AGENDA
IRVINE RANCH WATER DISTRICT
WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE
THURSDAY, AUGUST 6, 2015

CALL TO ORDER 3:00 p.m. Committee Room, Second Floor, District Office
15600 Sand Canyon Avenue, Irvine, California

ATTENDANCE
Committee Chair: Mary Aileen Matheis _____
Member: Steve LaMar _____

ALSO PRESENT

Paul Cook	_____	Cheryl Clary	_____
Beth Beeman	_____	Patrick Sheilds	_____
Mark Tettemer	_____	Christine Compton	_____
Fiona Sanchez	_____	Amy McNulty	_____
Paul Weghorst	_____	Mike Hoolihan	_____
Kellie Welch	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

COMMUNICATIONS

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

INFORMATION

5. RECYCLED WATER PROJECTS UPDATE – TETTEMER/WEGHORST

   Recommendation: Receive and file.

6. NORTH BASIN AND SOUTH BASIN GROUNDWATER CLEANUP UPDATE – WELCH/SANCHEZ/WEGHORST

   Recommendation: Receive and file.

7. DROUGHT OUTREACH PROGRAM UPDATE – BLASKA/BEEMAN/WEGHORST

   Recommendation: Receive and file.

ACTION

8. REVIEW OF IRWD ASSOCIATION MEMBERSHIPS – COMPTON/COOK

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

9. 2015 LEGISLATIVE UPDATE – COMPTON/COOK

   Recommendation: That the Board take a "SEEK AMENDMENTS" position on the Santa Ana Mountains to Sea National Monument proposal.

10. AMENDMENT NO. 2 TO SANTA ANA WATERSHED TASK FORCE AGREEMENT – LEWIS/SANCHEZ/WEGHORST

    Recommendation: That the Board authorize the General Manager to execute Amendment No. 2 to the Agreement to Form a Task Force to Conduct a Basin Monitoring Program for Nitrogen and Total Dissolved Solids in the Santa Ana River Watershed.

OTHER BUSINESS

11. A. Directors' Comments

    B. Adjourn

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

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

August 6, 2015
Prepared by: M. Tettemer
Submitted by: P. Weghorst
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

RECYCLED WATER PROJECTS UPDATE

SUMMARY:

This report provides an update on important IRWD recycled water conversion projects involving cooling tower, industrial, commercial and agricultural uses of water.

BACKGROUND:

Following is an update on IRWD recycled water conversions projects including cooling tower conversions at the University of California, Irvine (UCI), an industrial use conversion at Royalty Carpet, various commercial use conversions and the North Irvine Lake Pipeline conversion project. Also provided is an update on IRWD's Residential Recycled Water Fill Station.

UCI Central Plant Cooling Towers:

One of the largest uses of potable water at UCI is the Central Plant cooling towers which currently use approximately 150 acre-feet (AF) for make-up water. In response to the drought, UCI has elected to convert the Central Plant cooling towers to recycled water. While UCI has its own recycled water distribution system to distribute water for irrigation uses, the capacity of that system is not able to meet the additional 1,500 gallons per minute expected to be needed for the Central Plant cooling towers. To meet the Central Plant cooling tower demands, it will be necessary to construct a new pipeline from University Drive to the Central Plant.

Recently, staff met with representatives from UCI to begin the planning and design process for the new pipeline. The first effort will be to evaluate three alignment options for the pipeline. This evaluation is expected to take four to six weeks and will result in the selection of a preferred alignment. Once the preferred alignment is determined, IRWD will transition to the design of the pipeline. UCI will be responsible for the design of improvements within the Central Plant including any necessary pre-treatment facilities. Staff will work with UCI to pursue grants and other funds for constructing the improvements.

UCI Irrigation Conversions:

The UCI campus is served recycled water through three large meters using UCI's recycled water distribution system. While much of campus is irrigated with recycled water, there are areas where potable water is still used. Staff is working with UCI to complete a planning level analysis to assess the feasibility of expanding UCI's recycled water distribution system to serve sites that are currently irrigated with potable water. The analysis will consider grant funds available from Metropolitan Water District of Southern California (Metropolitan) to help pay for the needed infrastructure.

Royalty Carpet:

The conversion project at Royalty Carpet is progressing quickly. It is preparing to construct a new 840 feet long pipeline from an existing recycled water meter to storage tanks at the back of its property. Royalty Carpet is also purchasing new equipment that will remove chlorine from recycled water before it is used for dyeing. Metropolitan has informed Royalty Carpet that it has been approved to receive grant funds for the project through Metropolitan's On-Site Retrofit Pilot Program. This grant is expected to pay for the entire retrofit.

The next steps for Royalty Carpet are for its pipeline contractor to obtain the required permits from the City of Irvine and to finalize an amended Engineering Report, with IRWD's assistance, for the dual-plumbed building. Once the report is finalized, it will be sent to the Division of Drinking Water (DDW) and the Orange County Health Care Agency (OCHCA) for review and approval. Staff believes the approvals will be obtained and construction of the on-site improvements will be completed within the next two months. Recycled water demands are estimated to be 250 AF per year.

Recycled Water for Commercial Customers:

Staff is pursuing opportunities for commercial customers to replace use of potable water with recycled water for street sweeping, construction activities, and sewer flushing. Staff has been working with the City of Irvine to place recycled water fire hydrants at locations along the routes taken by the street sweepers. Staff is also assisting a customer with facilitating the use of recycled water for power washing a commercial property.

North Irvine Lake Pipeline Conversion:

Dozens of IRWD's customers in the North Tustin/Orchard Hills areas are using approximately 2,500 AF annually of untreated, imported water for irrigation supplied through the Irvine Lake Pipeline (ILP). The largest of these customers is the Irvine Company (TIC) that uses this water to irrigate approximately 500 acres of avocado orchards. Staff, with the assistance of consultants, is currently designing the infrastructure to convert the ILP to recycled water.

To address TIC's concern about the long-term impact of irrigating avocado orchards with recycled water, IRWD has partnered with TIC in hiring a horticulturalist to review the recycled water quality, conduct a field review the avocado orchards that have been irrigated with recycled water for several years, and provide a professional opinion. The horticulturist's draft findings are complete and are being reviewed by staff and TIC.

Other key customers who will be served by the conversion of the ILP to recycled water are the Diocese of Orange at its Holy Sepulcher Cemetery, the Rancho Santiago Community College District at the Santiago Canyon Community College and Orange County Parks (OCP) at the Irvine Regional Park. Based on the current schedule, recycled water will be available to these customers in the summer of 2017.

Residential Recycled Water Fill Station:

IRWD's new Residential Recycled Water Fill Station will assist the District's residential customers to reduce outdoor potable water through the use of recycled water available at a Fill Station located next to IRWD's Sand Canyon office. DDW and OCHCA have both approved IRWD's Fill Station program. DDW is currently seeking confirmation of support for the program from the Santa Ana and San Diego Regional Boards.

Temporary banners will soon be placed on Waterworks Way and on Odyssey to guide residents to the Fill Station. Approvals from the City of Irvine and the Irvine Company to display the temporary banners for 40 days have been obtained. Once the fill station is open to residents, permanent signage will be displayed. Temporary employees are being hired to staff the Fill Station and final site modifications are being made. Staff will provide an update on the scheduled opening of the Fill Station at the Committee meeting.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

None.

August 6, 2015
Prepared by: K. Welch
Submitted by: F. Sanchez/P. Weghorst
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

NORTH BASIN AND SOUTH BASIN GROUNDWATER CLEANUP UPDATE

SUMMARY:

Orange County Water District (OCWD) has implemented a monitoring program to track various contaminants in the Orange County Groundwater Basin and is conducting an ongoing investigation of groundwater contamination in the South and North portions of the Basin. OCWD is also actively pursuing remediation and cleanup of the contamination through coordination with federal and state agencies as well as responsible parties. At the Committee meeting, staff will provide an update on OCWD's cleanup efforts in the North Basin and South Basin, as well as ongoing discussions related to pilot and early cleanup projects.

BACKGROUND:

OCWD's monitoring program in the Orange County Groundwater Basin has detected volatile organic compounds and perchlorate contamination plumes that are likely from numerous sources. OCWD has installed over 100 monitoring wells to define the extent of contamination. The monitoring wells are generally screened in the upper 350 feet and provide the ability to sample the water quality of the upper levels of the aquifer system. This monitoring is primarily performed in the north portions of the Basin (generally in the Fullerton and Anaheim area) and in the south portion of the Basin (primarily within the City of Santa Ana).

It is likely that contaminants in the North Basin and South Basin emanate from industrial activities dating back to the 1950s and 1960s. OCWD is working with the Department of Toxic Substances Control, the Regional Water Quality Control Board and the Environmental Protection Agency to investigate sources of contamination that could be impacting the Basin.

In 2001, IRWD began detecting increasing concentrations of trichlorethylene and perchlorate at the Dyer Road Well No. 3 located in Santa Ana. According to OCWD, this is the first well located within the South Basin that may have been impacted by the downward migration of the contaminants in the shallow zone.

Staff has been participating with OCWD in various meetings related to cleanup efforts in the South Basin. Discussions are ongoing related to developing pilot cleanup projects in the South Basin. In addition, staff has been participating in meetings with other groundwater producing agencies about opportunities to initiate early cleanup projects in the North Basin. At the Committee meeting, staff will present an update of the North Basin and the South Basin contamination and the ongoing pilot and early cleanup projects discussions.

FISCAL IMPACTS:

This item is limited to updating the Committee on the groundwater monitoring and future cleanup activities; the fiscal impacts to IRWD are not known at this time.

ENVIRONMENTAL COMPLIANCE:

None.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

None.

August 6, 2015
Prepared by: E. Blaska
Submitted by: B. Beeman/P. Weghorst
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

DROUGHT OUTREACH PROGRAM UPDATE

SUMMARY:

In response to the statewide drought as well as the Governor's mandate for IRWD to reduce potable water use by 16 percent by February 2016, staff continues to develop and implement an extensive drought outreach plan. A draft of this plan was presented to the Board at its meeting on May 11. The purpose of this report is to update the Committee on these efforts.

BACKGROUND:

Following is an update on IRWD's drought outreach advertising campaign and outreach efforts to homeowner associations (HOAs) and cities within IRWD's service area.

Brown is the New Green Campaign:

The *Brown is the New Green* outreach campaign has been implemented and includes advertising in various venues throughout IRWD's service area. The *Brown is the New Green* public service announcement (PSA) has been updated to include an invitation to the September 12, 2015 *Drought Survival Expo* which will be co-sponsored by the City of Irvine. In addition, Cox Communications and the City of Irvine's television channels are featuring the new version of the PSA.

Check marks in the following table indicate the reserved advertising space at venues that feature the current *Brown is the New Green* outreach campaign. The unchecked shaded areas indicate the proposed advertising space yet to be reserved that would extend the campaign until November or mid-December.

Advertising Venues Featuring
Brown is the New Green Campaign

Media	August	September	October	November	December	January	February
Irvine Spectrum Wall	✓	✓					
Irvine Spectrum Sky Ads	✓						
Irvine Marketplace Ads	✓						
Bus Ads	✓	✓	✓				
Cinema Ads	✓						
Cox Cable Ads (free)	✓	✓					
ICTV – COI Ads (free)	✓	✓					
Social Media Ads	✓	✓					
Grocery Cart Ads							
Val Pac Advertising							

With the assistance of Crocker & Crocker and its media buy consultant, staff proposes that the following costs be paid from the District's Conservation Fund to extend the media advertising campaign:

Cost of Extension to
Media Advertising Campaign

Irvine Spectrum: Outdoor hanging wall advertisement (freeway visible) and two-sided sky murals (throughout venue) Tustin Marketplace: Outdoor advertising (backlit panels)	$ 25,000
Movie theater advertisements	$ 10,000
Bus ads	$ 45,000
Grocery cart advertisements	$ 25,000
Valpak advertising	$ 7,000
Total	**$112,000**

These estimated costs may vary depending upon the availability of each venue. Each advertising venue is owned by a different company and will be paid directly by the District. Staff will return to the Committee and the Board with a request for an increase in the Operating Budget to cover these costs.

Message Transition:

The *Brown is the New Green* theme encourages customers to brown their lawns during the summer months and to wait until October, when plants typically require less water, to plant new-drought tolerant gardens. As October nears, the District will change the message from *Brown is the New Green* to a message that teaches customers how to install drought-resistant landscaping. This new theme will be developed with the assistance of Crocker & Crocker while considering customer feedback solicited through surveys and focus groups.

Home Owners Association Outreach:

Letters were mailed to 73 HOAs in Lake Forest and 200 HOAs in the City of Irvine asking them to join the District in helping customers save water. Included in the mailings were copies of IRWD's *Drought Survival Guide* and an invitation for staff to meet with each HOA Board and its community members. Similar letters will be sent to commercial customers throughout the District's service area.

Drought Outreach to Cities:

Following is a description of ongoing outreach efforts to cities within IRWD's service area:

- *Irvine:* The updated *Brown is the New Green* 30-second advertisement is now being shown on the City of Irvine Television (ICTV) channel. An article promoting the September *Drought Survival Expo* and IRWD's *Drought Survival Guide* is included in

the City of Irvine magazine which will be mailed to all Irvine residents in August. Over 120 lawn signs with the theme "*Still Seeing Green? We're Using Recycled Water*" are being placed on city properties throughout the service area.

- *Lake Forest:* The City of Lake Forest has placed *Brown is the New Green* outreach materials on its website. It will also place 50 of the "*Still Seeing Green? We're Using Recycled Water*" lawn signs on City properties throughout its service area.

- *Tustin:* Staff is partnering with the City of Tustin to prepare for the City's *Water Conservation Expo* event to be held on September 19. The event is similar to IRWD's *Drought Survival Expo* and will feature vendor booths and workshops.

- *Newport Beach:* Staff will participate in the Newport Beach Chamber of Commerce and the City of Newport Beach *Green on the Green Eco Expo* to be held on September 19.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

None.

August 6, 2015
Prepared and
Submitted by: C. Compton
Approved by: P. Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

REVIEW OF IRWD ASSOCIATION MEMBERSHIPS

SUMMARY:

Staff has compiled a summary of the associations of which IRWD is a member and pays membership dues of $500 or more per year (major memberships). The total amount of membership dues paid by IRWD in Fiscal Year 2014-15 was approximately $275,000 with major membership expenses totaling $255,466.15. A summary of the major memberships for Fiscal Year 2013-14 and Fiscal Year 2014-15 is attached as Exhibit "A".

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

FISCAL IMPACTS:

Dues for IRWD association memberships are included in the FY 2014-15 operating budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

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

LIST OF EXHIBITS:

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

EXHIBIT "A"

Summary of IRWD's Major Association Memberships

PROFESSIONAL ASSOCIATIONS	FY 2013/2014	FY 2014/2015
ALLIANCE FOR WATER EFFICIENCY	$1,535.69	$1,535.69
AMERICAN WATER WORKS ASSOCIATION	$9,589.00	$9,568.00
ASSOCIATION OF CALIFORNIA CITIES - ORANGE COUNTY	$5,000.00	$5,000.00
ASSOCIATION OF CALIFORNIA WATER AGENCIES	$30,981.50	$34,502.00
BIOENERGY ASSOCIATION OF CALIFORNIA	$1,000.00	$3,500.00
CALDESAL	-	$5,000.00
CALIFORNIA ASSOCIATION OF SANITATION AGENCIES	$18,720.00	$18,720.00
CALIFORNIA COUNCIL FOR ENVIRONMENTAL AND ECONOMIC BALANCE- *California Environmental Dialogue*	-	$20,500.00
CALIFORNIA COUNCIL FOR ENVIRONMENTAL AND ECONOMIC BALANCE- *Water Quality Task Force*	$10,000.00	$10,000.00
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION	$9,491.00	$9,491.00
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION	$5,294.00	$5,691.00
CHLORINE INSTITUTE, THE	$957.00	$840.00
CLEAN TECH OC	-	$1,000.00
CUWCC	$7,965.25	$6,995.46
EMPLOYERS GROUP	$2,404.44	-
INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION OF HUMAN RESOURCES	-	$783.00
IRVINE CHAMBER OF COMMERCE	$1,440.00	$1,600.00
LIEBERT CASSIDY WHITMORE- *Orange County Human Resources Employment Relations Consortium*	$3,095.00	$3,095.00
NEWPORT BEACH CHAMBER OF COMMERCE	$4,270.00	$2,500.00
NWRI	$50,000.00	$50,000.00
ORANGE COUNTY BUSINESS COUNCIL	$5,000.00	$5,000.00
ORANGE COUNTY FORUM	$1,000.00	$1,000.00
SOUTH ORANGE COUNTY REGIONAL CHAMBER OF COMMERCE/SOUTH ORANGE COUNTY ECONOMIC COALITION	$2,500.00	$2,500.00
SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS	$10,114.00	$10,114.00
SOUTHERN CALIFORNIA WATER COMMITTEE	$5,000.00	$5,000.00
SOUTHWEST MEMBRANE OPERATOR ASSOCIATION	$675.00	-
TUSTIN CHAMBER OF COMMERCE	$775.00	$775.00
UNIVERSITY OF CALIFORNIA- *Civil & Environmental Engineering Affiliates*	$1,250.00	-
UNIVERSITY OF SOUTHERN CALIFORNIA- *Foundation for Cross-Connection Control and Hydraulic Research*	$1,000.00	$1,000.00
URBAN WATER INSTITUTE, INC.	$1,250.00	$1,250.00
WATER EDUCATION FOUNDATION	$25,686.00	$15,800.00
WATER ENVIRONMENTAL RESEARCH FOUNDATION	$7,776.00	$8,082.00
WATEREUSE ASSOCIATION	$8,624.00	$8,624.00
WATEREUSE FOUNDATION	$6,000.00	$6,000.00
TOTAL	**$238,392.88**	**$255,466.15**

August 6, 2015
Prepared and
Submitted by C. Compton
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

2015 LEGISLATIVE UPDATE

SUMMARY:

This report provides an update on the 2015-2016 legislative session and IRWD priorities. As legislation develops, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate. Staff recommends that the Board consider the following actions/positions:

- *Santa Ana Mountains to Sea National Monument Proposal:* "SEEK AMENDMENTS".

BACKGROUND:

The California State Assembly and Senate will return from summer recess on August 17, 2015. With approximately one month left in the first year of the 2015-2016 Regular Legislative Session, fiscal committees have until August 28 to meet and report bills to the floor. The last day for each house to pass bills in this year is September 11, which is the day the interim legislative recess begins. The Governor has until October 11 to sign or veto legislation passed by the Legislature this session. The 2015-2016 Regular Legislative Session will resume on January 4, 2016.

A copy of the 2015 State Legislative Matrix is attached as Exhibit "A".

State Budget Update:

June Revenue Numbers:

On July 14, 2015, State Controller Betty Yee released her monthly report on the State's finances. She announced that, with June's revenue receipts, the State ended the fiscal year with $859.4 million more in General Fund revenues that the Governor's May estimates and $6.8 billion more than anticipated in the Fiscal Year 2014-2015 budget. Compared to the previous fiscal year, the State's revenues were $12.7 billion, or 12.5 percent, higher.

The Controller summarized the year's revenues by stating:

> "For the entire 2014-15 fiscal year that ended June 30, personal income tax…led the surge, accounting for $5.8 billion of the $6.8 billion windfall, compared to 2014-15 budget estimates. Corporation taxes beat projections by $1.6 billion, while retail sales and use taxes for the year came in $395.9 million lower than expected.
>
> Of the $12.7 billion revenue increase over the previous year, $10.1 billion, or 80 percent, consisted of personal income taxes. California's high revenue volatility is tied to swings in personal income tax, especially on capital gains."

IRWD 2015 Legislative Priorities:

Legislative Clarification on Tiered Water Rates:

Since staff's April 27 presentation to the Board on the *Capistrano Taxpayers Association, Inc. v. City of San Juan Capistrano* and the Board's discussion regarding the need for legislative clarification on tiered water rates, staff has been working with the District's industry and association partners on seeking legislative clarification. Staff continues discussions with interested stakeholders. As these discussions will continue throughout the fall, staff will provide the Committee and the Board with updates, as appropriate.

Common Interest Developments and Drought Response:

The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments (HOAs). That Act provides that any provision of an HOA's governing documents is void and unenforceable if it prohibits, or has the effect of prohibiting, the use of low water-using plants as a group or compliance with a local water-efficient landscape ordinance or water conservation measure. The Act also deals with an HOA's ability to fine homeowners who reduce or eliminate watering of vegetation or lawns during a declared drought emergency. Specifically, it prohibits an HOA from fining a homeowner for eliminating outdoor watering during a declared drought emergency except where the HOA uses recycled water for landscape irrigation. Staff has continued to work to mitigate the impact of this provision on homeowners who take steps to substantially reduce outdoor water use during the drought through communication with HOAs and by advocating for a legislative solution. Staff continues to work on this issue and will provide the Committee with an oral update on any new developments.

Recycled Water Use in Decorative Lakes and Storm-induced Overflow Restrictions:

As California enters the fourth year of drought facing increasing demands on its freshwater resources, regulatory challenges related to storm-induced overflow restrictions on recycled water impoundments continue to limit water suppliers' abilities to expand recycled water use. One such use is the use of recycled water in decorative lakes. While the use is permitted, storm-induced overflow restrictions discourage the use of recycled water in these decorative bodies of water.

The State Water Resources Control Board's (SWRCB) *Recycled Water Policy* requires certain practices related to recycled water impoundments including the "Management of any ponds containing recycled water such that no discharge occurs unless the discharge is a result of a 25-year, 24-hour storm event or greater, and there is notification of the appropriate Regional Water Board Executive Officer of the discharge." In order to avoid a discharge of recycled water during the wet weather season and to ensure compliance with SWRCB policies, some Regional Water Quality Control Boards require the drawdown of water levels stored in these impoundments to reduce the likelihood of a storm-induced overflow. These storm-induced overflow restrictions affect small recycled water impoundments (e.g., frost protection ponds, decorative lakes, golf course ponds) in addition to large recycled water storage facilities. In the case of very small impoundments, storm-induced overflow restrictions often limit use of the impoundment during winter months and discourage customers from using recycled water.

Given the severity of the drought, IRWD has had increased interest from HOAs which would like to use recycled water to refill their decorative lakes. The District has explained the regulatory challenges to these HOAs and IRWD's efforts to work with the SWRCB to find a solution to mitigate the impact of storm-induced overflow restrictions. Over the past month, staff has continued conversations with the SWRCB on the use of recycled water in decorative lakes to replace evaporative water losses. These conservations are promising and may result in a positive solution for the District and HOAs. As these conversations are ongoing, staff will provide the Committee with updates.

Updates on 2015 State Legislation of Interest to IRWD:

Public Goods Charge for Water:

Discussions surrounding the implementation of a public goods charge for water have resurfaced. While it is not clear that an effort to implement such a charge will be pursued this year, the Administration has indicated its interest in such a fee and has released a draft framework entitled "Resilient, Affordable, Safe Drinking Water for Disadvantaged Communities Framework" discussing the water reliability needs of California's disadvantaged communities. While the draft framework does not call for a public goods charge, it seeks to begin the discussion on many of the issues raised by advocates attempting to justify the need for a public goods charge. A copy of this draft framework is attached as Exhibit "B".

If legislation related to a public goods charge for water moves forward during the current legislative year, staff will advocate on behalf of the District using the following Board-adopted policy, which was included in the August 1, 2013, Water Resources Funding Policy Principles:

> "A statewide user fee should not be imposed. A "user fee" or "beneficiary pays" program should never be a statewide program. If such a fee is necessary, it should only be regionally administered, collected and distributed. Any such fee should be equitably and proportionally based on the project benefits derived by those who are subject to the fee, and "beneficiary" must be clearly defined to ensure a clear legal nexus between financial responsibility and benefits.
>
> - If a statewide water fee or public goods charge is established, it should include an exemption for water providers that have implemented a rate structure that provides a method for collecting revenue dedicated to water conservation projects such as IRWD's allocation-based conservation rate structure.
>
> - If a statewide fee is established, the challenges local water providers face in setting rates, including Proposition 218 requirements, should be taken into account."

Staff will provide the Committee with an oral update on any developments related to a public goods charge for water.

Proposals on Groundwater Adjudications:

After the adoption of sustainable groundwater management legislation last year, the Administration and the Legislature indicated their interest in pursuing legislation related to groundwater adjudications this year. As reported previously, there are two legislative proposals related to groundwater adjudications before the Legislature— AB 1390 (Alejo, D-Salinas) and SB 226 (Pavley, D-Calabasas). On July 22, 2015, the Administration released its proposal.

The Administration's proposal attempts to "provide a modern, comprehensive adjudication process for all groundwater basins that are regulated under the Sustainable Groundwater Management Act (SGMA)." The proposal seeks to make the adjudication process more cost-effective, ensure that the process is fair, and harmonize the process with SGMA to ensure that parties have a forum to determine their water rights but do not use it to obstruct or delay SGMA.

Specifically, the proposal would:

- Establish a comprehensive process for all basin-wide groundwater adjudications in high and medium priority basins;
- Empower the court to determine the priority of unexercised water rights;
- Require that the SGMA basin boundaries be used in the adjudication;
- Require the use of a neutral judge in all adjudication;
- Reform the notice and service process to allow notice and service of water rights holders through a variety of forms while requiring that all known pumpers be served according to the procedures in the Code of Civil Procedure;
- Allow interested parties to intervene in the adjudication action;
- Allow the State to intervene in any adjudication;
- Provide for an expedited discovery process;
- If the basin is in overdraft, the court may issue a preliminary injunction to limit pumping during the litigation; and
- Allow the court to enter a stipulated judgment that is supported by 50% of water right holders or 75% of groundwater production if it makes certain findings, including consistency with SGMA and equal treatment of dissenting parties and of small pumpers who are not present in the lawsuit. Allows dissenting parties may continue to litigate, but the court may impose the plan on them if they fail to demonstrate that it is illegal or treats them unfairly.

A detailed summary of the Administration's proposal is attached as Exhibit "C".

Staff has reviewed AB 1390, SB 226 and the Administration's proposal. As currently drafted, these proposals may affect IRWD's groundwater interests and ability to engage in an adjudication related to those interests. Staff has begun to engage with stakeholders and decision makers regarding these proposals to protect IRWD's interests related to groundwater adjudications and advocate for changes consistent with the District Groundwater Management Policy Principles. Staff will provide an oral update on any new developments.

2015 Federal Legislation and Actions:

Santa Ana Mountains to Sea National Monument Proposal:

The Antiquities Act of 1906 created the federal land designation of "national monument" when it authorized the President to create national monuments on federal lands that contain "historic landmarks, historic or prehistoric structures, or other objects of historic or scientific interest." (16 U.S.C. § 431) While most national monuments have been established by Executive Order under the Antiquities Act, Congress has also enacted legislation establishing national monuments. Over the last 109 years, more than 140 monuments have been established and are currently being managed by the U.S. Forest Service, U.S. Fish and Wildlife Service, National Parks Service or the Bureau of Land Management based on management plans established for each monument.

Like many types of land use designation, national monument designations have been controversial. According to the Congressional Budget Office, the "primary objection to national monuments is that the declaration changes the property from being federal land available for multiple uses to being a national monument with possible restricted uses." (www.fas.org/sgp/crs/misc/R41330.pdf) Since the goal of a national monument designation is to protect the resources on the land, a monument designation often restricts use of and activities on the land. Since 1996, monument designations "typically have had protections for valid existing rights for land uses, but the extent to which designations may affect existing rights is not always clear." (www.fas.org/sgp/crs/misc/R41330.pdf) Additionally, there is often concern that the designation will result in new constraints on development and limitations on the use of motorized vehicles. Supporters of national monument designations often cite environmental protection and stewardship, increased tourism, recreation and economic benefits as reasons to move forward with the designation. Each one of these concerns or benefits is impacted by the Executive Order or legislation establishing the national monument, which includes permissive and prohibited land uses within the monument, and by the management plan established to govern the management of the monument.

Over the past few years, there has been an interest in creating a national monument in Orange County encompassing large portions of the historic Irvine Ranch. Representative Ed Royce (R-Fullerton) has agreed to sponsor legislation designating nearly 100,000 acres in Orange County as the Santa Ana Mountains to Sea National Monument. Some of the land currently proposed for designation is of great interest to IRWD as a national monuments designation may impact District-owned facilities or its ability to construct needed infrastructure improvements in the future.

Representative Royce's office has provided the District with a draft of his proposed legislation, which is expected to be introduced within the next few weeks, and a map of the proposed boundary of the Santa Ana Mountains to Sea National Monument. A map of the proposed boundary of the Santa Ana Mountains to Sea National Monument is attached as Exhibit "D". A copy of the proposed bill language is attached as Exhibit "E".

As currently drafted, the proposal creates the national monument; establishes an advisory board of local stakeholders of which IRWD is a member to help the National Forest Service manage; contains language defining utility facilities as an electric and communications infrastructure; and permits only those uses and activities that are consistent with the terms and conditions of the management plan to be developed and the Orange County Central Coastal Natural Community Conservation Plan. The proposal, among other things, provides that:

- Nothing in the Act shall affect existing uses, operations, construction, reconstruction, alteration of utility facilities that are lawful;
- All other uses not specifically authorized shall be prohibited;
- Mining, drilling and hunting, trapping, and fishing are prohibited;
- Maintenance of existing permitted infrastructure facilities; and
- The use of motorized vehicles on roads and trails for the performance of activities related to the operation, maintenance, expansion and/or construction of any utility facilities, including liens, and/or right of way are allowed.

Given the vast amount of water and wastewater infrastructure within the proposed boundaries of the Santa Ana Mountains to Sea National Monument, IRWD would likely be negatively impacted by the designation without any amendments to the proposal. Staff recommends that the Board adopt a "Seek Amendments" position on the proposal. The amendments sought by the District would be language providing water and wastewater utilities and infrastructure the same protections and authorities given to electric and communications utilities and infrastructure, and modifications to the monument's boundaries to limit potential impacts on IRWD operations.

2015 Legislative Planning

ACWA's Call for Legislative Proposals: Each year the Association of California Water Agencies' (ACWA) State Legislative Committee solicits legislative proposals from ACWA members, which it considers at its Annual Planning Meeting in the fall. The State Legislative Committee evaluates the proposals and determines whether to sponsor or support legislation based on ACWA's Strategic Business Plan, policy principles and priorities. In order to have a proposal considered, ACWA requires the proposal to be submitted by September 4, 2015.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board take a "SEEK AMENDMENTS" position on the Santa Ana Mountains to Sea National Monument proposal.

LIST OF EXHIBITS:

Exhibit "A" – 2015 IRWD Legislative Matrix
Exhibit "B" – Resilient, Affordable, Safe Drinking Water for Disadvantaged Communities Framework
Exhibit "C" – The Administration's Groundwater Adjudication Proposal Summary
Exhibit "D" – Map of the proposed boundary of the Santa Ana Mountains to Sea National Monument
Exhibit "E" – Santa Ana Mountains to Sea National Monument Proposed Bill Language

EXHIBIT A
IRWD 2015 LEGISLATIVE MATRIX
Updated 07/22/2015

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 1 Brown (D)	Drought: Local Governments: Fines		Prohibits a city, county, or city and county from imposing a fine under any ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.	07/13/2015 - Chaptered by Secretary of State. Chapter No. 62
AB 2 Alejo (D)	Community Revitalization Authority		Authorizes certain local agencies to form a community revitalization authority with a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for infrastructure, affordable housing, and economic revitalization and to provide for the issuance of bonds serviced by tax increment revenues. Requires the authority to adopt a community revitalization and investment plan. Provides for audits. Requires funds in a specified fund to be for housing needs.	07/14/2015 - From SENATE Committee on TRANSPORTATION AND HOUSING: Do pass to Committee on APPROPRIATIONS.
AB 10 Gatto (D)	Political Reform Act of 1974: Disclosures		Requires the disclosure of certain behested payments. Increases the thresholds at which a public official has a disqualifying financial interest in sources of income in investments in business entities and in interests in real property. Revises the dollar amounts associated with the value ranges for reporting the value of economic interests. Requires certain public officials to disclose information relating to governmental decisions for which the public official had a disqualifying financial interest.	07/14/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 12 Cooley (D)	State Government: Administrative Regulations: Review		Requires each state agency after a noticed public hearing, to review the agency's regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, and report to the Legislature and Governor.	07/14/2015 - From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
AB 14 Waldron (R)	Unmanned Aircraft Systems: Task Force		Creates the Unmanned Aircraft Systems Task Force to research, develop, and formulate a comprehensive policy for unmanned aircraft systems. Requires the task force to submit a policy draft and suggested legislation pertaining to unmanned aircraft systems.	04/13/2015 - In ASSEMBLY Committee on TRANSPORTATION: Failed passage.;04/13/2015 - In ASSEMBLY Committee on TRANSPORTATION: Reconsideration granted.
AB 21	Global Warming Solutions		Requires the State Air Resources Board in preparing its scoping plan for	06/30/2015 - In SENATE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
Perea (D)	Act of 2006: Scoping Plan		achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas reduction, to consult with specified State agencies regarding matters involving energy efficiency and the facilitation of the electrification of the transportation sector.	Read second time. To third reading.
AB 23 Patterson (R)	Global Warming Solutions Act of 2006: Compliance		Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism.	03/23/2015 - In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.;03/23/2015 - In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.
AB 33 Quirk (D)	Global Warming Solutions Act: Energy Council		Establishes the Energy Sector Emissions Reduction Advisory Council to recommend strategies for the electricity sector for incorporation into the scoping plan prepared by the State Air Resources Board, based on specified analysis including various strategies that could be implemented to reduce emissions of greenhouse gases from the electricity sector and integrate increasing amounts of renewable energy into the grid.	07/15/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass as amended to Committee on APPROPRIATIONS.
AB 45 Mullin (D)	Household Hazardous Waste		Requires each jurisdiction providing for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service area over the baseline. Provides the increase is to be determined in accordance with Department of Resources Recycling and Recovery regulations. Authorizes the adoption of a model ordinance for a comprehensive program for the collection of waste. Requires an annual report to the Department on progress in achieving compliance.	05/20/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
AB 56 Quirk (D)	Unmanned Aircraft Systems		Prohibits law enforcement agencies from using unmanned aircraft system or obtaining same from another public agency. Provides exceptions. Provides the requirements that must be met in order to utilize such systems. Relates to data and images subject to disclosure and provides for the destruction of such materials. Prohibits the equipping of such systems with any weapon or related device. Requires information safeguards. Provides surveillance restrictions. Pertains to all such agencies and their contractors.	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 78 Mathis (R)	Groundwater Basins		Makes technical nonsubstantive changes to existing law that requires the Department of Water Resources to categorize each basin or subbasin as high-, medium-, low-, or very low priority and to establish ground water the	01/05/2015 - INTRODUCED.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			initial priority for each basin.	
AB 88 Gomez (D)	Sales and Use Taxes: Exemption: Home Appliances		Exempts from the sales and use tax laws the gross receipts from the sale of, and the storage, use, or other consumption in the State of, an energy or water efficient home appliance purchased by a public utility that is provided at no cost to a low-income participant in a federal, state, or ratepayer-funded energy or water efficiency program for use by that low-income participant in the energy efficiency program.	07/15/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 149 Chavez (R)	Urban Water Management Plans	Support	Requires each urban water supplier to update and submit a urban water management plan for a specified year to the State Department of Water Resources by a specified date. Requires the Department to submit its urban water management plan report for that same specified year to the Legislature by a specified date.	07/06/2015 - Signed by GOVERNOR.;07/06/2015 - Chaptered by Secretary of State. Chapter No. 49
AB 156 Perea (D)	Global Warming Solutions Act: Disadvantaged Communities		Requires the State Air Resources Board, pursuant to the Global Warming Solutions Act of 2006, to post on its Internet Web site a specified report on the projects funded to benefit disadvantaged communities. Requires the Board to establish and accomplish a comprehensive technical assistance program, upon appropriation from the Greenhouse Gas Reduction Fund, for eligible applicants assisting defined disadvantaged communities. Requires an allocation to the Board for the program.	07/15/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass as amended to Committee on APPROPRIATIONS.
AB 219 Daly (D)	Public Works: Concrete Delivery		Expands the definition of public works for purposes of requirements regarding the payment of prevailing wages for public works projects to include the hauling and delivery of ready-mixed contract to carry out a public works contract, with respect to contracts involving any State agency or any political subdivision of he State. Requires the applicable prevailing wage rate to be the rate for the geographic area in which the concrete factory or batching plant is located.	07/06/2015 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
AB 243 Wood (D)	Medical Marijuana Cultivation		Establishes the Division of Medical Cannabis Cultivation. Requires an applicant to obtain a city or county conditional permit and a state medical marijuana cultivation license prior to cultivation occurring. Implements an identification program. Authorizes a fee to issue a identifier, and to cover the costs of monitoring, tracking, and inspecting each plant. Imposes a tax on each plant with an identifier. Requires distributors to collect and remit the tax. Establishes a related fund for tax moneys.	07/15/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
AB 259	Personal Information Privacy		Requires an agency, if the agency was the source of the breach and the	07/14/2015 - From SENATE

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
Dababneh (D)			breach compromised a person's social security number, driver's license number, or California identification card number, to offer to provide the person with identity theft prevention and mitigation services at no cost for not less than 12 months.	Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
AB 291 Medina (D)	Environmental Quality Act: Local Agencies: Water		Authorizes a local agency, for certain water projects, to file a specified notice with the county clerk of the county in which the local agency's principal office is located, along with any required payment to the Department of Fish and Wildlife, and with the Office of Planning and Research and to transmit a copy of the notice to the county clerk of the counties in which the project is located. Requires the notice and the copies of the notice to be available to for public inspection. Relates to challenges.	06/10/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.;06/10/2015 - In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.
AB 307 Mathis (R)	Graywater: Groundwater Recharge		States the intent of the Legislature to enact legislation to explicitly permit the usage of residential, commercial, and industrial graywater for the recharge of a groundwater basin or aquifer.	02/12/2015 - INTRODUCED.
AB 308 Mathis (R)	Graywater: Agricultural Use		States the intent of the Legislature to enact legislation to explicitly permit incorporated and unincorporated communities to sell graywater for agricultural purposes and agriculture to use graywater for agricultural purposes.	02/12/2015 - INTRODUCED.
AB 311 Gallagher (R)	Environmental Quality: Water Quality and Supply		Requires the public agency, in certifying the environmental impact report and in granting approvals for specified water storage projects funded, in whole or in part, by Proposition 1, to comply with specified procedures. Requires the Judicial Council to adopt a rule of court to establish procedures applicable to actions or proceedings seeking judicial review of an agency's action in certifying the environmental impact report and in granting project approval. Relates to court staying of the projects.	04/29/2015 - From ASSEMBLY Committee on NATURAL RESOURCES without further action pursuant to JR 62(a).
AB 327 Gordon (D)	Public Works: Volunteers		Extends the provisions of existing law that provides governing public works does not apply to specified work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation corps or a community conservation corps.	07/06/2015 - Signed by GOVERNOR.;07/06/2015 - Chaptered by Secretary of State. Chapter No. 53
AB 335 Patterson (R)	Air Quality: Minor Violations		Requires the State Air Resources Board and air pollution control and air quality management districts to adopt regulations classifying minor	05/19/2015 - From ASSEMBLY Committee on

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			violations. Requires a representative of those agencies to issue a notice to comply. Requires the State Air Resources Board to report to the Legislature regarding implementation of these provisions. Exempts such districts from these provisions if the districts have a similar program in effect as of a specified date.	NATURAL RESOURCES without further action pursuant to JR 62(a).
AB 341 Achadjian (R)	Financial Affairs: Reports		Amends existing law requiring the officer of each local agency, who has charge of the financial records of the local agency, to furnish to the Controller a report of all such transactions of the local agency during the preceding fiscal year. Requires the report to contain underlying data from audited financial statements, if this data is available, and extends time to furnish the report. Provides a due date for reporting of the annual compensation for a local agency's elected officials and employees.	07/02/2015 - Signed by GOVERNOR.;07/02/2015 - Chaptered by Secretary of State. Chapter No. 37
AB 349 Gonzalez (D)	Common Interest Developments: Property Use		Amends the Davis-Stirling Common Interest Development Act. Makes void and unenforceable any provision of the governing documents or architectural or landscaping guidelines or policies that prohibits the use of artificial turf or any other synthetic surface that resembles grass. Prohibits a requirement that an owner of a separate interest remove or reverse water-efficient landscaping measures, installed in response to a declaration of a state of emergency, upon the conclusion of the state of emergency.	07/14/2015 - From SENATE Committee on JUDICIARY: Do pass as amended.
AB 356 Williams (D)	Oil and Gas: Groundwater Monitoring		Authorizes the State Oil and Gas Supervisor to require a well operator to implement a monitoring program for below ground oil production tanks and facilities, and disposal and injection wells. Requires the annual review of underground injection or disposal projects that use Class II wells. Requires the submission of a related groundwater monitoring plan. Requires submission of certain data for the State's geotracker database. Provides procedures for an aquifer exemption. Relates to plan modification.	06/11/2015 - In ASSEMBLY. Reconsideration granted.;06/11/2015 - In ASSEMBLY. From third reading. To Inactive File.
AB 401 Dodd (D)	Low-Income Water Rate Assistance Program		Requires the Department of Community Services and Development to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program, which would include specified elements. Requires the Department to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program, including any recommendation for legislative action that may need to be taken.	07/09/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 402	Local Agency Services:		Revises the circumstances under which a local agency formation	06/30/2015 - In SENATE.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
Dodd (D)	Contracts		commission may authorize a city or district to provide new or extended services. Establishes a pilot program for the Napa, and San Bernardino commissions that would the commissions to authority a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances.	Read second time and amended. To third reading.
AB 434 Garcia E (D)	Drinking Water: Point-of-Entry: Point-of-Use Treatment		Requires the State Water Resources Control Board to adopt regulations governing the use of point-of-entry and point-of-use treatment by a public water system in lieu of centralized treatment where it can be demonstrated that centralized treatment is not immediately economically feasible. Provides limitations. Prohibits the use of point-of-entry treatment absent a Board determination of no community opposition.	06/25/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 452 Bigelow (R)	Water Rights Fund: Groundwater Regulation		Amends existing law that establishes groundwater reporting requirements for a person extracting groundwater in an area within a basin that is not within the management area of a groundwater sustainability agency or that is a probationary basin. Prohibits water rights fees from being available for expenditure by the Water Resources Control Board for the purposes of Board enforcement of the provisions of the Sustainable Groundwater Management Act and the groundwater reporting requirements.	04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.
AB 453 Bigelow (R)	Groundwater Management		Provides moneys in the Water Rights Fund from certain fees incurred in administering the Sustainable Groundwater Management Act are available for expenditure for the purposes of the Act and certain groundwater reporting requirements. Provides if the expenditures for the Act and groundwater reporting exceed the moneys from the fees, that other money in the Fund can be expended for these purposes if the Fund will be replenished.	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 454 Bigelow (R)	Sustainable Groundwater Management		Relates to groundwater basins. Requires a high- or medium-priority basin that is not subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plan. Provides for the designation of basins as probationary basins.	04/14/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
AB 455 Bigelow (R)	Groundwater Sustainability Plans		Amends the California Environmental Quality Act. Requires the Judicial Council to adopt a rule of court to establish procedures applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report for certain projects covered	04/14/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			by a groundwater sustainability plan. Prohibits the court from staying or enjoying the construction or operation of the project unless the court makes a certain finding.	
AB 472 Harper (R)	Public Works: Prevailing Wage: Volunteers		Makes a nonsubstantive, technical change by deleting an obsolete provision in existing law that generally requires the payment of not less than the prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed by workers employed on public works projects, except work performed by a volunteer, a volunteer coordinator, or member of the State Conservation Corps, or a community conservation corps.	02/23/2015 - INTRODUCED.
AB 478 Harper (R)	Desalination		Makes a nonsubstantive change to the Cobey-Porter Saline Water Conversion Law that states the policy of this state that desalination projects developed by or for public water entities be given the same opportunities for state assistance and funding as other water supply and reliability projects, and that desalination be consistent with all applicable environmental protection policies in the state.	02/23/2015 - INTRODUCED.
AB 501 Levine (D)	Resources: Delta Research		Relates to the Sacramento-San Joaquin Delta Reform Act of 2009. Requires a person conducting State-funded Delta Research to take specified actions with regard to the sharing of the primary data, samples, physical collections, and other supporting materials created or gathered in the course of that research. Relates to ineligibility. Authorizes the Delta Independent Science Board to adopt guidelines. Suspends State funding for improper reporting. Provides research property rights remain with the researcher.	04/29/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
AB 537 Allen T (R)	Public Employees' Benefits		Prohibits a public agency, state employer, employee organization, or public employee from entering into a memorandum of understanding that provides postemployment health care benefits without a strategy for permanently prefunding members' postemployment healthcare benefits.	03/05/2015 - To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY.
AB 577 Bonilla (D)	Biomethane: Grant Program		Requires the development and implementation of a grant program to award grants for projects that produce biomethane, that build or develop collection and purification technology or infrastructure, or that upgrade or expand existing biomethane facilities. Authorizes moneys in the Greenhouse Gas Reduction Fund to be used to fund grants awarded under the program.	07/15/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
AB 585 Melendez (R)	Outdoor Water Efficiency: Personal Income Tax Credits	Support	Relates to the Outdoor Water Efficiency Act. Allows a credit, under the Personal Income Tax Law, for a specified percentage of the amount paid or incurred by a qualified taxpayer for water-efficiency improvements on qualified real property. Limits the cumulative amount of the credit. Requires a taxpayer to obtain and retain a improvements certification from a regional or local water agency, and to provide a copy to the Franchise Tax Board upon request.	07/15/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 590 Dahle (R)	Greenhouse Gas Reduction Fund		Provides that moneys in the Greenhouse Gas Reduction Fund account may be made available for expenditure by the State Energy Resources Conservation and Development Commission for maintaining the current level of biomass power generation or geothermal energy generation in the State and revitalizing currently idle facilities in strategically located regions. Establishes requirements for an applicant to receive available funding for a facility's eligible electrical generation.	07/15/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
AB 603 Salas (D)	Income Taxes: Every Drop Counts Tax Credit	Support	Allows a credit under the Personal Income Tax and the Corporation Tax laws to a taxpayer participating in a lawn replacement rebate program.	05/28/2015 - In ASSEMBLY. Joint Rule 62(a) suspended.;05/28/2015 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 606 Levine (D)	Water Conservation	Support and Seek Amendments	Requires the Department of General Services, when the Department replaces landscaping and irrigation on public property or when new property is added to the Department's inventory, to reduce water consumption and increase water efficiencies for that property through replacement of landscaping, irrigation timers, or spray sprinkler heads, implementation of recycled water irrigation, or any combination thereof. Imposes similar water conservation requirements of the Department of Transportation.	07/06/2015 - In SENATE Committee on APPROPRIATIONS: Not heard.
AB 617 Perea (D)	Groundwater		Defines in-lieu use. Provides that measures addressing such use shall be included in a groundwater sustainability plan. Relates to certain powers of a groundwater sustainability agency, if the agency adopts and submits such plan or alternative documentation. Authorizes an agency to enter into agreements and funding with private parties to assist in plan or plan elements implementation. Provides procedures governing state agency cooperation in regards to the plan. Relates to regional water management	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			plans.	
AB 639 Dahle (R)	Water Quality: Membership of Regional Boards		Makes nonsubstantive changes to provisions of existing law which requires the State Water Resources Control Board and the regional water quality control boards to prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act.	02/24/2015 - INTRODUCED.
AB 647 Eggman (D)	Beneficial Use: Storing of Water Underground		Declares that the diversion of water to underground storage constitutes a beneficial use of water if the water so stored is thereafter applied to the beneficial purposes for which the appropriation for storage was made, or if the water is so stored consistent with a sustainable groundwater management plan, statutory authority to conduct groundwater recharge, or a judicial degree and is for specified purposes. Requires applying for a permit or petition for a change. Requires including specified conditions.	06/30/2015 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's amendments.;06/30/2015 - In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
AB 723 Rendon (D)	Rental Property: Plumbing Fixtures: Replacement		Requires the lease or rental agreement of a single-family residential real property or any portion of a multifamily residential real property or commercial real property that is entered into, renewed, or amended, be accompanied by a disclosure stating the property owner's responsibility to replace all noncompliant plumbing fixtures with water-conserving plumbing fixtures.	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 725 Wagner (R)	Water Quality: Recycled Water: Storm-Induced Overflow	Sponsor	Requires the State Water Resources Control Board to adopt a policy to address the potential for a storm-induced overflow from an impoundment in which recycled water is stored for subsequent beneficial use or aesthetic purposes.	03/26/2015 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;03/26/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/26/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				WATER, PARKS AND WILDLIFE.
AB 852 Burke (D)	Public Works: Prevailing Wages		Expands the definition of public works for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a general acute care hospital, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds. Provides an exception for a specified hospital.	07/06/2015 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
AB 856 Calderon I (D)	Invasion of Privacy		Expands liability for physical invasion of privacy to additionally include a person knowingly entering into the airspace above the land of another person without permission.	07/16/2015 - In SENATE. Read second time. To third reading.
AB 876 McCarty (D)	Compostable Organics		Requires a county or regional agency to include in its annual report to the Department for Resources Recycling and Recovery an estimate of the amount of organic waste in cubic yards that will be generated in the county of region over a specified time period, an estimate of the additional organic waste recycling facility capacity needed to process that amount of waste, and areas identified as locations for new and expended organic waste recycling facilities capable of safely meeting that additional need.	07/14/2015 - In SENATE. Read second time. To third reading.
AB 888 Bloom (D)	Waste Management: Plastic Microbeads		Prohibits a person from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product. Provides an exception. Makes a violator liable for a civil penalty to be assessed and recovered in a civil action brought in any court of competent jurisdiction by the Attorney General or local officials. Requires the civil penalties collected to be retained by the office that brought the action.	07/14/2015 - In SENATE. Read second time. To third reading.
AB 935 Salas (D)	Water Projects		Amends existing law which establishes in the Natural Resources Agency the Department of Water Resources, which managed and undertakes planning with regard to water resources in the State. Requires the Department to provide funding for certain projects.	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 936 Salas (D)	Groundwater Monitoring		Amends existing law which provides that certain entities with authority to assume groundwater monitoring functions with regard to a basin or subbasin for which the Department of Water Resources has assumed those functions are not eligible for a water grant or loan awarded or administered by the	05/28/2015 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.

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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			state. Authorizes an exemption for the eligibility restriction if the entity submits specified documentation that provides that there are special circumstances justifying noncompliance.	
AB 937 Salas (D)	Groundwater Plan/Assistance: Disadvantaged Communities		Requires the Department of Water Resources to provide technical assistance to disadvantaged communities so that they may participate in groundwater planning, including planning for regional groundwater banking, with any county or other local agency.	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 938 Salas (D)	Groundwater: Basin Reprioritization		Imposes the requirement to establish a groundwater sustainability agency on a local agency or combination of local agencies overlying a groundwater basin.	05/07/2015 - To SENATE Committee on NATURAL RESOURCES AND WATER.
AB 939 Salas (D)	Groundwater Sustainability Agencies		Amends existing law which requires a local agency to either establish a groundwater sustainability agency within a specified number of years of reprioritization and adopt a groundwater sustainability plan within a specified number of years of reprioritization, or to submit an alternative to the Department of Water Resources that the local agency believes satisfies the objectives the objectives within a specified number of years of reprioritization. Regards fees imposed to fund the program.	07/16/2015 - In SENATE. Read second time. To third reading.
AB 952 Garcia (D)	Local Government: Vacancies		Provides updated procedures for the filling of a vacancy in an elective office by a city council for a vacancy that occurs in the first half or the second half of the term of office and at least a specified number of days prior to the next general municipal election, the person appointed to fill the vacancy holds office until the next general municipal election at which a person is elected to fill that vacancy, and thereafter, until the person elected is qualified.	07/15/2015 - Enrolled.
AB 954 Mathis (R)	Water and Wastewater Loan and Grant Pilot Program		Creates the Water and Wastewater Loan and Grant Program. Require the State Water Resources Control Board to establish a pilot program to provide low-interest loans and grants to local agencies for grants to eligible individual homeowners for purposes relating to drinking water and wastewater treatment. Creates a related fund for use under the program. Transfers a specified amount of funds from the General Fund to the fund.	07/15/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
AB 957 Mathis (R)	Water Quality, Supply, Infrastructure Improvement		Relates to grants under the Water Quality, Supply, and Infrastructure Improvement Act of 2014 for water supply reliability improvement to include in that improvement criterion whether the project is proposed by a community that is dependent on groundwater from a basin in overdraft, and	04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.

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			would include in the public health benefits criterion whether the project is proposed by a community that has extended, or is in the process of extending, its water service deliveries to specified groundwater entities.	
AB 977 Mayes (R)	State Water Pollution Control Revolving Fund		Amends existing law that requires loans under the State Water Pollution Control Revolving Fund to meet specified criteria, including requiring full amortization not later than a specified number of years after project completion. Requires full amortization not later than another specified number of years after project completion.	03/26/2015 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;03/26/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.
AB 1019 Garcia E (D)	Metal Theft and Related Recycling Crimes		Requires the Department of Justice to establish a Metal Theft Task Force Program designed to enhance the capacity of the department to serve as the lead law enforcement agency in the investigation and prosecution of illegal recycling operations, and metal theft and related recycling crimes. Authorizes the department to enter into partnerships with local law enforcement agencies.	05/28/2015 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 1030 Ridley-Thomas S (D)	Global Warming Solutions Act of 2006: Greenhouse Gas		Amends existing law that relates to the Greenhouse Gas Reduction Fund. Requires priority be given to projects involving hiring that support the targeted training and hiring of workers from disadvantaged communities for career-track jobs.	07/07/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 1068 Allen T (R)	California Environmental Quality Act: Priority Projects		Authorizes each Member of the Legislature to nominate one project within his or her respective district each year, and the Governor to designate those projects as priority projects if the projects meet specified requirements. Requires the Governor to provide a notice of the designation to the appropriate lead agency and to the Office of Planning and Research. Requires an environmental impact report for each project. Authorizes tiering from previously prepared reports. Relates to court stays of projects.	03/19/2015 - To ASSEMBLY Committees on NATURAL RESOURCES and JUDICIARY.
AB 1095	Salton Sea: Restoration		Requires the Natural Resources Agency to submit to the Legislature a list of	07/14/2015 - From SENATE

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Garcia E (D)	Projects		defined shovel-ready Salton Sea restoration projects, including information regarding project costs and project completion timelines.	Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
AB 1128 Jones-Sawyer (D)	Water Conservation		Makes nonsubstantive changes to existing law that declares the intent of the Legislature to, among other things, promote urban water conservation standards that are consistent with the California Urban Water Conservation Council's adopted best management practices and specified requirements for demand management.	02/27/2015 - INTRODUCED.
AB 1139 Campos (D)	Personal Income Tax: Credit: Turf Removal		Allows a taxpayer, under the Personal Income Tax Law, a credit for participation in a lawn replacement program.	03/26/2015 - To ASSEMBLY Committee on REVENUE AND TAXATION.;03/26/2015 - From ASSEMBLY Committee on REVENUE AND TAXATION with author's amendments.;03/26/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.
AB 1144 Rendon (D)	Renewables Portfolio Standard Program: Credits		Provides that unbundled renewable energy credits may be used to meet the first category of the portfolio content requirements if the credits are earned by electricity that is generated by an entity that, if it were a person or corporation, would be excluded from the definition of an electrical corporation by operation of the exclusions for a corporation or person employing landfill gas technology or digester gas technology, and the entity has specified first points of interconnection.	07/07/2015 - From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass to Committee on APPROPRIATIONS.
AB 1201 Salas (D)	Delta: Predation by Nonnative Species	Support	Requires the State Department of Fish and Wildlife to develop a science-based approach that addresses predation by nonnative species upon species of fish listed pursuant to the State Endangered Species Act that reside all or a portion of their lives in the Sacramento-San Joaquin Delta and that	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on

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			considers predation reduction for all Chinook salmon and other native specifies not listed pursuant to the Act.	APPROPRIATIONS.
AB 1242 Gray (D)	Water Quality: Groundwater Impacts		Requires the State Water Resources Control Board, in formulating State policy for water quality control and adopting or approving a water quality control plan, to take into consideration any applicable groundwater sustainability plan or alternative and available information regarding the impacts of groundwater use and management on beneficial uses of surface waters.	07/16/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
AB 1243 Gray (D)	Groundwater Recharge: Grants		Establishes the Groundwater Recharge Grant Fund. Provides that moneys in the fund are available to the State Water Resources Control Board to provide grants to local governments and water districts for groundwater recharge infrastructure projects.	04/14/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.
AB 1315 Alejo (D)	Public Contracts Water Pollution Prevention Plans		Prohibits a public entity, charter city, or charter county from delegating to a contractor the development of a plan used to prevent or reduce water pollution or runoff on a public works contract. Provides exceptions. Prohibits those same entities from requiring a contractor on a public works contract that includes compliance with a plan to assume responsibility for the completeness and accuracy of a plan developed by that entity.	05/28/2015 - In ASSEMBLY Committee on APPROPRIATIONS: Held in committee.
AB 1325 Salas (D)	Delta Smelt		Enacts the Delta Smelt Preservation and Restoration Act of 2016. Requires the development of a deltas smelt hatchery program to preserve and restore the delta smelt. Requires entering into mitigation banking agreements with banking partners of the Department of Fish and Wildlife for the purpose of providing take authorizations to those partners and to obtain funding from banking agreements. Appropriates an unspecified amount of money from an unspecified source to implement these provisions.	04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Failed passage.;04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Reconsideration granted.
AB 1362 Gordon (D)	Local Government Assessments Fees and Charges		Defines stormwater for purposes of the Proposition 218 Omnibus Implementation Act to mean any system of public improvements or service intended to provide for the quality, conservation, control, or conveyance of waters that land on or drain across the natural or man-made landscape.	03/23/2015 - To ASSEMBLY Committee on LOCAL GOVERNMENT.
AB 1390 Alejo (D)	Groundwater: Adjudication		Establishes special comprehensive adjudication procedures for an action to determine the rights to extract groundwater in a basin. Authorizes determining all rights to groundwater in a basin whether based on appropriation, overlying right, or other basis. Requires a complaint filed in	07/14/2015 - From SENATE Committee on JUDICIARY: Do pass as amended to Committee on

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			an action to name certain defendants, including all general and special districts managing or replenishing resources in the basin, and to be serve and published in a specified manner. Relates to property tax collection.	APPROPRIATIONS.
AB 1454 Wagner (R)	Water Quality: Trash: Single-Use Carryout Bags		Suspends the operation of certain amendments to water quality control plans relating to the total maximum daily load for trash unless and until specified provisions inoperative due to a pending referendum election become effective. Requires the State Water Resources Control Board to revisit and revise the water quality control plans to address impaired water quality due to trash if the law pending referendum is defeated.	04/23/2015 - Re-referred to ASSEMBLY Committee on RULES.
AB 1463 Gatto (D)	Onsite Recycled Water		Requires the State Water Resources Control Board to establish water quality standards and reporting requirements for onsite water recycling systems using blackwater. Authorizes the Department of Housing and Community Development and the State Building Standards Commission to authorize the use of blackwater in onsite water recycling systems only of prescribed conditions are met. Requires the Department to adopt building standards for all categories of residential and commercial onsite recycled water.	06/18/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments.;06/18/2015 - In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY.
AB 1532 Local Government Cmt	Local Government: Omnibus		Amends provisions regarding local governments to include the revision of existing law regarding local agency formation commissions. Revises provisions regarding hospital districts, conflict of interest rules for a commission appointed legal counsel, the annexation of inhabited territory, and the issuance of a certificate of completion or termination regarding the consolidation of cities or districts.	07/15/2015 - Signed by GOVERNOR.;07/15/2015 - Chaptered by Secretary of State. Chapter No. 114
AB 1534 Ting (D)	Assessment Analyst: Certification		Prohibits an assessor or any person employed by the Office of the County Assessor from making decisions with regard to change in ownership, or with regard to property tax exemptions, except a homeowners' exemption claim, unless he or she is the holder of a valid assessment analyst certificate issued by the State Board of Equalization. Requires prescribed annual training for certification. Provides for advanced certification. Provide failure to complete training would be grounds for revocation.	07/06/2015 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
SB 7 Wolk (D)	Housing: Water Meters: Multi-unit Structures		Requires landlord to make submeter disclosures to a tenant prior to executing a rental agreement. Relates to tenant billing procedures and	07/16/2015 - In ASSEMBLY. Read second time and

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			requirements. Authorizes building standards that require the installation of water submeters in multiunit residential buildings. Provides structure exemptions. Relates to landlord requirements. Relates to the use of meters or submeters in new mixed-use residential and commercial structures as a condition for service. Requires plumbing contractors do the installation.	amended. Re-referred to Committee on APPROPRIATIONS.
SB 13 Pavley (D)	Groundwater		Authorizes the State Water Resource Control Board to designate a basin as a probationary basin and to develop an interim plan. Relates to deficiency remedies by a local agency or groundwater sustainability agency, and to the designation of a basin as probationary. Relates to establishing a groundwater sustainability plan. Authorizes a mutual water company to participate in such agency. Provides a water corporation or mutual water company may participate. Requires an agreement for agency designation.	07/16/2015 - In ASSEMBLY. Read second time. To Consent Calendar.
SB 20 Pavley (D)	Wells: Reports: Public Availability		Amends an existing law which requires a person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well to file a report of completion with the Department of Water Resources. Requires the Department to make reports available to the public. Requires the Department to redact from the report specified information pertaining to the well owner.	06/15/2015 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.
SB 32 Pavley (D)	Global Warning Solutions Act of 2006: Emissions Limit		Requires the State Air Resources Board to approve a specified statewide greenhouse gas emission limits that are the equivalent to a specified percentage below the 1990 level to be achieved by 2030 and another percentage below the 1990 level by 2050. Authorizes the Board to adopt an interim emissions level target to be achieve by 2040. Makes conforming changes.	07/13/2015 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
SB 47 Hill (D)	Environmental Health: Synthetic Turf		Requires the Office of Environmental Health Hazard Assessment, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, for potential adverse health impacts. Provides the information to be included in the study. Authorizes grant to crumb rubber businesses to find alternative markets.	05/28/2015 - In SENATE Committee on APPROPRIATIONS: Held in committee.
SB 113 Galgiani (D)	Disaster Preparedness and Flood Prevention Bond Act		Specifies that the Disaster Preparedness and Flood Prevention Bond Act of 2006 funds provided by the act are only available for appropriation until a specified date and at that time the amount of indebtedness authorized by the act is reduced by the amount of funds that have not been appropriated.	07/02/2015 - From SENATE Committee on NATURAL RESOURCES AND WATER with author's

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			Makes available a specified amount of funding for the upgrade of the levee system of a specified reclamation district to provide urban level of flood protection.	amendments.;07/02/2015 - In SENATE. Read second time and amended. Re-referred to Committee on NATURAL RESOURCES AND WATER.
SB 119 Hill (D)	Protection of Subsurface Installations		Relates to excavation. Makes changes relating to a regional notification center and subsurface installations. Provides for delineation of areas to be excavated, preservation of certain plans, excavator damages for improperly inaccurate field mark, pipeline safety, an exemption for certain residential property owners using hand tools, the creation of an advisory committee, and the use of moneys collected as a result of the issuance of citations. Creates a complaint authority.	07/14/2015 - From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
SB 122 Jackson (D)	Environmental Quality Act: Record of Proceedings		Amends the Environmental Quality Act. Relates to a database for the collection, storage, retrieval, and dissemination of environmental documents, notices of exemption, notices of preparation, notices of determination, and notices of completion provided to the office that shall be available online to the public through the internet. Provides for the phase-in of electronic documents. Requires the lead agency to submit to the State Clearinghouse a sufficient number of environmental documents for review.	07/15/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
SB 127 Vidak (R)	Water Quality, Supply, and Infrastructure Improvement		Relates to the Water Quality, Supply, and Infrastructure Improvement Act of 2014. Requires the public agency, in certifying the environmental impact report and in granting approvals for projects funded, in whole or in part, by Proposition 1, including the concurrent preparation of the record of proceedings and the certification of the record of proceeding within 5 days of the filing of a specified notice, to comply with specified procedures.	02/05/2015 - To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.
SB 142 Jackson (D)	Civil law: Unmanned Aerial Vehicles		Extends liability for wrongful occupation of real property and damages to a person who operates an unmanned aircraft or unmanned aircraft system less than a specified distance above ground level within the airspace overlaying the real property, without the express permission of the person or entity with the legal authority to grant access or without legal authority.	07/15/2015 - In ASSEMBLY. Read second time. To third reading.
SB 143 Stone (R)	Diamond Valley Reservoir: Recreational Use	Oppose	Amends existing law that prohibits recreational use in which there is bodily contact with water, in a reservoir in which water is stored for domestic use.	02/05/2015 - To SENATE Committee on ENVIRONMENTAL QUALITY.

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SB 173 Nielsen (R)	Groundwater: De Minimis Extractors		Amends existing law that generally excepts a de minimis extractor from the requirement that a person who extracts groundwater from a probational basin or extracts groundwater on or after July 1, 2017, in an area within a basin that is not within the management area of a groundwater sustainability agency and where the county does not assume responsibility to be the groundwater sustainability agency has to file a report of groundwater extraction. Defines a de minimis extractor.	03/24/2015 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.;03/24/2015 - In SENATE Committee on NATURAL RESOURCES AND WATER: Reconsideration granted.
SB 179 Berryhill (R)	Secondhand Goods: Junk Dealers		Makes nonsubstantive changes to existing law that prohibits a junk dealer or recycler from possessing a reasonably recognizable, disassembled, or inoperative fire hydrant or fire department connection, a manhole cover or lid, or a backflow device, that was owned by an agency, without a written certification on the agency's letterhead that the agency either has sold the material described or is offering the material for sale.	02/19/2015 - To SENATE Committee on RULES.
SB 184 Hertzberg (D)	Local Government: Omnibus Bill		Clarifies that provisions in existing law relating to the authority of the duties of the auditor apply only to the county auditor. Authorizes marginal notations on recorded records. Repeals keeping an index of separate property of married women. Authorizes general grantor-grantee index in computerized of electronic format. Deletes certain endorsement requirements. Deletes certain name and address posting on records requirement. Updates government contract cost accounting. Relates to local contract bidding.	07/16/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence.
SB 185 De Leon (D)	Public Retirement Systems: Divestiture of Thermal Coal		Prohibits the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of funds in a thermal coal company. Requires the boards to liquidate investments and to engage with such companies to ascertain if they are transitioning to clean energy generation business models. Requires the boards to file a report including a list of companies of which they have liquidated their investments.	07/15/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
SB 208 Lara (D)	Integrated Regional Water Management Plans: Grants		Requires a regional water management group to provide the Department of Water Resources with a list of projects to be funded by the grant funds where the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. Requires the Department to provide advanced payment of a percentage of the grant from	07/15/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.

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			those projects that satisfy specified criteria. Authorizes the Department to adopt additional requirements to assure payment is used properly.	
SB 216 Pan (D)	Public Employees Retirement System		Amends the Public Employees Retirement System. Repeals the provisions regarding investing in residential realty on the system's investment portfolio. Changes the frequency of a specified report to eliminate the requirement to report on the investments on a cost basis. Makes other changes to the content of the report. Specifies that the option to purchase service credit shall be elected prior to retirement, that the member be returning to State service. Requires supplying retirement eligibility information.	07/16/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE for concurrence.
SB 223 Galgiani (D)	Division of Boating and Waterways: Oversight Committee		Requires the Division of Boating and Waterways to establish an advisory and oversight committee to evaluate and monitor the activities of the Division relating to the management and control or eradication of invasive aquatic plants. Provides the expertise of members of the committee. Requires the committee to meet a specified amount of times per year and to communicate any findings or recommendations to the Division.	07/14/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
SB 226 Pavley (D)	Sustainable Groundwater Management Act		Provides for a comprehensive method for determining groundwater rights. Provides that a court shall use the Code of Civil Procedure for determining rights to groundwater. Requires the rights determination process to be available to specified courts. Provides for applicability to Indian tribes and the federal government. Requires the boundaries of a basin to be identified in Bulletin 118. Authorizes certain departments to intervene in specified actions. Provides for expert witness disclosures.	07/07/2015 - From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
SB 228 Cannella (R)	Groundwater Storage: Beneficial Use		Declares that the recharging of a groundwater basin by a local groundwater management agency or a local groundwater sustainability agency for the purposes of repelling saline intrusion and recovering basin groundwater levels constitutes a beneficial use of water if the recharge is consistent with the local agency's groundwater management plan or groundwater sustainability plan.	02/26/2015 - To SENATE Committee on NATURAL RESOURCES AND WATER.
SB 248 Pavley (D)	Oil and Gas		Provides for an inspection program for all activities regulated pursuant to provisions concerning drilling, operation, maintenance, and abandonment of oil and gas wells and certain tanks and facilities. Requires inspections to be reported and posted, and the recording of information in a well history, including fluid injection, chemical composition, and waste disposal injection. Provides for shutdown. Requires the updating of related	07/16/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

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			regulations. Requires projects to be brought into regulatory compliance.	
SB 258 Bates (R)	Local Government		States the intent of the Legislature to enact legislation that would protect the right of the public to participate in open deliberations of the legislative bodies of local agencies by clarifying the appropriate use of special meetings.	02/26/2015 - To SENATE Committee on RULES.
SB 272 Hertzberg (D)	State Public Records Act: Local Agencies: Inventory		Requires each local agency, in implementing the State Public Records Act, to create a catalog of enterprise systems, to make the catalog publicly available upon request in the office of the person or officer designated by the agency's legislative body, and to post the catalog on the local agency's Internet Web site. Requires the catalog to disclose a list of the systems utilized by the agency and, among other things, the current system vendor and product.	07/15/2015 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.
SB 317 De Leon (D)	Safe Neighborhood Parks, Rivers, and Coastal Protection		Enacts the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016, which, if adopted by the voters, would authorize the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law to finance a safe neighborhood parks, rivers, and coastal protection program.	05/28/2015 - From SENATE Committee on APPROPRIATIONS: Do pass.;05/28/2015 - In SENATE. Read second time. To third reading.
SB 350 De Leon (D)	Clean Energy and Pollution Reduction Act of 2015		Require the quantity of electricity products from eligible renewable energy resources be procured by each retail seller for specified periods. Requires local publicly owned electric utilities to ensure specified quantities of such products be procured. Excludes combustion from municipal waste as eligible energy sources. Requires submission of renewable energy procurement plans. Relates to regulatory disincentives regarding greenhouse emissions reduction. Relates to alternative fuel vehicles.	07/16/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
SB 360 Cannella (R)	Biomethane		Authorizes the Public Utilities Commission to consider providing the option to all corporations to engage in competitive bidding and direct investment in ratepayer financed biomethane collection equipment.	03/05/2015 - To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.
SB 385 Hueso (D)	Primary Drinking Water Standards: Hexavalent Chromium		Authorizes the State Water Resources Control Board to grant a period of time to achieve compliance with the primary drinking water standard for hexavalent chromium by approving the compliance plan. Requires a public water system to provide specified notice regarding the plan to the persons served and to send status reports to the Board. Authorizes the Board to direct	07/16/2015 - In ASSEMBLY. Read second time. To Consent Calendar.

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			revisions to the plan and to implement, interpret, or make specific provisions by means of criteria, published on its Internet Web site.	
SB 454 Allen (D)	Water Quality: Oil and Gas: Exempted Aquifer		Relates to water quality, oil and gas wells and exempt aquifers. Prohibits the Division of Oil, Gas, and Geothermal Resources from submitting a proposal for an aquifer exemption to the United States Environmental Protection Agency unless the Division and the State Water Resources Control Board concur in writing that the aquifer meets specified conditions.	06/08/2015 - In SENATE. From third reading. To Inactive File.
SB 471 Pavley (D)	Water, Energy, Reduction of Greenhouse Gas Emissions		Includes reduction of greenhouse emissions associated with water treatment among the investments that are eligible for funding from the Greenhouse Gas Reduction Fund. Requires the State Water Resources Control Board to establish a grant and loan program for water projects that result in the net reduction of water-related greenhouse gas emissions.	07/13/2015 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass as amended to Committee on APPROPRIATIONS.
SB 485 Hernandez (D)	County of Los Angeles: Sanitation Districts		Authorizes specified sanitation districts in the County of Los Angeles, to acquire, construct, operate, maintain, and furnish facilities for the diversion, management, and treatment of stormwater and dry weather runoff, the discharge of the water to the stormwater drainage system, and the beneficial use of the water. Requires a district to consult with the specified entities prior to initiating a stormwater or dry weather runoff program within the boundaries of an adjudicated groundwater basin.	07/15/2015 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass.
SB 487 Nielsen (R)	Sustainable Groundwater Management Act: Exemptions		Relates to the California Environmental Act (CEQA). Exempts from the requirements of CEQA the formation of a groundwater sustainability agency, the amendment of a groundwater sustainability plan or coordinated groundwater sustainability plan, and the implementation of those plans, except to the extent that the implementation requires the construction or installation of a new facility.	03/12/2015 - To SENATE Committee on ENVIRONMENTAL QUALITY.
SB 551 Wolk (D)	State Water Policy: Water and Energy Efficiency	Seek Amendments	Declares the policy of the state that water use and water treatment shall operate in a manner that is as energy efficient as in feasible and energy use and generation shall operate in a manner that is as water efficient as is feasible. Requires all relevant state agencies to consider this state policy when revising, or establishing policies, regulations, and grant criteria when pertinent to these uses of water and energy.	07/14/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
SB 552 Wolk (D)	Public Water Systems: Disadvantaged Communities		Requires the State Water Resources Control Board to hold at least one initial public meeting prior to ordering the consolidate or extension of public water	07/09/2015 - Re-referred to ASSEMBLY Committee on

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			system service and to obtain the consent of any domestic well owner. Provides any affected resident and domestic well owner within the service area who does not consent is ineligible for any future water-related grant funding. Requires the Board to compensate certain water systems. Prohibits a charge increase for certain customers.	RULES.
SB 553 Wolk (D)	Water Conservation		Requires the Department of General Services to identify each public property in the department's state property inventory where it is feasible for water consumption to be reduces and water efficiencies to be achieved through implementation of the relevant recommendations made in the model water efficient landscape ordinance and would require the department to implement the relevant recommendation where feasible.	05/28/2015 - In SENATE Committee on APPROPRIATIONS: Held in committee.
SB 554 Wolk (D)	Water Commission Disqualifying Financial Interest		Removes a member of the California Water Commission from office if after trial a court finds that the commission member has knowingly participated in any commission decision in which the member has a disqualifying financial interest in the decision.	04/21/2015 - In SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Not heard.
SB 555 Wolk (D)	Urban Retail Water Suppliers: Water Loss Management		Require each urban retail water supplier to submit a completed and validated water loss audit report for the previous calendar year. Requires the Department of Water Resources of post a reports on its Internet Web site and develop metrics for reporting progress on water loss reduction. Requires rules requiring urban retail water suppliers to meet performance standards for the volume of water losses. Requires the Water Resources Control Board to contribute funds for water loss audit validation assistance.	07/16/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
SB 556 De Leon (D)	Victims of Crime: Indemnification: Applications		Relates to indemnification of victims of crime. Defines the time of processing applications. Requires the Victim Compensation and Government Claims Board to post on its Internet Web site its progress and current average time of processing applications, the number of applications approved and denied, and incomplete applications received. Relates to the period of time, including all calendar days, that begins when the board first receives an application and ends when a check is mailed to an eligible victim.	07/13/2015 - In ASSEMBLY. From Consent Calendar. To third reading.
SB 568 Fuller (R)	Groundwater Management		Relates to the Sustainable Groundwater Management Act. Authorizes the State Water Resources Control Board to designate a basin as a probationary basin if the state board makes a certain determination and authorizes the state board to develop an interim plan for the probationary basin.	03/12/2015 - To SENATE Committee on RULES.

IRWD 2015 LEGISLATIVE MATRIX
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Bill No. Author	Title	IRWD Position	Summary/Effects	Status
SB 615 Berryhill (R)	Waste Discharge: Waivers: Managed Wetlands		Relates to waste discharge requirements, waivers and managed wetlands. Requires each regional board to prescribe waste discharge requirements that implement relevant water quality control plans. Provides for waivers. Amends monitoring of wetlands unless results of downstream monitoring demonstrate a violation of water quality discharge standards.	04/29/2015 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.
SB 625 Galgiani (D)	Water Management: Synthetic Plastic Microbeads		Prohibits the selling, or offering for promotional purposes a person care product containing synthetic plastic microbeads. Exempts from this prohibition the sale or promotional offer of a product containing a specified amount of such microbeads. Makes a violator liable for a civil penalty for each violation. Authorizes the penalty to be recovered in a civil action brought by the Attorney General. Prohibits any local ordinance, resolution, or rule relating to the sale of such microbeads.	04/22/2015 - Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.
SB 687 Allen (D)	Renewable Gas Standard		Requires the State Air Resources Board to adopt a carbon-based renewable gas standard that requires all gas sellers to provide specified percentages of renewable gas meeting certain deliverability requirements, to retail end-use customers for use in the state that increases over specified compliance periods, and to issue an analysis of the lifecycle emissions of greenhouse gases and reductions for different biogas types and end uses. Requires a renewable gas assessment.	05/28/2015 - In SENATE Committee on APPROPRIATIONS: Held in committee.
SB 704 Gaines T (R)	Public Officers and Employees: Conflicts of Interest		Relates to conflicts of interest of public officers and employees. Provides for an updated definition of remote interest. Includes in the definition the interest of a planner employed by a consulting engineering, architectural, or planning firm.	07/15/2015 - From ASSEMBLY Committee on ELECTIONS AND REDISTRICTING: Do pass to Committee on APPROPRIATIONS.
SB 758 Block (D)	Atmospheric Rivers Research and Mitigation Program		Establishes the Atmospheric Rivers Research and Mitigation Program in the State Department of Water Resources to research the causes and effects of such rivers, and to take actions to capture water generated by such rivers to increase the water supply and reliability of water resources in the State and to operate reservoirs in a manner that improves flood protection in the State. Establishes a related fund for funding the program.	07/14/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
SB 768 Wieckowski (D)	Water-Conserving Plumbing Fixtures		Makes technical, nonsubstantive changes to existing law that requires the replacement of plumbing fixtures that are not water conserving in residential and commercial real property built and available for use on or before a	03/19/2015 - To SENATE Committee on RULES.

IRWD 2015 LEGISLATIVE MATRIX
Updated 07/22/2015

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			specified date.	
SB 772 Stone (R)	Bay Delta Conservation Plan: Judicial Review		States the intent of the Legislature to enact legislation establishing judicial review procedures for the Bay Delta Conservation Plan.	03/19/2015 - To SENATE Committee on RULES.
SB 798 Pavley (D)	Natural Resources		Provides provisions regarding natural resources to include sport fishing regulations, the automated fishing and hunting license data system, the retrocession of jurisdiction by the United States over land within the State, the conveyance of certain State lands to the United States for a lighthouse, membership of the Range Management Advisory Committee, membership on the Coastal Commission, violations of water use and diversion provisions, temporary water diversion permits, and small irrigation water usage.	07/08/2015 - From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.;07/08/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
SJR 1 Beall (D)	Social Security: Retirement Benefits: Public Employees		Requests the President and the Congress of the United States to pass legislation repealing the Government Pension Offset and the Windfall Elimination Provisions from the Social Security Act.	07/06/2015 - Chaptered by Secretary of State.;07/06/2015 - Resolution Chapter No. 92

EXHIBIT "B"

Resilient, Affordable, Safe Drinking Water for Disadvantaged Communities Framework

CALIFORNIA Water Boards
STATE WATER RESOURCES CONTROL BOARD
REGIONAL WATER QUALITY CONTROL BOARDS

All Californians have a right to safe, clean, affordable and accessible water adequate for human consumption, cooking, and sanitary purposes. Yet some Californians are still unable to turn on their tap and enjoy this basic human right. Drought has exacerbated existing conditions and left new communities entirely without water. State, Federal, and local agencies, non-profits, and community groups continue to work to remedy this public health and safety problem, but existing tools are not sufficient to reach a solution in every case. For the most part, existing state and federal funding programs are available to cover the costs of rehabilitating or installing new infrastructure. The greatest challenge lies in the daily system operations when a system's service area is entirely disadvantaged and lacks the economy of scale and ratepayer base to cover the ongoing costs of operations and maintenance (O&M) without making the water rates unaffordable for the customers. Often these systems do not have sufficient technical, managerial, and financial capacity. And although there may be economies of scale developed through regionalization, no one is responsible for building the necessary economies of scale within a region and the lack of scale has continued to persist. This framework provides a responsible agency and pathway to ensuring that everyone in California has adequate, safe water for basic human needs.

Goal

Ensure that every Californian has access to an adequate supply of safe water for daily human needs. This goal will be achieved by:

- Making more strategic use of existing funding resources
- Improving technical, managerial, and financial capacity where possible, consolidating as a second option, and if neither of those work, contracting with a third party to manage the system with a commitment to transitioning the system to a sustainable condition
- Easing the burden on local governments by limiting the proliferation of new, unsustainable systems

Use Existing Funding Sources More Strategically

Existing funding comes from many sources, some listed below. Some of these funding streams can be used exclusively for infrastructure and a few can be used to cover the cost of O&M. There are opportunities to expand the use of some of these funding sources, particularly those that may be used to cover O&M, and there are opportunities to better leverage the infrastructure funds.

Use existing funding more strategically, including:

- State Grants and Loans: Proposition 1, Drinking Water State Revolving Fund, Cleanup and Abatement Account, Drought Funding, Housing and Community Development Funding Programs;
- Federal Grants: USDA Rural Development, US Bureau of Reclamation, CDBG (state and federal), and others;
- Polluter Funds: Discharge penalties, settlement amounts for groundwater cleanup, mitigation fees, alternative means of compliance fees (ie. UST);
- Local property tax assessments;
- Ratepayer dollars;
- Responsible Parties [Clean-up and Abatement Orders, settlements, etc.].

Address the Needs of Public and State Small Water Systems

This initiative will enhance the State Water Board's existing ability to provide technical assistance and add a management contract option tool. The State Water Board will work to bring a system into compliance through technical assistance first. If technical assistance fails the State Water Board will consider opportunities to consolidate the system, if appropriate. If consolidation is infeasible or impossible the State Water Board will include the system in a group management contract committed to moving the systems toward a sustainable outcome within ten years.

The State Water Board may opt for one or more of the following options:

1

Build Physical, Financial and Technical Capacity

In Option 1, the Board will use existing authority to seek to maintain existing systems whenever feasible and effective in providing adequate, safe drinking water. In these cases, the State Water Board would:

- Move unsustainable systems to sustainability through technical and financial assistance including funding for capital infrastructure needed to connect or improve system(s).
- Incentivize consolidation (physical or managerial) of systems that are not independently sustainable as described below under "Consolidation."

2

Consolidation, if Appropriate

In Option 2, the Board will use its new authority to require consolidation of water systems within disadvantaged communities, as defined, if voluntary measures do not result in assurance of adequate, safe drinking water and it is appropriate and feasible to consolidate the system with a public water system.

- The Board will first consult with the local agency formation commission, and with the California Public Utilities Commission, if appropriate.
- The Board will make various findings, hold a hearing, and provide adequate financial assistance for the needed infrastructure.
- Liability relief will be provided to the receiving system.

3

Grouped Management Contract
Administrative Receivership for Sustainable Systems

In Option 3, the Board would be given new authority to provide management assistance via contracted services that would ensure delivery of adequate, affordable, safe drinking water. Contracted entities could be non-profit organizations, counties, special districts, investor-owned utilities, or others. Use of a contracted entity would provide technical and managerial capacity, economies of scale, and other efficiencies such as web-based operating systems. Financial capacity would be addressed through:

- Providing funding for capital infrastructure needed to provide adequate, safe water;
- Setting water rates at an affordable rate for basic needs;
- Providing funding (maximum duration ten years), through the contracted resources, for O&M costs to cover the gap between ratepayer dollars and the costs of O&M in a manner that prevents fraud, waste, and abuse; and
- Working with communities served by the contracted entity to equip them to transition to a sustainable structure by the end of the ten-year funding period.

Limit Proliferation of New, Unsustainable Systems

Ease the burden on local governments with new tools to limit the proliferation of new, unsustainable systems by:

- Requiring hookup to existing public water systems if feasible, rather than creation of new systems.
- Adding a requirement that the State Water Board must concur in permits issued by Local Primacy Agencies for the creation of a new water system.
- Reducing the threshold size of proposed residential development subject to Government Code 66473.7 from 500 to 15 dwelling units/service connections, to match the threshold for community public water systems.
- Barring approval of new communities that would rely on hauled water for a permanent water supply.

DRAFT

Groundwater Adjudications: Sensible and Cost-Effective Reforms To Ensure a Modern and Fair Process

This proposal would provide a modern, comprehensive adjudication process for all groundwater basins that are regulated under the Sustainable Groundwater Management Act (SGMA), and it would be an option for basins that are not. The proposal has three main objectives: (1) make the adjudication process more cost-effective; (2) ensure that the process is fair; and (3) harmonize the process with SGMA to ensure that parties have a forum to determine their water rights but do not use it to obstruct or delay SGMA. Because the proposal is located within SGMA, it includes the commitment in SGMA not to alter water rights, but instead provides an expedited process for defining and quantifying existing rights.

Scope of the proposal

To ensure a comprehensive process, the proposal applies to all basin-wide groundwater adjudications in high- and medium-priority SGMA basins (section 10738), may include federal agencies and tribes (sections 10722.2 and 10741.2), and may include rights to interconnected surface water when it is necessary for a fair and effective adjudication of the rights to the basin (section 10738.4), as some past adjudications have done. The court may exclude small pumpers up to five acre-feet-per-year (section 10738.4), which would make the case more manageable without compromising its effectiveness.

The court has discretion to use the process in non-SGMA basins when it makes sense to do so (section 10738) and to expansions of existing adjudications into areas currently governed by SGMA. (Section 10720.8) The process does not apply to small disputes, such as well interference actions. (Section 10738)

To provide future certainty for all water right holders, the proposal clarifies that the court is empowered to determine the priority of unexercised water rights, consistent with the principles articulated in *In re Waters of Long Valley Creek System*. (Section 10737)

Basin boundaries

To limit disputes over basin boundaries, the proposal uses the same boundaries—and the same process for adjusting boundaries—as SGMA. The boundaries are identified by the Department of Water Resources in Bulletin 118 and adjusted by the Department when justified. (Section 10738.4)

Selection of Judge

The Judicial Council will select a neutral judge for all purposes. Judges may be challenged for cause only; there are no preemptory challenges. (Section 10739)

Notice and service of complaint

Reforms to the notice and service process are intended to be efficient but fair. Notice and service of water right holders may be through various forms of notice, including personal service, publications, websites, and tax assessments. (Sections 10741, 10741.2, and 10741.5) Notice must be provided to a wide range of interests, including landowners, groundwater sustainability agencies, cities, counties, relevant special districts, tribes, and specified state and federal entities. (Section 10741) All known pumpers must be served according to procedures in the Code of Civil Procedure. (Section 10741.5) Prior to sending notice to landowners, the plaintiff must file a draft notice to the court for approval. (Section 10741.2) The court may require the notice to be translated. (Section 10741.2) If they receive notice, people who claim to hold water rights have a legal duty to step forward and prove their claims. (Section 10741.6)

Intervention

Some parties should have a right to intervene in an adjudication action. The State of California holds all water in trust for the people of California, and the state oversees a statewide regulatory process to ensure sustainable groundwater management. Accordingly, the state may intervene in any adjudication. (Section 105.5) Groundwater sustainability agencies, cities, and counties may intervene in an adjudication that concerns their basin. Landowners in the basin may also intervene. (Section 10741.8)

Discovery

To simplify and expedite discovery, parties are required to disclose their claims, pumping information, and other specified information early in the process, and they are required to update the information when it changes. (Section 10742)

Case management

To manage the case efficiently and help prompt settlement, the court may divide the case into phases, adopt measures to prevent parties from re-litigating issues from a previous phase, limit discovery to corresponding phases, schedule early resolution of issues such as prescriptive rights, and allow the parties to form classes (groups) of persons with similar overlying rights to the groundwater in the basin. (Section 10743)

To avoid interference and redundancy with the SGMA process, and to encourage settlement, the court has discretion to stay the litigation while the parties in the SGMA process develop technical information and management options. (Sections 10744)

Special master

To help the court sort through complex technical and legal issues, the court may appoint a special master. The parties would pay the special master's costs, but the court has discretion to waive this requirement for parties that show good cause. (Section 10745)

Preliminary injunction

One of the primary reasons that adjudications can take decades to resolve is that it is often cheaper for a party to drag out the litigation rather than resolve the case. Meanwhile, the parties continue to overdraft the basin, causing injury to water right holders and long-term damage to the basin. Also, some parties may hope to delay pumping restrictions by disrupting the SGMA process with strategic lawsuits or other tactics.

To discourage delay, minimize ongoing damage, and encourage settlement, if the basin is in overdraft, the court may issue a preliminary injunction to limit pumping during the litigation. In more rare circumstances, if the SGMA process has been delayed or completely broken down, the court would be required to issue a preliminary injunction. (Section 10746)

Witness testimony

To make the process more efficient, expert witness discovery is similar to the federal rules of civil procedure, including written reports. (Section 10747) To expedite trial, the court may require witnesses at trial to submit their testimony in writing. (Section 10747.5)

Stipulated judgments

Historically, adjudications have ended with a negotiated settlement. But settlements are rarely unanimous, and the process of negotiating a settlement for hundreds or thousands of parties can take years and cost millions of dollars in attorney fees.

To provide an expedited process for negotiated settlements, while also allowing dissenters to fully litigate their issues, the court may enter a stipulated judgment that is supported by 50% of water right holders or 75% of groundwater production if it makes certain findings, including consistency with SGMA and equal treatment of dissenting parties and of small pumpers who are not present in the lawsuit. Dissenting parties may continue to litigate, but the court may impose the plan on them if they fail to demonstrate that it is illegal or treats them unfairly. (Section 10749) Dissenters would not be subject to the stipulated judgment during the

litigation, but, to discourage them from dissenting merely to keep pumping at unsustainable levels, they would remain subject to a preliminary injunction. (Section 10749) After a judgment is entered, the court has continuing jurisdiction to correct problems. (Section 10749.6)

Adjudications will be more efficient in the future if they leverage the SGMA process, in which the parties will be developing the same sort of management plans that historically have been developed in adjudications. To incentivize the parties to focus on the SGMA process, and to provide certainty for SGMA plans, the parties may ask the court to enter a SGMA plan as a stipulated judgment. In that case, SGMA would still apply, but the court would step into the shoes of the water board for enforcement purposes. Thus, DWR would conduct its regular five-year assessments, as SGMA requires, and report the results and any recommended changes to the court, rather than the water board. (Sections 10749 and 10749.6)

In short, the parties have two options for stipulated judgments. They can negotiate their own stipulation so long as it does not interfere with SGMA. Or they can adopt the SGMA plan as their stipulation. In either case, the stipulating parties can obtain the certainty of a negotiated settlement without being held hostage by a small group of dissenters. Dissenters, however, must have a forum to fully resolve their legal claims. Accordingly, they may continue to litigate rather than accept the stipulation. (Section 10749)

Consistency with SGMA

The proposal is located in Chapter 12 of SGMA, but it does not force adjudications to comply with the substantive terms of SGMA. Rather, it entrusts judges with the task of managing the process to avoid conflicts and redundancies. (Sections 10737, 10737.2, 10749, and 10749.6) The court may stay an action, one year at a time, to allow the timely development of a SGMA plan. (Section 10744) As noted, local agencies and the state have a right to intervene in an adjudication process to ensure that broader public interests are protected. (Section 105.5 and 10741.8) The court and the parties have flexibility to adopt a physical solution, by stipulated judgment or otherwise, so long as it would not obstruct SGMA. (Sections 10748 and 10749)

If the parties choose to use their SGMA plan as a stipulated judgment, they must continue to meet all SGMA requirements, and the court would enforce the terms of SGMA thereafter (see discussion above). (Sections 10749 and 10749.6)

If there are separate lawsuits relating to the SGMA process, the lawsuits may be coordinated or consolidated with a pending adjudication to prevent conflicts. (Section 10739)

EXHIBIT "D"

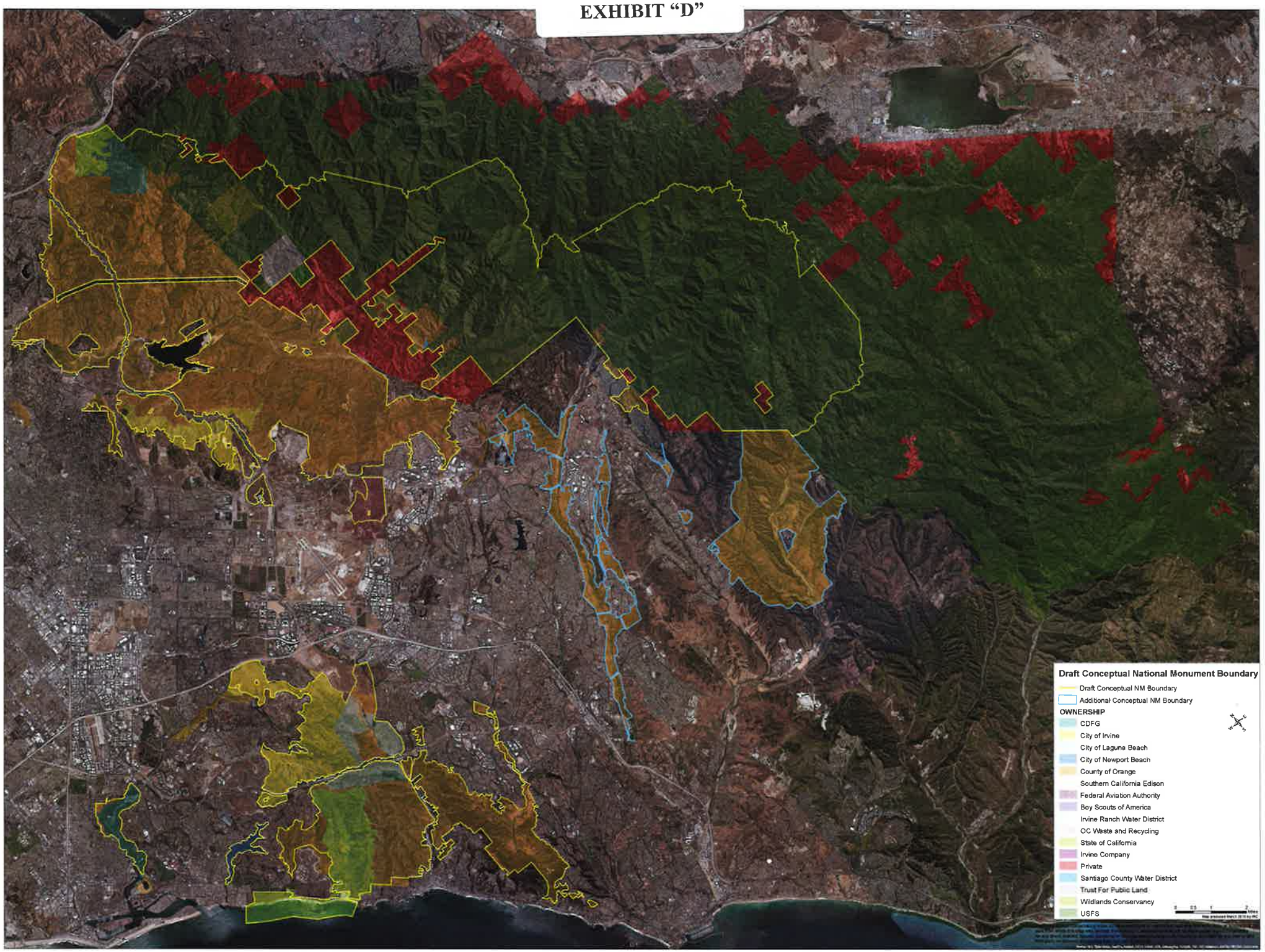
Draft Conceptual National Monument Boundary
Draft Conceptual NM Boundary
Additional Conceptual NM Boundary
OWNERSHIP
CDFG
City of Irvine
City of Laguna Beach
City of Newport Beach
County of Orange
Southern California Edison
Federal Aviation Authority
Boy Scouts of America
Irvine Ranch Water District
OC Waste and Recycling
State of California
Irvine Company
Private
Santiago County Water District
Trust For Public Land
Wildlands Conservancy
USFS

EXHIBIT "E"

[DISCUSSION DRAFT]

113TH CONGRESS
2D SESSION

H. R. _____

To establish the Santa Ana Mountains to Sea National Monument consisting of nationally-significant natural and cultural resources of the historic Santa Ana, Cleveland National Forest, and other lands in Orange County, California, to provide for conservation, collaborative stewardship, and public use and enjoyment of these resources, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROYCE introduced the following bill; which was referred to the Committee on _____

A BILL

To establish the Santa Ana Mountains to Sea National Monument consisting of nationally-significant natural and cultural resources of the historic Santa Ana, Cleveland National Forest, and other lands in Orange County, California, to provide for conservation, collaborative stewardship, and public use and enjoyment of these resources, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Santa Ana Mountains to Sea National Monument Establishment Act".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.
Sec. 4. Establishment of Santa Ana Mountains to Sea National Monument.
Sec. 5. Management of the Monument.
Sec. 6. Management plan.
Sec. 7. Permitted and prohibited uses of the Monument.
Sec. 8. Acquisition of land.
Sec. 9. Advisory Committee for the Monument.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) In the heart of densely populated Southern California lies a magnificent over 100,000 acre network of permanently preserved public land and open space, 38,000 acres of which were designated in 2006 as a National Natural Landmark by the Department of the Interior and as California's first Natural Landmark in 2008 for the land's exceptional biological and geological attributes.

(2) The Cleveland National Forest, established in 1908 by President Theodore Roosevelt and named for President Grover Cleveland, is the southernmost national forest in California. The west-facing slope of the northern and central Santa Ana Mountains

are dominant features within this landscape, including elevations ranging from approximately 1,200 feet at the mouth of Silverado Canyon to over 5,600 feet at Santiago Peak.

(3) The National Forest is an important habitat link to surrounding regional wildlife preserves. Chaparral and coastal sage scrub habitats are characteristic of the local landscape. The area contains a number of oak woodlands and grassy meadows. The local creeks have been designated as critical habitat for one or more threatened or endangered species, including southern steelhead (*Oncorhynchus mykiss*), speckled dace (*Rhinichthys osculus*) the southwestern pond turtle (*Clemmys marmorata pallida*), and southwestern arroyo toad (*Bufo californicus*). Other endangered, threatened and sensitive species in this habitat include California gnatcatcher (*Polioptila californica*), California spotted owl *(Strix occidentalis*), least Bell's vireo (*Vireo bellii pusillus*). Chiquito Basin, a Special Interest Area in the upland portion of the Santa Ana Mountains, has a number of endemic and rare plants, including San Miguel savory (*Satureja chandleri*) and Fish's milkwort (*Polygala cornuta var. fishiae*).

(4) Historic and prehistoric sites can be found in several of the canyons. Plant materials traditionally used by Native Americans thrive in several locations.

(5) The Cleveland National Forest is the wildland backdrop for millions of Orange County residents, whose communities are minutes away from this part of the National Forest System. The Santa Ana Mountains are an important day-use area for Orange County, offering open-space links to surrounding communities, and providing opportunities for challenge, solitude, and contemplation close to urban populations, as well as exceptional trail-based and riparian recreation.

(6) Since 1866, when the Rancho San Joaquin, Rancho Lomas de Santiago, and Rancho Santiago Santa Ana were combined by James Irvine and his partners to establish the Irvine Ranch, its history has reflected the rich tradition of California agriculture, and the bounty made possible by industrious settlers, fertile land, and abundant sunshine.

(7) Owing to the continuing stewardship of The Irvine Company since its founding in 1864, along with the extraordinary efforts of a wide variety of government, private, non-profit and other partners,

more than half of the original Irvine Ranch has been permanently protected and shall remain undeveloped in perpetuity.

(8) The Irvine Ranch, taken together with other public lands, including portions of the Trabuco Ranger District of the Cleveland National Forest and wilderness parks and preserves owned by the County of Orange and other local governments, comprise a 156-square mile swath of preserved land and natural open space extending from the crest of the coastal mountains to the Pacific Ocean.

(9) The open space of the historic Irvine Ranch and adjacent areas of the California Floristic Province are home to a wide array of threatened and endangered plant and animal species found nowhere else, and many of these lands were the setting of the first Natural Community Conservation Planning Agreement in 1996, which protected the California gnatcatcher and a large list of protected species while allowing responsible, well-considered development.

(10) Designation of open space within the boundary of the historic Irvine Ranch and a surrounding landscape of other connected protected open space as a National Monument would perma-

nently protect the unique biological, cultural, geological, and historic values of the area for present and future generations, while enhancing opportunities for collaborative stewardship, scientific research, public education, and continued recreation on, among other things, the 22-mile Mountains to Sea National Recreational Trail.

(11) There is a great need nationwide to establish, facilitate, and support new institutional models of collaborative management and stewardship of nationally-significant landscapes that do not rely entirely on Federal land ownership or funding.

(12) The Secretary will manage the Federal lands within the Cleveland National Forest and the other lands within the Monument will be managed by their respective owner, under a common Management Plan.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the person appointed by the Secretary under section 7 who serves as Chair of the Advisory Committee.

(2) ADVISORY COMMITTEE.—The term "Advisory Committee" means the committee established under section 9.

(3) COUNTY.—The term "County" means the County of Orange, California.

(4) LOCAL GOVERNMENT.—The term "local government" or "City" means any of the following:

(A) The City of Irvine, California.

(B) The City of Newport Beach, California.

(C) The City of Laguna Beach, California.

(D) The County.

(5) MAP.—The term "map" means the map entitled "Boundary Map, Santa Ana Mountains to Sea National Monument" and dated _____.

(6) MANAGEMENT PLAN.—The term "Management Plan" means the management plan for the Monument developed under section 6.

(7) MONUMENT.—The term "Monument" means the Santa Ana Mountains to Sea National Monument, as shown on the Map and established by section 4.

(8) MOTORIZED VEHICLES.—The term "motorized vehicles" means motorized or mechanized vehicles used by utilities, and includes mechanized equip-

ment, helicopters, and other aerial devices necessary to maintain electrical or communications infrastructure.

(9) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(10) STATE.—The term "State" means the State of California.

(11) UTILITY FACILITY.—The term "utility facility" means any and all existing and future electric generation facilities, electric storage facilities, overhead and/or underground electrical supply systems and communication systems consisting of electrical substations, electric lines, poles and towers made of various materials, "H" frame structures, guy wires and anchors, crossarms, wires, underground conduits, cables, vaults, manholes, handholes, aboveground enclosures, markers and concrete pads and other fixtures, appliances and communication circuits, and other fixtures, appliances and appurtenances connected therewith necessary or convenient for the construction, operation, regulation, control, grounding and maintenance of electric generation, storage, lines and communication circuits, for the purpose of transmitting intelligence and generating, storing, distributing, regulating and control-

ling electric energy to be used for light, heat, power, communication, and other purposes.

SEC. 4. ESTABLISHMENT OF SANTA ANA MOUNTAINS TO SEA NATIONAL MONUMENT.

(a) ESTABLISHMENT.—There is designated in the County and State the Santa Ana Mountains to Sea National Monument, comprised of the lands identified in subsection (c).

(b) PURPOSES.—The purposes of the Monument are—

(1) to preserve and protect the nationally significant biological, cultural, recreational, geological, educational, historic, scenic, and scientific values of features and lands within its boundaries;

(2) to secure the opportunity for present and future generations to experience and enjoy the magnificent flora and fauna, wildlife, land forms, and natural and cultural resources of the Monument;

(3) to provide access and opportunities for environmental education, exploration, and scientific research;

(4) to foster and support collaborative stewardship across ownership boundaries toward a common vision of the highest standards of conservation and recreation; and

(5) to inspire public support for land conservation and stewardship in one of the most densely populated regions of the United States.

(c) BOUNDARIES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Monument shall consist of approximately 100,000 acres owned or controlled by the Federal or local government, including portions of the historic Irvine Ranch and approximately 50,000 acres of adjacent portions of the Trabuco District of the Cleveland National Forest, located within the boundaries depicted on the Map.

(2) PRIVATE LAND EXCLUSION.—Privately-owned land within the boundaries depicted on the Map shall be excluded from the Monument unless the owner of such land voluntarily and formally agrees to have the land included as part of the Monument.

[(3) MINOR BOUNDARY ADJUSTMENTS.—The Secretary may make minor adjustments to the boundary of the Monument to include additional public land near or adjacent to the Monument, if, after the date of enactment of this Act, a Federal agency, State agency, or local government requests that public land owned or administered by that enti-

ty near or adjacent to the Monument be included in the Monument to promote consistent management of resources.]

(d) MAP; LEGAL DESCRIPTIONS.—

(1) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate legal descriptions of the Monument, as generally depicted on the Map.

(2) CORRECTIONS.—The Map and legal descriptions of the Monument shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the Map and legal descriptions.

(3) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the appropriate offices of the U.S. Forest Service and the Office of the County Clerk of Orange County, California.

SEC. 5. MANAGEMENT OF THE MONUMENT.

(a) IN GENERAL.—The Secretary shall—

(1) only allow uses of the Monument that—

(A) further the purposes described in section 4(b);

(B) are consistent with existing legal protection instruments on the land including conservation easements, grant deeds, the National Forest Management Act of 1976, or the Central Coastal Orange County Natural Community Conservation Plan, as applicable; and

(C) are included in the Management Plan developed under section 6 or other cooperative agreements entered into with the owners of land within the Monument which, in the judgment of the Advisory Committee, are consistent with the Management Plan.

(2) not allow or permit uses of the Monument that are specifically prohibited in this Act, the Management Plan, or existing legal protection instruments on the land.

(3) collaboratively manage, along with non-Federal land owners within the boundary, subject to valid existing rights, the Monument to protect the resources of the Monument, in accordance with—

(A) this Act;

(B) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.), or the Mul-

tiple-Used Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.), as appropriate;

(C) any other applicable provisions of law.

(b) COOPERATIVE AGREEMENTS; GENERAL AUTHORITY.—In furtherance of the Management Plan and existing authorities applicable to the Monument, the Secretary may enter into cooperative agreements and shared management arrangements for the purposes of protecting and administering the Monument.

(c) ADMINISTRATION OF SUBSEQUENTLY ACQUIRED LAND.—Any land or interest in land within the boundaries of the Monument which may be acquired by the Secretary after the date of enactment of this Act shall be managed by the Secretary in accordance with this Act.

(d) LIMITATIONS.—The establishment of the Monument does not—

(1) affect any private property rights within the boundaries of the Monument; or

(2) grant to the Secretary any authority on or over non-Federal land or interests in land not already provided by law.

(e) ADJACENT LAND.—

(1) IN GENERAL.—Nothing in this Act creates any protective perimeter or buffer zone around the Monument, or is intended to do so.

(2) ACTIVITIES OUTSIDE MONUMENT.—The fact that an activity or use on land outside the Monument can be seen or heard within the Monument shall not preclude the activity or use outside the boundary of the Monument.

(3) NO ADDITIONAL REGULATION.—Nothing in this Act requires additional regulation of activities on land outside the boundary of the Monument.

(f) AIR AND WATER QUALITY.—Nothing in this Act affects the standards governing air or water quality outside the boundary of the Monument, or is intended to do so.

(g) WATER RIGHTS.—Nothing in this Act shall—

(1) constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the lands within the Monument; or

(2) affect any water rights existing on the date of the enactment of this Act, including any water rights held by the United States.

(h) UTILITY FACILITIES AND RIGHTS OF WAY.—Nothing in this Act shall—

(1) affect the existence, use, operation, maintenance (including but not limited to vegetation control), repair, construction, reconfiguration, expan-

sion, inspection, renewal, reconstruction, alteration, addition, relocation, improvement, funding, removal, or replacement of Utility Facilities or appurtenant rights of way within or adjacent to the Monument;

(2) affect necessary or efficient access to Utility Facilities or rights of way within or adjacent to the Monument; [and/or]

(3) preclude the establishment of new Utility Facilities or rights of way (including instream sites, routes, and areas) within the Monument if such facilities are otherwise lawful and necessary for public health and safety, electricity supply, telecommunications, or other utility services.

(i) FEDERAL BUREAU OF INVESTIGATION TRAINING ACTIVITIES.—Nothing in this Act shall—

(1) affect the Federal Bureau of Investigation's current use and operation of lands it owns and administers within the Monument, which includes tactical training; or

(2) affect any future use or development of the lands owned and administered by the Federal Bureau of Investigation within the Monument, provided the future use or development complies with all applicable laws and legal instruments.

(j) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—Except as provided in paragraphs (2), (3), and (4), non-Federal land owners are expected to fund the operation of their ownerships within the Monument boundary, and no Federal funds may be used to pay such expenses.

(2) FEDERAL LAND.—Federal funds may be used to pay for the continued management of Federal land within the Monument, and on management issues, such as invasive species control or fire management, that extend across boundaries between Federal and non-Federal land.

(3) CAPITAL IMPROVEMENTS.—The Secretary may expend Federal funds for capital improvements at the Monument, including construction of a visitor center, when such capital improvements have been recommended by the Advisory Committee.

(4) COOPERATIVE MANAGEMENT.—Under the Management Plan, the Secretary may acquire from and provide to the State or local government agencies goods and services to be used by the Secretary and the State or local government agencies in the cooperative management of the land. The acceptance and use of donated funds, property, in-kind contributions, and services will conform to the purposes for which the Monument is established.

(k) USE OF NON-FEDERAL FUNDS.—The Secretary is authorized to receive and expend non-Federal funds for the purpose of carrying out this Act.

(l) EFFECT OF SECTION.—Nothing in this section diminishes or modifies existing authority applicable to Federal land within the Monument.

SEC. 6. MANAGEMENT PLAN.

(a) IN GENERAL.—The Secretary, in cooperation with the Advisory Committee shall—

(1) not later than three years after the date of enactment of this Act, complete a management plan for the conservation, protection, and administration of the Monument; and

(2) on completion of the Management Plan—

(A) submit the Management Plan to

(i) the Committee on Natural Resources of the House of Representatives; and

(ii) the Committee on Energy and Natural Resources of the Senate; and

(B) make the Management Plan available to the public.

(b) INCLUSIONS.—The Management Plan shall include provisions that—

(1) provide for the conservation, protection, and administration of the Monument;

(2) authorize compatible passive recreational uses of the Monument (including hiking, mountain biking, equestrian access, and other sightseeing on designated routes), if the recreational uses are consistent with this section and any other applicable law;

(3) address the designation and maintenance of roads, trails, paths, and other appropriate and compatible visitor facilities in the Monument;

(4) address regional fire management planning and coordination between the Chief of the U.S. Forest Service, the State, and other fire management authorities and organizations in the County;

(5) assess the need for and eventual establishment of a visitor center to serve the Monument, including identifying opportunities for education and engagement of the public in stewardship of the land and in study and enjoyment of the unique cultural and historical elements of the Monument;

(6) provide for continued collaborative stewardship of the Monument among landowners and managers including the County, Cities, State, and private and not-for-profit organizations;

(7) provide for continued active involvement of the non-Federal public land owners within the Monument, respecting their authority as to land use and related matters within their purview; provided, however, that such uses are consistent with the Management Plan; and

(8) reflect the necessity of incorporating applicable provisions of existing approved management plans, resource plans, conservation easements, or other cooperative agreements pertaining to land within the Monument, and allow additional lands within the Monument boundary to be covered by the Orange County Central Coastal Natural Community Conservation Plan and permit.

(c) PREPARATION AND IMPLEMENTATION.—

(1) APPLICABLE LAW.—The Secretary shall prepare and implement the Management Plan in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other applicable laws.

(2) CONSULTATION.—In preparing and implementing the Management Plan, the Secretary shall regularly consult with—

(A) the Advisory Committee established under section 9; and

(B) interested private property owners and holders of valid existing rights located within the boundaries of the Monument.

(d) INTERIM MANAGEMENT.—Except as otherwise provided in this Act, pending completion of the Management Plan for the Monument, the Secretary shall manage Federal lands within the boundary of the Monument—

(1) consistent with the existing permitted uses of the land; and

(2) in a manner consistent with—

(A) the Cleveland National Forest Land Management Plan (for Federal land owned or administered by the U.S. Forest Service);

(B) the purposes described in section 4(b);

(C) advice and guidance of the Advisory Committee; and

(D) applicable federal law.

SEC. 7. PERMITTED AND PROHIBITED USES OF THE MONUMENT.

(a) IN GENERAL.—All permitted uses of the Monument shall be consistent with the terms and conditions of the Management Plan and existing conservation easements, grant deeds, approved resource plans, and the Orange County Central Coastal Natural Community Conservation Plan and permit. To the maximum extent prac-

ticable, current uses of the land shall be allowed and authorized under the Management Plan. All other uses not specifically authorized under this section shall be prohibited.

(b) FOREST SERVICE PLAN.—Nothing herein shall be deemed to modify a duly approved land-use plan of the U.S. Forest Service. Notwithstanding the following subsections, all activities on lands owned or administered by the U.S. Forest Service shall be consistent with the Cleveland National Forest Land Management Plan.

(c) USE OF OFF-HIGHWAY VEHICLES.—

(1) IN GENERAL.—The use of off-highway vehicles (including the use of off-highway vehicles for commercial touring) shall only be permitted on current, existing designated routes within the Monument, subject to all applicable law and as authorized by the Management Plan.

(2) NONDESIGNATED ROUTES.—Off-highway vehicle access shall only be permitted on nondesignated routes and trails within the Monument—

(A) for identified and established administrative purposes;

(B) to respond to an emergency; or

(C) as authorized under the Management Plan.

(d) HUNTING, TRAPPING, AND FISHING.—Except as authorized under the Management Plan established under section 6, the Secretary shall prohibit hunting, trapping, and fishing within the Monument.

(e) GRAZING.—Nothing in this Act terminates any valid existing grazing allotment within the Monument.

(f) MINING AND DRILLING.—The Secretary shall prohibit mining and drilling in the Monument except as otherwise permitted under existing conservation easements, grant deeds, or other legal protection instruments on the land.

(g) VOLUNTEERS.—The Secretary shall engage the services of citizen volunteers within the Monument, as prescribed by the Management Plan.

(h) DESIGNATION OF ADMINISTRATOR.—As soon as practicable after the Management Plan is developed under section 6, the Secretary shall appoint an Administrator of the Monument, who shall also serve as Chair of the Advisory Committee.

(i) ACCESS TO PRIVATE LAND.—The Secretary shall provide reasonable access to each owner of private land within the boundary of the Monument in accordance with the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. Chapter 51) or other applicable Federal

law to ensure the reasonable use and enjoyment of the land by the owner.

(j) OVERFLIGHTS.—Nothing in this title or the Management Plan restricts or precludes overflights (including low-level overflights) of military, commercial, and general aviation aircraft, no matter whether said aircraft can be seen or heard within the Monument. Non-emergency and commercial aircraft are prohibited from landing anywhere within the Monument except for the purposes of management or as otherwise approved or permitted, and consistent with the Management Plan.

(k) OTHER PERMITTED USES.—The following uses are permitted, consistent with the Management Plan and other applicable laws and protection instruments:

(1) Research and monitoring of biological, geological, and cultural/historical features.

(2) Maintenance of existing permitted infrastructure facilities.

(3) Fences, gates, signs, and other security measures, including maintenance of such.

(4) Roads and trails.

(5) Educational and recreational use, including regular and substantial use consistent with long term maintenance of natural, cultural, scenic, and historical values.

(6) Environmental enhancement, including habitat restoration.

(7) Vegetation and animal management, including removal of feral, invasive, and non-native plants and animals.

(8) Fuel modification as necessary to mitigate the effects of wildfire and when required by applicable law or provided in the Management Plan.

(9) Actions necessary to minimize the risk of wildfire ignition.

(10) Use of motorized vehicles on roads and trails designated for use by motorized vehicles as necessary or efficient for the performance of activities related to the operation, maintenance, expansion, and/or construction of any utility facilities, including lines, and/or rights of way.

(l) WITHDRAWALS.—

(1) IN GENERAL.—Subject to valid existing rights and except as provided in section 7 and paragraph (2), the Federal land and interests included within the Monument are withdrawn from—

(A) all forms of entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the public land mining laws; and

(C) operation of the mineral leasing, geothermal leasing, and mineral materials laws.

(2) EXCHANGE.—Paragraph (1) does not apply to an exchange that, in the judgment of the Secretary, would further the protective purposes of the Monument.

SEC. 8. ACQUISITION OF LAND.

(a) IN GENERAL.—The Secretary may acquire for inclusion in the Monument any land or interests in land within the boundary of the Monument owned by private individuals or non-Federal public entities only by—

(1) donation;

(2) exchange with a willing party; or

(3) purchase from a willing seller for fair market value.

(b) USE OF EASEMENTS.—To the maximum extent practicable and only with the approval of the landowner, the Secretary may, when appropriate, acquire permanent conservation easements within the Monument in lieu of fee simple title to the land.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land within the boundaries of the Monument that is acquired by the United States or any non-Federal public entity after the date of enactment of this title for Monument purposes

shall be added to and administered as part of the Monument.

(d) DONATED AND ACQUIRED LAND.—

(1) IN GENERAL.—All land within the boundary of the Monument donated to the United States or acquired using amounts from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5) before, on, or after the date of enactment of this title—

(A) is withdrawn from mineral entry; and

(B) shall be managed consistent with the purposes of the Monument described in section 4(b).

(2) EFFECT ON MONUMENT.—Land within the boundary of the Monument that is contiguous to land donated to the United States or acquired using amounts from the land and water conservation fund established under section 2 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-5) shall be managed in a manner consistent with conservation purposes, subject to applicable law.

SEC. 9. ADVISORY COMMITTEE FOR THE MONUMENT.

(a) ESTABLISHMENT.—The Secretary shall establish a permanent Advisory Committee for the Monument, the

purpose of which is to advise the Secretary with respect to the preparation and implementation of the Management Plan required by section 6, to encourage and facilitate ongoing, collaborative, multi-owner stewardship of the Monument, and to otherwise represent the public interest and non-Federal owners and managers of public land within the Monument.

(b) MEMBERSHIP.—To the extent practicable, the Advisory Committee shall include the following members, to be appointed by the Secretary:

(1) A representative with expertise in applied natural science and research nominated by the University of California at Irvine.

(2) A representative of the California Natural Resources Agency, who shall represent State agencies including the California Department of Fish and Wildlife and the California Department of Parks and Recreation.

(3) A representative of the County.

(4) A representative of each of the Cities (other than the County).

(5) A representative of the Cleveland National Forest.

(6) A representative of the Irvine Ranch Water District.

(7) A representative of the non-profit Irvine Ranch Conservancy representing managers of lands within the Monument.

(8) A representative of an investor-owned electric utility.

(9) A representative of the Orange County Fire Authority or other fire service agency in the vicinity of the Monument.

(10) A representative from an organization dedicated to compatible passive recreation and environmental conservation.

(11) A representative of the Nature Reserve of Orange County'' as a member of the Advisory Committee.

(c) TERMS.—

(1) IN GENERAL.—In appointing members under paragraphs (1) through (11) of subsection (b), the Secretary shall appoint 1 primary member and 1 alternate member who meets the qualifications described in each of those paragraphs.

(2) VACANCY.—

(A) PRIMARY MEMBER.—A vacancy on the Advisory Committee with respect to a primary member shall be filled by the applicable alternate member.

(B) ALTERNATE MEMBER.—The Secretary shall appoint new alternate members in the event of a vacancy with respect to an alternate member of the Advisory Committee.

(3) TERM OF MEMBERS.—

(A) IN GENERAL.—The term of a member of the Advisory Committee shall be 3 years.

(B) SUCCESSORS.—Notwithstanding the expiration of a 3-year term of a member of the Advisory Committee, a member may continue to serve on the Advisory Committee until—

(i) the member is reappointed by the Secretary; or

(ii) a successor is appointed.

(4) TERM OF ALTERNATE MEMBER.—An alternate member appointed to fill a vacancy of the Advisory Committee—

(A) shall serve for the remainder of the term for which the predecessor was appointed; and

(B) may be nominated for a subsequent term.

(d) QUORUM.—A quorum of the Advisory Committee shall consist of a majority of the primary members.

(e) CHAIRPERSON AND PROCEDURES.—

(1) IN GENERAL.—The Administrator of the Monument shall serve as chairperson of the Advisory Committee for so long as s/he is Administrator and the Advisory Committee shall select a vice chairperson from among the primary members of the Advisory Committee.

(2) DUTIES.—The chairperson and vice chairperson selected under paragraph (1) shall establish any rules and procedures for the Advisory Committee that the chairperson and vice-chairperson determine to be necessary or desirable.

(f) SERVICE WITHOUT COMPENSATION.—Members of the Advisory Committee shall serve without pay for their service as Members.

(g) TERMINATION.—Members of the Advisory Committee may be terminated by the Secretary for cause.

August 6, 2015
Prepared by: L. Lewis
Submitted by: F. Sanchez/P. Weghorst PKW
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

AMENDMENT NO. 2 TO
SANTA ANA WATERSHED TASK FORCE AGREEMENT

SUMMARY:

In December 1995, the Santa Ana River Watershed Nitrogen and Total Dissolved Solids (TDS) Task Force was formed to implement a Basin Monitoring Program and evaluate the impacts of total inorganic nitrogen and TDS on water resources in the Santa Ana River Watershed. The Santa Ana Regional Water Quality Control Board (Regional Board) designated the Santa Ana Watershed Project Authority (SAWPA) as the managing agency of the Task Force. The City of Banning, Beaumont Cherry Valley Water District, San Bernardino Valley Municipal Water District and San Gorgonio Pass Water Agency have requested to become member agencies of the Task Force. To accommodate this request, Amendment No. 2 to the Agreement to Form a Task Force to Conduct a Basin Monitoring Program for Nitrogen and Total Dissolved Solids in the Santa Ana River Watershed is being circulated for signatures. Staff recommends that the Board authorize the General Manager to execute the amendment.

BACKGROUND:

To evaluate the impacts of total inorganic nitrogen and TDS on water resources in the Santa Ana River watershed, the Regional Board formed the Santa Ana River Watershed Nitrogen and TDS Task Force in December 1995. The Regional Board designated SAWPA as the managing agency of the Task Force. On January 22, 2004, the Regional Board incorporated the results of the Task Force evaluations into a Basin Plan Amendment (Order R8-2004-0001) and expanded its responsibilities to include a number of additional monitoring programs defined in the Basin Plan Amendment. Because the Irvine Groundwater Management Zone was included in the Task Force evaluation along with other sub-basins in the Santa Ana River watershed, individual agencies, including IRWD and joint powers agencies, were required to participate in the Task Force.

In 2004, IRWD was signatory to the Agreement to Form a Task Force to Conduct A Basin Monitoring Program for Nitrogen and TDS in the Santa Ana River Watershed. The agreement was amended in 2010. The City of Banning, Beaumont Cherry Valley Water District, San Bernardino Valley Municipal Water District and San Gorgonio Pass Water Agency have requested to be added as member agencies of the Task Force through a proposed Amendment No. 2 to the Task Force Agreement. This amendment is provided as Exhibit "A".

The agreement calls for the costs of maintaining the Task Force and its programs to be split equally among the Task Force members, except for agencies such as IRWD which are not required to participate in the Santa Ana River watershed monitoring programs but are still required to participate in the sub-basin monitoring programs. Addendum No. 2 to the agreement will require the four additional agencies to make financial contributions to the monitoring

programs and will subject the agencies to all of the other terms, conditions and provisions of the Task Force Agreement and as amended under Amendment No. 1. Staff recommends that the Board authorize the General Manager to execute Addendum No. 2 to the agreement.

FISCAL IMPACTS:

The execution of Addendum No. 2 will result in an annual cost to IRWD of $12,159 for Task Force-related activities.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board authorize the General Manager to execute Amendment No. 2 to the Agreement to Form a Task Force to Conduct a Basin Monitoring Program for Nitrogen and Total Dissolved Solids in the Santa Ana River Watershed.

LIST OF EXHIBITS:

Exhibit "A" – Amendment No. 2 to Agreement to Form a Task Force to Conduct a Basin Monitoring Program for Nitrogen and Total Dissolved Solids in the Santa Ana River Watershed

"EXHIBIT A"

AMENDMENT NO. 2
TO
AGREEMENT TO FORM A TASK FORCE
TO CONDUCT A BASIN MONITORING PROGRAM FOR
NITROGEN AND TOTAL DISSOLVED SOLIDS
IN THE SANTA ANA RIVER WATERSHED
(BASIN MONITORING PROGRAM)

Pursuant to Covenants, Paragraph II.3b. of that certain AGREEMENT entitled, "Agreement to Form a Task Force to Conduct a Basin Monitoring Program for Nitrogen and Total Dissolved Solids in the Santa Ana River Watershed" (Basin Monitoring Program), dated August 10, 2004, the TASK FORCE AGENCIES hereby agree to make the following changes:

I. Add Additional Agencies to the Task Force as follows, subject to the financial contributions as defined in the Basin Monitoring Program Task Force Agreement:

1. City of Banning
2. Beaumont Cherry Valley Water District
3. San Bernardino Valley Municipal Water District
4. San Gorgonio Pass Water Agency

Except as otherwise expressly amended herein, all of the terms, conditions, and provisions of the Task Force Agreement and as amended under Amendment No. 1, shall continue in full force and effect, and the Additional Agencies agree to comply with and be bound thereto. ***Exhibit A*** – FY 2015-16 defines the initial contribution of the additional agencies.

This Amendment No. 2 *may be executed in original counterparts, which together shall constitute a single agreement document.*

IN WITNESS WHEREOF, the parties hereto have executed this *Amendment No. 2 to the Agreement to Form the Basin Monitoring Program Task Force*, on the dates set forth below.

CITY OF BANNING

BY _____
Mayor Date

BY _____
City Clerk Date

BEAUMONT CHERRY VALLEY WATER DISTRICT

BY _____
President Date

BY _____
Secretary-Treasurer Date

IN WITNESS WHEREOF, the parties hereto have executed this *Amendment No. 2 to the Agreement to Form the Basin Monitoring Program Task Force*, on the dates set forth below.

CITY OF BEAUMONT

BY:_____
Mayor Date

BY:_____
City Clerk Date

CHINO BASIN WATERMASTER

BY_____
President Date

BY_____
Secretary Date

COLTON/SAN BERNARDINO REGIONAL TERTIARY TREATMENT AND WATER RECLAMATION AUTHORITY

BY_____
President Date

BY_____
Secretary Date

CITY OF CORONA

BY_____
DWP General Manager Date

BY_____
City Clerk Date

IN WITNESS WHEREOF, the parties hereto have executed this *Amendment No. 2 to the Agreement to Form the Basin Monitoring Program Task Force*, on the dates set forth below.

EASTERN MUNICIPAL WATER DISTRICT

BY_____
President Date

BY_____
Secretary-Treasurer Date

ELSINORE VALLEY MUNICIPAL WATER DISTRICT

BY_____
President Date

BY_____
Clerk of the Board Date

INLAND EMPIRE UTILITIES AGENCY

BY_____
President Date

BY_____
Secretary-Treasurer Date

IRVINE RANCH WATER DISTRICT

BY_____
President Date

BY_____
Secretary-Treasurer Date

IN WITNESS WHEREOF, the parties hereto have executed this *Amendment No. 2 to the Agreement to Form the Basin Monitoring Program Task Force*, on the dates set forth below.

JURUPA COMMUNITY SERVICES DISTRICT

BY_____
President, Board of Directors Date

LEE LAKE WATER DISTRICT

BY_____
President Date

BY_____
General Manager Date

ORANGE COUNTY WATER DISTRICT

BY_____
President Date

BY_____
General Manager Date

CITY OF REDLANDS

BY_____
Mayor Date

By _____
City Clerk Date

IN WITNESS WHEREOF, the parties hereto have executed this *Amendment No. 2 to the Agreement to Form the Basin Monitoring Program Task Force*, on the dates set forth below.

CITY OF RIALTO

BY_____
Mayor Date

BY_____
City Clerk Date

CITY OF RIVERSIDE

BY_____
Mayor Date

BY_____
City Clerk Date

SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT

BY_____
President Date

BY_____
Secretary-Treasurer Date

SAN GORGONIO PASS WATER AGENCY

BY_____
Commission Chair Date

BY_____
Secretary-Treasurer Date

IN WITNESS WHEREOF, the parties hereto have executed this *Amendment No. 2 to the Agreement to Form the Basin Monitoring Program Task Force*, on the dates set forth below.

SANTA ANA WATERSHED PROJECT AUTHORITY

BY_____
Commission Chair Date

BY_____
Secretary-Treasurer Date

WESTERN RIVERSIDE COUNTY REGIONAL WASTEWATER AUTHOIRTY

BY_____
Chair Date

BY_____
Secretary-Treasurer Date

YUCAIPA VALLEY WATER DISTRICT

BY_____
President, Board of Directors Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, SANTA ANA REGION

BY_____
Executive Officer Date

Final FY 15-16 Basin Monitoring Program Task Force Budget
(Effective 4-14-15)

			FY 15-16 Cost
Projected Expenses	SAWPA TF Admin & Contract Adm		$50,000
	SAR Annual Report		$30,000
	Risk Sciences Regulatory & Documentation Support		$74,000
	Ambient Water Quality w/ Interpretive tools (FY 2016-2017)[1]	$350,000	$116,667
	SAR Wasteload Allocation (FY 2016-2017)[2]	$250,000	$125,000
	Special Studies		$25,000
	Study - SAR salinity influences of POTWs[3]		$10,400
			$431,067
	TF Carryover funds[4]		-$160,510
			$270,557

Projected Revenue

	SAWPA Admin	SAR Report	Risk Sciences Reg Support	Ambient Water Quality & Tools	SAR Wasteload Allocation	Special Studies	Study - POTW TDS	Carryover Reserve	Total
IEUA	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
EMWD	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
OCWD	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
SBVMWD[5]	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
CORONA	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
EVMWD	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
REDLANDS	$2,631.58		$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$12,159
RIALTO	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
RIVERSIDE	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
RIX JPA	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
YVWD	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
WRCRWA	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
JCSD	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
LEE LAKE WD[6]		$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$11,293
BEAUMONT	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
CBWM	$2,631.58		$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$12,159
BANNING[5]	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
SGPWA[5]	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
BCVWD[5]	$2,631.58	$1,764.71	$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$13,924
IRWD	$2,631.58		$3,700.00	$5,833.35	$6,250.00	$1,250.00	$520.00	-$8,025.50	$12,159
	$50,000	$30,000	$74,000	$116,667	$125,000	$25,000	$10,400	-$160,510	$270,557

1. Triennial Ambient Water Quality (AWQ) Update w/Interpretive Tools (FY16-17) - funding collected annually over 3 years
2. SAR Wasteload Allocation (FY 16-17) - funding collected over 2 years
3. *WE Inc. Study - SAR salinity influences of POTWs* - to be conducted in FY 14-15 and funded using carryover reserves
4. Task Force Carryover Reserves resulting from reduced FY 2012-2014 adm costs than originally budgeted
5. SBVMWD, SGPWA, BCVWD and Banning are included as forthcoming new task force agencies and funding partners
6. A discount was provided for POTWs producing under 1 mgd of wastewater flow - No SAWPA Admin cost per TF direction