

AGENDA
IRVINE RANCH WATER DISTRICT
WATER RESOURCES POLICY AND COMMUNICATIONS
COMMITTEE MEETING
TUESDAY, AUGUST 2, 2022

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

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

Via Web:

<https://irwd.webex.com/irwd/j.php?MTID=m3852bb8ddd63b7d4506fcf12de395620>

Meeting Number (Access Code): 2484 625 7522

Meeting Password: zxFyuQ8CQ45

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

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

CALL TO ORDER 11:30 a.m.

ATTENDANCE Committee Chair: John Withers _____
Member: Karen McLaughlin _____

<u>ALSO PRESENT</u>	Paul Cook	_____	Paul Weghorst	_____
	Wendy Chambers	_____	Cheryl Clary	_____
	Fiona Sanchez	_____	Jim Colston	_____
	Christine Compton	_____	Kellie Welch	_____
	Mark Tettemer	_____	Amy McNulty	_____
	John Fabris	_____	_____	_____
	_____	_____	_____	_____
	_____	_____	_____	_____

PUBLIC COMMENT NOTICE

If you wish to address the Committee on any item, please submit a request to speak via the "chat" feature available when joining the meeting virtually. Remarks are limited to three minutes per speaker on each subject. Public comments are limited to three minutes per speaker on each subject. You may also submit a public comment in advance of the meeting by emailing comments@irwd.com before 9:00 a.m. on Tuesday, August 2, 2022.

COMMUNICATIONS

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

INFORMATION

4. 2022 LEGISLATIVE AND REGULATORY UPDATE – COMPTON / COOK

Recommendation: Receive and file.

ACTION

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

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

6. IRWD RESPONSE TO 2021-2022 ORANGE COUNTY GRAND JURY REPORT “WATER IN ORANGE COUNTY NEEDS ‘ONE VOICE’” – COMPTON / COOK

Recommendation: That the Board authorize the General Manager to provide the Presiding Judge of the Superior Court with the proposed response to Finding F1, Finding F2, Finding F3, Finding F4, Finding F5, Finding F6, Recommendation R1, and Recommendation R2 of the 2021-2022 Orange County Grand Jury report titled “*Water in Orange County Needs ‘One Voice’*.”

7. CONSULTANT SELECTION FOR EMBEDDED ENERGY TOOL – LINDSAY/ HUANG / SANCHEZ / WEGHORST

Recommendation: That the Board authorize the General Manager to execute a Professional Services Agreement with HDR Engineering in the amount of \$321,600 to develop a new enhanced Embedded Energy Tool, perform updated pumping surcharge analyses and prepare instructions and training for IRWD.

OTHER BUSINESS

8. Directors' Comments
9. Adjourn

Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the above-named Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Committee less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Committee Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available electronically via the Webex meeting noted. Upon request, the District will provide for written agenda materials in appropriate alternative formats, and reasonable disability-related modification or accommodation to enable individuals with disabilities to participate in and provide comments at public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, or alternative format requested at least two days before the meeting. Requests should be emailed to comments@irwd.com. Requests made by mail must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

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August 2, 2022
Prepared and
submitted by: C. Compton
Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

2022 LEGISLATIVE AND REGULATORY UPDATE

SUMMARY:

This report provides an update on the 2021-2022 legislative session, regulatory issues, and IRWD priorities. As legislation and regulations develop, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate. Staff recommends the Board receive and file the report.

BACKGROUND:

The Legislature reconvened from its Summer Recess on August 1, 2022. August 12 is the last day for fiscal committees to meet and report bills. As of the writing of this report, there are 466 bills set for the August 1 hearing of the Senate Appropriations Committee and 376 bills set for the August 3 hearing of the Assembly Appropriations Committee. It is expected that the Appropriations Committees will hear additional measures the following week and that the committees will have their Suspense File hearings on August 11. Heading into the August 31 final day of session, the Legislature will have floor sessions only after August 15. August 25 is the last day to amend bills on the floor.

A copy of the 2022 Legislative Matrix is provided as Exhibit “A”. Links to the bills discussed below are included within each discussion unless a separate exhibit is noted.

2022 State Legislative Update on Other Bills of Interest to IRWD:

Staff will provide an oral update to the Committee on any new developments related to the legislation of interest to the District, including SB 222 (Dodd, D-Napa), SB 361 (Umburg, D-Santa Ana), SB 1157 (Hertzberg, D-Van Nuys), and other legislation matters of interest to the District.

SB 222 (Dodd, D-Napa) – Water Rate Assistance Program:

SB 222 would establish a permanent California low-income water and wastewater rate assistance program (WRAP), administered by the State Water Resources Control Board. As discussed previously with the Committee, recent amendments largely take the bill back to where the bill was before IRWD, and others removed their opposition to the bill. Of particular concern to IRWD is the requirement for water suppliers to establish a low-income rate assistance program and to offer water rate assistance that complies with specified yet-to-be-defined requirements, which may or may not cause a constitutional law issue for water suppliers. Also of concern are the provisions that label water suppliers “at risk” if they fail to meet any of the requirements related to the WRAP or low-income rate assistance, and the provisions that modify the disconnection of service requirements with which water suppliers must comply. IRWD currently

has an “oppose unless amended” position on SB 222 to allow staff time to seek amendments to the bill and has authorized the District to move to an “oppose” position should the bill not be amended to address the District’s concerns over the Summer Recess.

SB 361 (Umburg, D-Santa Ana) – Surplus Land: Orange County:

As previously reported, SB 361 would require, until January 1, 2030, the County of Orange or any city located within Orange County, if notified by HCD that its planned sale of surplus land is in violation of the Surplus Land Act (SLA), to cure or correct the alleged violation within 60 days. A jurisdiction that has not cured or corrected an alleged violation within 60 days would be prohibited from disposing of the parcel until the department deems the alleged violation not to be a violation. Staff has had ongoing conversations with Senator Umburg’s office over the request to remove a reference in the bill to leases that would inaccurately equate a proposed lease with proposed disposal of land under the SLA.

SB 1157 (Hertzberg, D-Van Nuys) – Indoor Residential Water Use Standard:

As previously reported, SB 1157 would lower the indoor residential water use standard, as recommended to the Legislature jointly by the Department of Water Resources (DWR) and the State Board. If enacted, the bill would establish the indoor residential water use standards to be as follows:

- 55 gallons per capita daily (gpcd) until January 1, 2025;
- 47 gpcd until January 1, 2030; and
- 42 gpcd as of January 1, 2030

This bill was substantially amended on June 16, 2022, to include the study and variance language. IRWD currently has a “neutral” position on SB 1157 but is still working to see other amendments made to the bill.

2022 State and Regional Regulatory Update:

Proposed Notification Level and Response Level for Perfluorohexane Sulfonic Acid (PFHxS)

On July 7, 2022, the State Board’s Division of Drinking Water (DDW) posted on its website a proposed notification level (NL) of 2 ng/L and a response level of 20 ng/L for the PFAS compound Perfluorohexane Sulfonic Acid (PFHxS). These NL and RL levels were recommended by the Office of Environmental Health Hazard Assessment (OEHHA) on March 17, 2022. PFHxS is used in numerous commercial products for its water- and stain-repellant properties and in firefighting foams. DDW will present the proposed NL and RL as an informational item during the August 16, 2022, State Board meeting.

There are currently 32 chemicals with NLs, including the PFAS compounds PFBS, PFOA, and PFOS. Staff continue to track the DDW’s actions related to PFAS.

CDFW Invites Data and Comments on Petition to List Southern California Steelhead:

On July 15, 2022, the California Department of Fish and Wildlife (CDFW) announced it has initiated a status review for the Southern California steelhead and that it invites data and comments on a petition to list the Southern California steelhead as an endangered species. Earlier this year, the California Fish and Game Commission (Commission) designated the Southern California steelhead a candidate species under the California Endangered Species Act. CDFW has 12 months to review the petition and make a recommendation in a report to the Commission. The Commission will then make the report publicly available for the next available Commission meeting and in that meeting schedule the petition for further consideration. Submissions of data and/or comments must be received by CDFW by September 30.

Other 2022 State Regulations:

The following is a list of some of the State regulations and agency reports staff is monitoring, tracking, or planning to engage in over the next three to 12 months. As the next drafts of the regulations or reports are released for public review and comment, or state agencies take new actions, staff will engage, as appropriate. The pending regulations, administrative actions and reports actively being tracked include the:

- Executive and regulatory actions on COVID-19;
- Executive and regulatory actions related to the drought;
- California Air Resources Board (CARB) [AB 32 Climate Change Scoping Plan Update](#);
- CARB's [Proposed Advanced Clean Fleets Regulation](#);
- CARB's [Proposed In-use Off-road Diesel-Fueled Fleets Regulation Amendments](#);
- California Endangered Species Act Listing for the Southern California steelhead;
- California Natural Resources Agency (CNRA) [30 x 30 California Implementation](#);
- CNRA's [Water Resilience Portfolio Implementation](#);
- DWR's 2023 California Water Plan Update;
- DWR and the State Board's implementation of the "[Making Water Conservation a California Way of Life](#)" legislation;
 - DWR and the State Board's Indoor Water Use Study and Indoor Water Use Standard Recommendations;
 - DWR's Outdoor Standard Recommendations;
 - DWR's Work Group on CII performance measures; and
 - State Board's [Water Loss Performance Standards Regulations](#);
- State Board's development of a "Cross Connection Policy Handbook;"
- State Board's Direct Potable Reuse regulations;
- State Board's actions on lead service lines;

- State Board's [Draft Statewide Sanitary Sewer System General Order](#);
- State Board's [Safe and Affordable Funding for Equity and Resilience \(SAFER\) Drinking Water Program](#);
- South Coast AQMD's [Cumulative Impacts from Air Toxics for CEQA Projects](#); and
- Other regulations of interest to IRWD.

2022 Federal Legislative and Regulatory Update:

Kern Fan Groundwater Storage Project:

IRWD's federal advocacy efforts in 2022 continue to largely focus on seeking federal funding for the Kern Fan Groundwater Storage Project and advocating for an increased funding authorization for the federal Water Storage Program. Staff will provide the Committee an update on this effort.

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

Exhibit "A" – IRWD Legislative Matrix

EXHIBIT “A”
IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 84</u> Budget Cmt	COVID 19: Supplemental Paid Sick Leave		Provides for COVID 19 supplemental paid sick leave for covered employees who are unable to work or telework due to certain reasons related to COVID 19, including that the employee is attending a COVID 19 vaccine or vaccine booster appointment for themselves or a family member, or is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID 19 vaccine or vaccine booster. Entitles a covered employee to a specified number of hours of COVID 19 supplemental paid sick leave.	02/09/2022 - Re-referred to SENATE Committee on BUDGET AND FISCAL REVIEW.
<u>AB 154</u> Ting (D)	Budget Act		Makes appropriations for the support of state government for specified fiscal year.	06/13/2022 - In SENATE. Read second time. To third reading.
<u>AB 284</u> Rivas R (D)	Global Warming Solutions Act of 2006: Climate Goal		Requires the state board, as part of the next scoping plan update, in collaboration with the Natural Resources Agency and other relevant state agencies and departments and no later than a specified date, to identify a 2045 climate goal, with interim milestones, for the state's natural and working lands, as defined, and to integrate into the scoping plan update recommendations developed by the Natural Resources Agency and the Department of Food and Agriculture.	09/02/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 350</u> Villapudua (D)	Cannella Environmental Farming Act of 1995		Requires the Department of Food and Agriculture to establish and administer a 3-year grant program to fund technical assistance to support landowners located in a critically overdrafted basin, as defined, in reaching water use reduction goals established pursuant to the Sustainable Groundwater Management Act. Authorizes the department to use specified guidelines to administer this program.	09/02/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 404</u> Salas (D)	Workers' Compensation: Medical-Legal Expenses		Relates to Workers compensation. Requires that the medical-legal fee schedule be reviewed, and updated if necessary, to increase the conversion factor by the percentage increase in the most recent federal Medicare Economic Index.	08/26/2021 - In SENATE Committee on APPROPRIATIONS. Held in committee and made a Two-year bill.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 649</u> Bennett (D)	Department of Resources Recycling and Recovery		Establishes the Office of Environmental Justice and Tribal Relations within the department. Prescribes the duties of the office, including, among others, ensuring that the department's programs effectively address the needs of disadvantaged communities, low-income communities, California Native American tribes, and farmworkers.	06/01/2022 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
<u>AB 975</u> Rivas (D)	Filing Requirements and Gifts		Permits a filing officer to retain a report or statement filed in a paper format as a copy on microfilm or other space-saving materials or as an electronic copy, as specified, without a two-year waiting period. Permits a filing officer to retain a report or statement as an electronic copy before the Secretary of State certifies an online filing and disclosure system.	06/28/2022 - In SENATE. Read second time. To third reading.
<u>AB 1041</u> Wicks (D)	Leave Issues		Expands the population that an employee can take leave to care for to include a designated person. Defines "designated person" to mean a person identified by the employee at the time the employee requests family care and medical leave. Authorizes an employer to limit designation of a person, as prescribed.	09/09/2021 - In SENATE. To Inactive File.
<u>AB 1164</u> Flora (R)	Publicly Owned or Operated Regulating Basins		Excludes from being considered a dam a regulating basin, as defined, owned or operated by a public entity that is not across a stream channel, watercourse, or natural drainage if certain criteria are met. Includes that the owner or operator of the regulating basin, before the construction of the regulating basin, submit to the department an inundation map, stamped by a licensed civil engineer, identifying the flow and depth of water from the regulating basin in the event of a failure.	06/28/2022 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<u>AB 1384</u> Gabriel (D)	Resiliency Through Adaptation, Economic Vitality		Requires the agency to also coordinate with the Office of Planning and Research and identify, among other things, vulnerabilities to climate change for vulnerable communities, an operational definition of "climate resilience" for each sector and for vulnerable communities, special protections of vulnerable communities and industries that are disproportionately impacted by climate change,	04/19/2022 - In SENATE. Read second time. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			opportunities to improve policy and budget coordination across jurisdictions, and timetables and specific metrics.	
<u>AB 1395</u> Muratsuchi (D)	The State Climate Crisis Act		Declares the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than a specified year, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by a specified year, statewide anthropogenic greenhouse gas emissions are reduced to at least 90% below the 1990 levels.	09/10/2021 - In SENATE. Read third time. Failed to pass SENATE.;09/10/2021 - In SENATE. Motion to reconsider.;09/10/2021 - In SENATE. Reconsideration granted.;09/10/2021 - In SENATE. From third reading. To Inactive File.
<u>AB 1604</u> Holden (D)	The Upward Mobility Act of 2022: Boards and Commissions		Requires that, on or after specified date, all state boards and commissions consisting of one or more volunteer members have at least one board member or commissioner from an underrepresented community. Defines the term board member or commissioner from an underrepresented community to include, but not be limited to, an individual who self-identifies as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or Alaska Native.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1640</u> Ward (D)	Regional Climate Adaptation and Resilience Action Plans		Requires the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks. Authorizes a regional climate network to develop a regional climate adaptation and resilience action plan.	06/28/2022 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<u>AB 1642</u> Salas (D)	California Environmental Quality Act: Water System Well		Requires a lead agency, before determining that a well project is exempt from California Environmental Quality Act pursuant to these provisions, to contact the state board to determine whether claiming the exemption will affect the ability of the well project to receive federal financial assistance or federally capitalized financial assistance.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1687</u> Seyarto (R)	California Emergency Services Act: Governor's Powers		Provides that the Governor may only suspend a statute or regulation during a state of emergency or state of war emergency in connection with the specific conditions of emergency proclaimed by the Governor or state of war emergency, as applicable.	06/30/2022 - In SENATE. Read second time. To third reading.
<u>AB 1711</u> Seyarto (R)	Privacy: Breach		Requires an agency to post a notice on the agency's internet website when a person or business operating a system on behalf of the agency is required to issue a security breach notification for that system.	06/28/2022 - In SENATE. Read second time. To third reading.
<u>AB 1717</u> Aguiar-Curry (D)	Public Works: Definition		Expands the definition of public works to include fuel reduction work done under contract and paid for in whole or in part out of public funds performed as part of a fire mitigation project.	06/27/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 1747</u> Quirk (D)	Contractors: Disciplinary Action		Provides that the list of violations that constitute cause for a disciplinary action by the Contractors State License Board includes a willful or deliberate disregard of any state or local law relating to the issuance of building permits, and would authorize a civil penalty not to exceed \$30,000 for any violation included on that list.	06/28/2022 - In SENATE. Read second time. To third reading.
<u>AB 1749</u> Garcia (D)	Community Emissions Reduction Programs		Requires a district with a population of 1,000,000 persons or more that issues permits to stationary sources of criteria air pollutants or toxic air contaminants to make available in an easily identifiable location on the district's internet website all permits issued by the district for those stationary sources. Increases the duties of, air districts. Requires the state to reimburse local agencies and school districts for certain costs mandated by the state.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1751</u> Daly (D)	Workers' Compensation: COVID-19: Critical Workers		Extends specified workers' compensation provisions relating to COVID-19 until January 1, 2025.	06/29/2022 - From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1780</u> Chen (R)	Corporations: Shareholders' Meetings		Authorizes a corporation to conduct a meeting of shareholders solely by electronic transmission by and to the corporation, electronic video screen communication, conference telephone, or other means of remote communication if the meeting is conducted on or before a specified date, as specified, and includes a live audiovisual feed for the duration of the meeting. Provides that a de minimis disruption of an audio, visual, or audiovisual feed does not require a corporation to end a shareholder.	06/30/2022 - In SENATE. Read second time and amended. To third reading.
<u>AB 1783</u> Levine (D)	Lobbying: Administrative Actions		Expands the definition of "administrative action" under the Political Reform Act of 1974 to include any decision or approval by the Insurance Commissioner or the Director of the Department of Managed Health Care under these provisions.	06/27/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 1793</u> Quirk (D)	Hazardous Waste: Acute Aquatic Toxicity Criterion		Requires the Department of Toxic Substances Control, subject to an appropriation by the Legislature in the Budget Act of 2022 that implements a proposal to review the department's hazardous waste criteria, and as part of the department's comprehensive evaluation of its criteria and guidelines for the identification of hazardous wastes and extremely hazardous wastes, to review its acute toxicity criterion, as provided.	06/27/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 1811</u> Fong M (D)	Local Flood Protection: Planning: Climate Change		Relates to authorization of a local agency to prepare a local plan of flood protection, including a strategy to meet the urban level of flood protection. Requires this strategy, if a plan is prepared by a local agency, to also include planning for climate change and rainwater and stormwater management. Requires the plan to additionally include an update on the status of coordination with water suppliers on how the management of flood waters can bolster local water supplies.	06/29/2022 - In SENATE. Read second time. To Consent Calendar.
<u>AB 1817</u> Ting (D)	Product Safety: Textile Articles: PFAS		Requires a manufacturer of a textile article to provide persons that offer the product for sale or distribution in the state with a certificate	06/30/2022 - In SENATE. Read second time and amended. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.	
<u>AB 1824</u> Public Employment and Retirement Cmt	Public Employees' Retirement		Establishes the State Teachers' Retirement System and creates the Defined Benefit Program of the State Teachers' Retirement Plan, which provides a defined benefit to members of the program, based on final compensation, creditable service, and age at retirement, subject to certain variations.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1845</u> Calderon (D)	Metropolitan Water District of Southern California		Authorizes the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. Defines "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. Requires the district to use a specified design-build procedure to assign contracts for the design and construction of a project, as defined.	06/29/2022 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS.
<u>AB 1851</u> Rivas R (D)	Public Works: Prevailing Wage: Hauling		Expands the definition of public works certain purposes to include the on-hauling of materials used for paving, grading, and fill onto a public works site if the individual driver's work is integrated into the flow process of construction. States the intent of the Legislature that this change is declaratory of existing law.	06/15/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1857</u> Garcia (D)	Solid Waste		Repeals the provision authorizing the inclusion of not more than specified percent of the diversion through transformation. Requires local agencies to revise the source reduction and recycling elements of their integrated waste management plans. Imposes a state-mandated local program. Requires the department, upon appropriation by the Legislature, to administer the Zero-Waste Equity Grant Program as a competitive grant program.	06/23/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1865</u> Bennett (D)	Court Fee Waiver: Water Rights Cases		Requires a court to initially grant permission to proceed without paying court fees and costs to a person who was joined or countersued in a case involving a water right held by the person.	06/14/2022 - From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<u>AB 1879</u> Mathis (R)	Water Quality Control Boards Frivolous Complaints		Authorizes a regional board to develop a plan or policy to address unfounded or frivolous complaints.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1883</u> Quirk-Silva (D)	Public Restrooms		Requires each local government, as defined, to complete an inventory of public restrooms owned and maintained by the local government, either directly or by contract, that are available to the general population in its jurisdiction. Requires local governments to report their findings to the State Department of Public Health, which would be required to compile the information and to make the inventory available in a searchable database on its internet website. Requires the database to be updated quarterly.	06/23/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1886</u> Cooper (D)	Public Works: Definition		Expands the definition of public works to include street sweeping maintenance performed for the preservation, protection, and keeping of any publicly owned or publicly operated street, road, or highway done under contract and paid for in whole or in part out of public funds.	06/28/2022 - In SENATE. Read second time. To third reading.
<u>AB 1906</u> Stone (D)	Voluntary Stream Restoration: Property Owner Liability		Requires costs incurred by a qualifying state agency in settling, in addition to investigating and defending against, a claim by a real property owner to be paid from the General Fund.	06/20/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 1933</u> Friedman (D)	Property Taxation: Welfare Exemption: Nonprofit		Makes a nonprofit corporation liable for property tax for the years for which the property was exempt from taxation pursuant to the bill's provisions if the property was not developed or rehabilitated, or if the development or rehabilitation is not in the course of construction, by specified dates depending on the date the nonprofit corporation acquired the property.	06/28/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 1949</u> Low (D)	Employees: Bereavement Leave		Makes it an unlawful employment practice for an employer to refuse to grant a request by an eligible employee to take up to 5 days of bereavement leave upon the death of a family member, as defined. Requires that leave be completed within 3 months of the date of death. Requires that leave be taken pursuant to any existing bereavement leave policy of the employer.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 1985</u> Rivas R (D)	Organic Waste: Recovered Organic Waste Product		Requires the Department of Resources Recycling and Recovery's regulations to allow a local jurisdiction to procure a product made from California, landfill-diverted recovered organic waste, as provided, to comply with specified recovered organic waste product procurement target requirements. Allows a local jurisdiction, in procuring recovered organic waste products, to utilize California-derived recovered organic waste that is processed outside of the state.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2016</u> Bauer-Kahan (D)	State Water Resources Control Board: Desalination Plant		Repeals certain provisions of law that requires the Department of Water Resources to report to the Legislature on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Requests the California Council on Science and Technology, in consultation with the department, to undertake and complete a comprehensive feasibility study.	06/23/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2059</u> Carrillo (D)	Hazardous Materials Business and Area Plans		Requires a supplier, as defined, that sells or provides a certain amount of hazardous materials meeting certain requirements to a business in the state in certain quantities to maintain electronic records containing certain information concerning the sale or provision of the hazardous materials for at least 5 years and would require the suppliers to make those records immediately available to a UPA upon request.	06/22/2022 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2061</u> Ting (D)	Transportation Electrification: Electric Vehicle Charge		Requires an entity that receives an incentive funded by a state agency or through a charge on ratepayers to install, own, or operate a charging station, in whole or in part, to report charging station uptime, as defined, to the Energy Commission. Requires the Energy Commission, as part of the assessment of the investment plan for the Clean Transportation Program, to assess the uptime of public- and ratepayer-funded charging station infrastructure.	06/28/2022 - From SENATE Committee on TRANSPORTATION: Do pass to Committee on APPROPRIATIONS.
<u>AB 2075</u> Ting (D)	Energy: Electric Vehicle Charging Standards		Specifies the State Energy Resources Conservation and Development Commission (Energy Commission) is an interested party that the California Building Standards Commission and the Department of Housing and Community Development are required to consult with in proposing and adopting those standards.	06/27/2022 - From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass to Committee on APPROPRIATIONS.
<u>AB 2076</u> Rivas (D)	Extreme Heat and Community Resilience Program		Requires the office to coordinate with other state agencies to implement the program and update the Extreme Heat Action Plan. Requires the Director of State Planning and Research to appoint a Chief Heat Officer to coordinate state activities and funding to address heat and oversee the implementation of the program. Require the advisory council to, among other things, advise and provide input to the office on actions to improve the effectiveness of the program.	06/22/2022 - From SENATE Committee on HEALTH: Do pass to Committee on APPROPRIATIONS.
<u>AB 2106</u> Rivas R (D)	Water Quality: Permits		Authorizes the State Water Resources Control Board to require a person submitting a report to the state board, a regional board, or a local agency to submit the report in electronic format. Requires the state board to modernize its stormwater data collection systems through specified actions. Requires the state board to establish a statewide commercial, industrial, and institutional NPDES order for facilities that are a significant contributor of pollutants to federally protected surface waters.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2108</u> Rivas R (D)	Disadvantaged and Tribal Communities		Requires the state board and each regional board, contingent upon an appropriation, to hire environmental justice and tribal community	06/28/2022 - From SENATE Committee on NATURAL

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			coordinator positions for specified purposes. Requires the state board, contingent upon an appropriation, to establish a community capacity building stipend program to promote meaningful civic engagement by disadvantaged communities and tribal communities in the state board and regional board decision making processes, among other activities.	RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.
<u>AB 2133</u> Medina (D)	Wages: Final Payments		Regulates the terms and conditions of employment, and, specifically, the payment of wages. Reduces the time limit on the payment of wages, as described above, to 48 hours.	06/30/2022 - In SENATE. Read second time. To third reading.
<u>AB 2135</u> Irwin (D)	Information Security		Requires state agencies to adopt and implement information security and privacy policies, standards, and procedures based upon standards issued by the National Institute of Standards and Technology and the Federal Information Processing Standards. Requires to certify, to the President pro Tempore of the Senate and the Speaker of the Assembly that the agency is in compliance with all adopted policies, standards, and procedures and to include a plan of action and milestones.	06/21/2022 - From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<u>AB 2142</u> Gabriel (D)	Income Taxes: Exclusion: Turf Replacement Program	SUPPORT	Includes additional information required for any bill authorizing a new tax expenditure, and would require the Department of Finance to include an analysis of these expenditures in its annual tax expenditure report provided to the Legislature.	06/27/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 2143</u> Carrillo (D)	Net Energy Metering		Requires a contractor who enters into a contract to perform work on the renewable electrical generation facility or associated battery storage to pay each construction worker employed in the execution of the work, at minimum, the general prevailing rate of per diem wages and each apprentice, at minimum, the applicable apprentice prevailing rate, as specified.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2146</u> Bauer-Kahan (D)	Neonicotinoid Pesticides: Prohibited Nonagricultural		Authorizes the Director of Pesticide Regulation, in consultation with the Department of Food and Agriculture, to authorize, by written order, the sale, possession, or use of these prohibited pesticides if the director finds that it would address a valid environmental emergency and there are no other, less harmful alternatives, as specified, and requires the director to make reasonable efforts to inform the public of an environmental emergency finding.	06/20/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 2148</u> Calderon (D)	Workers' Compensation: Disability Payments		Extends the authorization to deposit indemnity payments in a prepaid card account until a specified date.	07/11/2022 - *****To GOVERNOR.
<u>AB 2154</u> Cooley (D)	California Insurance Guarantee Association		Requires the board to report specified information to the Assembly Committee on Insurance and the Senate Committee on Insurance within 60 days of the request if the board of CIGA asks the California Infrastructure and Economic Development Bank to issue bonds, and annually thereafter while the bond remain outstanding. Specifies that obligations under a policy issued to cover cybersecurity are covered claims.	06/22/2022 - From SENATE Committee on INSURANCE: Do pass to Committee on APPROPRIATIONS.
<u>AB 2173</u> Petrie-Norris (D)	Public Contracts: Payment		Extends indefinitely existing law which authorizes the retention proceeds withheld from any payment by an awarding entity from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor, to exceed 5% on specific projects where the director of the applicable department has made, or the governing body of the public entity or designated official of the public entity has approved, a finding prior to the bid that the project is complex.	07/11/2022 - *****To GOVERNOR.
<u>AB 2186</u> Grayson (D)	Housing Cost Reduction Incentive Program		Establishes the Housing Cost Reduction Incentive Program, to be administered by the department, for the purpose of reimbursing cities, counties, and cities and counties for development impact fee reductions provided to qualified housing developments. Requires a public entity that receives grant funds under the program to use	06/29/2022 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass as amended to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			those funds solely for those purposes for which the development impact fee that was reduced or deferred would have been used.	
<u>AB 2188</u> Quirk (D)	Discrimination in Employment: Use of Cannabis		Makes it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment on and after specified date or otherwise penalize a person, if the discrimination is based upon the person's use of cannabis off the job. Exempts certain applicants and employees from the bill's provisions, including employees in the building and construction trades and applicants and employees in positions requiring a federal background investigation or clearance, as specified.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2201</u> Bennett (D)	Groundwater Sustainability Agency: Extraction Permit		Prohibits a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium or high priority unless specified conditions are met.	06/29/2022 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS.
<u>AB 2206</u> Lee (D)	Nonattainment Basins: Employee Parking		Revises the definitions of employer, parking cash-out program, and parking subsidy. Requires an employer to maintain a record of communication with each employee who receives a parking subsidy that those employees have been informed of their right to receive the cash equivalent of the parking subsidy.	06/30/2022 - In SENATE. Read second time and amended. To third reading.
<u>AB 2208</u> Kalra (D)	Fluorescent Lamps: Sale and Distribution: Prohibition		Prohibits, on and after specified date, a screw or bayonet base type compact fluorescent lamp, as defined, and, on and after specified date, a pin base type compact fluorescent lamp or a linear fluorescent lamp, as defined, from being offered for final sale, sold at final sale, or distributed in this state as a new manufactured product. Exempts various lamps that meet specified criteria from that prohibition.	06/30/2022 - In SENATE. Read third time and amended. To second reading.
<u>AB 2221</u>	Accessory Dwelling Units		Requires a permitting agency to act on an application to serve an accessory dwelling unit or a junior accessory dwelling unit within	06/29/2022 - From SENATE Committee on GOVERNANCE

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
Quirk-Silva (D)			the same timeframes. Provides that the requirement for a permitting agency to act on an application means either to return in writing a full set of comments to the applicant with a comprehensive request for revisions or to return the approved permit application.	AND FINANCE: Do pass as amended to Committee on APPROPRIATIONS.
<u>AB 2233</u> Quirk-Silva (D)	Excess State Land: Development of Affordable Housing		Requires the Department of General Services to develop, no later than specified date, a set of criteria to consistently evaluate state owned parcels for suitability as affordable housing sites. Requires, on or before specified date, and every certain years thereafter, the Department of General Services to, among other things, conduct a review of all state owned property and identify state owned parcels that are potentially viable for affordable housing based on those criteria.	06/21/2022 - From SENATE Committee on HOUSING: Do pass to Committee on APPROPRIATIONS.
<u>AB 2234</u> Rivas R (D)	Planning and Zoning: Housing: Postentitlement Phase		Requires a local agency to compile a list of information needed to approve or deny a postentitlement phase permit, as defined, to post an example of a complete, approved application and an example of a complete set of postentitlement phase permits for at least 5 types of housing development projects in the jurisdiction, as specified, and to make those items available to all applicants for these permits no later than specified date.	06/23/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2238</u> Rivas (D)	Extreme Heat: Statewide Extreme Heat Ranking System		Requires the agency, by specified date, to develop a statewide extreme heat ranking system in coordination with the ICARP, the State Department of Public Health, and the Department of Insurance, as provided. Requires the Department of Insurance, by specified date, to transmit a study related to combating the effects of extreme heat, insurance options that will support specified adaptation, preparedness, and resilience measures, and recommendations for overcoming barriers encountered by local governments.	06/22/2022 - From SENATE Committee on INSURANCE: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2243</u> Garcia E (D)	Occupational Safety and Health Standards: Heat Illness		Requires the Division of Occupational Safety and Health, before specified date, to submit to the standards board a rulemaking proposal to consider revising the heat illness standard and wildfire smoke standard. Requires the division, in preparing the proposed regulations, to consider revising the heat illness standard to include an ultrahigh heat standard for employees in outdoor places of employment for heat in excess of 105 degrees Fahrenheit, as prescribed.	06/29/2022 - From SENATE Committee on APPROPRIATIONS with author's amendments.;06/29/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2247</u> Bloom (D)	Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)		Requires, as part of the hazardous waste control laws, the Department of Toxic Substances Control to work with the Interstate Chemicals Clearinghouse to establish, on or before specified date, a publicly accessible reporting platform to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS, as defined, being sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state.	06/22/2022 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
<u>AB 2248</u> Garcia E (D)	Water Quality: California Mexico Cross Border Rivers		Makes a specified sum available from the General Fund, upon appropriation by the Legislature in the annual Budget Act or another statute, to the State Water Resources Control Board for grants and direct expenditures to address water quality problems arising in California-Mexico cross-border rivers.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2260</u> Rodriguez (D)	Emergency Response: Trauma Kits		Defines trauma kit to mean a first aid response kit that contains specified items, including, among other things, a tourniquet. Allows medical materials and equipment and any additional items that are approved by the medical director of the local emergency medical services agency to be included as supplements in addition to the specified items that are required to be included in a trauma kit if they adequately treat a traumatic injury and can be stored in a readily available kit.	06/30/2022 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY for concurrence.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2278</u> Kalra (D)	Natural Resources: Biodiversity and Conservation Report		Requires the Secretary of the Natural Resources Agency to prepare and submit, beginning on or before specified date, an annual report to the Legislature on the progress made during the prior calendar year toward achieving the goal to conserve 30% of state lands and coastal waters by 2030 established by the executive order, as provided.	06/29/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2313</u> Bloom (D)	Water: Judges and Adjudications		Authorizes the Judicial Council, on or before specified date, to establish a program that provides training and education to judges in specified actions relating to water, as defined. Requires a court to prioritize assigning a judge with training or education under the program for actions relating to water, if certain conditions are met.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2316</u> Ward (D)	Public Utilities Commission: Community Renewable Energy		Requires the commission, on or before specified date, to establish a community renewable energy program, and require that the program comply with specified photovoltaic requirements, ensure at least a specific percentage of its subscribers are low-income customers or low-income service organizations, minimize impacts to nonsubscriber ratepayers, and provide bill credits to subscribers, as specified.	06/29/2022 - From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Do pass as amended to Committee on APPROPRIATIONS.
<u>AB 2319</u> Bonta M (D)	Surplus Land: Former Military Base Land		Adds to the definition of exempt surplus land, land that is a former military base conveyed by the federal government to a local agency, is subject to certain provisions governing the Alameda Naval Air Station and the Fleet Industrial Supply Center, and meets other specified conditions.	06/23/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2334</u> Wicks (D)	Density Bonus Law: Affordability: Incentives		Requires the rent for the remaining units in the development be set at an amount consistent with the maximum rent levels for lower income households, as those rents and incomes are determined by California Tax Credit Allocation Committee. Regards to the enforcement of equity sharing agreements for for sale units, would also permit the local government to defer to the recapture provisions	06/29/2022 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass as amended to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			of the public funding source. Makes a technical change to the Density Bonus Law by deleting duplicative provisions.	
<u>AB 2362</u> Mullin (D)	Publicly and Environmentally Beneficial Projects		Requires the Natural Resources Agency, on or before specified date, in coordination with the California Environmental Protection Agency, to convene the Interagency Working Group comprised of regulatory agencies under the auspices of the agency and the California Environmental Protection Agency that are responsible for permitting environmentally beneficial projects, that include procedures and ongoing management for the protection of the environment.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2370</u> Levine (D)	Public Records: State Agency Retention		Requires by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a state agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, regardless of physical form or characteristics.	06/27/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 2377</u> Muratsuchi (D)	Fire Prevention: Secretary of Natural Resources Agency		Requires the Secretary of the Natural Resources Agency to be responsible for specified actions as provided, including, in consultation with the State Water Resources Control Board, the Department of Fish and Wildlife, the Department of Forestry and Fire Protection, and the State Board of Forestry and Fire Protection, coordinating and synchronizing all necessary permits and agreements for forest management, wildfire prevention, and fuel reduction.	06/29/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2383</u> Jones-Sawyer (D)	Rental Housing Unlawful Housing Practices: Applications		Makes it an unlawful housing practice for the owner of a rental housing accommodation, or another individual or business establishment, to inquire about, or require an applicant for a rental housing accommodation to disclose, or to otherwise seek, consider, use, or take adverse action on, criminal history information, as defined, during the initial application assessment phase, unless otherwise required by state or federal law.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2419</u> Bryan (D)	Environmental Justice: Federal Infrastructure		Requires a minimum of 40% of funds received by the state under the Infrastructure Investment and Jobs Act (IIJA) and certain other federal funds to be allocated to projects that provide direct benefits to disadvantaged communities and disadvantaged unincorporated communities and, except as specified, a minimum of an additional 10% be allocated for projects that provide direct benefits to low-income households and low-income communities, as provided.	06/28/2022 - From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.
<u>AB 2449</u> Rubio (D)	Open Meetings: Local Agencies: Teleconferences		Revises and recasts teleconferencing provisions and, until specified date, authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2451</u> Wood (D)	State Water Resources Control Board: Drought Planning		Creates a Drought Section within the state board, as specified. Requires the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency.	06/23/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2463</u> Lee (D)	Public Works: Exemption		Relates to existing law defines "public works," for purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work that is performed under contract and paid for in whole or in part out of public funds. Relates to pursuant to existing law, all workers employed on public works projects are required to be paid not less than the general prevailing rate of per diem wages for work, except as specified.	06/01/2022 - From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2503</u> Garcia (D)	Landlords and Tenants: California Law Revision		Requires the California Law Revision Commission to, on or before specified date, deliver to the Legislature a study regarding, among other things, the establishment of consistent terminology across the California codes to describe the parties to an agreement, lease, or other contract for the rental of residential real property, including in mobilehome parks, that meets certain criteria, specifically, among other things, that the study addresses whether the continued use of the terms landlord and tenant.	06/21/2022 - From SENATE Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<u>AB 2536</u> Grayson (D)	Development Fees: Impact Fee Nexus Studies	WATCH	Requires a local agency, prior to levying a new fee or capacity charge or approving an increase in an existing fee or capacity charge, to evaluate the amount of the fee or capacity charge. Requires the evaluation to include evidence to support that the fee or capacity charge does not exceed the estimated reasonable cost of providing service, as specified. Requires all information constituting the evaluation to be made publicly available at least 14 days prior to a specified meeting.	07/11/2022 - *****To GOVERNOR.
<u>AB 2556</u> O'Donnell (D)	Local Public Employee Organizations		Authorizes a recognized employee organization to charge an employee covered by the Firefighters Procedural Bill of Rights Act for the reasonable cost of representation when the employee holds a conscientious objection as specified or declines membership in the organization and requests individual representation in a discipline, grievance, arbitration, or administrative hearing from the organization.	06/29/2022 - From SENATE Committee on LABOR, PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.
<u>AB 2559</u> Ward (D)	Reusable Tenant Screening Reports		Defines the term reusable tenant screening report to mean a consumer report, as defined, that was prepared within the previous 30 days by a consumer reporting agency at the request and expense of an applicant, is made directly available to the landlord for use in the rental application process or is provided through a third-party website that regularly engages in the business of providing reusable tenant screening reports that are available to landlords and complies with all state and federal laws.	06/23/2022 - In SENATE. Read second time and amended. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2582</u> Bennett (D)	Recall Elections: Local Offices		Requires a recall election for a local officer to include only the question of whether the officer sought to be recalled shall be removed from office. Provides that if a local officer is removed from office in a recall election, the bill would provide that the office is vacant until it is filled according to law.	06/22/2022 - In SENATE. Read second time. To third reading.
<u>AB 2593</u> Boerner Horvath (D)	Coastal Resources: Coastal Development Permits		Authorizes the California Coastal Commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. Authorizes the commission to require an applicant with a project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.	06/27/2022 - In SENATE Committee on APPROPRIATIONS: To Suspense File.
<u>AB 2638</u> Bloom (D)	School Facilities: Drinking Water: Filling Stations		Requires a new construction or modernization project submitted to the Division of the State Architect by a school district or the governing body of a charter school to include water bottle filling stations, as specified. Requires, for modernization projects, a minimum of one water bottle filling station for each school undergoing modernization, and for new construction projects, a minimum of one water bottle filling station per 350 people at each school being constructed.	06/22/2022 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
<u>AB 2647</u> Levine (D)	Local Government: Open Meetings		Requires a local agency to make those writings distributed to the members of the governing board available for public inspection at a public office or location that the agency designates and list the address of the office or location on the agenda for all meetings of the legislative body of the agency unless the local agency meets certain requirements, including the local agency immediately posts the writings on the local agency's internet website in a position and manner that makes it clear.	06/29/2022 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass as amended.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2649</u> Garcia (D)	Natural Carbon Sequestration and Resilience Act of 2022		Declares the goal of the state to sequester, through natural carbon sequestration in California, at least 60,000,000 metric tons of carbon dioxide equivalent annually on or before specified date, and 75,000,000 metric tons of carbon dioxide equivalent annually on or before specified date.	06/29/2022 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.
<u>AB 2667</u> Friedman (D)	Integrated Distributed Energy Resources Fund		Establishes the Integrated Distributed Energy Resources Fund as a special fund in the State Treasury. Requires the commission to establish a process to allow a load-serving entity to apply for incentives on behalf of its generation service customer or a set of its generation service customers as part of that load-serving entity's customer program to meet or reduce its resource adequacy requirement obligations, as specified.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2677</u> Gabriel (D)	Information Practices Act of 1977		Relates to the Information Practices Act which prescribes a set of requirements applicable to agencies with regard to their collection, storage, and disclosure of personal information. Relates to law that exempts from these provisions counties, cities, any city and county, school districts, municipal corporations, districts, political subdivisions, and other local public agencies, as specified. Recasts those provisions to include genetic information, IP address, online browsing history, and location.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2693</u> Reyes (D)	COVID-19: Exposure		Extends provisions of the Occupational Safety and Health Act concerning exposure to the risk of infection with Coronavirus 2019. Provides that certain workplace industry information received from local public health departments shall be made available on available on a website.	06/28/2022 - In SENATE. Read second time. To third reading.
<u>AB 2780</u> Arambula (D)	Enhanced Infrastructure Financing Districts		Authorizes the City of Selma to initiate, participate in, govern, or finance an enhanced infrastructure financing district if specified events have occurred, except the requirement to have received a finding of completion, and if the City of Selma, acting as the successor agency or entity to the former Selma Redevelopment	06/23/2022 - In SENATE. Read second time. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Agency, is in compliance with a settlement agreement it has entered into with the state to resolve any redevelopment agency dissolution issues and payments.	
<u>AB 2805</u> Bauer-Kahan (D)	Department of Fish and Wildlife: Advance Mitigation		Authorizes a federally recognized tribe to propose a regional conservation investment strategy, as provided. Eliminates a restriction on the Department of Fish and Wildlife that authorizes the department to approve a regional conservation investment strategy only if one or more state agencies request approval through a letter sent to the Director of Fish and Wildlife.	06/29/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2877</u> Garcia E (D)	Safe and Affordable Drinking Water Fund: Tribes		Specifies that any waiver of tribal sovereignty that is required by the state board for a tribe that is an eligible recipient to access funding from the fund shall be narrowly drafted to serve both the individual needs of the tribe and make the funding agreement enforceable. Requires the state board to include its designated tribal advisor in all discussions with eligible recipients, except as specified.	06/30/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>AB 2878</u> Aguiar-Curry (D)	Forest Biomass Waste Utilization Program		Requires the Natural Resources Agency, in furtherance of the program, to facilitate the inclusion of recommendations for forest biomass waste utilization in relevant, state climate adaptation plans. Requires the Natural Resources Agency, in coordination with the California Environmental Protection Agency and the Wildfire and Forest Resilience Task Force, to prepare and publish, on or before specified date, and at least once every 5 years thereafter, updates to the California Forest Carbon Plan, as provided.	06/27/2022 - From SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS: Do pass as amended to Committee on APPROPRIATIONS.
<u>AB 2893</u> Daly (D)	Administrative Procedure Act		Relates to the Administrative Procedure Act, which prohibits a state agency from issuing, utilizing, enforcing, or attempting to enforce any guideline, standard of general application, or other rule, among other things, that is a regulation, as defined, unless it has been adopted as a regulation and filed with the Secretary of State. Requires the state agency to update its analysis to reflect any comments received from the Department of Finance.	06/28/2022 - From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>AB 2895</u> Arambula (D)	Water: Permits and Licenses: Temporary Changes		Establishes a new process for petitions for which notice is submitted to the State Water Resources Control Board no later than January 31 for a temporary change due to a transfer or exchange of water rights initiated in the same year, and imposes on the State Water Resources Control Board related notice, decision, and hearing requirements.	06/23/2022 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>ACA 1</u> Aguiar-Curry (D)	Local Government Financing: Affordable Housing		Creates an additional exception to the 1% ad valorem tax rate limit on real property that would authorize a city, county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing the tax is approved by 55% of the voters of the city or county, and the proposition includes accountability requirements.	04/22/2021 - To ASSEMBLY Committees on LOCAL GOVERNMENT and APPROPRIATIONS.
<u>ACA 13</u> Mathis (R)	Water Infrastructure Projects: Minimum Funding		Requires the Treasurer to annually transfer an amount equal to 2% of all state revenues from the General Fund to the Water Infrastructure Trust Account, which the measure would create. Continuously appropriates moneys in the account to the California Water Commission for its actual costs of implementing these provisions and for specified water infrastructure projects. Enacts the Water Infrastructure Bond Act of 2022.	04/07/2022 - To ASSEMBLY Committees on WATER, PARKS AND WILDLIFE and NATURAL RESOURCES.
<u>SB 37</u> Cortese (D)	Contaminated Site Cleanup and Safety Act		Repeals the requirement for the State Department of Health Care Services to compile a list of all public drinking water wells. Provides that a project located on a site that is included on any list compiled by the state agencies specified above and posted on the California Environmental Protection Agency's internet website is exempted from CEQA if the project meets specified conditions.	09/08/2021 - In ASSEMBLY. To Inactive File.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 45</u> Portantino (D)	Short-lived Climate Pollutants: Organic Waste Reduction		Requires the State Air Resources Board, no later than January 1, 2018, to approve and begin implementing a short-lived climate pollutant strategy. Requires the department, in consultation with the state board, to provide assistance to local jurisdictions, including, but not limited to, any funding appropriated by the Legislature in the annual Budget Act, for purposes of assisting local agencies to comply with these provisions, including any regulations adopted by the department.	06/29/2022 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<u>SB 222</u> Dodd (D)	Water Rate Assistance Program	OPPOSE UNLESS AMENDED	Establishes the Water Rate Assistance Fund in the State Treasury to help provide water affordability assistance, for both drinking water and wastewater services, to low-income residential ratepayers. Makes money in the fund available upon appropriation by the Legislature to the state board to provide, in consultation with relevant agencies, direct water bill assistance, water bill assistance to residential ratepayers served by eligible systems.	06/23/2022 - In ASSEMBLY. Read third time and amended. To third reading.
<u>SB 230</u> Portantino (D)	State Water Resources Control Board		Requires the state board to build upon its existing work dealing with, and work to improve its knowledge of, constituents of emerging concern (CEC) in water and, as part of this work, to improve its knowledge of CECs in drinking water by assessing the state of information, as specified. authorize the state board to establish, maintain, and direct a dedicated program called the Constituents of Emerging Concern in Drinking Water Program.	06/28/2022 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<u>SB 410</u> Leyva (D)	Department of Industrial Relations		Exempts any occupational safety and health standard and order from the standardized regulatory impact analysis requirement. Requires an economic impact assessment to be prepared for the adoption, amendment, or repeal of any occupational safety and health standard and order, including for any such standard and order that is a major regulation proposed after a specified date.	09/08/2021 - In ASSEMBLY. To Inactive File.
<u>SB 459</u> Allen (D)	Political Reform Act of 1974: Lobbying		Requires lobbyists, lobbying firms, and lobbyist employers to include information in the periodic reports that identifies each bill or	07/06/2021 - In ASSEMBLY. Read second time and amended. Re-

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			administrative action subject to lobbying activity, and the respective position advocated for, during that period. Requires additional specified disclosures for lobbying activity during a specified period before the Legislature is scheduled to adjourn in a calendar year.	referred to Committee on APPROPRIATIONS.
<u>SB 559</u> Hurtado (D)	Water Conveyance Restoration Fund		Establishes the Water Conveyance Restoration Fund in the State Treasury to be administered by the Department of Water Resources in consultation with the State Water Resources Control Board and the Department of Fish and Wildlife.	09/08/2021 - In ASSEMBLY. To Inactive File.
<u>SB 649</u> Cortese (D)	Local Governments: Affordable Housing: Local Tenant		Establishes the Department of Housing and Community Development in the Business, Consumer Services, and Housing Agency and makes the department responsible for administering various housing programs throughout the state. Relates to the California Fair Employment and Housing Act that protects and safeguards the right and opportunity of all persons to seek, obtain, and hold employment without discrimination, abridgment, or harassment on account of various personal characteristics.	06/30/2022 - In ASSEMBLY. Read second time and amended. To second reading.
<u>SB 733</u> Hueso (D)	Gas Corporations: Renewable Gas Procurement		Requires the Public Utilities Commission to open a new proceeding, or a new phase of an existing proceeding, to consider establishing procurement goals for renewable hydrogen, and consider requiring each gas corporation and core transport agent to annually procure a proportionate share of renewable hydrogen to meet those goals.	06/29/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 833</u> Dodd (D)	Community Energy Resilience Act of 2022		Requires a plan to, among other things, identify critical facilities, facilities where the construction of microgrids or other distributed energy sources could meet local resilience needs, and potential funding sources for implementing projects in the plan, include a process for the expedited permit review of distributed energy resources by the local government, and demonstrate consistency with the city, county, or city and county general plan and other local government planning documents, as specified.	06/30/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 844</u> Min (D)	Cybersecurity Improvement: Reports		Establishes a program to award grants to eligible entities to address cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, state, local, or tribal governments. Requires the center to create four reports, to be delivered to the Legislature. Relates to federal State and Local Cybersecurity Improvement Act.	06/27/2022 - From ASSEMBLY Committee on EMERGENCY MANAGEMENT: Do pass to Committee on APPROPRIATIONS.
<u>SB 847</u> Hurtado (D)	COVID 19 Relief: Tenancy: Grant Program		Creates a grant program under the administration of the Department of Housing and Community Development and requires the department to award a program grant to a qualified applicant who submits a complete all tier one applicants, as defined, before processing the applications of other applicants, as specified. Defines "qualified applicant" to mean a landlord who has applied for rental assistance funds pursuant to the State Rental Assistance Program and satisfies certain criteria.	06/29/2022 - From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT: Do pass to Committee on APPROPRIATIONS.
<u>SB 852</u> Dodd (D)	Climate Resilience Districts: Formation: Funding		Imposes certain requirements on a project undertaken or financed by a district. Requires a district to obtain an enforceable commitment from the developer that contractors and subcontractors performing the work use a skilled and trained workforce, in accordance with specified provisions.	06/27/2022 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<u>SB 867</u> Laird (D)	Sea Level Rise: Planning and Adaptation		Requires a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting a local coastal program, as defined, to the California Coastal Commission or submitting a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission.	06/13/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 880</u> Laird (D)	Water Diversion: Monitoring and Reporting		Extends indefinitely existing law which requires any diverter, who has completed an instructional course regarding the devices or measurement method administered by the University of California	06/28/2022 - From ASSEMBLY Committee on WATER, PARKS

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			Cooperative Extension, including passage of a proficiency test before the completion of the course, to be considered a qualified individual when installing and maintaining devices or implementing methods of measurement that were taught in the course for the diverter's diversion.	AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<u>SB 892</u> Hurtado (D)	Cybersecurity Preparedness: Food and Agriculture Sector		Requires the Office of Emergency Services to develop, propose, and adopt optional reporting guidelines applicable to companies and cooperatives in the food and agriculture industry and entities in the water and wastewater systems industry if they identify a significant and verified cyber threat or active cyberattack. Requires a report of cyberattack or cyber threat submitted pursuant to guidelines developed pursuant to these provisions to be confidential and would prohibit disclosure as a public record.	06/28/2022 - In ASSEMBLY. Coauthors revised.
<u>SB 896</u> Dodd (D)	Wildfires: Defensible Space: Grant Programs		Requires any local governmental entity that is qualified to conduct defensible space assessments in very high and high fire hazard severity zones, as specified, and that reports that information to the Department of Forestry and Fire Protection, to report that information using the common reporting platform.	06/13/2022 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<u>SB 897</u> Wieckowski (D)	Accessory Dwelling Units: Junior Units Dwelling Units		Prohibits a local agency from denying an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions or unpermitted structures that are not affected by the construction of the accessory dwelling unit.	06/30/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 931</u> Leyva (D)	Deterring Union Membership: Violations		Authorizes an employee organization, as described, to bring a claim before the Public Employment Relations Board alleging that a public employer violated the prohibition against deterring or discouraging union membership. Upon a finding by the board that the public employer violated those provisions, the public employer would be subject to a civil penalty of up to \$1,000 for each affected employee, not to exceed \$100,000 in total, and subject to attorneys fees and costs, as described.	06/22/2022 - From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 954</u> Archuleta (D)	Public Works: Wages: Electronic Payroll Records		Requires the Department of Industrial Relations to establish an online database of electronic certified payroll records, which the bill would require to be accessible only to certain trust funds established under federal law and certain committees established under federal law, as specified.	06/29/2022 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.
<u>SB 984</u> Archuleta (D)	Military Service: Leave of Absence: Pay and Benefits		Repeals existing law specifying that employee members of reserve military units and the National Guard required to attend scheduled reserve drill periods or perform other inactive duty reserve obligations shall be granted military leave of absence without pay as provided by federal law, as specified.	06/28/2022 - From ASSEMBLY Committee on MILITARY AND VETERANS AFFAIRS: Do pass to Committee on APPROPRIATIONS.
<u>SB 991</u> Newman (D)	Public Contracts: Progressive Design- Build		Requires a local agency that uses the progressive design-build process to submit, no later than specified date, to the appropriate policy and fiscal committees of the Legislature a report on the use of the progressive design-build process containing specified information, including a description of the projects awarded using the progressive design-build process. Requires the design-build entity and its general partners or joint venture members to verify specified information under penalty of perjury.	06/20/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 1010</u> Skinner (D)	State Vehicle Fleet: Zero Emission Vehicles		Requires the Department of General Services, on and after specified date, when seeking to procure vehicle or transportation services from a third-party vendor, to grant bid preferences to vendors based on the percentage of their vehicle or transportation services that would be provided using zero-emission vehicles.	06/30/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 1017</u> Eggman (D)	Leases: Termination of Tenancy: Abuse or Violence		Relates to law that authorizes a tenant to provide a landlord with 180-day written notice, as specified, that the tenant, household member, or immediate family member was a victim of an act of domestic violence or other specified crimes, and that the tenant intends to terminate the tenancy. Makes a landlord or agent liable to the tenant for actual damages and, except as specified, statutory	06/23/2022 - In ASSEMBLY. Read second time. To third reading.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			damages of not less than specified amount and more than specified amount in a civil action for violations.	
<u>SB 1020</u> Laird (D)	Clean Energy, Jobs, and Affordability Act of 2022		Relates to the California Global Warming Solutions Act of 2006. Modifies with respect to the provision that a portion of the workshops be conducted in regions of the state that have the most significant exposure to air pollutants, specified communities as additionally being areas designated as federal extreme nonattainment.	06/27/2022 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<u>SB 1044</u> Durazo (D)	Employers: State of Emergency or Emergency Condition		Prohibits an employer from preventing any employee, including employees of public entities, as specified, from accessing the employee's mobile device or other communications device for seeking emergency assistance, assessing the safety of the situation, or communicating with a person to confirm their safety. Clarifies that these provisions are not intended to apply under specified circumstances.	06/29/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 1058</u> Durazo (D)	Disability Insurance: Paid Family Leave: Demographic		Requires the Employment Development Department to collect demographic data for individuals who claim disability benefits under those programs, including race and ethnicity data. Requires the department to adopt and update demographic data collection standards, procedures, and processes to implement the bill, as prescribed.	06/22/2022 - From ASSEMBLY Committee on INSURANCE: Do pass to Committee on APPROPRIATIONS.
<u>SB 1063</u> Skinner (D)	Energy: Appliance Standards and Cost-effective Measures		Authorizes the State Energy Resources Conservation and Development Commission, upon considering specified factors and making a finding of good cause, to make the standards for minimum levels of operating efficiency for certain appliances effective sooner than one year after their date of adoption or revision, as specified. Requires that those other cost-effective measures prescribed by the commission also not result in any added total costs for consumers over the designed life of the impacted appliances.	06/29/2022 - From ASSEMBLY Committee on UTILITIES AND ENERGY: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 1066</u> Hurtado (D)	State Farmworkers Drought Resilience Pilot Project		Requires the department, subject to an appropriation by the Legislature, to administer the California Farmworkers Drought Resilience Pilot Project to provide supplemental pay in the form of cash assistance for eligible households to help meet their basic needs. Defines terms. Requires the department to implement the pilot project by awarding grants to eligible entities, as defined.	06/28/2022 - From ASSEMBLY Committee on HUMAN SERVICES: Do pass to Committee on APPROPRIATIONS.
<u>SB 1069</u> Umberg (D)	State Grant Programs: Negotiated Cost Rate Agreements		Establishes the Department of General Services in the Government Operations Agency for purposes of providing centralized services of state government. Establishes various state grant programs.	06/15/2022 - From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Do pass to Committee on APPROPRIATIONS.
<u>SB 1075</u> Skinner (D)	Hydrogen: Green Hydrogen: Emissions of Greenhouse Gases		Requires the State Air Resources Board, by specified date, in conjunction with the Energy Commission and the Public Utilities Commission, to jointly develop recommendations to the Legislature on definitions for different categories of hydrogen, and potential end uses for those categories of hydrogen and would authorize the use of the recommendations to the Legislature to inform the oversight and administration of their respective hydrogen programs and eligibility rules.	06/29/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 1077</u> Bates (R)	Coastal Resources: Climate Ready Program: Grants		Authorizes the conservancy to award grants to public agencies and nonprofit organizations that increase resilience of habitat and natural lands. Requires the conservancy, in awarding grants, as part of the prioritization of projects described above, to include those projects that accomplish the removal of nonnative and invasive plants from coastal features, habitats, and ecosystems, and their replacement with native plant species, upon appropriation.	06/27/2022 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<u>SB 1078</u> Allen (D)	Sea Level Rise Revolving Loan Pilot Program		Requires the council, in consultation with the conservancy, to develop the Sea Level Rise Revolving Loan Pilot Program for purposes of providing low interest loans to local jurisdictions, as defined, for the purchase of coastal properties in their jurisdictions identified as vulnerable coastal property, as defined, located in	06/20/2022 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			specified communities, including low income communities, as provided. Establishes the Sea Level Rise Revolving Loan Fund.	
<u>SB 1084</u> Hurtado (D)	Agricultural Land: Foreign Ownership and Interests		Prohibits a foreign government from purchasing, acquiring, or holding an interest, as defined, in agricultural land within the State of California. Exempts land held by foreign governments before specified date, from that prohibition, and specifies that it does not apply to federally recognized Indian tribes or their government units and enterprises.	06/30/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 1100</u> Cortese (D)	Open Meetings: Orderly Conduct		Authorizes the presiding member of the legislative body conducting a meeting to remove an individual for disrupting the meeting. Requires removal to be preceded by a warning to the individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to cease their behavior may result in their removal.	06/22/2022 - In ASSEMBLY. Read second time. To third reading.
<u>SB 1101</u> Caballero (D)	Carbon Sequestration		Establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Requires the state board to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. Requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and, as part of its scoping plan.	06/23/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 1109</u> Caballero (D)	California Renewables Portfolio Standard Program		Extends the electrical corporations obligation to collectively procure their proportionate share of 125 megawatts of cumulative rated generating capacity from bioenergy projects to specified date, through financial commitments of 5 to 15 years, inclusive. Exempts from these requirements a local publicly owned electric utility that previously entered into a 5-year financial commitment under existing law under certain conditions.	06/30/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 1124</u> Archuleta (D)	Public Health Goal: Primary Drinking Water Standard		Requires, on or before specified date, Office of Environmental Health Hazard Assessment to prepare a public health goal for manganese. Authorizes the state board before adopting a primary drinking water standard for manganese, to continue to provide funding for treatment, source protection, and alternative water supplies, as provided, and to require community water systems to monitor manganese in their source water.	06/28/2022 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<u>SB 1127</u> Atkins (D)	Workers Compensation: Liability Presumptions		Provides that for certain injuries or illnesses, including hernia, heart trouble, pneumonia, or tuberculosis, among others, sustained in the course of employment of a specified member of law enforcement or a specified first responder, this bill would reduce those time periods to 75 days.	06/22/2022 - From ASSEMBLY Committee on INSURANCE: Do pass to Committee on APPROPRIATIONS.
<u>SB 1136</u> Portantino (D)	Expedited Environmental Review: Climate Change		Requires those specified public agencies, at the time of adoption of a rule or regulation requiring the reduction in emissions of greenhouse gases, criteria air pollutants, or toxic air contaminants, to perform an environmental analysis of the reasonably foreseeable methods of compliance. Imposes additional requirements on air districts. Imposes a state mandated local program.	06/27/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.
<u>SB 1144</u> Wiener (D)	Water Efficiency and Quality Assessment Reports		Relates to the California Safe Drinking Water Act. Requires an operating agency, as defined, to complete a water efficiency and quality assessment report, as specified, for each covered building. Requires, if the report determines that a building contains lead, the operating agency to replace the lead pipe at the earliest practical time, subject to available funding.	06/29/2022 - From ASSEMBLY Committee on EDUCATION: Do pass as amended to Committee on APPROPRIATIONS.
<u>SB 1157</u> Hertzberg (D)	Urban Water Use Objectives	NEUTRAL	Requires the Department of Water Resources, in coordination with the State Water Resources Control Board to conduct necessary studies and investigations to assess and quantify the economic benefit and impacts of meeting the 2030 indoor residential use	06/16/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			standard on water, wastewater, and recycled water systems, as specified.	
<u>SB 1162</u> Limon (D)	Employment: Salaries and Wages		Requires a private employer that has 100 or more employees to submit a pay data report to Department of Fair Employment and Housing (DFEH). Requires an employer, upon request, to provide to an employee the pay scale for the position in which the employee is currently employed.	06/22/2022 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT: Do pass to Committee on APPROPRIATIONS.
<u>SB 1168</u> Cortese (D)	Public Employees' Retirement: Beneficiary Payment		Relates to Public Employees' Retirement System (PERS) required payment of \$500 to be made to a beneficiary upon the death of a member after retirement and while receiving a retirement allowance from PERS, unless otherwise provided. Increases this benefit to specified amount.	06/22/2022 - From ASSEMBLY Committee on PUBLIC EMPLOYMENT AND RETIREMENT: Do pass to Committee on APPROPRIATIONS.
<u>SB 1188</u> Laird (D)	Safe Drinking Water State Revolving Fund: Assistance		Deletes provisions of the Safe Drinking Water State Revolving Fund relating to 0% financing and interest and would instead generally authorize the board, to the extent authorized by federal law, to provide reduced or 0% financing to further the purposes of the Safe Drinking Water State Revolving Fund Law of 1997. Deletes certain limitations on the financial assistance provided to water corporations regulated by the Public Utilities Commission.	06/28/2022 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.
<u>SB 1194</u> Allen (D)	Public Restrooms: Building Standards		Authorizes a city, county, or city and county to require, by ordinance or resolution, that public restrooms constructed within its jurisdiction comply with specified requirements instead of complying with the plumbing standards set forth in the California Building Standards Code. Authorizes public toilet facilities to be designed to serve all genders, as specified.	06/23/2022 - In ASSEMBLY. Read second time. To third reading.
<u>SB 1205</u> Allen (D)	Water Rights: Appropriation		Requires the board to develop and adopt regulations to govern consideration of climate change in water availability analyses used in the board's review of applications for water rights permits, including consideration of the effects of climate change, as	06/30/2022 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			specified, upon watershed hydrology as part of the preparation of water availability analyses.	
<u>SB 1224</u> Bates (R)	Watersheds: Wildlife Habitat: Orange and San Diego		Authorizes the Wildlife Conservation Board, upon an appropriation by the Legislature, to make grants to acquire fee title or conservation easements or to perform restoration, or a combination thereof, in watersheds with habitats for sensitive wildlife populations in specified regions in the Counties of Orange and San Diego, as provided.	06/28/2022 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<u>SB 1230</u> Limon (D)	Zero Emission and Near Zero Emission Vehicle Incentive		Requires the state board, with respect to the various zero emission and near zero emission vehicle incentive programs administered or funded by the state board, to adopt certain revisions to those programs if the state board finds those revisions to be feasible.	06/27/2022 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.
<u>SB 1253</u> Melendez (R)	Infrastructure Plan: Flood Control: Delta Levees		Require the plan to set out infrastructure priorities relating to specified flood prevention and maintenance projects.	06/28/2022 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.
<u>SB 1254</u> Hertzberg (D)	Drinking Water: Administrator: Managerial Services		Revises the definition of designated water system and limit the liability of an administrator when the State Water Resources Control Board appoints an administrator to a designated water system, as prescribed.	06/21/2022 - From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<u>SB 1261</u> Stern (D)	Energy: Low-Emissions Buildings		Requires the Department of Community Services and Development, upon appropriation by the Legislature, to develop and administer the Multifamily Rapid Deployment Building Decarbonization and Extreme Heat Program to identify and deploy replicable, scalable, and affordable upgrades for multifamily building types that reduce emissions of greenhouse gases and improve the health and comfort of residents in multifamily buildings, as provided.	06/27/2022 - In ASSEMBLY. Suspend Assembly Rule 96.;06/27/2022 - Re-referred to ASSEMBLY Committee on RULES.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>SB 1346</u> Becker (D)	Surplus Medication Collection and Distribution		Redefines, until specified date, donor organization to refer to a facility licensed by the State Department of Social Services, the State Department of Public Health, the State Department of Health Care Services, the Department of Corrections and Rehabilitation, Division of Juvenile Justice, or the State Department of State Hospitals that legally possesses centrally stored, unused medication. Expands the types of donor organizations.	06/28/2022 - From ASSEMBLY Committee on HEALTH: Do pass as amended to Committee on APPROPRIATIONS.
<u>SB 1372</u> Stern (D)	Sustainable Groundwater Management Act		Provides that the approval of a groundwater sustainability plan by the department shall not be construed to be a determination by or otherwise an opinion of the department that the allocation of groundwater pumping rights in the plan are consistent with groundwater rights law.	06/15/2022 - In ASSEMBLY. Read second time. To third reading.
<u>SB 1373</u> Kamlager (D)	Surplus Land Disposal		Extends the date by which the disposition of property must be completed to specified date, if the property meets specified requirements. Extends that date further if the disposition of property, the local agency's right or ability to dispose of the property, or a development project for which the property is proposed to be transferred, is the subject of judicial challenge. Declares that it is to take effect immediately as an urgency statute.	06/30/2022 - In ASSEMBLY. Read second time. To third reading.
<u>SB 1396</u> Bradford (D)	Tenancy: Credit Reporting: Lower Income Households		Requires an independent evaluator, upon appropriation by the Legislature for this purpose, to be selected by the Department of Financial Protection and Innovation and to be responsible for conducting an evaluation on the impact of rental payment reporting in the State. Requires the evaluator to be chosen through a competitive process after the first year of completion, as specified. Requires the evaluator to create an annual report that contains certain information.	06/21/2022 - From ASSEMBLY Committee on JUDICIARY: Do pass to Committee on APPROPRIATIONS.
<u>SB 1439</u> Glazer (D)	Campaign Contributions: Agency Officers		Extends the prohibition on contributions to the spouse of a party or of a party's agent, as specified, if the contribution is made from their joint bank account.	06/29/2022 - From ASSEMBLY Committee on ELECTIONS: Do

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				pass to Committee on APPROPRIATIONS.
<u>SB 1494</u> Governance and Finance Cmt	Property Taxation: Revenue Allocations: Property Sales		Authorizes, under the sealed bid or public auction sale procedures, the tax collector to offer, if the highest bidder does not consummate the sale of nonresidential commercial property within the time period determined by the tax collector, the property to the next highest bidder at their bid price.	06/22/2022 - In ASSEMBLY. Read second time. To third reading.
<u>SCA 1</u> Hertzberg (D)	Elections: Referenda		Requires that the ballot for a referendum measure provide that a Yes vote is in favor of the referendum and rejects the statute or part of the statute subject to the referendum, and a No vote is against the referendum and approves the statute or part of the statute subject to the referendum, thus requiring a majority vote in favor of the referendum to reject the statute or part of the statute subject to the referendum.	09/01/2021 - In SENATE. From third reading. To Inactive File.
<u>SCA 9</u> Gonzalez (D)	Personal Rights: Right to Housing		Declares that the fundamental human right to housing exists in this state. Specifies that it is the shared obligation of state and local jurisdictions to respect, protect, and fulfill this right through progressively implemented measures, consistent with available resources, within an aggressive but reasonable timeframe.	03/23/2022 - To SENATE Committees on HOUSING and ELECTIONS AND CONSTITUTIONAL AMENDMENTS.
<u>HR 616</u> Tlaib (D)	Water Shutoffs Prohibition		Prohibits water shutoffs during the Coronavirus disease 2019 emergency period, provides drinking and waste water assistance to households.	01/28/2021 - INTRODUCED.;01/28/2021 - To HOUSE Committee on ENERGY AND COMMERCE.;01/28/2021 - To HOUSE Committee on EDUCATION AND LABOR.
<u>HR 737</u> Valadao (R)	California Operational Flexibility and Drought Relief		Extends the authorities under the Water Infrastructure Improvements for the Nation Act of 2016 providing operational flexibility, drought relief, and other benefits to the State of California.	02/02/2021 - INTRODUCED.;02/02/2021 - To HOUSE Committee on NATURAL RESOURCES.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>HR 1015</u> Napolitano (D)	Water Recycling and Reuse Project Grants	SUPPORT	Establishes a grant program for the funding of water recycling and reuse projects.	02/11/2021 - INTRODUCED.;02/11/2021 - To HOUSE Committee on NATURAL RESOURCES.
<u>HR 1352</u> Lawrence (D)	Trust Fund for Water and Sewer Infrastructure		Establishes a trust fund to provide for adequate funding for water and sewer infrastructure.	04/05/2021 - In HOUSE Committee on AGRICULTURE: Referred to Subcommittee on CONSERVATION AND FORESTRY.
<u>HR 1848</u> Pallone (D)	National Infrastructure		Rebuilds and modernizes the Nation's infrastructure to expand access to broadband and Next Generation 9-1-1, rehabilitate drinking water infrastructure, modernize the electric grid and energy supply infrastructure, redevelop brownfields, strengthen health care infrastructure, create jobs, and protect public health and the environment.	01/20/2022 - In HOUSE Committee on NATURAL RESOURCES: Referred to Subcommittee on INDIAN, INSULAR AND ALASKA NATIVE AFFAIRS.;01/20/2022 - In HOUSE Committee on NATURAL RESOURCES: Referred to Subcommittee on ENERGY AND MINERAL RESOURCES.
<u>HR 1915</u> DeFazio (D)	Federal Water Pollution Control Act		Amends the Federal Water Pollution Control Act to reauthorize certain water pollution control programs.	06/22/2021 - From HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE: Reported as amended.;06/22/2021 - In HOUSE. Placed on HOUSE Union Calendar.
<u>HR 2238</u> Lowenthal A (D)	Single Use Plastic Production Reduction		Amends the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways.	03/29/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<u>HR 2467</u> Dingell D (D)	Hazardous Substances		Requires the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous	07/22/2021 - In SENATE. Read second time.;07/22/2021 - To

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
			substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.	SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<u>HR 2468</u> Garamendi (D)	Federal Infrastructure Aid Program Materials		Ensures that certain materials used in carrying out federal infrastructure aid programs are made in the United States.	06/07/2021 - In HOUSE Committee on AGRICULTURE: Referred to Subcommittee on COMMODITY EXCHANGES, ENERGY, AND CREDIT.
<u>HR 3291</u> Tonko (D)	Water System Assistance		Amends the Safe Drinking Water Act to provide assistance for states, territories, areas affected by natural disasters, and water systems and schools affected by PFAS or lead, and to require the Environmental Protection Agency to promulgate national primary drinking water regulations for PFAS, microcystin toxin, and 1,4-dioxane.	06/29/2021 - From HOUSE Committee on ENERGY AND COMMERCE: Reported as amended.;06/29/2021 - In HOUSE. Placed on HOUSE Union Calendar.
<u>HR 3292</u> Dingell D (D)	Residential Emergency Relief Program		Requires the Administrator of the Environmental Protection Agency to carry out a residential emergency relief program to provide payment assistance for households to retain water service.	05/18/2021 - INTRODUCED.;05/18/2021 - To HOUSE Committee on ENERGY AND COMMERCE.;05/19/2021 - In HOUSE Committee on ENERGY AND COMMERCE: Referred to Subcommittee on ENVIRONMENT.
<u>HR 3293</u> Blunt Rochester (D)	Drinking Water and Wastewater Service Assistance		Amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to establish programs to assist low-income households in maintaining access to drinking water and wastewater services.	06/29/2021 - From HOUSE Committee on ENERGY AND COMMERCE: Reported as amended.
<u>HR 3404</u> Huffman (D)	Drought Preparedness	SUPPORT IF AMENDED	Provides drought preparedness and improved water supply reliability to the nation.	05/20/2021 - INTRODUCED.;05/21/2021 - In HOUSE Committee on ENERGY AND COMMERCE: Referred to Subcommittee on ENVIRONMENT.;05/21/2021 - In HOUSE Committee on

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
				TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<u>HR 3622</u> Pappas (D)	Water Quality Criteria		Requires the Administrator of the Environmental Protection Agency to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, provides Federal grants to publicly owned treatment works to implement such guidelines and standards.	06/01/2021 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<u>HR 4099</u> Napolitano (D)	Water Recycling and Reuse Projects		Directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects.	06/29/2021 - Subcommittee on WATER, POWER AND OCEANS hearings held.
<u>HR 4602</u> Lowenthal A (D)	Do Not Flush Labeling	SUPPORT	Directs the Federal Trade Commission to issue regulations requiring certain products to have "Do Not Flush" labeling.	07/21/2021 - INTRODUCED.;07/21/2021 - To HOUSE Committee on ENERGY AND COMMERCE.;07/22/2021 - In HOUSE Committee on ENERGY AND COMMERCE: Referred to Subcommittee on DIGITAL COMMERCE AND CONSUMER PROTECTION.
<u>HR 5689</u> DeFazio (D)	Private Nonprofit Organizations	SUPPORT	Improves the provision of Federal resources to help build capacity and fund risk-reducing, cost-effective mitigation projects for eligible state, local, tribal, and territorial governments and certain private nonprofit organizations.	04/06/2022 - In SENATE. Read second time.;04/06/2022 - To SENATE Committee on HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.
<u>HR 6591</u> McClain (R)	Disposable Nonwoven Wipes Flushability	SUPPORT	Requires the Administrator of the Environmental Protection Agency to publish a rule that establishes standards for the flushability of disposable nonwoven wipes.	02/03/2022 - INTRODUCED.;02/03/2022 - To HOUSE Committee on ENERGY AND COMMERCE.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>HR 6705</u> Blunt Rochester (D)	Improvements to Rivers and Harbors		Provides for improvements to the Rivers and harbors of the United States, to provide for the conservation and development of water and related resources.	02/14/2022 - In HOUSE Committee on TRANSPORTATION & INFRASTRUCTURE: Referred to Subcommittee on WATER RESOURCES AND ENVIRONMENT.
<u>S 914</u> Duckworth (D)	Safe Drinking Water Act		Amends the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts.	04/29/2021 - In SENATE. Amendment SA 1471 proposed by Senator Rubio to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1461 proposed by Senator Shaheen to Amendment SA 1460.;04/29/2021 - In SENATE. Amendment SA 1469 proposed by Senator Kennedy
<u>S 1907</u> Gillibrand (D)	Water Quality Criteria		Requires the Administrator of the Environmental Protection Agency to develop effluent limitations guidelines and standards and water quality criteria for PFAS under the Federal Water Pollution Control Act, to provide Federal grants to publicly owned treatment works to implement such guidelines and standards.	05/27/2021 - INTRODUCED.;05/27/2021 - In SENATE. Read second time.;05/27/2021 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<u>S 2334</u> Cortez-Masto (D)	Water Recycling and Reuse Project Grants		Directs the Secretary of the Interior to establish a grant program to provide grants on a competitive basis to eligible entities for large-scale water recycling and reuse projects, amends the Omnibus Public Land Management Act of 2009 to make certain modifications to the Cooperative Watershed Management Program, provides emergency drought funding.	05/25/2022 - Subcommittee on WATER AND POWER hearings held.
<u>S 2454</u> Padilla (D)	Alternative Water Source Projects		Amends the Federal Water Pollution Control Act to reauthorize the pilot program for alternative water source projects.	07/22/2021 - In SENATE. Read second time.;07/22/2021 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

IRWD 2022 LEGISLATIVE MATRIX
Updated 07/15/2022

Bill No. Author	Title	IRWD Position	Summary/Effects	Status
<u>S 3600</u> Peters G (D)	Cybersecurity Improvement		Improves the cybersecurity of the Federal Government.	03/01/2022 - In SENATE. Amendment SA 4953 proposed by Senator Peters.;03/01/2022 - In SENATE. SA 4953 agreed to on SENATE floor by unanimous consent.;03/01/2022 - In SENATE. Amendment SA 4954 proposed by Senator Peters for Senator Wicker.;03/01/2022 -
<u>S 3624</u> Carper (D)	Improvements to Rivers and Harbors		Provides for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources.	02/10/2022 - INTRODUCED.;02/10/2022 - In SENATE. Read second time.;02/10/2022 - To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.
<u>S 3956</u> Merkley (D)	Do Not Flush Labeling Requirements	SUPPORT	Directs the Administrator of the Environmental Protection Agency to establish a grant program to improve the effectiveness of education and outreach on Do Not Flush labeling, and to require the Federal Trade Commission, in consultation with the Administrator, to issue regulations requiring certain products to have Do Not Flush labeling.	03/30/2022 - INTRODUCED.;03/30/2022 - In SENATE. Read second time.;03/30/2022 - To SENATE Committee on COMMERCE, SCIENCE, AND TRANSPORTATION.
<u>S 4231</u> Feinstein (D)	Water Infrastructure	SUPPORT	Supports water infrastructure in reclamation States.	05/25/2022 - Subcommittee on WATER AND POWER hearings held.

August 2, 2022

Prepared and

submitted by: C. Compton

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

REVIEW OF IRWD ASSOCIATION MEMBERSHIPS AND AFFILIATIONS

SUMMARY:

Staff has compiled a summary of the associations of which IRWD is a member and pays membership dues over \$500 per year (major memberships). The total amount of membership dues paid by IRWD in Fiscal Year 2021-22 was approximately \$437,000 with major membership expenses totaling \$436,132. A summary of the major memberships for Fiscal Year 2020-21 and Fiscal Year 2021-22 is provided as Exhibit “A”.

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

FISCAL IMPACTS:

Dues for IRWD association memberships are included in each annual operating budget.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

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

LIST OF EXHIBITS:

Exhibit “A” – Summary of IRWD’s Major Association Memberships

Note: This page is intentionally left blank.

EXHIBIT “A”

Summary of IRWD’s Major Association Memberships and Affiliations

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

++ Members are invoiced on an as needed basis

PROFESSIONAL ASSOCIATIONS	FY 2020/2021	FY 2021/2022
AMERICAN WATER WORKS ASSOCIATION	\$11,268.00	\$11,599.00
ASIAN BUSINESS ASSOCIATION OF ORANGE COUNTY	\$2,000.00	*
ASIAN INDUSTRY B2B	\$2,000.00	*
ASSOCIATION OF CALIFORNIA CITIES – ORANGE COUNTY	\$5000.00	-
ASSOCIATION OF CALIFORNIA WATER AGENCIES	\$41,520.00	\$42,350.00
BIOENERGY ASSOCIATION OF CALIFORNIA	\$1,100.00	\$2,750.00
BLACK CHAMBER OF ORANGE COUNTY	\$2,500.00	*
CALDESAL	\$5,000.00	\$5,000.00
CALIFORNIA ASSOCIATION OF SANITATION AGENCIES	\$20,500.00	\$20,500.00
CALIFORNIA COUNCIL FOR ENVIRONMENTAL AND ECONOMIC BALANCE- <i>California Environmental Dialogue & Water Quality Task Force</i>	\$32,000.00	\$39,000.00
CALIFORNIA MUNICIPAL UTILITIES ASSOCIATION	\$12,790.00	\$14,005.00
CALIFORNIA PUBLIC AGENCY COMPENSATION SURVEY		\$550.00
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION	\$7,805.00	\$8,195.00
CLEAN WATER AND JOBS FOR CALIFORNIA	++	++
FILIPINO AMERICAN CHAMBER OF COMMERCE OF ORANGE COUNTY	\$1,500.00	*
GREATER IRVINE CHAMBER OF COMMERCE	\$1,600.00	\$1,800.00
INTERNATIONAL PUBLIC MANAGEMENT ASSOCIATION OF HUMAN RESOURCES	\$1,005.00	\$1,005.00
ISLE, INC.	\$18,000.00	*
KOREAN AMERICAN CHAMBER OF COMMERCE OF ORANGE COUNTY	\$500.00	*
NATIONAL ASSOCIATION OF GOVERNMENT DEFINED CONTRIBUTION ADMINISTRATORS	\$600.00	*
NATIONAL WATER RESEARCH INSTITUTE	\$50,000.00	\$100,000.00**

Summary of IRWD's Major Association Memberships and Affiliations

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

++ Members are invoiced on an as needed basis

PROFESSIONAL ASSOCIATIONS	FY 2020/2021	FY 2021/2022
NATIONAL WATER RESOURCES ASSOCIATION INC	\$2,000.00	\$2,525.00
NEWPORT BEACH CHAMBER OF COMMERCE	\$2,500.00	\$2,500.00
ORACLE APPLICATIONS AND TECHNOLOGY USERS GROUP	-	\$1,095.00
ORANGE COUNTY BUSINESS COUNCIL	\$5,000.00	\$5,000.00
ORANGE COUNTY CURRENT AFFAIRS FORUM	*	*
ORANGE COUNTY HISPANIC CHAMBER OF COMMERCE	\$1,500.00	*
PUBLIC POLICY INSTITUTE OF CALIFORNIA	\$10,000.00	\$10,000.00
RESOURCES TRENDS	-	\$2,500.00
SOLVE THE WATER CRISIS COALITION	-	\$15,000.00
SOUTH ORANGE COUNTY ECONOMIC COALITION	\$2,500.00	\$2,500.00
SOUTHERN CALIFORNIA ALLIANCE OF PUBLICLY OWNED TREATMENT WORKS	\$10,120.00	\$10,120.00
SOUTHERN CALIFORNIA WATER COMMITTEE	\$25,000.00	\$25,000.00
SUSTAIN OC	\$1,000.00	*
UNIVERSITY OF CALIFORNIA, IRVINE (Department of Civil & Environmental Engineering Affiliates)	\$1,250.00	\$1,250.00
URBAN WATER INSTITUTE, INC.	\$1,250.00	\$2,500.00
WATER ASSOCIATION OF KERN COUNTY	-	\$500.00
WATER EDUCATION FOUNDATION	\$31,900.00	\$32,000.00
WATER INFORMATION SHARING AND ANALYSIS CENTER (WATERISAC)	\$3,149.00	\$3,149.00
WATER RESEARCH FOUNDATION	\$122,182.00**	\$62,924.00
WATEREUSE ASSOCIATION	\$10,298.75	\$10,815.00
WESTERN WEATHER & WATER EXTREMES (CW3E) WATER AFFILIATES GROUP	\$20,000.00**	*
TOTAL	\$466,337.75	\$436,132.00

August 2, 2022
Prepared and
submitted by: C. Compton
Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

IRWD RESPONSE TO 2021-2022 ORANGE COUNTY GRAND JURY REPORT “WATER IN ORANGE COUNTY NEEDS ‘ONE VOICE’”

SUMMARY:

During its 2021-2022 session, the Orange County Grand Jury examined the governance structure of wholesale water service in Orange County. Specifically, the Grand Jury reviewed the roles of the Municipal Water District of Orange County (MWDOC) and the Orange County Water District (OCWD), considering opportunities to operate, innovate, lobby, capitalize and coordinate communications related to water. On June 22, 2022, the Grand Jury released its findings on this subject in a report titled “*Water in Orange County Needs ‘One Voice’*.” This report identified six findings and two recommendations related to MWDOC and OCWD. In the report, the Grand Jury requested that IRWD respond to the six findings and the two recommendations. Staff recommends the Board authorize the General Manager to respond to the Orange County Grand Jury’s request through its Presiding Judge.

BACKGROUND:

The prospect of merging MWDOC and OCWD has been reviewed and discussed periodically for nearly 40 years. In past reviews of consolidating these two entities, some economic and institutional efficiencies were identified. Incompatibilities between MWDOC’s and OCWD’s enabling acts make combining the agencies a statutorily complex undertaking. Other factors, such as the challenges in protecting the groundwater basin agencies’ interests and a lack of interest from retail water agencies, resulted in consolidation discussions not moving forward.

IRWD believes that good governance includes analyzing alternative arrangements that may improve how public agencies provide services. IRWD is also a key stakeholder and “member agency” of both MWDOC and OCWD. As such, IRWD has thought extensively about the roles of both MWDOC and OCWD, and the issue of consolidation. IRWD’s position is outlined in the “*Wholesale Water Agency Service in Orange County*” policy paper, which was adopted by the IRWD Board on June 17, 2011. The policy paper outlines a set of policy principles that IRWD believes should be considered when evaluating alternative arrangements for wholesale water service in Orange County. A copy of the policy paper is provided as Exhibit “A”.

Orange County Grand Jury Review:

The Grand Jury re-examined the governance structure of wholesale water responsibilities in Orange County. The stated purpose of its review, as outlined in its report, is as follows:

“The consolidation of OCWD and MWDOC has been explored in the past, debated by wholesale and retail water agencies, but ultimately never accomplished. The formation of a new Joint Powers Authority is one option. But no matter how a consolidation would

be accomplished, the Orange County Grand Jury concluded that now is the time to have a single wholesale water supply agency in Orange County. Based on statements made during numerous Orange County Grand Jury interviews, multiple water professionals support moving from two to one wholesale entity for Orange County.

The Orange County Grand Jury is concerned that opportunities to operate, innovate, lobby, capitalize, and coordinate communication are not being optimized with Orange County’s current wholesale water structure, which is split between two key, but very different, agencies. This report will, among other things, address the merits related to the formation of “One Voice” in the Orange County wholesale water structure. It will highlight ways in which Orange County can better address water supply, operations, and infrastructure. The report will not recommend specifically how a single structure comes to fruition legislatively.”

As part of its process, the Grand Jury interviewed key stakeholders from water agencies (including IRWD) that represented a cross section of regional and local wholesalers and retailers. The Grand Jury sought to obtain multiple perspectives based on geography, demographics, and practices. They also considered a variety of factors, including:

- The different water sources available to North and South Orange County;
- The systems and programs available to provide water supplies during normal and emergency times;
- The diversity of projects and plans to increase reliable sources of water supply; and
- Multi-agency collaboration.

The results of the Grand Jury’s investigation were detailed in a report, “*Water in Orange County Needs ‘One Voice’*,” which was released to the public on June 22, 2022. A copy of the report is provided as Exhibit “B”.

IRWD Responses to Findings and Recommendations:

Based on its investigation, the Grand Jury arrived at six findings (F1 through F6) and two recommendations (R1 through R2). The Grand Jury report requested that IRWD respond to Findings F1, F2, F3, F4, F5 and F6, which state:

Finding F1: “A singular water authority for Orange County’s wholesale water supply likely would result in further opportunities at the local, State, and federal levels in legislation, policy making and receiving subsidies and grants.”

Finding F2: “The current fragmented water system structure and operations provides challenges as it relates to development of new interconnected infrastructure as well as maintenance of existing systems.”

Finding F3: “There is a great disparity between the North/Central and South Orange County water sources, management, and operations carried out by OCWD and MWDOC.”

Finding F4: “South Orange County has many smaller retail water districts that lack a formal centralized leadership. Notwithstanding this lack of structure, South Orange County retail water districts have displayed effective collaboration when dealing with one another.”

Finding F5: “Orange County Water District is a recognized worldwide leader in groundwater resource management and reclamation. Its leadership, innovation, and expertise can be further utilized to serve all of Orange County in developing additional innovative and beneficial programs.”

Finding F6: “Orange County currently does not have a countywide coordinated policy regarding water conservation, which results in difficulty when complying with any new State-mandated conservation regulations.”

Guided by IRWD’s “*Wholesale Water Agency Service in Orange County*” policy paper, staff recommends that IRWD respond as “wholly disagreeing” with Findings F1, F2, and F6, that it “disagrees partially” with Finding F5, and that it “agrees” with Findings F3 and F4.

IRWD is also responding to Recommendations R1 and R2, which state:

Recommendation R1: “By January 2023, Orange County wholesale water agencies should formally begin analysis and collaboration towards forming a single wholesale water authority or comparable agency to operate and represent wholesale water operations and interests of all imported and ground water supplies. (F1, F2, F3, F4, F6)”

Recommendation R2: “Any future “One Voice” consolidated Orange County wholesale water authority should have Directors that examine and vote on issues considering the unique needs of all water districts. (F1, F2, F3, F4, F6)”

Guided by IRWD’s “*Wholesale Water Agency Service in Orange County*” policy paper, staff recommends IRWD respond that it will “not implement” Recommendations R1 and R2.

A draft of the IRWD’s complete response to the Grand Jury is provided as Exhibit “C”.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board authorize the General Manager to provide the Presiding Judge of the Superior Court with the proposed response to Finding F1, Finding F2, Finding F3, Finding F4, Finding F5, Finding F6, Recommendation R1, and Recommendation R2 of the 2021-2022 Orange County Grand Jury report titled “*Water in Orange County Needs ‘One Voice’*.”

LIST OF EXHIBITS:

- Exhibit “A” – IRWD’s “*Wholesale Water Agency Service in Orange County*” Policy Position
Paper dated June 17, 2011
- Exhibit “B” – 2021-2022 Orange County Grand Jury Report “*Water in Orange County Needs
‘One Voice’*”
- Exhibit “C” – IRWD Response to the Orange County Grand Jury

EXHIBIT "A"

IRVINE RANCH WATER DISTRICT POLICY POSITION WHOLESALE WATER AGENCY SERVICE IN ORANGE COUNTY Revised: June 17, 2011

Issue Summary:

Discussions have recently been initiated regarding a potential consolidation of Orange County Water District (OCWD) and the Municipal Water District of Orange County (MWDOC). Irvine Ranch Water District, as a key stakeholder and “member agency” of both OCWD and MWDOC, has developed a set of policy principles specifying preferred outcomes to a consolidation and advocating a process through which an optimal consolidation arrangement between these two agencies could benefit their member agencies and the water industry.

Background:

The concept of consolidating OCWD and MWDOC is not a new one. The merger of the agencies has been reviewed and discussed periodically for almost 30 years. Because of the incompatibility of the MWDOC and OCWD enabling acts, statutorily combining the agencies is a complex undertaking. In past reviews of consolidation, economic and institutional efficiencies were identified but other factors such as protection of groundwater basin agencies’ interests and lack of support from retail water agencies prevented consolidation from moving forward.

IRWD believes that part of good governance includes analyzing alternative arrangements for how public agencies provide services. By first developing a set of objectives and desired benefits, the analysis of alternatives will be more effective and the implementation of changes will be more successful. IRWD proposes that as the discussions regarding the potential consolidation of OCWD and MWDOC continue, the following policy principles be followed:

Policy Principles:

Based on the information provided above, the following IRWD policy principles have been developed:

1. Provide comprehensive and coordinated management of imported supplies and groundwater resources to achieve optimal levels of water supply reliability, storage utilization and water quality for Orange County.
2. Implement the most favorable organizational structure to achieve operating efficiencies and reduced costs through consolidated staffing, outside administrative and legal support, and streamlined internal operating practices;
3. Maintain the current number of total MWD Board seats for Orange County, including separate representation for Fullerton, Santa Ana and Anaheim;
4. Ensure MWD representation for Orange County is cohesive and well-positioned to work with other MWD member agencies to maintain reliable and cost effective imported water for the county.

5. Provide a governance structure that ensures Board members for groundwater producing areas exclusively vote on groundwater management, pricing and production matters;
6. Provide a governance structure that ensures imported water financial, management and administrative decisions are voted on by weighted representation based upon cost responsibility or imported water usage.
7. Ensure effective representation on water issues at the regional, state and federal level that is coordinated with the interests and priorities of retail water providers in the county.
8. Provide an open, comprehensive and collaborative review process of all wholesale water service options that includes retail water agencies in both south and north Orange County and staff of the Orange County Local Agency Formation Commission.
9. If the preferred wholesale water service option requires reorganization, complete the appropriate Orange County Local Agency Formation Commission review and approval process prior to seeking any needed legislation.

Water in Orange County Needs “One Voice”



GRAND JURY 2021-2022

Water in Orange County Needs “One Voice”

Table of Contents

SUMMARY	3
BACKGROUND	4
REASON FOR THE STUDY	4
METHOD OF STUDY	4
INVESTIGATION AND ANALYSIS.....	5
<i>Status Quo.....</i>	<i>5</i>
<i>Differences in Supply Sources</i>	<i>10</i>
<i>History, Governance and Authorizing Legislation.....</i>	<i>11</i>
<i>Services Provided by Wholesalers & Retailers</i>	<i>12</i>
<i>Where Do We Go from Here?</i>	<i>13</i>
FINDINGS	16
RECOMMENDATIONS.....	16
COMMENDATIONS	17
RESPONSES	17
<i>Responses Required.....</i>	<i>18</i>
<i>Responses Requested</i>	<i>19</i>
GLOSSARY.....	22

Water in Orange County Needs “One Voice”

SUMMARY

The future of a reliable water supply for California, as well as Orange County (OC), is at risk. The intense dry spell in the West, the worst in 1,200 years, is being labeled a “Mega Drought.”¹ Multiple years of drought and inconsistent availability of imported surface water from Northern California and the Colorado River should inspire OC leaders responsible for a reliable water supply to consider new ways to offset the likely depletion of aquifers and reservoirs.

Ronald Reagan once said: “No government ever voluntarily reduced itself in size.” However, it is important that Orange County water providers consolidate their resources and establish a unified voice to lead the County more efficiently in its water policies and planning. Multiple water experts agree it is time to coordinate strategies in water conservation, development of new supply and infrastructure, and preparation for the possibility of continued drought, disaster, and State-mandated water cutbacks.

Providing water to Orange County residents is a complicated process and requires the work of water wholesalers and retailers. Retail water agencies (districts and cities) are the direct link to residential and commercial customers. It is they who set the retail price for the water that is delivered. Providers of drinkable water to these retail entities are the wholesalers (suppliers) of imported and local groundwater from the aquifer.

The current structure of wholesale water supply and operations in Orange County, although fragmented between Orange County Water District (OCWD), Metropolitan Water District of Southern California (MET), and Municipal Water District of Orange County (MWDOC), has been successful in providing reliable, high-quality drinking water. While differences in geology and geography dictate different water supplies, no single governmental body is solely responsible for wholesale water policy and operations in Orange County, even though providing future reliable water supply is becoming more challenging.

While the processes of supplying wholesale groundwater and imported water are arguably dramatically different, complex, and should remain separated in OC, the Orange County Grand Jury (OCGJ) has determined that all sources of water are interconnected and would be best administered by one governmental entity. All the water flowing to OC taps looks the same, whether imported or groundwater, so why do we need two wholesale agencies?

This single leadership structure, whether through consolidation of existing dual entities (OCWD and MWDOC) or creation of a new water authority, is achievable through a combination of governance and local and State legislative changes that authorizes the single organization to lead all aspects of Orange County wholesale water. Although any consolidation or formation of a new water agency would pose political, administrative, and operational challenges, the OCGJ concluded that, at long last, it is time for Orange County to operate with “one water voice.”

¹ February 14, 2022, Peer reviewed study published in the journal *Nature Climate Change*
<https://doi.org/10.1038/s41558-022-01290-z>

Water in Orange County Needs “One Voice”

BACKGROUND

Multiple prior Grand Jury Reports have addressed water issues, including water challenges and opportunities jointly being faced by all of Orange County. One report pointed out disparities between the North/Central and South County’s water sources, the fragmented governance, and the significant differences in topography.² Another report informed the public about sustainability of the local water supply and future needs, along with evaluating the efforts of the two major wholesale water agencies in the County.³

Orange County relies heavily on imported water for its ongoing supply, as well as some of its groundwater storage replenishment needs. Metropolitan Water District of Southern California (MET) supplies imported water to Southern California. Municipal Water District of Orange County (MWDOC) buys imported water from MET and sells it to Orange County’s retail water agencies (cities and special districts). Orange County Water District (OCWD) supplies ground water to the retail water agencies and cities geographically served by the aquifer and wells.

REASON FOR THE STUDY

The consolidation of OCWD and MWDOC has been explored in the past, debated by wholesale and retail water agencies, but ultimately never accomplished. The formation of a new Joint Powers Authority is one option. But no matter how a consolidation would be accomplished, the OCGJ concluded that now is the time to have a single wholesale water supply agency in Orange County. Based on statements made during numerous OCGJ interviews, multiple water professionals support moving from two to one wholesale entity for Orange County.

The OCGJ is concerned that opportunities to operate, innovate, lobby, capitalize and coordinate communication are not being optimized with Orange County’s current wholesale water structure, which is split between two key, but very different, agencies. This report will, among other things, address the merits related to the formation of “One Voice” in the Orange County wholesale water structure. It will highlight ways in which Orange County can better address water supply, operations, and infrastructure. The report will not recommend specifically how a single structure comes to fruition legislatively.

METHOD OF STUDY

The Grand Jury evaluated the efforts of the existing primary water entities in Orange County—MWDOC and OCWD—to determine what is working well, and the challenges and opportunities currently existing. In its investigation, the OCGJ used the following sources.

² 2009-2009 Grand Jury report titled *Paper Water*

³ 2012-2013 Grand Jury report titled *Orange County Water Sustainability: Who Cares?*

Water in Orange County Needs “One Voice”

- In-person and virtual interviews. Specifically, interviews of current and former Water District Managers, City and Regional Water Managers and other involved State entities and individuals.
- Water District website meeting minutes and document review.
- Independent research (articles, websites, reports, minutes, documents, etc.).
- Research of applicable State and local water-related statutes and ordinances.
- Site tours of water and sanitation districts’ operations.
- Past Grand Jury reports.
- 2021 Orange County Water Summit.

The interviews included personnel from water agencies that represented a cross section of regional and local wholesalers and retailers to obtain a diversity of perspectives based on geography, demographics, and practices. The investigation took into consideration the variety of characteristics that exist in the County, including:

- North compared to South County sources of water supply (reliance on imported water).
- Variety of projects to provide water supplies during normal and emergency times.
- Diversity of projects and plans to increase reliable sources of water supply including categories related to conservation, recycling for irrigation and potable use, storage, desalination options, etc.
- Multi-agency collaboration.

INVESTIGATION AND ANALYSIS

Overall, California water sources come from imported supplies (State Water Project in Northern California and the Colorado River), groundwater, stormwater, water transfers, desalination, and water recycling. Orange County, like the rest of California, relies on a variety of sources, with the exception of desalination which is currently in the planning stage.

Status Quo

To best understand the background of wholesale water in California, and specifically Orange County, one must examine the three major governmental agencies involved: Metropolitan Water District of Southern California (MET), Municipal Water District of Orange County (MWDOC), and Orange County Water District (OCWD). These agencies have similar names but very different responsibilities. The role of retail water districts will also be explained.

Metropolitan Water District of Southern California

MET provides water from the Colorado River and the State Water Project from Northern California to Southern California. It wholesales this imported water to its Orange County member agencies, MWDOC and the independent cities of Anaheim, Fullerton, and Santa Ana.

Water in Orange County Needs “One Voice”

MET provides most of the water imported into Orange County. MET currently delivers an average of 1.7 billion gallons of water per day to a 5,200 square mile service area. MET is a group of 26 cities and water districts providing drinking water to over 19 million people in Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties.



Municipal Water District of Orange County

MWDOC acts as a pass-through agency for MET's imported water. This imported water is sold to MWDOC's 27 member agencies which, except for Fullerton, Anaheim and Santa Ana, covers the entire County. MWDOC also sell untreated water to OCWD for ground water discharge. MWDOC does not own or operate any water infrastructure.

Water in Orange County Needs “One Voice”

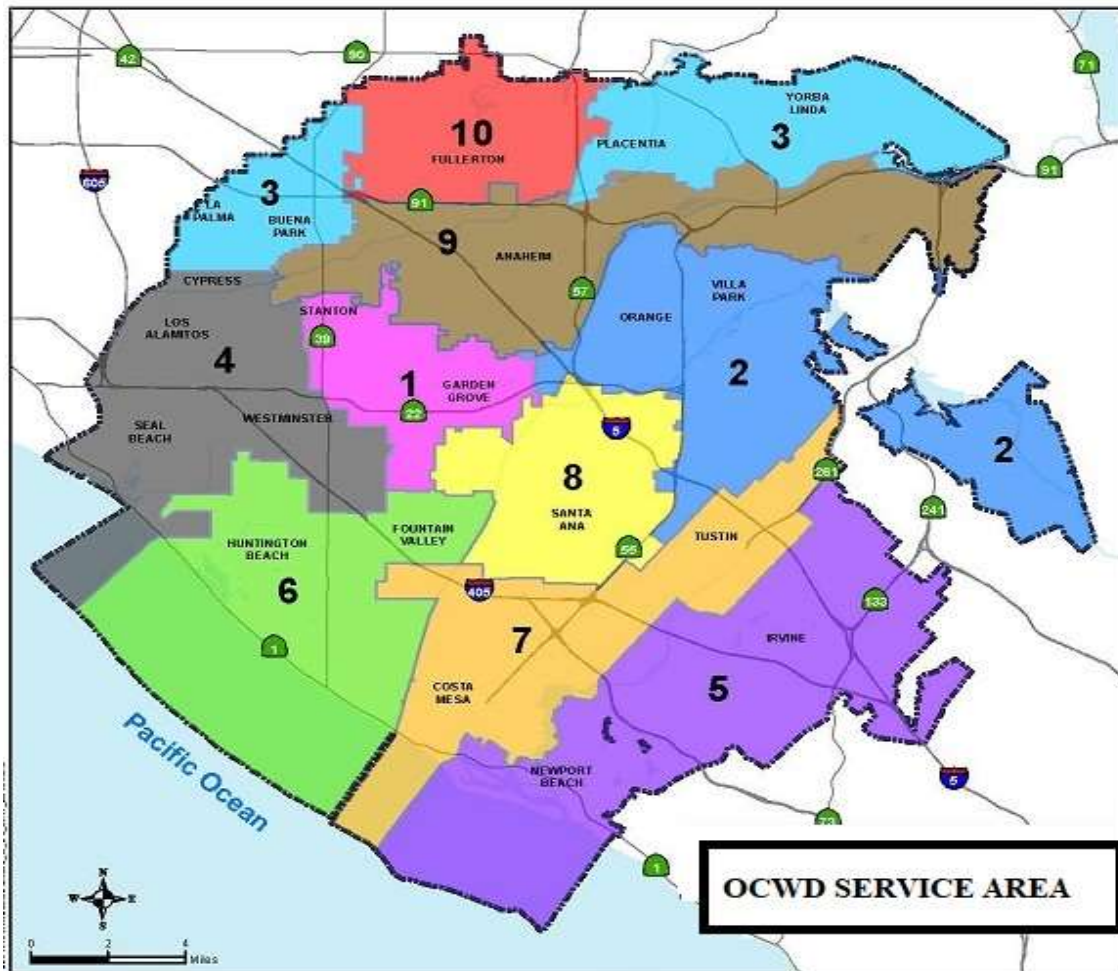


Orange County Water District

OCWD manages the groundwater basin in the north and central part of the County. OCWD does not directly provide water to any residents or businesses, except treated wastewater for irrigation in the Green Acres Project. The Green Acres Project is a water reuse effort that provides recycled water for landscape irrigation at parks, schools and golf courses and some industrial

Water in Orange County Needs “One Voice”

uses.⁴ OCWD’s primary role is to manage the basin and provide local water retailers with a reliable, adequate, and high-quality supply of water.⁵ In addition, OCWD operates the Groundwater Replenishment System (GWRs) in partnership with the Orange County Sanitation District (OCSAN). This state-of-the-art water purification project can produce over 100 million gallons of high-quality potable water per day for aquifer recharge. OCWD provides groundwater to 19 municipal and special water districts and supplies approximately 77 percent of the water



supply for North and Central Orange County. OCWD is the only wholesale groundwater agency for Orange County and is a customer of MWD OC for imported needs to supplement the aquifer recharge serving North/Central County. OCWD currently has \$1.5 billion in capital infrastructure assets.

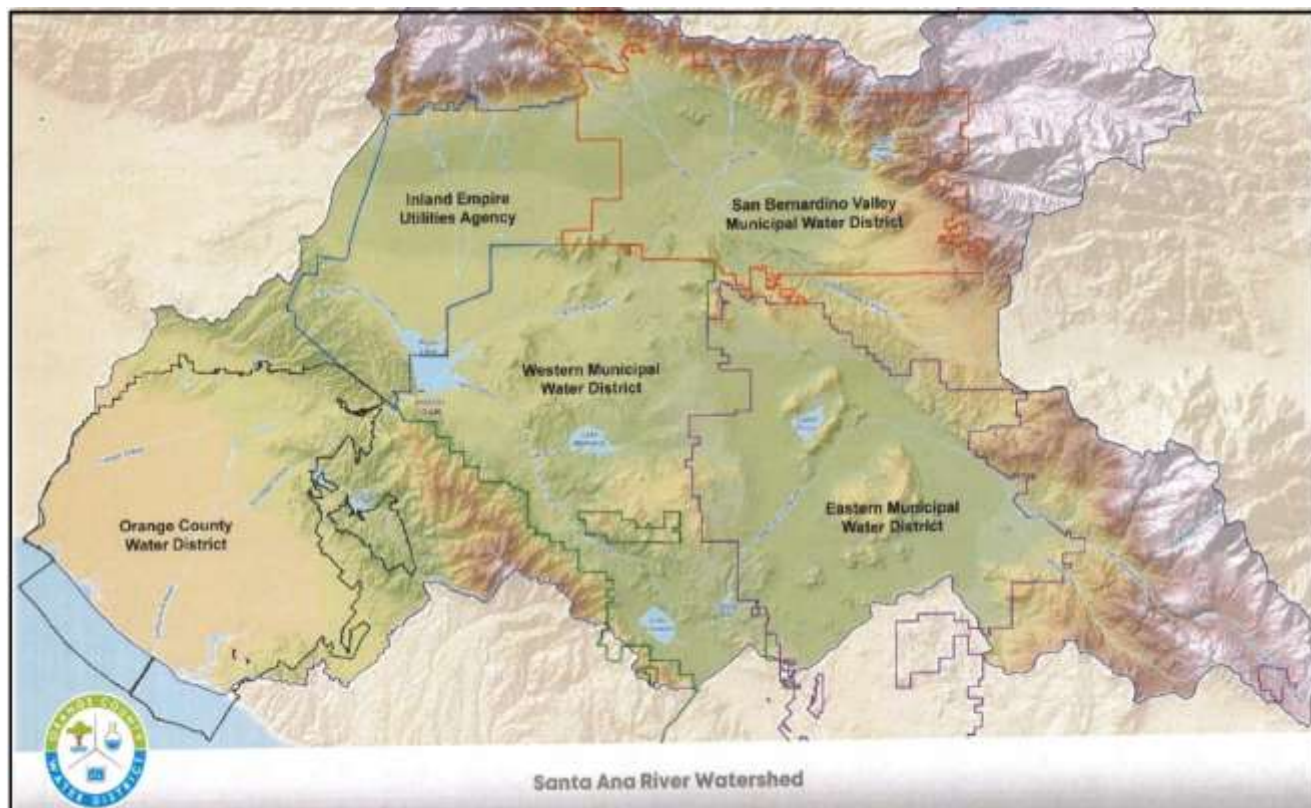
⁴ www.ocwd.com/about/

⁵ *Ibid.*

Water in Orange County Needs “One Voice”

Additional Supply for OCWD

The Santa Ana River is the largest coastal stream in Southern California. Flowing west from the San Bernardino Mountains, the river winds through San Bernardino and Riverside Counties before reaching Orange County at Prado Dam, then traveling through the OCWD aquifer to supplement recharge, before terminating at the Pacific Ocean. The river is joined by Santiago Creek and flows to the ocean between Huntington Beach and Newport Beach.⁶



Retail Water Districts

Retail water organizations are the direct connection of supplying water to residential and commercial consumers. There are 29 retail water providers throughout Orange County. These water providers include cities, special water districts/agencies and one private water company.

⁶ www.ocwd.com/what-we-do/

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Differences in Supply Sources

South Orange County’s approximate 600,000 residents rely primarily on imported water (70-100 percent of needed supply depending on location) from hundreds of miles away. The imported water is purchased through the Municipal Water District of Orange County (MWDOC).⁷

North and Central County’s roughly 2.8 million residents rely primarily (19-99 percent depending on location) on groundwater supplied OCWD, which refills the Orange County Groundwater Basin with many different water supplies: water from the Santa Ana River; local rainfall; treated and purified wastewater through the Groundwater Replenishment System (GWRs); and imported water from the Colorado River and Northern California.⁸

⁷ www.ocwd.com/about & www.mwdoc.com/wp-content/uploads/2017/05/Water-Supply.pdf

⁸ www.mwdoc.com/wp-content/uploads/2017/05/Water-Supply.pdf

Water in Orange County Needs “One Voice”

History, Governance and Authorizing Legislation

MET

In 1928, the Metropolitan Water District Act was established by the California Legislature. The original purpose was to construct and operate the 242-mile Colorado River Aqueduct, which runs from an intake at Lake Havasu on the California-Arizona border to an endpoint at Lake Mathews reservoir in Riverside County. MET has a 38-member board of directors representing the district’s 26 agencies. Orange County is represented on the MET Board by seven Board members. MET has imported water from the Colorado River since 1941 and from Northern California since the early 1970s.⁹

MWDOC

MWDOC is a wholesale water supplier and resource planning agency that was established in 1951. Governed by a seven-member Board of Directors,¹⁰ MWDOC is MET’s third largest member agency and appoints four representatives to advocate the interests of Orange County on the Metropolitan Water District Board.¹¹

OCWD

The Orange County Water District was formed in 1933 by a special act of the California Legislature to protect Orange County’s rights to water in the Santa Ana River. OCWD is governed by a 10-member Board of Directors, seven of whom are elected, and three are appointed by the city councils of Anaheim, Fullerton, and Santa Ana.¹²

Retail Water Districts

Each retail water district was established throughout Orange County’s history and provides water directly to consumers. They are each governed by an elected board of directors, respective city councils, or private investors.

Local Agency Formation Commission (LAFCO)

As part of California’s water governance, LAFCO oversees geographic boundaries, evaluates cost-effective and efficient public service delivery, and explores potential alternatives to meet the service demands of the existing and future County population. Orange County LAFCO was founded in 1963 and strives to ensure the delivery of effective and efficient public services, including water, by local governments to the County’s residents.¹³ Orange County water

⁹ www.mwdoc.com/about-mwdoc; www.mwdh2o.com/who-we-are/our-story/

¹⁰ www.mwdoc.com/about-us/about-mwdoc

¹¹ www.mwdoc.com/wp-content/uploads/2017/06/So-Cal-Water-Wholesale-Retailers.pdf

¹² www.ocwd.com/about/

¹³ www.oclafco.org/about-us/agency/

Water in Orange County Needs “One Voice”

professionals believe the process of creating one wholesale water agency would first go through LAFCO formation before moving on to State legislation and approval.

Services Provided by Wholesalers & Retailers

The following water services are currently in operation for Orange County.

MET

- Delivering wholesale water supplies from the Colorado River and State Water Project.
- Managing water resources including water storage programs (groundwater banking and reservoir), transfers and exchanges, groundwater recovery, recycling, stormwater capture, and potential seawater desalination.
- Operating water system including treatment, quality monitoring, conveyance, distribution, and support.
- Engineering, safety, and regulatory services such as infrastructure protection, maintenance, and improvement programs.
- Managing energy operations.
- Planning for emergency water supply interruption due to earthquake, fire, power failure, public health, and other unexpected crises.
- Planning for capital investment.

MWDOC

- Purchases wholesale water from MET, approximately 70.2 billion gallons of water annually, and delivers to its 27 member agencies.
- Provides studies, analysis and programs related to water supply development, including desalination, and system reliability and use efficiency.
- Offers planning assistance and local resource development in areas of water recycling, groundwater recharge, and conservation.
- Offers residential and commercial rebate programs.
- Offers leak detection services to its members.
- Develops and administrates disaster preparedness, response, and recovery strategies through the Water Emergency Response Organization of Orange County (WEROC). This organization involves both water and wastewater agencies.
- Provides public education and community outreach.

OCWD

- Manages Orange County’s wholesale groundwater supplies: the basin consisting of a large underground aquifer to ensure a reliable supply, the Santa Ana River watershed, and the Groundwater Replenishment System (GWRs).

Water in Orange County Needs “One Voice”

- Replaces groundwater that is pumped out of the basin every year with Santa Ana River watershed, recycled, imported, storm and natural incidental water recharge.
- Ensures groundwater supply safety and quality through monitoring and testing.
- Recycles water primarily through the GWRS which takes treated wastewater that otherwise would be sent to the Pacific Ocean and purifies it for aquifer recharge.
- Participates in legislative and community engagement and education.
- Develops additional innovative programs such as Forecast Informed Reservoir Operations (FIRO) at Prado Dam, capturing and recharging stormwater in the Santa Ana River, and anticipating and optimizing stormwater runoff.
- Coordinates contaminant treatment, financial resource needs, and policy such as for Per- and polyfluoroalkyl substances (PFAS) which enter the aquifer and wells primarily through the Santa Ana River flows. Additionally, organizes litigation and accountability for the contaminant sources.

Retail Water Districts

In addition to being the direct link to consumers, retail agencies provide several additional services beyond those provided by wholesalers. Those services include maintaining water quality and testing throughout their distribution systems, repair and replacement of critical infrastructure, regulatory compliance, customer service, water use conservation, recycled water for irrigation or other non-potable uses, and public outreach and health-related services.

Where Do We Go from Here?

Assessment of Current State

Reliable sources shared opinions with the OCGJ that the current OC wholesale structure is “dysfunctional”, “prevents speaking with one voice for all of Orange County water interests” involving the aquifer and imported water sources, and “currently provides redundant services with redundant costs.” Also, multiple member agencies of MWDOC have expressed dissatisfaction with MWDOC’s operating effectiveness related to MET board and legislative representation, member charges for provided services, and the scope of emergency preparedness.¹⁴

In addition, this dual structure of MWDOC and OCWD has resulted in missed opportunities for the County in the form of more extensive multiple agency collaboration, increased operating efficiency, decreased reliance on imported water, and the creation of a more reliable water

¹⁴ Information based on multiple interviews, past agreements between MWDOC and MWDOC member agencies, and LAFCO Municipal Service Reviews.

Water in Orange County Needs “One Voice”

supply.¹⁵ Currently, many projects are undertaken by individual or small groups of retail agencies that could be more expansive if guided by a single wholesale water supplier providing diverse water sources.

Another missed opportunity is a lack of coordinated County analysis about the benefits and drawbacks related to potential desalination projects. Even though desalination projects potentially impact the water supply for all of Orange County, OCWD and MWDOC independently consider these desalination projects and their impact.

Furthermore, many water experts believe that this fragmentation results in less than optimum legislative lobbying effectiveness. This affects programs such as water conservation, related water consumption standards such as State storage projects to capture more water supply during wet years, contamination treatment standards, and the Delta Conveyance System, which is a proposed more efficient and effective system to move water from Northern California to the central and southern part of the State.

Benefits of a Single County Agency - “One Voice”

The Orange County Grand Jury found that creation of a single County wholesale water agency to serve as a conduit for both imported and groundwater would be most effective in coordinating water supply diversification, major infrastructure investments, and developing forward-thinking policies and practices. This single agency would also help facilitate fiscal and environmental responsibility.

Orange County water agencies have earned a tremendous reputation for innovative projects and strategies related to increasing a reliable water supply, even in drought conditions. How do we leverage what already is exemplary and collaborative in Orange County water operations?

- Groundwater Replenishment System (GWRS)
- Santa Ana River Conservation and Conjunctive Use program (SARCCUP)¹⁶
- Inter-county perspective with neighboring jurisdictions of the Inland Empire, San Diego, and Los Angeles Counties.
- Purple water recycling for irrigation coming from treated waste and stormwater capture.
- Burris Basin conversion to Anaheim Coves Trail (OCWD / City partnership).¹⁷

Water experts believe “One Voice” would result in increased influence on the MET Board. The OCJG concluded that having all types (groundwater and imported water) of wholesale water

¹⁵ Information based on multiple water professional interviews.

¹⁶ www.ieua.org/read-our-reports/santa-ana-river-conservation-and-conjunctive-use-program/

¹⁷ http://www.santa-ana-river-trail.com/trail/burris_basin.asp

Water in Orange County Needs “One Voice”

providers occupy “seats at the table” would be beneficial to Orange County as a whole and for MET. Additional benefits of a one wholesale water entity include:

- Increased coordination of financial support and capital resources from local, State, and federal sources. An example is in the funding for well contamination remediation utilizing an ionization process.
- More influence at the local, State, and federal levels. Examples include the Delta Conveyance¹⁸ system, additional storage capacity, and preservation of imported supplies from the State Water Project.
- Increased collaboration leading to additional infrastructure shared by wholesale and retail, both for emergency and longer-term everyday use, to move water around as needed.
- Centralized planning for emergency water supply interruptions rather than independent efforts of wholesale and retail water organizations.
- Increased coordination between North and South County for matters such as water banking in Central County for use in South County.
- Cost savings by eliminating duplication of administrative, professional, consultant, lobbying and other expenses currently existing at OCWD and MWDOC.
- Singular County leadership in forming conservation strategies, public outreach, and education.

Concerns related to creating “One Voice”

The Orange County Grand Jury recognizes that with any governance or business model change obstacles will exist to forming a consolidated or new wholesale water agency. Overall, proponents of this change are concerned that there is a lack of political will and that “protecting my own turf” philosophies will get in the way of doing the right thing for reliable water supply in the future. Some additional hesitation exists from some Orange County water board and management professionals that believe:

- Imported versus groundwater requires specialized knowledge and a unique operational approach and should not be combined.
- Staff reductions will occur.
- Merging of retirement pension and benefit liabilities will be complicated and expensive.
- Development of a new Board of Directors structure may cause a loss of representation of the unique water needs of different parts of the County.

¹⁸ www.mwdoc.com/wp-content/uploads/2020/06/Delta-Conveyance-Project-and-EcoRestore.pdf

Water in Orange County Needs “One Voice”

- Consolidation of the existing two wholesale water districts, OCWD and MWDOC, or the forming of a new agency would be complicated. The process would likely begin through Orange County LAFCO before moving to State legislative level, both of which would be divisive and risk political influence and interference when revising local and State water acts.

Despite these complications and challenges, the OCGJ concluded that the County will be better served by creating a “one voice” agency to lead and represent all aspects of wholesale water operations in Orange County.

FINDINGS

- F1 A singular water authority for Orange County’s wholesale water supply likely would result in further opportunities at the local, State, and federal levels in legislation, policy making and receiving subsidies and grants.
- F2 The current fragmented water system structure and operations provides challenges as it relates to development of new interconnected infrastructure as well as maintenance of existing systems.
- F3 There is a great disparity between the North/Central and South Orange County water sources, management, and operations carried out by OCWD and MWDOC.
- F4 South Orange County has many smaller retail water districts that lack a formal centralized leadership. Notwithstanding this lack of structure, South Orange County retail water districts have displayed effective collaboration when dealing with one another.
- F5 Orange County Water District is a recognized worldwide leader in groundwater resource management and reclamation. Its leadership, innovation, and expertise can be further utilized to serve all of Orange County in developing additional innovative and beneficial programs.
- F6 Orange County currently does not have a countywide coordinated policy regarding water conservation, which results in difficulty when complying with any new State-mandated conservation regulations.

RECOMMENDATIONS

- R1 By January 2023, Orange County wholesale water agencies should formally begin analysis and collaboration towards forming a single wholesale water authority or comparable agency to operate and represent wholesale water operations and interests of all imported and ground water supplies. (F1, F2, F3, F4, F6)

Water in Orange County Needs “One Voice”

- R2 Any future “One Voice” consolidated Orange County wholesale water authority should have Directors that examine and vote on issues considering the unique needs of all water districts. (F1, F2, F3, F4, F6)

COMMENDATIONS

- Orange County Water District (OCWD) commitment to sound planning and state-of-the-art technology to provide water to the people of Orange County. Highly recognized, OCWD, along with Orange County Sanitation District, has the world’s largest Groundwater Replenishment System (GWRs).
- Municipal Water District of Orange County (MWDOC) for many provided services related to emergency planning, public education, water reliability and delivery reports, leak detection service, rebate and conservation programs and many other “choice” services.
- All the current wholesale and retail water districts in Orange County for their efforts to collaborate and strategize to better serve Orange County Citizens despite the lack of a centralized administration.

RESPONSES

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

California Penal Code Section 933 requires the governing body of any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court). Additionally, in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such elected County official shall comment on the findings and recommendations pertaining to the matters under that elected official’s control *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code Section 933.05 specifies the manner in which such comment(s) are to be made as follows:

(a) As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

Water in Orange County Needs “One Voice”

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

(b) As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

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

(c) If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary /or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Responses Required

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

90 Day Response Required	F1	F2	F3	F4	F5	F6
OCWD Board of Directors	X	X	X		X	X

90 Day Response Required	R1	R2
OCWD Board of Directors	X	X

Water in Orange County Needs “One Voice”

90 Day Response Required	F1	F2	F3	F4	F5	F6
MWDOC Board of Directors	X	X	X	X	X	X

90 Day Response Required	R1	R2
MWDOC Board of Directors	X	X

Responses Requested

90 Day Response Requested	F1	F2	F3	F4	F5	F6
East Orange County Water District	X	X	X		X	X

90 Day Response Requested	R1	R2
East Orange County Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
El Toro Water District	X	X	X		X	X

90 Day Response Requested	R1	R2
El Toro Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Emerald Bay Service District	X	X	X		X	X

90 Day Response Requested	R1	R2
Emerald Bay Service District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Golden State Water Co	X	X	X		X	X

90 Day Response Requested	R1	R2
Golden State Water Co	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Irvine Ranch Water District	X	X	X	X	X	X

90 Day Response Requested	R1	R2
Irvine Ranch Water District	X	X

Water in Orange County Needs “One Voice”

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Laguna Beach County Water District	X	X	X	X	X	X

90 Day Response Requested	R1	R2
Laguna Beach County Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Mesa Water District	X	X	X		X	X

90 Day Response Requested	R1	R2
Mesa Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Moulton Niguel Water District	X	X	X	X	X	X

90 Day Response Requested	R1	R2
Moulton Niguel Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Santa Margarita Water District	X	X	X	X	X	X

90 Day Response Requested	R1	R2
Santa Margarita Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Serrano Water District	X	X	X	X	X	X

90 Day Response Requested	R1	R2
Serrano Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
South Coast Water District	X	X	X		X	X

90 Day Response Requested	R1	R2
South Coast Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Trabuco Canyon Water District	X	X	X	X	X	X

Water in Orange County Needs “One Voice”

90 Day Response Requested	R1	R2
Trabuco Canyon Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Yorba Linda Water District	X	X	X		X	X

90 Day Response Requested	R1	R2
Yorba Linda Water District	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
City of Anaheim	X	X	X		X	X

90 Day Response Requested	R1	R2
City of Anaheim	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
City of Fullerton	X	X	X		X	X

90 Day Response Requested	R1	R2
City of Fullerton	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
City of Santa Ana	X	X	X		X	X

90 Day Response Requested	R1	R2
City of Santa Ana	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
City of Brea	X	X	X		X	X

90 Day Response Requested	R1	R2
City of Brea	X	X

90 Day Response Requested	F1	F2	F3	F4	F5	F6
Metropolitan Water District	X	X				X

90 Day Response Requested	R1	R2
Metropolitan Water District	X	X

Water in Orange County Needs “One Voice”

GLOSSARY

AQUEDUCT	A structure for transporting water from one place to another by means of a pipeline, canal, conduit, tunnel, or a combination of these things.
AQUIFER	A geologic formation of sand, rock and gravel through which water can pass and which can store, transmit and yield significant quantities of water to wells and springs.
DELTA CONVEYANCE SYSTEM	Refers to State Water Project (SWP) infrastructure in the vast network of waterways comprising the Sacramento-San Joaquin Delta (Delta) that collects and moves fresh, clean, and affordable water to homes, farms, and businesses throughout major regions of the State from the Bay Area to Southern California.
FIRO	Forecast Informed Reservoir Operations is a flexible water management approach that uses data from watershed monitoring and improved weather forecasting to help water managers selectively retain or release water from reservoirs for increased resilience to droughts and floods.
GWRS	Groundwater Replenishment System. A process where water is replaced in the aquifer.
GREEN ACRES PROJECT	OCWD's Green Acres Project (GAP) is a water reuse effort that provides recycled water for landscape irrigation at parks, schools, and golf courses; industrial uses, such as carpet dying; toilet flushing; and power generation cooling.
GROUNDWATER BANKING	A process of diverting surface water into an aquifer where it can be stored until needed
JPA	Joint Power Authority. two or more public agencies to join together, under a joint powers authority (JPA), to provide more effective or efficient government services or to solve a service delivery problem.

Water in Orange County Needs “One Voice”

LAFCO	Local Agency Formation Commission. Governed by State law, the Commission oversees proposed changes to local agency and county unincorporated boundaries and prepares special studies to encourage the orderly and efficient delivery of public services to Orange County residential and business communities.
MET	Metropolitan Water District, provides water from the Colorado River and the State Water Project from northern California to Southern California.
MWDOC	Municipal Water District of Orange County represents all of Orange County, excluding the three independent city members of MET, and acts as a pass-through agency for MET water sold to its constituent members and sells additional untreated water to OCWD for groundwater recharge.
OCSAN	Orange County Sanitation District treats and recycles sewer and grey water.
OCWD	Orange County Water District manages the groundwater basin of the north and central part of the County.
ONE VOICE	Orange County needs to have a central entity to speak for water and legislative matters.
PAPER WATER	Transfer water via paper, not physically.
PFAS	Per and polyfluoroalkyl substances chemical by product of past aerospace manufacturing in Orange County.
PURPLE WATER	Recycled water that has been treated for reuse in landscaping, agriculture, and commerce.
SAR	Santa Ana River.
SARCCUP	Santa Ana River Conservation and Conjunctive Use program. Guides the use and conservation of the Santa Ana River basin.
SPECIAL DISTRICTS	Special districts are public agencies created to provide one or more specific services to a community, such as water service, sewer service, and parks.

Water in Orange County Needs “One Voice”

WATER TRANSFERS	A water transfer is a voluntary sale of water proposed and initiated by willing sellers who have legal rights to a supply of water to an interested buyer.
WEROC	Water Emergency Response Organization of Orange County, administered through MWDOC, develops disaster preparedness, response, and recovery strategies.

August 8, 2022

The Honorable Erick L. Larsh
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92701

RE: IRWD Response to Grand Jury Report “*Water in Orange County Needs ‘One Voice’*”

Presiding Judge Larsh:

On June 22, 2022, the Orange County Grand Jury released a report titled “*Water in Orange County Needs ‘One Voice’*.” This report requested that Irvine Ranch Water District (IRWD) respond to findings and recommendations in the report. Per the 2021-2022 Orange County Grand Jury’s request, and in accordance with Penal Code 933.05, below are IRWD’s responses to Findings F1, F2, F3, F4, F5 and F6, and Recommendations R1 and R2.

Background Information:

IRWD provides high-quality drinking water, reliable wastewater collection and treatment, groundbreaking water recycling programs, and environmentally sound urban runoff treatment to approximately 445,000 residents and a daytime population of 600,000. IRWD remains a longstanding leader in the areas of water resource management and planning, with an emphasis on sustainability. We are uniquely positioned within Orange County as the only retail water agency that is part of both North/Central and South Orange County. This means that IRWD relies on the Orange County Water District (OCWD) to manage the groundwater basin in North/Central Orange County for the benefit of the groundwater producing agencies (including IRWD), and that IRWD purchase imported water from the Municipal Water District of Southern California (MWD) through the Municipal Water District of Orange County (MWDOC).

The prospect of merging MWDOC and OCWD has been reviewed and discussed periodically for nearly 40 years. In past reviews of consolidating these two entities, some economic and institutional efficiencies were identified. Incompatibilities between MWDOC’s and OCWD’s enabling acts make combining the agencies a statutorily complex undertaking. Other factors, such as the challenges in protecting the groundwater basin agencies’ interests and a lack of interest from retail water agencies resulted in consolidation discussions not moving forward.

IRWD believes that good governance includes analyzing alternative arrangements that may improve how public agencies provide services. Accordingly, IRWD has thought extensively about and engaged in the discussion of the roles of both MWDOC and OCWD – including the issue of consolidation. Given this background, IRWD’s responses to the Grand Jury’s report are provided below.

IRWD Responses:

Finding F1: *“A singular water authority for Orange County’s wholesale water supply likely would result in further opportunities at the local, State, and federal levels in legislation, policy making and receiving subsidies and grants.”*

Response: IRWD wholly disagrees with this finding.

A singular wholesale water authority in Orange County would likely not result in further opportunities to shape legislation or policy at the local, state, and federal levels and would likely not result in Orange County receiving more subsidies or grants. Orange County’s voice on water policy and legislative issues is already heard by the State Legislature, Congress, and other policy decision makers. Having one wholesale water supplier would neither enhance this nor make Orange County’s collective voice louder or more influential.

The same holds true for Orange County receiving more subsidies and grants. Orange County, beyond the water community, has historically received less than its fair share of state and federal funding, either in the form of grants, subsidies, or other funding. This disparity in funding has to do with other political factors and is not a result of Orange County’s inability to reach decision makers. Having a singular wholesale water authority in Orange County would not change those factors or the dynamics that result in Orange County receiving less funding than other areas.

Finding F2: *“The current fragmented water system structure and operations provides challenges as it relates to development of new interconnected infrastructure as well as maintenance of existing systems.”*

Response: IRWD wholly disagrees with this finding.

IRWD disagrees that the current water system structure and operations are fragmented. MWDOC, OCWD and retail water agencies all have defined roles and responsibilities. MWDOC’s role is provide Orange County representation at MWD and to purchase imported water from MWD on behalf of Orange County’s retail water suppliers. OCWD’s role is to manage the Orange County Groundwater Basin. Orange County’s retail water agencies are responsible for maintaining the local water infrastructure needed to provide water service to the Orange County residents and business they serve.

Based these definitions, OCWD's and MWDOC's roles and responsibilities are well understood. For example, OCWD's role is limited to the development, ownership, and operation of the water infrastructure needed to manage and recharge the groundwater basin. It is IRWD's understanding that MWDOC does not own or operate infrastructure facilities because the regional storage, treatment, and conveyance systems for imported water are owned and operated by MWD.

Coordination among retail water suppliers, and when appropriate coordination with MWDOC and OCWD, regularly occurs with respect to the development of needed interconnected water infrastructure and the maintenance of existing systems. IRWD does not believe that a change in governance would eliminate any of perceived challenges related to the development or maintenance of water infrastructure in Orange County.

Finding F3: *"There is a great disparity between the North/Central and South Orange County water sources, management, and operations carried out by OCWD and MWDOC."*

Response: IRWD agrees with this finding.

In California, the properties overlying a groundwater basin have the right to extract groundwater from that basin for beneficial use. In Orange County, the water agencies that overlie the Orange County Groundwater Basin (i.e., the groundwater producers) have the right to extract the water from that basin for the beneficial use for their customers. OCWD's role is to manage the Orange County Groundwater Basin for the benefit of the groundwater producers overlying the basin. Because the Orange County Groundwater Basin only lies under North and Central Orange County, OCWD only serves to those communities.

The right to groundwater does create a "disparity" between the water sources available to North/Central and South Orange County. In North and Central Orange County approximately 77 percent of the drinking water supply is from the Orange County Groundwater Basin, and the remaining 23 percent comes from imported water purchased from MWD/MWDOC. This contrasts to the nearly 100 percent of the drinking water in South Orange County coming from MWD imported water. OCWD does not have operations in or provide water management to South Orange County, which is outside of OCWD's District boundary.

Finding F4: *“South Orange County has many smaller retail water districts that lack a formal centralized leadership. Notwithstanding this lack of structure, South Orange County retail water districts have displayed effective collaboration when dealing with one another.”*

Response: IRWD agrees with this finding.

South Orange County currently has eight retail water districts and one city that provide water services to the southern portion of the county. There is no centralized water leadership. Despite this, South Orange County’s retail water agencies collaborate effectively on water management, infrastructure development and water policy.

One good example of this collaboration and effectiveness is the Baker Water Treatment Plant. The Baker Water Treatment Plant is a 28.1 million gallon per day drinking water treatment plant located in Lake Forest. The plant is a joint regional project by five South Orange County water districts. The plant provides increased water supply reliability to South Orange County by increasing local water treatment capability from multiple water supply sources, including imported untreated water purchased from MWD and IRWD’s share of runoff collected in Irvine Lake. The plant provides a reliable local drinking water supply during emergencies, increases operational flexibility by creating redundancy within the water conveyance system, and produces water that meets standards stricter than current regulatory requirements, resulting in a consistent, high-quality source of drinking water for South Orange County.

Finding F5: *“Orange County Water District is a recognized worldwide leader in groundwater resource management and reclamation. Its leadership, innovation, and expertise can be further utilized to serve all of Orange County in developing additional innovative and beneficial programs.”*

Response: IRWD partially disagrees with this finding.

IRWD agrees that OCWD is a recognised worldwide leader in groundwater resources management and indirect potable reuse. OCWD’s Groundwater Replenishment System (GWRs) is the world’s largest water purification system for indirect potable reuse, and OCWD is recognized for its leadership in the areas of groundwater management and water reuse. Its expertise has been and should continued to be a resource for others looking to implement water reuse projects, especially projects that focus on groundwater recharge.

IRWD disagrees that OCWD should serve all of Orange County by developing additional innovative and beneficial programs. Instead of unilaterally expanding its wholesale role, OCWD should remain focused on managing the Orange County Groundwater Basin and should remain a resource on water reuse.

Finding F6: *“Orange County currently does not have a countywide coordinated policy regarding water conservation, which results in difficulty when complying with any new State-mandated conservation regulations.”*

Response: IRWD wholly disagrees with this finding.

There is agreement on the importance of water use efficiency and conservation within Orange County, and historically, Orange County, as whole, has complied with any new State-mandated conservation regulations. Orange County water agencies already coordinate and similarly message overarching and shared water conservation and water efficiency policies.

Approaches to conservation require thoughtful consideration of a variety of policies and factors. This is why, fundamentally, water use efficiency and conservation programs and policies should be designed to reflect local needs and water use practices. Accordingly, local water use efficiency and conservation programs and policies will vary from agency to agency – even within Orange County.

In general, water efficiency and conservation programs and policies are most successful if they are locally designed, implemented and managed to reflect a community’s needs. Water use efficiency and conservation programs should also be cost effective and economically viable. Employing a one-size-fits-all policy approach to conservation is very inefficient and would not enhance the county’s ability to comply with further State-mandated conservation regulations.

Recommendation R1: *“By January 2023, Orange County wholesale water agencies should formally begin analysis and collaboration towards forming a single wholesale water authority or comparable agency to operate and represent wholesale water operations and interests of all imported and ground water supplies. (F1, F2, F3, F4, F6)”*

Response: The recommendation will not be implemented by IRWD because any formal analysis and collaboration towards forming a single wholesale water authority or comparable agency should start between MWDOC and OCWD. It also should include each agency’s “member agencies” along with the cities of Anaheim, Fullerton, and Santa Ana, which purchase imported water directly from MWD (they are not member agencies of MWDOC).

The concept of consolidating MWDOC and OCWD is not new. The merger of the agencies has been discussed periodically for almost 40 years. Incompatibilities between MWDOC's and OCWD's enabling acts make combining the agencies a statutorily complex undertaking. Before tackling consolidation challenges, the two agencies should first prioritize collaboration on existing and future water policy and management.

After a period of close collaboration and cooperation, a future analysis of wholesale supplier governance alternatives should first establish objectives and desired benefits. This would improve the chances that the any changes would be more successful. The alternatives analysis should be open, comprehensive, and collaborative, and include the participation of all of Orange County's retail water suppliers and staff of the Orange County Local Agency Formation Commission.

Recommendation R2: *"Any future "One Voice" consolidated Orange County wholesale water authority should have Directors that examine and vote on issues considering the unique needs of all water districts. (F1, F2, F3, F4, F6)."*

Response: The recommendation will not be implemented by IRWD because the voting structure of any consolidated Orange County wholesale water authority will need to consider a number of factors, including the following:

- Providing a voting structure that ensures imported water financial, management, and administrative decisions are voted on by weighted representation based upon cost responsibility or imported water usage;
- Maintaining the current number of total MWD board seats for Orange County, including Fullerton, Santa Ana, and Anaheim representatives;
- Ensuring the MWD representation for Orange County is cohesive and well-positioned to work with other MWD member agencies to maintain reliable and cost-effective imported water for the county; and
- Providing a governance structure that ensures board members for groundwater producing areas exclusively vote on groundwater management, pricing, and production matters.

If you need further information regarding this response, please contact me at (949) 453-5590.

Sincerely,

Paul A. Cook, P.E.
General Manager

cc: Orange County Grand Jury
IRWD Board of Directors

August 2, 2022

Prepared by: M. Lindsay / R. Huang

Submitted by: F. Sanchez / P. Weghorst

Approved by: Paul A. Cook 

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

CONSULTANT SELECTION FOR EMBEDDED ENERGY TOOL

SUMMARY:

In 2014, the Board approved the preparation of an Embedded Energy Plan to quantify energy use associated with District facilities and operations. The plan included development of an analytical Embedded Energy Tool (EET) that could identify areas where future water efficiency and energy reduction efforts should be focused and where pumping surcharges should be assessed. Staff recommends creating a new, enhanced, and easy to update EET that can be automated to easily quantify the energy intensity of IRWD's operations for use in calculating pumping surcharges, preparing grant applications and focusing water use efficiency efforts. Staff has evaluated the two proposals received and recommends the Board authorize the General Manager to execute a Professional Services Agreement with HDR Engineering in the amount of \$321,600 to develop a new enhanced EET and to perform updated pumping surcharge analyses for the upcoming Fiscal Year (FY) 2023-25 rate-setting process.

BACKGROUND:

In 2015, Navigant Consulting, Inc., along with HDR Engineering, prepared an Embedded Energy Plan for IRWD. The Embedded Energy Plan and associated EET allowed for the quantification of energy use associated with IRWD facilities involved in the treatment, distribution, collection, use, reuse and disposal of water and biosolids. Navigant analyzed energy data from 2006 to 2013 and developed an analytical EET based on static data. The plan and EET were utilized to calculate appropriate pumping surcharges and to identify portions of IRWD's service area where future water efficiency efforts should be focused based on energy intensity. Outputs from the EET have also been used to support the preparation of IRWD grant applications to demonstrate embedded energy savings associated with proposed projects.

2018 Update of Embedded Energy Tool:

In 2018, Navigant completed an update to the Embedded Energy Plan and EET to account for the addition of new IRWD facilities, system changes and updated energy data. The updated EET included a new pumping surcharge analysis for rate-setting, spatial embedded energy estimates, and an embedded energy intensity breakdown (kWh/AF) by facility and by process (collection, treatment, conveyance and discharge).

Limitations of Tool:

The 2018 updated version of the EET has limited capabilities that are based on static data. The tool does not provide the needed flexibility for staff to easily update energy data, add new facilities or analyze pumping costs for rate-setting without outside assistance. The spatial analysis uses ArcGIS software that is no longer supported. In order to address these functional

limitations and to be able to calculate pumping surcharges for use in the upcoming FY 2023-25 rate-setting process, IRWD seeks to create a new enhanced EET.

Development of Enhanced Embedded Energy Tool:

The new enhanced EET would be designed to retrieve source data and quantify the energy intensity of IRWD operations. It would utilize SCADA system data and automate updated source information into the tool for more accurate results and greater functionality. An enhanced EET will allow:

- IRWD to easily add or amend facilities and update the EET, as needed;
- Automated annual data updates utilizing SCADA data within algorithms to be used in the rate-setting process, preparing grant applications and reporting;
- Embedded energy data tracking to determine energy use and greenhouse gas (GHG) emission reductions;
- Quality assurance and quality control (QA/QC) capabilities to verify the accuracy of embedded energy calculations;
- Integration and mapping of results using spatial data within supported ArcGIS software; and
- Improved accuracy of calculated energy intensity calculations for grant funding opportunities and other energy use reporting.

Consultant Selection Process:

On June 29, 2022, an RFP was issued to two consultants with specialized expertise working on IRWD energy projects and the capacity to complete the work within the required timeframe for rate-setting purposes. The firms that submitted proposals are HDR Engineering, Inc. and NV5. HDR was a sub-consultant to Navigant in the development of the first EET, and NV5 is currently preparing portions of IRWD's Climate Action Plan. Navigant Consulting, acquired by Guidehouse, indicated that it neither has the technical expertise nor the capacity to perform the work.

Staff completed a thorough evaluation of the two written proposals. The proposal from NV5 was non-responsive to the RFP requirements for the use of open-source software that can easily be updated and maintained. Staff recommends the selection of HDR to complete the work. Key strengths of HDR's proposal are as follows:

- HDR's proposal is responsive to the RFP, offers the strongest project understanding and the expected level of effort while providing a detailed project approach;
- HDR has previous experience with developing IRWD's initial EET and has in-depth knowledge of the District's system and facilities;
- HDR proposed an open-source data tool that can easily be amended and readily used by IRWD without requiring external software updates;

- HDR prepared a reasonable schedule needed to meet the internal rate-setting deadlines;
- HDR's team has extensive experience in model development and QA/QC efforts;
- HDR will train staff to manage and operate the new EET to ensure appropriate use and ongoing functionality of the tool; and
- Costs are in line with staff's estimates to complete the proposed work.

The Consultant Selection Matrix is provided as Exhibit "A". HDR's scope of work is provided as Exhibit "B".

FISCAL IMPACTS:

The cost of HDR's services to create and update the EET is \$321,600. Project 11799 is included in the FY 2022-23 Capital Budget, which has sufficient funding to complete this work.

ENVIRONMENTAL COMPLIANCE:

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

RECOMMENDATION:

That the Board authorize the General Manager to execute a Professional Services Agreement with HDR Engineering in the amount of \$321,600 to develop a new enhanced Embedded Energy Tool, perform updated pumping surcharge analyses and prepare instructions and training for IRWD.

LIST OF EXHIBITS:

Exhibit "A" – Consultant Selection Matrix

Exhibit "B" – HDR's Scope of Work

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Exhibit "A"

CONSULTANT EVALUATION MATRIX

Embedded Energy Plan Consultant Selection Matrix

Item	Description	Weights	NV5/Sage	HDR	
A	<u>TECHNICAL APPROACH</u>	60%			
1	Adherence to RFP Requirements	10%	2	1	
2	Understanding of required services and project details	30%	2	1	
3	Approach and Methodology	40%	2	1	
4	Schedule	20%	2	1	
	<u>Weighted Score (Technical Approach)</u>		2.00	1.00	
B	<u>QUALIFICATIONS AND EXPERIENCE</u>	40%			
1	Project Manager	25%	2 Tom Williard 20 yrs Exp	1 Leanne Hammond PE, 20 yrs Exp	
2	Project Engineers/Tool Developers/Analysis	25%	2 Jason Randall (BA/MS), 20 yrs Francis Mahony (PE/PMP/MS), 10 yrs Megan Dawe (BS/MS), 9 yrs	1 Yuying Li (BS/MA), 20 yrs Joel Engleson (BS/MS), 19 yrs	
2	QA/QC	25%	2 Himaja Muppalla (MS), 4 yrs Isha Shah, (MS), 1.75 yrs	1 William Andrews (BS/PMP), 37 yrs Tobias Wolf (BS), 25 yrs Todd Engstrand (BCE/PE), 28 yrs	
3	Project Team Experience (sub and prime)	20%	2	1	
4	Firm's Relevant Experience (sub and prime)	5%	2	1	
	<u>Weighted Score (Experience)</u>		2.00	1.00	
	<u>COMBINED WEIGHTED SCORE</u>		2.00	1.00	
	Ranking of Consultants		2	1	
C	<u>SCOPE OF WORK</u>				
TASK		Task Hours	FEE	Task Hours	FEE
1	Project Management and Meetings	na	\$0	64	\$15,570
2	Phase 1 - Data Request	na	\$0	28	\$5,890
3	Phase 1 - Data Tool Development	80	\$28,900	536	\$95,960
4	Phase 1 - QA/QC	50	\$40,300	228	\$43,360
5	Pumping Surcharge Analysis	100	\$48,500	188	\$37,780
6	Phase 2 - Data Tool Development	75	\$20,200	426	\$80,852
7	Phase 2 - QA/QC and PM/Meetings	65	\$18,664	196	\$42,158
	SUB-TOTAL SERVICES, FEE (Does Not Include Optional Items)	370	\$156,564	1,666	\$321,570
15	Other Items	na		na	
	TOTAL SERVICES, FEE	370	\$156,564	1,666	\$321,570
	Avg \$/hr		\$423		\$193
D	<u>OTHER</u>				
	Miscellaneous Items				
	Multiplier		-		-
	Conflict of Interest		No		No
	Joint Venture		No		No
	Addendum Acknowledgement		No		No
	Scope of Work Exclusions		No		No
	Exceptions taken to IRWD Std. Contract		No		No
	Insurance (Professional & General Liability)		Yes		Yes

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A hand is holding a tablet displaying a financial table. The table has columns for 'Category', 'Amount', and 'Total'. The rows are color-coded: yellow for 'General Fund', blue for 'Special Fund', and green for 'Capital Fund'. The table lists various categories and their corresponding amounts.

Category	Amount	Total
General Fund	\$1,000,000	\$1,000,000
Special Fund	\$500,000	\$500,000
Capital Fund	\$250,000	\$250,000
...	...	...



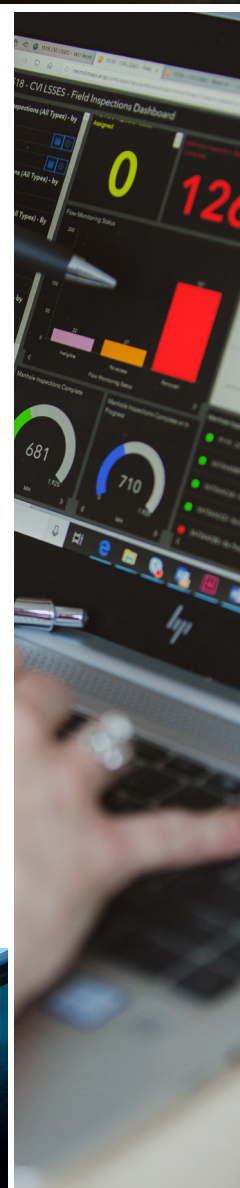
Irvine Ranch
WATER DISTRICT

PROPOSAL

Embedded Energy Tool Update

Irvine Ranch Water District

July 25, 2022





July 25, 2021

Ms. Marina Lindsay
Project Manager
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, California 92618

RE: Proposal for Embedded Energy Tool

Dear Ms. Lindsay:

Irvine Ranch Water District (IRWD) uses the current Embedded Energy Tool to analyze specific geographic regions within the service area for water conservation or energy reduction opportunities and pumped surcharge assessments. The tool considers IRWD's existing facilities and uses historic energy intensity and pumping costs as default inputs, adjusting for future updated inputs. This Embedded Energy Tool continues to provide insight into the long-term investment needs for IRWD's infrastructure and supports Staff and the Board with making policy decisions.

Efficient Work Execution to Meet Your Schedule

HDR has been working with IRWD to deliver complex projects and help maintain your world-class facilities through groundbreaking studies, facility start-up, and commissioning work that is supported by our first-hand knowledge of your systems, and is completed on schedule and within budget. Leanne Hammond will be the Project Manager, bringing unparalleled understanding of coordinating multiple data sources and team leads through her work on integrated master plans and long-range water supply planning. In addition, our Embedded Energy Tool Development Lead, Yuying Li, worked on the input and framework for the previous Embedded Energy Tool and will use her technical expertise to transform the tool platform based on the latest available technology. Joel Engleson is our Hydraulic Modeling lead, having worked in your water hydraulic models and exported pertinent data outputs as part of the last tool development.

Reliable and Justifiable Results that Easily Incorporate IRWD Updates

HDR proposes to develop the new Embedded Energy Tool as an intranet-based application. The tool outputs detailed cost sheets that will provide IRWD with reliable and justifiable results to inform or serve as the basis of rate setting. The tool uses key energy intensity and cost data, developed from historical records and will be organized by geographic pressure zone areas. This tool will provide an updateable database in a format that IRWD has access to after this project is completed.

Proven Leadership in Asset Management and Commitment to IRWD's Success

Leanne Hammond brings a deep understanding of water system management and planning and understands how the outputs of this projects fit into the larger picture of IRWD's facility management strategy. She will guide the development of the tool and pumped surcharge analysis to align with and facilitate IRWD's goals for water system and energy management strategies.

Thank you for inviting us to propose on this project. We are excited for the opportunity to collaborate and partner with you. Leanne and her team have the full support of HDR and my personal commitment that we will deliver a successful project that will advance the development and updating of the Embedded Energy Tool in an efficient, effective, and collaborative manner. Please contact Leanne Hammond at (858) 712-8203 or Leanne.Hammond@hdrinc.com if you have any questions regarding our proposal.

Sincerely,

HDR Engineering, Inc.



Anna Lantin, PE
Vice President, Southern California
Area Operations Manager



Leanne Hammond, PE, ENV SP
Project Manager

Project Understanding

Irvine Ranch Water District (IRWD, the District) desires to develop a new or updated Embedded Energy Tool that can calculate pumping surcharges of both potable and non-potable use in their annual rate setting process. In 2015, Navigant Consulting, Inc. in conjunction with HDR Engineering Inc. (HDR) were selected and developed the Embedded Energy Plan (the Plan) to examine energy use associated with collection, use, reuse, and disposal of water and biosolids in IRWD's service area. One of the tasks was to develop an Embedded Energy Management tool. The tool was developed to enable IRWD staff to visualize and examine spatial embedded energy data, such as energy intensity, water supply, and cost intensity data over the service area; conduct pumping surcharge analysis for selected regions, and evaluate and compare water conservation program energy savings scenarios.

The Embedded Energy Management tool was developed as ArcGIS add-in. Users needed to launch ArcMap to use the tool. Because of that, the tool is dependent on ArcGIS's institutional set up at the time and the specific version of ArcMap that tool was built upon. In addition to the infrastructure restriction, all the source data referenced in the tool were analysis results from the study. Though the Plan was updated in 2018 to include a new pumping surcharge, spatial embedded energy estimates, and a 2018 embedded energy intensity break-down by facility and water type component, the tool platform hasn't been updated since its original deployment.

As the original "developer" of the tool, we also recognize that the tool indeed needs to be recreated so it can be used for annual pumping surcharge rate setting with annual water flow and facility energy usage and cost data. The new tool will be built as an intranet-based application that not only provides more flexibility, but also can integrate with ArcGIS if needed. HDR is uniquely qualified for the project and brings a deep understanding of the tool's input and output requirements.

Project Scope and Approach

HDR has developed a proposed project workflow for this project based on the scope tasks outlined in the RFP and our understanding of IRWD's objective for this project. Our approach is collaborative and communicative. We plan to use Sharepoint for gathering and sharing project files, progress updates, workshop agendas and minutes, and project deliverables. **Our Proposed Project Workflow on the following page illustrates the flow of task activities and how we plan on getting the most out of our combined efforts on this project. The project scope has been developed using a phased approach, with the goal of Phase 1 to deliver the pumping surcharge analysis to IRWD by December 2022. Phase 2 has been developed to dedicate more time to refining the Embedded Energy Tool so that future updates and analyses can be easily automated by IRWD.**

The Project Workflow is designed with a series of smaller meetings with the IRWD project management team and larger workshops with IRWD's RPM stakeholders. Our goal with all meetings and workshops is to engage the best minds and resources to deliver the right solutions for you. HDR's technical leads will be responsible for preparation and facilitation of all meetings and workshops. IRWD staff time is extremely important, and we will look to make every minute count. We will work with IRWD's Project Manager to plan workshops weeks in advance to provide the time needed to coordinate participation of key IRWD staff required to maximize workshop effectiveness. Leanne Hammond and IRWD's Project Manager can discuss adjustments to workshop design and participants during bi-weekly check-in calls.

Task 1 – Project Management, Meetings, and Data Review

Task Objective: Project management, coordination, and administration is a continuous task executed throughout the project and includes monthly monitoring of the scope, budget, invoicing and schedule for a 6-month project schedule. Under this task, HDR will also collect and review relevant data.

Task Deliverables: Bi-weekly meetings; meeting minutes; monthly progress reports. Data request tracking list.

HDR's approach to project management is built into our Project Management Plan (PMP). It defines the vision; implementation strategy; schedule and budget criteria; and the policies, procedures, and standards for the project. It is a valuable reference guide for the entire team, which allows staff to contact someone on the team, identify milestones or review the budget, and contains important project management information all in one place. The PMP provides a level of continuity and standardization to facilitate timely and cost-effective communications and decision-making.

Project Management Approach

Our project management approach is reinforced through proven accountability measures, such as earned value tracking for early identification of schedule and budget issues. Upon Notice to Proceed, our Project Manager will develop a Work Breakdown Structure (WBS) budget and schedule and will use this to track project budget and schedule using earned value analysis. We propose having a standing bi-weekly check-in call between HDR's Project Manager and IRWD's Project Manager to communicate progress, action item status, plan key upcoming activities, and discuss actions required to keep the project on schedule and budget. Everything we do will be a coordinated effort to achieve our shared objectives. This task will also include a Project Kickoff meeting, attended by up to three (3) HDR team members, to review project scope and objectives and determine the preferred tool platform in either a web-based platform or PowerBI interface. Meetings are assumed to be virtual.

Commitment to High Quality Service Delivery

HDR is committed to excellence. Excellence starts with assigning the right resources to the project. **Each team member assigned to this project team brings experience, skills and know-how that will provide value to IRWD on this project.** Quality is also achieved using quality-oriented processes that continually improve the service we provide. Our Quality Management Plan is built into our Project Management Plan. Early in the project we will have a Project Approach and Resource Review (PARR) meeting to identify potential project risks and risk mitigation actions. Our Quality Management System (QMS) provides an important framework for ensuring that we are reaching the highest levels of quality—both for you and for ourselves. We remain focused on continual opportunities for improvement throughout our daily activities to achieve client satisfaction and meet performance expectations. Our goal is to set the industry benchmark for excellence in services. We accomplish this through work done well, staying true to purpose, and exercising discipline.

Data Collection and Review

In this task, HDR will collect, review, and modify all data provided by IRWD and others as needed to compile data in the tool through calendar year 2021 and implement Phase 1 tool development.

Initial Data Request List – HDR will develop and submit an initial data request for information needed to develop a new Embedded Energy Tool with currently available data for Phase 1.

Collect and Review Data, Studies, and Reports – HDR will request data and other information necessary to update the model from IRWD and other agencies. HDR will review and document the data received. HDR will perform two follow-up attempts (by phone and/or email) to obtain the requested information. If HDR is unable to obtain the data requested, they will notify IRWD's Project Manager. Initial reference documents and data may include the current Water Efficiency Plan, Energy and Greenhouse Gas Master Plan (HDR understands IRWD is

currently updating this report), Water Resources Master Plan, 2020 Urban Water Management Plan, total energy use and historical embedded energy for IRWD's major facilities, available energy bill and water flow data.

Task 2 – Phase 1

We are committed to meeting your schedule by providing updated surcharge analysis with \$/CCF results for both potable and non-potable system by December 7, 2022. We have outlined the following detailed work plan to deliver this project on time.

Task 2.1 – Data Tool

Task Objective: To complete the Phase 1 pumping surcharge area analysis, the new Embedded Energy Tool shall follow the embedded energy analysis work flow and perform the analysis.

The data calculation module is the key component of a fully functioning Embedded Energy Tool, which will be further developed in Phase 2 for automated future updates. The analysis module is also essential in generating the requested pumped surcharge analysis output. During this task, we will review and process the input data, develop the analysis model, and execute the model for output.

Needs and Drivers Review

HDR proposes a 2-hour workshop to further understand detailed data sources, overall drivers for the tool, and objectives for the data used in the analysis. During the meeting, the following questions will be addressed:

1. How is SCADA data and energy data are received, stored and maintained in the District
2. How SCADA data and energy data are used
3. Previous data gaps identified
4. What are the weighting criteria for facility level data calculation
5. How the hydraulic schematic model will be used
6. How output data will be used and any specific format required

Data Processing

The project team will review and analyze water flow data, energy usage and cost data by IRWD facility and system. Monthly SCADA data and energy data will be reviewed first to identify data issues and gaps in terms of embedded energy analysis. All the tags of SCADA data will be reviewed, documented and included in the analysis. IRWD facilities will be matched to specific SCE and SoCal Gas energy accounts. Previously manually processed data will also be reviewed for comparison. Data cleaning steps will be reviewed with IRWD and documented for automation reference utilized in Phase 2. Data QA/QC measures will be identified, documented, and implemented. After a full review of the monthly water flow and energy data, the team will review 15-minute SCADA and SCE energy usage data. The 15-minute water flow and energy use data will increase the data volume exponentially, which will have significant impacts on the analysis methodology and performance requirements.

HDR will develop baseline and future embedded energy estimates using historical annual data and water use forecasts for the potable water, non-potable water, and wastewater systems. Anticipated planned changes in water supplies will be reviewed and a mass balance of supply and use types will be developed. In coordination with hydraulic model updates, HDR will review historic and forecasted water use for each service area to create a linkage between the model, tool input, and customer billing data.

HDR will review customer water billing data, understand its formatting, and spatially map customer locations to facilities and pressure zones. The hydraulic schematics provided will develop the relationship between the facilities and their hydraulic areas, which will support allocating customers to the hydraulic service zones. This relationship will be used in data calculations when a new facility is added, or an old facility is retired.

A script tool will be developed to clean, format, convert the data into an acceptable format that can be used as an input for the analysis tool. The script will also load the data into the database for analysis.

HDR will review the wastewater collection system model to update output data related to flow splits diverting percentages of customer flows to different lift stations and/or treatment facilities. Flow splits are not typically captured by SCADA data, so assumptions will be made as to how the flows are split based on hydraulic model output. These flow splits will be coded to facilities and areas as an input to the tool.

- Embedded energy output by pumping surcharge area (\$/CCF);
- Clean and QA/QC SCADA data to be used in the updated tool calculations and review of existing SCADA tags to include all necessary inputs;
- As feasible, develop a series of rules and potential automated QA/QC checks for the SCADA data utilized (further automated in Phase 2 of the Tool);
- Perform annual QA/QC checks for data used in the short-term section of the tool.

Database Design and Development

With the understanding of the data schema and technical components, the project team will design and develop the database that will accommodate various input and output data for the tool. Input data tables and table fields will be created. The output data format will also be identified. We will also provide the mechanism for historical data archiving, version control, raw data and processed data, and QA/QC report.

Data Analysis Module

Working with the District, HDR will define the methodologies and calculations the module will perform. The calculations will determine weighted contributions, cost intensity, and energy intensity by facility and zone. Customer level billing data and predefined relationship to the zones help perform the calculations without facility level data recalculation. Surcharge analysis will be performed to provide \$/CCF results.

Task Deliverables:

Under this task, HDR will prepare a technical memorandum (TM) that describes the work performed, any updates to hydraulic models, and documents the development and input data of the tool. The TM will include operational instructions and a guide to use the tool, as well as recommendations for future improvements or automation for Phase 2 updates for the tool. One Draft TM will be submitted for IRWD review and comments. IRWD comments will be addressed prior to submitting the Final TM. HDR will perform internal QC reviews of each Draft and Final TM prior to submission to IRWD.

Additional deliverables include:

1. Tool components needed to complete surcharge area analysis
2. All data back-ups used or referenced in the creation of the tool, to date
3. List of all data imports/exports possible in the existing tool with a draft TM write-up for each calculation, data conversion major methodology, and summary of the existing report options with recommendations to continue in Phase 2
4. Draft matrix or system map of how the import data is used within the tool for any future annual updates or major changes (provide a visual or chart)
5. READ ME instructions for existing tool components, completed to date

6. READ ME recommendations to be applied and/or improved during the Phase 2 development of the tool and automation of applicable calculations.

Task 2.2 – Tool QA/QC and Update Schedule

Task Objective: Once the preliminary Phase 1 version of the data tool is developed, QA/QC shall be conducted to confirm full functionality.

With the preliminary results from the analysis module, the HDR team will review and perform QA/QC of the tool to make sure:

1. The tool can identify data gaps of input data and fill in the gaps based on the agreed methodology.
2. The tool performs the calculations based on all the required input data. Sensitivity analysis will be performed as the input data is changed.
3. The tool can generate all requested outputs. The output accuracy and replicability will be evaluated and verified against historical output.
4. The results can be mapped correctly in GIS system.

The team will review the calculations in terms of input data updates and investigate patterns and sensitivities. Recommendations will be provided for update schedule to maximize the benefits.

Task Deliverables:

1. Instructions for QA/QC process for the Embedded Energy Tool
2. List of recommended updates
3. Recommended updates schedule (drafts for components addressed in Phase 1, finals for all components in Phase 2)
4. List of corrections applied (especially if QA/QC is run by a separate party than the creator of the tool e.g., subcontractor or District staff team efforts)
5. List of estimation methods and calculations for data gaps
6. List of potential improvements to be applied in the future

Task 2.3 – Pumping Surge Area Analysis

Task Objective: Provide an updateable output table with proposed pumping surcharge areas and rates for potable water and non-potable water systems.

Utilizing the embedded energy estimates developed in Task 2.1, HDR will evaluate the cost of pumping throughout the IRWD service area and develop a pumping surcharge by geographic pressure zones and tributary areas for each system. IRWD operates over 100 facilities and processes across nine water and wastewater systems. Each system energy intensity and use will be considered under the pumped surcharge area analysis to calculate the cost intensity of serving the various geographic pressure zones.

With the facility level water flow and energy use data, the tool will calculate the cost intensity by geopressure zone in \$/CCF and \$/AF and surcharge analysis with \$/CCF results. Methodologies and assumptions will be outlined and documented for IRWD's review in a TM.

Task Deliverables:

HDR will prepare a TM that describes the calculations and analysis performed, methodologies used for the surcharge area analysis, and recommendations for future updates and scheduling. One Draft TM will be

submitted for IRWD review and comments. IRWD comments will be addressed prior to submitting the Final TM. HDR will perform internal QC reviews of each Draft and Final TM prior to submission to IRWD.

Additional deliverables include:

1. Updated Pumping Surcharge Areas Charges (\$/CCF)
2. Recommended update methods and schedule – with an emphasis on the statistical methods used for customer grouping and future system changes.

Task 3 – Phase 2

Task 3.1 – Dynamic Data Tool – Automate Data Cleaning and Analysis

Task Objective: Automation shall be built within the new Embedded Energy Tool and allow for changes in facility options, data cleaning, and improved operations where possible.

It is our understanding that the long term Embedded Energy Tool should be able to provide future surcharge analysis without restriction from software upgrades and data entries. The tool should be able to retrieve the input water flow and energy use data from established databases based on an agreed schedule to perform an updated analysis whenever needed. The tool should also be designed to accommodate new facilities or facility updates.

HDR will prepare for and conduct one 2-hour workshop to interview IRWD staff and to understand how the tool will be used by potential users. User interface mockups will be developed and presented to IRWD staff in a follow-up workshop to make sure that all requirements are captured and addressed. Proposed final platform, whether web-based GIS or PowerBI, and approach will also be presented for comments. Feedback will be collected and incorporated into the final design. User acceptance criteria will be developed and approved for mutual consensus.

The tool will incorporate the following major features at minimum:

1. The tool will output pumping surcharge analysis
2. The tool will output embedded energy by water system
3. The tool will output embedded energy by facility
4. The tool will allow the user to add or change the facility
5. The tool will allow the user to choose embedded energy by upstream 3rd-party facilities, IRWD-only facilities, or energy passed downstream to 3rd-party customers
6. The tool will allow the user to choose different units
7. The tool will allow the user to select for and switch between calendar year, fiscal year, and water year data outputs
8. The tool will allow the user to select for comparison between selected year to show water/energy/GHG savings and/or reductions

Task Deliverables: A Technical Memorandum describing the methods, work performed, and assumptions utilized in the creation of the tool and a summary of the various output results.

HDR will prepare a TM that describes the methodologies and assumptions during refinement and automation of the tool. The TM will also summarize output results of the calculations and analysis performed for the surcharge area analysis, and recommendations for future updates and scheduling. One Draft TM will be submitted for

IRWD review and comments. IRWD comments will be addressed prior to submitting the Final TM. HDR will perform internal QC reviews of each Draft and Final TM prior to submission to IRWD.

Additional deliverables include:

1. The full Tool, with automated components
2. All data back-ups used or referenced in the creation of the tool
3. List of all data imports/exports possible in the existing tool with a TM write-up for each calculation, data conversion major methodology, and summary of the existing report options
4. Matrix or system map of how the import data is used within the tool for any future annual updates or major changes (provide a visual or chart)
5. READ ME instructions for existing tool, for all components
6. READ ME instructions and extensive notes for future, expected updates

Task 3.2 – Tool QA/QC and Update Schedule

Task Objective: Once the dynamic Phase 2 version of the data tool is developed, QA/QC shall be conducted to confirm full functionality

HDR will set up the QA/QC environment that mimics production environments for QA/QC reviews. User test script will be developed, and user acceptance test on functionalities will be conducted.

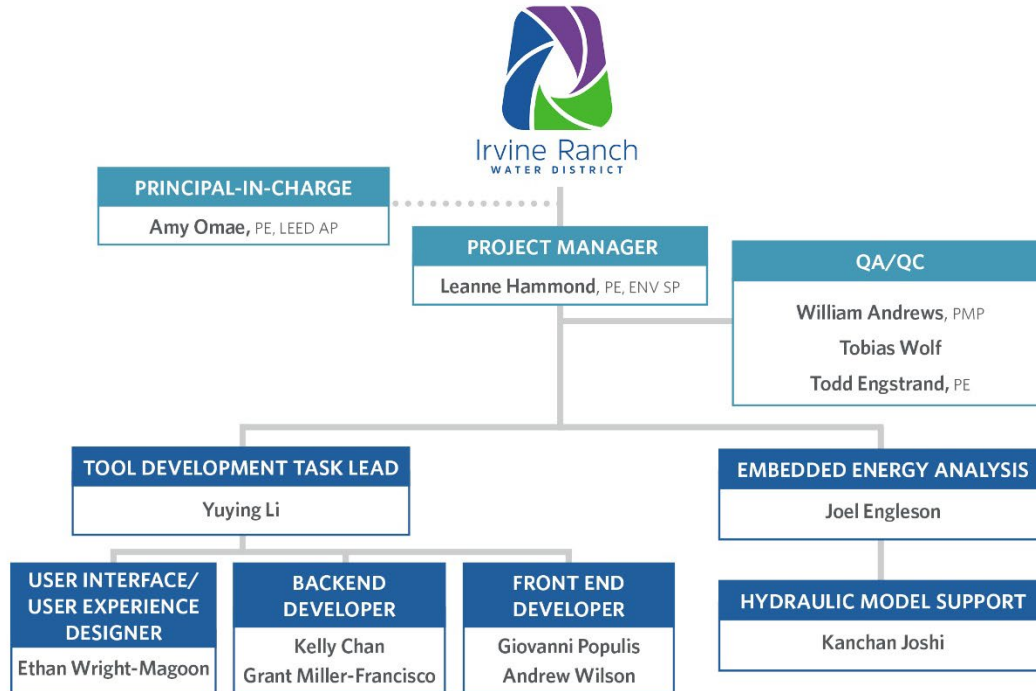
Task Deliverables:

1. Expanded instructions for the QA/QC process for the Embedded Energy Tool
2. Expanded list of recommended updates
3. Full recommended update schedule for best practices (finals for Phase 1 and 2)
4. List of corrections applied (especially if QA/QC is run by a separate party than the creator of the tool e.g., subcontractor or District staff team efforts)
5. List of estimation methods and calculations used for data gaps
6. Expanded list of potential improvements to be applied in the future, by tool section (e.g., series of calculations and completed steps)

Project Team

Irvine Ranch Water District requires a highly qualified, capable team of experts that can develop the Embedded Energy Tool and perform the pumping surge cost analysis. HDR is proposing a lean and experienced team of fully committed staff that will work in partnership with your staff. The organization of the HDR team profiles for key team members are provided below, including a high-level view of staff commitment to your Project. Key personnel assigned to this project shall not be reassigned without the prior written approval from IRWD.

Our proposed Project Manager and your primary point of contact for this project is Leanne Hammond. Leanne brings the perfect blend of technical and managerial skills and will provide technical coordination and oversight for the project. She has the confidence and corporate support to make decisions and to be accountable for the performance of this team. Yuying Li, our Tool Development Task Lead, was involved with the initial development of the Embedded Energy Tool and will leverage her expertise and understanding to manage the tool update.



Staff Availability

Project Staff	% Availability	% Commitment
Amy Omae - <i>Principal in Charge</i>	45%	15%
Leanne Hammond - <i>Project Manager</i>	50%	25%
William Andrews - <i>QA/QC</i>	45%	15%
Tobias Wolf - <i>QA/QC</i>	45%	15%
Todd Engstrand - <i>QA/QC</i>	45%	15%
Yuying Li - <i>Tool Development Task Lead</i>	50%	25%
Ethan Wright-Magoon - <i>User Interface/User Experience Designer</i>	50%	25%
Kelly Chan - <i>Backend Developer</i>	50%	25%
Grant Miller-Francisco - <i>Backend Developer</i>	50%	25%
Giovanni Populis - <i>Front End Developer</i>	50%	25%
Andrew Wilson - <i>Front End Developer</i>	50%	25%
Joel Engleson - <i>Embedded Energy Analysis</i>	50%	25%
Kanchan Joshi - <i>Embedded Energy Analysis</i>	50%	25%

Key Staff Experience and Qualifications



LEANNE HAMMOND, PE, ENV SP ➡ PROJECT MANAGER

Why Leanne? Leanne brings 20 years of experience performing special studies and preparing potable, recycled water, and wastewater master plans including CIP development and rehabilitation planning. She and the HDR team have managed over 20 water planning projects for Carlsbad, Escondido, Poway, Vista, San Diego, Padre Dam Municipal Water District, Sweetwater Authority, and Otay Water District.

BS, Environmental Engineering, Cal
Poly San Luis Obispo

Professional Engineer, Civil, CA, No.
68344

Envision Sustainability Professional

SIMILAR EXPERIENCE

- **Potable Water, Recycled Water and Sewer Master Plan and Asset Management Plan Updates**, City of Carlsbad
- **Recycled Water System Condition Assessment and Optimization Plan**, City of San Diego Public Utilities Department
- **Recycled Water Master Plan Update**, West Basin Municipal Water District



WILLIAM ANDREWS, PMP ➡ QA/QC

Why William? With 37 years of experience, William provides oversight, guidance and quality reviews to HDR's project teams in all aspects of application development, including custom scripting, software development, database management, integration of various software solutions, and deployment of Cloud based solutions. Additionally, he brings extensive technology and software engineering experience with dedication to solving complex problems for the utility, telecom, engineering, environmental and planning industries.

BS, Geology, University of Akron

PMP, Project Management Institute

SIMILAR EXPERIENCE

- **GIS Enabled Airfield Safety**, NAVFAC Atlantic
- **TO 4 Sites Project Integration**, Sites Project Authority
- **MRP 2021 Program Management Services**, BNSF Railway Company



TOBIAS WOLF ➡ QA/QC

Why Tobias? Tobias brings more than 25 years of experience managing the design and development of Information Management applications for the analysis and management of engineering projects. He has managed all aspects of Information Management services of information in real-time and developed HDR's Program Management & ROW Dashboard solutions, which are GIS-driven tools to manage large amounts of information in real-time.

BS, Engineering Technology,
University of Delaware

SIMILAR EXPERIENCE

- **GIS Enhancements for Regional Forecasting Models**, San Diego Association of Governments
- **Pier B Port-Wide Stormwater Infrastructure Master Plan**, Port of Long Beach
- **Embedded Energy Plan**, Irvine Ranch Water District



BCE, Civil/Structural, San Diego State University

Professional Engineer, Civil, CA, No. C62867

TODD ENGSTRAND, PE ➡ QA/QC

Why Todd? Todd has a multitude of experience across his 28-year career providing quality assurance oversight and management, and has a multi-faceted background in water and wastewater engineering. He specializes in leading teams in the planning, design, quality control program reviews and construction support services of water and wastewater facilities. Through this unique experience, Todd brings a practicality to his design a work of actually building and then operating those facilities he lead the planning and design efforts.

SIMILAR EXPERIENCE

- **Sewage Treatment Master Plan**, Irvine Ranch Water District
- **Recycled Water Master Plan Update**, West Basin Municipal Water District



MA, Geography, San Diego State University

BS, Environmental Sciences/ Studies, East China Normal University

YUYING LI ➡ TOOL DEVELOPMENT TASK LEAD

Why Yuying? Yuying was a part of the team that developed the initial Embedded Energy Tool and as such, her knowledge and experience is invaluable for this update. Yuying is a GIS Analyst with over 20 years of GIS consulting, software development, and customization experience. She has extensive knowledge of GIS data modeling, geodatabase design/development, spatial analysis, and mapping, and is also well-versed in programming and database management.

SIMILAR EXPERIENCE

- **Embedded Energy Plan**, Irvine Ranch Water District
- **Recycled Water Salt Management Plan**, Irvine Ranch Water District
- **GIS Enhancements for Regional Forecasting Models**, San Diego Association of Governments
- **Pier B Port-Wide Stormwater Infrastructure Master Plan**, Port of Long Beach



MS, Civil Engineering, Texas A&M University

BS, Civil Engineering, Texas A&M University

JOEL ENGLESON ➡ EMBEDDED ENERGY ANALYSIS

Why Joel? Joel has 19 years of experience in numerical and computational modeling and specializes in using the latest modeling software technology to develop innovative solutions. Joel uses the latest modeling software to develop innovative solutions related to the operation, planning, and design of water distribution systems. Joel has developed over 50 hydraulic models on water and wastewater systems using InfoWater and can navigate complex issues with expertise gathered from his own experiences.

SIMILAR EXPERIENCE

- **Sewage Treatment Master Plan**, Irvine Ranch Water District
- **As-Needed Civil Engineering Support Services**, Padre Dam Municipal Water District
- **Pipeline Risk Prioritization**, Padre Dam Municipal Water District

Previous Experience and References

Embedded Energy Plan, Irvine Ranch Water District

HDR performed an evaluation of the embedded energy of IRWD's potable water supply and treatment, wastewater collection, wastewater treatment, and disposal and recycled water/non-potable water production and distribution. The Navigant/HDR team collected all of the information available related to water volumes provided, collected, and treated to the energy required. HDR developed a GIS-based tool that will allow IRWD staff to graphically select regions of its service area to compare the embedded energy required to provide energy to each of its users. One of the goals of the project and the tool was to determine where water conservation practices will be most beneficial and identify energy cost saving opportunities.

Client Reference:

Fiona Sanchez, Director of Water Resources
15600 Sand Canyon Avenue
Irvine, CA 92618

Water Reliability Study, Irvine Ranch Water District

IRWD takes a diligent approach to developing a reliable and resilient water supply system to serve its growing community. Assuming that planned capital improvement projects are constructed the district has secured a surplus of water that provides sufficient supply under normal operating conditions through build-out. Through the Water Reliability Study the district sought to identify and evaluate a variety of drought and emergency scenarios that could threaten the district's ability to deliver water to its customers and put into place a prioritized portfolio of sound and cost-effective responses. The Water Reliability Study focuses on the district's ability to maintain a minimum level of service under various emergency scenarios based on a rigorous and transparent risk analysis. With recent findings in climate change research and the projected reliability of imported water sources the district needed to reassess its definition of risk and level of service expectations to develop improved and robust mitigation strategies. With the potential for emergency conditions to be more severe than historic data could predict an updated model was required. HDR provided modeling and evaluation of local and imported water supply reliability under a variety of emergency scenarios. The comprehensive resource and supply distribution model simulates and optimizes deliveries and storage of potable water taking into account hydraulic constraints associated with the delivery system. Using an indexed sequential Monte Carlo simulation and 83 years of historical hydrology the model projects demands supply and storage needs based on an assumed pattern of future climate. Recent climate change research and projected reliability of imported water resources were incorporated into the analysis. Level of service expectations were established and mitigation strategies developed. This analysis provides justification for future operational and capital water reliability improvements and investments from both a local and regional perspective.

Client Reference:

Fiona Sanchez, Director of Water Resources
15600 Sand Canyon Avenue
Irvine, CA 92618

Water, Wastewater and Recycled Water Master Plan, City of Carlsbad Public Utilities

HDR prepared Potable Water, Recycled Water and Sewer Master Plan Updates for the City of Carlsbad to identify needed improvements for existing and future conditions and development of a capital improvement plan to address deficiencies across multiple water and wastewater systems. To ensure consistency among the data analyzed, assumptions made, HDR took a basis of planning approach, so that the master plan documents are compatible, reliable, and defensible.

Over the past decade, the economic recession, combined with a multi-year drought, resulted in significantly reduced water and recycled water demands and sewer flows, and consequentially reduced revenues to Carlsbad.

By updating these three master plans, the resulting capital improvement programs will help guide Carlsbad in spending precious funds in the most cost-effective manner.

As part of this effort, HDR created a new water demand forecasting tool to help Carlsbad assess variables associated with water demand projections. The demand forecasting model developed for this Master Plan update incorporated the following elements:

- Spatial correlation of water demands at the parcel/TAZ level
- Alignment with SANDAG TAZ data, City's land use databases, general plan and other planning resources
- Integration with other platforms: hydraulic models/GIS DB/AM
- User friendly graphic and model interface dashboards
- Incorporation of potential water conservation savings into demand projections
- Bookend Forecasting for low, medium, and high ranges
- Scenario-based forecasting
- What-ifs and sensitivity analysis

Client Reference:

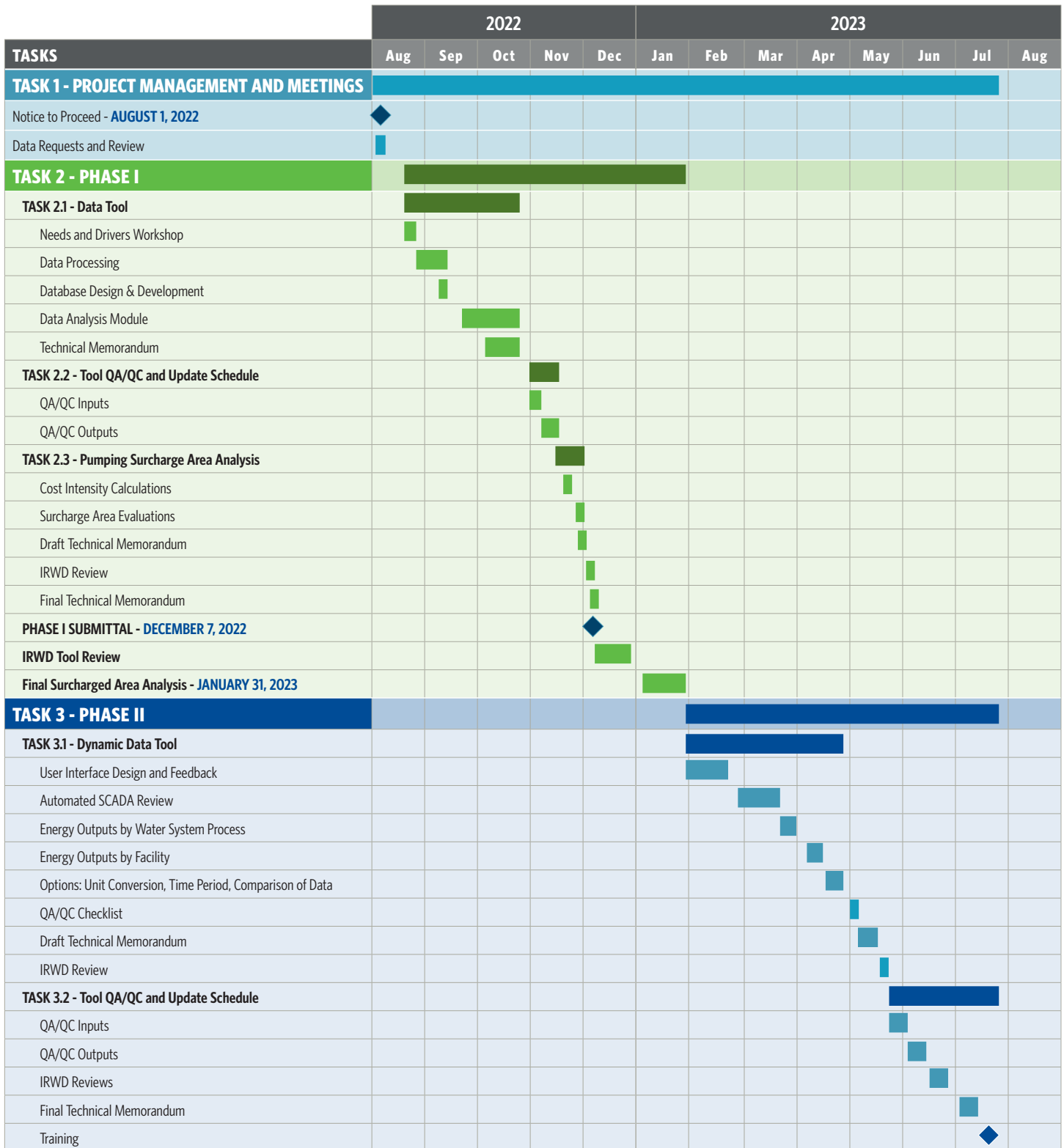
Stephanie Harrison, Asset Manager, City of Carlsbad
5950 El Camino Real
Carlsbad, CA 92008
760. 603.7356, Stephanie.Harrison@carlsbadca.gov

Schedule

HDR's proposed schedule is to complete the Phase 1 work in 6 months following receipt of the Notice to Proceed and receiving all data from IRWD. As noted in the RFP, HDR is committed to delivering initial Phase 1 deliverables no later than December 7, 2022, with the final pumping surcharge analysis completed no later than January 31, 2023. Please find our proposed schedule on the following page.

Budget

HDR proposes to provide our services for Tasks 1 through 3 on an hourly rate basis plus travel and expenses. The proposed not-to-exceed fee estimate for these Tasks is summarized in the fee table on page 16.



NO.	TASK DESCRIPTION	LEVEL OF EFFORT (HOURS)												FEE (DOLLARS)				
		Principal	Project Manager	Quality Reviewer	Sr. Technical Expert	Sr. Modeler	Project Engineer	Staff Engineer	GIS Manager	GIS Developer	Document Specialist	Accountant	Project Coordinator	Total Labor	Labor	Direct Costs	Total	TOTAL
1	Project Management																	
1.1	Project Management	2	8	4								8	6	28	5,960	0	5,960	
1.2	Meetings	4	12	2	2	8			8					36	9,610	0	9,610	
SUBTOTAL 1 Project Management		6	20	6	2	8	0	0	8	0	0	8	6	64	15,570	0	15,570	15,600
2	Phase I																	
2.1	Data Request		4			4		2	16	2				28	5,890	0	5,890	
2.2	Data Tool	2	8	10	8	80	24	96	32	280	8			536	95,960	0	95,960	
2.3	QA/QC			16	8	24		16	40	120	4			228	43,360	0	43,360	
2.4	Pumping Surcharge Analysis	2	12	6	8	40	12	24	24	56	4			188	37,780	0	37,780	
SUBTOTAL 2 PHASE I		4	24	32	24	148	36	138	112	458	16	0	0	980	182,990	0	182,990	183,000
3	Phase II																	
3.1	Data Tool	2	16	12		52	12	44	60	224	4			426	78,880	1,972	80,852	
3.2	QA/QC	2	16	12		24		8	24	64	4			154	31,560	789	32,349	
3.3	PM and Meetings	2	12	2	2	4			8			8	4	42	9,570	239	9,809	
SUBTOTAL 3 PHASE II		6	44	26	2	80	12	52	92	288	8	8	4	622	74,080	3,000	123,010	123,000
TOTAL, hours		16	88	64	28	236	36	190	212	746	24	16	10	1,666				
TOTAL, dollars															318,570	3,000	321,570	321,600



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Irvine, CA 92602-1377
hdrinc.com

We practice increased use of sustainable
materials and reduction of material use.

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