr. Ernesto Avila for the position of President of ACWA, and adopt the following resolutions by title:

RESOLUTION NO. 2025-

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT
SUPPORTING THE NOMINATION OF CAROL LEE GONZALES-BRADY
AS VICE PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES

and

RESOLUTION NO. 2025-

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT
SUPPORTING THE NOMINATION OF ERNESTO AVILA
AS PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES

LIST OF EXHIBITS:

Exhibit "A" – Mrs. Gonzales-Brady ACWA VP Candidate Information Packet
Exhibit "B" – Resolution of Support for ACWA Vice President
Exhibit "C" – Mr. Ernesto Avila ACWA President Candidate Information Packet
Exhibit "D" – Resolution of Support for ACWA President



ELECT CAROL LEE GONZALES-BRADY **ACWA VICE PRESIDENT**

PROTECTING OUR WATER, TODAY AND TOMORROW

BACKGROUND

As an elected Director of Rancho California Water District in Temecula, I understand that water issues are complex and we sometimes have different opinions on solutions. I serve as Vice-Chair for ACWA's Region 9, representing members - desert, coastal, residential, commercial, and agricultural - with diverse priorities and perspectives. ACWA's Regions statewide may be different, but we can agree on one thing - that the need for prudent, sustainable water management in California is critical.

I've served as a member on several Standing Committees, Sub-committees, Task Forces and Work Groups. My experience on our ACWA Board, on our Executive Committee, and on our Strategic Planning and Water Policy Task Forces has prepared me for our next steps as we execute the initiatives of our recently streamlined strategic plan. It will provide us with a clear, focused framework as we address water issues and position ACWA in its continued role as a strong, vital industry leader.

I earned my Bachelor of Science degree (magna cum laude) in Business Management from Pepperdine University. My professional career in procurement, contracts and strategic management has spanned federally regulated industries including water and electric utilities. I am committed to building relationships, partnerships and alliances with other water, business and community leaders. In addition to my work at ACWA, I serve on the Boards of Southern California Water Coalition and Urban Water Institute, and was twice appointed by our Board of Supervisors as a Director of a Resource Conservation District.

I'm a grower for local wineries, and my husband and I have lived on our family vineyard for over 20 years. I support important causes and my community through participation and memberships in charities, churches, associations, and advocacy groups such as the Farm Bureau and Southwest California Legislative Council.

You can learn more about me by visiting RanchoWater.com/ACWAVP. Thank you for your support.

RANCHO CALIFORNIA WATER DISTRICT (RCWD)

Vice President, Board of Directors
Elected 2017; Re-elected 2022
Past Board President (2021 & 2022)

ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA)

Executive Committee (2024-2025)
Board of Directors (2024-2025)
Region 9 Vice Chair (2024-2025)
Region 9 Board Member (2019-2025)
Committees: Membership, Communications, Election (past)
Task Forces: Strategic Planning, Water Policy (Vice Chair)

ACWA/JOINT POWERS INSURANCE AUTHORITY (JPIA)

JPIA Director, representing Rancho Water (2022-2024)

SOUTHERN CALIFORNIA WATER COALITION (SCWC)

Board of Trustees, Water Segment (2021-present)
Co-Chair, Legislative Task Force (2021-present)

URBAN WATER INSTITUTE (UWI)

Board Member (2023-present)



CAROL LEE
GONZALES-BRADY
FOR ACWA VICE PRESIDENT

Learn more about
Carol Lee by visiting
RanchoWater.com/ACWAVP



Candidate Statement

Candidate for ACWA Vice President

I am pleased to offer my Statement of Qualifications as a Candidate for ACWA Vice President. I'm passionate about delivering prudent fiscal and environmental stewardship and advocating for sound policy. My philosophy: Protect our water, today and tomorrow, with a diversified portfolio of both immediate and long-range strategies and solutions.

I was elected to the Rancho California Water District (RCWD)'s Board of Directors in 2017 and re-elected in 2022, serving two terms as Board President. I joined ACWA in 2017 and became a Region 9 Director in 2019, serving as Vice Chair for the 2024-25 term. I represent the Region on ACWA's Board of Directors, and in 2024 was honored to be elected by the Board to the Executive Committee.

Other committees and task forces include:

- Water Policy Task Force - Vice Chair
- Membership and Communications Committees
- Region 9 Membership Engagement Work Group - Chair
- Strategic Planning Task Force (past)
- Election Committee (past)

Committed to building alliances and cultivating partnerships, I also am a past Director of ACWA/JPIA and serve on other industry Boards including Urban Water Institute (UWI) and Southern California Water Coalition (SCWC) - Legislative Task Force co-Chair.

I earned my BS (magna cum laude) in Business Management from Pepperdine University. My professional career in procurement, contracts, and strategic management has spanned federally regulated industries including water and electric utilities. A native Californian and vineyard owner, I have given back to my community as an appointed Director on a Resource Conservation District Board and through charities, associations, and local advocacy groups such as the Southwest California Legislative Council.

It has been my honor to serve alongside my dedicated colleagues on the ACWA Board. I look forward to continuing to build upon ACWA's work to promote and advance the priorities, initiatives, and interests of our members.

Please visit RanchoWater.com/ACWAVP. Thank you for your support.

Biography and Qualifications

Candidate for ACWA Vice President

Carol Lee Gonzales-Brady was elected to the Rancho California Water District (RCWD) Board of Directors in 2017 and re-elected in 2022, serving as Board President for two terms. Rancho Water is a Special District that provides water and wastewater services to residential, commercial, and agricultural customers. It is the 10th largest retail water district in California (based on water sales), serves more than 150,000 people, and covers 100,000 acres of service area.



Director Gonzales-Brady has been a member of the Association of California Water Agencies (ACWA) since 2017. She joined the Region 9 Board in 2019 and currently serves as Vice Chair, representing the Region on ACWA's Board of Directors. In 2024, she was elected by the Board to the Executive Committee.

She has been active on standing committees and task forces in volunteer and appointed roles such as the Membership and Communications Committees, Communications Ag Sub-Committee, Election Committee, Region 9 Membership Engagement Work Group (Chair), Strategic Planning Task Force, and Water Policy Task Force (Vice Chair). Sound water policy, aligned with the guiding principles of ACWA's Strategic Plan, will be key as ACWA navigates complex water issues and advocates on behalf of its members.

Dedicated to building alliances and cultivating partnerships, Director Gonzales-Brady serves on the Board of Trustees of Southern California Water Coalition (SCWC) and is co-Chair of their Legislative Task Force. She is also on the Board of Directors of Urban Water Institute (UWI) and is a past Director of ACWA/JPIA, representing RCWD. Prior to her election to Rancho Water's Board, she was twice appointed by the Riverside County Board of Supervisors to the Board of Directors of their Resource Conservation District.

Director Gonzales-Brady earned her Bachelor of Science degree (*magna cum laude*) from Pepperdine University's Graziadio School of Business and Management. Her international professional experience, with an emphasis in procurement, contracts, and strategic management includes federally regulated industries such as water and electric utilities, nuclear procurement, geothermal power plant design/engineering/construction, and medical device manufacturing.

A native Californian and winegrape grower in Temecula's Wine Country, Director Gonzales-Brady and her husband have lived on their vineyard for over 20 years. She is immersed in her community and supports the outreach and assistance provided by local organizations, charities, and advocacy groups. Her volunteer efforts and memberships include Temecula Winegrowers' Association, Riverside County Farm Bureau, Temecula Valley Horsemen's Association, and Southwest California Legislative Council.

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RESOLUTION NO. 2025 –

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT
SUPPORTING THE NOMINATION OF CAROL LEE GONZALES-BRADY
AS VICE PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES

Irvine Ranch Water District ("IRWD") is a member of the Association of California Water Agencies ("ACWA").

ACWA has formed a Nominating Committee for the positions of President and Vice President for a two-year term of office beginning on January 1, 2026.

The individual who fills an officer position will need to have a working knowledge of water industry issues and concerns, possess strength of character and leadership capabilities, and be able to provide the dedication of time and energy to effectively serve in this capacity.

Mrs. Carol Lee Gonzales-Brady, Director of Rancho California Water District, has been nominated by her agency for the position of Vice President of ACWA.

The Board of Directors has reviewed Mrs. Gonzales-Brady's experience, background, and representation in various associations, and believes she possesses the qualities needed to well serve ACWA and fulfill the duties of Vice President.

THE BOARD OF DIRECTORS OF THE IRVINE RANCH WATER DISTRICT THEREFORE RESOLVES AS FOLLOWS:

Section 1. Irvine Ranch Water District hereby supports the nomination of Carol Lee Gonzales-Brady for the position of Vice President of ACWA.

Section 2. The Secretary is hereby directed to send a certified copy of this Resolution to ACWA. ADOPTED, SIGNED, and APPROVED on June 9, 2025.

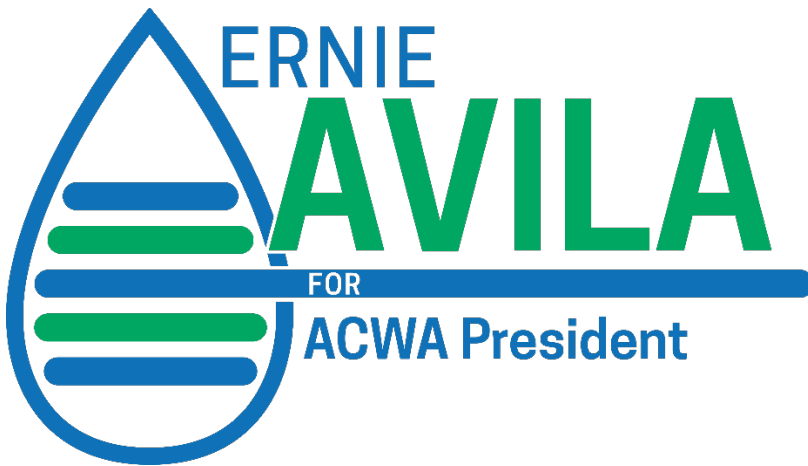
President
IRVINE RANCH WATER DISTRICT

Secretary
IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:
HANSON BRIDGETT LLP

By: _____
General Counsel

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“The Association of California Water Agencies (ACWA) truly represents the nexus of knowledge and leadership in water for California. As the current Vice-President of the Association of California Water Agencies (ACWA), I am most proud of the thought, energy and collaboration that went into developing the 2025-’29 Strategic Plan. I want to be the next ACWA President to continue the momentum we have built focusing on four primary goals of Advocacy, Connections, Education and Organizational Effectiveness. This Strategic Plan is about finding new ways to benefit the members of ACWA as we navigate the shifts in water policy at the state and federal level. My commitment is to unify our collective efforts and better assert ACWA’s leadership in shaping California’s water policy.”

– Ernesto (Ernie) Avila, P.E.

ACWA LEADERSHIP

- Vice-President
- Executive Committee of the ACWA Board of Directors
- ACWA Strategic Plan Task Force Chair
- ACWA Region 5 Board of Directors
- ACWA JPIA Executive Committee

ACWA COMMITTEES

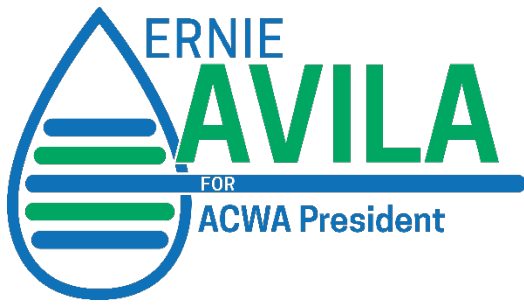
- Local Government Committee, Chair
 - Property Tax Working Group
 - Housing Densification Working Group
 - Paving Standards Working Group
- Federal Affairs Committee
- Foundation Fundraising Working Group

CONTRA COSTA WATER DISTRICT

- Contra Costa Water District, Board President
- Operations & Engineering, Committee Chair
- East Bay Leadership Council, Director

PROFESSIONAL EXPERIENCE

- Vice-President, Avila and Associates Consulting Engineers, Inc.
- Monterey Peninsula Water Management District, General Manager
- Director of Engineering, Contra Costa Water District
- California Urban Water Agencies, Executive Director



Ernesto (Ernie) Avila, PE
Board President
Contra Costa Water District

Recent ACWA and Regional Water Coalition Experience

Association of CA Water Agencies (ACWA). I have had the honor of supporting ACWA over twenty years at the regional, state and federal level. My recent ACWA experience has included serving on ACWA's:

- Vice President
- Executive Committee of the ACWA Board of Directors
- Strategic Plan Task Force Chair
- Region 5 Board of Directors
- ACWA JPIA Executive Committee of the Board
- Local Government Committee (Chair)
 - Property Tax Working Group
 - Housing Densification Working Group
 - Paving Standards Working Group
- Federal Affairs Committee
- Foundation Steering Committee
 - Foundation Fundraising Working Group



Most recently, I led ACWA's effort to develop the 2025 – 2029 Five-Year Strategic Plan. This work included revising ACWA's mission, vision and values followed by identifying four primary goals: Advocacy, Connections, Education and Organizational Effectiveness. This Plan will provide a framework to unify the ACWA community and better assert our leadership in shaping California Water Policy.

I led ACWA's assessment of potential water industry impacts associated with Sacramento-based housing initiatives including Auxiliary Dwelling Units, Commercial Properties and Transit Center Hubs and led a workshop to consider potential ACWA next steps associated with these new initiatives and their related changes to water agency fees and charges. I also participated in the ACWA Foundation Steering Committee including several related Ad Hoc committees and contributed to Federal Affairs Committee work groups associated with the Water Infrastructure Finance and Innovation Act (WIFIA).

Multi-State Salinity Coalition (MSSC). For over 20 years, I have served as Program Director and Board member of MSSC which consists over 30+ water agencies from New Mexico, northern and southern California, Nevada, Colorado, Arizona and Texas. The MSSC mission is to promote advancements in technologies for desalination, reuse, salinity control strategies (watersheds and agriculture), water/energy efficiencies and related policies that will assist communities in meeting their water needs. I also helped to establish relationships regarding salinity management and desalination with water agencies in Australia, Mexico and Israel. In February 2023, the MSSC awarded me with the **MSSC "Salt of**

the Earth” National Award for outstanding commitment, leadership, vision and dedication to our water industry.

Contra Costa Water District (CCWD). As President of CCWD, I am focused on the investments needed in infrastructure to serve our community and improve water supply reliability today and into the future. The aging Contra Costa Canal, built by the Bureau of Reclamation in 1930s, is the backbone of CCWD’s water system and essential to water system reliability for the region. In order to move forward with plans to replace the aging canal with a pipeline, I worked closely with federal legislators to secure needed legislation to transfer title of the facility from Reclamation to CCWD.

California Urban Water Agencies (CUWA). As Executive Director, I led CUWA’s effort in the development of Department of Water Resources (DWR) Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use as part of the Water Conservation Act of 2009 (Senate Bill X7-7) with our southern and northern California water agency members. I also made certain that CUWA’s finances and practices were sound and transparent.

Northern California Salinity Coalition. As Executive Director, I led a coalition of ten San Francisco Bay Area water agencies in crafting grant application strategies and DWR outreach that would demonstrate the value of supporting watershed management, brackish desalination and groundwater project associated with salinity management. Working with the Coalition agencies, we secured the largest Proposition 50 grant funding for our region.

Professional Work Experience (40 years)

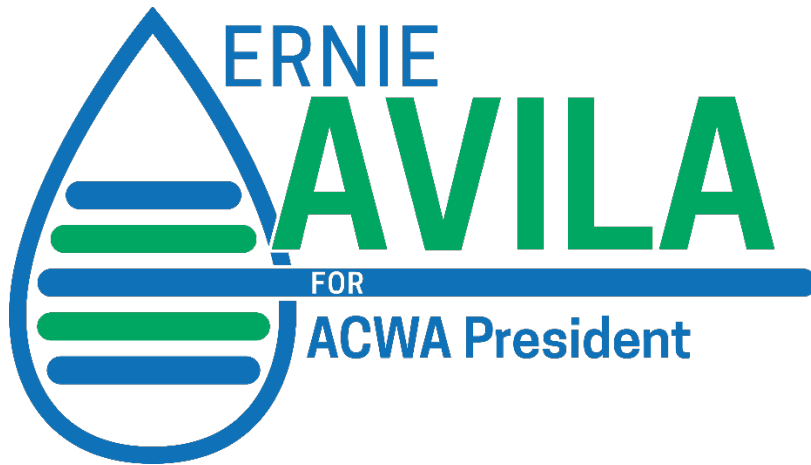
- Vice-President, Avila and Associates Consulting Engineers, Inc.
- General Manager, Monterey Peninsula Water Management District
- Director of Engineering, Contra Costa Water District
- Associate Engineer, East Bay Municipal Water District
- Construction Manager, CH2M Hill
- Professional Civil Engineer (California – C41727)

Community Service Experience

- Contra Costa Water District, President of the Board
- John Muir Community Health Fund Board of Directors (Treasurer)
- Association of California Engineering Companies – Chair of the Healthcare Trust (non-profit)
- Knights of Columbus, Scholarship Chair
- St. Francis of Assisi School Board, President
- City of Concord, CA – Planning Commission, Chair
- City of Concord, CA – Design Review Board
- City of Walnut Creek, CA – Transportation Commission, Vice-Chair

Education and Related Credentials

- B.S. – Civil Engineering, Santa Clara University
- M.B.A. – St. Mary’s College of California
- Professional Civil Engineer (California – C41727)
- California Farm Bureau Member



Candidate Statement – Ernesto (Ernie) A. Avila

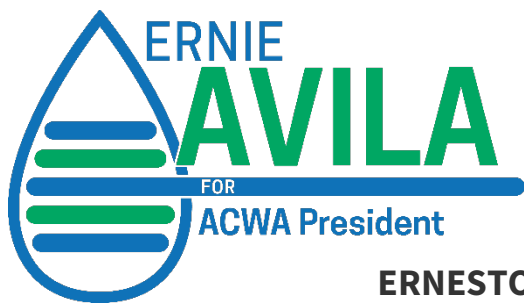
As the current Vice-President of the Association of California Water Agencies (ACWA), I am most proud of the thought, energy and collaboration that went into developing the 2025-'29 Strategic Plan. I want to be the next ACWA President to continue the momentum we have built focusing on four primary goals of Advocacy, Connections, Education and Organizational Effectiveness. This Strategic Plan is about finding new ways to benefit the members of ACWA as we navigate the shifts in water policy at the state and federal level. My commitment is to unify our collective efforts and better assert ACWA's leadership in shaping California's water policy.

I have 42 years of experience with California water as a Civil Engineer, General Manager, Executive Director of three water coalitions involving over 50 water agencies, and I currently serve as CCWD Board President. I have led or supported over \$10 Billion in California water infrastructure serving over 5 million citizens and many industries today.

I have supported ACWA for over 20 years including serving as Vice President and on the Board of Directors, the Executive Committee, the Region 5 Board, the Federal Affairs Committee, the ACWA JPIA Executive Committee of the Board, the ACWA Foundation Steering Committee and Chair of the Local Government Committee.

I would be honored to represent our members as the next President of ACWA.

Learn more at: ccwater.com/AvilaForACWAPresident



ERNESTO (ERNIE) AVILA | BIOGRAPHY AND QUALIFICATIONS

Ernesto (Ernie) A. Avila, P.E., was appointed in March 2016 to represent Division 3 for the Contra Costa Water District, which includes eastern Concord, Clayton, and part of Walnut Creek and Pleasant Hill. He began serving as President in May 2022.

Mr. Avila has over 42 years of professional experience in planning, environmental compliance, regulation, design, and construction of water, wastewater and recycled water works and municipal facilities in excess of \$10 Billion in value. He is currently Vice-President of a private civil and environmental engineering firm.

Mr. Avila has been involved with the Association of California Water Agencies (ACWA) for over twenty years at the regional, state and federal level. He currently serves as Vice President. He has also represented ACWA members on the Executive Committee of the ACWA Board of Directors, Region 5 Board, Local Government Committee (Chair), Federal Affairs Committee, ACWA Foundation Steering Committee and the ACWA JPIA Executive Committee of the Board.

Over his first year as Vice President, Mr. Avila led ACWA's effort to develop the 2025-'29 Strategic Plan which identifies four primary goals of Advocacy, Connections, Education and Organizational Effectiveness. This Plan provides clearly defined strategies and objectives to achieve each goal and 50 key performance indicators to gauge progress. The aim of this effort is to unify our collective efforts and better assert ACWA's leadership in shaping California's water policy

For the community, Mr. Avila has volunteered for many citizen-based committees / organizations including the Walnut Creek Transportation Commission, the Concord Planning Commission, the John Muir/Mount Diablo Community Health Fund, the Knights of Columbus, the East Bay Leadership Council, and the St. Francis of Assisi School Board. While working full time, he has made volunteering in the community a priority, representing his neighbors and family on important issues that affect their everyday life.

Mr. Avila is passionate about water issues in his professional life, working on a variety of issues statewide during his career. Among several relevant positions, he served as Director of Engineering at Contra Costa Water District before moving on to become General Manager of Monterey Peninsula Water Management District. He also served as Executive Director for the California Urban Water Agencies, Program Director for the Multi-State Salinity Coalition, and

is on the Executive Committee of the Association of California Water Agencies Board of Directors and ACWA JPIA. He has experience on water projects of all shapes and sizes, including water treatment plant improvements, dam retrofits, and watershed management and habitat conservation projects. In recognition of his work, Mr. Avila recently received the 2023 ***“Salt of Earth” Award*** by the Multi State Salinity Coalition for his commitment, leadership, vision and dedication to the water industry by promoting advancements in technologies for desalination, reuse, salinity control strategies, water/energy efficiencies, and related public policies that assist communities in meeting water needs.

Mr. Avila lives in Clayton with his family and is a licensed civil engineer with a Bachelor of Science in Civil Engineering from Santa Clara University and a master’s degree in Business Administration from St. Mary’s College of California. He is also a proud member of the California Farm Bureau.

RESOLUTION NO. 2025 –

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRVINE RANCH WATER DISTRICT
SUPPORTING THE NOMINATION OF ERNESTO AVILA
AS PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES

Irvine Ranch Water District (“**IRWD**”) is a member of the Association of California Water Agencies (“**ACWA**”).

ACWA has formed a Nominating Committee for the positions of President and Vice President for a two-year term of office beginning on January 1, 2026.

The individual who fills an officer position will need to have a working knowledge of water industry issues and concerns, possess strength of character and leadership capabilities, and be able to provide the dedication of time and energy to effectively serve in this capacity.

Mr. Ernesto Avila, President of Contra Costa Water District, has been nominated by his agency for the position of President of ACWA.

The Board of Directors has reviewed Mr. Avila’s experience, background, and representation in various associations, and believes he possesses the qualities needed to well serve ACWA and fulfill the duties of President.

THE BOARD OF DIRECTORS OF THE IRVINE RANCH WATER DISTRICT THEREFORE RESOLVES AS FOLLOWS:

Section 1. Irvine Ranch Water District hereby supports the nomination of Ernesto Avila for the position of President of ACWA.

Section 2. The Secretary is hereby directed to send a certified copy of this Resolution to ACWA. ADOPTED, SIGNED, and APPROVED on June 9, 2025.

President
IRVINE RANCH WATER DISTRICT

Secretary
IRVINE RANCH WATER DISTRICT

APPROVED AS TO FORM:
HANSON BRIDGETT LLP

By: _____
General Counsel

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